

PERSONNEL BOARD – TOWN OF CONCORD, MA

MEETING MINUTES

February 10, 2021

Location: Video Conference Call

Present from the Board: Ellen Quackenbush (Chair), Nancy Crowley, Bill Mrachek, Jim Richardson

Others Present: Stephen Crane, Town Manager; Amy Foley, Human Resources Director; Stephanie Oliver, Assistant Human Resources Director; Susan Bates, Select Board Liaison; Jeremy Romanul, Senior Administrative Assistant (Zoom Administrator);

1. Call to Order

Ms. Quackenbush called the meeting to order at 5:02 p.m. and took the Roll Call of Board members present:

Nancy Crowley: present; Jim Richardson: present; Bill Mrachek: present; Ellen Quackenbush: present

2. Reorganization of Personnel Board Officers

Ms. Quackenbush explained that Mr. Mrachek had agreed to switch roles with her and asked for a motion to make Mr. Mrachek the Personnel Board Chair.

Nancy Crowley made a motion to make Mr. Mrachek the Personnel Board Chair. Mr. Richardson seconded the motion.

➤ Roll Call Vote: Ms. Crowley: yes; Mr. Richardson: yes; Mr. Mrachek: yes; Ms. Quackenbush: yes.

Mr. Richardson made a motion to make Ellen Quackenbush the Personnel Board Vice-Chair. Mr. Mrachek seconded the motion.

➤ Roll Call Vote: Mr. Mrachek: yes; Ms. Quackenbush: yes; Ms. Crowley: yes; Mr. Richardson: yes;

Ms. Quackenbush asked Mr. Mrachek to take over the meeting as the new Chair, if he was willing. Mr. Mrachek agreed and thanked Ms. Quackenbush for her service as Personnel Board Chair.

3. Approval of Minutes

Ms. Foley said that the draft minutes for the January 26, 2021 Personnel Board meeting have not been finalized, so they were not ready for approval at this time.

4. Miscellaneous Compensation Schedule Amendments

Ms. Foley said that the Town is in the process of hiring nurses and other staff for planned COVID-19 vaccination clinics. The requested action before the Personnel Board is to increase to the \$50/hour maximum of the pay range for the Professional Project Specialist to \$75/hour. Ms. Foley explained this increase is requested to provide flexibility to pay as needed for nurses, particularly those who would be in lead roles. Although the immediate need is for the vaccination clinics, Ms. Foley noted that an increase to the maximum of the pay range would apply to any job that falls under the Professional Project Specialist title. Mr. Mrachek asked for a motion.

Mr. Richardson made a motion to increase the maximum of the Professional Project Specialist pay range to \$75/hour. Ms. Quackenbush seconded the motion.

➤ Roll Call Vote: Ms. Crowley: yes; Mr. Richardson: yes; Ms. Quackenbush: yes; Mr. Mrachek: yes;

Mr. Mrachek asked Ms. Foley about the agenda item to remove the reference to minimum pay for Crossing Guards. Ms. Foley clarified that she had discussed with the Police Chief and determined that no Personnel Board action was required at this point.

Ms. Foley explained that the Recreation Division has requested to increase the maximum of the pay range for Program Instructor, a job title on the Misc. Compensation schedule for Recreation, from \$40 to \$45/hour. She said that the specific need right now is related to a tennis program, and that instructor pay rates depend on the program and instructor's experience. Ms. Foley said that now, especially with COVID, sometimes more incentive is needed to get people to come in to do those programs. Ms. Quackenbush asked for some background information on the types of programs this title would apply to, and Ms. Foley replied that it could be anything from exercise classes to chess club. Mr. Mrachek asked how many employees are currently in the Program Instructor role. Ms. Foley responded that she did not have an exact number as it changes significantly throughout the year, but said that the Town generally has about 50 people on Recreation on payroll at any given time, and that a portion of that would be Program Instructors. Ms. Crowley asked if the Program Instructor role includes programs at the Council on Aging, and Ms. Foley replied that it does not, because this particular title is on the Misc. Compensation schedule for Recreation.

