

70-21-18



City of Methuen, Massachusetts

OFFICE OF THE CITY COUNCIL

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TO # 21-18

An Ordinance Creating Standards for Cultivating Diversity, Equity, and Inclusion in the City of Methuen

Sponsored by Councilor Zeigler Co- Sponsored by Councilor Faretra

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WHEREAS, the founding principles of our nation set forth the fundamental ideals of equality, equity, and inclusion; the basic right of people to life, liberty, and the pursuit of happiness; and equal protection as expressed in the United States Constitution; and

WHEREAS, the residents in Methuen have expressed a desire to cultivate a climate that values Diversity, Equity, and Inclusion in Methuen; and

WHEREAS, the City values the multifaceted ways embracing diversity enables it to be a welcoming and inclusive place to live, work and enjoy life; and

WHEREAS, the City is committed to good governance, quality customer service, nondiscrimination, equal employment opportunity, equal pay, safe and healthy work environments, and cultural awareness; and

WHEREAS, the City does not discriminate in public accommodations; the City welcomes all people to its places of work and service, and everyone should feel welcome at City public facilities and events; and

WHEREAS, the City is committed to promoting equity by calling upon the knowledge and experience of its employees and community members, especially those who serve in advisory capacities as members of the City's diversity panel; and

WHEREAS, the City is committed to supporting and participating in training opportunities as they pertain to best practices in diversity awareness, equity, workplace harassment prevention, employment law, disability awareness, and fair housing.

NOW, THEREFORE BE IT ORDAINED, the City of Methuen is committed to establishing practices that promote diversity, inclusion, throughout our community; and

The City of Methuen shall affirm its commitment to diversity, equity, and inclusion in every aspect of City governance, operations, and services rendered to City residents and the public at large. This work shall be carried out in the form of the following actions:

1. Hold two annual public community conferences, during special meetings of the City Council devoted exclusively to the annual conferences, to discuss progress towards cultivating inclusion. Conference representatives from key governing institutions throughout the City shall include, but are not limited to, the Mayor's Office, Methuen Police Department, Methuen Fire Department, Disability Commission, and the City Council. Youth leaders, such as Methuen High School BIPOC Club, and representatives of the School Department, should also attend the annual conferences. The annual conferences shall convene at some point during the public-school year in Methuen.
2. *Reporting and Evaluative Measures* - Representatives must report progress on at least 3 key focus areas.
 - A. Mayor's Office shall report on progress relative to hiring practices, boards and commissions, procurement and supplier diversity, homebuying program, service outcomes and employee experiences to promote equity and inclusion and accessibility.
 - B. Methuen Police Department and Fire Department shall report progress on community outreach, the recruitment of women and persons of color, and unconscious/implicit bias training.
 - C. Disability Commission shall report progress on community accessibility, projects, and resources that have been developed or that need support.
 - D. School Department shall report on initiatives to support inclusion through activities-based learning, instruction, and inclusionary hiring practices.
 - E. Youth Leadership shall report on community engagement initiatives and youth perspectives on our community's progress.
 - F. City Council shall report on practices and/or legislation to support inclusion throughout the community
3. *Notification and Accessibility*- Said conference shall be posted and televised and allow for various accessibility including virtual format, written testimony, and live stream participation. The notice of said conferences should be made available no less than two weeks before each conference date to allow for ample participation. Notice shall also be made is available in alternative formats such as OCR. Notice shall also be provided in Spanish with Spanish translation provided during or after the annual conferences.

4. Public Participation- The public shall be given an opportunity to provide feedback via a survey, written testimony and/or oral testimony during the annual conferences. A translator should be made available.

BE IT FURTHER ORDAINED, The City of Methuen shall maintain the annual conferences as a minimum commitment, not a maximum, and shall seize opportunities to further engage in community dialogue that fosters inclusion. The City of Methuen likewise urges attendees at the annual conferences to be mindful of each of the terms set out in the accompanying Glossary of Terms.

Glossary of Terms

Adapted from MP Associates, Center for Assessment and Policy Development, and World Trust Educational Services, December 2020.

Ally

1. Someone who makes the commitment and effort to recognize their privilege (based on gender, class, race, sexual identity, etc.) and work in solidarity with oppressed groups in the struggle for justice. Allies understand that it is in their interest to end all forms of oppression, even those from which they may benefit in concrete ways.
2. Allies commit to reducing their complicity or collusion in the oppression of those groups and invest in strengthening their own knowledge and awareness of oppression.

