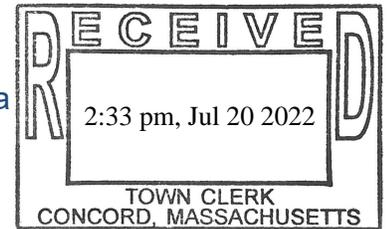


Personnel Study Task Force/Personnel Board Agenda
Date: July 25, 2022; 4PM Hybrid
141 Keyes Road or Join by Zoom Meeting



Join Zoom Meeting:

<https://us02web.zoom.us/j/81304280096?pwd=dThRZUFIN3A2clpyeVRib2pUOU5rdz09>

Meeting ID: 813 0428 0096

Passcode: 782496

Call to Order

Roll Call of Both Boards

Approval of PSTF Minutes of July 11, 2022

Correspondence or updates

Open discussion of PSTF report

Any New Business that came up after posting Agenda

Pending Meeting Dates:

PSTF meetings: August 8, 2022 – 4PM HYBRID Meeting
141 Keyes Road 1st floor conference room or join via Zoom
September 6, 2022 – 4PM HYBRID Meeting
141 Keyes Road 1st floor conference room or join via Zoom

Planned Public Hearing (Open Forum with public and employees):

August 29, 2022- 1PM HYBRID
CMLP and via Zoom

Recommendations to Select Board and decommissioning of PSTF:

September 19, 2022 – Town House

Public Comment

Adjournment (by roll call)

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

Date: July 11, 2022 3 PM
Location: Hybrid, 141 Keyes Rd. Conference Room

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

Others Present: Chris Carmody, Mark Howell, Karlen Reed, Terry Ackerman, Select Board Liaison;
Ned Perry, Anita Tekle, Carmin Reis

1. Call to Order

The meeting was called to Order by Co-Chair Anne Rarich at 3pm.

2. Approval of Minutes

Upon a Motion duly made and seconded, it was
VOTED (by roll call) to approve the Minutes of June 13, 2022.

Bruce Button	Aye
Ruth Lauer	Aye
Paul Macone	Aye
Anne Rarich	Aye

3. Correspondence or Member Updates

Paul Macone called the attention of the Task Force to the correspondence he had sent to the Select Board. The note referenced an issue that occurred in 1989 regarding a lag in payment for police detail work. He noted that this was an issue that had been brought to the attention of the Town and had been resolved within 2 weeks. His purpose in sending the note was to highlight the cooperation that was typical between Employees and Management at that time. There was cooperation and support.

Anne mentioned notice from the Town Clerk about hybrid meetings and that we need to stay tuned for clarification for the future meetings.

Anne Rarich stated that preparations need to be made for a Public Hearing to get input on the Task Force recommendations. Earlier discussions had pegged the end of August as the best time. Consideration is being given to the Library and the Light Plant as possible locations. Discussion included: hybrid meetings are still possible; by hosting the meeting during the day, members of the public as well as Employees could attend. Likely dates include August 29 with Select Board Meetings on September 12 and 19. More work needs to be done to finalize the plan.

Anne Rarich stated that the Personnel Board is invited to a Joint Meeting with the Task Force on July 25. They will be referred to the website for the recommendations. She has made sure that the meeting is posted on both websites.

4. Open Discussion on Draft Recommendations using Materials from prior Agenda Packets

Paul Macone shared a report on the Personnel Bylaw that summarized the Task Force discussions recommendations on the various sections. He was commended for his completeness as well as how direct and action-oriented he stated the conclusions. In his opinion, the document should be included in the appendices as well as the table of comments on the PPP's, Paul Macone's Checklist, Anita Tekle's report of Personnel Board history and Ned Perry's correspondence regarding the close working relationship between the Personnel Board, the Personnel Director, the Town Manager and the Town employees as reflected in the series of informal meetings, the role of the Personnel Department in recruitment, the hearing of appeals, the revision of the Town's Personnel Bylaws and a study of the Town's classification and compensation system.

Discussion included: Bruce Button stated that the combination of documents indicates that the Personnel Board has not been able to fulfill its tasks for more that 20 years.

5. Review Format of Final Report

The materials discussed will be part of the "guts" of the report with the statement of methodology, Charge, and summary of findings etc. that Anne Rarich has worked on since March. Bruce continues to work on concluding remarks.

