



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## **Personnel Sub-Committee**

February 13, 2020

7:30AM

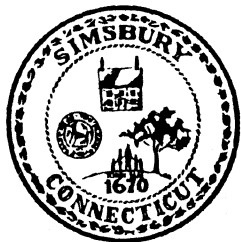
Main Meeting Room, Town Hall, 933 Hopmeadow Street

## **REGULAR MEETING AGENDA**

Call to Order

- 1) Draft Anti-Harassment Policy
- 2) Vacancies and Reappointments to Boards, Commissions and Committees for Personnel Sub-Committee - Update
- 3) Classification and Compensation Work – Accountant Position (Oral Report)
- 4) Approval of Minutes
  - a) January 9, 2020

Adjournment



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

To: Personnel Sub-Committee

From: Maria E. Capriola, Town Manager

Cc: Melissa Appleby, Deputy Town Manager  
Eric Gomes, HR Coordinator

Date: February 13, 2020

Re: Proposed Anti-Harassment Policy

## **Background**

Pursuant to Section 2 of the Town's Personnel Rules and Regulations, administrative and personnel policies are adopted by resolution of the Board of Selectmen and the Town Manager is responsible for execution and implementation.

As you know, staff in the Town Manager's Office has been working on creating a draft Anti-Harassment policy. This policy has been reviewed by the Town's General Counsel as well as Labor Counsel.

At a previous Sub-Committee meeting staff said that if Labor Counsel recommended substantial changes, the policy would be brought back to the Sub-Committee. While Labor Counsel didn't have significant changes to the proposed policy, there were a few smaller edits suggested. To err on the side of caution, staff would like for the Personnel Sub-Committee to review the policy one last time before it is forwarded to the Board of Selectmen for review and consideration.

If adopted, this policy will be made available to Town employees and the general public.

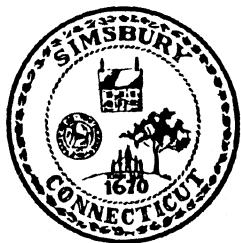
## **Recommendation**

If the Personnel Sub-Committee wishes to forward the proposed policy to the Board of Selectmen as is, the following motion is in order:

*Move, effective February 13, 2020, to endorse and forward the proposed Anti-Harassment Policy to the Board of Selectmen for consideration.*

## **Attachment**

1) Draft of the Proposed Anti-Harassment Policy



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## TOWN OF SIMSBURY

### Anti-Harassment Policy

*Adopted by the Board of Selectmen on [month] [day], [year]*

#### 1. Purpose

The Town of Simsbury (Town) is committed to providing and maintaining a work environment **that is free from of harassment and** in which everyone is treated **fairly and** with respect and dignity. The Town strictly prohibits **all forms of unlawful harassment of any kind towards anyone**. This includes, but is not limited to, **legally recognized and protected classes harassment** based on **a person's** race, religion, age, sex, marital status, sexual orientation, gender identity or expression, genetic information, national origin, ancestry, military service, veteran status, or disability. **except in the case of, bona fide occupational qualification or business necessity.** All Town officials and employees are expected to comply with this policy. The principles and complaint procedures set forth in this policy apply to **sexual harassment and** all other forms of harassment, **including sexual harassment** involving **agency employees and anyone else such as other employees**, vendors, citizens, **or** residents. **clients, and customers.**

The Town of Simsbury will not tolerate a hostile work environment or **any kind of unlawful harassment. in any form. Management will not use its authority to harass employees, take or fail to take personnel action as a reprisal against an employee for resisting or reporting any act of harassment, or tolerate any harassment, verbal or physical, of an employee towards another employee.** Anyone who engages in such conduct will be subject to discipline up to and including immediate discharge. All staff are responsible for **ensuring seeing** that **the our** workplace is free of harassment.

**~~A. Sexual Harassment.~~** ~~As the prevention of sexual harassment deserves special attention, some sections of this policy focus directly on sexual harassment. The policy establishes a zero tolerance standard for all forms of sexual harassment towards any employee or by any employee.~~

**~~B. Other Forms of Harassment.~~** ~~This policy is also applicable to the harassment of members of a legally protected class and other harassment visited upon a Town employee, as such behavior is not only unfair, but also may impede the Town's service to the public.~~

#### 2. Prohibited Conduct

The Town of Simsbury will not tolerate harassment as defined in this policy by anyone, including any supervisor, co-worker, vendor, citizen **or** resident, **client or customer**, whether

in the workplace, at assignments outside the workplace, or at Town-sponsored (social) functions.

