

**TOWN OF CONCORD PERSONNEL BOARD**

**AGENDA**

**January 4, 2023**

**5:15 p.m.**

**Select Board's Room, Town House & Zoom Video Conference**

<https://us02web.zoom.us/j/86172704905?pwd=eXNDYUhhYhW1VMUNtOFZWZE1NR2dFQT09>

Dial: 833 548 0282 US Toll-free

Meeting ID: 861 7270 4905

Passcode: 789996

1. **Call to Order**
2. **Minutes Approval – as available**
3. **Classification & Compensation Study Update**
  - Progress to date and anticipated timeline for next steps
4. **Personnel Board Charge & Authority Under Personnel Bylaw**

Continue development of recommendations to Select Board:

  - Review & discussion of Draft Personnel Board Charge V.1
  - Discuss authority of Town Manager and Personnel Board for classification, compensation, policies & procedures, and recommendations to Town Meeting
  - Employee/Public Comment
  - Next Steps
5. **Adjournment**

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

Anticipated for distribution before or at the meeting:

- Minutes (as available)
- Draft Personnel Board Charge V.1

Other documents that may be referenced:

- [Personnel Bylaw](#)

**Upcoming Meetings**

- Personnel Board Meetings (subject to change): 1/18/23

**TOWN OF CONCORD PERSONNEL BOARD**

**DRAFT MINUTES**

**December 7, 2022**

**5:15 p.m.**

**Select Board's Room, Town House & Videoconference**

**Board Members Present:** Bill Mrachek (Chair), Nancy Crowley, Kate Ryan, Liz Cobbs

**Others Present:** In-Person: Kellie Hebert (Interim Asst. Town Manager); Remote: Amy Foley (Human Resources Director), Mark Howell, Ned Perry.

**1. Call to Order:**

**Bill:** We have a quorum and a new member joining us as of next week.

**2. Minutes 11/22/2022**

**Kate:** Move to approve the minutes (after one question: 12/6 instead of 12/16 for the due date for a draft of the article? Liz: yes, at that time we thought the due date was the 6<sup>th</sup>, so true to the discussion at that time, but now we have corrected information re: due date. Kate: understood, so agree to approve). **Nancy:** Second

➤ **VOTE to approve the minutes of 11/22/2022:** Nancy: Aye; Liz: Aye; Kate: Aye; Bill: Aye

**Bill:** Okay, Minutes approved. Next agenda item is follow -up from Meeting with Select Board.

**3. Follow-up from Meeting with Select Board**

- Discussion; Next Steps

**Bill:** Opening the discussion. I think it was a meaningful opportunity to present the reactions of the Personnel Board to the Personnel Study Task Force Report. I felt we gave sufficient appreciation to the Personnel Study Task Force and the Select Board did the same.

**Bill:** I would like to focus on next steps, but any other comments?

**Nancy:** The Select Board gave you a lot of time and the format worked well. They recognized that there was a time constraint for the work at hand, but I did not hear clear reaction to what they wanted as priorities 1,2,3.

**Kate:** They gave us a lot of time, that was great—and a great discussion. That they were pleasantly surprised that we will get things done—a good thing.

**Bill:** I thought the document was superb and the effort was great. We set the bar high and we are now challenged to keep it up.

**Nancy:** I think you did a good job to put it all together—a great way to show the work.

**Liz:** In terms of our priorities, the warrant articles for which we have responsibility—these must come first (general agreement from members). We laid out areas of focus, and they indicated that they were happy with that. I tried to identify integrated “asks” and they seemed to nod when there were specific

requests from us, but not sure if that will come across as agreement from the Select Board. However, when asked for more time with the Select Board, Matt Johnson indicated that we should come back in March. I feel that we should use this now as our “living document” going forward. As follow up, I’d like to reconfirm that we are asking to be more integrated into the town government.

**Nancy:** They were seeing it for the first time, so a lot to take in at once. So likely that they need more time to absorb all the requests.

**Kate:** They seem to be receptive of what we put forward. But we need to be clearer on the role for the Personnel Board going forward. Once we understand that, they can respond more clearly.

**Bill:** We could spend time tonight talking about next steps—but for immediate needs, we should really tackle the Articles for the Warrant.

- Additional follow -up with the Select Board will have to take place after the warrant article preparation is completed.
- My sense is that we won’t be successful in a good warrant article if we try to do all of it at once. So what is really important; there are 21 different items for the ByLaw changes. I suggest that we look at 7 (for example) at a time, handle those seven and then prioritize the next batch of 7 until we’ve worked through them all.

**Liz:** Before we move to the work on the Articles for the Warrant, I think we need to have in the record that Kellie and Amy, I was so disappointed that you would put together and present on information to the Select Board that you would not share with us in advance of the meeting. We now have your presentation, but it is not clear that what you propose is aligned with the work that we did as a team for the Select Board Presentation. It was not appropriate for you to piggyback on the time set aside for the Personnel Board at Select Board without even giving us a heads up of your intention.

**Amy:** We were expected to have a separate HR presentation to the Select Board and so we put it together and the Select Board Chair allocated time at the meeting to hear from us. Bill was aware of that and so it was not a surprise to him. Correct, Bill? The Personnel Board’s matrix overlaps with HR’s response, but the memo I provided at the Select Board’s meeting also notes what HR has been focusing on. Before this process, we had HR goals that are integrated with the Select Board and Town Manager goals; a compiled list of such goals was provided to ensure they are part of the continuing discussion. I’m sick and we are in the midst of a very intensive time with the GovHR work and weekly Personnel Board meetings, so I did not get the memo into the Select Board’s meeting packet. Instead, I discussed the content at the meeting. I understand that you are disappointed, and I apologize to you and the Select Board for the misunderstanding and timing. I’m also giving you some new materials tonight.

**Bill:** Thank you, Amy for that. It highlights that there needs to be good communication across the team. The spirit of a joint effort is important; glitches happen, but let’s move on.

#### 4. Warrant Article Preparation

- Consider possible Personnel Bylaw amendments to incorporate into Warrant article(s)

**Kellie:** Since coming on board 9 months ago, we have been working to make these action items go smoothly. To get ready here, what Amy and I did, we came to 7 items that we would want to look at first. Looked at the Personnel Study Task Force Report and incorporated their perspective into our first key 7 amendments.

So, we came up with the 21 items—and then decided to share them with you. That is how we got here.

