

File No. 181229

Committee Item No. 3

Board Item No. 20

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: October 15, 2020

Board of Supervisors Meeting:

Date: October 27, 2020

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| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
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Prepared by: John Carroll

Date: October 9, 2020

Prepared by: John Carroll

Date: October 23, 2020

1 [Affirming the Board of Supervisors' Commitment to Advancement of Racial Equity in the City
2 and County Programs, Policies and Services]

3 **Resolution affirming the Board of Supervisors' commitment to advancing racial equity;**
4 **and affirming the City and County of San Francisco's responsibility to address existing**
5 **inequities in City programs, policies, and services.**

6
7 WHEREAS, Under Mayor Ed Lee's leadership, the City and County of San Francisco
8 (the City) developed a Strategic Planning Framework in which equity and inclusion were
9 identified as key priorities for all City operations and Departmental services; and

10 WHEREAS, Despite evident prosperity in measures such as low unemployment rate,
11 stark disparities exist for City residents, especially along racial lines; and

12 WHEREAS, Race currently predicts worse outcomes for people of color across the
13 spectrum of key indicators including education, income, housing stability, incarceration and
14 life expectancy; and

15 WHEREAS, On September 19, 2018, the Board of Supervisors Government Audit and
16 Oversight Committee held a hearing regarding African-American workforce hiring, retention,
17 promotional opportunities, and data tracking of work place discrimination complaints in the
18 City and County of San Francisco; and

19 WHEREAS, On November 27, 2018, the Board of Supervisors held an additional
20 hearing to discuss the same issues; and

21 WHEREAS, At those two hearings, the Board heard reports from the Department of
22 Human Resources and other City departments, and from many members of the public; and

23 WHEREAS, The Human Rights Commission also learned at the hearing that 13% of
24 departments do not capture race/ethnicity data, and of those departments and programs that
25

1 do, this information is not consistent across the board, so therefore there is no data standard
2 for the primary lens needed to track and progress on disparities across systems; and

3 WHEREAS, Racial equity is defined as closing the gaps so that race does not predict
4 one's success while also improving outcomes for all; and

5 WHEREAS, Addressing institutional racism across all levels of government requires
6 leadership and political will; and

7 WHEREAS, Jurisdictions around the country such as Seattle, Portland, and
8 Minneapolis, are working to address racial inequities in their existing systems by first explicitly
9 naming their responsibility to do so, which is the foundation to begin integrating equity best
10 practices throughout their systems; and

11 WHEREAS, As a best practice to provide transparency and accountability, these
12 jurisdictions identify a set of key Racial Equity Indicators to track and report progress towards,
13 and those are presented in an accessible and meaningful format to the public, such as a
14 dashboard; and

15 WHEREAS, The Racial Equity Indicators to be meaningful for systemic change will
16 require data governed by a data standard for race and ethnicity; now, therefore, be it

17 RESOLVED, That the Board of Supervisors acknowledges the City's collective and
18 urgent responsibility to address inequities in its systems and their ongoing impacts on San
19 Francisco's communities of color, and affirms the importance of taking legislative and
20 administrative steps to eliminate inequities in the City; and, be it

21 FURTHER RESOLVED, That the Board intends to take appropriate action in the
22 coming months to adopt best practices, such as equity assessment analyses, into its strategic
23 and operational plans to ensure equity in City programs, policies and services.

From: [Adrienne Heim](#)
To: [Carroll, John \(BOS\)](#)
Cc: jharding@ifpte21.org
Subject: Government Audit and Oversight Committee Item # 3 Public comment
Date: Thursday, October 15, 2020 2:52:19 PM

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Public Comment for Agenda Item # 3 Affirming the Board of Supervisors' Commitment to Advancement of Racial Equity in the City and County Programs, Policies and Services

Hello Chair Mar and Supervisors Walton, Peskin, and Haney,

Thank you for bringing this item up for discussion and critique.

My name is Adrienne Heim and I work for the SFMTA. I'm part of the SFMTA Black and African American Affinity Group (BAAAG), member of the Black Employee Alliance (BEA), and a Local 21 member.

