

# Council Business Meeting

February 15, 2022

<b>Agenda Item</b>	Report to City Council by the Social Equity and Racial Justice Commission	
<b>From</b>	Ann Seltzer	Staff Liaison SERJ Commission
<b>Contact</b>	<a href="mailto:ann.seltzer@ashland.or.us">ann.seltzer@ashland.or.us</a> , 541-552-2004	

## **SUMMARY**

In June 2021, the City Council formed the Social Equity and Racial Justice Commission and approved the Workplan Guidance for the commission. The workplan lists several tasks and requests the commission provide a six-month report to the City Council on its progress.

## **POLICIES, PLANS & GOALS SUPPORTED**

AMC 2.20 codifies the creation of the Social Equity and Racial Justice Commission. The purpose of the commission is to provide recommendations and support to the Council and City Manager and education to the community on policies, measures, and practices to foster racial and social equity and respectful intergroup relations.

## **PREVIOUS COUNCIL ACTION**

The City Council adopted Ordinance 3197 on May 4, 2021; an Ordinance Creating the Social Equity and Racial Justice Commission. On June 1, 2021, the City Council approved appointments to the Social Equity and Racial Justice Commission and on June 15, the City Council approved the Workplan Guidance for the Commission.

## **BACKGROUND AND ADDITIONAL INFORMATION**

The Commission met for the first time in July 2021 with the Interim City Attorney and the City Recorder to learn about public meeting law and public records requirements. The staff liaison to the commission was hired in August and held the second meeting with the commission in September. At that meeting the commission reviewed the ordinance and the Workplan to determine which tasks to begin to work on. The commission formed two sub committees related to those tasks. The group met again in October and agreed upon a regular meeting date of the first Thursday of each month at 5:00 p.m. They did not meet in November due to lack of a quorum. At their December meeting they elected co-chairs, Emily Simon and Anyania Muse who will jointly present the attached report.

## **FISCAL IMPACTS**

A budget has not been provided for this work.

## **STAFF RECOMMENDATION**

Staff recommends the Council approve the report as presented.

**ACTIONS, OPTIONS & POTENTIAL MOTIONS**

I move to approve the six-month report of the Social Equity and Racial justice Commission as presented.

**REFERENCES & ATTACHMENTS**

Report to City Council is attached.

[Click here to read more about the SERJ Commission](#) and [click here to read the minutes of prior meetings](#).

\*\*\*\*\*

**February 15, 2022 Report to the Mayor and City Council**

To: Mayor and City Council

From: Emily Simon and Anyania Muse, Co-Chairs of the Social Equity and Racial Justice Commission.

**I) INTRODUCTION**

Good evening, Mayor and Council. Thank you for the invitation to report on the Social Equity and Racial Justice Commission, or SERJ as we call it. The formation of SERJ was approved by Ordinance 3197 and adopted by the City Council on May 4, 2021

We are pleased that the City Council created SERJ and we are honored to serve on it. Creating SERJ, as well as the other actions of this and prior City Councils, is a courageous step towards beginning to dismantle the racist infrastructure in Ashland. As the numerous racial “incidents” in Ashland, culminating in the murder of Aidan Ellison shows, this work is critical to the safety and security of all residents and visitors to Ashland. We look forward to working together with you to help you fulfill your vision of creating real and substantive change in our small city.

The SERJ commission was established, amongst other purposes, to provide recommendations and support to the City Council regarding policies, measures, and practices to foster racial and social equity and respectful intergroup relations. We are a commission of ten people with varying degrees of experience in the work of diversity, equity, and inclusion. Many of us work full or part time. We all share a common passion about the importance of social equity and racial justice in Ashland and in the nation. Our regular monthly meeting is on the first Thursday of the month at 5 pm, and of course, you are welcome to attend at any time.

**II) FOCUS AREAS**

The ordinance creating SERJ was written very broadly. As we set out to do our work, we decided to focus our efforts in the following specific areas:

- *Racial Equity Issues within the City of Ashland*
- *Contact with Community Partners*
- *Collaborative Conciliatory Services*

## Racial Equity Issues Within the City of Ashland.

Task A listed in the duties and responsibilities of the SERJ states:

“To serve as an advisory body to the City Manager and City Council with the same authority as other City commissions to define problems in city policies or governance, and specify remedies, ...upon City Manager or city council

This item is further underscored in item number three of the Workplan Guidance for Social Equity and Racial Justice adopted by the City Council in June 2021 which states:

“Review and provide feedback on the City’s efforts to integrate the values of diversity, equity, and inclusion into its human resources policies and procedures and to provide training on these issues, as well as cultural competence and implicit bias for the council and staff.”

