



INFORMATION REPORT

COUNCIL MEETING

APR - 4, 2017

DATE: March 20, 2017

TO: City Manager
DEPARTMENT: Human Resources
SUBJECT: Equal Employment Opportunity Committee Annual Report
for Calendar Year 2016 (HR FYI 025)

APPROVED:

DATE:

3/22/17

The City of Santa Cruz Equal Employment Opportunity Committee's Annual Report for Calendar Year 2016 is attached.

Submitted by:

Joe McMullen, EEO Committee Staff Liaison
Principal Human Resources Analyst

Attachments: Equal Employment Opportunity Committee Annual Report for Calendar Year 2016



Equal Employment Opportunity Committee

2016 Annual Report

February 9, 2017

City of Santa Cruz Equal Employment Opportunity Committee 2016 Annual Report

February 9, 2017

EEO Committee Members and Staff – 2016



Amy Chirman, 9/30/15
City Manager's Appointment



Katherine Donovan, 3/27/12
Management Association Appointment



Jim Frawley, 7/1/15
City Manager's Appointment (Director)



Dara Herrick, 8/15/16
Non-Management Association Appointment



Heather Sawyer, 8/9/13
City Manager's Appointment



Valerie Simmons, 9/10/13
City Council Appointment



Adam Spickler, 7/22/14
City Council Appointment



Arturo Villaseñor, 10/13/15
SEIU Local #521 Appointment



Filipina Warren, 8/17/12
City Manager's Appointment

Staff Support (not pictured)

Janice Lum, Human Resources Analyst II/Training Manager Nico Megevand, Human Resources Administrative Assistant II
Joe McMullen, Principal Human Resources Analyst

**City of Santa Cruz Equal Employment Opportunity Committee
2016 Annual Report**

February 9, 2017

Table of Contents

	<u>Page</u>
1. Overview of Committee and 2016 Activities	1
2. Statement of EEO Committee 2017 Goals & Objectives	3
3. Training & Employee Development	5
4. Sub-Committee and Other Reports	11
4.1. Salary Demographics Ad-Hoc Sub-Committee	13
4.2. Respectful Workplace Policy Development Standing Sub-Committee	17
5. Appendices	19
5.1. Calendar Year 2016 Harassment/Discrimination Complaints	21
5.2. Fiscal Year 2016 City Workforce & Census Demographics Analysis	21
5.3. United States Department of Labor Contractor Program Veterans' Employment Report ("VETS-4212 Report")	27

*The 2016 Equal Employment Opportunity Committee Annual Report was created by
Amy Chirman, Katherine Donovan, Janice Lum,
Joe McMullen, Valerie Simmons, Adam Spickler, and Filipina Warren
Photo credits, J Guevara © 2013-2017*

City of Santa Cruz Equal Employment Opportunity Committee 2016 Annual Report

February 9, 2017

Section 1: Overview of Committee and 2016 Activities

Katherine Donovan

The purpose of the Equal Employment Opportunity (“EEO”) Committee is to serve as a communication channel between City employees, the community, the City Manager, the City Council and the EEO Coordinator on equal employment opportunity concerns. The EEO Committee meets quarterly on the second Thursday of February, May, September, and November at 1:30 pm in the City Council Chambers. The EEO Committee consists of nine members. The City Council appoints two members of the public; the City Manager appoints one executive and three employee representatives; the service employees bargaining unit (SEIU Local 521) appoints one member; and the other bargaining units take turns appointing two members.

During 2016, the EEO Committee continued its work on salary demographics to determine whether there is a gender pay gap at the City. The study, which was begun in 2014, is the first time the City has looked at the question of compensation differences between men and women. The study mirrors a climate in California emphasizing equal pay in the workplace as the "California Fair Pay Act" (SB 358) was signed into law and became effective on January 1, 2016. The Committee compiled and evaluated data regarding pay by gender for employees of the City. This effort was led by members Spickler (replacing former member Guevara) and Warren and analyzed by member Simmons. Initial findings in 2015 supported further inquiry into pay inequality between males and females at the City. The Committee brought its findings to Director Murphy of the Human Resources Department. In studying the research, Director Murphy had further questions regarding the method of analysis. The committee will continue to refine its research through a sub-committee comprised of members Simmons, Spickler and Warren. Studying gender pay equity will continue to be a goal of the committee during 2017.

The adoption of a Respectful Workplace policy continued as a goal of the committee in 2016. The policy was completed and brought to the City Department Heads for review. Assistant City Manager Tina Shull gathered input from the Department Heads, which was reviewed by the sub-committee prior to review by the full EEO Committee. Additional department head comments were incorporated in 2016 and the policy was sent to the bargaining units for review. Meetings with the bargaining units for comment are currently underway. The goal of the policy, once adopted, is to provide for a better work environment and serve as a tool for Supervisors and Managers to continue to cultivate a climate of respect in the workplace.

The EEO Committee said goodbye to Rachel Kaufman this year, who had four years of dedicated serviced to the Committee. We sincerely thank Rachel for her dedicated work and passion toward equality in the workplace.

The Committee elected member Donovan as the continuing 2016-2017 Chair of the committee and member Valerie Simmons as the new Vice-Chair. The Committee welcomed new member Dara Herrick, to serve as the non-management employee association representative. In conclusion, the EEO Committee would like to thank the Human Resources Department for the administrative and logistical support they have provided.

City Contact and EEO Committee Coordinator:

Joe McMullen – Principal Human Resources Analyst

Human Resources Department – City of Santa Cruz

809 Center Street, Room 6

Santa Cruz, CA 95060

Phone: 831-420-5044

Fax: 831-420-5041

jmcmullen@cityofsantacruz.com

**City of Santa Cruz Equal Employment Opportunity Committee
2016 Annual Report**

February 9, 2017

Section 2: Statement of EEO Committee 2017 Goals & Objectives

Goal #1: The EEOC will be more vigilant and committed to a non-discriminatory and respectful work environment.

Objective(s):

- Review and make recommendations from City’s Discrimination/Harassment Complaint logs to address recurring issues.
- Maintain a full membership and attendance of the Committee.
- Remain current in knowing EEO-related city, state, and federal laws and policies.
- Complete implementation of the new Respectful Workplace Conduct policy.