Anne Rarich referred to the Draft Matrix of roles and responsibilities of the personnel function in the Town. She has made some adjustments since it was sent in the packet and she asked that members review and be prepared to comment on design and content. In the context of the matrix, Ruth Lauer asked about the 1985 Administrative Code. Discussion included: The recommendations will likely indicate that the Personnel Board and Select Board will be responsible to reconcile the Bylaw, Administrative Code, and Town Charter. The Task Force job is to bring to the attention of the responsible parties what needs to be corrected to generate a fully functioning personnel system

6. Any New Business

Anne Rarich noted that the matrix will be re-issued and that the next meeting on 7/25 will be with the Personnel Board. Bruce Button stated that he was unsure of the purpose of the meeting. Anne stated it was an to bring them up to speed on likely recommendations as Personnel Board and Select Board would be the bodies implementing them.

7. Pending Meetings

July 25, 2022	4PM, hybrid	Joint Meeting with the Personnel Board
August	to be determined	Public Forum on Recommendations
September	to be determined	Final Report to Select Board

8. Public Comment

Select Board Liaison Terry Ackerman updated the Task Force on the Select schedule in September to help with planning. More importantly, she stated that the best name for the event to inform the public about Task Force conclusions is "Public Forum" as Hearing comes with legal requirements for notice and advertising.

Mark Howell of Annursnac Hill Rd. supported the event name mentioned and stated that a daytime meeting could be useful. He made three further points: If the Personnel Bylaw amendment is recommended, who would sponsor it at Annual Town Meeting? If the process for amending the holiday schedule is used, that is a policy and can be reviewed and approved without going to Town Meeting; further it should be streamlined for when the Feds change their rules. Over the years, there has been some dissatisfaction with the 1985 Administrative Code of Personnel Board "Charge." Will the Task Force propose a redraft or repeal?

Karlen Reed of Whit's End Rd alerted the Task Force to changes to Open Meeting Law that could require all meetings to go to in-person only after July 14. She also stated that if there is a remote participation component to the Public Forum, it could be standard or a webinar in which audience members cannot see each other only the presenters.

Anita Tekle of Virginia Rd. stated that she had heard that the OML legislation extending the remote participation conditions permitted by pandemic emergency for another year had been approved. She supported the addition of flex time for Employees. She agreed that the 1985 Administrative Code was out of date, but that it had been approved and operative for 25 years. Departures from it have been recent. She further stated that current Personnel Policies and Procedures are difficult to find and use, i.e., three different policies are needed to determine vacation leave. She volunteered to assist the Task Force in writing the final report as she has many years and many reports on her resumé. Anita suggested that a one-page handout with Task Force recommendations should be available at the Public Forum.

Ned Perry of Old Bedford Rd. stated that the activities and deliberations of the Task Force are stimulating the Personnel Board into action. They recently began consideration of the Class and Compensation Scale which will make the Town a better municipal employer. Ned further stated that he had recently served on the Town's Town Governance Study Committee, one of the recommendations of which was to update and revise all Charges of Standing Committees on a 5-10-year cycle. He reminded the Task Force that 2022 Annual Town Meeting took action on several items that the Task Force is addressing. He urged that we use the current version. Anne responded that they had been included.

9. Adjournment

The meeting was adjourned at 4:45 pm by roll call.

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

Bruce Button	Aye
Ruth Lauer	Aye
Paul Macone	Aye
Anne Rarich	Aye

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

Draft INTRODUCTION to the work of Personnel Study Task Force

The Town Charter approved in 1955 directed the Select Board to appoint several committees including the Personnel Board. In 1985 a document was presented to the Select Board by the Town Manager to establish a Personnel Department. The Personnel By law has been updated several times over the years, most recently in 2017, and serves as the guiding document for the Personnel Board and the Town Manager. However, the current role of the Personnel Board as defined by the 1985 document and the current Personnel By law is outdated and does not reflect the needs of the Town 's 21st century workforce, or the challenges faced by the Town in recruiting, developing, and retaining high quality employee talent.

The Personnel Study Task Force (from here on out referred to as PSTF) was assigned by the Select Board. The members of the PSTF represented a past Select Board member, former Personnel Board member, and an additional three members who are from the public but have some experience in either Town Government or H.R.

