

Human Relations Commission
Meeting Minutes
July 15, 2020 5:00 p.m.

Attendance: Brandie Doyle, Henry Fernandez, Ed Ford, Ava Hart, Sanji Lawrence, Precious Price, Debbie Ruimerman, Howard Thody, and Faith Jackson, Director of Equal Opportunity and Diversity Management

Excused Absence: Justin Carbonella

Absence:

QUORUM: *Yes:* X *No:*

Call to Order: Director Jackson noted for the record that Chairperson Carbonella is currently on Family Medical Leave. In the absence of the Chairperson, Vice Chairperson Doyle called the meeting to order at 5:04 p.m. Councilman Nocera was in attendance. Beverly Lawrence of the Middletown Racial Justice Coalition was also present.

Public Session: None

Regular Meeting:

Approval of Minutes: Vice Chairperson Doyle asked for a motion to approve the Meeting Minutes for June 17, 2020. Commissioner Ford motioned to approve the minutes. Commissioner Hart seconded. The Vice Chairperson called for a vote. The motion was properly carried.

Old Business:

Vice Chairperson Doyle moved the discussion to sending a letter to the mayor regarding the UPSEU contract negotiation. She explained that the commission discussed this at length at the June meeting. She added that she wanted to apologize for being forceful in her argument of the issue. She said that since the meeting, she crafted the two-part motion and if there was no objection, she would read it to the commission.

Motion: Part One — Vice Chairperson Doyle motioned that the Human Relations Commission make a formal recommendation that, to achieve greater racial representation among its staff, the City of Middletown renegotiate provisions of its union contracts that favor internal applicants for open positions and diversify recruitment to make applicant pools more competitive. Part Two — Specifically, she motioned that the Human Relations Commission make a formal recommendation to the City of Middletown proposing changes to Article XIX Section 2A of the UPSEU contract, which expired on June 30, 2020, so all open positions within the bargaining unit would be publicly posted and hiring managers would be empowered to interview external candidates. Commissioner Hart seconded.

Discussion: For clarity, Vice Chairperson Doyle shared her computer screen and showed the written motion to the commission. She added that she emailed it to the commission just before the meeting. Director Jackson said that she had a discussion with the mayor regarding this recommendation. She said that she advised him that it was timely with regards to the union negotiation. Also, she said that it shouldn't impact anyone in the union in their ability to apply for a position. It would likely cut out some steps wherein if one person applies, he or she can sit in the position for a probationary period of thirty days. In cases where one person applies and then gets the job, the City is doing itself a disservice by not looking at a diverse pool of candidates. If the internal candidate is an excellent worker and has been working toward the position for some time, the department head would most likely select that internal candidate. However, if that's not the case, there may be a more suitable applicant in the pool if the position is posted externally. She added that with a young workforce, the City will not see a lot of turnover. Vice Chairperson Doyle agreed and said an added benefit of this change would be expediting the hiring process.

Commissioner Hart thanked Vice Chairperson Doyle for drafting the motion. She said sometimes they get a little stuck, and her recommendation helped moved things along. She also thanked Director Jackson for having the conversation with the mayor and advocating on behalf of the commission. Councilman Nocera said he is a non-voting participant in the meeting, but if he could vote, he would support this motion and thinks it's very important. He said he has always considered this current process as having a weakness in how people move up the ranks while others are excluded. Commissioner Ford said he wanted to echo those sentiments. Increasing the diversity of the City should be a top priority. He said Vice Chairperson Doyle shouldn't apologize for her passion and that sometimes they need that push. He added that he supported the recommendation 100%.

Commissioner Price said that her concern is that it's not exclusively tied to race. She said that just opening the applicant pool will not definitely lead to the hiring of more people of color. She said that they could consider adding language to the recommendation such as setting a goal of adding five percent more people of color by a certain year. She said that the recommendation is not intentional enough about race. She added that she was concerned about unforeseen consequences, such as people of color already in positions at City Hall who could get pushed out of an opportunity.

Vice Chairperson Doyle said she appreciated the feedback. She pointed to the first line of the motion and mentioned the verbiage, "... to achieve greater representation among its staff..." She asked Commissioner Price to suggest an amendment. Commissioner Price suggested adding language that said within a certain year, they could see an increase in the number of people of color working within the City. She suggested the year 2030. Vice Chairperson Doyle said that they would have to do the calculations, which can be complicated. They'd have to decide whether to include the Russell Library and the Board of Education.

Councilman Nocera clarified that this language would go under the hiring procedures in the collective bargaining agreement, which at this time is in negotiation between the union and the City. Vice Chairperson Doyle confirmed that and added that during contract negotiation, union officers meet with the Office of General Counsel. She further explained that the commission is proposing that the mayor bring these changes to the negotiation. At that point, there will be further negotiations of the provision, and she purposely made it broad and did not put language indicating that union members receive no advantage because that likely wouldn't have been accepted. She said she anticipates that they will add

some type of provision, such as qualified union members are guaranteed an interview, or something along those lines.

Director Jackson said that having been at the City for 23 years, she believes this to be a very good start. When she first started, diversity was at eight percent, and now it is over 14%. She added that she's concerned that putting a specific number parameter in the recommendation is going to be a detriment. They have to consider the number of vacancies within the City and how many people are hired every year. However, for diversity to increase in the workforce, there must be diversity in the applicant pool. Her job is to monitor the recruitment process and bring attention to issues, such as people not making it past certain stages, like testing. She questions Human Resources when she notices these things and asks for an explanation. She added that removing the barrier of only posting the positions internally gives the City a greater opportunity to have a diverse pool.