Goal #2: The EEOC will be visible and raise awareness about the Committee in the City of Santa Cruz workplace and with vendors and partnering agencies.

Objective(s):

- Be creative and innovative in posting EEO-related information and updates to the City’s Intranet, social media, and public website to share such things as the EEOC annual goals, objectives and planned activities, as well as the planned Annual Report and other actions taken by the EEOC.
- Reach out to departments at departmental staff meetings and at quarterly Supervisors/Managers meetings at least once annually to determine if any EEO-related issues of concern have arisen, and to provide state and/or federal updates of relevance as well as EEOC updates.
- Provide workshops, speakers, and other media at Committee meetings and other City events to provide state and/or federal updates of relevance as well as EEOC updates.
- Work more intentionally with vendors and partnering agencies to ensure they support the City’s Equal Employment Opportunity policies
- Send out periodic announcements and content changes made to the EEOC web page.

Goal #3: The EEOC will help the City ensure pay equity is realized for all its employees.

Objective(s):

- Continue to refine the analysis of, and develop a research methodology for pay equity data including the factors of sex, age, race and ethnicity, and accounting for starting pay and length of time in position.
- Make recommendations to the City Council on addressing pay equity issues.
- Continue to monitor State and Federal legislation on Pay Equity.

Activities Planned in Support of Goals & Objectives

ACTIONS	WHO	TIMELINE
E-mail complaint logs to Committee members with Agendas. (<u>Goal #1</u>)	Staff	Two weeks prior to regular Committee meetings
Discuss issues on Complaint Logs. (<u>Goal #1</u>)	All	At regular Committee meetings
Meet deadline to fill any Committee vacancy. (<u>Goal #1</u>)	All	By subsequent meeting held
Provide EEOC update at Supervisors/Managers quarterly meeting. (<u>Goal #2</u>)	Rotating	At least once a year
Select Subcommittee members and develop Annual Report. (<u>Goal #2</u>)	Annual Report Ad Hoc Subcommittee	Draft to Committee in November; Final approval by Committee in February; FYI to City Council in March
Offer resources to present at EEOC meetings. (<u>Goals #1 & #2</u>)	All	Ongoing
Inform members of updated EEO laws, support members in educating City leaders where appropriate. (<u>Goals #1 & #2</u>)	Staff	Ongoing
Review Committee's Goals and Action Items. (<u>Goals #1, #2, & #3</u>)	All	September and November meetings
Recommend adoption of changes to Council Policy 25.2 about Respectful Workplace Conduct. (<u>Goals #1 & #2</u>)	All	City Council meeting
Explore methods of educating vendors and City staff about new policies. (<u>Goals #1, #2, & #3</u>)	All	Following final approval of new Respectful Workplace Conduct policy
Update vendor contract as needed to reflect new policies. (<u>Goals #1 & #2</u>)	All	Following final approval of new Respectful Workplace Conduct policy
Review contents of Respectful Workplace Conduct policy. (<u>Goal #1</u>)	All	One year from date of adoption

City of Santa Cruz Equal Employment Opportunity Committee 2016 Annual Report

February 9, 2017

Section 3: Training & Employee Development

Janice Lum, Human Resources Analyst II – Employee Training & Development Manager

The City’s training programs are administered in the Human Resources Department. The EEO Committee has an interest in all of the training programs because they all contribute to a more positive working environment in some way.

In order to comply with City requirements and State mandates, the City continues to provide harassment prevention and cultural diversity trainings to employees, including elected officials (Councilmembers). Both of these trainings are provided twice a year in classroom format, and Harassment Prevention training is also offered in webinar format.

Harassment Prevention Training

Employees who are newly hired or have never met their initial Harassment Prevention Training requirements are provided with three-hour ‘live’ classroom training. The curriculum is designed to satisfy the requirements of AB1825 (supervisory training). In January and August 2016, the City provided two live, in-person sessions of harassment prevention training, for a total of four sessions over the course of the year, presented by Elaine Henderson of Henderson Communications Consulting & Associates. There were 57 employees in attendance at the January sessions and 45 employees in the August sessions.

We also offer refresher training to supervisory and management employees (except for the groups mentioned above) in an online format presented by TargetSolutions as an alternative option to live classroom training. Their two-hour online course, “Sexual Harassment for Supervisors” meets the State mandate for a two-year refresher course for regular managers and supervisors and all other employees with ongoing supervisory responsibilities. Their one-hour online course, “Sexual Harassment,” is offered to temporary employees who do not have supervisory responsibilities. The Human Resources Department also provides another option for seasonal temporary employees in the Parks and Recreation Department—a one-hour live large group presentation training. In June 2016, one session of Harassment Prevention training was offered to temporary summer day camp employees.

Cultural Diversity Training

In February 2016, the City provided two live sessions of cultural diversity training presented by Patty Sapone, retired Deputy Police Chief for the City of Santa Cruz. In September 2016, the City provided one additional live session of cultural diversity training. There were 28 employees in attendance in the February sessions and 41 employees in the September session.

Employee Training Calendar

The Human Resources Department provided a 2016 Training Calendar to all City employees with a variety of training opportunities in several categories, including “Mandatory Training for New Employees” (Harassment Prevention and Cultural Diversity), “Professional Development,” “In the Workplace,” “Communication Skills,” and “Technical Training.” Classes were led by instructors from Cabrillo Corporate Training, City staff, and trainers provided by Optum, the City’s Employee Assistance Program (EAP). The calendar also incorporated courses offered by the Monterey Bay Employment Relations Consortium (ERC), which are listed in the section below. The calendar covered the period from February through December 2016.

“Professional Development” courses included: Critical Thinking; Leading and Managing Teams; Project Management; and Managing People Effectively.

“In the Workplace” classes included: Managing Time and Priorities; Ergonomics: Avoiding Workplace Injuries; Setting Clear Goals and Performance Expectations; Managing Customer Expectations; and Substance Abuse in the Workplace.

“Communication Skills” classes included: Powerful PowerPoint Presentations; Managing and Resolving Conflict; Effective Presentations and Public Speaking; and Professional Writing and Email Etiquette.

