


*City of*  
*Gainesville*

*Inter-Office Communication*

August 22, 2000

**To:** Personnel and Organizational Structure Committee  
Mayor Paula M. DeLaney, Chair  
Commissioner Chuck Chestnut IV, Member

**From:** Alan D. Ash, City Auditor 

**Subject:** Reporting Structure of Equal Opportunity, Affirmation Action and Other Human Relations Programs

Recommendation

The Personnel and Organizational Structure Committee accept the City Auditor's report and recommend that the City Commission:

- 1) Not transfer Equal Opportunity, Affirmative Action or other human relations programs and activities to the Office of the City Auditor;
- 2) Authorize the City Auditor to include audits for assessing and evaluating the City's human relations programs in the FY 2001 Annual Audit Plan;
- 3) Support the City Manager relocating the Equal Opportunity Department outside the City Manager's Office; and
- 4) Consider creating a standing committee to monitor human relations programs.

Explanation

On May 8, 2000, the Blue Ribbon Committee on Affirmative Action/Equal Opportunity presented several recommendations to the City Commission on issues related to the organizational structure, reporting responsibility, financial/budgetary implications and other matters for the Equal Opportunity Department and the City Auditor's Office. The City Commission requested that the City Auditor study and evaluate the Blue Ribbon Committee's recommendations that:

- 1) Responsibility for Equal Opportunity and other human relations programs be transferred to the City Auditor; and
- 2) The City Auditor perform compliance audits on all human relations programs.

We have considered the issues and the impact of the proposals. We agree with Blue Ribbon Committee Recommendation #2 and can include audits to assess and evaluate the Equal Opportunity, Affirmative Action and Minority/Small Business Enterprise (MBE/SBE) programs on a citywide basis in our FY 2001 Annual Audit Plan. However, we do not agree with Blue Ribbon Committee Recommendation #1 to transfer the stated programs, even on a temporary basis, to the City Auditor. The proposed transfer would structurally change the duties of the City Auditor and be detrimental to the functionality of the Office of the City Auditor. The attached report presents the results of our analysis concerning the proposed Blue Ribbon Committee recommendations and provides further suggestions for consideration.

## Executive Summary

### Reorganization Analysis for Human Relations Programs

The City Commission requested information on the possible benefits and disadvantages of placing the direct appointment and supervision of the Office of Equal Opportunity and related human relations programs under the City Auditor. We commend the Blue Ribbon Committee for their continued and dedicated efforts in reviewing the human relations programs of the City of Gainesville. The issues are complex, and sometimes emotional, but a proper framework is essential to ensuring success for the City in achieving its goals and objectives. Success of all programs depend considerably on the positive support and direction given by policy makers, managers and supervisors. During the past year, the City Commission has been actively involved in setting policy and establishing direction. Management has also been involved in implementing programs and supporting various equal opportunity, affirmative action, diversity and disability based initiatives and committees. The City Auditor has responded to requests of the City Commission, management and the Blue Ribbon Committee, facilitated the development of the Equal Opportunity Policy Handbook, attended various meetings and consulted with city staff. In addition, City Auditor staff are actively participating in Equal Opportunity, Affirmative Action and Minority/Small Business Enterprise committees. Based on our current involvement, we believe that we can review, analyze and recommend program improvements as we recognize the merits of the issues, the concerns of the community and the delicacy required for management to develop programs to meet policy directives and balance community concerns. These significant issues deserve a conclusion that results in the best programs for the City of Gainesville. We can offer assistance to the City Commission, management and the community by identifying problems as well as proposing opportunities to resolve those problems.

Since May 8, 2000, we have analyzed the potential impact of the Blue Ribbon Committee recommendations. We believe that the proposal to transfer responsibility for Equal Opportunity, Affirmative Action or other human relations programs to the City Auditor is not only incompatible with our mission, but removes the programs from where they can provide the most benefit. The City Auditor is an appraisal function and is "independent" of the managerial and day-to-day operating decisions of the City. Although the Blue Ribbon Committee proposal stresses the need for Equal Opportunity to also be "independent", it is not the same level of independence required of the City Auditor by *Government Auditing Standards* issued by the Comptroller General of the United States. "Independence" in auditing means taking an unbiased viewpoint in performing audit tests, evaluating results and issuing a report. Independence is regarded as one of an auditor's most critical characteristics and a cornerstone to building and maintaining public confidence in government auditors. Not only is it essential that auditors maintain an independent attitude in fulfilling their responsibility, it is also important that the users of audit reports have confidence in that independence. These two objectives are usually referred to as *independence in fact* and *independence in appearance*. If auditors are independent in fact, but users believe them to be advocates for their client, most of the value of the audit function is lost. Independent auditors must be free from any obligation to or interest in the audit entity or its management and avoid situations that may lead outsiders to doubt their independence.

