



Hayward Personnel Commission Retreat 2023

AGENDA PACKET

Tuesday, November 7, 2023

4:00 - 7:00 p.m.

PLEASE ARRIVE BY 3:45pm

Hayward Library, Fremont Bank Foundation Room, 2nd floor

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1. Agenda

The meeting will follow the agenda below. You will notice that we have a lot to cover. In order to make the best of our time together, **please read this packet before the convening** and come prepared to engage in collaborative discussion and problem solving.

The **purpose** of the convening is to collaboratively clarify & reimagine the role of the Personnel Commission and to jointly craft solutions and paths forward that will make the PC work better for commissioners, staff, and the City of Hayward.

OPENING			AGENDA PACKET REFERENCE
	Suggested arrival time: 15 minutes early	3:45 - 4:00 pm	
1	Welcome, Agenda, & Container Setting <ul style="list-style-type: none"> • Call to order • CivicMakers welcome • Opening statements by Brittney Frye and Randy Wright • Meeting Agreements • Public Comments 	4:00 - 4:20 pm (20 mins)	2
LEVEL SETTING			
2	Reflection Discussion: Interview & Survey Findings	4:20 - 4:40pm (20 mins)	3, 4, A1, A2
3	Conversation: Paths Forward	4:40-5:00 (20 mins)	5, 6
LOOKING AHEAD			
4	ACTIVITY 1: Priority Topics for Future Engagement	5:00 - 5:20 p.m. (20 mins)	6
5	ACTIVITY 2: How to Engage on Priority Topics	5:20 - 5:50 pm (30 mins)	6, 7
6	BREAK [get dinner; eat during activity 3]	5:50-6:00 pm (10 mins)	
ROLES & NEXT STEPS			
7	ACTIVITY 3: The Work of Aligning Roles	6:00-6:30 pm (30 minutes)	8, 9, 10, A3
8	Next Steps Closing remarks	6:30-6:45 (15 mins)	
Pack up and leave the library by 7pm (closing time)			

2. Meeting Agreements

We will strive to create a healthy space for conversation, collaboration, and work together. Shared meeting agreements are an important tool for this.

At the meeting there will be space to comment on, and add to, this starting list:

- Be fully present
- Help make sure everyone is heard
- Listen actively and with an open mind
- Assume others have good intentions
- Communicate in good faith
- Pursue consensus
- Help us keep things on time

3. Key Takeaways: Commissioner Interviews

The following summarizes key takeaways from interviews with Personnel Commissioners to understand what is working and what could be improved with the current design of the Personnel Commission.

There is both alignment & misalignment between the City of Hayward's HR staff and members of the Personnel Commission (PC) in the following areas.

Areas of Alignment:

- Currently the commission is a “**rubber stamp**” for decisions that have already been made, which is ineffective and frustrating.
- Calling **special meetings** to gain “rubber stamp” approvals to move hiring processes forward is inefficient and unsatisfactory for all parties.
- Despite the ineffectiveness of the current state, the **relationship** between commissioners and Human Resources is overall mostly positive, with some tension.
- The role of the Personnel Commission is to **represent the public**, and work to continuously improve Hayward for the benefit of its residents.
- Both parties are open to **updating and improving procedures**, and are willing to follow updated procedures.
- Several staff members and commissioners (and their City Council representative) imagine a more productive and meaningful future for the Personnel Commission by giving it a clearer and more forward-thinking **advisory and advocacy role**.
- When commissioners have relevant HR experience, there is a desire for their **experience and knowledge** to be utilized.
- Everyone is receptive to (and in some cases grateful for) the **retreat planning** and information gathering process CivicMakers is facilitating.

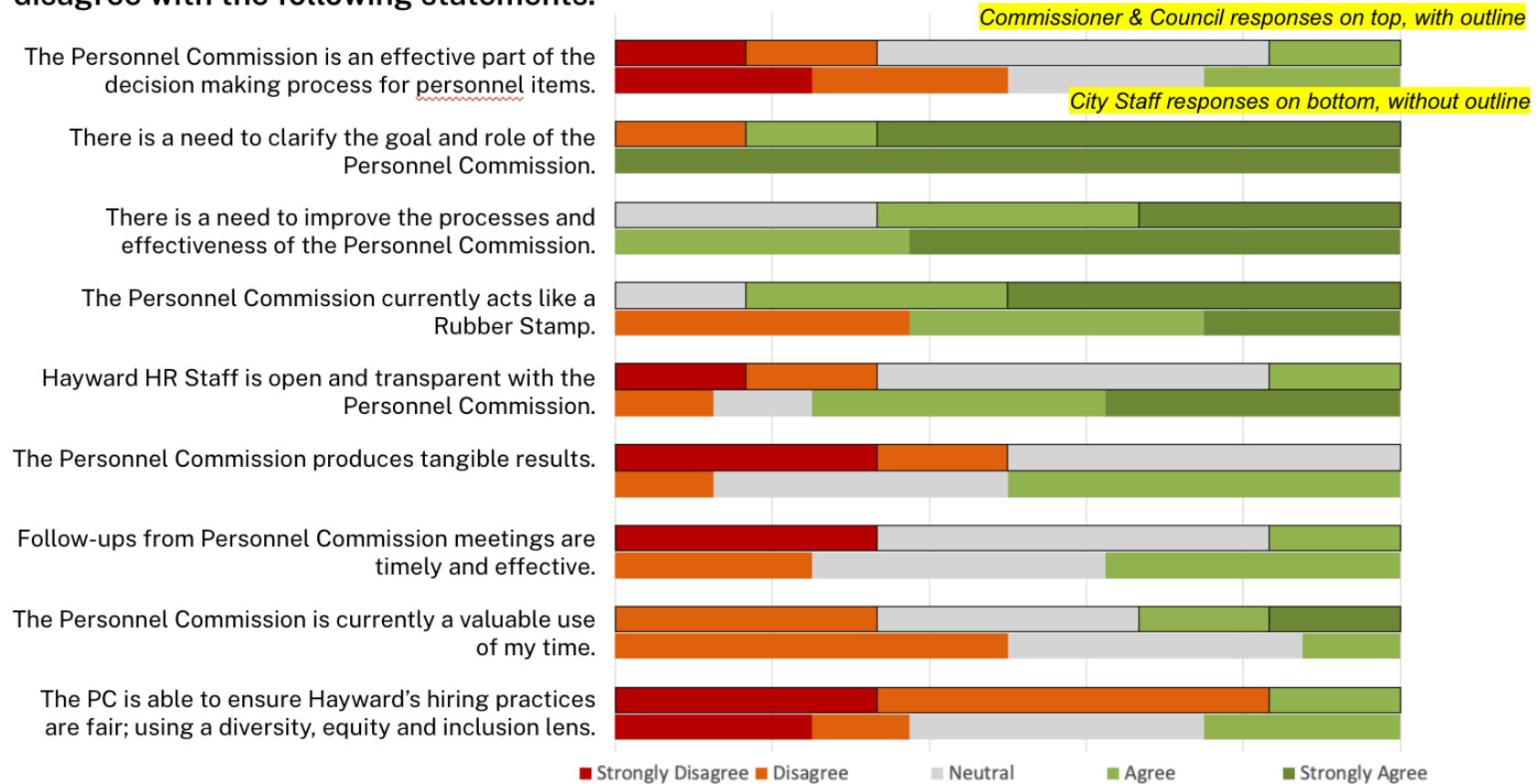
Areas of Misalignment

	Human Resources (HR)	Personnel Commission (PC)
<i>Diversity, Equity and Inclusion</i>	Does not see the Personnel Commission's primary role as being champions for Hayward's DEI goals.	Unanimously considers a key role of the PC to be advocating and monitoring for appropriate DEI hiring practices.
<i>Personnel Commission Meeting Administration & Communications</i>	Staff does a significant amount of work to prepare for PC meetings, and would like to get approvals quickly.	Human Resources is not always open/transparent, could do more to get input from Commissioners earlier in the process, and could follow-up with responses & data more proactively.
<i>Relevant knowledge and preparation of Personnel Commissioners.</i>	Most members of the PC do not have a background in HR and don't fully understand the recruitment process.	Commissioners are well informed and prepared, but undervalued by HR.
<i>Timing and impact of the Personnel Commission.</i>	<p>When the Personnel Commission speaks up and asks for changes, it often slows things down and can hinder HR's work.</p> <p>Engage the Commission once an approval is required and things are well baked.</p>	<p>Believe it's important to hold the city accountable for continuous improvement (DEI, hiring policy, retention).</p> <p>Sometimes wonder why they are in a Commission, when all decisions have been made, and if they vote no (e.g., for the salary plan), it will be overridden by City Council.</p>

