



**CIVIL SERVICE COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO**

LONDON N. BREED  
MAYOR

*Sent via Electronic Mail*

November 23, 2022

**NOTICE OF CIVIL SERVICE COMMISSION MEETING**

**SUBJECT: STATUS REPORT ON IMPLEMENTATION OF REFORM  
RECOMMENDATIONS FROM THE SAN FRANCISCO INDEPENDENT  
REVIEWER REPORT.**

The above matter will be considered by the Civil Service Commission at a hybrid meeting (in-person and virtual) in Room 400, City Hall, 1 Dr. Goodlett Place, San Francisco, California 94102 and through Cisco WebEx to be held on **December 5, 2022, at 2:00 p.m.** You will receive a separate email invite from a Civil Service Commission staff member to join and participate in the meeting.

This item will appear on the Regular Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings. The meeting agenda and all meeting materials will be posted on the Civil Service Commission's website at [www.sf.gov/civilservice](http://www.sf.gov/civilservice) under "Meetings" no later than end of day on Wednesday, November 30, 2022.

Attendance is welcome. The Commission will rule on the report previously submitted and testimony provided at its meeting.

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG  
Executive Officer

Attachment

Cc: Carol Isen, Department of Human Resources  
Amalia Martinez, Department of Human Resources  
Kate Howard, Department of Human Resources  
Ardis Graham, Department of Human Resources  
Mawuli Tugbenyoh, Department of Human Resources  
Commission File  
Commissioners' Binder  
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## **NOTICE OF COMMISSION HEARING POLICIES AND PROCEDURES**

### **A. Commission Office**

The Civil Service Commission office is located at, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. The telephone number is (628) 652-1100. The fax number is (628) 652-1109. The email address is [civilservice@sfgov.org](mailto:civilservice@sfgov.org) and the web address is [www.sfgov.org/civilservice/](http://www.sfgov.org/civilservice/). Office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday.

### **B. Policy Requiring Written Reports**

It is the policy of the Civil Service Commission that except for appeals filed under Civil Service Commission Rule 111A Position-Based Testing, all items appearing on its agenda be supported by a written report prepared by Commission or departmental staff. All documents referred to in any Agenda Document are posted adjacent to the Agenda, or if more than one (1) page in length, a available for public inspection and copying at the Civil Service Commission office. Reports from City and County personnel supporting a agenda items are submitted in accordance with the procedures established by the Executive Officer. Reports not submitted according to procedures, in the format and quantity required, and by the deadline, will not be calendared.

### **C. Policy on Written Submissions by Appellants**

All written material submitted by appellants to be considered by the Commission in support of an agenda item shall be submitted to the Commission office, no later than 5:00 p.m. on the fourth (4<sup>th</sup>) business day preceding the Commission meeting for which the item is calendared (ordinarily, on Tuesday). An original copy on 8 1/2-inch X 11 inch paper, three-hole punched on left margin, and page numbered in the bottom center margin, shall be provided. Written material submitted for the Commission's review becomes part of a public record and shall be open for public inspection.

### **D. Policy on Materials being Considered by the Commission**

Copies of all staff reports and materials being considered by the Civil Service Commission are a available for public view 72 hours prior to the Civil Service Commission meeting on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService), and in its office located at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. If any materials related to an item on this agenda have been distributed to the Civil Service Commission after distribution of the agenda packet, those materials will be a available for public inspection at the Civil Service Commission's during normal office hours (8:00 a.m. to 5:00 p.m. Monday through Friday).

### **E. Policy and Procedure for Hearings to be Scheduled after 5:00 p.m. and Requests for Postponement**

**A request to hear an item after 5:00 p.m. should be directed to the Executive Officer as soon as possible following the receipt of notification of an upcoming hearing. Requests may be made by telephone at (628) 652-1100 and confirmed in writing or by fax at (628) 652-1109.**

A request for a postponement (continuance) to delay an item to another meeting may be directed to the Commission Executive Officer by telephone or in writing. Before acting, the Executive Officer may refer certain requests to another City official for recommendation. Telephone requests must be confirmed in writing prior to the meeting. Immediately following the "Announcement of Changes" portion of the agenda at the beginning of the meeting, the Commission will consider a request for a postponement that has been previously denied. Appeals filed under Civil Service Commission Rule 111A Position-Based Testing shall be considered on the date it is calendared for hearing except under extraordinary circumstances and upon mutual agreement between the appellant and the Department of Human Resources.