Their assignment was to study the Personnel by-laws and Policies and make recommendations to the Select Board on updates to the bylaws and Personnel Policies of the Personnel Board.

The PSTF started meeting under a different Town Manager from the current one and had to renegotiate both the charge as well as wait for a transition period to current Town Manager before we could get any responses to our queries.

The Task Force was introduced to all employees via an email sent by the Interim Town Manager, Kerry LaFleur finally in January encouraging employees to contact us if they had any input. Over the next couple of months many employees did contact members with comments and concerns. Some of the input received was concerning and although outside the span of control and focus it became obvious the right thing to do would be to pass the information along as requested. Both Town Manager and Chair of the Select Board were informed in separate meetings.

The PSTF members have spent hundreds of hours between then and now gathering data and input from stakeholders, employees, department heads and others. A detailed analysis of past Personnel Board meetings going back 12 years documents items and issues before the Personnel Board and the decline in the number of meetings and communication in recent years. Reviewing the submissions and reports required by the current Personnel Bylaws, it is clear to see much of what is required isn't being done. This is documented by the minutes of PB meetings on record. Ned Perry submitted a letter to the PSTF and back-up documents from

some past town reports. I quote paragraph two from Mr. Perry's letter to the PSTF dated March 18, 2022

"Enclosed are two reports from the Concord Personnel Board which are copied from the Annual Reports of the Town of Concord for 1990 and 1991. The reports describe a close working relationship between the Personnel Board, the Personnel Director, the Town of Concord and the Town employees as reflected in the ongoing series of informal meetings with employees, the role of the Personnel Department in the recruitment of new employees, the hearings of appeals, the revision of the Town's Personnel Bylaws and a town wide study of the Town's classification and compensation system."

Those employees who have a long employee history can attest to the "close working relationship".

In reviewing the data of those employees who have left and not just retired 2015 -2020 we had over 50% of the town workforce leave for other jobs.

There is a Classification and Compensation study that will be occurring 2022. The last C&C study was done 14 years ago. Section 6.3 of the Bylaws states, "**It shall be the responsibility of the Personnel Board to review rates of pay at least every three (3) years**" There is no indication this has been done by either the board or at the town level.

Two essential sections of the Personnel Bylaw that relate to allocation of positions to classifications and reclassifications (**Section 5.3 and 10.4**) require a process that is clear and unambiguous. Section 5.3 uses the term, "**shall**" twice in its instructions to the Personnel Board outlining what needs to be done and information that has to be received from the Personnel Department prior to its actions. **Section 10.4 s2- Positions Reclassified to a Lower Salary Grade** is very clear. There have been reliable reports of the application of this section of the Bylaw that are not clear. For this section and Section 5.3 to be uniformly applied, a checklist is required so all are on the same page when these sections are applied. It will also require mandatory document production from the Personnel Department to the Personnel Board prior to decisions being made. It will also document an affected employee (if one exists) be notified of the possible action. A **Sample Checklist** is an appendix to this report for strong consideration. This "Checklist" will also be very helpful in the proper application of other sections. The key to this is the checklist **must** be followed and signed off by the appropriate persons **prior** to action by the Personnel Board.

Many employees have expressed they have no idea what their job description states or where they can see it. Several employees said they had issues with their job descriptions, but their objections were not addressed. There are multiple examples of back-up documents that are supposed to be given to the Personnel Board by the Personnel Department prior to changes being made but are not submitted

The "Personnel Policies" are very difficult to follow on the town's website. There are some that appear to be missing and many are out of date. Multiple employees have indicated they have no idea what the town's policies are or where they can be found. The town website is out-of-date for a progressive town like Concord and very hard to use.

The **Personnel Study Task Force Employee Survey** is self-explanatory. It is a meaningful compilation of well over 50% of employee survey takers that needs to be taken very seriously.

What follows are the results to review and areas recommended for improvement.

METHODOLOGY

The PTSF members utilized interviews with stakeholders such as: Current Personnel Board members, Senior Department managers, Town Manager, Board of Selectman, Citizens, Employees, and H.R. In addition to the interviews, an extensive review of Town documents, comparisons to other town Personnel boards, survey of Employees as well as research on best practices in H.R. through the Collins Center at University of Massachusetts as well as the Massachusetts Municipal Association. Several studies including a recent one done through MIT were also offered for background.

