

TOWN OF CONCORD PERSONNEL BOARD
AGENDA

November 17, 2022

2:00 p.m.

2nd Floor Conference Room, 55 Church St., West Concord

The public may also attend via Zoom video conference:

<https://us02web.zoom.us/j/87163313843?pwd=anNHdm9XUSttYXhXb2tKRHhnZXhWQT09>

Dial: 833 548 0282 US Toll-free

Meeting ID: 871 6331 3843

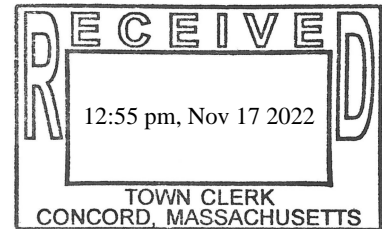
Passcode: 923300

1. **Call to Order**
2. **Minutes**
 - 10/13/2022
3. **Discussion of Personnel Study Task Force Report & Recommendations**
 - Continue to prioritize items, discuss approach, plan for discussion w/Select Board
 - Consider whether any priorities require Warrant article for Personnel Bylaw amendment
4. **Public comment**
5. **Adjournment**

Materials will be available at: <https://concordma.gov/452/Personnel-Board>

Other documents that may be referenced:

- PSTF Final Report, available at: <https://concordma.gov/2954/Personnel-Study-Task-Force>
- Personnel Bylaw: <https://concordma.gov/DocumentCenter/View/4217/Personnel-Bylaw?bidId=>



TOWN OF CONCORD PERSONNEL BOARD

DRAFT v2 MINUTES

OCTOBER 13, 2022

Select Board's Room, Town House & Videoconference

Board Members Present: Bill Mrachek, Nancy Crowley, Elizabeth Cobbs

Others Present: Amy Foley, Human Resources Director; Kerry Lafleur, Town Manager; Kellie Hebert, Interim Assistant Town Manager; Dave Wood, CMLP Director; Ann Breitenwischer, Meter Supervisor; Jim Coakley, Senior Engineering Technician; Jay Stiga, Senior Engineering Technician; Stephanie Oliver, Assistant Human Resources Director; Chris Carmody (Zoom Administrator); others present via Zoom

Acronyms:

HRGov= Company name; hired to conduct Compensation and Classification review for the town.

HVAC = Heating, Ventilation, and Air Conditioning

MEAM = Municipal Electric Association of Massachusetts

MLP: Municipal Light Plant

PB = Personnel Board

1. Call to Order:

Bill Mrachek called the meeting to order at 5:23 PM.

- Roll Call: Nancy Crowley: here, Liz Cobbs: here, Bill Mrachek: here

2. Approval of Minutes:

Nancy Crowley motioned to approve July 25, 2022 meeting minutes. Liz Cobbs seconded the motion.

- Roll Call Vote: Nancy Crowley: aye; Liz Cobbs: aye; Bill Mrachek: aye

Nancy Crowley motioned to approve the August 31, 2022 meeting minutes. Liz Cobbs seconded the motion.

- Roll Call Vote: Nancy Crowley: aye; Liz Cobbs: aye; Bill Mrachek: aye

Nancy Crowley motioned to approve September 7, 2022 meeting minutes. Liz Cobbs second All in favor.

