



# CITY OF HUNTINGTON BEACH

2000 MAIN STREET

HUMAN RESOURCES DEPARTMENT

CALIFORNIA 92648

September 19, 2013

Honorable Thomas J. Borris  
Presiding Judge of the Orange County Superior Court  
700 Civic Center Drive West  
Santa Ana, CA 92701

**Re: City of Huntington Beach Response to 2012-2013 Grand Jury Report  
*The Goal of Equal Employment Opportunity: No Victims***

Dear Judge Borris:

Thank you for the opportunity to respond to the Grand Jury report on this topic. The City of Huntington Beach fully supports the Grand Jury's position that employee harassment, discrimination and/or retaliation in any form is unacceptable.

In accordance with California Penal Code Sections 933 and 933.05, the City of Huntington Beach hereby provides its response to the Grand Jury's findings and recommendations as required.

## **Findings**

*Finding #1 (F1) -- Municipalities in Orange County Cities are well-versed in EEO issues and maintain exemplary compliance strategies.*

The City of Huntington Beach AGREES with this Grand Jury finding. As a member of the Orange County Human Resources Consortium, the City of Huntington Beach, along with all Orange County HRC member cities, recognizes the importance of relevant, practical, and compliant training with respect to EEO issues. Our individual agency initiatives, combined with regularly scheduled employee access to non-discrimination and harassment training is vital to this effort.

*Finding #2 (F2) - In an effort to improve Human Resource efficiencies and increase focus on EEO, the County has centralized its Human Resource function in the new HRSD.*

The City of Huntington Beach AGREES with this Grand Jury finding.

*Finding #3 (F3) – The County has implemented a Compliance Oversight Committee (COC) to review all EEO complaints in the County.*

The City of Huntington Beach AGREES with this Grand Jury finding.

*Finding #4 (F4) – Complaint ratios between OC cities and the County of Orange are similar; but differences in how previous complaints were handled in the County led to major problems.*

The City of Huntington Beach AGREES with this Grand Jury finding. Each employing agency can expect to experience EEO related complaints over time (based upon the number of staff and other factors). Therefore, each employing agency is responsible for its unique set of practices in responding to all complaints received.

*Finding #5 (F5) – The County and several cities do not offer, or provide limited training in harassment, discrimination, and retaliation, particularly for line staff. At this time, although line staff training is not required, all staff benefit from EEO training.*

The City of Huntington Beach AGREES with this Grand Jury finding. Smaller agencies with limited budgets and/or much smaller staffing levels may struggle to provide compliance beyond the AB 1825 mandate. However, there may be alternative future means by which agencies can provide cost-effective employee access at all levels – particularly with the increasing availability of online training.

*Finding #6 (F6) – There are several Risk Management Joint Powers Insurance Pools (of which most cities are members) to ensure adequate coverage and sharing of liability with other member entities.*

The City of Huntington Beach AGREES with this Grand Jury finding. Risk pooling is fundamental to prudent fiscal operations for municipal agencies of all sizes.

#### Recommendations

*Recommendation #1 (R1) – All OC cities and County government shall include funding for training of management and supervision as required by law and ensure training for all employees every two to three years.*

Recommendation Implemented. The City of Huntington Beach provides funding for AB 1825 compliance training. The City of Huntington Beach, through the Orange County Human Resources Consortium, and utilizing internal resources via the HB City Attorney's office, ensures that the City complies with the AB 1825 training mandate for managers and supervisors. Departments can alternatively provide additional training to all staff via training workshops offered online (LCW and NPELRA) as well as via the City's EAP provider, MHN. Training provided through these means are at low or no cost to departments/divisions, and all employees may attend.

*Recommendation #2 (R2) – OC cities shall review SIR aggregate limits every five years to assess changes in risk management economies and insurance pool mix.*

Recommendation Implemented. The City of Huntington Beach is a member of BICEP (Big Independent Cities Excess Pool) and annually assesses its current SIR and excess coverage limits.

*Recommendation #3 (R3) – OC Cities and the County of Orange government shall continue efforts to utilize best practices with respect to Harassment, Discrimination, and Retaliation.*

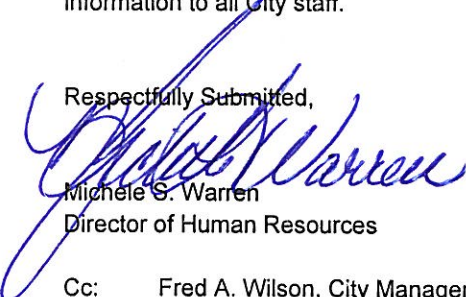
Recommendation Implemented. The City of Huntington Beach will continue its history of ensuring staff at all levels have access to multiple training and information opportunities regarding this topic. In calendar year 2013, there have been two live training opportunities and a third is available in November. Departments may access online training via webinars on the subject through regional and national organizations such as CSAC-EIA, DFEH and NPELRA. Moreover, HR staff, through attendance at various regional conferences such as PELRAC and CalPELRA, can obtain current training information on EEO related issues. All City staff may access resources and information online directly from EEOC and/or DFEH.

*Recommendation #4 (R4) – The OC Board of Supervisors shall continue to provide funding and resources sufficient to complete HRSD's centralization program.*

Recommendation will not be implemented. This recommendation is unique to Orange County operations and not the City of Huntington Beach.

Again, the City of Huntington Beach appreciates the opportunity to meet the Orange County Grand Jury's future expectations on this subject, and the City stands fully committed to improving the delivery of EEO related training and information to all City staff.

Respectfully Submitted,



Michele S. Warren  
Director of Human Resources

Cc: Fred A. Wilson, City Manager