### 3. Effective Date

This policy shall be effective immediately and shall remain in effect until revised or rescinded.

### 4. Definitions

- A. **“Sexual harassment”** is a form of sex discrimination, and is prohibited by both state and federal law (see C.G.S. § 46a-60(a)(8) and Title VII of the Civil Rights Act of 1964). “Sexual harassment” ~~is means~~ any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature where:
1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person’s employment;
  2. Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the person; or
  3. Such conduct interferes with a person’s work performance or creates an intimidating, hostile or offensive working environment.

~~The offender or the victim of harassment may be a man, or woman, or transgender, or any other person.~~ Also, Harassment can involve people of the same or the opposite gender.

- B. **“Harassment”** is unwarranted and unwanted verbal or nonverbal conduct which threatens, intimidates, or unduly aggravates or insults another person based upon a protected classification, where such conduct has the purpose or effect of creating an offensive, intimidating, degrading or hostile environment, or interferes with or adversely affects a person’s work performance.

Harassment does not include the conduct or actions of supervisors intended to provide employee discipline, such as deficiency notices, performance evaluations, oral warnings, reprimands or other supervisory actions intended to promote positive performance and/or discourage negative behavior or performance.

### 5. Examples of Harassment

While it is not possible to list all circumstances that may constitute harassment, the following are some examples of conduct which, if unwelcome, may constitute harassment depending on the totality of the circumstances including the severity of the conduct and its pervasiveness.

#### A. Examples of Sexual Harassment ~~Examples~~

- a. Unwanted sexual advances and explicit sexual proposals;
  - Demands for sexual favors in exchange for favorable treatment or continued employment;
  - Suggestive comments, sexually oriented teasing or practical jokes;
  - Foul or obscene body language or gestures;
  - Display of printed or visual material that is foul, obscene or offensive;

- Sending or viewing jokes, pictures or other information by e-mail or the internet where the information is sexually-explicit, or where it ridicules a person's ethnicity, religion, sexual-orientation or other unchangeable characteristics; or
- Physical contact, such as touching, patting, pinching or brushing against another's body.

#### B. Examples of Other Forms of Unlawful Harassment **Examples**

- Jokes about ethnicity, religious beliefs or practices, accents or gender-specific traits;
- Repeated, unscheduled demands for attention and time regarding matters of a non-urgent nature that interfere with an employee's ability to perform his or her routine job duties in a timely and effective manner;
- Any communication or action that would reasonably be considered demeaning, rude or inflammatory or otherwise incites anger, hurt, fear or embarrassment in the receiver of the communication or action;
- Unwanted questions or comments pertaining to any aspect of an employee's person or personal life; or
- Unwanted contact or communication at an employee's home or in public when an employee is off duty. Examples of unwanted contact may include but are not limited to: calling an employee at their personal cell phone or land line; emailing an employee at their personal email address; and physically approaching and/or criticizing employees about work matters when the employee is off duty.

### 6. Reporting Harassment

**A. Victims of Harassment.** If you believe that you are being harassed, you should clearly and promptly tell the offender that you want them to stop the behavior. If for any reason you do not wish to ~~address confront~~ the offender directly or if ~~you are confrontation does~~ not successfully ~~in~~ ending the harassment, you ~~should shall~~ immediately report the harassment to any one of the following people:

- Your Supervisor, Manager, or Department Head; or
- The Human Resources Coordinator; or
- The Deputy Town Manager; or
- The Town Manager

If an employee believes they are being harassed by any person identified in the reporting structure above, they should report the alleged behavior to another person identified in the reporting structure above.

If the employee has reason to believe that their supervisor or manager may be involved with the alleged harassment, the employee shall notify their Department Head, HR Coordinator, Deputy Town Manager or Town Manager directly.

If the employee has reason to believe that their Department Head may be involved with the alleged harassment, the employee shall notify the HR Coordinator, Deputy Town Manager or Town Manager directly.

Reports of alleged harassment against the Town Manager should be directed to the HR Coordinator or Deputy Town Manager and the Personnel Sub-Committee; the HR Coordinator or Deputy Town Manager will notify the Personnel Sub-Committee promptly.

