



CVFiber Policy Committee Special Meeting Minutes

Monday, Sept. 11, 2023 4:00 PM
Virtual meeting

Present: Allen Gilbert (Worcester), Linda Gravell (Waterbury), John Morris, (Marshfield), and Siobhan Perricone (Orange); and Jennille Smith, executive director.

- 1. Call to order.** A quorum being present, the meeting was called to order at 4 p.m. by Gilbert, chair.
- 2. Changes to agenda.** There were none.
- 3. Public comment.** There was none.
- 4. Continuation of Personnel Policy legal review.** Gilbert summarized what the committee had covered at its last meeting regarding review of the revised version done by legal counsel of the CVFiber Personnel Policy. He noted that today's goal was to review Sections 16 (Harassment, Discrimination, and Retaliation) and 17 (Bullying). Smith had said that review of those sections was of the greatest importance at the current moment. If those two sections were reviewed and time remained (the committee had planned a 5:30 p.m. adjournment), the committee would move on to Sections 18 through 21, which deal with tech/digital issues. The committee accomplished both goals, and also reviewed Section 22 (Public Records).

Points made during the review discussion:

- Smith said she thinks Sections 16 and 17 as currently written are “good,” and praised as “excellent” the examples added to both sections by legal

counsel. The detail is very helpful, she said. Perricone agreed. Perricone suggested another example, which she offered, be added to Section 16; it concerned discriminatory “micromanaging” of “an individual’s ability to do their work in a way that singles them out from how other employees are managed or trusted.” Smith noted that “Good, lived experience is being brought into this document” through the addition. Gravell said she especially liked the examples and praised Siobhan for her addition. All agreed.

- Discussion of Section 17 (Bullying) included Smith’s recommendation to add the language from Section 16 that identifies to whom the requirements apply; it should be clear, it was agreed, that board members know the requirements apply to them as well as to employees, volunteers, vendors, and others. It was pointed out, however, that CVFiber does not have the power to sanction, through dismissal, a delegate or alternate delegate. That power is reserved, by state statute, to the select board or city council of the town or city that chose its CVFiber board members. Gilbert also brought up constitutional (First Amendment) speech rights. Perricone said bullying is often a pre-cursor to more serious discriminatory behavior by someone, and should be addressed early. She felt sanctions such as removal from a committee assignment would be appropriate, once there is a finding of misconduct. The local board that appointed the delegate would be informed of the action. It was suggested that we spell out how accusations of bullying will be handled. The committee agreed, and Smith said she would ask legal counsel to suggest a process for how we deal with complaints, or incidents that may point to harassment or bullying. It was agreed that, generally, there should be tighter congruence between Sections 16 and 17, and that processes for dealing with harassment, discrimination, and retaliation situations described in Section 16, as well as bullying situations described in Section 17, be added. Sanctions may go as far as dismissal, for employees; and severance from the organization, for others working as volunteers.
- It was agreed that Smith will work with legal counsel to try to have expanded versions of Sections 16 and 17 that are acceptable to the Policy Committee, and that can be brought before the Executive Committee for consideration at its Sept. 19 meeting. We recognize that it may not be possible for the work to be done this quickly, but it was felt it’s worth a try.
- Since time remained, the committee moved on to review Sections 18 through 21, which deal with tech/digital issues. Morris had reviewed these sections and felt they were appropriate; he only had some editorial suggestions concerning grammar or style. He said any substantive

questions he had concerned Section 20 (Social Media Use), specifically the prohibition that employees may not use social media “during work time for nonwork-related reasons.” Perricone said she also had questions about this provision. She said that employees should not be prohibited from logging into social media during work time, as long as it doesn’t lead to excessive viewing. People need social media breaks; they’ve become the new coffee break, she offered. If there isn’t a productivity issue, hopping on to their social media accounts should not be prohibited. Gilbert asked if “discouraged” rather than “prohibited” might be appropriate, with a condition social media viewing is ok during work hours “as long as it does not impact job performance or otherwise adversely or negatively affect, or impact, the workplace.” Perricone felt that was appropriate. The committee decided to ask legal counsel to suggest some alternatives to a blanket ban, while ensuring work productivity isn’t diminished. Gravell would like to make sure that social media cannot be used for hate speech; Smith suggests that can be added to the bulleted list of prohibitions. Gravell also suggested that “soliciting dating” should be deleted; harassment (or, as Perricone pointed out, favoritism) would be a concern, but not dating. All agreed appropriate changes should be made.

- Perricone wanted to let the committee know her strong feeling about the pitfalls of using personal computers for CVFiber business (Section 21, Use of Personal Electronic Devices); she feels CVFiber business should be done on CVFiber equipment. Smith said consultants have assured her that as long as there’s really good security protecting CVFiber records, use of personal computers is probably OK. This is reflected in Section 21. Perricone said she is “reluctantly” using her own computer for CVFiber work. Smith said employees are given CVFiber computers.
- Gilbert said that there’s a connection to Section 22 (Public Records) around where CVFiber documents are kept, because such documents are subject to the state’s public records law. That means if someone requests information from someone who received or created the information on his or her own computer, s/he must have kept a copy of the information and be able to provide it to someone who requests the information. He said that he’s in this category (and suspects nearly all other CVFiber board members and other volunteers are), and is careful to keep a copy of CVFiber-related documents in separate files so he can access and provide information as needed. It’s important, he said, to make sure board members and other volunteers are aware of this requirement and can provide documents if they’re needed for a public records request. It’s important that this information is in Section 22. After a few more observations, the committee agreed that Section 22 is acceptable as is.

By consensus, the committee agreed to set another special meeting for Thursday, Sept. 21, 2023, at 10 a.m. to try to finish its review of the remaining sections. Those sections are Sections 23 (Employee Benefits and Leave), 24 (Drug-Free Workplace), and 25 (Performance Evaluations).

5. Other business. There was none.

6. Adjourn. The meeting adjourned at 5:30 p.m.

-- Allen Gilbert

Approved Oct. 4, 2023