### **1) Ashland Needs a DEI Manager**

As the commission set out to tackle this task, we quickly determined that we did not know how or if a racial equity lens was being applied in city policies and practices, both internally within the city and in City Staff’s external work with the public.

We submitted a list of questions and received responses from Human Resource Director Tina Gray. That document is attached to this report. We learned that the only significant DEI policy is Blind Applications, which is a huge accomplishment and giant step forward. We also learned that despite the best efforts and intentions to integrate the values of diversity, equity, and inclusion into its human resource policies the City of Ashland is failing, not for lack of interest and commitment, but because of inadequate resources. The Human Resource Department used its entire annual training budget of \$3,500 to provide one four-hour training period to employees on racial equity. We are certainly not questioning the appropriateness or validity of this expenditure. Although the training was a good first step, (and received great reviews) it is important to recognize that a one-time training does not equal true Diversity, Equity and Inclusion. We view this as evidence that the HR Department does not have adequate resources, (either personnel or funding) to institute a meaningful, comprehensive DEI program. Such a program includes training, developing, amending and implementing policies and procedures which apply a true equity lens to the city of Ashland’s work and relationship with its employees and fellow citizens.

We are a group of volunteers and could not possibly devote the adequate time to fully educate the city on the appropriate policies needed and the implementation of those policies, nor do we have the expertise to do so. It is clear to us that a person who is trained in DEI is needed to guide the city in all phases of this work: from recognizing racial bias, to trainings and policies countering such bias. A full time DEI manager with adequate staff support is needed to implement policies and procedures in the event of an internal or external racial bias complaint.

In short, we have come to the conclusion that a full time DEI manager with adequate staff support must be hired as soon as possible by the City of Ashland to work in a hands-on capacity to deal with all of these issues. Without such a position, we believe that neither our commission nor the City of Ashland's commitment to racial justice and social equity can succeed.

Our preliminary research indicates that several Oregon cities, including Gresham, Hillsboro, Wilsonville, and others have added a DEI manager, either as a stand-alone position or within their Human Resources Department. We believe that the budget requirement for this position is \$150,000 which includes a salary of \$80,000- 100,000 plus benefits and a training budget.

While we understand that funding is a major concern for all city programs, if in fact this issue is important to the city, we also believe that there is a way to fund the position now. We look forward to working closely with city staff to develop the job description of the position, the needed qualifications, and the issues that we think the City needs to consider in creating this position. We hope that we are given the opportunity to work with the City Manager and Council in developing this position and bringing it to a reality.

***Recommendation:***

*Acting in our capacity as an advisory body to the City Manager and City Council, we recommend the City of Ashland create and fund a full-time manager position with adequate staff support, to be filled by a person with the specific skills and experience needed to guide the City in diversity, equity, and inclusion.*

**2) Culturally Competent Calendars**

Shortly after the Commission began, we learned that the City of Ashland did not maintain a culturally competent calendar nor train employees in the importance of not scheduling meetings on religious or culturally sensitive holidays. We believe that employees who schedule meetings and supervise employees should gain awareness of all cultural holidays to better understand and interact with staff, commission members and the public by using a culturally competent calendar. After multiple discussions of this issue with our staff person Ann Seltzer, we are pleased to report that she was instrumental in coming up with a solution to the problem that did not involve an increase in the budget or new paper calendars. Human Resources informed staff how to add religious holidays to their desktop Outlook calendars. We have been told that the IT Director is exploring how to integrate those religious holidays into the master Outlook calendar. We believe that this is an item that the city should accomplish now, and there is no reason to delay this simple change in the city procedures.

***Recommendation:***

*Acting in our capacity as an advisory body to the City Manager and City Council, we recommend the City Council direct the City Manager to ensure that a calendar which includes all the religious holidays be integrated into the master Outlook calendar as used by all city staff.*

**Contact with Community Partners**

Multiple sections of the *SERJ* Ordinance and the Workplan reference coordinating or working with community organizations or partners. Members of our counterpart commission with the City of Medford and members of

the Interfaith Social Justice Coalition attended our meeting on February 3. Other groups, individuals and representatives of organizations will be invited to attend future meetings as opportunities arise. At this point, we are in the information gathering stage and are not working with any particular group or organization.