**Amy:** Now I'll go over the cover note for the materials I just provided for you this evening - possible Personnel Bylaw amendments. Listed proposals intend to pave the path for a new class & comp plan, and enhance clarity & efficiency, but not proceed with unvetted changes. Seeking to discuss options and priorities. This version includes items from the original list of 21 that HR does not recommend for the 2023 Town Meeting. Items requiring greater discussion: purpose & application, in-training status, acting pay (can address single days via other method), longevity pay. Longevity updates are of interest to employees. but there are different opinions on what a longevity program should contain and how it will fit with the new compensation plan, so recommend that we put this out for a year. I don't recommend any change at this time to the workers compensation (no legal issue identified), holidays and personal leave (no immediate needs identified). In terms of the interruption of employment; more discussion is needed for certain exceptions, but we don't recommend that we change at this time, not the highest priority.

**Bill:** Employees expectations should be accommodated in the changes we proposed for the ByLaw change for 2023. Which of the ones that we are not addressing will really hit employees hard? Enough points for the article that we should be careful to address—and to do a good job with all that we come up. We do have an expectation that we make progress. Of the 8 items, which are the most important to the employees? 1 or 2 that would disappoint employees if they don't see an update?

**Amy:** Longevity might be one, but there are different opinions on what would be fair and affordable re: longevity. Now, it's incorporated into hourly rates, but perhaps there is a different way to pay it that would feel more rewarding. But longevity doesn't seem to be the highest priority given limited time - the Classification and Compensation is the key.

**Liz:** We will need to build in a communication process so that employees have a valid chance to understand any changes prior to the finalization of the Warrant. This was clear from the discussion at the Select Board. We need to incorporate this time and these interactions into the process.

**Bill:** What you've said is key, and it supports the position that we want to streamline things so that we don't make it too difficult for the review.

**Amy:** Are you saying not to do Classification & Compensation article?

**Bill:** No, not at all. I'm pointing out that Longevity pay should wait but Classification & Compensation has to be done.

**Amy:** Continuing—in the definitions: there have been some misunderstandings... what is a promotion? A position change? There are some different payment plans related to these definitions, so have suggested here to change definition of "Classification Plan"... (see wording in the draft document)... there would still be job descriptions, but they would not be the basis of the classification plan. It is not a typical way of structuring it. I checked with Joellen at GovHR and she indicated that the job descriptions

are a tool to help classify positions, but not the “classification system” Gender neutral language to be included to align with DEI objectives.

- “Compensation Plan”: would like to emphasize the “base wage” in that case. With a min/max and intermediate. To list an “intermediate” does not always help and we want to set it up the right way until we have clarification around comments from the Personnel Study Task Force.
- I thought it would be important to define “Classification system” the definition: “an established method of evaluating and grouping positions using a standardized scale that considers factors such as level and impact of work, required qualifications, and working conditions.”
- Promotion—this definition is also not exactly how it works in our plan. We don’t have a system that equates to a higher position = higher salary. For example, if you take a lateral move, then you might get higher pay based on the change in responsibilities, but it is not necessarily a promotion.
- Reclassification: this is defined as a title, but we also have times when jobs are reclassified but the title does not change. So there are upgrades that change salary bands, but the title remains.

**Bill:** let’s make some time for the Personnel Board to comment.

**Nancy:** My thought is that clearer definitions will be helpful to employees. I also think we should concentrate on the Classification and Compensation areas.

**Kate:** I agree with the recommended changes. I agree specifically that the job descriptions don’t need to be in the Classification Plan

“an established method of evaluating -----

Liz: I have a question related to the “Classification System”, thinking about the adjudication we’ve just gone through. I think we need to explain “established method” means—without that clarity, there is no progress with this definition.

Amy: The adjudication was about something different—about salary ranges, not about the classification system—that was about compensation.

Liz: Yes, understand that the adjudication was on a different issue but the point here is that you are proposing an “established method” that is not actually established and not clear to employees. We are all seeking to reach the same point, where employees feel that they are getting clear and understandable communications from this town. I don’t see that putting “established method”

Amy: The established method would be the point rate factor that we have getting from GovHR.

Liz: So, let’s add in that point.

Bill: I think that we can add in a sentence that refers to the specific method provided by GovHR.

Kate: I agree that clarity is useful, but we need to leave it vague enough to allow for changes when we move forward with the next rendition of the GovHR work.

Liz: Then we should not state “established method.” We have a statement in the ByLaw that we have to update every 3 years, so we should be able to change the defined method over time. To not state what is referenced as the “established method” however, is not providing clarity for employees.

Kate: okay.

**Kellie:** I understand that we can look at “established methods” definitions so that we can see what might fit.

**Bill:** Definitions are always tricky. Unless you are precise you leave open for comments, but if you are too specific, then you dig another hole, as things might change. It may simply be that we need another way to describe “established method.” We need more input from employees so that we can better understand what their concerns are; what we are focusing on may not be what employees are looking at. The point Liz made earlier—that we need time to have a meeting with employees to get their feedback. Note that I don’t think we are agreeing with any final decisions tonight. So let’s give Amy and Kellie some feedback, so that we can help them focus on what to do next.

Nancy: I understand what Liz is saying but “established method” but it’s hard to be that specific here about what is an established method; so maybe you need to say “who is going to do it?” and that is what GovHR is going to do. That could help to clarify what is referenced.

**Bill:** Let’s move on and look to Kellie to bring us alternatives. Let’s move on to 5.1.

**Amy:** Moving on, so that we know where to focus going forward as we have limited time. Classification Plan--- don’t think that the job descriptions need to be in there. We are suggesting to strike that as discussed earlier.

**Amy:** The Personnel Study Task Force indicated that the Town Manager and Personnel Board could change job titles, so the wording here is changed so that any changes are reported at Town Meeting.

**Bill:** 5.1—we don’t have enough information yet to make this change.

**Amy:** I would have to talk to Town Counsel and the Town Moderator on this point.

Bill: Amy, could you talk us through 5.3. Allocation of Positions to Classifications. (see draft): this might need refinement? We are talking about the Comp plan and the classification plan separately, but there are overlaps....

Amy: The scoring system determines the grade level. This is an area that HR has managed, giving you an overview of what has happened. I tried to capture that in the language here. HR would then make the classification change and then inform the Personnel Board. The way the ByLaw is structured, we talk about Classification and Compensation separately, but they do weave together. So here we’re talking about Classification but it does not include the salary grade piece.

**Bill:** It seems logical to me, this new paragraph. I don’t have any concerns with the new wording, but would like to make certain that the eliminated 2 paragraphs are re-incorporated.

**Nancy:** I’m concerned with the reference to 10.4 in this case. It’s clearer in the draft, but want to be sure that reference is covered.

**Amy:** The current language in 5.3 has a cross reference to 10.4 to look at impact to employee's pay. On the one hand it helps to keep people informed on the link between the sections, but when things get updated, the link is not always updated, leading to confusion.

**Bill:** Could you review again, I'm not following.

Amy: 5.3 Reviewed the recommended language in the draft. Is it helpful to reference another section or not? Or would later we miss the reference and not update the two sections in alignment.

