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The Commonwealth of Massachusetts
Executive Office of Environmental Affairs
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MEMORANDUM

To: Trudy Coxe
From: George Crombie
Carol Lee Rawn
Date: May 27, 1997
Re: Review of MDC Affirmative Action Plan

GOVERNMENT DOCUMENTS
COLLECTION

OCT 17 1997

University of Massachusetts
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Affirmative Action:

Affirmative Action is defined as an aggressive and coherent management program with the goal of providing equal employment opportunity in the areas of selection and promotion. Effective Affirmative Action programs provide a rational, systematic set of personnel programs that are job and performance based.

Governor Weld is a strong supporter of Affirmative Action. In a speech at Northeastern University in 1995, he reaffirmed his commitment to Affirmative Action, stating the importance of government's role in providing the standards for equal opportunity. Executive Order 227, Governor's Code of Fair Practices, provides that the State Office of Affirmative Action be responsible for implementing the Commonwealth's policy on nondiscrimination, equal opportunity and affirmative action.

Review of MDC's Affirmative Action Program:

In a letter to Commissioner Balfour on April 22, 1997, Mark D. Bolling, State Director, State Office of Affirmative Action, informed the Commissioner that the Metropolitan District Commission was in non-compliance with the Governor's Code of Fair Practices (Executive Order 227). Upon review of the State Office of Affirmative Action's findings, Secretary Coxe ordered a review of the Metropolitan District Commission's Affirmative Action Plan. Secretary Coxe informed Commissioner Balfour that she had requested George Crombie, Undersecretary of Environmental Affairs, and Carol Lee Rawn, General Counsel for Environmental Affairs, to conduct a review of the MDC's Affirmative Action Program. The Secretary further stated that a hiring freeze would be in effect at the MDC until said review was complete. The intent and scope of this review was not to evaluate a particular case, but to conduct an overall evaluation of the implementation of the MDC's Affirmative Action Program.

The Human Resources Director and Civil Rights Officer shall submit signed reports to the EOE Assistant Secretary of Human Resources, beginning July 1, 1997 and every 60 days thereafter. The reports shall detail the extent of MDC's compliance with the Affirmative Action Plan, as well as the actions that will be taken over the next 60 days to address any failure to comply with any aspect of the Plan.

4. All new hires, transfers, demotions, promotions, and terminations at the MDC, effective immediately, shall be subject to review by EOE. The request for sign off by EOE shall include a written form developed by the Human Resource Director and Civil Rights Officer that attests that the employment action is consistent with the policies and procedures set forth in the agency affirmative action plan. The Civil Rights Officer and Human Resource Director shall ensure, in concert with MDC General Counsel, that all records and forms used in the decision making process are legal and consistent with sound personnel standards, as well as the state affirmative action plan.
5. Beginning July 1, 1997 new candidates for hire or promotions shall be interviewed by an interviewing committee that reflect statewide parity figures of 12.2% minorities and 52% female.
6. All part-time, seasonal help (summer and winter), and contracted employees including 03 consultants and crossing guards shall reflect proportionately the diversity of the communities in which the MDC operates; all such hires must be approved by EOE. In assessing MDC's performance in 1997, consideration will be given to the fact that the 1997 summer season is imminent. However, in 1998 the above goal shall be met. Further, the Civil Rights Officer and the Human Resource Director shall submit a plan to the Assistant Secretary of Human Resources no later than January 1, 1998 outlining the actions and implementation schedule that will bring diversity to the MDC's summer hiring program.
7. The overall responsibility of implementing the MDC Affirmative Action Plan lies with the Agency Head. The Commissioner shall provide the vision and direction within the Agency for ensuring that the Affirmative Action Plan is carried out in a fair and effective manner.
8. The current hiring freeze may not be suspended until the MDC Affirmative Action Plan has been approved by both the EOE Human Resources Director and the State Office of Affirmative Action.
9. The above recommendations in no way compromise the requirements and reporting structure set out in the MDC Affirmative Action Plan 1996-1998. Said recommendations are to enhance the existing plan ensuring equal opportunity for all protected classes.

Summary:

We recommend that the 1996-1998 October Affirmative Action Plan be enhanced by the recommendations outlined above so that the goal of the Plan can be achieved by 1998. In order to reach this goal, it is imperative that MDC actively implement the above recommendations as well as the Plan in every way, and aggressively seek to incorporate the policies of the Plan into the daily operations of the agency.