City of Providence Equal Pay Task Force

2018 Annual Report

Prepared by Sol Taubin, Executive Director of the Providence Human Relations Commission

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City of Providence Equal Pay Task Force

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December 17, 2018

Dear Mayor Elorza and Honorable Members of the Providence City Council,

Established within the Providence Human Relations Commission by ordinance in 2017, the Equal Pay Task Force has been charged with studying best practices, collecting relevant data and making policy recommendations to your offices to advance pay equity City-wide.

While significant work has been done at both the municipal and national levels to do the same, large racial and gender-based wage gaps remain. In fact, a report by the Brookings Institution released in February of this year finds that our capital city has the third-highest rate of income inequality in the nation.

Employing over three thousand individuals and awarding tens of millions of dollars to contractors through its procurement process annually, our municipality plays a significant role in setting the conditions for pay equity far beyond City Hall.

Pursuant to City Code of Ordinances § 16-85, please find attached the Equal Pay Task Force's 2018 Annual Report. This year's report details recommendations to improve employee data collection and validation practices, invest in recruitment and professional development, standardize performance appraisals and employee compensation, and build structures for continuous improvement. They advance the work that has already begun under your leadership to ensure the City is providing equal pay for equal work and procuring vendors that do the same.

Thank you Mayor Elorza and honorable members of the Providence City Council for your support. We look forward to continuing to work with you to advance pay equity in 2019.

Celeste Terry-Lo

Chair, Equal Pay Task Force & Member, Providence Human Relations Commission

Sol Taubin

Executive Director, Providence Human Relations Commission

Introduction

The City of Providence Equal Pay Task Force was empaneled in 2017, per City of Providence Code of Ordinances § 16-85. Currently serving on the Task Force are Providence Human Relations Commission designees Celeste Terry-Lo and Dwayne Keys, City Solicitor designee Ariel Pittner, Mayoral appointees Diya Das and Elvys Ruiz, and City Council appointees Doris De Los Santos and Kelly Nevins. Since submitting its last Annual Report in December of 2017, the Task Force has been fortunate to welcome Dwayne Keys as designee to Providence Human Relations Commission Vice-Chair Patricia LaSalle, Ariel Pittner as designee to City Solicitor Jeff Dana, and, staffing the Task Force, new Executive Director of the Providence Human Relations Commission, Sol Taubin. In early 2018, the Task Force heard from numerous City officials regarding their departments' work to advance pay equity City-wide. While the Task Force experienced a brief hiatus during the search for a new Executive Director of the Providence Human Relations Commission, the Task Force reconvened in early fall and has gained momentum moving towards the new year. As part of its foundational work, the City of Providence's Equal Pay Task Force has sought to gain a thorough understanding of the policies, legislation, and operational practices that impact compensation City-wide.

Scope of Work

This report considers policies and operations employed by City departments as relating to fair pay and equitable work, as well as legislation governing municipal compensation processes. While preliminary reviews of wage data disaggregated by race and gender have informed the Task Force's recommendations, the City of Providence Equal Pay Task Force is of the view that data without information on the policies & operations informing it have little value -- indeed, these set the conditions for equity in a workplace. Laying the groundwork to better understand wage data and explore methods to ensure the City's procurement process promotes pay equity in the future, the City of Providence Equal Pay Task Force's 2018 Annual Report focuses on the City as an employer. Specifically, it looks to the City's data collection and validation practices, including Equal Employment

Opportunity (EEO) forms, and City of Providence and Providence Public School District Compensation Ordinance, Classification Ordinance, and collective bargaining agreements, to formulate an understanding of existing infrastructure and its potential to advance pay equity City-wide.

Note: Organizational Structure

Within this document, multiple references are made to the City of Providence and Providence Public School District departments of human resources. It should be noted that organizationally, the Providence Public School District is a department of the City of Providence, though structurally, it has a separate human resources function than other municipal agencies and departments. As such, while references to both human resource departments are routinely noted in this report, the terms 'City of Providence' and 'City-wide' are to be read as inclusive of the Providence Public School District, representing the municipality and all of its agencies and departments.

