

# **Equity, Inclusion and Opportunity**

## **in the City and County of San Francisco Workforce**

Department of Human Resources

September 19, 2018

City Hall, GAO Meeting





# Agenda

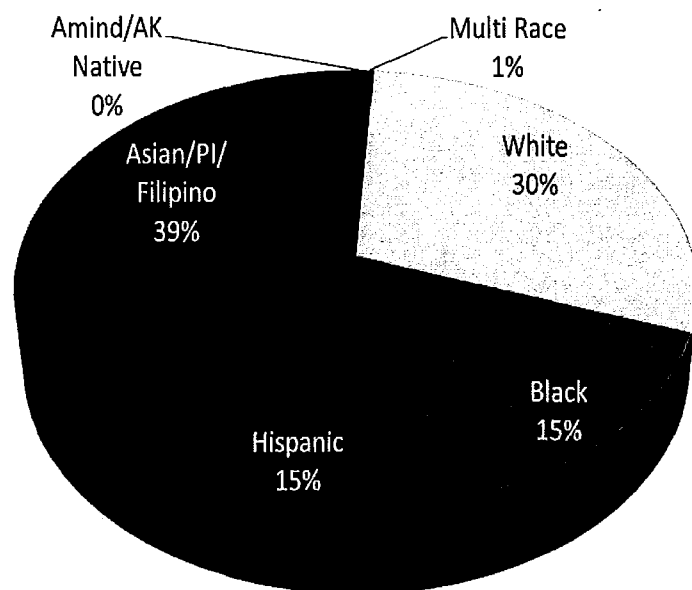
- Current Workforce Demographics & Programs
- What the Data Shows
- Future Focus

# Current Workforce & Programs

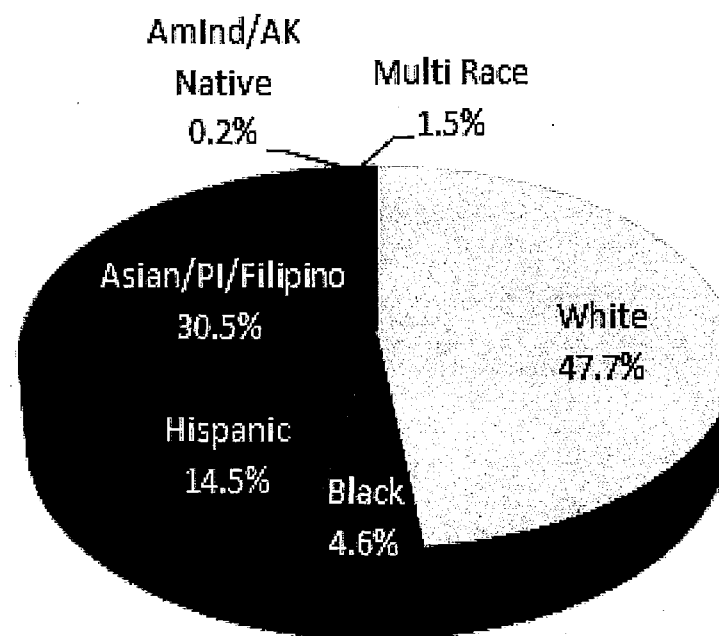


# Current Demographics

## City Workforce Composition by Race/Ethnicity



## Labor Market Composition By Race/Ethnicity





## Current City Programs

Recruitment

Hiring

Training

Enforcement



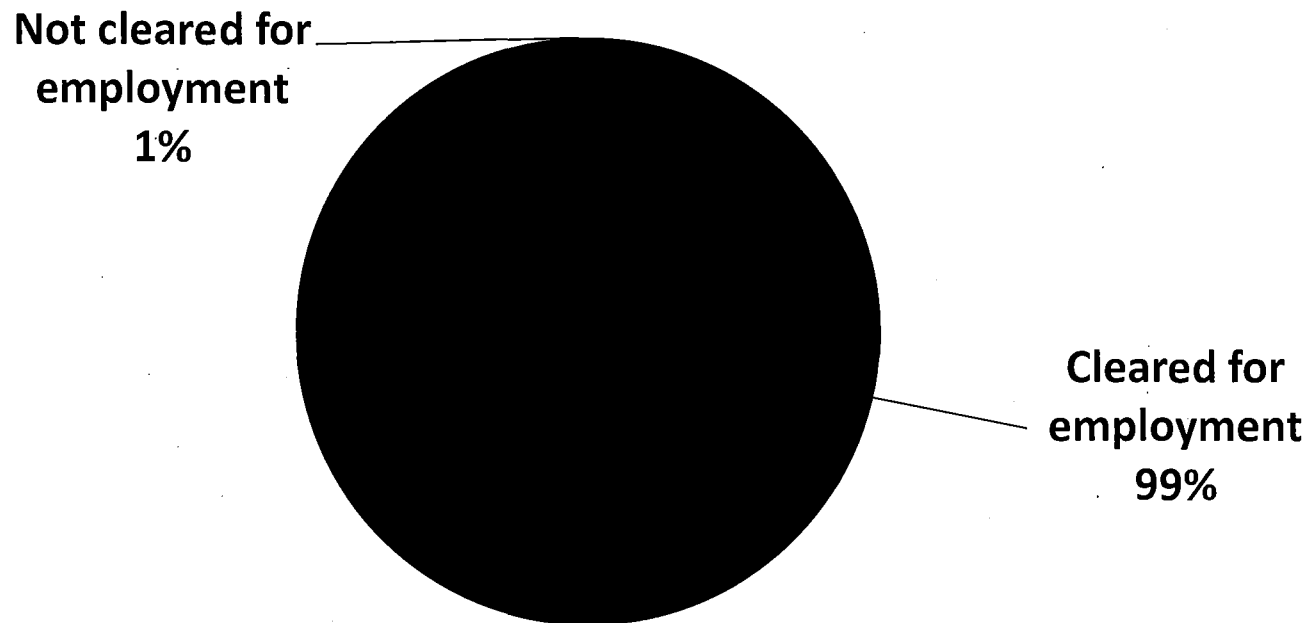
## Recruitment: Opening Doors

- 1) **Clerical Eligibility Test** : The eligibility test allows applicants who don't have any experience to take the entry-level exam.
- 2) **Continuous Testing for Police Officers**: Continuous testing with a new exam has nearly doubled exam pass rates for African American females. African American male officers increased 25% during the period in which overall FTEs increased 9%.
- 3) **Certification Rule**: Requesting unions to allow access to more eligible candidates for hiring. Current requirements limit access to some qualified candidates who could add diversity.
- 4) **MQ Review**: minimum qualifications are reviewed and adjusted to ensure they are job-related and aren't creating unfair barriers to employment.



# Hiring: Conviction History Review Program

## Candidates with Conviction Histories in FY 2017-18



In FY 2017-18 only 9 candidates were not cleared for employment following a conviction history review



## Hiring: Pipelines

- **Access to City Employment (ACE):** matches qualified applicants who have serious disabilities with City jobs



- Candidates interested in the building trades earn while they learn, and qualify for journey-level career positions
- **San Francisco Fellows:** a brilliant and diverse group of recent college graduates spends a year working and learning in City departments, qualifying for analyst positions at the end of the Fellowship





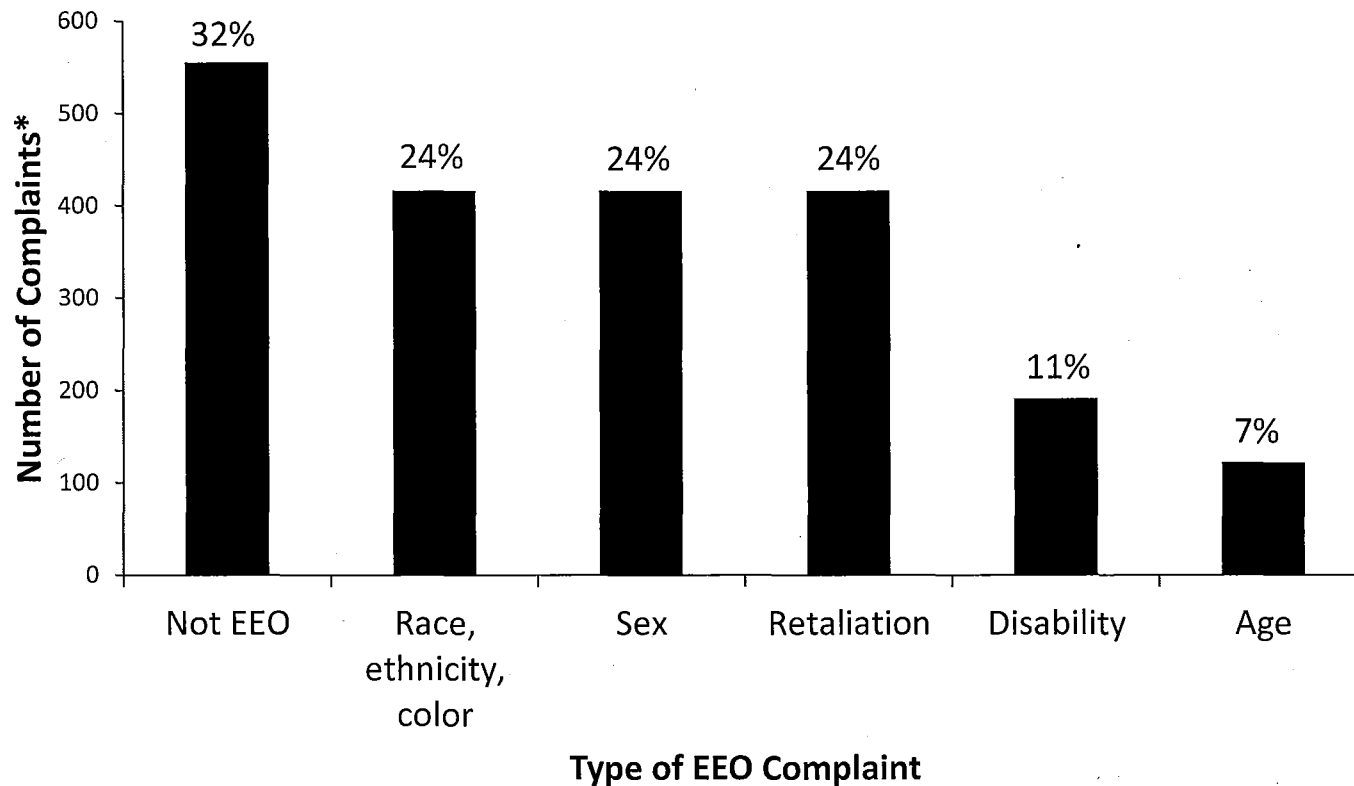
## Training

- **Implicit Bias:** Instructor-led and online trainings have reached nearly 3,000 employees in 51 departments, including 900 at SFPD
- **Harassment Prevention :** 14,000 employees trained, including 6,500 supervisors and managers
- **Cross-Cultural Communications:** new DHR program to improve communications skills among co-workers and supervisors
- **Anti-Bullying:** Online module developed in collaboration with SEIU



# Enforcement: Equal Employment Opportunity Complaints

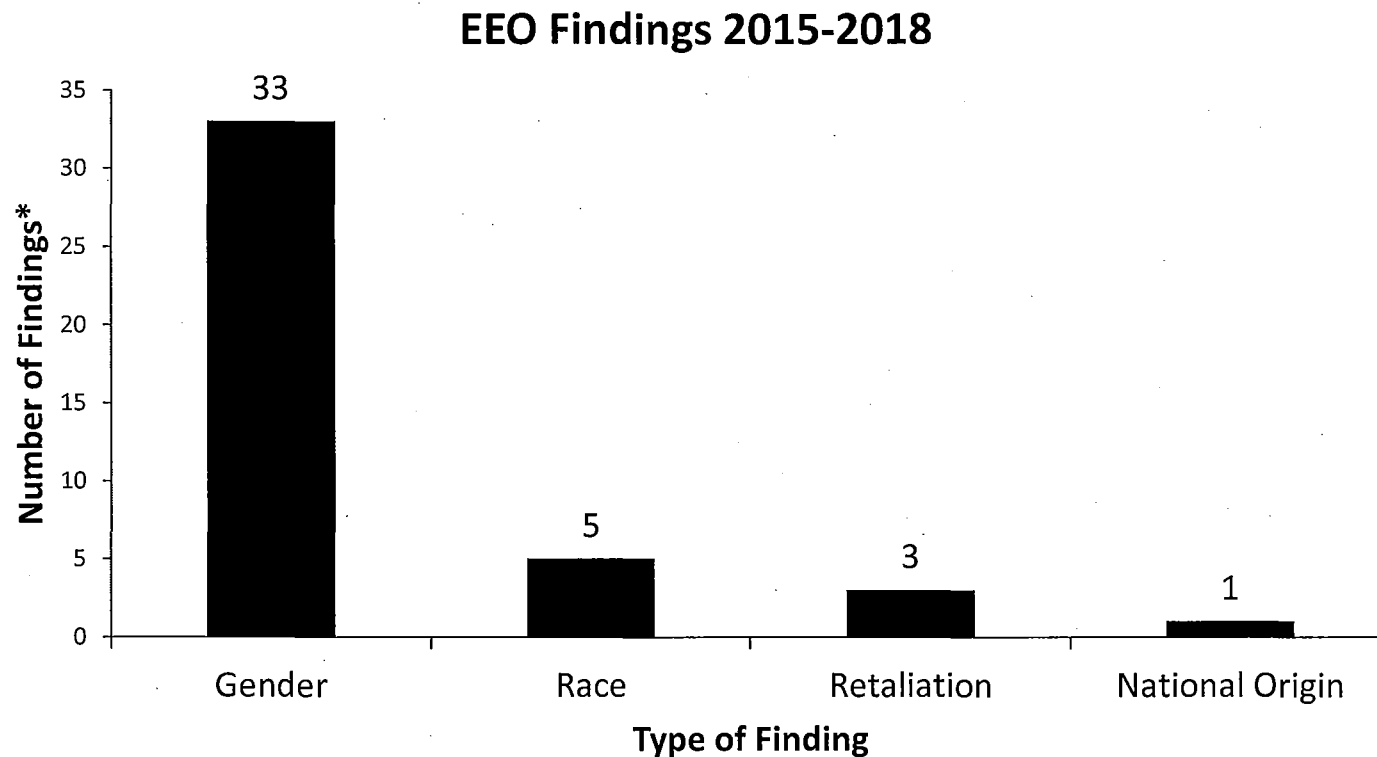
**EEO Complaints 2015-2018**



\*Total number of EEO complaints over a three-year period was 1,734. All complaint types equal more than 100 percent because some claimants file under multiple areas.



# Enforcement: Equal Employment Opportunity Findings



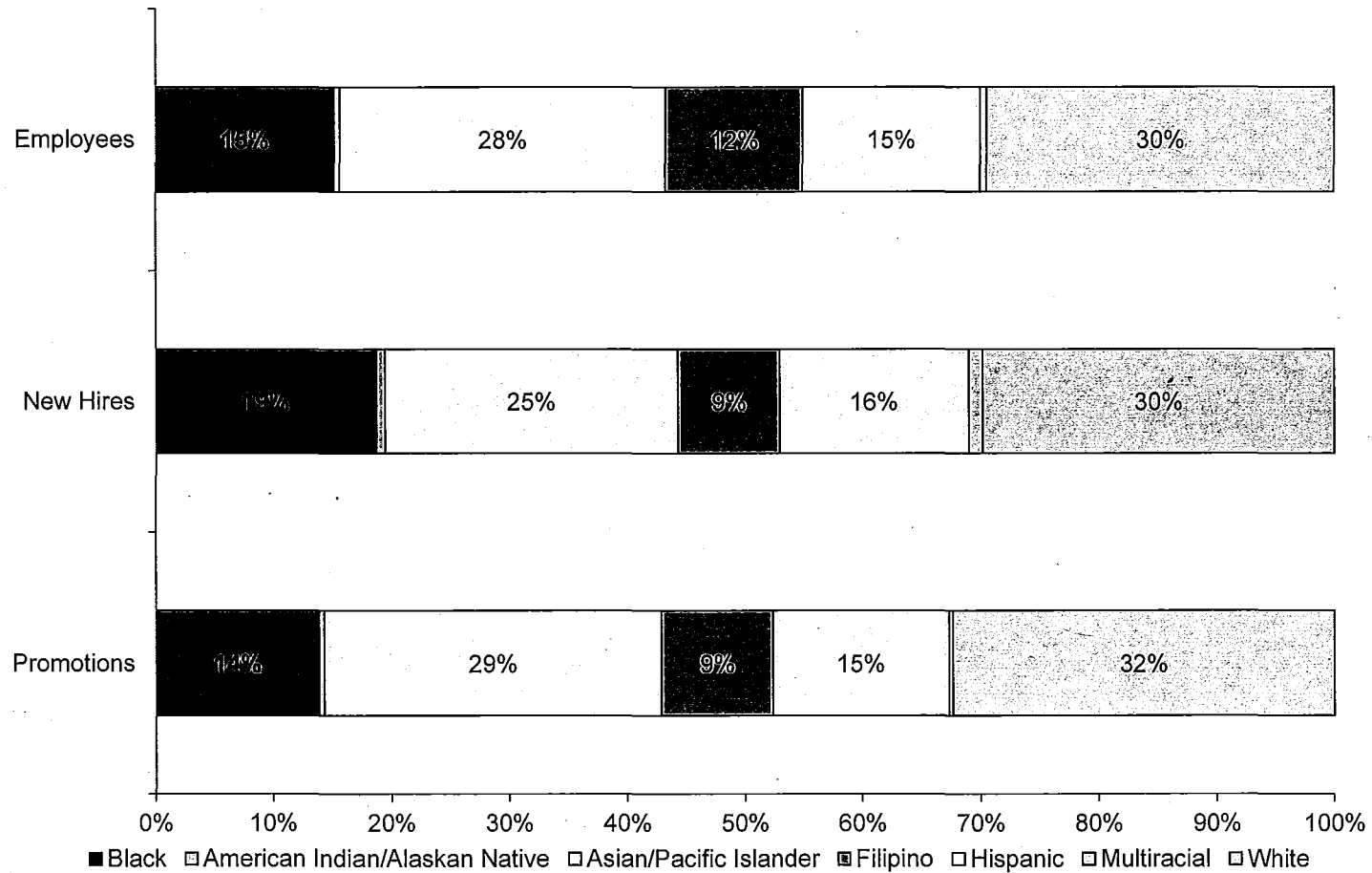
\*Total number of EEO findings over the three-year period was 42. There were also 778 corrective actions over that time period.

# What the Data Shows

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# Citywide New Hires



*Notes: Employees captures all active City employees as of 8/30/18. New Hires and Promotions capture instances during the period 7/1/13 through 6/30/18.*



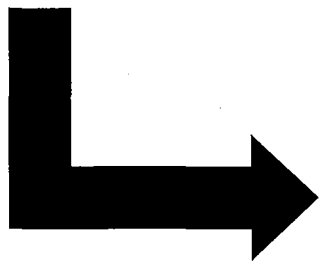
## Temporary Employment

- “As Needed” employees (TEX 16)
  - African Americans are 15% of the as-needed employees
  - Equivalent to their overall workforce proportion of 15%
- Category 18 appointments (limited to three years)
  - These categories are used for projects of limited duration and for training
  - 25% of Category 18 employees are African American, consistent with targeted employment programs such as Jobs Now, City Build, ApprenticeshipSF.



## SEIU Promotions

African Americans  
make up **17%** of SEIU  
new hires



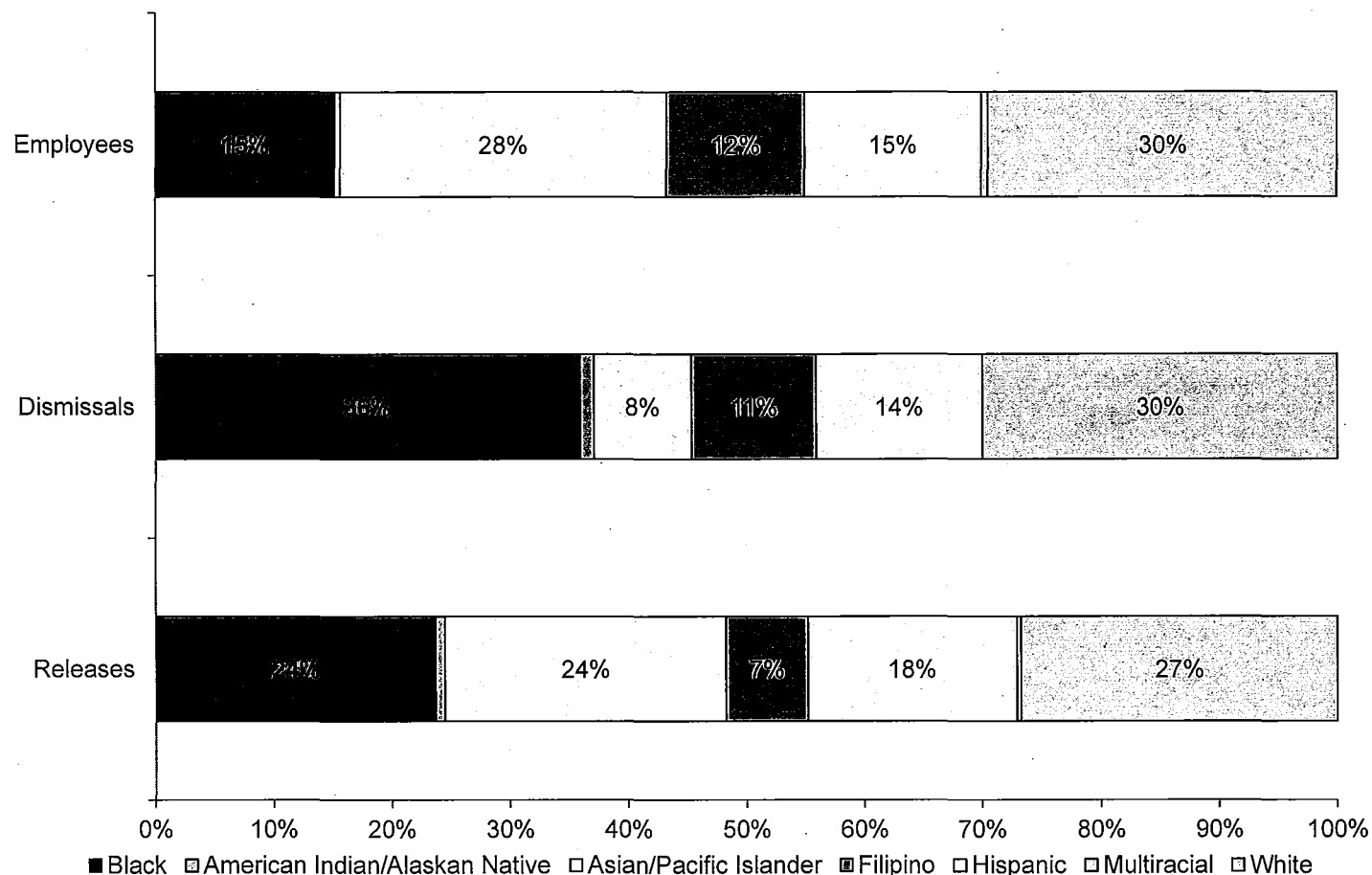
African Americans  
make up **16%** of the  
SEIU workforce



African  
Americans make  
up **18%** of SEIU  
promotions



# Cause for Concern



*Notes: Employees captures all active City employees as of 8/30/18. Dismissals and Releases capture instances during the period 7/1/13 through 6/30/18. Dismissals captures dismissals of permanent employees, and Releases captures releases from probation.*



Future Focus



## Candidate De-Identification

- Board of Supervisors has voted in 2016 and in 2018 favor of de-identification of candidates for hire, in order to reduce bias in the hiring process
- Civil Service Commission approved rule changes this week which will allow DHR to require candidate de-identification when managers are deciding whom to interview
- Set to begin Oct. 15, 2018



# Recruitment & Pipelines

- Expand capacity for diversity recruitment
- Expand partnerships with schools and community-based organizations to provide candidate pipelines

**Your future starts with You!**



**APPLY TODAY!**  
Submit Applications Online  
[jobapscloud.com/sf/](http://jobapscloud.com/sf/)

**8208 Park Ranger Opportunity**  
Help maintain San Francisco's cultural and natural resources for all to enjoy. Join us to work with the hand, the heart, and the mind to share your passion for the beauty of San Francisco.  
**Apply by 5:00 PM on August 3, 2018**  
If you need help with submitting the City application for this position, please contact  
**Angela Scott**, Transitional Coordinator  
SAN FRANCISCO RECREATION & PARKS DEPARTMENT  
Address: 1601 Loma Street, SF, 94128  
Office: 415-820-4240 Email: [AScott@sf.gov](mailto:AScott@sf.gov)

If you have questions about the qualifications or job specifics, or if you need technical assistance contact the exam analyst for this posting, Amber Lyle, at 415-557-4880, or by email at [Amber.Lyle@sf.gov](mailto:Amber.Lyle@sf.gov)





## Centralized Reporting

- Centralized reporting and tracking of discipline and other employment actions to identify problem areas
- Development of electronic personnel files to ensure consistent and accurate reporting of data and employment actions



## Expanded Training

- Provide harassment prevention, implicit bias, and cross cultural communications training to much broader segment of City employees
  - Beginning Jan. 1, 2019
    - Hiring managers and supervisors must take DHR's online **implicit bias training** biannually
    - Hiring managers, supervisors, others on hiring panels must take new "**Fairness in Hiring**" online training annually
    - **All** City employees must take **Harassment Prevention Training** biannually



## Conclusion

- City can be proud of its workforce diversity
- Concerted effort through:
  - Recruitment & hiring programs
  - Training
  - Enforcement of anti-discrimination laws, regulations, policies
- We can and will do more:
  - Leading edge programs
  - Broaden recruitment and training
  - Improved systems

Thank you

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My name is Brenda Barros I have worked for the City of San Francisco in DPH, my first day was Jan 1, 1979. As a worker in Medical Records and then Richard Fines Peoples clinic I have seen many things that are just not right happening and felt compelled to speak up. I have to say that in many cases black employees who get hired find themselves in hostile work environments. We end up with 3 choices

1. Tolerate it because you need to feed your family and fear retaliation.
2. Quit and head for the hills
3. Stand up for yourself. The only problem is most who speak up become ostracized, targeted over and over till they can get you



out.

