



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

**LONDON N. BREED  
MAYOR**

*Sent via Electronic Mail*

October 5, 2023

**NOTICE OF CIVIL SERVICE COMMISSION MEETING**

Velma Gay  
[REDACTED]

**SUBJECT: APPEAL BY VELMA GAY OF THE HUMAN RESOURCES DIRECTOR'S DETERMINATION THAT INVESTIGATIVE FINDINGS DID NOT ESTABLISH APPELLANT'S COMPLAINT OF HARASSMENT AND DISCRIMINATION.**

Dear Velma Gay:

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 **October 16, 2023, 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 may be heard in Closed Session.*** The agenda will be posted for your review 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, October 11, 2023. Please refer to the attached Notice for procedural and other information about Commission hearings. A copy of the department's staff report on your appeal is attached to this email.

In the event that you wish to submit any additional documents in support of your appeal, please submit **one hardcopy 3-hole punch, double-sided and numbered at the bottom of each page to the CSC Office at 25 Van Ness Ave., Suite 720 and email a PDF version to the Civil Service Commission's email at [civilservice@sfgov.org](mailto:civilservice@sfgov.org) by 5:00 p.m. on Tuesday, October 10, 2023**, please be sure to redact your submission for any confidential or sensitive information that is not relevant to your appeal (e.g., home addresses, home or cellular phone numbers, social security numbers, dates of birth, etc.), as it will be considered a public document.

It is important that you or an authorized representative attend the hearing on your appeal. Should you or a representative not attend, the Commission will rule on the information previously submitted and any testimony provided at its meeting. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance. As a reminder, you are to be honest and forthright during all testimony and in all documentation that you provide to the Civil Service Commission.

You may contact me at (628) 652-1100 or at [Sandra.Eng@sfgov.org](mailto:Sandra.Eng@sfgov.org) if you have any questions.

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG  
Executive Officer

Attachment

cc: Trent Rhorer, Human Services Agency  
Daniel Kaplan, Human Services Agency  
Carol Isen, Department of Human Resources  
Amalia Martinez, Department of Human Resources  
Mamta Sharma, Department of Human Resources  
Mawuli Tugbenyoh, Department of Human Resources  
M'kia McCright, Human Services Agency  
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**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: [soff@sfgov.org](mailto:soff@sfgov.org), or on the City’s website at [www.sfgov.org/bdsupvrs/sunshine](http://www.sfgov.org/bdsupvrs/sunshine).

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[REDACTED]

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Dear Katrina Williams:

As you may be aware, Velma Gay filed the above-referenced discrimination complaint with the Department of Human Resources ("DHR"). The Department of Human Resources reviewed Velma Gay's allegations, and the Human Resources Director determined that there was insufficient evidence to establish the claims of harassment and discrimination. Velma Gay has appealed that determination to the Civil Service Commission.

In accordance with the City Charter and Civil Service Rules, the Commission may sustain, modify, or reverse the Human Resources Director's determination; and may effectuate an appropriate remedy in the event that it finds discrimination in the work environment. Any such finding is binding on City departments. The Commission may not impose discipline on an employee, but in an appropriate case may recommend that the department consider discipline.

The Equal Employment Opportunity Division of DHR will present and defend the Human Resources Director's determination on Velma Gay's complaint at 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 **October 16, 2023, at 2:00 p.m.** The Commission will have received the DHR staff report, which reviews the evidence pertaining to the complaint and supports the Human Resources Director's determination, in advance of the meeting. You will have an opportunity to address Velma Gay's allegations at the Commission meeting, if you wish to do so, although you are not required to appear. You will be receiving a meeting invite to join the meeting through Cisco WebEx on your computer or you may listen/respond to the meeting by phone. The Commission will rule on the information previously submitted and any testimony or other evidence provided at its meeting.

This item on the October 16, 2023, meeting agenda may be heard in Closed Session and 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, October 11, 2023.

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/s/

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Executive Officer

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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: [soff@sfgov.org](mailto:soff@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 <https://sfethics.org/>.



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22)

1. Civil Service Commission Register Number: 0004-23-6
2. For Civil Service Commission Meeting of: July 17, 2023
3. Check One:           Ratification Agenda  
                              Consent Agenda  
                              Regular Agenda       ✓  
                              Human Resources Director's Report
4. Subject:             Appeal by Velma Gay of the Human Resources Director's determination that investigative findings did not establish Appellant's complaint of harassment and discrimination.
5. Recommendation:    Adopt the report, uphold the decision of the Human Resources Director, and deny the appeal by Velma Gay.
6. Report prepared by: Deborah Dulay, DHR EEO  
                              Telephone number: (415) 557-4902
7. Notifications:       Please see attached.
8. Reviewed and approved for Civil Service Commission Agenda:

Human Resources Director: Carol Isen

Date: July 6, 2023

9. Submit the original time-stamped copy of this form and person(s) to be notified (see Item 7 above) along with the required copies of the report to:

**Executive Officer  
Civil Service Commission  
25 Van Ness Avenue, Suite 720  
San Francisco, CA 94102**

10. Receipt-stamp this form in the "CSC RECEIPT STAMP" box to the right using the time-stamp in the CSC Office.

**CSC RECEIPT STAMP**

Attachment

**NOTIFICATIONS**

**Velma Gay (Appellant)**

[REDACTED]

**Luenna Kim (Respondent)**

[REDACTED]

**Katrina Williams (Respondent)**

[REDACTED]

**Trent Rhorer**

Executive Director  
Human Services Agency  
170 Otis Street, 8<sup>th</sup> Floor  
San Francisco, CA 94103  
*trent.rhorer@sfgov.org*

**Daniel Kaplan**

Deputy Director  
Human Services Agency  
170 Otis Street, 8<sup>th</sup> Floor  
San Francisco, CA 94103  
*daniel.kaplan@sfgov.org*

**M'kia McCright**

Office of Civil Rights HR Manager  
Human Services Agency  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103  
*m'kia.mccright@sfgov.org*

**Carol Isen**

Human Resources Director  
Department of Human Resources  
1 South Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94103  
*Carol.Isen@sfgov.org*

**Amalia Martinez**

EEO Director  
Department of Human Resources  
1 South Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94103  
*Amalia.Martinez1@sfgov.org*

**Mawuli Tugbenyoh**

Chief of Policy  
Department of Human Resources  
1 South Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94103  
*Mawuli.Tugbenyoh@sfgov.org*

**Mamta Sharma**

EEO Programs Manager  
Department of Human Resources  
1 South Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94103  
*Mamta.Sharma@sfgov.org*

**Deborah Dulay**

EEO Programs Senior Specialist  
Department of Human Resources  
1 South Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94103  
*Deborah.Dulay@sfgov.org*

## CIVIL SERVICE COMMISSION REPORT

### MEMORANDUM

TO: Civil Service Commission

THROUGH: Carol Isen, Human Resources Director  
Department of Human Resources

THROUGH: Amalia Martinez, EEO Director  
Department of Human Resources

FROM: Deborah Dulay, EEO Programs Senior Specialist  
Department of Human Resources

DATE: July 17, 2023

EEO FILE NO: 3643

REGISTER NO: 0004-23-6

APPELLANT: Velma Gay

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#### **I. AUTHORITY**

The San Francisco Charter, Section 10.103, and Civil Service Commission (CSC) Rule 103 provide that the Human Resources Director shall review and resolve complaints of employment discrimination. Pursuant to CSC Rule 103.3, the CSC shall review and resolve appeals of the Human Resources Director's determinations.

#### **II. BACKGROUND**

On January 4, 2020, Velma Gay (Appellant) started working for the Human Services Agency (HSA) as an 1842 Management Assistant. Appellant was on the 1842 eligible list and had two interview panels. Appellant's December 2019 interview panel included [REDACTED] 0931 Manager III; Katrina Williams (Williams), then-Learning and Organizational Development (L&OD) Manager; and Luenna Kim (Kim), then-HSA Human Resources (HR) Director. Appellant's second panel also included Kim. After these interviews, Appellant was selected as Kim's assistant.

##### **A. Appellant's Complaint, EEO File No. 3643**

On August 10, 2020, Appellant reported her complaint to Kevin Calkins, then-EEO 1233 Programs Specialist at the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO). See Exhibit (Ex.) A. Appellant alleged that Kim harassed and discriminated against her due to her race (Black) and age (over 40). Appellant's complaint was assigned to Jennifer Burke (Burke), then-EEO 1231 Programs Senior Specialist. On February 23, 2021, Burke conducted an intake interview with Appellant. See Ex. B. On June 11, 2021, Appellant signed a Charge of Discrimination. See Ex. C.

**B. Human Resources Director’s Determination**

In a letter dated December 6, 2022, the Human Resources Director informed Appellant that by the preponderance of the evidence the investigation did not sustain Appellant’s allegations. See Ex. D.

**III. ISSUE ON APPEAL TO THE CIVIL SERVICE COMMISSION**

On February 28, 2023, Appellant appealed the Human Resources Director’s determination to the CSC. See Ex. E. The issue on appeal is whether the Human Resources Director issued the appropriate determination based on the investigative findings.

**IV. INVESTIGATIVE STANDARDS AND ANALYSIS**

**A. The Investigation Did Not Establish Appellant’s Harassment Claims**

To sustain a complaint of harassment in violation of the City’s EEO Policy, the investigation must establish all of the following: (1) the complainant was subjected to physical, verbal, or visual conduct on account of the complainant’s membership in a protected category; and (2) the conduct was unwelcome.

**1. Evidence Did Not Establish Appellant’s Harassment Allegation Against Kim**

The investigation did not establish that Appellant’s purported instances of unwelcome conduct were either objectively or subjectively race-related. For example, the comment Appellant attributed to Kim about Appellant’s work performance was not objectively race-related nor was it subjectively race-related by virtue of Kim simply speaking to Appellant. Moreover, the investigation did not establish that Kim harbored racial animus against Appellant given that a Black comparator, (██████████), then-0923 Manager II, and other witnesses of different races did not recount Kim making a disparaging race-based comment. Similarly, the purported comment attributed to Kim about whether African American men pass City exams was not subjectively offensive. Furthermore, Appellant presented no evidence to establish that this alleged remark was tantamount to offensive commentary about the intelligence of African Americans. Thus, the investigation did not establish Appellant’s harassment allegation against Kim, and the Human Resources Director’s determination was appropriate.

**2. Evidence Did Not Establish Appellant’s Harassment Allegation Against Williams**

Regarding Appellant’s allegations against Williams, the purported comments attributed to Williams were neither objectively nor subjectively race-related. Evidence further demonstrated that Williams told Appellant that she did not need to complete a time study, which is inherently inoffensive. To establish race-based animus, Appellant insinuated that Williams, a Black woman, was superior to other Black people; however, Appellant provided no evidence to support this assertion. Moreover, in Appellant’s rebuttal interview, Appellant’s pejorative description of Williams as “so smart” and an “in-house slave,” suggested personal animus against Williams. Significantly, Appellant’s explanations in support of Appellant’s EEO allegations relied upon inherently offensive, race-based descriptions against the accused, Williams, which contradicts the purpose and ethos of the City’s EEO Policy. Rather, the EEO process is meant to objectively evaluate allegations that fall within the scope of the City’s EEO Policy, not to perpetuate personal animosity toward another individual. Because credible witness testimony did not establish that Williams harbored animus against Appellant, Appellant’s disparaging description of Williams further diminished Appellant’s overall credibility. Therefore, the investigation did not establish this

harassment allegation against Williams, and the Human Resources Director's original determination was appropriate.

### 3. Credibility Issues of Appellant

Lastly, Appellant's statements to DHR EEO illustrated Appellant's biases against Kim and Williams, which undermined Appellant's credibility. For example, in an October 4, 2021 e-mail to DHR EEO, Appellant asserted that the accused respondents should not only receive a "negative mark placed in their [personnel] files," but they "all need to be replaced/terminated." See Ex. F. Appellant's statements reflect an expectation that the EEO process should resolve in a manner consistent with Appellant's personal satisfaction. This expectation is unreasonable. The hallmark of DHR EEO's neutrality is to objectively evaluate all evidence gathered during the investigation, including third party witness testimony and documentation, and draw reasonable conclusions based on the evidence. Thus, Appellant's unreasonable expectation that an EEO investigation should beget an outcome detrimental to the accused respondents undermines Appellant's credibility. Moreover, on October 5, 2021, during a phone conversation with DHR EEO, when discussing █████ Appellant said: "█████ is the face of the concept of racial equity at HSA; however, she [sic] is working counter-intuitively to me . . . If you pronounce her [sic] pronouns wrong, there is a foot up your ass." See Ex. G. As Appellant's statements illustrate, Appellant persistently used incorrect pronouns for █████ (they/them), which demonstrated animus toward █████ Furthermore, Appellant's persistent misidentification of a professional colleague's pronouns not only diminished Appellant's credibility but also contravened the City's EEO and Respect Policies, thereby undermining the integrity of Appellant's EEO allegations against the accused. During Appellant's March 16 and 22, 2022 rebuttal interview with DHR EEO, when asked for additional information why either Kim or Williams harbored animus toward Appellant, Appellant could not provide any evidence in support of Appellant's EEO complaint. See Ex. F. Similarly, when offered additional opportunities to provide more information in support of Appellant's EEO allegations, Appellant declined to do so. See Ex. F. Thus, due to Appellant's non-credible statements and dearth of evidence demonstrating EEO-related animus against Appellant, the burden of proof failed to shift back to the accused respondents, and the investigation relied on an objective analysis of documentary evidence and credible witness testimony, all of which refuted Appellant's allegations. Thus, in the totality of the evidence, the investigation did not establish Appellant's allegations of harassment against either Kim or Williams. Therefore, the Human Resources Director's original determination was correct and should be upheld.

#### **B. The Investigation Did Not Establish Appellant's Discrimination Claims**

To sustain a complaint of discrimination in violation of the City's EEO Policy, the investigation must establish all of the following: (1) the complainant is a member of a protected category; (2) the complainant suffered an adverse employment action; and (3) the complainant suffered an adverse employment action because of their membership in a protected category.

##### 1. Reasons for the Variability of Appellant's Job Duties Were Unrelated to Appellant's Protected Characteristics

The variability of Appellant's job duties was due to business needs, staff attrition, job classifications, and the COVID-19 pandemic. Thus, there were non-discriminatory, legitimate business reasons for the variability. Moreover, there was no evidence to suggest that the variability of Appellant's job duties was due to animus against Appellant based on Appellant's race, skin color, or age. For example, regarding the Form 700 assignment, credible witness testimony and documentary evidence established that another

employee completed these tasks to satisfy an impending deadline, which is a legitimate, non-discriminatory reason. Similarly, in 2021, when Appellant began reporting to Williams, Williams asked Appellant to complete the Form 700s, and Appellant did so. Thus, contrary to Appellant's characterization, Appellant performed the Form 700 assignment, and the variability of Appellant's job duties were likely due to the impending deadline rather than animus against Appellant. Also, regarding Additional Employment Requests (AER) and Public Service Loan Forgiveness (PSLF) assignments, other employees completed this task because Appellant had difficulty doing so. Therefore, the evidence did not establish Appellant's allegations of differential treatment due to a protected characteristic, and the Human Resources Director's original determination was correct.

2. Appellant Received Training Relevant to the 1842 Management Assistant Classification

Furthermore, the investigation established that Appellant received training, contrary to Appellant's portrayal both during the original EEO investigation and on appeal. For example, credible witnesses confirmed they trained Appellant on Zoom and other tasks relevant to Appellant's job duties; however, per credible witness testimony, Appellant did not appear to comprehend the training, and did not want to do the work to learn how to use Zoom properly. Similarly, credible witnesses confirmed they trained Appellant to conduct the Health Survey; however, despite two weeks of training, Appellant did not learn the task. With the oversight of another co-worker, Appellant completed the task about twice, but Appellant likely could not complete the task independently. Furthermore, documentation demonstrated that Appellant has been enrolled in 44 trainings on various topics dating back to the beginning of Appellant's employment; also, Appellant has access to City University-Academy X and UC Berkeley Extension courses through HSA. Thus, the investigation established that Appellant received training relevant to Appellant's job duties, and Appellant did not suffer an adverse employment action due to Appellant's protected characteristics. Moreover, the investigation established that employees of different classifications received Induction Training because the training was relevant to their job duties, which is a legitimate business reason unrelated to Appellant's protected characteristics. Although credible witnesses stated Appellant could not work independently, the investigation confirmed that Appellant passed probation without incident while under Kim's supervisory hierarchy, further nullifying Appellant's allegations of differential treatment due to a protected characteristic. Lastly, as described above in Section IV. A., credible witness testimony did not establish that either Williams or Kim harbored animus toward Appellant; rather, Appellant's statements to DHR EEO suggest that Appellant harbored animus toward the accused respondents, thereby discrediting Appellant's allegations. Therefore, the investigation did not establish that EEO-related animus was the reason for Appellant's allegations of differential treatment. Given the totality of the evidence, the Human Resources Director's original determination was correct, and Appellant's appeal should be denied.

3. Logical Inferences Did Not Suggest Animus Due to Appellant's Protected Categories

The investigation established that it was inappropriate to impute EEO-related animus to Kim given that Kim was on Appellant's interview panels, Appellant was subsequently selected as Kim's assistant, and ultimately Appellant passed probation while under Kim's supervisory hierarchy. In other words, it was illogical for Kim, the same individual involved in the decision-making process to hire Appellant, to treat Appellant differently given that Kim likely knew about Appellant's protected characteristics at the onset of the hiring process. Moreover, as described above in Sections IV. A. 1. and 2., witness testimony did not establish that either Kim or Williams harbored animus toward Appellant. Thus, credible witness testimony

further supported the same actor inference; although Appellant disagrees with the investigative analysis, the logical framework upon which the investigation was built still stands due to the veracity and weight of corroborating evidence, namely credible witness testimony. Lastly, as explained above in Section IV. A. 3., Appellant's statements to DHR EEO suggested Appellant harbored animus toward the accused respondents, Williams and Kim, which undermined Appellant's credibility and discredited Appellant's allegations. Therefore, the analysis of the original investigative findings was sound, and the Human Resources Director's determination should be upheld.

### **C. Appellant's Allegations on Appeal**

On appeal, Appellant merely reasserts the same concerns that were already investigated by DHR EEO, and Appellant's newly proffered information does not warrant further review. As already described above in Sections IV. A. and B., Appellant received training, performed some assignments within the scope of the 1842 Management Assistant classification, and the investigation did not establish that the accused respondents harbored animus against Appellant. Thus, Appellant's newly proffered information does not undermine the integrity of the Human Resources Director's original determination, as described in detail as follows:

1. Appellant did not suffer an adverse employment action when Appellant received the December 6, 2022, Determination Letter instead of a copy of the investigative findings because this is DHR EEO policy. Thus, Appellant does not present an actionable issue on appeal. Moreover, the Determination Letter provided a high-level summary of the relevant investigative findings, which is also consistent with DHR EEO policy. The insinuation that the Determination Letter reflected erroneous analysis is also false. As the investigative report demonstrates, DHR EEO conducted a thorough investigation, which included a multitude of witness interviews and review of voluminous documentation, and receipt of the Determination Letter instead of a copy of the full investigative findings does not signify inferior work product or any other inappropriate action. For purposes of the appeal, Appellant received a redacted copy of the investigative report, which is also consistent with DHR EEO policy. Again, Appellant does not present any information that warrants further review, and Appellant's matter was analyzed and processed properly. Thus, Appellant's assertion is insufficient to overturn the original determination, and the Human Resources Director's determination should be upheld.
2. Appellant merely recapitulated how Appellant did not receive training; however, as described above in Section IV. B., the investigation refuted Appellant's allegations. Several credible witnesses recounted how they trained Appellant, recalled that Appellant shadowed them for training purposes, and the investigation further demonstrated how Appellant has access to a plethora of training opportunities. Thus, merely recapitulating a prior concern that was already thoroughly investigated and without providing additional documentation to show otherwise is insufficient to overturn the Human Resources Director's determination. Therefore, Appellant's appeal should be denied.
3. Although Appellant disagreed with the logic of the same-actor inference as explained above in Section IV. B. 3., the analysis is correct because other corroborating evidence similarly supported such a conclusion. Again, as described above in Sections IV. A. 1. and 2., credible witnesses did not recount an instance where either accused respondents, Kim or Williams, expressed animus due to Appellant's protected characteristics. As described above in Section



IV. A. 3., when given the opportunity to provide more information to establish that EEO-prohibited animus was the cause of the purported differential treatment, Appellant declined to do so. Thus, the investigation did not establish Appellant's allegations, and the Human Resources Director's determination should be upheld.

4. Appellant merely recapitulated the original assertion that Kim and Williams took away job duties and gave them to other individuals. However, this is an erroneous mischaracterization of the investigative facts. As described in Section IV. B. 1., Appellant performed job duties within the scope of the 1842 Management Assistant classification, and the variability of Appellant's job duties were appropriate due to operational need, expediency, or other legitimate business reason unrelated to Appellant's protected characteristics. Importantly, as described above in Section IV. A., the investigation did not establish that either Kim or Williams harbored animus toward Appellant; rather, Appellant's statements to DHR EEO suggested animus toward the accused respondents. Therefore, the investigation did not establish Appellant's allegations, Appellant presents no actionable issue on appeal, and the Human Resources Director's original determination was correct.
5. Other than insinuating otherwise, ensuring the safety of the workplace is a non-discriminatory, legitimate business reason, Appellant did not suffer an adverse employment harm, and Appellant does not provide any information to suggest this was done based on any of Appellant's protected characteristics. Again, as described in Sections IV. A. 1. and 2., the investigation did not establish Appellant's purported instances of differential treatment were due to bias or animus against Appellant. Also, the purported inappropriate conduct stopped because Appellant asked [REDACTED] to do so. Notably, by Appellant's own account of the alleged events, [REDACTED] the individual whose pronouns Appellant persistently misidentified, complied with Appellant's request, further discrediting the suggestion that decision-makers within HSA's management harbored animus toward Appellant. In other words, the individual whose pronouns Appellant repeatedly misidentified treated Appellant favorably, which undermines Appellant's credibility and negates Appellant's allegations of adverse differential treatment. Lastly, interacting with members of the public is within the 1842 Management Assistant job description, Appellant did not suffer an adverse employment harm, and the investigation did not establish EEO-prohibited animus against Appellant. Again, due to the dearth of evidence to support Appellant's assertions, Appellant presents no actionable issue on appeal that would undermine the veracity of the Human Resources Director's original determination, and Appellant's appeal should be denied.

## **V. RECOMMENDATION**

For the reasons set forth above, the Human Resources Director's decision should be upheld, and the appeal should be denied.

## **VI. ATTACHMENTS TO THE REPORT**

Attached to this report are the following:

Exhibit A: Appellant's Memorandum, dated August 10, 2020

Exhibit B: Appellant's Intake Interview Notes, dated February 23, 2021

- Exhibit C: Appellant's Signed Charge of Discrimination, dated June 11, 2021
- Exhibit D: The Human Resources Director's Determination Letter to Appellant, dated December 6, 2022
- Exhibit E: Notice of Appellant's CSC Appeal, dated February 28, 2023
- Exhibit F: Investigative Report and Attachments re: Appellant's EEO Complaint
- Exhibit G: Additional Documentation
- Attachment 1: DHR EEO's Discussions with Appellant  
Attachment 2: DHR EEO's E-mails with Appellant  
Attachment 3: DHR EEO's Investigative Activity Log

## **Exhibit A**

DHR EEO Harassment Helpline Memo,  
August 10, 2020



**MEMORANDUM**

To: Linda C. Simon, DHR, EEO and Leave Programs  
Matthew Valdez, DHR, EEO Programs Manager

From: Kevin Calkins, DHR, EEO Programs Specialist

RE: Helpline Complaint, Velma Gay  
Dept: HSA; DSW: [REDACTED]  
Job Title: 1842 Management Assistant

Date: August 10, 2020

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Complainant's contact information:

Phone number: [REDACTED]  
Email: [REDACTED]

Respondent(s): Luenna H. Kim, 0953 Dep Dir III, DSW: [REDACTED]  
Basis: Race (African American), Age (55 years, on file)  
Issue: Discrimination, Harassment  
Complaint Filing Date: EEO Helpline Voicemail - August 7, 2020

On January 4, 2020, Velma Gay (African American, aged 55 years, on file) started working with the San Francisco Human Services Agency. Gay is a 1842 Management Assistant. On August 10, 2020, I spoke to Gay in response to her voicemail on the EEO Helpline where she reported racially motivated discrimination and harassment.

Gay alleged that, since she was hired, she has worked outside of her job classification, had her assignments taken away, denied training, been humiliated in front of coworkers, and ignored by her boss, Luenna Kim. Gay explained that she is supposed to be Kim's assistant but instead is "placed in different departments to do different things by all kinds of different managers." Additionally, Gay was activated as a Disaster Service Worker for an assignment she felt pressured into by Kim, whom Gay alleged lied to her about the assignment. Gay also alleged that on June 23, 2020, Kim directed her to exit her office while Kim searched the office as if looking for a weapon.

Gay believes Kim's behavior toward her is based on Gay's race, African American, and the fact she is older than Kim. Gay alleged that Kim had previously been accused of not hiring African Americans and that Gay was hired as a "token" in order to demonstrate that Kim is not a racist. Gay claimed that Kim told her African Americans were not previously being hired for the

position because they could not pass the employment test and because African Americans “can’t do the work.” Further, Kim told Gay shortly after she was hired to not “be around here and messing up” and that Kim did Gay a favor by hiring her because she “seemed like someone who needed the money.” Gay also believes she was hired for her current position because “the City has made an open acknowledgement that they weren’t hiring [enough] African Americans.”

I informed Gay that I would write a memorandum and submit her complaint for review. I also informed her to contact the EEO Helpline if she experiences any additional discriminatory or harassing conduct from Kim.

I emailed Gay the instructions on ‘How to File a Discrimination, Harassment, or Retaliation Complaint.’

## **Exhibit B**

Appellant's Intake Interview Notes,  
dated February 23, 2021



**CONFIDENTIAL**

**DHR EEO INVESTIGATION OF EMPLOYMENT DISCRIMINATION COMPLAINT  
 INTAKE INTERVIEW NOTES**

<b>Complainant: Velma Gay (she/her/hers)</b>	<b>EEO File No./Dept.: 3643/H.S.A.</b>
EEO Investigator: Jennifer Burke	Date & Time: February 23, 2021 10:00 a.m. – 12:56 p.m.; 2:00 p.m. – 3:32 p.m.
Others Present:	
Location: Via Telephone at [REDACTED]	Pages: 12

**I. BACKGROUND INFORMATION**

**A. Employment History**

On January 4, 2020, Velma Gay was hired by the City and County of San Francisco (City) as a PCS 1842 Management Assistant with the Human Services Agency (H.S.A.) Department. Gay was on the 1842 list and had two interview panels for her hire. Around December 2019, Gay was interviewed a panel that included [REDACTED], 0931 Manager III; Katrina Williams, Learning and Organizational Development Manager; and Luenna Kim, Human Resources Director at H.S.A. Gay’s second interview panel included Kim; Tracy Buriss, Program Director; and John Tsutakawa, Contracts Director. Gay works in H.S.A.’s Human Resources Department at 1650 Mission Street, Monday through Friday from 8:00 a.m. to 5:00 p.m. From January 2020 to February 2020, Gay worked on the second floor in an office adjacent to Kim’s. Around February 2020, Gay worked from home due to the City’s shelter-in-place (SIP) order. Around October 2020, Gay and the rest H.S.A. H.R. moved to the 4<sup>th</sup> floor in Suite 400. Since Gay’s job duties include processing Additional Employment Requests (AERs) and Public Service Loan Forgiveness (PSLF), and scheduling for eight managers. January 2020, Kim has supervised Gay. Around June 2020, Gay passed probation.

Gay is “completely isolated from all employees” and does not “work with anybody.” Gay has not spoken with any City employees about her interview with the Department of Human Resources Equal Employment Opportunity (DHR EEO) Division.

**B. Respondent Luenna Kim**

Around December 2019, during Gay’s interview for the 1842 position, Gay first met Kim. Kim did not tell Gay that Kim was the H.R. Director. Kim only said, “You’ll be working with me” to Gay. Daniel Kaplan, Deputy Director of Finance and Administration at H.S.A., supervises Kim. In addition to Gay, Kim supervises [REDACTED] Williams; [REDACTED], 0931

Manager III; Brenden Lim, 1246 Principal Human Resources Analyst; [REDACTED], 0931 Manager III; [REDACTED], 0923 Manager II; and Shareefun Nisha, 0931 Manager III.

From January to February 22, 2020, Gay worked as Kim's assistant. At the end of January 2020, Kim told Gay that Kim was going to give Gay more job responsibilities and asked Gay to process AERs; PSLFs; Form 700s, Statements of Economic Interests; and filing. Gay believes some of the forms and filing had not been "done for years." Gay went into Kim's office,

In February 2020, Gay had "all 10 symptoms" of Covid. Gay asked Kim if Covid-19 was an airborne disease and Kim "lied to" Gay and said it was not. Gay believes Kim "withheld" Covid-19 information from Gay because she heard Kim telling other H.S.A. employees at a meeting about it being airborne.

Since the City's SIP order, Gay "doesn't really have interactions" with Kim. From February 22 to May 2020, Gay and Kim did not speak. Kim also took Gay's job duties away and assigned them to [REDACTED], 0922 Manager I, as discussed further below in Section III.

Gay believes Kim is "fostering a White supremacy" at H.S.A. because 95-99% of H.S.A. employees are Asian.

## **II. HARASSMENT / HOSTILE WORK ENVIRONMENT**

### **A. Comment about African American Applicants**

In January and February 2020, Gay attended staff meetings where meetings were discussing how H.S.A. H.R. could use an equitable lens of their work. Gay believes H.S.A. was trying to interview racially diverse candidates. Gay attended an implicit bias training and watched videos on racial equality.

Around the first week of February 2020, in Gay's office, Gay asked Kim, "Haven't you noticed there aren't any African American men here?" Kim told Gay, "We're trying to find qualified African Americans" but not enough African Americans were passing the exams. Gay believes Kim meant that African Americans were not "intelligent enough to pass the exam" because the "only people who pass and are getting hired are Asians." Gay believes Kim meant this because there are "other reasons" African Americans are not passing the exams. Gay told Kim that it could be that African American applicants are not allowed or given the opportunity to take the exams. Gay believes: "They have people who make the decisions, HR Analysts determine whether you have qualifications to take the exam. They decide through your address, zip code. Why do you think that is?" For instance, Gay explained that the City pays well because of its cost of living and that makes the jobs highly competitive. Gay could not say if she responded to Kim's comment. Gay believes she did not because she thought, "Really?" in response to Kim's comment, and did not respond because she was "focused on making probation."



Gay clarified that Kim never said that African Americans “can’t do the work,” as what was reported in the DHR EEO’s August 2020 Helpline memo.

**B. “I Did This as a Favor” and “You Really Needed This” Comments**

Around January 7, 2020, Kim came into Gay’s office and handed Gay an email to read and follow-up as necessary. Gay read the email and it involved an attorney and necessary follow-up phone calls.

Around January 9, 2020, Kim called Gay into Kim’s office. Kim told Gay, “Oh, you had me do such-and-such on the email.” However, Kim believed it was inaccurate for Kim to do so and told Gay, “Don’t be coming in here messing up. I built a reputation for myself...I have a good rep[utation]. I did this as a favor. We normally start employees on such and such dates due to payroll, but it seemed like you really needed this.”

Gay understood Kim to mean that Kim hired Gay as a favor. In addition, Gay understood Kim’s reference to payroll to mean that Kim believed Gay “needed the money.” Gay could not say why else Kim would reference payroll in relation to Gay being hired.

Gay believes Kim and H.S.A. were “mandated to hire African Americans.” Around December 2019, after Gay was offered her position, █████ told Gay that her letter of recommendation (LOR) from Academy of Arts did not use formal letterhead and would not suffice for hiring purposes. Gay told █████ “This is economic genocide” because Gay would have to have an even more advanced degree, like a doctorate, to count for hiring purposes if her LOR did not count. Gay cried as she spoke to █████ Gay further told █████ “I’m going to Joaquin Torres, [Assessor]” if █████ would not accept Gay’s LOR. The following day, █████ called Gay into the office and said it was not necessary for Gay to get another LOR and that █████ was doing so “as a favor.” Gay believes █████ told Kim about how upset Gay was during the onboarding process, and Kim took that to mean that Gay “needed the money” for the job because she reacted emotionally during the onboarding process.

Gay believes H.S.A. is only forced to hire African Americans, make African American employees go through a “shaming” process during on-boarding where their credentials are challenged, and then given limited job duties.

**III. DISCRIMINATION DUE TO RACE, COLOR, AND AGE**

**A. Job Duty Concerns**

Gay believes █████ (Asian), 1244 Senior Human Resources Analyst, was Kim’s prior assistant. Gay believes █████ completed Form 700s, AERs, PSLFs, communicated about voting information, and scheduled Kim and the eight HR managers, among other tasks. Gay believes these form processing tasks, like the AERs, were insignificant tasks because they majority of the forms came during the holidays, when City employees were looking to work second jobs. Moreover, from January to February 2020, Gay signed Kim’s name on the PSLF forms. Gay

further believes she should have all of the duties [REDACTED] performed for Kim because she is now Kim's assistant.

In August 2020, Kim assigned Gay to work as an 1842 Management Assistant for the eight H.R. Managers. Gay believes to do so is "unrealistic" because the H.R. Managers cover eight different substantive areas and it is not realistic to learn all of those areas without adequate training. In addition, Gay believes there was a hiring freeze due to Covid-19, and Kim assigned Gay to the task to "throw [Gay] under the bus" by giving Gay tasks she cannot adequately perform in order to justify hiring more employees.

