

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 1

Meeting with Board of Directors *

January 9, 2024

10:30 a.m.

Agendas, live streaming, meeting schedules, and other board materials are available here: <https://mwdh2o.legistar.com/Calendar.aspx>. If you have technical difficulties with the live streaming page, a listen-only phone line is available at 1-877-853-5257; enter meeting ID: 891 1613 4145. 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: 815 2066 4276 or click <https://us06web.zoom.us/j/81520664276pwd=a1RTQWh6V3h3ckFhNmdsUWpKR1c2Zz09>

**Tuesday, January 9, 2024
Meeting Schedule**

**08:30 a.m. FAIRP
10:30 a.m. EOP
12:30 p.m. Break
01:00 p.m. BOD**

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

Teleconference Locations:

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

3008 W. 82nd Place • Inglewood, CA 90305

1545 Victory Blvd., 2nd floor • Glendale, CA 91201

* 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**

Meeting Delayed 11:00 a.m.

- A. Approval of the Minutes of the Ethics, Organization, and Personnel Committee for November 13, 2023 (Copies have been submitted to each Director, any additions, corrections, or omissions) [21-2895](#)

Attachments: [01092024 EOP 2A \(11132023\) Minutes](#)

3. CONSENT CALENDAR ITEMS - ACTION

- 7-7 Authorize an increase in contract authority for Skilled Trade Supplemental Labor Contract in the amount of \$6 million for a total not-to-exceed amount of \$8 million; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-2919](#)

Attachments: [01092024 EOP 7-7 B-L](#)
[01092024 EOP 7-7 Presentation](#)

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

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

NONE

6. COMMITTEE ITEMS

- a. Ethics Office Statistical Report [21-2913](#)

Attachments: [01092024 EOP 6a Presentation](#)

- b. Monthly Ethics Education [21-2914](#)

Attachments: [01092024 EOP 6b Presentation](#)

- c. Equal Employment Opportunity Statistical Report [21-2916](#)

Attachments: [01092024 EOP 6c Presentation Revised](#)

- d. Equal Employment Opportunity Office Overview [21-2917](#)

Attachments: [01092024 EOP 6d Presentation](#)

- e. Equal Employment Opportunity Educational Update [21-2918](#)

- f. 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; Mark Brower, Human Resources Group Manager; Adam Benson, Finance Group Manager; Employee Organization(s): the Management and Professional Employees Associations MAPA/AFSCME Chapter 1001; the Supervisors Association; and the Association of Confidential Employees.]] [21-2915](#)

Attachments: [01092024 EOP 6f Non-Interest Disclosure Notice](#)

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

- a. Ethics Officer's report on monthly activities [21-2896](#)
- b. Equal Employment Opportunity and Human Resources activities [21-2897](#)

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

November 13, 2023

Chair Ramos called the teleconference meeting to order at 11:37 a.m.

Director Peterson indicated he is participating under AB 2449 “emergency circumstances” for a physical emergency that prevents him from attending in person.

Director Peterson appeared by audio and on camera.

Director Ramos made a motion, seconded by Director McMillan, to approve AB2449 Emergency Circumstance participation for Director Peterson.

The vote was:

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

Noes: None

Abstentions: None

Absent: Directors Camacho, Cordero, Douglas, Kassakhian, and Douglas

The motion for Director Peterson to participate using AB2449 Emergency Circumstance passed by a vote of 8 ayes, 0 noes, 0 abstain, and 5absent.

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

Members absent: Directors Cordero, Douglas, Kassakhian, and Sutley.

Other Board Members present: Directors Abdo, Ackerman, Armstrong, Dennstedt, Dick, Goldberg, Gray (teleconference posted location), Kurtz, Mccoy, Miller, Morris, Ortega, Peterson (AB2449 “Emergency Circumstances”), Seckel and Smith.

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

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

None

CONSENT CALENDAR ITEMS — ACTION

Director Camacho entered the meeting.

2. CONSENT CALENDAR OTHER ITEMS – ACTION

- A. Approval of the Minutes of the Ethics, Organization, and Personnel Committee for October 9, 2023 (copies submitted to each Director, any additions, corrections, or omissions)

3. CONSENT CALENDAR ITEMS – ACTION

7-9 Authorize an extension to June 30, 2024, on 13 supplemental labor contracts for professional services; and authorize an increase of \$200,000 in funding for four of the contracts not to exceed \$449,000 each; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA.

Motion: Authorize the General Manager to authorize an extension of the 13 contract to June 30, 2024. Authorize the General Manager to increase the contract amounts to \$449,000 for contracts 184359-04, 184454-02, 184470-04, and 184751-04

7-10 Approve the Metropolitan Water District of Southern California’s salary schedules pursuant to CalPERS regulations; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA.

Motion: Approve the Metropolitan Water District of Southern California’s salary schedules.

No presentations were given, Director Camacho made a motion, seconded by Director Bryant to approve the consent calendar consisting of item 2A, 7-9 and 7-10.

The vote was:

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

Noes: None

Abstentions: None

Absent: Directors Cordero, Douglas, Kassakhian, and Sutley.

The motion passed by a vote of 9 ayes, 0 noes, 0 abstention, and 4 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 Haam, Assistant Ethics Officer

Mr. Von Haam provided an overview and reminder on MWD gift rules and how they apply to employees who receive gifts at conferences or from consultants and contractors.

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

- a. Ethics Officer's Report on monthly activities

Mr. Salinas reported that since October, the Ethics Office has initiated four new investigations. Mr. Salinas reported that there are currently 12 open investigations. Four opened in August and four opened in October and involve allegations of unauthorized release of confidential information. One opened in March, alleges misuse of authority by a Metropolitan official. Three opened in March allege retaliation. The Ethics Officer anticipates completing these investigations by December. It was reported that the Ethics Office is also currently managing four EEO related investigations. The Ethics Officer announced that the Ethics Office has scheduled employee Ethics training throughout November.

- b. Equal Employment Opportunity and Human Resources activities

Ms. Wisdom reported that as an employer of 100 employees or more, MWD is required to submit a biannual demographic workforce data to the EEOC. The report was submitted on November 6.

Adel Hagekhalil introduced newly hired Human Resources Group Manager, Mark Brower.

The following Directors made comments or asked questions:

1. Ramos

8. FOLLOW-UP ITEMS

Mr. Hagekhalil updated on efforts between Ethics, Legal, Audit, EEO and HR departments on coordinating intake of concerns and complaints.

Director Bryant commented on Board agenda item 8-6 and requested that future Labor items be presented to EOP committee in a timely manner.

Director Fong-Sakai commented on Board agenda item 8-6 and requested for information to be provided a week beforehand.

Director Ortega and Mr. Hagekhalil responded to Directors comments.

Director Ortega requested the committee discuss the creation of an ad hoc committee that tracks negotiations.

9. FUTURE AGENDA ITEMS

Director Peterson requested a presentation on how the Board sets salaries and if there are exceptions.

11. ADJOURNMENT

Meeting adjourned at 12:08 p.m.

Marsha Ramos
Chair



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

1/9/2024 Board Meeting

7-7

Subject

Authorize an increase in contract authority for Skilled Trade Supplemental Labor Contract in the amount of \$6 million for a total not-to-exceed amount of \$8 million; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Executive Summary

Skilled Labor Supplemental Labor Contract

The full cost of this contract is covered by existing group budgets. Expenditures are currently budgeted and approved under the individual projects or will be paid using existing operations and maintenance funds.