Methods

Meetings & Presentations by Department Directors

To accomplish the scope of work laid out above, the Equal Pay Task Force met with staff from the City's Department of Innovation, Department of Information Technology, Department of Human Resources, Providence Public School District Department of Human Resources, and Office of the City Solicitor, learning about the practices, processes and legislation that govern employee compensation. Minutes from all Equal Pay Task Force meetings can be found at:
https://opengov.sos.ri.gov/OpenMeetingsPublic/OpenMeetingDashboard?subtopmenuId=201&EntityID=2818

Human Resources Survey Instrument

The City of Providence's Equal Pay Task Force also developed a comprehensive survey instrument to assess structural protections that advance pay equity along a successful job applicant's employment arc with the City of Providence. Survey questions considered recruitment, hiring, performance appraisals, promotion, retention, and continuous

improvement practices, given the impact each of these processes can have on compensation. The survey instrument was distributed to the City and Providence Public School District's human resources departments following the Task Force's September 25th meeting. Please see Appendix A for the text of the survey instrument.

Scan of Best Practices

Finally, the Task Force also conducted a national scan of research and best practices surrounding pay equity, drawing heavily from the Society of Human Resource Management and Governing Magazine. Please see Appendix B for works referenced, included throughout.

Findings

Meetings & Presentations by Department Directors

A. Department of Innovation, City of Providence

Invited to present at the Equal Pay Task Force's October 23rd meeting, Chief Performance Officer & Director of Innovation Emmanuel Echevarria provided an overview of employee wage data across the City, disaggregated by race and gender for both management and non-management positions. Director Echevarria also discussed the City's work to improve its Equal Employment Opportunity data collection process, and its success in diversifying its labor force across both union and non-union positions since Mayor Elorza took office in 2015. The Task Force found that the collective bargaining units' negotiated step and grade compensation systems and the processes supporting said systems significantly advanced pay equity intra-position, though seniority preference for members when filling union vacancies did slow down efforts to diversify more senior positions.

B. Department of Information Technology, City of Providence

Chief Information Officer Jim Silveria met with Chair Terry-Lo, Vice-Chair Das, and Director Taubin on November 9th, providing an overview of data collection and codification processes employed by the City, as well as discussing implications for analysis. The Task Force found that data collected and stored for employees was

comprehensive, including information such as employee name, age, start date, gender identity (voluntary), EEO category (voluntary), bargaining unit, position title, pay to date, etc. Multiple events, such as an employee change in position, anniversary date, or inquiry, triggered a review of employee data, though EEO data was not necessarily checked again once collected. No EEO information was collected on applicants beyond the Providence Public School District, nor was step and grade included in employee records or linked to payroll such that an anniversary date would automatically trigger a step increase. Given position roles and titles often changing over time, tracking compensation for a position year-over-year could prove challenging, especially for non-union roles.

C. Office of the City Solicitor, City of Providence

Invited to present at the Equal Pay Task Force's November 5th meeting, Deputy City Solicitor Kenneth Chiavarini provided an overview of the City and Providence Public School District's Compensation and Classification ordinances, as well as current collective bargaining agreements and arbitration processes. Mr. Chiavarini walked the Task Force through the documents' impact on compensation offered to City employees both during hire and annually thereafter. The Task Force found that any successful change to the ordinances involved a lengthy negotiation process with the Administration, Department of Finance, City or Providence Public School Department of Human Resources, and collective bargaining unit if applicable, culminating with the City Council's ratification of the respective ordinance for the next fiscal year. Compensation for positions in the Mayor's Office were determined through a different process, as were those designated for review by the Providence Salary Review Commission which makes recommendations to the City Council.

Human Resources Survey Instrument

A. City of Providence Department of Human Resources

Following the Task Force's development and distribution of a survey instrument to assess human resources practices impacting pay equity during its September 25th meeting, Director Taubin spoke with Deputy Director of Human Resources Steve Rotondo and City EEO Officer Olayinka Oredugba, walking the department through the survey instrument, and learning more about the City's recent hiring

and EEO initiatives. The Department of Human Resources followed up with Director Taubin through early December. The Task Force found that instead of utilizing a City-wide standard screening process, departments were granted significant autonomy in determining recruitment, hiring, performance appraisal and retention practices. Tools available to or developed by departments were also shared with the Task Force, including a sample interview grid, application for employment, and performance appraisal form from the Providence Water Supply Board.