**B. February – March 2020: Kim Removed Gay's Work Assignments**

1. Form 700s

In February 2020, Kim asked Gay to call Bridget Badasow, 1454 Executive Secretary III, for a job list. Gay called and emailed Badasow for something called the DAS list, an exhaustive list of employees for H.S.A. that Gay could use to reference for who has completed their Form 700. Gay compiled the list and sent out the Form 700s and sent one to all the employees. In March 2020, after the City's SIP order, the Form 700s were returned to Gay, who had to give them to [REDACTED] to process for completion. The deadline for the Form 700s was March 15, 2020, but it was possibly extended due to the City's SIP order. Kim told Gay to give the Form 700s to [REDACTED] for processing. When asked how Gay gave the forms to [REDACTED] Gay replied, "Uh, uh, uh, as the employees filed out the forms via email, they could scan it or send it via email to the front desk, and then they were given to [REDACTED] Gay believes the Form 700 assignment was made by Kim to "make sure the African American [employee] does not get credit. She made sure that [REDACTED] was in the position so she gets credit, even though I did all the work."

2. Voting Information Assignment

Sometime after March 2020, [REDACTED] showed Gay how to send out voting information to H.S.A. employees. Gay explained it included sending an email to all of H.S.A.'s employees reminding them to vote and attaching a voting flier. In prior years, [REDACTED] performed this duty; however, Gay believed the job would be hers to perform as Kim's new assistant and because Gay was hired into the job [REDACTED] performed previously. However, on a date Gay could not recall, [REDACTED] sent out the voting information. Gay emailed [REDACTED] and asked about it and who told [REDACTED] to do so. [REDACTED] replied that Lim asked [REDACTED] to send out the voting information. Gay believes Kim told [REDACTED] to do so because Lim oversee the Office of Civil Rights (OCR) and it would not fall under his office. Gay believes that this incident is an example of Gay being trained to performed tasks, but after the City's SIP order, Gay's job duties were "stripped" from her and given back to others, including [REDACTED] because Kim only wanted Gay for optics.

3. Kim Tells Gay to Go Home

Sometime in February 2020, on a conference call with 20 other employees, Kim told Gay to "go home" for the City's shelter-in-place order. Gay believes Kim did so as a "form of discrimination

and appearing to all the other employees in a role of domination. She's in control, just a form domination and act of control, using an African American to demonstrate this." Gay believes no other employee was assigned to work from home: "At that time, they could come and go as they pleased." Gay believes at one point, Kim implemented a rotation of the H.R. managers to come into the office and to stay home. Gay believes she "was one of the first people to get a computer to work from home." Gay believes "most of the [H.S.A.] employees work from home because they've always wanted to." However, Gay believes her job duties are connected to Kim and the other H.R. managers and because she was not in the office, she was "isolated."

#### 4. Kim's Schedule Duties

From January to March 2020, Gay schedule Kim's appointments with "anyone in the City" including Daniel Rohrer, H.S.A. Director and Joan Miller, Deputy Director. Sometime in March 2020, Gay could not longer access Kim's schedule. Gay called the IT department. The IT department told Gay that Kim turned off Gay's access. Kim did not inform Gay that she was going to do so: "Instead of talking to me directly, she shut it off." Gay believes that in doing so, Kim stopped allowing Gay to schedule Kim. Gay believes Kim did so because Gay believes Kim hired Gay as a "political prop" to satisfy the move for racial equity in H.S.A. and wanted the outward appearance of equity, but because they were no longer in the office, Gay was no longer necessary to Kim. Gay believes before she was hired, Kim was reproached for hiring only Asian employees at H.S.A.

#### 5. Manager File Duties

In January to February 2020, Gay accessed the H.R. manager files in Kim's office. However, after February 2020, Kim would no longer allow Gay to access the files and told Gay to give whatever she had to file to a manager down the hall, who is an Asian employee. Gay has been holding files in her office for almost a year now because she has no way to access the H.R. manager files.

### **C. Denied Training – Shadowing Mentoring**

On a date she could not recall, Gay asked Kim if Gay could shadow Oritz, and Kim said no. Gay believes Williams shadowed Kim for over a year and a half. Gay acknowledged that Williams is "African American. She's not new though; she's been working for the City for 4 years. She came through the door as being perceived with 21 years of experience at Santa Clara." Gay also believes [REDACTED] shadowing Williams.

### **D. Racial Equity Training**

In early 2020, Gay read email from Trent Rohrer, H.S.A. Director, that discussed racial equity. In addition, at staff meetings, Gay heard that [REDACTED] was formulating a racial equity plan for H.S.A. H.R. [REDACTED] asked everyone in Kim's HR managers meeting to participate in the Racial Equity Work Group (REWG). Gay believes the REWG included 30 people and included "exercises for staff to do to dismantle White supremacy and xenophobia." Gay believes there were meetings through MS Teams and Zoom. Two weeks later, Gay received an email from

█ that said Gay can read the REWG's information but cannot "interact on Teams or Zoom." Gay then asked Kim if Gay could participate in the REWG and Kim told Gay, "Ok, ok. Let me check with █ and get back with you." Two weeks after that, Gay got an email about the REWG to read, but no access to Teams or Zoom meetings.

Gay did not ask █ is Gay could join the REWG because "all the employees are doing it." Gay believes 30 employees make up the REWG, including new employees hired after Gay. Gay believes "lighter" people of color including Isabella Blasi (age 28), 1241 Human Resources Analyst; Maribel Mora (age 35), then-1241 Human Resources Analyst; Julie Castro (age 37), 1244 Senior Human Resources Analyst; and Hovaness Dekeyan (age 30), 6138 Industrial Hygienist.

Gay believes Kim is "blocking" Gay from participating in the REWG because Gay is a dark-skinned African American and because of Gay's age.

#### **E. March / April 2020: Microsoft Teams and Zoom Training**

Around March or April 2020, Kim told Gay that she needed someone to use Microsoft Teams and Channels because the City's SIP order means more meetings were taking place virtually. Kim told Gay to train herself. Gay believes Kim did so because Kim "knew [Gay] couldn't do it" and wanted Gay to fail.

Gay asked Kim if Gay could train with the Training Department, who was in training on virtual platforms. Kim replied, "Oh, so you want to be first?" Gay said, "No, I want to be amongst." Gay believes Learning and Organizational Development (LOD) Department's trainers—including Phyllis "Marcia" Brown, Michael Aho, Wael Seruge, █, █, █ 1232 Training Officers.

On a date she could not recall, "after heavy debate," Kim agree for Gay to take the training. However, Kim "circumvented" Gay's training by giving Gay, "five different workloads," which included taking over the data sets on H.S.A.'s Covid-19 responses. As a result of the increased workload, Gay "had to stop the training."

#### **F. May 23, 2020: Data Assignment and Training**

Around May 2020, Kim assigned Gay a special project, which Kim called "specials" or "suddenly," of filtering the data in order to create dashboards and other visualizations of H.S.A.'s Covid-19 employee email/text message responses. Gay believes the job was an IT job; however, later Gay said "I believe it probably is within my classification to learn it, if I was trained." Gay worked on the assignment along with █ IT department; Dekeyan (White); Kim (Asian) and █ (Asian); and █ (Hispanic). █ IT department created an employee survey and called H.S.A. employees with a script about Covid symptoms. █ wrote memos, letters, and fliers about the task. Kim and █ created dashboards. Gay performed data cleaning, which was "one of the most intricate parts" because the file grew by 15,000 entries. Gay struggled to open the large file at home because of its size and had to return to the office to work with the data. Gay believes Kim gave Gay this task because Claire McCaleb (White), 1244

Senior Human Resources Analyst, and [REDACTED] have small children and Kim knew that Gay did not have small children. Gay believes she was selected for the data cleansing task “because [she] had the least amount of knowledge and no kids or family.” Gay acknowledged she told Kim that she has an adult child.

Kim and Williams had Gay work with [REDACTED] (White), 1244 Senior Human Resources Analyst. Kim and Williams told [REDACTED] to work with Gay because Kim and Williams knew that that Gay did not “have enough information” to perform the task. Gay “shadowed” [REDACTED] because of [REDACTED] data skills.

Gay still struggled with the assignment, and when Gay attempted to talk with Kim about her difficulties, Kim “wouldn’t answer her door or run and hop in her car” to avoid Gay.

Gay believes she was assigned to this special project to “overwhelm” and “overload” her as an African American employee, in order to “buy time” and show that H.S.A. H.R. needed additional employees to perform the job. Gay believes Kim did not have the budget to get an official data application and needed a justification to do so. Gay believes Kim gave Gay the data task because Kim “knew [Gay] wasn’t capable” of performing the task adequately. Gay believes she was “being set up” by Kim to fail in order to provide Kim with the necessary business reason to warrant additional staff.

Gay believes she needs to be adequately trained on how to compile and clean up data. Gay said H.S.A. offers Analysis Academy and training on SQL; however, because of Covid-19 all the training programs were shut down. Gay believes [REDACTED] Kim’s prior assistant, never had to perform any data analysis. Gay believes it was discriminatory for Kim to assign Gay data analysis without any training. Gay believes Kim provided data training to [REDACTED] (Asian), [REDACTED] (White), and McCaleb (White). Gay believes she was denied training by Kim because Gay is Black.

In August 2020, H.S.A.’s hiring freeze was lifted. Gay believes her experience on the data analysis special project was one of the reasons it was done so.

**G. June 11 to August 2020: Gay Goes on Leave**

From around June to August 2020, Gay went on leave. Gay went on leave because she was stressed out about the data clean-up assignment, because she had symptoms of Covid-19, and because she believed there were cases of Covid-19 in the building she was working in.

**H. August 2020: Gay and Kim Talk About Job Duties**

After Gay returned from leave, she never worked again on the data clean-up assignment.

Sometime in August 2020, shortly after Gay returned from leave, Gay spoke with Kim about Gay’s job duties. The meeting consisted of a “two-hour conversation.” Gay told Kim that Gay did not feel supported to perform the data analysis work adequately and did not believe the assignment fell under her job classification. Gay explained: “You can’t pick a word off the job

classification and create a project about that. It is a general classification.” Kim told Gay that to not do so would be “lowering the standards by me not having to perform the work classifications.” Gay told Kim, “What’s actually happening is you are lowering the standards and giving the Asian [employees] training and not giving me training. I have no confidence and I feel inferior. I don’t think you’re the type of person to change.” Kim told Gay that Kim was committed to Gay as an employee.

After this “heated conversation,” Kim never gave Gay a suddenly or special project again.

**I. August 2020: No Scheduling Duties or Calendar Access**

From August 2020 to an unknown date, Gay did not schedule Kim or the other H.R. Managers. Gay only completed AERs and PSLFs.

**J. December 4, 2020: PowerPoint Presentation**

In late 2020, after Gay had been having her own struggles and issues with adequate training, Gay observed the H.S.A. H.R. department lacked training for 1800-series employees. Gay observed that the 1800-series is “predominantly African-American” and the only job duties they were performing was scheduling for other people. From around mid-October to December 2020, Gay researched equity and training at H.S.A.

Kim asked Gay to give a presentation about Gay’s ideas. Kim told Gay the ideas were “excellent” and that after Gay gives the presentation, Gay and Kim would work with Williams and develop a formal training around Gay’s ideas.

On December 4, 2020, Gay gave a PowerPoint presentation titled, “A 21<sup>st</sup> Century Approach to Learning” concerning training as inherent to equity. The presentation was focused on how to advance equity issues by training employees in the new virtual environment. Gay explained that the information from her presentation was “derived out of the diversity and equity” emails.

Kim, ██████ ██████ Williams, Lim, and Nisha attended Gay’s presentation. Gay believes ██████ and ██████ were not in attendance. Gay acknowledged she was “nervous throughout the presentation because [she] knew [Kim] was looming in the backdrop.” At first, Gay alleged the participants “laughed” at Gay’s presentation. However, when asked who laughed, Gay said she did not see anyone laugh, but Gay observed some attendees “contort their faces” in order to “contain their laughter” and then turn off their screens until Gay finished her presentation. Gay “could tell they were laughing.” When Kim asked for comments on Gay’s presentation, “they looked sheepish.” Gay got feedback from Nisha that one of the hurdles is that training within H.S.A. departments are “all over the place” and an accounting of the existing training would be needed. Kim clarified to Gay that Gay was agitating for training for the 1800-series employees and Gay said “Yes, that’s the training for us to be successful.” Gay has read the GARE report and said during the presentation that you have to train employees as a shadowing program in order to demonstrate the skills. Kim “scoffed” at Gay’s presentation and said, “We’re gonna stick to the other training,” which is competency modeling, headed by Felix Caraballo, 1244 Senior Human Resources Analyst.

Gay believes [REDACTED] was not in attendance “by design by [Kim]”, so that Kim could give [REDACTED] Gay’s ideas to make [REDACTED] own. Kim asked Gay to give the presentation because Gay had not spoken to [REDACTED] and [REDACTED] and Kim “wanted to get what was written in my head in a well-written format.”

Gay could not recall if she gave the presentation at home or the office.

**K. [REDACTED] Mentoring Program**

Around late January 2021, Gay was looking in the shared U drive for an AER smart pdf. While doing so, Gay found [REDACTED] file on a Mentoring Program. Gay said she observed the file was last modified on February 10, 2021. Gay explained that when someone goes into the file, the file is time-stamped that someone was in the file on this time and date.

Gay thought, “OMG, I hope this isn’t what I think it is.” [REDACTED] is launching a training program with LOD Department. Gay believes Kim took Gay’s ideas of training, mentorship, and pairing junior staff with upper management and gave them to [REDACTED] to use. Gay observed that [REDACTED] had a handbook, which was supposed to be the next phase of her training project. Gay saw that [REDACTED] program was implementing a mentoring program with a cohort, which was different from her recommendation to link employees to shadow upper management.

Gay believes Michael Aho and [REDACTED], 1232 Training Officers, are soliciting for cohorts for training on innovating techniques, with the latest techniques of how to learn in a digital format. Gay believes the training will be in-depth, proactive, and project-based.

Gay has not asked to be in the mentoring program. Gay believes Kim and the rest of the H.S.A. H.R. manager will not tell her of its existence: “Til this day, they don’t know that I know.”

**L. X Academy Training**

On February 22, 2021, Williams emailed Gay and asked Gay to take a course through X Academy. Gay believes Williams is trying to get Gay into a course so Gay will not be able to participate in the Mentoring Program.

**M. January 2021: Shadowing HR Interview Assignment and Removal**

In January 2021, Kim assigned Gay to shadow [REDACTED], 1241 Human Resources Analyst. Gay is supposed to shadow how to coordinate interviews for H.S.A. H.R. Gay’s duties include “coordinate the interview, assist, and shadow” [REDACTED] Gay believes the shadowing with [REDACTED] is a “hodge podge thrown together.” For instance, Gay will email [REDACTED] about an issue and “might not get a response back.” Gay believes she is assisting [REDACTED] because another H.S.A. employee is deployed.

In January 2021, Gay assisted with an interview of Alvina Cheung<sup>1</sup> (Asian), 1842 Management Assistant with TTX, for an appointment to ██████ team. Gay sent the questions to the interview panel through the chat feature in MS Teams. During the interview, the candidate said asked about training opportunities: “I would be curious to know, from the data, certain groups are being held back because they don’t have the knowledge or experience.” ██████ told the candidate: “Yes, we know, we’re giving them training.” McCaleb asked the candidate about what data systems she was trained in and the candidate said Powered Bi Data and SQL. Gay believes Kim knew the candidate personally because Kim said, “Some of the faces we already knew” with a smile and her head up to the candidate.

On February 10, 2021, Gay was in the office to shadow ██████ for an interview process. However, because of the move to the fourth floor, Gay “couldn’t work that day” because her computer was not set up. Gay was not part of the interview process that day and “just cleaned up her office.” Gay clarified, “I worked, but I wasn’t part of the interview process that day.” Gay was in the office and “had starting coming into the office on my own” because she did not have enough one-on-ones with Kim.

Kim took Gay off the interview shadowing process. Gay believes Kim did so because Gay saw that other Asian 1842s were being trained in data analysis and manipulation.

#### **N. February 2021: PLSF Changes**

From January 2020 to February 2021, Gay processed PLSF forms, which included reviewing the form for accuracy, returning it to an employee for any updates or changes that need to be made—like omitting the tax identification number, and signing Kim’s name when the form is completed. In February 2021, Gay asked Kim, “Why don’t you let me fill out the form?” and Kim responded, “I don’t feel comfortable with you” doing so. The forms now come to Gay completely filled out. Gay believes Kim told the front desk to complete the forms prior o sending them to Gay. Gay believes Kim removed Gay’s decision making regarding this task. Gay believes Kim’s conduct is due to Gay’s race and believes Kim “doesn’t trust” Gay and “feel[s] paranoid” around Gay.

#### **IV. BELIEFS ABOUT RACE, COLOR, AND AGE-BASED ANIMUS**

Gay believes H.S.A. is hiring African Americans not because they want to, but because they have to. Gay believes so because of the struggle she had with her LOR and hiring. Gay believes she and other African American employees are being made to feel “inferior” during the on-boarding process and given few job duties. In addition, Gay believes ██████ ██████ (African American), 1842 Management Assistant, was low-balled in her initial job offer with H.S.A. ██████ told Gay that ██████ or ██████ did not want to accept her 17 years of hospital job experience and her lack of a Masters’ degree, so they offered ██████ a Step 1 salary. ██████ told Gay the negotiations were “antagonistic” and made ██████ cry. Eventually, ██████ negotiated the Step 3 salary; however, the requirements to do so made

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<sup>1</sup> Gay identified a female with the last name Cheung from the Controller’s Office. The only 1842 female with the last name Cheung in People&Pay is Alvina Cheung, TTX.



██████ feel like she did not “want this fucking job” if it was so antagonistic because as a “new employee, there should be a certain level of excitement, not confrontational and antagonistic.” In addition, Gay believe ██████ job duties are also limited and she is only allowed to schedule three people’s meetings, including Noelle Simmons, 0954 Deputy Director IV; Caplan; and Shireen McSpaden, 0963 Department Head III.

Once, during the staff meeting with Kim and the eight HR Managers, Gay told them that the mandate to hire African American employees is disingenuous because it was only implemented after Mayor Breed took office and mandated it. Gay said because H.S.A. is 95-99% Asian employees, it shows that the Department is not interest in hiring African American employees and is only doing so because they are being forced to. Gay said Asian employees proctored all five of the civil service exams she took.

Gay believes the Racial Equity group headed by ██████ is an example of “White supremacy being morphed.” Gay believes instead of hiring African Americans, racial equity is now using the term “people of color,” which Gay believes is “code for immigration.” Gay believes ██████ hired Italian and Greek “people of color” to meet a racial equity goal. Gay believes darker skinned African Americans—like Brianna Taylor and George Floyd—are being shot and killed.

Gay believes McCaleb was moved to ██████ team to help with data analysis. When Gay asked Kim about it and cited what Kim said in August 2020 about Gay’s request to not do data would be “lowering the standards” of Gay’s 1842 job class, Kim said: “I’m offended. I doubt anyone on my team said anything out of line.”

Gay is the only African American without a defining role at H.S.A. Gay is isolated and is not getting trained by upper management in a way that will assist her with technological development like Teams and Zoom. Other than Kim’s comment about Gay “needing” to start at H.S.A. and that African Americans cannot pass the City’s exams, Gay never heard Kim make any inappropriate comments about race, color, or age.

## **V. REPORTING OF COMPLAINT**

In early 2021, Gay learned Kim will transfer to the San Francisco Department of Public Health (DPH) and that Williams will be Acting H.R. Director. On February 22, 2021, Gay emailed Williams concerning that Gay does not talk to anyone and wanting clearer definition of Gay’s work role. Williams told Gay that Williams would be out of office from February 25 to March 2, 2021 and would schedule a meeting with Kim on March 5 to discuss Gay’s job duties.

## **VI. IMPACT**

From June to August 2020, Gay was off for Covid leave and stress. Gay exhausted all of the City’s Covid leave and all of her sick and floating time for stress. Gay did not send a doctor’s note for stress to H.S.A. Gay believes without training, others shame her by saying, “Oh, you don’t know?” and “You should know.”

## **VII. REMEDIES**

Gay would like her 2 months of sick time she used regarding these issues. Gay would also like to be transferred out of H.S.A. because she believes Kim's discrimination will continue against her, even with a new supervisor.

#### **VIII. MISCELLANEOUS**

Gay believes McCaleb, Mora, Castro, and Isabella Blasi, 1241 Human Resources Analyst, would have more information about data assignments. Gay believes the H.R. managers will have further information about these issues, but believes they might be told "things [Gay] hasn't said" by Kim.

Gay has not filed a complaint with the DFEH or EEOC. Gay has sent an email to Omar Fell and Danielle Gonzalez, her union representatives.

#### **IX. CONCLUSION**

I thanked Gay for participating in the interview and reminded her of the confidential nature of the interview and the prohibition against retaliation.

## **Exhibit C**

Appellant's Signed Charge of  
Discrimination, dated June 11, 2021

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF HUMAN RESOURCES

**CHARGE OF DISCRIMINATION**

(To be Completed by EEO Staff in Consultation with Complainant)

1. Complainant: Velma Gay Email Address: [REDACTED]  
Address: [REDACTED] Work Phone: \_\_\_\_\_  
[REDACTED] Home Phone: [REDACTED]

2. Respondent Department: Human Services Agency  
Individual Respondent(s): Luenna Kim, then-H.R. Director; Katrina Williams, Acting H.R. Director  
Worksite: 1650 Mission Street, 4<sup>th</sup> Floor Telephone No.: \_\_\_\_\_  
Address: San Francisco, CA 94103

3. Complainant's Current Employment Status (circle one): Classification: 1842 Management Assistant  
PCS TCS TPV PEX TEX PROB NOT A CITY EMPLOYEE

4. Basis of Discrimination (specify):  
 Race: African American  
 Color: Dark skin  
 Religion: \_\_\_\_\_  
 Creed: \_\_\_\_\_  
 Sex: \_\_\_\_\_  
 National Origin: \_\_\_\_\_  
 Ethnicity: \_\_\_\_\_  
 Age: Over 40  
 Disability/Medical Condition: \_\_\_\_\_  
 Political Affiliation: \_\_\_\_\_  
 Sexual Orientation: \_\_\_\_\_  
 Ancestry: \_\_\_\_\_  
 Marital or Domestic Partner Status: \_\_\_\_\_  
 Gender Identity: \_\_\_\_\_  
 Parental Status: \_\_\_\_\_  
 Other Non-Merit Factors: Inability to do my work.  
 Retaliation: \_\_\_\_\_

5. Issue complained of:  
 Denial of Employment  
 Denial of Training  
 Denial of Promotion  
 Denial of Reasonable Accommodation  
 Termination  
 Lay-off  
 Constructive Discharge  
 Disciplinary Action  
 Harassment  
 Work Assignment  
 Sexual Harassment  
 Compensation  
 Other (specify):  
Taking over my computer system during virtual meetings. (Bullying)

6. Has the Complainant filed the complaint with any other local, state or federal agency? Yes  No   
If yes, please specify: \_\_\_\_\_

7. Has the Complainant filed a grievance or lawsuit? Yes  No   
If yes, please specify: \_\_\_\_\_

8. Is the Complainant represented by a Union or an Attorney? Yes  No   
Name: \_\_\_\_\_ Organization/Firm: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

9. Describe specifically and in detail the circumstances of the alleged discrimination. Please include date(s) of adverse employment action(s).

On January 4, 2020, I started working for the City and County of San Francisco (City) at the San Francisco Human Services Agency (H.S.A.) Department at 1650 Mission Street as an 1842 Management Assistant. From January 2020 to March 2021, I was hired to be the Management Assistant for Luenna Kim (Asian) the Human Resources Director for H.S.A. In February 2021, Katrina Williams (African American) became the Director of Human Resources Director for H.S.A.

## **I. HARASSMENT / HOSTILE WORK ENVIRONMENT DUE TO RACE AND AGE**

Between January and February 2021, Kim and Williams subjected me to the following offensive and unwelcome conduct based on my race (African American), and age (over 40):

- (1) On January 6, 2020, in response to a task I completed, Kim called me into her office the next day and I showed up with a pen and pad thinking she was going to go over how we were going to work on assignments and projects together. However, to my surprise, she began telling me, "Don't be coming in here messing up. I built a reputation for myself. I'm in a position in life, where I now can give back, I did this as a favor. We normally start employees on such and such dates due to payroll, but it seemed like you really needed this." I believe Kim meant that she hired me due to my race.
- (2) In February 2020, I asked Kim, "Haven't you noticed there aren't any African American men here [at H.S.A.]?" Kim replied that there were not enough African Americans passing the job examinations, which I believe meant that African Americans were not intelligent enough.
- (3) In March 2021, I received an email from Williams stating that I did not need to fill out or participate in Time Studies, although this was a requirement for my position, stated by [REDACTED] (Asian) in the Fiscal/Office of Controller. I received an email from [REDACTED] that because of my position, I need to fill this out and he provided me the link. However, Williams interfered with my ability to complete because she felt it was too complicated for me to understand. These are her words: "The information is dense and hard to understand, which is why I mentioned future work being done on making it easier to understand." I was extremely hurt, stressed-out and embarrassed or belittled by her commentary. I believe this was due to me being African American.

## **II. DISCRIMINATION DUE TO RACE, COLOR, AND AGE**

I believe Kim has been reproached for only hiring Asian employees at H.S.A. and hired me as a political prop. I believe I was denied the above assignments because Kim only wanted me on her team for optics in order to demonstrate that she was not racist. However, around March 2020, once the City's Shelter-in-Place (SIP) order took effect and I was no longer physically present in the office, Kim no longer needed me for optics purposes and my job duties were assigned to other employees who were not African American. I believe this discriminatory treatment sustained under Williams' leadership.

Between February 2020 and February 2021, Kim and Williams subjected me to the following discriminatory conduct based on my race (African American), color (dark skinned), and age (over 40):

- (1) Towards the end of January 2020, Kim asked me to call Bridget Badasow (White) and request for the DAS List, because she wanted the form 700 and Das List to go out at the same time. I called and emailed Badasow several times but she never responded. Kim kept requesting the list, as a new employee I wanted to begin contributing to the department, also at this time Kim went on vacation and left Williams in

charge. Therefore, I was left to somehow figure out how to formulate the DAS List on my own, which consisted of gathering, compiling emails for two weeks and speaking to at least 15 department heads, asking questions to create the DAS List. Most importantly, this speaks to the character and the beginning grooming process as well as the type of rapport Kim wanted to establish with me, that of continuously lying at all cost to get certain things she wanted completed. [REDACTED] (Asian), 1244 Senior Human Resources Analyst, was never required to complete any task in this manner. Also, Kim had me to create an establish a well-written document, that is clear and concise for processes for other employees who have been working for the Agency for years, as if I'm an Independent Contractor. I strongly believe Kim requested this of me during my probationary period because of my race.

- (2) In February 2020, I was assigned to send and process H.S.A.'s Form 700s and The Harassment and Prevention Forms. However, in March 2020, Kim told me to submit the returned forms to [REDACTED]. Next, all of my work assignments were given to [REDACTED] (Hispanic), 0922 Manager I, and she became Kim's assistant. Last, the Harassment and Prevention Forms, were given to Ivy Yeung in the Exams unit to collect. I asked Kim directly several times why are you giving my work over to other employees, after I did all of the work. Kim's reply was "uh-huh?" Also, when she even thought I was trying to continue working on the applications, she told me to "stand-down" in a strong militaristic manner. Also, she reiterated that I struggled with technology. Afterwards, [REDACTED] and Yeung were given credit for completing the task. I believe Kim did so because of my race and age.
- (3) Around February 2020, without notice, Kim stopped allowing me access to the H.R. manager files in her office and no longer allowed me to into her office.
- (4) For the November 2020 Election, [REDACTED] had previously showed me on how to send out Voting Information to all H.S.A. employees. When [REDACTED] was Kim's assistant [REDACTED] sent out all communication to all HR Staff as well as information to the entire department. However, I was denied and undermined with performing this work assignment because [REDACTED] proceeded to send out the information. [REDACTED] informed me that she was directed to do so by Brenden Lim, 1246 Principal Human Resources Analyst; however, I believe Kim assigned [REDACTED] to this task because she was Asian. She was more comfortable working with Asians and no longer wanted to work with me because of my race and age.
- (5) In March 2020, without notice or discussion, Kim deleted my access to her calendar for scheduling purposes and access to her office, and in a commanding voice, demanded her office keys, which were normally kept in my office, back via phone.
- (6) In May 2020, Kim requested for me to come back into the office via phone, to work on projects together. However, when I came back and went to her office Monday morning I eagerly walked over to her office, with a pen and pad; and she said sternly, "Give me a moment." Towards the end of the week she comes into my office on a moment's notice at 4:50pm and forcibly in an aggressive tone, force me take a deployment assignment (The Great Plates Program under Kate Shadoan). I asked Kim why are she was taking me away from my normal daily activity because I'm new and I'm still learning my job. When I asked why she said, "Because we have a need." I knew that it wasn't mandatory but because she was so aggressive, I felt intimidated. She said training starts tomorrow, which was Saturday. [REDACTED] (Asian) and [REDACTED] (Asian) were a part of my training session. Once again, I was undermined by Kim and maliciously placed in a situation to fail, without notice and adequate training. This deployment lasted for only one week and proved to be a failure because 99.5% of the clientele spoke Mandarin Chinese and most, if not all, of the handwriting and their names and profile information was in Mandarin Chinese. That is, 1600 names were on the call list and only 5 names were in English. Therefore, I had to use a global translator phone service to communicate to clients, who average age was 80 years old. I spoke to Kim and stated within the conversation, "that is seems that you are setting me up for failure opposed to success." And she firmly stated that everyone was, "is in the same boat as me." When in fact, [REDACTED] (Asian) and [REDACTED] (Asian) have always worked on the SharePoint APP. Kim, had once again lied

to me at all cost to complete a task. [REDACTED] explained to me that “all of us know how to you use the program SharePoint and have used it in the past.” I believe Kim did so because of my race and the color of my skin.

- (7) In December 2020, without notice Kim stopped allowing me to fill out employee’s information on AER’s and PSLF’s, which was completed before by [REDACTED] (Filipino) and [REDACTED] (Asian). When I asked her why, she specifically stated, “Because I do not feel comfortable with you.”
- (8) In March 2020, I asked Luenna, if I could “shadow” [REDACTED] and Kim denied my request. I continuously asked for training on Zoom and MS Teams and was denied.
- (9) In June 2020, I asked if I could be trained on Data and I was denied and told “we don’t have anything like that.” In October, [REDACTED] was assigned to train me on Zoom. However, after I was thoroughly trained, I was never allowed to utilize the Training on MS Teams or Zoom. [REDACTED] [REDACTED] (Asian) 0931 Manager III, David Heber (White), [REDACTED] (Caucasian) 1244 Sr. Human Resource Analyst, Clare Mc Caleb (White) 1244 Sr. Human Resource Analyst, have all received thorough training before being asked to complete tasks with data. In addition, all other employees who have been hired after me in my department are being advised for training, receiving Professional Development as well as utilizing MS Teams, Zoom and uploading on the New HSA Intranet and MS Teams.
- (10) I asked Kim if I could join H.S.A.’s Racial Equity Work Group (REWG), that the entire HR staff participates in and Kim denied my request. I believe younger, lighter-skinned employees including Isabella Blasi (age 28), 1241 Human Resources Analyst; Maribel Mora (age 35), then-1241 Human Resources Analyst; Julie Castro (age 37) 1244 Senior Human Resources Analyst; and Hovaness Dekeyan (age 30), 6138 Industrial Hygienist, who were hired after me, joined the REWG. I believe Kim did this because of my race and age.
- (11) In June 2020, Kim scheduled a meeting, which included [REDACTED] Williams, [REDACTED], Camguy Cornivelli, Mc Caleb, [REDACTED] Andre De Leon, [REDACTED] and I believe Sharee Nisha, to demonstrate, through a show of force, during the meeting for each employee to begin “handing-over” projects they were working without notice or discussion, to me one-by-one in the meeting. That is, I was expected to completely take over all Data, troubleshooting and data cleanup, dashboards and charts and tables in the office as it relates to the new developmental concept, called H.S.A.’s Covid-19 Employee’s Survey. Although, I did not know at the time, the Data involved extremely intricate knowledge on the level of a HR Data Scientist. Also, the beginning part of this development of Data concept involved David Hebner. Once again, Kim lied and said it involved the ability to know (vlookup) in Excel. Afterwards, [REDACTED] and Claire were instructed to provide instructions to me in a separate meeting on how they began to initially construct this, “make-shift” data concept to generate a Covid -19 Health survey, to all employees. Katrina and [REDACTED] attended this second meeting. They decided that it was intricate and a bit complex and [REDACTED] asked [REDACTED] from the Exams department to assist me. However, the Data (four raw datasets) was “make-shift” without an actual formulation, just a beginning Data concept. The initial Health Survey, could not operate without intricate Data Scientist and IT knowledge. Also, I was told by [REDACTED] I could not write anything down (take notes). To further substantiate this fact, eventually this Data (The New Health Survey, became an actual Data APP, which was just completed April 2021 and is now being used in our department. Furthermore, each one of the Projects given to me during this meeting in June, grew and blossomed into extremely much larger projects, due to the Covid 19 global pandemic. Furthermore, [REDACTED] [REDACTED] and Mc Caleb gave me their projects, soon thereafter [REDACTED] gave me her projects (writing memos, creating Graphic Design DSW flyers as well as locating and making phone calls and communicating, to all employees who responded “Yes” to being infected or close contact with Covid-19. Kim gave me her projects as well, such as working on her Dashboards, creating Charts and Tables. Kim maliciously and recklessly instructed Mc Caleb to give me during my probationary period all four (4) Data Sets of all 2700 employees, which work for the entire Agency. That is, I have within my possession, to this very

day, everyone's home addresses, phone numbers, social security numbers, emails, work cells and so forth. I believe Kim wanted me to fail by not providing me adequate training to fulfill the expectation of the department. Also, in order to justify getting additional FTEs during a City-wide hiring freeze and did so, due to my race. Also, to further substantiate why HR doesn't hire African Americans. I also believe Kim has given [REDACTED] McCaleb, and [REDACTED] training on data analysis, but denied me data training due to my race. [REDACTED] who was Kim's assistant 1 ½ year prior to me, was never asked to fulfill any of these types of expectations or work in this capacity. I left this meeting feeling undermined by Kim because she strategically held the meeting, three weeks before the end of my probationary period, by giving me several unimaginable projects at one time. I believe she did so because of my race.

