



Overview of Actions to Address Employee Concerns

Special Organization, Personnel & Technology
Committee
October 27, 2020
Item 6c

Ethics Office

EEO Complaint Process Evaluation

- Objectives to determine whether Metropolitan:
 1. Conducts periodic reviews of EEO policies and updates them as necessary
 2. Provides services required by policy to employees who file EEO-related complaints
 3. Ensures that all EEO-related complaints are evaluated and addressed
 4. Documents and safeguards information related to EEO complaints

EEO Complaint Process Evaluation

5. Files contain indicia of retaliation or that employees separated from MWD for reasons connected to their complaint
6. Employees who had settlement agreements signed non-disclosure/confidentiality agreements
7. Reports on the number and types of EEO-related complaints and investigations
8. Personnel who handle complaints have specialized training, certifications, or experience in EEO matters
9. Took measures to address the workplace conditions, whether or not there was a finding of a violation

Legal Staff

Climate Reviews in General

- Why?

- EEO specific policies and protocols and periodic trainings alone can be insufficient to address the complex and deep-seated roots of discrimination, harassment, retaliation and inequity in the workplace
- Each organization has its own culture, gaps, and needs
- A well-executed workplace climate review lays the foundation for a tailored response
- A climate review gives employees ownership over describing the workplace

Proposed Scope of Climate Review

- Conduct a targeted survey to explore the possibility of systemic discrimination, harassment and/or retaliation against women:
 - At MWD's Desert Facilities
 - Within MWD's Apprenticeship Program
 - For Women in Trades [Under Consideration]
 - Any other areas TBD

Steps for Proposed Climate Review

● Survey

- Develop survey questions with MWD input
- Prepare the survey for distribution to approximately 115-250 individuals [exact number TBD]
- Distribute survey, and collect and review responses
 - Survey answers will go directly to the outside firm; Metropolitan staff will not see any individual survey results
- Prepare survey report

Steps for Proposed Climate Review

● Witness Interviews

- Prepare for and conduct approximately 20 - 40 witness interviews [exact number TBD]
- Analyze and review relevant documents
- Prepare a detailed Climate Survey Report, including summary of survey responses, summary of witness statements, and key themes
- Issue Climate Survey Report [to be released publicly]
 - Transmitted climate report will not include identifying information regarding those who participated in interviews

Climate Survey Report

- Components:
 - Background Information
 - Initiation of Climate Assessment
 - Overview of Results
 - Questions and Response Data

Selection of Van Dermynen Maddux

- Signed agreement effective September 8, 2020
- Reasons for Agreement
 - To address allegations of systemic discrimination made in connection with prior EEO complaints lodged internally under MWD operating policies
 - To address public comments of systemic discrimination made before OPT and the Board
- Status of Agreement: Information gathering
- Next steps: Obtain consensus of stakeholders before authorizing moving forward with climate review survey

Van Dermyden Maddux's Qualifications

- Expertise: Highly experienced in conducting workplace climate surveys and in addressing complaints involving sexual misconduct, sexual harassment, gender claims, and race claims
- Neutrality: No prior relationship with Metropolitan
- Independence: Firm does not permit clients to make substantive edits to its findings

Van Dermyden Maddux's Qualifications

● Staff:

- Deborah Maddox – Senior Managing Partner
 - Certified investigator, workplace coaching, and conflict resolution training
- Tiangay Kemokai – Trusted Partner
 - Diversity, Equity and Inclusion consultant including DEI training and restorative remediation
- Mary Egan – Trusted Partner
 - Governance consultant providing organizations with advice and professional coaching to resolve complex challenges, build leadership, and improve organizational effectiveness
- Tess Nevarez – Associate Attorney
 - Certified investigator