I want to echo the sentiments expressed during the public comment period and I thank HRC Director Davis for reporting out and I thank all of the department directors for presenting.

I do want to make it clear that we need to have continued and concise communications from City Hall, BoS, and CCSF departments about what actions will be taken to rectify this noxious/vile behavior and process under DHR/EEO and other CCSF departments.

We also need to have the planned actions adequately staffed and funded in order to see real change occur.

Best,

Adrienne Heim

From: [Vivian Araullo](#)
To: [Carroll, John \(BOS\)](#)
Subject: Public Comment re EEO: Local 21 Members
Date: Thursday, October 15, 2020 2:25:00 PM

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Ernie Banks (DPW)

Supervisors, good morning. My name is Ernie Banks, a member of Local 21. I was wrongfully terminated last week, and it all happened because I went to EEO where I expressed anger over being disrespected by management.

On May 5, 2020, I filed a retaliation and discrimination case with EEO against the Acting City and County Engineer Susan Suskind for punitively selecting me for DSW assignment, to drive potentially infected Covid -19 patients to a testing center. I was selected for this assignment after a disagreement with her during a meeting.

Apparently, the Acting City and County Engineer was not aware or did not care that blacks are disproportionately affected by this virus. I was threatened with punishment if I did not accept the next assignment.

Fast forward to July 27, 2020, I speak with my EEO rep and I voice frustration at the lengthy process and discuss that I am being met with resistance at every turn in my effort to go on leave as part of a vulnerable population.

Later that same day I was hit with a cease and desist order, placed on paid administrative leave, eventually leading to a Skelly hearing and removal from employment. EEO commentary played a major role in my ultimate dismissal due to their racially biased interpretation of my words of frustration.

To add insult to injury, the EEO Rep called me the first week of October to inform me his supervisor was let go and that they are going to reinvestigate my case, with him remaining my case manager.

What rational human would have any faith or confidence in this process or organization?

I think there is a confidence crisis in SF leadership and to avoid any

hints of misconduct it is imperative these types of cases be handled by an outside arbitrator.

Thanks again for the opportunity to speak.

###

Richard White (MTA)

Good morning supervisors. My name is Richard White. I am an accountant at MTA-Muni and a member of Local 21.

Before this current assignment, I had filed numerous cases of racial discrimination at my former job at OCII where I was the only black accountant. I noticed that I would be reprimanded and investigated for errors, while my coworkers were not, even when they made the same work errors. I believe it is because I am black that I was constantly singled out for discipline at work. The toll of working in that toxic work environment was depressing and demoralizing, and left me emotionally and psychologically drained.

I had filed 2 official complaints of racial discrimination. The result of these complaints left me looking for a new assignment after working at OCII for fifteen years. I had no confidence that my complaints were being taken seriously.

As a black employee in CCSF, I feel my only recourse is to seek justice outside of the system, which is why I needed to hire outside counsel, because how my cases were handled has caused me to lose confidence in EEO and HR.

I am a member of the Black Employee Alliance, and I support the call for a top to bottom housecleaning of EEO and DHR, and hiring an outside investigator to ensure credible findings will be the only way to go.

We do not want the status quo to continue. With all due respect to Carol Isen, she is part of the status quo.

We want real reform.

Thank you.

###

Mar Bustos (PUC)

Good morning Supervisors. My name is Mar Bustos, I am president of Local 21's Field Operations Chapter. I am a construction inspector at PUC. I am here because I myself have been a victim of discrimination and bullying, and I am aware that many in my chapter, black and other people of color, have experienced the same.

As a brown employee I am here to express solidarity with our black coworkers throughout the City and County of San Francisco. We are very discouraged to learn about the loss of faith in the EEO and DHR due to bad practices, and even more discouraged to learn that the system of justice that we workers rely on, does not dispense justice at all.

I am here in support of the Black Employee Alliance and to call for the following:

1. Create and implement clear and transparent EEO investigation policies and practices across all departments.
2. An immediate and expedited investigation of EEO and DHR by a credible external investigator that is not part of the City and County of San Francisco's system, to restore our workers' trust and faith
3. A temporary freeze on EEO's activities, including making determinations and investigations, until such time that a credible investigation of EEO/DHR has been concluded.

