

The Metropolitan Water District of Southern California

Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

EO&P Committee

M. Ramos, Chair
T. Phan, Vice Chair
G. Bryant
M. Camacho
G. Cordero
C. Douglas
D. Erdman
S. Faessel
L. Fong-Sakai
F. Jung
A. Kassakhian
J. McMillan
N. Sutley

Ethics, Organization, and Personnel Committee - Final - Revised 2

Meeting with Board of Directors *

October 9, 2023

11:30 a.m.

Agendas, live streaming, meeting schedules, and other board materials are available here: <https://mwdh2o.legistar.com/Calendar.aspx>. A listen-only phone line is available at 1-877-853-5257; enter meeting ID: 873 4767 0235. Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via in-person or teleconference. To participate via teleconference 1-833-548-0276 and enter meeting ID: 876 9484 9772 or click <https://us06web.zoom.us/j/87694849772?pwd=V3dGZGRYUjJ3allqdUxXTIJRM044Zz09>

Monday, October 9, 2023 Meeting Schedule

**09:30 a.m. EOT
11:30 a.m. EOP
01:30 p.m. Break
02:00 p.m. OWS**

MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012

Teleconference Locations:

Three Valleys MWD • 1021 E. Miramar Ave. • Claremont, CA 91789

City of Fullerton City Hall • 303 W. Commonwealth Avenue • Fullerton, CA 92832

525 Via La Selva • Redondo Beach, CA 90277

5120 West Goldleaf Circle, Suite 140 • Los Angeles, CA 90056

3008 W. 82nd Place • Inglewood, CA 90305

* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

- 1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))**

**** CONSENT CALENDAR ITEMS -- ACTION ****

- 2. CONSENT CALENDAR OTHER ITEMS - ACTION**

- A. Approval of the Minutes of the Ethics, Organization, and Personnel Committee for September 11, 2023 (Copies have been submitted to each Director, any additions, corrections, or omissions) [21-2511](#)

Attachments: [10092023 EOP 2A \(09112023\) Minutes](#)

3. **CONSENT CALENDAR ITEMS - ACTION**

- 7-5 Authorize of Cost-of-Living Adjustment for General Auditor; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [REVISED BOARD LETTER NUMBER 10/4/23] [21-2730](#)

Attachments: [10102023 EOP 7-5 B-L](#)
[10102023 EOP 7-5 Presentation](#)

**** END OF CONSENT CALENDAR ITEMS ****

4. **OTHER BOARD ITEMS - ACTION**

NONE

5. **BOARD INFORMATION ITEMS**

NONE

6. **COMMITTEE ITEMS**

- a. Monthly Ethics Education: Fair Political Practices Commission advice letter regarding contracts with member agencies [21-2692](#)

Attachments: [10092023 EOP 6a Presentation](#)

- b. Ethics Policy Development for 2024 [21-2691](#)

Attachments: [10092023 EOP 6b Presentation](#)

- c. Update on Implementation of Recommendations from State Audit and Independent Review of Workplace Concerns [21-2690](#)

Attachments: [10092023 EOP 6c Presentation](#)

- d. Equal Employment Opportunity Statistical Report [21-2687](#)

Attachments: [10092023 EOP 6d Presentation](#)

- e. Labor Negotiations Update [Conference with labor negotiators; to be heard in closed session pursuant to Gov. Code Section 54957.6. Metropolitan representative(s): Katano Kasaine, Chief Financial Officer; Gifty Beets, Human Resources Section Manager; Adam Benson, Finance Group Manager; Employee Organization(s): The Employees Association of The Metropolitan Water District of Southern California/AFSCME Local 1902; the Management and Professional Employees Associations MAPA/AFSCME Chapter 1001; and the Supervisors Association.]] [WITHDRAWN 10/5/23] [21-2688](#)

Attachments: [10092023 EOP 6e Non-Interest Disclosure Notice](#)

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

- a. Ethics Officer's report on monthly activities [21-2717](#)
- b. Equal Employment Opportunity and Human Resources activities [21-2512](#)

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

NOTE: This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Committee agendas may be obtained on Metropolitan's Web site <https://mwdh2o.legistar.com/Calendar.aspx>. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site <https://mwdh2o.legistar.com/Calendar.aspx>.

Requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

ETHICS, ORGANIZATION AND PERSONNEL COMMITTEE

September 11, 2023

Chair Ramos called the teleconference meeting to order at 11:48 a.m.

Members present: Directors Bryant, Camacho, Erdman (entered after roll call), Faessel, Fong-Sakai, Jung (teleconference posted location), Kassakhian, McMillan, Phan (entered after roll call, teleconference posted location) and Ramos.

Members absent: Directors Cordero and Sutley.

Other Board Members present: Directors Abdo, Ackerman, Armstrong, De Jesus (teleconference posted location), Dennstedt, Dick, Garza, Gray (teleconference posted location), Kurtz, Miller, Ortega, Peterson, Seckel, and Smith.

Committee Staff present: Hagekhalil, Kasaine, H. Rodriguez, Salinas, H. Torres, Wheeler, and Wisdom.

Director Phan entered the meeting.

1. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMITTEE ON MATTERS WITHIN THE COMMITTEE’S JURISDICTION

None

Director Erdman entered the meeting.

CONSENT CALENDAR ITEMS — ACTION

2. CONSENT CALENDAR OTHER ITEMS – ACTION

- A. Approval of the Minutes of the Ethics, Organization, and Personnel Committee for August 15, 2023 (copies submitted to each Director)

3. CONSENT CALENDAR ITEMS – ACTION

7-3 Adopt resolutions designating Metropolitan’s maximum contribution for medical benefits for Active Employees and Retirees in order to comply with the current authorized Memoranda of Understanding

Motion: Adopt a resolution designating Metropolitan’s maximum medical contributions on the highest HMO Plan Region 2, Anthem Traditional HMO, to comply with the current authorized Memoranda of Understandings.