No additional appropriations are requested.

Metropolitan is not obligated to spend the full contract authority. The additional requested authority will only be used if needed, and the full cost of the supplemental labor will be covered within the existing authorized budget.

Supplemental labor contracts allow Metropolitan to address core operational staffing needs that occur due to vacancies and help address peak workloads. Examples include support of ongoing projects and core operational needs such as addressing desert housing and providing operational support due to position vacancies.

Metropolitan maintains contract RFP-PR-381410 that provides flexibility to secure supplemental labor from six different vendors to address the complex and varied staffing needs of Metropolitan. The Contract Authority for RFP-PR-381410 is currently not to exceed \$2 million per year and expires May 31, 2026.

Staff recommends authorizing an increase of the existing \$2 million contract authority to a total not-to-exceed contract authority of \$8 million per year.

Proposed Action(s)/Recommendation(s) and Options

Staff Recommendation: Option #1

Option #1

Authorize the General Manager to authorize an increase of the contract authority to a not-to-exceed amount of \$8 million for skilled labor services under contract RFP-PR-381410.

Fiscal Impact: None; expenditures are budgeted and approved under the individual projects or from existing operations and maintenance funds.

Business Analysis: The supplemental labor contracts allow Metropolitan to meet staffing needs during peak workloads and to maintain operational continuity due to position vacancies.

Option #2

Do not authorize the General Manager to increase the amount payable.

Fiscal Impact: None

Business Analysis: Metropolitan would need to end the use of existing supplemental labor individuals and determine how to maintain core operational service levels without this staffing support.

Alternatives Considered

There are limited viable alternatives due to the nature of Metropolitan’s work. Alternative contracts for similar services could be identified, but that approach would have a significant negative impact on daily operations and is not projected to result in any cost savings to Metropolitan.

Applicable Policy

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

Related Board Action(s)/Future Action(s)

None

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

	12/19/2023
_____ Mark A. Brower Human Resources Group Manager	Date

	12/20/2023
_____ Adel Hagekhalil General Manager	Date

Ref# hr12699525



Ethics, Organization, and Personnel Committee

Authorize an Increase in Contract Authority for Skilled Trade Supplement Labor Contract

Item 7-7

January 9, 2024

Item # 7-7

Authorize additional contract authority to Skilled Trade Supplemental Labor Contract

Subject

Authorize an increase in contract authority for Skilled Trade Supplemental Labor Contract in the amount of \$6 million for a total not-to-exceed amount of \$8 million; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Purpose

Supplemental labor contracts allow Metropolitan to address core operational staffing needs that occur due to vacancies, project support, and help address peak workloads.

Recommendation and Fiscal Impact

Authorize the General Manager to authorize an increase of the contract authority to a not to exceed amount of \$8 million for skilled labor services under contract RFP-PR-381410.

Budgeted

Background

Supplemental Labor Contract

- Metropolitan has contract RFP-PR-381410 for skilled trade supplemental labor with various labor firms expiring May 31, 2024.
- Provides skilled trade labor services coverage for critical vacancies and project support.

Contract Details

Supplemental Labor Contract

- Contract authority is currently at not to exceed \$2 million per contract year.
- Provides the flexibility to secure supplemental labor from six (6) different vendors.
- Renews each year on June 1st.
- Expires May 31st of each year up to 2026.

Options

- Option #1: Authorize the General Manager to authorize an increase of the contract authority to a not-to-exceed amount of \$8 million for skilled labor services under contract RFP-PR-381410.
- Option #2: Do not authorize the General Manager to increase the amount payable.

Staff Recommendation

Option #1





Ethics, Organization, & Personnel Committee

Ethics Statistical Report

Item 6a

January 9, 2024

Item # 6a
Ethics
Statistical
Report

Subject

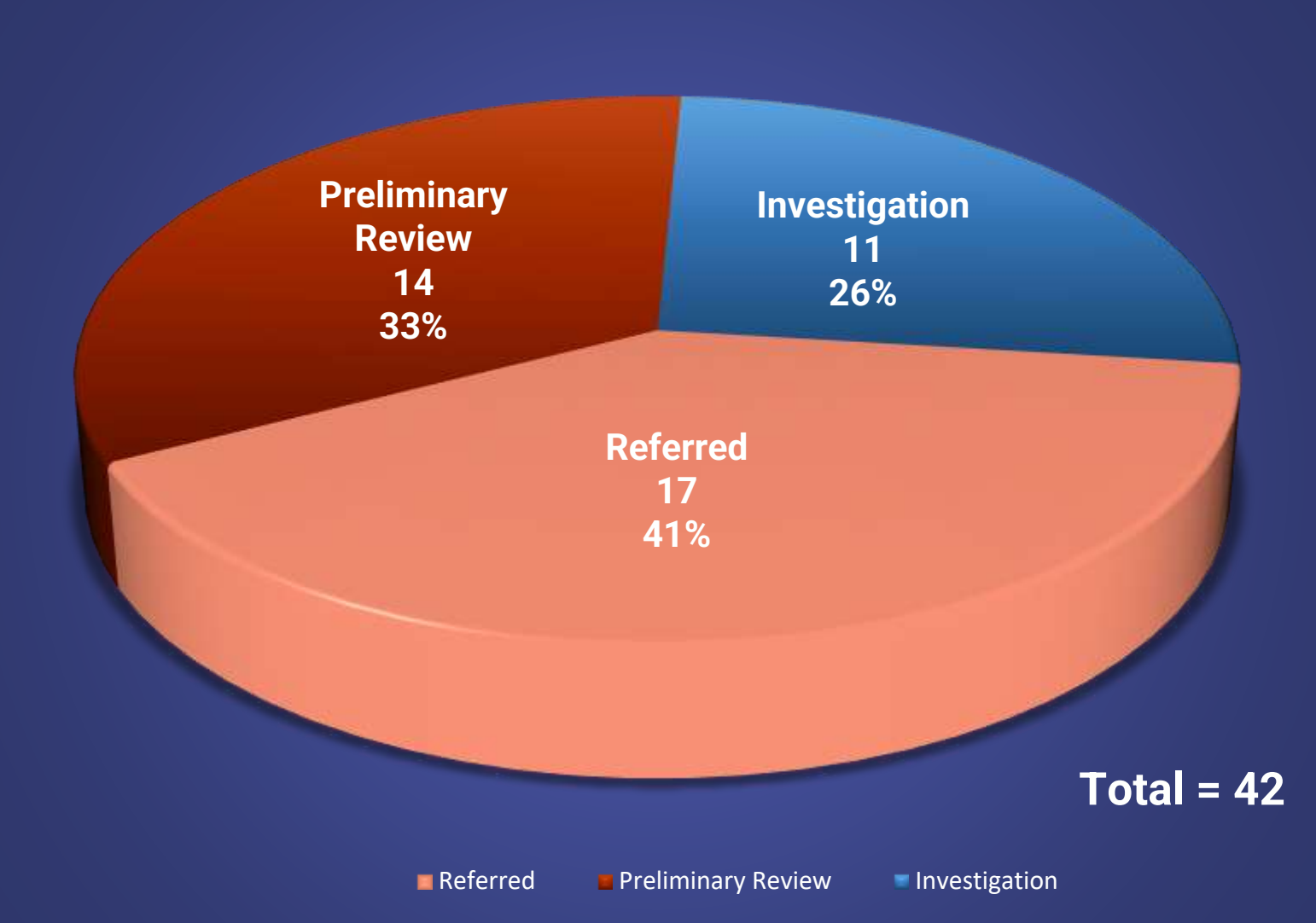
Inform the Board of ethics related statistics for the period of July – December 2023