- Roll Call Vote: Nancy Crowley: aye; Liz Cobbs: aye; Bill Mrachek: aye

3. Continuation of Employee Appeal

- BILL /Chair: Suggest to the PB: let's set a goal for this meeting. Jim, Jay, Ann, and Marty set up the issue at the last meeting. Now, we should clarify: these employees are looking for a more concise view of why this happened. Second an understanding of what data was used to come to the conclusions made.
- BILL: Any comments? Yes, from NANCY—I've reviewed and understand that there is an independent review that will take place. However, I would like to understand why these actions were taken and the timing.
- LIZ: Agree with Nancy, and I'd like to better understand the data used.
- BILL –to summarize: Tonight, our goal is to listen to the reasons as to the actions and determinations of the range decisions, and see if they pass the “reasonable test”
 - BILL: So, tonight is not for us to make a determination but to take in all the information and then determine if the decision is reasonable or not.
 - LIZ: What comes after this meeting? Is it PB role to make the determination?
 - BILL: we can make a Board recommendation to the Town Manager. And then she and town management will have to make the final decision, incorporating our advice as a third-party independent group.
 - NANCY: Agreed: Once we put together our ideas into a recommendation. That goes back to Town Manager and they go from there.
 - BILL: it's not tonight's goal to make decision. With that, Amy, take it away
- AMY: I recognize that I will be talking about things that are personal to you, but will be talking in a somewhat neutral way and I want to acknowledge that I understand that these points are personal to you, despite how it might appear here tonight.
- [delay due to technical difficulties]
- Presentation by HR department/management re: reasons and rationale for recommended actions (presentation slides attached to these minutes)

Key points of presentation:

- Town Meeting elected to amend the classification and compensation plan (7/1/22)
- the Electrical Labor EL-2 and EL-3 grades into 2 grades each.
- Increase of all salary range margins by 3%
- Further increase of lineworker range margins to 9%-- higher than FY22
- Increased 5 of 6 ranges by 9%
- 5 employees' ranges were not included—why?

- Classification and Compensation Plan applies to 200 of 235 regular status positions—based on the positions not the individuals. Base salary range is also listed.
- Salary structure is supposed to maintain **internal equity** and also remain **externally competitive**.
- Annual adjustment recommendations are made & reviewed and adjustments are made every year. The annual adjustments often are uniform for all positions. BUT specific changes are periodically made—e.g. COLA is used to adjust.

- In the past decade, Concord’s workforce changed considerably: new businesses (Minute Man Media, Facilities, recreation services, telecom facilities, visitor services). It has made it challenging to benchmark We have also added about 50 new positions during the past decade.
- Positions used to be grouped in 3 categories – over time, several groups of positions were separated - electrical labor and management were put in different groups based on specialties.
- Note: municipal light plants have been particularly difficult to benchmark—e.g. some serve several communities, not just one town like here in Concord.
- Note: MLP: Municipal Light Plants
- Given the changes and the unique services that Concord employees cover, We have a wider range of positions than other towns within one classification and compensation plan. And another compensation problem is we can pick up salary, but not salary **ranges**.
- One recommendation in 2008---when electrical labor and management were separated—was to adjust within the needs of town (structural equity).
- Other examples of salary EL and EM ranges also changes (see slide 6 for all examples). In 2019, there were changes that also came about, but not for all levels equally.
- Some years, for example in 2016, we only increased Grades 2, 3 (out of 5 grades at that time).
- BILL: what was the logic used to make those changes?
- AMY: there are a lot of factors that go into making the decisions. MEAM survey is assessed each year, and we then look at our internal circumstances and external comparisons. Does that answer your question?
- BILL: I’m trying to understand the factors that go into making the decisions. Can you talk about how the decisions get made? For example, in 2019, what about Senior Engineering Technician— why did you move it to MP-2 from EM-1 range? You could have organized it differently.
- AMY: we were balancing things internally and considered that the Senior Engineering position is also carrying risk---so we thought it went better in the MP category.
- BILL: how much were you involved, Dave?
- AMY: Municipal Electrical Association of Massachusetts (MEAM) data is received also by Dave. The MEAM survey is one of the inputs we use—Dave and Amy also have discussion and look internally and at external comparison towns. We investigate any anomalies in the data presented from other towns. We discuss any changes to the duties of the positions... and we also talk to the Town Manager.
- BILL: there could arguably be other positions that come under review, and my understanding is that Dave would be the one to initiate a change discussion, as he is in charge of the Light Plant. Also, he has the data, and his interpretation is important as he is overseeing. I am wondering if part of the disconnect is that Jim looked at the same data but got to a different conclusion---and has not clearly understood your interpretation of that data.
 - AMY: we can look at the data together, but there is a combination of points that come into the discussion.
 - Now, we get to 2022. With rapid changes in the environment, with increased challenges in hiring and retention. The MLP is a challenge all its own (although other positions in

town can also be challenging). In any event, we had the pandemic and the Town Manager. was very concerned about the future. It was important to Town Manager to be consistent across positions across the town. Also, we had to consider the impact to the town of the pandemic, which was still unknown.