Presented by: Carmondy Breaux-Burns, Human Resources Unit Manager –
Benefits Services

Ms. Breaux-Burns provided an overview of CalPERS requirements, CalPERS’ Geographic regions, Metropolitan’s enrollment statistics, Metropolitan’s MOU requirements, changes in premiums and fiscal impact.

The following Directors provided comments or asked questions

1. Ramos
2. Garza

Director Jung made a motion, seconded by Director Bryant to approve the consent calendar consisting of item 2A and 7-3.

The vote was:

Ayes: Directors Bryant, Camacho, Erdman, Faessel, Fong-Sakai, Jung, Kassakhian, McMillan, Phan and Ramos.

Noes: None

Abstentions: None

Absent: Directors Cordero and Sutley.

The motion passed by a vote of 10 ayes, 0 noes, 0 abstention, and 2 absent.

END OF CONSENT CALENDAR ITEMS

4. OTHER BOARD ITEMS – ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

- a. Subject: Monthly Ethics Education

Presented by: Peter Von Hamm, Assistant Ethics Officer

Mr. Von Haam provided a basic overview of Statement of Economic Interests (Form 700).

The following Directors provided comments or asked questions

1. Ortega

Staff responded to the Directors' questions and comments.

7. MANAGEMENT REPORTS

- a. Ethics Officer's Report

Mr. Salinas reported that the Ethics Office has initiated six new investigations and one new consulting contract since August. Five involve alleged unauthorized release of confidential information and one alleges misuse of authority. Mr. Salinas anticipates completing these investigations within the next three months. Mr. Salinas reported that there are also five other ongoing Ethics investigations that were opened in March. Three involve allegations of retaliation. The other two involve the alleged unauthorized release of confidential information. The Ethics Officer anticipates completing these investigations by October. It was reported that the Ethics Office is also currently managing five EEO related investigations. Mr. Salinas confirmed that a contract was initiated with Attorney Roberta Yang to conduct as-needed investigations of EEO and Ethics related matters and confirmed an increase of funds for an existing contract with Ellis Investigations Law Corporation for similar services. The Ethics Officer announced that his monthly written report included information on how to file confidential Ethics related complains through the Ethics Hotline.

The following Directors provided comments or asked questions

1. Ortega

Staff responded to the Directors questions and comments.

- b. Human Resources Manager's Report

Ms. Kasaine provided an update on Human Resources Group Manager recruitment.

- c. Equal Employment Opportunity Officer's Report

None

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

None

11. ADJOURNMENT

Next meeting will be held on October 10, 2023

Meeting adjourned at 12:42 p.m.

Marsha Ramos
Chair



● **Board of Directors**
Ethics, Organization, and Personnel Committee

10/10/2023 Board Meeting

7-5

Subject

Authorize Cost-of-Living Adjustment for the General Auditor; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Executive Summary

Pursuant to Administrative Code Section 6208(b), Pay rates for Department Heads shall be individually fixed by the Board.

Details

Background

Pursuant to Administrative Code Section 6208(b), Pay rates for Department Heads shall be individually fixed by the Board. The General Auditor was in his probationary period when the Board was conducting the annual evaluation of the Department Heads and, therefore, was not included as part of the annual salary discussion and determination. All represented and unrepresented employees received a 3 percent Cost-of-Living Adjustment effective June 25, 2023. This Cost-of-Living Adjustment applies to employees even if they are serving a probationary period when the Cost-of-Living Adjustment takes effect.

Policy

Metropolitan Water District Administrative Code Section 6208: Pay Rate Administration

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves organizational, maintenance, or administrative activities; personnel-related actions; and/or general policy and procedure making that will not result in direct or indirect physical changes in the environment. (Public Resources Code Section 21065; State CEQA Guidelines Section 15378(b)(2) and (5).

CEQA determination for Option #2:

None required

Board Options

Option #1

Authorize a 3 percent Cost-of-Living Adjustment for the General Auditor effective June 25, 2023.

Fiscal Impact: \$8,403.20

Business Analysis: If authorized, the General Auditor will receive a 3 percent Cost-of-Living Adjustment pursuant to Administrative Code Section 6208.

Option #2


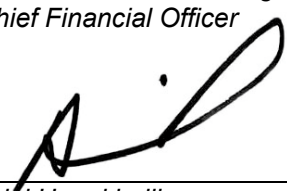
Do not authorize a 3 percent Cost-of-Living Adjustment for the General Auditor.

Fiscal Impact: None

Business Analysis: If not approved, the General Auditor will not receive a Cost-of-Living Adjustment.

Staff Recommendation

Option #1

 Katano Kasaine Assistant General Manager/ Chief Financial Officer	10/3/2023 Date
 Adel Hagekhalil General Manager	10/4/2023 Date

Ref # hr12694622



Ethics, Organization, and Personnel Committee

Authorize Cost-of-Living Adjustment for General Auditor

Item 7-5

October 9, 2023

Purpose and Background

- Seeking Authorization to provide the General Auditor with a 3% COLA.
- Administrative Code Section 6208 – Department Head pay rates are individually set by the Board
- All employees have received a 3% COLA, including those serving a probationary period.