## Conclusion

Given the professional standards that uphold the foundation of auditor independence, we believe the transfer would hinder our independence because it would give us managerial duties over the hiring, purchasing and training functions of management. Our opinion is based on a preliminary review of the Equal Opportunity, Affirmative Action, and MBE/SBE programs, functions and activities including performance reports, budgets and financial information and inquiries of Charter Officers, management representatives, the Blue Ribbon Committee Chair and the Alachua County Equal Opportunity Director. At this time, we offer the following recommendations:

1. The City Commission not transfer Equal Opportunity, Affirmative Action or other human relations programs and activities to the Office of the City Auditor;
2. The City Commission authorize the City Auditor to include audits to assess and evaluate the City's human relations programs in the FY 2001 Annual Audit Plan;
3. The City Manager consider relocating the Equal Opportunity Department outside the City Manager's Office; and
4. The City Commission consider creating a standing committee to monitor human relations programs.

The City Commission has established policies to set priorities related to Equal Opportunity and other human relations programs. Charter Officers are charged with upholding those policies, however the City Manager and General Manager have the greatest responsibilities for overseeing the operations and activities of the City. The Clerk, Attorney and Auditor provide consulting and support to the City Commission in their respective professions.

Although the last year has not been without controversy and concern for some programs, we believe that management should be allowed further opportunity to implement those policies and procedures. Management has staffed these functions and strides have been made in implementing Affirmative Action Work Plans, MBE/SBE reporting systems, and citywide training programs. Additionally, several employee committees provide commitment and a solid foundation for keeping pace with progress within the organization. The blueprints are drawn and a foundation formed; the City needs to work together to build a solid framework for encouraging and enhancing human relations programs throughout the City. We believe that as part of building that structure, on-going assessments should be made. The City needs to take time now to evaluate and appraise the efficiency and effectiveness of these activities and make any required adjustments to ensure efforts are channeled in the right direction.

## City Auditor Recommendation #1

### **The City Commission Should Not Transfer Equal Opportunity, Affirmative Action and Other Human Relations Programs and Activities to the Office of the City Auditor**

Upon the unsuccessful efforts to obtain a charter revision, the Blue Ribbon Committee developed alternative recommendations to restructuring the Equal Opportunity, Affirmative Action and other human relations programs. On May 8, 2000, the Blue Ribbon Committee recommended transferring the direct appointment and supervision of the Equal Opportunity Department from under the authority of the City Manager to the City Auditor. The Blue Ribbon Committee believed that the most important advantage to placing Equal Opportunity under the direction of the City Auditor was that a higher level of "independence" would be maintained than under the current structure of reporting to the City Manager.

The Equal Opportunity Handbook provides the Equal Opportunity Director immediate and direct access to General Government, GRU and other Charter Officer operations. However, the Blue Ribbon Committee has a perception that the City Manager could interfere, or be pressured or influenced by the affected Charter Officer into interfering, with the Equal Opportunity Director's duties. However, that same scenario is possible regardless of which Charter Officer maintains reporting responsibility over the Equal Opportunity Director. The Charter Officers must all uphold and abide by City Commission policies.

Based on our analysis, Equal Opportunity, Affirmative Action and MBE/SBE are clearly an integral part of the management processes related to employment, purchasing and training decisions. The programs are best served by having daily involvement and being placed in positions of easy access to information flowing through the system. In contrast, the City Auditor is a function that is designed as an independent and objective assurance activity to improve City operations by systematically evaluating, assessing and improving efficiency and effectiveness of government activities, not to actually take on day to day operational responsibilities. We help accomplish City goals and objectives by using systematic and disciplined evaluation techniques and rendering opinions for improving the effectiveness of risk management, control and governance processes. We review the reliability and integrity of information, compliance with policies and regulations, the safeguarding of assets, the economical and efficient use of resources, and established operational goals and objectives. Internal audits encompass financial activities and operations including systems, production, engineering, marketing and human resources. We contribute positive, productive ideas to management and the City Commission about how opportunities and risks can be balanced. We also make recommendations for assessing and strengthening governance.

