AGENDA
MORGANTOWN CITY COUNCIL
COMMITTEE OF THE WHOLE
Tuesday, September 24, 2019
7:00 p.m.

NOTE: Committee of the Whole Meetings of the Morgantown City Council are intended to provide an opportunity for the Council to receive information, ask questions, and identify policy options in an informal setting. No official action is taken at these meetings. At this Committee of the Whole Meeting the following matters are scheduled:

PRESENTATIONS:

1. Human Rights Commission – DEI Plan & Open to all – Jan Derry and Don Spencer

PUBLIC PORTION:

ITEMS FOR DISCUSSION:

1. Human Rights Commission:
   A. Adoption of a resolution authorizing the DEI Plan
   B. Adoption of a diversity statement by ordinance
   C. Commission’s preference to implement the specific provisions of the DEI plan by a set of ordinances updating the City’s Personnel Policies
   D. National partnership for the Open to All Campaign

2. Schedule Special Session – homelessness, addiction, and issues affecting the Downtown area

3. Adoption of Alley “E” into City Street Maintenance Program

4. Leave of Absence for employees related to adoption or foster care

5. Update on 2020 Census and Complete Count Committee

6. Petition for Annexation of Morgan District Tax Map No. 8B Parcel 15

*IF YOU NEED AN ACCOMMODATION CONTACT US AT 284-7439*
City of Morgantown

STRATEGIC PLAN FOR DIVERSITY, EQUITY, AND INCLUSION

FOR

CITY WORKFORCE, VOLUNTEER POLICY ADVISORS, AND COMMUNITY MEMBERS

Prepared by

Morgantown Human Rights Commission

For the

Morgantown City Council

and the

Morgantown Community

389 Spruce Street
Morgantown, West Virginia

August 24, 2019
ACKNOWLEDGMENTS

MAYOR AND CITY COUNCIL
Mayor William Kawecki
Deputy Mayor Jenny Selin
Ron Dulaney, Jr
Rachel Fetty
Ryan Wallace
Barry Lee Wendell

City Manager – Paul J. Brake
City Clerk – Christine Wade
Human Resources Director – John Bihun
City Attorney – Ryan P. Simonton

WVU DIVISION OF DIVERSITY, EQUITY, AND INCLUSION
Meshea L. Poore, Vice President Diversity Equity, and Inclusion
Rob Lyons, Director of Office of Innovative Inclusion and Outreach
Franklin Hairston, Affirmative Action Equal Opportunity Officer
Dr. David M. Fryson, Senior Advisor for Diversity Community Outreach for the Office of President

MORGANTOWN HUMAN RIGHTS COMMISSION
Jan Derry, Chair
Marlene Robinson-Savino, Vice Chair
Krisien Cooper, Secretary
Drew Bucy
Kate Levine
Jena Martin
Jacob Powers
Tim Hairston, State Human Rights Commission, Ex-Officio
Don Spencer, Program Assistant
CONTENTS

ACKNOWLEDGMENTS ............................................................................................................. 1
CONTENTS ................................................................................................................................. 1
EXECUTIVE SUMMARY ........................................................................................................... 1
    Part One: Preface .................................................................................................................. 1
    Part Two: Definitions and Conceptual Framework for the DEI Plan ...................................... 3
    Part Three: Vision for Morgantown and Related Needs for Cultural Competence ............. 5
    Part Four: Diversity Management Practices ........................................................................ 7
RESOURCES AND REFERENCES .............................................................................................. 17

APPENDICES ........................................................................................................................... 22
    A. Morgantown Census Selected Profiles
    B. Listing of Morgantown Authorities, Boards, Commissions and Departments
    C. Current Application Form for Volunteer Positions
    D. Executive Summary of Human Rights Need Survey of 2014
    E. List of Benefits for City Employees
    F. Cultural Proficiency Continuum
    G. A Citizens City Government Academy Format
    H. Equal Employment Opportunity Commission (EEOC) Definition of Harassment
    I. List of Ordinances Required to Implement the Plan for Diversity, Equity, and Inclusion
    J. Projected Distribution Profiles for Responsibilities in Implementation of DEI Plan
    K. Presentation on Diversity in The Workplace (Published by Morgantown Dominion Post)
EXECUTIVE SUMMARY

The City of Morgantown Strategic Plan for Diversity, Equity and Inclusion is a plan prepared through the three-year efforts of the City of Morgantown Human Rights Commission to help generate a foundation for constructive diversity and equity in city employee and volunteer personnel which 1) will be closely proportionate to the city’s overall population as well as 2) support creative, effective, respected partnerships in conducting the work of local government.

Based on the use of best practice studies of other municipalities and other related research, this plan identifies strategic elements which have been found to be most essential in 1) promoting the benefits of diversity, equity, and inclusivity in city employment, 2) overcoming actual or perceived discrimination, and 3) affirming demonstrated benefits of a diverse workplace.

Persons are empowered when treated with equity and justice while working together as a team to provide purposeful, quality, consumer-oriented services to meet the needs of the public. In Part Four, specific “Diversity Management Practices” are selected to be the strategic elements in this plan. Part Five, the final section of the plan, presents specific changes and practices for Morgantown which are recommended for the city employee workforce and in its volunteer policy advisors.

PART ONE: PREFACE

Communities across the country are changing rapidly in terms of population diversities. Census data projections indicate that by 2050 there will be no pronounced racial or ethnic majority in the nation. The City of Morgantown has already experienced a higher percentage of diversity in its population than has the State of West Virginia as a whole. This higher diversity has been a result of its cultural heritage, the presence of West Virginia University faculty and students from a wide range of international and national locations, and the presence of large medical and engineering education and service complexes.

In order for Morgantown to continue to grow economically and educationally, it will be important for the city to continue to attract persons and resources with experience relating to living in multiple locations. The city also must continue to grow in its ability to integrate its population diversity. Being an inclusive city is an important element in having Morgantown grow with the times and to be considered “a good place to live.”

It is useful to consider that people have lived collectively since the beginning of history not only for mutual protection but also for economic and cultural sharing. The stories in all religions include the importance of relating humbly and fairly with “strangers.” Today, through our development as a nation and as a planet, we realize that “strangers” can mean persons with differences in terms of gender, age, race, color, sexual orientation, mental or physical functioning, and education as well as religion, culture, geographical orientation, nationality, economic status, family status, attitudes, values, political persuasion, experience as a veteran, diet, technology, etc.

Constructive relationships with “strangers” are not only important in cities and communities but also in organizations. Today’s corporations of all sizes have come to realize that respecting and
working toward inclusive diversity using standards of equity is essential in terms of a company’s connections with its marketplace, employee motivation, employee innovation, employee recruitment and retention, and the continuous quality improvement of its workforce productivity and marketplace credibility. (y) All of these elements are critical to the enhancement of organizational proficiency.

According to Richard Florida, “cities with greater diversity are more innovative, creative and dynamic, and have a better quality of life. The pursuit of diversity should not be a politically correct strategy or a public relations gimmick, but rather a strategy to maintain profitability and sustainability.” (w,l) These observations relate to city departments as well as entire communities. Group thought, or “herd” thinking, can be a continuation of confining tradition. On the other hand, one good idea can mean revitalizing success for everyone. (u,v)

Some of the steps taken by local government in the past to address diversity involved leading school integration in West Virginia in 1955. The City of Morgantown has continued to take public steps toward integration in various forms since the civil rights era. After the integration of the WVU athletic teams came the decision of the City Council to integrate the city recreation facilities in 1963. The election of a woman to City Council in 1971 was followed by the election of the first woman mayor in 1973, the election of the first black woman as mayor in 1991, the establishment of a Human Rights Commission in 2001, and reconstitution and redirection the Human Rights Commission to work toward building an inclusive city in 2012.

In reviewing the progress in integrating the Morgantown workforce as a whole, it is helpful to determine what factors contribute most to establishing and maintaining diversity in personnel. The integration of diversity in city workforces has varied considerably throughout the country. Studies on how local governments are responding to a need for evolution toward inclusivity are beginning to emerge. Notable examples have focused on the establishment various forms of diversity management practices in organizations and the factors which influence the progress toward diversity in various communities. The benefits of diversity according to R. Thomas, regardless of how diversity is defined, can accrue to an organization or a community if it is encouraged, supported and managed properly. Wyatt-Nicol and Antwi-Boasiako summarize Thomas as follows:

Managing diversity simply calls for the manager to ensure that cultural and political realities do not advantage or disadvantage anyone because of irrelevant considerations. ... Diversity management also emphasizes organizational performance through recruitment, retention and developmental strategies beyond the framework of Equal Employment Opportunity and Affirmative Action. Organizations seek to address underrepresentation and maintain compliance with the law through affirmative action plans. In contrast, organizations seek to increase productivity and performance through diversity management. (bb)

Establishing a mission statement and goals for addressing diversity as well as enacting diversity management practices are found in social research to be essential for community progress. Working toward diversity representation and equality in treatment of personnel, however, is not enough. Experience has demonstrated that following the “letter of the law” in Affirmative Action directives must be followed by deliberate efforts to build inclusive engagement. There needs to be
attention given to nurturing and protecting individuals in all groups. The needs in a city workforce of diverse employees and volunteers are no different. **Diversity and equity and inclusion**; all three elements are critical, interrelated components to successful strategy in achieving and sustaining effective diversity.

This three-point strategy is vital for each component in City leadership. In a counting within the past decade, Morgantown has approximately 255 City employees working in 15 budgeted core departments. In addition, there are 322 employees in 3 free standing City departments: Board of Parks and Recreation, Morgantown Utility Board, and Municipal Parking Authority. (See Appendix B.) How does the diversity in city employees compare with the City population diversity numbers? Are the numbers of employees closely proportionate to the diversity in demographic numbers reported for the City in the U.S. Census?

Appendix A presents a profiling of Morgantown’s 2010 U.S. Census population. Census data, however, does not always profile all of significant personal differences in a community. Even so, what follows is an example of differences only relating to race and ethnic minorities with 2015 information demonstrating how City of Morgantown employees reflect or fall short in proportionately reflecting the City 2010 population’s diversity.

