



**Equal Employment
Opportunity Committee
Regular Meeting Minutes
1:30 PM – 3:30 PM
Thursday – September 14, 2017
City Council Chambers - 809 Center Street**

Call to Order

Chair Donovan called the meeting to order at 1:34 p.m.

Roll Call

Present: Chair Donovan, Vice-Chair Simmons, Members Chirman, Adams, Frawley, Herrick, Spickler, Hedden-Jones, and Sawyer.

Absent: None

Staff: Principal HR Analyst McMullen and Administrative Assistant II Whinnery

Statements of Disqualification - None

Oral Communications – No action may be taken

Announcements - No action may be taken

Introduction of new members:

- Please welcome Ashlyn Adams (Library) - SEIU Appointment, and Tremain Hedden-Jones (Parks & Recreation) - City Manager's appointment.
- Please join us for a Member Reception in the Courtyard Conference Room immediately following this meeting.
- On June 27, 2017 the City Council approved an exception to the residency requirements for Adam Spickler so he could continue to serve on the EEO Committee even though he moved to a residence outside the City limits; at the same meeting the City Council approved Adam Spickler's reappointment to the EEO Committee. Member Frawley noted that there were many questions asked by Council. Members Chirman and Spickler expressed appreciation to Member Frawley for managing the process with the Council item.

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Approval of Minutes

1. Minutes of the May 11, 2017 Regular meeting
 - Motion to approve as submitted
 - Those *present* at the meeting of May 11, 2017 may vote to approve the Minutes, including changes: Amy Chirman, Katherine Donovan, Jim Frawley, Dara Herrick, Heather Sawyer, Valerie Simmons, Adam Spickler.
 - Those *not present* at the meeting of May 11, 2017 may also vote to approve the Minutes, but only to the extent they are verifying their absence is properly recorded: Ashlyn Adams and Tremain Hedden-Jones.

Action Member Donovan moved, seconded by Member Herrick, to approve the Minutes of the May 11, 2017 Regular meeting. The MOTION carried unanimously.

General Business

1. Annual Election of Chair & Vice-Chair
 - Chair Donovan; All
 - Chair Donovan reminded everyone that it was time for the annual election of officers and that she was not eligible for another term as Chair. Staff liaison McMullen provided Bylaw pages describing how the elections are conducted. Nominations are made with no second needed. Nominations are closed with a motion and a second.
 - Chair Donovan opened the floor for nominations for the position of Chair.
 - Member Frawley nominated Member Sawyer for Chair.
 - Member Spickler asked if anyone was interested and just too shy to self-nominate.
 - Member Sawyer expressed reluctance to serve due to perception of time investment involved.
 - Staff liaison McMullen and Chair Donovan explained that duties were primarily presiding over meetings unless the Chair volunteers for sub-committee or takes on additional responsibilities voluntarily.
 - Member Sawyer expressed willingness to accept the nomination.

Action Member Hedden-Jones moved, seconded by Member Simmons, to close the nominations for Chair of EEOC. The MOTION carried unanimously.

Action Chair Donovan called for a vote for Member Sawyer for the Chair position. The vote carried unanimously.

- Chair Donovan officially stepped down from Chair and passed conducting the meeting over to new Chair Sawyer.
- Chair Sawyer opened the floor for nominations for the position of Vice-Chair.
- Member Hedden-Jones nominated Member Frawley for Vice-Chair.
- Chair Sawyer recognized Member Chirman's indication of her willingness to serve.
- Member Frawley nominated Member Chirman for Vice-Chair.
- Member Frawley yielded the nomination to Member Chirman.

Action Member Simmons moved, seconded by Member Hedden-Jones, that nominations be closed. The MOTION carried unanimously.

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Action Chair Sawyer called for a vote for Member Chirman for the Vice-Chair position. The vote carried unanimously.