- (12) In June 2020, after giving me, this exceptional workload mentioned above, Kim came to my office without notice or discussion, wearing a mask and gloves, as if she was about to perform surgery on someone. [REDACTED] wasn't wearing a mask or gloves. Initially, I was confused, Kim said to me in an extremely stern voice, "Step out of your office!" I gestured, as if to say why." She automatically said, "There's too many people in the office." She was accompanied by [REDACTED]. Immediately, they began to search my office, as if they were looking for some type of weapon. Although, Kim as well as [REDACTED] already knew what was in the boxes, even I knew. I was further confused as I watched Kim visibly forcing [REDACTED] to search every single box and cabinet draw, in my office. This was extremely incriminating and I felt embarrassed, stressed-out and demoralized by my fellow colleagues. I believe she did this because I was African American.
- (13) Although, Kim allowed for me to receive training on Zoom, in June 2020 by [REDACTED], the training (two one-hour sessions) was strategically circumvented, due too overwhelming workload mentioned above, to intentionally divert training because I was African American. However, all HR Staff employees are learning, developing and utilizing their skills on MS Teams and Zoom working in Teams, except me.
- (14) After returning back into the office, in my first 1:1 meeting with Kim, we get into a heavily debated discussion on Racial Equity, Equality, minimal work requirements and training for about two hours via MS Teams. I was distraught and I was in tears, literally sniffing periodically throughout the dialogue. This had and still does significantly affect my ability to work, emotional state and my enjoyment in life. I further explained to Kim during this meeting, that how I felt when starting this job isn't how I feel now. That she had taken away my inner-will to succeed and chipped away at my confidence on the job and she slightly "snickered." During this discussion she explain to me that the Human Resources department would be, "lowering the standards" if she gives me training, she further stated "what's in it for her?" by providing me training. I replied, with how so, when Asian 2913 employees in Induction Training were getting eight (8) hour a day six (3) months in the office and (3) months on-the-job of concentrated training course, called "Induction" before entering the respective work stations. However, because the Induction – Training was consistently 99% Asian employees, this was acceptable? In April 2020, I was denied a licensed Zoom account by Kim. After pleading, persuading through debating with Kim, my training with [REDACTED] resumed in October. However, Kim sabotages my work efforts once again, and never allowed me once to utilize any training on MS Teams or Zoom whatsoever. I was told that IT Department now creates Teams and Channels. Although this is why [REDACTED] was specifically instructed to train me. I was being treated different wasn't able to use any of the knowledge like all other employees, who are Asian or an Island Pacificers the lighter People of Color.
- (15) In addition, I find out that Katrina Williams and [REDACTED] will low be the only employees sending out mass communication to employees. I believe this was done due to my race and age. Towards the end of our meeting Kim reassures me that she is completely dedicated to me and that I was definitely an important part of the HR Management Team.
- (16) From this point moving forward, I realize I'm working in a hostile working environment, my fellow



colleagues will not work or talk to me nor am I given any assignments or projects for well over nine (9) months for not working on, “Suddenlies” and “Data Scientist” assignments without adequate training. Even today, I am completely isolated from all HR (56) employees. Kim wanted me to be the Management Assistant to 8 HR Managers, who manage distinct separate departments, without any training. Continuously, my work efforts by Kim were sabotaged and I was asked to achieve an unrealistic standard for any new employee. I believe this was malicious and with reckless intent, due to my race and age and to further justify getting more employees into specifically the HSA HR Department, in specific [REDACTED] and Brenden Lim’s departments. Also because Kim felt she was being mandated by Mayor London Breed to hire specifically African Americans. Portraying me as an incompetent employee would substantiate the fact why Asians were being preferred to work with because they understand or “catch-on” faster, their smarter, they past the exams with higher scores, as opposed to African Americans. This justified why more Asians were in the office opposed to the darker-skinned People of Color (African Americans). In addition, upon my returning back into the office after being out of the office for two months, I was told during the HR Weekly Manager Meeting by [REDACTED] Intent opposed to Impact. That is, inferring if we intend to hire African Americans what would be the impact? Immediately, afterwards, Williams cosigned and interjects with [REDACTED] as a “buffer” between races because of his statement to me. However, I didn’t respond, I just took a mental note and wrote it down. During this meeting I was embarrassed and further demoralized and felt this was “gaslighting” and I really felt excluded and did not belong and was not a part of the HR Management Team.

(17) In November, 2020, [REDACTED] department needed assistance with data. Kim moved Mc Caleb over to her department permanently. I questioned Luenna in a 1:1 meeting about this. Because I was expected to know whereas, when younger and lighter skinned employees such as: Isabella Blasi (White), Judy Castro (Hispanic) and Maribel Mora (Hispanic), all three new employees, weren’t required to know. And were not made to look as incompetent in - front of the other HR Managers. When I brought this to Kim’s attention, she said, “well...the work classification is a generalization and not all employees are at the level as others.” I said, “But...Luenna when I said the same exact thing in reference to myself, you said it was lowering the office standards” and “have you heard of Competency Modeling?” Also, I said, “How is this Racial Equity or Racial Equality?” She became visibly upset via MS Teams and said she was offended!” I said, “Okay Luenna.”

(18) In December 2020, I believe my ideas (intellectual property) about Training, Mentoring and Shadowing employees was taken and the source not given credit by Kim. However, it was given to [REDACTED] 0923 Manager II. I believe Kim did so due to my race, age, and the color of my skin. Because the ‘culture’ within the agency is that the Asians and White people are more intelligent and graduated from better schools, than African Americans as well as Kim personally felt I was not digitally inclined because of my age. Many of my concepts expressed in my Power Point presentation to all HR Managers are now being utilized by employees who were hired after me as well as training, changing the minimum work prerequisites for job classifications, all of which was discussed in-depth with Kim in our two-meeting upon return back to work after I had been OOO for two months. I did not know until March 2021 that Kim was a Commissioner and had the ability to architect programs within departments. Therefore, the entire time I was discussing with her about race, she was implementing my ideas and concepts into actual programs. In addition, prior to Kim asking me to give my PPT on Training on Dec. 4 2020, subtitled, 21<sup>st</sup> Century innovative approach to learning, Kim had stated to me a couple months prior, that afterwards, I was going to start gathering more information to implement a formal program. However, once again Kim had undermined and sabotaged my ability to work effectively. Kim requested for me to email my give my PPT, which was well-written, clear and concise to Katrina Williams and behind my back they gave the information over to L&OD, of which [REDACTED] (White) Senior Trainer and Michael Aho (White) Senior Training created the Mentoring Program that was given to [REDACTED] I believe this was done to me because of my race, age and the color of my skin.

(19) In November 2020, I believe my ideas (intellectual property) about HSA Customer Service and

organization concept was taken and not given credit of the source by Kim. However, it has been given to other HR Managers to implement new strategies, processes to ‘enliven’ their particular departments.

- (20) In February 2021, I believe my ideas (intellectual property) on New Employees Orientation was given to other HR Managers on new updated procedures to guide new employees when starting work, in connection with the customer service for staff and the HSA Agency, without crediting me as the source. I believe my ideas included ensuring new employees had a DSW #, work cell phone number, location of their technical equipment including computer plugs, the identity of their supervisors ( [REDACTED] and [REDACTED] the location of the IT Department, the location of photocopy machines and the credentials needed to use them, and their office location (Move-matrix). One of the end results of this concept is that Aung “Oscar” Lin became “Employee of the Month.” I believe the Personnel department began creating packet or bags that they now give to New Employees when starting as well as New Employees now receive much more valuable information before when starting their work assignments. These ideas were initially given to Katrina Williams then to [REDACTED] ask me to meet with [REDACTED] (Supervisor) and [REDACTED]. [REDACTED] forwarded the invite to the entire HR Personnel staff, approximately eight (8) employees—including [REDACTED], [REDACTED], Allan Gonzalez-Ruiz, Mildred Mendoza, Rohodora Sanglang, Lisa Mah, and Minchau Vuong—attended this meeting via MS Teams. The New Employee was discussed in-depth in a 1:15 minute meeting. Afterwards, we were to hold a second meeting, however, no one would speak to me and it was obvious they were instructed not to talk or communicate to me by [REDACTED] and [REDACTED]. I believe this was because I was African American.
- (21) In February 2021, Kim removed me from shadowing [REDACTED] (Asian), 1241 Human Resources Analyst. I believe Kim did so due to my race because during the shadowing assignment, I heard from another 1842 Asian employee, during the interview process, that they were trained in data analysis. Specifically, Sequel Bi and Power Bi as well as other employees (African Americans) were being limited in their ability to move or promote to other positions in other departments because they were not being trained. During this interview, King replied, “we’re planning on training them.” I was previously told by Williams, [REDACTED] and Kim that we did not have any training. However, Kim stated on multiple occasions that I was being treated like everyone else.
- (22) In February 2021, I asked Kim, if I could begin starting on the Form 700’s, in a similar manner to last year. She replied, that does not start until April. However, April 1 is the deadline. Kim sabotaged and interfered with my ability to work. I believe she did so due to my race.
- (23) In early 2021, I learned Kim will transfer to the San Francisco Department of Public Health (DPH) and that Williams will be Acting H.R. Director. However, before Kim left she scheduled a meeting titled “HR Transition”, which was comprised of Williams, Kim, [REDACTED] and [REDACTED]. I knew immediately what the meeting meant. That is, during the transition [REDACTED] was going to be scheduling meetings for Williams and [REDACTED] which further substantiates how Kim established me as an incompetent employee in order to get other FTE’s, Recently, [REDACTED] was approved to received two 1800 series employees and Brenden Lim was approved of I believe One 1244 and two 1241’s Analysts in his departments.

On February 22, 2021, I emailed Williams concerning that I do not talk to anyone (isolated) and wanting clearer definition of my role. On February 19, 2021, Williams became Acting H.R. Director. Initially, I believed this type of behavior from the previous Director Kim would have subsided; however, it has continued under the transferred leadership of Kim to acting Director Williams, which includes giving my work assignments to other employees, allowing intellectual theft and continuous demoralization through condescending remarks and “bullying” remarks through conversation towards me as an employee with the City and County of San Francisco, such as “I’m only going to speak to you once.” And stating that she has nothing for me to do until July 2021, which was to create a Kudos-Board. As if I was child, working on arts and crafts. Throughout our conversation in our second 1:1

Meeting she continuously reiterates, there will be no new procedures developed. Because she is learning her new position as well as training ██████████ to work her previous position as L &OD Manager. I told Katrina I was enrolled in Project Management and Business writing courses and she said, "Great!" However, when asking her for work, she told me to use my Project Management skills on Additional Employment request (AER)'s and Public Service Loan Request (PSLF)'s in a comical condescending manner because there is nothing to do or my courses do not necessarily work with AER's and PSLF's. In addition, she knew I was just starting with the courses. For example, to further put in scope, what she's saying, one would take Project Management courses at UC Berkeley, to run a section of the city or entire department. Also, I'm being told, if I want to have a 1:1 meeting, I am to write down a list and come to her with concept or issue, that is, I'm supposed to bring work to her. However, if I'm only working on AER's and PSLF's Katrina already knows it doesn't require much information. In return, I would never have a meeting with her. Clearly establishing a clear delineation between me and her. Even though I'm "Her assistant." Last, I do not schedule any appointments for Katrina or anyone else.

There has never been any attempt to develop me as an employee to work within the HR Department. Williams has been asked by Kim to establish entire training and development for other employees. For example, Williams could have easily established or suggested to Kim or vice-versa, to have me work with each Manager in a certain manager and learn what's there, "top-three" concepts I need to really understand in every department. However neither Kim, ██████████ nor Williams or has any other Manager amid Racial Equity ever suggested any type of training, for those who have been previously excluded. That was the entire reason for establishing the G.A.R.E. report and Diversity Equity Inclusiveness and Belongingness (DEI/B) being created. I believe this is done because I'm an African American as well as my age. Beforehand, there needed to be an actual manner in which I was supposed to work within the department, as if I'm an independent Contractor.

In May 2021, being asked to establish an actual processes for Additional Employment Request's (AER)'s and Public Service Loan Forgiveness (PSLF)'s. ██████████ and ██████████ (supervisor) are both a part of ██████████ department, and have been working for the HR department for well-over 20 years and have never been asked to develop a process for another employee to follow. That is, what I have been learning for 1 ½ Katrina and ██████████ want me to development a comprehensive process, that will provide anyone a substantive understanding on how they can learn in about one week. Opposed to how I learned through, "trial and error and along the way somehow, through word of mouth." I'm creating a blueprint, which is what I stated in my PPT in December 2020. If it's written digitally or on paper other employees can develop successfully much faster and merge into the group seamlessly. In return, the employees will be viewed in a more professional positive appearance and come across as having the ability to learn quickly and work faster because they rarely ask questions and don't make mistakes and need little to no management. Most importantly, Supervisors, Managers and Directors would want to work with this employee. However, I believe this is being done to me because of my race, color of my skin and age.

In May 2021, Steve Lin (Asian) is being ordered to come back into the HR Department on 06/01, to work with ██████████ (Asian) in the personnel. What's important to understand, is that Steve Lin has been out of the office for approximately one-year. However, Luenna, ██████████ or Katrina never allowed me to train or establish a working relationship with the Personnel Department. I was not to assist nor allowed to learn, even though, that is what I was partially, hired to do. I believe this was done because of my age, race and the color of my skin.

- (24) In April 2020, Williams has preferred for me not to come into the office on a certain day because it would cause Health and Safety issues. In reference, to the spread of Covid-19, meanwhile all other employees (4 or 5) who have been coming in on a regular basis, were able to do so.

- (25) Instead of me giving the 2021 Form 700s to Williams, Williams requested for me to give the forms to [REDACTED] (OCR) to avoid contact with me.
- (26) Upon leaving the office, I was a part of the HR Management Weekly, which was the last meeting I attended. [REDACTED] interjected for Williams to give her project over to [REDACTED] while she's OOO until July 6, 2021. This was done in a very aggressive, demoralizing and condescending manner, inferring me and my work ethic in front of all six (6) HR Managers, "to give her work project over to [REDACTED] you can give who you want but that is just I think you should do," "I've seen PSTs that work better than this!" [REDACTED] nodded his head on MS Teams, as if to say "Yes" in agreement with [REDACTED]. [REDACTED] said that we've had PSTs that work better than me. [REDACTED] then said Aung "Oscar" Lin was a great employee that works the front desk on the second floor, which took a general consensus of the room to begin demonizing me, in order to find reason to remove me from my position. However, [REDACTED] doesn't know that was the objective of aligning customer service with employees in the office, which is the idea I pitched to Kim in mid-November I believe Lin was made Employee of the month, which was the first time, the HR department has ever awarded one of their own employees, because [REDACTED] is [REDACTED] supervisor who asked him to initially assist me with the initial phase of The Health Survey (data), which unexpectedly lead into a year's long endeavor, until an actual Data App was created. Therefore, whenever she has had the chance she would take "shots" at me to get other employees laughing during the virtual Christmas Party virtual MS Teams gathering and so forth. [REDACTED] didn't want to accept the fact that Kim is a masterful manipulator, who can be very deceptive to those who do not have situational awareness.
- (27) February 2021 Kim told me that she never intended on me taking over Data. I said well I have the email stating this, and she replied, "Oh yeah, you're really good at emails!" in an extremely condescending manner. I believe this was done because of my race, age and the color of my skin by [REDACTED] and Kim. I left the meeting feeling demoralized, mentally anguished and stressed-out. I cannot take another year of this, after I had been through so much psychological violence already with Kim.
- (28) In May 2021, I receive an email from [REDACTED] (Asian) requesting, me to send an email out to all HR staff. This email came from [REDACTED] (White), who is an HR Manager. [REDACTED] has been working at the Covid Command Center (CCC) for several months, but still knew not to give me any assignments. However, when I emailed [REDACTED] for clarification on the May was Mental Health Awareness Month flyer, she responded, "I didn't ask you to send out, I asked [REDACTED] to send." I believe this was due to my race.

10. Has the Complainant taken any action to resolve the issue(s)? If yes, please specify:

11. Remedy or corrective action desired by Complainant:

1. I would like the two months of sick time I used for stress leave from June to August 2020 restored.
2. Maintain employment, however transfer to another department.
3. Provided adequate Work Assignment
4. Adequate Training in Power Bi, Oracle Bi, Sequel Bi, HR Intern, Data Analyst.
5. All HR Hiring Managers in the HR Department need to take a Cultural Competency Program.
6. All HR Hiring Mangers in the HR Department need to receive a 'negative mark' placed in each of their files.
7. Out-of-Pocket expenses and overtime, incurred recompensed. (Creation of several Graphic Design – DSW Flyers and Health and Safety flyers). I paid to create professional looking fliers and charge for my professional artistic endeavors. I worked 60 hours of overtime on several different fliers for the HR department.

Completed by:

Jennifer Burke

EEO Staff's Name and Signature

DocuSigned by:

Jennifer Burke

E29FD127545E4B8...

6/11/2021

Date

Velma Gay

Complainant's Name and Signature

DocuSigned by:

Velma Gay

E630592E54D64BD...

6/11/2021

Date

## **Exhibit D**

The Human Resources Director's  
Determination Letter to Appellant, dated  
December 6, 2022

City and County of San Francisco  
Carol Isen  
Human Resources Director



Department of Human Resources  
*Connecting People with Purpose*  
www.sfdhr.org

**CONFIDENTIAL**

December 6, 2022

Velma Gay  
[REDACTED]  
[REDACTED]

Via E-Mail  
[REDACTED]

RE: Complaint of Discrimination, EEO File No. 3643

Dear Velma Gay:

The San Francisco Charter, Section 10.103, and Civil Service Rule 103 provide that the Human Resources Director shall review and resolve all complaints of employment discrimination. The Charter defines discrimination as a violation of civil rights on account of race, religion, disability, sex, age, or other protected category. The City and County of San Francisco (City) considers all allegations of discrimination a serious matter.

The purpose of this letter is to inform you of my determination regarding your complaint, EEO File No. 3643.

**I. BACKGROUND & ALLEGATIONS**

On January 4, 2020, you began working at the San Francisco Human Services Agency (HSA), as an 1842 Management Assistant. From January 2020 to February 2021, Luenna Kim (Kim), then-Director of Human Resources at HSA, supervised you. Since February 2021, Katrina Williams (Williams), Acting Director of Human Resources at HSA, has supervised you. On August 7, 2020, you called DHR EEO's harassment helpline. On August 10, 2020, you spoke with Kevin Calkins, then-EEO Programs Specialist, and alleged that Kim harassed and discriminated against you due to your race, African American, and age, over 40. On February 23, 2021, you spoke with Jennifer Burke (Burke), 0923 Manager II, for an intake interview and to discuss the City's EEO complaint process, and you further alleged that Kim and Williams discriminated against you due to your skin color, dark skinned. On June 11, 2021, you signed a charge of discrimination.

**II. STANDARD OF EVIDENCE**

Per the City's EEO Policy, a preponderance of the evidence standard was used to analyze your allegations. Preponderance of the evidence is one type of evidentiary standard used in a burden of proof analysis. Under the preponderance standard, the burden of proof is met when the party with the burden convinces the fact finder that there is a greater than 50% chance that the claim is true. Please note that these findings do not reach conclusions whether the alleged conduct violated state or federal laws, but instead address whether the City's EEO Policy was violated.

**III. ANALYSIS & FINDINGS**

**A. Harassment Allegations**

To sustain a complaint of harassment in violation of the City's EEO Policy, the investigation must establish all of the following: (1) you were subjected to physical, verbal, or visual conduct on account of your membership in a protected category; and (2) the conduct was unwelcome.

The investigation determined the comments you alleged were not objectively or subjectively race-related. Accordingly, the investigation did not sustain these allegations.

**B. Discrimination Allegations**

To sustain a complaint of discrimination in violation of the City's EEO Policy, the investigation must establish all of the following: (1) you are a member of a protected category; (2) you suffered an adverse employment action; and (3) you suffered an adverse employment action because of your membership in a protected category. An adverse employment action is any objectively materially adverse action affecting the terms, conditions, or privileges of employment. Actions considered materially adverse are those that impair a reasonable employee's job performance or prospects for advancement. To be material, the employment change, impairment, or injury must be more disruptive than a mere inconvenience or an alteration of job responsibilities. Instead, it must be both detrimental and substantial.

Kim participated in both of your interview panels for the 1842 position, and thus, she was among those who chose to hire you. At the time, she would have been aware of your race and skin color, and likely your age as well. Though you claimed that Kim only hired you for the optics of having an African American employee, no evidence was found that Kim's desire for the optics dissipated merely because employees began working remotely during the pandemic, particularly considering that staff regularly interfaced via videoconference. Furthermore, if Kim's desire for the optics was no longer present and Kim suddenly developed discriminatory animus as soon as the shelter-in-place began, then it does not follow that she would allow you to pass probation a few months later.

The investigation established that your job duties under Kim and Williams varied somewhat from those of previous Management Assistants and fluctuated due to business needs, job classification, and the COVID-19 pandemic. With respect to each alleged discriminatory act, the investigation revealed that you did not suffer an adverse employment action and/or that there was a legitimate, non-discriminatory reason for the conduct. Witness testimony and documentary evidence established that the 1842 classification, external deadlines, attendance, health and safety requirements, and other business reasons justified your job tasks, training opportunities, access to technology, and worksite restrictions. Accordingly, the investigation did not sustain these allegations.

**IV. DETERMINATION OF THE HUMAN RESOURCES DIRECTOR**

Please be advised that based on my review of the investigative findings, I have determined by preponderance of the evidence that Kim and Williams did not violate the City's EEO Policy. Thank you for bringing your concerns to my attention so they could be investigated.

My decision is final unless it is appealed to the Civil Service Commission and is reversed or modified. A



Velma Gay  
EEO File No. 3643  
Page 3 of 3

request for appeal must be received by the Civil Service Commission at 25 Van Ness Avenue, Room 720, San Francisco, CA 94102, within 30 calendar days from the date this letter was e-mailed to you.

For your information, you may file a complaint of employment discrimination, harassment, or retaliation with the California Civil Rights Department (CRD), or the United States Equal Employment Opportunity Commission (EEOC). Contact those agencies directly for filing requirements and deadlines.

Please feel free to contact Amalia Martinez, EEO Director, Department of Human Resources, at (415) 557-4932, should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carol Isen", with a long horizontal flourish extending to the right.

Carol Isen  
Human Resources Director

c: Trent Rhorer, Executive Director, HSA  
Amalia Martinez, Director, EEO, DHR

## **Exhibit E**

Notice of Appellant's CSC Appeal, dated  
February 28, 2023



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

**LONDON N. BREED  
MAYOR**

*Sent via Email*

**NOTICE OF RECEIPT OF APPEAL**

DATE: February 28, 2023  
REGISTER NO.: 0004-23-6  
APPELLANT: VELMA GAY

Carol Isen  
Human Resources Director  
Department of Human Resources  
1 South Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94103

Dear Carol Isen:

The Civil Service Commission has received the attached letter from Velma Gay appealing the Human Resources Director's determination on their Complaint of Discrimination, EEO File No. 3463. Your review and action are required.

If this matter is not timely or appropriate, please submit CSC Form 13 "Action Request on Pending Appeal/Request," with supporting information and documentation to my attention by email to [civilservice@sfgov.org](mailto:civilservice@sfgov.org). CSC Form 13 is available on the Civil Service Commission's website at [www.sf.gov/CivilService](http://www.sf.gov/CivilService) on the "File an action request for a Civil Service Commission hearing" page.

In the event that Velma Gay's appeal is timely and appropriate, the department is required to submit a staff report in response to the appeal within sixty (60) days so that the matter may be resolved in a timely manner. Accordingly, **the staff report is due no later than 11 a.m. on May 4, 2023**, so that it may be heard by the Civil Service Commission at its meeting on May 15, 2023. If you will be unable to transmit the staff report by the May 4<sup>th</sup> deadline, or if required departmental representatives will not be available to attend the May 15<sup>th</sup> meeting, please notify me by use of CSC Form 13 as soon as possible, with information regarding the reason for the postponement and a proposed alternate submission and/or hearing date.

Appellant: Velma Gay  
February 28, 2023  
Page 2 of 2

You may contact me at [Sandra.Eng@sfgov.org](mailto:Sandra.Eng@sfgov.org) or (628) 652-1100 if you have any questions. For more information regarding staff report requirements, meeting procedures or future meeting dates, please visit the Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService).

Sincerely,

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG  
Executive Officer

Attachment

Cc: Jeanne Buick, Department of Human Resources  
Kate Howard, Department of Human Resources  
Mawuli Tugbenyoh, Department of Human Resources  
Amalia Martinez, Department of Human Resources  
Katrina Williams, Human Services Agency



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

**LONDON N. BREED  
MAYOR**

*Sent via Email*

February 28, 2023

Velma Gay



**Subject: Register No. 0004-23-4: Appealing the Human Resources Director's Determination on their Complaint of Discrimination, EEO File No. 3463.**

Dear Velma Gay:

This is in response to your appeal submitted to the Civil Service Commission on January 6, 2023, appealing the Human Resources Director's determination on their Complaint of Discrimination, EEO File No. 3463. Your appeal has been forwarded to the Department of Human Resources for investigation and response to the Civil Service Commission.

If your appeal is timely and appropriate, the department will submit its staff report on this matter to the Civil Service Commission in the near future to request that it be scheduled for hearing. The Civil Service Commission generally meets on the 1st and 3rd Mondays of each month. You will receive notice of the meeting and the department's staff report on your appeal two Fridays before the hearing date via email, as you have requested on your appeal form.

In the meantime, you may wish to compile any additional information you would like to submit to the Commission in support of your position. The deadline for receipt in the Commission office of any additional information you may wish to submit is 5:00 p.m. on the Tuesday preceding the meeting date by email to [civilservice@sfgov.org](mailto:civilservice@sfgov.org). Please be sure to redact your submission for any confidential or sensitive information (e.g., home addresses, home or cellular phone numbers, social security numbers, dates of birth, etc.), as it will be considered a public document.

You may contact me by email [Sandra.Eng@sfgov.org](mailto:Sandra.Eng@sfgov.org) or by phone at (628) 652-1100 if you have any questions. You may also access the Civil Service Commission's meeting calendar, and information regarding staff reports and meeting procedures, on the Commission's website at [www.sf.gov/CivilService](http://www.sf.gov/CivilService).

Sincerely,

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG  
Executive Officer



**CIVIL SERVICE COMMISSION**  
**City and County of San Francisco**  
 25 Van Ness Avenue, Suite 720  
 San Francisco, California 94102-6033  
 Executive Officer  
 (628) 652-1100

CSC Register No.  
 \_\_\_\_\_  
 To: \_\_\_\_\_  
 \_\_\_\_\_  
 CC: \_\_\_\_\_  
 \_\_\_\_\_

**APPEAL TO THE CIVIL SERVICE COMMISSION**

<p><b>INSTRUCTIONS:</b>          Submit an original copy of this form to the Executive Officer of the Civil Service Commission at the address above <b>within the designated number of days</b> following the postmarked mailing date or email date (whichever is applicable) of the Department of Human Resources' or Municipal Transportation Agency's notification to the appellant. The appellant's/authorized representative's original signature is required. (<b>E-mail is not accepted.</b>) It is recommended that you include all relevant information and documentation in support of your appeal.</p>	<p><b>TYPE OF APPEAL:</b> (Check One)  <input type="checkbox"/> Examination Matters (<b>by close of business on 5<sup>th</sup> working day</b>)  <input type="checkbox"/> Employee Compensation Matters (<b>by close of business on 7<sup>th</sup> working day</b>) - Limited application  <input type="checkbox"/> Personal Service Contracts (<b>Posting Period</b>)  <input type="checkbox"/> Other Matters (i.e., Human Resources Director/Executive Officer Action) (<b>30 Calendar days</b>)  <input type="checkbox"/> Future Employability Recommendations (See Notice to Employee)</p>
---	--

"During the Shelter Order dated March 17, 2020, we are accepting appeals by email at [civilservice@sfgov.org](mailto:civilservice@sfgov.org)"

Full Name of Appellant: Velma Coay Work Address: [REDACTED] Work Telephone: [REDACTED]  
 Job Code: 1842-Management Assistant Title: [REDACTED] Department: HSA Human Resource Dept  
 Residence Address: [REDACTED] City: San Francisco, CA State: CA Zip: 94109 Home Telephone: [REDACTED]  
 Full Name of Authorized Representative (if any): N/A Telephone Number of Representative (including Area Code): N/A

**NOTE:** If this is deemed to be a timely and appealable matter, the department will submit a staff report to the Civil Service Commission to request that it be scheduled for hearing. You will be notified approximately one week in advance of the hearing date, at which time you will be able to pick up a copy of the department's staff report at the Commission's offices. If you would instead prefer Commission staff to email you a copy of the meeting notice and staff report, please provide your email address below.

Email: [REDACTED]

**COMPLETE THE BASIS OF THIS APPEAL ON THE REVERSE SIDE.** (Use additional page(s) if necessary)

<p>Does the basis of this appeal include <b>new</b> information not previously presented in the appeal to the Human Resources Director? If so, please specify.</p>	<p>Check One:  <input checked="" type="checkbox"/> Yes      <input type="checkbox"/> No</p>
--	---

Original Signature of Appellant or Authorized Representative: Velma Coay Date: 01-06-2023

**State the basis of this appeal in detail.** For more information about appeal rights and deadlines, please review the Civil Service Rules located on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService).

Please see attachment.

I, Velma C Gay am requesting an appeal based upon the Determination letter sent to me via email on December 6, 2022. A decision made by Carol Isen, the Human Resource Director. Opposed to Jennifer Burke who was my initial EEO investigator, Jennifer was supposed to provide me with an analysis of her findings as well as provide a copy of the investigation after the decision. However, I never received a copy of her findings. In my initial formal complaint to the EEO Department I made thirty (30) allegations and Carol dismissed 28 allegations by not addressing them in her decision and provided a blanket excuse for me being harassed, retaliated, and discriminated against due to my race, age, and the color of my skin. Meanwhile, other "People of Color" employees during covid-19, who were younger and had lighter skin-tones were being trained, received professional development, through acting assignments and communicated with all HSA Upper Management as well as Luenna Kim and Katrina Williams, before, during and after Covid-19.

For example: A comparative analogy, in the case of Brown vs the Board of Education, white people working in the administration already knew that the children trying to go to an all-white school were black before they accepted them into the school. However, the continuous harassment, retaliations and discrimination only began in stages after they were hand selected and attended the school. Discrimination starts after one enters the organization. Not beforehand as Carol Isen mentioned in her response. Therefore, laws, policies and procedures and administrative judges had to become involved in succession to stop these negative forces hindering them attending school and receiving an adequate education.,

Similarly, Luenna Kim first and Katrina Williams continuously prevented me from doing my job and being trained and this significantly affected in an adverse manner in the HSA Human Resource Department. They took away my tasks and assignments and gave them to other employees. Carol Isen chooses to turn a "blind-eye" and minimize my allegations. This can be easily substantiated via email. In so much, this did not me to learn my job duties, I was harassed by working out of my job classification. This prevented me from being promoted and learning my job as well as enabling me to perform my job duties.

In addition, Luenna Kim told Jennifer Burke, that she did tell me, that I was only hired to schedule appointments for and that I was not going to do anything in the office whatsoever. Therefore, if changes were made in the office due to Covid 19, then the same consideration should have been given to me in regard to my training and communication during the global pandemic in a similar manner to all other employees, but I was discriminated against due to my age, ethnicity and the color of my skin and race as stated in my initial complaint.

When I made my first EEO Complaint with Jennifer Burke, I did not know I was not doing my job duties, I did not know I was not being trained because no one was communicating with me. However, I discovered after 2 ½ years that Upper Management was communicating with all other employees and all employees were being trained except me.

On 05/23/2022 I found out through a conversation with Sharee Nisha, and Katrina Williams I was not doing my job duties because I found a form given by Corinne Young in the HSA Human Resources for an Acting Assignment. Corinne Young sent out a **mass email** to all employees for an open position for an 1842 – Management Assistant and that is how I discovered I was not doing my job duties as well as I am working out of my job classification. Most importantly, I was not trained like all other employees in my department because of my age, color of my skin and ethnicity.



- I have emails supporting the fact that Sharee Nisha and Katrina Williams state they asked me to create my own job duties.
- I have an email from Sharee Nisha stating that she and Katrina are going to make an open commitment to train me.
- I have an email from Katrina Williams that I was not doing my job duties as an 1842 Management Assistant. That I was working in a non-traditional manner. After Covid-19.
- I have emails stating from Katrina Williams that they are going to start having me “shadow” which will enable me to perform my job duties as an 1842 – Management Assistant, to learn my job duties.
- I have a list of my actual job duties opposed to the job description, which are two different things.
- I have witnesses and conversations via email stating these facts stated above. Interactions and conversations between the Union, myself, Sharee Nisha, and Katrina Williams.
- I was being racially profiled on the job by Sharee Nisha having the first-floor security follow me around the building on three different days. I had to speak with Asa King (DEIB) Manager, to have them stop having security follow me around in the building as well as notify the Local SEIU Union to have them stop.
- Upper Management allowed a public citizen to utilize HSA Human Resources to have me serve at my desk in an HSA Human Resources Confidential area on the 4<sup>th</sup> floor. I was served by a person whom I have not seen before while working here for four years, and they allowed him to walk up to my front desk, without a mask when he could have easily had a weapon on him.
- I was being asked by Upper Management to perform tasks and assignments previous long-term employees were not required to perform. Because of my age, color of my skin and race.
- I was retaliated against and given low-level demoralizing work assignments and tasks. Because of the color of my skin, age, and ethnicity.