<table>
<thead>
<tr>
<th>Demographic</th>
<th>City Employees % at 242 (2015)</th>
<th>City Population % at 29,660 (2010)</th>
<th>City Employees % under (over) City Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>97%</td>
<td>89.7%</td>
<td>(7.3%)</td>
</tr>
<tr>
<td>Black or African American</td>
<td>2%</td>
<td>4.1%</td>
<td>2.1%</td>
</tr>
<tr>
<td>Amer. Indian or Alaska Native</td>
<td>0</td>
<td>.01%</td>
<td>.01%</td>
</tr>
<tr>
<td>Asian</td>
<td>0.4%</td>
<td>3.4%</td>
<td>3.0%</td>
</tr>
<tr>
<td>Native Hawaiian/ Pacific Is.</td>
<td>0</td>
<td>0.1%</td>
<td>0.1%</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>0</td>
<td>2.0%</td>
<td>2.0%</td>
</tr>
<tr>
<td>Hispanic or Latinox</td>
<td>0</td>
<td>2.6%</td>
<td>2.6%</td>
</tr>
</tbody>
</table>

Employees are only part of the City’s workforce. Volunteers are selected from the citizenry to advise on decision making and policy formation. There are 29 boards, commissions and authorities which work in partnership with the City’s governing body, administrators, and departments. In a recent count there were 274 citizen volunteer members participating in support of the City’s operations. The number of volunteers working with the city exceeds the number of employees. Both groups of personnel are integral to the City government’s effectiveness in serving the public. Working toward diversity in both employees and volunteers is critical to the City’s present and future proficiency. (v)

**PART TWO: DEFINITIONS AND CONCEPTUAL FRAMEWORK FOR THE DEI PLAN**

With the reconstitution of the Morgantown Human Rights Commission (herein often referred to as “the Commission”) in 2012, additional terms and definitions were added to the city’s Ordinance on Human Rights. The most notable new term was “inclusive city”—a term which undergirds the work of the Commission and represents the expressed values and vision of the city as represented
by City Council action re-authorizing the Commission’s work. This ordinance provides a
foundation for this Strategic Plan for Diversity, Equity and Inclusion, the terminology utilized, and
the strategies selected.

Article 153, Section 153.02 of the Morgantown City Code now reads as follows:

"Inclusive City" and "Inclusive Community" as used in this ordinance, shall mean the same thing,
e.g., a city that helps people thrive by: supporting hospitality; welcoming diversity; promoting
civility; promoting safe, affordable dwellings; enabling participation in community, services, and
local government; supporting fairness in access to opportunities and services; reducing violence;
supporting social justice; encouraging awareness and understanding of opportunities/limitations;
making residents aware of the West Virginia Human Rights Commission; and working for a more
sustainable community for present and future citizens.

In creating this plan, the Commission identified and, in some cases, adapted definitions from
several sources listed in the bibliography. Terms essential to understanding this strategic plan’s
goals and outcomes are diversity, equity and inclusion.

In an organization or a community, diversity is a term which relates to differences as manifested
by individuals or groups of individuals. When diversity is used to identify persons according to
common characteristics, it is commonly associated with race, color, ethnic or national origin. In
reality diversity also relates to many other factors—not least of all age, gender and gender identity,
sexual orientation, abilities, disability, education, religion, body type/shape, ancestry, family
status, economic status, experience as a veteran, and other matters of background, orientation, or
life experience. (y, bb)

In groups of persons such as a city department or board or commission, persons with differing
underrepresented characteristics can contribute to group diversity. As within a research process
where evaluating different experience or practices can usually yield a better understanding of an
issue, so can a diverse group usually generate a more comprehensive, proficient response in group
problem-solving.

Equity is sharing with individuals or groups the resources and benefits in an organization based
on what the need is determined to be. The resources in an organization for its workforce include
access to selection for a job, orientation to support job performance, fair compensation, fair access
to benefits, and respect. (v)

For volunteers, having information about participation opportunities, access to open selection
procedures, orientation and training, fair communication and respect are essential. It is important
to note that the concept of equity is not the same as the principle of equality. In the latter there is
an equal distribution of resources for all.

Inclusion is a process in which individuals are included as full members of a group in terms of its
social network and team performance. Inclusion is a process by which persons can be fully engaged
in the work life which benefits both employee satisfaction and the effective proficiency of the
organization. This need relates to the service of volunteers as well as employees.
Four terms essential to implementation of this strategic plan are **equitability in the workplace, cultural competence, organizational effectiveness/proficiency, and diversity management practices.**

**Equitability in the workplace** is a safe condition in which there is freedom to work without harassment, discrimination, or incidents involving sexism, racism, or other profiling. Protection for those who express these concerns is essential for building or rebuilding trust. Nurturing change in an organizational culture when there is bias and/or abuse is a pre-condition for promoting, cultivating, and strengthening diversity. (v)

**Cultural competence/sensitivity** is the ability to both understand and relate to persons of different cultures or conditions in the United States and to persons from other countries. It is based on a service provider’s ability to have:

1) the awareness to identify the difference which may present a barrier to the person’s ability to receive essential communication or services;
2) the attitude which allows the service provider to take seriously the person’s need for additional assistance;
3) the knowledge to broker additional assistance; and
4) the skills to follow-up in an appropriate way. (p, u, bb) *(See Cultural Proficiency Continuum in Appendix F.)*

**Organizational effectiveness/proficiency** is produced by different organizations in different ways but the common factors usually involve having a sense of direction, use of resources with efficiency, performance of some tasks with high skills, concentration, and willingness to innovate. (cc) Municipal organizations can be considered to have the same needs, but as local service organizations, the need for cultural proficiency and the ability to relate to culture and diversity can be critical sources of strength and effectiveness. To be an effective, proficient municipal organization today, there needs to be an inclusive and equitable workplace with diversity at all levels, engagement and partnership with the community, and nurturing of collaborative partnerships and alliances. (v)

**Diversity Management Practices** are methods which an organization can adopt to be responsive to long-term diversity as well as to more recent changes in community populations. Planning and managing in ways which create proportionate representation in a city’s workforce proactively requires specific actions to be taken by an organization to achieve the benefit of diversity. (n, o,bb)

**PART THREE: VISION FOR MORGANTOWN AND RELATED NEEDS FOR CULTURAL COMPETENCE**

“We want the City of Morgantown the way it is, only better.” (d)

The City of Morgantown is a city with many advantages in terms of its local institutions and services as well as in having a progressive, hopeful outlook by its city leadership for its future. West Virginia University is growing in performance, facilities, and national stature. The hospitals and health services improve each year, and the industries and commerce continue to demonstrate
both stability and growth potential. Neighborhoods have made organizational progress in the recent decade. Many international families call Morgantown home, and the friendliness in the community is widely appreciated. The people’s diversity, character, knowledge, strength, creativity, generosity, and sense of fairness are assets on which to build.

There is more, however, that can be done to continue to build inclusivity and a viable economic base for all as well as a healthful sustainability in Morgantown’s future. Residents as well as persons having to commute long distances to work in Morgantown still experience serious inequalities due to limited housing options and supply. They are also challenged by the lack of availability of livable wage economic opportunities, restricted schedules in public transit, lack of adequate mental health and drug treatment services, inaccessible and minimally maintained public infrastructure—all of which affect public employees and their families and the governance which the city provides. (See Appendix D.) The chart which follows lists the priorities of unmet needs reported by 657 respondents in the 2014 Morgantown Human Rights Need Survey:

**Percentage of Respondents Reporting Areas in which Morgantown Needs Improvement to become a More Inclusive City**

<table>
<thead>
<tr>
<th>Area</th>
<th>% of Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing</td>
<td>60%</td>
</tr>
<tr>
<td>Liveable wages</td>
<td>70%</td>
</tr>
<tr>
<td>Transportation</td>
<td>50%</td>
</tr>
<tr>
<td>Mental health and addiction services</td>
<td>40%</td>
</tr>
<tr>
<td>Employment</td>
<td>30%</td>
</tr>
<tr>
<td>Human services</td>
<td>20%</td>
</tr>
<tr>
<td>Pollution control</td>
<td>10%</td>
</tr>
<tr>
<td>Recreation or entertainment</td>
<td>0%</td>
</tr>
<tr>
<td>Education or training</td>
<td>50%</td>
</tr>
<tr>
<td>Protective services</td>
<td>40%</td>
</tr>
<tr>
<td>Policy and other safety/security services</td>
<td>30%</td>
</tr>
<tr>
<td>Property transactions</td>
<td>20%</td>
</tr>
<tr>
<td>Govt meetings or voting</td>
<td>10%</td>
</tr>
<tr>
<td>Shopping stores or markets</td>
<td>5%</td>
</tr>
<tr>
<td>Church or religious participation</td>
<td>5%</td>
</tr>
<tr>
<td>Restaurants or bars</td>
<td>0%</td>
</tr>
</tbody>
</table>

“It is noteworthy that a significant number of respondents (at least 40%) selected each of the activities. Over half of respondents selected more education about how citizens can be more inclusive in business, community activities, and other areas; more community activities to highlight the diverse characteristics of Morgantown citizens and their positive contributions; more education in schools about Morgantown’s diversity; more jobs with livable wages; and more accessible and affordable housing. Another activity selected by 46% of respondents was more education about laws against discrimination, followed by more enforcement of laws against
discrimination (41.1%) and more publicity about Morgantown’s efforts to become an inclusive community (40.0%)." (See Executive Summary of Human Rights Need Survey in Appendix D.)

In order to progress toward making the city “better”, city leadership must understand and address priority needs of the city as well needs in city governance. Volunteers in city advisory roles—as well as city staff—need to understand the needs of the community and the nature of the inherent partnership among citizens, elected officials, city volunteer advisors, and city staff. This partnership, when strong, works to help empower employees to provide quality, customer-oriented services to meet the needs of the public.

Sustained responsive staff services is largely determined by the “team” spirit and collaborative relationships within the staff. The proficiency in service occurs when there is a customer-orientation in service delivery regardless of the diversity in each individual being served. For staff to be driven by values of customer-orientation requires that there be a base of mutual respect and support for each staff person in the service unit and organization as a whole. This requires strategic attention being given to both cultural competency/senility training as well as diversity management and non-discriminatory equity.

**PART FOUR: DIVERSITY MANAGEMENT PRACTICES**

Diversity Management Practices enable a city to plan for achieving diversity and to manage means by which the total workforce and volunteer advisors can more likely reflect the benefits of diversity in the workplace and proportionate representation of a city’s population.

Critical factors in the design of a Plan for DEI are the component practices by which the program can be operationalized day to day and year to year. Nationwide, all local municipal government plans for generating and supporting diversity have not been uniform. Studies have classified variations in use of diversity management practices (DMPs) by municipalities and counties in ways to recruit/hire diverse workforces, retain them, and enhance environmental performance. There also have been DMPs identified which are applicable to generating and supporting the participation of community volunteers on municipal authorities, commissions, and boards as well.

This section of the Plan for DEI provides **an overview of the twelve diversity management practices** selected by the Human Rights Commission for adoption in City of Morgantown operations. It is based primarily, but not exclusively, on the research and a report of Hur and Strickland prepared at Appalachian State University located at Boone, NC (o, n) as well as on a study by Wyatt-Nichol at the University of Baltimore School of Public Affairs in Baltimore, MD and Antwi-Boasiako at the Stephen F. Austin University Department of Government at SFA Station Nacogdoches, TX. (n, bb)

**1. Non-Discrimination in Employee Personnel Practices**

An essential foundation for diversity, equity and inclusion for city employees is establishing the assurance that there is a standard of non-discrimination adopted specifically for employees by the city. Employees must be able to have the assurance that they will be protected from being treated differently than other persons and safeguarded with “the right and opportunity of all persons to be free from all forms of discrimination, including discrimination based on actual or perceived race,
religion, color, national origin, ancestry, sex, sexual orientation, gender identity, age, blindness, disability, familial status or veteran status.” (Article 153 in City Code)

2. Diversity Mission

Having a mission statement on diversity established by a city council provides a foundation for city management and administration recognition that diversity is a priority in all city personnel practices and decision-making. A mission statement generates a purposeful sense of direction for the city—internally as well as externally. Persons being considered for appointment or for hiring can be provided with the city mission statement and can know that psycho-social and cultural differences will be respected and valued.

