

**TO: DAVID TWA, COUNTY ADMINISTRATOR
SHARON HYMES-OFFORD, RISK MANAGER**

FROM: ANTOINE WILSON, EQUAL EMPLOYMENT OPPORTUNITY OFFICER

**RE: 2017 OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY SUMMARY OF
ACCOMPLISHMENTS**

DATE: JANUARY 8, 2018

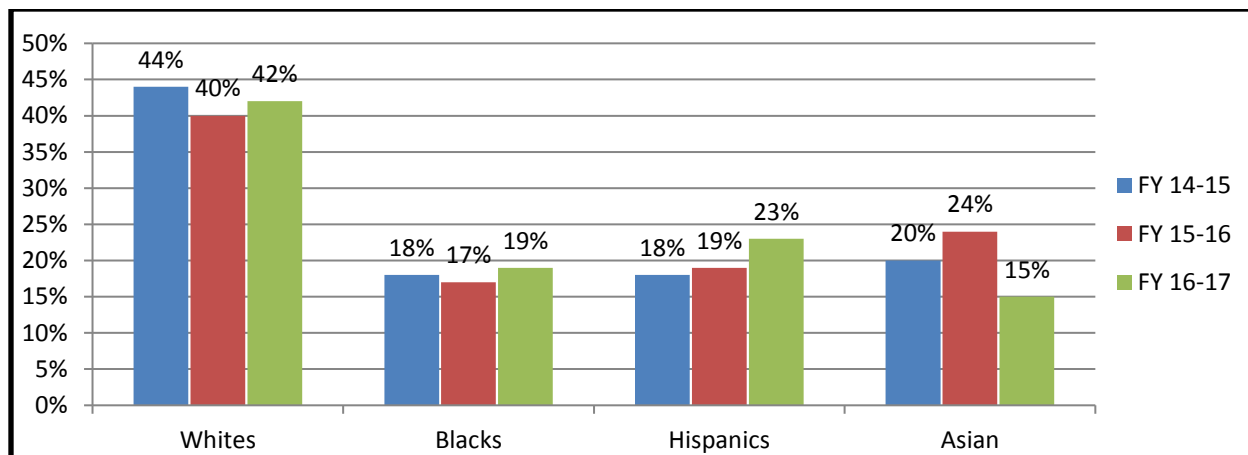
2017 proved to be a busy year for the Office of Equal Employment Opportunity (“EEO”). EEO made some changes to our operating procedures which resulted in the unit becoming more visible internally and externally. Below is the year-end summary for EEO.

I. OUTREACH AND RECRUITMENT

EEO met with the departmental EEO Coordinators and ASO’s individually and collectively throughout 2017. This resulted in 100% participation in the departmental outreach and recruitment plans for FY 2017-2018. The meetings were designed to develop an open dialogue between EEO and the departmental representatives to discuss concerns and solutions to ongoing issues during the recruitment and hiring processes.

In an effort to more accurately identify where underrepresentation manifests within each department, EEO conducted a utilization analysis by race/ethnicity and gender, as defined by the occupational categories within each department. An occupational category is a broad grouping of job classes that require similar levels of skill and training. The County’s hiring over the last several fiscal years is listed below:

- The hiring of Whites decreased by 4% from FY 14-15 to FY 15-16. The hiring of Whites increased by 2% from FY 15-16 to FY 16-17.
- The hiring of Blacks decreased by 1% from FY 14-15 to FY 15-16. The hiring of Blacks increased by 2% from FY 15-16 to FY 16-17.
- The hiring of Hispanics increased by 1% from FY 14-15 to FY 15-16. The hiring of Hispanics increased by 4% from FY 15-16 to FY 16-17.
- The hiring of Asians increased by 4% from FY 14-15 to FY 15-16. The hiring of Asians has decreased by 9% from FY 15-16 to FY 16-17.