**Bill:** But we're not going to be able to take on that particular task now.

**Kellie:** We have recommended to keep the Bylaws as simple as possible, but take this up in the policy, where you can change that more easily. Then those connections would be made in the Policy, not in the ByLaw that can only be changed one time per year.

**Bill:** do all agree?

**Kate:** Yes, I'm fine with that.

5.3: Liz I'm not comfortable with the last sentence in the red: "The Personnel Board shall "allocate" the position to an appropriate classification." So the Personnel Board is only to judge what is put before us? So what information will we need to have so that we are not simply "rubber stamping" what is put before us? How will we have sufficient knowledge of the classification system so that we are not just rubber stamping? It's similar to an earlier meeting, where I did not feel comfortable to agree to a completely new job for a salaried employee for the town, but

**Kate:** That clarification, about "classification system" and etc. would be in the policy, not in the ByLaw.

**Bill:** So what do you think needs to change?

**Kate:** I think we could deal with what information the Personnel Board will have to have in terms of information from HR to make that decision in the policy, not in the ByLaw.

**Liz:** Okay, but I really do want to be sure that we do that. So for the ByLaw, let's change the verb "allocate" ...

**Kate:** Agree.

**Amy:** Employees could come to the public meeting and state that they don't agree with some change.

**Kellie:** We need to align the ByLaw, the Policies and the Procedures, and that work is ahead of us. We're focusing on the ByLaw now for the article for the Warrant.

**Bill:** Are we creating a situation where this is mis-alignment between the Policies and the ByLaw. What will the town expect from us?

**Kellie:** I'm suggesting that the ByLaw forward first, and then we go forward to change the Policies and Procedures. We want to simplify the ByLaw first and then we can make them align.

**Amy:** Similar to definitions, 6.1: small changes

**Bill, Nancy, Kate, Liz;** no comments, these seem straightforward. Let's move on to 10.4

**Amy:** 10.4 There is inconsistency in the language in the ByLaw. The revision is simpler and hopefully provides more clarity. On top of that there is inconsistency between classification and compensation, so we wanted to make that clearer. In addition, with Massachusetts Equal Pay Law, we must be careful regarding the balance/equity of pay rates in the grade that an employee is going in to. We don't want new people in role to be inequitable to others in same roles...so we thought perhaps using the reclassification language – I took this language from the appointment's section.

**Bill/ Nancy:** Add in "town manager" in both cases where there is a manager mentioned Or is it Department Manager?

**Kellie:** I would recommend that the manager could designate to someone else, so that the Town Manager would not have to be involved in all decisions regarding reclassifications. So the Town Manager would want to designate to the HR department, for example.

**Bill:** is there a delegation process if Town Manager is not involved/on vacation?

**Amy:** Yes, there is a written document when Town Manager is out.

**Bill:** So does the Personnel Board approve if when the Town Manager is present, that they delegate to someone and we're not aware?

**Kellie:** You would be approving the reclassification already, so it would not need to come back to the Personnel Board which would be cumbersome.

**Nancy:** that makes sense, these managers would be knowledgeable.

**Liz:** the immediate manager might be the best decision maker, perhaps working with HR.

**Bill:** My assumption is that it would have to be someone at a senior level.

**Nancy:** I don't think it should be a department head... someone at a higher level that the Town Manager designates. Someone who has sufficient

**Kellie:** If the Town Manager designates a person, then the Town Manager would have faith in that person before it's done. We wanted to build in flexibility for the Town Manger.

**Nancy:** I'm ok with adding in "designee" knowing that it is a person that Town Manager would designate.

**Bill:** let's move on to the next section- 10.5, acting pay.

**Amy:** looking to simplify the language and make it consistent with the other sections. Looking at "Acting "pay" for people who fill a role for a certain amount of time. Were trying to make sure it works under the Massachusetts Equal Pay Act.

**Bill:** Is this needed in the ByLaw?

**Amy:** I think we have a bigger job to do to discern what is in the ByLaw, the Policies, and the processes. So I approached these changes to indicate what is needed right now, vs. what we will need when we look more broadly.

**Nancy:** I'm not comfortable with "the 15 days or more of consecutive workdays." I don't find that acceptable.

**Kellie:** I agree.... My suggestion is to change 15 to 10 days and it is something that came up with the Personnel Study Task Force report and also from the Town Manager, where she too wanted to reduce it to 10 days. But then what happens when you cover your boss on vacation times? That should not be influenced by these changes.

**Kate:** I agree, not sure if it sits in a Bylaw; I've seen a lot of this kind of acting pay issue in collective bargaining agreements—can we borrow language from union employee agreements? Use or mirror language from union agreements?

**Amy:** we might need different considerations ... e.g. if a manager is out for a while and they make someone "acting" while they are on vacation, for example, that would not be a case where they have higher pay. But we were trying to see what we could address this year (and it may be—have to speak to Town Manager). In some of the union contracts, or in line positions, when they are "working out of grade" for a day or so, then we wanted to be sure all options are covered. I did not get Town Manager input yet, so that is a factor. Also it might be something we put in policy not the ByLaw.

**Nancy:** What do you do now? Someone has to work 15 days before they are given higher compensation?

**Amy:** yes, that is right.

**Nancy:** So if someone is in an 'acting' role for one very hard week, then they would not get more compensation for that effort? Would they get some compensation for that week?

**Amy:** No. and it would not be easy to implement in our system. To have to change the rate of pay for every time this happens would be difficult. There are a lot of pieces that relate to this discussion.

**Amy:** there are multiple aspects of this discussion.... We may look at how to shorten that 15 days... I'd like to speak with Town Manager to determine.

**Bill:** CEO can approve "spot bonuses" so that these short-term assignments can be recognized?

**Amy:** It could be. It's not something that has been used. We do have some provisions for this in terms of incentives and rewards and additional special pay allocations... so e.g. If there is a shift change, it could be allocated different pay and could be adopted without a ByLaw change. We could leave this intact for now, and then make some changes during the year without changing the ByLaw

**Liz:** I can see that our dashboard with data that keeps us up to date on how many cases such as these occur during the year—that would really help us to understand what is going on. It would be good to hear from employees in the review of the article about what they might want to see.

**Bill:** Ok, let's move on Amy?

**Amy:** Leave/Accrual Policies... the language on section 11, accrual (11.1) We are looking here to determine what should be in the ByLaw and what should be in the Policy... would like to make flexibility for the allocation of sick leave accrual... keeping provision of no maximum on sick leave...It would be good to use language that would allow policies to be more flexible to the work force needs. For example, sick leave could be needed from day 1 so we added 3 days from the beginning, and then they don't get more for a while. We'd also like to get things more systematized in software, so that there is more systematic approach.