2. Review EEO Committee Goals & Action Items; Update as Needed For 2018.

- All
 - Staff liaison McMullen provided a copy of the 2017 EEO Committee Goals & Objectives for review and discussion.
 - Chair Sawyer opened discussion with request for feedback on the Goals & Objectives as currently written.
 - Member Hedden-Jones had a question about Goal #1 and the word “more,” specifically, whether it was possible to measure an ever increasing vigilance toward non-discriminatory practices and a respectful workplace environment. He recommended perhaps striking out the word “more.”
 - Member Chirman agreed with the notion of assessing the goals annually based on some kind of measurement.
 - Member Spickler expressed support for cutting out the word “more” – otherwise each year the committee would have to demonstrate increasing vigilance.
 - Member Chirman offered clarification that the goal then indicates the ongoing commitment to being non-discriminatory and respectful.
 - Member Donovan suggested that the objectives were for the purpose of measurement and demonstrating commitment.
 - Member Spickler agreed and added that the committee then becomes responsible for embedding measurements in the objectives and conducting the assessment each year.
 - Member Spickler indicated a desire to change the wording of the objectives in Goal #1 showing that the new Respectful Workplace Conduct policy had been completely implemented.
 - Member Hedden-Jones suggested that the wording be changed to “maintain.”
 - Member Spickler agreed and specifically added the phrase “maintain and evaluate the effectiveness of.”
 - Member Donovan commented that evaluation of the policy within the first year after implementation is needed because ways of improving it will undoubtedly come up during this time. After a year or two there will probably be no need to continually evaluate.
 - Member Spickler noted that review of content was probably no longer necessary, but review of effectiveness would be an ongoing need.
 - Member Donovan noted that Goal #2 has been one the committee has struggled with and it seems hard to achieve.
 - Member Spickler agreed and suggested that putting some action items together for Goal #2 would help alleviate some of the problem. He also shared that Goal #2 was personally motivating as a non-city employee member.
 - Member Donovan shared her motivation in sharing reports from the Committee with Supervisors and Managers at the quarterly meetings but that the meetings had not happened in a while. She has discussed getting the meetings reinstated with other City employees.
 - Staff liaison McMullen said that the last two quarterly meeting dates had been commandeered by HR for other purposes.
 - Member Frawley suggested forming an ad hoc subcommittee of interested members to discuss action items that would further support Goal #2 “being visible and raising awareness.” Specifically EEOC has relevance for safety departments’ recruitment activities especially with minority demographics.
 - Member Chirman asked if EEOC agenda and meeting minutes could be distributed to all City staff emails. Staff liaison McMullen said that this could be done.

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- Member Adams inquired about the responsibility of updating the internet. This falls to staff responsibilities within the HR department.
- Member Hedden-Jones suggested that the ad hoc committee could ask the guiding question “what are we here for?” If we exist for employees, doing them a service, maybe it needs to be made clear to them why we are here for them.
- Chair Sawyer suggested perhaps EEOC can be presented at new hire orientation.
- Staff liaison McMullen said it is covered from a policy perspective, but not as a separate topic.
- Member Frawley thought perhaps a short presentation from a committee member during the orientation could be accomplished with a 2-minute script.
- Staff liaison McMullen agreed this was a great suggestion but that perhaps we could incorporate the script into the orientation for the presenter so that additional coordination of schedules and timing is streamlined.
- Member Chirman asked if the EEOC has a mission statement. Other committee members pointed out the purpose statement in the by-laws. Member Chirman suggested we use the purpose statement on occasion to bring awareness by publishing the purpose statement.
- Member Spickler asked if the City had an internal social media site.
- Member Hedden-Jones gave a brief history of the defunct internal social media platform.
- Staff liaison McMullen brought up that the different departments have Facebook pages.
- Discussion followed Member Hedden-Jones’ suggestion that the EEOC have a Facebook page. Subsequently Member Adams volunteered to create & maintain the EEOC Facebook page.
- Member Spickler suggested changing the wording of the goal – so that we will raise awareness about the “purpose, goals, and accomplishments” of the Committee as opposed to raising awareness of the Committee itself.
- Goal #3 was discussed and members acknowledged that there is still a lot of work to do towards pay equity for all employees.
- Members clarified the goal as not one of enforcing pay equity but one of supporting the City in ensuring pay equity. The Committee helps realize pay equity for City employees. Also it was noted that pay equity has not yet been defined.
- Member Herrick asked if we need to re-evaluate the objectives for Goal #3 so that we can define pay equity better.
- Member Simmons expressed hope that we would receive a response from the State legislature to a letter that was sent previously.
- Member Chirman expressed frustration with “wrangling” the data that we have.
- Member Spickler added that how we measure the data is difficult without a clear metric to use.
- Member Frawley offered that perhaps data from the past should be ignored and start fresh with new data, data points, and defined metrics. Looking at the number of vacant positions in addition to turnover may be a good place to start. Set parameters going forward so that we can move and make good decisions.
- Member Spickler stated his opinion that in order to do so, the committee probably needs an employee data analytics professional to look at the data, clarify possible solutions that the Committee might be missing, or make a set of recommendations and get City buy-in because it will be City resources and cost. Probably need to hire someone.
- Member Donovan proposed the Committee go to Council and recommend action by a professional data analyst since pay equity has been reported as an issue.
- Job description adjustments were again mentioned and Member Donovan noted that HR is constantly updating job descriptions. She suggested that if the subcommittee put together some recommendations, then perhaps they could be implemented by HR in their job description updates.
- Member Frawley proposed that members of the subcommittee get together to see how job description updates are done. Within departments there can be inconsistencies in updating job descriptions. Within his own department, Member Frawley has participated in making the job

