

August 31, 2016

CHRONOLOGY OF EVENTS

- E-mail chain beginning Tuesday, 8/16/16
- At approximately 4:30 p.m. on 8/18, Andrew brought around to various Town offices, including the Selectman's Office, the proposed candidate for the Accounts Payable position. It was obvious when he, the potential candidate and I met that this was his candidate **despite** the fact that at 1:49 (see e-mail), I told him that he was not authorized to hire an individual. I reiterated to Andrew in this meeting that his recommendation would have to go the BOS meeting on 8/25 consistent with our Personnel Policy. Andrew commented as follows: "can I move the date of hire up to before the BOS meeting". It was determined, after I talked to the candidate, that he had offered the job with a starting date and salary in direct violation to the e-mails dated 8/18.
- Immediately following his introducing the candidate to me, I went to his office and reprimanded Andrew for his breach of protocol. He argued that this was his right as he stated in his e-mail on 8/18 @ 1:23 p.m. that the Department Head had the discretion to hire the individual. I explained this was not correct and cited an example earlier this year where there was a problem with a recommendation and the BOS interviewed the candidate and chose someone who was not recommended by the Commission Chairman. Also, please see page 11 of the HR Policy Manual, **section 4 where it states "appointment to a vacancy and any changes regarding appointments and wages shall be made by the BOS from qualified candidates."** It should be noted that Mr. Urban was directly involved in re-writing this manual and as an HR staff member, he is well aware of this requirement.
- Also, in the previous week, when Jill was on vacation, I handed the 2 resumes to Carol and suggested that she should inform Andrew that they could set up the interviews however, it still had to come to the BOS for approval. Andrew was well aware of Carol's conversation that it requires BOS approval. This was well before his interview on 8/18.
- On Tuesday, 8/23 (see attached notes from Suzanne) of a meeting with Mr. Urban where he clearly stated that he had not offered the candidate the position and that he, Carol and Jill had interviewed the individual.
- On Thursday, 8/25, I had a lengthy conversation with Andrew regarding the Accounts Payable position. Since reference checks had not yet been done nor had the other candidate (there were 2) been interviewed and as stated his e-mail dated 8/18 "she was not a good fit". A quick review of her resume indicates that she has the minimum qualifications for the position. However, he arbitrarily decided to only interview one individual and, as stated, preempted the decision by the BOS. In the same meeting, I told Mr. Urban that I was going to recommend that the BOS take no action on Thursday, 8/25 and that I wanted to carefully review the position with him on Monday 8/29. In my conversation with Andrew, I indicated that with existing staff in the First Selectman's Office, i.e. Jill and Suzanne, we could discuss availability they may have to be of

assistance for the Accounts Payable position. Furthermore, I stated that there is a precedent for staff from the Selectman's Office voluntarily working in other offices for short periods of time. Also, I mentioned that before he was Finance Director, Jill and the then Administrative Assistant Gerda, played a major role in preparing the budget information for the BOF and BOS. I emphasized that with regard to any personnel position, when we have the opportunity, we should review positions with regard to any personnel cost saving measures in keeping with the BOS and BOF concerns about personnel costs. We concluded the discussion with me conveying to Andrew that we would meet with Jill on Monday (8/29) and if, for whatever reason, she was not able to perform duties or declined any interest in the position, we would take further steps. **I emphasized in this meeting with him that under no circumstances was he to discuss our conversation or recommendations with Carol, Jill or any employee.**

- At the BOS meeting later that evening (8/25 @ 5:30 p.m.), as Board members you know that I requested two things. First, note the following resolution: "Ms. Labbadia made a motion to reaffirm all of the policies and procedures in the Town of Westbrook Human Resource Manual, specifically section 4, "Recruitment, Selection and Appointment of Employees"; in particular the role of the First Selectman in said policies". Mr. Hall seconded the motion. The motion passed unanimously. The intent was to reinforce the adherence to our guidelines regarding personnel issues Andrew had violated. Secondly, the BOS took no action on the Accounts Payable position.
- **Finally, you may recall as Selectmen that my last words to Andrew when he left was that he was not, under any circumstances, to discuss this with any personnel and that any inquiries should be directed to me.**
- In a meeting in my office on Monday, 8/29, Jill brought to my attention that, contrary to what Mr. Urban stated, she and Carol were not involved in interviewing the candidate, although as the position states, Carol is the direct supervisor of the Accounts Payable individual. Also, the same day in the morning, Andrew called Jill and said "if Noel calls you in for a meeting, you are to say **no** although I cannot disclose why until you, Carol, Noel and I meet." This was very confusing at least, to a municipal employee who was not aware of the conversation I had with Mr. Urban or the Selectmen at the 8/25 meeting. It represents, in my opinion, a significant breach of protocol and possible insubordination on a very sensitive personnel issue that affects other employees.

