

BOARD of SUPERVISORS



City Hall
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MEMORANDUM

TO: Carol Isen, Acting Director, Department of Human Resources
Sheryl Evans Davis, Director, Human Rights Commission

FROM: John Carroll, Assistant Clerk, Government Audit and Oversight
Committee, Board of Supervisors

DATE: November 4, 2020

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Walton on October 27, 2020:

File No. 201230

Resolution urging the Equal Employment Opportunity at the Department of Human Resources to collaborate with the Office of Racial Equity at the Human Rights Commission on investigating Equal Employment Opportunity Complaints.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Office of Chair Mar
Office of Supervisor Walton
Mawuli Tugbenyoh, Department of Human Resources

1 [Urging the Equal Employment Opportunity Office to Collaborate with the Office of Racial
2 Equity on Investigating Equal Employment Opportunity Complaints]

3 **Resolution urging the Equal Employment Opportunity at the Department of Human**
4 **Resources to collaborate with the Office of Racial Equity at the Human Rights**
5 **Commission on investigating Equal Employment Opportunity Complaints.**
6

7 WHEREAS, On September 18, 2020, San Francisco City leaders including Mayor
8 London N. Breed and the Board of Supervisors received an email from Director Micki
9 Callahan of the Department of Human Resources; and

10 WHEREAS, Director Callahan listed accusations pertaining to forgery, fraud, and
11 corruption through the Equal Employment Opportunity (EEO) office committed by a former
12 Department of Human Resources manager who unexpectedly resigned; and

13 WHEREAS, The accusations included lying to a Black City and County of San
14 Francisco employee about the status of their case, deleting reports from the EEO database of
15 cases, forging an unauthorized settlement agreement from the City, and falsifying official
16 communications to the employee; and

17 WHEREAS, Because of the action of the former EEO manager, the employee
18 dismissed their pending lawsuit against the City regarding their EEO complaint; and

19 WHEREAS, These fraudulent actions were committed without oversight or
20 accountability from the administration of the Department of Human Resources; and

21 WHEREAS, City and County of San Francisco employees, particularly employees of
22 color, have complained about the state of the Department of Human Resources and its
23 leadership for years; and
24
25

1 WHEREAS, Many of these complaints about the Department of Human Resources lack
2 of proper investigation into EEO complaints were raised before a “rogue employee” committed
3 their fraudulent actions; and

4 WHEREAS, The Black Employee Alliance and Coalition Against Anti-Blackness have
5 raised these concerns of a poorly ran Department of Human Resources for years; and

6 WHEREAS, These actions from the Equal Employment Opportunity office overseen by
7 the Department of Human Resources are unacceptable and should not reflect the values of
8 the City and County of San Francisco; and

9 WHEREAS, The San Francisco Board of Supervisors established the Office of Racial
10 Equality in July 2019 as a Division of the San Francisco Human Rights Commission to
11 address the City’s growing racial disparities as a means to address the history of structural
12 and institutional racism in San Francisco’s delivery of services to the public and its own
13 internal practices and systems; and

14 WHEREAS, The Office of Racial Equity has been tasked to enact a citywide Racial
15 Equity Framework, to direct Departments of the City and County of San Francisco to develop
16 and implement mandated Racial Equity Action Plans, and to analyze the disparate impacts of
17 pending ordinances, as well as various other policy and reporting functions; and

18 WHEREAS, The Office of Racial Equity has also been tasked to provide capacity-
19 building and technical assistance to city departments to advance racial equity strategies; and

20 WHEREAS, City departments are required to report annually to the Office of Racial
21 Equity about the demographics of their workforce by race on compensation, hires,
22 promotions, disciplinary actions, complaints made, and whether the complaints were
23 investigated; now, therefore, be it

1 RESOLVED, That the San Francisco Board of Supervisors denounces the fraudulent
2 actions committed by the Equal Employment Opportunity office through the Department of
3 Human Resources; and, be it

4 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the Equal
5 Employment Opportunity office and the Department of Human Resources to implement an
6 option for City and County of San Francisco employees to share their EEO complaint with the
7 Office of Racial Equity and the Human Rights Commission; and, be it

8 FURTHER RESOLVED, That the Equal Employment Opportunity office will collaborate
9 with the Office of Racial Equity on investigating Equal Employment Opportunity complaints if
10 an employee provides consent; and, be it

11 FURTHER RESOLVED, That the Equal Employment Opportunity office will report data
12 on how many EEO complaints were filed as well as the demographics of the EEO complaints
13 withholding personal information to the Office of Racial Equity and the Board of Supervisors
14 quarterly; and, be it

15 FURTHER RESOLVED, That the San Francisco Board of Supervisors are reviewing
16 potential oversight measures for the Equal Employment Opportunity office and the
17 Department of Human Resources to prevent fraudulent and corruption incidences from
18 occurring again.

Introduction Form

By a Member of the Board of Supervisors or Mayor

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):

Walton, Peskin, Yee, Fewer

Subject:

Urging the Equal Employment Opportunity Office to Collaborate with the Office of Racial Equity on Investigating Equal Employment Opportunity Complaints

The text is listed:

Resolution urging the Equal Employment Opportunity at the Department of Human Resources to collaborate with the Office of Racial Equity at the Human Rights Commission on investigating Equal Employment Opportunity Complaints.

Signature of Sponsoring Supervisor: /s/ Shamann Walton

For Clerk's Use Only