I am hoping to have the Civil Service Commission reevaluate the previous decision made by Carol Isen and reconsider the previous as well as new allegations state above.

City and County of San Francisco  
Carol Isen  
Human Resources Director



Department of Human Resources  
*Connecting People with Purpose*  
www.sfdhr.org

**CONFIDENTIAL**

December 6, 2022

Velma Gay  
[REDACTED]

Via E-Mail  
[REDACTED]

RE: Complaint of Discrimination, EEO File No. 3643

Dear Velma Gay:

The San Francisco Charter, Section 10.103, and Civil Service Rule 103 provide that the Human Resources Director shall review and resolve all complaints of employment discrimination. The Charter defines discrimination as a violation of civil rights on account of race, religion, disability, sex, age, or other protected category. The City and County of San Francisco (City) considers all allegations of discrimination a serious matter.

The purpose of this letter is to inform you of my determination regarding your complaint, EEO File No. 3643.

**I. BACKGROUND & ALLEGATIONS**

On January 4, 2020, you began working at the San Francisco Human Services Agency (HSA), as an 1842 Management Assistant. From January 2020 to February 2021, Luenna Kim (Kim), then-Director of Human Resources at HSA, supervised you. Since February 2021, Katrina Williams (Williams), Acting Director of Human Resources at HSA, has supervised you. On August 7, 2020, you called DHR EEO's harassment helpline. On August 10, 2020, you spoke with Kevin Calkins, then-EEO Programs Specialist, and alleged that Kim harassed and discriminated against you due to your race, African American, and age, over 40. On February 23, 2021, you spoke with Jennifer Burke (Burke), 0923 Manager II, for an intake interview and to discuss the City's EEO complaint process, and you further alleged that Kim and Williams discriminated against you due to your skin color, dark skinned. On June 11, 2021, you signed a charge of discrimination.

**II. STANDARD OF EVIDENCE**

Per the City's EEO Policy, a preponderance of the evidence standard was used to analyze your allegations. Preponderance of the evidence is one type of evidentiary standard used in a burden of proof analysis. Under the preponderance standard, the burden of proof is met when the party with the burden convinces the fact finder that there is a greater than 50% chance that the claim is true. Please note that these findings do not reach conclusions whether the alleged conduct violated state or federal laws, but instead address whether the City's EEO Policy was violated.

### **III. ANALYSIS & FINDINGS**

#### **A. Harassment Allegations**

To sustain a complaint of harassment in violation of the City's EEO Policy, the investigation must establish all of the following: (1) you were subjected to physical, verbal, or visual conduct on account of your membership in a protected category; and (2) the conduct was unwelcome.

The investigation determined the comments you alleged were not objectively or subjectively race-related. Accordingly, the investigation did not sustain these allegations.

#### **B. Discrimination Allegations**

To sustain a complaint of discrimination in violation of the City's EEO Policy, the investigation must establish all of the following: (1) you are a member of a protected category; (2) you suffered an adverse employment action; and (3) you suffered an adverse employment action because of your membership in a protected category. An adverse employment action is any objectively materially adverse action affecting the terms, conditions, or privileges of employment. Actions considered materially adverse are those that impair a reasonable employee's job performance or prospects for advancement. To be material, the employment change, impairment, or injury must be more disruptive than a mere inconvenience or an alteration of job responsibilities. Instead, it must be both detrimental and substantial.

Kim participated in both of your interview panels for the 1842 position, and thus, she was among those who chose to hire you. At the time, she would have been aware of your race and skin color, and likely your age as well. Though you claimed that Kim only hired you for the optics of having an African American employee, no evidence was found that Kim's desire for the optics dissipated merely because employees began working remotely during the pandemic, particularly considering that staff regularly interfaced via videoconference. Furthermore, if Kim's desire for the optics was no longer present and Kim suddenly developed discriminatory animus as soon as the shelter-in-place began, then it does not follow that she would allow you to pass probation a few months later.

The investigation established that your job duties under Kim and Williams varied somewhat from those of previous Management Assistants and fluctuated due to business needs, job classification, and the COVID-19 pandemic. With respect to each alleged discriminatory act, the investigation revealed that you did not suffer an adverse employment action and/or that there was a legitimate, non-discriminatory reason for the conduct. Witness testimony and documentary evidence established that the 1842 classification, external deadlines, attendance, health and safety requirements, and other business reasons justified your job tasks, training opportunities, access to technology, and worksite restrictions. Accordingly, the investigation did not sustain these allegations.

### **IV. DETERMINATION OF THE HUMAN RESOURCES DIRECTOR**

Please be advised that based on my review of the investigative findings, I have determined by preponderance of the evidence that Kim and Williams did not violate the City's EEO Policy. Thank you for bringing your concerns to my attention so they could be investigated.

My decision is final unless it is appealed to the Civil Service Commission and is reversed or modified. A

Velma Gay  
EEO File No. 3643  
Page 3 of 3

request for appeal must be received by the Civil Service Commission at 25 Van Ness Avenue, Room 720, San Francisco, CA 94102, within 30 calendar days from the date this letter was e-mailed to you.

For your information, you may file a complaint of employment discrimination, harassment, or retaliation with the California Civil Rights Department (CRD), or the United States Equal Employment Opportunity Commission (EEOC). Contact those agencies directly for filing requirements and deadlines.

Please feel free to contact Amalia Martinez, EEO Director, Department of Human Resources, at (415) 557-4932, should you have any questions.

Sincerely,



Carol Isen  
Human Resources Director

c: Trent Rhorer, Executive Director, HSA  
Amalia Martinez, Director, EEO, DHR

## **Exhibit F**

Investigative Report and Attachments re:  
Appellant's EEO Complaint

## **EEO INVESTIGATIVE REPORT**

To: Carol Isen, Human Resources Director

Through: Amalia Martinez, Director EEO and Leave Programs, DHR

From: Jennifer Burke, EEO Programs Manager, DHR

EEO File No.: 3643

Complainant: Velma Gay, 1842 Management Assistant

Respondents: San Francisco Human Services Agency; Luenna Kim, then-HSA HR Director; Katrina Williams, HSA Acting HR Director

Issues/Bases: Harassment Due to Race (Black); Discrimination due to Race (Black), Color (Dark Skinned), and Age (over 40)

Date Complaint Filed: August 7, 2020

Date of Report: November 1, 2022

## **I. INTRODUCTION AND BACKGROUND**

On January 4, 2020, Velma Gay (Gay) began work as an 1842 Management Assistant with the Human Services Agency (HSA). Gay was on the 1842 eligible list and had two interview panels for her hire. Gay's December 2019 interview panel included [REDACTED] [REDACTED] ([REDACTED] 0931 Manager III; Katrina Williams (Williams), Learning and Organizational Development (L&OD) Manager; and Luenna Kim (Kim), HSA Human Resources (HR) Director. Gay's second panel included Kim; Tracy Buriss (Buriss), Program Director; and John Tsutakawa (Tsutakawa), Contracts Director. After these interviews, Gay was hired to be Kim's assistant.

Gay works in HSA's HR Department at 1650 Mission Street, Monday through Friday from 8 a.m. to 5 p.m. From January 2020 to February 2020, Gay worked on the second floor in an office adjacent to Kim's. Around February 2020, Gay worked from home due to the City's shelter-in-place (SIP) order related to COVID-19. Around June 2020, Gay completed her six-month probationary period. Around October 2020, Gay and the rest of HSA HR moved to the fourth floor of 1650 Mission. Since then, Gay's job duties have included processing Additional Employment Requests (AERs) and Public Service Loan Forgiveness (PSLF), as well as scheduling for eight managers.

## **II. COMPLAINT AND REMEDY SOUGHT**

On August 10, 2020, Gay reported her complaint to Kevin Calkins, then-EEO Programs Specialist at the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO). Gay alleged that Kim harassed and discriminated against her due to her race, Black, and age, 55 years old at the time of her complaint. (Exhibit A). Gay's complaint was assigned to Jennifer Burke (Burke), then-EEO Programs Senior Specialist. On February 23, 2021, Burke conducted an intake interview with Gay. (Ex. B). On June 11, 2021, Gay signed a Charge of Discrimination. (Ex. C).

Gay alleged that in March 2020, after the City's SIP began, Kim no longer asked Gay to perform tasks. Gay believes Kim did so because Kim hired Gay, a Black woman, merely of for "optics." Gay further alleged that in August 2020, Kim assigned Gay to work as an assistant to all of the eight HSA HR Managers. Gay believes this is "unrealistic" because the HR Managers cover eight different substantive areas and it is not realistic to learn all of those areas without adequate training. Also, Gay believes there was a hiring freeze due to COVID-19, and Kim assigned Gay to the task to "throw [Gay] under the bus" by giving Gay tasks she cannot adequately perform in order to justify hiring more employees.

In February 2021, Williams became the Acting HSA HR Director and Gay's supervisor. Gay alleged that Williams has continued to discriminate against Gay as Kim did, including by not allowing Gay to work on tasks, crediting others with Gay's work, and denying Gay training.

As a remedy, Gay requested: (1) two months of sick time restored; (2) a transfer to another department; (3) an "adequate" work assignment; (4) "adequate" training in Power Bi, Oracle Bi, Sequel Bi, HR Intern, and Data Analyst; (5) that all HR hiring managers in HSA's HR Division

take a cultural competency program; (6) that all HR hiring managers in HSA's HR Division receive a "negative mark" in their files; (7) reimbursement for out-of-pocket expenses and compensation for 60 hours of overtime worked in creating Disaster Service Worker (DSW) and Health and Safety flyers. (Ex. C).

### **III. ALLEGATIONS REQUIRING INVESTIGATION**

The allegations included in the Charge of Discrimination were investigated and are the subject of this report. (*Id.*).

### **IV. DEPARTMENTAL RESPONSE**

On September 7, 2021 Burke sent a "Notification of Charge of Discrimination and Request for Information" to HSA. (Ex. D). On September 28, 2021, HSA responded to Burke's request. (Ex. E). HSA cooperated with the investigation by providing requested documents and making witnesses available for interviews.

### **V. INVESTIGATIVE STANDARDS**

#### **A. Harassment**

To sustain a complaint of harassment in violation of the City's EEO Policy, the investigation must establish all of the following: (1) the complainant was subjected to physical, verbal, or visual conduct on account of the complainant's membership in a protected category; and (2) the conduct was unwelcome.

#### **B. Discrimination**

To sustain a complaint of discrimination in violation of the City's EEO Policy, the investigation must establish all of the following: (1) the complainant is a member of a protected category; (2) the complainant suffered an adverse employment action; and (3) the complainant suffered an adverse employment action because of their membership in a protected category.

### **VI. THE INVESTIGATION**

#### **A. Summary of Interviews**

The following witnesses were interviewed as part of the investigation:

1. Katrina Williams, HSA Human Resources Director
2. [REDACTED], 0931 Manager III
3. [REDACTED], 0931 Manager III
4. [REDACTED], then-0931 Manager III
5. [REDACTED], 0923 Manager II
6. [REDACTED], 0922 Manager I



7. [REDACTED] 1244 Senior Human Resources Analyst
8. [REDACTED], 1244 Senior Human Resources Analyst
9. [REDACTED], 1244 Senior Human Resources Analyst
10. [REDACTED], 1244 Senior Human Resources Analyst
11. [REDACTED], 1244 Senior Human Resources Analyst
12. [REDACTED], 1241 Human Resources Analyst
13. [REDACTED], 1241 Human Resources Analyst
14. [REDACTED], 1232 Training Officer
15. [REDACTED], 1232 Training Officer
16. [REDACTED], 1232 Training Officer
17. [REDACTED], 1842 Management Assistant
18. [REDACTED], 1203 Personnel Technician

(Ex. F, Attachments 1-18).

**B. Summary of Documents Reviewed**

Exhibits G through W.

**VII. FINDINGS OF FACT**

**A. Relationships Between the Parties**

1. Relationship Between Gay and Kim

a. Interview with Gay

Around December 2019, during Gay’s interview for the 1842 position, Gay first met Kim, who said, “You’ll be working with me.” Kim did not tell Gay she was the HR Director. Kim also supervised Williams; [REDACTED] 0931 Manager III; Brenden Lim (Lim), 1246 Principal Human Resources Analyst; [REDACTED], then-0931 Manager III; [REDACTED] 0923 Manager II; and Shareefun Nisha (Nisha), 0931 Manager III.

From January to February 22, 2020, Gay worked as Kim’s assistant. At the end of January 2020, Kim told Gay that Kim was going to give Gay more job responsibilities and asked Gay to process AERs, PSLFs, Form 700s, Statements of Economic Interests, and filing. Since the City’s SIP order, Gay “doesn’t really have interactions” with Kim. From February 22 to May 2020, Gay and Kim did not speak. Kim also took Gay’s job duties away and assigned them to [REDACTED] 0922 Manager I. Gay believes Kim is “fostering a White supremacy” at HSA because 95-99% of HSA employees are Asian.

b. Witness Interviews

[REDACTED], 1241 Human Resources Analyst: [REDACTED] first met Gay when Gay started as a Public Service Trainee (PST) for HSA. Around 2019, [REDACTED] met Gay again when Gay started

working at HSA as Kim's assistant. [REDACTED] believes Gay managed Kim's meetings because it was a duty that [REDACTED] assisted Gay on. Gay needs "a lot of assistance." [REDACTED] and [REDACTED] gave Gay access to PeopleSoft and trained Gay on voicemail and email, including how to check and forward email in Outlook. Gay needed "constant training," and "would come back and ask how to do it again." [REDACTED] was "constantly" helping Gay with how to use PeopleSoft and Outlook. [REDACTED] could not recall if she was asked to assist Gay or if Gay came to [REDACTED] directly. [REDACTED] office was right next door, so Gay would walk to [REDACTED] office whenever Gay needed help. As a result, [REDACTED] believes Gay is "lacking" the skills necessary to be an executive assistant. [REDACTED] believes "it didn't seem like [Gay] had any office training prior" to her hire. [REDACTED] never socialized outside of work with Gay.

Around 2010, [REDACTED] met Kim when Kim joined HSA as a Labor Relations Manager. From 2010 to around 2014, [REDACTED] "didn't have much of a working relationship with" Kim because Kim worked in Labor Relations. When Robert Thomas (Thomas), then-HSA HR Director, retired and Kim promoted, [REDACTED] began to have a working relationship with Kim. When [REDACTED] manager, Leopoldo Saucedo (Saucedo), then-HR Operations Manager, was absent, Kim would come to [REDACTED] and request reports on position management, or the status of hiring and the number of positions open and being filled. [REDACTED] would run reports for Kim on the number of vacancies, how many positions each program had, and how many referrals had been issued. In addition to these tasks, [REDACTED] also provided Kim with signature requests for documents like AERs and appointment processing and separation forms. Eventually, Kim allowed [REDACTED] to sign "the common forms" like employment process forms and separation forms with Kim's signature. However, Kim had to sign MEA-negotiated salary forms herself. In addition, [REDACTED] would attend staff meetings in Saucedo's place and discuss the hiring status and vacancies. Kim had an "open door" policy for employees. Kim's reputation is important to her. As a new HR Director, Kim "micromanaged the process" in order to learn the various processes of the units of HR she had less familiarity with and in order to make improvements and efficiencies. [REDACTED] never socialized outside of work with Kim.

[REDACTED] believes Kim and Gay got along from what she observed between them during staff meetings. [REDACTED] observed Kim thank Gay, and it "sounded positive" between them.

[REDACTED], then-Health and Safety Manager: Around 2020, [REDACTED] met Gay when Gay was hired as Kim's assistant. In early 2020, before the COVID-19 pandemic began, [REDACTED] and Gay were on the committee trying to plan and HR retreat. [REDACTED] believes Gay was "very excited" and "enthusiastic" about planning the retreat. However, due to the pandemic, the retreat planning ceased and [REDACTED] did not work further with Gay. [REDACTED] never socialized outside of work with Gay.

In 2014, [REDACTED] met Kim when [REDACTED] gave a presentation to HSA managers. From 2014 to 2017, [REDACTED] worked daily with Kim as Labor Relations Manager. At first, they got along well. However, after Kim started removing responsibilities from and micromanaging [REDACTED] their relationship strained. [REDACTED] believes Kim is a "lousy, lousy manager," who micromanages employees and then does not make herself available for clarification. Kim is a "big reason" why [REDACTED] retired. If [REDACTED] had known that Kim was transferring to the Department of Public

Health (DPH), [REDACTED] might have put off retirement. [REDACTED] believes Kim had an inner circle of employees, including Williams, King, Lim, and [REDACTED] with whom she frequently went to lunch. [REDACTED] never socialized outside of work with Kim.

[REDACTED] **0923 Manager II:** In late 2020, [REDACTED] met Gay when Gay was hired as Kim's assistant. At the time, [REDACTED] worked for HSA's Office of Civil Rights (OCR) and reported to Lim. Since 2021, [REDACTED] and Gay both report to Williams; however, there is no reporting line between [REDACTED] and Gay. [REDACTED] has worked with Gay when reporting new staff to Gay to update the HSA HR directory, scheduling meetings with Kim or Williams, discussing the mail, ordering calendars, and attending HR manager and Office of Diversity, Equity, Inclusion, and Belonging (DEIB) meetings. [REDACTED] and Gay's working relationship is "pretty limited."

In 2018, [REDACTED] first met Kim when Kim was an interview panelist for a 1246 Principal Human Resources Analyst position that [REDACTED] was unsuccessful for. Kim was not a panelist on [REDACTED] successful 1244 Senior Human Resources Analyst panel. From January 2020 to March 2021, Kim supervised [REDACTED] and they worked together "very frequently" with Kim conducting weekly supervisor meetings and reviewing [REDACTED] work. They reviewed policies and procedures about HSA's racial equity plan and frequently collaborated and communicated. Kim is a "very dedicated employee who really cares about her staff" and about HR. Kim took this value and carried it throughout the management team meetings by encouraging her managers to see their role as leaders to improve employee well-being. [REDACTED] occasionally had lunch with Kim alone and with other HR managers. Otherwise, [REDACTED] never socialized with Kim outside of work.

[REDACTED], **1244 Senior Human Resources Analyst:** Around January 2020, [REDACTED] met Gay, when Gay started working at HSA. [REDACTED] believes Gay was Kim's and then Williams's assistant. [REDACTED] believes Gay scheduled meetings for Kim and HSA because [REDACTED] "would get emails from" Gay. In July 2020, for approximately three weeks, [REDACTED] worked on a special project with Gay for the employee Health Survey. [REDACTED] does not socialize with Gay outside of work.

In 2015, [REDACTED] met Kim when he started working at HSA. Kim was the HR Director. [REDACTED] believes in 2020, Kim left HSA. [REDACTED] does not socialize with Kim outside of work.

[REDACTED], **1203 Personnel Technician:** In 2020, [REDACTED] met Gay when Gay started working at HSA. [REDACTED] did not realize Gay was Kim's assistant until a "couple of months" after the pandemic because HSA has "so many Public Service Trainees" it is hard to know who is a permanent employee or not. [REDACTED] has worked on a few projects with Gay, including a Mental Health Awareness flier distribution, an office move, and a telephone directory, and [REDACTED] has answered Gay's questions about tuition exchange.

In 2002, [REDACTED] met Kim when Kim joined HSA. [REDACTED] did not work with Kim, but for less than a year, once a week, they both attended a knitting club at HSA and chatted socially. In December 2019, at a restaurant to celebrate a co-worker's birthday, [REDACTED] last spoke with Kim when [REDACTED] asked Kim about approving an HSA employee retreat.

██████████), **1232 Training Officer:** ██████ met Gay when Gay worked in the PST program. ██████ believes Gay did clerical work for L&OD and then left HSA. Later, ██████ saw Gay's email coming to HSA HR and thought, "How do I know this name?" Then, ██████ saw Gay in the elevator and remembered who she was. ██████ believes Gay is currently a secretary or Management Assistant. ██████ and Gay have no working relationship and do not share or work on any tasks together. ██████ never socialized with Gay outside of work.

██████████ met Kim when Kim transferred from DPH to HSA as a Senior Personnel Analyst for Labor Relations. Kim then promoted to HSA HR Director. Around 2019, for approximately 10 months, ██████ became Acting L&OD Manager when Brett Ellison transferred to Welfare to Work Services Division (WDD). Ellison told Kim to make ██████ Acting because she could do the job. During that time, the permanent position was posted, ██████ applied and ranked number two on the list, interviewed for the position, and was not selected. Kim did not provide ██████ guidance, mentorship, or support. Kim did not value L&OD and the "whole team" felt like they were "not valued." Kim fostered a "punitive environment" and engaged in "unpleasant interactions." For instance, once when ██████ was conducting a PST training class, Kim came in and sat in on the training. ██████ found this odd because usually – as a sign of respect – people ask before attending someone's class. ██████ did not know who Kim was at the time, and Kim sat apart from the rest of the group. ██████ asked everyone to introduce themselves and when ██████ got to Kim, ██████ learned who Kim was. ██████ asked Kim if she would join the group and Kim did not, and, instead, got up and left the class. ██████ complained about the incident to Mary Peterson (Peterson), then-0931 Manager III. Kim is untrustworthy because she prefers to "not keep a record" of conversations. Kim told ██████ "don't email me, give me a call." ██████ never socialized with Kim outside of work.

██████████), **1244 Senior Human Resources Analyst:** On an unknown date, ██████ met Gay at HSA. ██████ and Gay attend HSA HR's monthly all-hands meetings. ██████ has never worked on any special projects or tasks with Gay. ██████ could not describe Gay as an employee. ██████ never socialized with Gay outside of work.

In December 2017, when ██████ joined HSA, she met Kim. Kim was ██████ director. Between 2017 and 2020, once or twice a year, Kim would reach out to ██████ for documentation regarding an EEO complaint or leave issue. From March 2020 to October 2020, Kim worked with ██████ in staffing Disaster Service Workers (DSWs) for the City. From 2017 to early 2020, once a month, ██████ and Kim jointly attended HSA HR all-hands meetings. Kim is a "very direct" employee who "tells you what she needs from you." Employees will not hear from Kim if they are "doing what [they're] supposed to be doing." ██████ never socialized with Kim outside of work.

██████████), **1842 Management Assistant:** In early 2021, ██████ met Gay when Gay began working for HSA. ██████ believes Gay was hired as Kim's assistant. Gay asks a lot of questions. Gay struggled with understanding HSA's organizational structure. In early 2020, Kim asked ██████ to help Gay learn how to schedule Kim's calendar. Gay came to ██████ office a few times to shadow ██████ and once, ██████ went to Gay's office to review procedures and explain HSA's organizational structure.

In September 2020, ██████ met Kim. Kim is a consistent, punctual, and accessible employee. ██████ coordinated Kim and Kaplan's weekly meetings. In 2020, Kim asked ██████ to take over calendaring tasks from ██████), 1244 Senior Human Resources Analyst. In early 2021, Kim approached ██████ to assist Gay with scheduling and later when Gay was out on leave, to take on a scheduling task.

██████ believes there was "contention" between Kim and Gay because of what Gay told ██████ about Kim. ██████ could not recall specifics, but got "the impression" from Gay that Kim did not like how Gay was handling Kim's calendar. ██████ did not know if "there were mistakes" in Gay's scheduling of Kim's calendar, but ██████ believed there was an issue. When asked what gave ██████ this impression, ██████ explained that Gay "has a tendency to talk in circles." ██████ explained that if "you bring a mistake up," Gay will find "a different perspective to justify" the error. ██████ said without recognizing and acknowledging errors, people will "never improve." Based upon her working relationship with Gay, ██████ believes Gay could not see her errors and would not acknowledge them: "I think [Gay] took things personally. When scheduling wasn't easily grasped, then she wanted to talk about other things. Very circular." ██████ also believes that Gay tied everything "back to [Kim]" because Kim did not have confidence in Gay and "it came out in the way" Gay spoke to ██████

████████████████████ **0922 Manager I:** In late 2019, ██████ met Gay when Gay was applying to the 1842 position. ██████ was the post-referral supervisor and coordinated Gay's interview and onboarding process. In 2020, ██████ assisted Gay with Zoom and Outlook training. Since 2021, ██████ has interfaced with Gay on scheduling meetings with Williams. Gay struggles with technology and goes off-topic at meetings. When ██████ worked with Gay on troubleshooting how to use Zoom and Outlook, ██████ observed Gay struggle to keep up. When asked to provide a specific instance of Gay being off-topic, ██████ provided the examples listed below. ██████ does not socialize with Gay outside of work.

In late 2019, ██████ helped onboard Gay. ██████ had to verify Gay's education and experience to ensure she met the job's minimum qualifications (MQs). ██████ "had a hard time gathering that documentation" from Gay. ██████ clarified that it is not "uncommon" because sometimes companies go out of business and it is hard for employees to get verification of the job that no longer exists. For Gay's onboarding, Gay suggested that ██████ accept Gay's art portfolio to satisfy the MQs. ██████ declined to do so. ██████ felt it was a "challenge" to onboard Gay because she had to "keep going back" to Gay and requesting documentation and Gay "was upset." For instance, Gay suggested to ██████ that ██████ should be the one calling Gay's educational institutions and former employers and said to ██████ "Am I doing your job?" ██████ could not recall if Gay told ██████ that it was "economic genocide" to request that Gay provide documentation for her education and work history.

In 2014, when ██████ started working at HSA, ██████ met Kim, when Kim was the HR Director. Sometime after 2016, ██████ worked as Acting Manager for the Exams unit and ██████ attended meetings with Kim. Around 2018, ██████ worked as the Acting Manager for the Operations unit and reported directly to Kim on hiring and budgeting positions for HSA. Also in 2018, ██████

worked on racial equity work with Kim by jointly attending meetings and reviewing drafts with Kim for feedback and direction. In 2020, [REDACTED] reported directly to Kim as Acting Manager of L&OD. Kim is a “very dedicated” employee. Kim made [REDACTED] feel like a valued employee. Kim wanted HSA HR to automate procedures and update their systems. At times, [REDACTED] did not agree with Kim’s approach because it would be “too complicated,” but it was not antagonistic. [REDACTED] has had lunch with Kim and others in the HSA HR management team; otherwise, [REDACTED] never socialized outside of work with Kim.

[REDACTED] never observed any “spat or anything like that” between Kim and Gay. [REDACTED] observed Kim have “patience” with Gay and when Gay would ask something unrelated to the topic at hand, Kim would say, “Thanks for bringing it up, we can talk about it later, we’re talking about X now.” [REDACTED] could not say if Kim and Gay socialized outside of work.

[REDACTED], **0931 Manager III**: Around 2020, [REDACTED] met Gay during Gay’s job interview. [REDACTED] was on the interview panel along with Kim and Williams. After Gay was hired as Kim’s assistant, sometimes [REDACTED] would chat with Gay when [REDACTED] came to see Kim. Around June or July 2020, [REDACTED] assigned Gay to work on the HSA Employee Health Survey. Gay “needs a lot of hand-holding” and expects to be given training that other employees do not get. [REDACTED] believes employees are expected to come with a certain level of analytical and technological skill in the 1842 classification, and Gay “didn’t seem to have that.” [REDACTED] never socialized with Gay outside of work.

In 2014, [REDACTED] first met Kim. In March 2014, Kim hired [REDACTED] as the Exams Manager, and from 2014 to 2021, Kim supervised [REDACTED] [REDACTED] and Kim had a good working relationship at first; however, after 2017, Kim distanced herself from [REDACTED] and [REDACTED] fell out of Kim’s inner circle. Kim is a busy employee who works in a lot of chaos and has to put out a lot of fires. Early in [REDACTED] tenure, [REDACTED] was part of Kim’s inner circle and had Kim’s confidence. Around 2017, [REDACTED] and her co-worker [REDACTED] took medical leave. In their absence, Kim hired new employees who became part of Kim’s inner circle, including Williams, [REDACTED] and Nisha, and made untrue comments about the Exams unit being “in chaos.” When [REDACTED] returned from leave, Kim no longer invited her to group lunches with the other managers and only went out with William, [REDACTED] Nisha, Lim, and [REDACTED] Kim is cruel, lies, and manipulates employees. [REDACTED] never socialized with Kim outside of work.

[REDACTED] believes Kim and Gay had a difficult relationship. [REDACTED] believes so because Kim told [REDACTED] that Gay complained about her job tasks not having value and would then complain after Kim gave Gay more meaningful projects. Kim also complained that Gay confronted her about how she assigned Gay tasks. [REDACTED] does not believe Kim and Gay socialize outside of work.

[REDACTED] **1241 Human Resources Analyst**: Around 2020, [REDACTED] met Gay when she became Kim’s assistant. In 2020, two or three times when [REDACTED] supervisor was out, he emailed Gay to have Kim approve some timesheets. In 2021, [REDACTED] also asked Gay to complete a time study.

██████████), **1241 Human Resources Analyst:** In late 2019, ██████ met Gay when Gay first started working at HSA. In April or May 2021, once, for an hour, ██████ trained Gay on how to use and facilitate Zoom interviews. Gay “took a little longer” to learn Zoom and it was hard for Gay to “navigate all the pieces of the training.” However, ██████ believes Gay was eventually “able to get it.” ██████ never socialized with Gay outside of work.

In late 2019, when she first started working at HSA, ██████ met Kim. They did not have a direct working relationship; however, once, at a time she could not recall, ██████ was given a data collection and evaluation project by ██████ that ██████ believed was part of a larger project that Kim wanted done. Kim is a “go-getter” in that she “wants to do a lot of things and make sure they are done.” ██████ never socialized with Kim outside of work.

██████████), **1232 Training Officer:** ██████ first met Gay when Gay worked as a PST. Occasionally, ██████ asked Gay for administrative assistance like making a copy of a roster. In 2020, for approximately 40 hours, ██████ provided Gay training on Zoom. ██████ struggled to train Gay because Gay did not complete assignments on time, seemed disinterested, performed poorly, and was off-task. ██████ never socialized with Gay outside of work.

██████████ met Kim when Kim was a 1244 Senior Human Resources Analyst. In 2013, Kim became HR Director and was ██████ director. ██████ saw Kim at all-hands meetings of HSA HR and in the hallways when Kim said hello. Kim never gave ██████ work tasks or assignments. ██████ could not describe Kim’s work style or evaluate what kind of employee Kim was. ██████ never socialized with Kim outside of work.

██████████), **1232 Training Officer:** Around 2018, ██████ met Gay when Gay started working as a PST. For less than a year, ██████ believes Gay worked a clerk and would occasionally help ██████ with printing for training preparation. Around 2020, Gay returned to HSA as Kim’s assistant. In mid-2020, ██████ attended a handful of Zoom training lessons with Gay and ██████ ██████ found Gay to be a reluctant employee. When Gay worked as a PST, ██████ requested that Gay assist in setting up a training room and Gay declined. Also, Gay did not complete homework assignments for ██████ Zoom training. ██████ never socialized with Gay outside of work.

Around 2014, for approximately two or three hours, ██████ conducted a DSW training for HSA’s Directors and Deputy Directors and met Kim. Other than this training session, ██████ never worked with Kim. ██████ and Kim exchanged pleasantries in the hallways. However, ██████ never socialized with Kim outside of work.

██████████ **1244 Senior Human Resources Analyst:** Around late 2019, ██████ met Gay when Gay started working at HSA. ██████ transitioned two assignments to Gay: AERs and PSLFs. Although ██████ has “limited interactions” with Gay, ██████ believes Gay is “very polite” and “asks questions.” ██████ never socialized with Gay outside of work.

Sometime before 2009, ██████ met Kim when Kim began working at HSA. Kim came to HSA as the Labor Relations Manager and then promoted to HR Director. From around 2009 to 2013, ██████

reported directly to Kim when [REDACTED] worked in Labor Relations and Payroll. [REDACTED] believes she worked with Kim daily during those years. Kim is “very direct,” “very supportive and encouraging,” “very smart,” and has “a lot of ideas about how to improve efficiencies.” [REDACTED] never socialized with Kim outside of work.

[REDACTED], **1244 Senior Human Resources Analyst**: Around January 2020, [REDACTED] met Gay when Gay started working at HSA. Gay was hired as Kim’s assistant after [REDACTED] moved to OCR, and Kim asked [REDACTED] to help train Gay. Every few months or so, or “very rarely,” Gay will ask [REDACTED] questions about assistant duties.

Around 2014, [REDACTED] met Kim when [REDACTED] interviewed for 1202 Personnel Clerk. [REDACTED] was not hired and interviewed again, this time successfully, for another 1202 position. Kim was not on the hiring panel. From January 2018 to June 2019, [REDACTED] worked as Kim’s assistant and also performed some other duties for OCR because OCR was short-staffed. [REDACTED] worked in an adjacent office to Kim’s and worked with Kim daily on tasks.

[REDACTED] **0931 Manager III**: Around late 2019, [REDACTED] met Gay when Gay was hired at HSA as Kim’s assistant. Prior to this time, [REDACTED] Operations group performed some of the tasks that Gay later assumed, including AERs and PSLFs. In early 2020, after Gay began processing AERs and PSLFs, once every two weeks, Gay would come to [REDACTED] with questions about the forms. Once a week, [REDACTED] and Gay jointly attended the HSA HR Manager meetings.

In 2011, [REDACTED] met Kim when Kim, who was ELR Manager and was on [REDACTED] interview panel. Around 2014 or 2015, Kim promoted to HR Director, and in 2019, for a year, [REDACTED] reported to Kim when he promoted to Operations and Payroll Manager. Between 2014 and 2019, a handful of times, [REDACTED] assisted Kim with special projects. For instance, when the Department of Homelessness and Supportive Housing (HOM) was created, [REDACTED] assisted Kim with transitioning some of the functions that HSA performed to HOM. In addition, [REDACTED] assisted Kim with data reporting. From 2019 until 2021, when Kim left HSA, [REDACTED] worked daily with Kim on hiring policy development and implementation. Kim allowed [REDACTED] to be autonomous, did not micromanage, and focused on setting and meeting goals. Kim “doesn’t provide a ton of direction” about issues [REDACTED] works on with her because a lot of their work is emergent and unprecedented. [REDACTED] went out to lunch with Kim with other HR Managers, alone and with his team. [REDACTED] also texted with Kim about movies and television shows.

