



# Update on Status of Recommendations from Independent Review of Workplace Concerns

Organization, Personnel and Technology Committee

Item 6a

September 13, 2021

# Overview

- Report issued July 2021
- Primary recommendations presented to OP&T Committee August 16
  - Primary Recommendations (5)
  - Total Recommendations (47)
- Board directed General Manager to develop implementation plan for all items and bring updates to OP&T Committee on a monthly basis
- Recommendations have been categorized for implementation and referred to appropriate responsible parties for implementation

# Implementation

Creation of Joint Labor-Management Advisory Committee

Staffing Concerns

Current EEO Matters

Board Specific Recommendations

# Creation of Joint Labor Committee

- General Manager will establish a Joint Labor-Management Advisory Committee to be led by EEO Officer to make implementation recommendations to the General Manager



# Immediate Actions

- 47 recommendations included in report
- Immediate Actions Taken
  - Board approved EEO report to the GM
  - Recruitment is ongoing for EEO Officer and DE&I Officer
  - Identified two investigators to be added to the EEO unit to address current EEO matters (24 cases pending as of 9/9/2021)
  - In order to address the current workload/cases, current EEO staff and Legal need to continue the current process until a new EEO Officer is hired and an orderly transition can be completed
  - GM is establishing a Joint Labor-Management Advisory Committee to review key items and make implementation recommendations to the GM

# Status

## General Manager

- 19 Best Practice recommendations referred to GM for further consideration
- 5 Items to be referred to EEO Officer
- 2 DE&I Officer recommendations are referred to the GM/DE&I Council for consideration and implementation

## Legal and Ethics or Legal and General Manager Departments

- 5 Items requiring analysis and policy changes referred to the Legal and Ethics Departments OR Legal and General Manager Departments

## Joint Labor-Management Advisory Committee

- 9 Items requiring in-depth analysis and adaption of policies or procedures referred to Joint Labor-Management Advisory Committee for analysis and recommendation to the GM

## Board of Directors

- 7 Items that pertain to Board specific actions referred to the Board Chair for further action

# General Manager

## Best Practice Consideration

## EEO to Implement

3 Promote/Hire Managers (Emotional Intelligence)

15 Create 3 EEO Investigator Positions

6 Continue Enhancing EEO Training Program

4 Management Accountable for Modeling Professional Behavior

17 EEO Hotline

16 Employee Communications (EEO/Ethics)

5 Leadership Visit Field Locations

23 Prevent Retaliation

20 Timely EEO Investigations

7 Require Managers to Follow/Enforce Policies/Procedures

29 DE&I Manager

36 Limit Dissemination of Information -Internal Complaints-Potential EEO Issues

9 Performance and Compensation of Managers Based on Ability to Drive Positive Interactions

30 Further Develop the DE&I Council

38 Inform Employees Interviewed During Investigation that Retaliation is Prohibited

10 Require Written, Position-Specific Training/Advancement Plans for all Employees

31 Executive Participation on DE&I Council

**Referral to GM/  
DE&I Advisory Council**

11 Continue Management Forums

33 Release Time for DE&I Council Members

32 Voluntary Participation DE&I Council

12 Add Positions in Training/ER Units

39 Monthly/Annual Reports to OP&T

46 Designate Committee/Funds to Implement Recommendations

34 DE&I Council Involved in Implementation of Report

13 HR Training (Laws/Regs/Best Practices)

47 Conduct Annual Employee Survey

## Legal and Ethics Departments

1 Update EEO Policies

2 Address Abusive Conduct Policy

19 Process for Investigating Complaints  
Against Department Heads and Directors

25 Factual Findings During Investigations

## Legal and General Manager Departments

28 Consider eliminating confidentiality/non-disclosure provisions in settlement agreements with employees who will remain employed with the District after the investigation is completed

## Joint Labor-Management Advisory Committee

8 Promptly/Consistently Address EEO Issues/Other Employee Concerns

26 Adopt Restorative Practices

18 Update EEO Discrimination Complaint Procedures

27 Process for Employee Relations/EEO Office to inform internal recruiters about information relevant to transfer requests

21 Identify Interim Measures (EEO Investigations)

35 District-wide Communication Program

22 Prioritize Investigations (PAL)

37 EEO Office Establish System for Ongoing Communications with Complainant(s) and Respondent(s)

24 EEO Office Personnel Training

## Board of Directors

14 Elevate Independent EEO Office

43 Encourage Management Transparency to Resolve EEO Issues

40 Require Education/Employment Verifications

44 Be Mindful of Board's Role Related to EEO Issues and District's Operations

41 Evaluate Recruitment Policies/ Procedures

45 Require Directors to Model Professionalism and Respectful Behavior

42 Evaluate Information Provided by District Leadership that Provides Insight into Patterns of EEO Issues

# Next Steps

- Continue to coordinate actions to implement recommendations
- Monthly report to Organization, Personnel and Technology Committee
  - Written and oral reports on the status of implementation