B. Providence Public School District Human Resources Department

Following the Task Force's development and distribution of a survey instrument to assess human resources practices impacting pay equity during its September 25th meeting, Director Taubin spoke with Providence Public School District Chief of Human Capital Jennifer Lepre and EEO Officer Raymond Lambert, walking the department through the survey instrument and learning more about the District's initiatives to advance pay equity and diversify its workforce. The Providence Public School District Department of Human Resources followed up with Director Taubin through early December. The Equal Pay Task Force was informed that efforts are currently underway at the Providence Public School District to develop and publish an updated EEO plan, codifying the District's work to advance pay equity, and recruit, retain, and support a workforce representative of and responsive to the needs of the student population it serves. While the District's EEO plan will not be available to the Task Force until approved by the School Board in early 2019, the Task Force looks forward to working closely with the Providence Public School District in 2019.

Recommendations

Based on the findings detailed above, the City of Providence Equal Pay Task Force has developed a set of recommendations that seeks to build on the City and Providence Public School District's momentum in advancing pay equity City-wide. Many of the recommendations are cost-neutral or projected to balance over time, though exact fiscal projections are not included in this report.

Data Collection & Reporting

- **Deployment of new EEO forms; collection of applicant EEO data**
It is the Task Force's recommendation that the City deploy new EEO forms distinct and separate to federal forms found to be lacking; that the Task Force or Director Taubin be involved in the review and finalization of these forms, and that EEO data be collected, stored, and validated routinely for every applicant and employee who chooses to disclose. Current federal EEO forms such as the EEO-1 conflate gender and sex; erase transgender, non-binary, gender-expansive and gender-fluid individuals; and conflate race, country of origin, and ethnicity. Presently, the Providence Public School District Department of Human Resources does collect EEO information from applicants who choose to disclose, while the City's Department of Human Resources does not. Advancing pay equity requires data: collecting EEO information at the applicant level would allow the City to monitor and evaluate its efforts to recruit diverse candidates, as well as the salary offers made to diverse candidates, in line with recommended best practices from the Society for Human Resource Management and Governing Magazine.

- **Investment in a comprehensive Applicant Tracking System (ATS); retention of data analysts & routine public reporting**
It is the Task Force's recommendation that the City and Providence Public School District Human Resources departments each procure a comprehensive Applicant Tracking System in Fiscal Year 2020. These systems should mirror each other and be interoperable, if not the same. Currently, the City Department of Human Resources relies on a manual, decentralized applicant tracking process. Governing Magazine details the benefits ATSs provide to municipalities, shielding them from liability and freeing up often-limited human resources capacity by eliminating the need for preliminary review. Additionally, ATSs automatically track data needed for federal EEO compliance reports, facilitate integrated posting to third-party job boards, and limit human error and potential bias in hiring. New York, Denver and San Francisco are among the municipalities already using ATSs and finding success. While procuring an ATS would not be cost-neutral, investment in a comprehensive Applicant Tracking System would save significant funds

over time, freeing up capacity for human resources staff City-wide and improving employee retention while developing infrastructure to standardize, monitor, and eliminate bias from applicant recruitment processes. The Task Force further recommends that data specialists be hired or assigned to manage and review applicant tracking data and ensure fidelity with respects to pre-screening qualifications, applicant selection, EEO initiatives, reporting and quality assurance. Sufficient staff with expertise in both human relations and data analysis should be retained to adequately analyze data being collected across all City departments. The Task Force recommends an annual report be published and made publicly available by the City on the findings of these analyses, disaggregated by collective bargaining unit, race, gender identity, ability status, etc. so as to maintain transparency.