3. Diversity Plan

A diversity plan provides a means for the diversity mission to be understood, adopted, measured and amended. Generating diversity in a workforce of volunteers and employees can take several years and must be manageable and sustainable.

4. Diversity Plan Management and Accountability

Depending on the form of city government, the implementation and oversight of a plan for diversity needs to be the responsibility of the chief executive who can delegate specific responsibilities for management of a plan to the director of human resources for city employees and to a city clerk or other person responsible for management of plan components relating to volunteer personnel.

For the city’s diversity mission to succeed with its workforce and volunteers, responsible managers and department administrators must be committed and accountable for making diversity in both employees and volunteers a priority and also provide frequent support through communications with staff, volunteers, and the public at large.

At the close of each fiscal year, the city executive, or his/her designee, needs to prepare a report on the diversity status of all employees and volunteers, share the report with a human rights commission or personnel board for review and comment, and then submit the report with comments to the city council.

5. Diversity Training

The director of human resource could be in a position to initiate equitability and diversity training for departments after initial training by a diversity program facilitator. Through new employee orientation and frequent training occurring no less than annually, employees will be able to understand and value more readily staff diversity and its benefits. Such training can be integrated with other training related to human resources and cultural competence/sensitivity. On-going training in diversity, along with mentoring and internship initiatives, can provide a foundation for achieving higher levels of diversity awareness, overcoming unconscious biases, education on organizational benefits, advanced sensitivity to issues, personnel retention, and inclusivity.
In the management of volunteer personnel selected by City Council to serve on boards, commissions and authorities, understanding the city’s diversity mission will be important preparation for citizen volunteers’ participation in decision-making and advisory service roles. Establishment of new volunteer orientation sessions will be essential for meeting this plan’s goals.

6. Recruiting, Screening, and Hiring Staff from Diverse Minorities

The need for outreach distribution of employment and volunteer position openings can best be addressed by using multiple means of social media in efforts to inform highly diverse groups of potentially qualified candidates. Diversity recruiting needs to include local newspapers but also Facebook, blogs, and emailing to minority organizational contacts, newsletter editors, employment offices, selected internet sites, professional organizations—as well as postings in public buildings, businesses and locations frequented by minority populations, and more as may be needed.

Established procedures for screening of top applicants needs to involve reference checks and include the participation of a director of human resources or other designated administrative staff representative in addition to the department head involved in filling the position. Final confidential screening only by the human resources director should include background checks.

7. Community Engagement in City Government Diversity

City Council’s process for filling a vacancy on an authority, board or commission should be an open process which allows time for processing recommendations from City Council members and individuals as well as the respective authority, board or commission involved. There also needs to be outreach engagement with neighborhood associations as well as other organizations representing or advocating for diversity interests in the community. Each candidate needs to confirm interest in serving by applying online, by postal delivery, or in person to the city clerk or volunteer manager who shall impartially administer the interviews and record the selection outcomes. (See Appendix C for current Morgantown volunteer application form.)

Annual or periodic communication with outreach organizations needs to involve evaluation of outreach effectiveness and organization communication preferences.

To assure transparency, interviews of candidates for volunteer positions needs to be televised or otherwise be open to the community. City council members need to be informed on the diversity status of current membership of the authority, board or commission before decision-making processes on selection of a volunteer begin.

8. Formal Mentoring to Minority Employees

Recruiting diversity in personnel is only part of the challenge in addressing lack of diversity. Essential to progress is supporting retention through coaching and mentoring of minority employees to familiarize them with the city’s norms and expectations while supporting them in their abilities to make use of their unique perspectives. Such support and attention can promote high productivity, better overall workforce performance, and higher organization proficiency.
9. Minority Internship Program

Internship programs help students and other prospective job candidates learn from a prototypical structured learning environment as well as provide an opportunity to test out new skills. For workplace personnel, it allows established employees to become familiar with persons who may be different but not part of their work force. Both have the potential for a stimulating and more inclusive work and learning experience. The overall experience can provide an excellent means for connecting minority job candidates with future city employment as opportunities permit.

10. Diversity Management Review by Human Rights Commission

Even though the city executive is the primary director to oversee the implementation of a city’s plan for diversity, a city’s human rights commission is in a position to help monitor the status of a plan’s implementation. The city’s annual reporting of comparative personnel statistics for both workforce employees by department and selected city volunteers makes it possible for the Commission to help monitor progress in Plan implementation and in personnel diversity and to report on its review annually to the city council at the close of each fiscal year.

11. EEO/Affirmative Action Plan/Non-Discrimination

A city’s plan for diversity offers a process by which goals and objectives of an EEO/Affirmative Action Plan relating to personnel can be implemented and achieved. In the event that an EEO/Affirmative Action Plan should not be required by federal or state law, the city’s Plan for DEI remains a means by which the city can sustain its process for working toward increased organization inclusivity and proficiency through generation and protection of diversity in both employees and volunteer participation.

In West Virginia the State Human Rights Commission is the designated EEO Commission and can be a primary resource for processing charges by employees or applicants because of employment discrimination relating to race, color, religion, sex, pregnancy, national origin, age (40 and older), disability, or genetic information. The EEOC often tries to settle claims with the help of a mediator. Sometimes, the EEOC takes cases to court. The EEOC does not charge a fee to investigate, mediate or litigate charges. The EEOC also educates employers, employees and the public about job discrimination. Supplemental nondiscrimination protections relating to sexual orientation, gender identity and veteran status are available through the City Human Rights Commission. (See Article 153 of the Morgantown City Code.)

12. Comparable Statistics Monitoring and Reporting

Utilizing the city’s demographic representations of various ethnic groups reported in Census data is an established means for estimating progress toward proportional representations in a city’s personnel. Communities and institutions which do not utilize personnel in a manner which reflect proportional representation are more open to criticism in crisis. Studies purport that when municipalities reflect the demographic representation of the communities they serve, they will be more responsive to the public and perform better. (n, o, bb, etc.)

The comparable internal statistics on workforce and volunteer personnel by the City of Morgantown need to be evaluated by race (black, Hispanic, Native American, Asian, white,
other/unknown), age and generational diversity (40+, under 40), gender (male, female, transgender, non-binary), and disability based on self-disclosure.

When statistical standards are not applicable—such as with measurement of gender identity information, the availability of city policies which comply with national equity standards can be reported. *(For example, see National Center for Transgender Equality website.)* On policy matters related to gender identity, the implementation of standards specified in the Municipal Equality Index conducted by the national Human Rights Campaign can be included with annual municipal statistical reports.

**PART FIVE: STRATEGIES FOR IMPLEMENTING THE DIVERSITY MANAGEMENT PRACTICES**

This Section identifies 30 actions which will strategically enable improvement of diversity, equity and inclusion in the City of Morgantown’s employment and volunteer workforces. The numbering of the strategic action steps corresponds to the numbers of the Diversity Management Practices selected and presented in Section Four.

1.1 Adoption of Non-Discrimination Ordinance Relating to City Employment

To protect employee equity and inclusion as well as manage diversity, the City as an employer cannot make legal decisions based on protected classification as delineated in Article 153 in the City Code (or in EEO laws) when imposing work conditions, granting privileges, or when determining pay, benefits, bonuses, or time off. Nor can the City use protected classifications in advertising jobs, recruiting, hiring, forcing retirement, terminating, decreasing or restricting benefits, or establishing waivers on the right to sue in exchange for severance pay.

Under employment discrimination laws, the City also faces liability in actions relating to harassment, retaliation, employment advertisements, and promotions based on preferred characteristics.

All such issues as well as a need for authorized appeal procedures are essential to a municipal corporate foundation for non-discrimination standards and employee leadership training.

1.2 Annual Salary, Benefit, Bonus, and Time-Off Audit

Each fiscal year, the City Human Resources Director shall review all salary, benefit, bonus and time benefits for each employee to assure employment system equity regardless of employee diversity or specific health needs of a spouse or legal domestic partner.

2.1 Adoption of a City Mission Statement

A city’s mission statement needs to include an articulation of the city’s commitment to diversity, equity, and inclusion. A statement generated by the City Human Rights Commission which follows is an example of such a statement:

“Our mission is to value and serve the entire diverse community of Morgantown by providing responsive, effective, and cost-efficient mandated services supplemented by
resourceful, collaborative initiatives to enhance the quality, prosperity, health and safety in life for all—today, tomorrow, and further in the future.”

City Council must adopt a mission statement with opportunities for public input in order for it to have broad-based usefulness.

3.1 Adoption of a Diversity Plan

Having a diversity plan can support consistent application of diversity management initiatives and increase the potential for both protective and productive outcomes. Procedures and standards relating to both employees and volunteers working for the City allows the City to more effectively maintain goal-directed services, take advantage of diversity in present and future personnel, provide legal protections from discrimination, and generate and support an even more proficient, satisfying, and valued service experience for all involved.

3.2 Statement of Purpose for the Diversity, Equity, and Inclusion Plan

The purpose of the City of Morgantown Strategic Plan for Diversity, Equity and Inclusion (Plan for DEI) is to create a diverse volunteer assemblage and a respected community of employees in the City’s workforces consistent with the diversity in the City’s population. The plan’s mission is:

1) to demonstrate diversity and inclusivity in City employment and volunteer participation in the City;
2) overcome actual or perceived discrimination on the basis of race, religion, color, national origin, ancestry, sex, sexual orientation, gender identity, age, blindness, disability, familial status or veteran status which can limit opportunities for individuals and the potential proficiency of the City; and
3) to affirm the demonstrated benefits of a diverse workplace where empowered persons are treated with equity and justice while working together to provide quality, customer-oriented services to meet the needs of the public.

The City Council must adopt a plan for diversity, equity and inclusion in order for it to be a foundation for priority policies for the City.

3.2 Goal Statements for Plan for DEI

The goals for this Plan for DEI are as follows:

1. To promote and sustain employee and volunteer personnel management practices in Morgantown City Government to strategically generate and support greater diversity, equity and inclusivity in City personnel.
2. To develop personnel measurement procedures to provide for annual assessment and reporting on personnel diversification in relation to census information and another adopted baseline information.
3. To promote inclusive engagement of city residents in the work of the City through outreach, education, reporting, and advocacy.