[REDACTED], [REDACTED], [REDACTED], and [REDACTED] could not say if Kim and Gay got along or if they socialized outside of work.

## 2. Relationship Between Gay and Williams

### a. Interview with Gay

Around 2018 or 2019, Gay met Williams when Gay was a PST and Williams was Director of L&OD. Brian He (He), 1031 IS-Trainer Assistant, supervised Gay. Gay says her work as a PST was “fraudulent” because for two months, all she did was move tables and chairs. Gay was told



that her job would include clerical skill building, but HSA just wanted Gay to perform manual labor. When asked who wanted Gay to perform manual labor like moving tables and chairs, Gay said the L&OD department asked Gay to do so because Facilities “couldn’t get over there fast enough” to do so. A young Latina who was 8.5-9 months pregnant also worked as a PST, but she did not move tables or chairs. Gay believes the woman had to quit because she could not do anything. Gay does not know the employee’s name. After moving “hundreds” of tables and chairs for approximately three to four weeks, Gay went to her union.

Gay believes Williams and the L&OD staff trained employees who were not African American. For instance, Daniel Varela (Varela), 1244 Senior Human Resources Analyst, came into HSA “fully trained” to work in Williams’s office. Gay believes Varela went through HR training and was an intern. Varela did not come into HSA as a PST. Gay believes DHR EEO should find out who trained Varela because Gay believes there is discriminatory training occurring at HSA. Gay does not know what Varela’s job classification is but believes he works under Nisha.

Gay does not work with Williams. At the beginning of February 2021, when Gay returned from leave, Gay met with Williams. Williams told Gay that she was learning her job and had no tasks for Gay until she learned her job. Prior to Gay’s leave from late 2020 to early 2021, Gay asked Williams to take a project management course, and Williams approved it. Nonetheless, Gay believes Williams “already ruined” Gay’s career because she and Kim did not have a “comprehensive plan” about Gay’s role and did it “haphazardly.” When Gay met with Williams, Williams outlined Gay’s assignments and it was “mainly AERs and PSLFs,” which Gay believes belong to [REDACTED] department. Gay does not have a working relationship with Williams because she does not work “on anything” with her. Gay never socialized with Williams outside of work.

Gay believes Williams has a good idea about Williams’s work but also “lies a lot.” When asked to provide an example of Williams lying, Gay said that Williams lied because Williams knew that Gay was just hired to “solely schedule” but Williams went along with assigning Gay an IT data task.<sup>1</sup> Later, Gay believes Williams “gave consent as an African American” that it was okay to add to Gay’s job duties, like with the Employee Health Survey.

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<sup>1</sup> When asked to clarify, Gay stated that during her interview for the 1842 Management Assistant position with Kim, Kim asked Gay if she was ok with a job that was only going to be scheduling Kim’s calendar. Gay believes her entire job should just be scheduling the HR Director’s calendar. Gay stopped scheduling Kim’s calendar around April or May 2020, and “never scheduled for” Kim again and never scheduled Williams calendar. However, Gay contradicted this statement and said she only scheduled “maybe one month” for Williams” when she scheduled the 8 HR Manager’s one-on-ones with Williams.

Gay further alleged that [REDACTED] works for Kaplan and has “consistent” tasks. Gay explained that if someone is driving and there are various speeds in traffic, you make adjustments to avoid accidents and confusion. Gay believes her role “lacked a comprehensive plan” and there is no inclusiveness at HSA despite what DEIB says. Gay believes DEIB “has to be worth more than the digital ink it was created with.” Gay believes she is DEIB but wonders if DEIB is for African Americans or is “only for immigrants and gays?”

b. Interview with Williams

Around 2019, Williams met Gay when Gay worked as a PST in L&OD. Williams had “minimal” interactions with Gay, did not assign Gay tasks, and merely exchanged pleasantries with Gay. On a date she could not recall, Williams told Gay’s supervisor, He, that the PST phones should be answered prior to 9 am. Williams did so because some of the PST training classes started at 9 am and people might call about the class and that not answering the phone until 9 am was rather late in the business day. Williams believe He had Gay answer the phones.

In late 2019, Williams sat on Gay’s successful interview panel for her current position, along with Kim, [REDACTED] and a fourth person whom Williams could not recall.

In March 2021, Gay began reporting to Williams when Williams promoted to HR Director. Williams did not come from a role with an assistant, so she told Gay to be patient with her as she learned the role, tasks, and how to effectively use Gay. Williams had Gay schedule and attend Williams’s management team meetings, collect Form 700s, and attend weekly meetings with Williams. Williams acknowledged that it was “not a whole lot of tasks initially” for Gay because Williams was new, Williams did not have a desk phone for Gay to answer, and the people Williams met with had their own assistants for scheduling their meetings. Williams further acknowledged that although she initially had one-on-one meetings with Gay, they “fell of the calendar” due to Williams having to “move appointments a lot” and that her one-on-ones with HR managers were dropped, too. At one point, Williams “had to cancel with everyone.” Williams explained that the pandemic and health and safety issues preoccupied and caused a strain on her time. Williams acknowledged that she did not re-establish her one-on-one meetings with Gay; however, Williams stated that she spoke to Gay at the weekly HR manager meetings.

On November 1, 2021, the City returned to work twice a week. November 9, 2021 was the last day Williams saw Gay in the office. On November 10, 2021, Gay called out sick. On November 19, 2021, Gay told Williams she was filling out Workers’ Compensation forms. Williams believes Gay will return to work on Monday, February 28, 2022.

Gay is very interested in training. Once, when Gay and Williams were discussing the Form 700s, the City’s forms regarding statements of incompatible activities, and walking through the process of how they were going to distribute and collect them, Williams brought up project management. Gay expressed interest in a project management course and Williams helped Gay find the form to request it. Williams supported the course and told Gay that project management helps people complete small and large projects. Another time, Gay requested some Microsoft-suite based training, which Williams believed was Excel, through Academy X. Gay also wanted to attend Analyst Academy, but it was not being offered during the pandemic.

Gay is a “scattered” employee who asks a lot of questions, needs a lot of clarification, and struggles with technology. Gay needs a lot of clarification in that Williams and others would discuss something and Gay would follow with constantly having to clarify. Gay struggles with technology in that she reported to Williams that her video camera did not work. Gay also would have her audio on and “it would sound like her water was running,” so Williams would mute

Gay during meetings. Gay would then tell Williams that she could not hear, even though only Gay was muted. Once, Gay was out on bereavement leave and her work computer was not functioning, so HSA IT mailed her a replacement laptop. Another time, Gay reported to IT that her laptop at work was not working. When IT came to service the laptop, they found that Gay had disconnected the intranet cable to plug in a device, which Williams believed was a mouse or printer. Williams does not socialize with Gay outside of work.

c. Witness Interviews

Around 2016, █████ met Williams when she started working as the L&OD Manager. Around 2020, Williams promoted to HR Manager. Since 2020, two or three times, Williams has asked █████ to provide additional information about applicant data. For instance, █████ had created a Power Bi graph or chart that showed if someone was qualified for certain positions and their race/ethnicity and, if they were not qualified, the reason why (education, experience or both). Williams asked █████ to include percentages to compare the whole of people who were qualified in comparison to those were not. Other than these few instances, █████ has never worked on any projects or tasks with Williams. █████ does not socialize with Williams outside of work. █████ could not say if Williams and Gay got along and did not know if they socialized outside of work.

In 2018, █████ first met Williams when █████ started working at HSA and Williams was L&OD Manager. From 2018 to 2020, their work did not overlap, but █████ saw Williams at weekly HR manager meetings. After March 2021, when Williams promoted to HR Director and started supervising █████ they worked more closely together, holding regular meetings, meeting jointly with the Deputy Director of Administration, discussing racial equity efforts, and discussing COVID-19 policies. Williams is very collaborative and keeps the team informed. Williams made sure staff were aware of COVID-19 policies and was attentive to safety-related issues and staff in the office. Williams stresses relationships with colleagues and in the policies that HSA enacts, and she is very committed to racial equity work. █████ and Williams have occasionally had lunch together when they were both in the office but do not socialize outside of work.

Once, at a time █████ could not recall, Williams told █████ to remind █████ staff to be polite and courteous to HSA's IT team. When █████ asked why, Williams said it was due to the fact that Gay raised her voice at and acted disrespectfully toward the IT staff. Otherwise, █████ is unaware if Williams and Gay socialize outside of work.

In 2018, █████ met Williams when Williams started working at HSA. Williams worked for L&OD, while █████ worked at OCR. █████ never directly worked for Williams. However, in 2020, █████ spoke with Williams about planning an HSA HR employee retreat. Williams is "receptive to feedback," "high energy," and "charismatic." Williams conducts a lot of Zoom meetings for HSA HR and "she'll do all the talking." █████ never socialized with Williams outside of work. █████ believes Williams was close with Kim because they went out to lunch together "all the time." █████ could not say if Williams and Gay get along or if they socialized outside of work.

From 2018 to 2020, Williams was █████ direct supervisor. However, █████ is mostly independent and did not get assignments from Williams. █████ and Williams discuss █████

programs and deliverables and have a great working relationship because there is “respect” and “trust” in their relationship. [REDACTED] and Williams are “on the same page” because they share a “passion for workforce development.” Williams “cares about L&OD” and “understands how much work it takes.” Williams supports L&OD’s role in providing service to HSA programs. [REDACTED] never socialized with Williams outside of work. [REDACTED] could not say if Williams and Gay got along and did not know if they socialized outside of work.

[REDACTED] met Williams when Williams joined the City as L&OD Manager. In early 2020, Williams became [REDACTED] director when Williams promoted to Acting HR Director. Once a month, [REDACTED] and Williams jointly attend HSA HR’s all-hands meetings. Otherwise, [REDACTED] never works on any special projects or tasks for Williams. [REDACTED] believes Williams took on more tasks and functions when she became HR Director. Williams gives employees space to perform their tasks, but will follow up with employees if they have not responded or completed tasks. [REDACTED] has never socialized with Williams outside of work. [REDACTED] could not say if Williams and Gay got along and did not know if they socialized outside of work.

In September 2020, [REDACTED] met Williams. [REDACTED] coordinates Williams’s meetings with Kaplan and interview panels Williams sits in on with Kaplan. Otherwise, [REDACTED] does not work on any direct tasks with Williams. Williams is a dedicated employee. [REDACTED] could not provide any additional information about Williams because [REDACTED] does not have a lot of interactions with her. [REDACTED] does not socialize with Williams outside of work and does not know who Williams is close with at HSA. [REDACTED] could not say if Williams and Gay got along and did not know if they socialized outside of work.

In 2018, [REDACTED] met Williams when Williams was hired as L&OD Manager. At the time, [REDACTED] was on the Operations team and “didn’t really interact” with Williams. In 2020, [REDACTED] began reporting to Williams when [REDACTED] moved to the L&OD team. [REDACTED] worked with Williams on HSA’s annual training plan and COVID-19 procedures. Williams is a “great” supervisor who provide [REDACTED] with guidance. Williams puts the “human” in HR is “very dedicated” and supports her staff. [REDACTED] does not socialize with Williams outside of work.

[REDACTED] believes Williams and Gay get along. [REDACTED] observed Williams be patient with Gay in meetings when Gay asked irrelevant questions. Once during a meeting about COVID-19 regulations and the return to work, Gay said “something like, ‘Why is the City requiring everyone to come back to work?’” [REDACTED] felt this question was irrelevant because the managers were aware that COVID rates were high and did not agree with the return to work policy either, but Gay’s question took “time away from strategizing” about how to implement and announce the policy. [REDACTED] observed Williams tell Gay, “I understand; however, this is the policy that is coming down and we have to enforce it and make sense for the employees about it.” [REDACTED] believes this was another example of Gay providing “off-topic commentary” that distracted from business needs. [REDACTED] could not say if Williams and Gay socialized outside of work.

In 2018 or 2019, [REDACTED] met Williams when Williams applied to HSA. Williams was hired as L&OD Manager, and [REDACTED] and Williams were colleagues and jointly attended weekly HR Management meetings; however, [REDACTED] and Williams’s jobs did not overlap very often. In

2021, Williams and █████ both applied for the HSA HR Director position and Williams was chosen for the position. Since March 2021, Williams has supervised █████ █████ attends weekly HR Management meetings with Williams. █████ and Williams have biweekly one-on-one meetings. █████ and Williams also interface on COVID-19-related issues because █████ performs contact tracing for HSA. Williams is a good manager. Williams respects █████ professional opinion, is fair, gracious, and very kind. Williams was once a social worker and in training, which █████ respects. Once, before Williams became █████ supervisor, █████ and Williams attended the Donna Summer musical together. Otherwise, █████ does not socialize with Williams outside of work.

█████ does not believe Williams and Gay get along. Once, Williams told █████ that Gay accused Williams of “going behind” Gay’s back and talking with Kim about Gay’s performance. Another time, Williams asked Gay to make a kudos board for HSA HR when they were slated to return to the office.

Around 2018, █████ met Williams when she was hired. In 2020, Williams became Acting HR Director and in September and October 2020, Williams asked █████ to work on a project regarding unvaccinated employees. Other than this, █████ never worked directly with Williams.

In late 2019, █████ met Williams when █████ started working at HSA. Williams was L&OD Manager at the time but has since promoted to HR Director after Kim left the position. In November 2021, █████ returned from leave and since then, weekly, █████ has worked with Williams by giving her status updates for open positions. Williams “brings warmth” to HR, recognizes that HR staff “are people,” and treats people well. █████ never socialized with Williams outside of work.

Around 2019, █████ met Williams. From 2019 to 2021, Williams supervised █████ Since 2021, Williams has worked as █████ Director. █████ has a “really good” working relationship with Williams. Williams is “fair” and has “an open-door policy” in that she is open to questions and requests for assistance. Whenever █████ had a project to do, Williams was there to “back us up” and “make sure the process goes as smoothly as possible at the leadership level.” █████ “really respects” Williams because she will “give you the facts” and does not make employees “feel small.” █████ never socialized with Williams outside of work.

Around 2018, █████ met Williams when she was hired as L&OD Manager. From 2018 to 2020, Williams assigned █████ a handful of projects to work on, including a training on how to deal with complaints and motivational interviewing. Since 2020, when Williams assumed the Acting HR Director position, █████ has not worked directly with Williams. Williams is a “great leader.” Williams keeps communication open, provides “great advice,” and would “wrangle █████ back in and get [him] focused again” when █████ went astray on projects. █████ had a “great time” working with Williams and misses working with her. █████ never socialized with Williams outside of work.

Around 2017, █████ met Williams when Williams began working as L&OD Manager. █████ never directly reported to Williams. However, from 2017 to 2021, once or twice a year, Williams

would reach out to [REDACTED] for status updates on hiring in order to plan induction training classes for new hires. Although [REDACTED] has “limited interactions” with Williams, [REDACTED] believes Williams is “approachable,” “friendly,” “encouraging,” “very professional,” and “very smart.” [REDACTED] likes Williams and enjoys working with her. [REDACTED] never socialized with Williams outside of work.

In March 2018, [REDACTED] first met Williams when Williams was hired as L&OD Manager. [REDACTED] scheduled Williams’s hiring interview. In 2018 and 2019, [REDACTED] coordinated the training for ethics compliance. [REDACTED] worked on the Form 700 assignment and reported her progress to Williams. [REDACTED] and Williams have a cordial but not close working relationship. [REDACTED] and Williams do not socialize outside of work.

Around 2018, when Williams joined HSA, [REDACTED] met Williams when Williams was onboarding. In 2019, when [REDACTED] promoted to Operations and Payroll Manager, [REDACTED] and Williams became colleagues. In 2021, when Williams promoted to HR Director, [REDACTED] began reporting to Williams. From 2019, two to three times a year, two to three times a week, [REDACTED] and Williams collaborated on hiring of Eligibility Workers and coordinating timing with the availability of L&OD trainers. Since 2021, [REDACTED] and Williams interface daily on COVID-19 vaccination procedures and policies that relate to Operations and Payroll issues. [REDACTED] attends Williams’s weekly HR Managers meetings. [REDACTED] and Williams have as-needed one-on-one meetings. Williams and [REDACTED] have a good working relationship because Williams does not micromanage. In addition, Williams “leans on” her staff as experts and because Williams is relatively new as HR Director. [REDACTED] and Williams text outside of work and prior to COVID-19 pandemic had lunch together.

## **B. Harassment Allegations**

### **1. Allegation 1: Kim’s “Messing Up” Comment**

#### **a. Interview with Gay**

Gay believes Kim and HSA were “mandated to hire African Americans.” Around December 2019, after Gay was offered her position, [REDACTED] told Gay that her letter of recommendation (LOR) from Academy of Arts did not use formal letterhead and would not suffice for hiring purposes. Gay told [REDACTED] “This is economic genocide,” because Gay would have to have an even more advanced degree, like a doctorate, to count for hiring purposes if her LOR did not count. Gay cried as she spoke to [REDACTED] Gay told [REDACTED] “I’m going to Joaquin Torres, [Assessor]” if [REDACTED] would not accept Gay’s LOR. The following day, [REDACTED] called Gay into the office and said it was not necessary for Gay to get another LOR and that [REDACTED] was doing so “as a favor.”

On January 6, 2020, in response to a task Gay completed, Kim called Gay into her office. Gay showed up with a pen and pad thinking she was going to go over how they were going to work on assignments and projects together. However, to Gay’s surprise, Kim began telling Gay, “Don’t be coming in here messing up. I built a reputation for myself. I’m in a position in life where I now can give back. I did this as a favor. We normally start employees on such and such dates due to payroll, but it seemed like you really needed this.” Gay believes [REDACTED] told Kim about how upset Gay was during the onboarding process, and Kim took that to mean that Gay

“needed the money” for the job because she reacted emotionally during the onboarding process. Gay believes Kim meant that she hired Gay due to Gay’s race.

When asked during her rebuttal interview how Kim’s comment relates to race in an offensive way, Gay claimed for the first time that Kim spoke to an African American with “a dialect of Black slang, Ebonics.” She did not provide any further information to support this claim.

b. Witness Interviews

Once, Deljuanna Williams (D. Williams), then-1244 Senior Human Resources Analyst, told [REDACTED] that she felt that she was not selected for a position in HSA HR due to her race. After the non-selection, D. Williams went on leave and then resigned. D. Williams called [REDACTED] and asked [REDACTED] if she would help her with a discrimination claim. Even though [REDACTED] “didn’t want to be in the middle of that,” [REDACTED] told D. Williams she would answer any questions asked of her. [REDACTED] never heard anything further about the discrimination claim. D. Williams and [REDACTED] knew each other outside of work because their children attended school together.

[REDACTED] never heard Kim make disparaging comments about anyone’s race and no one ever told [REDACTED] they heard Kim do so. [REDACTED] believes Kim was very supportive of the PST program – which included clients from all different races – and Kim “always encouraged us to hire of all different races.”

[REDACTED] never heard Kim make disparaging comments about anyone’s race. However, once, [REDACTED] told [REDACTED] that [REDACTED] was initially close with Kim, but their relationship soured. [REDACTED] told [REDACTED] that [REDACTED] would tell Kim “personal information,” which Kim would then turn around and use against [REDACTED] performance. [REDACTED] also told [REDACTED] once that Kim called [REDACTED] “emotional” and [REDACTED] asked Kim if she did so because [REDACTED] was Latina. After that, Kim ceased calling [REDACTED] “emotional.”

[REDACTED] never heard Kim speak to employees in a rude, disrespectful, or belittling manner. Once, someone whom [REDACTED] could not recall told [REDACTED] was that Kim spoke rudely to another employee. Twice, [REDACTED] has been told that Kim is “direct.” [REDACTED] agrees that Kim speaks in a direct manner.

Once, after an interview panel, [REDACTED] heard Kim talk “in stereotypical” terms about a 1241 HR Analyst candidate, who was a Latino male. Kim said, “I heard he was aggressive when he works. He speaks out of turn, a know-it-all.” [REDACTED] clarified that she never heard Kim make racist comments, but she is “just judgmental” and it can “become stereotypical.”

[REDACTED] [REDACTED] and [REDACTED] never heard Kim make disparaging comments about anyone’s race, and no one ever told them they heard Kim to do so.

2. Allegation 2: Kim's Comment about African American Men

a. Interview with Gay

In January and February 2020, Gay attended staff meetings where employees were discussing how HSA HR could use an equitable lens in their work. Gay believes HSA was trying to interview racially diverse candidates. Gay attended an implicit bias training and watched videos on racial equality. Around the first week of February 2020, in Gay's office, Gay asked Kim, "Haven't you noticed there aren't any African American men here?" Kim replied, "We're trying to find qualified African Americans," but not enough African Americans were passing the exams. Gay believes Kim meant that African Americans were not intelligent enough to pass the exams because the only people who pass and are getting hired are Asians. Gay believes Kim meant this because there are "other reasons" African Americans are not passing the exams. Gay clarified that Kim never said that African Americans "can't do the work," as what was reported in the DHR EEO's August 2020 Helpline memo.

During her rebuttal interview, Gay was informed that no witnesses heard Kim make disparaging comments about Black people. Gay then claimed that on an unknown date, [REDACTED] heard Kim say, "We got one. We have someone we can hire" Though Gay did not know whom this referred to, she believed it was an African American male. Gay went on to state that during the pandemic, Kim and HSA "were looking for African Americans to hire."

b. Witness Interviews

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] and [REDACTED] never heard Kim make disparaging comments about anyone's race, and no one ever told them they heard Kim do so.

3. Allegation 3: Williams's "Dense and Hard to Understand" Comment

a. Interview with Gay

In March 2021, Gay received an email from Williams stating that Gay did not need to complete time studies. However, [REDACTED] emailed Gay a link to complete a time study and said she needed to do so because of her position. Gay alleged that Williams interfered with Gay's ability to complete the time study because Williams felt it was too complicated for Gay to understand. Williams said, "The information is dense and hard to understand, which is why I mentioned future work being done on making it easier to understand." Gay was extremely hurt, stressed-out, embarrassed, and belittled by Williams's comment. Gay believes Williams made the comment because Gay is African American.

During her rebuttal interview, Gay stated that Williams's comment "directly deals with historically and systematically being inferior and not able to understand, inferior. Not being able to understand complicated information. You know, which is historical racism. That Blacks don't read." Gay stated that Williams "believes she is superior to other Black people," and went on to liken Williams to an "in-house slave" versus an "out-house slave."



b. Interview with Williams

Based on HSA's funding with the State of California and the California Department of Social Services (CDSS), HSA gets federal funding for time studying and training for certain programming units, including the Family and Children's Services, CalFresh, CalWorks, Adult Protective Services (APS), and L&OD trainers who train on the substantive areas in the covered programming. The funding is provided when eligible employees fill out time study information.

In February 2021, when Gay still reported to Kim, Gay emailed Williams about a request for Kim to approve Williams's time study. Gay "starting asking different questions," including whether she could be trained on time studies. On February 25, 2021, Williams emailed Gay and told Gay about the limited applicability of time studies and what they were. Gay replied to Williams and told Williams that she googled time studies and sent Williams the link. Williams saw that Gay had read about a time study in India. Williams clarified to Gay that the time studies in question were specific to CDSS and HSA's substantive programs and that time study coding was complicated.

Williams explained that Gay is not required or eligible to complete a time study because she does not provide benefits information to clients. Williams does not decide who completes time studies. She believes it would be the Budget and Finance unit making that decision.

Williams acknowledged that she emailed Gay the comment Gay alleged, but she denied it was related to Gay's protected category membership. Williams emailed Gay an explanation about the complexity of time studies. Williams has recorded her time in time studies systems for years and does not know what all the codes mean in the various drop-down menus. Williams also believes finance people are confused about time studies.

c. Witness Interviews

In 2021, [REDACTED] directed and reminded employees to fill out time study data. [REDACTED] believes that HSA is granted funding from the state or federal government for some of the programs it runs. When HSA employees work on those programs, their time needs to be accounted for so HSA can request accurate funds for the following year and account for the funds they received. [REDACTED] believes MediCal and Cal Fresh are two of the programs that get reimbursement and that require time studies, but [REDACTED] is not certain because he did not handle the claims portion. [REDACTED] believes employees would not be required to complete time studies unless they supervised employees working in MediCal and Cal Fresh. [REDACTED] remembers Gay being on the time study list but did not know why. [REDACTED] could not recall if Gay completed the time study. [REDACTED] could not look up his communication with Gay because some of it is automatically generated through the application Time Study Buddy. [REDACTED] never spoke to Williams about Gay's time study.

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] and [REDACTED] never heard Williams make disparaging comments about anyone's race, and no one ever told them they heard Williams to do so.

d. Documentary Evidence

**Emails between [REDACTED] and Gay re: Time Study for May 2020, dated February 26, 2021:** [REDACTED] emailed Gay to complete a time study for May 2020. Later that day, Gay emailed [REDACTED] and stated that she may need assistance completing the time studies. [REDACTED] replied with a screen shot of a May 2020 Time Study Buddy entry with an option to select the Nutrition Program. Gay replied and asked [REDACTED] why time studies were needed and for more information about them. [REDACTED] replied that they are needed because certain positions are funded by the state, that Gay should speak to her supervisor about why they are needed and asked if Gay could access the login. Gay responded that she had not yet tried to login and this was the first time she had heard of Time studies. (Ex. H, At. 5).

**Email from Williams to Gay re: Time Studies, dated March 2, 2021:** Williams emailed Gay explaining that she was not required to complete a time study and that the only HSA HR staff who needed to do so were in L&OD. (Ex. W, At. 1).

C. **DISCRIMINATION DUE TO RACE (BLACK), COLOR (DARK SKIN), AND AGE (OVER 40) ALLEGATIONS**

1. Allegation 1: DAAS List

a. Interview with Gay

In late January 2020, Kim asked Gay to call Bridget Badasow (Badasow), then-1454 Executive Secretary III, and request the DAAS List because she wanted the form 700 and DAAS List to go out at the same time. Gay called and emailed Badasow several times, but she never responded. Kim kept requesting the list. As a new employee Gay wanted to begin contributing to the department. Kim then went on vacation and left Williams in charge. Gay was left to somehow figure out how to formulate the DAAS List on her own, which consisted of gathering emails for two weeks and speaking to at least 15 department heads to create the DAAS List. [REDACTED] who is Asian, was never required to complete any task in this manner. Also, Kim had Gay create a well-written document that is clear and concise for processes for other employees who have been working for HSA for years, as if Gay was an independent contractor. Gay strongly believes Kim requested this of Gay during her probationary period because of Gay's race.

During her rebuttal interview, Gay acknowledged that Badasow did respond to her emails and told Gay to contact Cindy Kauffman (Kauffman) or Jill Nielsen (Nielsen) to get necessary information for the DAAS list. Gay also acknowledged that she did contact Kauffman, who provided her the additional information she needed.

b. Witness Interviews

When [REDACTED] started working at HSA, her predecessor had retired without notice and had not documented any of her work flow or tasks. As a result, [REDACTED] had to learn her role quickly.

In 2018 and 2019, [REDACTED] coordinated HSA's Form 700 requirement. However, [REDACTED] believes Badasow was responsible for the DAAS List. [REDACTED] told Gay to contact Badasow for the DAAS List. [REDACTED] believes Gay contacted Badasow but does not know if Badasow gave Gay the list.

In 2018, when [REDACTED] started working as Kim's assistant, [REDACTED] was assigned an independent special project. [REDACTED] coordinated a budget spreadsheet for new staffing requests. [REDACTED] created a "huge budget spreadsheet" that was organized by an organizational chart of each unit in HSA, its staffing, and summary of any hiring needs. In order to produce the spreadsheet, [REDACTED] ran queries from People&Pay and called managers about their historical and current staffing. [REDACTED] believes Kim, Kaplan, and Executive Directors had access to her budget spreadsheet. The assignment took approximately one to two months.

As Kim's assistant, [REDACTED] never produced any standard operating procedures (SOPs). [REDACTED] said it "would be a good idea to do" so because there was no documentation about how to do the job. [REDACTED] believes there were no SOPs because Nelly Rodriguez (Rodriguez), 9703 Employment & Training Specialist II, was Kim's assistant for so long, and then when [REDACTED] transitioned, she asked Rodriguez when she had questions about work processes.

c. Documentary Evidence

**Gay's DAAS List:** Gay provided her DAAS list, dated February 27, 2020. (Ex. G, At. 1).

**Emails between Gay and other HSA employees re: DAAS List, February 2020:** On February 24, 2020 Badasow emailed Gay to follow up and provided Gay additional contact information. (Ex. Y, At.1, 3). On February 24, 2020, Gay emailed Jill Nielsen, Deputy Director of Disability and Aging Services, and requested a DAAS List. (Ex. Y, At. 2). On February 24, 2020, Kaufman gave Gay a recommendation to email the DAAS executive management email list (Ex. Y, At. 3). On February 24, 2020, Gay did so (Ex. Y, At. 4). On February 25, 2020, Kaufmann emailed Gay, confirming Kaufmann's direct reports and provided Gay an update (Ex. X, At. 1). On February 25, 2020, Gay emailed Kauffman and Nielsen to confirm the list of employees (Ex. X, At. 5). On February 25, 2020, Kauffman responded to Gay (Ex. X, At. 6). On February 25, 2020, Michael Zaugg (Zagg) also responded to Gay with a list of employees who are required to fill out a Form 700 (Ex. X, At. 7). On February 25, 2020, Gay emailed Kaufman and thanked Kaufman for her rapid response and acknowledged that Gay had information to help her finalize the DAAS list (Ex. X, At. 8). On February 25, 2020, Kate Shadoan, Benefits and Resource HUB Director, emailed Gay and provided Gay with names that should go on the DAAS list (Ex. X, At. 9). On February 25, 2020, Nielsen emailed Gay and asked if Gay got additional names from IHSS (Ex. X, At. 10). Between February 24 and 26, 2020, Kaufmann, Nielsen, Zaugg, Chun Yin Law, Carrie Wong, and Janet Boessenecker all provided Gay assistance with clarifying which individuals should be on the DAAS list (Ex. X, At. 11).

2. Allegation 2: Form 700s, Harassment Prevention Forms, and Scheduling

a. Interview with Gay

Gay sent the Form 700s to all the employees. In March 2020, after the City's SIP order, the Form 700s were returned to Gay, who had to give them to [REDACTED] to process for completion. The deadline for the Form 700s was March 15, 2020, but it was possibly extended due to the SIP order. Kim told Gay to give the Form 700s to [REDACTED] for processing. When asked how Gay gave the forms to [REDACTED] Gay replied, "Uh, uh, uh, as the employees filed out the forms via email, they could scan it or send it via email to the front desk, and then they were given to [REDACTED] Gay believes the Form 700 assignment was made by Kim to "make sure the African American [employee] does not get credit. [Kim] made sure that [REDACTED] was in the position so [REDACTED] gets credit, even though [Gay] did all the work."

During her rebuttal interview, Gay continued to claim that she "completed everything" for the Form 700s and stated that Kim gave [REDACTED] credit for the work by stating that [REDACTED] "did great with the Form 700s." Gay claimed that she collected 125-150 Form 700s, but she acknowledged that in March 2020, she received an email from Trent Rhorer (Rhorer), HSA Executive Director, stating that it was an urgent priority and if it were not completed, they were going to get someone else to complete the task. Gay did not respond to the email because she felt it inappropriately targeted her due to her race. She acknowledged that she and Rhorer had not seen each other but claimed Rhorer would know she is Black based on her name. Gay acknowledged that it was necessary to hound employees to complete the form but stated that she did follow up with employees to complete the forms.

Gay further alleged that Kim gave her assignments to other employees after she completed all the work. Kim asked Ivy Yeung (Yeung), 1244 Senior HR Analyst, to complete the Harassment Prevention forms and gave all of Gay's other work assignments to [REDACTED] who became Kim's assistant. Also, even though Gay was trying to continue working on the applications, Kim told Gay to "stand-down" in a strong, militaristic manner. Kim also reiterated that Gay struggled with technology. Afterwards, [REDACTED] and Yeung were given credit for completing the task. Gay asked Kim several times why Kim was giving Gay's work to others after Gay did all of the work. Kim replied, "Uh-huh?" Gay believes Kim did this because of Gay's race and age.

b. Witness Interviews

[REDACTED] believes Gay was hired as Kim's assistant. In 2020, Kim asked [REDACTED] to take over calendaring tasks from [REDACTED] was an organizer for an on-going Teams meeting about the new CalWorks software application. In early 2020, Kim approached [REDACTED] to assist Gay with scheduling. Around mid-2020, Kim and [REDACTED] asked [REDACTED] if [REDACTED] could take over scheduling HR meetings while Gay was out. For instance, [REDACTED] scheduled a meeting between the DPH and HSA regarding the N95 fitting training.

[REDACTED] never worked as Kim's assistant. Early in the COVID-19 pandemic, [REDACTED] scheduled meetings through Teams because she knew the platform. However, [REDACTED] was never tasked with

scheduling all of Kim's meetings or calendar. After Gay learned Teams, Gay scheduled the HSA HR manager meetings and other HR-related meetings for Kim.

