



Hayward Personnel Commission Retreat 2023

ACTION PLAN & SUMMARY REPORT



December 2023

Introduction & Overview

Overview of the Process

In August 2023, the City of Hayward's Human Resources Department sought support from CivicMakers to help facilitate a process to collaboratively clarify and reimagine the role of the Personnel Commission. To accomplish this objective, CivicMakers worked collaboratively with key City staff and the Personnel Commission to conduct discovery research, facilitate a retreat, and produce an action plan. The process included:

- In August and September 2023, CivicMakers
 - Conducted **desk research** to better understand the legal dictates of the PC
 - Conducted **discovery interviews** with Personnel Commissioners and their City Council liaison
 - Facilitated a **focus group** with City HR staff
 - Designed and administered a **survey** to both groups to understand what is working and what could be improved with the current design of the Personnel Commission.
- These inputs were used to design a collaborative meeting ("retreat"), which took place on November 7th, 2023. The purpose of the convening was to jointly craft solutions and paths forward that will make the PC work better for Commissioners, staff, and the City of Hayward.
- In November 2023, CivicMakers summarized the findings from this process into a final report and action plan (this document).

Overview of the Report

The core of this report is a proposed [Action Plan](#) to be implemented within the next 1-3 years by the HR Staff & Personnel Commission working together.

The action plan is followed by a series of short **informational Briefs** that support the action plan, based on take-aways from the retreat and discovery research. These briefs are a way of summarizing the implications of the retreat discussion, and helping to support the next steps of the action plan.

The **Appendix** contains the full Agenda Packet from the retreat and the notes and photos from the retreat.

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ACTION PLAN

KEY:  indicates *possible implementation support from CivicMakers*, such as project management, process graphics, and capacity building, if desired.

For Immediate Discussion & Action

TASK & DESCRIPTION	TEAM
<p>ACTION PLAN Align, Approve, & Implement</p> <ul style="list-style-type: none"> Propose this draft action plan at the next PC meeting. Seek alignment & clarification of commissioner involvement & responsibilities. 	<p>Responsible: Brittney</p> <p>Supporting: Candi, All</p> <p> <i>CM Support?</i></p>
<p>ESTABLISH PC REFORM SUBCOMMITTEE Responsible for implementing this action plan in partnership with HR Staff.</p> <p>This group will...</p> <ul style="list-style-type: none"> Be accountable for implementing and maintaining the action plan Determine upcoming meeting agendas and topics Plan and prototype a “Consent Calendar” process Revisit & improve current processes Begin to work toward more clarity on foundational items such as roles/RACI and Personnel Rules, creating other ad-hoc sub-committees as required. Begin work towards any immediate reforms to make (e.g. changing roles for Eligible Lists?) 	<p>Responsible: Brittney</p> <p>Supporting: Candi, All</p> <p> <i>CM Support?</i></p>

Short-term items (year 1)

TASK & DESCRIPTION	TEAM
<p>MEETING SCHEDULE Determine upcoming meeting agendas and topics</p> <ul style="list-style-type: none"> • Determine how to address top topics discussed at retreat: as regular or periodic items in the Quarterly Annual Meeting Schedule. • Topics to be updated annually at the start of the calendar year) • May include informational / educational sessions on those topics • See Brief 2: Meeting Agendas & Topics 	<p>Responsible: Candi</p> <p>Supporting: Brittney, Ian, Chair Wright, Councilmember Syrop, PC Reform Subcommittee</p>
<p>PROTOTYPE CONSENT Try adding Consent portion of meeting</p> <ul style="list-style-type: none"> • Experiment with addressing routine approvals as a batch using a consent portion of the meeting (e.g. try for 3 meetings and then evaluate what’s working / not working). • This involves... <ul style="list-style-type: none"> ○ Advance review of materials ○ Commissioners email questions to staff prior to the meeting. ○ Staff replies to questions & distributes responses in final meeting materials. • See Brief 4: Process Prototype for Consent Calendar 	<p>Responsible: Candi</p> <p>Supporting: Brittney, Ian, Chair Wright, Councilmember Syrop</p>
<p>DRAFT & ADOPT FINAL MISSION STATEMENT</p> <ul style="list-style-type: none"> • Collaborate with the Personnel Commission to finalize a new Mission Statement • See Brief 1: Potential Mission Statement 	<p>Responsible: Brittney, Chair Wright</p> <p>Supporting: Ian, Candi, Commissioners TBD</p> <p> CM Support?</p>
<p>DOCUMENT PC PROCESSES Create a clear, central, and continually managed document</p> <ul style="list-style-type: none"> • Consider creating PC Bylaws or amending the Appointed Officials’ Handbook • Use this document (in conjunction with the Municipal Code, Personnel Rules, and City Charter) to shape how the Personnel Commission works together, and works with HR Staff. Include... <ul style="list-style-type: none"> ○ Mission Statement ○ Meeting protocol ○ Other relevant processes & expectations 	<p>Responsible: Ian, PC Reform Subcommittee</p> <p>Supporting: Brittney, Candi, Commissioners TBD</p> <p> CM Support?</p>
<p>PERSONNEL RULES SUBCOMMITTEE (Ad-hoc)</p>	<p>Responsible: Commissioner TBD + Ian</p>

<ul style="list-style-type: none"> Bring the Personnel Commission into the ongoing project to update to the Personnel Rules, such as by establishing an ad hoc committee. 	<p>Committee Members TBD</p>
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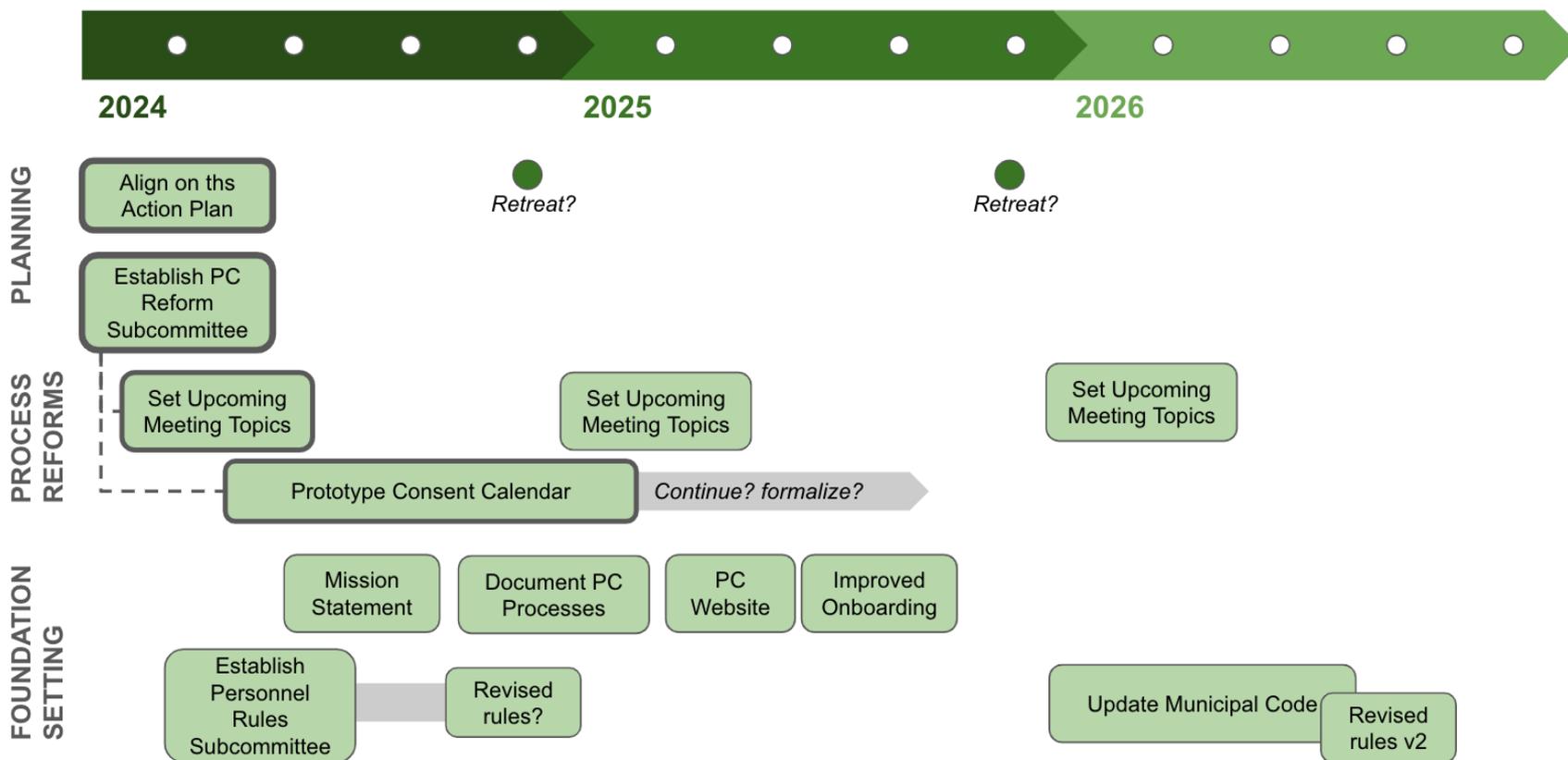
Longer term items (after short-term items, year 2-3)

TASK & DESCRIPTION	TEAM
<p>UPDATE MUNICIPAL CODE</p> <ul style="list-style-type: none"> Create a working group to propose an update to the Municipal code based on: 1) Future RACI diagram, 2) Personnel Rules update, 3) Mission Statement See: Brief 4: Potential Future RACI diagram 	<p>Responsible: Brittney and Ian + Councilmember Syrop Commissioners TBD ...</p>
<p>IMPROVED ONBOARDING Training for Commissioners & HR Staff</p> <ul style="list-style-type: none"> Update training & onboarding materials & processes, using information from this report Formalize the role of staff liaison and others in this training process (including maintaining and continuously improving the onboarding materials and processes going forward). 	<p>Responsible: Candi</p> <p>Supporting: Brittney/ Ian?, + Commissioner TBD</p> <p> <i>CM Support?</i></p>
<p>PC WEBSITE</p> <ul style="list-style-type: none"> Personnel Commission Website Update to help share and catalyze its work 	<p>Responsible: Candi</p>

Timeline Visual for Action Plan

SAMPLE TIMELINE

DRAFT Action Plan from Personnel Commission Retreat



Brief 1: Potential Mission Statement

CivicMakers recommends that a Mission Statement for the Personnel Commission be documented and maintained.

The draft mission statement below is a slight modification to what was distributed in the [Retreat Agenda Packet](#).

Although we did not discuss this with the full group at the retreat, feedback from participants from side conversations is represented below in maroon text.

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 job classification 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 and City Council regarding the City's organizational practices;
- **Ensure Hayward adheres to fairness & diversity in hiring principles** outlined in its anti-discrimination task force (Commitment for Equitable and Compassionate Community - CIECC)
- **advocate for excellence** in hiring; and
- **engage, inspire, and recruit the community** to work for the city.

Brief 2: Meeting Agendas & Topics

Revising & improving meeting agendas is a primary way to improve the Personnel Commission's effectiveness. At the retreat we discussed two principal ways of doing this:

1. Streamlining routine approvals (see [Brief 3](#)), and
2. Focusing on more strategic topics

These two interventions are dependent on each other: streamlining routine approvals makes more space and time to engage on strategic topics.

Sample Meeting Agenda

If the Personnel Commission did have time to address strategic topics, that could be done either in an annual cycle (e.g. each September the PC focuses on DEI), or in each meeting (e.g. each quarterly meeting contains a vacancy report).

SAMPLE AGENDA

- Opening / Public Comments
- **Consent Calendar** - Routine Approvals
 - Job Descriptions
 - Salary Plan
 - Classification Plan
 - Employment Roster/ Eligible Lists
- **Regular reports & data** - presented/ updated at each meeting, available for PC questions & feedback
 - Current & Upcoming Recruitments
- **Strategic Topic Focus Area for the Meeting**
 - Educational/ informational presentation (as context)
 - Q & A, Feedback
 - Next steps/ Action Items
- **Review upcoming meeting agenda topics**
- Closing

Top Strategic Topics

Based on feedback from the survey and at the retreat, the top 5 topics to address on a recurring/ongoing basis are as follows...

TOPIC	ISSUES/ INFORMATION DISCUSSED
Recruiting & Hiring Strategies	<ul style="list-style-type: none"> • Hiring Goals, Strategy, & Roadmap • Compensation philosophy
DEI	<ul style="list-style-type: none"> • Review data on applicants & hiring • Review training programs • Commitment for an Inclusive, Equitable, and Compassionate Community (CIECC).
Shaping Personnel Rules	<ul style="list-style-type: none"> • Annual review by an ad-hoc committee
Activating Community Around Hiring	<ul style="list-style-type: none"> • Events • Local initiatives
Vacancies, Turnover, Retention	<ul style="list-style-type: none"> • Vacancy report • Highest pain points • Employee engagement surveys

In addition to these topics, there may be a one-time need for more conversation on the roles and duties of the Personnel Commission, as established by various legal documents, and how/whether to consider updating them (See [Retreat Agenda Packet Section 13](#), and [Brief 4: Potential Future RACI Diagram](#)).