- The classification groups we anticipated- they should be restructured due to changes in operation and position types. Looking to create an equitable town-wide approach.
- In the electrical group: we targeted special adjustments to positions where there are risks on the job; for example, substation switching—an unusual and risky duty... not something that can be managed OTJ training...and those are jobs with special training required.
- In electrical labor considerations: not all were considered because the tradecraft labor group –some of these were not traditional in these categories and HVAC technician, which is a new role. So we were struggling to make it equitable across all of the town employees.
- That finishes the slides and explains the slides that go into it.
- With the MEAM data, we don't look at all the data, but the highlighted portions. First class line worker is a comparable position. The meter supervisor—not easy to benchmark... in other communities, their structure and responsibilities differ significantly from what our positions do.
 - So, we don't compare each position and we don't look at all MIM data as “comparable communities”. We commonly compare ourselves to about 12 communities—e.g., close in revenue, # of customers served, etc.
 - We look at the average of the salaries and consider where that fits vs. our positions. And how any shift will or will not create an imbalance across the town employees.
- Therefore, yes, someone could find data to support a different change. But that is what we do.
- [end of presentation/slides]
- NANCY: purpose and scope –longest employees were excluded—why did EL 2 and 3 get “downgraded”? All the roles are held by longest-employed individuals.
- AMY: we don't look at the employee but the position.
- Nancy; still unclear.
- AMY: Electrical Labor: 9% increase in salary were line workers. Utility electrician and meter technician—these were not increased. The reason: they were more like the tradecraft labor positions and did not want to increase inequity across into the union positions.
 - Electrical Management: only grade 1 was exempted from the increase. The employee still had room to grow in the salary range (so no urgent need to adjust while the Comp study was
 - Meter Tech position, we did not have comparable data that would differentiate this role, and we did not therefore think that we could wait until the Compensation and Classification study was completed (it is now underway with HRGov)
- NANCY: EL 2 and EL 3—move to 2A and 3A Line—was this lowering their role?
- AMY: we were looking at other comparable positions in town and decided this recommendation.

- NANCY: 9% vs. 3%. When the Class & Comp assessment is done, can we assume that everything will be looked at again?
- AMY: yes.
- AMY: We are looking at the salary ranges, not the actual employee salary.
- LIZ: There does seem to be a gap in the strategy between seeking new employees and retaining longstanding employees.
- NANCY: we go through the class and comp, but we don't get to see who are the people that are getting impacted. It's difficult.
- AMY: In terms of Salary (not Salary Ranges) there was a 3% salary increase for all; some special adjustments (including market adjustments of up to 6%)... a number of employees did receive a 9% increase—and even some employees who did not get a range increase did receive a 8% actual salary increase. And some of the folks that are seeking clarity also received more than the 3% salary increase.
- BILL: Why did 9% become the place to sit? I'd also like to understand more about job and grade in comparisons...
 - I'm wondering why you did not give everyone a 9% increase in the salary range... and I assume that it is comps across different departments across the town?
 - Now, I need to look across all the departments
- BILL: good news is that HRGov is on board and looking into a more comprehensive assessment. I think the decision that you made to not make a straight 9% across the board shift, that is not clear.
- AMY: I was concerned about comps across town positions.
- BILL: ok then I'm asking which specific positions you were worried about
- AMY: Mechanics, technicians, others at Light plant—these were the positions I was concerned about.
- NANCY: this was pretty much for the Light Plant... so how did other departments in town looking at the Light Plant.... But I feel better that the other departments did not get the 9% salary range increase (rather, a 3% salary range increase).
- NANCY: HRGov should really help us with more information
- BILL: I think you are right---we should have a better understanding with HRGov report.
- BILL: to employees here in the room: are there are other questions that you would like to have asked?
- JAY: Yes. Article 5 of Town Meeting from last summer. We don't have any contemporaneous analysis of what was in Warrant Article 5 in this discussion.
- AMY: Our analysis is similar to the data you looked at ----but we made a different call.
- ANN: so, I'm second lowest on that rung---but the 12 people that you looked at in the data--- Meter Supervisor position---I'm the lowest there, and you thought it ok?
- AMY: we did not think the role was comparable to those other 12 comp. positions that you indicate. So we did not compare your position to be in there.
- BILL: we don't know what the new HRGov study will show...
- BILL: there must be a mechanism for explaining, but I see that you don't accept the explanations you've received to date.

