



Office of the City Manager

March 3, 2017

To: Honorable Mayor and City Councilmembers

From: *DWR* Dee Williams-Ridley, City Manager

Subject: FY 2017 Mid Year EEO Complaint Status Report

Attached for your information is the FY 2017 Mid Year EEO Complaint Status Report prepared by the City's Equal Employment Opportunity (EEO) & Diversity Officer. It provides a summary of the EEO complaints filed and processed during the first half of FY 2017.

You may contact Dennis T. Feggans, EEO Officer, with any questions about the report. He can be reached at 981-6811.

Attachment

cc: Jovan Grogan, Deputy City Manager
Mark Numainville, City Clerk
Ann-Marie Hogan, City Auditor
Sarah Reynoso, Director, Human Resources
Matthai Chakko, Assistant to the City Manager / Public Information Officer
Dennis Feggans, EEO Officer, Human Resources



Human Resources Department

February 28, 2017

To: Dee Williams-Ridley, City Manager
From: Dennis T. Feggans, Equal Employment Opportunity & Diversity Officer
Subject: **FY 2017 MID YEAR COMPLAINT STATUS REPORT**

The following report provides a summary of the EEO complaints filed and processed during the first half of FY2017. The complaint summary does not include complaints alleging failure to provide reasonable accommodation for a disability, as those decisions necessarily involve confidential medical information which cannot be disclosed in a report available to the public.

The City received a total of five (all but disability-related complaints, described above) internal EEO complaints during the first half of fiscal year 2017. The following was revealed:

- Five (5) internal City complaints have been received for processing and four have been investigated. One case is pending investigation.
- One complaint involved the release of an employee from the probationary period. This investigation concluded a finding of no discrimination and the case was closed.
- Three complaints contained harassment or hostile work environment allegations. In one case, a violation of the City Harassment Prevention Policy was found and appropriate disciplinary actions were issued. One complaint concluded in a mutual agreement to the satisfaction of the involved parties and the case was closed. The third harassment complaint resulted in a finding of no discrimination; notwithstanding, the supervisor involved in the complaint no longer is employed by the City.
- None of the Complainants whose complaints have been investigated and closed, have taken any further action subsequent to the City's final decision.
- There are no civil lawsuits pending for any FY2016 or 2017 complaints.

The City received one external complaint (but for disability related complaints) in the first half of FY2017. The Department of Fair Employment and Housing (DFEH) provided notice to the City of the complaint filing, but has not provided the formal complaint for a response. No action is warranted at this time.

FY 2017 MID YEAR COMPLAINT STATUS REPORT

Page 2

The internal discrimination cases involving harassment allegations did not disclose any apparent correlation or pattern between any of the complaints, as the cases involved different alleged offenders, in distinct divisions and departments.

If there are any questions regarding the above information, feel free to contact me at 981-6811.

Approved for distribution:



Sarah Reynoso, Director of Human Resources

cc: Jovan Grogan, Deputy City Manager

Attachment

MID YEAR FY 2017 COMPLAINT SUMMARY REPORT

No.	AGENCY	PROTECTED CLASSIFICATION	ALLEGATIONS	DETERMINATION	RESOLUTION
1	COB	GENDER (FEMALE)	Employee alleged that she was being subjected to unwelcomed sexually explicit conversation by coworkers.	Violation of the City Harassment Prevention policy was found. Case closed. Responsible parties were disciplined.	Complainant has not pursued any further action.
2	DFEH	AGE, RELIGION, NATIONAL ORIGIN, GENDER (FEMALE), RETALIATION	Current City employee who has not been suspended or suffered loss in pay has filed a charge of discrimination with DFEH; City has not received any information regarding the allegations.	Pending receipt of formal complaint from DFEH.	Pending
3	COB	AGE, NATIONAL ORIGIN, RACE, GENDER(FEMALE)	Employee alleged that decision to release employee during probationary period was discriminatory.	No discrimination found. Case closed.	Complainant has not pursued any further action.
4	COB	RACE	Employees alleged hostile work environment when subjected to racially-suggestive terms.	Complaint was resolved by mutual agreement; complaint closed.	Complainants have not pursued any further action.
5	COB	GENDER (FEMALE), SEXUAL ORIENTATION	Employee alleged hostile work environment after supervisor criticized employee's work performance.	No discrimination found. Case closed.	Supervisor no longer employed by the City; Complainant has not pursued any further action.
6	COB	RACE	Employee alleged hostile work environment and discrimination based on supervisor's alleged comments to other management staff and differential treatment.	Investigation ongoing.	Pending