

**Bristol Community College
Fall River, Massachusetts**

Board of Trustees

Trustee Affirmative Action and Policy Review Committee Meeting

January 12, 2017

A. Convening

The Bristol Community College Trustee Affirmative Action and Policy Review Committee met in D209 of the Hudnall Administration Building, at the Fall River Campus. Chair of the Committee Steve Torres called the meeting to order at 9 a.m.

Trustees present: Joseph Marshall, Chairman of the Board of Trustees; Joan Medeiros, Anthony Sapienza; Steven Torres, Esq., Chair of the Committee.

Others present: Steven Kenyon, Vice President for Administration and Finance, to serve as Resource person; and Keran Ciclio, Boarding a Student.

Chair Joseph Marshall thanked the members and turned the meeting over to Committee Chair Steve Torres.

B. Board Discussion

The members agreed that this review and recommendations should be completed by March 31, 2017, in order to make a recommendation to the full Board at its April 3, 2017 meeting.

Discussion followed regarding making a decision on which firm to hire. Based on the presentations, the committee might make the choice immediately following the meeting or further consider their credentials and meet again to decide.

Trustee Torres outlined the parameters by which the Committee might use to choose the firm:

1. Review of Resume
2. Presentation
 - a. Understanding of Scope of Project
 - b. Approach to the Issues

Members discussed the need to check on the cost of the project. Trustee Medeiros suggested a cap on expenses might work best with a "not to exceed figure without consultation" caveat, and all agreed that this seemed to be most desirable.

C. Interview of Karyn H. Rhodes, VP/Director of Hilb Group Human Resources, Warwick, RI

Ms. Rhodes offered personal information on her background as well as highlights of her work history and credentials. While she worked for a number of other firms in the Human Resources area, she was encouraged to start her own firm. Most of her employees have 25 to 30 years of experience in the HR field.

Trustee Sanienza inquired about her physical office. She and most employees are in the Providence, RI area, but they are also operating offices in Connecticut and Massachusetts.

Replying to Mr. Sanienza's question regarding why would he be doing most of the work, she answered that it depended on the task. She would, however, be the senior person in charge.

Chair Torres noted that this project's genesis is about employee program failures. She was aware of the publicity of the recent law suit and stated that she had some experience in such cases.

Ms. Rhodes outlined items that would be reviewed. HR staff's background and training are important. The lack of proper training and education often led to decisions that were not properly handled. Review of current policies and procedures. Handbooks would be done.

She stated that instructions to "report HR issues" is not the standard. Reporting "un" is the standard to properly handle such issues. Review of recordkeeping of complaints should be made.

Ms. Rhodes asked about the number of employees (approximately 250 HR faculty/staff; 1200 adjunct faculty/staff; and 11,000 students). HR employees number six: Vice President, Associate Director, and four HR generalists. Employees with complaints of harassment are instructed to report such incidences to the Vice President of HR as he also serves as the College's Affirmative Action officer.

Mr. Kenyon informed the committee that we have two Title IX representatives—one is for students and is the Vice President for Preparedness, Compliance, and Students; the other is for faculty and staff and is the Vice President of Human Resources and Affirmative Action. They handle all inquiries for all four sites.

Chair Torres asked if most firms/institutions separate the HR and AA positions. Ms. Rhodes replied that HR handles AA issues. Affirmative Action plans generally include hiring, promotions, and firing practices. The AA officer often reports to the HR Vice President. In her opinion, sexual harassment issues should not fall to the

HR office. She stated that all managers should have training in AA policies and procedures and should learn that “if you know or see something, say something.” Ms. Rhodes said all should look for red flags in any employee relations.

Chairman Marshall reported that the College is one of the 15 Community Colleges in Massachusetts, and that all have the same AA policies and procedures that are followed.

Trustee Torres explained that while state policy is followed, each local college has the final decision and may include its own rules or regulations. He questioned whether there is a system issue, and, if so, the need is there to change.

People should be assured that their problems will be addressed, Ms. Rhodes stated. They may not like the resolution, but it should be properly handled in a timely fashion.

Ms. Rhodes was asked if she has ever worked in a Union environment. She replied that she had (including a fire department).

Ms. Rhodes proposed that due diligence would be made as she was only aware of what she had read in the newspapers.

Trustee Sanienza asked how she would review/decide on the matter. She replied that she would review letters, qualifications, use a 360 perspective, include interviews of peers and subordinates. Trustee Sanienza noted that the Union had demanded the firing of the Vice President of Human Resources and Affirmative Action. She responded that Unions can demand, but the institution does not have to grant their demands.

Ms. Rhodes said that her interviews with HR personnel would include questions about different situations. Their answers would provide information about their general HR information, scope of knowledge, and training.

Chairman Marshall spoke about the Timeline for the project. Once the firm is chosen, it was hoped that work would be started immediately. A resolution is needed before the Board's meeting on April 3, 2017, thus the report should be completed not later than March 31.

Ms. Rhodes said she believed she could provide that information. She will be traveling for three weeks in February, but should she be chosen, she was available to start immediately.

Chairman Marshall informed Ms. Rhodes that Vice President for Administration and Finance would serve as resource person for her during the project.

Trustee Sanienza stated that in his meetings, he learned that there were a number of former employees who claimed there was a culture of discriminatory actions and practices—a “good ol’ boy network.” How do you get to that?

Ms. Rhodes said that would be a difficult assignment, but one she believed she could investigate properly.

Chairman Marshall informed Mr. Rhodes that there is a new President taking office in July. Our timetable is very important. We want this resolved before then.