**Bill:** Paid Time Off (PTO) is that something coming up in the municipal work force?

**Amy:** Not so much. It's a difficult system to switch to. We've had to put limits on what ways certain departments can do, because there are specific staffing needs---so that only x# of people could be out at any one time. They need to be available/on call, etc. So Paid Time Off could be problematic for certain departments. Not that it could not be done, but it could be a challenge due to these factors.

**Bill:** Is there any issue on the balance sheet re: the value of accrued of sick time? SO I assume that it gets paid at termination or retirement?

**Kate:** No, it's just vacation that has to be paid.

**Amy:** pay out for sick leave accrued is no longer on the books. We used to pay out unused sick leave, but that stopped for those hired after 1992. We need to cover the long-term accrual and it needs to be looked at in terms of long term care insurance, also.

**Kate:** Can employees use personal leave during the probationary period? I assume they cannot use vacation? If you want them to use sick leave, but not vacation?

**Amy:** we try to get people to use time that is earned... but these issues are evolving.

**Bill:** Let's look at the Military Leave?

**Amy:** the Select Board in the past wanted to provide leave for military service—it's updates with the Mass state law change. There are a few other laws that relate to paid and unpaid military leave issues.

**Bill:** ok, next regarding unpaid leave of absence?

**Amy:** Here, section 18, Unpaid Leaves of Absence: not sure to address all of it in the ByLaw. There is a "Family and Medical Leave Act" that has to be followed, so not sure it needs to be in the ByLaw or not. Grant unpaid leave in accordance with the law seems enough, making note that it could impact leave.

**Bill:** ok, thank you. I understand that what we've gone over tonight. These are revisions in the ByLaw that we understand you are recommending go through to the article for the warrant?

**Amy:** Yes, these are the changes we recommend. We would look forward to employee feedback to make sure it's understood to be progress.

**Bill:** But I want to confirm that what is in here now tonight, we can assume that the work is doable in the strict timeline. To be clear, these are your recommendations to put forward in the article for the Warrant. Is that correct?

**Amy:** Yes, if you want it to go forward, these are recommendations we would make, understanding that we are on a tight timeline and hoping that we are addressing issues that would show improvement.

**Bill:** Only item we've not talked about, but would have significance for employees, it would be longevity pay? That's the one area not being addressed, but is an area that employees would likely want to see progress. But we don't have any comparative data, so we'll wait on that.

**Amy:** yes.

**Bill:** Ok. So we will expect to see a more final draft for next week's meeting (12/14). And how will this impact the 12/16 deadline?

**Amy:** Yes, but be sure to understand that the draft of the articles 12/16 do not have to be final; and we've also been communicating with the Select Board and Town Moderator to be sure that they are aware of what is coming

**Bill:** So we need to have any article that we have drafted by the 16<sup>th</sup>, that is okay, but can we present it if we have not heard from employees? What about the Communication with employees?

**Amy:** You don't necessarily need a meeting with them, but you could invite them to your meeting next week? We are working on a communication that advises on a variety of ways to give input.

**Liz:** I think we need the communication to go forward before the Warrant closes in January. I don't think a written communication alone is enough. Should we organize to physically go to department meetings, each of us going to various groups to get real discussion and feedback.

**Kellie:** We might invite the employees to come to this meeting---so it's an open forum where they could come to us... let's meet half hour earlier to provide an open forum for them to come?

**Kate:** well, employees would need to have the information beforehand so that they can review? Are we at a point that we'd be comfortable sharing this information publicly?

**Kellie:** we could tell them that they need to look at the draft articles and see what they say...

**Liz;** I don't think that would be enough—just a start—where employees need to know exactly what is coming and how to absorb a lot of implications... even we are coming at this from so many different perspectives. So such a public meeting would be only the first push and we'd need to give them more opportunities to meet and discuss, more comprehensively.

**Bill:** I'm trying to understand the dynamics in an employee meeting---and what would need to be conveyed

**Kellie:** what could we do as a team that would help employees to really understand what is going on when the ByLaw is to be changed in the article?

**Bill:** Any reaction from the Personnel board?

**Kate:** if we do a public forum then we need to identify that we are doing what we can now---and understand that we can't do much more at this point.

**Bill:** we introduce the idea of a "parking lot" ... so that they know that it will be addressed, but just not immediately. That would give employees a chance to provide feedback

**Nancy:** As far as a "forum" it's a whole other project... too big for the time frame that we have now. It would be easier for us for them to come here. To our meeting.

**Bill:** Playing devil's advocate: we'd invite them to come to our 12/14 meeting... and outline what we have worked. But we are not going to have a document in advance of the meeting next week, so how are we going to be able to provide them with information in advance?

**Nancy:** but we'd only have the information that we went over tonight available....

**Bill:** So let's confirm that we want to invite employees to our meeting next week?

**Kellie:** How can we better integrate information for the employees with all the work of the Personnel Board. And we do memos, but if employees don't read it, then it's not so helpful, or if they don't have a computer. We should set up a continuing process to engage people.

**Kate:** If we do a public forum, we need to be clear that there is only so much we can do now, but more will be coming.

**Bill:** Let's be clear what must go into the communication to employees... time frame, invitation, parking lot ideas, etc.

**Amy:** no motion is needed, but we will need to reach out to them to communicate a specific invitation.

**Nancy:** showing employees transparency.... It's one of our biggest goals for this year.

**Amy:** perhaps not Bill's email to go out to everyone, but a concord ma email for the Chair of the Personnel Board. Might be possible.... But level of confidentiality would have to be addressed first

**Nancy:** I want to take the opportunity to recognize that Amy and Kellie have worked together so well.

**Amy:** Stephanie is really doing so much as well, taking on a lot of work that I usually do... so appreciate it her! Kellie also has been a great resource for me. Very grateful.

**Bill:** I'm glad I had the opportunity to show appreciation for everyone at the meeting.

**Stephanie:** Thank you, Bill, for recognizing me at the Select Board.

**Amy:** Any revisions to ByLaw language that you come up with, please send them in-

## 5. Personnel Board Charge

**Amy, cont.:** Table in packet – meant to help with looking at the charge... please look carefully at that and send comments.

No discussion – deferred for future meeting.