Lastly, to keep up momentum on these process improvements, it may be helpful to plan an annual retreat for the next several years. This process could be much lighter-weight than this initial work and report.

Example Calendar of Topics

An **example** of an upcoming cycle of agenda topics might be...

- **March 2024** - Form PC Reform Subcommittee and discuss implementing a Consent Calendar
- **June 2024** - Personnel Rules & PC Mission Statement (in the context of HR Policy and the Municipal Code)
- **September 2024** - Recruiting & Hiring Strategy
- **December 2024** - DEI
- *(November 2024 - Personnel Commission Retreat & check-in?)*
- **March 2025** - The Municipal Code & the Personnel Commission’s Roles & Duties
- **June 2025** - Activating the Community Around Hiring
- **September 2025** - Recruiting & Hiring Strategy

- **December 2025** - DEI
- **March 2026** - TBD
- **June 2026** - TBD
- **September 2026** - Recruiting & Hiring Strategy
- **December 2026** - DEI

Brief 3: Process Prototype for Consent Calendar

Both HR Staff and Personnel Commissioners were in favor of trying a “Consent Calendar” process for voting on routine approvals. This was a suggestion by Councilmember Syrop, and borrows from the procedure that City Council uses to save time on non-controversial items that do not need serious public debate.

The following is from Page 26 of Hayward Council Members Handbook...

CONSENT CALENDAR

Items of a routine nature, and non-controversial, including Approval of Minutes, shall be placed under the Consent agenda at the City Manager's discretion. All items may be approved by one blanket motion upon unanimous consent. Any Council Member or any member of the public may request that any item be withdrawn from the consent agenda for separate consideration. (Council Action, March 18, 1997)

The hope is that using this process would enable the Personnel Commission to:

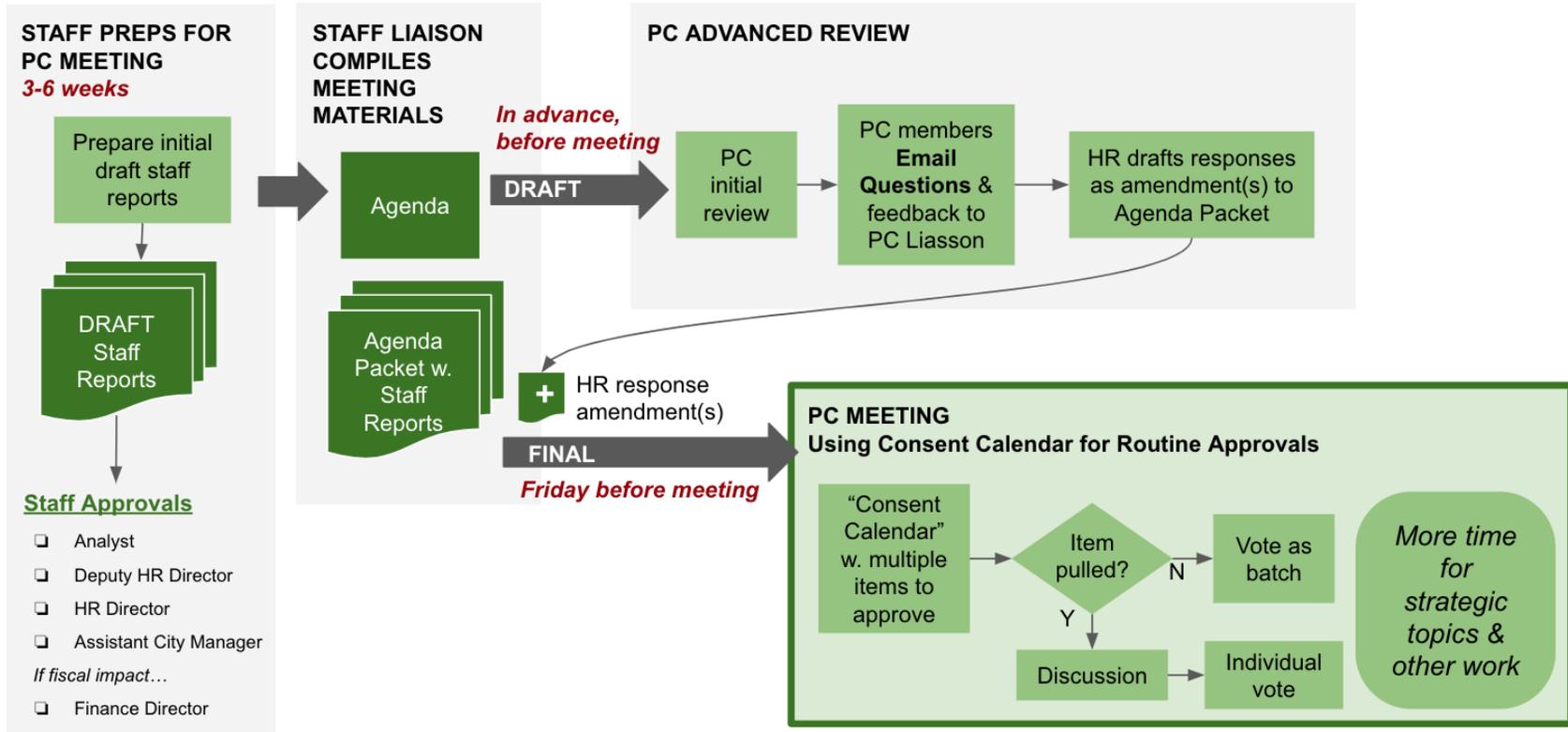
- 1) Spend relatively **more time with the more strategic questions** and topics, such as those mentioned in [Brief 2: Topics for Quarterly Annual Meeting Schedule](#).
- 2) Spend relatively less time on routine approvals, and reduce uncertainty & surprises around these items in the meeting.

Working in this way does require more advanced behind-the-scenes work. See below for:

- A draft process flow diagram for what it might be like for PC approvals to be made using a Consent Calendar after advanced review.
- A starting list of pros, cons, and open questions associated with this way of working.

EXAMPLE FUTURE PROCESS FLOW

PC Approvals using Consent Calendar after Advanced Review.



- **Benefits**
 - More ability for back-and-forth prior to the meeting
 - More likely to have questions answered and feedback addressed
 - Approval more likely with this step of advanced review
 - Fewer surprises at the meeting
 - Less anxiety for HR Staff at the meeting itself
 - Opens up more time for conversation and work on strategic items at the meeting
 - Meaningful back-and-forth prior to the meetings could improve general communication & collaboration between the Personnel Commission and HR Staff
- **Risks/ Drawbacks**
 - Materials have to be ready earlier
 - More work for HR Staff to solicit responses and respond to questions in the week before the meeting
 - Requires commissioners to be thorough and pro-active prior to the meeting
 - May involve less conversation on routine items during the meeting
- **Open Questions**
 - Does the addition of a Consent portion of the meeting need to be adopted, documented, and formalized somewhere before it is prototyped?
 - What if PC feedback leads to big changes that require significant re-works and additional approvals?
 - Would staff from departments still come to answer questions live in the meeting?
 - Which items of current routine PC business should be moved to the consent calendar, and which should be kept as individual agenda items? All approvals? All approvals except job descriptions?

Brief 4: Potential Future RACI diagram

During the retreat we looked at what the powers and duties of the Personnel commission are, what legal documents established them, and how the group might want to evolve the Personnel Commission's role.

4a. Implementation Notes on Shifting Roles

This is one of the most important sections of this report because it informs if and how to change the laws and ordinances that define the Personnel Commission's powers and duties. It's where you have the opportunity to revisit and re-write the rules to build strong institutions for Hayward.

We did not have a lot of time to work on this together at the retreat. The intent of the exercise we did was to: 1) frame the issues; 2) introduce the RACI framework as shared vocabulary to help navigate future conversations, and 3) get an initial read on how and where to shift roles.

Highest level takeaways based on the survey & dot voting exercise:

- There are some areas where there is strong alignment and making changes should be straightforward. These are the best places to start this work.
- There are some areas where staff and the personnel commission are quite divided.

General considerations for moving forward:

- Be thoughtful and do not move too fast. At the same time, don't deprioritize and lose sight of this foundation-building work.
- Understand the legal and procedural tools at your disposal, and build a strong working relationship with attorneys and City Council as you look towards making these changes.
- Seek to evolve and modernize Hayward's Personnel Commission based on how modern HR departments work, but do not depart too far - too quickly - from the roles & powers of Personnel Commissions elsewhere.
 - Do not strip the Personnel Commission of its historical powers without building a valuable future role for it in parallel.
- Simplify and remove ambiguity when you can, and make sure the rules and roles that do exist are followed as much as possible.
 - Focus on building clear & healthy processes
 - Make sure these processes & roles are clearly understood as part of training for both HR Staff and Personnel Commissioners.
- Be deliberate about building a strong and healthy culture, in parallel to this more technical legal work.

On legal tools

- The **City Charter** is difficult to change because it requires a public vote/ referendum. Any changes here would likely be far in the future, and hopefully based on reforms that will already have happened using other legal tools.
- The **Municipal Code** is the legal instrument that has both the most bearing on current practices and a reasonable ability to change and evolve. It's an important place to build and maintain a strong foundation.
- The **Personnel Rules** is a document that could be used much more effectively in this process. It is maintained by HR and the Personnel Commission, and approved by Council. This could be a practical policy manual and should be meaningfully revisited every couple of years. Changes to this document can happen much more fluidly, and could be the initial tool used for process improvements and reforms.
- **General considerations for moving forward:**
 - Use the Municipal Code for the core and stable duties (the basic “what”) and use the Personnel Rules to elaborate those core duties and bring them to life with meaningful processes (clarifying the “what” and defining the “how”).
 - First, build strong working relationships to update the Personnel Rules.
 - In parallel, look towards also updating the Municipal Code.
 - When ready, perhaps bring revisions of both documents to the council for consideration together.

4b. Role Changes to Consider

Below is a RACI matrix that highlights areas of consensus and division based on feedback from both the pre-retreat survey and the dot voting exercise at the retreat.

NOTE that this should be taken as a directional initial signal. These changes should be carefully considered, negotiated, and drafted in the context of the actual policy documents.

Role Changes to Consider

Based on pre-retreat survey and dot-voting at retreat

NOTE: Only strong signals are represented. This is a starting point, not a full picture.

★ = Role as defined in Charter

☆ = Role as defined in Municipal Code

☆ = Role as defined in Personnel Rules

Changes to Consider
based on survey & inputs to-date

Add process/role

Divided Opinion

Maintain current role

Change Role



	No role	Informed (information shared & discussed)	Consulted (early feedback/ review)	Recommend (approval is desired, but not required)	Responsible (does the work on the task)	Final decision & approval (can block)	
Job Descriptions (Job Classification) (Class Specification)						☆	
Classification Plan						☆	
Salary Plan				☆			
Eligibility Lists / Employment register (abolishment)			←				☆
Eligibility Lists / Employment register (review appeals)			←				☆
Employment appeals & investigations					☆ ☆		
Hear grievances from Hayward employees					☆ ☆		
Personnel Rules				☆ ☆			
Anti-discrimination data & training programs			☆		☆		
Recruiting programs (Outreach)			☆				

So far there is consensus on:

- **Changing** the Commission’s role by:
 - Removing the Personnel Commission’s approval role in **abolishing Eligibility Lists** (defined in Personnel Rules), and building processes to **Inform** the commission instead.

- Removing the Personnel Commission's responsibility for reviewing **appeals to the Eligibility Lists** (defined in Municipal Code), and building processes to **Inform** the commission instead.
- **Maintaining** the Commission's role in:
 - **Recommending Personnel Rules** (defined in both the Charter & Municipal Code)
 - Being **Consulted on Anti-Discrimination data & training programs** (defined in the Municipal Code)
- Building processes to **better inform and/or consult** the commission on...
 - Job Descriptions
 - Salary Plan

So far there is division on:

- Whether the Personnel Commission should **Approve Job Descriptions** (defined in Municipal Code)
 - The majority of staff are interested in removing the Personnel Commission's role of approving Job Descriptions.
 - Most Personnel Commissioners wanted to maintain their power of approving the Job Descriptions.
- Whether the Personnel Commission should **Recommend the Salary Plan** (defined in Municipal Code)
 - Staff are interested in removing the Personnel Commission's role of recommending the Salary Plan
 - Personnel Commissioners wanted to maintain their duty of recommending the Salary plan, and some wanted the final approval authority on it.
- Whether the Personnel Commission should **Hear Grievances from Hayward employees** (defined in Personnel Rules)
 - Staff were either neutral on this point, or were interested in removing the Personnel Commission's role in hearing grievances. (there was some confusion in the voting process, and we did not have very much time for this activity at the retreat)
 - Nearly all Commissioners and the Council representative were interested in the commission maintaining its role and responsibilities here.

For more data, see:

- [SURVEY: Future-State Roles \(RACI\)](#)
- [Notes from the Retreat](#)

Brief 5: Clarifying the PC’s DEI Work

One of the central goals of the Personnel Commission, as defined both by the Municipal Code and the [potential mission statement in this report](#), is to ensure diversity, equity, and inclusion (DEI) within the city of Hayward’s workforce.