Purpose

Information item

Total Complaints Received

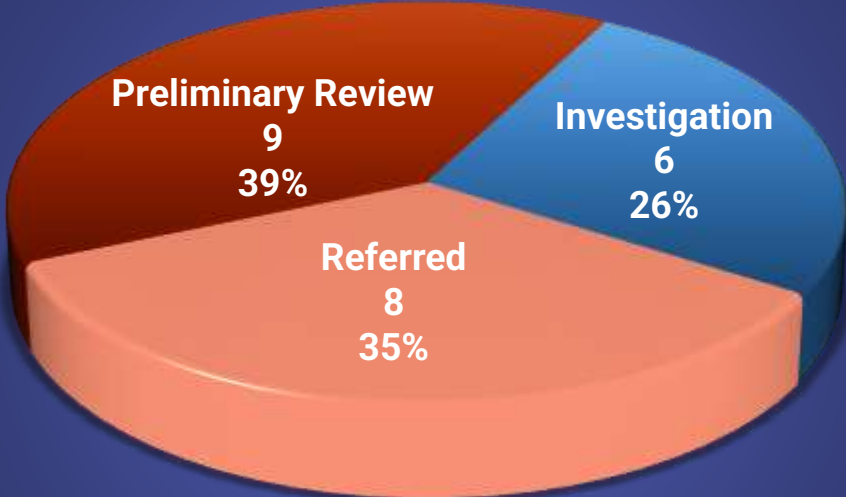
July - December
2023



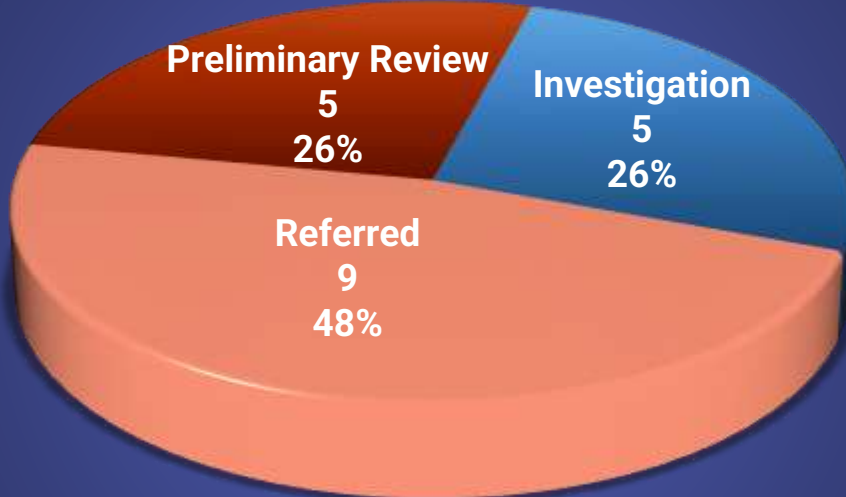
Complaints Received by Quarter

July - December
2023

October – December 2023 (Q2)
Total = 23



July – September 2023 (Q1)
Total = 19



■ Referred ■ Preliminary Review ■ Investigation

Total = 42

July - December
2023

Basis of Complaints

Ethics - Release Confidential
Info

13

Misconduct / Other

12

EEO

10

Ethics - Abuse of Authority

9

Ethics - Failure to Report

7

Ethics - Retaliation

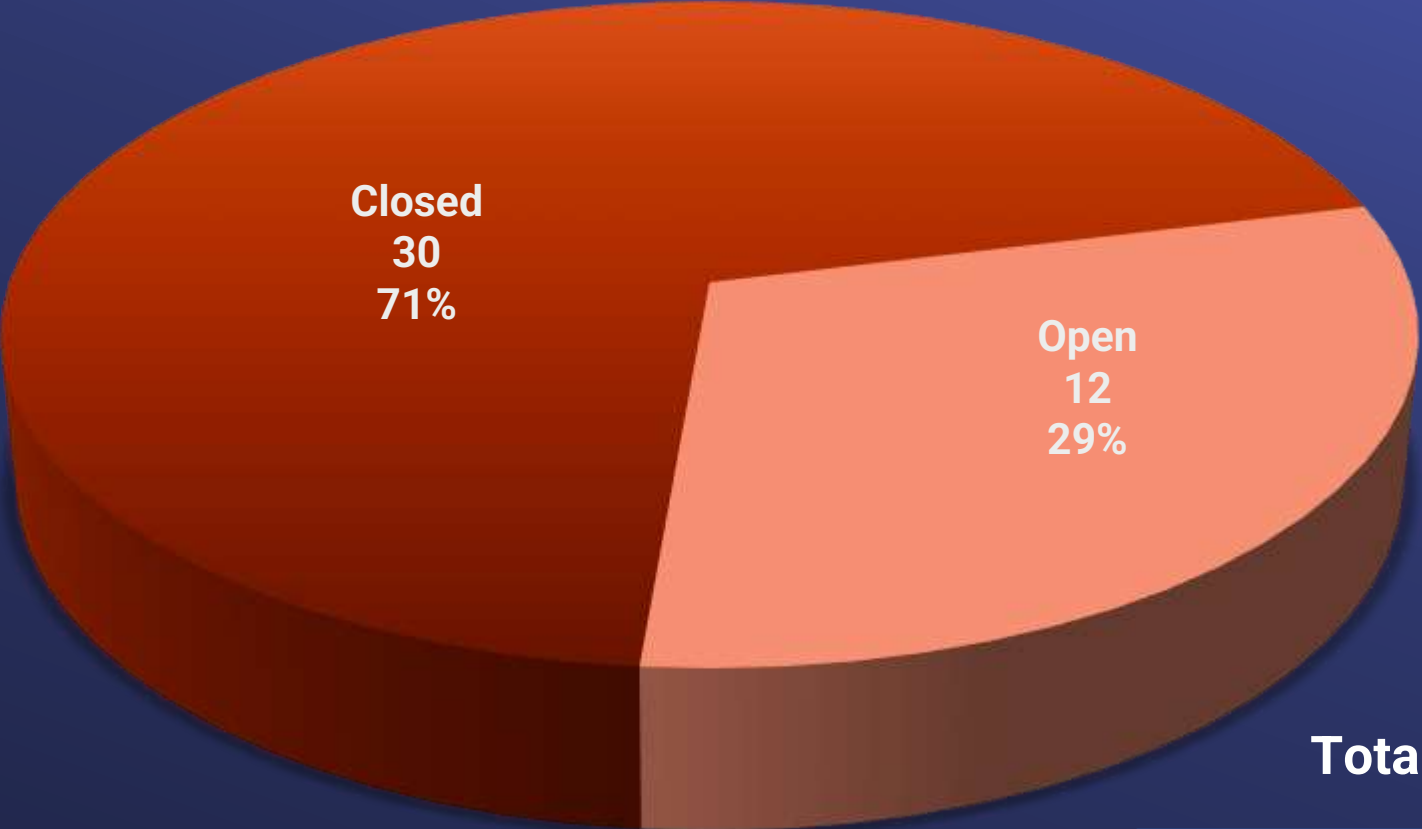
3

Total = 54*

*Some complaints contain multiple allegations

Complaints Open and Closed

July - December
2023



Total = 42

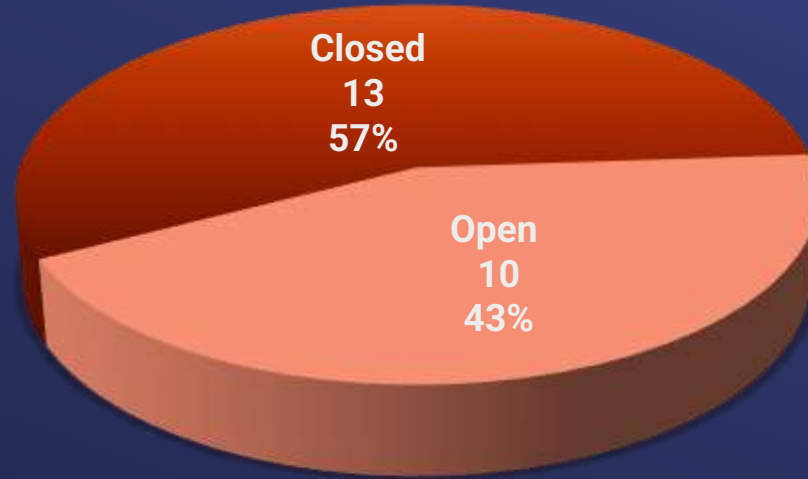
■ Open ■ Closed

Case Closure Rate:
24 business days

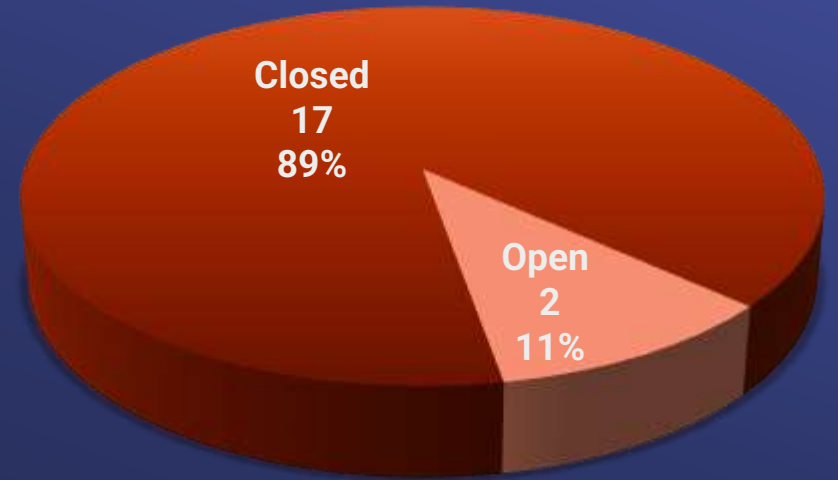
Complaints Open and Closed by Quarter

July - December
2023

October – December 2023 (Q2)
Total = 23



July – September 2023 (Q1)
Total = 19



■ Open ■ Closed

Case Closure Rate:
19 business days

Case Closure Rate:
27 business days



Ethics, Organization, and Personnel Committee



Monthly Ethics Education: Conflicts Bulletins

Item 6b
January 9, 2024

Item # 6b
Ethics
Education

Subject

Overview of conflicts bulletin tool developed to help Metropolitan directors and other 87200 filers screen for, and avoid, conflicts of interest

Purpose

Information item

What is a Conflicts Bulletin?

Conflicts Bulletins are intended to help Directors/ 87200 filers:

- Identify potential conflicts of interest in Committee/Board items
- Know when to ask for advice about whether recusal/disclosure is required
- Consider new financial interests not yet reported on Annual Form 700, or not required to be reported on Form 700

Bulletin Snapshot



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Please review the list of outside parties involved in the upcoming Committee and Board meetings. Contact the Ethics Office at officeoftheethicsofficer@mwdh2o.com or General Counsel at officeofthegeneralcounsel@mwdh2o.com for advice if you:

- 1) Have a financial interest (such as consulting or other income, spousal income, or investments) in any of the parties below;
- 2) Have received or solicited campaign contributions or gifts from any of the parties below;
- 3) Are discussing future employment or consulting work with any of the parties below; or
- 4) Have any other interest you feel may create a potential conflict.

OUTSIDE PARTIES BY ITEM