We believe that we must first get “our own house in order”. The City of Ashland must set the example and underscore that our elected officials are committed to diversity, inclusion and racial justice and provide adequate resources that support that commitment.

### Collaborative Conciliatory Services

Letter H of the ordinance provides:

“An individual may approach the commission regarding a specific instance of prejudice, discrimination, or racism. If there is a mutual agreement from all parties involved in the incident, then the Commission shall arrange for impartial, nonbinding, collaborative conciliatory services that do not conflict with the functions of any other government body.”

We formed a subcommittee to identify collaborative conciliatory service organizations that might be appropriate. We were in the process of vetting the individual services to determine costs, availability, experience etc. However, we realized that we could not go further without specific guidance from the city regarding the conciliatory services and what it would mean to the participants.

We have several questions for the City: How will the conciliatory service be paid? What is the process to engage a service in the context of public contracting requirements? How can SERJ provide a safe, welcoming, and private environment for an aggrieved individual and engage in conciliatory services in the very public realm of State public meeting law and public records requirements? Until these questions are answered by the city attorney, city manager, and/or the DEI manager, we have put this work on hold.

Once we understand the answers to the questions noted above, we recommend that SERJ engage a conciliatory service to work with the City to develop a system that can be implemented and is equitable to all aggrieved parties. This system should then interface with the DEI manager.

Once again, we look forward to working with the city so that we can continue this important work.

### **Recommendation:**

*Acting in our capacity as an advisory body to the City Manager and City council, we recommend SERJ, working with city staff, engage a conciliatory service to develop and implement an equitable system that interfaces with the DEI manager.*

### III) CONCLUSION

Before we close, I would like to recognize our staff person Ann Seltzer, council member Gina DuQuenne, and Human Resource Director Tina Gray, for the invaluable assistance they have given to the commission since we began our work.

We would like to thank you in advance for your careful consideration of our primary recommendation tonight: which is to create a DEI manager position. We are eager to move forward and await your direction and guidance on this very important decision.

Thank you again for the honor of serving on this commission and the opportunity to speak with you tonight. We applaud you for having the courage to form this commission and your commitment to racial equity and social justice. We look forward to the hard work ahead and collaborating with you on the many other tasks in the SERJ ordinance and the resolution which proceeded it.

\*\*\*\*\*

SERJ Commission Meeting, October 7 4:00 p.m.

**Questions from SERJ to Tina Gray and Gary Milliman**

1. Please clarify all demographic data for City of Ashland employees over the last 5 years.

*The City does not track demographic data. We have a voluntary question in our application process which we use for mandatory EEOC reporting. Otherwise, we do not have any metrics about employee demographics. Employees are hired based on their talents, skills, and abilities.*

*Note: The City has experienced a much higher than average turnover from 2019-present due to retirements, layoffs, and resignations, so our employee demographics are rapidly changing.*

2. Please highlight and clarify any Social Justice/Racial Equity/ or other Equity initiatives within the City of Ashland. Who holds those initiatives, who is responsible for seeing them through, and how does the SERJ commission work to support those initiatives if at all?

*As an organization, we want to do more, and we need to do more to promote DEI. HR hopes to be a partner with SERJ. However, we have budget and resource limitations. We have been hindered in our progress by several emergencies and staffing changes. HR is two people for 250 employees, so we have been maxed out with COVID mask and vaccine issues at a time with limited staffing and remote work complexities.*

*The City was gaining momentum on creating an internal DEI Committee when COVID and the Alameda fire redirected staffing resources and priorities. We planned to conduct a confidential survey to determine how employees feel the City is doing to establish a baseline.*

*We have a DEI Statement for the City. When some of our key leadership positions are filled and in-person meetings resume, we will continue with our plans to kick off our internal committee. While HR has a primary role in attracting diverse talent, we all have equal responsibility for creating and maintaining an inclusive and positive work environment for all.*

3. Please clarify what constitutes work? In our last meeting there was a discussion that laid out the commission's inability to "to create or assign additional work to city employees" we're asking for clarification to ensure that we're staying within the guidelines. **Gary Milliman should answer this**
4. What sort of diversity training do the current City of Ashland employees have at this time?