It is to address these goals that the following additional Diversity Management Practices are recommended.
4.1 City Manager to Lead Diversity Program

The implementation and oversight of the Plan for DEI in Morgantown needs to be activated by the City Council assigning responsibility for the program to the City Manager, who could in turn delegate specific responsibilities for management of the Plan to the Director of Human Resources for city employees and to the City Clerk for management of Plan components relating to volunteer personnel. The responsibility for ultimate oversight of the program would remain with the City Manager who would supervise the preparation of an annual report at the end of each fiscal year.

4.2 Information for Public Reporting

The offices responsible for volunteer service coordination and the human resources office for city employees shall collect and retain information necessary for the completion of the City Manager’s annual report as specified in this Plan.

4.3 Administrative Transitions

After a year of DEI Plan implementation, the Director of Human Resources and the City Clerk would survey the members of the Morgantown City Council to determine recommended courses of action relating to DEI continuity when administrative transitions occur.

5.1 Initial Training on Diversity and Orientation to Cultural Competence/Sensitivity Skills

After the Plan for DEI is adopted by City Council, it is highly recommended that the city engage a cultural competence facilitator to provide basic orientation of city employees to the DEI program. The facilitator would prepare to meet first with the City Manager(s), the Human Resource Director, the City Councilors, department heads with the Human Resource Director, and then provide orientation to diversity and basic cultural competence/sensitivity training for aggregations of city employees. The facilitator would then meet with the City Clerk, Mayor and City Manager to help plan orientation sessions for newly appointed volunteer advisors for authorities, boards, and commissions.

The City Council will need to authorize expenditure of funds for a contract with a cultural competence facilitator.

5.2 Training Hubs

Establish the Human Resources Department as the training hub for all city staff training including training for diversity, equity, and inclusion concepts and skills. Establish the City Clerk’s Office as the training hub for training and orientation relating to diversity and cultural competence/sensitivity for all newly appointed advisory volunteers.

5.3 Training Outcomes

Establish quantitative and qualitative measures of training related to City DEI Goals.

5.4 City Council Training

Provide volunteer training session on diversity and cultural competency/sensitivity to all City Council members every two years when new council members are selected.
5.5 Online Complaint/Compliment Portal
Establish an online complaint/compliment portal to each city department by displaying web site contact information through the city home page.

6.1 Social Media Outreach on All Posted Vacancies
Establish and sustain the practice of the Human Resources Office working with the City Communications Coordinator to use online and printed media outreach to inform neighborhood and special interest populations on externally posted city employment vacancies. Examples of outreach recipient organizations for recruitment and reporting will include: the use of the city’s online Communique, neighborhood associations, Neighborhood Coordinating Council, NAACP, Fairness WV, Community Coalition for Social Justice, AME Church, Boys and Girls Club, WVU Women and Gender Studies Program, WVU LGBTQ Center, WVU Center for Black Culture and History, WVU Division of Diversity, Equity and Inclusion, Business and Professional Women’s Club, Friendship Room, Caritas House, Bartlett House, Human Rights Commission, and others through social media as well as upon individual request.

7.1 Community Engagement in City Government Diversity
City Council’s process for filling a vacancy on an authority, board or commission shall be an open process which allows time for processing recommendations from City Council members and individuals as well as the respective authority, board or commission involved. The City Clerk in coordination with the City Communications Coordinator shall be responsible for conducting outreach relating to city volunteer vacancies to neighborhood associations as well as to other organizations representing or advocating for diversity interests in the community.

Examples of outreach recipient organizations for recruitment of diversity for volunteer positions could include the use of the City’s online Communique, neighborhood associations, Neighborhood Coordinating Council, NAACP, Fairness WV, Community Coalition for Social Justice, AME Church, Boys and Girls Club, WVU Women and Gender Studies Program, WVU LGBTQ Center, WVU Center for Black Culture and History, WVU Division of Diversity, Equity and Inclusion, Business and Professional Women’s Club, Friendship Room, Caritas House, Bartlett House, Human Rights Commission, and others through social media as well as upon individual request.

7.2 Annual Review of Outreach Communication
Annual or periodic communication with outreach organizations shall include evaluations of outreach effectiveness and organization communication preferences.

7.3 Outreach Workshop on Authorities, Boards and Commissions
With the leadership of the Mayor or Deputy Mayor with the City Clerk and the participation of some volunteers on authorities, boards, and/or commissions, the City shall conduct an annual outreach workshop to provide information and discussion for members of the general public who may be interested in learning more about volunteer advisory opportunities.
7.4 Face-to Face Meetings

City Councilors and volunteer representatives will be encouraged by the Mayor, the Deputy Mayor, and the City Clerk to convene face-to-face meetings with interested prospects or candidates for volunteer positions in City governance from a wide range of organizations, neighborhoods, hospitals, industries, chambers, occupations, industries, etc.

An alternative means for generating face-to-face meetings with prospects or candidates interested in volunteer service to the City would be to conduct a “Citizens’ City Government Academy” in which a series of classes on topics relating to city governance in Morgantown could be offered to interested local citizens. (See Appendix G for a draft format for a Citizens’ City Government Academy.)

7.5 Review of Diverse Neighborhood Representation

During the first quarter of each year, the Human Rights Commission shall work with the Mayor, Deputy Mayor and City Clerk to review status of volunteer representations and to ensure that authorities, boards, and commissions represent a diversity of Morgantown residents.

7.6 Applications for Volunteer Positions on Authorities, Boards and Commissions

To confirm and record interest in specific volunteer positions within the city governance, each candidate shall submit an application online, by postal delivery or in person to the City Clerk who shall impartially administer the interviews and record the selection outcomes. Applications shall be considered active for 12 months after which interested candidates must renew their applications at their own initiatives.

7.7 Transparency of Interview and Selection Procedures

To assure transparency, interviews of candidates for volunteer positions needs to be televised or otherwise be open to the community. City Council members need to be informed on the diversity status of current membership of the authority, board or commission before decision-making processes on selection of a volunteer begin.

7.8 Conflict of Interest

In order to protect the public interest, any voting member of an authority, board or commission with a conflict of interest relating to a binding legal decision shall withdraw from the decision-making process related thereto due to potential personal interest, prejudice or partiality.

7.9 Term Limits

Encourage term limits for participation on authorities, boards and commissions by requiring publicly broadcasted interviews for all reappointments and through evaluation of board composition in light of diversity needs related to age, gender and gender identity, race, abilities/disabilities, sexual orientation, and veteran status as well as the specialized needs specific to an authority, board, or commission.
7.10 Gender Equality

In appointing volunteers to authorities, boards and commissions, the City Council shall make deliberate efforts to appoint roughly equal numbers of persons who identify as men and women as members of each entity.

8.1 Formal Mentoring to Minority Employees

Whenever a person with minority background is employed, the personnel director will take steps to link the new minority person with an existing minority mentor for six months to help establish support productive integration and to promote employee retention.

9.1 Minority Internship Program

When minority students serve internships with the City, the director of personnel will take steps to introduce the intern to other minority persons on the City’s workforce to reduce experiences of isolation and to promote a comprehensive welcome for the intern.


The Human Rights Commission shall review the City Manager’s information for public reports and all pertinent demographics to assess the city’s progress in complying with the goals of the Plan for Diversity, Equity, and Inclusion. It shall report its findings to the City Council by the August Committee of the Whole.

11.1 EEO/Affirmative Action/Non-Discrimination

Information on the EEOC, Affirmative Action requirements and the City Non-Discrimination Ordinance will be included in diversity training provided by the City’s personnel office.

12.1 Annual Demographic Report

Generate annual reports in June under the direction of the City Manager to identify and track diversity in city employment and volunteer participation on authorities, boards, and commissions. Reports shall be transmitted to the Human Rights Commission for review and comment, submitted to the Neighborhood Coordinating Council for review and comment, and submitted to City Council for public review at the September Committee of the Whole meeting.

It is important that successes in achieving diversity be acknowledged publicly to encourage other organizations in the city to adopt standards of equity. (y, r, bb)
RESOURCES AND REFERENCES


z. www.americanprogress.org/issues/labor/news/2012/07/12/1190

aa. www.munitemps.com

APPENDIX A: MORGANTOWN SELECTED CENSUS PROFILES

U.S. Census Information relating to Morgantown and Monongalia County

1. Total Population Disaggregated by Race, White Alone/Non-White. 1960 to 2010
2. Total Population 2010 by (Declared) Gender
3. 2010 Foreign Born Region of Origin/Morgantown
4. City of Morgantown 2010 Population by Age, White and Non-White
5. Total Population 2010 by Disability Status
6. Monongalia County 2010 Population by Age
7. Morgantown 2010 Poverty Rate
Morgantown 2010 Population by Disability Status

*Under 65 2012-2016

Monongalia County 2010 Population by Age
APPENDIX B: LISTING OF MORGANTOWN AUTHORITIES, BOARDS, COMMISSIONS, AND DEPARTMENTS

Listing of City of Morgantown Authorities, Boards, Commissions, and Departments

June – 2010 (partially updated))

City Departments – 255 Employees

Airport
City Attorneys
City Clerk – Elections, Meetings and Records, Applications for Appointments
City Hall – Administration, Public Information Services, Maintenance
Code Enforcement
Engineering
Finance
Fire – 48 paid firefighters; 3 stations; ISO Class 3
Human Resources
Information Technology
Municipal Court
Police – 67 trained and sworn officers
Public Works – Including Street Department, Signs and Signals
Urban Landscaping

Free Standing Departments – 322 Full-time and Part-Time Employees

BOPARC – Recreation, Parks, Theatre, Trails
Morgantown Utility Board – Water, Sanitary Sewer, Storm Water Management
Parking Authority – Parking Garages, Parking Lots, On-Street Parking

Collaborative/Contracted/Supported Services (18 organizations)

Bartlett House Homeless Shelter – County et al
City-County Transit Authority – w/ University support
Fairmont-Morgantown Housing Authority
Greater Morgantown Convention and Visitors Bureau – w/ County
Greater Morgantown Metropolitan Planning Organization – County, 4 Communities
Library – Central library in City plus Aull Center; 4 branches outside of City – with County, State
Main Street Morgantown – w/ County
Mon River Trails Conservancy – w/ County
Monongalia County Animal Control
Monongalia County Development Authority
Monongalia County Health Department
Monongalia County Solid Waste Authority
Morgantown Area Economic Partnership – County
Region VI PDC – Area Municipalities, Six Counties
Republic Waste Services – Fairmont - Private
Sunnyside-Up Neighborhood Revitalization – w/ University support
Teen Court - w/County, Courts (inactive)
West Virginia Botanical Garden – Located on City property
Your Community Foundation – A Community Trust w/ City Art Fund

**Volunteer Boards, Commissions, Committees and Authorities – 274 Volunteer Positions**
(29 organizations listed in alphabetical order)