I have a couple of questions I need answered.

1. Why did the director of Department of Human Resources target in Public Health the 2 largest classification with large numbers of blacks for pay cuts and then go to court to make sure it happened? Thank god she lost, but those workers are still suffering. Some of you should remember deskilling and how horific it was and is.

2. Why are there no blacks on the Human Resources directors executive team?

3. When will we get real accountability for the state of the workforce and racist behaviors?

4. When will there be a Black person on the

Civil service commission not a employee of it but sit on the board?

The data folks shows San Francisco has a problem with lack of real diversity in its ranks and discrimination. You have a choice today to let the Director of Human Resources once again pass off training alone as the answer or make real structural changes.

I have many personal stories but the one that stands out the most and applies is how because I am me (black) the stereotypes seem to always come up in others disruptions of me and other blacks. I hear these same terms no matter how high up the Black employee is. There not as bright, aggressive, dosent know enough, they assume we don't sky or swim , things like

that. Over time these things do have an effect you start to downplay being yourself.

I would also like to say that I know the Mayor wants to Bring in marganilized people in from the community. But if these people come into the current system many will not be successful as the biases will be waiting for them. There are minimal protections for new employees they need to get due process rights for fairness.

I would also like to ask that there be more board oversight over the data that needs to be collected. There should also be exit surveys for employees who leave focused on thing like discrimination, work enviornments and one of the questions should be, why did you leave?

There also needs to be a Black on the civil service commission not that the people on it are bad but there is not one on the commission who can fully understand the discrimination issues. The past decisions related to this matter bare that out.

This is just the beginning

Brenda Barros

City employee

925-437-0593

EDWARD SIMPO

SSN 566-25-48~~88~~

Classification 8238

1988 - 1993

Resigned

Prism

1999 - September 14<sup>th</sup> 2018

Resigned

Unfair  
Treatment

Retaliation - For Filing a complaint (S)

Velled at by Supervisors Managers  
Coworkers,

Was told to just RUN the other way  
when brought to the attention of the  
department during a Skelly Hearing.

Falsely ACCUSED of engaging in altercations  
And there are no cameras in the  
work place, to support the truth.

415 618 9334

edwardsimpo1@gmail.com  
vintage2e@hotmail.com

I would like to continue my career  
with another department.

September 19, 2018

Statement of Norma Nelson  
(510) 754-6353

nnorma31@gmail.com

To: City and County of San Francisco  
Government Audit and Oversight Committee

RE: Agenda Item 6 - 180630

Hearing - African-American Workforce Hiring, Retention, and  
Promotional Opportunities - Workforce Discrimination and Complaints  
Sponsors: Kim, Peskin, Fewer, Ronen, Cohen and Safai

I was present at the hearing today and presented a speaker card. I am writing this note for the official record and action since I may not be able to speak. Also, to go on official record.

I am an African American female with a Master's degree in Finance. At the time that I was forced to take an early retirement, (2012) my salary at the Port of San Francisco was approximately \$110,000 per year. My retirement income of approximately \$21,000 per year did not include the disability retirement and long-term disability income that was a benefit denied me by the City and County of San Francisco. Why because Elaine Forbes made it it business to fire me when she became Finance Director for the Port of San Francisco.

Unfortunately, I slipped and fell on my back in the lobby at the Port Administration building. The injury symptoms did not show up until later. I filed a worker's compensation notice but did not take action.

My job as Principal Administrative Analyst involved assuring that laws rules and regulations governing contracting at the Port of San Francisco were complied with and meeting the contracting needs for Port operations and administration. Unfortunately, Port staff only wanted to hire consultants and contractors that looked like them and they liked. I uncovered a number of inappropriate contracting activities, including discrimination against African American consultants/contractors seeking contracts with the Port.

Rather than my supervisors and managers supporting compliance with non-discrimination, the full force of the SFHRC, City Attorney decided to investigate me and subject me to a hostile work environment. The hostile work environment was so bad that eventually my back went completely out and I have not been able to work full time, consistently since 2012.

Yet, when I filed for a request for light duty, transfer to another department, I was denied. Elaine Forbes demanded that I do work while on disability leave, and denied my disability retirement as well as long-term disability benefits.

I filed a discriminatory hostile work environment and harassment claim with the City. There was an "investigation", but I was never contacted. The current Director, Micki Callahan determined that I had not been harassed, or my complaints were without merit.

I am requesting that my case be re-opened.

Gemma Gilson

page 2 of 2

Thank you Board of Supervisors, my name is Ellen Lee Zhou. I am a Behavioral Health Clinician for Public Health for more than 10 years.

I am a Bargaining Team member and union delegate for our public employees.

The Federal Agents have been investigated management corruption since 2011, many of our union members and public workers being interviewed by the FBI agents. I was one of the workers being interviewed by the Federal Agents.

Many public employees have been going to Civil Service Commissioners to report extortion, discrimination, harassment and retaliation, many public employees protested in December 2015, 2016, 2017 and 2018 on-going for discrimination and harassment in our work places, specially targeted minorities workers. I, myself testified in front of Civil Service Commission about discrimination, harassment, extortion, bribery and retaliation on 08/15/2016 and 09/18/2017 some other occasions.

I, myself brought five public employees to Ethics Commission department to report retaliation between April to June 2017, but we were told our records and files being missing. We testified in front of Ethics Commission on 03/16/2018 and again on 07/20/2018.

You, all the Board of Supervisors can make a different in all public employee's work lives. We, the public employees, just like you, serving our public, our residents and tourists in San Francisco. We hope you, as Board of Supervisors make some policies to hold management staff accountable for their violations, including remove them from their positions and let those who can follow the laws to protect our public employees. Thank you for working together to ensure all workers treat equally with respect and dignity. Ellen Lee Zhou, 09/19/2018



### Timeline of events

6/9/15 I spoke with Rachel Gardunio about reinstate or reappointment for open position as 7341.

At that time I was told by Dee Cutino they were short staffed and need qualified employees. So, I contacted her, she sent information regarding the process and the rules.

6/29/15 I got an email from Carlos Cervantes and at that time I filled the form out and contacted Edwin Serrano, who also informed me of the shortage of 7341; and at that time there was not a 7343, position available. I then agreed to go back to the position of 7341.

7/1/15 I received email from Edwin Serrano, stating that he had gotten the form and sent it to the appropriate departments.

So during the month of July, I spoke with Paul Gambon, who at the time seemed to welcome my request, and was told that he would speak to Lee Okomoto and signed off on the reappointment. I was shocked from the phone conversation, he felt I knew my job as a senior in the Sunol treatment plant, I had done a good job is what I was told. That made me feel a lot better because Joe Guerra had robbed me of self-esteem and caused me to leave the job under stress and duress, because of his discriminating practice, while employed under his leadership, I was actually exhausted with his hostile work environment. So, I thought everything was good. So, I let Dee Cutino know the good news, as my Worker comp case was still open. So, a series of things transpired since I talked, Paul retracted his words, after he found out I still had an open case, I believe it was Joe who told him not to rehire me even though he is Joe manager.

2. Will send supporting email documents of conversation and timing.

Then there began the games of lies and semantics to strategically deny and retaliate against me.

This whole thing stems from Joe and the hidden culture of nepotism and cronyism that goes on in the department that I had stomached for years. I know for sure a person of color who stands on the rights is something that is frowned upon in this department. They hide and bend the motive, for wrongful doings and discipline is not fair, and thousand other things just in 5/13/13 my psyche had enough to the point I realized people really go postal. I remember everything about my employment with this government agency. Even, in negotiations with workers comp attorney, I asked to go back to my position.

### Witness as such will be listed in regards to account and description

1. Demetrious Cutino "States that Paul told him he was bringing me back"

He also, know that I was sick of Joe, and his racist jokes, calling me Sista Soulja and referring to him as my brother buckwheat. 408-687-8436

2. Robert Moore witness the constant harassment of Joe Guerra to myself 510-967-8062

3. Ed Akter had a worker comp case against Joe. 510-727-1896

4. Sunil Sengal had a worker comp case against Joe 650-580-5710

5. Paul KO had a workers comp case against Joe. Joe personally told me that he better stop fucking with Paul Ko, before he comes to work and kick his ass in his pajamas. ( at the time I did know what was meant but it was racist because of the gi that they use in martial arts)
6. Steve Rotondo 916-666-9190 knows about the system lies and favoritism.
7. Rich O'Neil I know about Joes harassment 510-512-4903
8. Adrian Ibarra worker comp attorney 562-743-7891 who the account and details of harassment, doctors reports etc.
9. Doctor Phillip McFarland psychologist 510-688-4445 who help me with my depression.
10. Matt Cordua 559-908-8902, he told by Odell Gibbs not to call me Sista Soulja and sent me picture of my certificate with name Estelle Guerra.
11. Odell Gibbs 510-355-7075

Due to Statue of limitations

This all started with my flight to get away from Joes harassment, I literally heard my mind outside of it body on 5/13/13, Tell me to take the chair a bust it over his motherfucking head!

I will email support email documents to this also

## **EXCERPTS FROM CIVIL SERVICE COMMISSION RULE 114 – APPOINTMENTS**

### **ARTICLE V: REAPPOINTMENT**

#### **Section 114.30 Reappointment**

- 114.30.1 A permanent appointee who has completed the probationary period who resigns and whose services have been certified as satisfactory by the appointing officer, or except as otherwise ordered by the Commission in the case of services certified as unsatisfactory, shall be permanently separated from such appointment except as follows:
- 114.30.2 Except for the members of the uniformed ranks of the Police and Fire Department, upon request on the prescribed form within a four year period after the effective date of the resignation, the resignee with the approval of an appointing officer may be appointed ahead of eligibles to a vacancy in a permanent position in the class from which resigned in any department.
- 114.30.3 A separate request must be filed with each department to which reappointment is desired. An approved copy of the reappointment form(s) must be filed with the Department of Human Resources.
- 114.30.4 Consistent with the above procedure, members of the uniformed ranks of the Police and Fire Department shall have two years from the effective date of the resignation to request and to be reappointed.
- 114.30.2 If a vacancy does not exist in the class from which resigned from City and County Service, or, if otherwise approved by the Human Resources Director, subject to appeal to the Civil Service Commission, a resignee may re-enter the service to a vacancy in any former class in which the probationary period had been completed in any department with the approval of the appointing officer.
- 114.30.3 When reappointed, the resignee shall enter the service as a new appointee with no rights based on prior service except such as may be specifically provided elsewhere in these Rules, in the Vacation, Sick Leave and any other Ordinances as appropriate, and in the examination procedures with respect to credit for prior City and County Service.

**Fwd: Last two cents**

Thursday, August 6, 2015 8:24 PM

**From:** "Cutino, Dee" <dcutino@sfwater.org>**To:** "estelleyancey@yahoo.com" <estelleyancey@yahoo.com>

Sent from my iPad

Begin forwarded message:

**From:** "Cutino, Dee" <dcutino@sfwater.org>  
**Date:** August 6, 2015 at 4:11:35 PM PDT  
**To:** Estelle Yancey <evancey@sfwater.org>  
**Subject:** Fwd: Last two cents

I sent this to Chris.

Sent from my iPad

Begin forwarded message:

**From:** "Cutino, Dee" <dcutino@sfwater.org>  
**Date:** August 5, 2015 at 2:58:36 PM PDT  
**To:** "Nelson, Chris" <cnelson@sfwater.org>  
**Subject:** RE: Last two cents

Chris, I was trying to hold my tongue but I can't. I have an issue with how Estelle Yancey is being treated in her effort to come back to work for us. It doesn't make sense to not bring a qualified operator back, and to hold the position for non-license personnel. It hasn't been explained how this makes sense. He just states that we are not accepting reinstatements. When you couple this with the fact that a number of past employees have been allowed to do this, Mark Demeduk, Rob Witt, Jeff Theuret, Tom Norris, (more than once, the first time he just disappeared but was not only let back, but they went looking for him), Jeff VanTrump, and Pat Davidson ( 3 times). I think he needs a better explanation than we are not accepting reinstatements at this time. Especially since we are in desperate need of operators. Why did Paul change his mind after telling me she left in good standing and could come back? I think these actions will lead to issues for us. I can see this as plain as day. Things are not adding up.  
Dee

---

**From:** Nelson, Chris  
**Sent:** Monday, August 03, 2015 7:55 AM  
**To:** Cutino, Dee; Okumoto, Lee  
**Subject:** RE: Last two cents

Lee -- how soon can we start a recruitment for 7341's? Not until the current one completes, right? This list must be exhausted or expire.

Dee -- The idea to hire 7334's came from discussions with your staff, who are worried about operator burnout due to vacancies and during the shift change transition. That said, I am open to facilitating adjustment to the approach. My impression was that there just weren't 7341 candidates out there, but maybe the deficiency is not in the population, but in the advertisement. I don't know. The current strategy's upside is that I can have the 7334 recruitment moving concurrent with the hiring process from the last anemic response to the 7341 recruitment. The goal is to fill vacancies as fast as possible given the shift change and the impact that it may have on the ranks. I would appreciate your help on the recruitments -- both 7334 and the next 7341, to see if we can get the best possible results.

---

**From:** Cutino, Dee  
**Sent:** Monday, August 03, 2015 7:43 AM  
**To:** Nelson, Chris  
**Subject:** Last two cents

Chris, I still think this bringing in 7334 operators is a mistake. I still believe the best thing to do is have HR do a legitimate recruitment. Why can't we do this before bringing in 7334s? This makes so much sense to me. Am I that far off with my thinking on this? This 7334 route will take at a minimum 2 yrs. Before we see any fruit. The less operators we have, the less there will be to fill in. This is another good idea I have that is being ignored. Once again, if I didn't care I'd just let it go.  
Thanks

D. Cutino  
Superintendent of Water Treatment Facilities  
Office: 650-8008-3810  
Cell: 650-302-0420



# San Francisco Water Power Sewer

Operator of the Hetch Hetchy Regional Water System

Water Supply & Treatment Division  
1000 El Camino Real  
Millbrae, CA 94030

August 25, 2016

State Water Resources Control Board  
Office of Operator Certification  
Drinking Water Operator Certification Program  
P O Box 944212  
Sacramento, CA 94244-2120

**RE: Drinking Water Certification for Estelle Yancey -Grade Level: T5**

To Whom It May Concern:

Estelle Yancey was employed with the San Francisco Public Utilities Commission from 10/1999 to 09/2013. During her employment, she held the following positions:

**Position/Title: 7341 Stationary Engineer-Water Treatment Plant:** From 10/1999 to 9/2011, Ms. Yancey was employed as a Stationary Engineer-Water Treatment Plant Operator by the SFPUC. As a certified T-3 Operator her duties included being in direct charge of the operation of the Harry Tracy and Sunol Valley Water Treatment Plants as well as SCADA operation of the transmission system. Ms. Yancey was employed full time (40 hours per week).

**Position/Title: 7343 Senior Stationary Engineer-Water Treatment Plant:** From 09/2011 to 09/2013 Estelle Yancey was employed as a Senior Stationary Engineer by the SFPUC. During this period, she was responsible for the supervision of T-2 and above Water Treatment Plant Operators in the operation and maintenance of SWRCB T-5 rated water treatment facilities and SCADA in the SFPUC Regional Water System. Ms. Yancey was employed full time (40 hours per week). During this period, Ms. Yancey held the required T-4 certification.

As the undersigned supervisor of the above referenced operator, I hereby certify that all facts and statements set forth are true and correct to the best of my knowledge and belief. I understand that any omissions or misrepresentations may result in discipline as per the Health & Safety Code section 106876.

Sincerely,

Paul Gambon  
System Operations Manager

Services of the San Francisco Public Utilities Commission

Edwin M. Lee  
Mayor

Francesca Vietor  
President

Anson Moran  
Vice President

Ann Moller Caen  
Commissioner

Vince Courtney  
Commissioner

Ike Kwon  
Commissioner

Harian L. Kelly, Jr.  
General Manager



**Attachments:**

- 1) SFRWS Permit for Water System # 3810001**
- 2) 7341 Stationary Engineer-Water Treatment Plant Operator: Job Description**
- 3) 7343 Senior Stationary Engineer-Water Treatment Plant Operator: Job Description**
- 4) System Operations Section Organization chart**



# San Francisco Water Power Sewer

Services of the San Francisco Public Utilities Commission

525 Golden Gate Avenue, 3rd Floor  
San Francisco, CA 94102  
T 415.554.1670  
F 415.554.1529

September 15, 2017

Estelle Yancey  
P.O. Box 4040  
Manteca, CA 95337

## Re: Request for Reappointment Determination

Dear Ms. Yancey:

This is to acknowledge that on June 29, 2017, the San Francisco Public Utilities Commission ("SFPUC" or "Department"), Human Resource Services ("HRS") received your request for reappointment. You requested reappointment to your former Classification ("Class") 7343 Senior Stationary Engineer position in the Water Enterprise, Water Supply and Treatment Division.

Pursuant to the Civil Service Commission Rule 114.30 on Reappointment, the rule provides that a permanent employee who has completed the probationary period who resigns and whose services have been certified as satisfactory by the appointing officer, shall be permanently separated from such appointment, with the following exception: upon request on the prescribed form within a four (4) year period after the effective date of the resignation, the employee, with the approval of an appointing officer, may be appointed ahead of eligibles to a permanent position in the class from which the employee resigned in any department.

In accordance with Civil Service Commission Rule 114.30.2, the Department has reviewed your request for reappointment to your former Class 7343 Senior Stationary Engineer position and is notifying you that we are denying your request at this time. The Department recently had an open recruitment for 7343 Stationary Engineer positions and will fill all 7343 vacancies using the eligibles list from the 7343 recruitment.

*Why would you fill from a list when I already know the system - (I am less training)*  
If you have any questions, please contact the Civil Service Commission, at (415) 252 - 3427.

Sincerely, -

Cindy Charan  
Director, Human Resource Services

Encl: Employee Request for Reappointment Following Resignation Form  
Civil Service Commission Rule 114, Article V: Reappointment

Cc: Chris Nelson, Manager, Water Supply and Treatment Division  
Rachel Gardunio, Manager, Employee Relations & EEO Programs

Edwin M. Lee  
Mayor

Anson Moran  
President

Ike Kwon  
Vice President

Ann Moller Caen  
Commissioner

Francesca Vietor  
Commissioner

Vince Courtney  
Commissioner

Harlan L. Kelly, Jr.  
General Manager



**PBT-7245-067142, CERT:13199**

Tuesday, November 14, 2017 11:24 AM

From: dhr-referral@sfgov.org

To: estelleyancey@yahoo.com



Tuesday, November 14, 2017

ESTELLE YANCEY  
P.O. BOX 4040  
MANTECA, CA 95337

RE: PBT-7245-067142 Certification No.: 13199

Dear ESTELLE YANCEY,

Thank you for your application for the 7245 Chief Stationry Engineer,Water Treatment Plnt position with Public Utilities Commission.

We appreciate the time and effort you have invested to this recruitment. After careful consideration of all of the candidates, we have selected a candidate whose experience and qualifications more closely match our needs for the position.

We hope that this does not discourage you from other employment opportunities with the Public Utilities Commission and encourage you to continue to apply with the City and County of San Francisco.

We wish you success in your future career endeavors.

Sincerely,

**San Francisco Department of Human Resources  
Client Services Operations-Referral Unit**



**CBT-7343-900490, CERT:13270**

Wednesday, November 15, 2017 9:17 AM

From: dhr-referral@sfgov.org

To: estelleyancey@yahoo.com



Wednesday, November 15, 2017

ESTELLE YANCEY  
P.O. BOX 4040  
MANTECA, CA 95337

RE: CBT-7343-900490 Certification No.: 13270

Dear ESTELLE YANCEY,

Thank you for your application for the 7343 Senior Stationary Engineer, Water Treatment Plant position with Public Utilities Commission.

We appreciate the time and effort you have invested to this recruitment. After careful consideration of all of the candidates, we have selected a candidate whose experience and qualifications more closely match our needs for the position.

We hope that this does not discourage you from other employment opportunities with the Public Utilities Commission and encourage you to continue to apply with the City and County of San Francisco.

We wish you success in your future career endeavors.

Sincerely,

**San Francisco Department of Human Resources  
Client Services Operations-Referral Unit**

CBT-7343-900490, CERT:13269

Wednesday, November 15, 2017 9:55 AM

From: dhr-referral@sfgov.org

To: estelleyancey@yahoo.com



Wednesday, November 15, 2017

ESTELLE YANCEY  
P.O. BOX 4040  
MANTECA, CA 95337

RE: CBT-7343-900490 Certification No.: 13269

Dear ESTELLE YANCEY,

Thank you for your application for the 7343 Senior Stationary Engineer, Water Treatment Plant position with Public Utilities Commission.

We appreciate the time and effort you have invested to this recruitment. After careful consideration of all of the candidates, we have selected a candidate whose experience and qualifications more closely match our needs for the position.

We hope that this does not discourage you from other employment opportunities with the Public Utilities Commission and encourage you to continue to apply with the City and County of San Francisco.

We wish you success in your future career endeavors.

Sincerely,

San Francisco Department of Human Resources  
Client Services Operations-Referral Unit

\* How is this so, I worked here since 1999 / also already held the position.



San Francisco  
**Water Power & Sewer**  
Operator of the Hetch Hetchy Regional Water System

WATER SUPPLY AND TREATMENT DIVISION  
1000 El Camino Real, Millbrae CA 94030

November 9, 2017

Estelle C. Yancey  
P.O. Box 4040  
Manteca, CA

Via email

Re: Employment – 7343 Senior Stationary Engineer

Dear Ms. Yancey:

We appreciate the time and effort you took to participate in our selection process for the position of 7343 Senior Stationary Engineer with Water Supply & Treatment Division at the San Francisco Public Utilities Commission.

Your background was carefully reviewed against our requirements and needs. We regret in this instance, we are unable to offer you the job.

(Really)

There are many employment opportunities with the City and County of San Francisco, and we hope you continue to pursue them. We wish you much success in achieving your career endeavors.

*I already held the position*

Sincerely,

*Lee*

Lee Okumoto  
Water Supply & Treatment  
Departmental Personnel Liaison

cc: Recruitment File

Edwin M. Lee  
Mayor

Anson Moran  
President

Art Torres  
Vice President

Ann Moller Caen  
Commissioner

Francesca Viator  
Commissioner

Vince Courtney  
Commissioner

Harlan L. Kelly, Jr.  
General Manager



Good Afternoon Board of Supervisors:

My name is Madelyn McMillan. I'm currently the President of SEIU 1021 African American Caucus (AFRAM). Black AFRAM SEIU leaders led the struggle to create a functional Civil & Human Rights Caucus within SEIU, and a Civil & Human Rights Committee of SEIU international E-Board.

In my 25-years tenure with the City & County of San Francisco I experience unfair employment practices, treatment and unnecessary disproportionate disciplines against myself and other Black/ African American Workers.

My classification is Senior Clerk Typist 1426. I was subjected to deskilling by the DHR at the direction of Mikki Callahan the Director of DHR. When 1426 Senior Clerk Typist were deskilled it was a negative impact on future promotional opportunities on the 1426 classification. Many of my fellow 1426s were reclassify in lower classification after their essential job duties were removed which impacted their income negatively.

The 1426 Classification is a citywide classification which has been historical filled with predominately Black/African American. I also believe this employment added to the systemic racism and gentrification on and off the job.

I currently work in the San Francisco Police Department as a 1426 Senior Clerk Typist. In 2015 part of my core duties were remove from my job duties permanently without just cause. Furthermore, I complaint about my duties begin remove from my job descriptions and then reassigned to a Police officer a white female on lite duties.

After complaining to the lieutenant/captain/commander concerning the removal of my duties without just cause. I experience retaliation in the following ways: Desk relocated another office that was isolated from the main department. The job duties that were removed from my job description impeded me from qualifying future promotional opportunities.

As a black female employee with the City & County of SF I feel that black employees are disregard, disrespected and devalued. I believe we need to make a change in the employment practices so that Black/African American worker are not adversely impacted.

LAW OFFICES OF  
DANIEL RAY BACON  
234 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-4515

TELEPHONE  
(415) 864-0907  
FACSIMILE  
(415) 864-0989  
EMAIL: bacondr@aol.com

September 24, 2017

VIA HAND-DELIVERY

Board of Supervisors  
City Hall  
San Francisco, California

**RE: Bailey v. San Francisco District Attorney's Office, George Gascon, et al  
San Francisco Superior Court # CGC 15-549675**

Dear Supervisor:

Twanda Bailey worked for the San Francisco District Attorney's office for over 14 years, was an excellent employee, and looked forward to fulfilling her dream of eventually retiring from the city in the future. However, after a co-worker called her a "scary nigger," things changed drastically for her.

As a resident of San Francisco since 1978 and having practiced law for 35 years in San Francisco I am appalled that the San Francisco City Attorney is defending the above referenced lawsuit by claiming that being called a nigger by a co-worker in the San Francisco DA's office does not violate and is NOT a violation of the law, despite the Equal Employment Opportunity Commission regulations and federal court decisions that such conduct does violate the law.

After the District Attorney's human resource manager refused to take any action on Bailey's complaint of racial harassment, a San Francisco police officer reported the incident to the city's human resources department, but Ms. Micki Callahan, Human Resource Manager for the city refused to investigate Bailey's complaint of racial harassment, refused to testify at a deposition in this lawsuit and claimed that being called a "scary nigger by a co-worker did not violate the law. George Gascon refused to testify at his deposition, and his administrator testified in his deposition that when Gascon was advised that one of his employees had complained about being called a nigger by another co-worker Gascon said just let city human resources take care of it. But the city's human resources department refused to investigate and claimed that being called a nigger is not a violation of the law. The District Attorney's Administrator and other District Attorney managers testified in their depositions that they did not even know if calling a co-worker a nigger violated the city's harassment policy.

The City Attorney claims that no violation of the law occurs when an employee of the city

LAW OFFICES OF  
DANIEL RAY BACON  
San Francisco Board of Supervisors  
September 24, 2017, Page 2

is called a nigger by another city employee. What has become of our city's commitment to zero tolerance for racism? Unfortunately, our city does not have a zero tolerance for such conduct.

What has our city become? Many of you condemned the President of the United States for his comments about racist groups in the East Coast recently, yet this city allows co-workers to be called niggers and then managers claim ignorance in their depositions about whether our city's harassment policy forbids such conduct and defends this lawsuit by claiming that being called a nigger is NOT a violation of the law and is a "mere inconvenience ....joke.

