



## CVFiber Policy Committee Meeting Minutes

Wednesday, Sept. 6, 2023 8:00 PM  
Virtual meeting

**Present:** Allen Gilbert (Worcester), 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 8:25 p.m. by Gilbert, chair. Technical problems caused the late start.
- 2. Changes to agenda.** There were none.
- 3. Public comment.** There was none.
- 4. Approval of July 5, 2023 draft meeting minutes.** Perricone moved and Morris seconded a motion to approve the minutes of the July 5, 2023 meeting. Approval was unanimous.
- 5. Personnel Policy legal review.** Gilbert went over the memo he had sent regarding recommendations for how best to proceed with the review, given that many changes have been suggested by legal counsel, many of them significant additions, not just corrections or elaboration of current language. Smith suggested we start our review with the assumption that our legal counsel's advice regarding revisions generally be accepted, since he has specific professional expertise in personnel issues. There was consensus that was sound strategy. And, it was pointed out, it does not prevent us from going beyond any minimum standard counsel has provided, as long as it is consistent with state

and federal law. Counsel's re-review would help ensure we haven't inadvertently crossed any boundaries.

The committee decided to take up Gilbert's suggestion to start by reviewing the first 15 sections of the new document, which generally are the least altered sections or the most straightforward new sections. Discussion ensued, with the following points made:

- Perricone would like to see changes to Section 2 (At-Will Employment). She believes more protections are needed for those workers who are disadvantaged. Smith thought there is a way to state that we are taking steps to make sure "at will" is not used to harm those vulnerable to discrimination. CVFiber could commit to ensuring that "at-will status" will not result in unlawful discrimination against anyone. Morris said we could perhaps take a half-way stance, stating that we want to do better than "at-will" and commit to not using "at-will" power to dismiss vulnerable workers. Smith said she will take our comments to legal counsel and ask for him to develop language appropriate for our goal. For the moment, we would like language that expresses that CVFiber is committed to insuring that at-will status will not result in unlawful discrimination against anyone.
- Gilbert brought up challenges presented in Section 3 (Employment Classifications), regarding how benefits are calculated for part-time employees. Proration of benefits should ensure employees are treated equally, the value of the benefit aligned with the number of hours a person works. It was agreed that this is something to discuss with legal counsel. We agreed on the definition of a "part-time" employee as anyone working less than 32 hours, with full-time 32 hours or more. The 32-hour division reflects federal standards, which Perricone thinks we should abide by. Perricone suggested we create a 16-hour minimum work week for part-time workers.
- Benefits (which will be discussed later when Section 23, Employee Benefits and Leave, is reviewed) are of particular interest for Perricone. She said, "We need to do what's right. I want our employees to want to stay. We can't do that by giving them great pay, but we can be generous with benefits. I feel very passionately about this. This is really important to me." She recognizes that our legal counsel is there to keep us informed and make sure we do what is right and acceptable.
- The issue of whether "marital status" should be included as a protected class in Section 5 (Equal Opportunity) was brought up. It is not defined as such in state or federal law, so this would be broader protection.

- In Section 10 (Religious Accommodations), it was agreed that the contact person (left blank in the revision) should be the executive director or the employee's supervisor. It was also agreed that these positions should be inserted in other sections where a contact person was not identified.
- There was a bit of discussion about language in Section 12 (Conflicts of Interest) that includes "romantic co-habitant" on a list of relationships that could trigger an assumed conflict of interest. We decided to consult with counsel whether this is appropriate. Gilbert pointed out the confusing use of the word "notwithstanding" in another part of the section; he said it lacked a subject. Smith said it was a common use in legal language, but likely was confusing to non-lawyers and could be changed. The group also decided to make sure that dollar maximums are consistently \$50 rather than, in some places, \$25.
- Generally, there was consensus that Sections 6 (Pay Transparency Nondiscrimination Provision), 7 (Accommodations for Qualified Individuals with Disabilities), 8 (Accommodations for Pregnancy-Related Conditions), 9 (Nursing Parents in the Workplace), and 11 (Code of Conduct) were not problematic and did not need any revision.

After reaching Section 12, and considering the late hour, the committee agreed that a special meeting was needed to try to finish the review of the rest of the sections (there are a total of 25). By consensus, the committee agreed to set a special meeting for Monday, Sept. 11, 2023, from 4 to 5:30 p.m. The goal for that meeting is to review Sections 16 (Harassment, Discrimination, and Retaliation) and 17 (Bullying). Smith said that review of those sections is of the greatest importance at the current moment. If time remains at the Monday meeting, we will move on to Sections 18 through 21, which deal with tech/digital issues (and which John has reviewed). This would leave for a subsequent meeting Sections 13 (Whistleblower), 14 (Political Activity), 15 (Nepotism), 22 (Public Records), 23 (Employee Benefits and Leave), 24 (Drug-Free Workplace), and 25 (Performance Evaluations).

- 6. Update on digital equity efforts.** There was no time to take up this item.
- 7. Other business.** There was none.
- 8. Adjourn.** The meeting adjourned at 9:40 p.m.

*-- Allen Gilbert*

**Approved Oct. 4, 2023**