- Airport Advisory Committee b
- Board of Zoning Appeals a
- Board of Park and Recreation Commissioners a
- Building Code Appeals Board a
- Community Design Team a,b,c,e
- Fire Civil Service Commission a
- Historic Landmarks Commission a
- Human Rights Commission a
- Library Board of Directors a
- Metropolitan Theatre Commission a
- Morgantown Building Commission a
- Morgantown Utility Board a
- Municipal Bicycle Board c (Traffic Commission)
- Museum Commission a
- Municipal Green Team b,e
- Neighborhood Coordinating Council d
  (Includes 9 Neighborhood Associations)
- Parking Authority a
- Pedestrian Safety Board c (Traffic Commission) e
- Personnel Board c
- Planning Commission a
- Police Civil Service Commission a
- Rental Housing Advisory Commission a
- Sister City Commission a
- Traffic Commission a
- Urban Landscape Commission a
- Urban Tree Board c (Urb. Land. Commission) e
- Ward and Boundary Commission a
- Wellness Commission a
- Woodburn Commission a

*a= Council Appointed*  
*b= City Manager Appointed*  
*c= Commission Appointed/Approved*  
*d= Neighborhood Association Appointed*  
*e= Open Membership*

**Inactive/Deactivated Commissions**

- Solid Waste Advisory Committee
- Youth Commission
APPENDIX C: CURRENT APPLICATION FORM FOR VOLUNTEER POSITIONS

Application to Serve on City Boards and Commissions

THE CITY OF MORGANTOWN HAS NUMEROUS COMMITTEES, BOARDS, AND COMMISSIONS COMPRISED OF CITIZENS WHO GIVE OF THEIR TIME IN VERY IMPORTANT CAPACITIES. STATE LAWS PRESCRIBE THAT SOME OF THOSE BODIES RETAIN MEMBERS WHO HAVE CERTAIN EXPERIENCE, EDUCATION OR PROFESSIONAL CERTIFICATIONS. WE ASK THAT YOU PROVIDE THE FOLLOWING BASIC INFORMATION SO WE MAY EVALUATE PROSPECTIVE APPOINTEES’ QUALIFICATIONS IN AN EXPEDITIOUS MANNER. A RESUME OR OTHER PERTINENT INFORMATION MAY BE SUBMITTED ALONG WITH THIS FORM.

MR/MS: ______________________________ WORKCELL PHONE: __________________

ADDRESS: _____________________________ HOME PHONE: __________________

____________________________________ ZIP: ____________________________

EMAIL ADDRESS: ______________________________________________________

CITY RESIDENT? YES____ NO____ YEARS OF CITY RESIDENCY ______ WARD ______

WHO IS YOUR EMPLOYER? (If Retired, Answer “Retired”): ______________________

WHAT TYPE OF BUSINESS ARE (were) YOU EMPLOYED IN? ______________________

JOB TITLE or JOB DESCRIPTION: ______________________________________________

PROFESSIONAL CERTIFICATIONS/LICENSES: ________________________________

SPECIAL INTERESTS: _______________________________________________________

PLEASE CHECK THE COMMISSIONS YOU ARE INTERESTED IN SERVING:

___ BOCA BOARD OF APPEALS
___ BOARD OF PARKS AND RECREATION
___ BOARD OF ZONING APPEALS
___ BUILDING COMMISSION
___ FMT/MGT HOUSING AUTHORITY
___ FIRE CIVIL SERVICE
___ HISTORIC LANDMARKS
___ HUMAN RIGHTS
___ LIBRARY BOARD
___ MET BOARD
___ MORGANTOWN HOUSING ADVISORY COMMISSION
___ MORGANTOWN UTILITY BOARD
___ WOODBURN COMMISSION

___ MUSEUM COMMISSION
___ PARKING AUTHORITY
___ PERSONNEL BOARD
___ PLANNING COMMISSION
___ POLICE CIVIL SERVICE
___ SISTER CITIES COMMISSION
___ TRAFFIC COMMISSION
___ TRANSIT AUTHORITY
___ TREE BOARD
___ URBAN LANDSCAPE COMMISSION
___ WARD & BOUNDARY
___ WELLNESS COMMISSION

SUBMIT TO: CITY CLERK, 389 SPRUCE STREET, RM.10, MORGANTOWN, WV, 26505.
APPLICATIONS WILL REMAIN ON FILE IN THE CITY CLERK’S OFFICE FOR 6 MONTHS UPDATED: 11/17
APPENDIX D: EXECUTIVE SUMMARY OF HUMAN RIGHTS NEED SURVEY OF 2014

2014 Morgantown Human Rights Needs Survey

(Excerpts of a summary report prepared by the Morgantown Human Rights Commission)

September 15, 2014

What is the Morgantown Human Rights Needs Survey?

The City of Morgantown Human Rights Commission (HRC) sponsored and conducted a mixed-mode community survey of Morgantown, WV residents to identify current community human rights needs and to solicit community input on ways to make Morgantown a more inclusive city. Conducted between January and June 2014, the survey was distributed by Commission members to various interest and diversity groups, neighborhood organizations, service clubs, West Virginia University faculty and students, as well as senior citizens of Morgantown. It was made available at public special events, on the City website, and by individual appointments with a Human Rights Commissioner held at the public library. The survey was administered by HRC members and volunteers from partnering organizations and was administered in the form of a web or paper survey. Large print and Braille formats were available. A total of 657 Morgantown residents responded to the community survey.

It is important to note that the survey was not intended or designed to be a scientific research study but rather a community process to systematically gather opinions to inform the HRC, City Council, and other interested organizations. The information is being used by the HRC to develop a community action plan for making Morgantown a more inclusive city.

Recommendations for making Morgantown a more inclusive city: Respondents were asked to select five top areas (among a list of 16) in which Morgantown should improve to be a more inclusive city (Q5). Key areas identified by respondents included housing (58.9%), livable wages (52.4%), transportation (48.4%), and mental health and addictive services (41.7%). Almost a third of respondents also selected employment (35.2%); human services such as food, clothing and shelter (30.7%); and better pollution control (30.1%). Least important to respondents were dining establishments or bars and church or religious participation (each less than 10.0%).

A complete copy of the 2014 Morgantown Human Rights Need Survey is available on line at the City website. Search “Morgantown WV Human Rights”
APPENDIX E: LIST OF BENEFITS FOR CITY EMPLOYEES

City of Morgantown Civil Service Employee Benefits

SUMMARY OF BENEFITS FOR CIVIL SERVICE EMPLOYEES

<table>
<thead>
<tr>
<th>BENEFIT</th>
<th>When Eligible</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holidays – 12 holidays plus election days.</td>
<td>First day of employment</td>
<td>City</td>
</tr>
<tr>
<td>Vacation – Accrued 11 days in first year for full time employees. Pro-rated for part-time employees.</td>
<td>First day of employment</td>
<td>City</td>
</tr>
<tr>
<td>Sick Leave – 18 days per year. 10 of those days may be used for family illness.</td>
<td>First day of employment</td>
<td>City</td>
</tr>
<tr>
<td>Health Insurance – Low premiums, large provider network. $2,000 deductible; plan pays 80% until employee has paid $500. Reasonable and customary paid at 100% after that point.</td>
<td>First of month following start date</td>
<td>Shared</td>
</tr>
<tr>
<td>HRRA Health Reimbursement Account – City contributes $1,500 per year. That can be used for anything that insurance covers (i.e., deductibles, co-pays etc.).</td>
<td>First of month following start date</td>
<td>City</td>
</tr>
<tr>
<td>Pension – Opportunity to retire at age 50.</td>
<td>With 20 years of service</td>
<td>Shared</td>
</tr>
<tr>
<td>Longevity Pay – Appreciating your length of employment.</td>
<td>Third year of service</td>
<td>City</td>
</tr>
<tr>
<td>Dental Insurance – $1,000 coverage. Allows 2 cleanings per year that are covered at 100%. Extractions, fillings are covered at 80%, dentures, crowns, bridges, covered at 50%.</td>
<td>First of month following start date</td>
<td>Shared</td>
</tr>
<tr>
<td>Flex Spending – Can contribute up to $1,500 a year. Used for anything the insurance does not cover (vision over $400 or dental work over $1,000).</td>
<td>Voluntary benefit</td>
<td>Shared</td>
</tr>
<tr>
<td>Long Term Disability – After being absent for 90 days.</td>
<td>First of month following start date</td>
<td>City</td>
</tr>
<tr>
<td>Hazard Pay – Additional compensation based on scheduled shift.</td>
<td>First day of employment</td>
<td>City</td>
</tr>
<tr>
<td>Shift Differential – Afternoon and Evening Shifts.</td>
<td>First day of employment</td>
<td>City</td>
</tr>
<tr>
<td>Retention Pay – Recognizing you for staying with the City.</td>
<td>10 years of service</td>
<td>City</td>
</tr>
<tr>
<td>Uniform Assistance Program/Cleaning</td>
<td>First day of employment</td>
<td>City</td>
</tr>
<tr>
<td>Ongoing Educational Opportunities</td>
<td>First day of employment</td>
<td>City</td>
</tr>
</tbody>
</table>
# City of Morgantown Non-Civil Service Employee Benefits

## Summary of Benefits for Non-Civil Service Employees

<table>
<thead>
<tr>
<th>Benefit</th>
<th>When Eligible?</th>
<th>Cost?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holidays – Eligible for 10 plus election days.</td>
<td>First day of employment</td>
<td>City</td>
</tr>
<tr>
<td>Vacation – Pro-rated based upon employment. Accrue 15 days in first year.</td>
<td>Start accruing first day of employment</td>
<td>City</td>
</tr>
<tr>
<td>Sick Leave – 18 days per year and 10 may be used for family illness.</td>
<td>Start accruing during the first month when employee is working on the 10th. First of month following start date.</td>
<td>City</td>
</tr>
<tr>
<td>Heath Insurance - Low premiums, large provider network. $2,000 deductible and plan pays 80% until employee has paid $500. Reasonable and customary paid at 100% after that point.</td>
<td>First of month following start date</td>
<td>Shared</td>
</tr>
<tr>
<td>HRA Health Reimbursement Account - City contributes $1500 per year. That can be used for anything that insurance covers (i.e., deductibles, co-pays etc.).</td>
<td>First of month following start date</td>
<td>City</td>
</tr>
<tr>
<td>Pension – Employee contributes 6%.</td>
<td>Vested after 10 years</td>
<td>Shared</td>
</tr>
<tr>
<td>Longevity Pay</td>
<td>Third year of service</td>
<td>City</td>
</tr>
<tr>
<td>Dental Insurance - $1000 coverage. Allows 2 cleanings per year that are covered at 100%. Extractions, fillings are covered at 80%, dentures, crowns, bridges, covered at 50%.</td>
<td>First of month following start date</td>
<td>Shared</td>
</tr>
<tr>
<td>Vision Insurance - Plan pays for 80% up to $400 that covers an eye exam, glasses, and contacts.</td>
<td>First of month following start date</td>
<td>Shared</td>
</tr>
<tr>
<td>Flex Spending - Can contribute up to $1500 a year. Used for anything the insurance does not cover (vision over $400 or dental work over $1,000).</td>
<td>Voluntary benefit</td>
<td>Shared</td>
</tr>
<tr>
<td>Long Term Disability – After being absent for 90 days.</td>
<td>First of month following start date</td>
<td>City</td>
</tr>
<tr>
<td>Life Insurance - $50,000.</td>
<td>First of month following start date</td>
<td>City</td>
</tr>
</tbody>
</table>
APPENDIX F: CULTURAL PROFICIENCY CONTINUUM