“Technical Training” courses included: Adobe Acrobat Basics and PDF Forms; PowerPoint; Microsoft Office 2010; EZ-Eden; and City Council Agenda Reports and Sire AgendaPlus; and Microsoft Office 2010. Council Chambers Media Equipment training was available by request.

Monterey Bay Employment Relations Consortium (ERC)

The City is a member of the ERC which annually provides up to ten different workshops chosen by its members. All employees of the member agencies are eligible to attend free of charge. All of the workshops are presented by attorneys from the Liebert Cassidy Whitmore law firm.

The 2016 workshops included: The Future is Now—Embracing Generational Diversity and Succession Planning (webinar); Managing the Marginal Employee; Public Service: Understanding the Roles and Responsibilities of Public Service; Maximizing Supervisory Skills for the First Line Supervisor; Workplace Bullying: A Growing Concern; A Supervisor’s Guide to Labor Relations; File That! Best Practices for Document and Record Management (webinar); Risk Management Skills for the First Line Supervisor; and Difficult Conversations.

International City/County Management Association (ICMA) Coaching Program

As bonus training opportunities, the Human Resources Department hosted group viewings of several webinars offered by the International City/County Management Association (ICMA) Coaching Program. These included: Successful Supervision and Leadership; Survival Skills for Managers; and Succession Planning and Knowledge Transfer.

Learning Lunch Workshops

During 2016, several Learning Lunch workshops were offered as personal enrichment opportunities for City employees. Classes included: Seven Steps to Stress Less; Dealing with Allergies; Introduction to the Enneagram; Caring for an Aging Parent; Unhealthy Eating: Breaking the Cycle; Oh My Aching Back! Slowing Down in a Sped-Up World; and Heart Health.

Employee and Leadership Development Program

In May 2015, the Human Resources Department re-launched the Employee and Leadership Development (E&LD) Program, one of the major components of the City's Succession Planning Program. As designed, the E&LD Program was comprised of eight class modules designed to develop participants' leadership skills and job competencies. Upon completion of all eight modules, participants receive a Certificate of Completion that counts toward one year of supervisory experience in meeting the minimum qualifications for internal job opportunities.

In its original format, the program required participants to take eight class modules, including: Communication Skills for Facilitating Effective Meetings; Planning and Organizing Your Work; Customer Service; Motivating Your Team; Performance Evaluations; Addressing Performance Concerns; Decision Making and Problem Solving; and Project Management. Three rounds of these courses were previously offered to City employees.

With the re-launch of the program, HR staff made the decision to give employees the flexibility to choose from a broader selection of "qualifying courses" geared toward meeting their own career goals and areas of interest/focus. Each year, the "qualifying courses" for the E&LD Program Certificate will be notated on the annual training calendar.

This year, "qualifying courses" included Leading and Managing Teams; Project Management; Managing People Effectively; Managing Time and Priorities; Setting Clear Goals and Performance Expectations; Managing and Resolving Conflict; Public Service: Understanding the Roles and Responsibilities of Public Service; Maximizing Supervisory Skills for the First Line Supervisor; and Difficult Conversations. Employees who participated in prior rounds of the program may choose from any of the qualifying courses to complete their certificates as long as the course topics are different.

This Program is an important component of the City's succession planning efforts in that it will help employees grow both personally and professionally and provide tools designed to help prepare them for supervisory and management roles. Even if participants have no desire to become supervisors or managers, many of these courses are geared toward developing their personal effectiveness and leadership skills. The City recognizes that leadership occurs at all levels, and this Program is designed to maintain leadership continuity throughout the organization as a whole.

Mentoring Program

The City's Mentoring Program is another component of our Succession Planning initiative and provides a professional development opportunity for City employees. In June, the Human Resources Department launched a new round of the Mentoring Program. This year, there are six mentor and mentee pairs participating in the program. The mentees were matched with suitable mentors based on their professional development objectives and career interests.

Employee Competency/Values Model

The current Employee and Leadership Development Program and Mentoring Program are geared toward developing employees based on the City's current leadership competency model, which includes 12 competencies. On September 2, 2015, Human Resources Department staff presented a proposal to the department head team that would involve simplifying and refining the competency model to broaden its applications. As envisioned by the HR team, the new simplified model would be threaded throughout all employee programs and initiatives, including recruitment, training and development, organizational health/culture, the mentoring program, succession planning, talent management, performance evaluations, and individual development plans. The executive team saw the value of a simplified competency model with a broadened scope that would apply to all City employees.

On December 1, 2015 and January 14, 2016, HR staff facilitated two focus group meetings with employees representing all City departments that were nominated by their department heads to participate. The group generated content for a new values model, including four core values for City employees: Communication, Openness, Service, and Collaboration. The letters "COSC," are easy to remember and user-friendly because they have the same letters as "City of Santa Cruz." The values will also be integrated into the City's recruitment, training and development, performance management, and succession planning programs.

Performance Appraisal Process Update

In Fall 2014, the Human Resources Department began the process of researching and evaluating performance evaluation and job competency models for the purpose of updating the City's current appraisal forms. Currently, the City has two forms—one for Service and Supervisory employees that was most recently updated in 2004 and one for Management employees that was most recently updated in 2000. As part of the City's succession planning program, the Human Resources Department and leadership team agreed that the performance appraisal forms were in need of streamlining for efficiency and user-friendliness, modernization to reflect the current economy's focus on soft skills as opposed to just technical knowledge, and definition of the performance areas to allow for consistency in how the forms are used. Further, the performance appraisal process itself was in need of an overhaul to encourage supervisors, managers, and employees to see the performance evaluation as a valuable tool for increased communication between supervisors and their employees, professional development and goal setting, and succession planning. The new forms include performance areas organized thematically under the four values of Communication, Openness, Service, and Collaboration as well as sections for goal setting and an optional personal development plan to further employee development.

After numerous iterations and review by over 100 City employees, including the Service and Mid-Management union bargaining unit teams, the new performance appraisal forms are being finalized by HR staff. The forms include one template for all non-safety, regular status employees (full- and part-time), an abbreviated template for temporary employees, and an optional self-appraisal form, which provides questions to structure a conversation between supervisors and employees on their accomplishments and desired areas of growth and career development. HR staff is preparing Performance Appraisal Guidelines and training to support supervisors and managers in their successful use of the new forms.

