City of Richmond  
Human Rights and  
Human Relations Commission  
MEETING AGENDA

Jasmine Jones, Chair  
Joyce Harris, Vice Chair  
Rock Brown, Commissioner  
Betty Burrus-Wright, PhD, Commissioner  
Courtney Cummings, Commissioner  
Vivien Feyer, Commissioner  
Carole Johnson, Commissioner  
Demetria Saunders, Commissioner  
Kathleen Sullivan, Commissioner

Monday, March 24, 2014 at 6:30 pm  
City Council Chambers, Community Services Building  
1st Floor, Civic Center Plaza, Richmond, CA 94804

A. CALL TO ORDER

B. ROLL CALL

C. AGENDA REVIEW

At the discretion of the Chair, items on the Agenda may be heard in an order different from that which appears on the Agenda.

D. MEETING PROCEDURES

Members of the public attending a Human Rights and Human Relations Commission meeting for the first time are encouraged to read the "Meeting Procedures" information following the Agenda. Anyone who wishes to address the Commission during OPEN FORUM or on a specific item must file a Speaker's Form with staff.

E. OPEN FORUM #1

Members of the public are invited to address the Commission on topics that are not on the Agenda. Please note: In order to accommodate all members of the public who wish to speak, including those who are unable to arrive early in the meeting, the Commission will hold a second OPEN FORUM at approximately 8:30 PM. Please file only one OPEN FORUM Speaker's Form with staff, indicating either "OPEN FORUM #1" or "OPEN FORUM #2".

F. APPROVAL OF MINUTES

None
G. CITY COUNCIL LIAISON REPORT
The City Council member serving as liaison to the Commission may make a report on City Council actions of interest to the Commission.

H. COMMISSIONERS’ REPORTS

I. CHAIR’S REPORT

J. STAFF REPORTS

K. DISCUSSION ITEMS
The Commission may take direct action, make recommendations to the City Council or provide direction to staff.

K.1 COMMITTEE REPORT: EDUCATION AND OUTREACH COMMITTEE (10 MINUTES)
HEAR REFLECTIONS FROM PAST EVENT
Commissioner Burrus-Wright, Commissioner Brown and Vice Chair Harris

K.2 COMMITTEE REPORT: WORKPLACE BULLYING (15 MINUTES)
HEAR UPDATE ON RESOLUTION TO RECOMMEND AMENDING RICHMOND’S POLICY AGAINST WORKPLACE HARASSMENT TO A) SPECIFY TIME FRAMES FOR INITIATING AND CONCLUDING INVESTIGATIONS, AND B) PROVIDE FOR NOTIFICATION TO ALL INVOLVED PARTIES
Commissioner Feyer, Commissioner Sullivan, and Commissioner Harris

K.3 RICHMOND PERSONNEL BOARD (10 MINUTES)
HEAR UPDATE ON PERSONNEL BOARD ACTIVITY, REVIEW WORKPLACE BULLYING POLICY, AND CONSIDER FURTHER RECOMMENDATIONS
Commissioner Feyer and Commissioner Sullivan

K.4 SHOWCASING RICHMOND CALIFORNIA: A HUMAN RIGHTS CITY (10 MINUTES)
DISCUSS WAYS TO INCREASE RECOGNITION AT THE STATE LEVEL AND DISCUSS CITY RECOGNITION AND HOW TO GET IN THE CITY MANAGER’S REPORT
Commissioner Burrus-Wright and Commissioner Feyer

K.5 DEPICTION OF HARMFUL POLICE PROBATION SEARCH PRACTICES (10 MINUTES)
HEAR ABOUT HARMFUL POLICE INTERACTIONS WITH YOUTH
Commissioner Sullivan

K.6 NELSON MANDELA DAY (10 MINUTES)
DISCUSS THE CITY RECOGNIZING NELSON MANDELA DAY AND MAKE RECOMMENDATIONS
Commissioner Johnson

K.7 RECRUITMENT OF APPLICANTS FOR COMMISSION SEATS (10 MINUTES)
HEAR AND DISCUSS RECOMMENDATIONS FOR RECRUITING APPLICANTS AND REAPPOINTING COMMISSIONERS
Chairperson Jones and Commissioner Burrus-Wright

L. REPORTS
None.
M. OPEN FORUM #2  (At approximately 8:30 P.M.)

N. COMMISSION BUSINESS
   A.  CALL FOR AGENDA ITEMS
   B.  FOR THE GOOD OF THE COMMISSION

O. ADJOURNMENT
   The next regular meeting of the City of Richmond Human Rights and Human Relations
   Commission is scheduled for Monday, April 28, 2014 at 6:30 p.m. in City Council Chambers.

P. MEETING PROCEDURES

   Speaker Registration
   Anyone who wishes to address the Human Rights and Human Relations Commission
   (HRHRC) on a topic that is not on the Agenda and is relevant to the Commission’s
   purpose may speak once in either of the two OPEN FORUM sessions, but not both.
   Please file a Speaker Form with staff PRIOR to the announcement of that section of
   OPEN FORUM.

