

Northwest TN Workforce Board, Inc.
Board of Directors Meeting
Friday, June 25, 2021– 9:00 am
Zoom Meeting

Minutes

Board of Directors Attending: Jimmy Williamson, Dr. Randy Shannon, Ted Piazza, Mayor Gary Reasons

Staff Attending: Jennifer Bane, Ginger Powell, Lana Burchfiel, Laura Speer

Guests: Savannah Bishop (WorkSource Montgomery Adult, DW & Young Adult WIOA Programs-Maryland), Brad Hurley

Welcome and Call to Order: Jimmy Williamson, President, welcomed the group and called the meeting to order and presented the September 14, 2020 minutes for approval.

- **MOTION: Ted Piazza motioned for the approval of the September 14, 2020 minutes as presented. Mayor Gary Reasons seconded. All approved and the motion carried.**

Extension of Line of Credit: In order to have a line of credit in place in the event that it is needed, in June 2019, the Board of Directors and CLEOs approved an amount of up to \$325,000 to cover at least one month's worth of expenses if needed. The current line of credit ends June 30, 2021 and requires approval for an extension. The line of credit may only be extended for one year at this time due to the Interlocal Agreement's 6/30/22 end date. The bank has agreed to waive the 1% modification fee. The interest rate will be a daily variable at Wall Street Prime with a floor of 4%.

- **MOTION: Dr. Randy Shannon motioned for the approval of the One-Year Extension of the Line of Credit up to \$325,000. The motion was seconded by Ted Piazza. All approved and the motion carried.**

Personnel Policy changes: Jennifer Bane reviewed the proposed changes to the Personnel Policy Manual, indicated in red on the attached document.

- **MOTION: Ted Piazza motioned for the Personnel Policy Changes as presented. Dr. Randy Shannon seconded. All approved and the motion carried.**

Other: Jennifer Bane stated that Board Officer elections are due at the August Board meeting and asked if there was a preference on open it up to the board. It will be included on the agendas for the committee meetings in July and Jennifer can collect nominations in advance.

With no further business, the meeting was adjourned.

Respectfully Submitted,

Lana Burchfiel, Public Information Specialist

Northwest TN Workforce Board, Inc.

Board of Directors Meeting

Friday, June 25, 2021 – 9:00 am

[Join Zoom Meeting](#)

Meeting ID: 836 4940 9285

Passcode: 205092

Welcome and Call to Order

Jimmy Williamson, President

Review and Approval of September 14, 2020 Minutes **(Vote)**

Approval of Two-Year Extension of Line of Credit up to \$325,000 **(Vote)**

Personnel Policy Changes **(Vote)**

Jennifer Bane, Executive Director

Other

Northwest TN Workforce Board, Inc.
Board of Directors Meeting
Monday, September 14, 2020 – 1:30 pm

[Join Zoom Meeting](#)

Meeting ID: 878 9027 0079

Passcode: 697287

Minutes

Board of Directors Attending: Jimmy Williamson, Mayor Gary Reasons, Dr. Randy Shannon

Staff Attending: Jennifer Bane, Gina Johnson, Ginger Powell

Welcome and Call to Order: Jimmy Williamson, President, welcomed the group and called the meeting to order. Two sets of minutes were presented for approval, the March 8, 2019 minutes, which were unintentionally not voted on during the last meeting, and the June 8, 2020 minutes.

- **Mayor Reasons motioned for the approval of the March 8, 2019 and June 8, 2020 minutes as presented. All approved and the motion carried.**

Selection of a Secretary for the Board of Directors: Jennifer Starks has resigned from the Northwest Tennessee Workforce Board, creating the vacancy in the Secretary position for the Board of Directors. The position must be filled by a private-sector member selected by the designated Board of Directors. Dr. Randy Shannon of Shannon Office of Law in Benton County has been nominated and has agreed to serve if elected.

- **Mayor Reasons motioned for the approval of the June 8, 2020 minutes as presented. All were in favor and the motion carried.**

Other: With no further business, the meeting was adjourned.

Respectfully Submitted,

Jennifer Bane
Executive Director

Approval of Two-Year Extension of the Line of Credit up to \$325,000 (VOTE):

In order to have a line of credit in place in the event that it is needed, in June 2019, the Board of Directors and CLEOs approved an amount of up to \$325,000 to cover at least one month's worth of expenses if needed. The current line of credit ends June 30, 2021 and requires approval for a two-year extension.

7. **Designation of Fiscal Agent**

In accordance with WIOA Sec. 107(d)(12)(B)(i)(II), the CLEO may designate an entity to serve as local fiscal agent. Such designation does not relieve the CLEO of the liability for any misuse of grant funds as apportioned in this Agreement. The parties to this Agreement have agreed the Northwest Tennessee Workforce Board, Inc. (NWTNWB) shall serve as Fiscal Agent for the Northwest TN Local Workforce Development Area. The name, representation, contact information and signature of the Fiscal Agent is included as Appendix A.