Succession Planning and Development Program

In 2016, the executive team identified succession planning and workforce development as a major priority for the organization. On August 31, 2016, the City Manager's Office and Human Resources Department hosted a Succession Planning Workshop for all department heads, managers, and supervisors. Dr. Frank Benest, the former City Manager of the City of Palo Alto and an expert consultant in succession planning in the public sector, presented the business case for succession planning, including specific workforce data for the City of Santa Cruz and lessons learned from other agencies. With a significant percentage of employees eligible for retirement based on their age, the City is in a vulnerable position and must make successor development a priority. This includes developing a pool of talented leaders to fill positions from within as employees retire and ensuring that we have tools in place to transfer institutional knowledge.

As a follow up to the workshop, supervisors and managers were asked to facilitate a group discussion with their teams to solicit ideas for the City's succession planning program, including opportunities for additional training and development beyond the ones currently available. Once all of the responses to the assignment are collected, the Organizational Health Committee will review and prioritize employee input. Employee focus groups will be assembled to develop a Succession Planning Toolkit and Action Planner. Each City department will receive the Toolkit and develop its own custom plan for succession planning using the Action Planner.

Coaching Training

In early December, the Human Resources Department brought in Claire Laughlin, a trainer from Cabrillo Corporate Training, to lead two sessions of training for supervisors and managers on how to have coaching conversations. Instilling a coaching culture throughout the organization is an essential component of the succession planning program as it will enable supervisors and managers to develop existing employees to successfully promote into managerial and leadership positions as employees retire and leave the City.

**City of Santa Cruz Equal Employment Opportunity Committee
2016 Annual Report**

February 9, 2017

Section 4: Sub-Committee Reports

4.1 Salary Demographics Ad Hoc Sub-Committee

4.2 Respectful Workplace Policy Development Standing Sub-Committee

City of Santa Cruz Equal Employment Opportunity Committee
2016 Annual Report
February 9, 2017

Section 4.1: Salary Demographics Standing Sub-Committee

Amy Chirman, Valerie Simmons, Adam Spickler, Filipina Warren

Moving forward from the previous work done by the EEOC Salary Demographics Sub-Committee on gender pay equity in 2014 and 2015, in 2016 the subcommittee members focused on language in California’s Equal Pay Act amendment (SB 358, the California Fair Pay Act), which amended section 1197.5 of California’s labor code to require that men and women working at the same location receive equal pay for “*equal work*,” effective January 1, 2016. Most notably, SB 358 replaced the term “*equal work*” with “*substantially similar work*,” (“...when viewed as a composite of skill, effort, responsibility, and performed under similar working conditions.”). Unfortunately, existing legislation does not provide guidance on how to define or analyze equal pay data, nor does it define “substantially similar.” As a result, the subcommittee sought a formal definition of “substantially similar” in order to apply that definition to City job descriptions as a next step toward determining pay equity in the City’s workforce. Research was done to discover factors used in development of the amendment language that might guide accurate assessment of “substantially similar” work. This research included:

- how to conduct a pay equity study
- communication with California senatorial consultant Bryn Sullivan, assistant to Chair of the Legislative Women’s Caucus Senator Hannah-Beth Jackson in drafting the amendment language
- study of the California State Employment Development Department Occupational Classifications
- study of the federal Bureau of Labor Statistics’ Standard Occupational Classifications
- study of California Labor Code 1197.5 (Wages, Hours and Working Conditions)

The subcommittee found that the only precedent language available for defining “substantially similar” is that in the amendment itself: “...when viewed as a composite of skill, effort, responsibility, and performed under similar working conditions.” There appears to be an unstated expectation that the burden of definition will be met and addressed primarily, if not exclusively, by the likelihood of future litigation in this arena.

The subcommittee also found the lack of guidance in defining “substantially similar” to be problematic in regards to meeting the new Fair Pay Act’s requirement that employers prepare to document that bona fide factors for wage differences are reasonably applied. In a further attempt to address this, the subcommittee searched for established tools to assess job comparability, including deeper study of the federal Occupational Classifications job descriptions, and built a

weighted assessment rubric with the new law's defined components of "skill, effort, responsibility, and similar working conditions." The subcommittee selected a number of City job descriptions that are comparable based on title (for example: Assistant; Analyst; Engineer) and applied those jobs to the rubric to test its validity. It was found that existing City job descriptions do not provide adequate specificity to assure accurate weighting. One example of this relates to working conditions as a measure of "substantially similar;" they are rarely specified.

The subcommittee then took another approach and began a comparison of job classifications that have the same starting pay on the City's current pay scale. The initial idea was to compare them according to the factors in the Fair Pay Act, but the effort has become complicated because it is impossible to ascertain the actual conditions relating to each factor just from the written job description. The subcommittee continues to work on a methodology that will allow a valid comparison. It also has been noted that there are certain job classifications that historically are predominantly male or female, and this will be taken into consideration when comparing job titles, job descriptions, and pay by gender.

Conclusion:

As noted herein, the subcommittee found that where existing law had required that men and women working at the same location receive equal pay for *equal work*, SB 358 now requires that men and women receive equal pay for *substantially similar work*. Unfortunately, the new law does not provide guidance on defining "substantially similar" as a measurement for equal pay data, though we believe the intent is to strengthen how gender pay equity is determined.

Additionally, the burden is now placed on California employers to proactively determine what constitutes a substantially similar position in measuring employee compensation for those positions and identifying any inequities due to gender. Without a state-wide definition for measuring "equal pay for substantially similar work," employers risk the potential for a gender-based wage disparity determination, should a legal case be pursued by an employee and a definition determined by the courts.

Furthermore, beginning January 1, 2017, the provisions of AB 1676, Chapter 856, and SB 1063, Chapter 866, both chaptered on September 30, 2016, will take effect to provide that an employee's prior salary cannot, by itself, justify any disparity in compensation under the bona fide exception factor of "...other than sex, such as education, training, or experience," as well as adding a prohibition against pay inequity based on race or ethnicity in addition to gender.