Commissioner Price asked how they can ensure that people of color are hired for the City positions. Director Jackson said there is a recruitment process that has to be followed. However, this will allow for a larger and more diverse applicant pool. Commissioner Price said this sounds pointless if they can't ensure that more people of color are selected for the positions. She said that when they try to undo systemic racism, people will find ways around it. She said she wants to be intentional about what they are doing.

Vice Chairperson Doyle said she fully realizes that this will not make a concrete difference immediately. However, she said what they are trying to achieve is the removal of one barrier. When they went through this process with NCCJ, they discussed removing obstacles, and this is a huge obstacle to employment of people of color in Middletown. It's not going to work alone, and she would like to see a full audit of the City's hiring processes. She added that the testing is rife with bias. She explained that to her dismantling systemic racism is about removing obstacles. It takes the removal of all those obstacles to achieve the outcome. Also, given Director Jackson's numbers, it's highly unlikely the City could achieve a five percent increase in diversity by 2030 because they would be way beyond the demographics of Middletown. She said that she fully hears what Commissioner Price is saying about being intentional, but a five percent increase is not feasible. Also, part of being intentional is that they have to be very careful about throwing around numbers. Numbers to the leadership in the City are concrete; whereas they are more abstract to the commission. She added that the use of numbers could lead to significant pushback to the removal of this barrier. Setting goals that can't be met sets the City and the commission up for failure.

Director Jackson said that people used to use the term "quotas," and that's not accurate. There are areas of underrepresentation. She added that this opens the door for greater opportunity to have diversity and better representation. Also, if they don't take this opportunity now, they won't be able to for five years because that is when the contract will be up for negotiation again. This union is a management union, and this makes the opportunities open to internal and external applicants. Therefore, internal applicants will have to compete for jobs, and it will no longer be a given that one internal applicant will get the position.

Commissioner Price said she understands all of that. However, she doesn't see that this recommendation is about race. However, she asked Vice Chairperson Doyle to remove the amendment. Director Jackson said that diversity in the workforce is about race. Commissioner Price said that racial diversity is about race, but diversity is not about race. Director Jackson said they have

to take this opportunity before the window is closed. Commissioner Price said she understood and didn't want to shoot it down.

Beverly Lawrence asked what happens after the recommendation goes to the mayor. Director Jackson explained that the labor management team, which is made up of representatives from the union, Human Resources, and a neutral party, will get a copy of the recommendation. The negotiations over it will take place. It may be tweaked. Once the negotiations over the entire contract are complete, the contract goes to General Counsel and then to the Common Council for approval.

Vice Chairperson Doyle added that once the motion passes tonight, she will put together a formal letter to the various entities. Also, she can include in the letter more intentional language about race. She then said that she'd like Commissioner Price to work with her on the formal letter to make sure they are moving forward in an intentional way and incorporate some expectations. She then added that one of the reasons that this is the first action coming out of the NCCJ process is the timing. If they don't push this through now, the contract will be in place for five years. Also, because this is the managers union, the change will be more impactful. If there can be more diversity achieved in the leadership who hires, then there will more diversity throughout the City. She added that they need to be mindful of where the representation is needed. The NCCJ report specified better representation needs to be in City Hall. When people walk into City Hall, they need to see themselves reflected, as well as teachers and administrators at the Board of Education.

Note: With there being no further discussion, the Vice Chairperson called for a vote. The motion was properly carried with a unanimous vote.

Vice Chairperson Doyle said she would draft the letter and send it by email to the commission in advance of it being sent to the mayor and other entities. Director Jackson said she would follow up with Human Resources and with General Counsel to find out how recommendations such as this are to be submitted.

Vice Chairperson Doyle moved the discussion to the next agenda item, which was the draft of the Executive Summary. She explained that she sent it to the commissioners. It's a two-sided summary of NCCJ's report that can be mailed to all who participated in the focus groups and community dialogue sessions, as well as City leadership. She asked if everyone had a chance to review it as well as the thank-you letter. Commissioner Lawrence said she thought they did an excellent job condensing the report, and it is user friendly. She added that the thank-you note was nice, as well. Director Jackson said the thank-you will go to all the participants, but she will also make sure the department heads receive it, as well, because they took the anti-racism training. Vice Chairperson Doyle said she would work with Director Jackson to get those two items out to everyone before the next meeting.

Vice Chairperson Doyle said the next item on the agenda was next steps, which they've already started discussing. Director Jackson will reach out to Human Resources to see how recommendations such as this are submitted. Once the letter has been drafted, Vice Chairperson Doyle will send it back to the commission for feedback before it is finalized.

Vice Chairperson Doyle said that after that, she proposed the next steps would be to do an assessment of hiring practices within the City from start to finish. Then, they should identify barriers for people of color. Additionally, she said they should reach out to City Hall and the Board of Education to offer

assistance to support them in meeting recommendations identified in the focus groups and community conversations. She then asked the commissioners if anyone had anything to add to the next steps. There was no further discussion.

Vice Chairperson Doyle asked if anyone had updates on the task force. Councilman Nocera answered that an outline was determined last week. The task force will be a 15-member group, three of whom will be council members. The mayor is currently soliciting input from the community. He is looking for people who have demonstrated experience working in the area to promote antiracism. The Common Council is optimistic that they will have the information on August 3rd, the next council meeting, to present, but they are not sure at this point. Director Jackson recommended that if any commissioners are interested in being on the task force that they make that known to the mayor.

New Business:

Review: The commission reviewed the 2020 attendance.

Announcements The next meeting of the commission will be August 19, 2020.

Adjournment: Commissioner Thody motioned to adjourn the meeting. Commissioner Lawrence seconded. The Vice Chairperson called for a vote. The motion was properly carried. The meeting was adjourned at 5:55 p.m.

Respectfully Submitted by,



Kasey Maurice,
Administrative Sec. III