Mr. Mrachek asked about what triggers requests for increases to the pay ranges. Ms. Foley replied that Recreation's budget, success with candidate hiring, market data and analysis of equity with other types of programs are all factors that may influence compensation decisions—it is not based on just a desire to give increases, but what is needed to run those programs. Ms. Quackenbush added that there is a huge range of Recreation program offerings. Mr. Mrachek asked if the data collected was informal/anecdotal or whether surveys were conducted. Ms. Foley answered that it is a combination: the Recreation Director and Assistant Director get information from other communities, and that formal studies are done periodically for other positions, but not usually for most Recreation positions, which are temporary or limited-status. Mr. Crane commented that it is situational and that the Town does not necessarily do comparisons for specific situations. He added that the Town has a complex compensation system, so there is not one reason or technique that is used when making compensation decisions. Ms. Quackenbush commented that it is about what the citizens want, and that citizens want variety of programs. Mr. Richardson pointed out that the Recreation Division is self-funded, so if they want to pay an instructor at a higher rate, they need to find the money to do that. Ms. Foley added that Recreation programs are priced appropriately to cover those costs. Ms. Quackenbush asked to clarify whether program fees cover instructor costs, and Mr. Crane replied that it depends on program. He added that in any case, Recreation is running a business, and that they make business decisions on what they pay instructors and charge for programs. Ms. Quackenbush commented that she thinks most citizens really

value Concord Recreation and are proud of the range of offerings and would like to see those supported.

Mr. Mrachek asked about internal pay equity. Ms. Foley replied that equity is considered with every pay-related action that comes through Human Resources, and that HR looks at what others are making and talks with managers about the impact of pay decisions. She said that sometimes it is a struggle because positions that are considered equal under the pay equity law may have very different rates in the market. Ms. Foley added that the most challenging positions to analyze in terms of pay equity are those on the Misc. Compensation schedules, which are the majority of Recreation positions, because they have a wider range of responsibilities than Town's regular status positions, and are staffed by 300-400 people over the course of a year, most of whom only work for a short period of time.

Ms. Quackenbush asked whether, and to what degree, the Personnel Board should have a role with regard to pay equity. Mr. Mrachek responded that he believes the Personnel Board is responsible for raising legitimate questions, but is not in a position to make equity decisions; that decisions should be up to Town administration. Mr. Mrachek asked Ms. Foley if he should ask if there were questions/comments from members of the public, and Ms. Foley replied that it is up to the Chair to decide. Returning to the discussion on pay equity and the role of the Personnel Board, Mr. Crane commented that regardless of bylaw changes, the Personnel Board should be observing what the Town is doing and asking questions about why the Town is making certain decisions, and that the Administration's job is to explain those decisions as appropriate. Ms. Quackenbush said that it should be dialogue between the Personnel Board and Town Administration. Mr. Mrachek asked for a motion on the Program Instructor pay increase.

Ms. Crowley made a motion to increase the maximum of the Program Instructor pay range to \$45/hour. Ms. Quackenbush seconded the motion.

- Roll Call Vote: Ms. Crowley: yes; Mr. Richardson: yes; Ms. Quackenbush: yes; Mr. Mrachek: yes;

5. Personnel Board/Personnel Bylaw Structure Review

Ms. Foley said that her understanding was that the Board had agreed to move forward with what was known as Article 6 in the 2020 warrant. Ms. Foley suggested that at this meeting, the Board should consider the presentation for the Town Meeting Preview meeting. Mr. Mrachek asked Ms. Foley to provide more information on the structure of Town Meeting Preview, specifically if there would be a time limit. Mr. Crane responded that there would be a time limit and that would be very brief. Ms. Foley said that the time limit is about 3-4 minutes, and that she could share the memo regarding Town Meeting Preview format with Bill as the Chair. She said that this presentation can serve as a heads-up about what the Board plans on submitting for the warrant. The presentation can be less detailed and less formal than the Public Hearing presentation, which will come after articles are submitted and the warrant is distributed to citizens.