█ believes rank-and-file employees complete a hard copy Form 700 and department heads complete an online training and form to meet the requirement. █ believes Kim is the signatory for HSA. In 2020, █ trained Gay on the Form 700 process. Gay began the process and on March 4, 2020, she emailed HSA staff about how to access the training. █ believes the Form 700 deadline was March 31, 2020 and that Gay got a "late start" on the assignment. At some point in March 2020, either Kim or Williams asked █ to take over the Form 700. █ believes either Kim or Williams did so because there was an approaching deadline, many HSA employees were deployed as DSWs, and there was difficulty in getting responses from deployed employees. █ also believes that Gay had collected a few responses and had not sent out a reminder. █ believes "you have to nag and push" employees to complete the required training. █ believes Gay created a spreadsheet for the responses; however, █ created her own spreadsheet of those required to complete it and those who had not done so. At some point, the Ethics Commission extended the Form 700 deadline to June 1, 2020 due to the SIP order.

c. Documentary Evidence

In October 2020, Gay updated the HSA phone directory. (Ex. M, At. 1). In December 2020, Gay coordinated Kim's office move for the HSA move matrix. (Ex. M, At. 2).

On April 13, 2021, Gay emailed Williams about the Form 700s. (Ex. W, At. 4).

3. Allegation 3: Access to Kim's Office Files

a. Interview with Gay

In January to February 2020, Gay accessed the HR manager files in Kim's office. However, Gay alleged that after February 2020, Kim would no longer allow Gay to access the files and told Gay to give whatever she had to file to a manager down the hall, who is an Asian employee. At the time of her interview, Gay had been holding files in her office for almost a year because she had no way to access the HR manager files.

During her rebuttal interview, Gay stated that she needed access to Kim's office to file paperwork and claimed that Kim did not deny Gay access to her office due to the COVID-19 pandemic. When asked for any other evidence or witnesses who could corroborate her allegation that loss of access to Kim's office harmed her job or was due to her protected category membership, Gay responded, "Well, it is a discrimination as far as my age group, pre-existing health conditions, over the age of 50." Gay also stated that "they" assumed she was more likely to get COVID-19 because of her race, age, and being "overweight." However, Gay acknowledged that Williams was permitted to go to Kim's office, despite being Black, over the age of 40 and "overweight," because Williams was in Kim's "inner circle."

b. Witness Interviews

█████ stated that she had access to Kim's office. █████ would unlock Kim's office door when █████ came into work, so when Kim arrived, she could just walk in. █████ believes Kim's assistant and the HR managers know where Kim's office key is located in order to open Kim's door and leave confidential information on Kim's desk. █████ acknowledged she had access to the HR files. █████ believes most of the files are located in the HR Director's office and the overflow are in HR assistant's office. █████ believes if staff need a personnel file, the HR Director's assistant will provide it to them. █████ does not know if Kim ceased allowing access into her office after COVID-19 broke out.

4. Allegation 4: 2020 Voting Information Distribution

a. Interview with Gay

Sometime after March 2020, █████ showed Gay how to send voting information to HSA employees. This involved sending an email to all HSA employees reminding them to vote and attaching a voting flier. In prior years, █████ performed this duty; however, Gay believed the job would be hers to perform as Kim's new assistant and because Gay was hired into the job █████ performed previously. However, on a date Gay could not recall, █████ sent out the voting information. Gay emailed █████ and asked about it and who told █████ to do so. █████ replied that █████ asked █████ to send out the voting information. Gay believes Kim told █████ to do so because █████ oversee the OCR, and it would not fall under his office. Gay believes that this incident is an example of Gay being trained to performed tasks, but after the SIP order, Gay's job duties were "stripped" from her and given back to others, including █████ because Kim only wanted Gay for optics.

b. Witness Interviews

█████ In 2018 and 2020, █████ emailed HSA staff the information on the national election. █████ did so because █████ told her to. █████ believes her experience in processing leaves made her a good contact person because employees would have questions about taking time off to vote. Gay emailed █████ about sending out the voting information. █████ provided those emails.

c. Documentary Evidence

**Email from █████ re: Voting Day: November 6, 2018, dated October 15, 2019:** Blank email with "Time off to Vote" flyer attached. (Ex. R, At. 1).

**Email from █████ to HSA Staff re: Voting Notice – November 3, 2020 General Election, dated October 13, 2020:** Short, two-paragraph email informing staff about absentee and in-person voting. (Ex. R, At. 2).

**Email Thread Between Gay and [REDACTED] re: Voting, dated October 15, 2020:** Gay asked [REDACTED] not to disseminate the voting brochure in the future, and [REDACTED] replied that she did so because Lim asked her to. (Ex. R, At. 3).

5. Allegation 5: Access to Kim’s Calendar and Scheduling

a. Interview with Gay

From January to March 2020, Gay scheduled Kim’s appointments with “anyone in the City,” including Rohrer and Miller. Sometime in March 2020, Gay could no longer access Kim’s schedule. Gay called the IT department, which told Gay that Kim turned off Gay’s access. Kim did not inform Gay that she was going to do so. Gay stated, “Instead of talking to me directly, she shut it off.” Gay believes that in doing so, Kim stopped allowing Gay to schedule Kim. Gay believes Kim did so because Gay believes Kim hired Gay as a “political prop” to satisfy the move for racial equity in HSA and wanted the outward appearance of equity, but because they were no longer in the office, Gay was no longer necessary to Kim. Gay believes before she was hired, Kim was reproached for hiring only Asian employees at HSA.

b. Witness Interviews

[REDACTED] believes there was “contention” between Kim and Gay because of what Gay told [REDACTED] about Kim. [REDACTED] could not recall specifics, but got “the impression” from Gay that Kim did not like how Gay was handling Kim’s calendar. [REDACTED] did not know if “there were mistakes” in Gay’s scheduling of Kim’s calendar, but [REDACTED] believed there was an issue.

When [REDACTED] worked as Kim’s assistant, her job duties included scheduling Kim’s calendar; coordinating interviews; filing personnel documentation; answering Kim’s phone when Kim was out of the office; reviewing non-confidential mail; and coordinating annual reporting projects like ethnic compliance, PSLF, and badge access projects; HR data summary coordinating; and budget projects. In addition, Kim would ask [REDACTED] to periodically perform urgent requests like pulling a policy or document for Kim to review or make copies of documentation for a meeting.

c. Documentary Evidence

In February and April 2020, Gay forwarded timesheets for approval to Kim. (Ex. H, Ats. 1-4).

On September 29, 2020, Gay coordinated a meeting between Kim and [REDACTED] (Ex. Q, At. 1). In November 2020, Gay coordinated a meeting between Kim, Kaplan, and Doris Barone, 0923 Manager II. Gay emailed [REDACTED] that [REDACTED] was “more than welcome to schedule the meeting.” (*Id.*).

6. Allegation 6: DSW Assignment

a. Interview with Gay

In May 2020, Kim asked Gay to come back into the office to work on projects together. However, when Gay returned and approached Kim's office, Kim said sternly, "Give me a moment." Later that week, Kim came into Gay's office at 4:50 pm aggressively forced Gay to take a DSW assignment, The Great Plates Program under Kate Shadoan (Shadoan), 0931 Manager IV. Gay asked why Kim was taking Gay away from Gay's normal duties when Gay was new and still learning her job. Kim said, "Because we have a need." Kim said training started the next day, which was Saturday. [REDACTED] and [REDACTED] were a part of Gay's training session.

Gay believes Kim undermined her and maliciously put her in a situation to fail, without notice or adequate training, due to Gay's race and skin color. The assignment lasted for one week and was a failure because 99.5% of the clients Gay contacted spoke Mandarin and most, if not all, of the handwriting, names, and profile information were in Mandarin. Only 5 of the 1600 names on the call list were in English. Gay had to use a global translator phone service to communicate to clients, whose average age was 80 years old. Gay told Kim, "It seems that you are setting me up for failure opposed to success." Kim replied that everyone was "is in the same boat." However, [REDACTED] and [REDACTED] have always worked on the SharePoint application and Gay had not.

b. Witness Interviews

In 2020, for two months, [REDACTED] was deployed as a DSW and called people to see if they were able to work as a DSW.

From March to October 2020, [REDACTED] had a DSW assignment of staffing hotels. From March to June 2020, [REDACTED] worked at the Moscone Center. From June to October 2020, she worked at 1650 Mission. [REDACTED] staffed City employees and non-profit staff. City employees were a "little bit rough" because they "wanted to stay on furlough." [REDACTED] does not know who assigned her to her DSW assignment. [REDACTED] performed this assignment with Cheyo Appel, then-1241 Human Resources Analyst, and Karimah Arnold, 2918 HSA Social Worker. On an unknown date, Kim got more employees to help staff, including Varela; Phillip Fagundes, 2940 Protection Services Worker; Sonia Seruge, 9704 Employment & Training Specialist III; Jo Anna Lemon, 1404 Clerk; Mandy Huie, 9703 Employment & Training Specialist II. Kim did so because the staffing need was large. [REDACTED] used Excel, Sharepoint, and another website to complete her assignment. Lim trained [REDACTED] how to navigate through the apps and programs [REDACTED] used for the assignment.

[REDACTED] did not participate in a DSW assignment and was not asked to do so. [REDACTED] knows Elizabeth LaBarre, 1454 Executive Secretary III, worked a DSW assignment at an SIP hotel.

On a date she could not recall, for two and-a-half hours, [REDACTED] worked a DSW assignment. [REDACTED] believes that [REDACTED] mentioned the assignment and [REDACTED] volunteered for it. The assignment was to provide services to the Great Plates program and call eligible seniors to let them know they could have free food delivered to their home to avoid going out during the COVID-19 pandemic. [REDACTED] worked with participants who spoke Mandarin because [REDACTED] speaks Mandarin. [REDACTED] was trained by Shadoan but could not recall if Gay was also there. The assignment was completed via Sharepoint. [REDACTED] had to look through names and the language designation. [REDACTED] would then



contact the person with the phone number listed and then add notes into the column stating that she contacted the person. ■■■ believes there was also a speech template in Sharepoint to read to the clients. ■■■ uses Sharepoint frequently in her own work, but HSA has never trained her in it. ■■■ has figured out a lot of Sharepoint on her own. ■■■ usage of Sharepoint is “more complicated and complex” than the usage that was required in the DSW assignment.

■■■ had multiple DSW assignments. ■■■ believes ■■■ gave her the assignments. ■■■ deployed DSWs to the COVID Command Center, helped employees get DSW badges, and assisted with payroll questions related to DSW assignments. For two or three weekends, ■■■ also worked as a DSW on the Great Plates program. ■■■ attended training with Shadoan. ■■■ believes Shadoan’s Aging and Adult Services team was also working as DSWs for the Great Plates program because her staff was also there. ■■■ could not recall if Gay attended the DSW training. ■■■ believes the Great Plates assignment included using SharePoint, looking up information, placing a call, and updating the note information. ■■■ could not recall any further details about what the assignment included. ■■■ did not use Language Line or any other translation service because she is bilingual and was calling clients who could speak ■■■ language. ■■■ has never been trained by HSA on how to use SharePoint. ■■■ “takes initiative” and will learn a program for herself.

■■■ did not get a DSW assignment. ■■■ believes half of the HSA HR staff was deployed and there was only ■■■ and one other HR analyst who were not deployed. Lim was also deployed. ■■■ believes Kim worked as a DSW early in the pandemic, but ■■■ could not recall when.

In early 2020, for six to nine months, ■■■ worked a DSW assignment. ■■■ staffed shelter sites and worked on improving the SharePoint database for staffing and notifying employees to work a DSW assignment. After ■■■ improved the SharePoint database, ■■■ was able to transfer ownership to other people in HOM. Kim assigned ■■■ to the DSW assignment. ■■■ was not trained on how to perform his DSW assignment.

c. Documentary Evidence

**HSA RFI Response:** Gay “recorded DSW activities from May 26-29, 2020.” (Ex. E). The Great Plates Delivered SF” program that Gay worked on involved “ten DSWs that would telephone eligible ... recipients to inform them of the program and record their participation. As with any public contact, the City, under the Language Access Ordinance, has an obligation to provide effective communication, which may entail the use of interpretative services of staff through contracted services.” (*Id.*).

7. Allegation 7: Gay Ceased Completing AERs and PSLFs

a. Interview with Gay

At the end of January 2020, Kim told Gay that Kim was going to give Gay more job responsibilities and asked Gay to process AERs, PSLFs, Form 700s, and filing. Gay believes ■■■ had previously completed Form 700s, AERs, PSLFs, communicated about voting information, and scheduled Kim and the eight HR managers, among other tasks. Gay

believes the form processing tasks, like the AERs, were insignificant because the majority of the forms came during the holidays, when City employees were looking to work second jobs. In December 2020, without notice, Kim stopped allowing Gay to fill out employees' information on AERs and PSLFs, which were completed before by [REDACTED] (Filipino) and [REDACTED] (Asian). When Gay asked Kim why, Kim said, "Because I do not feel comfortable with you."

b. Witness Interviews

[REDACTED] When City employees want to work second jobs, they need to get permission from the City to do so. AERs are how those requests are processed. The City did not make the requirement until around 2017. Prior to 2017, it was voluntary for City employees to let the City know they worked another job. From 2005 to 2017, less than once a month, [REDACTED] processed employee notifications that they had secondary employment.

To process an AER, [REDACTED] would review the information on the form with the information on PeopleSoft and make sure the form was accurate. [REDACTED] would also review the listed hours to make sure the employee's work hours did not conflict with HSA. Saucedo allowed [REDACTED] to sign the form. [REDACTED] would sign the form, keep a copy, send one copy to the employee, and send another copy to the employee's personnel file. [REDACTED] would fill in an AER form for employees when it was "easier to just do it." [REDACTED] would also clarify the form for employees and tell them to specify further, fill out incomplete portions, and explain what the form was actually requesting. In 2018, after [REDACTED] came back from DBI, it was no longer [REDACTED] task. [REDACTED] or [REDACTED] signed them, but if [REDACTED] or [REDACTED] were out of the office, [REDACTED] would sign the form. [REDACTED] believes there were "a lot more forms" coming in because more City employees were working second jobs. On an unknown date, [REDACTED] informed [REDACTED] and [REDACTED] that Gay would be taking over the AER forms to process. [REDACTED] told [REDACTED] that Gay would need full access to PeopleSoft, and [REDACTED] did so. [REDACTED] believes because Kim was signing the forms and Gay was submitting the forms to Kim for Kim's signature, that [REDACTED] believed it made more sense for Gay to process the AER forms.

The PSLFs are forms submitted by employees to have their public student loans forgiven by the federal government. HSA HR is supposed to verify the employee has been working a certain number of years and confirming the dates of employment history. [REDACTED] and other HR employees are not able to edit or correct PSLF forms. The federal government is particular and there cannot be any "scratches or anything" on the form. [REDACTED] completed four or five forms a month, and the forms came in seasonally because people were graduating at certain times of the year and because protective service workers were hired in the fall and spring. [REDACTED] believes Gay took over processing PSLFs. [REDACTED] and [REDACTED] trained Gay on how to process the forms, including writing down steps and provided Gay with examples. Gay asked [REDACTED] and [REDACTED] "the same questions" about the forms "multiple times." For instance, Gay would ask [REDACTED] to check the employment dates and [REDACTED] told Gay to check PeopleSoft. At first, Gay would say she did not have access to PeopleSoft. Then, Gay would ask [REDACTED] or [REDACTED] to confirm the dates. Gay's questions became "constant" and "redundant" that [REDACTED] "started to feel like" Gay "didn't want to" do the assignment. [REDACTED] told [REDACTED] that [REDACTED] felt like Gay's secretary because it seemed like Gay wanted [REDACTED] to perform the task for Gay.

█ believes Rodriguez processed AERs and PSLFs while working as Kim's assistant. After Rodriguez retired, █ team took over processing the AERs and PSLFs. █ first learned how to process them and then assigned them to █ AERs are requests from employees for additional employment. The information the employee needs to submit is an employment job title, a summary of the job duties, a schedule, the name of the employer, the compensation, and the address of the additional employment. When an employee submits a request, HSA HR will review the form for completeness, and when the form is complete, HR staff will reach out to the employee's program manager and make the request. If the program manager approves the request, then HR will double check the form and then submit it to the HR Director or, later, █ to approve. Once the form is approved, HSA HR will submit the form to DHR for final approval. Once HSA HR receives final approval from DHR, they send the form back to the employee.

█ estimated that she or her team processed five to six AERs a month. On an unknown date, █ told █ to give the AER and PSLF tasks to Gay. Gay has "so many questions" about where to look for information and often asks the same questions twice about processing AERs. When asked why █ believed Gay asked the same question twice, █ said that she believed it was because Gay did not remember the answer. █ never heard Kim or █ discuss Gay's performance in processing AERs or PSLFs. █ created standard operating procedures at HSA. █ updated the SOP Rodriguez had created for AERs. In addition, █ created an SOP for payroll that included activity and productivity lists, which detailed staff daily tasks. █ provided copies of those documents. (Ex. K., Atts. 1, 15.).

When █ worked as Kim's assistant, █ processed PSLF forms. █ never entered information for the employee on PSLF forms.

█ Operations group performed some of the tasks that Gay later assumed including AERs and PSLFs forms. In early 2020, after Gay began processing AERs and PSLFs, once every two weeks, Gay would come to █ with questions about the forms.

### c. Documentary Evidence

In October 2019, **Rodriguez** drafted AER form guidelines. The document states that either the employee or the processor may fill in information on the form. (Ex. K, At. 1).

From November 2020 to July 2021, █ reminded Gay to obtain program director approval prior to submitting an employee's additional employment request to █ (Ex. L, At. 1-4).

In September 2021, █ edited Gay's FAQ document regarding AERs. (Ex. L, At. 5).

In August and October 2021, Gay emailed █ █ and █ questions about AERs and PSLFs. (Ex. K, Ats. 2-14).

8. Allegation 8: Denied Shadowing and Training

a. Interview with Gay

On a date she could not recall, Gay asked Kim if she could shadow [REDACTED] and Kim said no. Gay believes Williams shadowed Kim for over a year and a half. Gay acknowledged that Williams is “African American.” However, Gay stated, “She’s not new though; she’s been working for the City for 4 years. She came through the door as being perceived with 21 years of experience at Santa Clara.” Gay also believes [REDACTED] shadows Williams. Gay also continuously asked for training on Zoom and MS Teams and was denied.

b. Witness Interviews

[REDACTED] has a Zoom license provided by HSA. [REDACTED] believes Zoom licenses were rolled out to everyone in HSA who had business-related reasons for needing them, including training. On an unknown date, either Williams or [REDACTED] asked [REDACTED] to help train Gay on Zoom. [REDACTED] was told that Gay “needed extra help” to use Zoom. [REDACTED] never spoke with Kim about Gay’s need for training on Zoom.

[REDACTED] asked Gay about the tasks Gay would be required to do with Zoom. Gay did not know, so [REDACTED] told Gay to ask Kim what tasks Gay would be required to know. Gay finally told [REDACTED] that Gay would need to know how to use Zoom to attend and schedule meetings and run slide shows for Kim. However, [REDACTED] said it was “like pulling teeth” to get Gay to provide [REDACTED] accurate and substantive information.

[REDACTED] believes Gay performed poorly during training. Gay sat quiet like “crickets,” would “zone out” with a “glazed over look on her face,” and would ask [REDACTED] to repeat herself multiple times. [REDACTED] gave Gay homework assignments to practice independently. However, [REDACTED] does not believe Gay performed the assignments because when they would meet later, Gay did not demonstrate the skills – it was “really clear that she didn’t do it.” In addition, Gay would “go off on tangents” like asking [REDACTED] “Is it a shame we didn’t keep Daja [Burch, then-9910 PST]?” [REDACTED] told Gay that they needed to concentrate on the Zoom training because [REDACTED] did not know “where she was going with it, it had nothing to do with our training,” and because [REDACTED] “did not want the training to stretch out any longer.” [REDACTED] explained that due to Gay’s lack of comprehension, “[t]he trainings went on longer than they should have.” [REDACTED] believes another reason the training took a long time is because Gay was using her phone as a hotspot and had connectivity issues. [REDACTED] estimated she spent 40 hours working with Gay on Zoom.

[REDACTED] has a Zoom license provided by HSA. [REDACTED] believes Zoom licenses were rolled out to everyone in HSA who had business-related reasons for them, including training. [REDACTED] believes Zoom licenses provide “all the bells and whistles,” including organizing and hosting meetings, keeping notes from the meetings, and have meetings longer than 45 minutes.

█████ believes Kim asked █████ to provide Zoom training for Gay. However, in 2020, after the onset of the COVID-19 pandemic, █████ spoke to █████ over the phone. █████ told █████ she was training Gay on Zoom and struggling. The struggle was that █████ Zoom course was a three-hour course, it had already lasted several days, and █████ had still not trained Gay on all of the features. █████ offered to attend the trainings to assist as a participant that Gay could put into breakout rooms, etc. █████ agreed to have █████ in the training.

█████ observed █████ train Gay on creating a Zoom meeting, inviting participants to the Zoom meeting, how to put participants into breakout rooms, how to move breakout rooms, how to visit a breakout room, how to set up a poll, how to share a screen, how to send messages, how to share documents through chat, and how to let participants share their screen. █████ believes he attended three or four training sessions with █████ and Gay and believes the trainings were around three hours long. █████ has calendar invites for the training, which he will provide.

█████ believes Gay wanted to receive Zoom training through “osmosis” or to “just have the information put into her brain, but didn’t want to do the work to get there.” █████ gave Gay homework assignments to practice using Zoom with co-workers or friends and just get comfortable and familiar with the application. However, Gay told █████ and █████ that she did not practice. █████ believes █████ also gave Gay documentation of Zoom’s functionality, complete with hyperlinks, to assist Gay. In addition, █████ believes Gay once canceled a training session because Gay had a bad internet connection because she used a hot spot on her phone for internet. █████ believes Gay used the Zoom training because he received a Zoom invitation from Gay. █████ will provide that invitation.

█████ Gay came to █████ office a few times, and █████ went to Gay’s office once to review procedures and explain HSA’s organizational structure.

█████ is unaware if Gay ever requested to shadow █████ █████ does not think it “would make sense” because she performed very different work from Gay. However, █████ acknowledged that she helped Gay “troubleshoot” Teams, Outlook, and Zoom. Between 5 to 10 times, █████ helped Gay troubleshoot tech programs and apps. █████ would do so because Gay would tell █████ that Gay did not know how to add a person to the meeting, how to take notes within the platform, and how to set a reoccurring meeting. █████ had to go over the same content with Gay more than once and found it “frustrating.”

### c. Documentary Evidence

**Email from █████ to Williams re: FW: 28September ZOOM training session minutes & action items, dated September 28, 2020.** (Ex. I, At. 1)

**Email from █████ to Burke re: Information from █████ Calendar, dated November 22, 2021:** Including Attachments listing Gay’s Zoom Training Dates and Times. (Ex. U, Ats. 1-3).

█████ provided numerous emails demonstrating that she trained Gay on MS Teams, Outlook, and Zoom. (Ex. V, Ats. 1-4).

**Course Transcript from HSA L&OD; SF Learning Transcript:** Gay attended Zoom trainings on September 11, 16, 21, 23, 25, and 28, 2020 and on October 5, 2020. (Ex. W, At. 6). Gay attended MS Teams training on September 9, 2020 and October 9 and 14, 2020. (*Id.*) Gay was also enrolled in approximately 34 other trainings on various topics between February 12, 2019 and January 31, 2022. (*Id.*)

9. Allegation 9: Denied Data Training

a. Interview with Gay

Around May 2020, Kim assigned Gay a special project, which Kim called “specials” or “suddenly,” of filtering data in order to create Dashboards and other visualizations of HSA’s COVID-19 employee email/text message responses. Gay believes the job was an IT job; however, later Gay said, “I believe it probably is within my classification to learn it, if I was trained.” Gay worked on the assignment along with [REDACTED] IT department, Dekeyan Kim, [REDACTED] and [REDACTED] IT department created an employee survey and called HSA employees with a script about COVID symptoms. [REDACTED] wrote memos, letters, and fliers about the task. Kim and [REDACTED] created Dashboards. Gay performed data cleaning, which was “one of the most intricate parts” because the file grew by 15,000 entries. Gay struggled to open the large file at home because of its size and had to return to the office to work with the data. Gay believes Kim gave her this task because McCaleb and [REDACTED] have small children, and Kim knew that Gay did not have small children. Gay believes she was selected for the data cleansing task “because [she] had the least amount of knowledge and no kids or family.” Gay acknowledged she told Kim that she has an adult child.

Kim and Williams had Gay work with [REDACTED] because they knew that Gay did not “have enough information” to perform the task. Gay “shadowed” [REDACTED] because of his data skills. Gay still struggled with the assignment, and when Gay attempted to talk with Kim about her difficulties, Kim “wouldn’t answer her door or run and hop in her car” to avoid Gay.

In June 2020, Gay asked if Gay could be trained on Data and Gay was denied and told “we don’t have anything like that.” In October, [REDACTED] was assigned to train Gay on Zoom. However, after Gay was thoroughly trained, Gay was never allowed to utilize the Training on MS Teams or Zoom. [REDACTED] David Heber, [REDACTED] and Mc Caleb have all received thorough training before being asked to complete tasks with data. In addition, all other employees who have been hired after Gay in Gay’s department are being advised for training, receiving Professional Development as well as utilizing MS Teams, Zoom and uploading on the New HSA Intranet and MS Teams.

Gay believes she was assigned to this special project to “overwhelm” and “overload” her as an African American employee, in order to “buy time” and show that HSA HR needed additional employees to perform the job. Gay believes Kim did not have the budget to get an official data application and needed a justification to do so. Gay believes Kim gave Gay the data task because Kim “knew [Gay] wasn’t capable” of performing the task adequately. Gay believes she was

“being set up” by Kim to fail in order to provide Kim with the necessary business reason to warrant additional staff.

Gay believes she needs to be adequately trained on how to compile and clean up data. Gay said HSA offers Analysis Academy and training on SQL; however, because of COVID-19 all the training programs were shut down. Gay believes [REDACTED] Kim’s prior assistant, never had to perform any data analysis. Gay believes it was discriminatory for Kim to assign Gay data analysis without any training. Gay believes Kim provided data training to [REDACTED] [REDACTED] and McCaleb. Gay believes she was denied training by Kim because Gay is Black.

In August 2020, HSA’s hiring freeze was lifted. Gay believes her experience on the data analysis special project was one of the reasons it was done.

b. Witness Interviews

[REDACTED] Around mid-2020, HSA deployed a daily health survey application for employees to document their health status and contact-tracing related to COVID-19. The application was on a Sharepoint website and employees filled out the form. At some point in 2020, [REDACTED] showed [REDACTED] how to complete the contact-tracing task. Daily at 6 am, [REDACTED] emailed the Health Survey reminder to all HSA employees. At 10 am, [REDACTED] pulled the report of the data submissions and determined who had not filled out the survey and sent those employees reminders. At 1 pm, [REDACTED] pulled another report and sent second reminders and copies to the employees’ supervisors. [REDACTED] also called employees who reported that they had COVID, which was usually a mis-key.

Around June 2020, [REDACTED] told [REDACTED] that [REDACTED] would train Gay on how to conduct the Health Survey and “gauge if” Gay could complete the task. [REDACTED] believed he would spend two to three days working with Gay on the project and then Gay would take over the duties. Around June or July 2020, [REDACTED] met over Teams to work with Gay on learning the Health Survey task. [REDACTED] believes the first meeting lasted only 30 minutes because Gay “didn’t have good internet connection” and Gay “cut out and didn’t come back until later.” [REDACTED] finished the task because it was time-bound, and attempted to show Gay the steps the following day. However, [REDACTED] observed Gay have “issues” with Excel like inputting too many commands, which caused Excel to stall because of too many computations. Although [REDACTED] was supposed to only take a few days to train Gay on the task, after two weeks, Gay had still not learned the task. [REDACTED] asked [REDACTED] if Gay had taken over the duties yet, and [REDACTED] told [REDACTED] that he did not believe Gay could “handle it” based on Gay’s trouble with Excel. [REDACTED] believes Gay completed the task “a couple of times” with his oversight, but not independently.

[REDACTED] denied he ever told Gay she could not write down notes. [REDACTED] wrote notes on the process’s steps and emailed them to Gay. [REDACTED] could not say why Gay would allege he told her not to write down notes.

In 2016 and 2017, for one month, [REDACTED] created a website for HSA’s El Nino shelter staffing. [REDACTED] used a free website design program, created a website, and uploaded a survey for

employees to identify their availability to staff makeshift homeless shelters in HSA spaces during the El Nino weather patterns. HSA never trained [REDACTED] on website design.

[REDACTED] stated that no one at HSA assigned [REDACTED] work that he was incapable of “without going to some training first.” [REDACTED] believes [REDACTED] had a group of HR professionals – including [REDACTED] Lim, McCaleb, and Brian He – who would learn tools from IT, including Oracle Bi. However, [REDACTED] has not been asked to complete any tasks with Oracle Bi.

[REDACTED] In addition to [REDACTED] routine duties as Kim’s assistant, she performed the following additional special tasks:

- Management Classification and Compensation Plan (MCCP): In 2018 and 2019, [REDACTED] coordinated the HSA’s MCCP project. [REDACTED] sent an email about the MCCP from Kim, informing HSA employees about the process and the deadline for self-nominations. Then, [REDACTED] collected the self-nominations and reconciled them with the copies that were sent to Kim. [REDACTED] created a spreadsheet and worked with [REDACTED] to pull queries and get data about each employee’s job code, rate, and whether or not they submitted a self-nomination form. The spreadsheet went to Kim and Kaplan. The project lasted approximately two months and would be sent to DHR in July.
- Weather Assignment: This task was “very stressful” and [REDACTED] had to stay “after hours to make sure” staffing was complete. [REDACTED] was assigned the weather staffing assignment prior to and while she was Kim’s assistant.
- Budget Assignment: In 2018, as one of [REDACTED] first special projects for Kim, [REDACTED] coordinated a budget spreadsheet for new staffing requests. [REDACTED] created a “huge budget spreadsheet” that was organized by an organizational chart of each unit in HSA, its staffing, and summary of any hiring needs. In order to produce the spreadsheet, [REDACTED] ran queries from People&Pay and called managers about their historical and current staffing. [REDACTED] believes Kim, Kaplan, and Executive Directors had access to her budget spreadsheet. The assignment took approximately 1-2 months.

[REDACTED] said the above assignments were not “difficult” they were just “time consuming,” involved lots of different people for questions and pulling data.

[REDACTED] joined the City in 2011 and, at the time, his Excel skills were poor. [REDACTED] could “do some formulas and that’s it.” [REDACTED] never took training, but self-learned Excel via “trial and error” and “building that up over time.”

### c. Documentary Evidence

[REDACTED] provided his MS Teams meeting invitations to Gay regarding meetings to train Gay on how to process the Health Screening data for June 29, 2020 from 2:30 pm-3 pm; July 1, 2020 from 3:30 pm-4:30 pm; July 2, 2020 from 1:45 pm-2:15 pm.; July 7, 2020 from 4 pm-5 pm; July 9, 2020 from 4 pm-5pm; and July 14, 2020 3:45 pm- 4:15 pm. (Ex. P, At. 1). [REDACTED] also



provided numerous email exchanges with Gay in which he provided training and information regarding the Health Screening. (Ex. P, At. 2).

█ provided numerous emails corroborating her statement that she worked on additional special tasks, including the MCCP, weather assignment, and budget assignment, while she was Kim's assistant. (Ex. R, Ats. 2-4).

10. Allegation 10: Racial Equity Work Group (REWG)

a. Interview with Gay

In early 2020, Gay read an email from Rohrer that discussed racial equity. In addition, at staff meetings, Gay heard that █ was formulating a racial equity plan for HSA. █ asked everyone in Kim's HR managers meeting to participate in the Racial Equity Work Group (REWG). Gay believes the REWG included 30 people and included "exercises for staff to do to dismantle White supremacy and xenophobia." Gay believes there were meetings through Teams and Zoom. Two weeks later, Gay received an email from █ that said Gay can read the REWG's information but cannot "interact on Teams or Zoom." Gay then asked Kim if Gay could participate in the REWG, and Kim told Gay, "Ok, ok. Let me check with █ and get back with you." Two weeks later, Gay got an email about the REWG to read, but no access to Teams or Zoom meetings.

Gay did not ask █ if she could join the REWG because "all the employees are doing it." Gay believes new employees hired after her are in the REWG. Gay believes "lighter" people of color – including Isabella Blasi (age 28), 1241 Human Resources Analyst; Maribel Mora (age 35), then-1241 Human Resources Analyst; Julie Castro (age 37), 1244 Senior Human Resources Analyst; and Hovaness Dekeyan (age 30), 6138 Industrial Hygienist – are in the REWG. Gay believes the entire HR staff participates in the REWG, but Kim is "blocking" Gay from participating because of Gay's race and age.

b. Witness Interviews

█ leads HSA's REWG and facilitates all the meetings. █ called for applications for the REWG to be due in October 2020 for a one-year cohort. The group started meeting in November 2020. Any HSA employee is eligible to apply. Gay did not apply. █ had over 100 applications and accepted 27 people, which were too many. Other employees who applied and were not selected by █ included Carmen Lewis-Laing, 1244 Senior HR Analyst in the Exams Unit; █ and Caraballo.

█ believes OCR is the only group that does not have a representative of HSA HR without a REWG representative. █ believes employees volunteer to be a part of the REWG. █ is the lead of the REWG.

█, and █ are not members of the REWG.

c. Documentary Evidence

Gay provided a photograph of two pages of an undated “Letter from the Executive Directors” regarding the REWG, which listed the REWG members by name and HSA department. (Ex. G, At. 2). At the time, there were 14 members, and only one, [REDACTED] was from HSA HR. (*Id.*).

11. Allegation 11: Data Analysis and Other Duties

a. Interview with Gay

In June 2020 – three weeks before the end of Gay’s probationary period – Kim scheduled a meeting, which included [REDACTED] Williams, [REDACTED] Camguey Cornivelli, McCaleb, [REDACTED] Andre De Leon, [REDACTED] and possibly Nisha, to demonstrate, through a show of force, during the meeting for each employee to begin “handing-over” projects they were working without notice or discussion, to Gay one-by-one in the meeting. That is, Gay was expected to completely take over all data, troubleshooting and data cleanup, Dashboards and charts and tables in the office as it relates to the new developmental concept, called HSA’s COVID-19 Employee Survey.

