



Personnel Committee - Board of Representatives

Mary Fedeli, Co-Chair

Anabel Figueroa, Co-Chair

Committee Report

Date: Wednesday, January 17, 2018

Time: 6:30 p.m.

Place: Republican Caucus Room, 4th Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Personnel Committee met at the above date and time. In attendance were Co-Chair Figueroa and Co-Chair Fedeli and Committee Member Reps. DePina, Lion, McMullen, Nabel, Patterson, Pendell and Zelinsky. Also present were Reps. Aquila, Cottrell, Di Costanzo, Liebson, McGarry, Roqueta, Sherwood, and Summerville; Mayor David Martin; Kathryn Emmett, Corporation Counsel; Clemon Williams, Human Resources Director; Vikki Cooper, Deputy Corporation Counsel; Selina Policar; Maureen Boylan; Kieran Ryan; Chris Woodside; and David Michel.

Co-Chair Fedeli called the meeting to order at 6:30 p.m.

Item No.	Description	Committee Action
¹ 1. P30.002	REVIEW; Overview of Human Resources Department. 01/02/18 – Submitted by President Quinones	Report Made

Mr. Williams presented an overview of the Human Resources Department. Please see attached [PowerPoint presentation](#).

He explained the following:

- City Human Resources Department and Board of Education Human Resources Department
 - BOE employees that are handled by the City's Human Resources Department are:
 - Custodians
 - Para-Educators (Pensions)
 - Security Workers(Pensions)
 - Office Support Specialists
 - Accountants
 - Administrative Personnel

¹ Video Time Stamp 00:01:50

- Mandated Training
 - Sexual Harassment
 - Ethics Training

- ²2. [P30.001](#) ORDINANCE for public hearing and final adoption; Committee
 Designating the position of Building Official as an Approved 9-0-0
 unclassified position in accordance with Sec. C5-20-
 15(g) of the Charter of the City of Stamford.
 12/06/17 – Submitted by Mayor Martin
12/20/17 – Approved by Committee 7-0-0

Ms. Emmett explained that she met with the MAA Union and explained to them that this position would still be in the union just unclassified. The reason for the change to unclassified is for the administration to use full recruitment opportunities and not use the civil service testing process which limits the ability of qualified applicants. Ms. Emmett also stated the only way a position can be removed from a union is by petition to the Labor Board.

A motion to approve the item was made, seconded and approved by a vote of 9-0-0 (Reps. Fedeli, Figueroa, DePina, Lion, McMullen, Nabel, Patterson, Pendell, and Zelinsky).

Co-Chair Fedeli turned meeting over to Co-Chair Figueroa because of a conflict of interest in regards to her brother Frank Fedeli directly reports to Ernie Orgera.

Per the request of Charlene McArthur, the following item was not held in Executive Session. ([See Attached](#))

- ³3. [P30.003](#) REVIEW; Policy and Actions Resulting in the C. Williams
 Separation of Service of Ms. McArthur.
 01/03/18 – Submitted by Mayor Martin

Mayor Martin stated he received an email regarding Director Orgera and the reason for Charlene McArthur's termination of employment. He wanted to explain why Ernie Orgera name came up with this case and why he had nothing to do with her separation.

- Mayor Martin did a review of departments that requested an increase of Staff; He questioned why and he was then told that they have 10 employees budgeted but only 7-8 are currently working
- Mayor Martin asked Mr. Williams to scan all employees that have not been to work for an extended period of time; found approximately 20; about 10 resolved with employee back working for the City at some capacity; the others retired, terminated, or resigned.
- Mayor Martin requested this within 6 months of his Administration.

² Video Stamp Time 00:34:00 Public Hearing P30.001

³ Video Stamp Time 00:46:50 P30.003

- The 12 employees that are no longer employed by the City of Stamford come from a variety of departments; 11 white men and 1 African American woman.
- Mayor Martin said regarding all the emails sent there were other allegations by another employee who bought a lawsuit against the City and other individuals; said complaints were dismissed by a federal judge across the board.
- Mayor Martin states that historically emails were discriminatory and racist but they since have changed the email policy
- Over 30 employees went to a multi-day session about undoing racism.
- Mayor Martin feels it's hard for him to hold someone accountable for something that happened in the past and that he does not really know about, but if this happens in the future he will move in a different way

Ms. Emmett explained:

- Many managers did an extensive discrimination workshop including the Mayor, Legal Corporation, and Ernie Orgera
- On a regular basis, they have interventions in departments where issues arise
- Found and revised an incomprehensible policy regarding technology and distributed to all City employees
- Complaints are taken seriously; Fight to make this the best work place that we can
- The City works very hard to diminish and minimize inappropriate workplace antics.
- In 2014 the situation was brought to the administration attention; Training happened after; with no other discriminatory emails happening.
- Ms. Emmett explained that it is public knowledge that she was Mr. Orgera's Attorney and has not represented him since she started working with the City
- The City receives complaints directly from the Human Resources Department or from the Commission on Human Rights and Opportunities
- Ms. Emmett read the following letter into record regarding the 2008 Sexual Harassment Complaint from Ms. McArthur. ([Letter](#))
- 2013 Ms. McArthur filed a complaint to the Commission on Human Rights and Opportunities; Claiming Sexual Harassment; Said complaint was dismissed based on Ms. McArthur non-response when asked to come forward to provide more information ([see attached](#))

Ms. Vicki Cooper stated:

- The Second Complaint Ms. McArthur filled to the Commission on Human Rights and Opportunities was filed in 2015 shortly after her termination; Said complaint was for disability, gender, race and nationality; Also said she was retaliated against for filing a previous CHRO complaint
- No allegations in the complaint, besides checking the box, stated anything about race; The only time race was mentioned was in April 2017 when Ms. McArthur's attorney contacted Ms. Cooper and brought up Ernie Orgera's emails

Mr. Williams explained:

- He did a search of employees out long term through the Kronos system (payroll system) Everyone in excess of one year
- Spoke with Ms. McArthur and Union Reps
- Sent out Medical evaluations to Doctor

- Did send letter to Ms. McArthur asking what accommodations did she need to do her job; Sent this letter to her workers compensation attorney
- Ms. McArthur was told she could apply for any other job in the City that she was qualified for.
- Sent out every job available for the City of Stamford and asked if she could apply to any of these jobs with no response; Also offered to go to other Unions to see if it's ok for Ms. McArthur to be on the list without the process
- With filling out the ADA forms, we spoke directly to her and was willing to go over the form in detail with Ms. McArthur
- Received letter from Doctor in June 2015 stating Ms. McArthur was not able to return to work in this position
- He contacted the Union Representative and explained the Doctors letter and explained that if she was not going to return to work in the near future they would move to termination
- Did receive an email from Union rep saying she can work on a light duty capacity
- The termination letter was sent to Ms. McArthur on August 4, 2015
 - Previously, in November 2009 she was terminated; Fred Manfredonia sent letter ([See Attached](#))
 - March 2010 Ms. McArthur was rehired
- After termination he did receive a letter from her Doctor saying she does have some work capacity

Representatives Statements:

Rep Cottrell stated that she has concerns about employees being disrespected regarding the hateful racial emails being distributed amongst City employees. She questioned how a supervisor can be impartial or respectful to employees that were discriminated against in these emails. Rep Cottrell said cultural training is needed for these employees. Rep. Cottrell stated that this email situation with Mr. Orgera happened more than once and questioned Ms. Emmett impartiality regarding this situation since at one point she was Mr. Orgera's attorney.

Rep. Sherwood stated since these emails are out and they were sent by Mr. Orgera, why would we want to put ourselves in the position of hiring him and open the door for other terminated employees or future situations to question the reasons of their termination. Ms. Sherwood wanted to add that she believes the reason Ms. McArthur didn't respond to all of the complaints is because she was recovering from surgery.

Rep. Roqueta states it seems like this meeting opened up about limited tolerance with regards to the absence of employees but unlimited tolerance with gross and offensive behavior.

Rep. McMullen read an [email](#) from Ms. McArthur and circulated the attached photos referenced in the email. He said his concern is the environment Ms. McArthur was subject to, he does not see why anyone would want to return to work, unless it was corrected. He added that the discriminatory emails were discovered as a result of a Freedom of Information Request. He does not feel like the Board should reappoint Mr. Orgera to this authority.

Rep. DePina said the Human Resources and Law Department gave a great presentation on what they are doing and what they are trying to do. She believes what's being questioned happened years ago in a different culture. The board needs to believe and receive with value what Human Resources and the Law Department are saying and feels they are working hard to make sure this doesn't happen to anyone else in the future.

Co-Chair Fedeli adjourned the meeting at 8:50 p.m.

Respectfully submitted,

Mary L. Fedeli, Co-Chair

This meeting is on [video](#).