

1. ROLL CALL AND GREETING OF VISITORS

The meeting was called to order by Vice Chair Kay Kirkland at 3:36 p.m.

Commissioners Present: Vice Chair Kay Kirkland, Billy DeBerry, Maria Castillo, Joe Watson, Josie Duque, Louann Raras and Eric Lauritzen.

Commissioners Absent: Nancy Valdez, Freda Escobar, Fabian Barrera and Jayanti Addleman.

Guests and Staff Present: Equal Opportunity Officer Irma Ramirez-Bough, Associate Equal Opportunity Analyst Sonje Dayries, Equal Opportunity Specialist-Confidential Michelle Gomez, Administrative Secretary-Confidential Elisa Cantu, Deputy County Counsel William Litt, Interim Human Resources Director Izetta Birch, Associate Personnel Analyst Brett Neal, Associate Personnel Analyst Ariana Viveros, Principal Personnel Analyst Kim Moore and Associate Personnel Analyst Rosanne Rubino.

2. PUBLIC COMMENTS

None.

3. REVIEW AND APPROVAL OF MINUTES

Commissioner DeBerry made a motion to approve the minutes of the March 21, 2012 and May 16, 2012 seconded by Commissioner Castillo; motion carried.

4. DEPARTMENT HEAD PRESENTATION – ERIC LAURITZEN, OFFICE OF THE AGRICULTURAL COMMISSIONER

Agricultural Commissioner Eric Lauritzen, who is also a Commissioner on the Equal Opportunity Advisory Commission presented his department's EO Plan. Mr. Lauritzen has been the Agricultural Commissioner since 1998. Mr. Lauritzen stated that it is his goal to hire the most qualified employees and at the same time effectively impact the diversity of his staff to meet the goals and spirit of the Monterey Plan. His department is comprised of 70 employees, of which 34 are males and 36 females; 31 White, 2 African American, 30 Hispanic, 1 Asian, 3 American Indian/Alaskan Native and 3 Filipino. Mr. Lauritzen stated that they have met the goals in all job groups, except for Group 1, which is a single position class. Mr. Lauritzen stated one of the challenges they face is in the recruitment where the position requires a degree and/or license. To this end, they have implemented a 3% incentive pay for Deputy licenses. They also provide the tools and training necessary to improve departmental culture, embrace diversity, and enhance the skills of their staff to increase the likelihood of promotion and career growth. Mr. Lauritzen stated that he has exceeded the goals in one of the job groups; they currently have 100% minorities. Mr. Lauritzen asked for the Commission's opinion on this.

Commissioner DeBerry commended Mr. Lauritzen for his informative power point presentation. Commissioner DeBerry stated he had no problem with him exceeding the goals, as long as those employees were given an opportunity for advancement. Commissioner DeBerry also suggested acronyms be spelled out, e.g. DFEH, Department of Fair Employment and Housing. In addition, Commissioner DeBerry also asked if the Agricultural Commissioner conducted "exit interviews"; he replied that he did. Commissioner Castillo stated she concurred with Commissioner DeBerry's comments. However, expressed concern that most minorities are in the lower positions. She indicated that departments should promote minority employees to higher level positions. Commissioner Duque asked whether "bilingual" constituted

another language besides Spanish. Mr. Lauritzen replied that because of the business they have, bilingual Spanish is the most valuable to them.

The Commission thanked Mr. Lauritzen for his presentation.

5. EQUAL OPPORTUNITY OFFICER IRMA RAMIREZ-BOUGH - MONTEREY PLAN UPDATE

Ms. Ramirez-Boughs reported that NAACP has submitted their feedback; and she has shared that with the Standing Committee. She has met with various community groups and they have assured her they will be providing feedback.

6. DEPARTMENT REVIEW OF THE MONTEREY COMPLIANCE COMMITTEE

Due to the absence of both Chair and Vice Chair of the Committee, Ms. Ramirez- Bough reported that the Committee met on June 13, 2012. The Committee reviewed the following EO Plans: Auditor-Controller, County Counsel, Emergency Communications, Natividad Medical Center, Parks and Probation Department.

The Committee, after reviewing all of the Plans, made the following suggestions: Emergency Communications and Natividad Medical Center will be invited to appear before the Commission in October and November, respectively. The Committee recommends that Staff invite a guest speaker to address the recruitment of African Americans.

Commissioner DeBerry made the following recommendation for the EO Plans, he would like the title page to have the department head's signature, the time frame covered in the Plan and the department's Policy.