In summary, based upon the above information, I think it is important that we review what has occurred, particularly in light of Andrew's recent performance related issues.

Noel Bishop

From: Suzanne Helchowski
Sent: Thursday, August 18, 2016 1:49 PM
To: Andrew Urban
Cc: Noel Bishop
Subject: RE: Applicants

Absolutely, you may not hire anyone prior to August 25th.
Noel

From: Andrew Urban
Sent: Thursday, August 18, 2016 1:23 PM
To: Suzanne Helchowski
Cc: Jill Brainerd; Carol Hess
Subject: RE: Applicants

Noel,

It was my understanding that the BOS would need to approve a position and salary range, but the department head had the discretion to hire an individual into an existing position with a budgeted salary. Has that policy changed?

For example, we received two external applications for our vacant part time accounts payable position. Jill, Carol and I reviewed the resumes of both candidates and unanimously determined one of the individuals was not a good fit. I am interviewing the other candidate tomorrow afternoon. If that person is a good fit, I would like to have her start as soon as possible. We've gone through two payables cycles since Donna left; Carol and I are keeping up with the volume as best we can. The week before last I processed nearly fifty vouchers over the weekend as did Carol.

Does your memo mean I cannot hire someone prior to August 25?

Can we discuss as soon as possible?

Andrew

From: Suzanne Helchowski
Sent: Tuesday, August 16, 2016 11:55 AM
To: John Riggio <JRiggio@westbrookct.us>; Jill Brainerd <JBrainerd@westbrookct.us>; Andrew Urban <AUrban@westbrookct.us>
Cc: Noel Bishop <nbishop@westbrookct.us>; Meg Parulis <MParulis@westbrookct.us>
Subject: Applicants

I wish to remind you that before any appointment, part-time or full-time, can be made, your recommendation must be presented to the BOS. Accordingly, our next meeting is on 8/25. If you are prepared with a recommendation for your three respective positions, please inform Suzanne and I would suggest that you be present at the 8/25 meeting. The meeting begins at 5:30 p.m.

You should be prepared to comment on the number of applicants and any other pertinent information so the BOS can vote and confirm the starting salary.

Thank you.

Noel

TOWN OF WESTBROOK HUMAN RESOURCES POLICY MANUAL

SECTION 4: RECRUITMENT, SELECTION AND APPOINTMENT OF EMPLOYEES

4.00 Recruitment of Employees

The First Selectman, or designee, is responsible for the administration of all employment policies and procedures including posting job openings, recruitment, advertising, collecting and retaining applications, interviewing, testing, screening, reference checking, overseeing pre-employment exams, referring qualified applicants, certifying candidates, orientation and induction, and oversight of the Town's good faith outreach efforts to attract women and minority candidates for employment

Announcements. The First Selectman or designee shall cause to be made known all vacancies for all positions that he/she intends to fill by posting announcements of such vacancies on a bulletin board in all general government buildings and report to Board of Selectmen at its regular meeting. At his or her discretion, the First Selectman or designee may publish job announcements, newspapers, journals or other media outlets and in such places as he or she deems advisable. Job announcements shall specify: the title of the position to be filled; an initial wage or salary range for the position; a general description of the nature of the work to be performed; minimum qualifications for the position; a closing date for receipt of applications; and any other information deemed appropriate for inclusion on the job announcement. When recruiting for positions that will have a responsibility for carrying out policies established by elected or appointed boards or commissions, the First Selectman, may seek the advice of such boards or commissions as to the qualifications of candidates for these positions and may form an interview committee upon Board of Selectmen approval.

Recruitment Area. Individuals shall be recruited from a geographic area as wide as is reasonably necessary to assure obtaining well-qualified candidates for the various types of positions. In cases where residents of Westbrook and non-residents are equally qualified, as determined by the First Selectman, for a particular vacant position, residents of Westbrook shall receive first consideration in filling such vacancy. Nothing shall prohibit the First Selectman, from contacting individuals and encouraging such individuals to apply for employment with the Town. All "encouraged individuals" will need to complete all of the same application materials required by other applicants from other channels.

