



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

October 21, 1981

MEMORANDUM

TO: All Department Heads

FROM: Robert W. Healy

Enclosed please find a copy of the Agreement that Cambridge has executed with the U. S. Department of Housing and Urban Development for strengthening and expanding our Affirmative Action Program. While the Agreement was initiated by HUD as a prerequisite for assuring the continuity of Cambridge's Community Development Block Grant funding, it also furnishes a special opportunity for the City to better realize its goal of providing genuine equality of opportunity in all facets of City employment.

It is essential to the City's successful performance of the component tasks enumerated in the Agreement that every department head (or his/her designee):

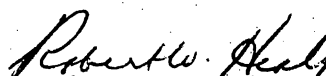
1. Be informed as to the Agreement's substance
2. Give full cooperation and support to our Affirmative Action Officer, Anne Strong, who has primary responsibility for this project.

Accordingly, please read the Agreement and return the receipt (enclosed) signifying this to the Affirmative Action Office (City Hall) by November 5. Should you have any questions you wish to discuss first, Anne Strong may be reached at extension 9025. Additionally, please indicate on the receipt whether you will work with the Affirmative Action Office directly or through a named staff member.

It is also of basic importance that every department head have on hand and be familiar with the City's Affirmative Action Plan (as amended in 1979). If you need a copy, call the Affirmative Action Office. When you have read the Plan, please sign and return the second receipt.

You will hear more about the implementation of the Agreement directly from Anne Strong in the near future. She looks forward to working with each of you on effecting the Agreement's provisions.

Very truly yours,


Robert W. Healy
City Manager

(date)

This is to signify that I have read and understood the Agreement entitled "Voluntary Plan for Compliance between the United States Department of Housing and Urban Development and the City of Cambridge, Massachusetts (June 1981)".

(Check One)

I myself will work with the Affirmative Action Office in the implementation of this agreement.

My department will be represented by _____
(name)

(signed) _____

Title _____

Dept. _____

Return to: Affirmative Action Office, Cambridge City Hall

(date)

This is to signify that I have read the City of Cambridge Affirmative Action PLAN (amended 1979) and understand its contents.

(signed) _____

Title _____

Dept. _____

Return to: Affirmative Action Office, Cambridge City Hall

VOLUNTARY PLAN FOR COMPLIANCE

between

THE UNITED STATES DEPARTMENT

of

HOUSING AND URBAN DEVELOPMENT

and

THE CITY OF CAMBRIDGE, MASSACHUSETTS

June, 1981

VOLUNTARY PLAN FOR COMPLIANCE WITH U. S. DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT

A compliance review, under Title VI of the Civil Rights Act of 1964, Section 109 of Title I of the Housing and Community Development Act of 1974, having been conducted in the City of Cambridge in 1980 and the Secretary and the City having decided to settle the matters at issue by negotiation between the parties, it is agreed that a settlement be entered into under the following terms and conditions.

I. GENERAL PROVISIONS

1. The City agrees that the Secretary of HUD, on his own motion, may review compliance with the Agreement. As a part of such review, the Secretary may require written reports concerning compliance, may inspect the premises, interview witnesses, and examine and copy documents.
2. It is understood that this Agreement does not constitute an admission by the City of any alleged violations of the Equal Employment Opportunity Clause of the CDBG grant agreement, of Title VI, or of Section 109.
3. The City agrees that in carrying out programs, all hiring, promotion, and other terms and conditions of employment shall be conducted in a manner which does not discriminate on the basis of race, color, sex, religion or national origin.
4. The City agrees to strengthen its affirmative action program to better assure equal employment opportunity for minorities and women, without regard to race, color, religion, sex or national origin.
5. The City agrees to make on-going, conscientious and thorough efforts to recruit minorities and women as employees in accordance with the terms of this agreement. By this is meant that the City will seek, with the assistance of HUD, MCAD, and other pertinent cities, to develop increasingly effective Affirmative Action procedures; that the City will strive to implement these improved procedures flawlessly; and that it will maintain sufficient records to enable periodic evaluation and, possibly, improvement of these procedures.

The City further agrees to revise its hiring goals and timetables in light of the 1980 federal census and to submit these to the HUD Regional Office of Fair Housing and Equal Opportunity and to the Massachusetts Commission Against Discrimination within ninety (90) days from the signing of this agreement. It is understood that the achievement of the goals within the timetables specified will be contingent upon the effects of layoffs and recall under Proposition 2-1/2 and opportunities to employ new hires.

If after the submission of the timetables significant changes occur in the opportunities to meet the goals, revised timetables shall be submitted to HUD for review. HUD will be apprised within 30 days of any such change and the City will submit any necessary revisions for review within 60 days.