II. BRIDGES TO SUCCESS (BTS)

The Bridges to Success Program made steady progress in 2017. BTS was approved by the Board of Supervisors in December 2016 and EEO met with HR on January 10, 2017 to discuss the next steps. EEO will continue to provide support to HR who has taken over this project. Eldreai Ellis, HR Consultant, is the contact person for the BTS program. Currently, EEO is tasked with keeping the community based organizations (CBOs) abreast of new employment opportunities for developmentally disabled individuals who may qualify for the program.

The pilot was rolled out to the public in or around September 2017. HR and EEO met with several organizations to discuss the BTS program. We met with Futures Explored and Anka Behavioral since they serve the population we are trying to reach. EEO also discusses the program when conducting onsite visits to CBOs.

III. HIRING OUTREACH AND OVERSIGHT ANNUAL REPORT CHANGES

EEO made relevant changes to the reporting format and content for the annual outreach and recruitment report. The change was needed in order to provide specific details about countywide departmental underrepresentation. As mentioned above, the County implemented the change in the reporting format for the current fiscal year. The revised report provides specific information for each occupational category within each department, identifies the underrepresentation, and compares the County workforce data to the labor force. The occupational categories are listed below:

- **Officials and Administrators:** Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis.

- **Professionals:** Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge.
- **Technicians:** Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training.
- **Protective Service Workers- Sworn:** Occupations in which workers are entrusted with public safety, security and protection from destructive forces.
- **Protective Service Workers Non-Sworn:** Occupations that perform technical and support work in safety or law enforcement work, which does not require a sworn person.
- **Administrative Support:** Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office.
- **Skilled Craft Workers:** Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the process involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs.
- **Service-Maintenance:** Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property.

IV. COMMUNITY BASED ORGANIZATIONS (CBOS)

EEO placed emphasis on interacting with Community Based Organizations and their clients to educate them on the County's job vacancies and how to apply for them. EEO partnered with HR to conduct employment related workshops to the organizations who served individuals that are under-represented in our workforce. Some of the topics we covered in the outreach seminars consisted of informing employees how to find vacancies on the HR website, how to deal with rejection notices, and contact information to EEO and HR if questions arise. The

seminars were positively accepted and led to some of the clients as well as the counselors obtaining employment with the County.

Due to the success of these seminars, EEO in conjunction with HR continued to provide CBO's information regarding the Application Workshop. The workshop was designed to walk interested individuals through the online application process. The individuals who participated were able to create user accounts, tickler systems that notified them about vacant positions for which they were interested in and apply for online positions.

During outreach efforts, EEO collects contact names and information from the CBOs and forwards this information to HR. HR will e-mail job announcements to the CBOs who serve the clientele that is underrepresented within the department who has the vacancy. For example, if a department is deficient in Hispanics, HR will customize the outreach to include all of the CBOs on record who serve this population.

- In 2017 EEO conducted 270 outreach efforts which consisted of phone calls, e-mails and in-person meetings with CBO staff and clients.

V. ADVISORY COUNCIL IN EQUAL EMPLOYMENT OPPORTUNITY (ACEEO)

The ACEEO held 8 out of 11 meetings in 2017. Below are the accomplishments of the group:

- Selected a new Chair and Vice-Chair for the group.
- The ACEEO met 6 out of 11 times from January through December 2017.
- The ACEEO attended Implicit Bias Training in August 2017. Ron Martin, the County Trainer, presided over the event and gave a great presentation.
- The ACEEO met with David Gould in Purchasing to partner with him to solicit more women and minority owned businesses to participate in the SBE program.
- Accepted two new members to serve on the committee.
- Revised the ACEEO Mission Statement to reflect a more modern approach to the committee.

VI. CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (OES)

EEO Worked with OES and County Counsel to ensure that the County provided this state agency with our updated harassment, discrimination and retaliation prevention policies, which reflect requirements listed under the Fair Employment and Housing Act. OES oversees the grant that is specific to the District Attorney's Office for the Victim Witness Assistance Program. EEO forwarded the requested documentation and it was accepted by OES.