Although Gay did not know at the time, the data involved extremely intricate knowledge on the level of a HR data scientist. Also, the beginning part of this development of data concept involved David Hebner. Once again, Kim lied and said it involved the ability to know vlookup in Excel. Afterwards, Hebner and McCaleb were instructed to provide instructions to Gay in a separate meeting on how they began to initially construct this, “make-shift” data concept to generate a COVID-19 Health survey to all employees. Williams and [REDACTED] attended this second meeting. They decided that it was intricate and a bit complex, and [REDACTED] asked [REDACTED] to assist Gay. However, the data (four raw datasets) were makeshift without an actual formulation, just a beginning data concept. The initial Health Survey could not operate without intricate data scientist and IT knowledge. Also, [REDACTED] told Gay that she could not write anything down (take notes). Eventually, the Health Survey became an actual application, which was completed and rolled out in April 2021.

Each of the projects given to Gay during the June 2020 meeting grew into a much larger project due to the pandemic. Also, soon after this meeting, [REDACTED] gave Gay her projects, including writing memos, designing DSW flyers, and COVID-19 contact tracing. Kim also gave Gay her projects, such as working on her Dashboards, and creating charts and tables. In addition, Kim “maliciously and recklessly” instructed Mc Caleb to give Gay all four data sets of all 2700 employees who work for HSA during Gay’s probationary period. Gay still has everyone’s home addresses, phone numbers, social security numbers, emails, work cell numbers, and so forth.

Gay believes Kim wanted to “further substantiate why HR doesn’t hire African Americans,” so she set up Gay for failure by not providing her adequate training to perform this extra work. Gay believes Kim has given [REDACTED] McCaleb, and [REDACTED] training on data analysis, but denied Gay data training due to Gay’s race. [REDACTED] Kim’s previous assistant, was never asked to fulfill any of these types of expectations or work in this capacity. Gay also believes that Kim wanted to justify hiring additional full-time employees during a City-wide hiring freeze.

b. Witness Interviews

██████████ Around June 2020, ██████████ told ██████████ to train Gay on how to conduct the Health Survey and “gauge if” Gay could complete the task. ██████████ believed he would spend two to three days working with Gay on the project and then Gay would take over the duties. ██████████ denied telling Gay she could not write down notes. ██████████ wrote notes on the process’s steps and emailed them to Gay. ██████████ could not say why Gay would allege he told her not to write down notes.

Around June or July 2020, ██████████ met Gay over Teams to help her learn the Health Survey task. ██████████ believes the first meeting lasted only 30 minutes because Gay “didn’t have good internet connection” and Gay “cut out and didn’t come back until later.” ██████████ finished the task because it was time-bound, and attempted to show Gay the steps the following day. However, ██████████ observed Gay have “issues” with Excel like inputting too many commands, which caused Excel to stall because of too many computations. Although ██████████ was supposed to only take a few days to train Gay on the task, after two weeks, Gay had still not learned the task. ██████████ asked ██████████ if Gay had taken over the duties yet, and ██████████ told ██████████ that he did not believe Gay could “handle it” based on Gay’s trouble with Excel. ██████████ believes Gay completed the task “a couple of times” with his oversight, but not independently.

Kim asked ██████████ to complete the following special projects:

- In 2016 and 2017, for one month, ██████████ created a website for HSA’s El Nino shelter staffing. He used a free website design program, created a website, and uploaded a survey for employees to identify their availability to staff makeshift homeless shelters in HSA spaces during the El Nino weather patterns. HSA never trained him on web design.
- In May 2019, ██████████ created fliers for Kim for the California Automated Welfare System (CALSAWS) to provide information on outside agencies’ employment opportunities.
- In 2020, for approximately one year, ██████████ collected and analyzed data from the HSA Health Survey. ██████████ ran reports on the survey responses, determined if there were missing responses, and sent reminders to fill out the survey.
- On unknown dates, Kim assigned all Managers, Analysts, and Training Officers to create a project that would impact the entire agency. ██████████ created two projects: a training video on the application process and an SOP for the Exams Unit.

██████████ stated that no one at HSA assigned ██████████ work that he was incapable of doing “without going to some training first.” ██████████ believes ██████████ had a group of HR professionals – including ██████████ Lim, McCaleb, and He – who would learn tools from IT, including Oracle Bi. However, ██████████ has not been asked to complete any tasks with Oracle Bi.

██████████ Around June or July 2020, shortly after the pandemic began, Kim told ██████████ that Gay had asked for more meaningful work tasks. ██████████ told Kim that Gay could help with the Health

Survey. [REDACTED] direct report, [REDACTED] was working on the daily survey reports. [REDACTED] believes the survey was on a Microsoft form and generated a daily report that had to be cleaned up before sending it to IT. [REDACTED] believes the task helped HSA identify who was not answering the survey and employee health. [REDACTED] believes [REDACTED] could explain the technical aspect of the survey data. [REDACTED] believes the work [REDACTED] “data crunching,” and was “very cumbersome.”

Kim assembled a team to handle the Health Survey, which included [REDACTED] [REDACTED] and another employee, whom she could not recall. Kim asked Gay to gather data to determine who did and did not complete the survey. Gay attended the team meetings. [REDACTED] assigned [REDACTED] to work with Gay on the employee health survey. [REDACTED] met with Gay every day, sometimes for two to three hours per day. [REDACTED] believes that employees who work independently did well during the pandemic, and Gay did not work independently. [REDACTED] became frustrated with Gay, told [REDACTED] that Gay could not work independently, and asked [REDACTED] if he could work without her.

Around June or July 2020, [REDACTED] assigned Gay to create fliers about DSW and COVID-19 testing. [REDACTED] believes she assigned Gay one or two fliers to create and did so because Kim asked her to and because Gay has a master’s degree in art.

At some point, [REDACTED] told Kim that Gay is “not a good employee” and “should not pass probation.” Kim replied that Gay’s six-month probation had passed. [REDACTED] thought every employee had a year probation. [REDACTED] does not believe Kim ever tried to release Gay or extend Gay’s probation. [REDACTED] told Kim to not pass Gay’s probation because Gay was not working independently and requested “hand holding” for any task.

[REDACTED] worked with [REDACTED] on the Health Survey, which identified which employees were telecommuting, had COVID-19, etc. [REDACTED] performed back-end data work. [REDACTED] could not say if Gay was involved in the development of the survey. [REDACTED] joined the City in 2011 and, at the time, his Excel skills were poor. [REDACTED] could “do some formulas and that’s it.” [REDACTED] never took training, but self-learned Excel via “trial and error” and “building that up over time.”

[REDACTED] believes Gay was assigned some role in the Health Survey. [REDACTED] believes [REDACTED] and [REDACTED] took the lead roles. [REDACTED] told [REDACTED] that he had to help Gay to troubleshoot her role with downloading data. [REDACTED] believes [REDACTED] also had to review the same content with Gay on more than one occasion.

[REDACTED] performed the MCCP and weather and budget assignments as Kim’s assistant.

### c. Documentary Evidence

[REDACTED] provided his MS Teams meeting invitations to Gay regarding meetings to train Gay on how to process the Health Screening data for June 29, 2020 from 2:30 pm-3 pm; July 1, 2020 from 3:30 pm-4:30 pm; July 2, 2020 from 1:45 pm-2:15 pm.; July 7, 2020 from 4 pm-5 pm; July 9, 2020 from 4 pm-5pm; and July 14, 2020 3:45 pm- 4:15 pm. (Ex. P, At. 1).

█ provided numerous emails corroborating her statement that she worked on additional special tasks, including the MCCP, weather assignment, and budget assignment, while she was Kim's assistant. (Ex. R, Ats. 2-4).

12. Allegation 12: Kim Enters Gay's Office with █

a. Interview with Gay

In June 2020, Kim came to Gay's office without notice or discussion, wearing a mask and gloves, as if she were about to perform surgery on someone. █ was also there but was not wearing a mask or gloves. Initially, Gay was confused. Kim said to Gay in an extremely stern voice, "Step out of your office!" Gay gestured, as if to ask, "Why?" Kim said, "There's too many people in the office." Immediately, Kim and █ began to search Gay's office, as if they were looking for some type of weapon. Although Kim and █ already knew what was in the boxes, Kim forced █ to search every single box and cabinet drawer in Gay's office. This was extremely incriminating, and Gay felt embarrassed, stressed-out, and demoralized. Gay believes Kim did this because Gay is African American.

b. Witness Interviews

█ acknowledged that he and Kim went into Gay's office with and without Gay present. They did so because Gay's office had the personnel files. █ could not recall Kim ever telling Gay that there were too many people in her office or Kim entering Gay's office with a mask and gloves.

13. Allegation 13: Zoom Training in June 2020

a. Interview with Gay

In June 2020, Kim allowed Gay to receive two one-hour Zoom training sessions from █ however, Kim "strategically circumvented" the training by assigning Gay an overwhelming workload. Gay believes Kim did so because Gay is African American because "all HR staff employees are learning, developing and utilizing their skills on MS Teams and Zoom" except Gay.

b. Witness Interviews

█ On an unknown date, either Williams or █ asked █ to help train Gay on Zoom. █ was told that Gay "needed extra help" to use Zoom. █ asked Gay about the tasks she would be required to do with Zoom. Gay did not know, so █ told Gay to ask Kim what tasks Gay would be required to know. Gay finally told █ that Gay would need to know how to use Zoom to attend and schedule meetings and run slide shows for Kim. █ said it was "like pulling teeth" to get Gay to provide accurate and substantive information.

██████ believes Gay performed poorly during training. Gay sat quiet like “crickets,” would “zone out” with a “glazed over look on her face,” and would ask ██████ to repeat herself multiple times. ██████ gave Gay homework assignments to practice independently using the platform. However, ██████ does not believe Gay performed the assignments because when they would meet later, Gay did not demonstrate the skills – it was “really clear that she didn’t do it.” In addition, Gay would “go off on tangents,” like asking ██████ “Is it a shame we didn’t keep Daja [Burch, then-9910 PST]?” ██████ told Gay that they needed to concentrate on the Zoom training because ██████ did not know “where she was going with it, it had nothing to do with our training,” and ██████ “did not want the training to stretch out any longer.” ██████ explained that due to Gay’s lack of comprehension, “[t]he trainings went on longer than they should have.” ██████ believes another reason the training took a long time is because Gay was using her phone as a hotspot and had connectivity issues. ██████ estimated she spent 40 hours training Gay on Zoom in June 2020 and again in September and October 2020.

██████ In 2020, after the onset of the COVID-19 pandemic, ██████ spoke to ██████ over the phone. ██████ told ██████ she was training Gay on Zoom and struggling. ██████ Zoom course was meant to be three hours, but it had already lasted several days and ██████ had still not trained Gay on all of the features.

██████ offered to attend the trainings to assist as a participant that Gay could put into breakout rooms, etc., and ██████ agreed. ██████ observed ██████ train Gay on creating a Zoom meeting, inviting participants to the meeting, putting participants into breakout rooms, moving breakout rooms, visiting breakout rooms, setting up a poll, sharing a screen, sending messages, sharing documents through chat, and letting participants share their screens. ██████ believes he attended three or four training sessions with ██████ and Gay and believes the trainings were around three hours. ██████ has calendar invites for the training, which he will provide.

██████ believes Gay wanted to receive Zoom training through “osmosis” or to “just have the information put into her brain, but didn’t want to do the work to get there.” ██████ gave Gay homework assignments to practice using Zoom with co-workers or friends and just get comfortable and familiar with the application. However, Gay told ██████ and ██████ that she did not practice. ██████ believes ██████ also gave Gay documentation of Zoom’s functionality, complete with hyperlinks, to assist Gay. ██████ also believes Gay once canceled a training session because she had a bad internet connection due to using a hot spot on her phone.

██████ believes Gay used the Zoom training because he received an HR meeting Zoom invitation that came from Gay. ██████ will provide that invitation.

### c. Documentary Evidence

According to HSA payroll records, Gay was on leave from July 15, 2020 to September 2, 2020. (Ex. E).

On September 28, 2020 ██████ emailed Williams and ██████ regarding ██████ training Gay on Zoom. (Ex. I., At. 1).

14. Allegation 14: Induction Training

a. Interview with Gay

After returning to work from sick leave, Gay and Kim had a two-hour one-on-one meeting via Teams during which they had a “heavily debated discussion” on racial equity and equality, “minimal work requirements,” and training. Gay was distraught and in tears, sniffing periodically throughout the dialogue. This had and still does significantly affect Gay’s ability to work, emotional state, and enjoyment in life. Gay further explained to Kim during this meeting, that how she felt when starting the job is not how she felt now. Gay said that Kim had taken away Gay’s inner-will to succeed and chipped away at Gay’s confidence, and Kim slightly “snickered.” During this discussion, Kim explained to Gay that HSA HR would be “lowering the standards” if Kim gave Gay training. Kim further asked, “What’s in it for me?” regarding providing Gay training. Gay replied that 2913 Program Specialists, 99% of whom were Asian, received induction training for months before even entering their work sites.

Gay alleged that in April 2020, Kim denied Gay a Zoom license and that on unknown dates, Gay had to plead with Kim to continue Zoom training with [REDACTED] which Gay resumed in October 2020. However, Kim “sabotaged” Gay’s work by never allowing her to utilize her training on Zoom or Teams. Kim told Gay that the IT Department was now responsible for creating Teams and Channels. Gay believes Kim engaged in this conduct because of Gay’s race and skin color. She claimed that other employees who are “Asian or an Island Pacificers [sic], the lighter People of Color,” were allowed to “use the knowledge.”

b. Witness Interviews

[REDACTED] stated that she and [REDACTED] trained Gay on voicemail and email, including checking and forwarding email in Outlook. [REDACTED] also “constantly” helped Gay use PeopleSoft and Outlook. Gay would walk next door to [REDACTED] office whenever she needed help.

c. Documentary Evidence

**HSA RFI Response:** HSA provides 2905 Senior Eligibility Workers “a 3-4 month classroom based training on welfare benefit eligibility, with an additional on-the-job component for select social services programs. The HSA does not offer a comparable induction training for management assistants or human resources professionals.” (Ex. E). HSA provided a detailed Induction Training schedule from 2021. (*Id.*).

15. Allegation 15: Email Dissemination by Williams and [REDACTED]

a. Interview with Gay

Gay alleged that Kim ceased allowing Gay to send mass emails to employees due to Gay’s race and age, and only allowed Williams and [REDACTED] to do so. Kim reassured Gay that she is

completely dedicated to Gay and Gay was an important part of the HR Management Team.

b. Interview with Williams

Williams stated that Gay disseminated email to all of HSA HR on Kim's behalf. Williams could not say which email topics Gay handled. Gay does not disseminate email to all of HSA HR on Williams's behalf. Shortly before Kim's departure, HSA HR created an HSA HR email address because of all the questions about and requests for guidance on COVID-19 protocols. Kim wanted one line of communication instead of multiple people sending the same information. Kim had Williams, [REDACTED] and [REDACTED] draft correspondence. Williams believes that she and [REDACTED] send COVID-19 general advisories and [REDACTED] sends the general health questionnaire. Williams believes Crystal Ballard also has access to the email address.

Williams denied that she instructed [REDACTED] to disseminate the email to all of HSA HR that Gay used to disseminate. Williams explained that [REDACTED] is HSA HR's contact tracer and it is [REDACTED] responsibility to send notifications related to positive COVID-19 cases. Williams explained that she wanted tight control over email dissemination in part because she made an error early on in her tenure as Acting Director. In early 2021, Williams emailed a DSW assignment and did not put the email addresses in BCC format, so when people responded, 2,500 HSA employees were getting the response. HSA IT stepped in and had to shut off the email. Williams believed HSA employees were sending emails to Helpdesk and the IT Director to shut the email off. Williams believes there were a "lot of people upset about the way [she] sent the email out" and does not want others, like Gay, to experience what she experienced. Williams further said that her decision for tight control over email distribution has nothing to do with race, as Gay alleged.

c. Witness Interviews

[REDACTED] confirmed that she performs COVID-19 contact tracing for HSA.

d. Documentary Evidence

On October 15, 2020, Gay emailed all of HSA HR the latest office contact list. (Ex. M, At. 1). On February 23, 2021, Gay emailed all of HSA HR about an HR staff meeting. (Ex. G, At. 7; Ex. N, At. 6). On March 18 and 31, 2021, Gay emailed all of HSA HR about a daily health screening reminder. (Ex. N, At. 3). On May 3, 2021, Gay emailed all of HSA HR a Mental Health Awareness Month flier. (Ex. N, At. 5). On June 28, 2021, Gay emailed all of HSA HR about cybersecurity training. (Ex. N, At. 2).

16. Allegation 16: Gay Isolated by Kim

a. Interview with Gay

Gay alleged that for nine months, Kim did not give her any assignments, and Gay's colleagues would not work with or speak to her. During this time, Gay only worked on "suddenlies" and "data scientist" assignments for which she was not adequately trained. Gay believes she



continues to be isolated from all of the other 56 HR employees at HSA. Gay further alleged that Kim wanted her to be the assistant to eight HR Managers, who oversee distinct departments, without any training. In addition, Gay alleged that Kim continuously “sabotaged” her work and asked her to achieve “an unrealistic standard for any new employees.

Gay believes Kim was “malicious” and had “reckless” intent and engaged in this conduct to justify hiring more employees to work in [REDACTED] and Lim’s departments. Gay also believes that Kim felt as though Mayor Breed mandated that Kim hire African Americans and portraying Gay as incompetent would justify her preference for Asians, whom Kim perceived as catching-on faster, being smarter, and passing exams with higher scores than African Americans. According to day, “This justified why more Asians were in the office opposed to the darker-skinned People of Color (African Americans).”

Gay also alleged that on an unknown date, when she returned to the office after being out for two months, [REDACTED] stated during the weekly HR Manager meeting, “intent opposed to impact.” Gay believes [REDACTED] meant, “If HSA intended to hire African Americans, what would be the impact?” Williams “cosigned” and interjected that [REDACTED] was a “buffer” between races because of his comments to you. Gay did not respond to these comments. She was embarrassed and demoralized and felt that she was being “gaslit” and “excluded.

b. Witness Interviews

[REDACTED] could not recall ever speaking to Gay about “intent vs. impact.” [REDACTED] never heard [REDACTED] and Gay discuss equity issues or talk about “intent vs. impact.”

17. Allegation 17: Data Training for Younger, Lighter-Skinned Employees

a. Interview with Gay

Gay alleged that in November 2020, [REDACTED] department needed assistance with data. Kim moved McCaleb to [REDACTED] department permanently, and Gay questioned Kim in a one-on-one meeting about this. Gay felt that she was expected to know things as a new employee that lighter-skinned new employees – including Isabella Blasi (white), Judy Castro (Hispanic), and Maribel Mora (Hispanic) – were not expected to know. Gay felt as though she was made to look incompetent in front of the HR Manager, while these other employees were not. Gay brought this to Kim’s attention during a Teams call, and Kim replied, “Well...the work classification is a generalization and not all employees are at the level as others.” Gay said, “But...when [I] said the same exact thing in reference to myself, you said it was lowering the office standards,” and “Have you heard of competency modeling?” Also, Gay said, “How is this racial equity or racial equality?” Kim became visibly upset and said she was offended. Gay said, “Okay, Luenna.”

b. Witness Interviews

From March to July 2020, [REDACTED] was deployed as a DSW. In July 2020, [REDACTED] returned to work as the Manager of DEIB but had no staff. The first phase of HSA’s Racial Equity Action Plan was

due at the end of 2020. [REDACTED] did not believe there would enough time to complete the plan and asked Kim for temporary assistance before [REDACTED] could hire permanent staff. Kim suggested McCaleb to assist [REDACTED] because McCaleb has a really good handle on HR data. [REDACTED] agreed McCaleb would be a good resource, and Kim approved McCaleb's move. After [REDACTED] submitted the Racial Equity Action Plan, [REDACTED] Operations team experienced several retirements and open positions. [REDACTED] needed assistance with data requests, and [REDACTED] said McCaleb could assist. McCaleb was open to the move because she is "open to different experiences in HR" and it was a "good move for" her. Also, [REDACTED] onboarded an 1823 Senior Administrative Analyst and needed less help from McCaleb. Williams approved McCaleb's move to [REDACTED] Operations team. Gay was not involved and not relevant to McCaleb's moves. Gay's job classification is a Management Assistant and there was no need for those skills on [REDACTED] team.

18. Allegation 18: Gay's Ideas about Mentoring Training

a. Interview with Gay

Gay alleged that in December 2020, Kim took her ideas ("intellectual property") about training, mentoring, and shadowing employees, gave these ideas to [REDACTED] and failed to credit Gay. On December 4, 2020, Gay made a PowerPoint presentation to the HR Managers titled, "21<sup>st</sup> Century Innovative Approach to Learning. Gay alleged that Kim stated that after the presentation, Gay was to begin gathering more information to implement a formal program. However, Kim asked Gay to email the PowerPoint – which Gay described as "well-written, clear, and concise" to Williams. Gay believes that L&OD took this information, and [REDACTED] and Michael Aho, a Senior Trainer who is white, took it to create a Mentoring Program that was later given to [REDACTED]

Gay further alleged that many of the concepts in her presentation – including training and changing the minimum qualifications for certain job classifications – are now being used by employees who were hired after Gay. Gay also alleged that when she returned from her two-month leave, she met with Kim twice and discussed these concepts "in-depth." Gay believes Kim "was a Commissioner and had the ability to architect programs within departments," and therefore, "the entire time" Gay was "discussing with Kim about race," Kim was "implementing" Gay's "ideas and concepts into actual programs."

Gay believes Kim did this due to Gay's race, skin color, and age. Gay believes "the 'culture' within the agency is that the Asians and White people are more intelligent and graduated from better schools than African Americans." Gay also believes that Kim believed Gay was "not digitally inclined" due to Gay's age.

b. Interview with Williams

Williams denied taking information from Gay's presentation and giving it [REDACTED] for [REDACTED] to implement. [REDACTED] created a mentoring program in 2019 and provided Williams with a draft. After Williams had the draft, she forwarded it to [REDACTED] because [REDACTED] worked on a mentoring program.

Williams believes she attended the December 4, 2020 HR Manager meeting wherein Gay gave a presentation on 21<sup>st</sup> Century Innovative Learning because Williams facilitated those meetings. However, Williams could not recall anything about Gay's ideas.

c. Witness Interviews

██████ has never seen a PowerPoint presentation from Gay and could not recall if she ever saw a one entitled "21<sup>st</sup> Century Innovative Approach to Learning." When asked if Williams ever gave ██████ a PowerPoint with that title, ██████ said no. When told that Gay alleged that Williams provided Gay's PowerPoint to ██████ and ██████ developed the Mentoring Program based on Gay's ideas and then gave that Mentoring Program to ██████ ██████ denied the allegation. When asked why Gay would allege Williams did so, ██████ replied, "I have no idea. [Gay] was not even on board when I made the Mentoring Program."

Around 2019 and in response to Mayor Breed's initiative to improve diversity within the City, ██████ created a Mentoring Program. ██████ had been inspired by how the new General Manager of Pepsi explained that she was promoted from a front-line employee to GM because she had a mentor. The story was a big motivator for ██████ and she was "inspired" to create an environment within HSA where "people can learn from each other" because institutional knowledge is "very important." In her free time, "here and there," ██████ put together the Mentoring Program plan that included succession planning, including the number of positions to be filled and other basic information. No one else worked on the Mentoring Program with ██████ ██████ created a Mentor Program overview, a Mentor Handbook, and a Mentee Handbook.

Later in 2019, Williams asked ██████ what she was working on, and ██████ told Williams about the Mentoring Program. Williams asked for a draft, and ██████ sent the documents to Williams. At some point, Williams told ██████ that she sent the documents to "someone in leadership" but could not recall who. At some point when the DEIB group was forming, ██████ believes DEIB wanted to include it in the racial equity plan. ██████ believes DEIB had a copy from ██████

██████ could not identify any ideas about training or mentoring that they heard Gay make. On a date ██████ could not recall, they missed an HSA HR Manager meeting because they were out sick. When ██████ returned to work, they asked Williams what they missed in the meeting. Williams told ██████ that Gay gave a presentation about training, "said something a little odd," and called Williams and ██████ "unicorns" because they were outlier employees who did not require training and support. ██████ never saw Gay's PowerPoint presentation.

Mentoring is a top priority for ██████ work in racial equity. ██████ believes that employees of color are under-represented in management roles and DEIB is looking to create more equitable demographic representation of employees of color in management. Unions and employees have said they wanted a mentorship program.

Many years ago, ██████ developed a workbook on mentorship that ██████ saw. ██████ met with ██████ ██████ and Williams when Williams was L&OD Manager. ██████ wanted to develop the mentoring program. However, the pandemic hit soon after or around this time and L&OD's

priorities shifted to digitizing training. In conjunction with HSA's and ██████ contributions to the Racial Equity Plan, ██████ later came back to Williams and said ██████ mentorship workbook's ideas could be applied to a racial equity goal of mentoring. Isabella Blasi, 1241 Human Resources Analyst, and Felix Caraballo, 1244 Senior Human Resources Analyst, helped facilitate a mentoring program in 2021. ██████ referenced their email and saw that they met with ██████ and Williams on February 28, 2020 regarding mentoring.

d. Documentary Evidence

On May 14, 2019, ██████ emailed Williams her HSA Mentoring Program Draft. (Ex. O, At. 5).

On March 16, 2020, ██████ emailed Williams regarding ██████ meeting for a Mentorship Program. (Ex. J, At. 2). On July 13, 2020, ██████ emailed Williams and ██████ about finalizing a mentorship program document. (Ex. J, At. 1).

Gay's PowerPoint presentation, "2020 Manual Training 1800 Series for New Employees: 21<sup>st</sup> Century Innovative Approach to Learning," describes a training series for new employees in the 1822, 1823, and 1842 job classification. (Ex. G, At. 5). The PowerPoint does not address or mention mentoring. (*Id.*).

According to HSA payroll records, Gay was on leave from July 15, 2020 to September 2, 2020. (Ex. E).

19. Allegation 19: Gay's Customer Service Ideas

a. Interview with Gay

Gay alleged that in November 2020, Kim took Gay's ideas ("intellectual property") about HSA customer service and organization concepts and gave them to other HR Managers without crediting Gay. Gay believes the HR Managers took her ideas to implement new strategies and processes to "enliven" their departments.

b. Witness Interviews

██████ believes onboarding is the process of onboarding an employment candidate to a City employee. The biggest change in the onboarding process that ██████ is aware of is not asking employees about their prior salary. ██████ believes this practice was done for equity purposes. ██████ believes there is a personnel action workflow internal form that identifies the need to reassign someone to a different unit, so their phone number and supervisor need to change and the employee's computer might need to change. ██████ believes the personnel action workflow hard copy was documented before ██████ came to HSA. ██████ digitized it during her time at HSA.

██████ stated that she met with Gay regarding new employee orientation during a DEIB meeting, when Gay asked for an SOP regarding onboarding new employees. ██████ told Gay she had a process written down, and Gay asked for the steps. ██████ did not recall if she provided the steps

to Gay. However, [REDACTED] was “hesitant” to hand it over because the document was [REDACTED] work product and it was unfinished. Also, “there was a little mistrust” because [REDACTED] had provided DEIB the document, and DEIB “ran with it” without giving [REDACTED] credit. [REDACTED] also believes Gay was using the term “onboarding” when Gay really wanted new employee orientation procedures.

20. Allegation 20: Gay’s New Employee Orientation Ideas

a. Interview with Gay

Gay alleged that in February 2021, her ideas regarding new employee orientation were given to HR Managers without crediting her. These ideas included ensuring new employees had a DSW number, work cell phone number, location of their technical equipment such as computer plugs, the identity of their supervisors ([REDACTED]), location of the IT Department, location of photocopy machines and credentials needed to use them, and their office location (move matrix).

Gay alleged that these ideas were initially given to Williams, then to [REDACTED] who asked Gay to meet with [REDACTED]. Then, [REDACTED] forwarded the meeting invitation to the entire HR team, and approximately eight employees – including [REDACTED] Allan Gonzalez-Ruiz, Mildred Mendoza, Rohodora Sanglang, Lisa Mah, and Minchau Vuong – attended the meeting, which took place on Teams. The new employee orientation was discussed in-depth for 75 minutes. Afterwards, the group was supposed to hold a second meeting; however, no one would speak to Gay, and it was obvious to her that [REDACTED] and [REDACTED] instructed them not to communicate with her. Gay believes they did so because she is African American.

Gay further alleged that consequently, Aung “Oscar” Zin (Zin), 1204 Senior Personnel Clerk, was named “Employee of the Month.” Gay believes the personnel department began creating packets or bags that they now give to new employees when starting and new employees now receive much more valuable information before starting their work assignments.

b. Interview with Williams

Williams denied taking Gay’s ideas about onboarding employees and giving them to [REDACTED] so that his team got credit for Gay’s ideas. Williams acknowledged that Gay shared ideas about onboarding. Gay wanted new employees to be able to find supplies and know who to contact in case of an emergency. Williams listened to Gay and shared that the Operations staff has onboarding procedures and some units and managers onboarded differently than others, so there is no standard information to share. Nonetheless, Williams believes Gay met with Operations staff, including [REDACTED] and [REDACTED] about onboarding. Williams does “not know what fully came about from that.” Williams does not believe HSA Personnel changed any onboarding policies or procedures that included giving out bags or packets to new employees in early 2021. Williams believes HSA does not have the budget for such items.

Around April 2021, Williams recommended Zin as Employee of the Month. Zin was “one of the first people” Williams met when she was onboarding. Zin took Williams’s picture and she has since “noticed that he works well with anyone at the front desk, is cheerful, and has a great

attitude.” Williams recommended Zin to Kaplan because of the important work he does, and the other HR Managers agreed that they had good interactions with Zin.

c. Witness Interviews

█ acknowledged she met with Gay regarding new employee orientation during a DEIB meeting, when Gay asked for a standardized operating process regarding onboarding new employees. █ told Gay she had a process written down, and Gay asked for the steps from █. █ did not recall if she provided the steps to Gay. However, she was “hesitant” to hand it over because it was her work product and it was unfinished. Also, “there was a little mistrust” because █ had provided DEIB the document, who ran with it, and █ was not given credit. █ also believes Gay was using the term “onboarding” when Gay really wanted new employee orientation procedures. █ denied that it was Gay’s idea for new HSA’s new employees to provide the employee’s DSW number, work cell phone number, location of their technical equipment, name of supervisor, location of the IT department, copy machine locations and credentials, and their office locations. HSA departments provide this information differently because some employees, like 2905s, are immediately in training for months.

█ stated that Gay met with █ and █ about new employee orientation. █ could not recall if he told Gay to meet with █ and █ or vice versa. █ believes Gay wanted to streamline new employees coming into HSA HR and “put a document together or maybe a checklist” about “onboarding HR staff.” █ believes Gay did so because she “felt some frustration and didn’t know about new people starting.” █ did not believe Gay’s document referred to all new HSA staff, only HSA HR staff. █ believes HSA Operations had its “own checklist” for onboarding prior to Gay’s document because the unit had been onboarding people for years. █ believes the onboarding process for HSA Operations is “pretty standard” and has a “form that notifies payroll and facilities.” █ does not believe HSA Operations “overhauled [their] processes” as a result from Gay’s meeting with █.

█ believes █ were moved to Post-Referral Selection unit, and 1204 Senior Personnel Clerks Mildred Mendoza, Lisa Mah, and Allen Gonzalez Ruiz onboard HSA employees. █ never told anyone at HSA HR to not speak to Gay. █ could not say why Gay would make such an allegation.

█ could not recall ever hearing Gay discuss her ideas about new employee orientation.

d. Documentary Evidence

**HSA RFI Response:** Zin was named April 2021 Employee of the Month due to his professionalism and customer service, his attendance and work ethic, and his several DSW deployments. (Ex. D).

21. Allegation 21: Shadowing and Training

a. Interview with Gay

Gay alleged that in February 2021, Kim removed her from shadowing [REDACTED]. Gay believes Kim did so due to Gay's race because she heard from another 1842 Asian employee, during an interview process, that the employee was trained in data analysis, specifically, Sequel Bi and Power Bi. Gay believes that African American employees were limited in their ability to move or promote to other positions in other departments because they were not being trained. During this interview, [REDACTED] stated, "We're planning on training them." Williams, [REDACTED] and Kim previously told Gay that they did not have any training, and Kim stated on multiple occasions that Gay was being treated like everyone else.

b. Interview with Williams

Williams denied she never offered Gay training and stated she would provide training records and emails to support this.

Williams stated that Gay has asked her for more assignments but acknowledged that she had "given few tasks to anyone," including HR Managers, because she was still learning the Director role. Once, Williams asked Gay to create a kudos board in a hallway enclave to acknowledge the hard work and accomplishments of HSA HR staff. Williams believes kudos boards are "great for employee engagement." Gay declined to create the kudos board and said it would be working out of class. Williams was surprised Gay said so because Williams has made them herself.

Williams also stated that she asked Gay to establish a frequently asked questions (FAQ) document for processing AERs and PSLF forms. Williams did so because there were emails from employees with questions, as cited by Gay and [REDACTED]. Gay was the person processing the forms, and to make that process more efficient, Williams worked with Gay on a FAQ to post on the HSA intranet for employees to reference.

c. Witness Interviews

Gay came to [REDACTED] office a few times to shadow [REDACTED] and once, [REDACTED] went to Gay's office to review procedures and explain HSA's organizational structure.