## 6. Public comment

**No Comments proffered.**

## 7. Adjournment

- **Nancy: Move to adjourn at 7:22 p.m. Kate: Second. All voted in favor.**

### **Documents Used During the Meeting**

- Minutes of 11/22/2022 meeting
- Consideration of Personnel Bylaw Amendment Proposals for 2023 Town Meeting Warrant – Rough Draft 12/7/2022

### **Documents Included in Packet for Reference but not Discussed**

- 12/2/2022 Memo from Amy Foley & Kellie Hebert to Select Board, Personnel Board, and Town Manager: Human Resources Strategic Action Items
- Comparison – Personnel Board 1985 Administrative Code to Personnel Bylaw –12/5/2022 Draft
- 12/5/2022 Memo from Amy Foley to Select Board, Personnel Board, and Town Manager: Classification Plan Job Descriptions

**TOWN OF CONCORD PERSONNEL BOARD**

**DRAFT MINUTES**

**December 14, 2022**

**4:45 p.m.**

**Select Board's Room, Town House & Videoconference**

**Board Members Present:** At start of meeting: Bill Mrachek (Chair), Joe Emerick, Nancy Crowley; Joined after start: Kate Ryan (4:55 p.m.), Liz Cobbs (5:10 p.m.)

**Others Present:** In Person: Amy Foley (Human Resources Director), Kellie Hebert (Interim Asst. Town Manager/HR Project Manager); Remote: Terri Ackerman (Select Board), Mark Howell, Ned Perry, Anita Tekle, Chris Carmody, Heather Carey, "Joe's iPad"

**1. Call to Order:**

Bill: I'm calling the meeting to order. I'll wait a few minutes to see if we have Kate and Liz also coming. Then we'd like to have Joe introduce himself as our newest member.

Looking at the agenda, we don't have minutes to review and approve. On zoom, please let us know if you are able to hear us and we'll do what we can to improve the communication set up.

**2. Minutes To be considered if available for review: • 11/30/2022 • 12/7/2022**

Bill: No minutes to approve.

**3. Preparation of Warrant Articles for 2023**

- Review of possible Personnel Bylaw amendments
- Consider approach to Classification & Compensation Plan
- Employee/Public Comment
- Next Steps

Kate Ryan: arrived – sorry to be late.

Amy: with the ByLaw changes, we are trying to pave the path for the next year with ByLaw changes to be brought to Town Meeting this year. If there are meaningful changes, then we're willing to go forward, but don't want to go ahead with changes that don't make sense for people.

- So, we've reviewed specific opportunities to improve the ByLaw, for example, with the definitions and also the gender neutral language throughout.
- We are not suggestion to change all the definitions in the ByLaw, but along the lines of what we discussed last week.
- We are proposing changes to the "classification plan"
- We have also included a new definition for "classification system" as "A job evaluation tool that groups positions using a standardized scale that considers factors such as level and impact of work, required qualifications and working conditions. We note that this definition needs further consideration.
- The Task Force did point out that there were issues for employees when it came to base salary and other types of pay.

- In terms of the definition of promotion: it now focuses on promotion only via higher maximum salary, so we've changed this to look at work responsibilities within the same field of work and then also the higher salary range maximum.
- Reclassification –we've loosened the reliance on title and look more at the responsibilities that change in the role, even the same role, but capturing changes over time.
- Looking at 5.1 "Definition and authority" ..

**Bill:** I'd like to be specific about the "classification system" definition. I want to understand in the context of GovHR recommendations, they may well want to include more than the three factors that you have here for that definition.

**Amy:** for a classification system change to occur, you would want a ByLaw change to do that.

**Bill:** I'm still learning how to differentiate what should be in the ByLaw vs. the policies. I think we want to clarify that there is a system, a standard to refer to, with a ByLaw and policies. And all of this in the context of the imminent data coming from GovHR that will influence, for example, what the "promotion" definition should be.

**Amy:** Perhaps there should be no mention in the ByLaw until the report is out—maybe we're trading one issue for another.

**Liz Cobbs:** Arrived—sorry to be late.

**Kate:** I think we could make it more generic for the definition of the "Classification system" to provide more leeway later.

**Bill:** We just finished the review of the definitions, with a few questions in that area, but I'd like to go back now to have Joe introduce himself. Then, it might be helpful to let Kellie update us about the GovHR work.

- Joe, welcome to the Personnel Board

**Joe Emerick:** I'm from Eerie Pennsylvania and moved here to Concord in 2015, mainly for work. I've grown used to wintry places—I started in Manufacturing, and then most of my career with Welch's, first in Eerie and now here at the Headquarters. I'm 7 years in town now and was interested to get involved in town government. I'm glad to be here. I was sworn in yesterday, so a full voting member today.

**Bill:** GovHR update from Kellie Hebert, Interim Assistant Town Manager.

**Kellie:** We are working with the President of GovHR for several weeks to review the data that has come in. 11 departments, 10 GovHR people interviewed about 200 non-regular non-unionized members.

- We are going through the JAQ questionnaires, submitted with their job descriptions. They scored each job based on 9 different factors. We are trying to gauge how to group jobs in a process then score them, using their own system.
- Next step is to see how the scoring has worked out—are there outliers? We are looking more closely at the classifications, which at this stage, we're looking at which one belongs where, in this new system.

- At the same time, we are applying a benchmark with 28 different communities: Are we lined up well with comparable towns? We are working with management across the town to determine if we are well suited in these comparisons. We are looking at about 20 comparable communities—to measure externally to determine equity—does our classification plan align well for employees and for competitive equity for our employees.
- We are in a bit of a challenging situation as we try to get the article ready for the warrant but at the same time, managing with GovHR to make sure that their analysis is well done. We are working with them closely on a daily basis to make sure that the work is done well.

**Nancy:** the new piece, the classification system—it will address exactly what GovHR is doing, so we will need this for the article for the Warrant. Am I to understand that the GovHR classification system is being used and that is why we need the definition in there?

**Amy:** It's not their definition, but all of the definitions are similar, so I think keeping a definition in there is feasible

**Liz:** I wonder if we should not change the ByLaw at Town Meeting this year? I know that I was pushing it, so I apologize, but I realize that we can't get all the work aligned in time and we don't have time for the communication with employees from the ByLaw work.

**Amy:** I agree, it could lead to misunderstandings if we take things out now, for example that might not then align with the new classification and compensation system. So non-specific changes would be the best we should do.

**Liz:** Looking back at the Select Board discussion, I think we need to really focus on the Personnel Board Charge by the time we get back to them in March. In addition, I wanted to comment on the note that went out to all employees---and update review was provided by email. I have three points on that communication: 1) too short a time to have folks respond by tonight.2) there were no other important dates shared in the memo and 3) there were no specific issues identified. So, employees would be hard put to act based on this memo.

**Amy:** Yes, that memo went out to all employees, but there is a second memo that I sent to you separately, where the 4:45 time start for this meeting was identified so that employees could come tonight, and they were invited to next week's meeting, but I agree, it is really short time frame.

**Bill:** perhaps we could clarify that we've been trying to respond to the Personnel Study Task Force report, with 21 different areas to be addressed. Reflecting, I might have pushed harder to get information back that we could act upon, but here we are. I do think that the first objective must be to get the work of GovHR into an article for the Warrant. I think the Moderator plays a very key role here, to have a discussion with her so that we can get some leeway on the January 4<sup>th</sup> deadline for final language for the Classification and Compensation article for the warrant.