Any employee who believes that he or she has been harassed in the workplace in violation of this policy may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, Capitol Region Office, 450 Columbus Boulevard, Hartford, CT 06031. (TELEPHONE NUMBER 860-566-7710; TDD NUMBER 860-566-7710) and/or the Equal Employment Opportunity Commission, Boston Area Office, One Congress Street, Boston, MA 02114 (TELEPHONE NUMBER 617-565-2300; TDD NUMBER 617-565-3204). State of Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within 300 days of the date when the alleged harassment occurred. Remedies for sexual harassment include cease and desist orders, back pay, compensatory damages, hiring, promotion or reinstatement.

**B. Employees Who Witness Harassment.** Any employee who witnesses harassment or becomes aware that another employee has been subjected to prohibited harassment is urged to immediately report the conduct to one of the individuals listed above.

**C. Supervisors and Managers.** Any supervisor or manager who receives a complaint about harassment, retaliation or who believes that someone is engaging in conduct that may be prohibited must immediately report it to the Human Resources Coordinator, Town Manager or Deputy Town Manager. Ignoring such conduct is not acceptable and may subject the supervisor or manager to disciplinary action.

## **7. No Retaliation**

The Town strictly forbids retaliation against employees who report harassment or who participate in internal or external investigations of harassment. The Town will not engage in any such retaliation nor will it permit employees to do so. The Town will not tolerate retaliatory citizen behavior/actions towards employees whom have reported harassment or participated in a harassment investigation. All employees shall report all instances of retaliation to one of the individuals listed in section VI.A of this policy.

## **8. Investigating Complaints**

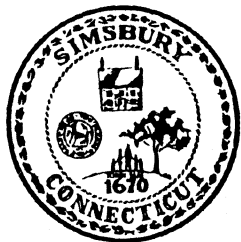
The Town's policy is to take all complaints and reports of harassment seriously. All complaints and reports will be investigated promptly, impartially and discreetly. Once a complaint is received, an investigation will be undertaken promptly ~~immediately~~ and all necessary steps taken to resolve the problem. Employees have a duty and are obligated to participate in investigations when asked. Investigation of such matters will usually entail conferring with involved parties and any named or apparent witnesses. Where investigation

confirms that harassment has occurred, the Town will promptly take corrective action. Discipline up to and including discharge from Town service, banning from Town facilities or property, or legal action may be implemented by the Town after ~~all parties have the respondent to a complaint has~~ had a chance to present ~~evidence their side of the case~~, and to rebut the claims made against him or her. In all cases, including those in which a harassment complaint is made against someone who is not a town official or employee, every effort will be made to ensure that the principles of due process of law are afforded to every ~~person respondent~~. In this context, depending on the circumstances, due process includes, but is not limited to, the right to sufficient notice of the claims ~~against the respondent~~, the right to counsel ~~at the individual's expense, paid for by the respondent~~ and the opportunity to rebut the allegations of the complaint in the presence of ~~an a fair and~~ impartial decision maker.

## 9. False Reports

Disciplinary action may be imposed if the Town determines that a false complaint was made under this policy.

DRAFT



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

To: Personnel Sub-Committee

From: Maria E. Capriola, Town Manager

Cc: Melissa Appleby, Deputy Town Manager  
Eric Gomes, HR Coordinator

Date: February 13, 2020

Re: Proposed Reappointments to Technology Task Force

## **Background**

The Technology Task Force is a board that has been comprised of up to 11 volunteers that serve two year terms. The current Task Force members had their terms expire in December of 2019. The following 8 members of the Technology Task Force have indicated that they would like to be reappointed:

- Michael Doyle
- Evan Marks
- Elizabeth Peterson
- Harald Bender
- Paul Kelley
- Ramon Rosati
- John Jahne
- William Rucci

To the best of our knowledge, the number of overall membership slots was never documented or adopted by the Board of Selectmen. Most recently there were 11 membership slots. Two members have resigned and one member has been unresponsive.