   Persons wishing to speak on a particular Item on the Agenda must file a Speaker’s
   Form with the staff PRIOR to the Commission’s consideration of the Item. Once
   discussion on the Agenda Item begins, only those persons who have previously
   submitted Speaker’s Forms will be permitted to speak on the Item.

   Time Limits
   Individual public speakers shall have a maximum of two (2) minutes to address the
   Commission.
   If all Agenda Items are not completed by 9:30 pm, the Items remaining shall be
   continued to the next Regular Meeting, unless the Commission votes to extend the
   meeting.

   Cell Phones
   Please silence all cell phones, pagers, and other electronic devices during the
   meeting.

   Persons with disabilities, who require auxiliary aids or services in using City facilities, services
   or programs, or who would like information on the City’s compliance with the Americans with
   Disabilities Act (ADA) of 1990 may contact (510) 620-6509 for assistance.
K. 1

COMMITTEE REPORT: EDUCATION AND OUTREACH COMMITTEE (10 MINUTES)
HEAR REFLECTIONS FROM PAST EVENT
Commissioner Burrus-Wright, Commissioner Brown and Vice Chair Harris

Attachments

1.1 – 2nd Annual Artistically Write and Speak Aloud Program—March 17, 2014
Artistically Write and Speak Aloud

Education Committee Presents
2nd Annual Program
Monday, March 17, 2014 at 6:30 pm
City Council Chambers, Community Services Building
1st Floor, Civic Center Plaza, Richmond, CA 94804

Jasmine Jones, Chair
Joyce Harris, Vice Chair
Rock Brown, Commissioner
Betty Burrus-Wright, PhD, Commissioner
Courtney Cummings, Commissioner

Vivien Feyer, Commissioner
Carole Johnson, Commissioner
Demetria Saunders, Commissioner
Kathleen Sullivan, Commissioner

WELCOME
Jasmine Jones
Chair, Human Rights and Human Relations Commission

OPENING REMARKS
Dr. Betty Burrus-Wright
Chair, HRHRC Education Committee

INTRODUCTION AND SEATING OF STUDENT COUNCILS

PLEDGE OF ALLEGIANCE
De Lari Jones, Stege Elementary School Student

PERFORMANCE
Song: The Man in the Mirror, Cesar Chavez Elementary Students

PRESENTATION OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR)

PRESENTATION BY CESAR CHAVEZ ELEMENTARY STUDENTS
Principal Jeannette Ramirez
Teachers Williams and Dr. Peters

PRESENTATION BY STEGE ELEMENTARY STUDENTS
Principal Pamela Booker
Teacher Robert Mayer

PRESENTATION BY RIVERSIDE STUDENTS
Principal Marcos Garcia
Teacher Gary Watson

PRESENTATION OF CERTIFICATES AND UDHR BOOKLETS
Vice-Mayor Jovanka Beckles
Chairperson Jasmine Jones

THANK YOU – ADJOURNMENT
K. 3

RICHMOND PERSONNEL BOARD (10 MINUTES)
HEAR UPDATE ON PERSONNEL BOARD ACTIVITY, REVIEW WORKPLACE
BULLYING POLICY, AND CONSIDER FURTHER RECOMMENDATIONS
Commissioner Feyer and Commissioner Sullivan

Attachments

3.1 – PG February 27, 2014 Agenda
3.2 – Policy Prohibiting Workplace Bullying
HUMAN RESOURCES MANAGEMENT DEPARTMENT
PERSONNEL BOARD

REGULAR MEETING
Thursday, February 27, 2014
5:00 p.m.
@ 450 Civic Center Plaza – City Council Chambers

AGENDA
Chair: Elaine Merriweather
Vice Chair: David Brown

Personnel Board Members
Yvonne Nair
McKinley Williams
Vicki Winston

1. ROLL CALL

2. STATEMENT OF CONFLICT OF INTEREST

3. APPROVAL OF MINUTES
   a. Regular Meeting of September 26, 2013
   b. Regular Meeting of October 27, 2013
   c. Regular Meeting of December 19, 2013

4. PUBLIC COMMENT

5. NEW BUSINESS
   a. Discuss establishing a procedure for Personnel Board Members to receive grievance materials in advance of the hearing - Board Member Brown
   b. Discuss additional Brown Act training for Personnel Board Members - Board Member Nair
   c. Discuss Human Resources Department policies and procedures for City employee annual performance evaluations, disciplinary action (progressive discipline), supervisory training, criteria for promotions - Board Member Nair
   d. Discuss fair hearings for City employees including conflicts of interest inherent in current organization of Human Resources Director/Personnel Board Secretary, City Attorney’s Office advising Personnel Board, procedure for communication of grievance hearing requests to Personnel Board members and ex parte communications (substantive v. non-substantive) – Board Member Nair

NOTE: Copies of items to be distributed from the Public to the Personnel Board must also include two (2) copies; one (1) for the Secretary to the Board and one (1) for Board Counsel.