Since the City Auditor provides independent assurance to management and the City Commission, it is critical that the City Auditor remains independent from the activities audited. Our internal auditing objectives, work, scope and reporting are all designed to satisfy this need. Objectivity and integrity are among the most critical qualities expected of an auditor. Auditors are trained to communicate directly and effectively and to provide management with an objective assessment of controls. Internal auditing should be utilized as a management service.

*Government Auditing Standards* mandate that we be free from personal, external and organizational impairments to independence and that we maintain an independent attitude and appearance. Independence must be maintained to ensure that opinions, conclusions, judgements and recommendations will be viewed as impartial. Our success is critical to being independent of management and of the day-to-day management of the government process. It is also necessary that auditors be sufficiently removed from political pressure to ensure that audits can be conducted objectively and findings, opinions and conclusions be reported without fear of political repercussion.

### Conclusion

Although we appreciate the trust and respect conveyed by the Blue Ribbon Committee, the duties of Equal Opportunity, Affirmative Action or other human relations programs should not be placed under the City Auditor as our objectivity and independence would be undermined.

If the Blue Ribbon Committee proposal was implemented, *Government Auditing Standards* would require our audit reports to disclose the possibility that an impairment may exist. This qualification jeopardizes report credibility and reduces the overall effectiveness of both the audit report and the audit function. This impairment disclosure could diminish the impact of audit work in several ways. First, the presence of the disclosure in the report may reduce the perceived value of internal audit reports, even though the audit function complies with all other standards. Second, the disclosure offers leverage to managers, contractors and other audit clients who wish to devalue the findings and recommendations in an internal audit report. Managers who challenge the evidence and conclusions could point to the independence disclosure in the audit report itself as corroboration that the work is not valid or is otherwise flawed. Adding a disclosure that our department is not independent would tarnish the quality of our audit work even though the work we perform complies with other standards that also play a key role in audit quality. This qualification would likely have a negative impact on the results of the External Quality Control Review (Peer Review) conducted every three years.

## City Auditor Recommendation #2

**The City Commission Should Authorize The City Auditor Include Audits To Assess And Evaluate The Equal Opportunity, Affirmative Action And Minority/Small Business Enterprise Programs In The FY 2001 Annual Audit Plan**

The Blue Ribbon Committee recommended both in the proposed charter language and in their May 8, 2000 report that: "The City Commission direct the City Auditor to include in the scope of his duties compliance audits on all human relations programs." We agree with the Blue Ribbon Committee that audits of the Equal Opportunity, Affirmative Action and MBE/SBE programs be incorporated into the scope of our annual audit plan. Although lengthy discussions have taken place in the last year, there remains a need, as with all City programs, to ensure these programs are operating as intended and achieving desired results. The following information summarizes our current recommendation for authorizing program audits and provides an overview of the existing programs.

### Audit Scope and Objectives

We believe that the first objective of the audit should be to comprehensively assess and evaluate the efficiency and effectiveness of each individual program, including organizational placement. The second objective would be to assess how well the functions coordinate and integrate information and ensure that efforts are not duplicated. The third objective would be to report the overall results of management's efforts to comply with City Commission policy goals and objectives and make recommendations for improvements. We believe the audit can assist in determining the most realistic reporting structure for ensuring success. Our evaluation will include reviewing management controls, which include the processes for planning, organizing, directing and controlling program operations. Controls also include systems for measuring, reporting and monitoring program performance. The establishment of measurable goals and objectives for program inputs, operations and outputs is critical to assessing and evaluating the effectiveness of a program. For example, Equal Opportunity measures could include the number of training programs offered, number of city employees trained, listing of programs offered, number and type of formal discrimination complaints, number and type of informal discrimination complaints.