## **Recommendation**

If the Personnel Sub-Committee wishes to forward the proposed Technology Task Force reappointments to the Board of Selectmen, the following motion is in order:

*Move, effective February 13, 2020, to forward the proposed names for reappointment to the Technology Task Force to the Board of Selectmen for approval at their next regularly scheduled meeting.*

## **Attachment**

None



Last Name	First Name	Possible Membership Slot	Party Affiliation	Notes
Alexander	Stephen	Technology Task Force	R	I have been involved in technology for my entire career, starting in 1985 upon college graduation. I have specifically been involved in information security for the past 20 years for two Fortune 250 companies: Circuit City in Richmond, Virginia (until 2008), then MassMutual (Fortune 100 company) since then. I hold my CISSP (Certified Information Security Systems Professional) designation, originally obtained in January of 2004. I have lived in Simsbury since 2016 with my wife, a direct descent of a Simsbury founding (Case) family that has lived here for the entire 350 years of the town's existence. Finally, I have been a licensed amateur radio (ham) operator since 1979, holding a General Class license since the early 2000s (originally licensed in 1979).
Bowden	Frank	Technology Task Force	U	associates degree in computer science. Experience: 25 years in IT -- including programming through management of a team of 7 developers. Systems analysis - development and deployment. Process engineering / re-engineering. Hardware and software evaluation, acquisition and deployment. RFP development and evaluation
Freidline	Greg	Technology Task Force	Not Registered	I have a BS in Computer Science and a MBA. I have over ten years of total experience in Information Technology with the past 8 at an assistant director or directors level within higher education. Of that six years with a public university. Both higher education and working in the public sector add to my knowledge and experience that would benefit this task force. I am available most evenings and weekends.
Colangelo	Thomas	Technology Task Force	R	I can be available at least 8 hours per week. I have no specific training or education in technology. However, while working as a Department of the Army civilian, I conceived and directed development of the Army's first web-based, enterprise-wide, AIS.
Perissi	Robert	Technology Task Force	U	IT entire career over 20 years. Manage the IT infrastructure and strategy for a manufacturer in Farmington CT. Have intimate knowledge of modern enterprise IT solutions in small and large scale deployments.
V Sathyamangalam	Narayana prashant	Technology Task Force	Not Registered	I work as an cloud architect with over 22 yrs experience in IT field. Been working working on cloud and on-Prem IT infrastructure from past 6 + yrs.
Veale	Andrew	Technology Task Force	D	Attorney with deep knowledge and experince in civil litigation, technology editor of Connecticut Insurance Law Journal (2013)
Cabral	Jason	Technology Task Force	D	a certification in Data Analysis and three years experience in Data Engineering. In my professional capacities, I specialize in statistical analysis and data visualization, programming (R/Python), version control (git), big data infrastructure, unix and some web development (R Shiny, HTML, CSS)
Ruiz	Elena	Technology Task Force	Not Registered	IT engineer and experienced vocational teacher in computers, from Spain
Diamond	Elizabeth	Board of Assessment Appeals	D	I am applying to be a alternate member of the Board of Assessment Appeals. As there is no check box for this below I have sent an email to the town clerk Ericka Butler on 12/18/19. With my strong financial background and my interest in the town (resident for 12 years), combined with my compassion I believe I would make a great alternative. I am available in the evenings for meetings.
Germano	Michael	Board of Assessment Appeals	U	Law degree, focused in construction litigation, well-seasoned in the negotiation and valuation of a diverse array of damage and claim models, including valuations of residential and commercial real esate
O'Flaherty	Katherine	Board of Assessment Appeals	D	currently a Corporate Recruiter with Guardian Life Insurance and have over 15 years of experience in the financial services industry.
Morkan	Christopher	Board of Assessment Appeals	R	Professional experience with property loss just net and values and comparable value assessments

## Technology Task Force Interview Questions

### Panelists:

Eric Wellman, Board of Selectmen & Personnel Sub-Committee

Sean Askham, Board of Selectmen & Personnel Sub-Committee

Wendy Mackstutis, Board of Selectmen & Personnel Sub-Committee

Mike Doyle, Technology Task Force Chair

### Staff:

Melissa Appleby, Deputy Town Manager

- 1) Why are you interested in serving on the Technology Task Force?
- 2) If you are appointed to the Technology Task Force, how would your background and experience contribute to the work of the committee?
- 3) Why do you feel you would be a successful member of the Task Force?
- 4) How do you keep current on information technology trends?
- 5) What do you think are the major challenges facing organizations from a technology perspective? What, if anything, do you think we should be doing differently?
- 6) What is your availability like for the monthly meetings? This group currently meets on the first Monday of every month at 5:30pm.
  - Might you also have availability in between monthly meetings to work on special projects or assignments?