Market Data

General Auditor

Rank	Agency	Classification Title	Agency Actual Annual Salary	Percentage Differential
1	County of Los Angeles	Auditor-Controller	\$329,390	-17.64%
2	Los Angeles Department of Water and Power	Principal Utility Accountant "A"	\$305,433	-9.08%
3	Metropolitan Water District of Southern California	General Auditor	\$280,010	
4	Los Angeles Metropolitan Transportation Authority	Executive Officer, Administration	\$222,872	20.41%
5	East Bay Municipal Utility District	Internal Auditor Supervisor	\$205,620	26.57%
6	Sanitation Districts of Los Angeles County	Supervising Internal Auditor	\$155,136	44.60%
7	State Department of Water Resources	Supervising Management Auditor	\$110,352	53.02%
8	Orange County Water District	No Comparable Match		
9	San Diego County Water Authority	No Comparable Match		
10	San Francisco Public Utilities Commission	No Comparable Match		

General Auditor

Market Data

	Comparator Agency Actual Salary	MWD Actual Salary	Differential as Dollar Amount	Percentage Differential
25th Percentile	\$167,757	\$280,010	\$112,253	40.09%
50th Percentile/ Median	\$214,246	\$280,010	\$65,764	23.49%
75th Percentile	\$284,792	\$280,010	-\$4,782	-1.71%
99th Percentile	\$329,390	\$280,010	-\$49,380	-17.64%

Board Options

- Option #1
Authorize a 3% Cost-of-Living Adjustment for the General Auditor effective June 25, 2023.
- Option #2
Do not authorize a 3% Cost-of-Living Adjustment for the General Auditor.

Staff Recommendation

- Option #1
Approve the attached salary schedules.



Ethics, Organization, and Personnel Committee



Monthly Ethics Education: FPFC Advice Letter Regarding Metropolitan Contracts With Member Agencies

Item 6a

October 9, 2023

FPPC Advice Request

Primary Question/Issue:

Under Section 1090, may Metropolitan Directors participate in contracts between Metropolitan and their appointing authority where they receive, or are entitled to receive, compensation for their Board service.

Summary of Applicable Law

Cal. Gov't Code Section 1090

Public officials must not be financially interested in contracts they make in their official capacity.

Summary Response

Summary Response:

Under an exception to Section 1090, where the director's only financial interest in a contract between Metropolitan and their appointing authority is compensation for their Board service (such as per diem), they may participate in the contract so long as the interest is properly disclosed.

** Note: MWD Act Section 56 separately prohibits directors who serve on their appointing authority's Board from voting on such contracts.*

Limitations of Advice

- FPPC advice limited to the specific contracts in the letter
- Section 56 still prohibits directors serving on appointing authority board from voting on such contracts
- Proper disclosure of the financial interest must be provided
- If director has other financial interests in an agency (e.g. consulting income), additional analysis required

For Contracts Btwn MWD and Appointing Authority, Where Only Financial Interest is Compensation for Board Service:

Recap

Directors Serving on AA Board	Directors Not Serving on AA Board
<ul style="list-style-type: none">• May Participate• May <u>NOT</u> Vote• Must Disclose Financial Interest	<ul style="list-style-type: none">• May Participate• May Vote• Must Disclose Financial interest

Tips

- Read prepared disclosure statement on the record at Cmte/Board
- Continue to not vote if you serve on appointing authority's Board
- Seek Ethics advice if you receive other income from the contracting agency





Ethics, Organization and Personnel Committee

Ethics Policy Development 2024

Item 6b

October 9, 2023

Recommended changes

Policies and procedures that address:

- Appearance of impropriety
- Referrals to Executive Committee of ethics findings

LA Metro - Employee Code of Conduct

5-15-030 Business Conduct. MTA Employees shall conduct the MTA's business in compliance with the law, this chapter, MTA policies, and good judgment based on the MTA's values and goals. MTA employees shall avoid speech or behavior that is likely to create an appearance of impropriety.

LAUSD - Employee Code of Ethics

- B. **District and Personal Integrity.** To maintain our integrity, we are committed to making decisions in the best interests of the District. We will avoid conflicts of interest and the appearance of impropriety.
8. **Avoid conflicts of interest and improper outside income.** A conflict of interest can exist anytime our position or decisions provide us a financial benefit or improper advantage. We are permitted to receive outside income as long as it does not create a conflict with our District work. *We are committed to declining outside income that might be perceived as inconsistent, incompatible or in conflict with our official duties. We will not make decisions or use our position for personal benefit or to gain an improper advantage.*

Edison International - Employee Code of Conduct

CONFLICT OF INTEREST:

A conflict of interest occurs when someone's personal interests, activities or relationships compromise or interfere with Edison's interests. Basically, a conflict occurs when an individual's loyalty or duty to act in the best interest of the company is divided by a personal interest.

It's not just actual conflicts that are a concern—even the appearance of a conflict can pose a problem.





Ethics, Organization, and Personnel Committee

Update on Implementation of Recommendations from State Audit and Independent Review of Workplace Concerns

Item 6c

October 9, 2023

Recommendation	Status (Submitted by Metropolitan)	Status (Assessed by CA State Auditor)
<p>7 To ensure timely response to EEO complaints, by October 2022 MWD should update its investigation procedures to include time frames that match DFEH best practices for responding to, investigating, and closing EEO complaints and should adhere to those time frames. MWD should report to its board quarterly on how many EEO complaints have been received and investigated, including how many of those investigations surpassed the time frames in MWD's procedures.</p>	<p>Fully Implemented October 2022</p>	<p>The assessment has not been published by State Auditor</p>
<p>8 To ensure that the EEO office has appropriate jurisdiction over EEO complaints, by June 2022 MWD should develop written procedures for handling potential threats to impartiality in investigations. These procedures should contain explicit conditions in which a party other than the EEO office, such as the ethics office or the general counsel's office, plays a lead role in an EEO complaint.</p>	<p>Fully Implemented June 2022</p>	<p>Fully Implemented June 2022</p>
<p>9 To ensure that the EEO office has appropriate jurisdiction over EEO complaints, by June 2022 MWD should develop written procedures for handling potential threats to impartiality in investigations. These procedures should contain explicit conditions in which a party other than the EEO office, such as the ethics office or the general counsel's office, plays a lead role in an EEO complaint.</p>	<p>Fully Implemented June 2022</p>	<p>Fully Implemented June 2022</p>