- JIM: I agree with what you say but I don't think that the explanation or analysis has rectified my concerns. We were just excluded. I don't see what analysis proves that was the right decision.


NOTE: due to prior commitments and time limitations on the room, subsequent agenda items to be managed separately.

Nancy Crowley motioned to adjourn the meeting at 6:45 pm. Liz Cobbs seconded the motion.

- Roll Call Vote: Nancy Crowley: aye; Liz Cobbs: aye; Bill Mrachek: aye

Documents Used/Referenced at Meeting


- Minutes of 7/25, 8/31, and 9/7/2022 meetings
- Copy of MEAM survey as provided by Jim Coakley at 9/7/2022 meeting
- Comparable community recommendations
- Employee Appeal Procedure PPP #25
- Employee Appeal of Classification & Compensation Plan Submitted 8/5/2022 (9/7/2022 packet)
- Presentation to Personnel Board: Response to Employee Appeal of 7/1/22 EL & EM Salary Range & Grade Amendments – slides follow:

 Presentation to Personnel Board
Response to Employee Appeal of 7/1/2022
EM & EL Salary Range & Grade Amendments

Understanding of Concern:

- On 5/1/22, Town Meeting voted to amend the Class & Comp Plan effective 7/1/22 as proposed by management and supported by the Personnel Board
- Amendments included (not limited to):
 - Split of Electrical Labor EL-2 and EL-3 grades into 2 grades each
 - Increase of all salary range margins (min-mid-max) by 3%
 - Further increase lineworker range margins to be 9% higher than FY22
 - Further increase 5 of 6 Electrical Management range margins to 9% higher
- 5 employees that hold positions in ranges that weren't increased 9%:
 - seek explanation of why
 - ask for Personnel Board review of the analysis leading to the recommendation

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 Presentation to Personnel Board
Response to Employee Appeal of 7/1/2022
EM & EL Salary Range & Grade Amendments

Background: The Town's Classification & Compensation Plan

- Applies to ~ 200 of 335 "regular-status" positions (continuous employment of 20+ hours/week)
- Identifies position titles
- Groups positions into salary grades based on the:
 - nature & complexity of the duties
 - minimum qualifications required to perform those dutiesNot based on the individuals who hold the positions
- Identifies a base salary range for each position

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Presentation to Personnel Board
Response to Employee Appeal of 7/1/2022
 EM & EL Salary Range & Grade Amendments

Background: The Town's Classification & Compensation Plan

- Salary structure seeks to maintain internal equity with ranges that are also externally competitive
- Recommendations for annual adjustments consider a variety of economic and market indicators, including budgets, revenue, CPI data, what we know about adjustments being made in other towns, and salary ranges of comparable municipalities and light plants
- Annual adjustments often apply the same percentage increase to all salary ranged, but other adjustments are recommended from time to time

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Presentation to Personnel Board
Response to Employee Appeal of 7/1/2022
 EM & EL Salary Range & Grade Amendments

Background: The Town's Classification & Compensation Plan

- In the past decade, Concord's workforce went through significant unusual growth and change:
 - 20% increase in regular-status positions (~55 added)
 - Several new "businesses" or operation types: Telecommunications, Facilities, Visitor Services, Minuteman Media; Expansion of Human Service and Recreation Services
- This changing landscape of position types has made the task of identifying comparable positions, internally and externally, more complex, and has increased the need to consider a restructuring of the classification groups

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Presentation to Personnel Board
Response to Employee Appeal of 7/1/2022
 EM & EL Salary Range & Grade Amendments