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descriptions uniform. He noted that it was an easy solution to work on the update, have HR validate them, as well as bargaining units.

- Member Adams asked to clarify whether this action would be only for regular employees or if it would also include temps.
- Member Chirman noted that safety and law enforcement job descriptions have been set aside from the data sets because the tasks associated with them are more easily quantified and defined than some of the other positions. It's really the 'other position' data that we are struggling with. To write or re-write the job descriptions is an immense task. She reinforced the idea of approaching Council with the indications from the data we have showing that more investigation needs to happen regarding this problem.
- Member Spickler discussed the problem that part of the root of pay equity has a historical nature as well as an impact going forward. It can't be measured by just fixing it going forward. For some people the inequity has been going on for years since the start of their employment. It's frustrating to not be able to account for this. This is one reason why we may need a professional.
- Member Frawley acknowledged that working on the problem going forward seems like abandoning the people with inequity in the past. The committee may need to focus on one of these issues at a time. Righting the wrongs of the past comes with a lot of complexity. Perhaps make a start and then work on the past.
- Chair Sawyer reminded the committee that from the start of the process of the pay equity initiative, managers were being reminded not to make the inequity mistakes and to encourage their people to negotiate their own success, based on a book that former EEOC member J Guevara had recommended. Communicating to employees that they can advocate for themselves is key. The absence of a manager who knows how to help their employees address the inequities means there is not a support structure in place to make changes. One possible suggestion would be to interview people who have changed several positions in the City over time.
- Member Donovan said that in recent history people have become more aware of unconscious bias. Part of the committee's job may be to translate for people that pay inequity is not just going on out there in the rest of the world, but that it's also going on here in the City.
- Staff liaison McMullen suggested that the sub-committee meet in October to discuss some more and come up with suggested edits. Member Hedden-Jones volunteered to join the sub-committee to fill the vacant position.

Action Member Donovan moved, seconded by Member Hedden-Jones, to table updating the Goals document until after receiving reports from the two sub-committees. The MOTION carried unanimously.

- Member Spickler asked if an ad-hoc sub-committee would be formed per Member Frawley's suggestion.
- Member Frawley volunteered to be part of ad-hoc subcommittee of interested members to discuss action items that would further awareness and support Goal #2. Member Spickler recommended Member Adams participate since she volunteered to help with social media. Member Herrick also accepted a role on the subcommittee. The ad-hoc subcommittee will meet before the November regular meeting of full committee.
- Member Frawley asked if he could invite guests to attend the ad hoc subcommittee meeting. Staff liaison McMullen clarified that other people may attend as long as there is less than a quorum of EEOC members.

3. Form 2017 Annual Report Ad-Hoc Sub-Committee

- All
 - Member Simmons agreed to do data analysis for the annual report ad-hoc sub-committee.

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- An annual report draft is needed for the November EEOC meeting. Member Spickler will write a summary of the salary demographics sub-committee; Staff Liaison McMullen will write a summary of the respectful workplace policy sub-committee.
- Member Donovan asked if the Respectful Workplace Policy subcommittee needs to be formally dissolved.
- Chair Sawyer volunteered to write the draft of the annual report overview.
- Staff liaison McMullen volunteered to draft the remainder of the needed documentation for the annual report.
- Member Simmons asked to be sent the data for analysis.