However,

1. Processes have not been put into place to accomplish this work, and
2. Some of the language in the Municipal Code is unclear

To help make progress in this area, below is a summary of some of the current policies related to DEI work, and some related recommendations.

DEI-related policies

Policy	Observations on Current State
<p>Municipal Code Section 2-3.12</p> <p><i>(the Personnel Commission shall have the power and duty to...)</i></p> <p>B. Ensure the City’s employment and personnel practices comply with all applicable Federal and State anti-discrimination laws.</p>	<p>This language is vague and may be a potential liability.</p> <p>What does it mean to “ensure” compliance with these laws?</p> <p>If the Personnel Commission’s “duty” is to “ensure” that the City’s employment and personnel practices comply with state and federal anti-discrimination law, that seems like a fairly important and serious obligation that would require training, intimate knowledge of applicable laws, and robust processes and collaboration with the HR department. This does not seem to be the case.</p>
<p>Municipal Code Section 2-3.12</p> <p><i>(the Personnel Commission shall have the power and duty to...)</i></p> <p>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.</p>	<p>Recruitment data, segmented by race, is reported to the commission annually.</p> <p>Hiring data, segmented by race, has not been reported.</p> <p>It has not been the practice for HR staff to bring both recruitment & selection data to PC meetings.</p>

<p><u>Municipal Code Section 2-3.12</u></p> <p><i>(the Personnel Commission shall have the power and duty to...)</i></p> <p>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.</p>	<p>In this project it was not evident that the Personnel Commission is reviewing this material, or that they are currently engaged at all in the administration of these policies.</p> <p>It is also unclear how the Personnel Commission would ensure city employees are aware of, and comply with, this program.</p>
<p>DEI is not mentioned specifically in either the City Charter or the Personnel Rules.</p>	

General considerations for moving forward:

- Make sure that what is written about anti-discrimination, equal employment, and DEI in the **Municipal Code** is **clear** and **achievable**.
 - Describe the “**what**” and make sure that the Personnel Commission has the powers, information, and ability to accomplish this.
 - If it is not being done, or is beyond the scope of what the Personnel Commission could or should reasonably accomplish, remove it from the code.
- Use the **Personnel Rules** to elaborate on **how** the Personnel Commission, Hayward HR department, and City Staff.
 - Be **specific** about the data, reports, processes, and laws involved.
- Include the Personnel Commission’s DEI duties and processes in **training** for both the Personnel Commission and HR Staff.
- **Audit and research the data requirements** and best-practices for ensuring DEI in employment and personnel practices, and make a plan to improve systems and processes as needed (e.g. Hiring data related to DEI seems to be a gap).
- Set **recruiting and outreach goals** in-line with the city’s DEI goals, and involve the Personnel Commission in this work.

Ideas from Break-out Group:

During the retreat there was a break-out group about topics for the Personnel Commission to address, and one group discussed how the PC should address DEI issues. Some notes from that include:

- The Personnel Commission would like to see Data and Analytics on both the recruiting process (applicants) and on hiring. They’d like to see this information in advance of the meeting in which it’s discussed.
- The Personnel Commission would like to see engagement surveys to hear more directly from employees about their experience.
- Once hired, the Personnel Commission would like the DEI Officer to sit in on meetings related to DEI.

- The Personnel Commission could imagine special projects related to DEI, including the City's approach to H1B visas.
- There could/should be a facilitator from HR during interviews to help advocate for the candidate.
- The Personnel Commission could directly contribute to Hayward's [Commitment for an Inclusive, Equitable, and Compassionate Community \(CIECC\)](#).

APPENDIX A: Retreat Agenda Packet

1. Agenda

The retreat will take place on November 7th from 4pm - 7pm at the Hayward Library, Fremont Room. 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:

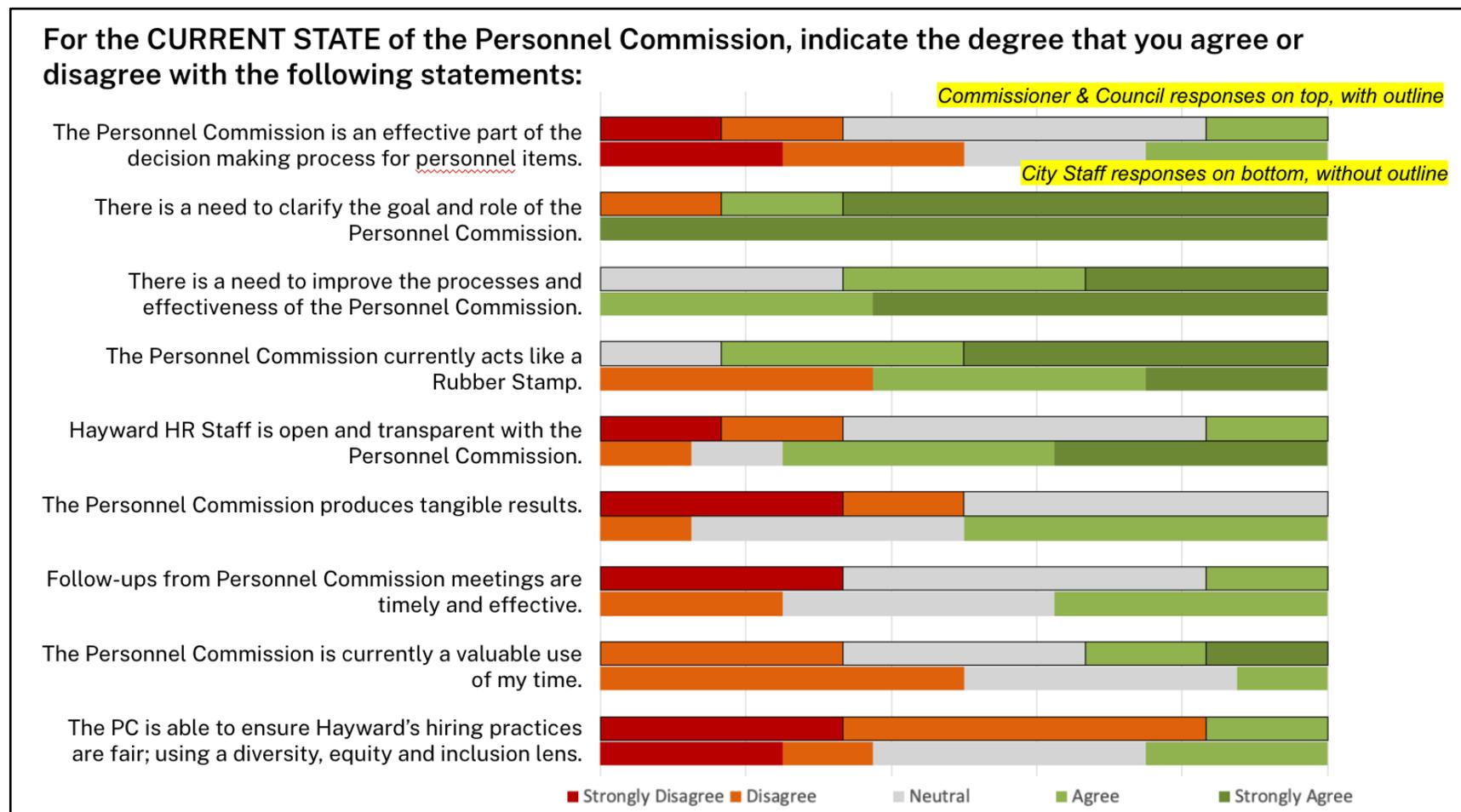
- Currently the commission is a “**rubber stamp**” for decisions that have already been made, which is ineffective and frustrating.
- Calling **special meetings** to gain “rubber stamp” approvals to move hiring processes forward is inefficient and unsatisfactory for all parties.
- Despite the ineffectiveness 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

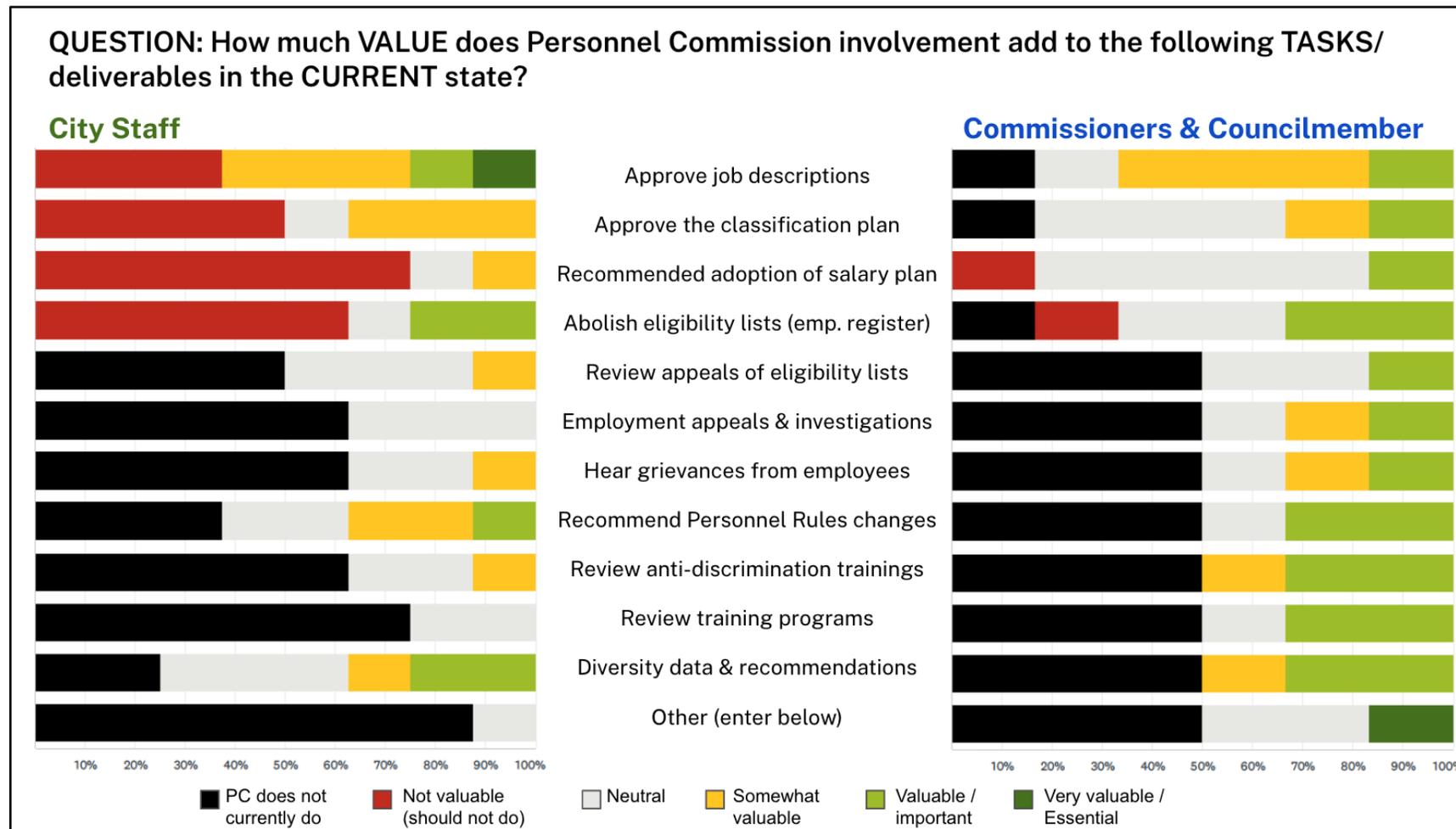
4a. Sentiment based on Prompt Statements



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:

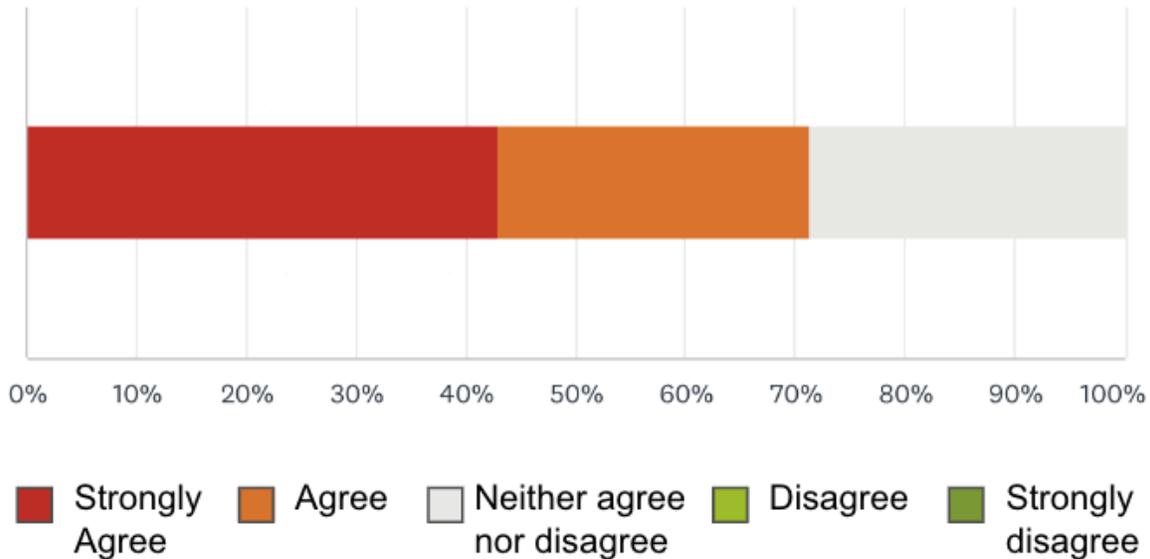
- + **(Very Valuable/ Essential)** Have the ability to have TOPICS added to future agendas

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.

