



CITY OF MARINA
 211 Hillcrest Avenue
 Marina, CA 93933
 831-884-1278; FAX 831-384-9148
www.cityofmarina.org

July 22, 2020

Honorable Stephanie E. Hulsey
 Judge of the Superior Court
 County of Monterey
 240 Church Street
 Salinas, California 93901

Re: 2019-2020 Monterey County Civil Grand Jury Final Report – “Sexual Harassment Prevention #Training Compliance”

RECEIVED

JUL 24 2020

SALINAS-CRIMINAL

Dear Judge Hulsey:

This letter is written in response to the 2019-2020 Monterey County Civil Grand Jury Final Report – “Sexual Harassment Prevention #Training Compliance”. As per the report dated June 24, 2020, this letter shall serve as the response to that Report pursuant to Penal Code section 933.05. The responses contained in this correspondence were approved by the City of Marina City Council at their regular meeting of July 21, 2020.

The City of Marina recognizes the importance of addressing the issue of workplace harassment and the importance of sexual harassment prevention training as one mechanism to help supervisors recognize and prevent harassment in the workplace. As noted in the Report summary, while the City of Marina stood out as one of three jurisdictions to achieve AB 1825 training compliance at 80% or above, we have areas that we can improve in our compliance and have already instituted some of these changes.

As requested by the Monterey County Civil Grand Jury, the City of Marina respectfully submits the following responses to Findings F19 – F23 and Recommendations R10 – 13.

Findings

Finding 19: Marina has implemented a streamlined, effective training year tracking system for AB 1825 training for supervisory employees in its general management group.

The City Council agrees with the finding. The City has implemented the required training program.

Finding 20: The city did not address an alternate online training source for new and promoted supervisors during 2018, which may have resulted in two late trainings.

The City Council agrees with the finding. In 2018, TargetSolutions went offline to update their materials and this break in online training may have impacted two employees who had scheduled training due in 2018. The city did not have a backup training system in place.

Finding 21: A high-ranking official is the only supervisory employee with no record of training for 2017 or 2019 and is assumed to have failed to complete required AB 1825 training.

The City Council agrees with the finding. When it was discovered that this high-ranking official did not have a record of training for 2017 and 2019, it was immediately addressed, and the training was completed in March 2020.

Finding 22: The city's written, stand-alone harassment policy needs updating, because it is missing certain language governing protected classes required by the California Department of Fair Employment and Housing's 2 CCR §11023 regulations, and it does not contain a reference to AB 1825 supervisor training mandated under 2 CCR §11024 regulations.

The City Council agrees with the finding. The City will update its harassment policy as required by the California Department of Fair Employment and Housing and AB 1825.

Finding 23: Revision of the city's Personnel Policy Manual is extremely overdue.

The City Council agrees with the finding. While the City Personnel Policy Manual has had updates over the years, a major comprehensive update is overdue. The City is in the process of this major update and is also considering moving towards an Administrative Policy Handbook that provides for easier and more timely updating of policies.

Recommendations

Recommendation 10: Marina should employ a back-up online training provider in the event of a future hiatus in the TargetSolutions training program. This recommendation should be implemented no later than 6 months after this report is published.

This recommendation has not yet been implemented but will be implemented before December 1, 2020. The City is currently researching options and proposals for a back-up online training provider and will have this back-up provider selected and in place prior to December 1, 2020.

Recommendation 11: Department heads should be models to other supervisory employees on the importance of respect in the workplace. Therefore, by September 30, 2020, the one city official who did not train in 2017 and 2019 should complete online AB 1825 training in 2020, 2021, and subsequent odd years.

This recommendation has been implemented by the City of Marina. When it was discovered that this high-ranking official did not have a record of the required training, the individual was immediately notified, and the training was completed in March 2020. The training will be scheduled to be completed again in 2021 and in subsequent odd years as required by AB 1825. The Human Resource Division will provide updates to the City Manager of all Department Heads, the Assistant City Manager and the City Manager AB 1825 compliance requirements, and will notify the City Manager prior to when the training needs to be completed, so that measures can be taken to ensure the training is completed timely.

Recommendation 12: The city should update its written, stand-alone, “Policy Against Sexual Harassment,” and its associated Acknowledgement of Receipt form, with 90 days of the publication of this report.

This recommendation has not yet been implemented, but the City will have this policy updated by September 1, 2020. The City contracts with Liebert Cassidy Whitmore for employment related services and training. The City will have Liebert Cassidy Whitmore update its stand-alone “Policy Against Sexual Harassment” and its associated Acknowledgement of Receipt form prior to September 1, 2020.

Recommendation 13: The city should revise its Personnel Policy Manual so that it reflects the mandated training requirements outlined in 2 CCR §11024. This recommendation should be completed no later than 12 months after this report is published.

This recommendation has not yet been implemented but will be implemented prior to April 1, 2021. The City contracts with Liebert Cassidy Whitmore for employment related services and training. An initial draft update of the Personnel Policy Manual has already been completed. The City needs to continue working with Liebert Cassidy Whitmore to complete revisions to the Personnel Policy Manual and meet and confer with its bargaining groups and have the revisions approved prior to April 1, 2021. The City is also considering implementing an Administrative Policy Manual that provides for easier and more timely updating of policies.

We hope that this information addresses the Monterey County Civil Grand Jury findings and recommendations. Please contact City Manager Layne Long at (831) 884-1224 or llong@cityofmarina.org if you have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink that reads "Bruce Delgado". The signature is fluid and cursive, with the first name "Bruce" being the most prominent part.

Bruce Delgado, Mayor
City of Marina