In fact, the city has filed a motion for summary judgment in this case, claiming that such conduct does not violate the law, does not create a hostile work environment, even though Ms. Bailey was forced to work with the guilty co-worker, was told by an incompetent HR Manager that Ms. Bailey could create a hostile work environment for telling other co-workers that she was called a nigger. The DA has fired this HR manager and refused to disclose her whereabouts for a deposition in this case. To make matters worse, the judge who heard the motion on Friday, September 15, 2017, does not know whether such conduct violates the law, has taken the matter under submission, and has not ruled on the City's motion.

Find this hard to believe? Attached find copies of the City HR manager's letter to Bailey stating that being called a nigger by a co-worker does not violate the law, and that Bailey's complaint will not be investigated. Also enclosed find the city attorney's memoranda claiming that being called a nigger is a mere inconvenience and does not violate the law. Welcome to a new San Francisco where racial slurs and harassment are OK.

Very truly yours,



DANIEL RAY BACON

DRB:db  
Enclosures  
cc: Vic Lee, Channel 7 News

City and County of San Francisco

Edwin M. Lee  
Mayor



Department of Human Resources

Micki Callahan  
Human Resources Director

**CONFIDENTIAL**

July 22, 2015

Twanda Bailey  
[REDACTED]  
[REDACTED]

Via U.S. Mail

RE: Complaint of Discrimination, EEO File No. 1901

Dear Ms. Bailey:

The San Francisco Charter, Section 10.103, and Civil Service Commission Rule 103 provide that the Human Resources Director shall review and resolve all complaints of employment discrimination. The Charter defines discrimination as a violation of civil rights on account of race, religion, disability, sex, age, or other protected category. The City and County of San Francisco (City) considers all allegations of discrimination a serious matter. Accordingly, the purpose of this letter is to inform you of my determination regarding your discrimination complaint.

On April 17, 2015, the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO) received a report from the San Francisco Police Department (SFPD) reporting your conversation with Ronnie Wagner, Attorney, SFPD Legal Division, regarding your concerns about your co-worker Saras Larkin, 8132 Investigative Assistant with the Office of the District Attorney (DA's Office). Your complaint was assigned to Dawn Silberstein, Equal Employment Opportunity Specialist. On May 22, 2015, you met with Ms. Silberstein for an intake interview to review your allegations and the City's discrimination complaint process. You allege Ms. Larkin subjected you to harassment/hostile work environment based on your race (African-American). You also allege that Evette Taylor-Monachino (African American), the DA's Office Personnel Officer, subjected you to retaliation.

Please be advised that based on the information you provided, your allegations are insufficient to raise an inference of harassment/hostile work environment or retaliation. Therefore, DHR EEO will not investigate your complaint.

**I. BACKGROUND AND ALLEGATIONS**

Since August 2011, you have been working for the DA's Office as an 8132 Investigative Assistant.

**A. Harassment/Hostile Work Environment**

You allege that on January 22, 2015, Ms. Larkin (Fijian) alerted you that a mouse was heading towards your desk. You uttered a surprised sound, jumped up, and ran to the door. Ms. Larkin

responded to your distress by saying "You Niggers are so scary." Her comment upset you, and you walked out of the office. As you were heading out of the office, a number of coworkers noticed you were upset and you discussed the incident with them.

On January 23, 2015, at a work-related holiday party, your then-supervisor Alexandra Lopes (Hispanic), 8135 Assistant Chief Victim/Witness Investigator, overheard you talking about the incident with colleagues. Ms. Lopes discussed the incident with you and reported it to Sheila Arcelona (Caucasian), Chief of Finance and Ms. Taylor-Monachino. On Monday, January 26, 2015, you met with Ms. Arcelona and Ms. Taylor-Monachino. Although both Ms. Arcelona and Ms. Taylor-Monachino said that they would look into the incident, you felt that Ms. Taylor-Monachino did not take the incident seriously because she responded to your description of the incident by saying "oh Saras."

B. Retaliation

On March 23, 2015, when you had heard nothing further regarding the incident, you followed up with Ms. Taylor-Monachino to request a copy of the complaint or report. Ms. Taylor-Monachino responded that there was no written complaint, and there would be no written report. You allege that when you asked to file a written complaint, Ms. Taylor-Monachino advised you that you should have immediately reported the incident to a supervisor instead of telling everyone in the office what happened. You allege that she further informed you that you could be accused of creating a hostile work environment by talking to coworkers about the incident and drew a diagram showing you who you could and could not talk to about the incident. You contend that since your March 23, 2015 meeting, Ms. Taylor-Monachino's conduct towards you has changed. She no longer speaks to you socially and you feel that you need to avoid walking past her office because she stares at you.

II. INVESTIGATIVE STANDARDS AND ANALYSIS

A. Harassment/Hostile Work Environment Claim

For an investigation to be initiated, a complaint of harassment that creates a hostile work environment, must sufficiently allege all of the following: (1) the complainant was subjected to physical, verbal, or visual conduct on account of the complainant's membership in a protected category; (2) the conduct was unwelcome; and (3) the conduct was so severe or pervasive as to alter the condition of complainant's employment and create an abusive working environment.

You alleged that you were subjected to unwelcome verbal conduct on account of your race (African-American) when Ms. Larkin commented "You Niggers are so scary." While we acknowledge the extreme offensiveness of the "N" word and understand how upsetting it was to you to hear such a highly offensive term, one comment is not sufficiently severe or pervasive as to alter the condition of your employment and create an abusive working environment. However, as Ms. Larkin's statement, if true, violates the City's Harassment-Free Workplace Policy, the DA's Office will be taking appropriate corrective action.



**B. Retaliation**

For an investigation to be initiated, a complaint of retaliation must sufficiently allege all of the following: (1) the complainant engaged in a protected activity; (2) the complainant suffered an adverse employment action; and (3) there was a causal link between the protected activity and the adverse employment action.

You engaged in a protected activity by making a complaint of discrimination about Ms. Larkin. However, you have not alleged that you suffered an adverse employment action. An adverse employment action is any objectively materially adverse action affecting the terms, conditions or privileges of employment. Actions considered materially adverse are those that impair a reasonable employee's job performance or prospects for advancement and include acts that would dissuade a reasonable employee from supporting a discrimination complaint. An offensive utterance or even a pattern of social slights by either the employer or co-employees cannot properly be viewed as materially affecting the terms, conditions, or privileges of employment.

While unwelcome, Ms. Taylor-Monachino's conduct does not constitute an adverse employment action. Ms. Taylor-Monachino's alleged refusal to allow you to file a written complaint on March 23, 2015, was not a materially adverse employment action that would impair a reasonable employee from making a complaint because your complaint had already been reported by Ms. Lopes on January 26, 2015. Ms. Taylor-Monachino's instruction that you should have immediately reported the incident to a supervisor rather than discussing it with coworkers was a reminder of the reporting process given after your complaint had been reported by Ms. Lopes and, as such, is also not an adverse employment action. Finally, Ms. Taylor-Monachino's unwillingness to speak with you socially and staring at you from her office are social slights which do not rise to the level of a materially adverse employment action. Nevertheless, Ms. Taylor-Monachino should have provided you a written copy of your complaint. Therefore, the DA's office will be taking appropriate corrective action.

**III. NON-EEO CLAIMS**

**A. Workers' Compensation Claim**

You also reported that following your March 23, 2015 meeting with Ms. Taylor-Monachino, you took stress-related leave from March 27, 2015 to April 6, 2015. On the same day you submitted a doctor's note to support your workers' compensation claim for stress leave, another coworker suffered an injury at work. Ms. Taylor-Monachino passed by your office and remarked "a real workers' comp issue." You believe that Ms. Taylor-Monachino directed this comment at you and that it was in reference to your workers' compensation claim. However, as workers' compensation claims do not constitute a protected activity for the purpose of EEO, the conduct does not fall within the jurisdiction of DHR EEO and will not be investigated.

B. Preferential Treatment

In addition, you alleged that Ms. Taylor-Monachino showed Ms. Larkin preferential treatment by 1) allowing Ms. Larkin to come in late, leave early, and take long breaks; 2) not holding her accountable for mistakes; 3) providing Ms. Larkin more summer interns; and 4) giving Ms. Larkin a key to Ms. Taylor-Monachino's office where confidential personnel files are located. You are not certain whether Ms. Larkin receives the alleged preferential treatment because of her race (Fijian) or because she and Ms. Taylor-Monachino are friends. As preferential treatment unrelated to an employee's membership in a protected category does not fall within the jurisdiction of DHR EEO, this conduct will not be investigated. Nonetheless, your concerns will be forwarded to the DA's Office to ensure that the DA's Office is maintaining the confidentiality of personnel files.

III. DETERMINATION

Based on the information you provided, it is my determination that your complaint, EEO File No. 1901, will not be investigated and is administratively closed. The decision of the Human Resources Director is final, unless it is appealed to the Civil Service Commission and is reversed or modified. A request for appeal must be received by the Civil Service Commission at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102, within 30 calendar days of the postmarked mailing date of this letter.

For your information, you may file a complaint of employment discrimination with the U.S. Equal Employment Opportunity Commission or the California Department of Fair Employment and Housing. Contact these agencies directly for filing requirements and deadlines.

I recognize it was difficult for you to make your complaint and appreciate that you raised this issue DHR EEO so that it could be reviewed. Thank you for bringing your concerns to our attention and allowing us the opportunity to address them. Please feel free to contact Linda C. Simon, Director, EEO and Leave Programs, at (415) 557-4837, if you have any questions.

Sincerely,



Micki Callahan  
Human Resources Director

c: George Gascón, District Attorney  
Eugene G. Clendinen, Chief Administrative & Financial Officer, DA's Office  
Linda C. Simon, Director, EEO and Leave Programs

## Systemic Discrimination Hearing

- Opportunities for acting assignments – On July 2, 2015, I emailed a request to work in an acting assignment position. I didn't receive a response to my request.
- Despite my race, gender and being over 40, I ranked number 1 on the eligibility list for the 0923 Director of Equity, Social Justice and Multicultural Education position. I interviewed on August 20, 2018 and haven't received any information about the position. Besides racial discrimination, sexism (glass ceiling) and ageism also play key roles in oppressing people of color.
- Hiring panels – Hiring Manager as proctors in panel interviews. Recently, this practice is occurring. It adds additional pressure on panelists and applicants.
- Hiring panels – Not knowing names to recuse panelists before interview.

*Darlene Daevu*  
9/19/18  
628-206-7613

#### Timeline:

Date	
April 13, 2018	Submitted application and supplemental questionnaire for Director of Equity, Social Justice and Multicultural Education position.
April 23, 2018	Informed I met minimum qualifications to advance in the selection process
April 25, 2018	Received examination date to take Supervisory Test Battery examination
May 11, 2018	Took the Supervisory Test Battery Examination (4 hours)
May 29, 2018	Received raw score, final score and rank on the Eligible List #1
June 5, 2018	List Adopted – Ranked #1
June 26, 2018	Received interest inquiry from Dept. Human Resources (Cert #14995)
August 14, 2018	Received invitation to interview for Director of Equity, Social Justice and Multicultural Education
August 31, 2018	Sent "Thank You" for the opportunity to interview email to Hiring manager
September 12, 2018	No Response

#### Incidents of Discrimination

- Civil Service Rule 13.1, Selection of Eligibles, page 4 of 6, last paragraph and it reads as follows: "For example, a department may choose a candidate who ranked first on the eligible list, based on the fact that he or she performed so successfully on the examination." Why was I denied this opportunity?
- The Human Resources Department will monitor the turnaround time for all vacant positions being filled. If the 30 day period is exceeded HR will contact the Hiring Manager to understand the delay. HR will get involved in the selection process if needed, which may include HR making the decision to hire.
- Hiring Panel consisted of seven (7) panelists. Other Manager II positions did not have seven (7) panelists. The announcement describes the position as part of the Executive Team. Why weren't Executive Team members' panelists as they have the most influence and impact on job success? Panelist included contractors, mental health consumers, and collateral contacts (Cultural Competency Task Force Members).
- Hiring Manager was proctor. Hiring Manager as proctors in panel interviews. Recently, this practice is occurring. It adds additional pressure on panelists and applicants. What is the purpose?
- How many other Manager positions had hiring managers as proctors?
- Panelists did not see eligibility list. Eligibility list demonstrates applicants' competency answering supplemental questions and supervisory test battery examination.
- Gave Hiring Manager first 30-60-90 day in the job plan. Did panelist receive this information?
- Supplemental questions = 3. Interview questions = 9. Why were there more interview questions than supplemental interview questions? Is this consistently applied to Manager II positions?
- Application status – 5 weeks before invitation to interview. August 14, 2018 received email to interview on August 20, 2018. (3 days to prepare). August 20, 2018 interviewed and haven't received any response as of September 19, 2018.
- Hiring panel – Denied opportunity to recuse panelists before interview.



City and County of San Francisco Department of Human Resources  
Eligible List

List ID: 083866 Permanent PBT List Type: CPE  
Class: 0923 Manager II Scope: DPH  
Working Title: Director of the Office of Equity, Social Justice and Multicultural Education  
Post: 6/5/2018 Cert Rule: Rule of the List Duration: 6 months  
Inspection Start: 5/29/2018 Inspection End: 6/4/2018 Adoption: 6/5/2018

Rank	Score	Last Name	First Name	Middle
1	920	DAEVU	DARLENE	C
2	912	MADDOX	JONATHAN	
3	893	BROWN	JESSICA	N
4	873	CHACON	JENNIFER	
5	852	NIM	QUYEN	D
6	850	MOMOH	IMOUDU	
7	830	STAICULESCU	IOANA	C
8	820	GANADE	KIMBERLY	M
8	820	JOSHI	RAVI	
9	810	VIDAL	PEDRO	G
10	805	AH SOON-BARTLEY	NATALIE	
10	805	TIWARI	ARPITA	
11	792	OCAMPO	HENRY	B
12	788	HALEY	MICHELE	L
12	788	ONG	ELENA	
13	777	BOSTON	DENISE	
14	773	THOMPSON	HALE	M
15	747	LAMONT	MICHAEL	A
15	747	THOMAS-SQUANCE	RUTH	

6/5/2018 10:54:37 AM

# Acting Director of Cultural Competence

Daevu, Darlene (DPH)

Thu 7/2/2015 8:58 AM

Sent Items

To: Rucker, Toni (DPH) <toni.rucker@sfdph.org>;

Cc: Yu, Albert (DPH) <albert.yu@sfdph.org>; Robinson, Jo (DPH) <jo.robinson@sfdph.org>;

Good Morning Toni,

I am writing to request that I be considered for an interim appointment as the Director of Cultural Competence upon the resignation of the current Director. I am requesting this temporary appointment for the following reasons:

- to maintain a continuity of services
- expert knowledge of current pending job assignments, i.e., CLAS Standards, Community Advisory Boards (CAB), Cultural Competence Task Force, Multicultural Student Stipend Program (MSSP), Language Access Ordinance and Policies, etc.
- continue planning for the steadfastly approaching State submission of the Cultural Competence Plan Report
- I'll most likely be asked to assume these duties anyway.

Thank you for your consideration.

Darlene Daevu, MBA  
Administrative Analyst  
Office of Cultural Competence  
1380 Howard Street, 5th Floor  
San Francisco, CA 94103-5205  
(415) 255-3426 phone  
(415) 252-3079 fax

This e-mail is intended for the recipient only. If you receive this e-mail in error, notify the sender and destroy the e-mail immediately. Disclosure of the PHI contained herein may subject the discloser to civil or criminal penalties under state and federal privacy laws.

JAMES HARRIS JR. REIN

STATEMENT

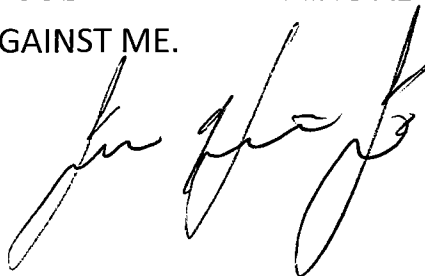
MY NAME IS JAMES HARRIS JR; I WORKED FOR THE CITY AND COUNTY OF SAN FRANCISCO FOR 16 YEARS. I'm HERE TODAY TO LET YOU KNOW WHAT MY EXPERIENCE HAS BEEN AS A BLACK CITY EMPLOYEE. WHILE AT WORK A HORRIBLE ACCIDENT HAPPENED AND I BELIEVE BECAUSE OF MY RACE, I WAS FORCED TO EARLY RETIREMENT OR BE FIRED.

I WAS ACCUSED OF HITTING A PERSON WHO WAS IN WHEEL CHAIR. SHE WENT TO THE HOSPITAL AND TWO DAYS AFTER HER HOSPITAL ADMISSION, SHE DIED. THE CIRCUMSTANCE AROUND MY CASE IS SIMPLE. I WAS GOING 15 MILES PER HOUR WHILE MAKING A LEFT HAND TURN. SHE APPEARED ON MY LEFT HAND SIDE BY STATIONARY BUS. HER WHEEL CHAIR WAS ROLLING TOWARDS ME AND WE COLLIDED. SHE ENDED UP ON THE HOOD OF MY CAR AND SLID OFF TO THE GROUND.

THERE WAS AN INVESTIGATION CONDUCTED IN THE INCIDENT AND WE WENT TO TRIAL. A JURY FOUND THAT I WAS NOT AT FAULT. HOWEVER I NO LONGER HAVE MY JOB. I FEEL IF I WERE WHITE THIS WOULD HAVE HAD DIFFERENT OUTCOME.

I BLAME THE NEGATIVE CULTURE CREATED AGAINST US BLACKS PEOPLE FOR ME NOT TO HAVE A FAIR HEARING AS AN EMPLOYEE. THIS MUST END, CHANGES MUST HAPPEN.

I AM ASKING FOR MY JOB BACK. I'M ASKING THE BOARD MEMBERS TO REINSTATE ME. ALL CHARGES BROUGHT BY THE CITY WAS DROPPED, AND TWELVE OF THEM FOUND ME NOT GUILTY AFTER HEARING ALL OF THE STATEMENTS THE PROSECUTOR BROUGHT AGAINST ME.

A handwritten signature in black ink, appearing to read 'James Harris Jr.', is written below the text.

JAMES HARRIS JR. REIN

STATEMENT

MY NAME IS JAMES HARRIS JR; I WORKED FOR THE CITY AND COUNTY OF SAN FRANCISCO FOR 16 YEARS. I'm HERE TODAY TO LET YOU KNOW WHAT MY EXPERIENCE HAS BEEN AS A BLACK CITY EMPLOYEE. WHILE AT WORK A HORRIBLE ACCIDENT HAPPENED AND BELIEVE BECAUSE OF MY RACE, I WAS FORCED TO EARLY RETIREMENT OR BE FIRED.

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A handwritten signature in black ink, appearing to read "James Harris Jr.", written in a cursive style.



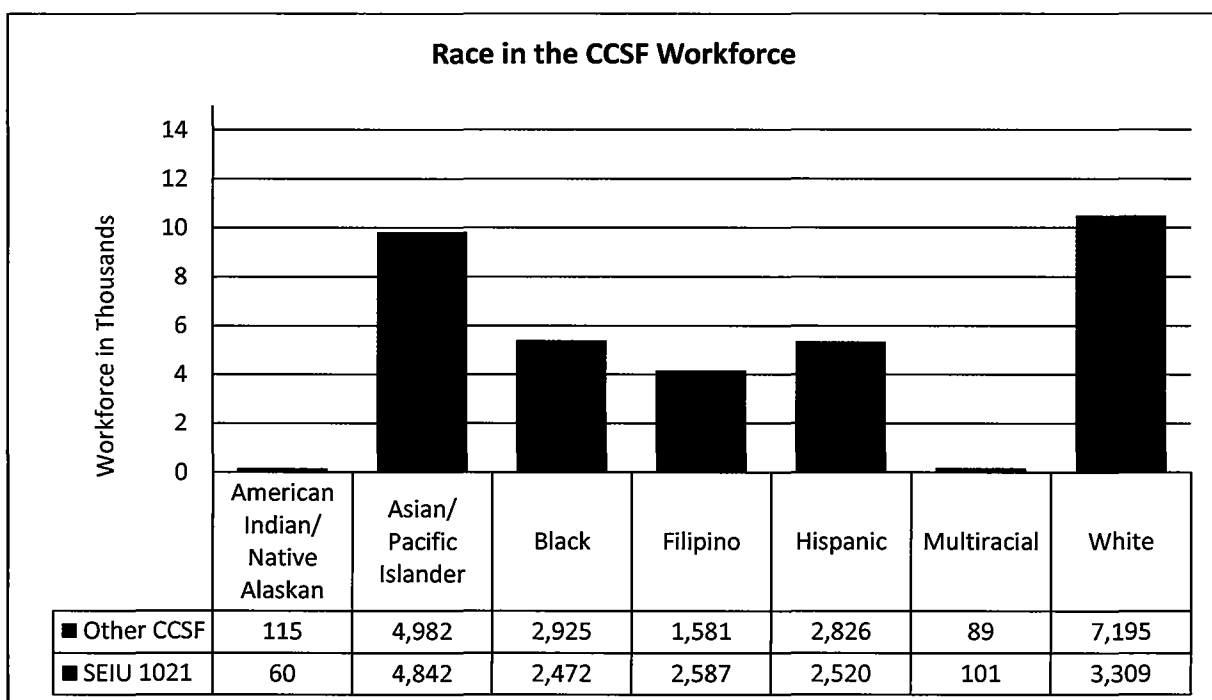
## Racial Disparities in Disciplinary Dismissals, Probationary Releases, and Medical Separations at City and County of San Francisco

In response to the union's request, on August 30, 2018 the Department of Human Resources provided SEIU Local 1021 with data on self-reported racial categories of the CCSF workforce overall and the SEIU bargaining units. Among other datasets, DHR provided the number of disciplinary dismissals, probationary releases, and medical separations between FY 2014 and FY 2018, broken down by racial category. This data shows that **in the five-year period ending with FY2018, Black workers were disciplined, released, and medically separated at a significantly higher rate than the rate at which they are currently represented in the CCSF workforce.** This is true for both the SEIU bargaining units and citywide.

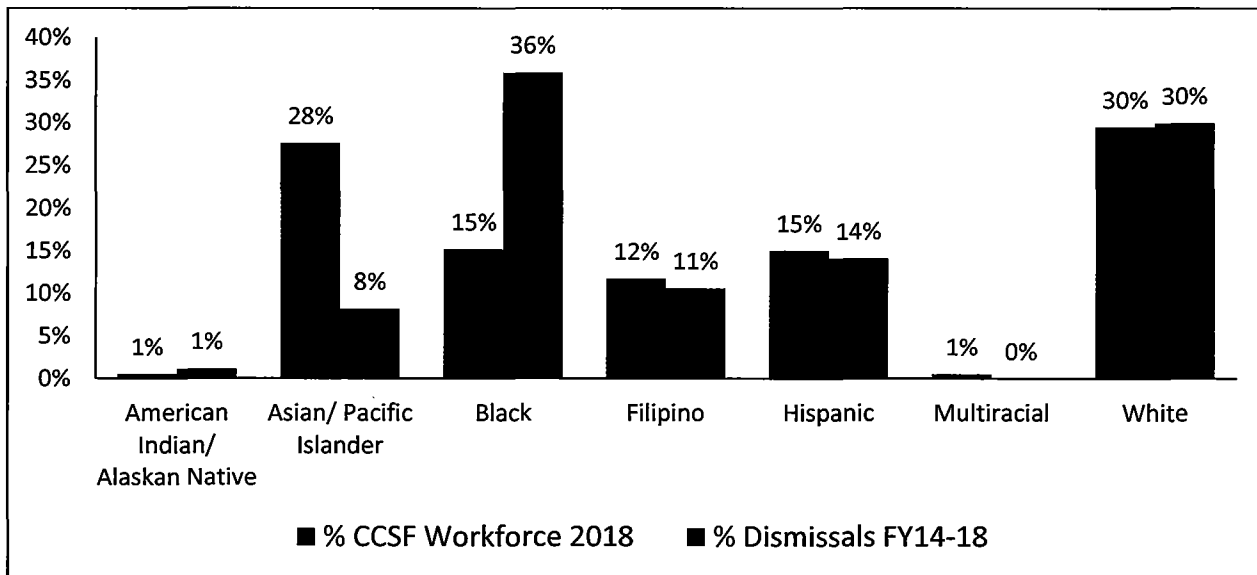
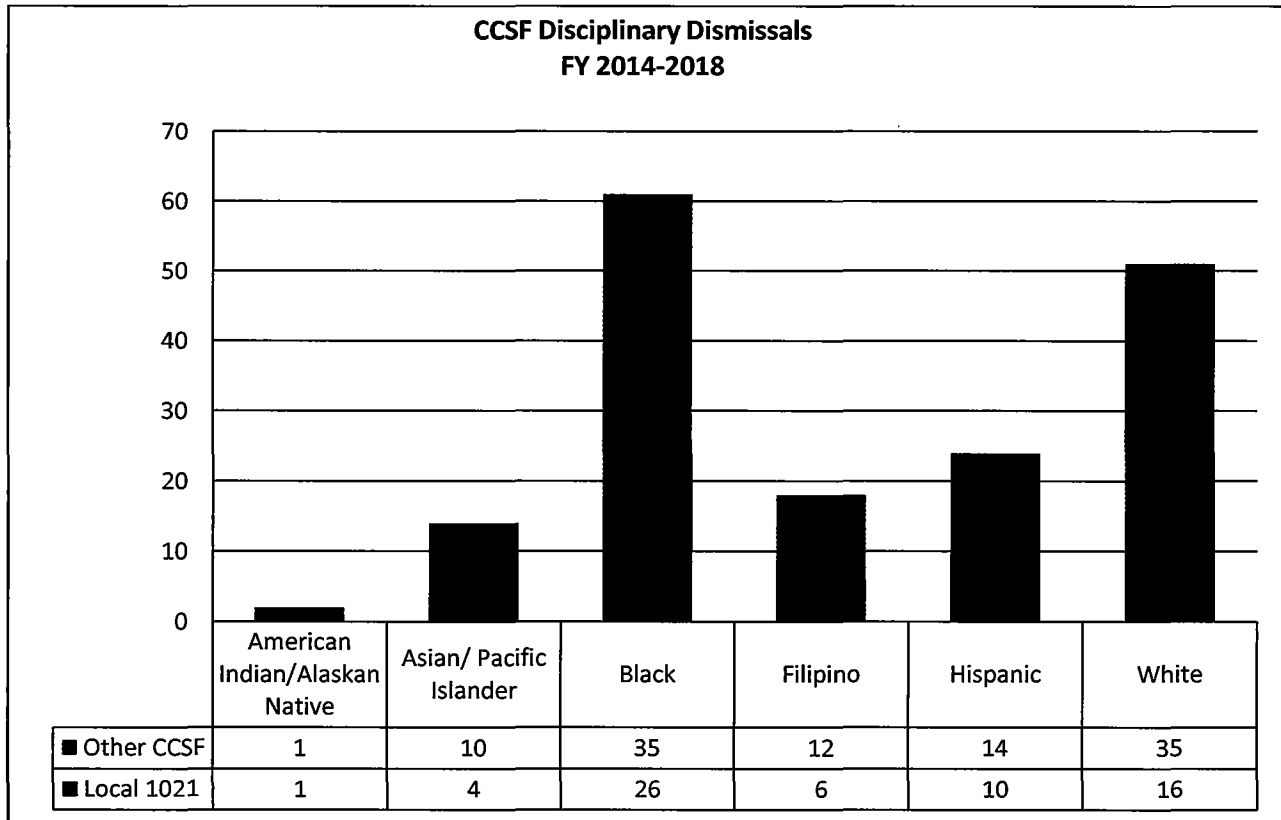
### Racial Categories in the CCSF Workforce

The overall numbers and percentages of CCSF employees in each racial category are shown below.