4: Survey Results: Current State

4a. Sentiment based on Prompt Statements

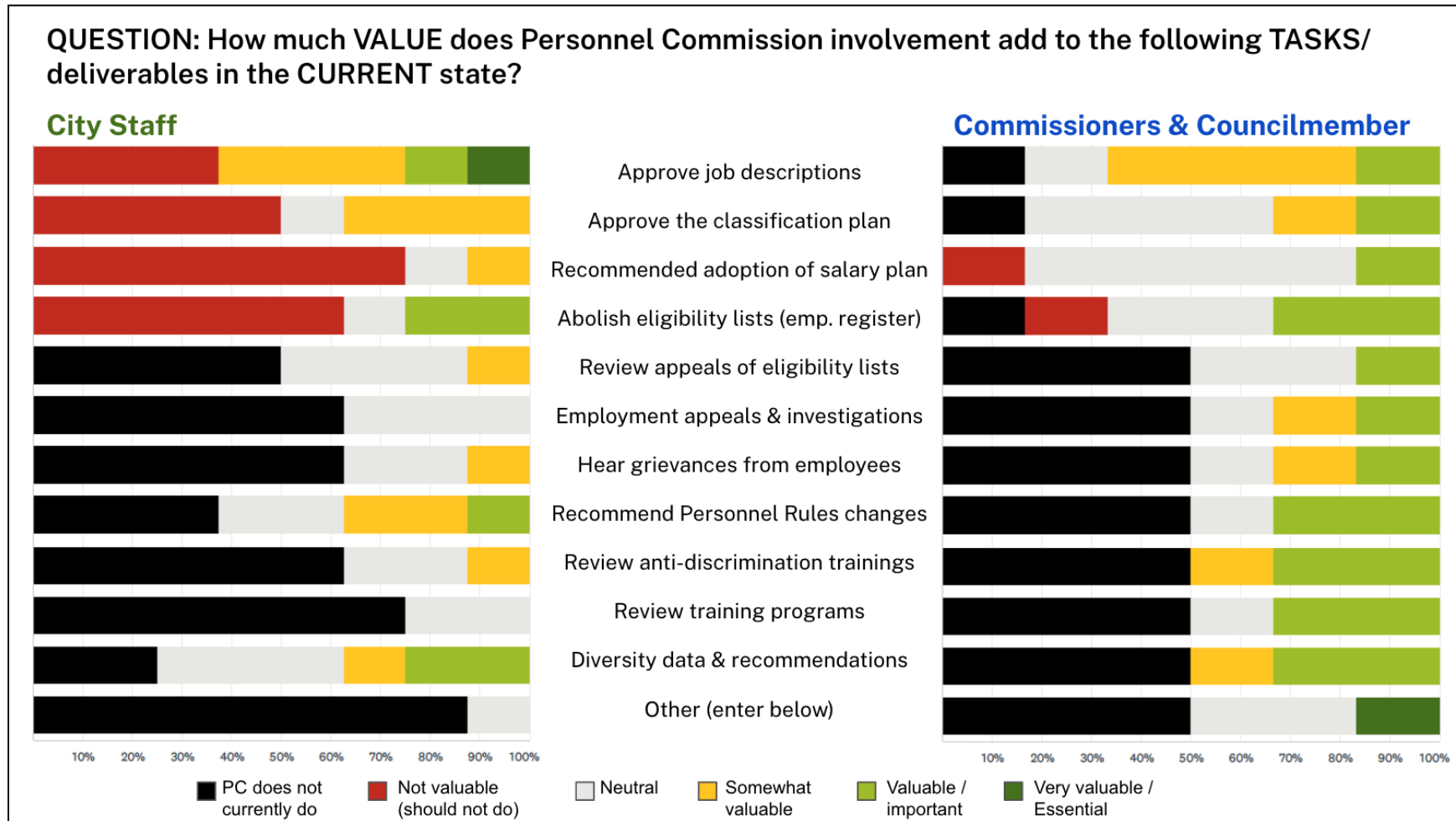
For the **CURRENT STATE** of the Personnel Commission, indicate the degree that you agree or disagree with the following statements:



Some takeaways from the sentiment chart above:

- All parties see more room for improvement in the current state of the Personnel Commission. The Commissioners & their City Council liaison express relatively more discontent than HR staff.
- **The statements with the most consensus** across Commissioners & Staff are:
 - MORE TRUE/ ACCURATE STATEMENTS:
 - “There is a need to improve the processes and effectiveness of the Personnel Commission.” *(100% agree, strongly agree, or are neutral)*
 - “There is a need to clarify the goal and role of the Personnel Commission.” *(most people strongly agree)*
 - “The Personnel Commission currently acts like a Rubber Stamp: by the time issues come before it, the work has been done and the decisions have been made.”
 - LESS TRUE/ ACCURATE STATEMENTS:
 - “The Personnel Commission in its current form is able to ensure Hayward’s hiring practices are fair and using a diversity, equity and inclusion lens.”
 - “The Personnel Commission is an effective part of the decision making process for personnel items.”
 - “Follow-ups from Personnel Commission meetings are timely and effective.”
- The statements with the **most disagreement or tension** in sentiment are:
 - “Hayward HR Staff is open and transparent with the Personnel Commission.”
 - Staff tends to agree with this
 - Commissioners tend to disagree or are neutral.
 - “The Personnel Commission produces tangible results”
 - Commissioners tends to disagree or be neutral
 - Staff tends to agree or be neutral

4b. Perception of Value of Tasks in Current State



OTHER/ FREE RESPONSE:

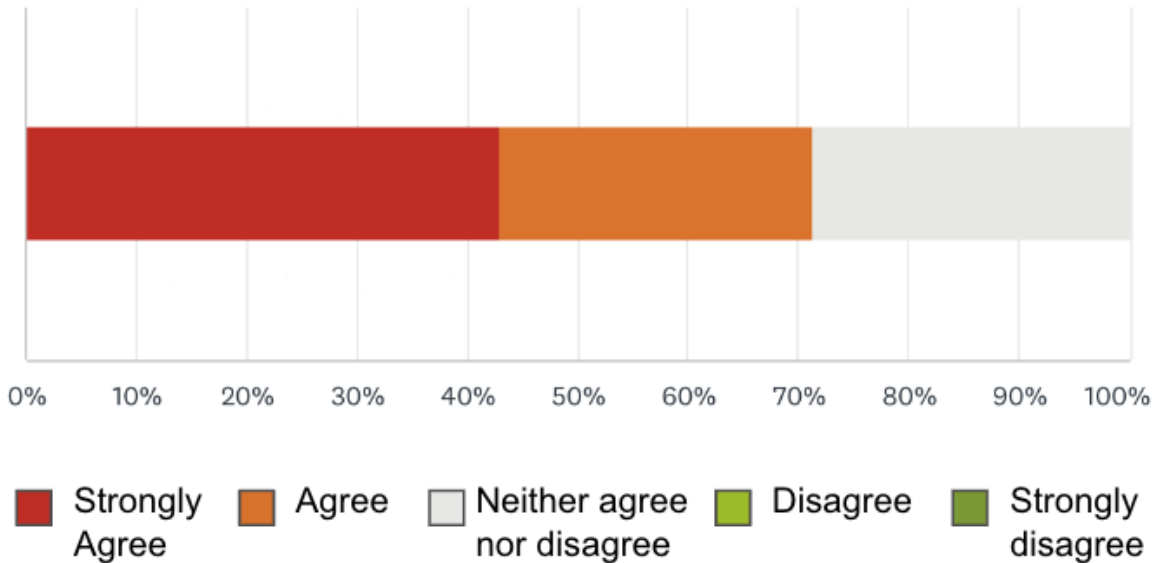
- + **(Very Valuable/ Essential)** Have the ability to have TOPICS added to future agendas

Key Takeaways: Some patterns to notice in the data about perceptions of current value:

- The Personnel Commission **does not do** more than half of its theoretical/ historical duties.
- Some in the Personnel Commission see its work as valuable across all of these deliverables, but none see it as “very valuable/essential.”
- A majority from City Staff selected “**Not Valuable (should not do)**” for the following:
 - Recommend Council adopt the salary plan
 - Abolish eligibility lists ("employment register")
- A significant portion of City Staff, but not a majority, selected “**Not Valuable (should not do)**” for the following:
 - Approve job descriptions
 - Approve the classification plan
- Some from City Staff could see value in the Personnel Commission:
 - Reviewing equal employment opportunity data and make recommendations to ensure diverse candidate pool
 - Recommending changes to Personnel Rules

4c. HR Staff specific Questions

QUESTION: As an HR staff member, the Personnel Commission is a barrier to getting our work done speedily and efficiently.

