



AMADOR TUOLUMNE COMMUNITY ACTION AGENCY

INTERNAL AFFAIRS COMMITTEE MEETING

AGENDA

September 9th, 2019 | 1:30p.m.

Telephone Conference between

ATCAA Jackson Service Center, Jackson Community Room, 10590 Hwy 88, Jackson, CA 95642
26871 Woodland Rd, Pioneer, CA 95666, 7 Main St, Sutter Creek, CA 95685, 19300 Mira Monte Rd, Tuolumne,
CA 95379, 20394 Brook Dr., Sonora, CA 95370

1. **CALL TO ORDER:**
2. **ROLL CALL:**
3. **APPROVAL OF AGENDA:** Approval of agenda for this date, any and all off-agenda items must be approved by the Board (pursuant to Government Code 54954.2).
4. **APPROVAL OF MINUTES:** Approval of minutes from June 10th, 2019 meeting. Pg. 2
5. **OLD BUSINESS:**
 - 5.1. Executive Director Selection Policy/Procedure - Revised. Pg. 4
6. **EXECUTIVE DIRECTOR VERBAL REPORT:**
7. **ADJOURNMENT:**

LATE AGENDA MATERIAL: Late agenda material can be inspected at the ATCAA Jackson Service Center 10590 Hwy 88 Jackson, CA and the ATCAA Sonora Service Center 427 N. State Hwy. 49 Sonora, CA.

SPECIAL NEEDS: Persons who need auxiliary aids or services are requested to call our Sonora Service Center at 209-533-1397 or our Jackson Service Center at 209-223-1485 during business hours at least 48 hours before the meeting so appropriate arrangements may be made.



AMADOR TUOLUMNE COMMUNITY ACTION AGENCY

INTERNAL AFFAIRS COMMITTEE MEETING

MINUTES

June 10th, 2019 | 10:00a.m.

Video Conference between

ATCAA Jackson Service Center, Jackson Community Room, 10590 Hwy 88, Jackson, CA 95642

ATCAA Sonora Service Center, 2nd Floor Conference Room, 427 N Hwy 49, Sonora, CA 95370

1. CALL TO ORDER:

The meeting was called to order at 10:35am by Committee Chair Lynn Morgan.

2. ROLL CALL:

Members present: Lynn Morgan, Lloyd Schneider, Ryan Campbell, Susan Ross. A quorum was established.

Members absent: Dana Reel, Connie Williams, and Walt Kruse.

Others present: Joseph Bors, Executive Director, Cheri Cunningham, Human Resource Manager, Deni Avery, Food Bank Director, Katelyn Goehner, Secretary to the Board.

3. APPROVAL OF AGENDA: Approval of agenda for this date, any and all off-agenda items must be approved by the Board (pursuant to Government Code 54954.2).

Member Ross motioned and Campbell seconded the Approval of the Agenda. MPU by roll call vote.

4. APPROVAL OF MINUTES: Approval of minutes from February 8th, and 20th, 2019 meetings. Pg. 2

Member Schneider motioned and Campbell seconded the Approval of Minutes. MPU by roll call vote.

5. OLD BUSINESS:

5.1. Board/Executive Director Training Status

Since becoming the Executive Director, Joseph Bors has noticed that training is a concern. He has allotted \$15,000 for training this upcoming fiscal year for training for the Board as well as staff. Bors has asked Rick Breeze-Martin to create training criteria with the cost and amount of hours to as a starting point. There will be two pieces of training that will happen at the Board Meeting this Friday, 6/14 and Bors will present a structured process for the Board to review.

6. NEW BUSINESS:

6.1. Executive Director Selection Policy/Procedure.

Bors produced a handout to be added to the ATCAA Hiring Process, specific to the Executive Director.

The document, with some tweaks from the committee members, now has step by step instructions for each step of the hiring process; from who does what, timelines, and will have copies and examples to accompany.

6.2. Salaried vs. Hourly Employee Changes.

With minimum wage going up \$1/hour for the next three years, (\$16.00/hour in 2022) ATCAA will have to pay each salaried employee at least \$32.00/hour as California Law requires salaried employees to be paid twice the minimum wage. By going from salaried to hourly, there will be no pay cuts; there will be opportunities for those employees to earn overtime. This change will avoid having to give required raises each year to salaried employees.