Recruitment Expenses. While it is the policy of the Town to recruit local persons, it is recognized that various staff, professional and supervisory positions may require recruitment from outside the area to obtain well-qualified applicants. Accordingly, in recruiting for and filling positions of this type, the Board of Selectmen may authorize payment of reasonable expenses for an applicant's trip for a personal interview or reporting to duty upon appointment to Town service. Reimbursable expenses may include an allowance for transportation, meals, and lodging.

4.10 Selection of Employees

Application. Applications are accepted only when there is an opening and listed job vacancy which was previously approved by the Board of Selectmen; this includes temporary positions.

Each candidate for employment with the Town shall make application on the standard form prescribed and provided by the Human Resource Specialist in the First Selectman's office. Such

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information may be required as is deemed necessary in order to judge the applicant's qualifications for services in the Town. Each application shall be signed by the applicant. Applications shall not be returned to an applicant but will remain on file for one (1) year, after which time, such applications may be destroyed with appropriate approval of the Office of the Public Records Administrator of Connecticut. In cases where the First Selectman shall determine that prior service of a current Town employee properly qualifies for promotion to a vacant position, the First Selectman may make a direct promotional appointment with input from the Department Head and with the approval of the Board of Selectmen.

Disqualification. Failure to submit a signed and fully completed application on the proper form will result in disqualification of the applicant/candidate. Applications failing to reflect the minimum qualifications for the position may be disqualified. Application received after the announced closing date for the receipt of applications may result in disqualification of the application.

Competitive Examinations. The First Selectman shall have the discretion to administer competitive examinations to help determine the merit and fitness for duty of qualified applicants. Examinations shall relate to those matters that will test fairly the capacity and fitness of the qualified applicants to discharge efficiently the duties of the position. Examinations may include a rating of qualifications and experience, written, oral, physical or performance tests or any combination thereof. Such examinations may take into consideration reasonable factors such as education, experience, aptitude, knowledge, character, physical fitness, or any other qualifications that, in the judgment of the First Selectman, enter into the relative fitness of applicants. If the First Selectman determines that a recruiting campaign for a specific position requires any testing, all applicants with the minimal required qualifications must have the opportunity to take any such test.

References. As part of the pre-employment procedure, the First Selectman shall conduct references of former supervisors, employers and other references provided and not provided by candidates on the standard application form may also be contacted, as deemed necessary. Any references and other investigation shall be documented and made part of the applicant's file. Any reference checks shall be completed prior to an offer of employment and the information be made part of the applicant's file. All references and background investigations are to be handled as confidential information.

Pre-employment Physicals and Substance Abuse Testing. In the event that an applicant receives a job offer, he/she may also be required to submit to a medical examination and/or alcohol and drug testing that must be successfully completed before commencing work.

Direct Deposit. All employees are paid via direct deposit; therefore, a new employee must have a direct deposit account. Forms may be obtained in the Finance Office.

4.20 Appointment of Employees

All vacancies that the Town chooses to fill shall be filled by regular appointment, temporary appointment, promotion, demotion or transfer. Only qualified candidates shall be recommended for appointment. Appointment to a vacancy and any changes regarding appointments and wages shall be made by the Board of Selectmen from the qualified candidates.

All new employees will receive two original copies of a letter of hire from their Department Head, after approval by the First Selectman. This letter will state the new employee's terms of

August 23, 2016

- HFH meeting at 1:30 p.m. – ended at approximately 2:15
- During HFH meeting, Andrew motioned me out of the meeting to give me a stack of papers for Noel's signature for the bonding.
- After the HFH meeting at approx. 2:15, Noel signed the documents and I returned them to Andrew
- Andrew came down shortly after that for another signature on the bonding paperwork
- At that time, he discussed with Noel the incident on Thursday, 8/18 (candidate introduced to town)
- Andrew informed Noel that he "never offered her the job". She knew people in the Town Hall anyway and that he, Jill and Carol interviewed the candidate. The other applicant in Andrew's words was a "job hopper". Noel asked that Andrew set up an interview with that individual anyway. Andrew was not too keen on doing so.
- The BOS had a special meeting that afternoon regarding the Blight.
- After that meeting, Noel told me that Andrew told him that he did set up an interview with the other applicant for 1:30 on Thursday, 8/25.

Chronology82316/sfh