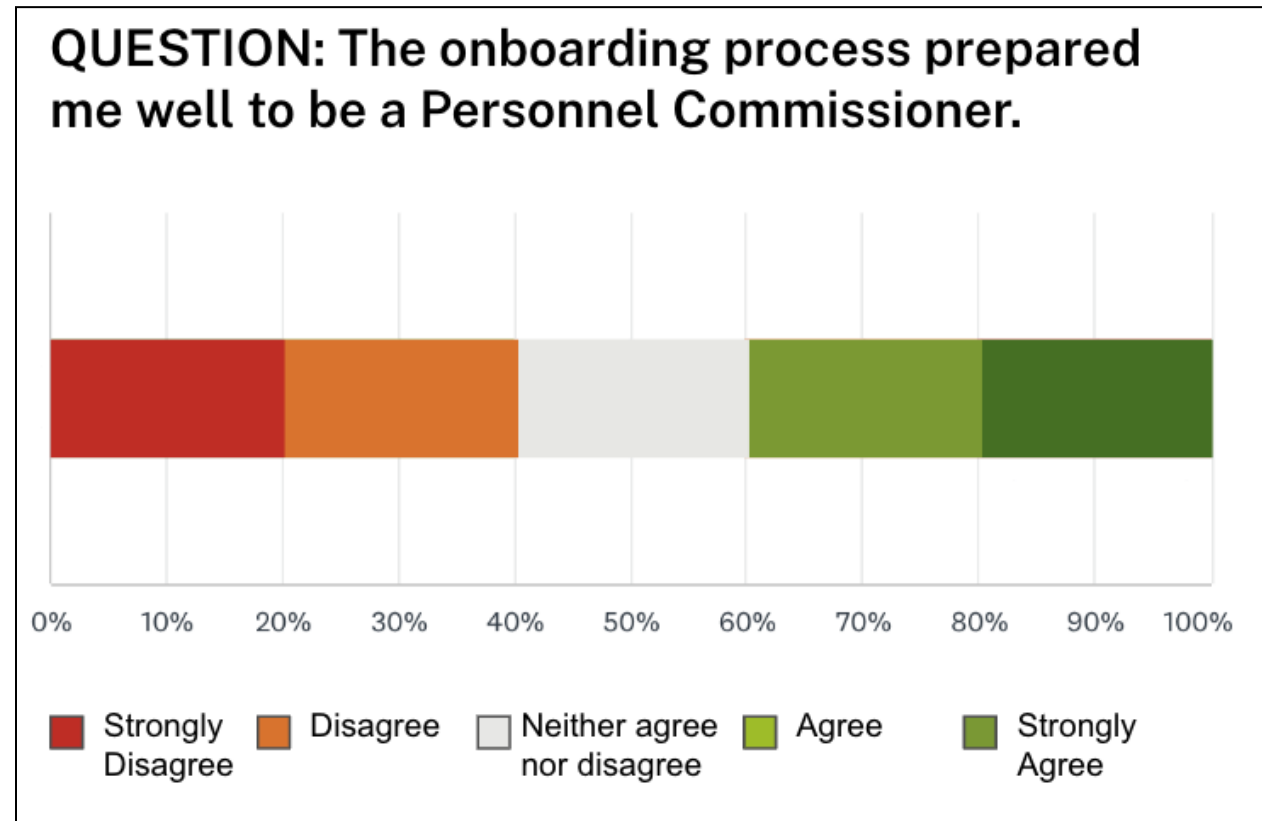


QUESTION: As an HR staff member, how many hours per week do you work on tasks specifically related to preparing materials for Personnel Commission Meetings?

RESPONSES

- 1 hour
- 2-24 depending on if we have an upcoming PC meeting
- varies. anywhere from 2-10 hours depending on the item
- About 3 hours in the weeks leading up to the scheduled PC meeting.
- 1 hour
- 2 hours
- When there is a scheduled meeting (either regular or special meeting), I spend at least 4 hours at a maximum 8 hours on items for the meeting.

4d. Commissioner specific Questions



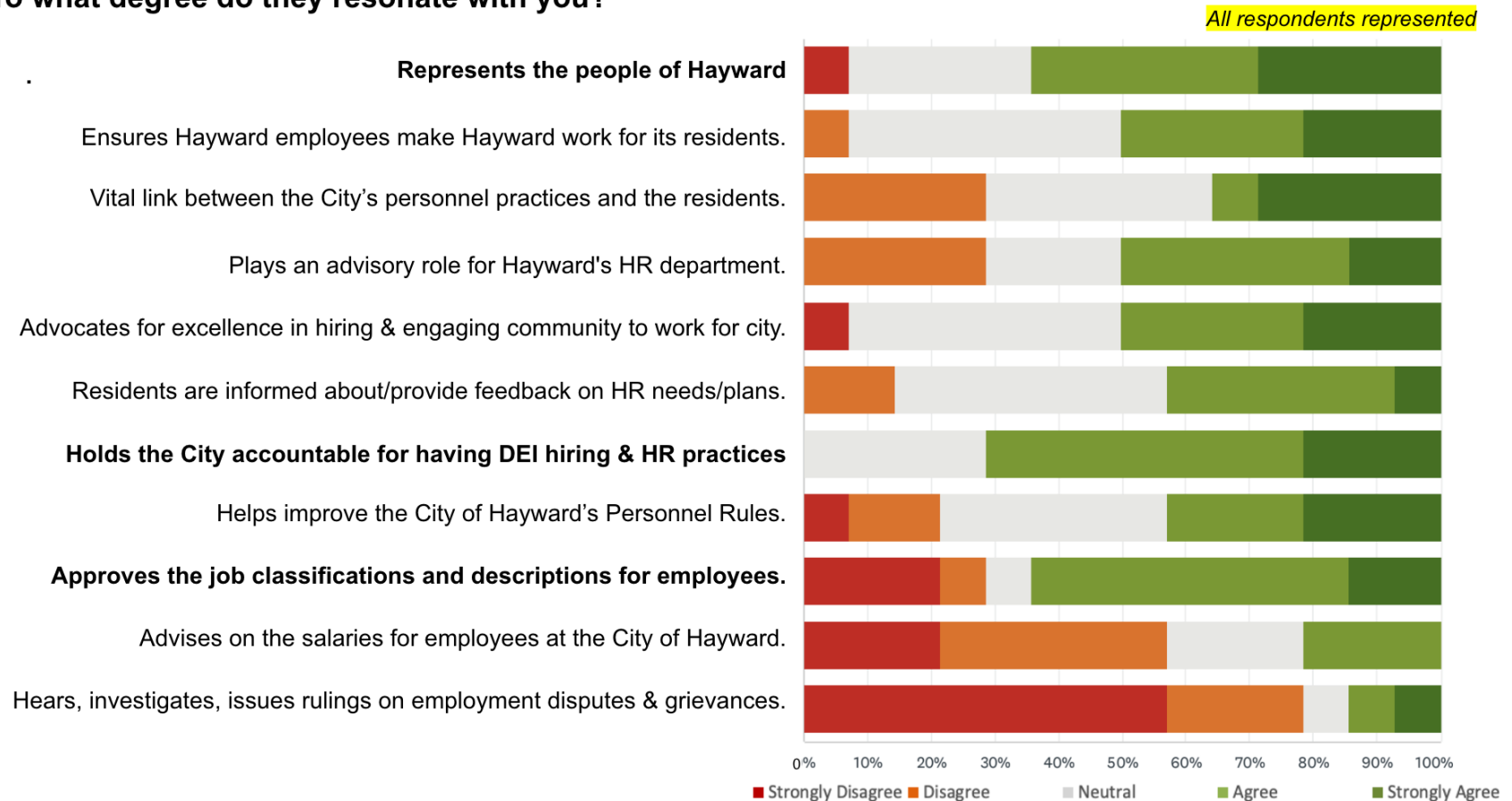
QUESTION: As a Personnel Commissioner, in advance of each meeting, on average how long do you spend preparing and reading materials?

RESPONSES

- 1 hour
- 2 hours
- NA
- 1/2 day
- 1 hour

5. Survey Results: Future Mission/ Vision Statement

QUESTION: The following statements are about the Personnel Commissions' ideal future role & mission. To what degree do they resonate with you?