In general, Northwest Tennessee Workforce Board, Inc. as the Fiscal Agent for the Consortium of Local Elected Officials will be responsible for the following functions:

- Receive funds
- Ensure sustained fiscal integrity and accountability for expenditures of funds in accordance with Office of Management and Budget circulars, WIOA and the corresponding Federal Regulations and State policies
- Respond to audit financial findings
- Maintain proper accounting records and adequate documentation
- Prepare financial reports
- Provide technical assistance to sub-recipients regarding fiscal issues
- Procure contracts or obtain written agreements
- Conduct financial monitoring of service providers
- Ensure independent audit of all employment and training programs

Additionally, to prevent a lapse in services in the event of a delay in the receipt funding from the Tennessee Department of Labor and Workforce Development, the Fiscal Agent is authorized to secure a line of credit. The line of credit may only be secured upon the approval of the Consortium of the Local Elected Officials for the specified amount. Once secured, the line of credit may only be utilized with the approval of the Consortium of the Local Elected Officials for the specified amount, and only if the grant funds have been authorized and obligated. Two signatory authorities must sign to access the line of credit. In the event a line of credit is secured and utilized, if a default were to occur, Parties agree to distribute such liability among the parties in proportion to the most recent population estimates available from the U.S. Bureau of the Census at such time that any repayment of funds is required.

Evaluation of Staff

The NWTNWB evaluates the effectiveness of each staff member on an annual basis in accord with published criteria. The purpose of the evaluation is to assist the employee in improving future job performance. Responsibility for evaluating staff members begins with the immediate supervisor, who completes the Performance Review ~~by July 31st~~ each year for the previous year (July 1-June 30). Supervisors should complete an evaluation form and review the form with each employee to discuss all aspects of his/her performance. The supervisor rates the employee for the entire review period based on the following rubric:

5. Outstanding: Results achieved consistently exceed the requirement of the job, contribution far exceeds what is normally expected; exceptional performance.
4. Exceeds Expectations: Results achieved exceed the job consistently, seeks out opportunities for better ways to achieve better results; overall job performance is superior.
3. Meets Expectations: Results achieved meet the job requirements, consistently achieves expected results; rarely falls short of achieving what is expected.
2. Needs Improvement: Marginal performance, borderline, questionable, fair, must improve to satisfy position requirements.
1. Unsatisfactory: Inadequate performance frequently falls short of expected results.
- 0 - Not Applicable: May be used if the rating does not apply.

During the performance review meeting, the job description, **and Alternate Work Agreement if applicable**, should be reviewed for possible revision. All appraisal forms are turned in to the Executive Director ~~by August 10~~.

Complaint Procedures

The following procedures are intended to protect the rights of the aggrieved party (hereinafter, "the Complainant") as well as the party against whom a complaint of discrimination or harassment is lodged (hereinafter "the Respondent"), as required by state and federal laws. Each complaint must be properly and promptly investigated and, when warranted, appropriate disciplinary action taken against the Respondent. Legal counsel shall always be consulted prior to investigation. In situations that require immediate action because of safety or other concerns, the NWTNWB may take any administrative action which is appropriate, e.g., administrative leave with pay pending the outcome of the investigation. Each employee or applicant for employment shall be notified of the name, office, and telephone number of the designated EEO/AA, Title VI or Title IX officer(s) responsible for assuring compliance with this policy and federal law.

Any applicant for employment, or current or former employee, who believes he or she has been subjected to discrimination or harassment or who believes that he/she has observed discrimination or harassment taking place shall present the complaint to the Title VI or Title IX officer (hereinafter "the Investigator") responsible for compliance with this policy.

Equal Opportunity Officer – Laura Speer
~~208 N. Mill Ave. 708 E. Court Street~~
Dyersburg, TN 38024
731-286-3585 ~~ext. 17~~
speer@nwtntworks.org

Insurance Policy

The NWTNWB offers various insurance programs to its employees. The following policy shall be applicable to all regular full time employees. For the purposes of insurance, an employee is considered (1) any person employed by the employer, who is regularly scheduled to work not less than 30 hours per week;

Eligible dependents include:

1. A legally married spouse; Article XI, Section 18 of the Tennessee Constitution provides that a marriage from another state that does not constitute the marriage of one man and one woman is “void and unenforceable in this state,” or
2. A child under the age of 26 who meets at least one of the following criteria without consideration of factors such as financial dependency, marital status, enrollment in school, or residency:
 - a. An employee’s natural (biological) child; or
 - b. An employee’s adopted child (including a child placed for adoption in anticipation of adoption); or
 - c. A stepchild of the employee or spouse; or
 - d. A child for whom the employee is the legal guardian; or
 - e. An employee’s child for whom the plan has received a qualified medical child support order requiring the child to be enrolled in a health insurance plan pursuant to State or Federal statutes.
3. Dependents over the age of 26 who meet at least one of the criteria in item number 2 of this section and who are incapacitated (mentally or physically incapable of earning a living regardless of age, provided the dependent is incapable of self-sustaining employment). This provision applies only when the incapacity existed before the dependent’s 26th birthday and they were already insured by a state sponsored plan. The child must meet the requirements for dependent eligibility listed in this section. A request to continue coverage due to incapacity must be provided to Benefits Administration within the 90 days prior to the dependent’s 26th birthday. Annual proof may also be required. Approval is subject to review of the claims administrator. Coverage will not continue and will not be reinstated once the dependent is no longer incapacitated.

Dependents not eligible for coverage include:

1. Foster children;
2. Dependents not listed in the above definitions;
3. Parents of the employee or spouse;
4. Ex-spouse; and
5. Live in companions who are not legally married to the employee.

An employee may not be enrolled as both head of contract and dependent within the state plan.

Qualifying events include:

1. Death of Spouse or ex-spouse
2. Divorce
3. Legal Separation
4. Loss of eligibility (does not include a loss due to failure to pay premiums or termination of coverage for cause)
5. Loss of coverage due to exhausting lifetime benefit maximum
6. Loss of TennCare (does not include a loss due to failure to pay premiums)
7. Termination of spouse’s or ex-spouse’s employment (voluntary or non-voluntary)
8. Employer eliminated contribution to spouse’s, ex-spouse’s or dependent’s insurance coverage (total contribution, not partial)
9. Spouse’s or ex-spouse’s work hours reduced causing loss of eligibility for insurance coverage
10. Acquire a new spouse
11. Acquire a new dependent (newborn or adoption/legal custody)

Eligible employees may enroll in health coverage through the state group insurance program in available options. Participation is optional. Effective date of coverage is the first of the month following date of employment. If enrollment doesn't occur during first 30 days of employment, employee may enroll later but without a special qualifying event, a late fee may apply. Health coverage premiums are paid with pre-tax dollars.

Additionally, pre-65 retiree health insurance coverage under the Local Government Insurance Plan is available to all eligible active employees and retirees, including their dependents. Retiree shall mean a former employee who has retired and receives a benefit from the Tennessee Consolidated Retirement System, or a former employee who has retired from a non-TCRS retirement plan, or a former employee who has retired from the employer and has been approved for a disability benefit based on total and permanent disability. An individual cannot be classified as a retiree and maintain insurance as an active employee under the plan.

Retirees must meet all applicable guidelines outlined in the Local Government Plan document to continue to participate in the plan, which include but are not limited to:

1. The retiree must be age 55 and have either:
 - a. at least ten years of employment with the local government agency from which they are retiring, with three continuous years of insurance coverage in the plan immediately prior to final termination for retirement; or
 - b. have at least 20 or more total years of employment with the local government agency from which they are retiring with one year of insurance coverage in the plan immediately prior to final termination for retirement; or
 - c. have at least 30 years of service with the local government agency from which they are retiring and be covered under the plan for one year immediately prior to final termination of retirement.

For such retirees, the continuation of insurance must immediately follow the employee's date of final termination from employment with the employer (retirement date). Retirees eligible to continue insurance coverage in the plan, pursuant to this section, must elect to continue coverage within one full calendar month of the expiration date of active insurance coverage or within one full calendar month of meeting the conditions to continue insurance as outlined in this section.

Retirees and their dependents may not continue coverage in the plan if (1) the employer agency has elected to opt out of retiree coverage and not cover existing retirees; or (2) if they are eligible for Medicare, unless (a) the agency has opted in to covering existing retirees, and (b) the retirees were enrolled when the retiree's agency joined the plan for the first time, and former section 1.20 of the plan document allowing such enrollment was in effect (prior to June 1, 2016).

Retirees are responsible for paying all costs of the selected health insurance coverage. Retirees who will receive a monthly benefit from the Tennessee Consolidated Retirement System shall have premiums deducted from their benefit check. Retirees whose insurance premiums exceed their monthly benefit or who do not receive a monthly benefit shall submit their premiums directly to Benefits Administration each month.

CVS Caremark is the pharmacy benefits manager for all plan members regardless of which healthcare option is selected. The state's prescription drug plans require a copay or coinsurance. Benefits depend on the level of prescription drug (generic, preferred, or non-preferred).