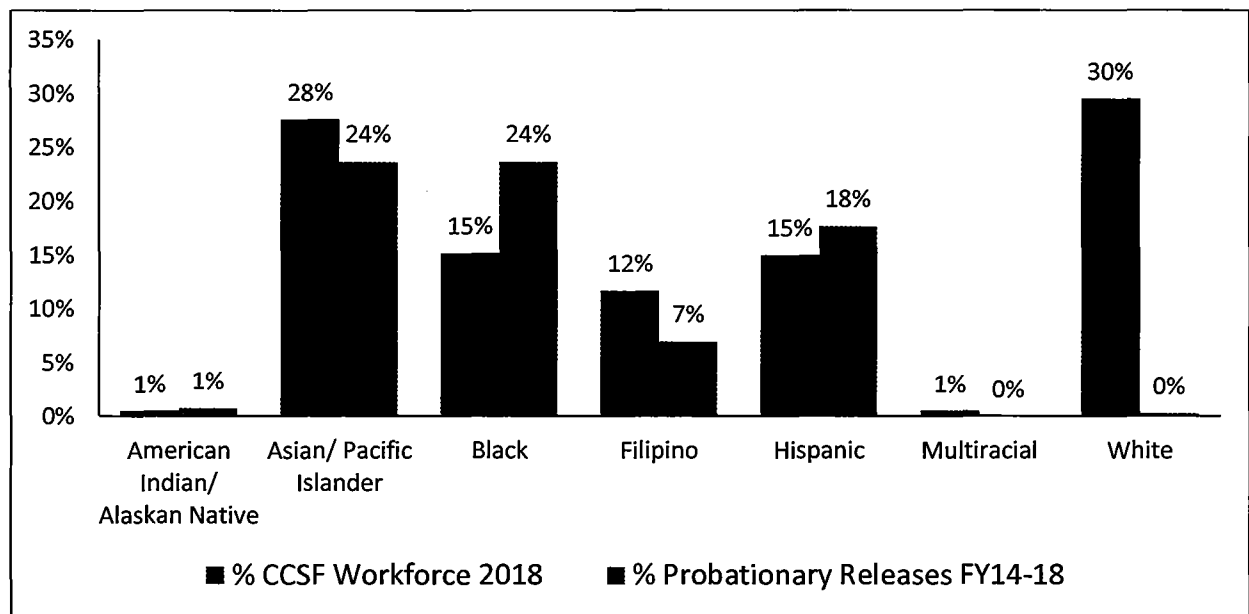
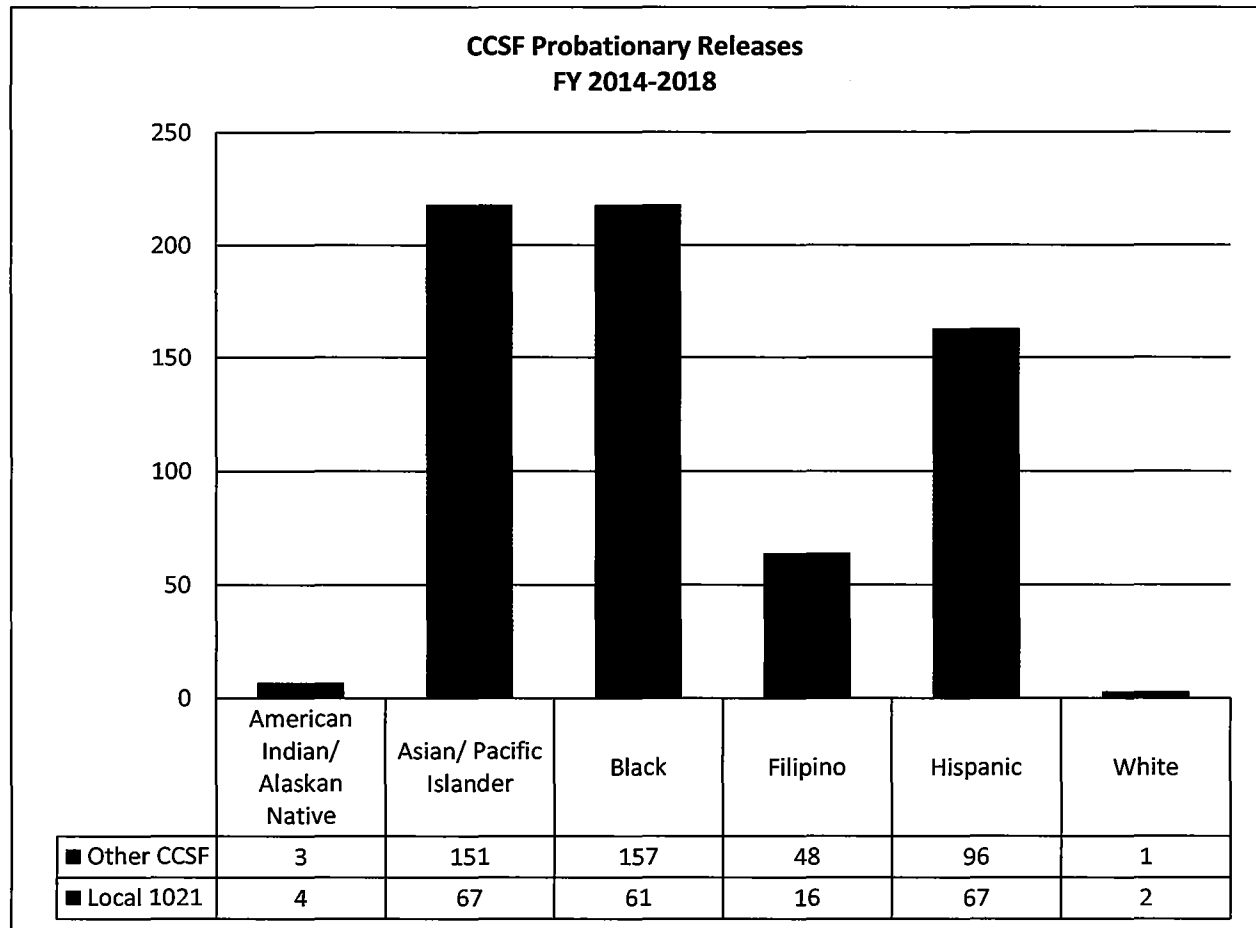
	American Indian/ Alaskan Native	Asian/ Pacific Islander	Black	Filipino	Hispanic	Multi-racial	White	Total
<i>SEIU 1021 Workforce Aug 30 2018</i>	60	4,842	2,472	2,587	2,520	101	3,309	15,891
	0.4%	30.5%	15.6%	16.3%	15.9%	0.6%	20.8%	100%
<i>Citywide Workforce Aug 30 2018</i>	175	9,824	5,397	4,168	5,346	190	10,504	35,604
	0.5%	27.6%	15.2%	11.7%	15.0%	0.5%	29.5%	100%



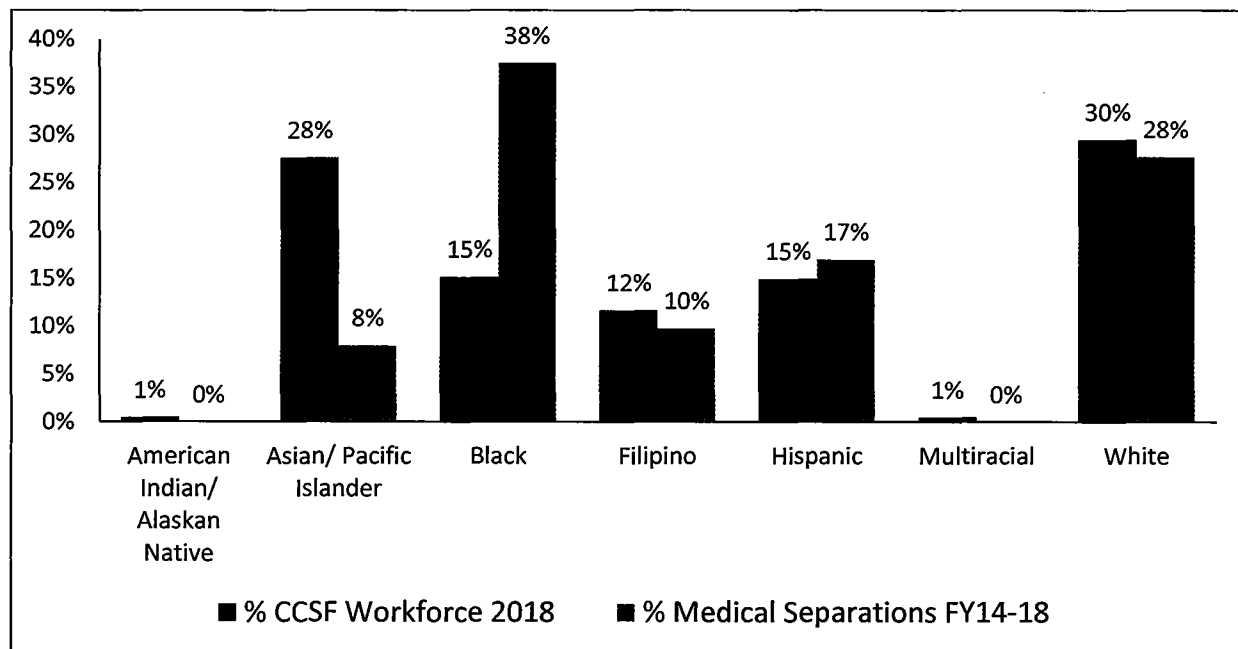
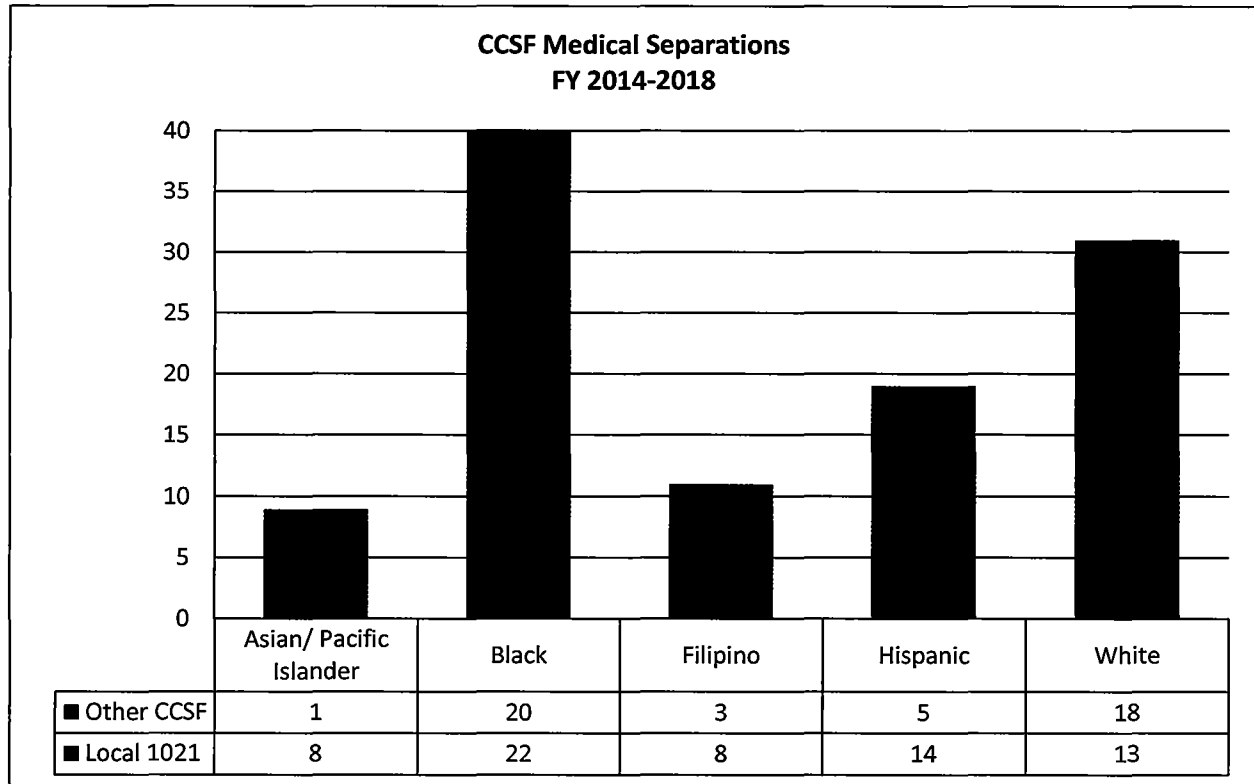
## Disciplinary Dismissals



## Probationary Releases



## Medical Separations



**Comments on Workforce Data provided by SFCC Department of Human Resources**  
**SEIU Local 1021**  
**September 19, 2018**

**1) Racial Disparities in Compensation**

Based on data that DHR provided on August 30, 2018 in response to the union's request, SEIU represents about 15,900 workers in 345 job classes. DHR did not provide data on race for workers in less-populated classifications, as an attempt to protect the privacy of those workers. When we exclude workers in those classifications that DHR "de-identified" in this way, we are able to look at information on race for 15,300 workers in 190 SEIU-represented classifications.

- a) For SEIU's classifications, the average minimum hourly wage is \$34.31.
- b) Black workers make up nearly 16% of SEIU's unit members at the City and County, but they make up nearly 18% of workers who earn less than the average minimum hourly wage of \$34.31.
- c) 69% of Black workers represented by SEIU work in classes for which the minimum wage is less than the average minimum hourly wage.
- d) Black workers are the largest racial group in 21 out of the 121 SEIU-represented job classes that earn less than the average minimum hourly wage.
- e) In contrast, 1,182 individuals work in the most highly compensated SEIU job classes, where the minimum wage is 2 or more times the average minimum hourly wage of \$34.31. Of those 1,182 workers, only 68 are Black. That makes the population of these job classes 5% Black – a representation rate that is less than one-third of the overall citywide rate for Black workers. In fact, two of these highest-paid job classes (Clinical Pharmacist and Nurse Midwife) have zero Black workers.

*In summary: Within SEIU 1021's bargaining units, Black workers are concentrated in the lowest-paid job classes, and are in a very small minority in the highest-paid job classes.*

**2) Racial Disparities in Disciplinary Dismissals, Probationary Releases, and Medical Separations**

Our memo on this subject compares the rates of dismissal, probationary release, and medical separation of CCSF employees over a 5-year period (FY2014-2018) with the current overall rates of representation for the different racial categories.

*In summary: Black workers (within SEIU and citywide) are dismissed, released, and medically separated at significantly higher rates than the rate at which they are represented in the CCSF workforce.*

- *Rate of disciplinary dismissal for Black workers is nearly 2.5 times higher than their overall workforce representation*
- *Rate of probationary release for Black workers is over 1.5 times higher than their overall workforce representation*
- *Rate of medical separation for Black workers is over 2.5 times higher than their overall workforce representation*

### **3) Issues with CCSF Data**

As the union has requested data from DHR, it has become apparent that many items are not consistently or centrally tracked – in particular, disciplinary actions, probationary extensions, and promotions. As a result, the union and the City are both hampered in our responsibility to identify and stop racism within City government.

African Americans within the City & County of San Francisco face an abhorrent reality of systematic discrimination in education, housing and employment. Employment with CCSF once helped to anchor middle and working class families in the City. Nowadays discriminatory practices in recruitment, hiring, promotion and termination are driving African American's out of San Francisco. Our numbers have fallen the lowest point in over 40 years.

San Francisco has been losing African American residents over the last 40 years. At peak in 1970 African Americans were 13.4% of the City, some 96,000 strong. Census report completed in 2010 showed African Americans are 6.1% of the total population, less than 49,000 individuals. While the African American population in shrank over those years, SF increased from 715,000 to 805,000 residents. The latest US census Bureau data conducted July 1, 2017 estimates that population in SF has increased to 884k and still African Americans have been driven down to 5.4%. San Francisco's displacement of our African American community is alarming and disproportionate.

San Francisco's public education system graduates only 71.1 percent of African American students compared to 94.7 percent of Asian students and 83.8 percent of white students. Affordable housing is scarce, African Americans represent 36% of our homeless residents. CCSF racially motivated mass incarceration has filled 56% of jail cells with African Americans. Employment practices in the City enable this distressing trend. CCSF has the largest disparity of employment rates between African Americans and whites among 18-64 year-olds of any large region in the Country with 84% of Caucasian San Franciscans are employed, compared to 53% of African American San Franciscans according to the Brookings Institute 2017 study.

The public sector is the leading employer for black men and the second largest employer of black women. Nationally about 20 percent of employed blacks work in government. The African American community long considered employment with CCSF a path for advancement and an anchor against tides of displacement. As the largest employer CCSF has historically played an important role.

African Americans comprised 23.4 percent of the CCSF workforce in 1976. Following 38 years of drastic decline our community was only 12.8% of the CCSF workforce in 2014.

African American workers allege disparate treatment in the CCSF. We heard numerous stories of discrimination and bias in hiring and promotion. Disproportionate targeting for discipline, and termination. We recently conducted our own analysis into the merit to these claims. We assessed the race/ethnicity of employees accused of workplace violations 277\* cases over a 1 year period.

We found that African Americans are more likely to be targeted and accused of workplace violations than their counterparts. Shockingly 31.7% of the employees accused of wrongdoing were African American employees, more than any other race or ethnic group. Considering African Americans comprise only 12.8% of the total workforce. Our analysis also indicates African American workers receive harsher penalties than non-African American Workers; which included longer suspensions, more frequent terminations and more frequent extension of probationary periods.

Stereotyped by CCSF hiring managers African Americans are disproportionately placed in less stable and lower compensated positions. The CCSF 2013 Workforce utilization report states African Americans have the lowest rate of placement in Permanent Civil Service positions and the highest rate for non-civil service positions. The report shows that CCSF places African Americans disproportionately in lower compensated positions when compared with other groups. Otherhandedly we are underrepresented in professional, technical, and skilled crafts.

In addition to lower paid and less stable positions African Americans have been a target of “deskilling.” Deskilling CCSF has used to lower the compensation of a class of workers. Certified Nursing Assistants (CNA), largely African American women, were “deskilled” to Patient Care Assistants (PCA) which lowered the potential earnings for most workers in that class.

Bias in the recruitment and hiring process is a major problem for African American job-seekers. Analysis conducted by Northwestern University from 1990-2015 showed that White applicants receive 36% more call backs than African Americans. The Board of Supervisors passed a resolution urging the Department of Human Resources (DHR) to reduce implicit bias in the hiring process for City and County of San Francisco. Unfortunately DHR has not shared data we requested to study the impact of discrimination in the hiring process. We are seeking demographic data on applicants, recruitment, discipline, and promotion for represented classes. Our incomplete data however indicates there is discrimination in the recruitment, hiring, targeting and discipline. CCSF should not seek to remain complicit while African Americans in San Francisco suffer this abhorrent reality of systematic discrimination in education, housing and employment.

San Francisco prides itself on diversity, inclusion and equity. Astonishing economic growth and prosperity in the last 40 years has excluded African American who now are being displaced at an alarming rate. CCSF has a responsibility to do better for African Americans in the key areas of education, housing, employment, homelessness and mass incarceration. It's frightening but this dangerous phenomenon is not new. The 2009 report of the Mayor's Task Force on African American Out-Migration detailed these many challenges facing African Americans in the City. The City must find a way to eliminate discrimination in its workplaces.



We demand CCSF:

1. Completes a full updated EEO Workforce Utilization Report;
2. Completes audit to identify trends of discrimination in recruitment, hiring, promotion/demotion, targeting, stereotyping and termination;
3. Creates a comprehensive strategy to eliminate discrimination in all aspects of work at CCSF;
4. Those who have perpetuated discrimination through implicit, explicit bias or complacency be held accountable
5. Complete a study to identify the correlation between out-migration and the decline of the African American workforce in SF
6. Establish a working group to oversee the elimination of discrimination of African American employees in the CCSF

#### Bibliography:

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(<https://www.theguardian.com/us-news/2017/sep/21/hiring-race-discrimination-african-americans-study>).

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(<https://www.theguardian.com/us-news/2017/sep/21/hiring-race-discrimination-african-americans-study>).

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1. Why do you think so many black workers feel mistreated and discriminated in the workplace?
2. Whose responsibility in each department is it to make sure we have a zero tolerance for discrimination? Do you have strategic plan to improve diversity?
3. Over a two year period how many black employees, citywide, have been released from probation per department and per classification?
4. Can you provide us data on probationary released in all departments sorted by race, gender, age and classification?
5. Provide us data on promotions throughout the city sorted by race, gender, age and classification?
6. Give us the demographics of the entire citywide workforce sorted by race, gender, age, and classification? Also the demographics of all new hires over the past 5 years.
7. What is the ratio of black human resources professionals working for the CCSF?
8. How does the average income of blacks compare to the average income of other ethnic/racial groups?
9. Would you be willing to allow diversity champions on all hiring panels?
10. Why is there a disproportionate of black workers in temporary positions?
11. Give us a list of formal disciplines including written warnings sorted by race, gender, age, and classification?
12. Why is there such a long turnaround time for investigations to eeo. Are there prescribed timelines and what are the demographics sorted by race, gender, age, and classification?
13. Do you track complaints of discrimination or bullying have been received in the last 5 years? If not, complaints should be tracked by race, gender, age and classification.
14. How many discrimination complaints have been determined to have merit of the individual making the complaint?
15. Can you give us a list sorted by race, gender, age and classification who have been medically separated from employment?
16. How many non-permanent positions have been created in the last 5 years sorted by race, gender, age and classification?
17. How many managers have received discipline in the last 5 years sorted by race, gender, age and classification?
18. Are there any non city employees who control or have decision making authority over hiring, supervision or purchasing capital expenditure?
19. What has the City done to address the out-migration of Blacks from the city workforce?



City and County of San Francisco  
Mark Farrell  
Mayor

San Francisco Department of Public Health  
Barbara A. Garcia, MPA  
Director of Health

Memorandum

Date: March 14, 2018  
From:  Roland Pickens  
Director, San Francisco Health Network  
To: Cheryl Denson-Thornton  
Administrative Operations Supervisor  
Re: New Assignment

This is to notify you that effective Monday, April 2, 2018, due to organizational and leadership realignment, you are assigned to work under the direction of Interim Director of Operations, Roxana Castellon.

The Department believes that based on your skill set, you will bring value to Primary Care Operations and the DPH network as a whole. Your assignment location is at the Call Center located at Laguna Honda Hospital, 365 Laguna Honda Blvd., San Francisco, CA 94116 and you will report to Nurse Manager Sharon Keyes in your role as a Population Health Outreach Lead. The assignment is subject to change based on operational need.