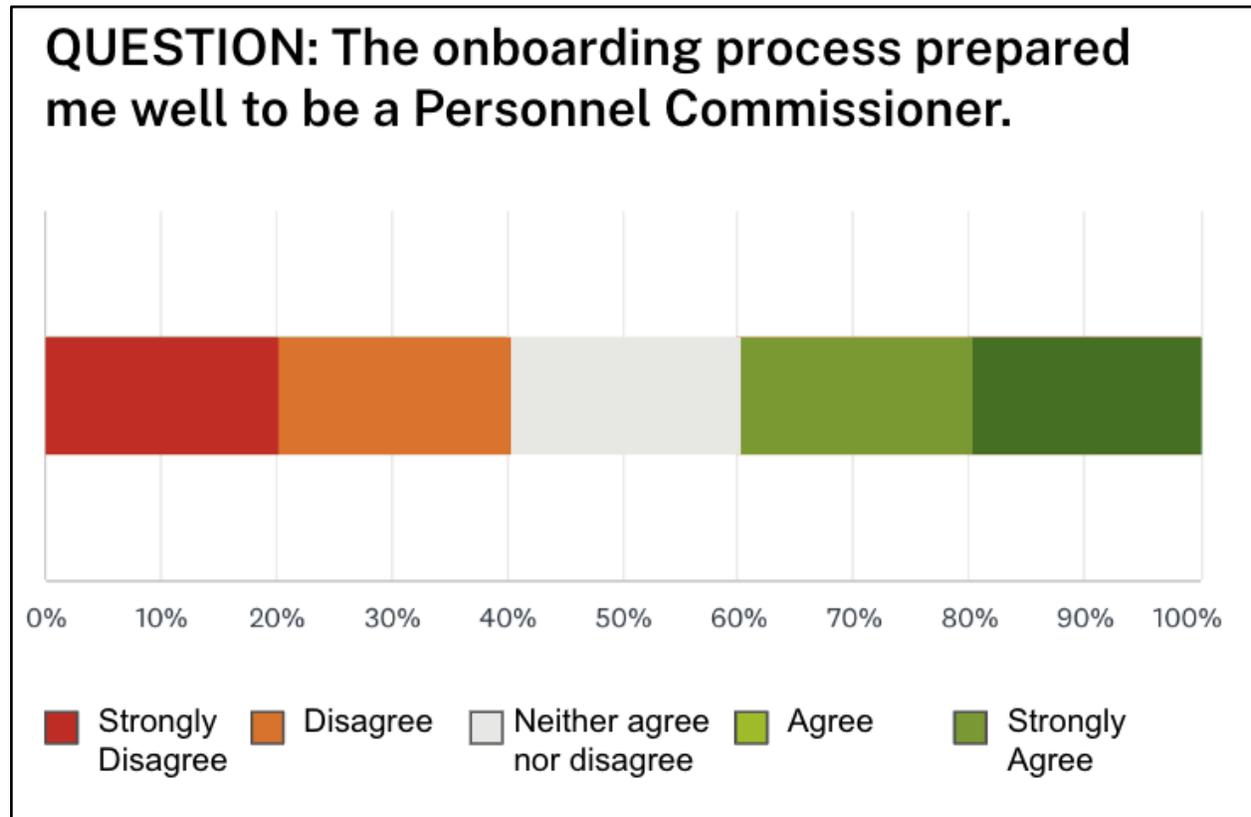


QUESTION: As an HR staff member, how many hours per week do you work on tasks specifically related to preparing materials for Personnel Commission Meetings?

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



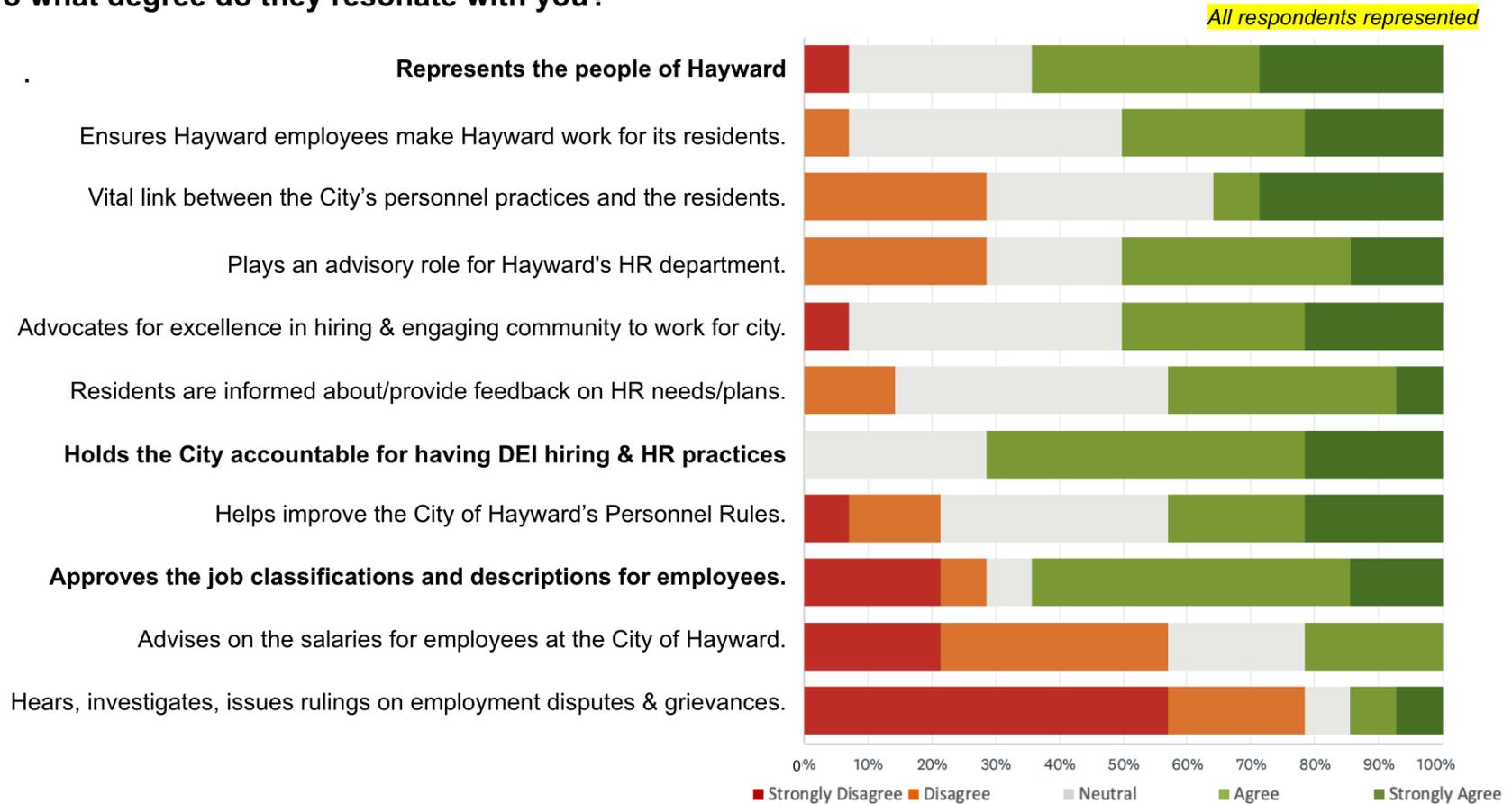
QUESTION: As a Personnel Commissioner, in advance of each meeting, on average how long do you spend preparing and reading materials?

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?