Item 7-1 (EOT)

Authorize agreements with AECOM Technical Services Inc. and CDM Smith Inc., each in an amount not to exceed \$800,000, for water desalination studies in Metropolitan's service area; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

AECOM Technical Services Inc.
CDM Smith Inc.
Awad Engineering Inc.
Geoscience Support Services Inc.
John Robinson Consulting Inc.
Kimley-Horn & Associates Inc.

Limits of Conflicts Bulletin

Conflicts Bulletins do not:

- Make determinations on whether a conflict of interest exists
- Screen for potential conflicts in activities outside of Committee/Board meetings (additional self-screening required)

How Staff Prepares Bulletin

- Ethics and GC staff collaboration
- Review of meeting materials to identify involved/impacted parties
- Additional info from staff requested as needed
- Consideration of conflict of interest laws and policies that may require recusal and/or disclosure

How to Use Conflicts Bulletin

- Review Conflicts bulletin upon receipt
- Consider all personal interests (and your spouse's) in the listed individuals/entities
- Seek advice from the Ethics Office re: personal interests in a listed individual/entity
- All individuals/entities listed should be considered by all directors/87200 filers

*(*Example: if City of LA or MWDOC is listed, all need to consider whether they have any interests – such as employment, consulting income, per diem, etc. – in the agency. The listing applies equally, and is not limited to LA/MWDOC directors)*

Additional Services by Ethics Staff

Supplemental COI screening:

- Review of declared interests on Director/87200 filer Form 700s before Cmte/Board meetings
- Screen for any declared interests listed in Conflicts Bulletin

Give Advice/Draft Scripts (as needed):

- Determine whether recusal and/or disclosure is required, advise official
- Create recusal/disclosure scripts meeting state COI law requirements

Recap

Conflicts Bulletins: Key Takeaways

- 1) Review Conflicts Bulletins upon receipt
- 2) Consider personal interests in individuals/entities in bulletin (include spouse/registered domestic partner's)
- 3) Seek advice from the Ethics Office on whether recusal/disclosure is required
- 4) Ensure complete/accurate Form 700 disclosures
- 5) Option: share new interests not yet reported on Form 700 with Ethics Office to help screen for conflicts
- 6) Avoiding conflicts helps maintain and build upon public's trust and confidence in Metropolitan's decision-making and projects