Recommendation	Status (Submitted by Metropolitan)	Status (Assessed by CA State Auditor)
<p>14 To ensure fairness and accountability in the hiring process, by October 2022 MWD should adopt and publish comprehensive formal hiring procedures that include the following elements.</p> <ul style="list-style-type: none"> ▪ A documented process for screening applications based on defined criteria. ▪ Clear instructions for justifying hiring decisions, with examples of appropriate justifications. ▪ Document retention requirements for human resources staff and hiring managers that align with the steps of the hiring process required in MWD's hiring procedures. 	Fully Implemented October 2022	Fully Implemented
<p>15 To promote consistency in the hiring process, by April 2023 MWD should formally train hiring managers and human resources staff on their roles and responsibilities.</p>	Fully Implemented March 2023	Fully Implemented
<p>16 In an effort to ensure equality of opportunity for all Metropolitan employees or applicants for employment, Metropolitan reinstated EEO Office participation in the recruitment and selection process.</p>	Fully Implemented October 2022	Fully Implemented October 2022

	Recommendation	Status (Submitted by Metropolitan)	Status (Assessed by CA State Auditor)
17	To better analyze its workforce demographics and identify potential barriers to employment, by April 2023 MWD should develop formal procedures for analyzing employee demographics and taking appropriate action based on those data. As part of this process, MWD should report to its board on the results of these analyses and actions.	Fully Implemented April 2023	Fully Implemented
18	To ensure that responsible parties have the information they need to make improvements, by June 2022 MWD should annually share the results of its demographic analyses with its various management groups as well as its recruitment staff.	Fully Implemented June 2022	Fully Implemented June 2022
19	<p>To ensure that its ethics office is independent, as required by state law, by October 2022 MWD should revise its administrative code to:</p> <ul style="list-style-type: none"> Prohibit interested parties from participating in the office's investigation process, except when necessary to provide information or otherwise respond to allegations. Establish the best practices highlighted in this report for protecting the independence of the ethics office, such as ensuring that the ethics officer has sole authority to interpret MWD's ethics rules and that the ethics office can obtain advice from outside legal counsel. 	Fully Implemented October 2022	Fully Implemented October 2022

Recommendation		Status (Submitted by Metropolitan)	Status (Assessed by CA State Auditor)
4	<p>To ensure that it is complying with state and federal laws as well as best practices, by October 2022 MWD should update its EEO policy to:</p> <ul style="list-style-type: none">▪ Include a robust definition and examples of retaliation.▪ Include information about an employee's right to file a complaint directly with the California Department of Fair Employment and Housing (DFEH) or the U.S. Equal Employment Opportunity Commission (EEOC).▪ Make explicit reference to written investigatory procedures and describe where employees can obtain a copy of those procedures.▪ Ensure that the policy accurately reflects all other requirements in state and federal law. In order to do so, MWD should establish a process for regularly reviewing the policy to determine whether changes are needed.	Fully Implemented June 2022	Fully Implemented June 2022

Recommendation	Status (Submitted by Metropolitan)	Status (Assessed by CA State Auditor)
<p>5 To ensure that it has effective and up-to-date policies on related personnel matters, by October 2022 MWD should review and update its sexual harassment policy as needed and develop an official policy defining and prohibiting abusive conduct.</p>	<p>Fully Implemented October 2022</p>	<p>Fully Implemented October 2022</p>
<p>6 To better position itself to handle all EEO responsibilities required by state and federal law and best practices, by October 2022 MWD should implement the following improvements to its EEO office:</p> <ul style="list-style-type: none"> ▪ Create and fill additional positions that are commensurate with the workload of the EEO office, including additional staff to handle investigations, training, and compliance. ▪ Assign formal, written responsibilities for specific staff within the office. ▪ Structure the EEO office in such a manner that it can operate independently, with minimal potential threats to impartiality. 	<p>Fully Implemented October 2022</p>	<p>Fully Implemented October 2022</p>

Recommendation	Status (Submitted by Metropolitan)	Status (Assessed by CA State Auditor)
<p>10 To ensure that all EEO complaints and their outcomes are recorded accurately and promptly, by October 2022 MWD should implement an electronic recordkeeping system that will allow for accurate and complete tracking of EEO complaints in a single location. MWD also should designate an individual to be responsible for logging, tracking, and updating EEO complaint records.</p>	<p>Fully Implemented October 2022</p>	<p>Fully Implemented October 2022</p>
<p>11 To help ensure equity and consistency in its disciplinary process, by October 2022 MWD should implement a written, formal process that outlines the steps that it must follow and the factors it must consider when deciding whether and how to issue discipline. MWD should also develop a recordkeeping policy that documents the disciplinary process so that it can demonstrate that its process is thorough and consistent.</p>	<p>Fully Implemented October 2022</p>	<p>Fully Implemented October 2022</p>
<p>12 To prevent and address mistreatment of complainants and potential violations of its retaliation policy, by October 2022 MWD should do the following:</p> <ul style="list-style-type: none"> ▪ Develop written procedures for identifying and intervening in potential retaliation while EEO investigations are ongoing. ▪ Dedicate a person to follow up with complainants after EEO investigations to ensure that incidents involving potential retaliation are not occurring, as well as track these follow-up discussions. 	<p>Fully Implemented October 2022</p>	<p>Fully Implemented October 2022</p>

