

**STATE BOARD OF ACCOUNTS
COUNTY AUDITORS SPRING CONFERENCE**

**ADMINISTERING GRANT EMPLOYEES
AND
THE FAMILY AND MEDICAL LEAVE ACT**

FRENCH LICK, INDIANA

MAY 20, 2009

Presenter

**R. KENT IRWIN
Consultant
WAGGONER, IRWIN, SCHEELE & ASSOCIATES, INC.
118 SOUTH FRANKLIN STREET
MUNCIE, INDIANA 47305**

**(765) 286-5195
(765) 286-2824 *Fax***

kirwin@wisconsultants.com

WAGGONER, IRWIN, SCHEELE & ASSOCIATES, INC.

WAGGONER, IRWIN, SCHEELE & ASSOCIATES, INC. is a management and research consulting firm. WIS serves a variety of clients including governmental agencies, educational institutions, utility companies, airports, health care providers, and businesses.

The firm was founded in 1979 by the late O. Samuel Waggoner and R. Kent Irwin. Raymond H. Scheele PhD. joined the firm as a partner in 1983. WIS consultants are recognized professionals who are the recipients of national awards and honors, and have written numerous articles in regional and national human resources publications.

WIS partners are former public administrators and have been engaged to conduct assignments for two Governors. Irwin and Scheele possess over 60 years experience in public administration, and are featured speakers and instructors for professional associations.

Based in Muncie, Indiana, home to Ball State University, one of the nation's most highly regarded universities. WIS brings to its clients the strength and advantage of its proximity to a wealth of academic resources and a vast pool of nationally recognized professional associates who are retained by the firm.

WIS provides management consulting services in many cities, towns, and counties throughout the country. The firm has been engaged by clients as far away as Bangor, Maine and Los Angeles, California. WIS specializes in developing personnel policies, conducting job classification and compensation studies, preparing job descriptions, investigating personnel administration complaints, and providing supervisor training.

WIS consultants have been qualified and serve as expert witnesses for employers in federal court cases.

WIS owns a historic building in downtown Muncie which has been restored for the firm's office. The mailing address is:

**WAGGONER, IRWIN, SCHEELE & ASSOCIATES, INC.
118 SOUTH FRANKLIN STREET
MUNCIE, INDIANA 47305**

**(765) 286-5195
(765) 286-2824 FAX**

www.wisconsultants.com

R. KENT IRWIN, President
Waggoner, Irwin, Scheele and Associates, Inc.

Kent Irwin is a consultant to dozens of Indiana Counties, (50+) by most recent count. His firm regularly assists Indiana county auditors in developing and administering personnel policies.

Kent frequently speaks to professional associations about the challenging personnel issues facing local government. He assisted the AIC in developing the Diploma Program and is a regular instructor.

He is a graduate of Ball State University, where he received his B.S. and M.A.E. Degrees; and has taught public administration at the university level.

Kent is a former City of Muncie Community Development Director; and was appointed to the Indiana State Advisory Board for Human Services Programs by former Governor Otis Bowen.

In 1979, Kent and the late Samuel Waggoner founded their consulting firm to provide management services to public and private sector employers. Kent oversees projects involving personnel policy development and administration, efficiency reviews, supervisor training, job description, classification, and compensation studies, including FLSA self-audits.

Kent is qualified as an expert witness and provides research and testimony in behalf of management in state and federal courts.

In 1989 Kent was appointed to Indiana Governor Evan Bayh's transition committee serving with a team of experts who conducted an efficiency audit of State government operations. He is a recipient of the Sagamore of the Wabash.

He is past-chair of the Muncie-Delaware County Chamber of Commerce local government committee and has served as the citizen representative to the Muncie Star-Press editorial board.

Kent is President of the firm of Waggoner, Irwin, Scheele and Associates, Inc. a management and research consulting firm based in Muncie, Indiana.

765-286-5195
765-286-2824 fax

kirwin@wisconsultants.com

Pre-Commit Checklist

1. Understand the Grant conditions:
 - a. Employee Requirements
 1. Space
 2. Tools
 3. Salary
 4. Benefits
 5. Training
 - b. Time Period
 1. Start Date
 2. End Date
 - c. Obligations
 1. Does the award amount require matching funds?
 2. What conditions does the Grant require, how do those conditions impact the County?
2. Does the Grant meet a need within in the County?
3. Who will administer the Grant and will an administration fee be charged?