Background: History of Electrical Labor (EL) and Electrical Management (EM) Salary Grades

- Balancing internal equity among all Town employees with external competitiveness of Municipal Light Plants (MLPs) has been an ongoing challenge
- Several MLPs operate independently from the towns they serve and don't have the same compensation restraints related to internal equity that we experience in Concord, where we combine MLP positions in the same Class & Comp Plan as a large number of other operational areas. Some MLPs have the ability to rapidly adjust pay. Salary data is often actual compensation, without salary maximums, requiring different consideration.
- In 2008, consultant recommended moving electrical specialty positions into different grades as one way to address the challenges

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Presentation to Personnel Board
Response to Employee Appeal of 7/1/2022
 EM & EL Salary Range & Grade Amendments

Background: History of EL & EM Salary Grades

Over the years, hiring lineworkers & electrical engineers has been an ongoing challenge. EL & EM salary grades have been adjusted with consideration to maintaining structure of internal equity:

- 2011 – TCL and EL increased 2%, others 1%
- 2015 – all EL and 2 EM ranges (2&3) increased 4%, others 1.5%
- 2016 – EM 2 & 3 increased 10%, others 2%
- 2018 – inserted 5th EM grade
- 2019 – Senior Engineering Technician moved from MP-2 to EM-1 range, which has a 12.5% higher range max; inserted 6th grade – EL 2-6 all received 5%, others 2.5%

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Presentation to Personnel Board
Response to Employee Appeal of 7/1/2022
 EM & EL Salary Range & Grade Amendments

2022 – Factors & Considerations

- Rapid shifts in labor market impacting candidate pool for many positions – increased challenge attracting & retaining employees
- Emerging from period when there was great financial uncertainty – salary increases were limited while impact of pandemic assessed
- Class & Comp study would be conducted in 2022
- Classification groups will likely need to be restructured due to changes in operations & position types
- Goal: make necessary adjustments needed to support critical infrastructure, pending the comprehensive study for equitable Town-wide approach

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Presentation to Personnel Board
Response to Employee Appeal of 7/1/2022
 EM & EL Salary Range & Grade Amendments

2022 – Electrical Group Considerations

Targeted the adjustments to those grades with positions that:

- Require advanced education and experience in a unique specialty not comparable to other Town positions
- Specialty can't be obtained via on-the-job training
- Involve notable occupational risk (linework; substation switching)

Further Electrical Labor considerations:

- Positions classified in the TCL group, e.g., Facilities Electrician and HVAC Technician (added in 2018), mechanics, CMLP labor positions
- Need to consider comparability in development of comprehensive plan that addresses all of the types of positions the Town has added in recent years

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Personnel Board Presentation to Select Board 28 November 2022

Regarding the Personnel Task Force's (PSTF) final report, the purpose of this memorandum is to summarize the Personnel Board's response to the SB's request for feedback.

A. Overall Impression

This is a very impressive body of work! The members of the PSTF have made a major contribution to the Town in clarifying the Personnel Board's future. Their hard work is appreciated by the Personnel Board.

The PSTF report serves as a great source of information to help guide the Select Board, Town Manager, Personnel Board, Town Employees, Town Manager, and Citizen Boards to achieve a more meaningful role for the Personnel Board. The final report is filled with information intended to give all concerned additional data and information to use to shape the Personnel Board; improve the landscape for all Town Employees; and to help create a more robust and positive environment to be able to recruit new employees and retain existing employees.

B. How To Proceed—Select Board to Affirm or Modify

1. First priority—establish a plan, i.e., how to determine the priority of tasks to complete? Who makes this determination! SB; SB with input, i.e., Town Manager, PB, PSTF, Citizens?
 - Need a structure or work plan to set a baseline of tasks and activities to complete; who does this?
 - Understand resources required to execute a plan and identify present limitations
2. Secondly, set goals
 - What is the end goal or objective of each major task, and what are the milestones including timelines? Who sets the goals/milestones? The SB; the SB with input, i.e., Town Manager, PB, PSTF, citizens?
 - What are the present limitations in setting timelines?
3. Who manages the tasks?
 - SB
 - SB delegates to?