Recommendation		Status (Submitted by Metropolitan)	Status (Assessed by CA State Auditor)
13	<p>To ensure that the board is informed of how often EEO matters are being settled and by what means, by October 2022 MWD should:</p> <ul style="list-style-type: none">▪ Amend its administrative code to require that all personnel-related settlements that invoke confidentiality or have any financial impact—including paid and reinstated leave—be reported quarterly to the board's Legal and Claims Committee, regardless of settlement type.▪ Develop a written policy that outlines mandatory information required when reporting settlements. This reporting on each settlement should include whether EEO issues were implicated, whether the employee is still employed by MWD, the existence and type of any financial or confidentiality terms, and whether MWD has taken any corrective action in response to the alleged issues.▪ Implement centralized recordkeeping procedures for all employee settlement agreements, including a means of confidentially indicating the existence of such settlements in the EEO complaint database, its personnel database, or some other central repository.	Fully Implemented October 2022	Fully Implemented October 2022

Recommendation		Status (Submitted by Metropolitan)	Status (Assessed by CA State Auditor)
20	<p>To better protect those employees required to reside in employee housing from the issues threatening the safety and habitability of this housing, by October 2022 MWD should:</p> <ul style="list-style-type: none">▪ Improve the detail and consistency of its current procedures for responding to maintenance requests. These enhanced procedures should detail when MWD will handle a request on its own and when it will address a request as part of a larger effort, and they should establish clear and reasonable time frames for each scenario.▪ Establish procedures for more reliably tracking the length of time it takes to respond to housing issues and regularly report its performance on these issues to the board, including any measures it has taken to improve this performance.▪ Develop a contingency plan for comprehensively addressing its long-term issues with housing—such as installing prefabricated homes or renovating existing units—in case its current plan for replacing employee housing is delayed.	Fully Implemented October 2022	Fully Implemented October 2022

Recommendation		Status (Submitted by Metropolitan)	Status (Assessed by CA State Auditor)
21	To better protect the safety of its employees, by June 2022 MWD should revise its safety policies to establish a minimum level of collaboration between safety representatives and management, such as establishing requirements for regular meetings and requiring managers to attend safety committee meetings.	Fully Implemented June 2022	Fully Implemented June 2022
22	To better ensure the effective handling of safety complaints and the protection of workers who make them, by October 2022 MWD should enhance its written policies to formally define retaliation and include specific steps responsible parties should take when performing the duties laid out in policy, such as protecting employees from retaliation.	Fully Implemented October 2022	Fully Implemented October 2022

Independent Review of Workplace Concerns

Status of Recommendations

#	Recommendation	Action	Status
47	Conduct an annual employee survey for at least the next five years to evaluate the District’s progress in implementing the recommendations in the Report, and the effectiveness of those recommendations.	Recurring annually	The annual survey is scheduled to be conducted in July 2024 to allow time for evaluation

Independent Review of Workplace Concerns Status of Recommendations Summary

	Referred	Completed	Addressed/ Ongoing	In Progress
General Manager/EE0	26	26	-	-
General Manager and Legal Departments	1	1	-	-
Legal and Ethics Departments	4	4	-	-
Joint Labor-Management Advisory Committee	9	9	-	-
Board	7	7	-	-
Total	47	47	-	-