Recommendations

1. Grant Inquiry:
 - a. Require all departments to complete a request to apply for Grants (see attached example) **in advance of submitting a Grant Application.**
 - b. Notify the Council, Commissioners and Auditor that a Grant is being considered.
2. Require potential personnel expense:
 - a. Submit proposed Job Description
 - b. Establish Job Classification **within County's existing system**
 - c. Propose Salary Request; **Council approve salary in advance of submitting Grant Application**
3. Grant Approval:
 - a. If the Grant is awarded, the Grant document and contract should be forwarded to the Auditor to review using a checklist (an example is attached)
 - b. Before a contract is executed (Commissioners) the County Attorney, Auditor, Commissioners and Council should review the Grant requirements to evaluate the County's liability exposure
 - c. Contact the Department with the decision regarding the Grant
 - d. Maintain comprehensive list of approved or denied Grants and contracts

TOTAL COMPENSATION

| DESCRIPTION | % | Full-Time Cost (40 Hrs) | Part-Time Cost (20 Hrs) |
|--|------------|----------------------------|----------------------------|
| Per capita personal income - 2008 IN Average* | | \$34,103.00 | \$17,051.50 |
| PERF (6.5%) | 6.50% | \$2,216.70 | N/A |
| Social Security (FICA) @ 6.20% | 6.20% | \$2,114.39 | \$1,057.19 |
| Medicare @ 1.45% | 1.45% | \$494.49 | \$247.25 |
| Unemployment Insurance (General Per DWD for 26/w) | | \$10,790.00 | Based on Account |
| Training (Estimated at 10% Annual Salary) | | \$3,410.30 | \$1,705.15 |
| Worker's Compensation (Average: Clerical to Highway) | | \$1,015.00 | \$1,015.00 |
| Insurance (Average Employers Share)*** | | \$7,327.00 | N/A |
| Dental (Varies by Coverage Type - Estimated @ \$20/mo) | | \$240.00 | N/A |
| Paid Leave Benefit Average Cost** | 8.20% | \$2,797.18 | N/A |
| Supplemental Pay** | 0.90% | \$306.93 | N/A |
| Office Space (80 sq ft) and Parking | \$12/sq ft | \$960.00 | \$960.00 |
| Vision (Varies by Coverage Type - Estimated @ \$12/mo) | | \$144.00 | N/A |
| Annual Costs | | \$65,918.99 | \$22,036.09 |
| PC, Software, Telephone, Internet, Email | | \$3,000.00 | \$3,000.00 |
| Uniforms (Average: Highway to Deputy) | | \$1,007.18 | \$1,007.18 |
| Other Additional Costs (if applicable) | | \$4,007.18 | \$4,007.18 |

OTHER BENEFITS THAT MAY BE PROVIDED BY PUBLIC EMPLOYERS

| | | |
|--|-------------|--------|
| Short/Long-Term Disability | Varies | N/A |
| Vehicle (Community Corrections/Deputies/Health) | Varies | Varies |
| Insurance Expense (County estimate for major insurance loss over and above coverage) Excess**** | \$35,000.00 | N/A |
| Estimated 65% COBRA (The subsidy applies to those who suffered an <i>involuntary</i> loss of coverage between September 1, 2008, through December 31, 2009) American Recovery and Reinvestment Tax Act of 2009 | \$12,610.17 | N/A |

DATA PROVIDED BY:

*Bureau of Economic Analysis 3/24/09

**U.S. Bureau of Labor Statistics, Dec 2008

***2008 UBA Health Plan Survey

****Automated Group Administrators

PRE-COMMIT CHECKLIST

| DESCRIPTION | Paid by Grant | Paid by County |
|--|---------------|----------------|
| Salary | | |
| PERF (If full-time, wage x 6.5%) | | |
| Social Security (wage x 6.20%) | | |
| Medicare (wage x 1.45%) | | |
| Who will cover unemployment expense? | | |
| Who will cover worker's compensation insurance? | | |
| Employer's Share of Insurance Coverage | | |
| Dental | | |
| Vision | | |
| Supplemental Pay | | |
| Insurance Expense over Excess Loss (Self-Funded Plans) | | |
| What are the housing requirements? | | |
| What tools will the Grant require? | | |
| Training Expense? | | |
| Personal Computer, Software, Internet and Email | | |
| Uniforms | | |
| Vehicle/Fuel | | |
| Does the Grant require matching funds? | | |
| What is the Grant start date? | | |
| When does the Grant expire? | | |
| Can a Grant administration fee be charged? | | |

FAMILY MEDICAL LEAVE ACT (FMLA) QUIZ

True or False

- _____ 1. When an employer acquires knowledge that an employee's leave may be for an FMLA qualifying reason the employer must notify the employee of FMLA eligibility.
- _____ 2. Workers' compensation leave may count as FMLA leave, if the reason for the absence is due to a qualifying serious illness or injury, and if the employer properly notifies the employee in writing that the leave will be counted as FMLA leave.
- _____ 3. An employee may take up to 12 weeks FMLA to care for a family member returning from military leave.
- _____ 4. Employees are eligible to take FMLA leave if they have worked for their employer for at least consecutive 12 months, and have worked at least 1,250 hours over the previous 12 months.
- _____ 5. If an employee refuses to undergo a second opinion medical examination they forfeit FMLA eligibility.
- _____ 6. Employees do not begin an FMLA leave until they have used all of their paid leave time (i.e. sick, personal, vacation).
- _____ 7. An employee must provide his/her employer with medical records for leave due to a serious health condition.
- _____ 8. Upon return from FMLA leave, an employee must be restored to his/her original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment.
- _____ 9. An employer is not required to maintain group health insurance coverage for an employee on FMLA leave or allow accrual of paid leave time.
- _____ 10. The FMLA does not permit employees to take leave on an intermittent basis or to work a reduced schedule such as to care for a newborn or newly placed adopted or foster care child.