EEO worked with County Counsel to update Admin Bulletin 429.A, Employment Discrimination Procedures, to ensure that our policy was reflective of state and federal EEO laws. It had been posted on the County's intranet site in or around October 2017.

VII. MAINTAINING A RESPECTFUL WORK ENVIRONMENT: EEO COMPLIANCE TRAINING

I attended EEO training in Sacramento California with Sharon-Hymes-Offord. Shaw Law Group hosted the presentation and provided some useful information. The training focused on preventing harassment, discrimination, retaliation and abusive conduct. We also reviewed and discussed relevant federal and state laws to give us a better understanding of acceptable and unacceptable behavior in the workplace.

VIII. LABOR RELATIONS TRAINING

I attended the Labor Relations Training which was hosted by the County's Labor Relations team. The training discussed the MOU's, working with the unions to maintain a positive working environment when dealing with employees, meet and confers, and many other aspects of Labor Relations that I was not aware. There was a lot of audience participation and breakout sessions which helped contribute to the positive experience.

IX. EEO/AA SOFTWARE UPDATE

EEO met with Tony Laszlo from Cherry Road two times to discuss the new upgrades they are developing for the PeopleSoft project. EEO tested the database, made recommendations for improvements and reviewed the reporting format. We discussed the issues surrounding the lack of data on the test system that made it impossible to compare the accuracy with the current database we are using.

EEO met with HR and Cherry Road to ensure that the PeopleSoft database would be able to handle this year's EEO-4 reporting requirements.

- EEO researched the timeframe the report should cover in addition to the last date to include new employee data on the report.
- Cherry Road took the information and implemented these changes into the database.
- HR worked with Cherry Road to survey current employees on race. This was important to capture individuals who identify as 2 or more races to ensure that the data we submitted to the EEOC in late September was accurate. The former PeopleSoft application did not have the capability to do this and EEOC required that we submitted this data with the 2017 report.

EEO partnered with HR and DOIT to ensure that the workforce statistical data was accurate. Probation, the DA, Auditor-Controller, HR and HSD all expressed concerns about the data and the number of employees who were assigned their departments as of December 31, 2016. They believed that the numbers reported for specific classifications may have been incorrect. Changes had been made to reflect the proper job classifications for Probation and the DA's Offices. The data for the remaining departments appears to be correct and there has not been any indication that it had been corrupted.

X. EEO-4 REPORTING

As part of its mandate under Title VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Commission requires periodic reports from public and private employers, and unions and labor organizations which indicate the composition for their work forces by sex and by race/ethnic category. The EEOC collects labor force data from state and local governments with 100 or more employees within the 50 U.S. states and District of Columbia. The County reported information timely and in accordance with the EEOC's regulations. The data that was submitted included employment totals, employees' job categories and salaries by sex and race/ethnic groups as of June 30 of the survey year. The EEO-4 survey is conducted biennially in every odd-numbered year.

XI. IMPLICIT BIAS TRAINING

On March 23, 2017, EEO hosted the Implicit Bias Training for the EEO Coordinators, HR Analysts and Managers, and Senior Management for CDSS. Ron Martin, Training Coordinator, presented the information in a clear and concise way and engaged the audience by including our feedback into the training. More than 40 people attended the training which helped to make it a success.

XII. EEO QUARTERLY CONSORTIUM MEETING

EEO met with the 9 Bay Area EEO Managers once in 2016. The other 2 scheduled meetings were postponed. We discussed investigation training techniques and strategies, Catabolic versus Anabolic Leadership and ways to increase the effectiveness of EEO in the workplace.

XIII. SUPERVISOR ANDERSEN

Supervisor Andersen's office contacted EEO to get the workforce data for the DA. Her office had held a forum with some community members and they requested the race and gender makeup of the office. I forwarded the most recent data from December 31, 2015, which was approved by the BOS earlier this year.