6. The City agrees that there shall be no known or willful discrimination or retaliation of any kind against any person known to the City because of opposition to any practice declared unlawful under Title VI of the Civil Rights Act of 1964, as amended, Section 109 of the HCDA or Section 4 of the CDBG Agreement, or because of the filing of a charge; giving testimony as assistance; or participation in any manner in any investigation, proceeding or hearing under Title VI, Section 109 or Section 4.

II. AFFIRMATIVE ACTION IN THE HOME IMPROVEMENT PROGRAM

1. Insofar as race and sex data can be obtained by legal and practical procedures from applicants for grants or loans under the City's Block Grant funded Home Improvement Program, the City agrees to collect and maintain such data.
2. Within the framework outlined in the above (II-1) paragraph, the City also agrees to collect and maintain race and sex data on tenants benefitting from grants and loans made to homeowners under the Home Improvement Program.

III. AFFIRMATIVE ACTION IN THE PARKS PROGRAM

1. The City agrees to improve the conditions at Sennott Park. In particular the park shall be resodded and its general condition brought up to a par with comparable parks in non-minority areas by December 31, 1982.
2. The City agrees to develop and implement a practical plan for working toward full accessibility of Donnelly Field to minorities. This plan shall be submitted to HUD for approval within ninety (90) days of the signing of this agreement. While providing access to the field for minority groups on a scheduled basis presents no unduly difficult problems, access during unscheduled hours involves the need to change neighborhood attitudes. The plan to be presented will reflect the fact that a solution to the unscheduled hours problem can be achieved only by processes that are still very much in the development stage, and which in any event will take years to implement successfully.

IV. AFFIRMATIVE ACTION IN EMPLOYMENT

1. With respect to minorities, the City sets as its ultimate, minimum employment goal a rate of minority participation in the City's permanent full-time workforce of 17%. Similarly, the City sets as its goal a rate of minority participation of 17% in its part-time, temporary and service contract categories of employment. This goal shall be revised when the 1980 census data becomes available.
2. With respect to women, the City sets as its ultimate, minimum employment goal a rate of women participation in the City's permanent full-time workforce of 45%. Similarly, the City sets as its goal a rate of female participation of 45% in its part-time, temporary and service contract categories of employment.

3. The city agrees to conduct new departmental utilization analyses and to establish revised timetables for hiring minorities and women in all City departments on a yearly basis during the life of this agreement. The analyses and timetables for the City's FY'82 will be submitted to HUD within 90 days. Subsequent analyses and timetables for the City's FY1983 and FY1984 will be submitted by July 15, 1982 and July 15, 1983 respectively. After approval by HUD, the goals and timetables will be incorporated into the Cambridge Affirmative Action Plan, which will then be attached hereto as Exhibit A.
4. The City agrees to develop a plan, and to seek the support of Massachusetts Civil Service for said plan, to enable a 50% minority hiring rate in the DPW until the 17% minority participation rate goal or such other percentage as may be developed based on the 1980 federal census is achieved. The City will submit a report to HUD on the results within 90 days of the signing of this agreement.
5. Each department head shall receive a copy of the Voluntary Plan for Compliance and the Affirmative Action Plan and shall have a letter on file with the Director of Personnel that he/she read and understood it.
6. Each department head will be held responsible for meeting the affirmative action hiring goals set forth in the Affirmative Action Plan and this agreement, and will be evaluated and rated in writing on an annual basis as to his/her performance in working to meet these goals.
7. The City agrees to continue, through its Affirmative Action Office, weekly communications with minority and women's agencies regarding job vacancies. Records of all contacts shall be maintained. A list of the organizations currently being contacted is attached (Exhibit B).
8. The City agrees to continue placing job vacancy announcements in minority media such as the Bay State Banner, El Mundo, and La Semana, on a regular basis. The City will keep copies of all ads.
9. The City agrees to continue to use Civil Service Rule 14 ("3 plus 3"), Chapter 778, and to request alternative and/or Selective Certification for minorities and women. The City will continue to seek from Massachusetts Civil Service an interpretation and application of Rule 14 that is more inclusive and responsive to the needs of Cambridge.
10. Before vacancies are filled, the Affirmative Action Officer will certify in writing that the above steps (7,8,9) and any others agreed to for recruiting minorities and women have been properly taken. A final list of such recruitment steps will be submitted to HUD and MCAD for approval within 90 days.
11. In addition to actively seeking out minorities and women for municipal employment, the City is committed to providing upward movement for employees of demonstrated ability.
12. The City agrees that the Director of Personnel will continue to maintain records on all personnel transactions (hiring, internal transfers, terminations, etc.) and on all applicants for positions, both walk-in and mail-in. Application forms for those who apply in person will continue to solicit voluntary EEO information.