Recommendations:

After a review of current and potentially new approaches for the City of Santa Cruz to assess pay equity among City employees working in substantially similar City positions, the Salary Demographics Sub-Committee recommends that the City Council explore seeking a proactive, acceptable legislative definition of the term "substantially similar" to better clarify new State laws on pay equity across gender, race and ethnicity. A fair legislative definition would allow the City, as well as all other employers within the State of California, to proactively determine pay equity instead of risking using a methodology for measuring equity that could be deemed inaccurate by a court. We recommend seeking a potential State legislative definition, as opposed

to taking a 'wait-and-see' approach in anticipation that litigation over a California wage discrepancy claim may bring a judicial definition down the road.

In the meantime, the Salary Demographics Sub-Committee will continue to examine City of Santa Cruz job descriptions and will work to identify similar research being done by other groups in California as well as other related best practices across the nation. The sub-committee will continue this work to identify the most accurate pay equity measurement structure possible without a legal definition for "substantially similar" positions, due to the legislated mandate for employers to ensure fair pay for their employees. The sub-committee will also attempt to take race and ethnicity into account in its ongoing research and analysis, so as to meet the additional provisions of SB 1063 when enacted January 1, 2017.

City of Santa Cruz Equal Employment Opportunity Committee 2016 Annual Report

February 9, 2017

4.2: Report of the *Respectful Workplace Policy Development* Standing Sub-Committee

Katherine Donovan

The Respectful Workplace subcommittee was formed in September 2014 in response to concerns that the City has very specific procedures in place to handle complaints related to the many protected classes; however, there are situations that involve a workplace being uncomfortable due to behaviors that have no relationship to a protected class. The original members of the subcommittee were Teresa Landers, J. Guevara, Katherine Donovan, and Adam Spickler with Joe McMullen serving as staff. Chair Landers presented a policy that she helped develop while working in Corvallis, OR. It was agreed by the subcommittee that the Corvallis policy provided a very solid foundation on which to build a Santa Cruz-specific Respectful Workplace Policy.

The subcommittee presented a draft policy to the full EEOC in February 2015. It was brought to the Department Heads for review in March 2015. The Department Heads made comments at the meeting and provided further comments prior to the Policy being scheduled for consideration by the City Council. Chair Landers, who had taken on the responsibility of bringing the policy to City Council, retired at the end of May 2015, prior to obtaining approval of the policy from the City Manager's Office. Assistant City Manager (ACM) Tina Shull then committed to taking the policy to the Council.

In late 2015, the subcommittee again reviewed changes made by department heads and the City Manager's office. As Chair Landers retired and J. Guevara resigned from the EEOC, members Sawyer and Warren volunteered to replace them and are now serving on the subcommittee with members Donovan and Spickler. ACM Shull met with the sub-committee to share additional Department Head feedback in November 2015. Proposed amendments to the policy were discussed and the subcommittee agreed to make the accepted changes and the revised document was again sent to ACM Shull, who took the revisions to the Department Heads for another round of comments. ACM Shull met with Chair Donovan in September 2016 to discuss the additional suggestions. Donovan submitted the revisions to the subcommittee for review. Once that final review had been completed, Joe McMullen (HR staff to the EEOC) sent the policy to the City's various bargaining units and set up meetings to accept any comments or concerns that that bargaining units might have.

Once all the bargaining units have been consulted, the Policy will be taken before City Council and will be recommended for adoption by the City Manager as an Administrative Procedure Order implementing edits to Council Policy 25.2 *Harassment & Discrimination Policy* (proposed to be re-named *Discrimination, Harassment & Respectful Workplace Conduct Policy*). Once the

Policy changes have been adopted, the EEOC will work to promulgate the new policy to all staff and make sure everyone understands their right to work in an environment in which respect for each other is valued and required.

**City of Santa Cruz Equal Employment Opportunity Committee
2016 Annual Report**

February 9, 2017

Section 5: Appendices

5.1 Calendar Year 2016 Harassment/Discrimination Complaints

5.2 Fiscal Year 2016 City Workforce & Census Demographics Analysis

5.3 United States Department of Labor Federal Contractor Program Veterans'
Employment Report (“VETS-4212 Report”)

**City of Santa Cruz Equal Employment Opportunity Committee
2016 Annual Report**

February 9, 2017

Appendices

Valerie Simmons

5.1 Calendar Year 2016 Harassment/Discrimination Complaints

All complaints from 2015 were resolved. The City received only one complaint during 2016, a sexual harassment complaint. The accused harasser was released during probation, so the matter is closed.

5.2 Fiscal Year 2016 City Workforce & Census Demographics Analysis

The City workforce as of July 2016 was 13 employees larger than in the previous year. The proportions of women and of ethnic minorities are approximately the same as last year.

