

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.

OP&T Committee

Vacant, Chair
T. McCoy, Vice Chair
S. Blois
M. Camacho
G. Cordero
S. Faessel
A. Fellow
F. Jung
R. Lefevre
J. Morris
A. Ortega
G. Peterson
T. Smith
S. Tamaribuchi
H. Williams

Organization, Personnel and Technology Committee

Meeting with Board of Directors *

July 12, 2022

11:00 a.m.

Teleconference meetings will continue until further notice. Live streaming is available for all board and committee meetings on mwdh2o.com ([Click Here](#))

A listen only phone line is also available at 1-877-853-5257; enter meeting ID: 831 5177 2466. Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via teleconference only. To participate call (833) 548-0276 and enter meeting ID: 815 2066 4276.

Tuesday, July 12, 2022 Meeting Schedule

9:30 am - E&O
10:30 am - RP&AM
11:00 am - OP&T
12:00 pm - L&C
1:00 pm - C&L
1:30 pm - WP&S
3:00 pm - BOD

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

* 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 Meeting of the Organization, Personnel and Technology Committee held June 14, 2022 [21-1312](#)

Attachments: [07122022 OPT 2A Minutes](#)

3. CONSENT CALENDAR ITEMS - ACTION

NONE

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

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

NONE

6. COMMITTEE ITEMS

- a. Update on implementation of recommendations from State Audit and independent review of workplace concerns [21-1045](#)

Attachments: [07122022 OPT 6a Presentation](#)

- b. Labor Negotiations Update [21-1036](#)
[Conference with labor negotiators; to be heard in closed session pursuant to Gov. Code Section 54957.6. Metropolitan representatives: Diane Pitman, Human Resources Group Manager, Stephen Lem, HR Section Manager of Labor Relations. Employee organization: The Metropolitan Water District of Southern California Supervisors Association]

Attachments: [07122022 OPT 6b Non-Interest Disclosure Notice](#)

7. MANAGEMENT REPORTS

- a. Human Resources Manager's Report [21-1310](#)

- b. Information Technology Manager's Report [21-1311](#)

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. Agendas for the meeting of the Board of Directors may be obtained from the Board Executive Secretary. 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 <http://www.mwdh2o.com>.

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

ORGANIZATION, PERSONNEL AND TECHNOLOGY COMMITTEE

June 14, 2022

Vice Chair McCoy called the teleconference meeting to order at 9:30 a.m.

Members present: Directors Blois, Camacho, Cordero, Faessel, Fellow, Jung, Lefevre, McCoy, Morris, Ortega, G. Peterson, Smith, Tamaribuchi and Williams.

Members absent: None

Other Board Members present: Directors Abdo, Ackerman, Atwater, De Jesus, Dennstedt, Erdman, Fong-Sakai, Gray, Kurtz, Miller, Sutley, and Record.

Committee Staff present: H. Beatty, Chapman, Eckstrom, Hagekhalil, Kasaine, Munoz Marroquin, Pitman, and H. Torres.

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

Alan Shanahan, President of AFSCME Local 1902, commented on item 7-10.

Katy Wagner commented on the Shaw Law Group report.

Ellen Mackey, employee and Leader of Metropolitan’s Women’s Caucus, commented on the Shaw Law Group report.

CONSENT CALENDAR ITEMS — ACTION

2. CONSENT CALENDAR OTHER ITEMS – ACTION

A. Approval of the Minutes of the meeting of the Organization, Personnel and Technology Committee held May 9, 2022

3. CONSENT CALENDAR ITEMS – ACTION

7-9 Subject: Authorize an increase in the maximum amount payable under contract with Johnson Services Group by \$22,000 to an amount not to exceed \$271,000 for on-call temporary skilled labor; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Motion: Authorize the General Manager to increase contract 184454-02 with Johnson Service Group to an amount not to exceed \$271,000

Presented by: Brandon Patrick, Unit Manager- Class Comp & Recruitment

Mr. Patrick provided an overview of the supplemental labor contract with Johnson Service Group and explained the need for the increase in contract funds.

The following Directors provided comments or asked questions

1. Ortega

Staff responded to the Directors questions and comments.

7-10 Subject: Amend Section 1106 and Section 6226 of the Metropolitan Water District Administrative Code regarding Holidays and Annual Leave to ensure benefits parity by adding Juneteenth and an across-the-board standard for payments of excess accumulated annual leave; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Motion: Amend Section 1106 and Section 6226 of the Metropolitan Water District Administrative Code regarding Holidays and Annual Leave to ensure benefits parity by adding Juneteenth and an across-the-board standard for payments of excess accumulated annual leave.