Mr. Mrachek suggested that each Board member provide input on the content of the slides. Ms. Foley asked Mr. Crane if he had more information about the format of Town Meeting Preview given its virtual format. Mr. Crane said that it is really a Select Board meeting, and that presentations will be developed in advance and submitted to the Town Manager's Office. Town Manager's Office staff will manage slide presentations during the meeting. He said that some details are still being worked out, including whether questions will be taken after each presentation or all at once at the end. Ms. Foley said that

the next step after Town Meeting Preview is the warrant deadline, which is when the Board would need to say what is being proposed. Then, there will be a presentation at public hearing, then another presentation at Town Meeting (unless the article is approved to be placed on the consent calendar). So, Ms. Foley said, there are a few opportunities to tweak the presentation based on feedback. Ms. Bates added that there are deadlines associated with each of these steps, the first of which is 2/21/21. Ms. Foley said that the Chair doesn't have to be the one to make the presentation, but that if it is the Chair, she and Mr. Mrachek could work on the presentation outside of Board meeting. She suggested that at this meeting, the goal should be to get input from the Board to help refine the presentation

Ms. Quackenbush said that she would like to add something about the challenge of COVID as one of the reasons for why the Board is proposing change. She added that she would like to see some commitment to the goal of a study and consideration of the Board's future role. Ms. Crowley said that she certainly believes that classification and compensation should be removed, but that if it is, what would be left for the Personnel Board would be trying to determine a future role. Mr. Mrachek said that he thinks that the slide content should be limited to the objective of removing the classification and compensation role and that questions about the future role of the Personnel Board can be addressed if they come up. Ms. Quackenbush replied that she would like to include a statement about the Board's future direction, instead of making it seem like the Board is dropping everything. Mr. Richardson agreed with Bill that less is better, but that the Board should expect the question about the future role and needs to have a clear position. Ms. Crowley agreed. Mr. Crane suggested that the Board could say that the question of the Board's future role has been the subject of much discussion and will continue to be discussed, but that it is not a subject for the warrant article. Ms. Quackenbush disagreed, saying that she thinks the citizens would like to know if there is a role for the Personnel Board. Mr. Crane replied that for purposes of the Town Meeting process, people can vote on the bylaw change, without having the other part defined. He said that the Board and Town Administration are committed to each other to continuing that conversation. Ms. Quackenbush said that she thinks citizens would want to see some statement of vision for Personnel Board's future. Mr. Mrachek responded that he thinks that slide 6 of the presentation already includes that information, and that the bullet points could be edited. Ms. Quackenbush agreed.

Ms. Foley commented that her understanding from the last Board meeting was that there was commitment to continue to explore the future role of Personnel Board, but that the proposed bylaw change is a standalone action. Ms. Foley asked Mr. Mrachek to comment on slide 6 (shown on screen). Mr. Mrachek said that it might need some wordsmithing, but could stay. Ms. Quackenbush said she thought the slide captured the Board's intent. Mr. Crane added that the outcomes of conversations Board has had seem close to what was on slide 6.

Ms. Quackenbush questioned the term "advisory" on the slide, and wondered if it could instead say that the Personnel Board and Town Manager would collaborate on matters of mutual importance. Ms. Foley commented that Personnel Bylaw only sets forth the role of the Personnel Board in terms of the Bylaw (what the Town Manager has authority for), and that the Select Board could assign other duties for the Personnel Board in a charge. Ms. Quackenbush asked if there is a way to define what the Board might do in light of this, such as functions that would need Select Board action, those that would need Town Meeting action, etc. in order to simplify the path forward. Ms. Foley responded that, under the law, the role of a personnel board is to administer the personnel bylaws and classification and compensation plan. Given that the Board has said they do not think they should do that any more, it suggests that the group should no longer be called the Personnel Board. If citizens want a new, different role in human resources, Ms. Foley thinks that is a different decision that requires a large discussion. She added that

she is wary of a citizen board or committee being involved in other aspects of Human Resources without gathering considerable information, including identifying what citizens want and obtaining legal and professional opinions. Ms. Foley said that in her opinion, outlining specifics about a future role for the Personnel Board in the Bylaw change proposal would take away from the issue at hand. Ms. Quackenbush said that she agreed that the Board should move forward with Article 6 and the Board should also move forward with statements after Article 6.