Information Items – No action may be taken

1. Legal Update
 - Staff liaison Joe McMullen
 - *A Legal Update was not prepared for this meeting.*
2. Summary of Discrimination Complaints and Outcomes
 - Staff liaison Joe McMullen
 - 2017 Complaint Log
 - One complaint was in the process of being logged during the previous EEOC meeting on May 11, 2017. It was reported verbally during that meeting.
 - The circumstances were a bit convoluted, but there was a split determination on a policy violation.
 - The HR Director found that there was no violation in hiring, but there was a violation of the policy with respect to the improper consideration of a protected class during the application screening process.
 - As a group of applications were being screened, one person brought up a protected class as a reason to not screen a candidate in. The other people in the screening group protested that, so in fact, the candidate was included in the group to be interviewed. However, it did not eliminate the fact that the comment had occurred.
 - In the final analysis, there was no discrimination that occurred because the candidate was contacted to be interviewed.
 - Member Spickler clarified that the complaint was internal and not made by the applicant.
3. Training Update
 - *A Training Update was not prepared for this meeting.*
 - Nico Megevand has just been promoted to Training Analyst and will be providing the training update at the next meeting.
4. Update on City compliance with AB 1732-Single User Restrooms
 - Staff liaison Joe McMullen reported that re-signing of the single user restrooms to indicate that they are all-gender restrooms has been completed. The Building Maintenance staff evaluated all single-user restrooms and changed the signage to conform with the new law.
 - A picture of the new signage was passed around for all committee members to review.

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5. Diversity Center Youth Mural at Louden Nelson Community Center

- Katherine Donovan & Joe McMullen
 - In May the City Manager's office distributed a report highlighting the Diversity Center Youth Program being commissioned to paint a mural by the City Arts committee on an exterior wall at the Louden Nelson Community Center.
 - Member Donovan and Staff liaison Joe McMullen went to view the miniature of the mural and offered to connect the Diversity Center to the EEO committee to promote the mural through an employee event.
 - A small picture of the mural was passed around for the committee members' review.
 - Staff liaison Joe McMullen suggested this would be a good opportunity to connect the EEO committee to the community.
 - Member Donovan commented that they had thought about having the Diversity Center come and present to the committee, but since there is rarely an audience at the meetings, it didn't seem to be a great way to get it out into the community.
 - Staff liaison Joe McMullen said that we have sponsored City events like this in the past for employees and the community, and we could do so again for something like this.
 - Member Adams suggested that the committee could have a panel and let people ask questions in the same manner as the Diversity Center Triangle Speakers format.
 - This activity would fall under Goal # 2. Staff liaison Joe McMullen proposed that perhaps the ad-hoc subcommittee could discuss this activity during their meeting.
 - Member Frawley agreed and took on this item for the ad-hoc subcommittee agenda.
 - Members Donovan and Adams, and Staff liaison Joe McMullen have a meeting coming up on September 22 with representatives from the Diversity Center and Beth Tobey from Economic Development to discuss what might be done. Member Adams will report back to the subcommittee with ideas for a potential event.

6. Poster and/or Other Materials Promoting Respectful Workplace Conduct Policy

- Staff liaison Joe McMullen attended a monthly Labor Management meeting with the Library Director who made a comment that something that would put the Respectful Workplace policy in front of people's faces more often would be really helpful. She suggested a poster.
- First choice might be to find a graphic artist who can create one.
- Member Spickler volunteered the information that he does graphic arts. He will bring a draft poster to next meeting.
- Member Hedden-Jones suggested perhaps we highlight Respectful Workplace policy by declaring a month "Respectful Workplace Month."
- The subject will be discussed more at the next meeting.

Subcommittee/Advisory Body Oral Reports

1. Salary Demographics Ad Hoc Subcommittee Update
 - Member Hedden-Jones joined the subcommittee earlier in the meeting.
 - Single-job classification – history still being recreated
 - The next regular committee meeting will be held on November 9, 2017.

Items Initiated by Members for Future Agendas

- The idea of establishing a "Respectful Workplace Month" will be discussed.

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Adjournment

- Chair Sawyer adjourned the meeting at 2:45 pm.

Additional Information

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