6. Survey Results: Priority Topics for the Future

QUESTION: What are the most important strategic topics of FUTURE engagement between the Personnel Commission and Hayward Human Resources? (Stack Ranked)... If the Personnel Commission were to be more involved in strategic conversations, planning, and policy reviews, which topics should be the focus?

What are the most important strategic topics of FUTURE engagement between the Personnel Commission and Hayward Human Resources?

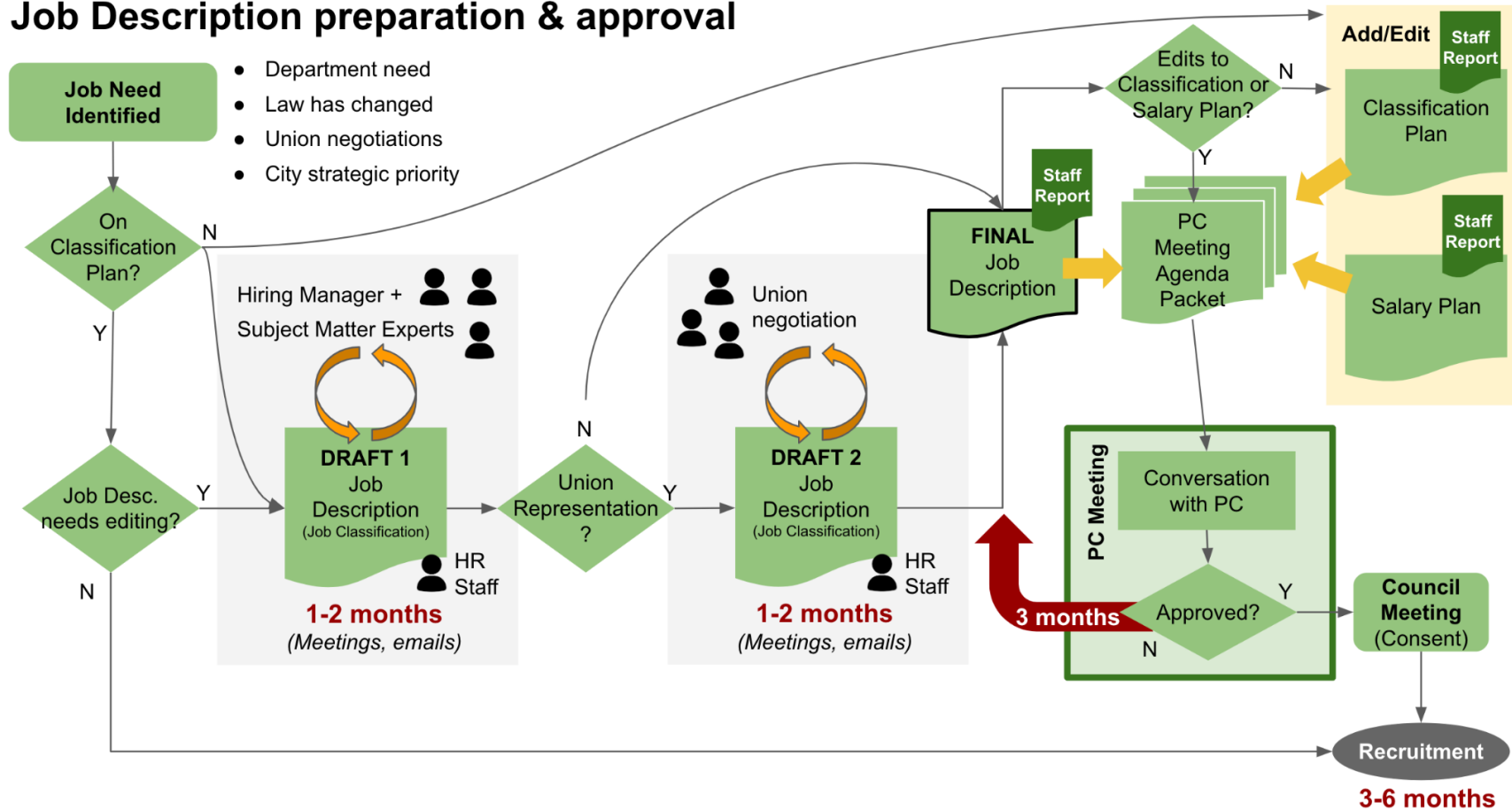


7. Ways to Engage: Current & Future

7a. Preparing & approving job descriptions

PROCESS FLOW

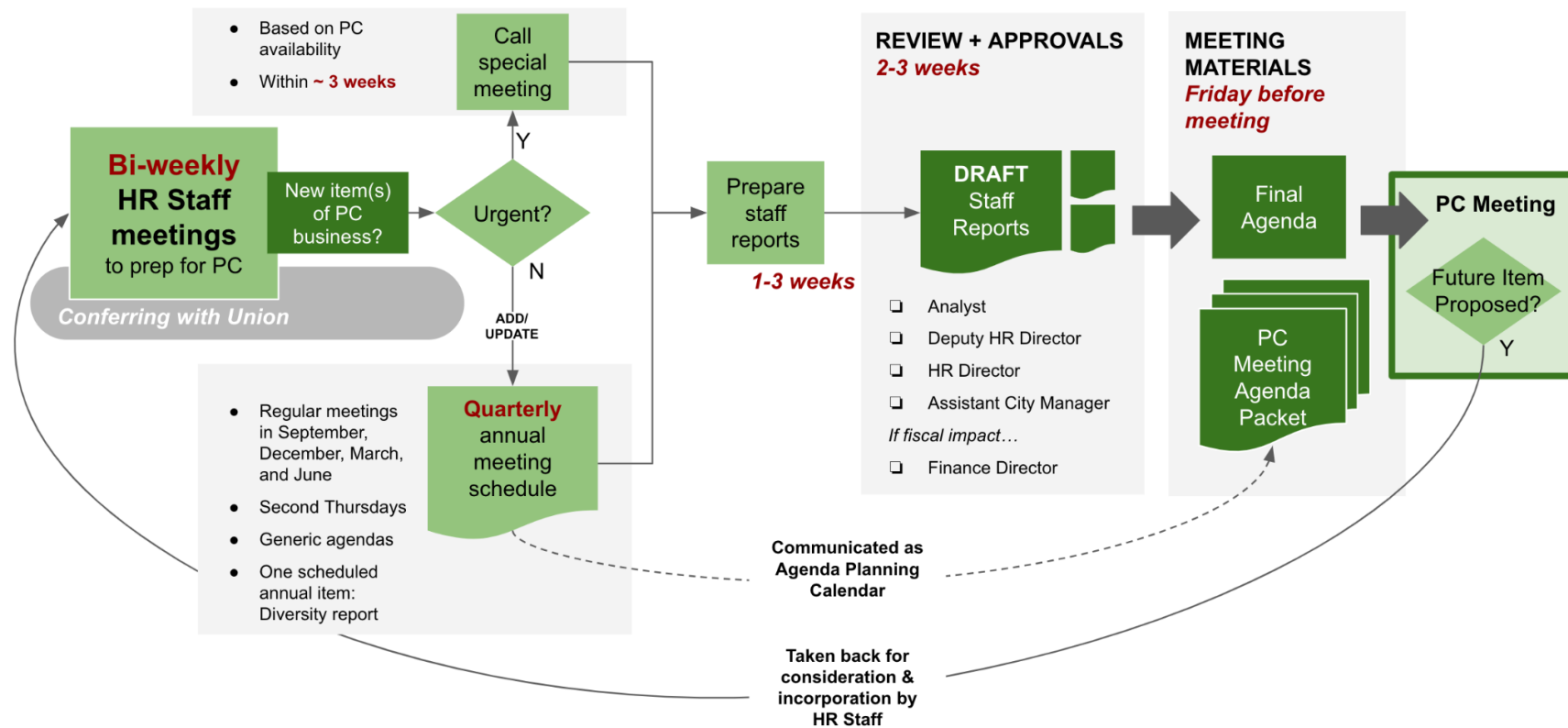
Job Description preparation & approval



7b. Setting meetings & agendas

PROCESS FLOW

Setting Personnel Commission meetings & agendas



7c. Brown Act Requirements & Constraints

The Ralph M. Brown Act (1953) is a California law that guarantees the public's right to attend and participate in meetings of local legislative bodies. It places constraints on how the Personnel Commission can meet and interact outside of its open public meetings.

In looking for ways to communicate and collaborate more fluidly and effectively within the Personnel Commission, and between the Personnel Commission and Hayward's HR Staff, we need to ensure we do not violate the Brown Act.