Cultural Proficiency Continuum
(ways of seeing and responding to differences)

A. Cultural destructiveness – See the difference, stomp it out:
   - The elimination of other people’s cultures

B. Cultural incapacity – See the difference, make it wrong:
   - Belief in the superiority of one’s culture and behavior that disempowers another’s culture

C. Cultural blindness – See the difference, act like you don’t:
   - Acting as if the cultural differences you see do not matter or recognizing that there are differences among and between cultures

D. Cultural pre-competence – See the difference, respond inadequately:
   - Aware of the limitations of one’s skills or organization’s practices when interacting with other cultural groups

E. Cultural competence – See the difference, understand:
   - The difference that difference makes: Interacting with other cultural groups using five essential elements of cultural proficiency as the standard for individual behavior and school practices

F. Cultural proficiency – See the difference and respond positively and affirmingly:
   - Esteeming culture, knowing how to learn about individual and organizational culture, and interacting effectively in a variety of cultural environments

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APPENDIX G: CITIZENS CITY GOVERNMENT ACADEMY FORMAT

City of Morgantown
Citizens City Government Academy
(Possible Course Prototype)

Purpose:
To provide a public education opportunity to support a more informed citizenry which can participate more effectively in local government service, projects and decision making.

Program Format:
Twelve weekly three-hour sessions could be offered beginning in September and January. The sessions could be scheduled on Thursday evenings 6:00 – 9:00 p.m.

The WVU Department of Public Administration could explore ways in which the course may be taken for either academic credit or continuing education credit.

Organization:
The Academy will be administered by ______ (Name) ______ in conjunction with an advisory board consisting of the Mayor and/or appointed City Council member(s), representatives of the City Administration and neighborhood associations, and, if possible, a faculty representative of the WVU Department of Public administration.

Teaching Faculty:
Presenters at each session would be City staff /representatives or panels with elected officials related to the topics involved. Presentations/panels could be arranged with WVU faculty as topics and timing permit.

Admission, Enrollment, and Program Completion:
Admission would be open to residents, students, or business owners. Persons must be sixteen years of age and older. Enrollment would be limited to 30 persons due to size of facilities and management of course materials. A certificate could be awarded to those completing the program and a course evaluation. Persons would be asked to commit themselves to attending a minimum of eight sessions. An honors certificate could be awarded to those who meet higher standards for attendance, participation and presentation.

Expense:
No tuition cost for general admission students. If the Citizens City Government Academy is offered for academic credit, participants taking course for credit would be required to pay WVU academic program fees.
Application:
All individuals interested should apply online or pickup an application at the City Clerk’s Office at the City Hall at 389 Spruce Street. Applications will also be available at the Morgantown Municipal Library.

Course Prospectus:

Session 1: Form of Government: The Charter, Organization, City Council, and Intergovernmental Responsibilities and Relations
Session 2: City Code; Authorities, Boards and Commissions
Session 3: Taxation and City Finances
Session 4: Planning and Zoning
Session 5: Hometown Security: MECCA, Police, Fire and EMS, Traffic Court
Session 6: Housing, Code Enforcement, Preservation
Session 7: Parking and Pedestrians
Session 8: Transportation Jurisdictions, Alternatives and Planning
Session 9: Public Works and Public Utilities
Session 10: Green Space, Parks and Recreation
Session 11: Public Process and Citizen Participation; Human Rights
Session 12: Neighborhood Associations and Neighborhood Coordinating Council

Contact Information:

For further information contact...

(Name)
City of Morgantown
389 Spruce Street
Morgantown, WV 2650
Email: 
Phone: 304-284-XXXX
APPENDIX H: EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) DEFINITION OF HARASSMENT

Harassment

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA).

Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

- The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
- The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.
- Unlawful harassment may occur without economic injury to, or discharge of, the victim.

Prevention is the best tool to eliminate harassment in the workplace. Employers are encouraged to take appropriate steps to prevent and correct unlawful harassment. They should clearly communicate to employees that unwelcome harassing conduct will not be tolerated. They can do this by establishing an effective complaint or grievance process, providing anti-harassment training to their managers and employees, and taking immediate and appropriate action when an employee complains. Employers should strive to create an environment in which employees feel free to raise concerns and are confident that those concerns will be addressed.

Employees are encouraged to inform the harasser directly that the conduct is unwelcome and must stop. Employees should also report harassment to management at an early stage to prevent its escalation.

Employer Liability for Harassment

The employer is automatically liable for harassment by a supervisor that results in a negative employment action such as termination, failure to promote or hire, and loss of wages. If the supervisor's harassment results in a hostile work environment, the employer can avoid liability only if it can prove that: 1) it reasonably tried to prevent and promptly correct the harassing
behavior; and 2) the employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer.

The employer will be liable for harassment by non-supervisory employees or non-employees over whom it has control (e.g., independent contractors or customers on the premises), if it knew, or should have known about the harassment and failed to take prompt and appropriate corrective action.

When investigating allegations of harassment, the EEOC looks at the entire record: including the nature of the conduct, and the context in which the alleged incidents occurred. A determination of whether harassment is severe or pervasive enough to be illegal is made on a case-by-case basis.

If you believe that the harassment you are experiencing or witnessing is of a specifically sexual nature, you may want to see EEOC’s information on sexual harassment.

Source: https://www.eeoc.gov/laws/types/harassment.cfm
APPENDIX I: LIST OF ORDINANCES REQUIRED TO IMPLEMENT
THE PLAN FOR DIVERSITY, EQUITY, AND INCLUSION

List of Ordinances Required to Implement the Plan for Diversity, Equity, and Inclusion

RESOLUTION ADOPTING DIVERSITY, EQUITY, AND INCLUSION PLAN

The City of Morgantown hereby resolves that the enclosed “Strategic Plan for Diversity, Equity, and Inclusion” prepared by the Morgantown Human Rights Commission is adopted by the City and shall be used as a plan for implementing diversity, equity, and inclusion initiatives among the City’s employees and volunteers and in the community as a whole.

The City of Morgantown further resolves that the dedicated volunteers of the Morgantown Human Rights Commission are commended for their preparation of the Strategic Plan for Diversity, Equity, and Inclusion.

ORDINANCES
Article 111.
Policies and Procedures.

111.03. Diversity Policy.

(a) Legislative Findings and Purpose. The City Council of the City of Morgantown finds that having a mission statement on diversity established by City Council provides a foundation for city management and administration recognition that diversity is a priority in all city personnel practices and decision-making. The City Council further finds that a mission statement generates a purposeful sense of direction for the City—internally as well as externally. The City Council further finds that a mission statement will inform applicants for appointment or for hiring that psycho-social and cultural differences will be respected and valued.

(b) Diversity Mission Statement. The following mission statement is adopted by the City: “Our mission is to value and serve the entire diverse community of Morgantown by providing responsive, effective, and cost-efficient mandated services supplemented by resourceful, collaborative initiatives to enhance the quality, prosperity, health and safety in life for all—today, tomorrow, and further in the future.”

(d) Adoption of Policies. The Strategic Plan for Diversity, Equity, and Inclusion adopted by the City Council on October 1, 2019, shall operate as a policy of the City guiding the implementation of initiatives reflecting the City’s Diversity Mission Statement. The provisions of the Strategic Plan for Diversity, Equity, and Inclusion shall be non-binding guidance unless separately adopted by action of City Council.
APPENDIX J: PROJECTED DISTRIBUTION PROFILES FOR RESPONSIBILITIES IN IMPLEMENTATION OF DEI PLAN

City Manager

4.1 City Manager to Lead Diversity Program

TWO CORE RESPONSIBILITIES OF THE CITY MANAGER are the oversight of the implementation of the Plan for Diversity, Equity and Inclusion through, first, the delegation of responsibility for incorporation of diversity, equity and inclusion standards in City personnel services and the reporting annually on City employee diversity profiles and training initiatives completed during each fiscal year. These responsibilities are expected to be delegated to the Director for Human Resources.

The second delegation is for the use and promotion of diversity outreach recruitment and orientation protocols in the management of City volunteers appointed by the City Council. It is expected that these responsibilities will be delegated to the City Clerk. In order to prepare an annual report on volunteer diversity, it is presumed that City Clerk office will maintain a digitized record on diversity information received voluntarily from volunteer candidates either on application forms or as voluntarily disclosed during orientation sessions.

12.2 Annual Demographic Report

Upon a schedule determined by the City Manager, the Director of City Human Resources and the City Clerk shall submit numerical reports on the diversity of employees (by department) and volunteers (by board, commission or authority)—along with descriptions of training or orientations provided—to the office of the City Manager. The City Manager’s office will be responsible for compiling the information for an ANNUAL DIVERSITY REPORT and add comparative information on race, declared gender, region of origin, age and disability for distribution to the Human Rights Commission and the Neighborhood Coordinating Council for review and comment. The report with review and comments received shall be submitted to the City Council for public review at a Council meeting during the month of September.

5.2 Training Hubs

DESIGNATE the Human Resources Department for all staff training including training for diversity, equity and inclusion concepts and skills. Establish the Office of the City Clerk as a training hub for volunteer orientation and training including orientation relating to diversity and cultural competence/sensitivity for all newly appointed advisory volunteers.

5.1 Initial Training on Diversity and Orientation to Cultural Competence/Sensitivity Skills

CONTRACT/ENGAGE with a cultural competence facilitator to provide basic orientation of city employees to the DEI Program. After meeting with the City Manager(s), the Director of Human Resources, department heads with the Director of Human Resources, the facilitator would provide an orientation to diversity and basic cultural competence/sensitivity training for aggregations of city employees. Thereafter, the facilitator would meet with the City Clerk, Mayor and City Manager to help plan
orientation sessions for newly appointed volunteer advisors for authorities, boards, and commissions.

5.4 City Council Training

EVERY TWO YEARS or when new City Council members are selected, the City Manager shall have the responsibility for organizing orientation and training on diversity and cultural competency/sensitivity related to the Diversity, Equity and Inclusion Plan and to procedures utilized in orienting and training new employees and volunteers.

5.5 Online Complaint/Compliment Portal

The Office of the City Manager shall have ONGOING responsibility for supervising the availability of contact with the City administration for complaints/Compliments utilizing the City website home page.

City Attorney

1.1 Adoption of Non-Discrimination Ordinance Relating to City Employment

DRAFT DOCUMENT for Presentation to City Council.