Ethics, Organization, and Personnel Committee Workshop

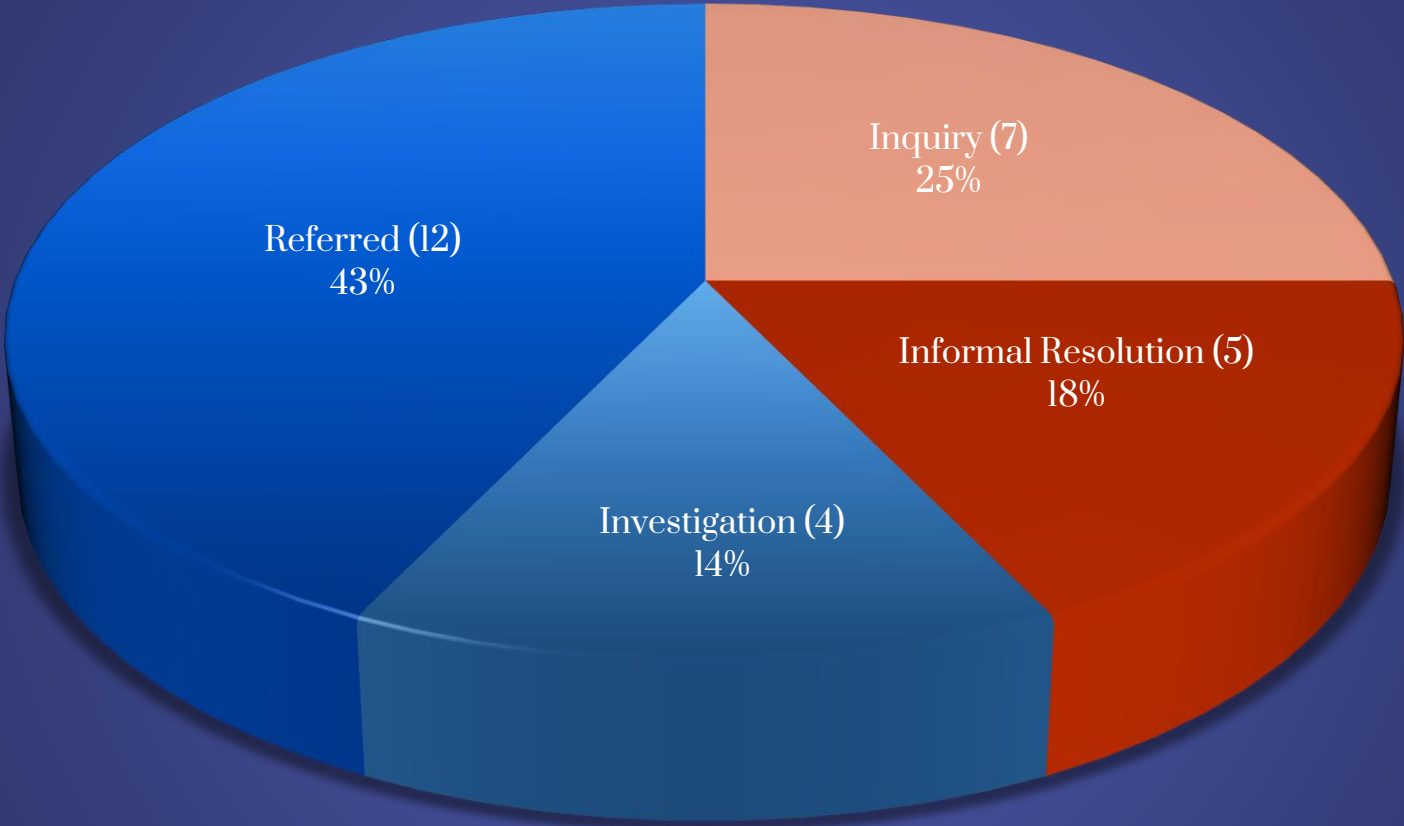
EEO Statistical Report

Item 6d

October 9, 2023

Total Complaints Received

July - September
2023



■ Inquiry ■ Informal Resolution ■ Investigation ■ Referred

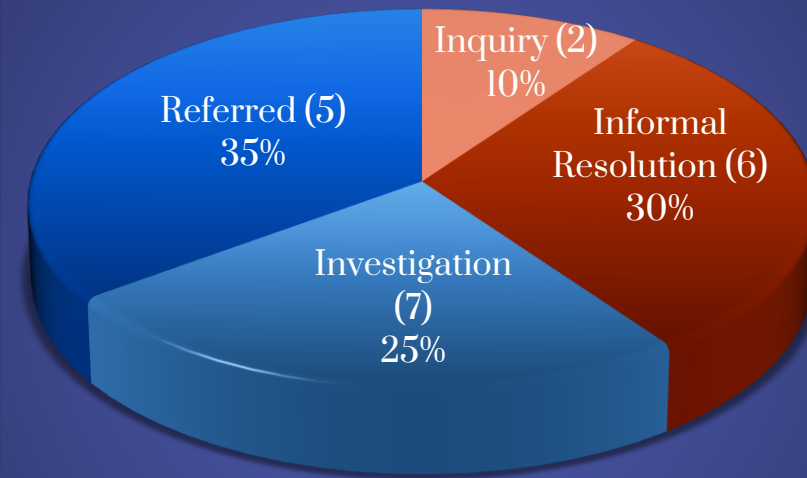
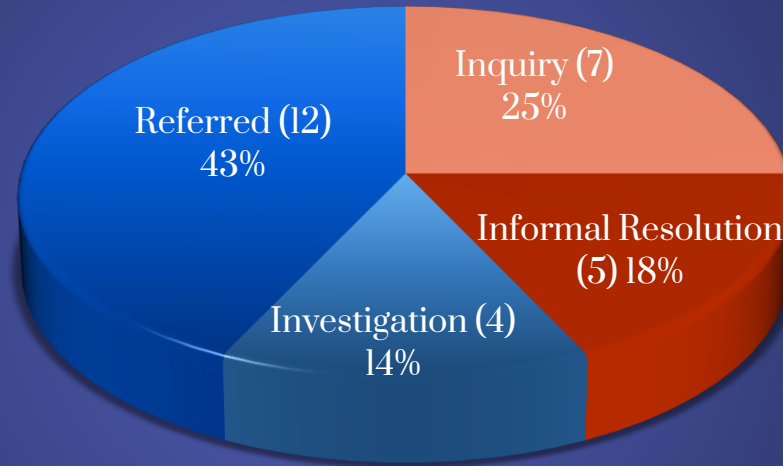
Total = 28