REQUIRED: Group meetings or communications with a majority of commissioners, about PC business, must be open to the public with enough notice for the public to be aware and to attend.

NOT ALLOWED for PC Business:

- **Group meetings** with 4 or more commissioners (physical, phone, or teleconference)
- **Serial meetings** that eventually involve 4 or more commissioners
 - Chain = two or more meetings with a minority of commissioners that, when taken together, involve a majority of commissioners.
 - Hub & Spoke = One commissioner who coordinates or speaks with a majority of other commissioners.
- **Group email threads** ("writing as meetings")
- **Shared documents**, and commenting/ suggesting on these documents
- **Surveys** about items that will come before the PC for a vote or decision are not allowed
- **Social media** about PC business (e.g. comment threads, chat groups)
- **Collective briefings** that involve a one way transmission of information from the City to a majority of the commission.

OTHER NOTES

- All **standing subcommittee meetings** must be public (even if less than majority).
- **Surveys** about administrative or procedural matters are likely okay (though it's best to check with legal counsel).
- Anything discussed in the meeting needs to be **on the agenda**.
- Any documents distributed to all or a majority of the board by any person are **public records**.
- Closed meetings are allowed in special circumstances that involve confidential information and litigation.





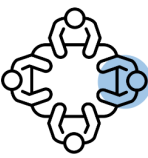
See the following "Menu of Engagement Options" for what IS ALLOWED.

For more information:

- The [Brown Act](#) (2003) - The legislation itself
- [Open & Public V: A Guide to the Ralph M. Brown Act](#) - A guidebook published by the League of California Cities

7d. Menu of Engagement Options

The following list of engagement options are possible, taking into consideration the Brown Act's constraints for collaboration and meetings outside of formal public meetings.

	Ad-hoc meeting or subcommittee for group discussions, and coordination with HR staff (3 or fewer commissioners).
	Streamline regular approvals , by adding a “consent” portion of PC meetings.
	PC proactively helps set the agenda in partnership with HR (e.g., annual cycle of topics)
	Projects led by ad-hoc committee (3 or fewer commissioners).
	One or two commissioners attend certain meetings with HR staff (based on interest, need, or background).

8. Future State Roles (RACI)

Survey Question: “What **SHOULD** the role and decision-making authority of the **FUTURE** Personnel Commission be?” You may check multiple roles for each deliverable.

For example,

- Should the Personnel Commission be the **final decision-maker** to approve an item or deliverable from this list?
- Should the Personnel Commission be involved in a **consulting** role, and involved in earlier feedback conversations?

Note that this is loosely based on the RACI framework

(https://en.wikipedia.org/wiki/Responsibility_assignment_matrix)

Options included:

- No role (None)
- Informed = information shared & discussed
- Consulted = early feedback/review
- Recommend/ consent = approval is desired, but not required
- Responsible = does the work to complete the task
- Final decision/ approval = can block

See the next page for a table and heat-map of responses.

Key Takeaways: Some patterns to notice in the data about opinions about future roles:

- City Staff predominately want the Personnel Commission to be in an “**Informed**” and “**Recommend**” role (rather than an final approval capacity, which some commissioners advocate for).
- Some in the Personnel Commission would like to be **Consulted** on **every** item of the list. Whereas, HR Staff thinks it should only consult the Personnel Commission on specific items: 1) Personnel Rules; 2) Anti-Discrimination Data & Training
- Some on City Staff think that the Personnel Commission should have “**No Role**” on many items of the list. Especially:
 - Hear grievances from Hayward employees
 - Employment appeals & investigations
 - Eligibility lists (abolishment)
 - Salary plan
- Some on HR Staff would be open to the Personnel Commission being **Responsible** for doing some of its own work to contribute to:
 - Personnel Rules
 - Anti-Discrimination Data & Training

RACI Table Responses: Future Roles for the Personnel Commission

- Numbers based on count of responses. Color heat-map to show distribution of votes.
- Blue** = Commissioner & Councilmember responses
- Green** = Hayward City Staff responses

Survey Question: “What **SHOULD** the role and decision-making authority of the **FUTURE** Personnel Commission be?” You may check multiple roles for each deliverable.

		No role	Informed	Consulted	Recommend	Responsible	Decides
Job Descriptions	<i>C+C</i>	0	1	2	1	0	3
	<i>Staff</i>	2	3	0	2	0	1
Classification Plan	<i>C+C</i>	0	1	3	1	0	2
	<i>Staff</i>	1	3	0	4	0	0
Salary Plan	<i>C+C</i>	0	1	1	2	1	2
	<i>Staff</i>	3	4	0	2	0	0
Eligibility Lists (abolishment)	<i>C+C</i>	0	1	3	1	0	2
	<i>Staff</i>	4	2	0	2	0	0
Eligibility Lists (review appeals)	<i>C+C</i>	0	2	3	1	0	2
	<i>Staff</i>	2	3	0	3	0	0
Employment appeals & investigations	<i>C+C</i>	0	1	3	0	0	2
	<i>Staff</i>	4	0	0	4	0	0
Hear grievances from Hayward employees	<i>C+C</i>	0	1	3	0	0	2
	<i>Staff</i>	5	0	0	3	0	0
Personnel Rules	<i>C+C</i>	0	1	2	2	0	2
	<i>Staff</i>	1	0	1	4	2	0
Anti-discrimination data & training progs	<i>C+C</i>	0	1	2	3	1	1
	<i>Staff</i>	0	4	3	1	2	0
Training programs	<i>C+C</i>	0	1	2	3	0	1
	<i>Staff</i>	2	4	1	0	2	0

Free Response Survey Question about Future Roles:

“Are there any documents or tasks that are missing from the list above, for FUTURE STATE work of the PC? And what SHOULD the Personnel Commission’s role be in creating or approving them be?”

Responses:

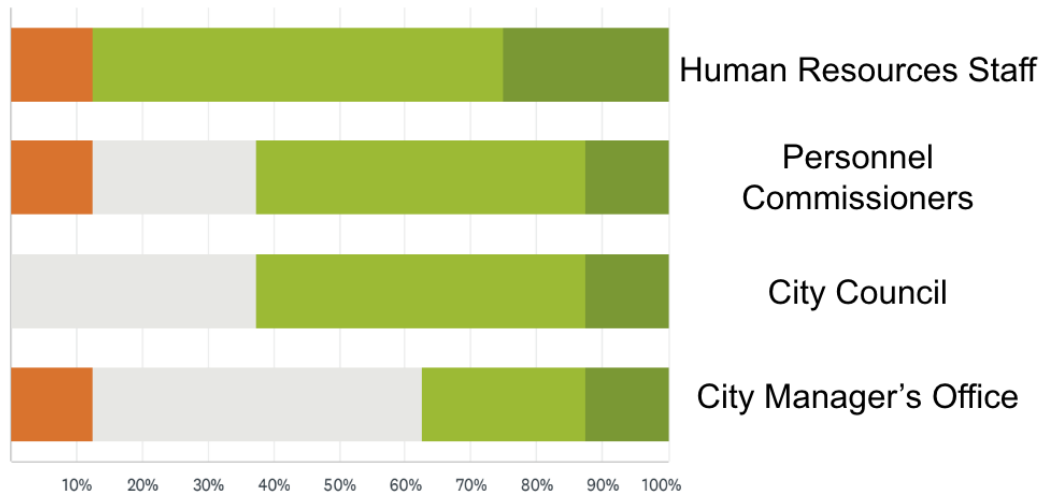
- The following statements/ ideas were from one response from a **City Council** responder...
 - 360 Staff evaluations, does personnel currently play a role in that?
 - Personnel should request turnover rates (then we can ask hard questions about how compensation is tied to dept. performance)
 - Recruitment narrative/talent acquisition plan (find Dec. Oakland BFC meeting about public banking and recruitment)
 - Fair and equitable hiring (weighing for language)
 - Nepotism, corruption, investigation protocol
 - Compensation philosophy (could make negotiations easier if there was a standard).
 - Bring in Finance staff to help commission understand impacts of new roles
- From a **Personnel Commissioner** responder...
 - If PC vetos/does not approve then it should go to Council to REVIEW only and send recommendations BACK to PC to re-review and vote to approve or veto.