Mr. Sanienza stated that the President has all of the hiring and firing power for College personnel. The President is the only person for whom the Board has the hiring and firing decision. Mr. Sanienza did note that President Sbraga has had an exemplary record in spite of these recent faculty issues.

Some faculty members reported to Mr. Sanienza that they had been invited at faculty meetings, and their complaints were ignored.

Ms. Rhodes inquired if anyone had spoken to the staff in HR. Mr. Sanienza stated that no one had.

Chair Torres questioned whether this is a systemic problem and not necessarily an individual one.

Ms. Rhodes commented that managers need to understand what Affirmative Action is.

Trustee Sanienza asked Ms. Rhodes to recommend that one of the charges of discrimination be taken care of when asked for an estimate, she said it would be difficult to give an exact amount. What is generally done is a set amount is provided. If and when the firm is close to completion, and the amount has already been reached, College authorization would be required to continue. She was asked to provide an outline of services and costs to which she agreed.

Ms. Rhodes stated that she had not provided services for an educational institution in the past, but she had done work for municipalities, and with unions, and she also dealt with international issues as well as local issues at Dunkin’ Donuts.

She noted that educating managers in how to respond to issues is generally the first step in remediating most problems.

Trustee Sanienza asked her for a list of local references, preferably in the New Bedford, Fall River, Taunton, and Attleboro areas.

Chair Torres thanked Ms. Rhodes for her time.

D. Interview of Lawrence Gibson, President, Gibson Consulting, Cumberland RI

Mr. Gibson was welcomed to the interview and was asked to give the Committee information about his background. He reported that he has owned his own consulting firm for 17 years after a lengthy career in human resources at various institutions and businesses. He offers high-level strategies for Human Resource offices in smaller to mid-sized companies. He has worked at the University of Massachusetts-Boston, and he is on the Hall of Fame Board at Rhode Island College.

Mr. Gibson has provided Affirmative Action Plans to institutions he has helped build from the ground up, and he has assisted other companies improve the ones that they may have in place. His management work at Motorola moved from Group Human Resources Manager to Vice President of Human Resources.

Trustee Sapienza asked about his public sector work. Mr. Gibson mentioned IBM Boston and Harvard Community Health which afforded him a “rounded out” experience. The Harvard Community Health system was a \$1 billion organization. During his tenure, The Affirmative Action Officer reported to Mr. Gibson and he became the Vice President of HR. During an EEOC audit it was determined that the HR Officer had been a 10-year employee, had no Affirmative Action Plan in place. He worked with his staff to develop and implement one.

Mr. Sapienza inquired about the size of Mr. Gibson’s staff. He replied that he was a sole practitioner.

Mr. Gibson then offered to do a mission statement review for the College. He would include a current policy review to see if it was good for the institution and if it followed the Mission of the College. He would see if it engaged all stakeholders and if it was inclusive and comprehensive. Other concepts included the directionality of the plan and links to important College initiatives.

He would provide a programmatic review and ensure that it is defensible. All goals would be reviewed and must make sense. Performance Methods would be reviewed to ensure that they were in place. Do internal demographics fit the community? Do they need to be improved? It could be a learning opportunity for stakeholders.

Mr. Gibson would include Community Outreach to ensure that the College is inclusive and make any necessary recommendations. Review of Procedures as well as staffing competencies and resources would be provided. Additional areas included recruitment and retention as well as succession planning.

Trustee Sapienza suggested that goals around HR needed to be established. He mentioned the need for procedures for handling Affirmative Action issues. Viewing how the staff performs and the work they do would be important. There are about 11,000 students (60 percent female/40 percent male) and faculty and staff numbered approximately 350 full-time employees with 1200 part-time employees.

Mr. Sapienza reported that the College recently lost a lawsuit and some people came forward to report that this behavior is rampant. The faculty union voted to demand the immediate firing of the Vice President of Human Resources and Affirmative Action. They also voted no confidence in the President on this matter.

Mr. Gibson said a review of HR and AA record keeping, timeliness in resolving issues, and a culture of harassment need to be explored.

Mr. Kenyon noted that students report to a Vice President for Students with any harassment issues, but all other faculty or staff for Human Resources and Affirmative Action.

Mr. Gibson stated that “self-inspection” doesn’t work. Harvard split their HR and AA positions, and both reported to the President.

Mr. Gibson said he would need to review what has transpired, look at employee relations and compensation.

Trustee Sapienza asked about the pricing model for this scope of work which needed to be completed within a 60 day time frame. Mr. Gibson replied that he charges a per diem rate of \$2,500 a day. He also said that he would make that time frame work and he would have the report completed before the March 31 deadline.

Chair Torres informed Mr. Gibson that the group would be considering which firm to choose within the next 8 to 10 days. A list of references and a written scope/plan of the services would be most welcome to assist in their deliberations. Mr. Gibson agreed to forward the information soon.

Trustee Sapienza added that there may be diversity issues as well as concern over the racial makeup of the staff. He stated that if the court case is appealed, it will be back in the newspapers and it is a continuing problem. There is a sense of urgency to get this resolved.

Chair Torres thanked Mr. Gibson for attending to the meeting. The meeting adjourned at 10:50 a.m.

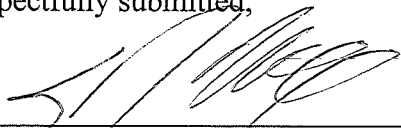
January 12, 2017

Chair Torres thanked Mr. Gibbs for attending the meeting. The meeting ended at 10:50 a.m.

E. Adjournment

There being no further business to come before the Committee, Chair Torres declared the meeting adjourned. The time was 10:55 a.m.

Respectfully submitted,



Steve Torres, Esq., Chairman
Affirmative Action and Policy Review Committee

1/30/17
Approved

KAW
Initials