Presented by: Diane Pitman, Human Resources Group Manager

Ms. Pitman provided an overview of changes to Administrative Code Section 1106 to add Juneteenth as a Metropolitan observed holiday and Section 6226 to implement an annual leave paydown process for Unrepresented employees in conformance with existing bargaining unit language and practice.

After completion of the presentation, Director Fellow made a motion, seconded by Director Morris to approve the consent calendar consisting of item 2A, 7-9 and 7-10.

The vote was:

Ayes: Directors Blois, Camacho, Cordero, Faessel, Fellow, Jung, Lefevre, McCoy, Morris, G. Peterson, Smith, Tamaribuchi and Williams.

Noes: None

Abstentions: Director Cordero from item 2A.

Absent: None

The motion for item 2A passed by a vote of 13 ayes, 0 noes, 1 abstention, and 0 absent.

The motion for item 7-9 and 7-10 passed by a vote of 14 ayes, 0 noes, 0 abstention, and 0 absent.

END OF CONSENT CALENDAR ITEMS

4. OTHER BOARD ITEMS - ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

- a. Subject: Update on implementation of recommendations from State Audit and independent review of workplace concerns

Presented by: Katano Kasaine, Assistant General Manager CFO
Jonaura Wisdom, EEO Officer
Dan Guillory, Section Manager- Operations Safety and Regulatory Services
Adel Hagekhalil, General Manager

Ms. Kasaine provided an update of the Audit Reform Teams progress on State Audit recommendations, management trainings and presented the website location where the public can view the status of recommendations. Ms. Wisdom provided an update on the status of EEO policies, Non-discrimination Plans and EEO organization. Mr. Guillory provided an update on the new draft procedure HSE 101.4 Safety Communications. Mr. Hagekhalil commented on Shaw Law Group investigation and the actions taken on the investigation findings

The following Directors provided comments or asked questions

1. Ortega
2. Smith
3. G. Peterson
4. Grey
5. Ortega

Staff responded to the Directors questions and comments.

7. MANAGEMENT REPORT

- a. Human Resources Manager's Report

None

- b. Information Technology Manager's Report

None

8. FOLLOW-UP ITEMS

None.

9. FUTURE AGENDA ITEMS

Director Camacho made a motion to have the Executive Committee consider waiving privilege of the Shaw Law Group reports as it relates to State audit, seconded by Director Ortega.

The vote was:

Ayes: Directors Camacho, Cordero, Faessel, Jung, Ortega, and Smith.

Noes: Directors Blois, Fellow, Lefevre, McCoy, Morris, G. Peterson, Tamaribuchi and Williams.

Abstentions: None

Absent: None

The motion failed by a vote of 6 ayes, 8 noes, 0 abstention, and 0 absent.

10. ADJOURNMENT

Next meeting will be held on July 12, 2022

Meeting adjourned at 10:48 a.m.

Tana McCoy
Vice Chair



Organization, Personnel and Technology Committee

Update on implementation of recommendations from State Audit and independent review of workplace concerns

Item 6a

July 12, 2022

Update

State Audit

- Updates submitted on June 20, 2022
- Audit Reform Team meets biweekly to review status of recommendations to ensure implementation by established deadlines

Independent Review of Workplace Concerns

- Update on status of recommendations
- Summary

Update on Implementation of Recommendations from State Audit

Update on State Audit

EEO

Due: June 2022

Submitted: June 20, 2022

Recommendations

- Develop written procedures that specify how non-EEO staff who receive complaints from employees should handle referrals of EEO complaints to the EEO office, and train staff on those procedures.
- 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 plays a lead role in an EEO complaint, such as the Ethics Officer or the General Counsel's office.
- 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:
 - 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.

Update on State Audit

Hiring/ Recruitment/ Promotion

Due: June 2022

Submitted: June 20, 2022

Recommendation

- Annually share the results of its NDP analyses with various management groups as well as recruitment staff.

Update on State Audit

Safety

Due: June 2022

Submitted: June 20, 2022

Recommendation

- 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.