- So, what are the alternatives in front of us? What pathways are at our discretion?

**Amy:** I have an email with the Moderator to understand what is possible. I've also been talking to the Town Counsel to see what are the options. We can do something, but what is it that we can do to get there with the appropriate communication to employees.

1. Could the Personnel Board, during the course of the year, amend the Classification & Compensation system-- study and implement it during the year, and get it approved after the fact at 2024 Town Meeting.
2. OR GovHR could provide an outline of the study they are doing, with specific details to follow later. While the warrant deadline is early, they might allow us to get a general idea of where things are going, but not with all the details of the Classification and Compensation process.
  - a. Town Moderator might accept it this way---with two articles, notifying the key organizers of the process that is ongoing.
  - b. As a back up we could have existing Comp & Classification planning could be available with some general changes, as a second article, that would not go forward unless option 1 was not accepted.

**Kate:** I thought it was going very quickly and so I agree with Liz to go more slowly. That said, I think we could move forward with some of the language we've already reviewed in the ByLaw changes—and that would be responsive to the Personnel Study Task Force Report. I think we can clarify language on some aspects that align with what GovHR and then could respect the PSTF Report.

**Bill:** I'd like to have the Personnel Board representation here in the discussion with the Town Moderator and Town Counsel. Here is a wonderful opportunity to show how the Personnel Board can be a more active participant. How can we get that accomplished? It's a request for ongoing integration of the Personnel Board in town management, so this would be a good opportunity to implement.

**Amy:** I agree. I'd like to get a meeting together, with someone from the Personnel Board, with Select Board Liaison and the Town Moderator so that we can review the articles coming up. Bill, you and I spoke earlier this week about this and I think it would be good to work out a meeting. We've not had this level of complexity in the past, so

**Kellie:** We need a draft of the 3 articles to hand in on Friday (12/16). It would be helpful to have clarity—what should we continue to discuss, using the time left in front of us tonight.

**Nancy:** I would like to address in Section 5, parts 1,3,4: there are not a lot of changes, but are these level of changes going to be taken up in the Classification and Compensation work? I'm not sure they would, so wonder how they then would be handled.

**Bill:** for Tonight, what we really need for Friday—the issue is “are we going to include any items from the ByLaw changes at all?” or as Liz has suggested, we wait to address the Classification & Compensation plan from GovHR and then we look at the ByLaws...a second position addressed by Kate is to take up some of the work already done, with some modifications, but not look at a full revision. These are two different paths. So do we want to make any changes ?

Liz: How will employees receive a half-done ByLaw change?

Kate: will probably get both responses. Communication to employees will be very important.

**Amy:** Really, we need to look at the policies—and that is where employees will see a difference. Also noting that Classification & Compensation is the most important.... ByLaw does supply some room for

work, but the policies are key. Employees are going to see more of a difference when it comes to the policy changes that we need to work on, more so than the ByLaw changes.

**Bill:** I think we need to entertain a motion from the Personnel Board –should we defer the ByLaw changes (from Liz’s comments).

- **MOTION: Liz:** I propose that we defer the article for Warrant at town meeting related to ByLaw changes for this year. **Kate:** I second it.

**Nancy:** I’m concerned that we won’t be taking full advantage of the Gov HR Classification & Compensation plan....

**Liz:** agree, Nancy. I’m nervous about putting in some changes, but then not getting back to more substantial changes later. For example, we don’t have anything on a work at home policy, which is also overdue, but not dealt with here.

**Amy:** agree, not all proposals are ready to move forward and things could be done badly here, but it may be helpful to consider whether each one makes sense ---

**Joe:** Getting up to speed---is there anything that could come up in the GovHR that would not be able to implement due to language here?

**Amy:** Does it make sense to remove the link to the job description and requirement to list an intermediate base-wage, and in (5.1) address the definition of promotion. So does it make sense to do some small things

**Joe:** if the language in the ByLaw is not going to allow us to enact the GovHR recommendations, that is an issue. I’m just getting up to speed, but that is the question I think we need to address.

**Amy:** the language around job descriptions should be addressed.

**Liz:** Isn’t it the case that the personnel Board could make recommendations in 2023 that could be acted upon prior to the 2024 Town Meeting,

**Nancy:** If GovHR is done in March, then we need to understand what could be done prior to the Town Meeting. Is there any way that we could use the report in March for the Town meeting articles for 2023?

**Kellie:** upgrading the Classification plan, the ByLaw, and #3 to clarify all employee changes that have taken place during this year. These are the three, but if we want a place holder to talk with the Moderator, then we’re moving along, but the issue here is a matter fo scope.

- PSTF Report—have reviewed it and we’re looking at 21 things from the PSTF report in the ByLaws.... To Joe’s point; the intermediate, or mid- max-.... And ...
- Some of these issues are minor language changes... where do the 10 language changes we proposed here...going forward with the changes in this year, it would recognize the work of the PSTF....
- Which of these 10 things should we move forward with—or none?

**Kate:** Question: non-substantive changes seems to have been the common route.....could we do some non-substantive changes to recognize the PSTF and then go for more next year?

**Kellie:** I think we could take it off later if we put it in now....

**Bill:** If we do anything too quickly that could be worse than making no decision. Could we reassert the motion?

**Kate:** The Personnel Board has a history of making smaller changes annually, so it would not be out of the ordinary for us to do so this year, still anticipating that we would make more substantial changes next year.

**Bill:** Let's revisit the motion already made by Liz and seconded by Kate:

- **Restated Motion: that the Personnel Board not put in an article in the Warrant for 2023 Town Meeting to change wording in the ByLaw this year, so more substantial changes can be done next year**

**Terri Ackerman:** Confirmed that motion is to not make changes to Bylaw, but there will be articles for the Class & Comp Plan.

- **VOTE:**

**Kate:** No

**Bill:** Aye **Joe:** Aye **Nancy:** Aye **Liz:** aye.

**Bill:** Good discussion, let's move on. Not an easy discussion but it was a good one.

**Amy:** Warrant Article for the Class & Comp. has to be with a placeholder to support the GovHR going forward. Want everyone's needs met. So two articles—1. To change the standard job changes during the year. And 2) a Classification and Compensation article for the Warrant that would need more support to have a discussion with the Moderator, with Terri Ackerman and the Personnel Board Chair.

**Bill:** It sounds as if the personnel Board does not have to take action to make these two articles happen?

**Amy:** I think voting on the language of the article for that Warrant would be important---it could be done on the 4<sup>th</sup> of January---- not today, but

**Bill:** let's confirm that, and I hope that there are meetings prior to that with representation from Personnel Board there—

**Liz:** I think we need to have time for the back and forth—and time for comments from the Personnel Board, so we would not have time before January 4<sup>th</sup> to have that back and forth discussion time. We need to have the time to be prepared appropriately to vote.

