



Personnel Study Task Force
Date: August 8, 2022; 4PM Hybrid
141 Keyes Road or
Join by Zoom Meeting

<https://us02web.zoom.us/j/87641115243?pwd=MXNzWkx4QlIiVTW5VcVFrRIIERFpRdz09>

Meeting ID: 876 4111 5243

Passcode: 723267

Call to Order

Roll Call

Approval of PSTF Minutes of July 25, 2022

Correspondence or updates that happened after the packet went out

Discussion of draft Final Report:

Any edits to report

Appendices (what will be included)

Roles and Responsibilities Matrix

Planning roles for Open Forum on August 29, 2022

Invitation to Employees

Flyer

Equipment needed

Roles and Responsibilities

Other Meetings Planned are:

August 29 Open Forum with public and Employees 1PM, CMLP 1175 Elm St., hybrid

September 6 Last PSTF meeting 4PM Select Board Room at Town House, hybrid

September 19 Recommendations to Select Board Select Board Room at Town House

Recommendations to Select Board and dissolution of PSTF

Any New Business that came up after posting Agenda

Public Comment

Adjournment (by roll call)

PERSONNEL STUDY TASK FORCE – TOWN OF CONCORD, MA
MEETING MINUTES **DRAFT**

Date: July 25, 2022 4 PM
Location: Hybrid, 141 Keyes Rd. Conference Room

Present from the Board: Ruth Lauer (Co-Chair), Anne Rarich (Co-Chair), Paul Macone.

Not Present: Bruce Button

Others Present: Erin Mulcahy, Nancy Crowley, Personnel Board; Bill Mrachek, Personnel Board; Elizabeth Cobbs, Personnel Board; Terri Ackerman, Select Board; Alan Cathcart, Public Works Director; Anna Trout, CPW; Ned Perry, Karlen Reed, Anita Tekle, Amy Foley, Human Resources Director; Kerry LeFleur Town Manager

1. Call to Order

After a long struggle to cope with the faulty Zoom set up, the Personnel Study Task Force meeting was called to Order by Co-Chair Anne Rarich at 4:30 pm. Personnel Board Chair Bill Mrachek called to order the Personnel Board meeting.

2. Approval of Minutes

Upon a Motion duly made and seconded, it was
VOTED (by roll call) to approve the Minutes of July 11, 2022.

Ruth Lauer	Aye
Paul Macone	Aye
Anne Rarich	Aye

3. Correspondence or Updates

Ruth Lauer reminded the task force and audience that at the previous meeting Anita Tekle had volunteered to help by writing and compiling a report for the task force. She has begun work.

Anne Rarich stated that she had begun to draft an invitation to all Employees to the Public Forum. She and Ruth have arranged to meet with the new Select Board member, Mary Hartman, to bring her up to speed on task force activities.

4. Open Discussion on Personnel Study Task Force Final Report to Select Board

Anne stated that the purpose of the joint meeting is to provide background information and a notion of task force progress to bring the Personnel Board up to speed on our activities. She asked if there were any questions that came out of the information packet provided. Personnel Board Chair Bill Mrachek stated that he had four areas on which he would like to know more about Task Force thinking: 1) Has the Task Force developed any thoughts for a new Personnel Board Charge? There was a resounding “No”. Should that be determined to be something to be pursued, the responsibility would lie with the Select Board, Town Manager, and Personnel Board itself.

2) Did the Task Force pursue any aspect of ATM 2021 Article 7, to transfer Personnel Board powers to the Town Manager or designee? Task Force responses included: there was exploration of the Article and a resulting commitment to retaining the Personnel Board functions; acceptance that flexibility will be required as well as provisions that enable the Personnel Board to act without the vote of ATM.

3) If the Personnel Board might need to do its own survey of Employees, are there any lessons learned from the Task Force survey? Comments included: Erin Mulcahy has skills to offer; The Town has access to software to help in this; the task force developed its questions on the basis of getting a “snapshot” of the current situation from the Employees living it; structurally, do not clump varied questions into one as it prevents clear answers; limit the focus of the survey as there are many options and purposes. PSTF is very pleased that 50% of Employees responded to our survey.

4) Did the Task Force research other towns' bylaws and best practices? Responses included: "Yes!" The task force read extensively on issues of addressing human resources in the 21st Century; we heard from professionals at the Collins Center at UMASS Amherst; we consulted with Mass Municipal Association.