Ethics, Organization, and Personnel Committee Workshop

EEO Statistical Report

Item 6c
January 9, 2024

Item # 6c

EEO Statistical Report

Subject

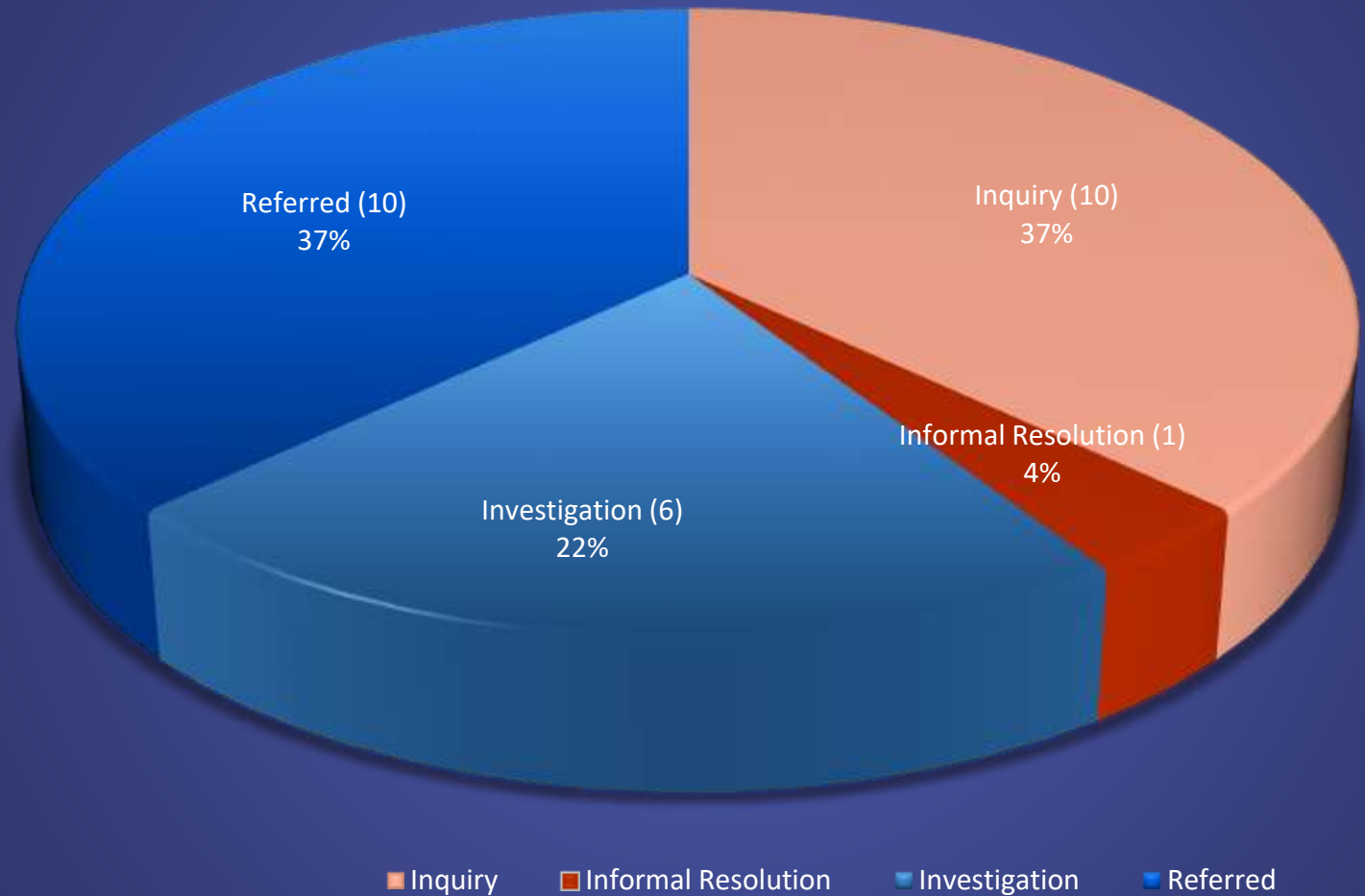
Inform Board of quarterly statistics regarding EEO complaints.

Purpose

Informational update.

Total Complaints Received

October -
December 2023



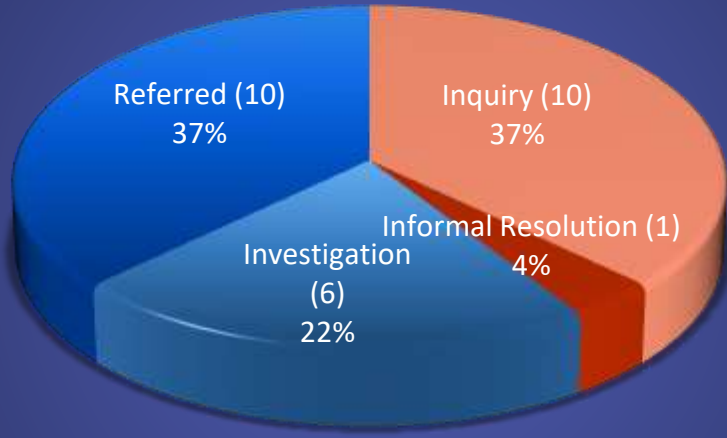
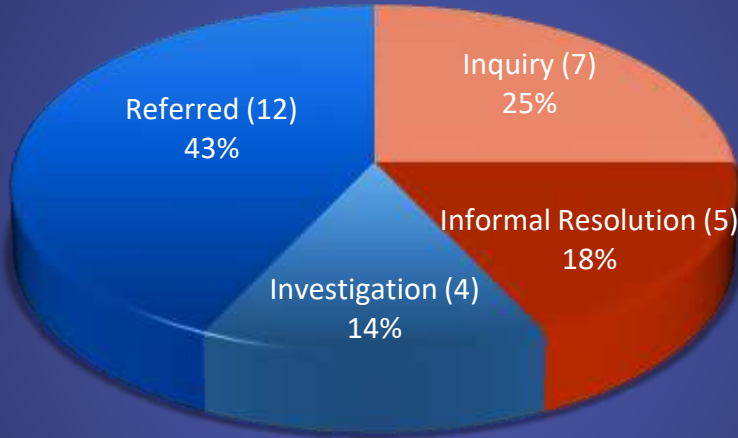
Total = 27