3.1 Adoption of a Plan for DEI

DEVELOP AN ORDINANCE which provides authorization for an approved but amendable plan for diversity, equity and inclusion to be used in the personnel management for City employees and Council appointed volunteers.

City Clerk

5.1 Initial Training on Diversity and Orientation to Cultural Competency/Sensitivity Skills

PARTICIPATE and plan orientation sessions for newly appointed city volunteers.

5.2 Training Hubs

Office of the City Clerk will be designated as a training hub for volunteer orientation and training including orientation relating to diversity and cultural competence/sensitivity for all newly appointed advisory volunteers.

7.3 Outreach Workshop on Authorities, Boards, and Commissions

In cooperation with the Mayor and deputy Mayor, the City Clerk shall assist in organizing an ANNUAL OUTREACH WORKSHOP—or other process—to inform the general public on City volunteer advisory opportunities.

7.4 Face-to-Face Meetings

ENCOURAGE face-to-face meeting by City Councilors with prospects or candidates for volunteer positions in City governance from a wide range of organizations, neighborhoods, hospitals, industries, chambers, occupations, etc.

7.6 Applications for Volunteer Positions on Authorities, Boards and Commissions

IMPARTIALLY ADMINISTER APPLICATION PROCEDURES—online, postal delivery, and walk-in—for candidates interested volunteer positions in city governance, record selection outcomes with volunteered diversity data, and retain active applications of non-accepted candidates for no less than 12 months.
4.2 Information for Public Reporting

OFFICE OF THE CITY CLERK shall collect and retain information voluntarily provided as necessary for the completion of the City Manager’s ANNUAL REPORT as specified in the approved Plan for DEI.

7.7 Transparency of Interview and Selection Procedures

7.9 Term Limits

INTERVIEWS of each candidate for volunteer positions shall be open to all persons with the exception of other candidates competing in the same selection process. The City Clerk shall provide advance information to the City Council on 1) the current diversity status of the authority, board or commission to which an appointment is to be made, 2) the number of terms served by each candidate being considered.

City Human Resources Director

2.1 Annual Salary, Benefit, Bonus, and Time-Off Audit

Each fiscal year the City Human Resources shall review all salary, benefit, bonus and time benefits for each employee to assure employment system equity regardless of employee diversity or specific health needs of a spouse or legal domestic partner. ONGOING.

4.2 Information for Public Reporting

The Human Resources Department shall collect and retain information voluntarily provided as necessary for the completion of the City Manager’s ANNUAL DIVERSITY REPORT as specified in the approved Plan for DEI (12.2).

5.2 Training Hubs

The Human Resources Department will be designated as a training hub for all staff training including training for diversity, equity and inclusion concepts and skills.

5.1 Initial Training on Diversity and Orientation to Cultural Competence/Sensitivity Skills

The City will contract with a cultural competence facilitator to provide basic orientation of city employees to the DEI Program. After meeting with the City Manager(s), the Director of Human Resources, department heads with the Director of Human Resources, the facilitator would provide an orientation to diversity and basic cultural competence/sensitivity training for aggregations of city employees. From this experience, the Director of Human Resources will be prepared to provide orientation for new department heads on City goals and objectives for diversity and to facilitate increased cultural competence/sensitivity skills of employees.

12.2 Annual Demographic Report

AT THE END OF THE FISCAL YEAR the Director of City Human Resources shall submit numerical profile reports on the diversity of employees (by department) along with descriptions of training or orientations provided - to the office of the City Manager. The City Manager’s office will be responsible for compiling the information for an ANNUAL DIVERSITY REPORT for distribution to the Human Rights Commission and the Neighborhood Coordinating Council for review and comment. The report with review and
comments received shall be submitted to the City Council for public review at a Council meeting during the month of September.

**City Communications Coordinator**

6.1 Social Media Outreach on all Posted Vacancies

7.1 Community Engagement in City Government Diversity

**WORKING WITH THE CITY CLERK AND HUMAN RESOURCES DIRECTOR**, the Communications Coordinator shall assist in establishing and maintaining online and printed media outreach to inform the public – including neighborhood and special interest groups on volunteer openings and externally posted city employment vacancies.

7.2 Annual Review of Outreach Communication

**NO LESS THAN ANNually**, the Communications Coordination shall offer communication network updates and evaluations on outreach effectiveness.

**City Council**

3.1 Adoption of a Diversity, Equity and Inclusion Plan

2.1 Adoption of a Mission Statement

**ADOPT AN ORDINANCE** authorizing use of an approved but amendable Plan for DEI to be used in the management of City employees and Council appointed volunteers.

**APPROVE an acceptable Diversity, Equity, and Inclusion Plan** for management of City Employees and Council appointed volunteers. This action would involve approval of plan components including a mission statement (2.1), statement of purpose (3.2), goal statements (3.2), city manager leadership (4.1), reporting (4.2 and 12.2), administrative transitions (4.3), training (5.1-3), complaint/compliment management (5.5), outreach on all employment and volunteer posted vacancies (6.1, 7.1-4), community engagement processes (7.1), selection procedures (7.6-7), conflict of interest and term limits (7.8-7.9), and protections relating to gender and minorities (7.10-11.1).

7.4 Face-to-Face Meetings

**FACE-TO-FACE MEETINGS BY CITY COUNCILORS** with potential candidates for City volunteer position will be **encouraged** by the Mayor, Deputy Mayor and City Clerk. An alternative might be the conduct of a Citizens’ City Government Academy or other means for promoting informed interest in service on City boards, commissions or authorities.

12.2 Annual Diversity Report

**ANNUALLY REVIEW ANNUAL DIVERSITY REPORT PUBLICALLY IN SEPTEMBER** annual administrative reports on the diversity in City employment and volunteer participation after their review by the Human Rights Commission and the Neighborhood Coordinating Council.
Neighborhood Coordinating Council

12.2 Annual Diversity Report

IF NCC SCHEDULING PERMITS, the Neighborhood Coordinating Council shall have an opportunity to review the Annual Diversity Report and to prepare review and comment to be included with the Reports submission to City Council as information at a meeting during the month of September.

Human Rights Commission

10.1 Diversity Management Review by the Human Rights Commission

The Human Rights Commission shall review the City Manager’s Annual Diversity Report and all pertinent demographics to assess the city’s progress in complying with the goals of the Plan for DEI. It shall report its findings to the City Council before September Council meetings.
APPENDIX K: PRESENTATION ON DIVERSITY IN THE WORKPLACE
(PUBLISHED BY MORGANTOWN DOMINION POST)

APPENDIX K: BENEFITS OF DIVERSITY: A PRESENTATION ON DIVERSITY IN THE WORKPLACE
A Center-Page Presentation Published by the Morgantown Dominion Post – January 6, 2019

Benefits of Diversity

A diverse workplace should reflect the community it serves in regards to age, gender, ethnic groups, religions and other factors. Paying attention diversity when you hire new employees or create a new team can bring big benefits to your company.

ATTRACTING CONSUMERS
More and more, consumers are recognizing and rewarding diverse companies. Multicultural buying power, Forbes says, grew to $1.1 trillion in 2014 and is predicted to rise. Consumers like to see a company that recognizes diversity and where they can be served by someone who looks, thinks or talks like themselves.

SERVING NEW POPULATIONS
As the American population becomes more diverse, so must American businesses. Having a diverse workforce can mean having an employee that speaks a consumer’s specific language or recognizes a religious holiday. Make it easier for multicultural consumers to spend their money with you.

ATTRACTING TALENT
Just like consumers, job seekers are putting a premium on working with a multicultural team. A 2017 survey by employment website Indeed showed that more than two-thirds — 77 percent — of job seekers in the white-collar tech sector say it’s important for a company to have a diverse workforce.

ATTRACTION NEW IDEAS
By hiring from a range of cultures, races, genders and more, companies are bringing in a wide range of new ideas. Teach managers to foster a company culture of engagement and innovation by encouraging all employees to bring their ideas and experiences to the table.

When office closes, do workers get paid?

THE DOMINION POST SUNDAY, JAN. 6, 2019
APPENDIX K: BENEFITS OF DIVERSITY: A PRESENTATION ON DIVERSITY IN THE WORKPLACE

A Center-Page Presentation Published by the Morgantown Dominion Post – January 27, 2019

Tips for Increasing Diversity

Hiring managers and human resources managers may need to think outside of their usual boxes when looking for a more diverse workforce. Here are some tips from The Wall Street Journal on increasing diversity.

MAKE A PLAN
Working with your management team, decide on a goal, such as serving a particular population. Then, come up with a workable plan to achieve that goal. You don't want to end up struggling to hire someone with specific language skills when you won't be working with the community with whom they can communicate.

Make sure your hiring strategy conforms to federal, state and local laws regarding recruiting and employment.

CONNECT WITH COMMUNITIES
Speaking of community, reach out to houses of worship and community groups that serve the populations you'd like to represent in your workforce.

Sometimes, leaders can point you to candidates in places you may not have reached before. While you're there, ask these leaders what your company can do to make itself more attractive to job seekers and consumers alike.

TAKE A LOOK AT BENEFITS
See that you benefit offerings align with the communities you want to employ and serve. Some changes might be simple -- flexible schedules and coworking spaces for parents -- while others, like accommodating religious wear and holidays, might be more difficult. Play up those benefits while you're recruiting.

Could you live on your savings for 23 years?

THE DOMINION POST SUNDAY, JAN. 27, 2019
RESOLUTION NO. 2019-____

RESOLUTION ADOPTING DIVERSITY, EQUITY, AND INCLUSION PLAN

The City of Morgantown hereby resolves that the enclosed “Strategic Plan for Diversity, Equity, and Inclusion” prepared by the Morgantown Human Rights Commission is adopted by the City and shall be used as a plan for implementing diversity, equity, and inclusion initiatives among the City’s employees and volunteers and in the community as a whole.

The City of Morgantown further resolves that the dedicated volunteers of the Morgantown Human Rights Commission are commended for their preparation of the Strategic Plan for Diversity, Equity, and Inclusion.

Adopted this ____ day of ______________, 2019

______________________________________________
Mayor

______________________________________________
City Clerk
ORDINANCE NO. 2019-_____

AN ORDINANCE PROHIBITING BULLYING IN CITY SERVICES, ACTIVITIES, PROGRAMS, AND FACILITIES SERVING YOUTH

The City of Morgantown hereby ordains that a new Article 111 entitled Policies and Procedures is established within the Administrative Code, and a new Section 111.01 entitled Prohibition of Bullying is established therein, as follows:

Article 111.
Policies and Procedures.

111.03. Diversity Policy.

(a) Legislative Findings and Purpose. The City Council of the City of Morgantown finds that having a mission statement on diversity established by City Council provides a foundation for city management and administration recognition that diversity is a priority in all city personnel practices and decision-making. The City Council further finds that a mission statement generates a purposeful sense of direction for the City—internally as well as externally. The City Council further finds that a mission statement will inform applicants for appointment or for hiring that psycho-social and cultural differences will be respected and valued.