New Personnel Board member Louisa Cobbs stated her opinion that our human resources issues seem to be systemic and that the Personnel Board seems to get bogged down in them. In her opinion, there needs to be an opportunity to embrace big issues and to make people feel welcome, valued, and remembered. This is a partnership. She stated that there should be a "to do" list that includes org charts, workflow, bringing the Town website up to date, addressing Employee health insurance concerns, and insuring transparency.

Nancy Crowley stated that the intention in providing volunteer service to the Town is to help, but service on the Personnel Board has gotten boring and very lonely. It has been difficult to have full membership of 5. Over the years the Board has been interested in and willing to do more for the Town but have been prevented by the so-called demands of confidentiality and privacy. Paul Macone stated that the task force has always supported the role and activities of the Personnel Board, noting that it can only be as good as what it is given to work with.

5. Pending Meetings

August 8, 2022	4PM, hybrid	141 Keyes Rd Conference Room
August 29, 2022	1PM, hybrid	Public Forum at Light Plant, 1175 Elm St.
September 6, 2022	4PM, hybrid	Select Board meeting room confirmed
September 19, 2022	7PM, hybrid	Town House, report to Select Board

6. Public Comment

Select Board Liaison Terri Ackerman stated that she is pleased that the boards are meeting jointly and that exchanges of views provides a breath of fresh air. She stated that finding sufficient people to staff the varied kinds of boards and committees is a problem. She further noted her concern with learning that there has been a 50% "churn" or turnover of Employees in the past five years. She asked for source of that information. Paul Macone stated that on behalf of the Task Force, he had asked HR Director Amy Foley for information on benefits-eligible new hires, separations that were not retirements, and new positions created in the past five years. After 5 weeks with no response, he withdrew the request and very quickly got the information from the Retirement Department. HR Director Amy Foley stated that if she got a request in writing, she would provide the information. Terri Ackerman stated that she would formally make the request.

Anne invited the Personnel Board to attend the August forum.

7. Adjournment

The PSTF Joint Meeting with the Personnel Board was adjourned at 5:30pm by roll call.

Upon a Motion duly made and seconded, it was
VOTED (by roll call)

Ruth Lauer	Aye
Paul Macone	Aye
Anne Rarich	Aye

Respectfully submitted,
Ruth C. Lauer, Clerk pro temp
Approved: xxxyyyzzz

REVIEW OF AUTHORITY & ROLES RELATIVE TO ADMINISTRATION OF TOWN'S PERSONNEL SYSTEM

PROPOSAL

Personnel Board Charge			
Current	Proposals	Reason	Next Steps
<ul style="list-style-type: none"> • The Personnel Board's "Charge" (authority, responsibilities, and membership constitution and terms) is currently defined in the Personnel Bylaw and 1985 update and the Town Charter. • The Personnel Board is responsible for administering the Personnel Bylaw as well as policies; within various sections of the Bylaw, the Board is given authority for specific wage-related actions/policies as well as broader review of trends and challenges. 	<ul style="list-style-type: none"> • Establish, via the Personnel Bylaw, that a role of the Personnel Board will be to advise the Town Manager, at his/her request, regarding his/her obligations under the Personnel Bylaw that are more strategic in nature such as development of employees and retention. • Identify any additional responsibilities/role of the Personnel Board • Determine how additional responsibilities will be set forth, options: <ul style="list-style-type: none"> ○ administrative charge adopted by the Select Board, and amended by the Select Board from time to time, or ○ via Bylaw voted at Town Meeting or shifting bylaw to a policy. <ul style="list-style-type: none"> ○ Shift specific by-laws to policies ○ Regular updates to Select Board 	<ul style="list-style-type: none"> • There has been a long-standing opinion among Personnel Board members that the Board's current role is ineffective and unnecessary under the current operations. • There is interest in exploring new strategic/governance roles; freeing up the Board from its current role will help the Town to focus on other goals 	<ul style="list-style-type: none"> • Decide whether to move ahead with proposals, or hold until new roles for Personnel Board are considered • Make sure resources available to Personnel Board top fulfill their bylaws. • Develop shared goals with Town Manager • Keep website relevant and up to date • Review of by-laws as well as PPPs • Convert PPs to Employee manual • Policy of Remote work needs to be addressed
<ul style="list-style-type: none"> • 5 Members, 3-year terms 	<ul style="list-style-type: none"> • 5 Members, no change in terms • Create additional citizen task forces as needs and interests arise 	<ul style="list-style-type: none"> • Long-term difficulty filling 5 seats must be addressed by select board • Interests/skill sets of citizens can be deployed to projects 	<ul style="list-style-type: none"> • Decide if to recommend change in number at Town Meeting