Ms. Castellon will contact you to discuss a transition plan to your new assignment. Ms. Castellon and Dr. Hali Hammer are very excited about the opportunities this change will provide to you and the patients we serve.

cc: Hali Hammer, MD, DPH  
Roxana Castellon, DPH  
Sharon Keyes  
Personnel File



CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES

# 2017-2018 Performance Plan and Appraisal Report

## I. EMPLOYEE IDENTIFICATION INFORMATION

<b>1. LAST NAME, FIRST NAME, MIDDLE INITIAL</b> Cheryl Denson-Thornton	<b>2. JOB CODE NUMBER AND TITLE</b> 1408 Administrative Office Supervisor	<b>3. STATUS</b> <input checked="" type="checkbox"/> Permanent (PCS) <input type="checkbox"/> Provisional (TPV) <input type="checkbox"/> Permanent Exempt (PEX) <input type="checkbox"/> Temporary Exempt (TEX) <input type="checkbox"/> Temporary Civil Service (TCS) <input type="checkbox"/> Limited Tenure (Restricted Use) (TLT) <input type="checkbox"/> Non Civil Service (Restricted Use) (NCS)
<b>4. WORK LOCATION &amp; DIVISION</b> Potrero Hill Health Center 1650 Wisconsin San Francisco, CA	<b>5. DEPARTMENT</b> SFPDH SFHN Primary Care	<b>6. REASON FOR REPORT</b> <input checked="" type="checkbox"/> Annual (conducted at mid-year at request of employee due to new assignment) <input type="checkbox"/> Dept. Review Period <input type="checkbox"/> Probationary <input type="checkbox"/> Unscheduled

DPH  
Class 1408 Principal Clerk

Division	Job Code	Job Title	Last Name	First Name	MI	Status	Sub-Program
CHS	1408	Principal Clerk	REMO	MARYLOU	R	PCS	EHS
CHS	1408	Principal Clerk	OBIEN	ELAINE	O	PCS	MATERNAL CHILD ADOLESCENT HEALTH
CHS	1408	Principal Clerk	CASTILLO	CLAUDINE	N	PCS	CITY CLINIC
FORENSICS	1408	Principal Clerk	DUDLEY	MARILOU		PCS	JAIL HEALTH SERVICES/MEDICAL RECORDS
HEALTH AT HOME	1408	Principal Clerk	LAU	FATIMA	S	PCS	HEALTH AT HOME APHOME
LHH	1408	Principal Clerk	JOUBERT	KAREN		PCS	CLERICAL NURSING
PRIMARY CARE	1408	Principal Clerk	DENSON-THORNTON	CHERYL		PCS	POTRERO HILL HEALTH CENTER
PRIMARY CARE	1408	Principal Clerk	THOMPSON	TONYA	F	PCS	MAXINE HALL HEALTH CENTER
PRIMARY CARE	1408	Principal Clerk	LEE	LILY MEI		PCS	CHINATOWN PUBLIC HEALTH CENTER
PRIMARY CARE	1408	Principal Clerk	RAMOS	MILAGROS		PCS	SOUTHEAST HEALTH CENTER
PRIMARY CARE	1408	Principal Clerk	AINZA	RACHEL		PCS	CURRY SENIOR CENTER
PRIMARY CARE	1408	Principal Clerk	SPEARS	ANNETTE	M	PCS	TOM WADDELL URBAN HEALTH CLINIC
PRIMARY CARE	1408	Principal Clerk	STEINWAY	GLADIS	E	PCS	MATERIALS MANAGEMENT SFGH
PRIMARY CARE	1408	Principal Clerk	DIAMZON	ANGELINA	R	PCS	SILVER AVE. FAMILY HEALTH CENTER
PRIMARY CARE	1408	Principal Clerk	JACKSON JR	CEDRIC	V	PCS	OCEAN PARK HEALTH CENTER
ZSFG	1408	Principal Clerk	BELTRAN	VICKEY	M	PCS	HOSPITAL ADMINISTRATION SFGH
ZSFG	1408	Principal Clerk	HICKEY	TIMOTHY A		PCS	FAMILY HEALTH CENTER
17							

Attachment 3



	<b>7. REVIEW PERIOD</b> 8/29/17-3/31/18	<b>8. PROBATION START AND END DATE</b> NA
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## II. PERFORMANCE PLAN – JOB DESCRIPTION

### REVIEW OF DUTIES & RESPONSIBILITIES BASED ON JOB DESCRIPTION

#### **FUNCTIONAL/WORKING TITLE: Administrative Operations Supervisor**

##### **Core functions include:**

- Management team member
  - Participate collaboratively in management level meetings and on a daily basis, across disciplines
  - Lead QI activities directed at improving customer service, access (e.g. CG CAHPS)
  - As part of the management team in some clinics, some Administrative Operations Supervisors also:
    - Handle urgent “manager-of-the-day” responsibilities
    - Coordinate community and/or staff appreciation events
- Clinic operations
  - Ensure necessary office supplies are available to staff by ordering office supplies
  - Implement the logistical onboarding of new staff members (e.g. make AD account request) and orient all new staff to front office operations, as appropriate
  - Submit and tracks work orders, purchasing and help desk tickets related to facilities and IT
- Community Related
  - Serve as staff liaison to clinic Patient Advisory Committee
- Front office supervisor
  - Hire, supervise, assign and evaluate the work of front office staff
  - Acts as a subject matter expert on all front office functions
  - Implement registration and billing activities
  - Maintain appointment templates; implement scheduling & appointment policies to ensure that patients are schedule appropriately
  - Explain and interpret policies and procedures related to front office
  - Check that front office TEs are clear, appropriately directed, handled in a timely and high-quality manner
  - Ensure accurate and consistent collection and documentation of patient demographics. Create & maintain feedback mechanism for resolving inaccuracies.
  - Provide coverage when staff unavailable
  - Implement procedures & track compliance (e.g. emailing providers overdue in locking notes; resolving unbillable visits; POS auditing; updating annual questionnaire required for compliance)
  - Focus on customer service and patient-centered care

### III. PERFORMANCE PLAN – KEY OBJECTIVES

#### Professional Goals:

##### OBJECTIVE:

1. As available take at least one training on coaching staff
2. As available take at least one training or participate in data dashboard work group
3. Support the work of food bank pop up events at PHHC
4. As available participate in lean training
5. Support PHHC transition to 94CAP

##### REVIEW OF PERFORMANCE:

1. While she did not attend a training specific on coaching, Cheryl attended training on I-Care, whose principles she applied to her work with colleagues and staff
2. Cheryl participated in data dashboard work and meetings at monthly Primary Care management meetings.
3. Cheryl while not assigned specifically to oversee a food bank pop up events, did support the food pharmacy and food bank pop up events at PHHC
4. Lean – deferred. PHHC is still in queue to incorporate lean management system
5. Transition to 94CAP – deferred as PHHC still in queue to adopt 94CAP

## SF Health Network Primary Care Goals:

1. **Quality** - Improve the health of the people we serve, allowing them to live full and vibrant lives
2. **Safety** - Improve timely coordination of care to prevent high risk events, prioritizing reducing hospital readmissions
3. **Equity** - Work to eliminate disparities in health outcomes and health statuses
4. **Experience** - Guarantee an optimal experience for each patient and family who comes to us for care
5. **Develop People** - Build a workforce which is valued, does their best work every day, and upholds our mission in every interaction
6. **Financial Stewardship** - Improve financial sustainability and promote good stewardship of city tax dollars

<p>Objective 1. Build a workforce which is valued, does their best work every day, and upholds our mission in every interaction</p> <ul style="list-style-type: none"> <li>- Front office staff have clear expectations</li> <li>- Front office staff are empowered to solve daily patient concerns</li> </ul>	<p>REVIEW OF PERFORMANCE: 2</p>
<p>Objective 2. Guarantee an optimal experience for each patient and family who comes to us for care</p> <ul style="list-style-type: none"> <li>- Demonstrates ability to teach standard work: Appointment Reminders</li> <li>- When asking Race, Ethnicity and Preferred Language, demonstrates that all questions are self-reported by the patient. Demonstrates that no bias or assumptions are made by the employee</li> </ul>	<p>REVIEW OF PERFORMANCE: 2</p> <p>Cheryl also took on a leadership role in training and orientating front office staff on SOGI (sexual orientation and gender identity) data collection.</p> <p>Implementation in process at time of this evaluation</p>
<p>Objective 3. Improve financial sustainability and promote good stewardship of city tax dollars</p> <ul style="list-style-type: none"> <li>- Demonstrates ability to teach standard work: Registration, Check-In and POS for patients with multiple same day appointments</li> <li>- Demonstrates ability to teach standard work: Flip visits</li> <li>- Demonstrates accuracy in identifying and applying appropriate program and financial codes for services provided</li> </ul>	<p>REVIEW OF PERFORMANCE: 2</p>

## IV. APPRAISAL REPORT SUMMARY

### A. OVERALL PERFORMANCE RATING

The appraisal report on overall performance should include a consideration of all items in the Job Description, Departmental policies and procedures, and the Performance Plan's Key Objectives for the review period. Circle the appropriate number on the continuum.

Did Not Meet Expectations	Met Expectations	Exceeded Expectations
Performance of job duties needs improvement; did not meet many or majority of objectives.	Performed job duties competently and effectively; met the objectives. (Meets Competent and Effective requirement)	Performed job duties with exceptional competence and effectiveness; exceeded the objectives.
1	<u>2</u>	3

### B. COMMENTS REGARDING OVERALL PERFORMANCE

Cheryl Denson-Thornton is an experienced employee.

She is a direct supervisor of four staff including two 2903 (eligibility workers) and two 2586 (Health Worker II) who provide front office registration, check-in and other clerical functions. In addition to the standard primary care services, she provides additional registration, billing and other administrative support functions for dental, chiropractic services and OBOT (Opiate Based Out-Treatment) services.

She is very dedicated to the patients and communities that she serves.

She is a hard worker.

She often volunteers to take on additional assignment particularly those that are community facing.

Cheryl should continue to develop her skills in the following areas:

- proof reading written communication with attention to spelling and grammar.
- solution oriented communication with staff from other disciplines to strengthen team function.
- time management and project tracking to ensure timely completion of assignments.

When Cheryl assumes her new role as the Population Health Outreach Project Lead, her new supervisor will establish new goals and objectives for evaluation moving forward.

### C. EMPLOYEE GUIDELINES -- PERFORMANCE PLAN AND APPRAISAL REPORT

- Employee should review his/her employee organization's Memorandum of Understanding with the City and County of San Francisco for information that may add to or modify the following list of guidelines.
- Employee has the right to read the Performance Plan and Appraisal Report.

3. Employee has the right to receive a copy of the Performance Plan and Appraisal Report.
4. Employee has the right to discuss the report with the Reporting Supervisor or Manager.
5. Employee has the right to attach a rebuttal to the Performance Appraisal Plan and Report. The rebuttal must be presented within 30 working days of the report date. The rebuttal should only address the items presented in the report.
6. Employee may request a conference, if requested, with the Reviewer (Reporter's supervisor or manager).

CITY & COUNTY OF SAN FRANCISCO • DEPARTMENT OF HUMAN RESOURCES  
PERFORMANCE PLAN AND APPRAISAL REPORT

<p><input type="checkbox"/> I DO NOT AGREE WITH THIS REPORT: SECT. _____ NO. _____</p> <p><input type="checkbox"/> I HAVE ATTACHED A REBUTTAL.</p> <p><input type="checkbox"/> I HAVE ATTACHED A REBUTTAL AND REQUEST A CONFERENCE WITH THE REVIEWER.</p>	<p>3. SIGNATURE CERTIFIES I HAVE READ THE REPORT</p> <p><input type="checkbox"/> DECLINED TO SIGN. DATE: _____</p>
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## V. SIGNATURE PAGE

### PERFORMANCE PLAN

#### A. Performance Plan/Key Objectives Sign-Off

1. REVIEWER SIGNATURE	2. REVIEW DATE	
3. SUPERVISOR SIGNATURE	4. EMPLOYEE SIGNATURE	5. MEETING DATE

#### B. Mid-Period Performance Review Meeting

1. SUPERVISOR SIGNATURE	2. EMPLOYEE SIGNATURE	3. MEETING DATE
-------------------------	-----------------------	-----------------

### PERFORMANCE APPRAISAL REPORT

#### C. Reviewer's Certification

1. NAME, WORK LOCATION	2. JOB CODE NUMBER AND TITLE
3. I CERTIFY THAT I HAVE REVIEWED THIS REPORT. (Signature)	
4. DATE	

#### D. Reporting Supervisor/Manager

1. NAME, WORK ADDRESS	2. JOB CODE NUMBER AND TITLE
3. DATE OF CONFERENCE WITH EMPLOYEE	
4. SIGNATURE	
5. DATE	

#### E. Employee's Statement

1. <input type="checkbox"/> I AGREE WITH THIS REPORT.	2. CONFERENCE DATE
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## VI. EXPLANATIONS OF SECTIONS

- I. EMPLOYEE IDENTIFICATION INFORMATION** — Basic information about the employee, his/her status, and the review period.
- II. PERFORMANCE PLAN: JOB DESCRIPTION** — A list of the duties and responsibilities based on the job description. Comments may include clarification of job description items, address mid-year progress, and appraise the performance of the duties and responsibilities. If appropriate, the job description may be a source of Key Objectives for the review period.
- III. PERFORMANCE PLAN: KEY OBJECTIVES** — Most important objectives for the review period and comments regarding the appraisal of the performance of the objectives.

### IV. APPRAISAL REPORT SUMMARY

**A. Overall Performance Rating** — Reporting Supervisor's/Manager's rating of the employee's overall performance over the appraisal review period.

**B. Comments Regarding Overall Performance** — Narrative explanation of the rating of overall performance during the appraisal report review period.

- |  |                                      |  |
|--|--------------------------------------|--|
| ◆ Demonstration of Dept values           | ◆ Attendance And Punctuality         | ◆ Effectiveness Of Working With Others |
| ◆ Overall Performance of Job Description | ◆ Quantity Of Work Performed         | ◆ Use Of Materials And Equipment       |
| ◆ Results of Performance Objectives      | ◆ Quality Of Work Performed          | ◆ Safety                               |
| ◆ Knowledge Of Job                       | ◆ Adaptability To The Work Situation | ◆ Performance Plans                    |
| ◆ Employee's Strengths                   |                                      |  |
| ◆ Achievements                           |                                      |  |

In addition to the areas above, the following areas may be addressed for supervisors/managers:

- |                                  |                                 |                   |
|----------------------------------|---------------------------------|-------------------|
| ◆ Communication                  | ◆ Planning                      | ◆ Decision Making |
| ◆ Directing and Motivating Staff | ◆ Training and Developing Staff |                   |

**C. Employee Guidelines** — Guidelines for employees regarding the Performance Plan and Appraisal Report.

### V. SIGNATURE PAGE

- A. Performance Plan/Key Objectives Sign-Off** — Signatures of the supervisor and the employee, the date they met to finalize the plan, the signature of the reviewer, and the date of the review.
- B. Mid-Period Performance Review Meeting** — Signatures of the supervisor and the employee and the date they met to review progress on the plan.
- C. Reviewer's Certification** — Information regarding the reviewer of the report. This is the person who directly supervises the reporting supervisor/manager.
- D. Reporting Supervisor/Manager** — Information regarding the reporting supervisor/manager of the report. This is the person who directly supervises the employee's performance.
- E. Employee's Statement** — Employee's opportunity to respond to the PPA Report using a checklist, signature and date. Signing the report only certifies that the employee has read it. It does not indicate, unless marked, that the employee agrees with the report.

**VI. EXPLANATION OF SECTIONS** — Basic information about what should be included in each section of the Performance Plan and Appraisal Report.





City and County of San Francisco  
Mark Farrell  
Mayor

San Francisco Department of Public Health  
Barbara A. Garcia, MPA  
Director of Health

Human Resource Services  
Labor Relations Division  
(415) 759-3388  
Fax: (415) 759-3365

Via Regular Mail and Certified Mail – Return Receipt Requested

April 2, 2018

Emma Gerould  
SEIU Local 1021  
350 Rhode Island St, Building 100 South  
San Francisco, CA 94103

**RE: Cheryl Denson-Thornton's New Assignment**

Dear Ms. Gerould:

Thank you for meeting with Roxana Castellon, Sharon Keyes, and myself on March 27, 2018 regarding Cheryl Denson-Thornton's new assignment. Also present at the meeting were Ms. Denson-Thornton and union representative Jessica Inouye. At the beginning of the meeting, you indicated that you believed the change of assignment to a new location was in violation of the collective bargaining agreement, unlawful, and that you would be filing a grievance and submitting an unfair labor practice charge.

On March 19, 2018, Ms. Castellon and I met with Ms. Denson-Thornton, Ms. Inouye, and yourself to provide Ms. Denson-Thornton notice of her new assignment location and her start date of April 2, 2018. We also agreed to meet on March 27, 2018 to discuss her assignment description.

The Department of Public Health (Department) has a management right of assignment and has the ability to move employees within the authority of the Appointing Officer, as long as the duties and responsibilities are consistent with the classification of the employee and the employee is provided proper notice under the Collective Bargaining Agreement.

As discussed at the meeting on March 27, 2018, the Department has an operational necessity to support primary care and the entire network. Ms. Denson-Thornton's background and skillset are needed in fulfilling a significant operational gap of health outreach project lead. Ms. Castellon and Ms. Keyes carefully reviewed not only the needs of the operation, but also Ms. Denson-Thornton's classification description and performance appraisal to ensure that her skills would be maximized at the new assignment. The new assignment continues to be in a leadership role, as Ms. Denson-Thornton will be establishing protocols and assessing the needs to carry on the outreach work to bring high utilization patients back into the DPH network. It is costing the network millions of dollars when patients seek services outside of the DPH network. This assignment will also eliminate the redundancy of leadership in the clinic that has negatively affected clinic operations.

Ms. Denson-Thornton stated that she objected to the move because she does not possess the necessary language skills since a large number of the patients outside of the network are Spanish, Cantonese, or Mandarin speakers. Ms. Keyes emphasized that her primary role is to establish the protocol and conduct a needs assessment. Ms. Keyes also stated that even if Ms. Denson-Thornton were to speak to a patient who does not speak English, she can use Interpreter Services to communicate with that patient population, as Ms. Keyes does herself.

Attachment 1

Emma Gerould  
April 13, 2018  
Page 3

c. *What is the reason for the practice management being moved?*


Same as #4b above.

5. *Please clearly explain the third reason-intimidation and fear. What relationship does this have with Cheryl's forced reassignment?*

The union has been provided with the information from multiple staff expressing fear of retaliation from Cheryl.

Lastly, please find attached the draft copy of Cheryl's performance appraisal that the Department completed for period beginning August 29, 2017 to March 31, 2018 as well as the March 14, 2018 memo to Cheryl regarding location and assignment change effective April 2, 2018 (Attachment 4).

Sincerely,



Willie Ramirez  
Labor Relations Director

Attachments (4)

cc: Roxana Castellon, DPH



City and County of San Francisco

Mark Farrell  
Mayor

**San Francisco Department of Public Health**

Barbara A. Garcia, MPA  
Director of Health

**Human Resource Services  
Labor Relations Division**  
(415) 759-3388

Via Certified Mail  
Return Receipt Request and Regular Mail

April 13, 2018

Ms. Emma Gerould  
San Francisco Field Supervisor  
SEIU Local 1021  
350 Rhode Island Street, Suite 100 South Building  
San Francisco, CA 94103-5134

Dear Ms. Gerould:

This is in response to your request for information regarding Cheryl Denson-Thornton's placement at a new location and assignment.

1. *The department's stated reasons for Cheryl being moved to the call center (1) Operational necessity; (2) Duplication of Leadership/ lack of clarity; (3) Intimation/ fear. Please confirm that these are the stated reasons.*

This was discussed at the March 27, 2018 meeting with a summary via a letter dated April 2, 2018 (Attachment 1).

2. *Regarding operational necessity:*

- a. *How long has the department been aware that there was monies being lost due to out of network care?*

San Francisco Health Network has known that we lose money when patients seek care out of network which occurs in all integrated health systems. To that end, DPH as a health care system has been shifting its resources and focus more to value-based-care away from a fee-for-service model (PRIME, QIP incentive money). The DPH network is beginning to prioritize patients who are at a vulnerable transition in managing their care (during and after hospitalization is one of the most vulnerable transition periods of patients) in making sure that they are getting the follow-up care they need. DPH has done a good job of this with patients who are known to our primary care system. Accordingly, Cheryl having a knowledge of our primary care system will be instrumental in engaging patients back to the network.

a. Please provide a breakdown of language demographics of patients using of network care.

Language	Count of MRN1	% of Total
English	37,218	57.3%
Spanish	15,902	24.5%
Chinese	8,404	12.9%
Vietnamese	781	1.2%
Russian	734	1.1%
Tagalog	440	0.7%
Korean	227	0.3%
Arabic	191	0.3%
Other	614	0.9%
Declined to Specify/Blank	497	0.8%
Grand Total	65,008	100%

b. Please list of Cheryl's "special skill set" that makes only her qualified for this position.

- A comprehensive and historical knowledge of primary care systems
- A grasp of patient population that we serve
- Strong persuasive and advocacy skills
- Overall knowledge of eligibility and linking patients to care
- A working relationship with all the primary care clinics and is well-versed in referral services

c. Please provide a job description for HW4's at the call center.

Please see Attachment 2.

3. Provide a 1408 list including names, worksites and vacancies.

Please see Attachment 3 and there are no vacancies for Class 1408 Principal Clerks.

4. Regarding duplication of leadership:

a. What is the conflict that the duplication of leadership presents regarding direct supervising employees?

As stated in the March 27, 2018 meeting, the staff at Potrero Hill continue to report that there are interpersonal conflicts that are exasperated because there is duplicity of leadership and is unclear to them who is in charge.

b. What is the rationale for removing 3 employees, practice manager, interim Director of Potrero Hill Health Clinic and Cheryl (1408 and worked at Potrero Hill Health Clinic for 28 years) and replacing with a 1408, acting 2593?

The Department has the right of assignment and can determine how it organizes its operations, therefore, based on operational necessity, assigned the 3 individuals to other locations within the line of authority of the appointing officer.

May 22, 2018

Ms. Shonette Steiger, MSN, PHN, RN

Email: [imanimaya@hotmail.com](mailto:imanimaya@hotmail.com)

Submit for  
for Hearing  
record

Board of Supervisors, City & County of San Francisco  
1 Dr. Carlton B Goodlett Pl # 244  
SF, CA 94102

**RE: Discrimination, Harassment & Arbitrary Reassignments of African American SFDPH Employees**

Dear San Francisco Board of Supervisors,

My name is Shonette Steiger. I'm an African American (AA) woman with comprehensive clinical and public health nursing experience for over 27 years. I earned my AS degree from CCSF; BSN from SFSU, and also earned my MSN, while working as a single mother of three children. I am a maternal, child, adolescent health advocate; labor & delivery nurse; Public Health Nurse; and Credentialed School Nurse. I'm a frequent international traveler, who's culturally sensitive, and Spanish speaking. Unfortunately, I have suffered trauma of racial discrimination, discrimination related to physical disability, retaliation, arbitrary & capricious reassignments, without objective rationale or DUE PROCESS, by supervisors of San Francisco Department of Public Health (SFDPH) & Hope SF. My experience of discrimination is very similar to Ms. Cheryl Thorton's of Potrero Hill Health Clinic; named within the RESOLUTION before you. In spite of my professional experience and effective community advocacy, I was told that I was "Not the Right Fit" for Hope SF, as the nurse for Sunnydale and Potrero Hill neighborhoods.

I started work as a labor & delivery nurse in 1993 at SF General Hospital. During that time, I was one of two African American nurses on the unit, inclusive of three shifts. What has changed? In 2016, I was one of three AA nurses in the same L&D unit. Witnessing ongoing inequality of medical care of AA patients by nursing professionals and axillary staff was disturbing. I documented and reported incidences of patient discrimination, lack of professionalism, and degrading comments. The administrative solution was to send me to a Cultural Humility Course, facilitated by Dr. Kenneth Harding, who was contracted by Director of Public Health, Barbara Garcia, due to the escalation of complaints of racial discrimination and implicit bias. Ironically, 80% of

participants were People of Color ( POC), victims of daily bias and institutional racism. Those who needed to participate in the course were not there.

I was excited to commence public health advocacy with Hope SF in May, 2016. Hope SF is a community revitalization program created to ensure housing, implement health advocacy, address chronic health issues, provide health education, and increase access to healthcare of disenfranchised residents of Alice Griffith, Bay-View Hunters Point, Sunnydale, and Potrero Hill Public Housing Communities, primarily AA neighborhoods. I diligently worked to be visible and establish trusting relationships of Sunnydale residents, while stationed at Sunnydale Health & Wellness Center. I successfully established trust, promoted health, and community advocacy, as evidenced by a petition signed by Sunnydale residents, adamantly demanding my return to their community.

" You're not the Right fit" was shockingly announced during meeting on 01/09/2017, after returning from an authorized medical leave for a work related injury. I injured my back while moving medical equipment with help of residents because I was declined administrative assistance as a form of retaliation for vocalizing concerns. I was not allowed to return to Sunnydale Health Center; temporarily sent to Silver Avenue Health Clinic, and re-assigned to a Pediatric Urgent Care Unit, which is not of my skill set, desire, or physical ability, given documented injury.

Requests for objective explanation for reassignment was never rendered by my supervisor's administrators. Reason for not being "the right fit" was not offered. Requests for Physical accommodations were also denied and I was informed that I would be Reassigned to the Call Center at Laguna Honda Hospital, despite my nursing background. The Call Center is known as the dumping ground for nurses who fail to comply with passivity and abuse. DPH did not attempt to terminate me, as that would be an blatant, illegal act of Discrimination. Reassignments are frequently utilized by DPH as a targeted strategy of retaliation, leading to elimination of AA employees.

Yes, I proceeded to implement my due diligence. I requested and participated in many meetings, consulted with SEIU, filed complaints with SFDPH --EEOP and EOP. The conference with SF'-EEOP Denise Fisher was emotionally traumatic, as I was aggressively interrogated, unjustly criminalized, by what seemed like the acting defense attorney or close friend of my discriminatory supervisors in question, Leslie Dubbin, Rhea Bailey & Nicole Suddeth of Hope SF. It appears that EEOP personnel desperately needs the Racial Humility course and education on Post Traumatic Slave Syndrome, Colorism, Institutional Racism. This experience was emotionally exhausting, devastating, physically challenging and eventually forced my resignation for fear of continued discrimination and harassment, masked as reassignments. There are many AA colleagues and employees who

decline filing complaints regarding acts of discrimination, due to FEAR of retaliation, risks of losing their jobs, and the ability to provide for their families.

End all discrimination of AA SFDPH employees and vote YES for the resolution presented today. Implement progressive changes in policy which promotes cultural acceptance, addresses implicit bias, and supports retention of AA professionals. Hold administrators, supervisors accountable for covert discrimination and retaliation. Reinstate AA employees who have been arbitrarily reassigned and punished for effective community health advocacy. Thank you for your active support for justice.

I may be reached via personal email @ [imanimaya@hotmail.com](mailto:imanimaya@hotmail.com). Thank you for your active support for justice and equality.

Respectfully,



Ms. Shonette Steiger, MSN, BSN, RN, PHN  
Maternal, Child Health Advocate  
Public Health Nurse  
Credentialed School Nurse



SAN FRANCISCO HEALTH NETWORK  
SF DEPARTMENT OF PUBLIC HEALTH

**SHONETTE STEIGER, MSN, RN**  
HOPE SF CARE COORDINATION

1380 HOWARD STREET  
ROOM 526  
SF, CA 94103

MAIN 415-255-3968  
[SHONETTE.STEIGER@SFDPH.ORG](mailto:SHONETTE.STEIGER@SFDPH.ORG)

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City and County of San Francisco

Department of Public Health



Edwin M. Lee  
Mayor

San Francisco Health Network

Leslie Dubbin, PhD, MS, RN  
Chief Program Integration  
Officer for Ambulatory Care

January 23, 2017

Dear Shonette:

This memo is to memorialize our meeting held on 1/9/17 at 12 noon at 1380 Howard. Those present at this meeting were myself, you, and Rhea Bailey. In that meeting we conveyed to you that the leadership team of the HOPE SF Wellness Centers feels that this program is not a good fit for you. Feedback from team members, community partners and others, reveal a lack of confidence in your abilities to engage in a multidisciplinary fashion—something the program depends on. Therefore, we are exercising our right to assignment and are moving you to a program where we believe your clinical skills will be well utilized, your professional growth can be supported, and where we have little doubt you will be successful.