Independent Review of Workplace Concerns

Independent Review of Workplace Concerns

Status of Recommendations

#	Recommendation	Action	Status
6	Continue to enhance the District's current EEO training program.	Addressed/Ongoing	<ul style="list-style-type: none"> Managing for Success H-07/H-13 policy training at management forum on July 16, 2022 Prevention of Workplace Harassment, Discrimination & Abusive Conduct Preventing Workplace Harassment Unintentional Still Hurts
8	Require managers to promptly and consistently address EEO Issues and other employee concerns.	Addressed/Ongoing	<ul style="list-style-type: none"> Stipulated and emphasized in H-07/H-13 policies and H-07/H-13 policy training
16	Regularly communicate with all employees regarding the separate components of the EEO Office and the Ethics Office, including direct messaging from the General Manager, the CAO, and the Ethics Officer.	Addressed/Ongoing	<ul style="list-style-type: none"> Stipulated in the H-07/H-13 policies EEO Office discussed in Coffee with the GM, meet and confers with bargaining units, JLMAC meetings

Independent Review of Workplace Concerns

Status of Recommendations

#	Recommendation	Action	Status
18	Update the District's "EEO Discrimination Complaint Procedures," and provide copies to complainant(s) and respondent(s) in each investigation.	In Progress	<ul style="list-style-type: none">EEO Procedures are being developed
21	Immediately identify during investigations of EEO Issues whether interim measures are appropriate.	Addressed/Ongoing	<ul style="list-style-type: none">Assessed during intake process and throughout investigation.

Independent Review of Workplace Concerns

Status of Recommendations

#	Recommendation	Action	Status
22	Prioritize investigations if any employee is placed on PAL pending completion of the investigation.	Addressed/Ongoing	<ul style="list-style-type: none">▪ In process
24	Provide in-depth and regular training to all EEO Office personnel regarding complaint intake and investigation best practices, and ensure internal EEO investigators are trained in trauma-informed practices, including interview techniques and credibility assessments.	Addressed/Ongoing	<ul style="list-style-type: none">▪ EEO Officer and EEO Section Manager have Association of Workplace Investigations (AWI) certificate▪ Principal EEO Analyst enrolled in upcoming EEOC training▪ Concerted effort made to seek additional training opportunities

Independent Review of Workplace Concerns

Status of Recommendations

#	Recommendation	Action	Status
26	Adopt restorative practices, including creating a conflict resolution team, requiring transparency about the District's remedial actions to the extent consistent with employee rights, and ensuring appropriate follow-up after an investigation is complete.	Addressed/Ongoing	<ul style="list-style-type: none">Contracted with consultant for restorative justice and reconciliationEEO Section Manager assigned to follow-up with relevant parties after an investigation
27	Implement a process for Employee Relations and/or the EEO Office to inform internal recruiters about information relevant to transfer requests, such as an employee's prior complaint against an employee working at the potential new location.	Completed	<ul style="list-style-type: none">A process has been established and is in place

Independent Review of Workplace Concerns

Status of Recommendations

#	Recommendation	Action	Status
35	Implement a District-wide communication program regarding what conduct may constitute retaliation under the District's policy, and the District's commitment to protecting employees from retaliation.	Addressed/Ongoing	<ul style="list-style-type: none">▪ Included in H-07/H-13 policies and covered in established trainings

Independent Review of Workplace Concerns Status of Recommendations Summary

	Referred	Completed	Addressed/ Ongoing	In Progress
General Manager/EEO	26	5	19	2
General Manager and Legal Departments	1	1	-	-
Legal and Ethics Departments	4	1	2	1
Joint Labor-Management Advisory Committee	9	1	7	1
Board	7	1	5	1
Total	47	9	33	5



Discussion



ORGANIZATION, PERSONNEL AND TECHNOLOGY
COMMITTEE MEETING
July 12, 2022 – 11:00 a.m.
MWD Headquarters Building – Teleconference Meeting

NON-INTEREST DISCLOSURE NOTICE
COMMITTEE ITEM 6.b.

COMMITTEE ITEM 6.b. – Labor Negotiations Update [Conference with labor negotiators; to be heard in closed session pursuant to Gov. Code Section 54957.6. Metropolitan representatives: Diane Pitman, Human Resources Group Manager, Stephen Lem, HR Section Manager of Labor Relations. Employee organization: The Metropolitan Water District of Southern California 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, Abel Salinas, Katano Kasaine, Heather Beatty, Shane Chapman, Deven Upadhyay, Stephen Lem, Diane Pitman, Henry Torres, Tony Zepeda, Michelle Haight, Brent Yamasaki, Charlie Eckstrom, Dee Zinke, and Isamar Munoz.

Heather Beatty and Isamar Munoz are members of the Association of Confidential Employees (“ACE”), which has 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, Marcia Scully and Abel Salinas 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.