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# TOWN OF BURLINGTON

## *Meeting Minutes*

Email minutes to [meetings@burlington.org](mailto:meetings@burlington.org) or Bring to the Clerk's Office. Thank you

Minutes need to be posted within 30 days or 2 meetings of the board – Draft minutes can be posted and revised at a later date

DEPT./BOARD: Town Wide DEI Committee

DATE: 1/19/2022

TIME: 6pm

PLACE: WebEx

MEMBERS IN ATTENDANCE:

Syed Ghani, Nancy Bonassera, Barbara Addison Reid, Carl Foss, Nick Priest

Guests: Joanne Faust, Burlington HR and Amy Warfield, Town Clerk

Call to Order: 6:05pm

- Introductions all around
- Discussion with Joanne Faust, Human Resources Director Town of Burlington & Burlington Public Schools.
  - Nick - General Question: do we have to follow certain state or federal procedures to follow when making changes
- **Administrative Professional Classification Plan: FY 2022**
  - Group Titles and Compensation Plan.
  - Contract ends FY 2022.
  - There is no reference to Diversity, Equity, and Inclusion.
- **AFL-CIO State Council and Municipal Employee Association: July 1, 2019 – June 30, 2022**
  - Article 28 "Non-discrimination clause as to age, sex, marital status, race, color, creed, disability, National origin, political affiliation or any other classification protected by state or federal law."
  - Contract ends June 30, 2022.
  - There is no reference to Diversity, Equity, and Inclusion.





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- SG: it seems like a big miss if this type of document doesn't refer to this type of language. Do you think it should be included?
  - JF: it should have the language, but the union isn't exempt them from following the ideals of DEI and the town's overall policy
  - SG: if a town employee feels they are being discriminated against, what is the policy
  - JF: Can reach out to supervisor, Joanne herself or to state agencies
  - SG: Is there a 3rd party managed hotline available?
  - JF: Nothing in town, but they could go to the Town Manager or then to state/federal agencies
  - BAR: Are you the negotiator for contracts?
  - JF: That is town administrator
  - BAR: There may be an opportunity to add this language when the next contract is negotiated. People should be reaching out to you as HR Director for these types of issues.
- 
- **AFL-CIO State Council and Public Works: July 1, 2019 – June 30, 2022**
    - Article 4 "There shall be no discrimination by foreman, superintendents, or other agents of the employer against any employee of his activity or membership in the Union. The employer further agrees that there will be no discrimination against any member for his adherence to any provision of this Agreement to comply with any other which would violate this Agreement."
    - There is no reference about race, religion, creed, color, National origin, sex, age, or disability or any other classification protected by state or federal law.
    - Contract ends June 30, 2022.
    - There is no reference to Diversity, Equity, and Inclusion.
- 
- **International Association for Firefighters: July 1, 2021 – June 30, 2022**
    - Article 1 "The Union shall not discriminate against any employee by reason of non-membership in the Union. Neither the Town or the Union shall discriminate against any employee on the bases of race, color, sex, age, marital status, disability or political affiliation."
    - Contract ends June 30, 2022.
    - There is no reference to Diversity, Equity, and Inclusion
- 
- **Burlington Police Command Officers Union: July 1, 2019 – June 30, 2022**
    - There is no discussion about discrimination.
    - Contract ends June 30, 2022.
    - There is no reference to Diversity, Equity, and Inclusion
- 
- **Burlington Police Patrolmen's Association: July 1, 2020 – June 30, 2022**





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- Article 1 “Chief and BPPA agree not to discriminate in any way against employees covered by this Agreement on account of race, religion, creed, color, National origin, sex, age, or disability or any other classification protected by state or federal law.”
  - Contract ends June 30, 2022.
  - There is no reference to Diversity, Equity, and Inclusion
  - CF: When will these contracts begin to be negotiated?
  - JF: In the next month or two
  - NP: When we talk about discrimination, doesn't that also refer to DEI or do we want something stronger?
  - SG: As Joanne said, the commitment from the town is there to follow the ideals of the town, as the bare minimum. Our goal is to go beyond that and to ensure that everyone perceives the town as a place that embraces diversity, equity and inclusion.
  - NP: Having this discussion at this point is interesting because the BPPA has lived these ideals in practice as
  - SG: We need them to enshrine in words what they are doing in practice
  - NB: We want to say we are going above and beyond. DEI are relatively new words/ideas and Burlington needs to move into the current ideals. We want to show that we embrace the ideals of DEI, not just that we don't discriminate.
  - BAR: We want to look to statistics to see how Burlington compares to Boston, and the broader US as a way of looking at progress. What's behind that are the values that govern our behavior and how we accept differences and provide opportunities for all.
- 
- **Town of Burlington Massachusetts: FY 2022 Part Time Compensation Plan**
    - Part-time under 20 hour per week
    - Effective July 1, 2021 (1.75% Adjustment)
    - There is no discussion about discrimination.
    - Contract ends FY 2022.
    - There is no reference to Diversity, Equity, and Inclusion
- 
- **Town of Burlington Personnel Rules and Regulations: Amended June 1, 2021**
    - Anti-Harassment Policy Article 47 A.
    - Sexual Harassment Policy Article 47 B.
    - Section 1.1-1 Should the first paragraph be updated with additional categories, such as ethnicity, sexual orientation, gender identity, etc.?
      - JF: We need to add in any other protected classifications. It is also a good place to add the town's commitment to DEI.





