

CITY OF RICHMOND, CA
HUMAN RESOURCES MANAGEMENT DEPARTMENT

**PERSONNEL BOARD
REGULAR MEETING**

**CITY COUNCIL CHAMBERS
440 CIVIC CENTER PLAZA
RICHMOND, CA 94804**

**JANUARY 30, 2014
MINUTES**

The regular meeting was called to order by Chair Merriweather at 5:05 p.m. on January 30, 2014.

Present: Elaine Merriweather, Chairperson
David Brown, Vice Chairperson
McKinley Williams, Board Member
Yvonne Nair, Board Member
Vicki Winston, Board Member

McLaughlin, Gayle Mayor/Personnel Board Liaison

Absent: None

2. APPROVAL OF MINUTES:

- a. Regular Meeting of September 26, 2013**
- b. Regular Meeting of October 27, 2013**
- c. Regular Meeting of December 19, 2013**

SPEAKERS:

Sam Casas: stated his displeasure with the minutes and the lack of public comment that represents the voice of the citizens and employees of the City of Richmond.

Vivien Feyer: expressed her concern on the lack of public comment in the minutes, meetings not being held on a monthly basis and meetings being held in a space without public accessibility.

Action:

- Look into having minutes transcribed by outside entity and cost
- Minutes should be somewhere between verbatim and action minutes without public comment
- Minutes to be placed on next agenda

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3. PUBLIC COMMENT

SPEAKERS:

Roseanne Ryken: currently the Personnel Board has a chance to make a change in how things work by creating evaluation forms. If something isn't working, evaluate it and have a discussion with Lisa, Lisa's boss or anyone willing to listen.

Donna Rayon: urges the Personnel Board to look into the corruption of the Code Enforcement Unit where she was wrongfully discharged. Ms. Rayon states how her rights, the City Charter, the rights of other employees, and the Personnel Rules have been violated.

Jacqueline McBride: read prayer "Crying out to God."

Vivien Feyer: stated her belief that there was not anything inappropriate about Stan Fleury's statements during the public comment period at the HRHRC public meeting about being vulnerable to bullying and possible discrimination against someone with a disability. Ms. Feyer urges that the charge be dropped.

Steve Seltzer: introduces himself as being with UPWA and Stop Workplace Bullying. He expressed being appalled at the way the City of Richmond spends money (thorough meeting minutes vs. pursuing grievance hearings, etc.). He views the grievance as retaliation due to his (Stan's) speaking up for Stacie Plummer. There is a serious problem with financial malfeasance, corruption, political retaliation, and bullying in the City of Richmond. The charge against Stan Fleury should be rejected.

Marilyn Langlois: stated that instead of penalizing an employee, it should be dealt with in a positive manner through educating the employee versus spending thousands of dollars pursuing discipline.

Janie Anchor: expressed her shock at the discipline of hard working employees. No one should be losing their job for speaking out but should be thanked for speaking out when wrong is done. Leslie Knight was able to wrongfully spend the tax payers' money but others are punished – this is a double-standard.

Raymond Dryer: requested that the Bullying Policy be approved. The previous speakers' comments are a testament to the need for a Bullying Policy. Mr. Dryer stated that the City of Richmond should have an Ethics Committee where people can come to speak about the injustices being committed in the City of Richmond.

Tarnel Abbott: former employee after 22 years and retired early for many reasons but one factor was that her supervisor was and remains a bully. She is a bully to both employees and public. Stan is being targeted and made an example of in order to bully the entire City of Richmond employee base. Human Resources Department only supports management and would like to see a clause in the policy allowing for union representation.

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Deborah Bonet: introduced herself as a current Library Assistant and urged the acceptance of the Bullying Policy. In 2010, she was reassigned and to date has not been given any work, met with management, or received an evaluation. She filed a grievance three years ago that progressed to the City Manager last year, over six months, and no meeting has been scheduled.

Dr. Derek Kerr: explained how he was a whistleblower and met with retaliation. He won a first amendment lawsuit. The HRHRC is a safe place for people to speak their truths. Stan Fleury expressed his concern about a City Attorney who he (Stan) believed was a victim of bullying and ventured to express why he (City Attorney) might be the victim of bullying. Dr. Kerr expressed his hope that the Personnel Board will protect Stan Fleury's First Amendment rights.