It is important to note that the City Auditor can not perform these audits if these functions are placed in the City Auditor's Office. Participation in the routine operational responsibilities typically performed by management results in non-compliance with *Government Auditing Standards* and impairs the independence and objectivity of the audit function.

### Overview of Equal Opportunity, Affirmative Action and MBE/SBE Programs

In April 1996, the City Commission adopted the Affirmative Action Plan Resolution and approved the City Manager's structure for Affirmative Action and Equal Opportunity in January 1997. Currently, Equal Opportunity reports to the City Manager, Affirmative Action to the Human Resources Director (a temporary transfer was recently made to the Assistant City

Manager) and the MBE Coordinator to the Purchasing Manager (effective October 1, 2000, the MBE Coordinator will report to the Finance Director). In general, each program has been staffed about two and one half years, and based on our inquiries, we believe that progress has been made in each program. However, these programs have been a topic of community concern during the last year.

Equal Opportunity has developed and implemented the Equal Opportunity Policy Handbook, conducted many employee-training programs and handled several complaints. Although Affirmative Action encountered some staff turnover, proactive efforts have been made in the advertising, recruitment and hiring processes and workforce and job group analysis. The MBE Coordinator for General Government has created a network of databases and reports for tracking and monitoring the procurement activities of the City and assisted departments in increasing spending with qualified local minority and small business enterprises. GRU purchasing has also developed reports for tracking departmental procurement activities and assists departments with increasing spending with qualified businesses. In order to assist in a general understanding of each program, we provide the following summaries of the various duties and functions of each program.

#### The Equal Opportunity Department

Equal Opportunity programs and activities are designed to ensure equal opportunity and access to all employment, programs, services, activities and facilities of the City of Gainesville without regard to gender, race, religion, national origin, marital status, sexual orientation, color, age or disability. The department works to ensure the City's workforce is diverse and well trained on equal opportunity matters. Essential job functions of the Equal Opportunity Director include:

- Working pro-actively with management, task forces, and City staff to identify and solve affirmative action, equal opportunity, and diversity problems.
- Assessing organizational needs relative to equal opportunity including planning and directing the development and implementation of new programs.
- Recommending policy and standards of achievement to management in areas of equal employment opportunity, affirmative action and minority business enterprise.
- Counseling management on effective handling of equal employment or diversity issues, including mediation.
- Providing advice and oversight in areas of affirmative action, employment opportunity, minority business enterprise and diversity to Human Resources and Purchasing.
- Providing guidance and interpretation on all laws and ordinances governing equal opportunity and affirmative action and coordinating City compliance.
- Working pro-actively with Human Resources and Purchasing to achieve AA/EO goals.
- Developing and implementing reports and audit procedures for measuring the effectiveness of City programs related to AA, EO, MBE and diversity.
- Acting as a liaison with all government agencies and community groups.
- Monitoring the effectiveness of the City's Affirmative Action Plan and providing recommendations in changes to the City's Affirmative Action Plan and AA/EO Policy.

- Assuring the City has prepared an appropriate MBE program and is working towards the achievement of its goals and providing recommendations in changes to the City's MBE policy.
- Conducting investigations on internal complaints of discrimination and sexual harassment.
- Providing citywide workforce training on sexual harassment, diversity and the Americans with Disabilities Act.
- Establishing and maintaining public outreach programs to educate employees and the community regarding Equal Opportunity programs, diversity initiatives and discrimination complaint procedures for employment, equal opportunity and equal access.
- Coordinating the contract with Alachua County regarding enforcement of the Anti-Discrimination Ordinance.

The Equal Opportunity Director, hired February 1998, reports directly to the City Manager. Staff resources consist of the Director and an Executive Assistant. According to the Equal Opportunity Director, the department acts as a referral service and receives many calls and inquiries for information. Citizens are referred to the appropriate department or provided information. Since July 1999, three formal complaints and three informal complaints have been filed with the Equal Opportunity Office, however, inquiries are often received and resolved without formal interviews or written reports.

The Equal Opportunity Policy Handbook provides for an active role in the recruitment and employment process by the Equal Opportunity Director. The Handbook requires that all actions related to recruitment, interviewing, selection, hiring, promotions, transfers and demotions are fair, appropriate, non-discriminatory and in compliance with equal opportunity laws, policies and procedures. The Handbook contains goals related to each of these areas ensuring that due diligence is used in all personnel related decisions with a perspective toward non-discriminatory practices.