9. Survey Results: Ways to Create Change

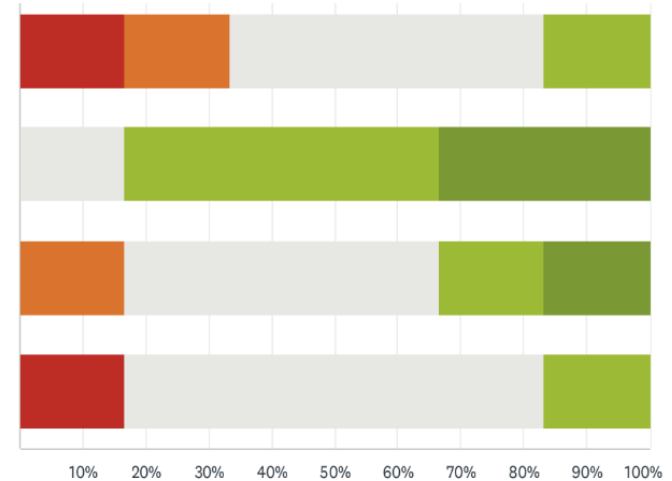
9a. Willingness to change

QUESTION: Are the following stakeholders showing a desire and willingness to change current policies and procedures for the Personnel Commission?

Respondents from City Staff



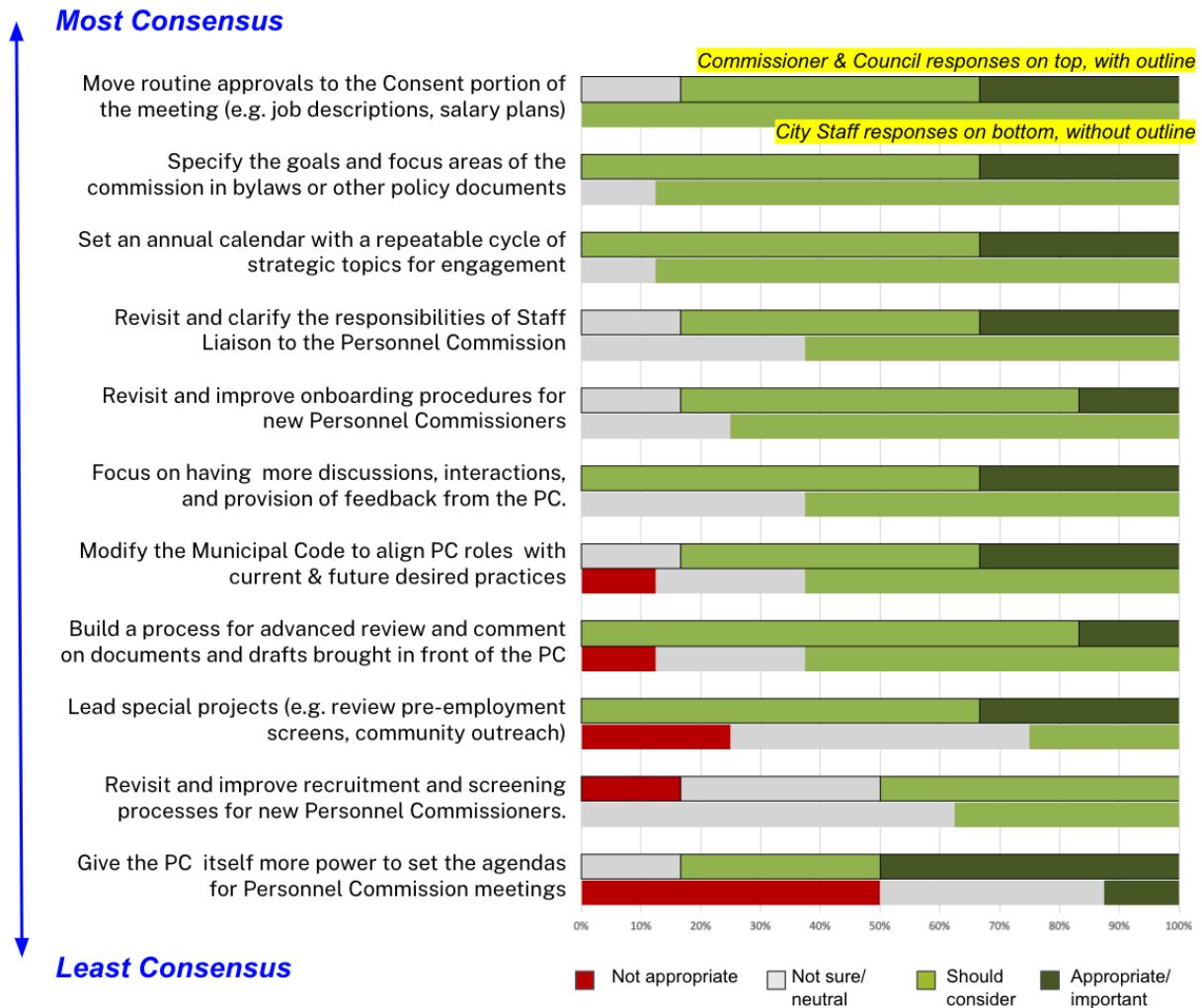
Respondents from Commission & City Council



Not willing to change Somewhat resistant to change Neutral Willing to change Proactively driving for change

9b. Levers for Change / Ways to Evolve

QUESTION: Ways to create change: How do we make it possible for the Personnel Commission to evolve?



Key takeaways from the poll about levers for change:

- **Solutions exist:** Both groups overwhelmingly agree that they should consider, or it is important to implement, over half of the items on this list of potential interventions.
- The item with the most disagreement is: “Give the Personnel Commission itself more **power to set the agendas** for Personnel Commission meetings.”
 - This was the item that the most **Commissioners thought was Important**.
 - This was the item that the most **Staff thought was Not Appropriate**.

10. Sample Draft Mission/ Vision Statement

The following draft mission statement was created by compiling the six most popular responses to the survey question. After the retreat, and after further future alignment, the Commission and HR staff may want to document a statement like this in bylaws for the Personnel Commission.

*We are a **non-partisan, volunteer** Commission that **represents the people** of Hayward and ensures the City of Hayward has **equitable and inclusive hiring and Human Resources practices**, and a **diverse** workforce.*

*We work continuously to ensure Hayward employees are **making Hayward work for its residents**, and **hold our City government accountable** when needed.*

To do so, we

- ***review, advise, & approve the job classifications and job descriptions** for employees at the City of Hayward;*
- ***play an advisory role** to Hayward's Human Resources Department;*
- ***advocate for excellence** in hiring; and*
- ***engage, inspire, and recruit the community** to work for the city.*

See [5.Survey Results: Mission/ Vision Statement](#) for the statements from the survey, and the survey responses.

Mission Statement from 2019

The following mission statement was created in 2019, but never formally adopted or documented.

**Personnel Commission
Mission Statement**



- ⇒ The Personnel Commission is responsible for the adoption and modification of new and existing job descriptions for Hayward city government.
- ⇒ The Commission also reviews the City's employment lists and the City's Affirmative Action Plan.
- ⇒ The Commission may hold hearings for employee grievances or complaints and for appeals to disciplinary action. The Commission issues an advisory decision to the City Manager in such matters.

APPENDIX: Optional Reading

APPENDIX 1: Summary of Commissioner and Councilmember Interviews

Between September 22nd and October 23rd, 2023 CivicMakers conducted eight 1:1 interviews with all seven members of the Personnel Commission and one City Council member, George Syrop, who is their representative. Commissioners have held their positions since the following years: 2018 (1) 2019 (2) 2020 (1) 2022 (2) 2023 (1).

We collected four main categories of information in these conversations. Commissioners and Councilmember Syrop find **value in the Commission**, are **concerned about the current state of their role**, have serious **concerns about hiring practices in Hayward**, **value this interview process**, and are looking forward to the retreat as a way to build upon **concrete ideas**.

Further to the Key Takeaways in Section 3a of this packet, important Themes and Trends are further summarized below...