Retention & Culture

- **Introduction of family-friendly policies & standardization of benefits that support work-life balance, including teleworking and flextime for exempt workers**

  It is the Task Force's recommendation that the City and Providence Public School District introduce family-friendly policies and work with collective bargaining units to standardize benefits promoting work-life balance, including the introduction of teleworking and flextime for exempt employees. Family-friendly policies have routinely been tied to higher rates of gender equity in the workplace, including pay. Conversely, business models where "full-time" work typically involves working 50 or more hours per week results in the loss of highly-trained women employees. Workplace culture of long hours and little flexibility further leads to decreased productivity and high and expensive levels of absenteeism and attrition. Government entities have made significant progress in both addressing the pay gap and building inclusive workplaces by confronting the motherhood penalty[1, 2, 3]. The State of Minnesota recently closed its gender pay gap to 95% by enacting policies that support teleworking and paid parental leave. While the City and Providence Public School District compensation and classification ordinances effectively prevent salary matching as a retention practice, the City may also consider a variety of other methods to keep employees engaged, support retention and advance pay equity work. Examples include allocation of funds and implementation of best practices to promote professional

development, as well as investment in workplace culture and recognition programs, mentorship, and affinity groups.

Recruitment & Hiring Practices

- **Allocation of funds & implementation of practices to broaden recruitment efforts**
  It is the Task Force's recommendation that funding be allocated in the Fiscal Year 2020 budget to broaden efforts aimed at recruiting diverse applicants City-wide. This might include providing job listings to a variety of community organizations that represent and serve diverse populations, advertising in local media forums known to serve diverse populations, or participating in community job fairs. Further, it is recommended that both the City and Providence Public School District Human Resources departments set public participatory recruitment goals such that applicant pools overall, and applicant pools invited to interview for select positions, resemble the demographics of the City of Providence. The Task Force acknowledges challenges that may be associated with postings internal to certain bargaining units, where a diverse population may not be available to apply. In these cases, meeting participatory goals when filling entry level positions will ensure a more diverse future applicant pool for senior roles. Ensuring equity in access for municipal employment opportunities by expanding and sustaining diverse talent pipelines is the first step in eliminating pay disparities caused by lack of representation across senior positions, present in most municipalities and industries nationwide.

- **All municipal jobs be publicly posted, for a minimum of 2 weeks**.
  It is the Task Force's recommendation that all municipal jobs be publicly posted on the City or Providence Public School District website for a minimum of two weeks. Currently, not all jobs are publicly posted, and the length of time for which they are posted varies across city departments. The Task Force acknowledges that some departments are on tight deadlines to fill positions to complete a work order or project, however, ensuring all jobs are publicly posted creates opportunities for diverse applicants that may not otherwise be considered for a promotion or senior position, to apply. The practice further adds a layer of transparency and accountability with respects to salary range, especially in a context where not disclosing salary

range has consistently been shown to lead to pay inequities for women and people of color[1, 2]. This practice is cost-neutral and would structurally advance pay equity for non-union positions.

- **Comprehensive, recurring job description review**
It is the Task Force's recommendation that the City and Providence Public School District work with collective bargaining units to adopt a policy that every active municipal job description be reviewed at minimum every 5 years or when a vacancy occurs, whichever comes first. Review is to include a screen for hidden bias using tools such as Textio or Gender Decoder, and ensure education and experience requirements are in line with minimum qualifications necessary to perform a job. Tools and training are to be developed and implemented to support the review process, such that all staff involved in hiring follow a standardized, equitable process when drafting or changing job descriptions. It is further recommended that the review process involve employees, managers, human resource professionals, and collective bargaining units, and that job descriptions be reviewed by a diverse panel. While language does exist to support routine reviews in the City's collective bargaining agreement with Local Union 1033 and a review is currently in process, it is important that these reviews occur in a standardized, equitable manner for all municipal jobs, in periodic intervals that ensure the City's postings are responsive and reflective of changes in industry, culture, language, etc. In fact, the Society for Human Resource Management recommends that employers engage in annual reviews of job descriptions, describing the job description as "the mother of all HR processes" and noting that a well-written job description can shape performance goals, training development plans, and benchmarks for other jobs.