The City Commission's adoption of the Handbook demonstrates a high level of commitment to Equal Opportunity and Affirmative Action policies, procedures, goals and objectives. In order to effectively achieve this high level of assurance, the Equal Opportunity Department is responsible for receiving and reviewing all files related to recruitment and selection of new hires, promotions, transfers and demotions. The files are reviewed to determine that every effort has been made to enhance diversity in the workforce and achieve affirmative action goals. This requires a day to day hands on approach to all aspects of these personnel actions. This is an important factor to remember when considering organizational placement of the Equal Opportunity and Affirmative Action functions. From this perspective, the placement of these functions under the City Auditor impairs the normal functions and independence of the City Auditor.

#### The Affirmative Action Program

"Affirmative Action" relates to the special efforts made by an employer to employ and promote women and minorities to have a workforce that mirrors the gender and minority composition of the relevant labor markets from which employees are hired or promoted. An "Affirmative Action Plan" is a set of specific and results-oriented procedures that commits an employer to apply good faith efforts to achieve fair utilization of minorities and women, at all levels and in all



segments of the workforce where deficiencies exist. The City of Gainesville Affirmative Action Plan generally relates to problem assessment, statistical data and specific numerical goals and narrative objectives on a citywide or global basis. Although all five Charter Officers are committed to implementing the objectives of the Affirmative Action Plan, the City Commission Affirmative Action Policy designates the City Manager and General Manager as having overall responsibility for preparing the annual plan and providing progress reports.

The City Manager and General Manager developed a system whereby each department prepares an annual Managerial Affirmative Action Work Plan. The purpose of the work plans is to allow managers to take ownership of the Affirmative Action Plan and proactively maintain diversity initiatives within the entire chain of command. Department heads and managers are accountable to the appropriate Charter Officer for demonstrating a commitment to and eliminating any identified under-utilization of minorities and women. Department demographic reports are forwarded to all managers and supervisors to assist in preparing their work plans and affirmative action goals. The Managerial Work Plans have three components, Employment, Awareness and Purchasing. In FY 2000, managers will be evaluated on their efforts and achievements relative to their Affirmative Action Work Plans.

The programs and activities related to Affirmative Action are currently performed under the direction of the Assistant City Manager. Affirmative Action staff resources consist of an Affirmative Action Officer and a staff assistant. The primary focus of the program is to work with management and staff in coordinating and directing activities to accomplish affirmative action goals and action items, recommend areas for targeted recruitment and assist in the recruitment process. In addition, programs developed promote employer/employee understanding of the purpose, policies and programs involving affirmative action through citywide training and communication. The Affirmative Action Officer position was filled in January 1998 and is active in working with departments and providing assistance with recruitment and hiring activities. Essential job functions of the Affirmative Action Officer include:

- Assisting in goals and timetables and recommending action items to achieve goals.
- Implementing the annual Affirmative Action Plan.
- Coordinating and directing activities to accomplish affirmative action goals and action items.
- Preparing statistical reports used in developing and monitoring the affirmative action plan.
- Maintaining statistics on affirmative action and developing and preparing monthly monitoring reports.
- Recommending goals for affirmative action based on statistical analysis.
- Preparing reports required by governmental agencies.
- Developing reports to monitor hiring, promotion, and termination activities and analyzing the impact on affirmative action goals.
- Promoting employer/employee understanding of purpose, policies and programs involving affirmative action through training, communication, and promotion throughout the organization.
- Actively seeking and making recommendations for internal and external career progression to meet affirmative action needs.

- Recommending areas for targeted recruitment and assisting in the recruitment process.
- Assisting in career planning and recruiting activities.
- Providing demographic reports and guidance to managers for preparing their work plans.
- Evaluating departmental work plans and advising Charter Officers on the standards and impact of work plans to managerial performance evaluations.

The Local Minority Business Enterprise (MBE) and Local Small Business Enterprise Procurement Program (SBE)

In July 1997 the City Commission approved by resolution a “Local Minority Business Enterprise and Local Small Business Enterprise Procurement Program”. The purpose of the program is to identify and provide assistance to local minority and local small businesses to successfully participate in the City’s procurement process and thereby support local economic development.