### **F. Policy and Procedure on Hearing Items Out of Order**

Requests to hear items out of order are to be directed to the Commission President at the beginning of the agenda. The President will rule on each request. Such requests may be granted with mutual agreement among the affected parties.

### **G. Procedure for Commission Hearings**

All Commission hearings on disputed matters shall conform to the following procedures: The Commission reserves the right to question each party during its presentation and, in its discretion, to modify any time allocations and requirements.

If a matter is severed from the *Consent Agenda* or the *Ratification Agenda*, presentation by the opponent will be for a maximum time limit of five (5) minutes and response by the departmental representative for a maximum time limit of five (5) minutes. Requests by the public to sever items from the [*Consent Agenda* or] *Ratification Agenda* must be provided with justification for the record.

For items on the *Regular Agenda*, presentation by the departmental representative for a maximum time of five (5) minutes and response by the opponent for a maximum time limit of five (5) minutes.

For items on the *Separations Agenda*, presentation by the department followed by the employee or employee's representative shall be for a maximum time limit of ten (10) minutes for each party unless extended by the Commission.

Each presentation shall conform to the following:

1. Opening summary of case (brief overview);
2. Discussion of evidence;
3. Corroborating witnesses, if necessary; and
4. Closing remarks.

The Commission may allocate five (5) minutes for each side to rebut evidence presented by the other side.

#### **H. Policy on Audio Recording of Commission Meetings**

As provided in the San Francisco Sunshine Ordinance, all Commission meetings are audio recorded in digital form. These audio recordings of open sessions are available starting on the day after the Commission meeting on the Civil Service Commission website at [www.sfgov.org/civilservice/](http://www.sfgov.org/civilservice/).

#### **I. Speaking before the Civil Service Commission**

Speaker cards are not required. The Commission will take public comment on all items appearing on the agenda at the time the item is heard. The Commission will take public comment on matters not on the Agenda, but within the jurisdiction of the Commission during the "Requests to Speak" portion of the regular meeting. Maximum time will be three (3) minutes. A subsequent comment after the three (3) minute period is limited to one (1) minute. The timer shall be in operation during public comment. Upon any specific request by a Commissioner, time may be extended.

#### **J. Public Comment and Due Process**

During general public comment, members of the public sometimes wish to address the Civil Service Commission regarding matters that may come before the Commission in its capacity as an adjudicative body. The Commission does not restrict this use of general public comment. To protect the due process rights of parties to its adjudicative proceedings, however, the Commission will not consider, in connection with any adjudicative proceeding, statements made during general public comment. If members of the public have information that they believe to be relevant to a matter that will come before the Commission in its adjudicative capacity, they may wish to address the Commission during the public comment portion of that adjudicative proceeding. The Commission will not consider public comment in connection with an adjudicative proceeding without providing the parties an opportunity to respond.

#### **K. Policy on use of Cell Phones, Pagers and Similar Sound-Producing Electronic Devices at and During Public Meetings**

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

#### **Information on Disability Access**

The Civil Service Commission normally meets in Room 400 (Fourth Floor) City Hall, 1 Dr. Carlton B. Goodlett Place. However, meetings not held in this room are conducted in the Civic Center area. City Hall is wheelchair accessible. The closest accessible BART station is the Civic Center, located 2 ½ blocks from City Hall. Accessible MUNI lines serving City Hall are 47 Van Ness Avenue, 9 San Bruno and 71 Haight/Noriega, as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call (415) 923-6142. Accessible curbside parking has been designated at points in the vicinity of City Hall adjacent to Grove Street and Van Ness Avenue.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week. For American Sign Language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the Commission office to make arrangements for the accommodation. Late requests will be honored, if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our ADA coordinator at (628) 652-1100 or email [civilservice@sfgov.org](mailto:civilservice@sfgov.org) to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

#### **Know your Rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, or to obtain a free copy of the Sunshine Ordinance, contact Victor Young, Administrator of the Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102-4689 at (415) 554-7724, by fax: (415) 554-7854, by e-mail: [sotf@sfgov.org](mailto:sotf@sfgov.org), or on the City's website at [www.sfgov.org/bdsupvrs/sunshine](http://www.sfgov.org/bdsupvrs/sunshine).

#### **San Francisco Lobbyist Ordinance**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Section 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Ave., Suite 220, San Francisco, CA 94102, telephone (415) 252-3100, fax (415) 252-3112 and web site <http://www.sfgov.org/ethics/>.