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- Section 2.1-4 Should Recruitment address Affirmative Action Policy in Section c) which stipulates both internal and external job posting be launched simultaneously?
  - JF: Will need to be discussed with the town administrator. Some contracts say we need to post internally first. We may not be able to
  - NB: Are these union contracts
  - JF: Yes
  - BAR: Thoughts from committee?
  - NP: Standard practice in many industries. I don't mind it, but if we're not getting a proper pool of candidates, we should look outside as well.
  - NB: The concern is that if its an internal posting and the pool is not that diverse. After looking around, it seems common except for entry level.
  - SG: The perception is what is important. If we are perceived as insular and we only open for internal candidates, it perpetuates that perception.
  - NP: Would it make sense to move away from the notion of internal/external and more toward timing.
  - JF: We still need to discuss the contractual language. All internal candidates are given an interview. We have a preferred date for applications, but the door isn't closed.
  - CF: Is this a negotiated policy or town policy?
  - JF: Negotiated
  - SG: Are there any other towns that have moved away from this?
  - JF: They seem to be staying with existing policy
- Section 4.7A Should the Anti-Harassment Policy (1997) and the Sexual Harassment Policy both have similar language to achieve results related to both issues?
  - JF: These work hand in hand. We treat everything identically
  - NB: Should they have the same language - some of the wording is different and maybe there should be examples.
- Section 4.7A-1 Should the policy be updated to include other example categories of harassment such as "race, religion or National origin"
  -
- Section 4.12 Professional Conduct Policy - third bullet focuses on "treating public in respectful and positive manner"; Should this written language include being respectful of diversity?
  - NB: This is a good place to insert DEI language
- There is no reference to Diversity, Equity, and Inclusion.
  
- **Affirmative Action Plan Town of Burlington: October 6, 1986**
  - Was the Affirmative Action Plan updated at any time since 1986?
    - JF: No it wasn't





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- Is there an Affirmative Action Officer who addresses Affirmative Action Policy and Procedure for the Town of Burlington?
  - JF: When the plan was established, the Veteran's Affairs Officer was appointed to the role. The position still exists and works with HR. It is town wide coverage and may need streamlining
- Is there an Affirmative Action Officer who addresses Affirmative Action Policy and Procedures for Burlington Public Schools?
  - JF: Not sure who would have that designation
  - NB: Who is the Veteran's Affairs Officer?
  - JF: Chis Hannifan
  - NB: Would Ray Porch be the Officer for Schools
  - JF: Probably
- **Burlington Public Schools Website: December 9, 2020**
  - Search for Record Access Officer, Food Employee Report Agreement, Equity Audit, Grant of Location N Star Electric Middlesex Turnpike, Bidders List, and agenda minutes.
  - Names, email address, and phone numbers are provided.
  - There is no reference to Diversity, Equity, and Inclusion.
  - Is there an employment data report available on race for the Burlington Public Schools Principals and Teachers?
    - JF: A lot of these items would be housed in the Clerk's office. Data report could be provided by the School information office from Robin Miliano
  - Is there a data report available on race for the Burlington Public Schools students K-12?
- **Burlington Employment Website: Career Portal for job search**
  - Direction for how to apply online, attach resume, cover letter, references, and next steps.
  - Addresses "A robust profile of diversity where perspective and background are embraced to serve the community."
  - There is no reference to Diversity, Equity, and Inclusion.
  - NP: This could be a recommendation to Select Board. Start high and filter it all down into the places where we want to see it.
- **Town of Burlington Massachusetts Organization Chart**
  - Job class description; locations are provided.
  - Is there an organization chart for the Town of Burlington?
    - JF: I don't think we have a chart, just the list.
  - There is no reference to Diversity, Equity, and Inclusion.





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Town of Burlington Massachusetts Employment Data: June 30, 2017 compares with Boston, Massachusetts, and U.S.A. (2010 data).