Mr. Mrachek commented it seemed like the Board had not drilled down into the 8 slides that were previously used, but that he was concerned about the meeting time remaining. He said he thought there had been enough discussion and that the group should focus on making the changes to the presentation. Ms. Crowley agreed and said that while it is important to think about future, the Board needs to focus on moving forward with Article 6 and looking at the presentation. Mr. Richardson agreed, adding the current version of slide 6 already addresses questions about the Board's future role. Mr. Mrachek asked if there was flexibility with the meeting end time (scheduled for 1.5 hours). Mr. Crane suggested that the Board authorize the Chair to work with staff to finalize the presentation, and that the draft presentation could then be circulated for comment. Mr. Mrachek asked if there was any objection to proceeding with that plan. Ms. Bates agreed with the approach and added that it was a routine process.

Ms. Quackenbush expressed concern that the future state of what we might do is being short-circuited, and that while she agreed that the Board needed to remove the classification and compensation plan responsibility, they were not addressing the future responsibility of the Personnel Board. Mr. Mrachek suggested that Ms. Quackenbush draft an updated version of slide 6 based on what she would like to see. Ms. Crowley said that she hoped Mr. Mrachek and Ms. Foley would meet in the meantime to work on presentation. Ms. Quackenbush said that she would like to meet with Mr. Crane and Mr. Mrachek to further discuss her thoughts, and Mr. Mrachek responded that after Ms. Quackbush submits a re-worked slide for consideration, a meeting to discuss it could be planned. Ms. Foley commented that Town Meeting Preview is only the first opportunity to present information, and that perhaps this presentation could focus on the bylaw change and other information could be presented at the Finance Committee presentation. She added that a draft of the presentation can be circulated to the Board, with all comments coming back centrally rather than to each other so as not to violate Open Meeting Law. Mr. Mrachek asked for a motion to authorize the Chair to work with the Human Resources Director on the presentation.

Ms. Quackenbush made a motion for Mr. Mrachek to work with Ms. Foley on the presentation.

Mr. Richardson seconded the motion.

➤ Roll Call Vote: Ms. Crowley: yes; Ms. Quackenbush: yes; Mr. Richardson: yes; Mr. Mrachek: yes;

Mr. Mrachek said he hoped that everyone feels comfortable sharing their thoughts and that we can have differences of opinion but that he thinks the Board members are all trying to reach the same goal. Mr. Mrachek asked if there was any public comment. Ms. Quackenbush thanked Mr. Mrachek for his collaboration efforts. There were no additional comments. Mr. Mrachek said he would work with Ms. Foley on the draft presentation.

6. Future Meeting Schedule

Mr. Mrachek said that he would work with Ms. Foley about the future meeting schedule and agenda. .

7. Adjournment

Mr. Mrachek said that if there was no additional business, he would entertain a motion for adjournment.

Ms. Quackenbush made a motion to adjourn the meeting. Ms. Crowley seconded the motion.

- Roll Call Vote: Mr. Richardson: yes; Ms. Crowley: yes; Ms. Quackenbush: yes; Mr. Mrachek: yes.

The meeting was adjourned at 6:12 pm.

Documents Used or Referenced at the Meeting:

- Miscellaneous Compensation Schedules #7-1 and #7-2
- Draft Proposal Tracking Chart
- Article 6 of 2020 Town Meeting Warrant (from Finance Committee Report)
- Article 6 of 2020 Finance Committee Hearing Presentation Materials

Respectfully submitted by Stephanie Oliver

Minutes approved 3/23/2021