**Chart 1
Ethnic and Sex Diversity of the City Workforce, July 1, 2016**

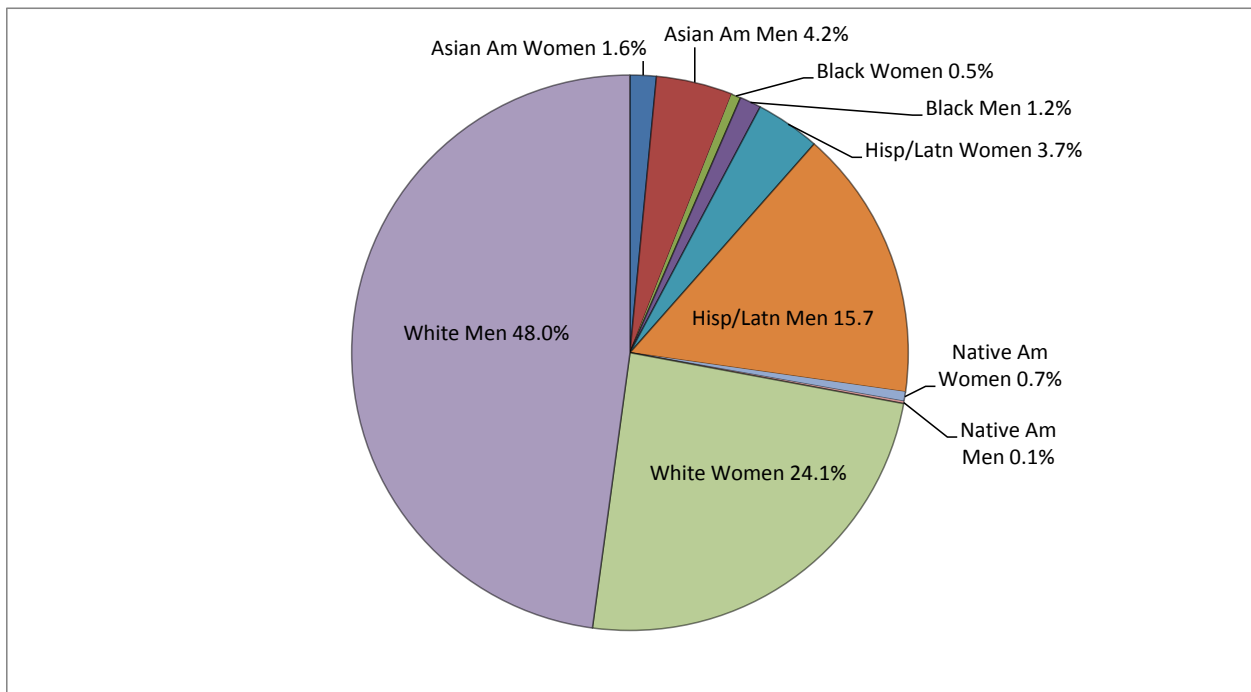


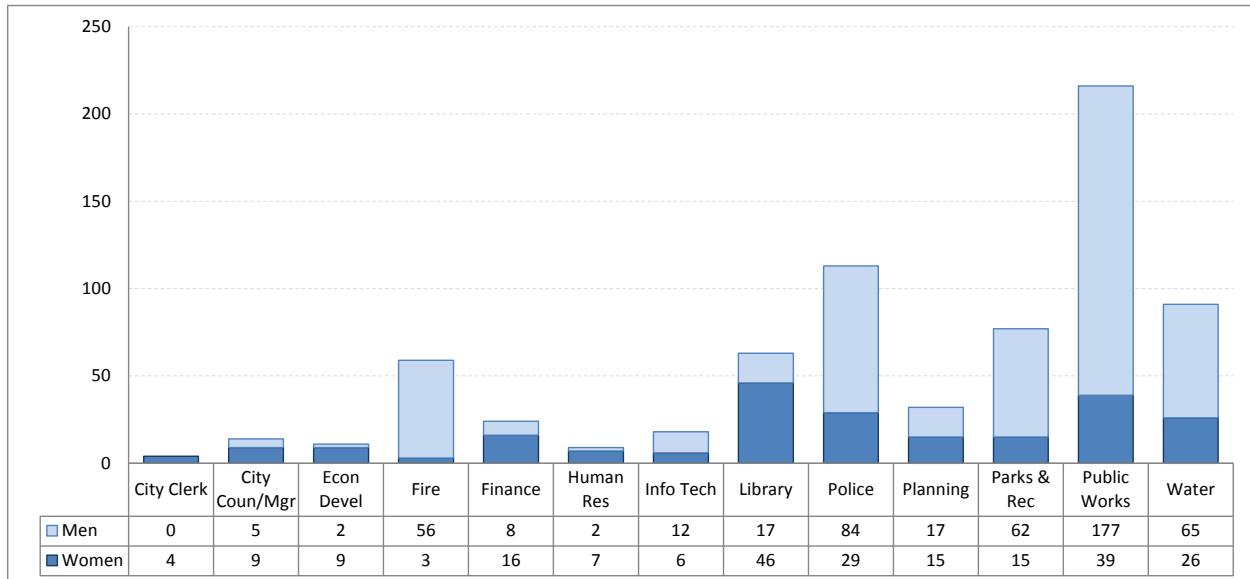
Table 1
Full-time Employees by Department, Sex, and Ethnicity

Department	Asian Am		Black		Hispanic/Latino		Native Am		White		Total		Percentage	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Eth Min
City Clerk					1				3		4	0	100.0%	25.0%
City Council/Mgr						1			9	4	9	5	64.3%	7.1%
Econ Devel		1							9	1	9	2	81.8%	9.1%
Fire		2		2		5			3	47	3	56	5.1%	15.3%
Finance		3			4	1	1		11	4	16	8	66.7%	37.5%
Human Res	2				1				4	2	7	2	77.8%	33.3%
Info Tech	2	1			1	2			3	9	6	12	33.3%	33.3%
Library*	2		1	1	3	4	1		39	12	46	17	73.0%	19.0%
Police	1	7	1		6	18	1		20	59	29	84	25.7%	30.1%
Planning	1	1			3	2	2		9	14	15	17	46.9%	28.1%
Parks & Rec	1	5		2	1	13			13	42	15	62	19.5%	28.6%
Public Works	2	7	2	4	5	57			30	109	39	177	18.1%	35.6%
Water	1	4			2	12		1	23	48	26	65	28.6%	22.0%
Total	12	31	4	9	27	115	5	1	176	351	224	507		
Percent of Total	27.9%		30.8%		19.0%		83.3%		33.4%		30.6%		30.6%	27.9%