*The City initiated Blind Applications, and that effort has taken significant work to implement and retrain hiring managers. Before serving on an interview panel for the City, we require that the panelists receive training (online) regarding the importance of diversity in hiring and recognizing and eliminating bias.*

*The City has had semi-annual harassment training provided by our Insurance Company, CIS. Their program also includes some training on diversity, cultural awareness, and removing bias.*

*We recently engaged with Common Ground Conversations on Race for a ½ day workshop for managers in the City. The training was fantastic and well received by the entire team. We would love to continue the training with Mike and Emily Green, but we do not have adequate funding.*

5. Who is receiving this training? (Staff and supervisors, or just one of the other?)

*A combination of both--with added emphasis on supervisory staff in a leadership role to establish or change the culture in their work environment.*

6. Who is giving the training? How often does it happen?

*The City lacks funds for training. We generally use a combination of free training through our insurance company, CIS, or our Risk Management Consultants. The \$3,500 recently spent with Common Ground Conversations on Race was the entire budget for the year for HR, Safety, and Risk Management.*

7. Has it been vetted by the BIPOC community? If so, when and where and how was that input that you received?

*Councilor DuQuenne connected us with Mike and Emily Green. Otherwise, the training we've been able to offer has been free, so we have not been in the position to vet it.*

8. Whatever happened to the walk a mile training that was proposed as part of the racial justice and social equity work plan resolution that preceded the formation of the commission?

*The "Walk a Mile in Their Shoes" training was a free offering from the City's insurance company, CIS. Unfortunately, they canceled the training on us twice due to scheduling conflicts on their end. Ultimately, they are revising the training based on feedback from other Cities, and the City of Ashland is on the list when it becomes available again—hopefully later this fall.*

9. Is the training different for different areas in the City? For example, does public works, vs. parks and recreation, have their own training and if so, who is responsible for seeing that it happens and what it contains?

*Some City Departments have been able to budget for training and may take on training initiatives separately. Police and Fire, for example, have maintained some funds for training where other departments have had to eliminate training during lean budget cycles. The City and Parks try to coordinate and maximize our resources as much as possible. Any training the City organizes includes Parks and vice versa.*

10. Is there a current mechanism for members of the public who feel that they have been treated differently, or have suffered a micro aggression by a City of Ashland official because of their race or other status to complain and if so, what is that mechanism and how is it communicated to the individual?

*To my knowledge, other than in a Police setting, we have not had any issues. In instances where police are involved, it is handled as an internal affairs investigation into the officer's conduct. Outside of the police department, any complaints regarding City employees would typically be directed to the City Administrator and/or Human Resources for resolution.*

11. What calendaring system are schedulers using to assure that they are culturally competent regarding scheduling dates that fall on religious holidays?

*The City has a list of paid holidays (Recognized Federal Holidays) that we observe, and City offices are closed on those holidays except for emergency services. We don't calendar or schedule differently for religious holidays. We would accommodate an employee who requested time off on any date that has special meaning for them.*

12. How are minority hires being supported so that they feel welcome, included, and valued?

*We treat all employees equally and work hard to make every new hire feel welcome, included, and valued.*

13. Is there a mechanism for a minority hire to raise issues regarding racism or other discrimination or microaggressions in their work environment to supervisors, and if so, what is it?

*We would hope that an employee would feel comfortable reporting any workplace issue to their direct supervisor. Still, our Workplace Fairness Policy directs them to Human Resources if they are uncomfortable talking with their supervisor.*



## The City's Statement on Diversity, Equity, and Inclusion:

~~*The City of Ashland is committed to equity, diversity, and inclusion. We acknowledge, celebrate, and support our differences across all spectrums, including but not limited to gender, age, race, ethnicity, disability, and sexuality. We strive to foster an environment of respect that encourages diversity in background, opinion, and perspectives. We will continue to look for new ways to further equity in our work and our community by continually challenging ourselves to do better at eliminating bias and making inclusion a top priority. Respect for one another is at the core of everything we do.*~~

### **REVISED EDI Statement with Collective Employee Edits:**

*The City of Ashland is committed to equity, diversity, and inclusion. We acknowledge, celebrate, and support our differences across all spectrums, including but not limited to gender identity and expression, sexual orientation, age, race, religion, ethnic origin, disability, or socioeconomic status. We will provide a work environment of respect that values diversity in background, opinions, and perspectives. We commit to furthering equity in our work and our community by continually challenging bias, eliminating structural racism, and actively recruiting and promoting a diverse workforce. We will take responsibility for making changes that will help others be successful. Respect for one another is at the core of everything we do.*