Sam Casas: The expense of minutes is nothing compared to what the City spends on lawyers. Mr. Casas expressed his concern that the City continues to have an Interim Human Resources Director. When is the City going to hire a permanent HR Director? The Interim HR Director is also Personnel Board secretary and HR Personnel Director that is many "hats to wear." Mr. Casas requested that the Board review whether the documents in the grievance came to the Board as outlined in the City of Charter.

Kathleen Sullivan: expressed her concern about the minutes and the need for those not able to attend to be able to follow what is happening by having access to the minutes. There are a lot of people watching what happens and this is an opportunity to transform the City of Richmond in a positive direction. Ms. Sullivan encouraged the Board to listen to the City of Richmond employees.

4. COMMUNICATIONS:

a. Approval to Establish the New Classification of Crime Scene Technician (Police Department)

Action:

- Vice Chair Brown made a motion to approve the New Classification of Crime scene Technician; Board Member Nair seconded the motion. Item was approved by the following vote: AYES: E. Merriweather, D. Brown, W. McKinley, Y. Nair, V. Winston. NOES: None.

5. UNFINISHED BUSINESS:

a. Discuss and Approve Workplace Bullying Policy

SPEAKERS:

Marilyn Langlois: stated that the City needs a strong anti-bullying policy. Ms. Langlois encouraged passing the Bullying Policy. There are many incidents of bullying of City of

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Richmond employees especially in the Library that is a public service department. Once passed, training on the Bullying Policy is necessary.

Sam Casas: informed the Board that the bargaining unions need to review the Bullying Policy before passage. Mr. Casas encouraged the Board to review the policies and when were they approved by the bargaining union. The grievance is an example of bullying as stated in the Bullying Policy. Were the policies the City refers to in the grievance approved? Where is the progressive discipline of Stan Fleury?

Otheree Christian: introduced himself as the President of the NAACP Richmond Chapter. Bullying is happening across the country. Mr. Christian encouraged the Board to make the right decision.

Viven Feyer: states her approval of this policy. Ms. Feyer also suggested including on the agenda where public comment is appropriate.

Charles Smith: former EBMUD employee and union steward expressed his approval of the Bullying Policy. Mr. Smith stated that what appears to be retaliation against Stan Fleury and as a Chief Stewart (Stan), the hearing is a direct attack against the union.

Roseanne Ryken: spoke about a recent event where the City Manager addressed those present at a quarterly union meeting and a Human Resources appreciation day with a positive speech on community building. The same amount of energy spent on the positive needs to be spent on the negative.

Stacey Wilborn: stated that she has been an employee of the City of Richmond for 23 years. The current Executive Management style is the use of intimidation and humiliation. There will not be any changes unless the Bullying Policy is passed.

Chysandra Nair: supports an anti-bullying policy because workplace bullying is prevalent here. We are told that such complaints are frivolous unless we are of a protected class or can prove the bullying. Direct supervisors will state one is no longer a part of the team when bullying is reported. Bullying is dehumanizing and demoralizing to the employees. Ms. Nair stated that the policy gives hope to the employee that they can fight against bullying.

Action:

- Vice Chair Brown motioned to have Workplace Bullying Policy placed on next agenda – no second
- Board Member Winston motioned to approve the Workplace Bullying Policy; Board Member Nair seconded the motion. Item was approved by the following vote: AYES: E. Merriweather, W. McKinley, Y. Nair, V. Winston. NOES: D. Brown

b. Discuss Potential Action to Amend Procedures and Protocols to Provide for a Second Public Comment Period

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SPEAKERS:

- None

Action:

- Board Member Winston motioned to schedule the Second Public Comment Period discussion to the next meeting; Vice Chair Brown seconded the motion. It was agreed to reschedule by the following vote: AYES: E. Merriweather, D. Brown, W. McKinley, Y. Nair, V. Winston. NOES: None.

6. CONSIDERATION OF PROBLEMS AND REPORTS:

- a. Grievance Appeal Hearing – Local 21**

7. REPORTS OF BOARD MEMBERS:

8. ADJOURNMENT

Regular Meeting adjourned at 6:25 p.m. in order to begin grievance hearing

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