Member Ross motioned and Morgan seconded to recommend to the Board to move employees from salaried to hourly effective 7/1/2019. MPU by roll call vote.

6.3. Effective date of Executive Director Paid Time Off. Pg. 6

With Bors employment contract starting on 4/29/19, ATCAA Payroll implemented Bors to start accruing the extra 40 hours of Paid Time Off on 4/29/19. By consensus of committee members present they agreed that was best as the committee or Bors knew how it was done in the past.

7. EXECUTIVE DIRECTOR VERBAL REPORT:

7.1. Food Bank Director - Open Hire Status.

Bors reported out to the Committee that a new Food Bank Director has been hired. He will start July 1st. Deni Avery, the current Director, will be available on a Sub basis starting next week as Friday, June 14th is her last full time day. Avery will also help with the transition that is predicted to be slow, and Avery will help with the three fundraisers she has established.

7.2. Energy Director - Open Hire Status.

Bors has not posted the Energy Director position yet. He will do so within the next couple of weeks.

7.3. Executive Director update on Transition.

Bors let the Committee know that since outsourcing his Energy Director position, he has been able to spend time with each department. He feels confident that Teri Olivas with Energy needs no supervision from him anymore. He is going to a training on Wednesday for Weatherization,

8. ADJOURNMENT:

The meeting was adjourned at 12:08pm by Committee Chair Lynn Morgan.

Before the meeting adjourned, Member Schneider made a comment on how well prepared and informative Bors was with his reports ha

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3.4 Hiring

(Board xx/xx/xx, PC – xx/xx/xx, Effective – xx/xx/xx)

3.4.1 Hiring Policy

ATCAA Hiring Policies and Procedures will adhere to the ATCAA Equal Employment Opportunity (EEO)/Affirmative Action (AA) Policy.

Current ATCAA employees and program participants, including ATCAA Head Start parents, are eligible and encouraged to apply for available ATCAA positions for which they are qualified.

3.4.2 Hiring Authority

The ATCAA Executive Director will be hired by the ATCAA Board (Board) in accordance with Board By-laws **and this document**.

The ATCAA Head Start Director hire must also be approved by the ATCAA Board and the ATCAA Head Start Policy Council.

For all other hires, the Board has delegated hiring authority on its behalf to the Executive Director for all other positions, including both open hires and limited term hires. The Executive Director may delegate that authority to the ~~Deputy Director of Administration~~ **Fiscal Officer**.

All hires must: 1) comply with all policies and procedures, 2) meet all program requirements, and 3) meet all Agency requirements for documentation and reporting, including documentation of acceptable reference checks. These requirements apply to all hires, including both open hires, limited term hires and substitute hires.

All applicants for ATCAA Early/Head Start positions, including those for limited term employment, must be approved by the Policy Council (PC) prior to hire, except in an emergency situation. An “emergency” exists only when an applicant must begin work prior to obtaining PC approval in order to maintain the necessary teacher-student ratio. The ATCAA Executive Director has delegated authority to the ATCAA ECS Program Director to determine if an emergency need exists. An employee hired to fill an emergency need must be approved by the Executive Director within five (5) working days from the date of hire, and must be approved by the PC within no more than 30 days from the date of hire. A full background clearance check must still be obtained for any employee hired for any amount of time for Early/Head Start programs.



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Applicants on an eligibility list and/or a substitute list must also be sent to the Head Start Policy Council for approval.

The ATCAA Board Chair or Internal Affairs (IA) Committee designee will be responsible for the open hire of the Executive Director position. For all other hires, the responsible party will be the Program Director or designee. For purposes of this policy, the responsible party for the open hire process will be referred to as “designee”.