Complaints Comparison by Quarter

July – Sept. 2023 Total = 28

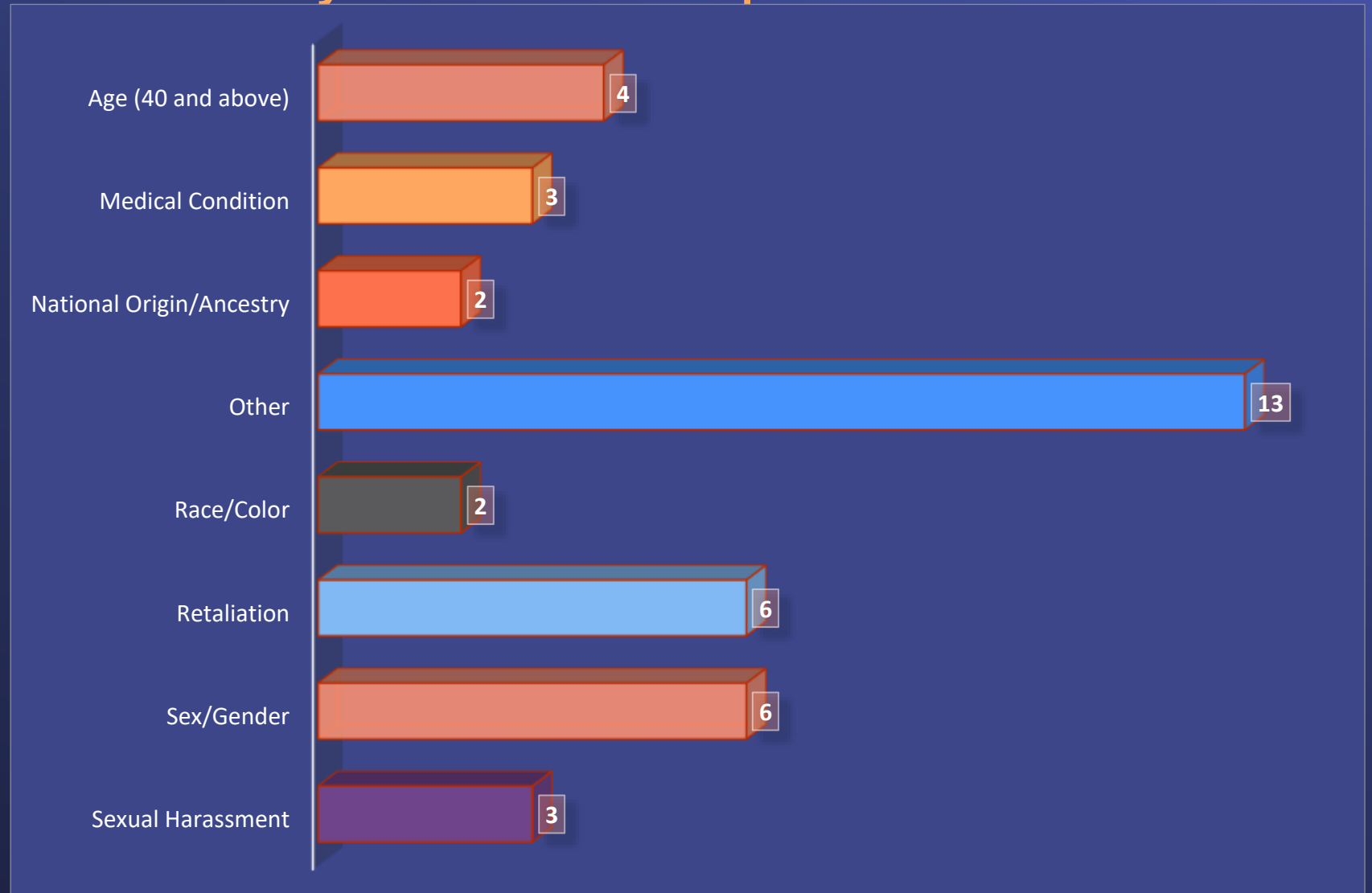
October – Dec. 2023 Total = 27

October –
December 2023



October –
December 2023

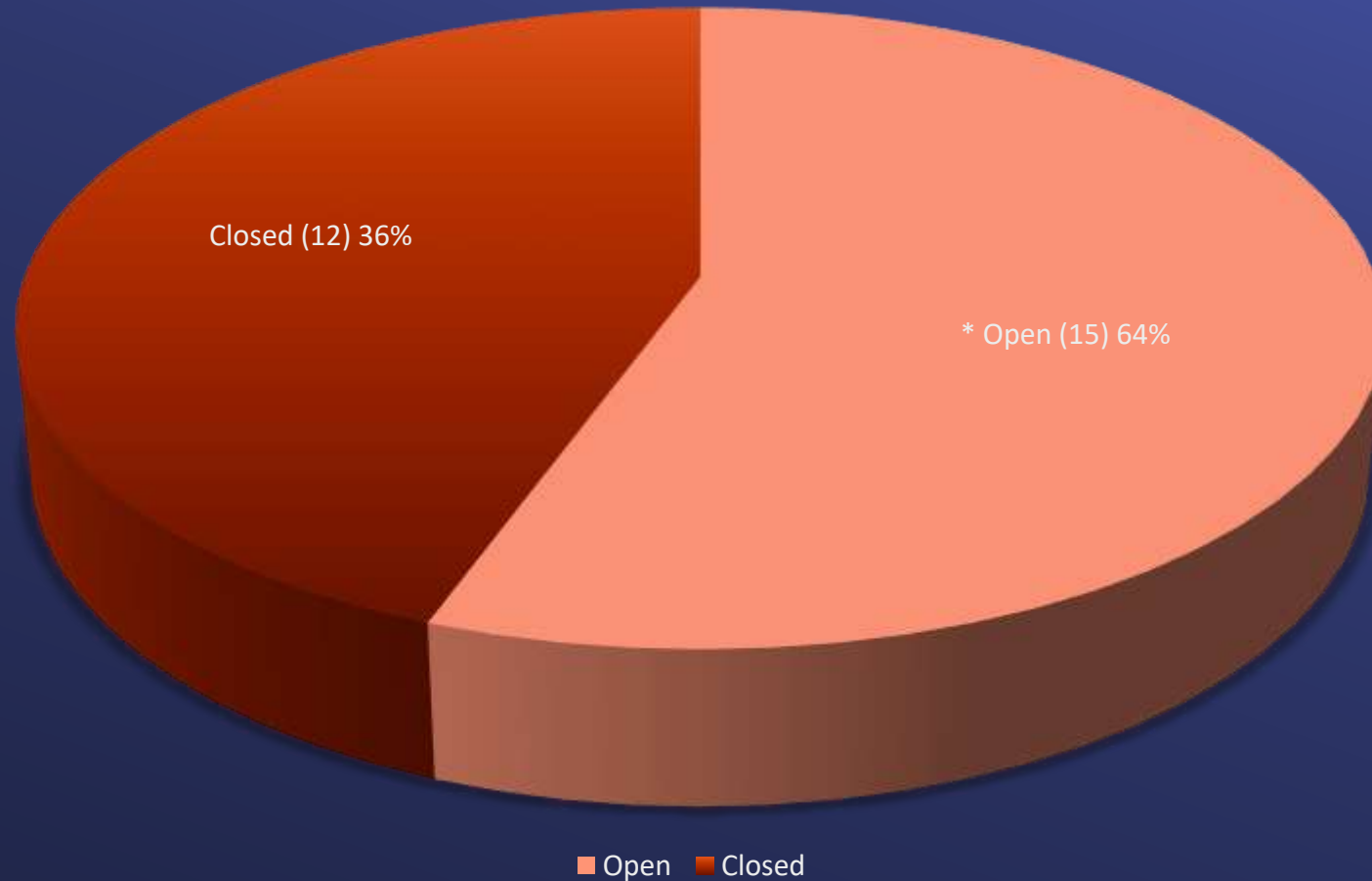
Quarterly Basis of Complaints



Total = 39

Complaints Open and Closed

October –
December 2023

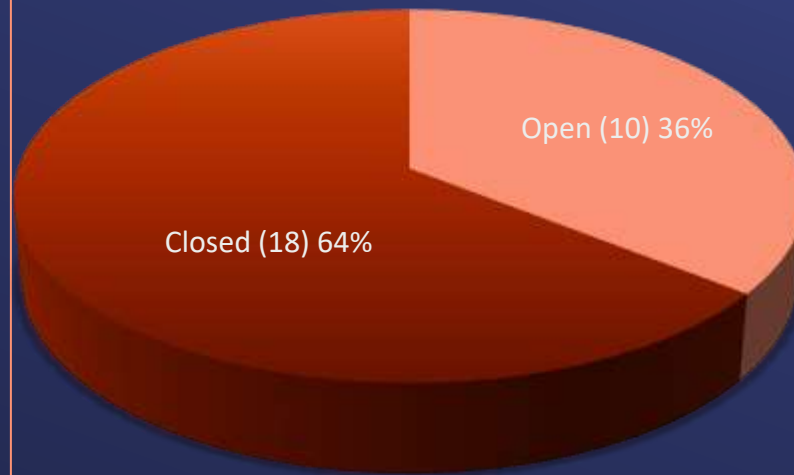


Case
Closure
Rate:
89 business
days

*** 9 Complaints under assessment; 6 Complaints under Investigation**

Complaints Comparison & Closure Rate by Quarter

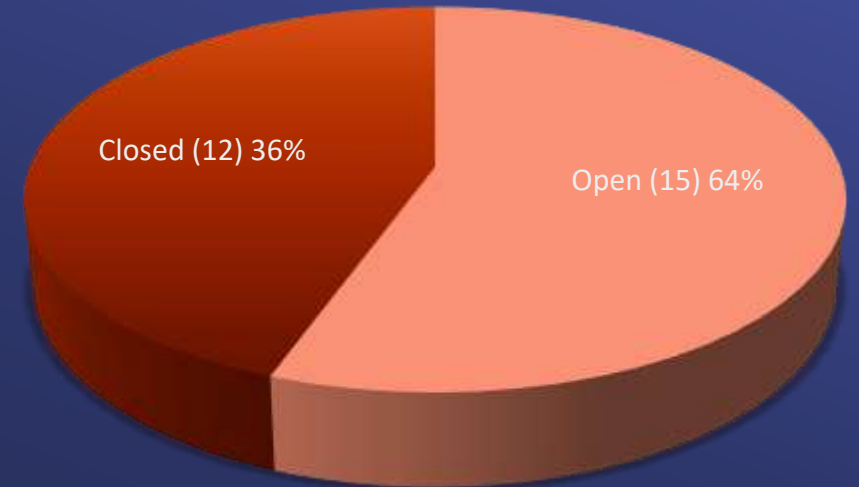
October –
December 2023



■ Open ■ Closed

Case Closure Rate:
58 business days