(b) Diversity Mission Statement. The following mission statement is adopted by the City: “Our mission is to value and serve the entire diverse community of Morgantown by providing responsive, effective, and cost-efficient mandated services supplemented by resourceful, collaborative initiatives to enhance the quality, prosperity, health and safety in life for all—today, tomorrow, and further in the future.”

(d) Adoption of Policies. The Strategic Plan for Diversity, Equity, and Inclusion adopted by the City Council on October 1, 2019, shall operate as a policy of the City guiding the implementation of initiatives reflecting the City’s Diversity Mission Statement. The provisions of the Strategic Plan for Diversity, Equity, and Inclusion shall be non-binding guidance unless separately adopted by action of City Council.

This ordinance is effective upon adoption.

FIRST READING: _____________________________
ADOPTED: _____________________________
FILED: _____________________________
RECORDED: _____________________________

Mayor
City Clerk
MEMORANDUM

TO: Mayor and City Council

FROM: Paul J. Brake, ICMA-CM, CEcD
City Manager

DATE: September 20, 2019

RE: Schedule Special Session – Homelessness, Addiction, and Other Issues Affecting the Downtown Area

Staff recommends scheduling a special work session to discuss the growing problems related to homeless & transient populations and other issues. The purpose of the meeting is to establish objectives and solutions to address a number of concerns raised by business owners and stakeholders at the September 17, 2019 City Council meeting.

This meeting will give City Council an opportunity to have an in-depth discussion about City’s current policies and whether updates or changes are needed. Also, this will allow staff to make presentations on crime stats, programs and services offered to area homeless.

The Mayor and I have looked at the calendar and we are proposing to schedule a meeting on Friday, October 11, 2019 (time to determined). It will likely be schedule either during the morning or afternoon (this will not be an evening meeting). At Tuesday’s meeting, we will discuss the process and other related logistics to move this forward.
Memorandum

To: Paul Brake  
City Manager

From: J. Damien Davis, PE  
City Engineer

Date: 9/12/2019

Re: Adoption of Alley “E” into City Street Maintenance Program

Mr. Brake,

In January of 2018 Ms. Alexandra Stockdale applied for a permit to open 131ft of Alley “E” located behind her house at 539 Melrose Street, Map 14 Parcel 127, Ward 3, in order to access the rear of her property (see attached survey). After review of the permit application and plans submitted, the permit was approved on January 29, 2018 by the Engineering Department and issued on February 26, 2018. Work was completed in August of 2018. Ms. Stockdale then petitioned the City to adopt Alley “E” into the City Street Maintenance Program. The City Engineering Department has completed the inspection of newly opened Alley “E” and finds the construction in accordance with the City Street Design Standards. As City Engineer, I recommend the approval of the adoption into the City Maintenance program of Alley “E”.

Thank you.
DESCRIPTION OF ALLEY SURVEYED
FOR
ALEXANDRA P. STOCKDALE

All that certain strip or parcel of real estate, known as part of Alley “E” of North Morgantown Addition or Wiles Hill as depicted on a plat or map of record in the office of the Clerk of the County Commission of Monongalia County, West Virginia in Deed Book 199, at Page 50-1/2, situate, lying and being in Fourth Ward, City of Morgantown, Monongalia County, West Virginia, and more particularly described as follows:

Beginning at a 5/8-inch by 30-inch capped iron rod (set) in the northern line of said Alley “E”, a 15-foot alley, standing in the line of Lot 28 of said North Morgantown Addition (Wiles Hill), now or formerly Joseph Cunningham, et al (Deed Book 1525 /Page 587), said rod bears S 46° 07’ 00” W 0.28 feet from a point, standing as a corner to Lot 27 and said Lot 28; thence with said Alley “E”, Lot 28 for a partial line and then continuing with Lots 29 and 30 of said North Morgantown Addition (Wiles Hill)

N 46° 07’ 00” E 130.62 feet to a 5/8-inch by 30-inch capped iron rod (set) in the westerly line of Afton Street, a 40-foot street, standing as a corner to said Lot 30, now or formerly Joseph Cunningham, et al (Deed Book 1511 /Page 476; thence leaving said Lot 30 and with said Afton Street, crossing the terminus of said Alley “E”

S 59° 24’ 30” E 15.57 feet to a 5/8-inch by 30-inch capped iron rod (set) in the northern line of said Alley “E”, standing as a corner to Lot 13 of said North Morgantown Addition (Wiles Hill), now or formerly Patrick M. and Rhonda S. Lockwood (Deed Book 1438 /Page 372); thence leaving said Afton Street and with said Alley “E”, Lot 13 for a partial line and then continuing with Lots 12, 11 and 10 of said North Morgantown Addition (Wiles Hill)

S 46° 07’ 00” W 134.78 to a 5/8-inch by 30-inch capped iron rod (set), standing as a corner to said Lot 9, now or formerly Alexandra P. Stockdale (Deed Book 1608 /Page 410) and Lot 9 for said North Morgantown Addition (Wiles Hill), now or formerly William L. and Guy S. Stewart (Deed Book 1412 /Page 832); thence leaving said Lots 9 and 10 and re-crossing said Alley “E”

N 43° 53’ 00” W 15.00 feet to the place of beginning, containing 1,990 square feet or 0.05 acres, more or less, as surveyed in December, 2017 by Cheat Road Engineering, Inc., of Morgantown, West Virginia and shown on a plat of Alley surveyed for Alexandra P. Stockdale, dated the 4th day of January, 2018 attached hereto and made a part of this description. The meridian for all bearings in this description is based on “North Morgantown Addition or Wiles Hill North”.

Cheat Road Engineering, Inc.

Ronald A. Talkington, P.S. #876
AN ORDINANCE TO AMEND SECTION 167.36 OF ARTICLE 167 OF THE CITY CODE OF THE CITY OF SOUTH CHARLESTON CONCERNING LEAVE OF ABSENCE

WHEREAS, the City of South Charleston has previously recognized that certain employee leave of absence is in the mutual interest of the City and its employees; and

WHEREAS, the City wants to emphasize that leave of absence is available for employees because of the placement of a child with the employee for adoption or foster care; and

WHEREAS, recognizing the desperate need in West Virginia for qualified foster parents, in an effort to encourage City employees to be foster parents, qualifying City employees should be able to take up to eight hours of paid leave when they receive a placement of a non-relative foster child from the West Virginia Department of Health and Human Resources to care for such child, given that such placements often happen with little notice; and

WHEREAS, the City also wants to recognize that leave of absence is available for employees because of any qualifying exigency arising out of the fact that the spouse, child, or parent of the employee is on covered active duty, or has been notified of an impending call or order to covered active duty, in the Armed Forces; and

WHEREAS, Section 167.36, titled “Leave of Absence” in the South Charleston City Code should be amended to emphasize, recognize, and authorize the aforementioned leave;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SOUTH CHARLESTON, WEST VIRGINIA, THAT ARTICLE 167, SECTION 167.36 BE AMENDED TO READ AS FOLLOWS:

167.36 LEAVE OF ABSENCE.
(a) General Provisions. A leave of absence without pay may be granted for a period not to exceed sixty working days in a twelve-month period, when the granting of such leave is in the mutual interest of the City and the employee. Such leave shall require the approval of the department head and the Mayor and shall be requested in writing by the employee.
(b) Family and Medical Leave Act. A leave of absence which is governed by the Family and Medical Leave Act (“FMLA”), 29 U.S.C. § 2601 et seq., shall be deemed to be in the mutual interest of the City and the employee.
   (1) Scope. The FMLA governs leave for one or more of the following reasons:
      (A) To care for the employee’s child after birth during the twelve-month period beginning on the date of such birth.
      (B) Because of the placement of a child with the employee for adoption or foster care during the twelve-month period beginning on the date of such placement.
(C) To care for the employee’s spouse, child, or parent, who has a serious health
condition.

(D) For a serious health condition that makes the employee unable to perform the
functions of the position of such employee.

(E) Because of any qualifying exigency, as determined by applicable federal
regulation, arising out of the fact that the spouse, child, or parent of the employee is on covered
active duty, or has been notified of an impending call or order to covered active duty, in the
Armed Forces.

(2) Eligibility. Employees who have worked for the City for at least one year, and for
1,250 hours over the previous twelve months are eligible for leave under the FMLA.

(3) Advance notice. The employee must provide thirty days advance notice to the City
when the leave is foreseeable: Provided, That when the necessity for leave under paragraph
(b)(1)(E) of this section is foreseeable, the employee must provide notice as is reasonable and
practicable. If the leave is because of a serious health condition, the City may require medical
certification, and may require second or third opinions, at the City’s expense, and a fitness for
duty report to return to work.

(c) Job Benefits.

(1) For the duration of FMLA leave, the City shall maintain the existing health coverage
of the employee, under the City’s group health plan. The employee shall be responsible for
maintaining employee contributions for such coverage.

(2) Upon return from FMLA leave, the employee shall be restored to his or her original
or equivalent position with equivalent pay, benefits, and other employment terms.

(3) Use of FMLA leave shall not result in the loss of any employment benefits that
accrued prior to the start of an employee’s leave.

(4) The employee may use any accrued sick leave or annual leave for the purposes listed
under subsection (b)(1) hereof prior to requesting leave under the FMLA. Use of such leave will
be governed by the City Code.

(d) Paid Leave for Foster Placement. A City employee who receives a placement of a non-
relative foster child in the custody of the West Virginia Department of Health and Human
Resources and who is entitled to take leave under paragraph (b)(1)(B) of this section shall be
entitled to be paid for up to eight hours of such leave from work in connection with such
placement and immediate childcare responsibilities during the one-week period beginning on the
date of such placement. Paid leave under this subsection shall not exceed twenty-four hours per
calendar year. The City is entitled to have the employee substantiate applicability of paid leave
under this subsection.

This ordinance shall take effect immediately upon passage.

ATTEST:

Margie Spence, City Clerk

Frank A. Mullens, Jr., Mayor

This ordinance was prepared by Moore & Biser PLLC, City Attorney.
PETITION FOR ANNEXATION

The undersigned, being qualified voters within the area of proposed annexation, and being the sole freeholders’ within the area of proposed annexation, hereby petition the City Council of the City of Morgantown, West Virginia, to annex the territory described in this Petition and shown and described on the attached map or plat, as required by law, pursuant to West Virginia Code Chapter 8, Article 6, Section 4.

<table>
<thead>
<tr>
<th>Owner</th>
<th>District</th>
<th>Tax Map No.</th>
<th>Parcel No.</th>
<th>Signature</th>
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<td>Richard J &amp; Shirley A</td>
<td>Morgan</td>
<td>8B</td>
<td>15</td>
<td></td>
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<tr>
<td>Herstine</td>
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07-17-2019