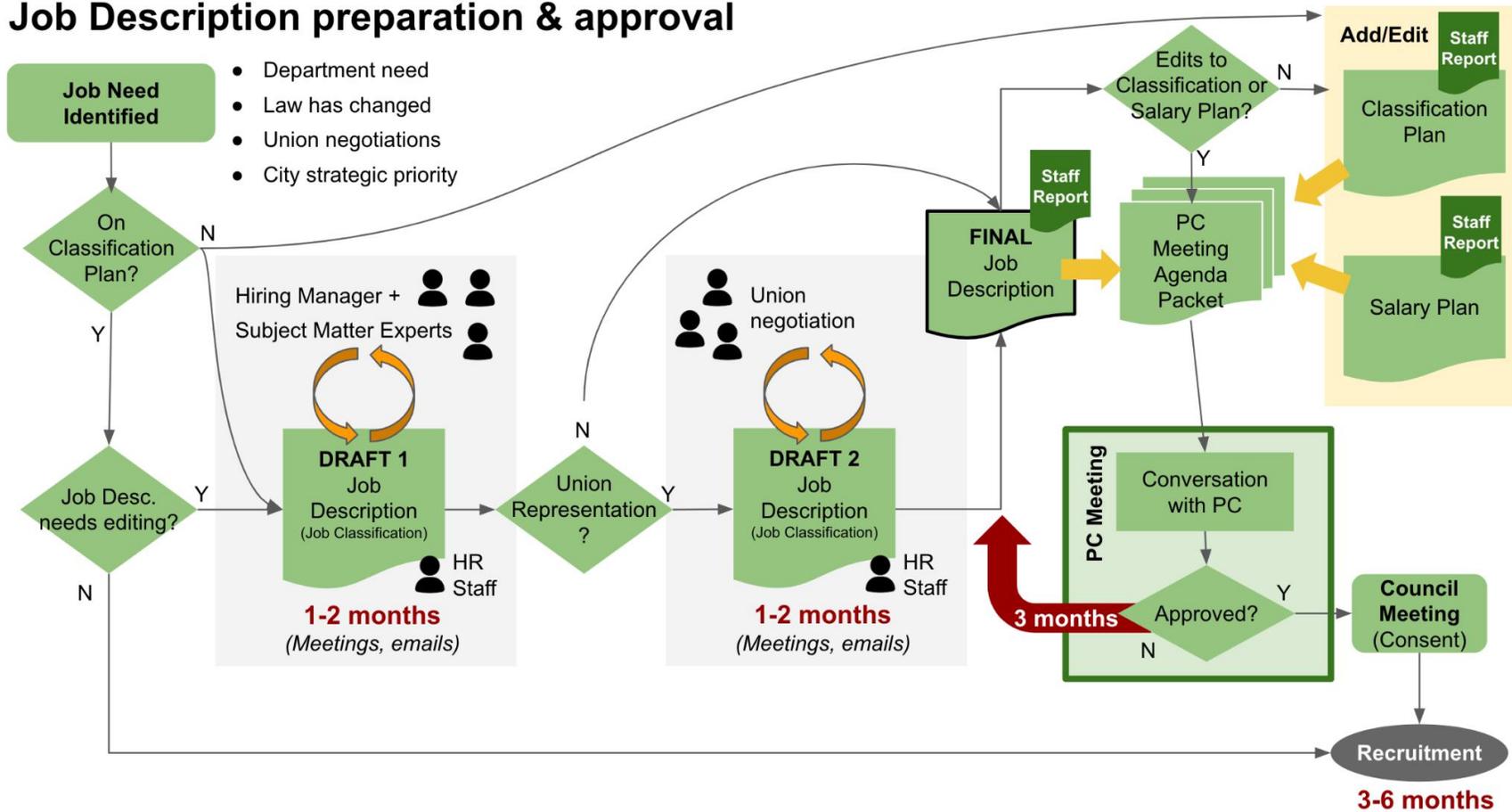


7. Ways to Engage: Current & Future

7a. Preparing & approving job descriptions

PROCESS FLOW

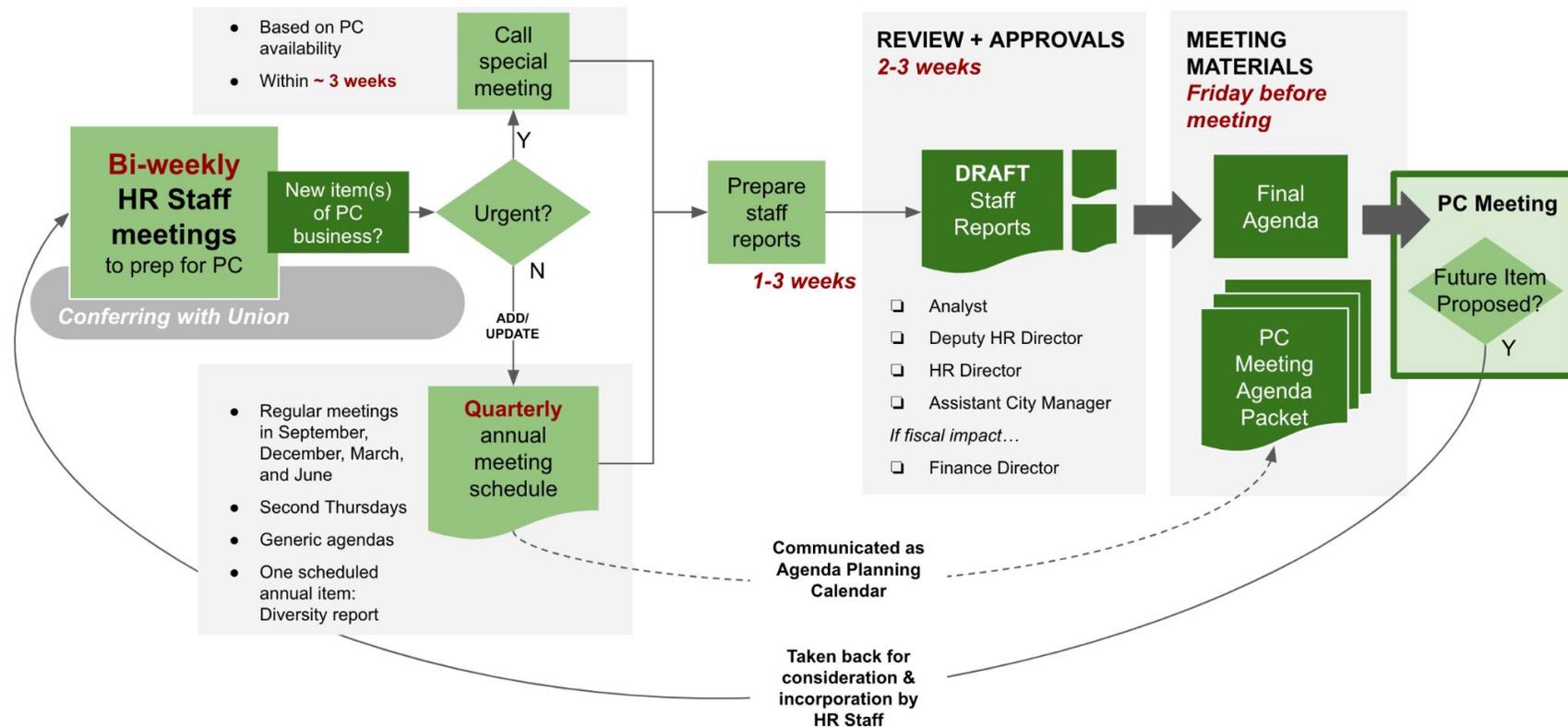
Job Description preparation & approval



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.

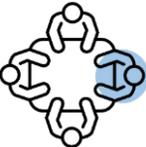
See the following "Menu of Engagement Options" for what IS ALLOWED.

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.

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

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 Commission

Personnel

- 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:

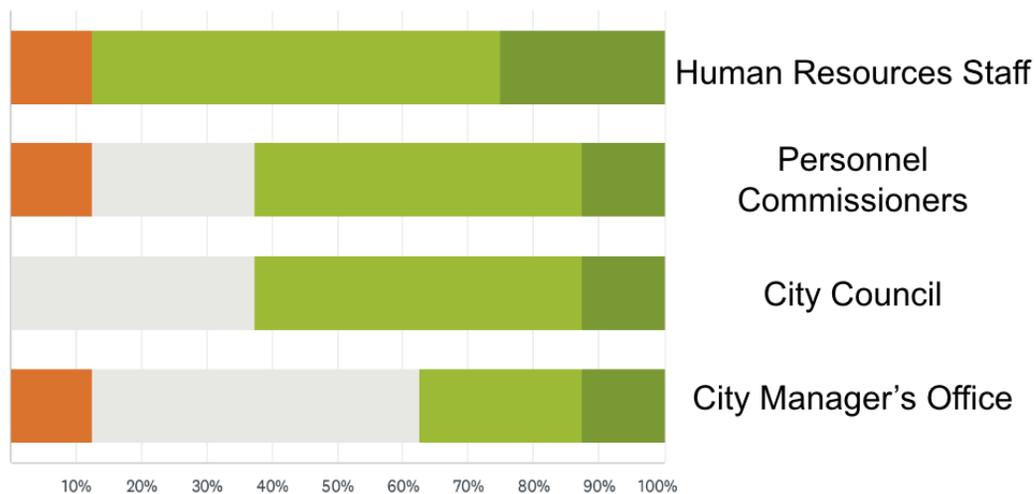
- The following statements/ ideas were from one response from a **City Council** responder...
 - 360 Staff evaluations, does personnel currently play a role in that?
 - Personnel should request turnover rates (then we can ask hard questions about how compensation is tied to dept. performance)
 - Recruitment 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

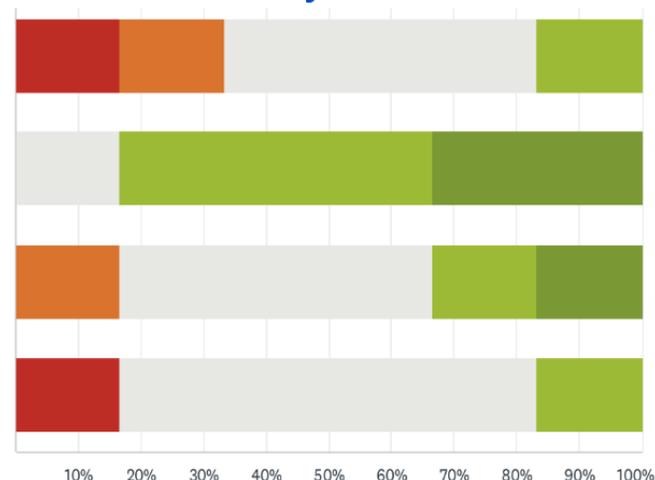
9a. Willingness to change

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

Respondents from City Staff



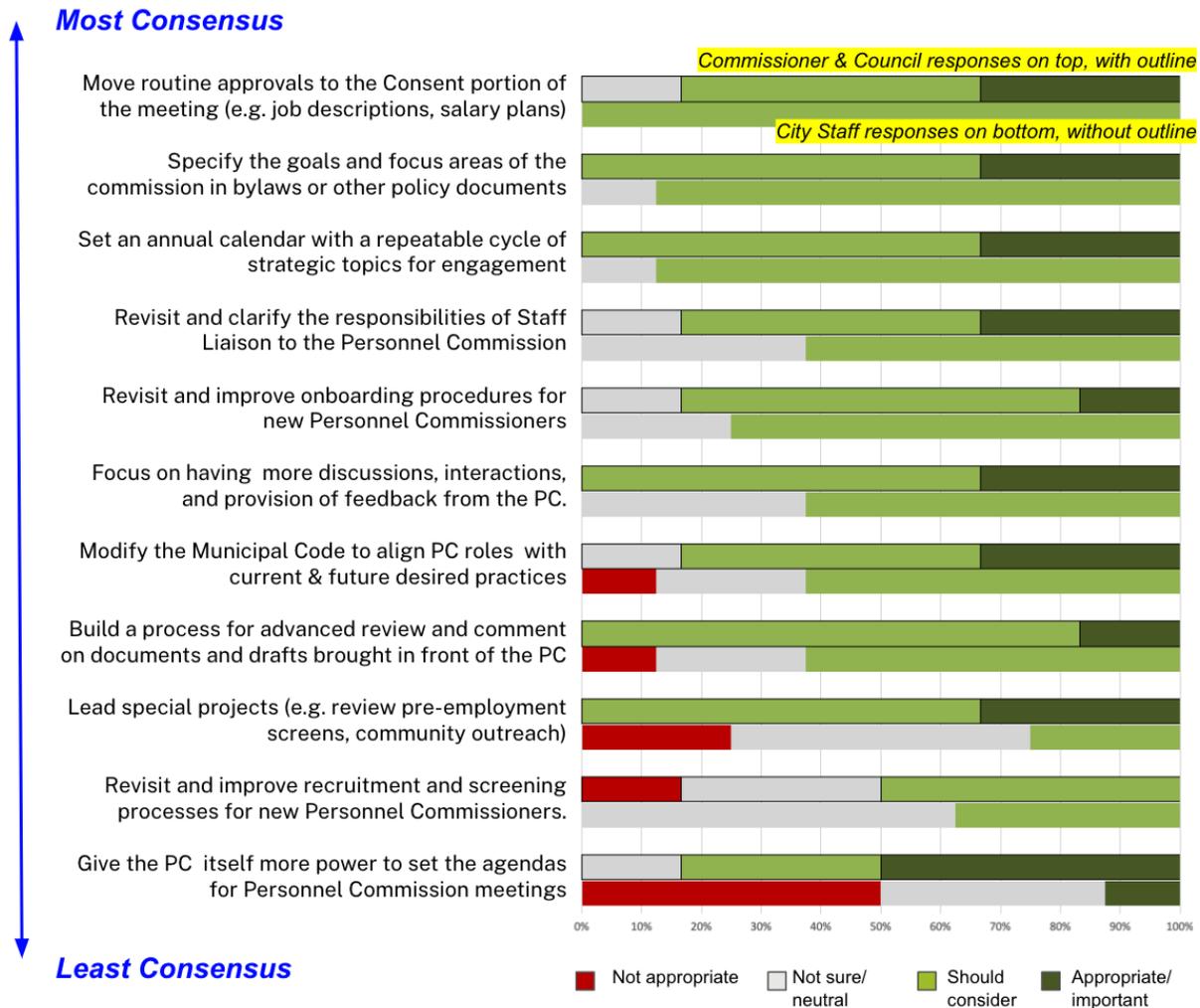
Respondents from Commission & City Council



■ 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.

11. 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.

12. 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

13. 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)
- [Appointed Officials Handbook](#)

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.

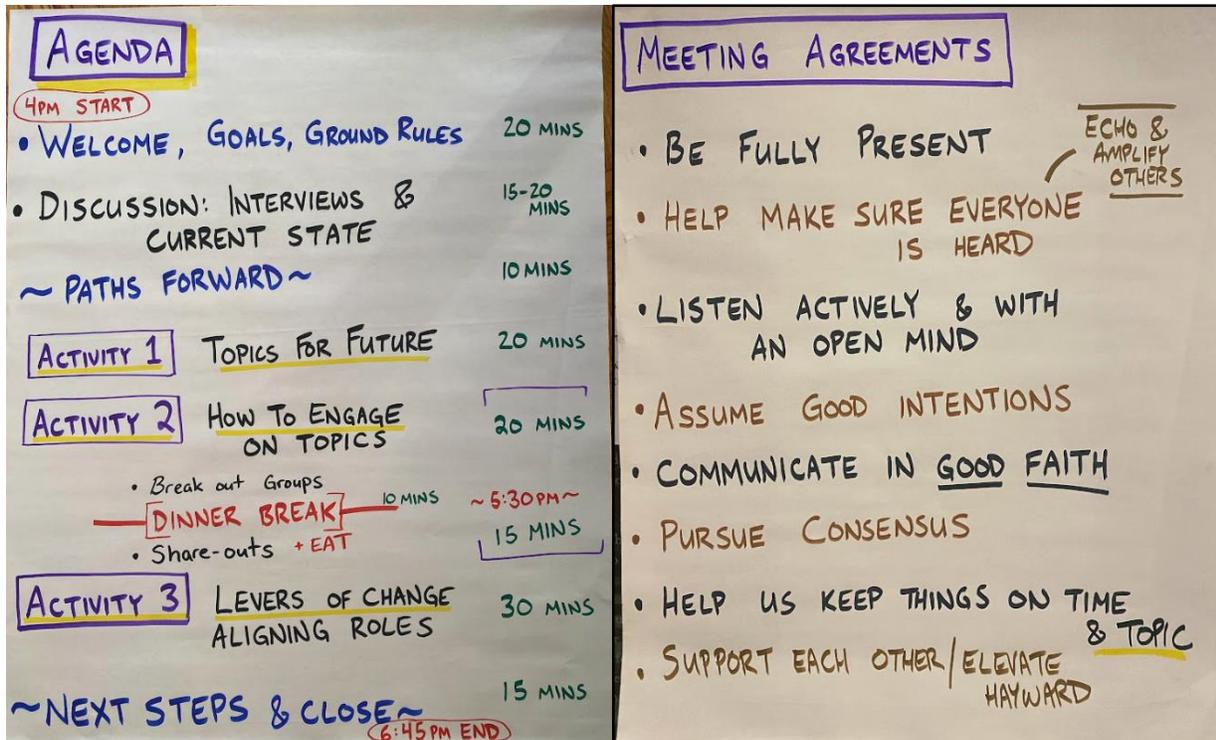
If an employee is not satisfied with the disposition of the matter by the City Manager, he may file his grievance with the Personnel Board and request advisory review. The employee may request that the review be private; otherwise, it shall be accomplished at public meetings of the Personnel Board.

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.

APPENDIX B: Recap of Retreat, Notes & Photos

The notes from the retreat were captured in the room on the whiteboard, flip charts, and activity posters. Photos of these notes are below.