Optional dental insurance is available to all state plan members. Employees can choose between State optional dental plans. Participation is optional, and premiums are paid by the employee. Dental premiums are paid with pre-tax dollars. State of Tennessee also offers a vision plan. Participation is optional, and premiums are paid by the employee. The State of Tennessee vision plans are paid with pre-tax dollars.

Emergency & Inclement Closings

Emergency & Inclement Weather Closing: At times, it may be necessary for the Executive Director to declare specific hours as emergency closing as the result of inclement weather or other emergency situations. In such cases, full-time regular and part-time regular employees on the active payroll who are scheduled to work **on-site** during the declared times of closing will be granted time off from work with pay. **Employees who have Alternate Work Agreements allowing for remote work will work as scheduled.** Employees who are not scheduled to work will not be paid for the emergency closing. Temporary part-time employees will not be paid. If an emergency closing has not been declared due to inclement weather and an employee is prevented from reporting to work for his/her normally scheduled working hours, annual leave or leave without pay will be charged; or, the employee may be allowed with approval to make up the time lost or work from an alternate location. All Employees should use their own discretion in driving to work when snowy, icy, flooding, or other storm-related conditions exist.

The Executive Director will notify supervisors of any emergency closing, who will notify staff.

Regular part-time employees will be affected on a pro rata basis in all of the provisions listed above.

Flextime Policy

In an effort to provide greater flexibility in work schedules for staff, the NWTNWB may grant regular full-time employees and regular part-time employees the opportunity to flex their working hours. Supervisors will be responsible for scheduling work hours and providing the appropriate documentation for timekeeping and leave reporting pursuant to the Fair Labor Standards Act and NWTNWB policies. Employees needing close departmental supervision are not eligible to participate in the program.

Flexible scheduling request must be approved in advance by immediate supervisors, and the Executive Director. A work schedule must be maintained ~~on a quarterly (3 months) basis~~ once it is established unless waived by the Executive Director.

Employees are required to either work or account for, by leave or other means, hours worked per week. Employees are scheduled to take a one-hour lunch break, unless otherwise approved by the Executive Director.

All regular part-time and temporary part-time employees will be subject to a schedule agreed upon by their supervisor and may be more or less than 7.5 hours per day based on needs of the organization. Lunch hour for regular part-time and temporary part-time may be reduced to 30 minutes for every 6 hours worked in a day.

Payroll Process

All employees will be paid through direct deposit on the last working day of each month **in accordance with the salary amount established in the employee contract. The base salary of the Executive Director will be set by the Board of Directors. All other employee salaries will be set by the Executive Director. Salaries will be established in accordance with the appropriate labor market information. Periodically, employees may receive cost of living adjustments. The NWTNWB will administer cost of living salary adjustments as administered for the Tennessee Board of Regents.** Timesheets are completed from the 26th of the month through the 25th of the month.

Time and Effort Reporting

This policy establishes requirements for reporting payroll distribution activity on sponsored projects.

The NWTNWB is required to document effort spent on grant sponsored activity. Time and Effort reporting requirements are part of the allowable costs as defined by the U.S. Office of Management and Budgets (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance") as well as other federal requirements for certifying effort expended on sponsored awards. For all employees funded with federal grants, the NWTNWB must document that the amount claimed reasonably reflects the employee's activity achieving the objectives of the grant.

The Employee will send the Supervisor of a federally-funded grant/project a monthly timesheet to report time spent on various grant/project(s). The Supervisor will review and sign, approving the timesheet as appropriate. The Supervisor will forward the signed Report to the Benefits Coordinator to record and maintain as a part of the official payroll record. The official payroll record will be entered into the NWTNWB accounting system on a monthly basis and will be approved by the **Fiscal Director Chief Operating Officer**.

Annual Leave Accrual

All personnel (exempt and non-exempt) who are regular full-time employees, shall accrue annual leave at the rate of 15 hours per month, with the maximum accumulation of **315 ~~180~~** hours to be carried forward to the next fiscal year.

All regular part-time personnel shall accrue leave on a prorated basis equal to the percentage of their employment compared to full-time employment, with said percentage to be applied to the rate of accrual and maximum accumulation described above, as applicable.

Eligible employees shall accrue annual leave from the date of employment (providing for retroactive credit for temporary employees who subsequently become eligible to accrue annual leave). Eligible employees earn and accrue annual leave for each month upon completion of a major fraction thereof (i.e., more than fifty percent (50%) of the number of days in the month), and leave may be used when earned, regardless of an employee's probationary status, subject to the discretion of the approving authority. Annual leave may not be taken before it is earned.

Employees otherwise eligible to earn annual leave do not earn or accrue annual leave while on leave of absence.