COMMUNICATION ACCESS INFORMATION This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact Bruce Soublet, ADA Coordinator at (510) 620-6509 at least three business days before the meeting date.
5. **NEW BUSINESS (continued)**
   e. Discuss Local 21 grievance hearing and the next steps – Board Member Nair
   f. Discuss data on Police Department Internal Affairs investigations based on anonymous allegations – Board Member Nair

6. **UNFINISHED BUSINESS**
   a. Discuss Potential Action to Amend Procedures and Protocols to Provide for a Second Public Comment Period
   b. Consider next steps regarding Local 21 grievance appeal

7. **CONSIDERATION OF PROBLEMS AND REPORT**

8. **ADJOURNMENT**

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CITY OF RICHMOND
POLICY PROHIBITING WORKPLACE BULLYING

I. PURPOSE

To establish a policy that prohibits bullying in the workplace and to implement procedures for preventing, reporting, and responding to such prohibited conduct.

II. SCOPE

This Policy applies to City of Richmond employees, contractors, volunteers, and anyone else conducting business on behalf of the City.

III. POLICY

The City of Richmond ("City") is dedicated to providing a healthy workplace culture where its employees, contractors, and other persons conducting business with the City are in an environment free of bullying behavior. It is the unequivocal policy of the City that any bullying of another person is unacceptable and will not be tolerated in the workplace. The City will respond quickly and firmly to any such prohibited conduct. Any violation of this Policy will result in disciplinary action, up to and including termination.

A. Definition of workplace: Anywhere a City employee is conducting authorized City business; all City-owned buildings, properties, garages, and parking facilities; and any work space occupied by City employees, whether or not the space is owned or leased by the City.

B. Definition of bullying: Unreasonable behavior that generally is persistent, and that demeans, intimidates and humiliates one or more individual. Such conduct can also occur via use of electronic or telephone communications, such as the internet, email, blogs, text messages, or misuse of cameras and/or recording equipment. Additionally, bullying can involve physical acts and includes, but is not limited to, pushing, shoving, kicking, poking, and tripping.

C. Examples of bullying: Slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as the butt of jokes; verbal assault; making non-verbal threatening gestures; unwarranted or invalid criticism; public reprimands; trivializing of work and achievements (ignoring contributions); silent treatment; being given tasks with unreasonable, impossible or constantly changing objectives or deadlines; denying access to necessary information, training or resources; making up arbitrary rules that only apply to a particular person; blame without factual justification; being sworn at; belittling or disregarding opinions or suggestions; encouraging others to turn against a targeted employee; and intentionally socially or physically excluding or disregarding a person in work-related activities.
D. **What is not bullying:** Simple rudeness, incivility, differences of opinion, interpersonal conflicts, routine exercise of acceptable managerial prerogative, constructive criticism, workplace counseling, or "tough" or "demanding" superiors; professional dissention between two equally-powered individuals who simply disagree over intellectual ideas.

IV. **REPORTING**

It is the responsibility and duty of each and every employee to report anything he or she has heard, read, or seen regarding the occurrence of any action believed to be a form of bullying pursuant to this Policy. The City strongly urges the prompt reporting of complaints or concerns of actual or perceived incidents of bullying so that rapid and constructive action can be taken. Employees should not wait until a situation becomes severe or pervasive or impairs their work performance before reporting any prohibited conduct.

Employees are required to report any prohibited conduct in the workplace pursuant to this Policy to their supervisor, Division Manager or Department Head, the City’s Human Resources Personnel Officer, or the City Attorney’s Office. Employees should not feel obligated to report their complaints or concerns to their immediate supervisor first before bringing the matter to the attention of one of the other aforementioned representatives.

No employee shall be retaliated against for making a report pursuant to this Policy. Any employees found to have engaged in such retaliatory conduct will be subject to disciplinary action, up to and including termination.

V. **RESPONSE AND INVESTIGATION**

Upon receipt of a report of a potential violation of this Policy, the Human Resources Department shall immediately undertake or direct an investigation into the allegations at issue. The investigation will typically include, but not be limited to, interviews with the reporting individual, the accused, and any other individuals who are believed to have relevant knowledge concerning the allegations. All witnesses will be reminded to maintain the confidentiality of the content of their interviews and admonished that retaliations against those who participate in the investigation process is prohibited.

Any employee determined to have violated this Policy will be subject to appropriate disciplinary action, up to and including termination. Disciplinary action may also be taken against any manager or supervisor who condones or ignores a potential violation of this Policy or otherwise fails to take appropriate action to enforce this Policy.

VI. **DISSEMINATION OF POLICY**

All officers, directors, employees, contractors and volunteers shall receive a copy of this Policy when they are hired or commence volunteering. This Policy may be updated from time to time and redistributed.