- **Implementation of standardized hiring processes; training to support fidelity of implementation**
It is the Task Force's recommendation that a standardized hiring process be developed and implemented City-wide, including the use of standard question banks and interview rubrics as well as diverse hiring committees to ensure equity in recruitment and ultimately pay. As detailed by the federal government's Office of Personnel Management, standardized assessment and selection methods eliminate bias, reduce error, and allow agencies to target the specific competencies and skills

they seek. Currently, standardized evaluation processes do exist within the Providence Water Supply Board and Providence Public School District. The City's Department of Human Resources may look to these departments in developing and implementing a set of standard tools to be used City-wide, utilizing periodic quality assurance checks to ensure fidelity of implementation to interview guidelines and to assess additional training needed for continuous improvement. Further, it is the Task Force's recommendation that every individual involved in the hiring process be trained in the City's standardized tools and guidelines annually or prior to hiring a new staff member, whichever comes first. This training is to include practice in how to use the processes and tools developed to support fair hiring (e.g. question bank, score sheet), which questions a hiring manager can and should ask, and how to identify and limit implicit bias, at minimum. Research has shown that lack of standardized interviewing can introduce bias and ultimately affect salary offers made to diverse candidates.

Compensation

- **Transition of all municipal employees onto step and grade system codified in Classification and Compensation ordinances**
  It is the Task Force's recommendation that the City of Providence and collective bargaining units work to assign a step and grade to every municipal employee, and that these all be codified in the City and Providence Public School District classification and compensation ordinances. Further, the Task Force recommends that every employee's step, grade and anniversary date be specified in their paycheck for added transparency. While many municipal positions codified in the City and Providence Public School Department Classification and Compensation Ordinances are assigned a step and grade, some are assigned a fixed wage rate with no possibility for wage growth; others are not included in either ordinance. The use of salary schedules that are fairly benchmarked and routinely reviewed can protect against pay bias and shield the City from liability when deployed comprehensively, ensuring intra-position salaries are commensurate to experience. Including every position in the Classification and Compensation Ordinance eliminates barriers to finding and fixing pay equity problems.

- **Comprehensive, recurring salary and classification assessment**

The Task Force recommends that the City of Providence and collective bargaining units conduct a comprehensive salary and classification review at minimum every five years, with changes codified in the City and Providence Public School District compensation and classification ordinances to ensure salaries approximate market rates, are appropriate to title, and are commensurate to job duties being performed. Standardized tools and training are to be developed and implemented to support the review process, such that all staff involved in proposing or approving job classifications follow a routine, equitable process. Governments across the country, including the State of California and the State of Oregon, are increasingly conducting pay equity and salary review audits, which shield government from liability and close pay gaps. The State of Oregon conducts a pay equity review every three years, and has developed an internal assessment to ensure fair compensation is assigned to new job roles statewide. Governing Magazine recommends these structures exist as a best practice, with firm rules set as to how education, experience, credentials and responsibilities are combined to set salary levels, removing bias and advancing pay equity. The development and implementation of a standardized exit interview process may also be considered, as findings can be utilized to inform future retention practices and support salary classification.

Performance Appraisals & Fair Promotion

- **Implementation of standardized evaluation & promotion process; training to support fidelity in implementation**
  It is the Task Force's recommendation that an annual, standardized performance review and assessment process for promotion be developed and implemented City-wide in conjunction with collective bargaining units, including the use of standardized goal setting and performance assessment rubrics. Currently, standardized assessment processes do exist within the Providence Water Supply Board and Providence Public School District. The City's Department of Human Resources may look to these departments in developing and implementing a set of standard assessment tools to be used City-wide, often touted as key in creating equitable compensation systems. Further, it is the Task Force's recommendation that every municipal employee be trained in the City's standardized tools and guidelines annually, prior to evaluating a staff member, or prior to being

evaluated, whichever comes first. This training is to include how the processes and tools developed are to be used to support performance appraisals and fair promotion (e.g. goal sheet, evaluation form), what staff will be evaluated on, and how to identify and limit implicit bias, at minimum. Research has shown that lack of standardized performance appraisal and promotion processes centering bias reduction affect both who is considered for promotions that lead to increases in compensation, and compensation rates more generally. While many municipal positions represented by collective bargaining unit are shielded from intra-position pay discrepancies and may have a prescriptive promotion process, non-union positions do not. Given City timelines, it is recommended that departments take proactive measures for annual performance appraisals not to conflict with heightened periods of City business, and, that these be completed in advance of the City's budgeting process such that they can be used to advocate for compensation or personnel changes in a standardized manner.