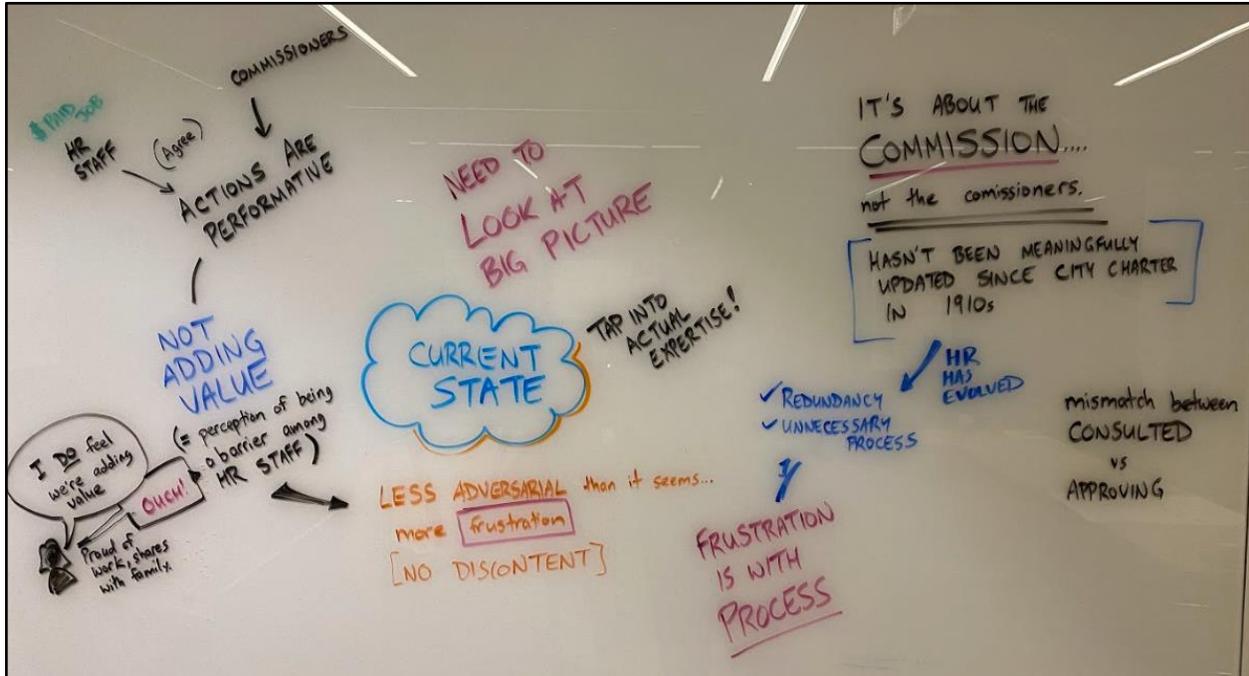
Welcome, Agenda, & Container Setting



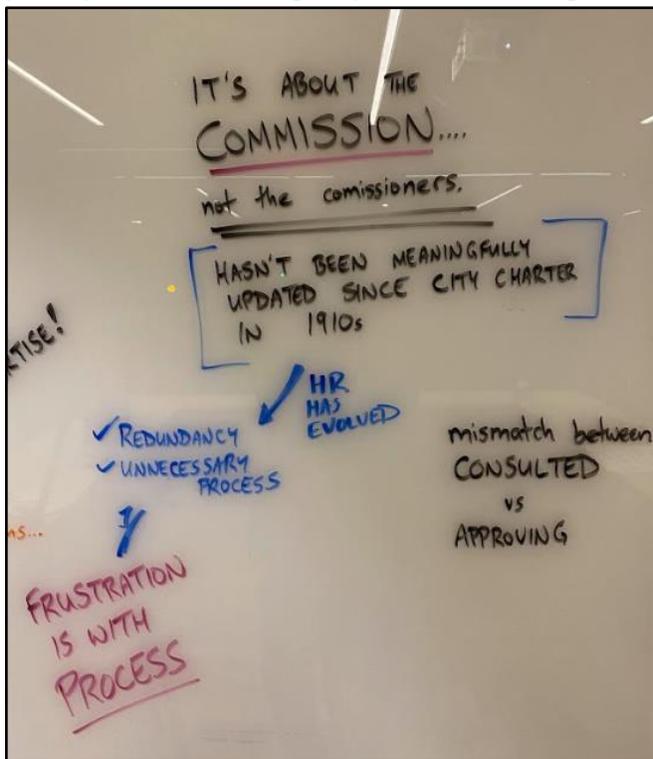
The group made some builds and additions on the [draft meeting agreements](#) presented in the Agenda Packet.

Reflection Discussion: Interview & Survey Findings

PROMPT: What thoughts or reflections did you have as you reviewed this?
 Was there anything surprising to you in the data?



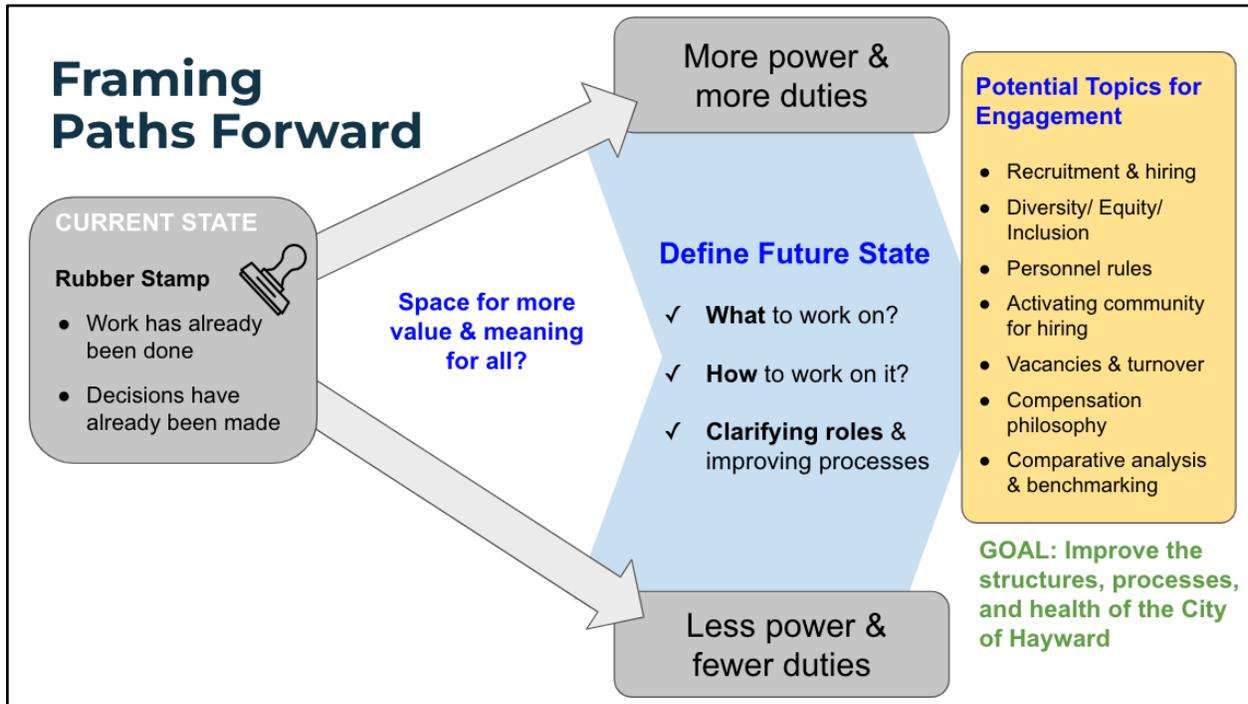
While there was a lot of discontent with the current state, the group characterized the problems as frustration with how things work rather than an adversarial relationship. However, some commissioners were surprised with HR Staff and other commissioners' perceptions that the group was not adding value.



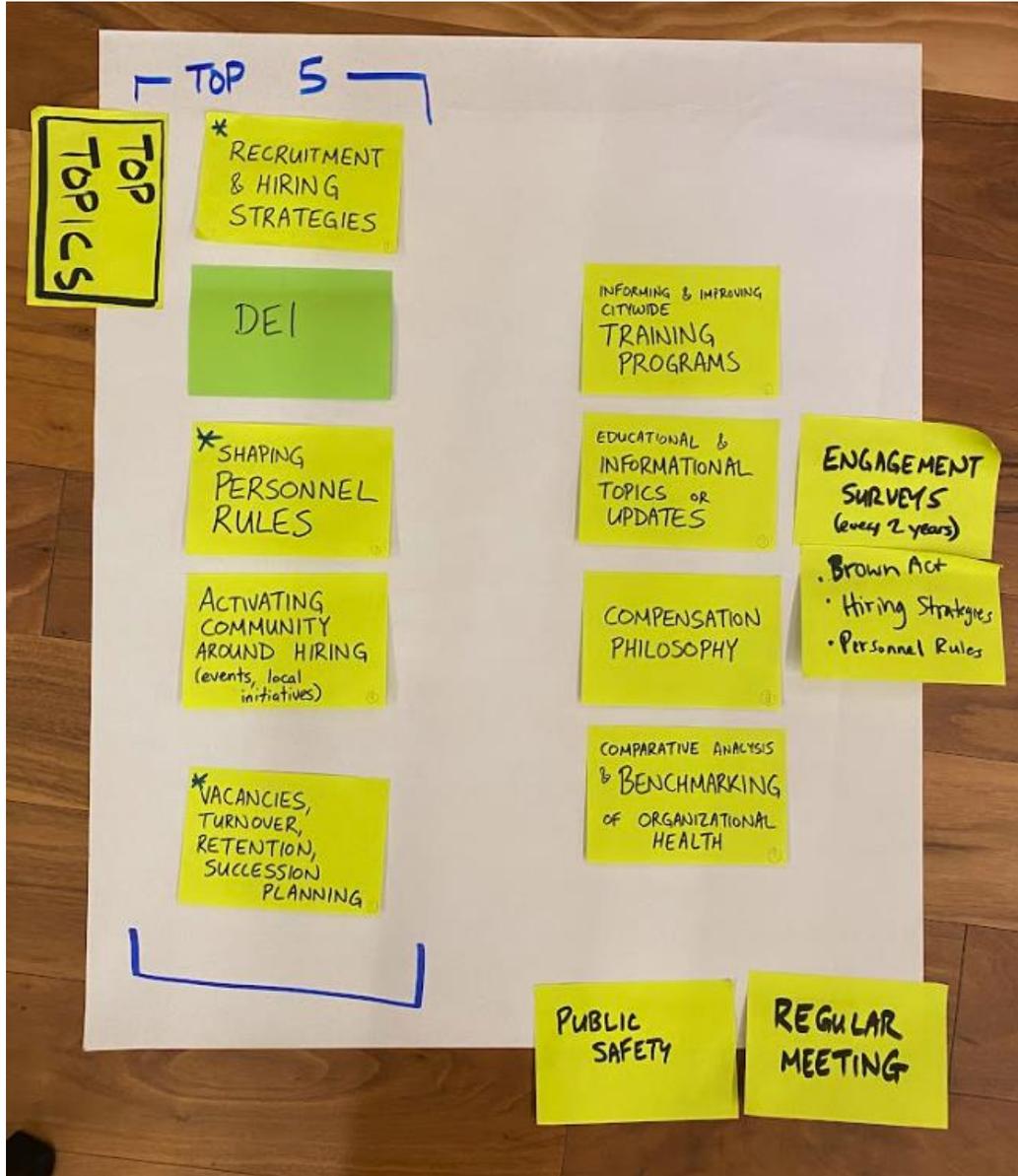
Frustrations are with the process and outdated policies. Not with the individuals on the commission.

Conversation: Paths Forward

The following graphic was used to frame the conversation: we are looking for solutions in that middle area that creates more value and meaning for all stakeholders. We would be defining that future state together, and the first activity was to discuss potential topics for engagement.



ACTIVITY 1: Priority Topics for Future Engagement



The group strongly agreed on the “Top 5” topics, and also recognized that they were strongly interrelated. See [Brief 2: Topics for Quarterly Annual Meeting Schedule](#).

TOPICS Should represent greatest impact to the community (e.g. **Public Safety**)
 What are the big picture buckets?
 * What is most important to City changes over time.

RECRUITMENT & HIRING bucket would include public safety now.

PROCESS would be more valuable if we give input up front = **Strategic Partners!**

PERSONNEL RULES? Currently updating. Will bring to PC.

TOPICS are interrelated. Holistic look.

EDUCATIONAL topics will support other work & build knowledge & excitement.

TOP 5 encompasses bottom 4.

Edu. topics should relate.

Engagement Surveys could be shared.

ACTIVATION COMMUNITY - Candi shares jobs for PC to share with networks, they do!

LIMITATIONS to PC role as volunteers?

EMPLOYEE disciplinary actions? Is in charter, but what is our role?
 → PC review is a recommendation whereas arbitration is binding & thus preferred (employees choose).

There was the realization that “Educational & Informational Topics or Updates” would likely come as part of addressing the “Top 5 Topics.”