* One male library employee has no ethnicity identified

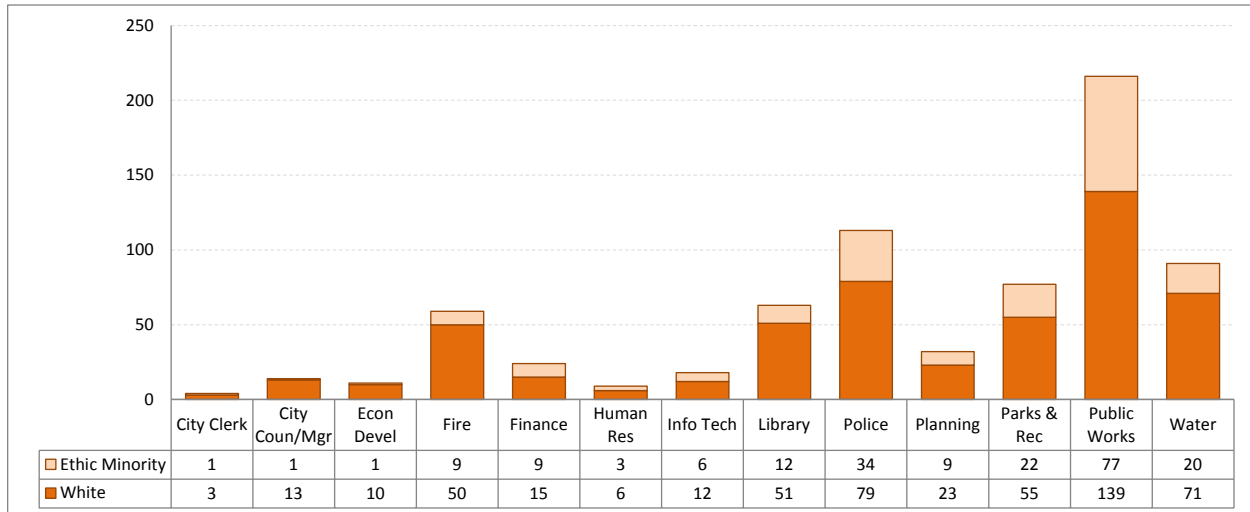
Last year, employees were counted by EEO-4 job categories. Because no EEO-4 is filed this year, employees are shown by department. Women are 30.6% of total employees, concentrated in the City Council, Economic Development, Human Resources, and Library departments. Men are concentrated in Fire and Police, Information Technology, Parks & Recreation, Public Works, and Water.

Chart 2
Department Employees by Sex



The workforce is 27.9% ethnic minorities, with the largest numbers in Finance, Information Technology, Police, Parks & Recreation, and Public Works.

**Chart 3
Department Employees by Ethnicity**



Using the EEO-4 job categories, women are concentrated in Administrative Support, Officials/Administrators, Professionals, and Para-professionals. Men dominate in Skilled Crafts, Protective Service, Service/Maintenance, and Technicians.

**Table 2
Sex of Employees by EEO-4 Job Category**

	Total		Men		Women	
Officials/Administrators	42	5.8%	23	54.8%	19	45.2%
Professionals	164	22.6%	81	49.4%	83	50.6%
Technicians	24	3.3%	18	75.0%	6	25.0%
Protective Service	120	16.6%	106	88.3%	14	11.7%
Para-professionals	54	7.4%	33	61.1%	21	38.9%
Administrative Support	66	9.1%	10	15.2%	56	84.8%
Skilled Crafts	117	16.1%	111	94.9%	6	5.1%
Service/Maintenance	138	19.0%	121	87.7%	17	12.3%
Total	725	100.0%	503		222	
Percent of Total			69.4%		30.6%	

The distribution of employees by job category and department was essentially unchanged in the last year.

Table 3
New Full-time Hires (July 1, 2015 to June 30, 2016)

Department	Men	Women	Asian	Black	Hispanic	Nat. Amer	White
Fire	4						4
Finance	2	4			3		3
Human Resources	1	1			1		1
Information Technology		1	1				
Library Systems & Services	2	1			1		2
Police	5	6	1		3	1	6
Planning*	3	3			1	1	3
Parks & Recreation	3						3
Public Works	14	1	2		2		11
Water	7	1			2		6
Total	41	18	4	0	13	2	39
Percent of Total	69.5%	30.5%	6.8%	0.0%	22.0%	3.4%	66.1%

* One new employee listed two ethnicities and was not counted

New hires mirrored existing employees' distribution across departments, failing to increase the diversity of the City workforce. Fewer men were separated than hired, increasing the percentage of the workforce that is male. The percentage of the workforce that is Asian increased; Blacks decreased; and Native Americans increased.

Table 4
Full-time Separations (July 1, 2015 to June 30, 2016)

Department	Men	Women	Asian	Black	Hispanic	Nat. Amer	White
City Manager	1	1			1		1
Fire	1						1
Finance		5			1		4
Human Resources	1	3			3		1
Information Technology		1	1				
Library Systems & Services	2	4		1	1		4
Police		5			2		3
Planning*	3	1			1		3
Parks & Recreation	2	5					7
Public Works	16	4			6		14
Water	11	1					12
Total	37	30	1	1	15	0	50
Percent of Total	55.2%	44.8%	1.5%	1.5%	22.4%	0.0%	74.6%

*One multiple ethnicity was counted as white

To better understand the City’s hiring patterns, the committee still hopes to look at data on the sex and ethnicity of applicants for City jobs. Comparing the diversity of applicants to new hires should show if there is any inequality in opportunities by sex and ethnic group.

Reference Groups

To further evaluate the City’s EEO efforts, the diversity of the workforce should be compared to meaningful reference groups.

**Table 5
City Employees Compared to Reference Group Diversity**

Group	Women	Men	White	Black	Hispanic	Asian	Native Amer
City Employees	30.6%	69.4%	72.0%	1.8%	19.5%	5.9%	0.7%
City Population*	49.9%	50.1%	66.7%	1.8%	19.4%	7.90%	0.7%
County Population**	50.4%	49.6%	57.8%	1.4%	33.3%	5.20%	1.8%
State Population**	50.3%	49.7%	38.0%	6.5%	38.8%	15.20%	1.7%

The City workforce has a lower percentage of women than the City of Santa Cruz, the county, and the state. The City has a about the same percentage of Hispanic/Latinos as the City of Santa Cruz but considerably less than the county or the state. The City has a lower percentage of Asians than the City of Santa Cruz, the county, or the state. The City has about the same percentage of Native American employees as the City of Santa Cruz but fewer than the county or the state. Note that total ethnicities does not equal 100% due to multiple ethnicities, and the state white population estimate this year does not include Hispanics, unlike last year’s figures.

As mentioned above, the best comparison of the City’s EEO efforts is the diversity of the actual applicant pools.

*Census Quick Facts, 2010
**Census Quick Facts, 2015

Salary Differentials

Analyses of salary differences by sex have shown that in several departments, women’s average salary is lower.

