



Human Resources and Ethics Office Roles in Addressing Complaints

Organization, Personnel and Technology Committee

Item 6b

March 8, 2021

Background

- Request for clarification from Board member on roles and responsibilities
 - Specifically with regards to employee investigations
 - Clarify Human Resources and Ethics Office roles during external review of Metropolitan's EEO processes

Human Resources Role

- Administers EEO Complaint Process per Operating Policy H-07
 - Respond to inquiries
 - Provide complaint forms and policy documents
 - Determine when an investigation is needed
 - Work with Legal to conduct investigation
 - Close out investigation once completed

Human Resources Role

- Responds to Outside Agency EEO Charges per Operating Policy H-07 and Administrative Code
 - Respond to complaints filed directly with U.S. Equal Employment Opportunity Commission or California Department of Fair Employment and Housing
 - Work with Legal to conduct internal investigation
 - Where possible, work with EEOC/DFEH and complainant to resolve the charge

Human Resources Role

- Administers potential Employee Misconduct per Memoranda of Understanding
 - Review accusations of misconduct
 - Investigate facts, which may include formal Administrative Investigation coordinated by Legal
 - Determine disciplinary action as appropriate

Human Resources Role

- Assesses Potential Threats of Violence, per Operating Policy H-04
 - Evaluate potential threats as they are reported
 - Take immediate actions to ensure employee safety
 - Convene ***Threat Assessment Team*** (HR, Legal, Security, and outside resources as needed)
 - Determine whether threat exists, and address as appropriate (may include disciplinary action)

Ethics Office Role

- Investigate Potential Violations of Metropolitan's Governmental Ethics Rules
 - Ethics Rules
 - Misuse of Authority, Retaliation (non-EEO), Conflicts of interest, Outside Employment, Nepotism, etc.
 - Law/Policies
 - Senate Bill 60, Administrative Code, Ethics Operating Policy H-03

Ethics Office Role

- Ethics Complaint Process
 - Determine if investigation is warranted/refer non-ethics allegations
 - Investigate alleged ethics violations
 - Determine whether a violation occurred
 - Refer findings
 - Employee violations
 - Director violations
 - External agencies

Ethics Office Role

- EEO Complaints
 - Director conduct may be reported to Ethics Office
 - Employee conduct may be reported to Ethics Office (mandatory reporting to HR or GC)
- Policies
 - EEO Operating Policy H-07
 - Sexual Harassment Operating Policy H-13
- Oversee Board-Directed External Review