(direct quotes are in *italics*)

Value in the Commission

- **All** interviewees stated they have a strong desire to serve the community of Hayward
- **All** commissioners stated the time commitment for the volunteer position is a good fit for them, as a way to contribute to Hayward.
- **Five** interviewees shared that the Personnel Commission was not their first choice, but that once participating, they find it valuable and important to them to continue.
- **Four** interviewees shared that part of the value of the Commission is that the members are all residents of Hayward, while staff are not all necessarily residents.
 - *I believe that the PC represents the interest of the general public*
 - *I would like to see a different dynamic where it's the commissioners asking for specific topics, HR presenting on those topics, so we get a discussion about it and weigh in. I encourage commissioners to really own what that title means. Staff is there to do a job. Some of them don't live in Hayward. As residents we have an obligation to really push back and not and not be afraid to assert the fact that they answer to the public*
- **One** commissioner shared the perspective that being unpaid volunteers can help support democracy
 - *Checks and balances system. If things were very politicized, we should be the ones who are free of that. Because we aren't getting paid or asking for votes.*

Concern about current state of their role

- **All** interviewees describe the commission as a “rubber stamp”.
 - *We don’t have decision-making authority. Everything is already made prior to us having to meet. We have discussed that in the meeting. Why are we here if the decision has already been made?*
 - *There’s kind of a running joke that the personnel Commission is a commission in search of a mission.*
 - *Sometimes those decisions are already made, so that can be frustrating. And they kind of discourage you from even wanting to vote.*
 - *Most responsibilities have now been superseded by union negotiations and the details outlined in them. Recently, there was a request by HR to have the Commission approve a recommendation for a new salary schedule, and the Commission decided not to pass that and they knew it didn’t matter either way. Ultimately the Council makes the call.*
- **All** interviewees think commissioners are well informed and prepared, but undervalued.
 - *I think that just to be given the respect from city council, to be given respect from the city staff and respect from the HR department to hold us at a higher level of respect in regard to the responsibilities, and to the talents that we’re all collectively bringing to this commission.*
 - *If they put the resumes of every single person on this commission, oh, my God, these people could be running a major corporation collectively.*
 - *" if people are, you know, investing their time and energy into this, might as well apply towards something that the personnel department can actually utilize for improvements"*
 - *"I would like to see a nugget of impact, something tangible that we actually did through all of these meetings and discussions. (...) I think "Instead [of duplicating what unions do] we need to look at where we can add values in other areas. Brainstorm ideas for how we can address the issues. Issues like diversity, personnel matters that are difficult to resolve internally, ... areas where we could prevent the city from facing litigation, or reviewing policies and procedures. "*
- **Three** share that the questions they bring either go unanswered or are answered later than is practical.
- **One** commissioner described the relationship with HR as tense
 - *It feels like it is us vs. them with current staff. Doesn’t feel like we’re in this together. It feels like “what do I have to tell you people so you stop asking me questions.” Staff feel like we are making their job harder.*
- The commissioners that expressed the most satisfaction with the Personnel Commission were newer and appreciative of learning how the government works and participating more. More senior commissioners expressed more frustration with the current conditions of the commission.

Concerns related to hiring practices in Hayward

- **Four** think Hayward has a lot of room for improvement in hiring diversely.

- *"There is a serious Diversity issue, no African Americans are getting hired, Latinos are getting prioritized, people with experience are not getting hired while inexperienced people are getting hired."*
- *I explained a recruitment process that I experienced when I was a candidate for a job with the City of Hayward. They were surprised by how it went. I did not get a response. HR staff's response was "we weren't here when that happened." There was no real apology. Saw it solely as something in the past. I explained to them that I don't want the same treatment she experienced to happen to someone else. I believe that this will be addressed because for over a year we have been asking for their workforce diversity report and it has not been provided yet. Seems like they are hiding something. HR says they will get it to them in October. I want to make sure the hiring process is equitable. I know there are talented people out there in African American community; they lack diversity from African American race*
- **Four** interviewees shared a perception of a lack of transparency of the city of Hayward towards the Personnel Commission.
- **Three** shared that they are concerned with Nepotism hiring practices
 - *I was told six months ago that they were making this a priority to have a nepotism policy for the city of Hayward when they brought on Brittany, the new HR manager. We asked every single month for that. Now we're told that it's probably going to be an administrative internal policy that does not need to come to the personnel Commission, and I challenge that.*

Concrete suggestions

- **Six** Commissioners think the personnel commission should be given a greater role in ensuring best practices, transparency and accountability with DEI in hiring.
- **Four** Commissioners shared they think the onboarding process could be more intentional and helpful.
 - *I joined a meeting and they wanted me to start voting right away and I felt like I asked to abstain because I didn't feel like I had any context. So I went back to the...I forgot her title. She is maybe the city clerk. I said "Hey, I felt a little uncomfortable voting because I know it's a big deal to vote on things and did I miss some sort of an intro and then she had someone come in and provide me an Intro. So yeah there's definitely an opportunity to improve there.*
- **Four** interviewees would prefer more proactive follow up from one meeting to the next.
- **Three** explicitly requested that Commissioners should be able to be part of making the agenda of meetings
- **One** Commissioner shares that It would be good to have more exposure to all of the City Council members from time to time.
- **One** Commissioner requested ongoing training or resources, to better understand the functioning of the city, and improve the ways they can contribute as commissioners.

Priorities to address at the retreat

- **Everyone** expressed gratitude and appreciation for the interviews, and upcoming retreat, saying it feels like a good way to give more intention to their participation.
 - *It's something that we've been asking for the past three years or so. This time around we're going to have a retreat. All these years and we never had a retreat before. We have also been getting personal shout outs and the city from the city council members as to the work that we're doing. They're taking notice.*
 - *I feel like we are gaining a lot of momentum. And we're getting really recognized for asking questions and keeping people on the edge as to what we hope to accomplish in increasing diversity, accessibility and making it a process to where everyone has an opportunity to get the job. It's not just who you know, or, you know, how long, maybe you've known people in the city of Hayward or who you're connected to. Actually giving everyone an actual fair chance to get the job.*
- Set a healthy space for conversation, for working together, & for getting to know each other.
- How do the different players view the Personnel Commission and how does that all connect?
 - *I want to have big picture conversations. There are big questions on how city council and the city wants us to participate. If it is just check the box, that is a big waste of everyone's time.*
- Define the Personnel Commission, and how to add value:
 - Role
 - Goals
 - Mission
 - Structure
 - Onboarding process
- How can the Personnel Commission have a meaningful impact on Diversity, Equity and Inclusion hiring practices in Hayward?
- Make an action plan.

APPENDIX 2: HR Staff Focus Group: Key Takeaways

On Wednesday October 4, 2023 we conducted a 90 minute focus group with five members of Hayward's HR Staff who actively work with the Personnel Commission. Participants included Candilaria Jackson, Janice Cahee, Mary Morales, Valeria Cazares, and Wayne Smith.

HR staff seem genuinely dedicated to their jobs, and are motivated by learning, being efficient/productive, contributing to their city through public service, and doing best-in-class HR work.

HR staff said they are not resistant to change and progress. Their role is to implement the policy and follow the rules. If procedures are updated and improved, they will follow those updated procedures.

Clarifying the Role of the PC: Is it an Advisory or an Approving Body?

- HR staff expressed tension with the personnel commission about the appropriate way for the PC to exercise their approval authority. HR Staff said there's a perception among the PC that they have approval authority, when they should really be acting as advisors.
 - *(They do actually have an approval role...)* "We need the PC to approve job descriptions so we can move forward."
 - *(...but they are being asked for approval of a final product they have had no hand in shaping...)* "We are bringing a polished product. These approvals currently come at the end of a long process of vetting and refinement with peers and with unions, not at the beginning or middle."
 - *(...and HR Staff hopes the PC will just let them move forward after taking any feedback under advice)* "Previous commissions would be okay with us making changes and proceeding. Now the PC wants to have the item come back on the next agenda for approval... that can set us back 3 months."
- **[IMPORTANT FRAMING]** Staff suggested that focusing on **Advisory and Advocacy roles** going forward will help put the PC in a more useful role.
- **In an advisory role**, the following potential topics/ projects related to workforce development could be valuable to have the PC's ongoing input and involvement on...
 - Shaping HR policy & updating personnel rules
 - Citywide training programs.
 - Recruitment (especially connections with the local community)
 - Proactively addressing staffing levels
 - Retention & succession planning
 - Compensation philosophy
- **In an advocacy role**, the Personnel Commission could focus on...
 - Activating the local community to fill open staff positions
 - Connecting with local institutions.
 - Advocating for, and supporting, Hayward HR staff

PC admin work & time is a lot of bureaucracy for limited helpfulness.

- There's a **significant amount of work** to prepare for personnel meetings (ongoing weekly or bi-weekly meetings for 6 people and the creation of staff reports).
 - Example: there are two Salary Plans to prepare: one for PC & one for Council (includes non-classified service).