3.4.3 Recruitment and Selection

An “open hire process” will be used for recruitment and selection for all introductory and regular status positions, as well as for the selection of an individual for the Executive Director position. An open hire will have an established final filing date and will be advertised, and applicants screened/interviewed according to ATCAA Policies and Procedures, with the following additional procedures and clarifications:

Because the ED position is so important to continuity of the agency, special attention and timeliness of the recruitment and selection process is imperative. The Board of Directors, Internal Affairs (IA) committee and Human Resources should strive to complete the two stage interview process within 1 month of the open hire filing closure date, with a Board decision meeting immediately following the second interview.

An open hire will be advertised for a minimum of five (5) business days, and 10 days for the ED position, to ensure widespread announcement of the vacancy. In addition to a job description, the advertisement must include a final filling date and a salary range. The Program Director or designee, at his/her discretion, may extend the final filing date and re-advertise for any position if the Program Director or designee determines that the applications received do not reflect a sufficient pool of qualified applicants.

Screening and Interviews - All applications for an open hire will be screened by a committee having a minimum of three (3) people. The Program Director or designee will make the final selection for interviews from the top applicants who either: 1) were mutually acceptable to the majority of the screening committee, or 2) whose qualifications and experience most closely match the requirement of the position. Screening may be eliminated when there is a limited pool of applicants and all candidates will be interviewed.



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An interview committee will interview the applicants selected by screening. The interview committee will recommend to the ~~Program Director~~ **designee** the top candidate(s) for hire and for placement on an eligibility list. During the interview, the interview committee will ask all applicants the same interview questions and will not include questions regarding any of the protected State and Federal classes. **Selected applicants for an open Executive Director position will go through a minimum of two interviews.** The ~~Program Director~~ or designee may also include various types of tests appropriate to the position. If the interviews will take more than one (1) day to complete, the ~~Program Director~~ or designee will make every effort possible to ensure that the second interview committee includes the same panel members.

The ~~Program Director~~ or designee may re-interview the candidates recommended by the interview panel prior to submitting a final recommendation to the Executive Director. The second interview committee does not have to have the same panel of interviewers as in the first interview and may include only the ~~Program Director~~ or designee.

If an interview panel determines that none of the interviewed applicants are qualified, the ~~Program Director~~ **designee** may have the applicant pool screened again or may re-advertise for the position, at his/her discretion.

Both screenings and interviews will include a minimum of three (3) individuals, including the position's supervisor or designee, a person with expertise in the job being filled, and a third person appointed by the ~~Program Director~~ or designee. **For an open Executive Director position, the screening and interview committee will be by an Internal Affairs committee having a minimum of three (3) people.** Screenings and interviews do not have to be conducted by the same individuals.

For the ATCAA Early/Head Start Program, both screeners and interview committees will include one or two ATCAA Head Start parents/guardians of children currently enrolled in the Early/Head Start program. Scheduled interviews may proceed without Head Start parents/guardians only if the absent parent/guardian cancels without enough prior notice to inform all those attending of the cancellation, or fails to show up. In the case of an ATCAA Head Start position, if two applicants are equally qualified, priority will be given to any applicant who is or has been an ATCAA Head Start parent/guardian.

Additional guidelines for an open Executive Director position - An Internal Affairs interview committee will interview the applicants selected by screening the screening committee. The IA interview committee will recommend to the Board of Directors the top candidate(s) for a second round of interviews. The second



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round of interviews will include the entire Board. The Board will interview remaining candidates selected by the Internal Affairs interview committee.

A Human Resources member shall participate in each interview and during each interview, the interview committee or Board will ask all applicants the same interview questions and will not include questions regarding any of the protected State and Federal classes. The HR representative is not a voting member, but is present to facilitate proper questioning, consistent with ATCAA policies. The Board or IA designee may also include various types of tests appropriate to the position. If the interviews will take more than one (1) day to complete, the Board Chair or IA designee will make every effort possible to ensure that the second interview committee includes the same panel members.

The Board Chair or designee may re-interview candidates recommended by the Board interview panel prior to making a final recommendation, however, the Board interview panel may not re-interview candidates who were not chosen for the second round of interviews. The Board interview committee does not have to have the same panel of interviewers as in the first interview, but should strive to include as many participants as possible and does require a quorum of participants.

