

Durham Human Relations Commission Report: Recommendations for Water Management Department

After months of discussion, review of documentation from the City and public input, the Human Relations Commission is concerned that racial disparities exist in the treatment, discipline, and promotion between black and white employees within the Water Management Department. We commend the City for the steps already implemented to address the issues raised. We recommend the following additional actions:

1. We recommend that the Water Management Department recruit and prepare internal candidates within the Water Management for supervisory positions within the Water Management Department. When supervisory or management positions become available within the Water Management Department, the Water Management Department should first open the position to Water Management internal candidates only, prior to searching externally. The Water Management Department should recruit and prepare internal candidates for supervisory positions using a combination of training techniques, including work release for professional development or credentialing, on-the-job experience and coaching from mentors and peers. It should also make a concerted effort to build interest in the supervisory roles, addressing the barriers that might prevent individuals from pursuing this career path. These efforts may encourage increased diversity within management. See Appendix 1.

2. The City Council should actively reach out to and encourage females to apply to and work in the Water Management Department. Appendix 2 from the January 2, 2015 Memo from R. Youngblood indicates that only 15% of the Water Management Department is female, and this is significantly less than the overall demographics of the city employee workforce which is 26%.

3. We recommend Racial Equity training for Water Department employees in management positions. We recommend there be accountability and performance measure developed and implemented to measure the effectiveness of the Racial Equity training. City Council shall work with the city manager to ensure the trainings took place, and require a data report of the demographics of the Water Management Department to be shared one year from receiving this report.

4. In addition to reviewing proposed disciplinary actions by the Water Management Department, we recommend that the Human Resources Department also review hiring and promotion decisions by the Water Management Department (including a review of the racial and gender make-up of the applicant pool). See Appendix 1.

5. We recommend that the City develop an Employee Forum. Twelve years ago, the town of Chapel Hill created an advisory committee to the Town Manager consisting of supervisory and non-supervisory employees elected by their peers. The purpose of this committee, known as the Employee Forum, is to 1) identify ways to recognize individual worth and uniqueness of each employee; 2) identify ways for the Town to value diversity; 3) identify ways for all employees to provide input to the Town administration and provide a forum for that communication; 4) encourage a sense of community among all Town

employees; and 5) assist in the communication of issues and activities affecting employees. The Forum meets monthly and has proportional representation from every department, and has issued policy statements on issues affecting employees.

We believe that the development of a similar Forum in Durham could encourage and provide increased and consistent channels of communication between the City administration and the employees of each department. We hope it would also provide employees with an avenue to report job-related concerns without fear of retaliation by raising it with their elected departmental representatives. We hope also that such a group could build community and relationships across Departments, and provide a constructive space to raise and address issues affecting employees. More information about Chapel Hill's Employee Forum can be found here: <http://townhall.townofchapelhill.org/eforum/Files/home/purpose.htm>.

6. We recommend that the City increase the scope and accessibility of its grievance policy. The current Durham City grievance policy has narrowed the actions that can be grieved from its prior policy to a smaller subset of disciplinary actions. The City does provide other channels to address allegations of discrimination and sexual harassment, but this involves a separate process making it more difficult for employees to navigate. In contrast, other local jurisdictions provide more streamlined procedures allowing for an employee to grieve discrimination, retaliation, harassment, and other concerns involving working conditions or practices all through one process.

Consolidating the complaint processes across areas within one document would make the process easier for employees. Past policies in Durham did this. Broadening the scope of the grievance policy to include other complaints, such as written reprimands and acts of harassment, will provide a more equitable process.

7. The City Council should examine the office of the City Manager's current ability to overturn the hearing officer's panel's recommendation arising from a grievance hearing and research best practices by other jurisdictions.

8. The City Council should examine the implementation of its drug testing policy, particularly the portion of the policy based on reasonable suspicion due to racial disparities.

9. We request that the Human Resources Department provide a report to the HRC on the status and outcomes of the steps that it noted it would take beginning in December 2014.

Appendix 1

There are currently: 5 White Crew Chiefs II and 7 Black Crew Chiefs II (one of whom is a floater and does not have a permanent crew), and one vacancy. This is quite disproportionate to the overall demographics of these employees:

	White Employees (13 Total)	Black Employees (69 Total)
Crew Chief II	5	7
Non-Crew Chief Employees	8	62

When looking at the years of experience between the White Crew Chiefs II and Black Employees, where a significant number of Black employees have more years of experience than the White Crew Chiefs II.

	Shortest Tenure	Longest Tenure
Tenure of White Crew Chiefs II	1 year, 3 months	7 year, 2 months
Tenure of Black Crew Chiefs II	4 years, 9 months	23 years, 2 months

% of Black Non-Crew Chief Employees with more tenure than Shortest Tenure White Crew Chief II	94%
% of Black Non-Crew Chief Employees with more tenure than Longest Tenure White Crew Chief II	48%

Appendix 2

Addendum G shows that in the Water Management Department, between 2008 and 2014, 35 Black Employees were terminated, versus 13 White employees.

Page 16 of the City's Nov. 17, 2014 PowerPoint, shows at least 5 Black employees terminated for infractions for which White employees received only a written reprimand or suspension.