## NOTIFICATIONS

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## MEMORANDUM

**DATE:** November 23, 2022

**TO:** Jacqueline P. Minor, President, Civil Service Commission  
Kate Favetti, Vice President, Civil Service Commission  
Civil Service Commission Members

**FROM:** Mawuli Tugbenyoh, Deputy Director, Policy and External Affairs

**THROUGH:** Carol Isen, Human Resources Director

**SUBJECT:** Status Report on Implementation of Reform Recommendations from the San Francisco Independent Reviewer Report

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### Executive Summary

Pursuant to the request of the Civil Service Commission on April 4, 2022, the Department of Human Resources (DHR) is pleased to submit the latest progress report regarding the implementation of recommendations from the Report of San Francisco Independent Reviewer (Gould Report). In the previous two progress reports to the Civil Service Commission, DHR provided updates on the plans to address the Equal Employment Opportunity (EEO) case backlog, improve employee communications, and initiate a new approach to triaging EEO cases.

This progress report expands on previous concepts and provides an update on these initiatives. Since the previous progress report, DHR has followed through on implementing improvements to EEO case processing, including significantly reducing the elapsed time to close an EEO case. Additionally, we have launched a new career advancement program, and identified strategies to better review discipline and corrective action citywide. DHR will continue to research best practices and invest in system and technological improvements to build a strong foundation for growth towards a more respectful and cohesive workplace culture at city worksites. Progress on these initiatives is detailed below.

### Section 1. EEO Case Process

DHR is working to rebuild trust in the City's EEO process and instill confidence that claims will be investigated fairly, thoroughly, and timely. This year, DHR-EEO launched a new case management system, reduced their caseload, decreased the average time cases remain open, and hired additional staff. Details about this work are outlined below.

#### ***New Case Management System.***

DHR launched a new EEO new case management system in October 2022. The case management system provides accountability, centralizes tracking, and improves reporting capabilities.<sup>1</sup> It is expected to achieve the following:

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<sup>1</sup> Gould Recommendation: 4.4, 4.5, 4.6, 7.1, 7.2,7.3

- Improve DHR-EEO’s ability to track the volume of cases across and within departments, EEO investigative case progress, and corrective actions;
- Assist DHR-EEO in responding to outstanding cases and reducing reliance on the manual processing of data.

**Open EEO Cases.**

Since September 2020, DHR-EEO has reduced the length of time that cases remain open by 51%. Between September 2020 and September 2021, EEO cases remained open for an average of 371 days. In comparison, EEO cases from September 2021 to September 2022 were open for an average of 181 days.

DHR-EEO currently has 774 open cases. Of the total open cases, 168 are related to the city’s vaccination requirement. The remaining cases are more typical EEO claims of various types. Of the remaining 606 open cases<sup>2</sup>, 43% have been open for less than a year.

**Table 1.** Duration of EEO Open Cases as of October 2022

Duration of Open Cases	Number of Open Cases	% Total Open Cases
<180 Days	152	25%
>180 Days to <1 year	107	18%
>1 year to <2 years	168	28%
≥2 years	179	30%

**Closed EEO Cases.**

DHR-EEO is closing new cases at a faster rate than in prior years. DHR-EEO has closed a total of 420 EEO cases since September 2021, 41% of which were closed in 180 days or less. This is inclusive of the EEO cases that were received both before and after September 1, 2021.

Analyzing a subset of the 420 total closed cases, beginning on September 1, 2021, DHR-EEO received a total of 203 new cases. The average time to close a case that was received after September 1, 2021, was 133 days.

**Table 2.** Duration of EEO Cases Closed from September 2021 through October 2022

Duration of Closed Cases	Number of Closed Cases	% Total Closed Cases
<180 days	174	41%
>180 Days to <1 year	104	25%
>1 year to <2 years	73	17%
≥2 years	69	16%

**Integrated EEO Units.**

DHR has initiated the assessment of resources associated with returning the delegated Department of Public Health (DPH) EEO unit to DHR<sup>3</sup>. This move is anticipated to begin in spring of 2023. DPH is the largest city department with nearly 8,000 employees, representing 22% of the city’s workforce and makes up of 16% of EEO cases. Housing the DPH-EEO unit at DHR will lead to improved investigation efficiency for a significant portion of the city’s EEO claims.

<sup>2</sup> Excluding 168 vaccine-related complaints

<sup>3</sup> Gould Report Recommendation 4.9 and 4.10

### ***EEO Staffing.***

Efficient and timely investigations have been hampered by inadequate staffing levels. The pandemic further exacerbated delays in recruitments to expand the EEO division and the specialization of EEO investigator roles has also made hiring for these positions challenging. Nevertheless, since September 2022, DHR-EEO has hired eight new investigators, promoted existing staff to managerial or senior investigator positions, and hired key administrative positions.<sup>4</sup> DHR expects to increase EEO staffing through efforts to recruit for an additional three positions<sup>5</sup>.