If two applicants are equally qualified, priority will be given to any applicant who is an ATCAA employee.

Reference checks - Reference checks are required for all hires, including eligibility lists, limited term hires, and substitutes prior to hire and prior to submitting a final recommendation for hire to the Executive Director or, for instances of an Executive Director position, the ATCAA Board.

Executive Director contract – Upon selection, the chosen candidate will enter into a written contract between the Board of Directors and the new ED. Terms of the contract shall include salary, paid time off accrual, performance reviews and other terms as deemed applicable. HR will maintain a copy of the contract and make it available as a template for future contracts

Exceptions to an open hire - The only exceptions to not using an open hire are:

- the placement is temporary relief
- the hire will eliminate the layoff of an existing employee who has gone through an open hire for an existing position similar in nature and with like minimum qualifications, job duties and responsibilities.

These exceptions are always subject to Executive Director approval.



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3.4.4 Internal Open Hires

Internal open hire situations are opportunities for existing **introductory, regular, limited term, and substitute** employees to upgrade their current position after having met an educational requirement, training experience, etc. The ~~Program Director~~ or designee will send a notice to all qualified staff members within the same tier/job category as the new position which will list: 1) the description of job responsibilities; 2) the minimum qualifications of the position; and 3) the final filing date in which interested employees must submit their Letter of Interest. After the final filing date, the ~~Program Director~~ or designee will follow the same screening, interviewing and selection process listed above.

For an open Executive Director position - Internal applicants will be subject to a 360 degree internal review process. The Board Chair, IA or HR designee will send a review form to the candidate's supervisor, at least two peers and all direct reports. A review form may also be sent to candidate's customers or State representatives, as applicable.

3.4.5 Eligibility Lists

An "eligibility list" of applicants not recommended for immediate hire but determined by the interview process as eligible for hire will remain valid for a period of one (1) year. Applicants can be hired from a valid eligibility list in lieu of an open hire if the position for which they applied becomes available. Upon approval by the Executive Director, applicants may be hired from a valid eligibility list in lieu of an open hire for another comparable position if the position is within the same intent and scope of the position for which they applied.

For Executive Director Applicants - Upon approval by the ATCAA Board, ED applicants can be hired from a valid eligibility list in lieu of an open hire if the ED position for which they applied becomes available.

3.4.6 Hiring for Limited Term and Substitute Positions

Hiring for Limited term and substitute positions, including those for substitute, temporary relief and trainee employment, is exempt from the open hire process but must meet all other Agency requirements, ~~including approval by the Head Start Policy Council for those working in the Early/Head Start programs.~~

A ~~Program Director~~ **designee** may prefer to use an open hire process for limited term or substitute positions. A "substitute list" developed through an open hire process is equivalent to an eligibility list and can be used in lieu of open hiring if the position becomes available within one year.



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3.4.7 Upgrades in Position Duties, Restructuring and Transfers

When the job duties and responsibilities are upgraded due to **meeting new educational requirements** or program restructuring, the person holding the position does not need to be rehired, but may be filled by the employee currently filling the position if the employee meets the minimum qualifications of the upgraded position. The upgrade of responsibility must be within the intent and scope of the position for which they were originally hired.

3.4.8 Conflict of Interest in Hiring

(Board – 04/12/13, PC – 05/03/13, Effective – 05/01/13)

No person will be hired for an ATCAA position over which an immediate family member exercises direct supervisory authority or directs the work of another immediate family member.

Immediate family members may not work under the same direct supervisor, or hold a position where they would work with a family member under the same direct supervisor.

No ATCAA or PC member, nor any immediate family member of an ATCAA Board or PC member, may be hired for any ATCAA position, except that a PC member may occasionally substitute in the ATCAA ECS/Head Start Program.

“Immediate Family Member” includes any of the following: spouse, domestic partner, sibling, child, parent, grandparent, grandchild, foster parent, step parent, sibling-in-law, child-in-law, parent-in-law, uncle, aunt, nephew, niece, step-sibling, and step-child.

Note: This policy is effective 05/01/13 and hiring and placement situations prior to this date are grandfathered in and this policy does not affect those current situations.