7. REPORT ON ETHICS TRAINING

Ms. Ramirez-Bough reported that all Commissioners present, and staff have completed their Ethics training, except for those Commissioners on leave. Commissioner DeBerry asked if Commissioners on leave had requested approval from the Commission. It is his understanding that Commissioners have to request leave of absence from the Commission and that they can be removed after three absences. Deputy County Counsel Bill Litt cautioned the Commission to exercise discretion, especially if a Commissioner is on medical leave. Ms. Ramirez-Bough stated this issue may have to be agendize for further discussion.

8. REPORT ON EMPLOYMENT OF SPOUSES AND RELATIVES

Interim Human Resources (HR) Director Izetta Birch went over the County's Policy (copy provided to Commissioners) which outlines the employment of spouses and relatives. Ms. Birch stated there is no universal law at the federal level that prohibits the hiring of relatives. Nepotism is not illegal, especially in small businesses.

Commissioner Kirkland asked if she knew how often the policy has been implemented. Ms. Kim Moore, Principal Personnel Analyst stated that HR has no way of tracking that information. Commissioner DeBerry said nepotism is not the only thing that he hears out in the community "friends", "favoritism" is also a big concern; people hiring their friends and promoting them to higher positions when they are ready to retire. Commissioner Lauritzen stated that "favoritism" is something that can be looked into, people can file a complaint. Commissioner DeBerry did not understand why Elected Officials can not hire their relatives and yet the Supervisors, who are also elected officials, can allow the appointing

authority to hire relatives. Ms. Moore stated that the Board is not doing the actual hire; but the appointing authority are the ones making the decision to hire in their department. Commissioner Castillo asked if once HR is centralized, would it be easier to track the statistics. Ms. Moore stated it would be at the department level, as not all applicants indicate they have relatives working for the County.

The Chair thanked Ms. Birch and her staff for taking the time to come before the Commission.

9. FUTURE AGENDA ITEMS

EO Plan presentation

Appoint Ad Hoc Committee to revise Bylaws

Invite Mike Derr, Purchasing Officer for Contracts and Purchasing

Invite Yvonne Walker, Principal Administrative Analyst Learning Organization Development
Work on Annual Report for 2012

Invite speaker to address the recruitment of African Americans.

The Vice Chair directed staff to prepare a list of potential speakers and bring it to the Commission.

10. ANNOUNCEMENTS AND EVENTS

Commissioner Watson announced the Blues Festival at the Monterey County Fairgrounds happening this weekend.

11. DATE AND TIME OF NEXT MEETING

July 18, 2012

12. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned.

At the regularly scheduled July 18, 2012 meeting, on motion that was seconded and passed, these minutes were amended as follows:

No. 4. second paragraph, line 4 to include Equal Employment Opportunity Commission (EEOC) and Equal Opportunity Office (EOO);

No. 7. line 4 which make reference to leave of absence, Commissioner DeBerry cited the following sections of the Bylaws regarding leave of absences. He would like this to be included in the minutes.

5. 2)i. Absences due to vacation, family emergencies, personal illness, and out of town work-related events, will be considered an "excused absence" provided the County Equal Opportunity Office was notified at least 24 hours in advance of such absence and the excused absences do not total more than three (3) in a calendar year. Article V d. The Commission may, for good cause, grant leaves of absence for a reasonable period to its members. Request for leaves of absence must be presented to the Commission Chairperson in writing. That Commissioners should request a leave of absence if the excused absences total 3 or more a year.

Commissioner DeBerry on the Employment of Spouses or Relatives – Nepotism What I was referring to in this area is the County Policies B.15 Employment of Spouses or Relatives. It says here that B.15.1 Elected Official – Spouse or Relatives "A County elected officials shall

not employ his/her father, mother, brother, sister, spouse, or child, or the spouse of such relative within the department of such officer”; but the next B.15.2 Appointed Official – Spouse or Relatives says “appointing officials could do that.”

My concern is that it seems to me to be unusual, but I know it must be correct because we have another County Personnel Policies and Practices Resolution 98-394 that gives them the right to do that if they follow the procedures. I wanted to make sure all that is included.

No. 8., second paragraph, third line

Another concern, the question was asked by Ms. Kirkland how often has this policy been implemented. The reply was that H R has no way of tracking that information..... I would find that if there is a policy and practices that say you have to do it in a certain way and the supervisor approves it, there has to be a record of that.