### ***Case Intake and Triaging.***

DHR-EEO is implementing a new case intake and triaging system to achieve greater efficiency in managing cases. Currently, employees can file an EEO case through multiple avenues.<sup>6</sup> DHR-EEO's new case intake and triaging system supports DHR-EEO in conducting front-end reviews of all incoming cases in order to quickly determine the nature and severity of cases and prioritize resources towards the most egregious, impactful and/or high-risk cases. With this system, DHR is engaging in a key aspect of strategic enforcement, creating a ripple effect that improves employee morale and the city's general work environment.

As part of the triaging process, DHR-EEO managers review all incoming cases to determine:

- The nature and severity of the case;
- Whether an employee's case is within EEO jurisdiction;
- Whether an investigation is warranted;
- Whether interim action is appropriate; and
- Whether referring the employee to other resources is appropriate.

For cases that are not within DHR-EEO's jurisdiction, DHR-EEO will refer the case to the employee's department with any appropriate recommendation to address and resolve the employee's workplace issue and to de-escalate the workplace conflict. DHR-EEO will continue to monitor progress until closure is indicated in the case management system.

For cases within DHR-EEO's jurisdiction, DHR-EEO works collaboratively with departments to recommend appropriate and immediate interim/corrective actions. DHR-EEO also requires departments to keep employees apprised of the status of their case by: (1) sharing with the employee that they are in communication with DHR-EEO about their case; and (2) reassuring the employee the department is taking appropriate and immediate interim corrective actions.

Additionally, DHR-EEO is working to implement an automated case intake system to provide scheduling of an intake within 30-days of receipt of a case.<sup>7</sup>

## **Section 2. Recruitment, Hiring, and Advancement**

DHR has launched a new applicant tracking system, expanded diversity recruitment efforts and the ApprenticeshipSF program, and is launching a new Career Development Initiative. These efforts support

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<sup>4</sup> 0923 Manager, 1231 Senior Investigator, 1233 Investigator, 1840 Management Assistant, 1822 Medical Level Program Analyst, 1404 Clerk, and 1053 Case Management System Developer.

<sup>5</sup> Gould Report Recommendation 4.8 and 5.1

<sup>6</sup> DHR EEO's Website, DHR EEO's Inbox, DHR EEO's Helpline; Walk-ins; Phone/E-mail; and Departments.

<sup>7</sup> Gould Report Recommendation 4.4, 4.5, 4.6, 7.1, 7.2, and 7.3



the city's goal to maintain a city workforce that reflects the diversity of San Francisco and the greater San Francisco Bay Area labor market.

### ***New Applicant Tracking System.***

In 2021, DHR began to phase in its' new applicant tracking system, SmartRecruiters. The new system is already helping to build better connections with applicants. DHR expects the full integration of SmartRecruiters to reduce time-to-hire and improve applicants' experiences throughout the process. The number of applicants projected by the end of Fiscal Year 2022-23 is expected to significantly surpass pre-pandemic levels.

DHR is using the structured data to break down the city's time-to-hire into its more granular components and to develop targeted interventions where possible. DHR expects these efforts to accelerate as more data becomes available in the system.

### ***Diversity Recruitment Team.***

DHR's Diversity Recruitment Team is conducting targeted outreach efforts to recruit Black, Indigenous and People of Color (BIPOC) students attending local universities such as San Francisco State University, Cal State East Bay, and local community colleges. In alignment with findings in the Gould Report to recruit candidates from Historically Black Colleges and Universities (HBCUs), DHR will continue to strategically outreach to students from the San Francisco Bay Area attending HBCUs for recruitment for the FY23-24 cohort of San Francisco Fellows, and for other city internship and entry level opportunities.<sup>8</sup> The goal of this intentional outreach is to help increase workforce diversity by focusing on HBCU students with San Francisco Bay Area roots. These individuals are more likely to begin a long-term career with the city and thereby improve city employee retention rates. DHR-DRT continues to provide diverse job seekers in the San Francisco community with information and guidance on how to apply for city jobs by participating in outreach events, facilitating jobseeker webinars, and partnering with numerous community-based organizations. DHR-DRT has reached over 8,000 community members and job seekers through in-person and virtual outreach efforts in 2022. In April 2022, DHR-DRT hosted a successful hiring event with over 1,700 attendees, which we expect to conduct each Spring going forward due to the positive reception. DHR-DRT will also be implementing a targeted hiring initiative in late 2022 for applicants with disabilities by using expedited hiring through the Access to City Employment (ACE) program.