## Board of Assessment Appeals Sample Interview Questions

### Panelists:

Eric Wellman, Board of Selectmen & Personnel Sub-Committee

Sean Askham, Board of Selectmen & Personnel Sub-Committee

Wendy Mackstutis, Board of Selectmen & Personnel Sub-Committee

### Staff:

Francine Beland, Assessor

- 1) Why are you interested in serving as an alternate on the Board of Assessment Appeals (BAA)?
- 2) If you are appointed to serve with the Board of Assessment Appeals, how would your background and experience contribute to the work of the board?
- 3) Why do you feel you would be a successful alternate member of the BAA?
- 4) The Board of Assessment Appeals is independent of the assessor, but generally follows the same rule of valuation and other statutes concerning such things as eligibility for exemption or for farm land classification. The board takes a second look at what the assessor has decided and makes its own decision. How do you feel about the dual function of listening to the taxpayer and the assessor in performing the duties required of you?
- 5) The Board meets at least once in September to hear motor vehicle assessment appeals only, and usually 3-4 times in March (April if the assessor has an extension on completing the grand list). What is your availability like for meetings, i.e. days, evenings and days of the week?

## **VOLUNTEER WANTED – ECONOMIC DEVELOPMENT COMMISSION**

The Town of Simsbury is seeking a volunteer to fill a vacated slot on the Economic Development Commission. Per Town Charter, because the resignation occurred by a registered Republican, the slot must be filled by an individual registered with the Republican Party. The desired skill sets and qualifications for Commission members include: representation from the Simsbury development community; representation from the Simsbury business community; land use or architectural expertise; marketing, public relations, or communications expertise; and tourism expertise. Preference for the vacant slot will be given to applicants who represent the Simsbury business community.

The Economic Development Commission consists of seven voting members appointed to three year terms. The Commission serves as an advisory board to the Board of Selectmen, and is responsible for assisting with promoting and developing the economic resources of the Town, and in conjunction with the Town Manager, advancing the Town's economic development goals as defined by the Board of Selectmen. The Commission meets monthly, and more often as needed as special projects or initiatives arise.

*Interested individuals should visit <https://simsburyctboards.vt-s.net/> and click on “New Volunteer Form” to submit an application. Volunteers are encouraged to apply as soon as possible. The Board of Selectmen Economic Development Work Group will review submitted applications and will meet with candidates selected for an interview.*



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## **Personnel Sub-Committee Regular Meeting**

Thursday, January 9, 2020

Main Meeting Room, Town Hall, 933 Hopmeadow Street

### **MINUTES - DRAFT**

**Members Present:** Eric Wellman, Wendy Mackstutis, Sean Askham (by phone)

**Staff Present:** Maria Capriola

The meeting was called to order at 7:30am.

#### **1) Staff Training and Development**

Executive coaching options for the Town Manager and leadership team were discussed, as well as a 360 degree evaluation tool for the Town Manager. Ms. Capriola will proceed with this training and development for herself and staff. Additionally, DISC assessments for staff were discussed and upcoming training regarding the same.

#### **2) Vacancies and Reappointments to Boards, Commissions and Committees for Personnel Sub-Committee Review**

The group reviewed the list of board and committee members for which the Personnel Sub-Committee plays a role in recommending appointments; re-appointments were reviewed and will be presented to the Board of Selectmen. A status update was provided regarding recruitments for volunteers for the Technology Task Force and the Board of Assessment Appeals.

#### **3) Draft Anti-Harassment Policy**

Ms. Capriola presented revisions to the draft policy. The next step will be for Labor Counsel to review the draft. If substantive changes are not recommended by Counsel, a draft will then be presented to the Board of Selectmen. If substantive changes are recommended by Counsel, the draft policy will be presented to this Committee again.

#### **4) Classification and Compensation Work**

Staff provided an update on the classification and compensation work related to the (budgetary) re-authorized accountant position, which hasn't been filled since December 2013.

Staff presented a recommendation regarding temporary compensation for the Director of Finance while providing temporary financial services to the Board of Education. Ms. Mackstutis made the motion, seconded by Mr. Askham to recommend to the Board of Selectmen a temporary increase to the Finance Director's salary of 10% while performing

financial management services to the Board of Education. Motion passed unanimously and will be presented to the Board of Selectmen.

**5) Approval of Minutes**

The minutes of December 12, 2019 were approved by consensus.

**Adjourn**

The meeting adjourned at approximately 8:30am.

Respectfully Submitted,  
Maria Capriola  
Town Manager