Anti-Racism

Anti-Racism is defined as the work of actively opposing racism by advocating for changes in political, economic, and social life. Anti-racism tends to be an individualized approach and set up in opposition to individual racist behaviors and impacts.

Bigotry

Intolerant prejudice that glorifies one's own group and denigrates members of other groups.

Culture

A social system of meaning and custom that is developed by a group of people to assure its adaptation and survival. These groups are distinguished by a set of unspoken rules that shape values, beliefs, habits, patterns of thinking, behaviors, and styles of communication.

Discrimination

1. The unequal treatment of members of various groups based on race, gender, social class, sexual orientation, physical ability, religion, and other categories.
2. [In the United States] the law makes it illegal to discriminate against someone on the basis of age, race, color, religion, national origin, or sex. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate applicants' and employees' sincerely held religious practices, unless doing so would impose an undue hardship on the operation of the employer's business.

Disability

Under M.G.L. c. 151B, §1(17), Massachusetts law defines the term "handicap" to include: (1) a physical or mental impairment which substantially limits one or more major life activities, (2) a record of having such impairment, or (3) being regarded as having such impairment.

As Massachusetts and federal courts have made clear, a showing of "substantial limitation" is not an onerous standard and does not require expert testimony. In *Gage v. Rymes Heating Oils*, for instance, the District Court of New Hampshire relied on 29 C.F.R. § 1630.2(j)(1)(i)-(v) to interpret the "substantial limitation" burden under the ADA

Diversity

Diversity includes all the ways in which people differ, and it encompasses all the different characteristics that make one individual or group different from another. It is all-inclusive and recognizes everyone and every group as part of the diversity that should be valued. A broad definition includes not only race, ethnicity, and gender—the groups that most often come to mind when the term "diversity" is used—but also age, national origin, religion, disability, sexual orientation, socioeconomic status, education, marital status, language, and physical appearance. It also involves different ideas, perspectives, and values.

It is important to note that many activists and thinkers critique diversity alone as a strategy. For instance, Baltimore Racial Justice Action states: "Diversity is silent on the subject of equity. In an anti-oppression context, therefore, the issue is not diversity, but rather equity. Often when people talk about diversity, they are thinking only of the "non-dominant" groups."

Ethnicity

A social construct that divides people into smaller social groups based on characteristics such as shared sense of group membership, values, behavioral patterns, language, political and economic interests, history, and ancestral geographical base.

Examples of different ethnic groups are: Cape Verdean, Haitian, African American (Black); Chinese, Korean, Vietnamese (Asian); Cherokee, Mohawk, Navaho (Native American); Cuban, Mexican, Puerto Rican (Latino); Polish, Irish, and Swedish.

Equity

1. Equity is the condition that would be achieved if one's identity no longer predicted, in a statistical sense, how one fares. When we use the term, we are thinking about racial equity as one part of racial justice, and thus we also include work to address root causes of inequities, not just their manifestation. This includes elimination of policies, practices, attitudes, and cultural messages that reinforce differential outcomes by race or that fail to eliminate them.
2. "A mindset and method for solving problems that have endured for generations, seem intractable, harm people and communities of color most acutely, and ultimately affect people of all races. This will require seeing differently, thinking differently, and doing the work differently. Equity is about results that make a difference and last."

Implicit Bias

Also known as unconscious or hidden bias, implicit biases are negative associations that people unknowingly hold. They are expressed automatically, without conscious awareness. Many studies have indicated that implicit biases affect individuals' attitudes and actions, thus creating real-world implications, even though individuals may not even be aware that those biases exist within themselves. Notably, implicit biases have been shown to trump individuals' stated commitments to equality and fairness, thereby producing behavior that diverges from the explicit attitudes that many people profess.

The Implicit Association Test (IAT) is often used to measure implicit biases with regard to race, gender, sexual orientation, age, religion, and other topics.

Inclusion

Authentically bringing traditionally excluded individuals and/or groups into processes, activities, and decision/policy making in a way that shares power.

Microaggression

The everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership.

Multicultural Competency

A process of learning about and becoming allies with people from other cultures, thereby broadening our own understanding and ability to participate in a multicultural process. The key element to becoming more culturally competent is respect for the ways that others live in and organize the world and an openness to learn from them.