Complaints Comparison by Quarter

July – Sept. 2023 Total = 28

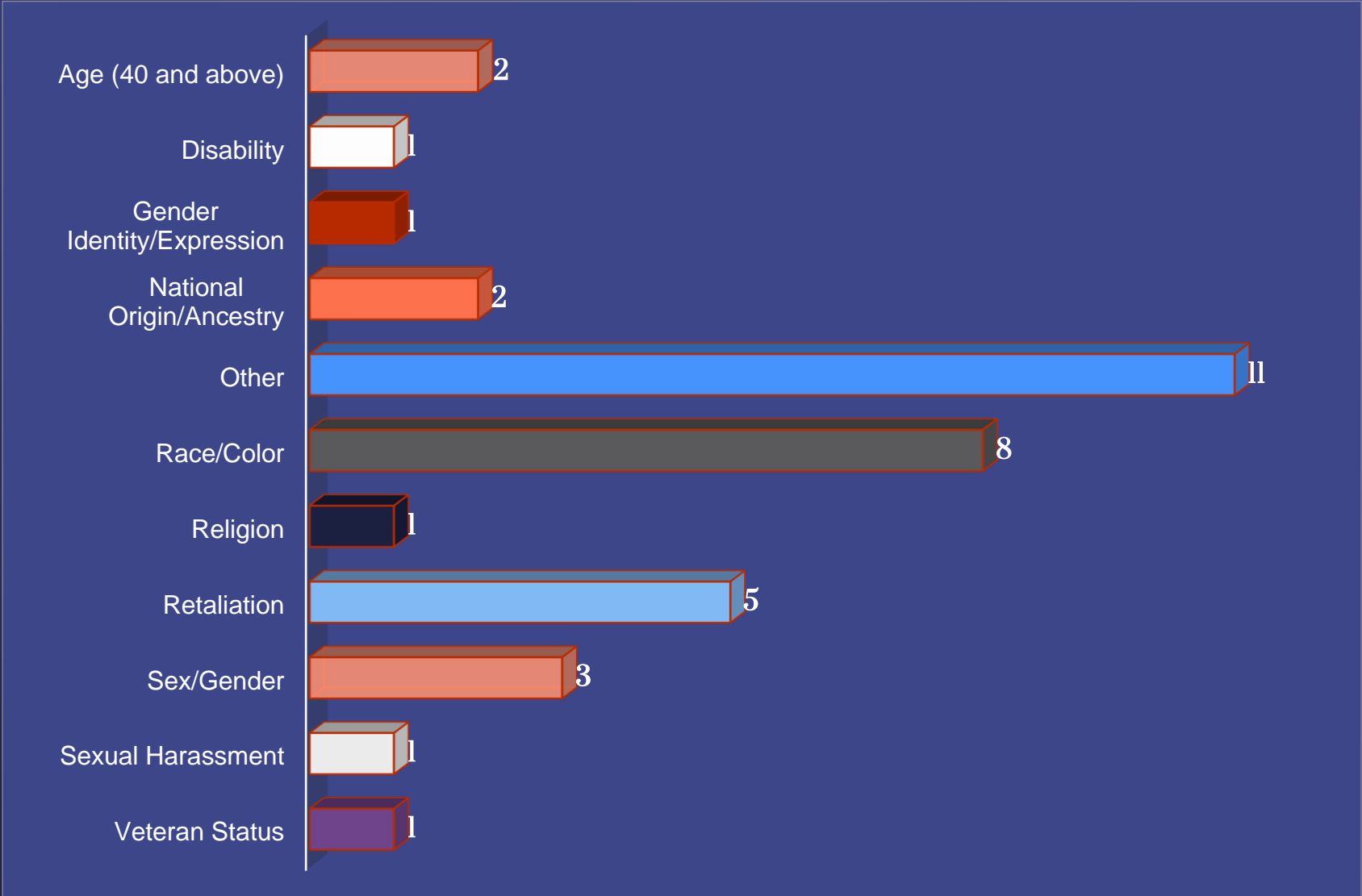
April - June 2023 Total = 20

July – September
2023



July – September
2023

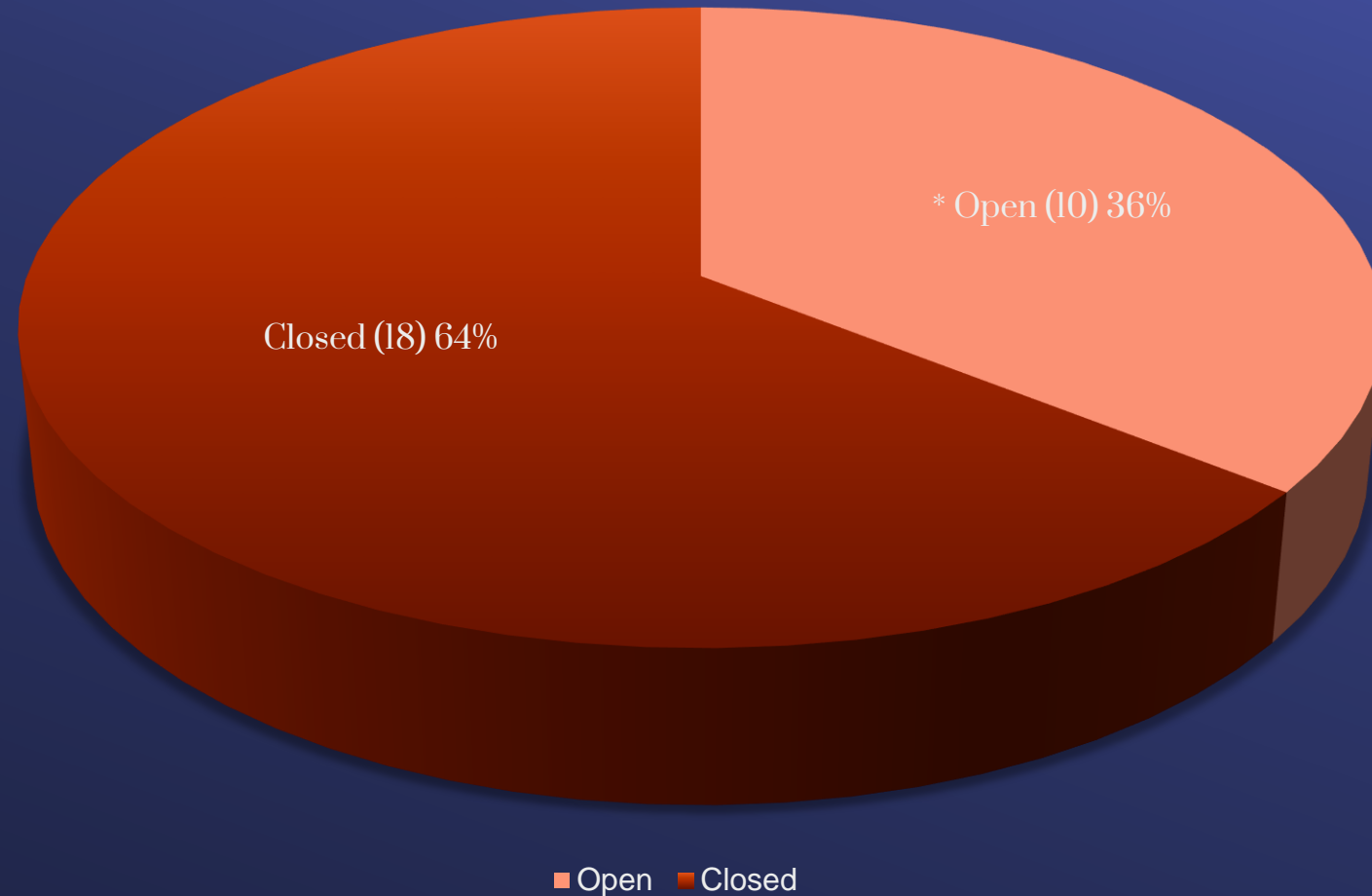
Quarterly Basis of Complaints



Total = 36

Complaints Open and Closed

July – September
2023

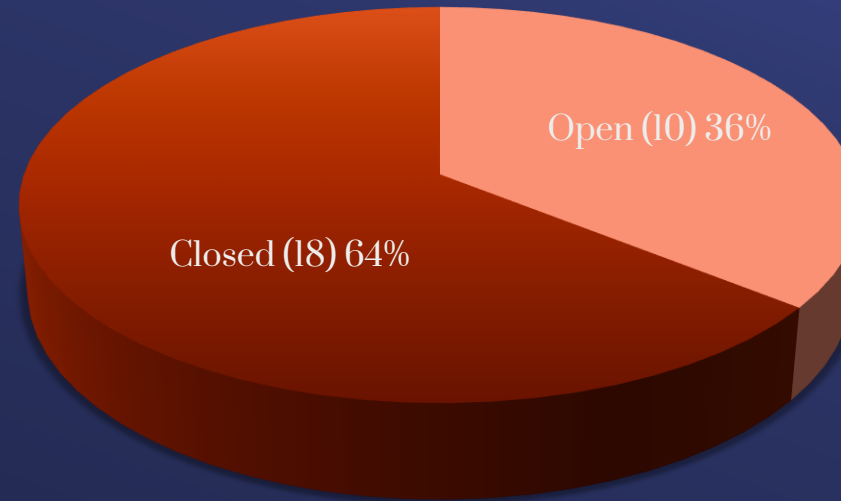


Case Closure
Rate:
58 business
days

*** 6 Complaints under assessment; 4 Complaints under Investigation**

Complaints Comparison & Closure Rate by Quarter

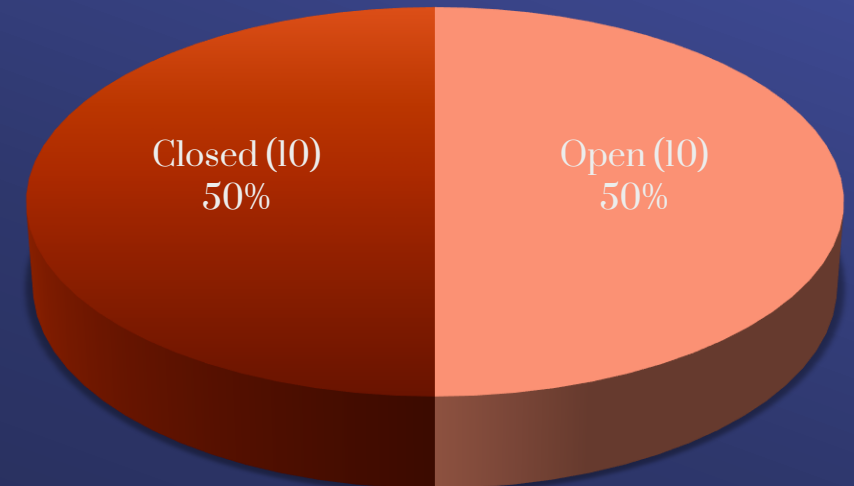
July – September
2023



Open Closed

Case Closure Rate:
58 business days

July - September 2023



Case Closure Rate:
56 business days

April - June 2023

July – September
2023

Questions?



ETHICS, ORGANIZATION, AND PERSONNEL
COMMITTEE MEETING
October 9, 2023 – 11:30 p.m.
MWD Headquarters Building/Teleconference Meeting

NON-INTEREST DISCLOSURE NOTICE
COMMITTEE ITEM 6.e.

COMMITTEE ITEM 6.e. – Labor Negotiations Update [Conference with labor negotiators; to be heard in closed session pursuant to Gov. Code Section 54957.6. Metropolitan representative(s): Katano Kasaine, Chief Financial Officer; Gifty Beets, Human Resources Section Manager; Adam Benson, Finance Group Manager; Employee organization(s): The Employees Association of The Metropolitan Water District of Southern California/AFSCME Local 1902; the Management and Professional Employees Associations MAPA/AFSCME Chapter 1001; and the Supervisors Association.]