In GRU, the Administrative Services Director and Purchasing Manager oversee the GRU MBE/SBE program. A Buyer-Analyst is responsible for the day-to-day administration, however all purchasing staff assist in identifying opportunities for MBE/SBE businesses. In General Government, program responsibility is assigned to the MBE Coordinator, hired in March 1998, and supervised by the Purchasing Manager. The Purchasing Divisions are responsible for ensuring that minority and small business enterprises have an opportunity to participate in the procurement process for providing supplies and services to the City in accordance with federal, state, and local laws. In general, the program consists of:

- Developing systems to identify and qualify local minority and local small businesses to participate in the program and assisting them in participating in the City’s bid process.
- Conducting seminars and workshops to assist businesses in understanding and meeting bid requirements.
- Attending, participating and conducting various trade fairs, workshops and seminars.
- Providing information to minority and small businesses, including available business-related resources.
- Working with the financial community to provide minority businesses with access to financial resources.
- Providing information to staff and qualified vendors regarding the MBE/SBE Program in order to identify opportunities for the businesses.
- Chairing internal MBE/SBE Advisory Committees.
- Developing, maintaining and distributing the MBE Directory.
- Ensuring bids are structured to maximize access to minority and small businesses without reducing the City’s ability to acquire quality supplies and services at competitive pricing; recommends changes to bid procedures as needed.
- Monitoring the progress of the City’s MBE/SBE Procurement Program.
- Conducting confidential interviews and investigating discrimination complaints made by MBE contractors or vendors about City purchasing procedures; makes recommendations to management as needed to resolve complaints.

## Support Committees and Efforts

The City currently has several committees involved in the areas of equal opportunity, affirmative action and MBE/SBE to support the success of the City's efforts.

### *Affirmative Action Task Force*

The City Manager and General Manager established the Affirmative Action Task Force several years ago to provide continuing support in the implementation of the Affirmative Action Plan. The Task Force is comprised of approximately 17 employees representing General Government, GRU and other Charter Officers and designated as either appointed members or support staff. The City Manager and General Manager each appoint two managers and two rank and file employees respectively from General Government and GRU. Additionally, the Affirmative Action Officer, the Human Resources Director and a representative from the City Attorney's Office are also appointed members. Approximately six support staff are also assigned. The Equal Opportunity Director may be a member at his or her option. The Task Force assists and advises the Affirmative Action Officer in developing, disseminating and implementing the annual Affirmative Action Plan, conducts managerial work plan training and participates in community outreach initiatives.

### *MBE/SBE Advisory Committee (General Government)*

This is a committee comprised of 14 General Government employees appointed by the City Manager. The committee meets regularly to assist and advise the MBE Coordinator in identifying departmental procurement opportunities, monitoring departmental spending, recommending modifications or strategies to encourage business participation, keeping aware of program initiatives, providing feedback on overall program effectiveness and participating in various procurement initiatives.

### *MBE/SBE Business Advisory Committee (General Government)*

This committee was created in October 1999 based on a Blue Ribbon Committee recommendation and is comprised of eight representatives of local minority and local small business owners. The committee assists and advises the MBE Coordinator about issues or barriers businesses face when participating in city procurement activities, helps develop strategies to address those issues or barriers and participates in various initiatives to strengthen the partnership with the City and MBE/SBE community.

### *Purchasing Liaisons (General Government)*

The City Manager has appointed a purchasing liaison from each department in an effort to facilitate interaction between the business community. There are currently 24 departmental liaisons responsible for coordinating requests from businesses to meet with the department to market services and commodities and answer questions. The process is designed to provide opportunities for businesses to obtain name recognition and encourage competition to help reduce costs to City government.

### *GRU MBE/SBE Advisory Committee*

This committee is comprised of employees from various GRU departments. The Committee members assist with administering the program, serve as liaisons for their respective areas, help identify MBE/SBE businesses and purchasing opportunities, plan and assist with in-house workshops and attend other trade fairs and workshops.