Oppression

The systematic subjugation of one social group by a more powerful social group for the social, economic, and political benefit of the more powerful social group. Rita Hardiman and Bailey Jackson state that oppression exists when the following 4 conditions are found:

- the oppressor group has the power to define reality for themselves and others,
- the target groups take in and internalize the negative messages about them and end up cooperating with the oppressors (thinking and acting like them),
- genocide, harassment, and discrimination are systematic and institutionalized, so that individuals are not necessary to keep it going, and
- members of both the oppressor and target groups are socialized to play their roles as normal and correct.

Oppression = Power + Prejudice

Power

1. Power is unequally distributed globally and in U.S. society; some individuals or groups wield greater power than others, thereby allowing them greater access and control over resources. Wealth, citizenship, patriarchy, heterosexism, and education are a few key social mechanisms through which power operates. Although power is often conceptualized as power over other individuals or groups, other variations are power with (used in the context of building collective strength) and power within (which references an individual's internal strength). Learning to "see" and understand relations of power is vital to organizing for progressive social change.
2. Power may also be understood as the ability to influence others and impose one's beliefs. All power is relational, and the different relationships either reinforce or disrupt one another. The importance of the concept of power to anti-racism is clear: racism cannot be understood without understanding that power is not only an individual relationship but a cultural one, and that power relationships are shifting constantly. Power can be used malignantly and

intentionally, but need not be, and individuals within a culture may benefit from the power of which they are unaware.

Prejudice

A pre-judgment or unjustifiable, and usually negative, attitude of one type of individual or group toward another group and its members. Such negative attitudes are typically based on unsupported generalizations (or stereotypes) that deny the right of individual members of certain groups to be recognized and treated as individuals with individual characteristics.

Race

For many people, it comes as a surprise that racial categorization schemes were invented by scientists to support worldviews that viewed some groups of people as superior and some as inferior. There are three important concepts linked to this fact:

1. Race is a made-up social construct, and not an actual biological fact.
2. Race designations have changed over time. Some groups that are considered "white" in the United States today were considered "non-white" in previous eras, in U.S. Census data, and in mass media and popular culture (for example, Irish, Italian, and Jewish people).
3. The way in which racial categorizations are enforced (the shape of racism) has also changed over time. For example, the racial designation of Asian American and Pacific Islander changed four times in the 19th century. That is, they were defined at times as white and at other times as not white. Asian Americans and Pacific Islanders, as designated groups, have been used by whites at different times in history to compete with African American labor.

Racial Justice

1. The systematic fair treatment of people of all races, resulting in equitable opportunities and outcomes for all. Racial justice—or racial equity—goes beyond "anti-racism." It is not just the absence of discrimination and inequities, but also the presence of deliberate systems and supports to achieve and sustain racial equity through proactive and preventative measures.
2. Operationalizing racial justice means reimagining and co-creating a just and liberated world and includes:
 - understanding the history of racism and the system of white supremacy and addressing past harms,
 - working in right relationship and accountability in an ecosystem (an issue, sector, or community ecosystem) for collective change,
 - implementing interventions that use an intersectional analysis and that impact multiple systems,
 - centering Blackness and building community, cultural, economic, and political power of Black, Indigenous, and other People of Color (BIPOC), and
 - applying the practice of love along with disruption and resistance to the status quo.

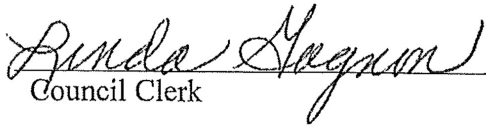
Restorative Justice

Restorative Justice is a theory of justice that emphasizes repairing the harm caused by crime and conflict. It places decisions in the hands of those who have been most affected by wrongdoing, and gives equal concern to the victim, the offender, and the surrounding community.

Restorative responses are meant to repair harm, heal broken relationships, and address the underlying reasons for the offense. Restorative Justice emphasizes individual and collective accountability. Crime and conflict generate opportunities to build community and increase grassroots power when restorative practices are employed.

First Read: October 4, 2021
Adopted: October 18, 2021
Effective: November 17, 2021

I do hereby certify that at a meeting of which a quorum was present, the foregoing ordinance was adopted by a unanimous vote on October 18, 2021.


Council Clerk


Steve Saba, City Council Chairman

Approved under MHRC Sec. 3-6
Date: _____

Approved:  11/9/2021
Neil Perry, Mayor