**Anita:** I would like to propose that there is another option.... I'd like to propose a "special town meeting within the Annual Town Meeting. If you rush to the Town Meeting for Class & Comp, then it could be a real problem and you may lose credibility with the town employees I just don't see how you could adequately discuss with employees before January 4<sup>th</sup>. ... if you request to have a Special Town Meeting within the Annual Town Meeting, then you have more time—until mid-February---it's another process that you could use.

**Amy:** Yes, we've thought of discussing the Special in the Annual Town Meeting... but we're not intending to print in the article for the Warrant the full Classification & Compensation schedule when we've not vetted it.

**Anita:** ok, as long as you are not going to put forward something that only the Personnel Board has seen, that would be important.

**Ned Perry 362 Bedford Street:** As Town Moderator---I have been thinking about a “special town meeting within the Town Meeting”...along the same lines that Anita Tekle suggested. I was impressed with the Select Board presentation you gave—I would suggest that you sit down with the Town Moderator and review all that with her—perhaps you and Liz Cobbs to have that discussion—you were a good team at the Select Board Meeting. It would be great for you to go directly. She is the one who will make the decisions about Town Meeting so a direct discussion would be best I agree with you entirely---you want to have the Personnel Board have a meaningful role here—and as I see it, you have the power to do that. With the December 3<sup>rd</sup> meeting, the Personnel Board was not represented, so it would Thank you.

**Bill:** Mr. Howell?

**Mark Howell:** I recognize that Anita and Ned have more expertise regarding Town Meeting, but I would point out that the Class & Comp as usually outlined at Town Meetings – it is essentially groups of job titles with associated salary ranges. so there is precedent to have a different approach to the article in the Class & Comp ... what is really important in the new GovHR study---it’s so important that the employees are on board; it has to be well socialized with the employees. Such bad timing that GovHR is not done yet... it would be great to have a “straw man” available to you.....should be there, but it’s not...that is a regret. The draft report should be ready now so that you have something to vote on now—but since you don’t have that, I encourage you to get the traditional information ready to go, and craft something out of the GovHR work that can then be added in. And with regular discussion with the Town Moderator so that what is required is well understood.

**Bill:** Thank you for the comments. I want to apologize for not going to the December 3<sup>rd</sup> meeting..... If I missed that meeting, I apologize to the Board members.

**Bill:** Next Steps---we can’t address the Personnel Charge yet tonight... there is work on that from the Task Force that should be addressed... I would ask from Terri if there are some good examples of “Board Charges” from other towns.

**Liz:** next steps; meet with the Town Moderator and with any other key leaders early next week to discuss the timing of our articles. We’ve made a decision on holding off on the ByLaw article. But then to go forward with that meeting with the Town Moderator. Another next step: We had 5 employees come forward who were quite unhappy—and in fact, the work of the Personnel Board—something we approved –led to that decision that affected them. So I want to be really sure that we know what we are approving so that we don’t leave employees feeling distrust with this Board.

**Bill:** good. I agree Liz and I will go to the Town Moderator directly---and then she can assist on who else might want to be there, including any other key participants—perhaps Terri Ackerman, you could join. That meeting would guide us to clear pathways to the appropriate approach for the GovHR Classification & Compensation system to do well for the town.

Any other steps we should take?

No, so ok. We will have a report back next week Wednesday from the meeting with the Town

Moderator.... And also Personnel Board Charge—Terri’s input, Personnel Board, Personnel Study Task Force Report... and benchmarking on good charges for next meeting. Any other comments?

Move to adjourn?

**Kate:** I’d like to look at the policies.... That would be a good sign to the employees that we are taking seriously the issues in front of us. I think if we take this step in the short term, it would be a sign of good will to employees.

**Bill:** good idea---need for help from Amy and Kellie as to how to go forward with Policies and changes there. How to work on this in a way where the Personnel Board is pulled into the process.

**Amy:** We need to map out a few things for you to consider---would like to look at this in January if that is ok...with the GovHR work, etc. We too would love to dive into these, but time is important now.

**Kate:** Did not mean to address in the next meeting, but by January....

**Terri:** Bill, I think you giving my draft too much credit... my draft is preliminary, just getting discussion going for the Charge...that’s all it is.

**Bill:** Yes, but it was impressive that you really followed through and we’re appreciating the team effort.

**Ned Perry 362 Bedford Street.** The Personnel Board is a unique Board in any municipality... the Finance Committee, for example, is perhaps a good sample—they offer independent review and it is taken seriously. In appendix J of the PSTF report---other Personnel Board Charges from other towns are provided. I think that the other towns would be most helpful. Happy to be available offline as helpful.

**Bill:** Thank you!

**Amy:** Shall you consider the date/time in the first week of January?

Wednesday, January 4<sup>th</sup>—the same day as the deadline. Another meeting earlier?

**Bill:** No bylaw changes. Yes to reclassification system from over this year... it is pro forma, but we should see that language in advance... It’s possible that the Town Moderator might provide us a new path forward....I think the 4<sup>th</sup> is fine.

#### **4. Personnel Board Charge**

(Discussion deferred to future meeting)

#### **5. Adjourned.**

#### **Documents Used During the Meeting**

- Consideration of Personnel Bylaw Amendment Proposals v.2 –Draft 12 /14/2022
- 12/9/2022 Memo from Kellie Hebert re Classification & Compensation Study Update

#### **Documents Included in Packet for Reference but not Discussed**

- 1985 Personnel Board Administrative Code (aka “Charge”)
- Comparison of 1985 Personnel Board Administrative Code to Personnel Bylaw

# DRAFT – Prepared by Bill Mrachek

Personnel Board members have been invited to send feedback on this draft to the HR Director for aggregation before the 1/4/2023 meeting. If any written comments are received, compiled comments will be circulated before or at the meeting.

## Personnel Board Charge

### Vision Statement

The Town of Concord desires to have personnel policies and procedures and a Bylaw that promotes the ability to recruit and retain employees.

### Purpose and Scope

The Personnel Board is to administer the Personnel Bylaw ensuring the Personnel Bylaw establishes an equitable and efficient system of personnel administration for Concord's non-union employees. (Except for elected officers, employees with personal contracts, employees covered by a collective bargaining agreement, and employees of the school department, all Town departments and positions shall be subject to the provisions of the Personnel Bylaw.)

In addition, the Personnel Board may serve in an advisory capacity to the Town Manager, HR Director, Select Board and any other entity the Personnel Board deems appropriate. Furthermore, the Personnel Board may pursue initiatives that supports and or clarifies the Personnel Bylaw or is consistent with strategic human resources matters that support the Personnel Bylaw.