DISCUSSION

The term "personnel" is broad and includes a host of functions. PERSONNEL functions can be characterized as either transactional and/or strategic. "Personnel" has evolved over the years from "personnel" administration to "human resources" management.

Personnel administration is the title formerly assigned to human resource duties. In the 1980s, personnel administration consisted of enrolling employees in benefit plans, processing and distributing pay, and hiring and firing employees. The functions were more a transactional and administrative function of running the town business. Concepts such as human capital or human resource management were emerging as HR began. Human Resource management played a bigger role in strategic direction of the organization. Personnel administration matured into human resources which evolved in two separate but connected ways---strategic and transactional or the Human Resources function.

Transactional human resources are the "traditional" functions of benefits administration, policy development and administration, position descriptions, payroll, worker's compensation, personnel files, vacancy posting and collecting applications and resumes. The Society of Human Resources Management (H.R. Professional Association) define "transactional" functions as a way of "managing the employment relationship from recruitment and processing employees through retirement".

On the other hand, strategic human resource functions deal with the strategic direction of the organization and include long term goals. According to SHRM “HR needs to be approached from a holistic point of view encompassing every function of human capital management” and that organizational leadership should work towards “creating an effective human resource infrastructure that supports an employee centric service- oriented strategic human resources organization”. Strategic functions include long term planning, employee relations, training, succession planning, customer service, and talent retention and development.

Approved: September 27, 2021

Amended: December 20, 2021

Town of Concord
Personnel Study Task Force
Charge

A. Purpose

To Appoint and charge an independent citizen task force to study the Personnel Bylaw, the Charge of the Personnel Board, and related documents and make recommendations for appropriate changes. The task force shall provide recommendations to the Select Board in a timely manner in order to prepare Articles for the 2023 Annual Town Meeting.

B. Background

The Town Charter approved in 1955 directed the Select Board to appoint a number of committees including the Personnel Board. In 1985 a document was presented to the Select Board by the Town Manager to establish a Personnel Department. The Personnel Bylaw has been updated several times over the years, most recently in 2017, and serves as the guiding document for the Personnel Board and the Town staff. However, the current role of the Personnel Board, as defined by the 1985 document and the current Personnel Bylaw, is outdated and does not reflect the needs of the Town's 21st century workforce, or the challenges faced by the Town in recruiting, developing and retaining high-quality employees.

C. Membership

The independent citizens' task force shall be comprised of five members appointed by the Select Board, each for a term that will expire at the final adjournment of the 2023 Annual Town Meeting. The purpose of the task force will be to provide an impartial study and proposal with regard to the future role and function of the Personnel Board. The members may include:

One former member of the Personnel Board

One former Select Board member

Three members from the public at large, preferably with experience in Human Resources or Town Government

D. Duties and Responsibilities

1. Review the current bylaw, amendments, and other related documents and recommend changes.
2. Make recommendations to the Select Board, suggesting updates to the Personnel Bylaw and on the future role of the Personnel Board.
3. In accomplishing the goals above, the Task Force will keep in mind that the Town's personnel system seeks to be:
 - a. Efficient;
 - b. Consistent with a Strong Town Manager form of government;
 - c. Able to maintain equity, accountability and transparency for citizens and employees;
 - d. Able to respond quickly to changing laws and regulations, operational needs and labor markets as well as a shifting workforce;
 - e. Effective for recruitment and retention of employees;
 - f. Provides non-unionized employees with a fair and just grievance process.

E. Other Considerations

The task force will consider the authority and role of key stakeholders such as:

- a. Town Manager
- b. Personnel Board
- c. Select Board
- d. Town Meeting
- e. Human Resources Director/Department
- f. Senior Managers
- g. Citizens
- h. Employees

The task force will elect a chair and clerk and comply with all State and local laws, including the Open Meeting Law, the Public Records Law and the Conflict of Interest Law.

Resources will include Human Resources Director, Personnel Board Chair, Town Manager and other staff as needed.

Appendices:

1985 document establishing Personnel Department

Personnel Bylaw

Personnel Policies and Procedures