Your new assignment will be in 6M beginning 2/1/17. You will report to Deirdre Mcallister, 6M's nurse manager. The shift is 1030-730 and there is a requirement of 2 weekend days per month. Judith Sansone is the nursing director over this area. In the meantime, you will continue your assignment at Silver Avenue Health Center with your last day 1/31/17.

Sincerely,

A handwritten signature in dark ink, appearing to read "Leslie Dubbin".

Leslie Dubbin, PhD, MS, RN  
Chief Integration Officer for Ambulatory Care  
San Francisco Health Network  
San Francisco Department of Public Health



We, the undersigned residents of Sunnydale Neighborhood do hereby petition the San Francisco Mayor Lee's Office, SF Board of Supervisors, City & County of SF, Department of Public Health, SF Human Rights Commissioners to reinstate Shonette Steiger, MSN, RN, PHN, as Hope SF Care Coordinator for Sunnydale's Health & Wellness Center, who rendered service from May 2nd to August 22nd, 2016. Ms. Steiger is an African American experienced nurse who, served our diverse residents, provided culturally sensitive, professional health services, and referrals to providers. She performed outreach, engaged with all community members, used cultural sensitivity and is compatible, well liked, and loved, but was removed without community input or notification. Within a short period she successfully established trusting relationships among residents, who have experienced health inequities, socio-economic disparities, as marginalized community of San Francisco.

NAME (PRINT)	SIGNATURE	ADDRESS	CELL
7/29/17			
Shelly Leonard	Shelly Leonard	94134 9 Blyndale ave	(415) 424-7989
KEnera howard	KEnera howard	12849 Ua Seda ave	415-685-1150
Dani Johnson	Dani Johnson	1254 Quasada ave	(415) 695-1159
Ayanna U'Dong	Ayanna U'Dong	1303 Caterline Ave	(415) 885-9354
Bill Harney	Bill Harney	176 Hahn	415 756-4530
Mark Keola Love	Mark Keola Love	1912 S.D	_____
Cailla Ellis	Cailla Ellis	1912 S.D	_____
Jasmen de B	Jasmen de B	1914 S.D	408-876-9013
Shay Howard	Shay Howard	1914 S.D	510-472-0150

Circulator: Steiger RN  
E-Mail: maningya@hotmail.com

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7/29/17

NAME (PRINT)	SIGNATURE	ADDRESS	CELL
07/29/17			
Devon Gibson	Devon Gibson	35 Santos	(415) 424-5289
Kevin Gibson	Kevin Gibson	35 Santos	(415) 424-5289
Sasha Howard	Sasha Howard	1911 Sunnydale	510-472-4536
Kanishat	Kanishat	1929 Sunnydale	415-312-5020
KEJUNIA WINTER	KEJUNIA WINTER	↑	↑
William Martin	William Martin	1601 Sunnydale	415-724-8295
Mary A	Mary A	1859	415-648-7791
YVES ROSE J	YVES ROSE J	34 brookdale	415-533-5141
Abby J	Abby J	34 brookdale	415-533-5112

Circulator: Steiger RN  
 E-Mail: inani naya@hotmail.com

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NAME (PRINT)	SIGNATURE	ADDRESS	CELL
7/29/17			
Larry Terson	Larry Terson	34 Brockdale	
Manuel Rose	Manuel Rose	76 Blythdale Ave	(415) 520-9133
Benjamin Pardo	Benjamin Pardo	1652 Sunnydale Ave	415 914 8828
Joe Wilson	Joe Wilson	1652 Sunnydale Ave	(415) 570-3682
FLOR RAIMOS	FLOR RAIMOS	1951 Sunnydale AVE	(415) 304 0395
HAROLD MILLER	HAROLD MILLER	107 BLYTHDALE AVE	415-235-4290

Circulator: Shonette Steiger RN  
E-Mail: imari@hst.com

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NAME (PRINT) 07/29/17	SIGNATURE	ADDRESS	CELL
Sasha Howard	Sasha Howard	1914 Sunnydale	
Justin Lin		1653 Sunnydale	
Adrian Chen		948 Rolph Street	
Becky Liu		1655 Sunnydale	
Isabelle Chen		948 Rolph St.	
Terri-Yanna Butler		119 Brookdale Ave	
Mark idalove		1912 Sunnydale	
Serenity Brown		1914 Sunnydale Ave	408-876 9043

Circulator: Shonette Steiger RN  
E-Mail: manimaya@hotmail.com

We, the undersigned residents of Sunnydale Neighborhood- do hereby petition the San Francisco Mayor Lee's Office, SF Board of Supervisors, City & County of SF, Department of Public Health, SF Human Rights Commissioners to reinstate Shonette Steiger, MSN, RN, PHN, as Hope SF Care Coordinator for Sunnydale's Health & Wellness Center, who rendered service from May 2nd to August 22nd, 2016. Ms. Steiger is an African American experienced nurse who, served our diverse residents, provided culturally sensitive, professional health services, and referrals to providers. She performed outreach, engaged with all community members, used cultural sensitivity and is compatible, well liked, and loved, but was removed without community input or notification. Within a short period she successfully established trusting relationships among residents, who have experienced health inequities, socio-economic disparities, as marginalized community of San Francisco.

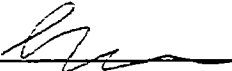



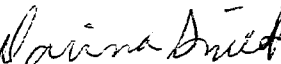


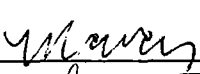

08/29/17

NAME (PRINT)	SIGNATURE	ADDRESS	CELL
08/29/17			
Judy Taylor	Judy Taylor	12 Blythdale	415-451-7882
Derrell Shaw	Derrell Shaw	1720 Sunnydale	415-955-7000
Herman Yee	Herman Yee	1163 Mission, #320	415-533-0003
Mary Ann Pikes	Mary Ann Pikes	4 Blythdale	415-261-5133
Yu Sun 2/4/0	Yu Sun	3 SANTOS ST	415-586-1620
BI FANG	BI FANG	1616 Sunnydale	415-237-8687
Jose M. Lora	Jose M. Lora	18 Hale ST	415-410-5446
Maria Vilches	Maria Vilches	1628 Sunnydale	415-286-2124
Joe Barrios	Joe Barrios	50 Raymond Ave	(415) 802-9522

Circulator: Steiger RN  
 E-Mail: marichaya@hotmail.com

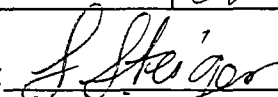
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08/24/17

NAME (PRINT)	SIGNATURE	ADDRESS	CELL
08/29/17			
Sylvia		1652 Sunnydale	
Chloe Underdine		1704 Sunnydale	(415) 597-6265
Cornelia Johns		128 Blythdale	415 374 6539
Shannon		15 Santos	(415) 724-8717
DAVINA		15 Santos	415-756-4473
Kylan W.		1902 Sunny <sup>dale</sup>	415-308-4789
<del>W. Steiger</del>	<del></del>	<del>112 Blythdale</del>	<del>(415) 756-8930</del>
Brooklyn		1859	415 237-125
Alvin		1715 Sunnydale	

Circulator:

E-Mail:

  
 imani.maya@hotmail.com

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NAME (PRINT)	SIGNATURE	ADDRESS	CELL
08/29/17			
Kenneth Johnson	Kenneth Johnson	1963 Sunnydale	CHS 678-0466

Circulator:

E-Mail:

Shonette Steiger RN  
manikayaco@hotmail.com

## **Shonette Steiger, MSN, BSN, RN, PHN**

3042-23<sup>rd</sup> Avenue Oakland, CA 94602

Cell: (510) 696-0016 Email: imanimaya@hotmail.com

### ***PUBLIC HEALTH NURSE***

#### ***PROFESSIONAL SUMMARY***

- Team oriented nursing professional of 25 years, dedicated to providing compassionate high quality care and health education in clinical and public environments to culturally and economically diverse communities members and groups
- Advocate, care coordinator of health of children, new mothers, families including assessments of acute and chronic illnesses, performing specialized procedures, medication reconciliations, crisis interventions, case management, consultation and medical referrals to providers and health specialist of county and community resources/agencies
- Possess outstanding clinical expertise and proficiency of nursing procedures
- Excellent communication and teaching skills for multi-cultural, lingual clients
- Well organized with ability to prioritize and delegate nursing responsibilities
- Adhere to high ethical nursing standards with professional integrity
- Bi-lingual/Spanish speaking

#### ***LICENSE & PROFESSIONAL AFFILIATIONS***

- California RN License # 470752
- Public Health Nurse Certification #48150
- BLS Certification
- California Nurses Association
- California School Nurse Association

#### ***PROFESSIONAL EXPERIENCE***

2016 - Present	Care Coordinator for Hope SF for Sunnydale & Potrero Neighborhoods, City County of San Francisco, SF, CA
2015 - 2016	Staff RN IV, Labor & Delivery, SFGH, SF, CA
2001 – 2015	Credentialed School Nurse, PHN, Oakland Unified School District Oakland, CA
1999 - 2001	Staff RN II, Labor & Delivery, Alta Bates Summit Medical Center, Oakland, CA
1993 - 1999	Staff RN II, Labor & Delivery, San Francisco General Hospital San Francisco, CA
1991 – 1993	Staff RN II, Medical Surgical Unit, Kaiser Permanente, San Francisco, CA



## ***EDUCATION***

Masters of Science, Nursing, Sacramento State University, 2009  
Recipient of Faculty Endowment Scholarship Award, 2007  
Bachelors of Science, Nursing, San Francisco State University, 1991  
Spanish Language & Cultural Studies, Paraguay, South America, 1986  
Spanish Exchange Program, Aguascalientes, Mexico, The Experiment in International Living, 1985

### ***Continuing Education Courses:***

Diabetes Management... Mental Health Assessments... NG Tube Feedings ...  
Asthma for Health Professionals... Communicable Diseases for Nurses... Breastfeeding Promotion  
Immunization Standards... Child Abuse Mandated Reporters... Breastfeeding Support  
of Adolescent Mothers... Effective Communication & Problem Solving in the Work Environment...  
Care of HIV Positive Patients... Advance Cardiac Life Support... Neonatal Resuscitation...

## ***COMMENDATION***

---

"...Ms. Steiger is the consummate professional, who reacts properly and efficiently on every occasion. I've observed her caring, firm dedication to our students who come to Ms. Steiger for a myriad of illnesses, a few life threatening. She has excellent interpersonal skills and has a very good rapport with students from all cultural and socioeconomic backgrounds..."

Mr. Benjamin Schmookler, Administrator  
Media Academy High School  
Oakland, California

August 1st, 2017

To Whom It May Concern,

It is with great pleasure that I recommend Shonette Steiger, RN, for any position in public service.

I have been a close personal friend of Ms. Steiger's for the past 12 years. She is one of the most self-less people I know. She demonstrates compassion in all facets of her life.

As a nurse, she is a powerful patient advocate. She offers sound medical advice, while caring for her patients in a way that honors their humanity. When I was diagnosed with breast cancer it was Shonette who kept me informed and encouraged me to advocate for my health. Her support was invaluable to me.

As a parent, she is stellar. I know this 1st hand, as I participated in a Mommy Circle with her for many years. She is committed to the success of her children who, under her guidance, are well equipped for the challenges of adulthood. Shonette is a patient, understanding, and loving mother.

As a friend, Shonette is a rock star! She is always there with real support in a time of need. She is fun-loving, honest, and a light of positivity and joy.

If I were to choose one word that represents her character that word would be integrity.

If Shonette says it, she will fulfill her word. She is one of the best humans I know and I unreservedly recommend her for any position in service. No matter the role, she will certainly be an asset to your team. Please feel free to contact me (510) 978-8816.

Thank you for your attention to this letter.

Most sincerely,



 Mohammed, PAR Consulting Teacher/Coach

OUSD Peer Assistance and Review

4219 Mountain Blvd. Oakland, CA 94619

### Letter of Recommendation

Romualdo Melo, RN

584 Castro St. # 641

San Francisco, CA

Date *July 27th, 2017*

To whom it may concern-

I am writing this letter in behalf of a colleague Shonette Steiger, RN. I have had the opportunity to work along side Ms. Steiger for a brief period at the DPH Outpatient Clinic "Silver Avenue Family Health Center". During this period, I had the chance to participate in Ms. Steiger's orientation to this outpatient facility nursing processes.

Although brief, my experience working with Ms. Steiger revealed she possesses a deep sense of caring for the patients, a keen team spirit, and an openness for positive feedback always demonstrating a sense of collaboration among her team members.

I am available to discuss further my brief and recent professional interaction with Ms. Steiger over the phone as needed. My contact number is 415-218-9160 and am typically available during lunch break hours of 12pm to 1pm or after shift end at 5:00pm.

Sincerely,

*R. Melo*  
Romualdo Melo, RN



CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES

RECEIVED  
2016 SEP 30 PM 3:02  
SF Dept of Public Health  
Human Resource Services

2015-2016

Performance Plan  
and  
Appraisal Report

*Duplicate*

I. EMPLOYEE IDENTIFICATION INFORMATION

1. LAST NAME, FIRST NAME, MIDDLE INITIAL Steiger, Shonette	2. JOB CODE NUMBER AND TITLE 2320 Registered Nurse	3. STATUS Permanent (PCS)
4. WORK DIVISION & LOCATION AMBULATORY CARE HOPE SF	5. SECTION PRIMARY CARE	6. REASON FOR REPORT <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Dept. Review Period <input type="checkbox"/> Probationary <input type="checkbox"/> Unscheduled
	7. REVIEW PERIOD 7/1/2016-6/30/2017	8. PROBATION START AND END DATE

## II. PERFORMANCE PLAN – JOB DESCRIPTION

### REVIEW OF DUTIES & RESPONSIBILITIES BASED ON JOB DESCRIPTION

**Working Title:** Registered Nurse HOPE SF- 2320

**Position Summary:**

The Registered Nurse is a health care professional who delivers nursing care to a designated population. He/she is responsible for practicing within his/her licensed scope of practice, regulatory and organizational standards, and departmental scope of service. The position requires the knowledge, skills and abilities to provide competent patient care and to utilize time and resources efficiently.

The HOPE SF Nursing Program provides on site nursing services and enrolls and coordinates the care of the most disadvantaged residents of San Francisco—namely those living in the public housing projects of Hunter's View, Alice Griffith, Potrero Annex/Terrace and Sunnysdale. The primary goal of this program is to link residents to primary care medical homes, provide onsite complex care management, referrals to as needed mental health and substance use services, engage the community in wellness activities and provide community wide health education. The HOPE SF nurse coordinates and collaborates with onsite behavioral health clinicians, community based organizations, resident peer leaders, and resident groups to improve the overall health of the community.

The HOPE SF nurse is the clinical lead of a RN/Health Coach dyad and is responsible for assisting in the management of patient healthcare by conducting nursing assessments at home and in the clinic, providing nurse advice over the phone, and triaging patients as appropriate for primary care patients who receive their care within the San Francisco Health Network. The HOPE SF nurse also provides onsite nursing services at each wellness center embedded within each development. The HOPE SF nurse may also assist in all levels of healthcare coordination to patients, family members, and healthcare providers.

All verbal communication is performed in person or over the telephone. All documentation and communication of patient healthcare needs is done through the computer using various electronic medical record systems and databases, email, or over the telephone. The nature of the work requires sustained and simultaneous use of the telephone and computer.

**Job Duties, Responsibilities and Expectations:**

- 1) **Attendance, Punctuality and Recording of Work Time:** Regular and prompt attendance is an essential requirement. HOPE SF staff report to their work stations at their scheduled work time. Unless an approved alternate or modified work schedule, all staff actively work for 8 hours per day within 9 hours. Time records accurately reflect the time work started and the amount of hours worked in every day. SFDPH Human Resources Department identifies potential excessive use of sick leave as the use of 11 or more sick days annually. All planned absences are requested and approved in advance. For illness, emergencies or other unplanned and unforeseeable absences, the supervisor or designee is notified as soon as possible as per the unit time and attendance policy.
- 2) **Office Ethics, Etiquette and Environment:** HOPE SF nurses must maintain the highest standards of professional ethics and treat colleagues and residents with courtesy, respect and dignity. HOPE SF nurses work cooperatively with colleagues and clients to promote an environment of trustworthiness, respect, responsibility, fairness, caring and citizenship. HOPE SF nurses are expected to maintain a positive and proactive attitude about the challenges that residents, managers, supervisors, staff and organizations face. HOPE SF team members actively participate in team meetings in a productive, participatory manner. The HOPE SF team maintains positive relations with all San Francisco Health Network Primary Care and Behavioral Health management and staff.
- 3) **Interaction With the Nursing Director:** HOPE SF nurses report directly to the Nursing Director (2324). HOPE SF nurses are expected to initiate meetings with the Nursing Director to communicate information about any issues and/or problems that affect HOPE SF policies, patients, and /or operations. HOPE SF team members perform other duties when requested by the Nursing Director. HOPE SF team members should expect and will receive coaching on all areas of work within the HOPE SF program.

- 4) **Customer Service:** HOPE SF nurses provide care and services to residents of disadvantaged communities, patients, families, community members and the healthcare community at large in a friendly, professional and patient manner consistent the Service Excellence standards that the Department of Public Health prioritizes. The team, possesses the customer service skills to deal with frustrated, medically complicated patients, their patients and healthcare providers in a positive way that prioritizes the patients needs and results in an effective resolution.
- 5) **Nursing Standards of Care:** HOPE SF nurses demonstrate the ability to competently perform a nursing assessment, nurse diagnosis, develop an individualized care plan, implement the plan of care, and evaluate the patient response. This includes the ability to:
- Collect, analyze and interpret patient data in a systematic and consistent manner from all of the electronic medical records available.
  - Formulate nursing diagnoses and identify patient problems based on the patient's report as well as the nursing assessment and age-specific needs.
  - Give and receive report of patient assessment and needs upon transfer to and from other co-workers or to the patient's clinic in a manner that ensures patient safety and results in positive health outcomes.
  - Interact with patients in an appropriate language. The HOPE SF program makes regular use of telephonic interpreter services and also seeks help from other co-workers to meet the language needs of patients.
  - Provide timely patient triage, patient education with clinical competence and judgment.
  - Follow established protocols for the management of patient care;
  - Performs the initial and continued assessment of patient health status to ensure ongoing progress toward treatment goals in the patient's home and in the clinic;
  - Develops the patient's individualized care plan based on the initial assessment, diagnosis, healthcare access options while ensuring the plan is realistic for the patient and family.
  - Provides comprehensive assessment of patient needs including health care system utilization;
  - Makes treatment decisions for chronic medical problems utilizing approved standing orders;
  - Administers immunizations, TB screening, medications and blood draws consistent with current guidelines and established protocols;
  - Provides health education as part of primary care, especially around chronic disease management, medication management, activities of daily living, and risk reduction in a variety of categories – this includes teaching patients and caregivers about treatments, procedures, how to achieve/maintain wellness, meet continuing care needs and manage various stages of illness and stages of change.
  - Identify client/caregivers' learning needs and implement appropriate measures to meet those needs.
  - Direct patients to appropriate dispositions sites (EG: urgent care, emergency room, clinic appointment, etc) as needed.
  - Initiate action and respond appropriately in emergencies.
  - Document and communicate assessments, plans, interventions and evaluations in a complete, accurate, readable and timely manner in the appropriate electronic format.
  - Assess and treat clients who may have substance abuse problems, homelessness and mental health issues;
  - Assess and treat clients with multiethnic, multilingual, sexually diverse backgrounds;
  - Provide telephone outreach and follow-up as needed;
  - Provide clinical services and commutes to multiple work locations;
  - Provide other clinical and assessment duties as assigned.
- 6) **Patient Advocacy/Ethics:** Protects the autonomy, dignity, safety, rights, and quality of care of residents by initiating action and follow up by:
- Assessing/addressing patient and family concerns and education needs with regard to decision-making (e.g. informed consent), use of services, health promotion, and meeting ongoing health care needs
  - Ensuring that questionable plans of care or interventions from any health care provider (e.g. wrong drugs) are identified and resolved to maintain patient safety and meet expected outcomes.
  - Providing client care in a manner that is both non-discriminatory and nonjudgemental;
  - Obtaining resources to help formulate ethical decisions and advocate for patient needs, wants, and rights.
  - Identifying and assessing victims of violence, abuse and neglect to ensure they are reported and given appropriate care/referrals to maintain their safety.

- Adhering to all regulatory and organizational policies and procedures.
- Identifying quality improvement issues.
- Completing Unusual Occurrence reports.

7) **Performance Appraisal/Education:** Demonstrates accountability for professional competency and growth, and maintains and upgrades own knowledge, skills and abilities by:

- Maintaining current professional licensure and certifications
- Identifying strengths and areas for development; takes action to achieve goals
- Evaluating own practice in relation to professional standards
- Seeking out help and assistance from the team or the nursing director as needed to ensure patient safety and the operations of the HOPE SF wellness program.
- Attending educational/mandatory classes
- Attending HOPE SF team and wellness center staff meetings
- Identifying opportunities to improve own professional development

8) **Leadership, Continuous Quality Improvement and Research:** Maintains research as the scientific foundation for practice and functions in a leadership role by:

- Incorporating research findings into practice.
- Acts as the clinic lead for the HOPE SF team.
- Provides clinical guidance, training and support to non-license team members.
- Participating in Clinical Quality Improvement and/or research activities.
- Supports and advises healthcoaches on assessing for red-flags that indicate decline in patient health status and need for early intervention to avoid ED visit or admission;
- Supervises health coaches in medication reconciliation and medication adherence;
- May provide regular supervision of healthcoach team members which includes performance planning and appraisal
- Participates in measuring metrics for quality improvement and program evaluation;
- Maintains patient records, billing documentation and all other administrative records, documentation and correspondence;
- Attends regular meetings and case conferences;
- Attends to patient in the clinic through nurse visits, and tandem visits with providers;
- Collaborates effectively and collaborates with members of the multidisciplinary team, primary care clinics, primary care providers and members of the community;
- Acts as a super user for computer applications necessary for documentation and communication across systems and locations;
- Demonstrates flexibility in work environment and tasks with positive attitude towards change;
- Assisting other team members as needed
- Demonstrating problem solving skills in a manner which promotes patient advocacy, customer service, and a team approach
- Responding effectively in stressful situations
- Participating actively in committees and unit based processes
- Precepting new team members
- Identifies need for protocol and forms update and revisions as necessary
- Provides other related duties as assigned.

9) **Resource Utilization and Computer Use:** Utilizes work time and resources effectively by:

- Conserving and maximizing the use of materials and supplies.
- Organizing and prioritizing work to maximize productivity during peak work loads and slack periods.
- Completing assignments in a timely manner.
- Checking email daily for program updates
- Using email to communicate with nursing director, team members, and healthcare providers.
- Utilizing eCW, LCR, email and other computer programs simultaneously.

- 10) **Productivity:** Contributes to the productivity of the HOPE SF team as a whole to ensure the unit meets the operational needs of primary care patients and provides excellent customer service by:
- Manage and carry a caseload of the high complexity patients – up to 150 primary care patients.
  - Maintains awareness of overall caseload acuity as well as patients at highest risk for hospitalization;
  - Provides written reports, patient documentation, and other assignments in a complete, accurate, coherent, readable, and timely manner.
  - Demonstrating the skills to maneuver through and document in multiple computer programs in a manner so that calls are answered and completed in a timely manner.
- 11) **Personnel:** Adheres to hospital/departmental personnel policies (attendance, punctuality, break times, requesting time off, floating, sexual harassment, and violence in the workplace). Attends mandatory classes. Maintains professional appearance and clean workspace.
- 12) **Documentation:** Providing written reports, log book entries, patient documentation, and other assignments in complete, accurate, readable, and timely manner.
- 13) **Statement of Incompatible Activities:** Fully comply with the department's Statement of Incompatible Activities as approved by the Ethics Commission. Compliance includes, but is not limited to: Restrictions on Incompatible Activities; Restrictions on Use of City Resources, City Work-Product and Prestige; and Prohibition on Gifts for Assistance with City Services.
- 14) **Use of City and County Property for Business Purposes Only:** All City equipment, devices, and materials (i.e., photocopier, telephones, computers, vehicles, stationery, fax machines, etc.) must be used only for conducting City business.
- 15) **DSW Preparedness:** Take all necessary steps to prepare yourself for an emergency, in your capacity as a Disaster Service Worker; provide updated personal contact information to your department so that you can be contacted in the event of an emergency; report in and respond promptly to instructions by the City and/or your department in the event of an emergency; participate in any drills or emergency exercises as notified; and carry out disaster-related work assignments as required; complete all required disaster-related trainings.
- 16) **Compliance with Rules, Policies and Procedures:** Fully comply with all Departmental rules, policies and procedures. Also comply with City rules and policies in the Employee Handbook including, but not limited to: Policy on Equal Employment Opportunity; Policy on Equal Opportunity and Reasonable Accommodation for Individuals with Disabilities; Policy Prohibiting Harassment; Policy Prohibiting Employee-Violence in the Workplace; Policy Regarding the Treatment of Co-Workers and Members of the Public; Responsibility for Responding to and Reporting Discrimination, Retaliation and Harassment; Reporting and Responding to Workforce Violence; etc.

**Patient/Client Population:** Patients of all ages who are patients of the San Francisco Health Network.

**Reporting Relationships:**

- Reports directly to the Nursing Director for HOPE SF or designee.
- Collaborates with all San Francisco Health Network healthcare providers.
- Is evaluated by the Nursing Director, the Director of Equity and Community Wellness Programs, and the Director of Child, Youth and Family System of Care.

**Functional Working Title:**  
**HOPE SF Registered Nurse**

**I. Attendance,  
Punctualtiy and  
Recording of Work  
Time**

**COMMENTS:** Shonette has not exceeded the sick time use standard. However, she does need to review policies and procedures for timely notification of work related injuries and timely submission of work status reports.