### *GRU Diversity Team*

The GRU Diversity Team is appointed by and advisory to the GRU Executive Team. The Diversity Team was organized in January 1999 to assist on matters of diversity in connection with a "gap" identified in the GRU Strategic Business Plan. The nine team members are the GRU Customer Service Manager, Deerhaven Power Plant Manager, GRU Employment Services Manager, Managing Utility Analyst-Planning, Meter Services Supervisor, Wastewater Plant Operator III, Assistant General Manager for Water/Wastewater Systems, Senior Water/Wastewater Engineering Technician and Electric T&D Manager (team leader). Also, the GRU Community Relations Liaison is an active participant.

### *Equal Opportunity Diversity Advisory Committees (General Government and GRU)*

General Government and GRU employees participate in committees ensuring diversity throughout the workforce. The committee members are appointed by the City Manager and General Manager and serve in advisory capacity to the Equal Opportunity Director. The appointments consist of a diverse group of at least seven and no more than thirteen employees within each organization. A majority are required to be non-management and at least one must be recommended by collective bargaining representatives reporting to the respective Manager. Responsibilities include relaying information to co-workers and providing recommendations on equal opportunity and diversity issues.

### *Citizen's Disability Advisory Committee*

This is an 11 member advisory committee to the Equal Opportunity Director. The purpose of the committee is to study problems relating to the needs and concerns of the disabled citizens and to make recommendations to the City Commission for the betterment of such citizens. The committee is responsible for evaluating and providing assistance in implementing Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. The committee advises the Equal Opportunity Director on accessibility and utilization relating to all City programs, services, activities and facilities.

### **Conclusion**

To ensure success in achieving goals and objectives for Equal Opportunity, Affirmative Action and Minority/Small Business Enterprise programs, the City Auditor's Office can assist management and the City Commission by assessing the efficiency and effectiveness of these programs. We recommend the City Commission authorize the City Auditor to include audits designed to assess and evaluate the Equal Opportunity, Affirmative Action and Minority/Small Business Enterprise programs on a citywide basis in the FY 2001 Annual Audit Plan.

### City Auditor Recommendation #3

**The City Manager Consider Relocating the Equal Opportunity Department Outside the City Manager's Office**

The duties of the Equal Opportunity Director include the need to work proactively with management to identify and solve problems. This may also include the need to provide counseling services and mediation. Additionally, Equal Opportunity handles discrimination complaints that may arise. Employees or applicants registering formal complaints of discrimination are protected from reprisal, harassment, intimidation and retaliation.

The Equal Opportunity Office is currently located in the same suite of offices as the City Manager. Although this proximity provides the Director immediate access to the City Manager in a supervisory capacity, it may be intimidating and distressing for employees making confidential inquiries or complaints. In recognizing the potential sensitivity required and to provide employees with an environment of security and confidentiality, we believe that relocating Equal Opportunity to a location physically outside the City Manager's office should be considered.

#### **Conclusion**

The City Manager should consider finding a location more suitable for the Equal Opportunity Department.

## City Auditor Recommendation #4

### The City Commission Consider Creating a Standing Committee to Monitor Human Relations Issues

The Equal Opportunity, Affirmative Action and MBE/SBE programs have a complex set of policies and procedures requiring an array of staffing levels, reporting systems and support committees. There is potential risk for the issues to become cumbersome. In order to centralize efforts and provide a final focal point for monitoring program results and progress, a City Commission standing committee could address these issues.

The standing committee would facilitate the channeling of all Equal Opportunity, Affirmative Action and MBE/SBE issues into one central location and assist in monitoring management's efforts and accomplishments prior to being presented to the City Commission. Committee responsibilities would include reviewing the Affirmative Action Plan, monitoring program performance measurements, reviewing complaint activity and considering any other program related issues. The Committee, where appropriate, could make recommendations to the City Commission. As a standing committee, the membership would consist of two City Commissioners and meet on an as needed basis, but probably not less than twice a year. Agenda and Committee report preparation would be the joint responsibility of the Charter Officers.

#### Conclusion

In order to improve oversight and monitoring, coordinate various advisory committees and offer recommendations or advice on matters pertaining to Equal Opportunity, Affirmative Action and MBE/SBE programs, we believe the City Commission should consider creating a standing committee to monitor human relations issues.