REVIEW OF AUTHORITY & ROLES RELATIVE TO ADMINISTRATION OF TOWN'S PERSONNEL SYSTEM

PROPOSAL

Personnel Bylaw (aka Wage & Salary Classification Plan)			
Current	Proposals	Reason	Next Steps
<ul style="list-style-type: none"> • Defined purpose is to “establish an equitable and efficient system of personnel administration for Town employees” • Method is to outline compensation-related policies (wages & paid leave) in a document (the Bylaw) controlled by Personnel Board actions and Town Meeting vote • PPPs are not easily available to employees • Bylaw does not apply to employees in Union or w/personal contract (Town Manager has authority), nor to School employees (School Committee & Administration has authority) • Personnel Board and Town Meeting currently have no role in personnel administration for these other employee groups; transparency and fiscal control achieved via budget process and posted documents 	<ul style="list-style-type: none"> • Propose a Personnel Bylaw amendment that: <ul style="list-style-type: none"> ○ Requires Town Manager to adopt a lawful, equitable, and efficient system for all Town (non-school) employees ○ Defines the specific elements that the personnel administration system must include 	<ul style="list-style-type: none"> • Current operational system: <ul style="list-style-type: none"> ○ hinders the Town’s responsiveness to rapidly changing employment laws, operational needs, & workforce trends ○ is inefficient; takes voter, Board, and staff time away from other Town goals; has not generated interest of voters(citizens) ○ limits agility in recruitment & retention of high-quality employees • Proposal supports the concept of the strong Town Manager form of government working with a fully supported Personnel Board who regularly updates select board of critical issues. • Citizens/Board Members may not have knowledge of municipal operations needed for administration of personnel system but do know trends and can take reports from HR and make recommendations that the town should consider either at select board or town meeting. 	<ul style="list-style-type: none"> • Consider proposals of PSTF • Decide whether proposal of a compressive Personnel Bylaw amendment should wait until new roles for the Personnel Board are considered • Identify methods of fiscal control, transparency, and accountability that exist or could be implemented to augment Town personnel system

REVIEW OF AUTHORITY & ROLES RELATIVE TO ADMINISTRATION OF TOWN'S PERSONNEL SYSTEM

PROPOSAL

Employee Rights/Appeals			
Current	Proposals	Reason	Next Steps
<ul style="list-style-type: none"> • Via a policy, non-union employees are given ability to appeal the policy application and disciplinary actions • Town Manager is final authority, but Personnel Board has advisory role • Public employees have due process rights • MA is employment-at-will, but Town Charter provides employees with cause protection from removal 	<ul style="list-style-type: none"> • Engage a task force to assist the Personnel Board in identifying current best practices for hearing non-union appeals • Keep appeal procedures/rights at policy level, rather than adding to the Personnel Bylaw 	<ul style="list-style-type: none"> • Current involvement of Personnel Board raises questions of liability given potential that members may not be trained in employment law • Such policies need to be responsive to changes in employment laws and other factors; moving to Bylaw limits necessary agility 	<ul style="list-style-type: none"> • Identify study scope • Identify resources needed to complete such a study (financial, staff/volunteers) • After study, make recommendations to Town Manager and Select Board regarding policy updates and any conflict with by-law.
Town Charter			
Current	Proposals	Reason	Next Steps
<ul style="list-style-type: none"> • Select Board shall appoint a Personnel Board 	<ul style="list-style-type: none"> • Select Board continues to appoint a Personnel Board • Engage town counsel or task force to assist the Personnel Board in developing a recommended new Charge based on review of stakeholder interests and best practices 	<ul style="list-style-type: none"> • Involved officials and citizens have expressed interest in a Personnel Board that has some role in governance and reflects the needs of 21st century employment issues • Study of interests, goals, authorities, and restraints is needed before further proposals are made 	<ul style="list-style-type: none"> • Identify study scope • Identify resources needed to complete such a study (financial, staff/volunteers) • After study, prepare a Bylaw amendment proposal if needed and get input from town counsel.
<ul style="list-style-type: none"> • Town Manager is governed by the provisions of the "Wage and Salary Classification Plan" (Personnel Bylaw), so long as it remains in force 	<ul style="list-style-type: none"> • Maintain this language; in future Charter review, consider whether wording should be updated 	<ul style="list-style-type: none"> • Personnel Bylaws still exist and there is no intent to do otherwise 	<ul style="list-style-type: none"> • Identify best way to flag this for consideration at next Charter review