Race	Burlington	Boston	Massachusetts	U.S.A.
African American	1.0%	24.4%	7.8%	13.1%
Asian American	.3%	8.9%	5.6%	5.0%
Hawaiian/Pacific Islander	.0%	Z	0.1%	0.2%
Hispanic/Latino	.3%	17.5%	9.9%	16.7%
Native American/Alaskan Native	.3%	0.4%	0.5%	1.2%
Two or more races	.6%	3.9%	2.0%	2.3%
People of Color	4.1%	55.1%	25.9%	38.5%
Caucasian	95.8%	44.9%	74.1%	61.5%

- NB: These might be comparing different types of data - Burlington is town employees and Boston/US is Census data
- BAR: This is what was provided
- We should get employee data from Boston/US or Census data from Burlington
- JF: We want to see the employees of the town better reflect the population of the town. We are curious to see how other towns are doing in this area
- NP: Great idea to see what is happening in other town in Middlesex County. Can you (Joanne) get us some of that data?
- NB: The census data for Burlington is ~74% white
- BAR: The data is key because this is how we track, can see if we're making progress and inform how we move forward.
- NP: Other towns' info would be helpful for us to benchmark against.

Town of Burlington Massachusetts EEO Data June 2017, June 2019, and March 2021

Race	Burlington 2017	Burlington 2019		Burlington 2021
		Female	Male	
African American	3	1	Z	3
Asian American	2	1	Z	5
Hawaiian/Pacific Islander	0	Z	Z	Z
Hispanic/Latino	4	1	1	6





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Native American/ Alaskan Native	1	1	Z	1
Two or more races	2	Z	Z	1
People of Color	4.1%	4	1	8.8%
Caucasian	95.8%	7	41	91.2%

- Why is there discrepancy in percentages of POC employees from Employment data versus EEO data?
- Is the EEO data voluntary?
  
- Discussion with Amy Warfield, Town Clerk
  
- **Steps for Meetings**
  - Virtual Meetings
  - All Meetings
  - Agenda and Posting Process
  - Minutes
  - There is no reference to Diversity, Equity, and Inclusion.
  
- **State Ethics Commission: November 14, 2016**
  - I Conflict of Interest Law and Purpose
  - II On-the-job restrictions
  - III After-hours restrictions
  - IV After you leave municipal employment
  - There is no reference to Diversity, Equity, and Inclusion.
  - AW: These are state documents/regulation and are not something we can make changes to
  
- **Committee Handbook: May 01, 2014**
  - V page 18 Conflict of Interest Law
  - Law applies to all public officials, paid or unpaid
  - Private interests does not conflict with best interests of the community
  - Do not accept anything
  - Do not accept anything worth \$50 or more
  - Do not hire, promote, supervise, employment of your immediate family or your spouse's family
  - Do not take official action with financial interest or businesses partners Etc.
  - Misuse of Position







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- Revolving Door Restriction
- Appendix A, B, C, etc.
- There is no reference to Diversity, Equity, and Inclusion.
- Does DEI Committee need to be added to the list in the Committee Handbook?
  - AW: These are based on State rules/regulations, but was created in our office. We can take a look at adding the committee or any other language created by this committee
  
- **U.S. Census Quick Facts Town of Burlington Massachusetts**
  - Population January 1, 2019 28,627
  - Population January 1, 2010 24,492
  - Age and Sex
  - Housing
  - Education
  - Health
  - Businesses
  - Geography
  - There is no reference to Diversity, Equity, and Inclusion.
    - AW: 2019 number was an estimate. Current number from Feds 26,143 Burlington count was 26,432
  
- **American Community Survey Five Year Data 2009 – 2019**
  - Detailed Tables, Subject Tables, Data Profiles, and Comparison Profiles
  - There is no reference to Diversity, Equity, and Inclusion.
    - AW: What kind of references to DEI are we looking for in these statistical tables?
    - BAR: Based on what we see today, we'll develop a strategy for moving forward.
    - AW: My office uses these tables for demographics. The census we run doesn't ask for demographic information.
    - BAR: We are in the process of determining what data do we have and then what we need to compare
  
- **Open Meeting Law Guide and Educational Materials: December 2017**
  - Overview
  - Meeting of Public Bodies
  - Notice
  - Executive Sessions
  - Remote Participation
  - Minutes







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- Open Meeting Law Complaints
  - Open Meeting Law Training
  - Contacting the Attorney General
  - Appendix
  - There is no reference to Diversity, Equity, and Inclusion.
- 
- Approval of minutes from 12/7/2021
    - Approved 5-0
  
  - Next meeting:
    - 2/2 at 6pm - Next DEIC meeting
    - Overall agenda: How do we develop a strategy for what we want to present to Select Board (2/14)
      - NB: Is this too ambitious and should we push to 2/28?
      - BAR: to clarify, should we meet twice (2/2 and 2/16) and then meet with Select Board on 2/28?
      - Do we want to present “all” recommendations or some and provide an update for everything else
      - SG: We will update them on what we are doing and recommend more time sensitive items
  
  - Adjourned 7:31 Passed 5-0