C. Workplan Details—Select Board Must Affirm or Modify

1. Overall summary

Using the PSTF's report, the PB has parsed the information to suggest major focus areas to concentrate tasks/activities. In addition, additional elements have been included to clarify the focus areas. Finally, additional data columns have been included to note deficiencies cited in the report; a

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Personnel Board Presentation to Select Board 28 November 2022

column permitting the Town to state the actual situation; a column to note the end-goal for each task; and a priority code to address the order of addressing the deficiencies.

2. Major focus areas and elements

Focus areas	Elements
1. Communication	a) SB
	b) PB
	c) TM
	d) HR Dir
	e) Citizens
2. Governance	a) Personnel Bylaw
	b) PB Charge
	c) PPP
3. PB Role	a) “Rubber stamping”
	b) Redefine PB update role
	c) Decisions made in a vacuum
4. HR	a) PPP
	b) Compensation & benefits
5. Employee Relations	a) Responsiveness
	b) Performance feedback
	c) Work-related issues
6. Compensation & Benefits	a) Competiveness
	b) Classification plan

3. Cited deficiencies

Focus areas	Cited deficiencies
1. Communication	a) Lack of SB & PB interface; no joint meeting in last 10 years b) Employees not informed of proposed Bylaw changes c) HR not providing monthly reports d) Employees lack of understanding or knowledge of: roles of TM and PB, compensation and benefit plans, personnel policies in general, filing a grievance e) PB not being advised of employee complaints or issues f) Minimal reporting to Citizens of basic employment data g) PB information packets longevity on Town website

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Personnel Board Presentation to Select Board 28 November 2022

2. Governance	a) PB meeting irregularly and no set monthly date/time b) Job description shortcomings c) Job classification and reclassification shortcomings d) Frequency of classification system et al. issues e) PB not satisfying the requirements specified in Charge f) PB failure to be engaged in Bylaw review
3. PB Role	a) PB member recruiting problem b) PB inadequately monitoring or updating Bylaw c) PB not consistently receiving meeting material sufficiently in advance
4. HR	a) PPP clarity and accessibility issues b) On all HR matters, employees want more transparency/input
5. Employee Relations	a) Timeliness of addressing employee concerns b) Trust issue with HR c) Timeliness and quality of performance feedback to employees
6. Compensation & Benefits	a) Lack of competitiveness with other municipalities b) Turnover and difficulty in filling vacancies due to lack of competitiveness

4. Remaining workplan data columns

- Actual situation
- End goal
- Priority Code (High=to be completed in the next 6 months; Moderate=to be completed in the next 6 to 12 months; Low=to be completed in the next 12 to 24 months)

D. Personnel Board Comments

As with any project, all parties may not agree with all the data presented nor the conclusions reached. In this PB memorandum, there are two primary topics to briefly mention.

1. Town turnover statistics

Because municipalities (in fact, all public and private organizations) face recruiting challenges, it is critical not to make statements nor draw conclusions that make this task harder.

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Personnel Board Presentation to Select Board 28 November 2022

For example, a statement made by the PSTF that the Town's turnover is "50% over the past 5 months" is first, inaccurate but more importantly, extremely detrimental to the Town's reputation and its ability to attract candidates and retain employees.

The reason this is inaccurate is if you had a 12-month period of turnover at 10% per month, by using the above logic, the Town's turnover would be 120% (12 months at 10% turnover per month)—meaning you would have had to terminate people even before they were hired!

Rather than the numbers, the focus should be on the challenges of recruiting and retaining employees. That is the focus the PB intends to keep.

2. Employee or Citizen Survey

If one specifies to Town employees or Citizens, that a survey is to be confidential, the survey results have to be kept confidential! I do not believe we have a "special" category of citizens who the rules simply do not apply! Even though you might think that common sense and good judgement would apply, this did not happen with the PSTF Employee Survey.

In order to avoid a repeat, I suggest the SB ask the TM for a guide document for governing/managing future surveys.