There was some conversation about how the Personnel Commission might contribute to city priorities like Public Safety. The consensus was that, rather than trying to directly confront current issues like that specifically, city priorities should and would come through via the Personnel Commission’s core work of helping with hiring and personnel matters (e.g. hiring in law enforcement and mental health to address public safety).

ACTIVITY 2: How to Engage on Priority Topics

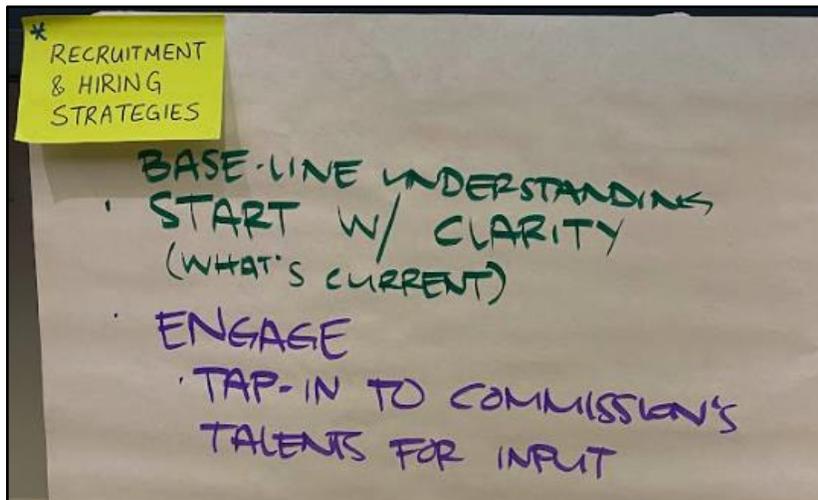
BREAK-OUT GROUP ACTIVITY

PROMPT: To address this topic in a valuable way, what would need to happen before, during, and after a PC meeting?

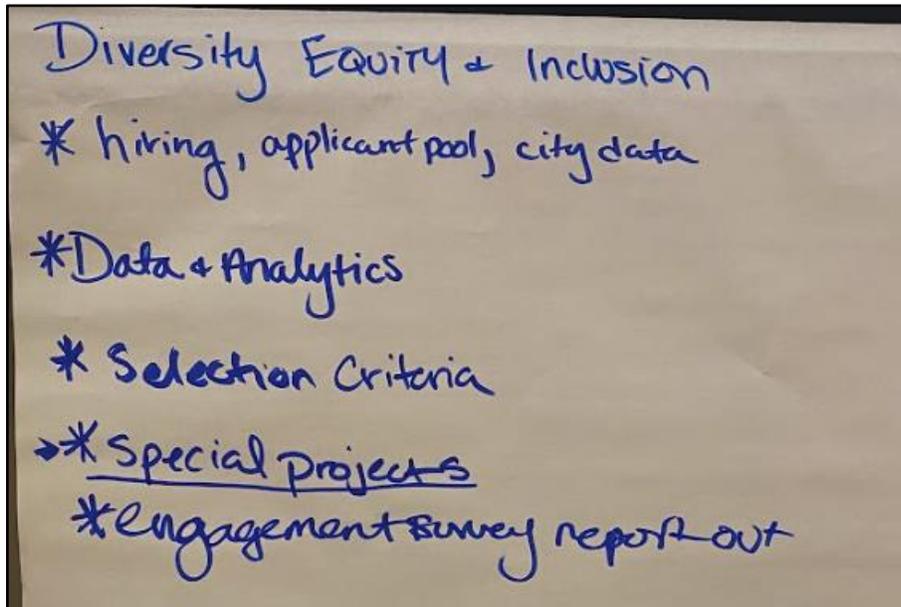
- What kind of input/engagement would be desired from the PC?
- What work would be required from HR staff? Is this existing work or new work?
- Don't just focus on what's already happening



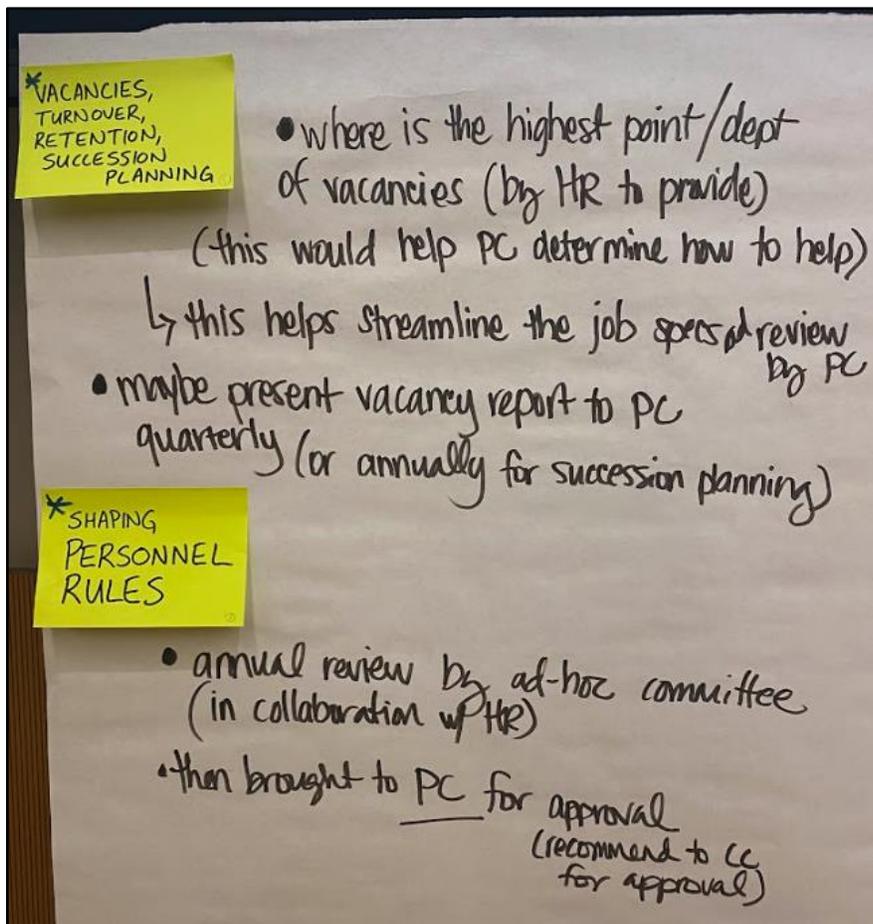
GROUP: Recruiting & Hiring Strategies



GROUP: DEI



GROUP: Vacancies/ Turnover + Personnel Rules

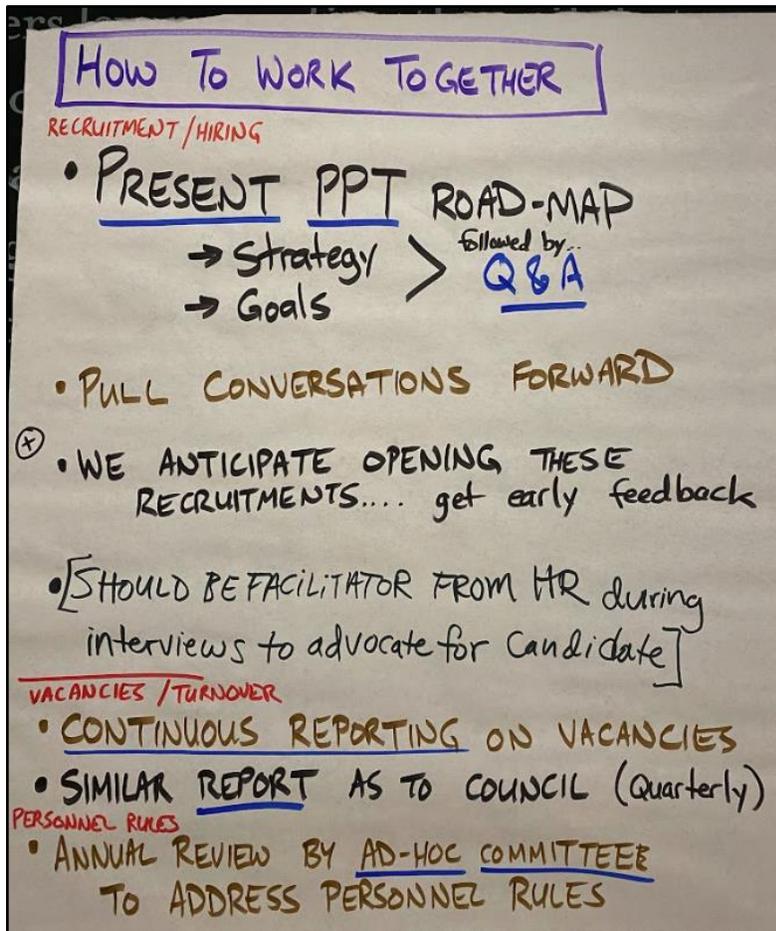


SHARE-OUT AFTER GROUP WORK

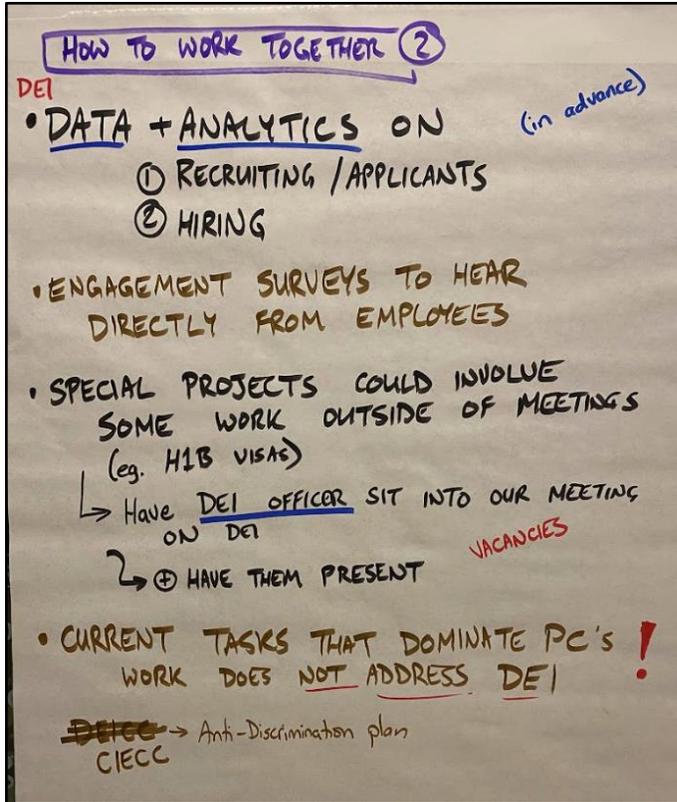
PROMPT: Each group shares:

Takeaways of your group's conversation (e.g., what you would do before, during and after PC meetings?)

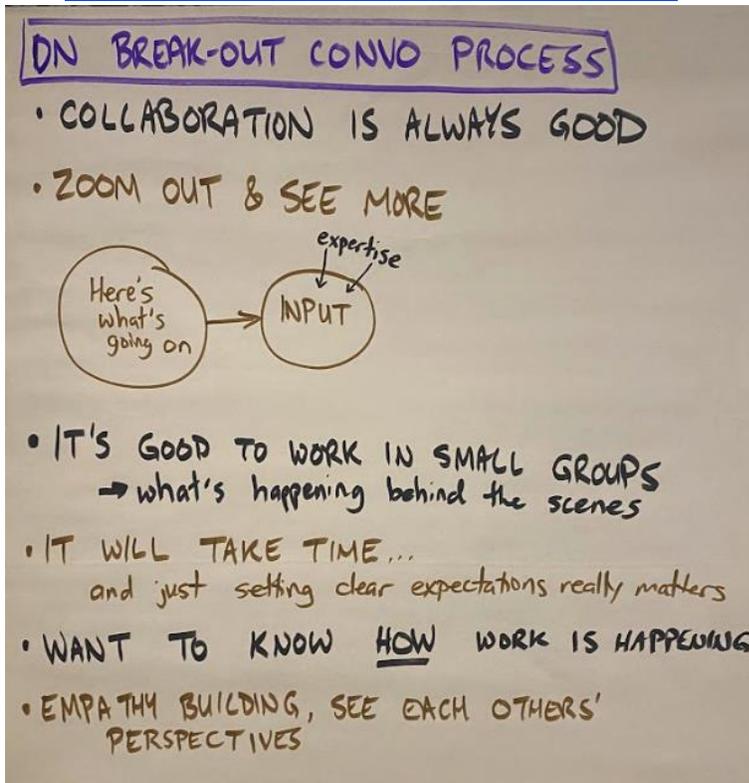
- How does this improve things?
- Reflect on how it feels to work together in this way? (e.g., to collaborate and create solutions together)



For recruitment & hiring, the PC would like to see the city's strategy, goals, and roadmap presented in a format that enables discussion and Q&A.



See [Brief 5: Clarifying the Commission's DEI work.](#)



Working in small groups, and looking at bigger picture topics, enabled Personnel Commissioners to better understand what was actually happening. Both more context and

details were conveyed. Knowing what’s actually going on enables the Personnel Commission to provide better input and better use their expertise to help.