2. Office Ethics, Etiquette and Environment	COMMENTS: After verbal counseling, I am certain that Shonette understands that it is essential to maintain the proper professional decorum at all community events. She has made good in-roads to the community and attends many community functions. Continue to work on building collegial professional relationships with other staff members, service providers, community liaisons, and neighborhood organizations
3. Interaction With the Nurse Manager	COMMENTS: Brings program related issues to the Director's attention timely. Has demonstrated flexibility and willingness to accommodate the community's needs when scheduling her participation in community events.
4. Customer Service	COMMENTS: Has demonstrated a strong advocacy for residents and possesses an empathetic demeanor when dealing with the community.
5. Nursing Standards of Care	COMMENTS: Shonette possesses a wide breadth of nursing knowledge and can collect, analyze and interpret complex patient data and use it to develop nursing diagnoses and appropriate plans of care systematically and consistently. She engages in community outreach and focuses patient education to conditions of relevance to the community. She demonstrates sound clinical judgement and follows established protocols and standing orders; elicits medical consults and referrals appropriately. Shonette is technically proficient with administering immunizations, TB screening/reading, medications consistent with guidelines and established protocols. She provides family centered health education including chronic disease management, perinatal health, sexual health, medication management and risk reduction and encourages residents to participate in wellness activities. Shonette easily moves and engages multiethnic populations and those with sexually diverse background in a respectful and non-judgemental manner.
6. Patient Advocacy/Ethics	COMMENTS: Shonette is a strong resident advocate in addressing resident and family concerns. She is willing to step outside the "medical" boundary to assist as necessary in obtaining appropriate referrals and other resources.
7. Performance Appraisal/Education	COMMENTS: Maintains appropriate certifications and licensure. Seeks out help as necessary to ensure patient/resident safety.
8. Leadership, Continuous Quality Improvement and Research:	COMMENTS: Shonette appears to stay abreast of the latest best practices-particularly in the realm of women's health, maintains accurate billing and administrative records and documentation. Communicates appropriately to clinic providers.
9. Resource Utilization and Computer Use	COMMENTS: Demonstrates utilization of resources efficiently; completes assignments on time.
10. Productivity	COMMENTS: Is currently establishing an increasing caseload. Communicates reports coherently and completely.
11. Personnel	COMMENTS: In compliance. As noted above needs to review workman's comp related responsibilities.
12. Documentation	COMMENTS: Completes encounter form documentation appropriately. Review necessary documentation and responsibilities for proper storage and documentation required for vaccines.
13. Statement of Incompatible Activities	COMMENTS: In compliance

14. Use of City and County Property for Business Purposes Only	COMMENTS: In compliance
15. DSW Preparedness	COMMENTS: In compliance
16. Compliance with Rules, Policies and Procedures	COMMENTS: In compliance

### III. PERFORMANCE PLAN – KEY OBJECTIVES

<p>Departmental Goal: Be the first choice for health care and well-being for all San Franciscans.</p> <ul style="list-style-type: none"> <li>• <b>QUALITY</b> - Improve the health of the people we serve</li> <li>• <b>CARE EXPERIENCE</b> - Provide the best health care experience</li> <li>• <b>WORKFORCE</b> - Create an environment that values and respects our people</li> <li>• <b>FINANCIAL STEWARDSHIP</b> - Provide financially sustainable health care services</li> <li>• <b>EQUITY</b> - Eliminate disparities</li> <li>• <b>SAFETY</b> - Eliminate harm to patients and staff</li> </ul>	
<p><b>OBJECTIVE</b> Quality: Improve the health of the people we serve</p>	<p><b>REVIEW OF PERFORMANCE:</b> Shonette has been working to establish her presence and build a network of mutual trust with the residents of Sunnydale. She actively participates in community events and is visible to the community. Over the next year, Shonette is to broaden her reach to include Potrero Annex/Terrace, work closely with CBOs that service Potrero and continue her outreach at Sunnydale.</p>
<p><b>OBJECTIVE</b> Workforce: Creates an environment that values and respects our people</p>	<p><b>REVIEW OF PERFORMANCE:</b> As part of a much larger system of care, over the next review period, Shonette will work to build strong and respectful relationships with other team members, peer leaders, and CBO representatives.</p>

Wellness Center Goal(s): (TBD by Management Team)	
<p><b>OBJECTIVE</b> Eliminate harm to patients and staff</p>	<p><b>REVIEW OF PERFORMANCE:</b> HOPE SF is a new program designed to bring onsite health and wellness services to the most distressed housing developments in San Francisco. Shonette strives and succeeds in creating a safe space for residents to pursue and engage wellness services. Over the next review period, Shonette will avail herself of the plethora of resources the Department has in order for the working space to be safe for her (i.e. enlisting help from facilities to move heavy objects).</p>

Discipline Goal(s): Created by Managers and Discipline Leads/Directors)	
<p><b>OBJECTIVE</b> Incorporate research into practice.</p>	<p><b>REVIEW OF PERFORMANCE:</b> Over the next year, Shonette will incorporate research of her choosing into her practice specific to serving distressed communities.</p>

Professional Development Goal (TBD together by manager and direct report)	
<p><b>OBJECTIVE</b> Provide educational group classes around pregnancy related issues, new born care, parental skills, reproductive concerns.</p>	<p><b>REVIEW OF PERFORMANCE:</b> Will convene a young mothers' pregnancy support group at least 6 times over the course of the next year.</p>

## IV. APPRAISAL REPORT SUMMARY

### A. OVERALL PERFORMANCE RATING

The appraisal report on overall performance should include a consideration of all items in the Job Description, Departmental policies and procedures, and the Performance Plan's Key Objectives for the review period. Circle the appropriate number on the continuum.

Did Not Meet Expectations	Met Expectations	Exceeded Expectations
Contribution to achievement of HOPE SF goals needs improvement; did not meet many or majority of objectives.	Contributed to achievement of the HOPE SF vision competently and effectively; met the objectives. (Meets Competent and Effective requirement)	Contributed to achievement of HOPE SF vision with exceptional competence and effectiveness; exceeded the objectives.
1	X 2	3

### B. COMMENTS REGARDING OVERALL PERFORMANCE

Shonette has contributed to the mission of the HOPE SF competently. She certainly understands the philosophy of HOPE SF and structural mechanisms of inequalities that HOPE SF is trying to address. She is a steadfast advocate for the community and is able to outreach effectively to foster trust amongst the residents. She is currently managing a core group of patients with complex needs. Over the next year, the goal will be to outreach leaders and CBOs at Potrero Annex/Terrace and begin the process of community engagement.

### C. EMPLOYEE GUIDELINES -- PERFORMANCE PLAN AND APPRAISAL REPORT

1. Employee should review his/her employee organization's Memorandum of Understanding with the City and County of San Francisco for information that may add to or modify the following list of guidelines.
2. Employee has the right to read the Performance Plan and Appraisal Report.
3. Employee has the right to receive a copy of the Performance Plan and Appraisal Report.
4. Employee has the right to discuss the report with the Reporting Supervisor or Manager.
5. Employee has the right to attach a rebuttal to the Performance Appraisal Plan and Report. The rebuttal must be presented within 30 working days of the report date. The rebuttal should only address the items presented in the report.
6. Employee may request a conference, if requested, with the Reviewer (Reporter's supervisor or manager).

## V. SIGNATURE PAGE

### PERFORMANCE PLAN

#### A. Performance Plan/Key Objectives Sign-Off

1. REVIEWER SIGNATURE Rhea Bailey, MPH Director of Equity and Community Wellness Programs	2. REVIEW DATE 9/23/16	
3. SUPERVISOR SIGNATURE Leslie Dubbin, PhD, MS, RN	4. EMPLOYEE SIGNATURE Shonette Steiger, RN, MSN	5. MEETING DATE 9/25/16

#### B. Mid-Period Performance Review Meeting

1. SUPERVISOR SIGNATURE Leslie Dubbin, PhD, MS, RN	2. EMPLOYEE SIGNATURE Shonette Steiger, RN, MSN	3. MEETING DATE
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### PERFORMANCE APPRAISAL REPORT

#### C. Reviewer's Certification

1. NAME, WORK LOCATION Rhea Bailey, MPH 1380 Howard St San Francisco, CA 94103	2. JOB CODE NUMBER AND TITLE 2593 HPCIII
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3. I CERTIFY THAT I HAVE REVIEWED THIS REPORT: (Signature) <i>Rhea Bailey</i>	5. DATE 9/29/16
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#### D. Reporting Supervisor/Manager

1. NAME Dubbin, Leslie, PhD, MS, RN <i>Leslie Dubbin</i>	2. JOB CODE NUMBER AND TITLE 2324 Nursing Supervisor
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3. DATE OF CONFERENCE WITH EMPLOYEE 9/23/16	4. SIGNATURE <i>Leslie Dubbin</i>	5. DATE 9/23/16
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#### E. Employee's Statement

1. <input checked="" type="checkbox"/> I AGREE WITH THIS REPORT.	2. CONFERENCE DATE 9/23/2016
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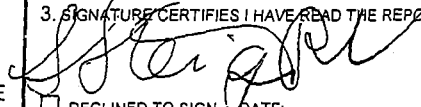
CITY & COUNTY OF SAN FRANCISCO • DEPARTMENT OF HUMAN RESOURCES  
PERFORMANCE PLAN AND APPRAISAL REPORT

☐ I DO NOT AGREE WITH THIS REPORT: SECT. \_\_\_\_\_ NO. \_\_\_\_\_

☐ I HAVE ATTACHED A REBUTTAL.

☐ I HAVE ATTACHED A REBUTTAL AND REQUEST A CONFERENCE WITH THE  
REVIEWER.

3. SIGNATURE CERTIFIES I HAVE READ THE REPORT



☐ DECLINED TO SIGN. DATE: \_\_\_\_\_

## Carroll, John (BOS)

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**From:** Julian Banales <jbanales@sbcglobal.net>  
**Sent:** Tuesday, September 18, 2018 9:04 PM  
**To:** Carroll, John (BOS); Kim, Jane (BOS); Peskin, Aaron (BOS); Brown, Vallie (BOS)  
**Cc:** Breed, London (MYR); Cohen, Malia (BOS); Bruss, Andrea (MYR)  
**Subject:** Comments for Government Audit and Oversight Committee Hearing on Discrimination 9.19.18  
**Attachments:** seiu poster.jpg

**Categories:** 2018.09.19 - GAO, 180630

### Government Audit and Oversight Committee Hearing on Discrimination 9.19.18

Honorable Members of the Committee,

I am writing this email to stand against the systemic injustice, hate and ignorance in the way discriminatory practices target people of color. I have worked tirelessly and with unquestionable dedication for 27 plus years for the Planning Department.

For the record, I would like to document the following incidents aimed toward people of color in the Planning Department. These are just the tip of the iceberg. I can provide additional documentation regarding inappropriate behaviors, if the Committee finds it pertinent to this hearing and investigation. And to be clear, these notes are not intended to personally attack any individual – and not all Caucasians exhibit these behaviors. Rather the following statements are intended to document and note behaviors which are questionable. The following patterns are prevalent: double standards, insensitive behavior and stereotyping, and lack of diversity. Why is this allowed to happen?

- A senior manager, during a discussion on promotional opportunities made a comment about a previous job describing Black and Latino managers as “idiots who were only hired due to Affirmative Action.” Mind you, this is a Senior Manager with hiring authority. This demonstrates lack of sensitivity and discourages people of color to seek promotions. It is also a reprehensibly disparaging and insensitive comment. Why?
- In another instance, an African American male was targeted and reassigned. When he noted that the reassignment was new, he pleaded and asked for training for his new duties – the response from the Manager, a White woman, included demeaning retorts such as “I am going to get a good 8 hours honest work out of you...” and “You have been here how long? You should know this by now...” These comments were overheard by staff. The message is that people of color do not merit the same consideration or that negative and insensitive comments directed toward people of color do not cause harm, and is thus, acceptable. Why?
- This same manager, while discussing promotional opportunities, made the following statement: “Do you honestly believe that A (a Hispanic woman) would outscore Planner B (a White woman)” – (on a civil service test)? This is an extremely inappropriate bias and stereotyping –especially when expressed by someone who always is involved in hiring decisions. Why?

These prejudices also demonstrate a marked presumption of competence for White planners simply because they come from the dominant group in power, whereas professionals of color are not given equitable consideration.

- Within the first few months of a Senior Manager's tenure in 2012, he came into my office with an SEIU flyer depicting a person of color in a clenched fist posture. He stated that he and another Senior Manager were in his office when the latter commented this "looks like Julian" and the former proceeded to my office with flyer in hand and pinned it on my bulletin board. Perhaps this was perceived as humorous. But in hindsight, it was culturally insensitive, and the incident perpetuates the stereotype that people of color are combative or uncooperative – "the clenched fist". The flyer is still in my office. That he pinned it on my board stunned me. I keep it as a reminder of the subtle prejudices that abound. The flyer is attached. Why?
- I and a Filipina manager were described as workhouses in an email. To refer to a person of color as a beast of burden is distressing and, because this was a White lesbian who wrote the email, shocking. Why?

There has also been a marked attrition of African Americans within the Planning Department. Four years ago, 5 African American professional staff were present, whereas now there are only two in the Current Planning Division. Recently two competent Black women left the Department. in the Citywide Division. The lack of diversity at upper management levels is the new normal. This had been the case for ten years now. Previous administrations truly valued diversity. It has been reported that Caucasian panelists coerce and use their influence, as the dominant group, to score White applicants over non-White applicants. This lack of diversity is also contrary to DHR's own Mission which states, "We recognize the value of each individual and view our diversity as a strength" -- and translates to professional apartheid. Why?

White folks in this reign of terror use strong and intimidating language aimed at people of color describing them as combative, resistant, or disgruntled – which are all culturally insensitive stereotypes. As the person of color is not given the presumption of honesty, respect or virtue, behaviors attributed to people of color are wrong whereas the same behaviors exhibited by White planners are acceptable and tolerated. This is a serious double standard that creates a harmful and unsafe environment for people of color who must live with the risk of retaliatory action. Why?

The message is clear: If there is a complaint against a person of color, it is actionable. But if a person of color complains about a White person, the complaint is not given merit or taken seriously. In other words, "Know your place..." and "Be careful". We are not given the same courtesy of equitable protections. Why?

These prejudices were all too keenly called out by Honorable Mayor Willie Brown and Rose Pak. Frequently, the media, dominated by certain members of White groups referred to them as "power brokers working in the shadows" -- a nefarious connotation. If they were White males, they would be referred to as civic minded or thoughtfully engaged. A negative presumption was also recently applied to Honorable Mayor London Breed, after her recent victory, who was referred to as "rising up from troubled upbringings". The use of the word troubled is troubling. Why is this relevant?

The demons of bigotry and discrimination dwell deep within the wretched hearts of those men and women who harbor these sentiments. Indeed, the taskmaster's whip of ethnic chauvinism is all too adeptly wielded (and oftentimes by members of certain groups who claim to be victims of intolerance). There are serious deficiencies in leadership (and complicity) at all levels to address these issues.

We are all children of the earth. All we ask is for equitable opportunity. And as a Descendant of Indigenous tribes – the Hopi with ties to the Apache -- I ask that you not allow these colonial, oppressive and harmful



attitudes to continue to be perpetrated. To be clear, this *is* happening. Please take the testimony at this hearing seriously and make immediate changes so that justice becomes a reality.

Respectfully and truthfully,

Julian J. Bañales

**CONFIDENTIALITY NOTICE:**

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## Carroll, John (BOS)

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**From:** pmonette-shaw <pmonette-shaw@earthlink.net>  
**Sent:** Monday, September 17, 2018 5:02 PM  
**To:** Kim, Jane (BOS); Peskin, Aaron (BOS); Brown, Vallie (BOS)  
**Cc:** Cohen, Malia (BOS); Fewer, Sandra (BOS); Ronen, Hillary; Safai, Ahsha (BOS); Calvillo, Angela (BOS); Hepner, Lee (BOS); Kittler, Sophia (BOS); Carroll, John (BOS)  
**Subject:** Testimony to the GAO Committee on African-American Workforce, File No. 180630  
**Attachments:** Testimony to the GAO Committee on African-American Workforce, File No 180630 18-09-17.pdf; Addendum to GAO Committee Testimony on African-American Workforce, File No. 180630.pdf  
**Categories:** 180630, 2018.09.19 - GAO

Government Audit and Oversight Committee  
The Honorable Jane Kim, Chair  
The Honorable Aaron Peskin, Member  
The Honorable Vallie Brown, Member

Please find enclosed my testimony for Wednesday's GAO hearing on African-American workforce hiring, retention, etc. My testimony is based on public records I have received in response to records requests to the City Attorney's Office and DHR.

Of note:

DHR provided the racial/ethnicity breakout of City employees at the end of FY 09–10 and FY 17–18. Table 1.1 in my testimony shows that citywide, an additional 6,810 total employees were added across all departments during that period, representing a 25.1% percent change increase.

Of note, although an additional 2,912 Asian/Pacific Islander employees were added, representing a 45.1% percent change increase, there were only 667 African-Americans added, representing a 14.8% percent change increase. Of the 6,810 additional City employees 3,448 were either Asian/Pacific Islanders or Filipino employees, representing 50.1% — or half — of the total increase during the tenure of former-Mayor Ed Lee, potentially signaling bias in workforce hiring.

Of the 1,459 additional employees added at DPH during the same period in DPH, 867 were either Asian/Pacific Islanders or Filipino employees, 59.4% — well over half — of the increase during former-Mayor Ed Lee's tenure, again potentially signaling bias in hiring. That contrasts with the 196 additional African-Americans who represent just 13.4% of the 1,459 employees added in DPH.

Separately, DHR also provided the number of racial discrimination complaints for calendar years 2016 and 2017, claiming it does not have racial discrimination complaint data for previous years, and does not produce annual reports on the racial discrimination complaints received.

Table 2 in my testimony shows that of the 198 total complaints received during the two calendar years, 107 (54%) were filed by African-American city employees.

Data provided incrementally over the years from the City Attorney documents at least 329 prohibited personnel practices lawsuits have cost the City \$70 million in total costs between January 1, 2007 and December 22, 2017, including settlement awards and City Attorney time and expenses hoping to squash or derail the lawsuits. Of the 329 lawsuits 142 (43.2%) involved just three prohibited personnel practices: Racial discrimination, sexual harassment and discrimination, and wrongful termination. Those 142 cases cost \$43 million in total costs, fully 61.3% of the \$70 million total.

My full testimony summarizes those 142 lawsuits, including 52 lawsuits involving racial discrimination that has cost the City a total of \$13.4 million between settlements awarded and costs of City Attorney time and expenses.

Of the 52 racial discrimination lawsuits, the race/ethnicity of each Plaintiff was not completely available on the Superior Court web site, but Table 3.4 in my full testimony illustrates that 10 Racial Discrimination lawsuits filed by African-Americans received just \$586,631 in settlement awards, while the 3 Racial Discrimination lawsuits filed by Caucasian/White's received three time as much — \$1,585,258 — in settlement awards for only one-third the number of lawsuits.

Table 4 in my testimony shows that of the 142 lawsuits across the three categories (racial discrimination, sexual harassment and discrimination, and wrongful termination), 26 (18.3%) of them were filed by employees in the Department of Public Health, with total costs of \$5.7 million of the \$43 million total.

I include a number of recommendations in my testimony to increase reporting requirements in File No. 180546: *Harassment Prevention Training and Reporting Requirements* that is languishing in the Board of Supervisors Rules Committee.

The Government Audit and Oversight Committee should request during your September 19 hearing that many amendments need to be made and incorporated into File No. 180546 *Harassment Prevention Training* to expand protections for City employees, and expand reporting requirements, particularly reports to the full Board of Supervisors.

There's much more information in my testimony. Please take a few minutes to read my full testimony and recommendations.

Thanks,  
Patrick Monette-Shaw

## Patrick Monette-Shaw

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September 17, 2018

Government Audit and Oversight Committee  
San Francisco Board of Supervisors  
The Honorable Jane Kim, Chair  
The Honorable Aaron Peskin, Member  
The Honorable Vallie Brown, Member  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Re: **Testimony to the GAO Committee on African-American Workforce, File No. 180630**

Dear Chair Kim and GAO Committee Members,

I am submitting some background data from records produced by DHR and the City Attorney's Office in response to public records requests regarding agenda item 6 on the GAO's September 19 agenda.

### 1. Race/Ethnicity Data Provided by DHR

On May 8, 2018 I placed a records request to DHR requesting racial/ethnicity data by City Department for FY 2010-2011 and FY 2016-2017 requesting the data in two separate Excel files. Rather than providing me with end-of-year data as of June 30, 2011 and June 30, 2017, for some inexplicable reason the records DHR provided me were dated as of July 1, 2010 and July 1, 2017 that may not be representative of the entire *fiscal years* in question, and which seems to be a backward understanding of what is meant by a fiscal year.

With that said, the data is instructive.

**Table 1.1: Citywide Employees by Race/Ethnicity**

Citywide Departments	American Indian/ Alaskan Native	Asian Pacific Islander	Black	Filipino	Hispanic	Multi-racial	Unknown	White	Total
Citywide Total — FY 09–10	128	6,462	4,503	3,443	3,849	5	0	8,691	27,081
Citywide Total — FY 17–18	166	9,374	5,170	3,979	5,123	136	1	9,942	33,891
Increase Raw Number	38	2,912	667	536	1,274	131	1	1,251	6,810
Percent Change Increase	29.7%	45.1%	14.8%	15.6%	33.1%	2620.0%		14.4%	25.1%

Source: San Francisco Department of Human Resources

Of note:

- Citywide, an additional 6,810 total employees were added across all Departments, representing a 25.1% percent change increase.
- Although an additional 2,912 Asian/Pacific Islander employees were added, representing a 45.1% percent change increase, and an additional 1,274 Hispanics were added, representing a 33.1% percent change increase, there were only 667 African-Americans added, representing a 14.8% percent change increase — while there were 1,251 Caucasian/White employees added.
- It is notable that between July 1, 2010 and July 1, 2017, of the 6,810 additional City employees 3,448 were either Asian/Pacific Islanders or Filipino employees, 50.1% — or half — of the 6,810 increase during the tenure of former-Mayor Ed Lee, potentially signaling bias in hiring. That contrasts with the 667 additional African-Americans who represent just 9.8% of the 6,810 employees added citywide.

**Note:** The formula to calculate percentage change increases is: (Year 2 – Year 1) ÷ by Year 1.

Data for the Department of Public Health, shown on the next page, is instructive.

Table 1.2: DPH Employees by Race/Ethnicity

Department	American Indian/ Alaskan Native	Asian Pacific Islander	Black	Filipino	Hispanic	Multi-racial	Unknown	White	Total
Public Health — FY 09–10	16	1,230	632	1,407	778	0		1,388	5,451
Public Health — FY 17–18	25	1,940	828	1,564	1,012	13		1,528	6,910
<b>Increase Raw Number</b>	<b>9</b>	<b>710</b>	<b>196</b>	<b>157</b>	<b>234</b>	<b>13</b>		<b>140</b>	<b>1,459</b>
<b>% Mix of DPH Increase</b>	<b>0.6%</b>	<b>48.7%</b>	<b>13.4%</b>	<b>10.8%</b>	<b>16.0%</b>	<b>0.9%</b>		<b>9.6%</b>	<b>100.0%</b>
<b>Percent Change Increase</b>	<b>56.3%</b>	<b>57.7%</b>	<b>31.0%</b>	<b>11.2%</b>	<b>30.1%</b>			<b>10.1%</b>	<b>26.8%</b>

Source: San Francisco Department of Human Resources

- Of the 1,459 additional DPH employees, the 710 additional Asian-Pacific Islanders represented 48.7% of the 1,459 additional employees, while the 196 additional African-American employees represented just 13.4% of the 1,459-headcount increase.
- Turning to percent change increases, the additional 710 Asian-Pacific Islander employees in DPH represented a 57.7% percent change increase, while the 196 additional African-American employees represented only a 31% percent change increase.
- It is also notable that between July 1, 2010 and July 1, 2017, of the 1,459 additional employees in DPH, 867 were either Asian/Pacific Islanders or Filipino employees, 59.4% — well over half — of the 1,459 increase at DPH during the tenure of former-Mayor Ed Lee, again potentially signaling bias in hiring. That contrasts with the 196 additional African-Americans who represent just 13.4% of the 1,459 employees added in DPH.

## 2. Additional Data Provided by DHR

On September 4, I placed a records request with DHR; DHR responded on September 14. I had requested:

- (1) Any and all DHR annual reports since January 1, 2010 reporting the number of racial discrimination and racial harassment complaints DHR received in each fiscal year.

DHR indicated on September 14:

*“DHR does not produce any annual reports regarding racial discrimination or racial harassment complaints. Attached are Discrimination Complaints for calendar years 2016 and 2017.”*

Table 2: Lawsuits Available On-Line Specifying Race/Ethnicity of Plaintiffs

### Discrimination Complaints Based on Race (Calendar Years 2016 and 2017)

Calendar Year	Asian/ Pacific Islander	African- American/ Black	Filipino	Hispanic	Multi- Racial	White	Other	Grand Total
2016	14	59	2	10	1	4	12	102
2017	15	48	3	14	4	3	9	96
<b>Grand Total</b>	<b>29</b>	<b>107</b>	<b>5</b>	<b>24</b>	<b>5</b>	<b>7</b>	<b>21</b>	<b>198</b>
<b>Percent of Total</b>	<b>14.6%</b>	<b>54.0%</b>	<b>2.5%</b>	<b>12.1%</b>	<b>2.5%</b>	<b>3.5%</b>	<b>10.6%</b>	

**Note:** The racial category "Other" denotes complaints in which the alleged discriminatory or harassing conduct was directed at those outside of the complainant's racial category (e.g., a Filipino employee alleges that the respondent made inappropriate race-based comments about Black and Hispanic employees).

Source: San Francisco Department of Human Resources, 9/14/2018. Percentages added by author.

Note in Table 2 that the 107 complaints filed by African-Americans total 54% of the 198 discrimination complaints based on race. It's not known how many of those 107 complaints resulted in disciplinary action, and also not known how many of those complaints led to lawsuits filed in court.

- (2) Any and all settlement agreements involving racial discrimination and racial harassment in DHR's possession that have been settled between January 1, 2010 and September 4.