July - September 2023



■ Open ■ Closed

Case Closure Rate:
89 business days

October - December 2023

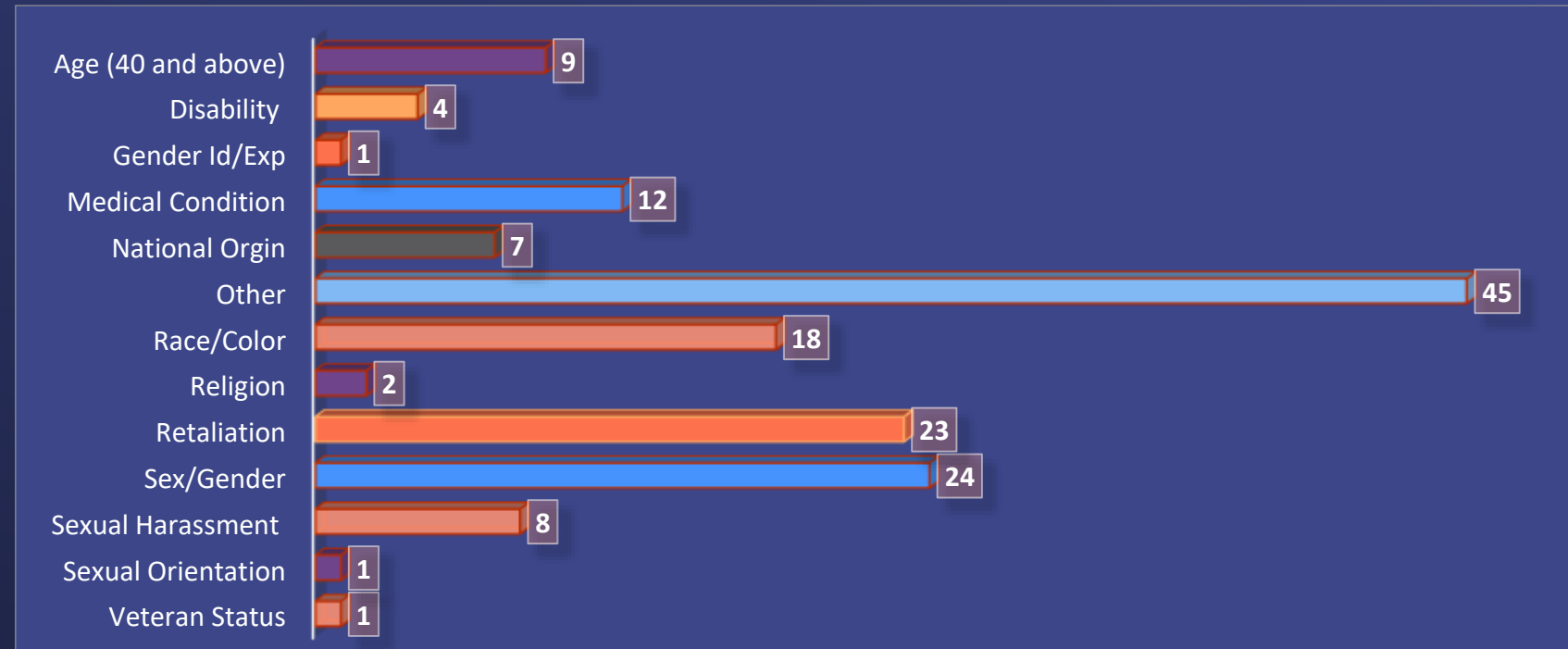
Year End Case Statistics

Total Complaints Received: 103

Average Case Closure Rate: 37 business days

Total Complaints Closed: 111

January 1, 2023 –
December 19, 2023



October –
December 2023

Questions?





Ethics, Organization, & Personnel Committee

EEO Office Overview

Item 6d

January 9, 2024

Item # 6d

EEO Office Overview

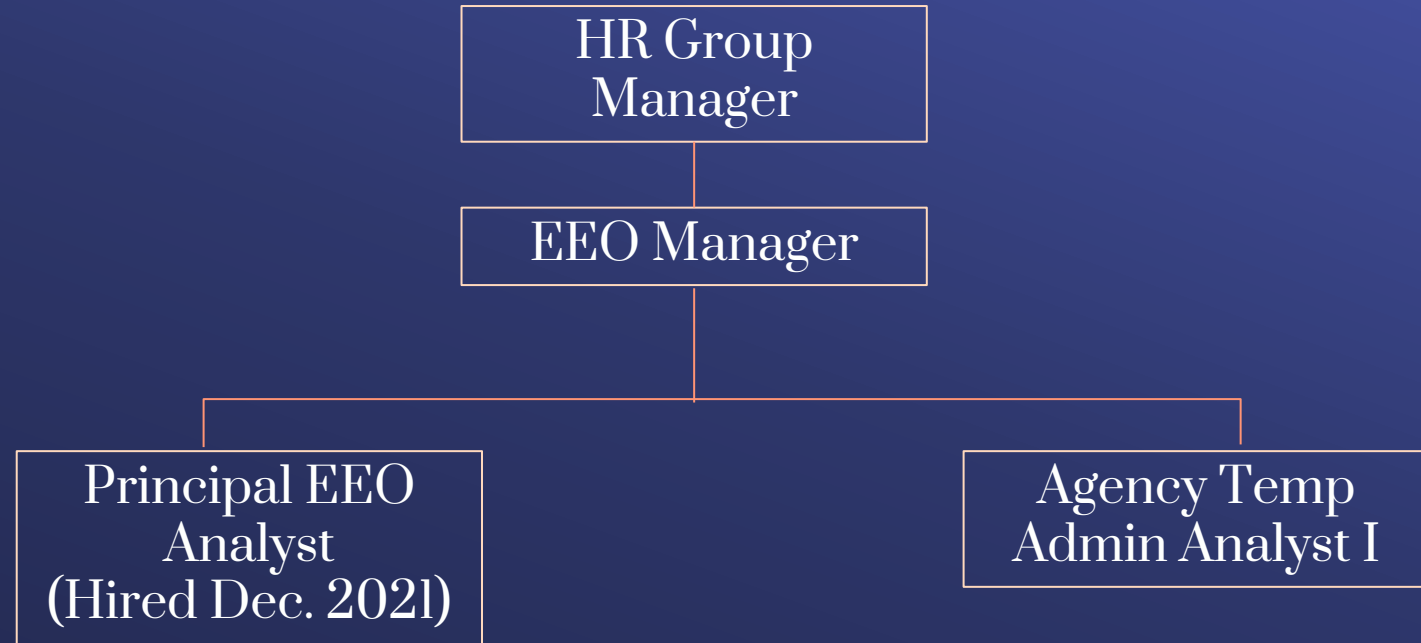
Subject

Update on the implementation of EEO Office policies, practices and procedures since the department's creation