XIV. TOASTMASTERS

I am still actively involved with Toastmasters and we meet two times per month. It has really helped me with my confidence in Public Speaking and has also improved my communication skills with my peers and the community.

XV. CLERK INTERVIEWS

The former Clerk for EEO transferred to HSD in April 2017. The new Clerk hiring list was made available to departments in July 2017. EEO interviewed 18 candidates in the months of September and October. We also conducted second interviews for the top three candidates. EEO eventually hired Piedad Fracasso in November for the vacant clerk position. Her first day with EEO was on November 6, 2017.

XVI. MARTIN LUTHER KING, JR. CELEBRATION COMMITTEE

On January 17, 2016, the County held its annual Martin Luther King, Jr. (“MLK”) celebration. Sharon Hymes-Offord, Risk Manager, was the Chair. I served on the committee with other County employees. Based on the comments from the audience, it was a success and they were able to enjoy a festive celebration to memorialize Dr. King’s birthdate.

In 2017, the MLK committee started meeting in July to start planning for the 2018 MLK celebration. We met 5 times to discuss the program, food, nominees, speakers, decorations, etc.

XVII. EQUAL EMPLOYMENT OPPORTUNITY (EEO) INTERNAL INVESTIGATIONS

EEO means freedom from discrimination on the basis of protected classes such as race, color, sex, national origin, religion, age, disability, etc. EEO serves as a resource to employees, vendors and the public who believe they are or have been subjected to discrimination and/or harassment. It is important for EEO to take immediate and appropriate action to determine whether or not the complaint will be accepted for investigation. EEO is responsible for informing all parties of their rights and to ensure that the internal investigation is comprehensive, fair and neutral. EEO is also responsible for referring employees to the DFEH, EEOC and the Merit Board. EEO acts as the Agent on File to receive complaints from the DFEH and the EEOC and route them to County Counsel.

- As of December 31, 2017, there were 33 cases open. 19 cases were filed with the EEOC; 12 cases were filed with DFEH; 1 case was filed with EEO; and 1 case was filed with the Labor Commissioner’s Officer. HSD had 11 of the complaints on record while ESHD had 10.
- Most of the cases have more than one allegation named in the complaint. The overall total and analysis of open cases by alleged violation are listed below:
 - Denial of a Reasonable Accommodation 13
 - Harassment 10
 - Termination 8
 - Constructive Discharge 8
 - Denial of Promotion/Selection 7
 - Differential Treatment 7
 - Retaliation 2
- As of December 31, 2017, there were 21 cases closed. 4 cases were closed by the EEOC; 1 was closed by the DFEH; and 16 were closed by EEO. HSD had 9 cases closed while ESHD had 6.

- Most of the cases have more than one allegation named in the complaint. The overall total and analysis of open cases by alleged violation are listed below:
 - Denial of a Reasonable Accommodation 1
 - Harassment 12
 - Termination 2
 - Constructive Discharge 1
 - Denial of Promotion/Selection 6
 - Differential Treatment 5
 - Retaliation 2

In conclusion, EEO made significant strides in providing internal and external customers with access to information and programs that promote workforce equity. EEO will continue to work closely with departments and their designated representatives, CBOs, and employees to ensure that the County continues to provide a workplace free from harassment and discrimination. For 2018, EEO will focus on the following tasks to help make the workforce available and equitable to all people who are interested in working for the County:

- Continue to use the County workforce data to determine underrepresentation and focus outreach efforts on the data.
- Continue working with CCTV to establish a social media page.
- Conduct more outreach to veterans, community colleges and faith based organizations to increase participation in the County’s hiring process.
- Create additional marketing tools such as brochures and power point presentations which are designed to reach underrepresented groups.
- Continue developing partnerships with EHSD’s Welfare to Work Program and Workforce Development Board to help advertise the County’s outreach and recruitment program.
- Continue to provide training for the departmental EEO Coordinators and Administrative Services Officers in an effort to help them become more knowledgeable about outreach, hiring, and the theories of discrimination.