DHR also indicated on September 14:

*"The attached [settlement agreement] record is in DHR's possession. DHR will provide the remainder of its records, on a rolling basis, within fourteen days from the date of this email."*

It took 10 days for DHR to find a single redacted settlement agreement in its possession, which is pathetic. Reading the settlement agreement, I knew instantly which City employee (now retired) had filed the lawsuit, because I had worked with her at Laguna Honda Hospital for a decade. And I also knew instantly that although the employee had filed it as a *racial discrimination* lawsuit as the Second Cause of Action in her lawsuit, the City Attorney's Office had mis-classified it as a *6070 General Harassment* lawsuit rather than as a *6035 Racial Discrimination* lawsuit.

She received \$262,452 as a settlement award; the City Attorney only spent \$18,0931 in her case, suggesting the City Attorney knew that the Plaintiff was dead to rights and there was no point for the City to fight the lawsuit.

What this suggests, however, is the City Attorney often miscategorizes types of lawsuits, as I've discovered multiple times in researching other lawsuits.

- (3) Please stratify for each Fiscal Year the number of racial harassment and racial discrimination complaints and/or settlements by race/ethnicity, or provide records and reports that break out the race/ethnicity data [added in an amended records request].

DHR also indicated on September 14:

*"No records found. San Francisco Administrative Code Section [Sunshine Ordinance] 67.20(b) defines public information as "... the content of 'public records' as defined in the California Public Records Act (Government Code Section 6252), whether provided in documentary form or in an oral communication." Counts and data analysis of records received through this process are not in this ordinance's scope."* [emphasis added]

This is *ludicrous*! DHR provided a limited amount of "counts" in the data in Table 2 above. DHR should be required to provide the same "counts" of data for each calendar year going back to 2007 to provide historical context. The reliance on Sunshine §67.20 to *evade performing* "counts and analyses" is totally ridiculous!

### **3. Lawsuits Filed by City Employees Data Provided by City Attorney's Office**

I have obtained records from the City Attorney's Office over the last nine years, tracking lawsuits filed by City employees dating back to January 1, 2007 involving a variety of prohibited personnel practices proscribed by state, local, and federal laws, including racial discrimination and harassment, sexual discrimination and harassment, wrongful termination, age- and disability-discrimination, and other prohibited personnel practices.

Data provided incrementally over the years from the City Attorney documents at least 329 such lawsuits have cost the City \$70 million in total costs between January 1, 2007 and December 22, 2017, including settlement awards and City Attorney time and expenses hoping to squash or derail the lawsuits.

Of the 329 lawsuits 142 (43.2%) involved just three prohibited personnel practices: Racial discrimination, sexual harassment and discrimination, and wrongful termination. Those 142 cases cost \$43 million in total costs, fully 61.3% of the \$70 million total.

Unfortunately, attempting to cross-check the 142 lawsuits to ascertain race/ethnicity of the Plaintiffs, only 90 of the lawsuits were available on-line, and 52 (36.6%) weren't available on-line.

It's helpful to place in context the racial discrimination lawsuit costs compared to two lawsuit categories:

**Table 3.1: Subset of 329 Lawsuits Filed by City Employees, January 1, 2007 – December 22, 2017**

Type of Case	# of Cases	CAO Settlement Amount	BOS Award	CAO Time & Expenses	Total Costs
Wrongful Termination (Emp agst City)	54	\$ 5,441,508	\$ 3,467,412	\$ 10,649,048	\$ 19,557,968
Racial Discrimination (Emp agst City)	52	\$ 4,572,005	\$ 260,000	\$ 8,530,486	\$ 13,362,490
Sexual Discrimination / Sexual Harassment	36	\$ 3,753,942	\$ 638,588	\$ 5,616,382	\$ 10,008,912
<b>Total</b>	<b>142</b>	<b>\$ 13,767,454</b>	<b>\$ 4,366,000</b>	<b>\$ 24,795,916</b>	<b>\$ 42,929,370</b>

Source: City Attorney's Office

Note in Table 3.1 that \$24.8 million (57.8%) of the \$43 million in total costs was spent by the City Attorney's Office trying to stop or mitigate the settlements awarded to Plaintiffs, and just \$18.1 million (42.2%) resulted in settlements.

Table 3.2 shows that of the 142 lawsuits, only 90 (63.4%) were available on-line on the San Francisco Superior Court web site. Fully 52 (36.6%) were *not* available on-line.

**Table 3.2: Lawsuits Available On-Line on San Francisco Superior Court Web Site**

Type of Lawsuit	Total Lawsuits	Total Costs	Lawsuits Available On-Line	Lawsuits Not Available On-Line	% Not Available On-Line
Sexual Harassment/Sexual Discrimination	36	\$ 10,008,912	26	10	27.8%
Wrongful Termination	54	\$ 19,557,968	45	9	16.7%
Racial Discrimination	52	\$ 13,362,490	19	33	63.5%
	<b>142</b>	<b>\$ 42,929,370</b>	<b>90</b>	<b>52</b>	<b>36.6%</b>

Source: San Francisco City Attorney's Office Data Cross-Referenced to Lawsuits Available On-line on the Superior Court web site.

Table 3.3 shows that additionally, of the 90 lawsuits available on-line, a high percentage of them (62.2%) did *not* report the race/ethnicity of the Plaintiffs, although the Racial Discrimination category of lawsuits did report the race:

**Table 3.3: Lawsuits Available On-Line Specifying Race/Ethnicity of Plaintiffs**

Type of Lawsuit	Total Lawsuits	Total Costs	Lawsuits Available On-Line	Race/Ethnicity Not Stated in Lawsuits	% Race Not Stated in Lawsuits
Sexual Harassment/Sexual Discrimination	36	\$ 10,008,912	26	18	69.2%
Wrongful Termination	54	\$ 19,557,968	45	36	80.0%
Racial Discrimination	52	\$ 13,362,490	19	2	10.5%
	<b>142</b>	<b>\$ 42,929,370</b>	<b>90</b>	<b>56</b>	<b>62.2%</b>

Source: San Francisco City Attorney's Office Data Cross-Referenced to Lawsuits Available On-line on the Superior Court web site.

While the sexual harassment and discrimination, and wrongful termination lawsuits had high percentages that didn't report race/ethnicity, the racial discrimination lawsuits were an exception, as shown in Table 3.3 above.

Data from lawsuits available on-line shown on the next page are troubling.

Table 3.4: Disparities in Lawsuit Outcomes by Race/Ethnicity

**African-American**

Type of Lawsuit	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs	Total Lawsuits	Total Costs
Sexual Harassment/Sexual Discrimination	5	13.9%	\$ 68,338		\$ 69,808	\$ 138,146	1.4%	36	\$ 10,008,912
Wrongful Termination	3	5.6%	\$ 125,000	\$ 8,000	\$ 171,844	\$ 304,844	1.6%	54	\$ 19,557,968
Racial Discrimination	10	19.2%	\$ 586,631		\$ 1,518,856	\$ 2,105,487	15.8%	52	\$ 13,362,490
<b>Total</b>	<b>18</b>	<b>12.7%</b>	<b>\$ 779,969</b>	<b>\$ 8,000</b>	<b>\$ 1,760,509</b>	<b>\$ 2,548,478</b>	<b>5.9%</b>	<b>142</b>	<b>\$ 42,929,370</b>

**Caucasian/White**

Type of Lawsuit	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs	Total Lawsuits	Total Costs
Sexual Harassment/Sexual Discrimination								36	\$ 10,008,912
Wrongful Termination	3	5.6%	\$ 4,130,640	\$ 2,815,498	\$ 7,205,383	\$ 14,151,521	72.4%	54	\$ 19,557,968
Racial Discrimination	3	5.8%	\$ 1,585,258		\$ 780,952	\$ 2,366,210	17.7%	52	\$ 13,362,490
<b>Total</b>	<b>6</b>	<b>4.2%</b>	<b>\$ 5,715,898</b>	<b>\$ 2,815,498</b>	<b>\$ 7,986,335</b>	<b>\$ 16,517,731</b>	<b>38.5%</b>	<b>142</b>	<b>\$ 42,929,370</b>

Source: San Francisco City Attorney's Office Data Cross-Referenced to Lawsuits Available On-line on the Superior Court web site.

Table 3.4 illustrates that the 10 Racial Discrimination lawsuits filed by African-Americans received just \$586,631 in settlement awards, while the 3 Racial Discrimination lawsuits filed by Caucasian/White's received three times as much — \$1,585,258 — in settlement awards for only one-third the number of lawsuits. The disparity between City Attorney time and expenses also had an inverse relationship between Black plaintiffs and White plaintiffs who filed racial discrimination lawsuits.

Additional tables are included in the attached Addendum accompanying this testimony that breaks out in greater detail the number of lawsuits in the three categories of lawsuits by race/ethnicity, and also by City departments.

#### 4. Department of Public Health

Cross-referencing the City Attorney's records on prohibited personnel practice lawsuits to the lawsuits available on the Superior Court web site provided some insight into the lawsuits filed by DPH employees.

Table 4: Lawsuits Filed by DPH Employees for Three Prohibited Personnel Practices

Department of Public Health	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs	Total Lawsuits	Total Costs
Sexual Harassment/Sexual Discrimination	7	19.4%	\$ 475,000		\$ 1,690,673	\$ 2,165,673	21.6%	36	\$ 10,008,912
Wrongful Termination	11	20.4%	\$ 1,312,093	\$ 145,907	\$ 1,228,523	\$ 2,686,523	13.7%	54	\$ 19,557,968
Racial Discrimination	8	15.4%	\$ 132,703		\$ 721,288	\$ 853,991	6.4%	52	\$ 13,362,490
<b>Total</b>	<b>26</b>	<b>18.3%</b>	<b>\$ 1,919,796</b>	<b>\$ 145,907</b>	<b>\$ 3,640,484</b>	<b>\$ 5,706,187</b>	<b>13.3%</b>	<b>142</b>	<b>\$ 42,929,370</b>

Source: San Francisco City Attorney's Office Data Cross-Referenced to Lawsuits Available On-line on the Superior Court web site.

Table 4 shows that of the 146 lawsuits filed involving sexual harassment and sexual discrimination, wrongful termination and racial discrimination, 26 (18.3%) were filed by DPH employees, and the \$5.7 million in total costs represented 13.3% of the \$43 million total. It is statistically significant that one City department was substantially involved in three lawsuit categories.

It's notable that Table 4 shows that 15.4% (8) of the 52 racial discrimination lawsuits involved DPH employees, but total costs of those lawsuits involved only 6.4% (\$53,991) of the \$13.4 million in total costs.

#### 5. Recommendations

Given the data provided in this testimony, several recommendations seem obvious.

Most importantly I recommend that the Board of Supervisors greatly expand mandatory reporting by both DHR and the City Attorney in pending File No. 180546: *Harassment Prevention Training and Reporting Requirements*.



On May 22, 2018, Supervisors London Breed, Malia Cohen, Kathy Tang, and Catherine Stefani introduced File No. 180546 to expand DHR's sexual harassment prevent training to include all types of harassment, and to expand the training to include all city employees who work more than 20 hours a week. The legislation was assigned to the Board of Supervisors Rules Committee.

Unfortunately, the legislation has languished and has not been heard at Rules and then forwarded to the full Board of Supervisors during the four months since the Ordinance was introduced in May. I recommend:

- First, the training be expanded from preventing only *harassment*, to other forms of prohibited personnel practices, like discrimination. The City Attorney's Office tracks lawsuits involving approximately 30 separate prohibited personnel practices. The training should be expanded to include, not only expanded harassment prevention, but also discrimination, assault, and wrongful termination, among other categories shown in Table 5 below.

**Table 5: Subset of Prohibited Personnel Practice Lawsuits Tracked by the City Attorney's Office**

	Code	Type of Prohibited Practice
1	4025	Racial Harassment (Employee Conduct)
2	4030	Sexual Orient. Harass. (Emp. Conduct)
3	6010	Wrongful Termination (Emp agst City)
4	6015	Assault by another employee
5	6030	Sexual Discrimination (Emp against City)
6	6035	Racial Discrimination (Emp agst City)
7	6040	Sexual Orientation Discrim (Emp vs City)
8	6050	Sexual Harassment (Emp against City)
9	6055	Racial Harassment (Emp against City)
10	6070	General Harassment (Emp against City)
11	6075	Age Discrimination (Emp against City)
12	6080	Disability Discrimination (Emp v City)

Source: San Francisco City Attorney's Office

- The legislation proposes harassment prevention training be expanded from requiring only employees who supervise, or could potentially supervise other employees, to include *all* City employees who work more than 20 hours a week. Based on the City Controller's payroll database for FY 2017–2018 that ended on June 30, 2018, of 42,271 employees in the database, 10,234 — nearly one-quarter, or 24.4% — worked less than 20 hours per week and will not receive the expanded harassment prevention training.

It's a mistake to *exclude* ¼ of all City employees from this training! I recommend the training be expanded to also include employees who work less than 20 hours weekly.

- The training was specified to begin in FY 2018–2019 starting July 1, 2018 provided that the Board of Supervisors appropriated money to fund the training in FY 2018–2019; otherwise the training won't be expanded until FY 2019–2020 stating on July 1, 2019, another year-long delay for justice. It's also not known if the expanded prevention training was funded in the FY 2018–2019 City budget, or whether the delayed legislation will cause another one-year delay before the training is expanded and begins in July 2019. I recommend the training be fast-tracked and begin as quickly as possible.
- The Ordinance proposes in §16.9-27(d)(2) that beginning in January 2019, DHR should post on its website on both a quarterly and annual basis a report of the number of harassment complaints filed with DHR. I recommend that language be amended to require a breakout of *each* type of complaint listed in Table 5 above.
- The Ordinance proposes in §16.9-27(d)(3) that beginning in January 2019, the City Attorney's Office shall report annually on settlements involving *only* harassment lawsuits, and *only* to the Department on the Status of Women (DSOW). I recommend that language be amended to require the City Attorney 1) Report *all* types of lawsuits filed for each type of prohibited personnel practices listed in Table 5 above, 2) Report both the settlements awarded, additional supplementary settlements approved by the Board of Supervisors, and the City Attorney's time and expenses incurred, and 3) Report those aggregate number of lawsuits and lawsuit costs to both DSOW and to the Human Rights Commission by each type of prohibited personnel practices.

September 17, 2018

**Testimony to the GAO Committee on African-American Workforce, File No. 180630**

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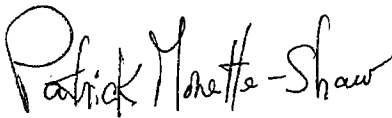
- I recommend that DHR, DSOW, the HRC, the Ethics Commission, and the City Controller's whistleblower program be required to more closely track whistleblower complaints that advance from whistleblower complaints, to EEOC and DFEH complaints issued a *Right-to-Sue Letter*, and subsequently result in a lawsuit against the City the City Attorney is notified of. Collaboration between these City departments needs to be greatly expanded.

Much greater reporting should be required.

- If the City Attorney's Office does not currently track race/ethnicity data in its database of prohibited personnel practices lawsuits, the Board of Supervisors should require that the City Attorney's Office collaborate with DHR to identify the race/ethnicity of each city employee who files lawsuits in both the Superior Court and other federal courts, and require the City Attorney to provide data annually to the Board of Supervisors reporting the race/ethnicity for each category of the prohibited personnel practices and the associated costs of settlements awarded and costs of the City Attorney's time and expenses.
- Because DHR does not produce any annual reports on racial harassment, the Board of Supervisors should incorporate into the reporting requirements of the expanded harassment prevention training in File No. 180546: *Harassment Prevention Training and Reporting Requirements* that DHR provide annual reports to the Board of Supervisors for each type of prohibited personnel practice listed in Table 5.
- Finally File No. 180546: *Harassment Prevention Training and Reporting Requirements* does not provide that either DHR, DSOW, or the City Attorney's Office provide any annual reports to the full Board of Supervisors. File No. 180546 must be amended to require such annual reports to the Board of Supervisors.

The Government Audit and Oversight Committee should request during your September 19 hearing that many amendments need to be made and incorporated into File No. 180546 *Harassment Prevention Training* to expand protections for City employees, and expand reporting requirements. Such legislative amendments should be heard during another GAO Committee public hearing.

Respectfully submitted,



**Patrick Monette-Shaw**

Columnist

Westside Observer Newspaper

cc: Supervisor Malia Cohen, President, Board of Supervisors  
The Honorable Sandra Lee Fewer, Supervisor, District 1  
The Honorable Hillary Ronen, Supervisor, District 9  
The Honorable Ahsha Safai, Supervisor, District 11  
Angela Calvillo, Clerk of the Board of Supervisors  
Lee Hepner, Legislative Aide to Supervisor Aaron Peskin  
Sophia Kittler, Legislative Aide to Supervisor Malia Cohen  
John Carroll, GAO Committee Assistant Clerk

## Demographic Data Addendum

The data in this addendum are snapshots of the racial/ethnicity and City department data that were available on-line on the Superior Court's web site.

For all tables:

**Source:** San Francisco City Attorney's Office Data Cross-Referenced to Lawsuits Available On-line on the Superior Court web site.

**Table 3.5: Racial Discrimination by Race/Ethnicity**

Race/Ethnicity	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs
African American	10	19.2%	\$ 586,631	\$0.00	\$ 1,518,856	\$ 2,105,487	15.8%
Caucasian/White	3	5.8%	\$ 1,585,258		\$ 780,952	\$ 2,366,210	17.7%
Asian-American/Chinese-American	2	3.8%	\$ 47,250		\$ 179,506	\$ 226,756	1.7%
Hispanic/Latino	2	3.8%			\$ 198,823	\$ 198,823	1.5%
Race Not Stated in Lawsuits	2	3.8%	\$ 671,868		\$ 837,182	\$ 1,509,050	11.3%
Lawsuits Not Available On-Line	33	63.5%	\$ 1,680,998	\$ 260,000	\$ 5,015,166	\$ 6,956,163	52.1%
<b>Total</b>	<b>52</b>	<b>100.0%</b>	<b>\$4,572,005</b>	<b>\$260,000</b>	<b>\$8,530,486</b>	<b>\$13,362,490</b>	<b>100.0%</b>

**Table 3.6: Racial Discrimination by City Department**

City Department	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs
Administrative Services	1	1.9%	\$ 210,000		\$ 119,594	\$ 329,594	2.5%
Airport Commission	1	1.9%			\$ 153,738	\$ 153,738	1.2%
Human Services Agency	1	1.9%	\$ 8,000		\$ 44,499	\$ 52,499	0.4%
Department of Public Works	3	5.8%	\$ 347,751		\$ 588,848	\$ 936,598	7.0%
Economic, and Workforce Development	1	1.9%			\$ 219	\$ 219	
Fire Department	2	3.8%	\$ 275,000		\$ 681,335	\$ 956,335	7.2%
Juvenile Probation Department	1	1.9%	\$ 55,000		\$ 190,204	\$ 245,204	1.8%
Municipal Transportation Agency	9	17.3%	\$ 1,443,470		\$ 1,751,529	\$ 3,194,999	23.9%
Police Department	5	9.6%	\$ 1,685,258	\$ 100,000	\$ 1,266,720	\$ 3,051,978	22.8%
Department of Public Health	8	15.4%	\$ 132,703		\$ 721,288	\$ 853,991	6.4%
San Francisco Port Authority	1	1.9%			\$ 121,468	\$ 121,468	0.9%
Public Utilities Commission	6	11.5%	\$ 35,000		\$ 642,898	\$ 677,898	5.1%
Treasurer/Tax Collector	1	1.9%		\$ 110,000	\$ 63,943	\$ 173,943	1.3%
Lawsuit Not On-line	12	23.1%	\$ 379,823	\$ 50,000	\$ 2,184,204	\$ 2,614,027	19.6%
<b>Total</b>	<b>52</b>	<b>100.0%</b>	<b>\$4,572,005</b>	<b>\$260,000</b>	<b>\$8,530,486</b>	<b>\$13,362,490</b>	<b>100.0%</b>

**Table 4.1: Sexual Harassment /Sexual Discrimination by Race/Ethnicity**

Race/Ethnicity	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs
African-American	5	13.9%	\$ 68,338	\$0.00	\$ 69,808	\$ 138,146	1.4%
Asian	1	2.8%	\$ 350,000		\$ 161,688	\$ 511,688	5.1%
Filipino	1	2.8%			\$ 6,645	\$ 6,645	0.1%
Mexican	1	2.8%			\$ 37,284	\$ 37,284	0.4%
Race Not Stated	18	50.0%	\$ 2,244,604	\$ 159,895	\$ 3,613,536	\$ 6,018,035	60.1%
Lawsuits Not Available On-Line	10	27.8%	\$ 1,391,000	\$ 178,693	\$ 1,727,421	\$ 3,297,114	32.9%
<b>Total</b>	<b>36</b>	<b>100.0%</b>	<b>\$4,053,942</b>	<b>\$338,588</b>	<b>\$5,616,382</b>	<b>\$10,008,912</b>	<b>100.0%</b>

**Table 4.2: Sexual Harassment/Sexual Discrimination by City Department**

City Department	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs
Airport Commission	2	5.6%	\$ 425,000	\$50,000.00	\$ 441,193	\$ 916,193	9.2%
Administrative Services	2	5.6%	\$ 310,105	\$ 59,895	\$ 110,862	\$ 480,862	4.8%
Fire Department	1	2.8%	\$ 400,000		\$ 101,521	\$ 501,521	5.0%
Human Services Agency	2	5.6%	\$ 160,000	\$ 78,193	\$ 148,857	\$ 387,050	3.9%
Municipal Transportation Agency	8	22.2%	\$ 252,838		\$ 434,047	\$ 686,885	6.9%
Police Department	4	11.1%	\$ 720,000		\$ 895,171	\$ 1,615,171	16.1%
Department of Public Health/LHH	7	19.4%	\$ 475,000		\$ 1,690,673	\$ 2,165,673	21.6%
Department of Public Works	1	2.8%		\$ 500	\$ 207	\$ 707	0.0%
Public Utilities Commission	1	2.8%	\$ 350,000	\$ 100,000	\$ 159,964	\$ 609,964	6.1%
Recreation and Parks Department	1	2.8%			\$ 175,990	\$ 175,990	1.8%
Rent Board	1	2.8%			\$ 37,284	\$ 37,284	0.4%
Sheriffs Department	4	11.1%	\$ 911,000	\$ 50,000	\$ 1,182,692	\$ 2,143,692	21.4%
Department Name Not Stated	2	5.6%	\$ 49,999		\$ 237,922	\$ 287,921	2.9%
<b>Total</b>	<b>36</b>	<b>100.0%</b>	<b>\$4,053,942</b>	<b>\$338,588</b>	<b>\$5,616,382</b>	<b>\$10,008,912</b>	<b>100.0%</b>

**Table 5.1: Wrongful Termination by Race/Ethnicity**

Race/Ethnicity	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs
African American	3	5.6%	\$ 125,000	\$ 8,000	\$ 171,844	\$ 304,844	1.6%
"Perceived to be Black" (Samoan)	1	1.9%			\$ 54,552	\$ 54,552	0.3%
Caucasian/White	3	5.6%	\$ 4,130,640	\$ 2,815,498	\$ 7,205,383	\$ 14,151,521	72.4%
Asian-American/Chinese-American	1	1.9%	\$ 75,000		\$ 328,144	\$ 403,144	2.1%
Filipino	1	1.9%	\$ 45,000	\$ 164,507	\$ 39,092	\$ 248,599	1.3%
Race Not Stated in Lawsuits	36	66.7%	\$ 971,593	\$ 479,407	\$ 2,238,585	\$ 3,689,585	18.9%
Lawsuits Not Available On-Line	9	16.7%	\$ 94,275		\$ 611,448	\$ 705,723	3.6%
<b>Total</b>	<b>54</b>	<b>100.0%</b>	<b>\$5,441,508</b>	<b>\$3,467,412</b>	<b>\$10,649,048</b>	<b>\$19,557,968</b>	<b>100.0%</b>

**Table 5.2: Wrongful Termination by City Department**

City Department	# of Lawsuits	% of Total Lawsuits	City Atty Settlement Amount	Additional BoS Award	CAO Time & Expenses	Total	% of Total Costs
Administrative Services	1	1.9%	\$ 97,000	\$ 8,000	\$ 89,431	\$ 194,431	1.0%
Adult Probation Department	1	1.9%	\$ 7,500		\$ 17,962	\$ 25,462	0.1%
Assessor / Recorder	1	1.9%			\$ 8,018	\$ 8,018	0.0%
City Attorney's Office	1	1.9%	\$ 2,755,640	\$ 2,715,498	\$ 6,000,000	\$ 11,471,138	58.7%
City Planning Department	1	1.9%			\$ 46,161	\$ 46,161	0.2%
Clean Water	1	1.9%	\$ 24,000		\$ 13,690	\$ 37,690	0.2%
Department of Public Works	3	5.6%		\$ 70,000	\$ 232,982	\$ 302,982	1.5%
District Attorney	1	1.9%	\$ 4,500		\$ 147,738	\$ 152,238	0.8%
Fine Arts Museum	1	1.9%			\$ 73,415	\$ 73,415	0.4%
Fire Department	4	7.4%	\$ 70,275		\$ 269,056	\$ 339,330	1.7%
Human Services Agency	4	7.4%	\$ 110,500	\$ 129,415	\$ 106,769	\$ 346,684	1.8%
Juvenile Probation Department	3	5.6%	\$ 2,500		\$ 113,783	\$ 116,283	0.6%
Municipal Transportation Agency	7	13.0%	\$ 195,500		\$ 247,589	\$ 443,089	2.3%
Police Department	4	7.4%	\$ 725,000	\$ 100,000	\$ 842,634	\$ 1,667,634	8.5%
Department of Public Health	11	20.4%	\$ 1,312,093	\$ 145,907	\$ 1,228,523	\$ 2,686,523	13.7%
Public Utilities Commission	1	1.9%	\$ 45,000	\$ 164,507	\$ 39,092	\$ 248,599	1.3%
Recreation and Parks Department	2	3.7%	\$ 75,000		\$ 514,329	\$ 589,329	3.0%
Treasurer/Tax Collector	1	1.9%			\$ 146,738	\$ 146,738	0.8%
War Memorial	1	1.9%			\$ 141,096	\$ 141,096	0.7%
Department Not Stated in Lawsuits	5	9.3%	\$ 17,000	\$ 134,085	\$ 370,041	\$ 521,126	2.7%
<b>Total</b>	<b>54</b>	<b>100.0%</b>	<b>\$5,441,508</b>	<b>\$3,467,412</b>	<b>\$10,649,048</b>	<b>\$19,557,968</b>	<b>100.0%</b>