Purpose

Informational update

EEO Office Org Chart (Where We Were)



EEO Office Org Chart (Where We Are)



EEO's Core Guiding Principles

Awareness

We seek to create a heightened awareness of EEO rights and edify the Metropolitan family through professional and personal growth. We commit to creating a harassment-free work environment and enhancing cultural competency.

Accountability

We hold ourselves to the highest standards. We live our values and truths and work to maintain reliable and trustworthy governance. We enforce a zero-tolerance policy that prohibits discrimination, harassment and retaliation in any form. We will work diligently to ensure corrective action is taken in response to any EEO policy violation.

Integrity

We will communicate openly and honestly, listen, and respectfully value multiple perspectives. We will do what we say and be accountable for everything we do. We strive to do the right thing, always, even when it isn't easy.

Awareness Accountability Integrity

Awareness

- EEO Brochure /Policy Dissemination
- EEO Website (<https://intramet/EEO/index.html>)
- Onboarding

Accountability

- EEO Quarterly Report
- EEO-4 Report
- Interview Admonitions

Integrity

- Post Investigative Follow-up
- Professional Development
- Confidentiality

The Equal Employment Opportunity (EEO) Office

The EEO Office's Responsibilities

- Ensure Metropolitan complies with all applicable federal and state EEO laws and regulations
- Conduct fair and impartial workplace investigations
- Implement the Non-Discrimination Program to monitor the recruitment and selection process
- Develop and enforce EEO policies and procedures
- Develop and implement state-mandated EEO trainings, presentations and other educational resources

EEO Protected Categories

- Age (40 & Above)
- Race
- Color
- National Origin or Ancestry
- Citizenship Status
- Religion
- Mental or Physical Disability
- Genetic Information
- Marital Status
- Medical Condition
- Sex/Gender (including pregnancy and sexual harassment)
- Gender Identity/Gender Expression
- Sexual Orientation
- Military/Veteran Status
- Other Protected Characteristics

Policies & Procedures

What EEO Implemented:

- **Revised EEO Policies**

Updated policy language to include info about retaliation, mandated reporting, external agency complaints, and 3-year complaint filing period

- **Developed Complaint Procedures**

Created investigative procedures to cover EEO complaint lifecycle from assessment through investigation and closure

- **Annual Policy Reviews**

Implemented yearly policy reviews to ensure they align with EEO laws and best practices

Complaint & Investigative Process

What EEO Implemented:

- **Intake Assessment Process**

Instituted an intake process to establish EEO jurisdiction prior to case acceptance

- **Informal Resolution Process**

Instituted an informal resolution process to address non-egregious complaints and isolated incidents that do not rise to a policy violation

- **Increased Reporting Options**

Introduced various complaint and reporting options (verbal, written, online, anonymous) to simplify the reporting process

Roundtable, Reconciliation & Retaliation

What EEO Implemented:

- EEO Roundtable Process
 - Developed EEO Roundtable Process to ensure relative consistency in the disciplinary process
- Reconciliation Program
 - Developed Restorative Justice/Reconciliation Program to help parties gain closure after an investigation is complete
- Retaliation Prevention & Monitoring
 - Added stronger retaliation language to policies and notification letters
 - Instituted monthly communications with relevant parties and post-investigative check-ins with Complainants

Reporting & Record- Keeping

What EEO Implemented:

- **Case IQ**
Established a confidential, online case management system to store EEO files
- **Reporting Mechanism**
Established a reporting tool to monitor complaint trends and capture statistical data
- **Quarterly Reports**
Implemented quarterly reports for Board staff to maintain integrity and transparency of the EEO Office

Training & Outreach

What EEO Implemented:

EEO Investigations 101 Training

Live training developed to provide an opportunity for the workforce to learn and ask questions about the EEO complaint and investigative process.

- Four trainings conducted in 2023
- 163 attendees

EEO Site Visits to Desert Facilities

- EEO Leadership visited in October 2022
- EEO Staff held office hours 2x in 2023

Equal Employment Opportunity

Nondiscrimination Program (NDP)

- An NDP is a set of specific and results-oriented procedures to which an agency commits itself for the purpose of ensuring equal employment opportunity for all employees and applicants for employment.
- Legally required per California Code of Regulations, Title 2 Administration, § 11103 Nondiscrimination Program.

Nondiscrimination Program continued...

Determining Utilization

- Is MWD's workforce reflective of the demographics in the available labor market?
- Approx. 1,882 employees
- Review job classifications (approx. 455)
- Develop job groups – aggregations of jobs similar in wage, content, and opportunity.
- NDP's – currently have 8 Groups (ex. Water System Operations, Real Property, etc.)

Demonstrated Commitment to EEO Principles

Reaffirmation Statement of EEO Policy

- Metropolitan's commitment to maintaining an environment that values diversity and where its employees are free from unlawful discrimination, harassment, and retaliation.
- Disseminated to all employees on 11/20/23.

Concurrence Process

- Means that EEO has reviewed employment documents to ensure actions of the agency are not discriminatory.
- EEO will review job descriptions, posting period, outreach platforms, panel diversity, observe interviews, when applicable, assist management in identifying areas for improvements

EEO-4 Data Collection



U.S. EEO Commission

- Federal mandatory requirement of biennial data collection that requires all state and local governments with 100 or more employees to submit demographic workforce data aggregated by EEO categories and salary levels.
- Certified on 11/6/23.

EEO Office (Where We're Going)

Looking Ahead to 2024

- Develop live, instructor-led supervisor-level sexual harassment trainings
- Update current sexual harassment prevention and correction online training
- Continue EEO Investigations 101 Training
- Review sexual harassment training designations to ensure compliance (supervisor vs. non-supervisor)
- Analyze job descriptions to ensure they're in the proper EEO job categories and to remove any unnecessary impediments to equal opportunity
- Fully implement EEO Concurrence Process in partnership with Human Resources
- Continue EEO office hours at Desert facilities at least twice per year



ETHICS, ORGANIZATION, AND PERSONNEL
COMMITTEE MEETING
January 9, 2024 – 10:30 a.m.
MWD Headquarters Building/Teleconference Meeting

NON-INTEREST DISCLOSURE NOTICE
COMMITTEE ITEM 6.f.

COMMITTEE ITEM 6.f. – 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; Mark Brower, Human Resources Group Manager; Adam Benson, Finance Group Manager; Employee Organization(s): the Management and Professional Employees Associations MAPA/AFSCME Chapter 1001; the Supervisors Association; and the Association of Confidential Employees.)]

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, Mark Brower, 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.