- Staff reports are due a month before the meeting, and things are in limbo during that time.
- The Personnel Commission is seen as a **barrier to getting work done speedily and efficiently**.
 - If something gets held-up by the PC, it can be delayed for 3 months. This does not help the city fill its open positions.
 - Personnel meetings need to be scheduled in a timely manner based on when they obtain union approval, and when they need to address vacancies.
 - Hosting special meetings to move things forward is not an ideal process.
 - Abolishing eligible lists should be an internal process, and an informational item for the PC. PC approval slows the timeline for opening a recruitment.
- Most members of the PC **do not have a background in HR**.
- The PC **doesn't understand the recruitment process** thoroughly.
- Disconnect between the Personnel Commission's role in recommending salary increases and the final approval given by the City Council.
- HR staff expressed trepidation and nervousness about appearing in front of the Personnel Commission.
 - Since the decisions by the PC have a large bearing on their ability to do their work, the stakes are high.
 - The moods of the commissioners on any given day, or for any given agenda item, are a factor that's hard to predict and control for. Depending on when an item is raised, it could be met with minor nitpicking or sail through without conversation and challenge.
- In general, HR staff thought **the PC appreciates their contributions** and recognizes their competence.
- The **PC can be helpful when commissioners have relevant experience** with some of the jobs we're posting, and have constructive comments to inform the classification and job descriptions.

Desire to engage with the expertise & energy of the people on the commission, but lack of clarity on how.

- **There's a tension between...**
 - **1) enabling anyone to participate** on the PC (e.g. no special skills required other than being a member of the public), and
 - **2) trying to tap into the expertise**, wisdom, and experience of commissioners (e.g. learning from their relevant experience in HR, at companies, in law).
- If the PC shifts to clearly be an advisory body, **screening for the experience & skills of commissioners** may become more relevant & important.
 - There's a **concern with having to fill specific expertise** niches within the board in this scenario.

Specific suggestions for improvements

- **Use the consent agenda** for quicker approvals: salary plans, job descriptions.
- The **abolition of lists** should not require approval (move from an approve role to an inform role)
- Potentially shift the framing of the PC from “Personnel” to “Human Resources” for a more modern perspective.

Challenges & Barriers for Change Moving Forward

- Resistance from commissioners themselves could be a hurdle (do not want to give up power)
- The time and effort to change current processes could be a barrier (e.g. there’s a perception that it will not be easy to change the municipal code). There’s a need to get buy-in to do the work of making changes to policies and procedures.
- Escalating to City Manager Kelly McAdoo might make sense if there’s resistance to change.
- Doing the work to update and improve our processes and procedures has often taken a backburner position (e.g. we’ve been talking about updating the Personnel Rules and it always gets pushed back).

Priorities to address at the retreat

- Define & clarify the role of the PC
- Discuss what topics the PC can more effectively advise HR Staff on (more value-add), and consider an annual calendar of topics
- Revisit the process for abolishing eligible lists
- Discuss ways to attract and retain employees

APPENDIX 3: Excerpts from City Charter, Municipal Code, and Personnel Rules

The powers and duties of the Personnel Commission are established in the City Charter, Municipal Code, and Personnel Rules.

Links to these documents:

- [City Charter](#)
 - [Article IX. – Appointive Boards and Commissions](#)
 - [Section 907. – Personnel Board. Powers and Duties](#)
- [Municipal Code](#)
 - [Chapter 2 – Government and Administration – Boards and Commissions](#)

- Article 3 - [Personnel Commission](#)
- [Personnel Rules](#) (last updated July 19, 1977)

Glossary of equivalent terms: The terminology varies across these documents, the following list will help with cross referencing.

- Classification Plan is a list or table of all Job Classifications
- “Classification”
 - Job Classification = Class Specification = the Job Description = Classification Description = Class Spec. = Job Spec
- Eligibility List = Eligible Register = Employment Register
- Personnel Commission = Personnel Board

The following are some of the most relevant excerpts from these documents for the conversation at the retreat.

City Charter

SECTION 907

There shall be a Personnel Board none of whom while a member of the board nor for a period of one year after the Board member has ceased for any reason to be a member, shall be eligible for appointment to any salaried office or employment in the service of the City nor to any City elective office.

The Personnel Board shall have power and be required to:

1. Act in an **advisory capacity** to the Council and the City Manager on personnel administration.
2. **Recommend** to the Council after a public hearing thereon, the adoption, amendment or repeal of **personnel rules and regulations**.
3. **Hear appeals** of any person in the classified service, relative to any suspension, demotion or dismissal.
4. Make any **investigation** which it may consider desirable concerning the administration of personnel in the municipal service and report its findings to the City Council and City Manager.
5. Perform such other duties with reference to personnel administration not inconsistent with this Charter as the Council may require by ordinance or resolution.

(Amended on November 3, 2020)

Municipal Code

SECTION 2-3.12

High morale and efficiency of employees will be fostered by cooperative efforts with regular consultation between the Personnel Commission, the City Manager and the Human Resources Director, and representatives of employee associations. Therefore, as an advisory agency to the City Council and the City Manager, the Personnel Commission shall have the power and duty to:

- A. **Advise** the Council, City Manager, and Human Resources Director on matters of **personnel administration**.
- B. Ensure the City's employment and personnel practices comply with all applicable Federal and State **anti-discrimination laws**.
- C. **Recommend** to the City Council, after a public hearing thereon, the adoption, amendment, or repeal of **personnel rules and regulations**.
- D. Review and **adopt**, after a public hearing thereon, a **classification plan** for each position in the City's classified service.
- E. Review and **recommend** to the City Council for adoption, after a public hearing thereon, a **salary plan** for the City's classified service.
- F. **Review appeals** regarding **employment register** and report its findings and recommendations to the City Manager. Review **class specifications** to ensure that employment standards are job-related.
- G. **Review recruitment and selection equal employment opportunity data** and make **recommendations** related to the **outreach program** to support a program which includes communication to a diverse pool of qualified candidates.
- H. **Hear appeals** of any person in the classified service relative to any suspension, demotion, or dismissal consistent with the provisions of his/her respective Memorandum of Understanding and report its findings and recommendations to the City Manager
- I. **Make any investigation** which it may consider desirable concerning the administration of personnel in City service and report its findings to the City Council and City Manager.

- J. **Review the training programs** provided to City employees regarding the intent and content of the **Administrative Rule Against Harassment and Retaliation** to ensure City employees are aware of and comply with the provisions of the program.
- K. Perform other related duties as directed by Council.

(Amended by Ordinance 97-07, adopted May 20, 1997; amended by Ordinance No. 11-05, adopted May 31, 2011.)

Personnel Rules

8.10 - Duration of Registers & 8.20 - Abolishment of Employment Registers

8.10 DURATION OF REGISTERS

All registers shall become effective when certified by the Personnel Board. Said registers shall remain in effect one (1) year and may be extended by the Personnel Board for additional periods, but in no event shall the same remain in effect for more than two (2) years.

8.20 ABOLISHMENT OF EMPLOYMENT REGISTERS

An employment register may be abolished prior to its expiration date upon recommendation of the Personnel Director and the City Manager and approval by the Personnel Board.

11.20 - Procedure for Disciplinary Action

11.20 PROCEDURE FOR DISCIPLINARY ACTION

Department heads shall make a written report and recommendation to the City Manager Of all incidents which appear to warrant disciplinary action. Employees shall be given an opportunity to present in writing their position in the matter. If the City Manager determines that disciplinary action is warranted, he shall send the employee and the Personnel Board notice of such action and the reasons therefor. If possible, notice of such action shall be sent prior to its effective date.

11.30 - Procedure on Appeal to Personnel Board (for disciplinary action)

11.30 PROCEDURE ON APPEAL TO PERSONNEL BOARD

If an employee having the right to appeal desires to appeal a disciplinary action, he shall file a written notice of appeal with the Personnel Board and the City Manager within seven (7) calendar days after receiving notice of such action. The Personnel Board shall set a hearing of appeal not later than the next regular meeting of the Board after the appeal is received.

The employee's service record shall, in addition to the subject matter on appeal, be considered by the Board as evidence in the case.

18.20 - Employee Grievances or Complaints

18.20. EMPLOYEE GRIEVANCES OR COMPLAINTS

Any employee dissatisfied with working conditions or any other phase of his employment shall discuss his problem initially with his immediate supervisor. The employee may thereafter take his grievance in turn to his department head, the Personnel Director, and the City Manager.

If an employee is not satisfied with the disposition of the matter by the City Manager, he may file his grievance with the Personnel Board and request advisory review. The employee may request that the review be private; otherwise, it shall be accomplished at public meetings of the Personnel Board.

Within thirty (30) days, the Personnel Board shall review the grievance, make such further investigation as it deems necessary, and render an advisory recommendation to the City Manager. A copy of the Board's recommendation shall be furnished to the employee.