

Human Resources Committee Meeting

Douglas County, Nebraska

Tuesday, February 14, 2017

The meeting convened at 3:01 P.M. in Room 903 of the Omaha-Douglas Civic Center, 1819 Farnam Street, Omaha, NE 68183. A copy of the Open Meetings Act is located on the wall near the entrance of the room. A notice of the meeting was published in the February 7, 2017, issue of *The Daily Record*. County Commissioners present at the meeting were Marc Kraft, Mary Ann Borgeson, Mike Boyle, P.J. Morgan, Clare Duda, Chris Rodgers, and Jim Cavanaugh. Others present during the meeting were Patrick Bloomingdale, Dianne Wallace, Joe Lorenz, Diane Carlson, Catherine Hall, Marcos San Martin, and Leia Baez, County Administration; Kathy Adair and Karen Buche, Human Resources; Jerry Leahy and Jeff McGill, Public Properties; Nancy McGill; and Constance Mierendorf, Douglas County Clerk/Comptroller's office. Commissioner Borgeson chairs the Committee.

A video recording of the meeting is available on the Douglas County Website:
<http://commissioners.douglascounty-ne.gov/board-meetings/videos>.

Human Resources Strategic Plan Update

- Patrick Bloomingdale presented an update to the Human Resources Strategic Priorities (Attachment A). The priorities include:
 - Consider Discontinuing Retiree Health Insurance Coverage in 2017. (Effective January 1, 2017, retirees pay 5% more toward the cost of the premium: 30% for single coverage and 40 % for family coverage).
 - Develop Legislative Agenda. (The Board approved a legislative agenda from which bills have been drafted and introduced; others have been opposed by Board Resolution).
 - Study Changing to Paid Time Off (PTO) System. (Employees would be entitled to cash out 100% of unused PTO, including sick leave and vacation, upon separation from employment. Currently only unused vacation leave is paid out. This conversion would have to be negotiated with various unions and it clearly has budgetary implications).
 - Develop a Comprehensive County Employee Compensation Plan. (HR has submitted a proposed plan for County Board consideration).
 - Enhance Employee Wellness Policies and Program. (Ongoing).
 - Develop a Succession Plan. (Each department director has an informal plan for succession for interim positions, but Civil Service rules on posting and hiring for open positions make it impermissible to determine ahead of time who will permanently fill a particular position).

- Enhance use of social media to engage employees and the public. (The Public Information Officer is working on this initiative).
- Commissioner Cavanaugh said that if the Board intends to eliminate retiree health benefits, representatives from collective bargaining units and/or retirees should be invited to the discussions. They have not been a part of the discussion; it should not be done by fiat. Everyone should be aware of this initiative and Commissioner Cavanaugh said he is willing to invite affected parties. This is important especially for people who have been with the County for many years and have been planning their retirement with this benefit.
- Commissioner Rodgers said everyone understands that this is happening and it is not being done by fiat. All of the discussions have been in public meetings. The discussion has been that if the benefit is going to be eliminated, a year's notice will be given.
- Joe Lorenz said the whole issue arose when the County had the rule of 75. When it was in effect, employees could retire at age 52 with full benefits. Retiree benefits are rare outside of government. The retiree health care plan is also the most costly since retirees tend to have the highest health care costs. The rule of 75 was non-mandated, unfunded, and not covered by collective bargaining; it is strictly discretionary.
- Commissioner Cavanaugh said many top executives in the private, corporate sector receive generous, fully paid retirement health benefits. It is fairer to have the people affected by this decision at the table.
- Commissioner Rodgers said the conversation about eliminating retirement health benefits has not been in secret.
- Commissioner Borgeson said the Strategic Plan will be updated with staff and will go back to the full, 2-3 year Strategy Development and Tactical Priorities list (Attachment B).

Executive Orders Update

- Karen Buche presented an overview of the status of Executive Orders that relate to Human Resources (Attachment C). Some orders were not in compliance when Ms. Buche assumed the position of HR director, and she has been working on getting the County in compliance.
 - 13706 Establishing Paid Sick Leave for Federal Contractors (effective on or after January 1, 2017). The County has approximately one more year before contracts are due to renew. Federal contractors include employees at the Correctional Center, the Youth Center, and the Douglas County Health Center. The order mandates that 1 hour of sick leave be granted for every 30 hours worked with a minimum of 56 hours per year. The County already meets this standard.
 - 13763 Fair Pay and Safe Workplaces (effective January 1, 2017). This includes paycheck transparency and disclosure requirements for subcontractors who are independent contractors. They must be provided documents informing them of their independent contractor status. The County is in Compliance. A disclosure

requirement will go into effect on April 25, 2017. This requirement states that any violation of a Human Resources law (like Title VII) must be reported before the County could be awarded another contract.

- 13665 Pay Transparency (effective January 11, 2016). The order prohibits any policies that prevent applicants and employees from discussing any employee's pay. The policy must be included in employee handbooks, distributed electronically or posted physically. This applies to contractors or subcontractors over \$10,000.
 - 13658 Establishing a Minimum Wage for Contractors (effective January 1, 2015). This relates to workers covered by the Service Contract Act and sets a minimum wage of \$10.10/hour. The County is in compliance.
 - 13672 Further Amendment to Executive Order 11246, Equal Employment Opportunity (effective August 21, 2014). This applies to all federal contracts over \$10,000. The addition of gender identity will require some policies regarding locker rooms and posting policies that state that anyone may use the locker room of the gender with which they identify. Some areas are the responsibility of Human Resources while others fall under the Building Commission.
- Ms. Buche said she did not believe that any Executive Orders were being set aside by the Trump administration.

Legislation Update

- Marcos San Martin presented the Douglas County Legislative Bill Summary (attachment D). The Board has taken a position on 19 bills including LB 333 that the Board voted to oppose in the Board Meeting earlier in the day.
- This is working day 28 of a 90 day session in the Legislature.
- Commissioner Borgeson said discussion of the bills will be ongoing.

Other Business

- Discussion followed about the ability of the Board to include coverage of a drug that Blue Cross Blue Shield considers investigational and not scientifically validated for a County employee's son. This drug is effective and there is no other treatment available.
- Kathy Adair explained that the drug is expensive and if the Board chooses to cover it, the \$450,000 limit (the point at which insurance covers 100% of coverage) would be invalidated for the employee because it is outside the approved coverage from Blue Cross Blue Shield.
- The employee explained that if his son had a different diagnosis, the treatment would be covered. Canada approved the drug in 2010.
- Commissioner Borgeson said the drug was routinely used for late stage lymphoma patients.

- Patrick Bloomingdale said that if the drug works and there are no other options, then it should be covered. This drug, IVIG, was originally covered but then dropped.
- Commissioner Borgeson said she would propose coverage for this drug under the plan before the entire Board.
- Commissioner Cavanaugh said the Board should write a standard for adopting a drug. There may already be an objective standard with Medicare, Medicaid, or the Veterans Administration. Once the Board knows what standards are available, it can adopt its own standard.
- Kathy Adair said a few employees had difficulty getting insurance cards for a couple of reasons: 1) some employees mistook the initial mailing from Blue Cross Blue Shield as advertisement and threw it away and 2) employees do not always make address changes with HR when they move and the initial mailing containing their cards was lost or delayed.
- Ms. Adair said employees can call HR and get a subscriber number which will allow them to access services until they receive their insurance card.

The meeting adjourned at 3:52 P.M.