### Personnel Board Authority

The following establishes the authority of the Personnel Board:

- M.G.L., C.41, Section 108A---classification of positions; compensation plans; rules and regulations
- M.G.L., C.40, Section 21A---powers of cities and towns; regulation of working conditions of employees
- M.G.L., C.41, Section 108C---Bylaws pertaining to administration of personnel consolidation
- M.G.L., C.149, Section 105A---2018 Massachusetts Equal Pay Act
- M.G.L., C.30A, Section 20---Massachusetts Open Meeting Law
- Concord Town Charter, Section 2, Paragraph B---Personnel Board establishment
- Personnel Bylaw---establishes an equitable and efficient system of personnel administration

The Personnel Board's authority is limited by the provisions of the Personnel Bylaw.

### Membership

The Personnel Bylaw is administered by a Personnel Board consisting of five (5) members. Members of the Personnel Board are appointed by the Board of Selectmen. Specific exclusions for serving as a Personnel Board member are specified in the Personnel Bylaw.

Members are expected to have previous relevant human resources experience.

### Board Governance

The Personnel Board has no decision-making authority, but as specified in the Personnel Bylaw, the Town Manager, with the Personnel Board, do have joint authority for adopting policies and procedures to implement and interpret the Bylaw.

The Personnel Board is to meet regularly as necessary; and at least three (3) members are necessary for a quorum.

Consistent with the provisions of the Massachusetts Open Meeting Law, executive sessions may be allowed.

Each year the Personnel Board is to elect leadership positions as specified by the Personnel Bylaw.

Modifications to the Personnel Board Charge must be approved by the Select Board.

# DRAFT

## Activities, Duties, and Responsibilities

Overview--The Personnel Board is responsible for the administration of the Personnel Bylaw including:

- Reviewing and temporarily approving job classifications and compensation plans
- Recommending Classification and Compensation Plans (often referred to as the “Wage and for approval at Town Meeting
- Recommending non-wage provisions including such items as vacations; hours, days, and weeks of work; insurance benefits, leaves of absence—sick, military, jury duty; worker’s compensation; overtime; etc. for approval at Town Meeting
- Establishing policies and procedures in conjunction with the Town Manager as necessary to implement and interpret the provisions of the Personnel Bylaw
- Hearing and taking appropriate action of the appeal of any employee aggrieved by the operation of any provision of the Personnel Bylaw
- Serving in an advisory capacity to the Town Manager, HR Director, Select Board and any other entity the Personnel Board deems appropriate; furthermore, the Personnel Board may pursue initiatives that supports and or clarifies the Personnel Bylaw or is consistent with strategic human resources matters that pertain to the human resources administration in Concord, e.g., recruiting and retention, benefits, infrastructure, career development, employee and management training, etc.

See the Personnel Bylaw for specific activities, duties, and responsibilities required of the Personnel Board.

## Standard Committee Procedures

The Chair is responsible, in collaboration with the HR Director, for a meeting agenda and supporting agenda material, if any; ensuring the publication on the Concord.gov web is consistent with the Massachusetts Open Meeting law.

A majority vote of the Personnel Board, present at the meeting or on Zoom, is necessary for the approval of any motion. On-line (Zoom) meetings are permissible, until revoked by the Massachusetts legislature, for board member participation including voting.

The Personnel Board is to ensure publication of meeting minutes consistent with the Massachusetts Open Meeting Law.

The HR Director is responsible for supporting the Personnel Board and will collaborate with the Personnel Board in identifying relevant employee summary data and a schedule for the distribution of this data to the Personnel Board.

The Town Manager provides advice, assistance, and information to the Personnel Board as it may require to discharge its function; including, consistent with privacy laws, access to all facts, figures, records, and other information pertaining to Town departments and positions.

## Termination of Membership

Normal rotation—the maximum length of service on the Personnel Board is three-terms of three-years.

Select Board removal—The Town Charter authorizes the Select Board to remove, after such hearing as the Select Board deems desirable, any board member appointed by the Select Board. There is no appeal process.

**PROVIDED FOR HISTORICAL REFERENCE ONLY  
IMPORTANT EXPLANATION:**

The following reflects a Personnel Bylaw amendment that was recommended by the Personnel Board in 2020, and, with illustrated amendments, in 2021. The article was not moved by the Personnel Board or any other party at the 2020 or 2021 Town Meetings, so no change was made. (Personnel Board meetings were on hold and discussion deferred in 2020 due to the pandemic; action deferred in 2021 pending Task Force review).

Related materials: <https://concordma.gov/3214/Personnel-BoardPersonnel-Bylaw-Structure>

**No proposal of this nature will be submitted for the 2023 Town Meeting Warrant.**

**Draft Amendments to Article 7 Voted by Personnel Board 5/10/2021**

*Subject to change, based on further feedback and legal review, prior to a motion*

**PERSONNEL BYLAW AMENDMENT**

**ARTICLE 7.** To determine whether the Town will vote to strike the text of the Personnel Bylaw in its entirety and replace it with the following, or take any other action relative thereto:

The Town of Concord Personnel Bylaw

1. The Town Manager shall be entrusted with the administration of the Town's personnel system.
2. The Town Manager shall adopt and may amend rules and regulations establishing a lawful, equitable, and efficient system of personnel administration for Town employees. The personnel system shall make use of modern concepts of personnel management and shall include, but not be limited to, the following elements: (i) personnel policies indicating the rights, obligations and benefits of employees; (ii) a classification plan; (iii) a compensation plan; (iv) a method for appointing employees based on merit principles; (v) a record keeping system; and (vi) other elements that are deemed necessary. All Town agencies and positions shall be subject to the rules and regulations adopted under this section, except elected officers, employees of the school department, and as otherwise provided under chapter 150E of the General Laws. Furthermore, all compensation and benefit programs shall not exceed the limits established by appropriation.
3. The Personnel Board shall be composed of three members appointed by the Select Board for three (3) year terms. Members:
  - a. should have knowledge of human resources practices and employment laws; and
  - b. shall not be a current or former employee of the Town.
4. The Personnel Board shall: ~~at the request of the Town Manager,~~
  - a. periodically review and advise the Town Manager regarding the Manager's obligations under this Bylaw;
  - b. report to the Select Board any concerns about the Manager's approach to personnel administration; and
  - c. approve any amendments to the Town's policy regarding grievances of employees subject to this bylaw.
5. The Select Board may charge the Personnel Board with additional responsibilities consistent with authorities specified by the Town Charter and this Personnel Bylaw.
- 3-6. Employees shall be provided an opportunity to review and comment on any proposed personnel policy that could have a significant impact on the conditions of their employment.