Continuous Improvement

- **Increased transparency for school budgets as pertaining to staffing**
  It is the Task Force's recommendation that individual school budgets be reported and posted online alongside school performance plans, to demonstrate the use of funding towards staff positions for every school within the Providence Public School District and every school supported by the City of Providence. A cost-neutral practice, posting budgets at the school level creates an additional level of transparency and accountability with respects to funds that may be allocated for support staff positions created to advance a school's performance goals. Baltimore is among the cities that already incorporates this strategy as a best practice to promote pay equity and transparency via public accountability.

Future Work

While this report poses a set of robust recommendations to advance pay equity within the City of Providence, work remains. The Equal Pay Task Force looks forward to working closely with the Providence Public School District Department of Human Resources

following the release of its updated EEO plan in 2019, and in continuing to partner with the City of Providence Human Resources Department to understand the recruitment, hiring, performance appraisal, promotion, and retention practices followed by the City's numerous departments. Additional considerations for future work include procurement and age and ability status.

Procurement

In addition to considering the City as an employer, the Equal Pay Task Force has been charged to explore ways in which the City of Providence can advance fair pay through its procurement process. This may take the shape of fair pay auditors, a pay data requirement built into the procurement process, training on fair pay for vendors, a fair pay certification, or something else entirely. Experiments in national models to promote pay equity do exist[1, 2], and the Equal Pay Task Force looks forward to researching and recommending paths forward.

Age & Ability Status

In addition to documented wage gaps along the axes of race and gender, significant and pernicious pay equity issues exist relating to age and ability status. It has further been found that the gender pay gap increases with age[1], and 50 years after the Age Discrimination in Employment Act (ADEA) was enacted to protect older workers, age discrimination in employment is on the rise. Individuals that hold multiple marginalized identities are doubly impacted by the structures that give rise to pay inequity[1, 2, 3, 4], and as such, the Task Force looks forward to addressing these intersections in its future work.

Appendix A: Human Resources Survey Instrument

Recruitment

- What, if any, guidelines exist for how job descriptions must be drafted? To what extent are these dictated by collective bargaining agreements?
- What, if any, budget amounts are allocated to outreach and recruitment of diverse candidates?
- What specific vehicles (media outlets, websites) are used to promote employment opportunities? How does this process differ across levels of management?
- For how long are positions posted, internally and externally?

Hiring

- What are the screening mechanisms (e.g. rubric, performance test, set of questions) for hiring and how are they standardized?
- How are selection criteria determined, and by whom?
- Who interviews candidates?
- What training and support do staff tasked with interviewing candidates receive? What, if any, budget amounts are allocated to capacitating staff to conduct interviews in a culturally-responsive, unbiased and legal manner?
- To what extent is Human Resources involved in the interview process?
- Are salary ranges categorically posted for jobs? Who sets the salary ranges? To what extent is there fidelity to those ranges?
- Are preferences (e.g. bilingual preferred, masters preferred) quantified and compensated accordingly in evaluating a candidate?

Retention

- Are probationary periods enforced?
- What resources are available to support an employee exhibiting poor performance?
- What retention practices or programs exist?

Performance Review

- How frequently are standard performance reviews conducted?
- Who conducts performance reviews? When?
- What are the criteria that go into a performance review?
- Do employees know what aspects of their performance will be measured?
- Are supervisors/managers trained to do performance reviews?
- How are performance reviews linked to compensation and/or promotion?
- How are pay raises determined?

Promotion

- Are there set criteria for promotions (grade to grade vs. position to position)?
- What evaluation process is followed to determine a candidate is fit for promotion?
- How is promotion linked with pay raise?

Continuous Improvement

- What data is stored in an employee record?
- Are employees able to see and/or contest information in their record?
- What data is collected on applicants? How is it stored, and for how long?
- What processes does the City employ, if any, to clean and validate staff-level data?
- Are exit interviews conducted, and if so, how is that data used for continuous improvement?

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