ACTIVITY 3: The Work of Aligning Roles

The following slide was used to lead a short conversation on the most important levers for change, in building on the data received in [the survey responses on "Ways to Create Change."](#)

Personnel Commission Retreat 2023

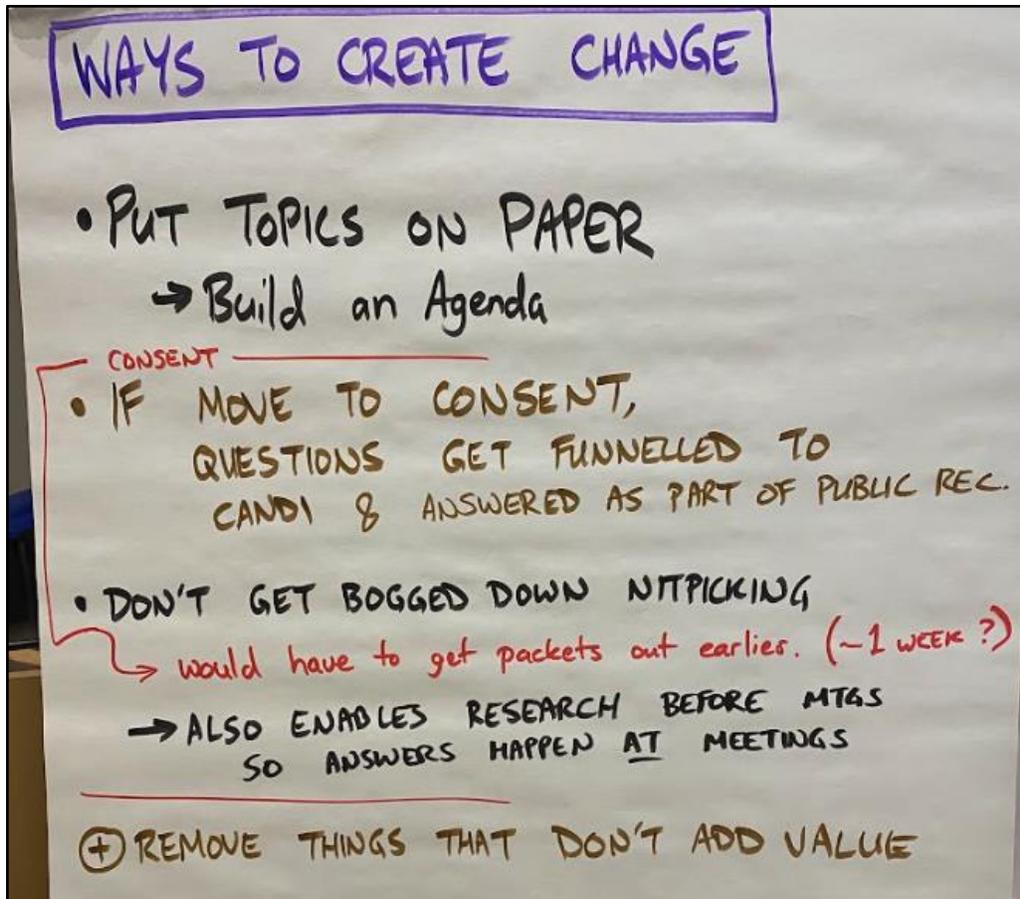
ACTIVITY 3: Levers for Change (8 mins)

Prompt: *What stands out to you as the most important levers for change?*

- *Do those first few items with high consensus resonate as the best place to start?*

1. **Move routine approvals to a Consent portion** of the meeting (e.g. job descriptions, salary plans)
2. **Specify the goals and focus areas of the commission in bylaws or other policy documents**
3. **Set an annual calendar** with a repeatable cycle of **strategic topics** for engagement
4. Revisit and **clarify the responsibilities of Staff Liaison** to the Personnel Commission

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Although there was interest in trying a Consent Calendar, there were some questions about how it would work. See [Brief 3: Process & Prototype for Consent Calendar](#).

We did not have much time for the final part of Activity 3, which was about specific role changes and used the RACI framework. We framed the conversation saying that we could dedicate an entire 3 hours to just this topic, and that the intent of this activity is to give the group a sense of the work and decisions involved. The group was given a chance to dot-vote on any role changes, based on initial feedback from the survey.

ACTIVITY 3: The Work of Aligning Roles

Future Roles Matrix (RAC)

★ Role as defined in Charter
 ☆ Role as defined in Municipal Code
 ☆ Role as defined in Personnel Rules

Changes to Consider
 Add process/role (green)
 Remove current role (red)
 Maintain current role (grey)

	No role	Informed (information shared & discussed)	Consulted (early feedback/review)	Recommend (approval is desired, but not required)	Responsible (does the work on the task)	Final decision & approval (final choice)
Job Descriptions (Job Classifications) (Class Specifications)						☆
Classification Plan						☆
Salary Plan				☆		
Eligibility Lists / Employment register (advertisements)						☆
Eligibility Lists / Employment register (review appeals)				☆		
Employment appeals & Investigations						
Hear grievances from Hayward employees						
Personnel Rules						
Anti-discrimination data & training programs				☆		
Recruiting programs (Outreach)				☆		
Training programs						

Instructions:

- Poster orientation
- Clarifying questions?
- Tasks / deliverables / topics to add?

DOT VOTING

(3) Agree with this role (keep or add)

(3) Disagree with this role (remove or do not add)



For takeaways & implications for next steps based on both the survey and dot voting, see [Brief 4: Potential Future RACI Diagram](#).

ACTIVITY 3: The Work of Aligning Roles

Future Roles Matrix (RACI)

★ = Role as defined in Charter

☆ = Role as defined in Municipal Code

★ = Role as defined in Personnel Rules

Changes to Consider based on survey & inputs to-date

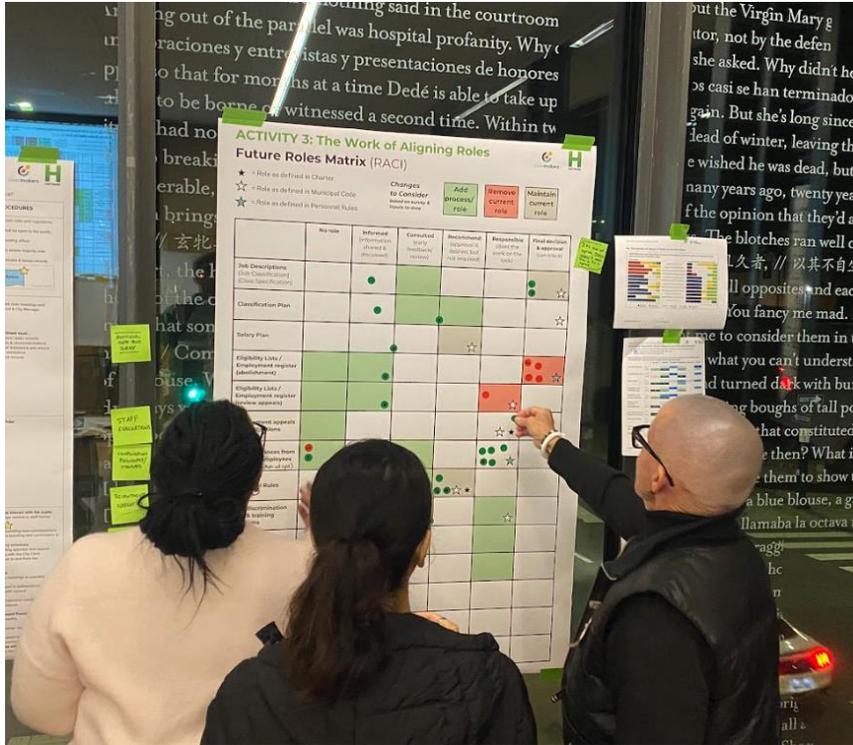
Add process/role

Remove current role

Maintain current role

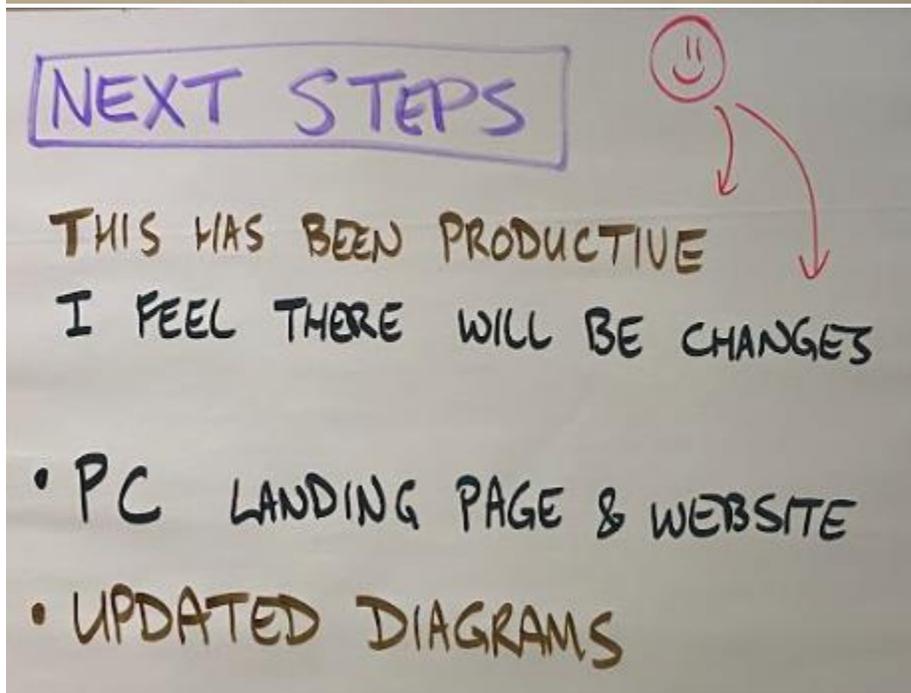
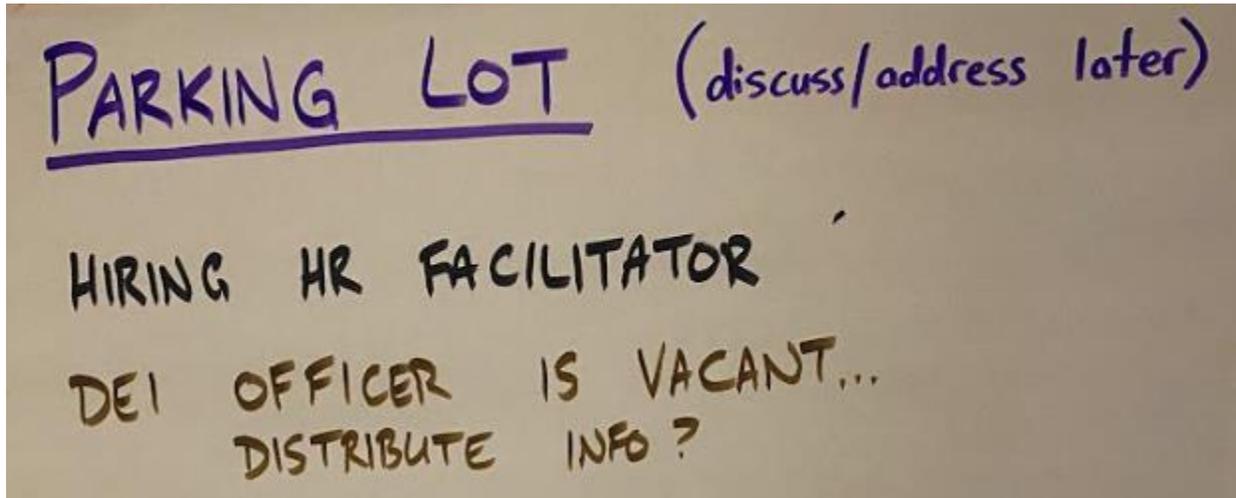
RED = REMOVE ROLE →

	No role RED = KEEP ROLE	Informed (information shared & discussed)	Consulted (early feedback/review)	Recommend (approval is desired, but not required)	Responsible (does the work on the task)	Final decision & approval (can block)
Job Descriptions (Job Classification) (Class Specification)		● ● ● ● ●				● ● ● ● ● ☆
Classification Plan		●	● ●			☆
Salary Plan		● ● ● ●		● ☆		
Eligibility Lists / Employment register (abolishment)		● ● ● ●				● ● ● ● ● ● ☆
Eligibility Lists / Employment register (review appeals)		●			● ● ● ● ☆	
Employment appeals & investigations					☆ ☆	
Hear grievances from Hayward employees (Strong "something that's not right")	● ● ● ● ● ● ● ●		●		● ● ● ● ● ☆	
Personnel Rules				● ● ● ☆ ☆		
Anti-discrimination data & training programs			☆ ●		☆	
Recruiting programs (Outreach)			☆			
Training programs						



Commissioners and HR Staff dot-voting on the RACI framework.

Next Steps



The main next step coming out of the retreat is this report that summarizes takeaways and sketches a path forward for improving how the Personnel Commission works for the City of Hayward.