Thank you for your time, supervisors.

Vivian Z. Araullo
Representative/Organizer
IFPTE, Local 21
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San Francisco, CA 94103
415.864.2100 Local 21 Main
Website: www.ifpte21.org
*Your union **matters**. Join your union **today**.*

From: [nikki mixon](#)
To: [Carroll, John \(BOS\)](#)
Subject: Government Audit and Oversight Committee
Date: Thursday, October 15, 2020 11:47:14 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Thank you supervisors for announcing your commitment to racial equity.

Corruption and racism should be treated equally in the City and County of San Francisco.

As a city-wide shop steward for the Laborer Local 261 and a 20 year City Employee of African Decent, I have seen my share of racism and sexism in hiring practices, in disciplinary actions, and in employee performance reviews. The about experiences has been personal and experienced with my other union brothers and sisters. Laborer's Local 261 should be at the table when discussing these issues, we have a large African American membership in the City and have a host of concerns in regards to Racial Equity.

I support the BOS commitments to examining all the City policies, programs and services for racial equities.

I would also like to add Inspector General to oversee, the supervisors efforts and to keep the City honest in addressing these issues.

There has been great harm inflicted on to the African American Employee population, and the African American Residential population of the City.

A lot of African American employees grew up in San Francisco in segregated public housing, had attended segregated schools with lack of resources, and now work for the City and County of San Francisco as employees in a hostile racist working environment.

When and where does this stop?

Deshelia Mixon

Local 261 City Committee Chair
Black Employees Alliance Member
Public Works Employee

From: [Francine Austin](#)
To: [Carroll, John \(BOS\)](#)
Subject: Agenda #2 (Workforce Programs and African American Unemployment and Economic Mobility) Comment on corruption of EEO compromised position & and IFPTE Union 21's proposal for independent audit
Date: Thursday, October 15, 2020 11:10:14 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I, Francine M. Austin, an SFDPH employee who has survived 4 years of discriminatory actions in my work unit and witnessed the EEO & DHR's unethical orientation, completely support IFPTE Union 21's proposal for CCSF to promote accountability & corrective practices in these divisions. From my experience, the EEO & DHR's performance priority is narrowly focused on the immediate benefit for CCSF and reducing the institution's litigious liability-- without establishing accountability for the implementation of corrective actions to deconstruct/dismantle callous, systemic biases. This silo perspective perpetuates harm upon racially oppressed employees. Please endorse IFPTE's proposal! Thank you!

From: [Shawna Sherman](#)
To: [Carroll, John \(BOS\)](#)
Subject: Public Comment on 181229, 10/15 hearing of Government Audit and Oversight Committee
Date: Thursday, October 15, 2020 9:33:01 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

I am a member of the Black Employee Alliance and agree with the recommendations below:

- Appoint a Citywide Inspector General to specifically focus on racial bias and racism, who has the authority to resolve issues pertaining to employee complaints and findings of racially discriminatory behavior. The person should have a combination of experiences in anti-racism work and Human Resource practices and operations specifically. This person should report directly to the Mayor and have a team of individuals who specialize in triaging problems within departments and taking swift action to hold “racially biased bad actors accountable.” in the areas of:

§ Hiring and Promotion Inequality

§ Pay Inequality

§ Employee and Performance Support Issues

§ Discipline: Suspensions, Terminations, Medical Releases

The Inspector General could also lead efforts on the following also:

- o Reopen all complaints filed by Black employees during the tenure of Director Micki Callahan (dating back to 2007) and reinvestigate them thoroughly and properly.
- o Abolish DHR-EEO system and swiftly locate an external agency to provide oversight over all Citywide EEO investigations.
- o Contact all former employees who may have been unwillingly terminated before, during, and after they filed discrimination and/or harassment complaints with the San Francisco Department of Human Resources – and reexamine the reasons why they may have been retaliated against, as well as the details behind their claims, to ensure the cases were properly investigated.
- o Ensure EEO staff currently working in DHR and across the City, receive retraining offered through the Department of Fair Employment and Housing.
- o Offer a public apology to Kathy Broussard for the humiliation, degradation, and pain caused to her by the City and County of San Francisco; reinstate the alleged forged settlement agreement and potentially compensate above amounts offered in the original agreement for the humiliation and pain caused to her.
- o Require ALL department heads, managers, supervisors, and HR staff Citywide to complete a minimum of 24-hours of anti-Racism training (not implicit bias) with a specific emphasis on anti-Blackness. The training should be delivered by professionals with extensive backgrounds in Critical Race Theory – and not through DHR Workforce Development. The Racial Equity Foundations training offered by GARE,

currently offered through the Human Right Commission is a nice follow-up; could serve the purpose, but needs to be 3-times longer with more emphasis on the pervasive, long-lasting impacts and effects of racism (i.e. internalized superiority/inferiority, racial bias, colorism, intersectionality, etc.): AND to complete a minimum of 8-16 hours of anti-Racism training every two years

- o Issue a moratorium on all disciplinary actions to Black Employees, until such time that the full faith and confidence of Black employees is restored, through the City proving that there are processes in place to ensure balanced treatment of all employees.

- o Examine all “Civil Service” exam lists for the last 10 years were Black employees ranked #1 or extremely high, and were passed over for someone with a lower rank, in a different racial group. An example of this is Niger Edwards, a Black female who ranked #1 for a Principal PCS HR Analyst position last year, yet DHR Employment Services Director Anna Biasbas chose Peter Rosel, a White male, who ranked below Niger Edwards on the list, due to scoring lower on the test; or [Dennis Mars](#) a Black male who also ranked #1 on the list for a position at the Department of Public Health but was also not selected who. Ensure a full and complete “good-faith” audit is completed to scope-out instances where Black employees were cheated out of positions and implement strategies to ensure this does not happen moving forward.

- o **Race Equity Audit of SFDHR and Citywide Departmental Practices and Policies –** Benefit/burden analysis of SFDHR and Citywide Departmental policies would identify policies and practices that have clearly racialized impacts (that we only now know of anecdotally)

- o **Race Equity Audit and Workforce Equity Analysis of Civil Service Rules**

- o A benefit/burden analysis of the Civil Service Rules and amendments would get at the heart of some of the deeply entrenched, structural racism and anti-blackness in the very rules we follow to recruit, hire, dismiss, discipline, and promote, compensate, etc.

- o 360 Evaluations for leaders/managers/supervisors issued by the Human Rights Commission, by department to all Black employees at the City and County of San Francisco.

- o Monitoring of racialized use of TEX/PEX, and Appointed Acting positions (which are typically used to advantage and advance White and non-Black staff across the City, in high-level management positions) – as well as direct appointment, contracting out of city jobs

- o Alleviate deidentification resolution and implement a rule that prohibits skipping over Black people who rank #1, #2, #3; and/or passed over to hire non-Black staff. Ensure higher department head approval in cases where this happens.

- o Roll-Out 360-Degree Racial Competencies Leadership Surveys for Managers who manage Black and Brown employees; twice per year – along with 2-hour feedback debriefing sessions to hear from employees. Tie end of year MEA M CCP recommendations to departmental Racial Equity Action Plan outcomes and 360-degree feedback from employees.

Reinstatement of Black employees who have lost their jobs or moved on due to racial discrimination, harassment, and retaliation.

Thank you,

Shawna Sherman

Acting manager, African American Center

Co-chair, SFPL Racial Equity Committee

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
12/11/18 @ 8:10pm
g
Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

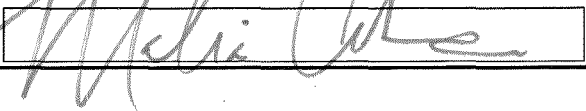
Cohen, Ronen

Subject:

Advancement of Racial Equity in the City and County Programs, Policies and Services

The text is listed:

Resolution Affirming the Board of Supervisors' Commitment to Advancing Racial Equity and Affirming the City and County of San Francisco's Responsibility to Address Existing Inequities in City Programs, Policies and Services.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only