Table 6
Average Salaries by Department and Sex

	Average Wage		Number	
	Women	Men	Women	Men
City Clerk	32.14	NA	4	0
City Coun/Mgr	31.05	40.08	9	5
Econ Devel	46.77	53.80	9	2
Fire	30.19	39.82	3	56
Finance	33.65	39.02	16	8
Human Res	44.67	34.82	7	2
Info Tech	51.63	45.29	6	12
Library	33.02	27.40	46	18
Police	32.87	49.53	29	84
Planning	39.78	47.24	15	17
Parks & Rec	32.12	27.71	15	62
Public Works	29.84	31.15	39	177
Water	33.97	36.17	26	65
Total	34.28	36.42	224	508

However, the Salary Demographics sub-committee has determined that a meaningful analysis would also need to be done using specific job categories and that any average salary differences may be due to some employees having longer job tenure and other factors. Without a more detailed analysis, it is impossible to attribute the differences to sex alone.

Table 7
Full-time Employees' Average Salaries by Bargaining Unit, Sex, and Ethnicity

Bargaining Unit	Asian Am		Black		Hispanic/Latino		Native Am		White		Total	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
Executive*	87.16	97.53				88.81			85.30	85.92	85.57	88.41
Fire**		33.46		35.91		36.70			38.77	39.30	38.77	38.82
Management	39.52	46.62	42.74	53.87	36.52	51.09	50.76		43.49	51.94	42.88	51.54
Police***		44.38			43.18	46.92			38.75	50.91	39.38	49.61
Service	22.13	28.66	19.45	21.82	24.38	25.95	31.72	39.93	25.99	27.24	25.60	26.95
Supervisor		43.02	32.31	34.59	34.27	38.65			33.82	37.14	33.81	37.48
Average	37.69	37.83	28.49	34.19	28.22	33.67	36.48	39.93	35.01	37.24	34.28	36.42
Number	12	31	4	9	27	115	4	1	176	352	223	508

* Excludes the mayor and six City council members

** Fire includes three fire management positions

*** Police includes seven police management positions

The salary demographics sub-committee will continue to pursue a method that takes job content (skill, effort, responsibility, and working conditions) into consideration, as well as job tenure. Only this method can show whether women earn less for “substantially similar” work.

Appendix 5.3 - 2016 EEO Committee Annual Report

FEDERAL CONTRACTOR VETERANS' EMPLOYMENT REPORT VETS-4212

OMB NO: 1293-0005

Expires: 11/30/2017

Persons are not required to respond to this collection of information unless it displays a valid OMB number. It is mandatory for a covered Federal contractor respond to this information collection. See 38 U.S.C. § 4212(d) and "Who Must File" section of instructions.

RETURN COMPLETED REPORT TO:

VETS-4212 Submission
 VETERANS' EMPLOYMENT AND TRAINING SERVICE (VETS)
 Service Center
 In care of: Department of Labor National Contact Center (DOL-NCC)
 15000 Conference Center Drive, Suite B0132
 Chantilly, VA 20151

ATTN: Human Resource/EEO Department

TYPE OF REPORTING ORGANIZATION (Check one or both, as applicable) <input checked="" type="checkbox"/> Prime Contractor <input type="checkbox"/> Subcontractor	TYPE OF FORM (Check only one)
	<input checked="" type="checkbox"/> Single Establishment <input type="checkbox"/> Multiple Establishment-Headquarters <input type="checkbox"/> Multiple Establishment-Hiring Location <input type="checkbox"/> Multiple Establishment-State Consolidated (specify number of locations) (MSC)

COMPANY IDENTIFICATION INFORMATION (Omit items preprinted above-ADD Company Contact Information Below)

COMPANY No: T135738		TWELVE MONTH PERIOD ENDING		0	8	2	6	2	0	1	6
NAME OF PARENT COMPANY: City of Santa Cruz		ADDRESS (NUMBER AND STREET): 809 Center Street 7									
CITY: Santa Cruz		COUNTY: Santa Cruz			STATE: CA		ZIP CODE: 95060				
NAME OF COMPANY CONTACT: Debbie Levy		TELEPHONE FOR CONTACT: 8314205048				EMAIL: dlevy@cityofsantacruz.com					

NAME OF HIRING LOCATION:		ADDRESS (NUMBER AND STREET):									
CITY:		COUNTY:			STATE:		ZIP CODE:				

NAICS:	9	2	1	1	1	0	DUNS:	0	5	-	0	5	1	-	5	8	8	1	EMPLOYER ID (IRS TAX No.)	9	4	-	6	0	0	0	4	2	7
--------	---	---	---	---	---	---	-------	---	---	---	---	---	---	---	---	---	---	---	---------------------------	---	---	---	---	---	---	---	---	---	---

INFORMATION ON EMPLOYEES

REPORT THE TOTAL NUMBER OF EMPLOYEES AND NEW HIRES WHO ARE PROTECTED VETERANS, AS DEFINED IN THE INSTRUCTIONS. DATA ON NUMBER OF EMPLOYEES ARE TO BE ENTERED IN COLUMN A AND B, LINES 1.1 THROUGH 9. DATA FOR NEW HIRES ARE ENTERED IN COLUMNS C AND D. LINE 10 IS TOTAL OF EACH COLUMN. ENTRIES IN COLUMNS C AND D, LINES 1.1 THROUGH 9 (GRAY SHADED AREAS) ARE OPTIONAL. ENTER THE MAXIMUM AND MINIMUM NUMBER OF EMPLOYEES.

JOB CATEGORIES	NUMBER OF EMPLOYEES		NEW HIRES (PREVIOUS 12 MONTHS)	
	PROTECTED VETERANS (A)	TOTAL EMPLOYEES (B)	PROTECTED VETERANS (C)	TOTAL NEW HIRES (D)
EXECUTIVE/SENIOR LEVEL OFFICIALS AND MANAGERS 1.1	0	0	0	0
FIRST/MID LEVEL OFFICIALS AND MANAGERS 1.2	1	37	0	2
PROFESSIONALS 2	0	22	0	2
TECHNICIANS 3	0	21	0	2
SALES WORKERS 4	0	0	0	0
ADMINISTRATIVE SUPPORT WORKERS 5	2	89	0	0
CRAFT WORKERS 6	5	43	0	0
OPERATIVES 7	1	59	0	0
LABORERS/HELPERS 8	1	18	0	0
SERVICE WORKERS 9	1	97	0	2
TOTAL EMPLOYEES 10	11	386	0	8

Report the total maximum and minimum number of permanent employees during the period covered by this report.

Maximum Number	Minimum Number
1212	985

Form VETS-4212 11/2014