This Non-Interest Disclosure Notice is being provided under the California Government Code: Pursuant to Government Code Section 1091.5(a)(9), a District officer or employee does not have a financial interest in a District contract if these conditions are satisfied: (i) his or her interest is that of a person receiving a salary, per diem or reimbursement for expenses from a government entity; (ii) the contract does not directly involve the department of the government entity that employs him or her; and (iii) the interest is disclosed to his or her body or board at the time the contract is considered and is noted in its official record. In accordance with this statute, the following District officers or employees have been, or may be, involved in the bargaining unit negotiations on behalf of management:

Adel Hagekhalil, Marcia Scully, Katano Kasaine, Heather Beatty, Shane Chapman, Deven Upadhyay, Gifty Beets, Henry Torres, Tony Zepeda, Gonzalo Barriga Jr., Adam Benson, and Isamar Munoz Marroquin.

Heather Beatty and Isamar Munoz Marroquin are members of the Association of Confidential Employees (“ACE”), which have a salary provision in

its Memorandum of Understanding that allows ACE to select an annual salary adjustment from any one of the Memoranda of Understanding for the other bargaining units. Each of the remaining individuals is unrepresented. Under Administrative Code Section 6500(d), unless the Board directs otherwise, the pay rate range for each unrepresented individual except Adel Hagekhalil and Marcia Scully, will be adjusted annually to correspond with the annual across-the-board salary adjustment provided to the District's management employees under the Memoranda of Understanding; although actual pay rates for these unrepresented individuals will be determined by their management. The other compensation and benefits for which the unrepresented individuals are eligible are set forth in the Administrative Code.