As to those who apply by mail, the City will work to develop a method for obtaining voluntary EEO information and submit any proposed method to HUD and MCAD for review within 90 days.

All applications will be channeled through the Personnel Department early in the process (i.e. well before selection is begun), except for direct-patient care staff at the City Hospital.

13. The City will strive to modify its hiring procedures to allow for the recruitment and consideration of "outside" applicants (i.e. applicants who are not presently employed by City) concurrently with City employees when a department is underutilizing minorities and/or women. A report will be submitted within 90 days.
14. The use of personal service contracts and the practice of hiring short-term "temps" will be reviewed for their consonance with achievement of the City's Affirmative Action goals. If it appears there is room for improvement, the City will pursue specific proposals to accomplish same. A report will be submitted to HUD within 90 days.
15. The Affirmative Action Office will monitor City Personnel activity to ensure compliance with all the requirements in this agreement.
16. In the event of reduction in force, layoff and recall shall be effected in a manner that preserves the then-existing proportion of minorities and women in the workforce (See Exhibit C)

V. RECORDS AND REPORTING

1. The City agrees to keep records of its efforts to implement its Affirmative Action Plan and to achieve compliance with this Agreement.
2. The City shall submit a report of its progress on implementing the terms of this Agreement and in reaching the affirmative action goals, with any deficiencies and shortfalls identified and explained, and the corrective action taken or planned, on December 31, 1981.

Additional progress reports shall be submitted on March 31, 1982; March 31, 1983; and March 31, 1984.

3. The following items are due within 90 days as outlined above:
 - a. Revised goals for the hiring of minorities and women (Item IV. 1 and 2).
 - b. Departmental utilization analyses and annual hiring goals for minorities and women in all City departments (Item IV. 3).
 - c. Final list of recruitment steps (Item IV. 11)
 - d. Method for obtaining voluntary EEO information. (Item IV.12)

- e.. Report on use of personal service contracts and the hiring of short-term "temps" (item IV. 14).
- f. Report on item IV. 4 and 13.
- g. Plan for Donnelly Field (item III. 2).
- h. Report on discussions with Commonwealth of Massachusetts Civil Service representatives (item IV. 4 and 9).
- i. Proposal for comprehensive records keeping, after consultation with HUD.

VI. DURATION

It is mutually agreed that the Agreement shall become effective as of the dates it is executed by all parties and shall remain in effect until June 30, 1984 with revisions of the AAP and/or this agreement to be renegotiated if necessary at the end of each calendar year.

VII. PHASE-IN

It is mutually agreed that on or before July 15, 1981, the City may submit to HUD for its approval a proposed timetable for phasing in the expanded Affirmative Action Program. This timetable is to be supported by a work program and staffing plan for the development of all needed procedures, and for the training of all City departments as to the use of these procedures.


It is further agreed that the timetable may adjust the completion dates of the above-cited 90-day assignments (item V. 3) to fall within a 30 to 120 day time frame, but that in no event will any completion date be proposed beyond the 120-day point. Should the City not submit the above-referenced proposed timetable, the schedule as set forth in Section V, item 3 above will apply.

WITNESS OUR HANDS AND SEALS:

City of Cambridge

1 6 JUN 1981

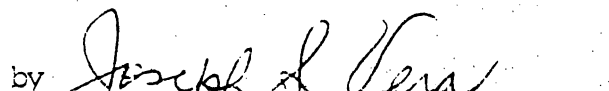
by


 City Manager

U. S. Department of Housing and Urban
 Development

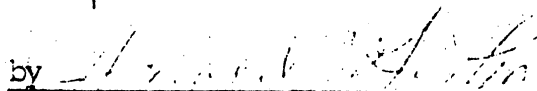
1 7 JUN 1981

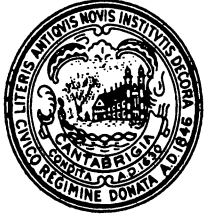
by


 Director, Regional Office of FH & EO

1 7 JUN 1981

by


 Regional Administrator



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

October 26, 1981

To the Honorable, the City Council:

Enclosed for your information is a copy of a communication which has been sent to all Department Heads relative to strengthening and expanding our Affirmative Action Program.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item Number Four

F-354

Re: memo to all Dept. Heads relative to the strengthening and expanding of the Affirmative Action Program.

In City Council,

October 26, 1981

10/26/81

Placed on File-