### ***ApprenticeshipSF***

Aligned with recommendations from the Gould report to increase investments in the skilled trades for career progression, the ApprenticeshipSF team leads opportunities to expand apprenticeship programs within the city.<sup>9</sup> These recent efforts include:

- Re-launching the Environmental Service Worker 7501 Apprenticeship Program in partnership with the Laborers Union after several years of non-operation.
- Hiring 13 qualified existing DPW entry-level trainees (Classification 9916) into the new Fall 2022 Apprenticeship cohort.
- Hiring a new cohort of 20 Gardener Apprentices in the fall of 2022.

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<sup>8</sup> Gould Report Finding 12

<sup>9</sup> Gould Report Recommendation 15.2 and 18.2

### ***Career Development Initiative.***

DHR's newest program, the Career Development Initiative, is intended to increase career development support to City employees, particularly Black employees, who have historically faced fewer opportunities for advancement in the city.<sup>10</sup> Efforts towards implementation of this Initiative include:

- Analysis of workforce data from the past ten years to identify patterns of career progression within the city workforce and identify classifications that have low advancement rates.
- Development of tools for career development, expected to be available for employees starting in late 2022 on DHR's new Career Development webpage, to make city career pathway options more transparent for employees.
- Planning for a pilot career pathway program to prepare city employees who are interested in a career change or advancement to apply for other high-demand city jobs that offer strong job growth opportunities, including public safety, and health worker job classifications.
- Implementation of Growing Your Career workshops for City employees in partnership with SEIU.

### **Section 3: Discipline and Corrective Action**

#### ***ERD Discipline Handbook.***

DHR is researching and reviewing the practices of five surveyed departments<sup>11</sup> and other comparable public agencies, as well as reviewing departmental Racial Equity Action Plans to develop a set of recommendations to be incorporated in a Citywide Discipline Best Practices Handbook (Discipline Handbook).<sup>12</sup> The Discipline Handbook will provide guidance to departments on how to implement progressive discipline, including alternatives to discipline, such as offering training to employees prior to disciplining them. The Discipline Handbook will function as a quick reference guide to managers and supervisors and will include visual guides and links to training videos. DHR will ensure that departments implement discipline according to the Discipline Handbook through engagement in the grievance procedures outlined in all MOUs. DHR will also work in collaboration with labor partners to ensure that we promulgate these best practices. The Discipline Handbook is on track to be published by the end of Fiscal Year 2022-2023.

#### ***New Alternatives to Discipline Training.***

DHR is developing additional training resources for managers who supervise probationary employees.<sup>13</sup> This includes training in supportive supervision and providing managers with the skills and tools they need to help their employees be successful at work before turning to disciplinary actions. The 24 Plus program, DHR's required training for supervisors, has been updated with learning modules on situational leadership and coaching methodologies for managers to develop a supportive supervision approach.

In May of 2022, DHR helped the Human Services Agency develop a Supportive Supervision Toolkit that includes a roadmap for the discipline process that emphasizes support and performance improvement. DHR is exploring replicating and expanding this toolkit for citywide use.

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<sup>10</sup> Gould Report Recommendation 13.1

<sup>11</sup> HSA, DPH, MTA, PUC, DPW, SFO

<sup>12</sup> Gould Report Recommendation 17.4

<sup>13</sup> Gould Report Recommendation 18.2

Upon completion of the Discipline Handbook, DHR will coordinate trainings and develop guidance for departments regarding establishing standards and application of discipline. DHR is developing additional training resources for managers in support of probationary employees.

#### **Section 4. Workplace Culture and Climate**

##### ***New Code of Conduct Policy.***

The Equitable, Fair, and Respectful Workplace Policy was finalized in August 2022 upon completion of negotiations with labor. The new policy sets the tone for a positive, inclusive, and welcoming workplace environment at all city worksites and outlines both acceptable and unacceptable conduct in the workplace. The policy defines terms such as microaggressions and bullying and outlines managerial responsibilities for maintaining respectful workplaces.

DHR expects to conduct an informational campaign in the 3<sup>rd</sup> quarter of Fiscal Year 2022-23, including releasing an online training module for all city employees, along with workshops and other educational offerings for employees and city departments.