In April or May of 2021, once, for an hour, [REDACTED] trained Gay on how to use and facilitate Zoom interviews. [REDACTED] trained Gay on how to coordinate Zoom-based interviews for the hiring. [REDACTED] training for Gay included how to create a Zoom meeting, how to send the meeting invitation to candidates and the interview panel, how to send the interview questions to the panel and candidate, and how to ensure the candidate leave the interview. [REDACTED] stated that the training was "a little hard" because they were doing it virtually and had to toggle between Teams and Zoom. [REDACTED] explained that early on in the pandemic, "Zoom was the most accessible" platform to conduct interviews and they only later found out that Teams had a "waiting room" feature where an interviewee could wait. [REDACTED] could not recall who directed her to train Gay; however, she believes that Gay reached out to her and told her that Kim wanted Gay to shadow her on how to facilitate interviews. [REDACTED] does not believe Gay has facilitated interviews over Zoom or Teams because as part of the PRSP team, [REDACTED] would know that Gay was doing so.

d. Documentary Evidence

**Email from Williams to Gay re: Resource, dated February 22, 2021:** Williams emailed Gay regarding City University-Academy X course offerings. (Ex. W, At. 5).

**Email thread between Gay and Williams re: Form for Coursework, dated April 27, 2021:** Gay was completing project management and business writing coursework through Academy X and UC Berkeley Extension using HSA resources. (*Id.* ).

**Email from Williams to Gay re: Mandated Training 2021, dated November 16, 2021:** Williams emailed Gay reminding Gay to complete 11 mandatory trainings that Gay was enrolled in dating back to October 9, 2020. (*Id.* ).

**Course Transcript from HSA L&OD; SF Learning Transcript:** Gay was enrolled in approximately 44 trainings on various topics between February 12, 2019 and January 31, 2022. (Ex. W, At. 6).

22. Allegation 22: 2021 Form 700s

a. Interview with Gay

Gay alleged that in February 2021, she asked Kim if she could begin the Form 700s in a similar manner to last year. Kim replied that the Form 700s work does not start until April. However, April 1 is the deadline. Gay believes Kim sabotaged and interfered with her ability to work due to her race.

b. Interview with Williams

Williams stated that Gay collected the Form 700s. Gay sent an email to the individuals who were required to fill out a Form 700, answered questions, referred some questions to the Ethics Commission, and collected the forms.

c. Documentary Evidence

According to People & Pay, Kim transferred to DPH on March 20, 2021.

On March 5, 2021, Gay sent an email to several managers requesting that all employees designated to file Form 700s complete and return them to her by March 19, 2021. (Ex. Q, At. 2).

23. Allegation 23: Transition from Kim to Williams

a. Interview with Gay

In early 2021, Gay learned Kim would transfer to DPH and Williams would be Acting HR Director. However, before Kim left, she scheduled a meeting titled "HR Transition" with



Williams, [REDACTED] [REDACTED] and [REDACTED] Gay believed that during the transition, [REDACTED] was going to be scheduling meetings for Williams and [REDACTED] which further substantiates how Kim established Gay as an incompetent employee in order to get other full-time employees. Recently, [REDACTED] was approved to hire two 1800 series employees and Lim was approved for one 1244 and two 1241s in his department.

On February 19, 2021, Williams became Acting HR Director. Gay claimed that on February 22, 2021, she emailed Williams stating that she did not talk to anyone (was isolated) and wanted a clearer definition of her role. Gay alleged that after Williams became her supervisor, Williams gave her work assignments to other employees, allowed “intellectual theft,” engaged in “continuous demoralization through condescending remarks,” and made “bullying remarks,” such as, “I’m only going to speak to you once.”

Gay further alleged that the only assignment Williams had for her until July 2021 was to create a kudos board, “as if [Gay] was a child, working on arts and crafts.” Gay stated that she does not schedule appointments for Williams or for anyone else.

During their second one-on-one meeting, Williams stated that she was still learning her new position and training [REDACTED] to work as L&OD Manager. Gay told Williams that she was enrolled in project management and business writing courses, and Williams replied, “Great!” When Gay asked Williams for work, Williams responded in a “comical condescending manner” that Gay should use her project management skills on AERs and PSLFs. Williams also told Gay that if she wanted to have a one-on-one meeting, then she should write down a list and come to Williams with a “concept or issue,” which Gay understood to mean that Williams expected Gay to bring work to her.

Gay alleged that Williams has never attempted to “develop Gay as an employee to work within the HR Department” or suggest any type of training for Gay. Gay believes “Williams could have easily established or suggested ... to have Gay work with each Manager in a certain manager [sic] and learn what’s there [sic] ‘top-three’ [sic] concepts [Gay] need[s] to really understand in every department.” Gay claimed that Kim, Williams, and [REDACTED] never allowed her to “train or establish a working relationship with the Personnel Department” or to “assist” or “learn, even though that is what [she] was partially hired to do.” Gay believes she was treated in this manner due to her race, skin color, and age.

In addition, Gay alleged that in May 2021, Williams asked her to establish processes for AERs and PSLFs. She believes Williams and [REDACTED] wanted her to “develop a comprehensive process that will provide anyone a substantive understanding on how they can learn in about one week.” Gay alleged that [REDACTED] and [REDACTED] who are in [REDACTED] department and have been working at HSA HR for over 20 years, “have never been asked to develop a process for another employee to follow. Gay claimed she had to learn through “trial and error” and “word of mouth,” and Williams asked her to create a “blueprint” that would help others “develop successfully much faster and merge into the group seamlessly.” Gay believes this would cause “the employees [to] be viewed in a more professional positive appearance and come across as having the ability to learn quickly and work faster because they rarely ask questions and don’t make mistakes and need little to no

management.” As a result, “Supervisors, Managers and Directors would want to work with this employee.”

b. Interview with Williams

Williams stated that Gay schedules her meetings and runs her calendar. Williams denied that she had [REDACTED] schedule her meetings. [REDACTED] is Kaplan’s assistant and she schedules his meetings, along with Susan “Susie” Smith, 0953 Deputy Director III at 170 Otis Street, 8<sup>th</sup> floor. When Williams reaches out to [REDACTED] for scheduling, it is because she has been directed to by one of the Deputies.

Williams denied she ever limited the number of times she would speak to Gay. Gay is Williams’s direct report and Williams cannot limit her direct reports from contacting her.

Williams acknowledged Gay has asked Williams for more assignments. Williams further acknowledged that she had “given few tasks to anyone,” including HR Managers, because Williams was still learning the Director role. Once, Williams asked Gay to create a kudos board in a hallway enclave to acknowledge the hard work and accomplishment of HSA HR staff. Williams believes kudos boards are “great for employee engagement.” Gay declined to create the kudos board and said it would be working out of class. Williams was surprised Gay said so because Williams has made them herself.

Williams denied she never offered Gay training. Williams will provide email and Gay’s training records.

Williams acknowledged that she asked Gay to establish a frequently asked questions (FAQ) document for processing AERs and PSLF forms. Williams did so because there were emails from employees with questions, as cited by Gay and [REDACTED] Gay was the person processing the forms and to make that process more efficient, Williams worked with Gay on a FAQ to post on the HSA intranet for employees to reference.

c. Witness Interviews

[REDACTED] Isabella Blasi, 1241 Human Resources Analyst with DEIB, and Felix Caraballo, 1244 Senior Human Resources Analyst with L&OD, worked to help facilitate a mentoring program with [REDACTED] in 2021. The first cohort of mentees was for supervisors who want to promote to manager, with a six-month pilot that starts in February 2022.

[REDACTED] created standard operating procedures at HSA. [REDACTED] updated the SOP Rodriguez had created for AERs. [REDACTED] also created an SOP for payroll that included activity and productivity lists, which detailed staff daily tasks. [REDACTED] provided copies of those documents. (Ex. K., Atts. 1, 15.).

d. Documentary Evidence

[REDACTED] provided documentation of Gay’s work on Form 700s in March 2021. (Ex. Q, At. 2).

**HSA RFI Response:** HSA provided emails demonstrating that Gay scheduled the HR Managers' weekly meeting on March 29, 2021; April 5, 2021; April 13, 2021; April 20, 2021; May 3, 2021; June 14, 2021; September 1, 2021; and September 7, 2021. (Ex. E).

24. Allegation 24: Williams Prevents Gay from Working at HSA Office

a. Interview with Gay

Gay alleged that since April 2020, Williams has preferred for her not to come into the office on a certain day because it would cause health and safety issues related to the spread of COVID-19. However, four or five other employees were allowed to continue coming to the office on a regular basis.

b. Interview with Williams

Williams denied she ever personally limited Gay from working in the office. Williams believes there were City protocols about capacity limits in April 2020 and that if Williams limited the number of people in the office, it would be for reasons of health and safety. Williams herself was not able to go into the office as freely as she did prior because of the City's COVID-19 pandemic capacity limits. Williams instructed employees on telecommuting.

c. Witness Interviews

From March to June 2020, ██████ worked at Moscone Center. Since June 2020, daily, ██████ has reported to 1650 Mission Street. ██████ believes there were limits of 6-8 individuals in large conference rooms. ██████ believes Williams sent out email about capacity limitations due to the COVID-19 pandemic.

██████ does not work in the office.

One to three times a week, ██████ went into the HSA office throughout the pandemic. ██████ did so in order to supervise payroll tasks. ██████ does not believe there were many people in the HSA office. ██████ is aware of limits on the number of people allowed in the office, but could not quantify those limits. ██████ believes the limits on the number of people in the office were communicated via email and through meetings to HSA HR employees.

25. Allegation 25: Williams and Form 700s

a. Interview with Gay

Gay alleged that instead of her giving the 2021 Form 700s to Williams, Williams asked her to give the forms to ██████. Gay believes Williams did so to avoid having contact with Gay.

b. Interview with Williams

Williams stated that Gay collected the Form 700s. Gay emailed the individuals who were required to fill out a Form 700, answered questions, referred questions to the Ethics Commission, and collected the forms.

Williams initially denied asking ██████ to collect the Form 700s. However, she consulted her email and said, “Wait, I see an email.” Williams said that Gay emailed her on April 13, 2021, and told Williams that because Gay could not lock her cabinet, she was giving the Form 700s to ██████ to safeguard. Williams explained that Gay gave ██████ the forms on her own and Williams was not involved in that decision.

c. Witness Interviews

██████ never processed or collected Form 700s. She believes ██████ did and could not say why Gay would claim she did so.

d. Documentary Evidence

**Email from Gay to Williams re: Form 700s, dated April 13, 2021:** Gay informed Williams that she gave the Form 700s to ██████ for safekeeping because Gay did not have a way to lock the forms inside a drawer in her office. (Ex. W, At. 4).

26. Allegation 26: Others Assumed Gay’s Duties

a. Interview with Gay

Gay alleged that “[u]pon leaving the office,” she was “a part of the HR Management Weekly,” Teams meeting, which was the last meeting Gay attended. At this meeting, ██████ – “in a very aggressive, demoralizing, and condescending manner” – suggested that Williams give Gay’s “project” to ██████ while Gay was out of the office until July 6, 2021. ██████ allegedly stated, “I’ve seen PSTs that work better than this!” ██████ nodded his head in agreement. ██████ went on to state that Zin was “a great employee that works the front desk on the second floor.” Gay believes “a general consensus of the room” began “demonizing” her “in order to find [a] reason to remove [her] from [her] position.” Gay claimed that “whenever ██████ had the chance,” she would “take shots” at Gay.”

b. Witness Interviews

In 2020, Kim asked ██████ to take over calendaring tasks from ██████ ██████ was an organizer for an on-going Teams meeting about the new CalWorks software application. The meeting was between Kaplan, Simmons, Smith, HR, and IT. ██████ spoke with ██████ about the schedule and “was eager” to give ██████ the invitation to schedule. Around mid-2020, Kim and ██████ asked ██████ if she could take over scheduling HR meetings while Gay was out. For instance, ██████ scheduled a meeting between DPH and HSA regarding the N95 fitting training.

█████ acknowledged that at some point, she told Kim that Gay is “not a good employee” and “should not pass probation” because Gay did not work independently and wanted “hand-holding” for any task.

█████ performed tasks in addition to her routine duties as Kim’s assistant, such as helping managers book the conference room and assist █████ and █████ in coordinate interview panel scheduling for two different recruitments. In October 2020, Kim or █████ asked █████ to cover █████ contact racing duties while █████ was on vacation.

27. Allegation 27: Gay Data Duties and Kim’s Comments

a. Interview with Gay

In February 2021, Kim told Gay that Kim never intended on Gay taking over data. Gay said, “Well I have the email stating this,” and Kim replied, “Oh yeah, you’re really good at emails!” in an “extremely condescending” manner. Gay believes Kim was motivated by her race, skin color, and age, and felt “demoralized, mentally anguished and stressed-out.”

28. Allegation 28: Mental Health Awareness Flier

a. Interview with Gay

Gay alleged that in May 2021, she received an email from █████ asking her to send an email to all HR staff. This email came from █████. █████ has been working at the COVID Command Center (CCC) for several months, but still knew not to give Gay any assignments. However, when Gay emailed █████ for clarification on the May was Mental Health Awareness Month flyer, she responded, “I didn’t ask you to send out, I asked █████ to send.” Gay believes this was due to Gay’s race.

b. Witness Interviews

█████ was never told by anyone at HSA to not give Gay any work assignments. █████ had very little contact with HSA employees while deployed. █████ could not say why Gay would say so. █████ speculated that Gay was upset with Kim because Kim is such an antagonistic supervisor. █████ asked █████, 1203 Personnel Technician, to send information about Mental Health Awareness month. █████ did so because █████ was a “champion” or point-person for Wellness programming at HSA. █████ would not have asked █████ to do so otherwise because █████ was not █████ direct report. █████ would not have asked Gay to send out the flier because Gay was not █████ direct report nor was Gay a wellness champion.

█████ told █████ that Kim did not want to keep Gay on as an employee. █████ believes that Kim was busy due to the COVID-19 pandemic and the date had already passed to release Gay. █████ believes that Kim was not very happy that Gay worked for Kim. █████ believes it was bad enough for █████ to deal with Kim, but if █████ “had to be in [Kim’s] immediate sphere” like Gay was, that it would have to “be hard” on Gay.

█ acknowledged if there was information to disseminate to all of HSA HR, █ would have to get the information from either Gay or █. However, █ believes █ worked with Gay on the Mental Health dissemination because Gay “had access to all the email” addresses of current HSA HR employees, while █ is involved the Set Up and Go Program, but it is not █ job to disseminate fliers.

c. Documentary Evidence

On May 3, 2021, Gay emailed all of HSA HR staff the Mental Health Awareness Month flier, which █ forwarded to █ earlier in the day (Ex. F, At. 3; Ex. M, Ats. 3-4; Ex. N, At. 5).

## II. CREDIBILITY ANALYSIS

### A. Gay Was Not Credible

The investigation established that Gay was not credible because witness testimony and documentary evidence refuted her statements, she made inconsistent and contradictory statements, witness testimony provided performance-based reasons for her work tasks, she made statements about co-workers that demonstrated a personal animus, and she demonstrated a motive to complain.

Witness testimony and documentation refuted Gay’s claims. For instance, Gay alleged she did all of the work for completing the Form 700s in 2020; however, █ stated that Gay did not provide the necessary follow-up to complete the project. Gay further alleged that all HSA HR staff were members of the REWG; however, █ provided testimony that the entire OCR unit was not members and █ stated that membership was limited. Furthermore, Gay alleged in Allegation 11 that █ told Gay she could not take notes on the Health Survey data analysis project; however, █ provided email between █ and Gay that showed Gay did take notes and that █ provided Gay with procedural notes as well.

Gay’s allegations were inconsistent and contradictory. For instance, Gay alleged that in February 2020, █ “became Kim’s assistant.” (Ex. C, Allegation 2). However, in October 2020, Gay emailed █ objecting to █ disseminating the Voting Brochure because Gay was “[Kim]’s assistant.” (Ex. F., Att. 2). In addition, Gay alleged that Kim denied Gay training on Teams and Zoom (Ex. C, Allegation 8); however Gay also alleged that in June and October 2020, Kim assigned █ to train Gay on Zoom. (Ex. C, Allegations 9 and 13). Furthermore, Gay alleged that in February 2020, upon leaving the office, she was never allowed to resume attending HR Manager meetings (Ex. C., Allegation 26); however, Gay also alleged that two months later, she returned to the office and attended an HR Manager meeting. (Ex. C, Allegation 16). These repeated instances of contradictory statements make Gay not credible.

Numerous witnesses – including █, █, █, █, █ and █ – described Gay as slow to comprehend tasks, unable to recall details, requiring multiple reminders, avoiding responsibility for errors, and having disruptive background sounds

during meetings. [REDACTED] was asked to assume work tasks that Gay had previously performed. [REDACTED] observed Gay struggle with internet connectivity from home. [REDACTED] and [REDACTED] observed Gay discuss off-topic subjects and fail to practice training that Gay herself requested. [REDACTED] [REDACTED] and [REDACTED] observed Gay ask the same questions repeatedly.

Gay demonstrated an unreasonable expectation of her job functions as an 1842 Management Assistant. In an October 7, 2020 email to Dylan Smith, Gay stated: “We should not be subjected to ‘on-the-job training’.” In her rebuttal interview, Gay said that emailing, calling, and talking to a variety of people to find out who was required to submit a Form 700 was unreasonable. However, on-the-job training and researching personnel positions and verifying information, even across groups, is not unreasonable for an 1842 Management Assistant. Furthermore, Gay believes that the only job duty she should perform is scheduling meetings for the HR Director, which is unreasonable and also contradicts her repeated claims that she should be doing more and her requests for additional assignments. All of this further undermines her credibility.

Gay made statements about co-workers that demonstrated a personal animus. For instance, in an October 4, 2021 email to DHR EEO, Gay alleged that the individuals cited in her complaint should not only receive a “negative mark placed in their [personnel] files” but they “all need to be replaced/terminated.” Such an escalation of requested remedy evinces a great deal of animosity. In addition, on October 5, 2021, during a phone conversation with DHR EEO, Gay said about [REDACTED] “[REDACTED] is the face of the concept of racial equity at HSA; however, she [sic] is working counter-intuitively to me...If you pronounce her [sic] pronouns wrong, there is a foot up your ass.” Gay’s persistence in using incorrect pronouns for [REDACTED] who uses they/them pronouns, demonstrates additional animus against this witness and a motivation to complain about the REWG [REDACTED] leads.

Finally, Gay demonstrated a motive to make her complaint: On November 5, 2021, she asked to be placed on paid administrative leave for the duration of this investigation. Gay also requested a number of financial remedies for performing basic job functions, like creating fliers for HSA, for which she was already compensated vis-à-vis her salary.

Because of these issues, the investigation found Gay not credible.

#### **B. Williams’s Credibility**

The investigation found no credibility issues with Williams. Witness testimony and documentary evidence corroborated her testimony and the investigation revealed no motive for Williams to lie and no animus against Gay.

#### **C. Witness Credibility**

[REDACTED] [REDACTED] and [REDACTED] demonstrated animus against Kim. The remaining witnesses had no credibility issues because they did not demonstrate animus against any party, they had no apparent motive to lie, and witness testimony and documentary evidence corroborated their testimony.

### **III. HARASSMENT ALLEGATIONS FINDINGS**

Gay is a member of a protected category based on her race; however, the investigation did not substantiate her allegations that Kim and Williams subjected her to unwelcome conduct based on any of these protected categories.

#### **A. Allegation 1: Kim’s “Messing Up” Comment**

Gay alleged that on January 6, 2020, Kim harassed her due to her race by stating, “Don’t be coming in here messing up. I built a reputation for myself. I’m in a position in life where I now can give back. I did this as a favor. We normally start employees on such and such dates due to payroll, but it seemed like you really needed this.” Gay believes Kim’s “messing” up comment was meant to evoke Ebonics or Black slang because she was speaking to Gay, an African American. However, the evidence was insufficient to substantiate Gay’s claim that Kim made this comment. Moreover, even assuming that Kim did make the comment, which Gay found unwelcome, it is not objectively related to Gay’s race simply because Kim was speaking to Gay. In addition, the investigation revealed no evidence that Kim harbored racial animus or treated Black employees differently from others. █████ who is also Black, as well as seven other witnesses of different races, stated that they never heard Kim make disparaging race-based comments and never heard from anyone else that Kim did so. Accordingly, the investigation did not sustain Gay’s claim that Kim harassed her due to her race by making this comment.

#### **B. Allegation 2: Kim’s Comment about African American Men**

Gay alleged that in February 2020, Kim harassed her due to her race by stating, in response to Gay’s question about HSA’s lack of African American male employees, “We’re trying to find qualified African Americans,” but not enough of them were passing the exams. The evidence was insufficient to substantiate Gay’s claim that Kim made this comment. Gay did not identify any witnesses to the comment, and none of the witnesses interviewed in the investigation heard Kim make any disparaging comments about African Americans. Moreover, though this comment was objectively race-related and was unwelcome to Gay, it is not subjectively offensive. Kim made the comment in response to Gay’s question, and though Gay claimed that Kim meant African Americans are not intelligent enough to pass the exams, that is not what Kim said and Gay did not provide any evidence to corroborate this claim. Though Gay alleged later, in her rebuttal interview, that Kim and HSA “were looking for African Americans to hire” during the pandemic, this further undermines her allegations. Kim would not be seeking to employ African Americans if she harbored racial animus against them. Accordingly, the investigation did not establish that Kim harassed Gay due to her race by commenting that not enough African Americans were passing the employment exams.

#### **C. Allegation 3: Williams’s “Dense and Hard to Understand” Comment**

Gay alleged that on March 2, 2021, Williams harassed her due to her race by writing in an email about time studies, “The information is dense and hard to understand, which is why I mentioned



future work being done on making it easier to understand.” The investigation established that Williams wrote this statement. However, it is not objectively or subjectively race-related. Rather, the investigation established that Williams made the comment in the context of an email explaining to Gay that she did not need to complete a time study. Gay had emailed Williams an irrelevant article she had read regarding time studies in India, and Williams responded, attempting to explain the guidelines HSA follows and the applicability of time studies to various HSA divisions. Though Gay claimed during her rebuttal interview that Williams, a Black woman, “believes she is superior to other Black people” and likened her to an “in-house slave,” Gay provided no evidence to support these claims. Furthermore, no witness ever heard Williams make disparaging comments about anyone’s race, and no witness heard from anyone else that Williams had done so. Accordingly, the investigation did not sustain Gay’s allegation that Williams harassed Gay due to her race by commenting on the complexity of time studies.

#### **IV. DISCRIMINATION ALLEGATIONS FINDINGS**

Gay is a member of a protected category based on her race, skin color, and age. The investigation established that Gay’s job duties under Kim and Williams were varied somewhat from prior management assistants to the HR Director and fluctuated due to business needs, job classifications, and the COVID-19 pandemic. However, the investigation did not substantiate Gay’s allegations that Kim or Williams discriminated against her. With respect to each alleged discriminatory act, the investigation revealed that the alleged conduct did not occur, that Gay did not suffer an adverse employment action, and/or that there was a legitimate, non-discriminatory reason for the conduct.

Moreover, Gay acknowledged that Kim participated in both of Gay’s interview panels for the 1842 position, and thus, Kim was among those who chose to hire Gay. At the time Kim hired Gay, Kim would have been aware of Gay’s race and skin color, and likely Gay’s age as well. That Kim hired Gay knowing Gay is a dark-skinned Black woman over the age of 40 creates a strong inference that Kim lacked discriminatory animus. Though Gay claimed that Kim only hired Gay for the “optics” of having an African American employee, Gay did not provide any evidence that Kim’s desire for the “optics” dissipated merely because employees began working remotely during the pandemic, particularly considering that Gay and numerous witnesses testified that staff regularly interfaced via videoconference. Furthermore, if Kim’s desire for the “optics” was no longer present and Kim suddenly developed or unleashed discriminatory animus as soon as the SIP began, then it does not follow that she would allow Gay to pass probation a few months later.

##### **A. Allegation 1: DAAS List**

Gay alleged that in January 2020, Kim discriminated against her due to her race by leaving her to formulate a DAAS list alone and write a document explaining the process during her probationary period. While the investigation established that Gay did create a DAAS list, the investigation established that she did not suffer an adverse employment action and that this assignment was unrelated to her race. First, the investigation established that Gay did not formulate the DAAS list alone, as she claimed; rather, Badasow assisted her by providing her a

significant amount of information necessary to complete the project. Second, the investigation established that creating a DAAS list and writing a document to describe the process, even on her own, were within her job duties, which include performing “a variety of research and reporting functions; identify[ing] issues; consult[ing] with department personnel and other individuals/experts; evaluat[ing] proposals, information and documentation from a wide variety of sources ... gather[ing], compil[ing], and analyz[ing] statistical and other data; writ[ing] reports and prepar[ing] documentation...” Third, Gay’s statement that she was on probation while completing this project is irrelevant. Probationary employees are required to perform their job duties, and this assignment had no impact on Gay’s probation. It is undisputed that Gay passed her probationary period and Kim never attempted to extend it. Fourth, the investigation established that this assignment was unrelated to Gay’s race. Witnesses stated that Asian and white employees over and under the age of 40 – including [REDACTED] and Badasow – were also required to produce DAAS lists, and formulating such lists ensures that HSA completes necessary ethical disclosures, which is a legitimate business need. Accordingly, the investigation did not substantiate this allegation.

**B. Allegation 2: Form 700s, Harassment Prevention Forms, and Scheduling**

Gay alleged that around or after mid-March 2020, Kim discriminated against her due to her race and age by giving her Form 700 assignment to [REDACTED] giving her Harassment Prevention Form assignment to Yeung, and giving all of her other work assignments to [REDACTED] who became Kim’s assistant, so that these employees would get the credit for her work.

Regarding all of these assignments, the investigation did not establish that Gay suffered an adverse employment action. No witness testimony or documentary evidence demonstrated that Gay suffered a material adverse change to the terms, conditions, or privileges of her employment. Though Gay claimed others received the credit for her work, she did not allege – and the investigation revealed no information – that others being credited for the work materially and adversely impacted her employment.

Regarding the Form 700 assignment, witness testimony and documentary evidence established that Kim asked [REDACTED] to complete the assignment because the deadline was approaching and [REDACTED] had prior experience in completing it. [REDACTED] explained that Gay had only collected a few responses and had not sent a reminder, even though the deadline was looming and it is difficult to get employees to respond. This is a legitimate business reason for shifting the assignment from Gay to [REDACTED] and undermines Gay’s claim that she completed all or a substantial part of the assignment, as well as her claim that [REDACTED] taking over the assignment was related to her race. Furthermore, Gay stated during her rebuttal interview that Rhorer and Kaplan emailed her about the Form 700 and expressed concerns about meeting the deadline. While Gay felt this email was inappropriate, it was within Rhorer and Kaplan’s managerial duties to ensure the mandated reporting was completed, and the fact that they were concerned about meeting the deadline further supports the transfer of the assignment from Gay to [REDACTED]

Regarding the Harassment Prevention Forms, Gay did not provide any additional information to support the claim that Kim actually transferred this assignment to Yeung or that she did so

because of Gay's race, the investigation revealed no such information, and even if it had, Yeung's completion of a single assignment would not have materially and adversely impacted Gay's employment.

Regarding all of Gay's other work assignments, the investigation did not substantiate that Kim gave the assignments to [REDACTED] or that [REDACTED] became Kim's assistant. The investigation established that [REDACTED] scheduled Kim's meetings after the COVID-19 pandemic began because she had experience using Zoom and MS Teams to conduct virtual meetings. The investigation further established that on April 20, 2020, [REDACTED] emailed Gay hyperlinks to MS Teams resources and training, and on April 20 and 24, May 5 and 11, and July 7, 2020, [REDACTED] trained Gay on Zoom and MS Teams. The investigation further established that by July 2020, [REDACTED] had ceased scheduling meetings for Kim, and [REDACTED] who is a manager, never worked as Kim's assistant. Documentary evidence established that Gay took leave from work from July 15, 2020 to September 2, 2020, and when she returned, she resumed scheduling Kim's appointments. (Ex. E). For instance, on September 29, 2020, Gay scheduled a meeting between Kim and [REDACTED] and on November 9, 2020, she emailed [REDACTED] to schedule a meeting between Kim and Kaplan. Accordingly, the investigation did not substantiate this allegation.

**C. Allegation 3: Access to Kim's Office Files**

Gay alleged that after February 2020, Kim discriminated against her due to her race, age, and size ("overweight") by denying her access to Kim's office. The investigation established that around March 2020, Kim limited Gay's access to her office; however, the investigation also established that the COVID-19 pandemic played a role in this limited access. Gay acknowledged that in January and February 2020 – before the pandemic – Kim allowed Gay into her office to access files. Gay's race, age, and size did not change after February 2020. Also, Gay acknowledged that Kim allowed Williams – who is also Black, over age 40, and "overweight" – access to her office. These facts further undermine Gay's claim that Kim's conduct was related to Gay's protected category memberships. Moreover, having limited access to her supervisor's office is not an adverse employment action. Though Gay claimed that she had been holding files in her office for nearly a year because she could not access Kim's files, she did not explain how this mere inconvenience materially and adversely affected the terms, conditions, or privileges of her employment. Accordingly, the investigation did not substantiate this allegation.

**D. Allegation 4: 2020 Voting Information Distribution**

Gay alleged that sometime after March 2020, Kim transferred the 2020 voting information distribution assignment from her to [REDACTED] due to her race. However, Gay did not suffer an adverse employment action. Though she claimed her job duties were "stripped" from her, she did not demonstrate that her not sending one brief email to HSA staff about a non-work-related matter materially and adversely impacted her employment. Moreover, the investigation established that it was [REDACTED] not Kim, who instructed [REDACTED] to share the voting information. [REDACTED] stated that in 2018 and 2020, she emailed HSA staff information on the national elections because [REDACTED] told her to do so, and emails provided by [REDACTED] corroborated her statement. Accordingly, the

investigation did not substantiate Gay's claim that Kim transferred the voting notice assignment from Gay to [REDACTED] due to Gay's race.

**E. Allegation 5: Access to Kim's Calendar and Scheduling**

Gay alleged that in March 2020, Kim denied her access to Kim's calendar and scheduling due to her race. The investigation established that from approximately March to September 2020, [REDACTED] and Kim handled Kim's scheduling. The investigation established that at the beginning of the pandemic, [REDACTED] handled scheduling because she was already familiar with Zoom and MS Teams, and [REDACTED] subsequently provided information and training to Gay on using Zoom and MS Teams so that Gay could resume her scheduling duties. The investigation further established that from July to August 2020, while Gay was on leave, Kim asked [REDACTED] a Black woman, and [REDACTED] to schedule her meetings. The investigation established that when Gay returned from leave, she resumed Kim's scheduling. Accordingly, the investigation did not substantiate Gay's allegation that Kim denied Gay access to her calendar and scheduling due to her race or other protected category membership. Rather, Kim did so because she needed someone to cover these duties while Gay was out of the office, which is a legitimate business reason.

**F. Allegation 6: DSW Assignment**

Gay alleged that in May 2020, Kim discriminated against her due to her race and skin color by requiring her to work for one week as a DSW in an assignment she was destined to fail because it involved using SharePoint and calling elderly clients who were mostly Chinese-speaking. However, being required to work as a DSW is not an adverse employment action. All City employees are designated as DSWs pursuant to state and local law. Several witnesses interviewed in the investigation, including white and Asian employees, also received DSW assignments, and some of these witnesses also identified numerous other HSA employees of various races who were deployed as DSWs in a variety of capacities. Two of the witnesses who worked on the same assignment as Gay, [REDACTED] and [REDACTED] stated that although HSA never provided training on SharePoint, they were able to learn the application themselves, and the manager overseeing their DSW assignment, Shadoan, provided training on the assignment. Moreover, the investigation revealed no evidence corroborating Gay's claim that she was set up to fail in her DSW assignment, that she did fail in her assignment, or that she suffered any consequences for this alleged failure. Accordingly, the investigation did not substantiate Gay's claim that Kim deployed her as a DSW because she is a dark-skinned Black woman, that Kim set her up to fail in her DSW assignment, or that she suffered an adverse employment action as a result of this assignment.

**G. Allegation 7: Gay Ceases Completing AERs and PSLFs**

Gay alleged that in December 2020, Kim discriminated against her due to her race by no longer allowing her to complete AERs and PSLFs, which she had been doing since the end of January 2020. However, the investigation established that Gay did not suffer an adverse employment action. First, the investigation demonstrated that Gay processed AERs and PSLFs prior to

December 2020 and after December 2020. Second, Gay did not provide any evidence demonstrating that not processing AERs and PSLFs for a period of time materially and adversely impacted her employment. Witnesses stated that they processed, on average, about five to six AERs and four to five PSLFs each month, and therefore, this was not a significant amount of work or a regular part of the job. Third, the investigation did not establish that Kim did not allow Gay to complete these forms for a period of time due to Gay's race. Though Kim's previous non-African American assistants, [REDACTED] and Rodriguez, completed AERs and PSLFs, other employees who were not Kim's assistants, such as [REDACTED], also completed them at different times. Thus, these were not tasks exclusively held by Kim's assistant and improperly taken away from Gay. Finally, the investigation established that Kim had a legitimate, non-discriminatory reason for having others complete the AERs and PSLFs for a period of time, namely that Gay was having difficulty with these forms. [REDACTED] both stated that Gay constantly had questions about AERs and PSLFs and would ask the same questions over and over again, and [REDACTED] got the impression that Gay did not want to do the work and wanted [REDACTED] to do it for her.

#### **H. Allegation 8: Kim Denied Gay Shadowing and Training**

Gay alleged that on unknown dates, Kim denied her the opportunity to shadow [REDACTED] and denied her training on Zoom and Teams. The investigation did not substantiate Gay's claims. First, [REDACTED] stated that she did not know whether Gay ever asked to shadow her but explained it would not make sense for Gay to do so because they performed very different work. Second, the investigation established that Gay's claim that Kim denied her Zoom and Teams training is false. [REDACTED] believes Kim initially asked [REDACTED] to train Gay on Zoom, and he later learned that in 2020, after the beginning of the pandemic, [REDACTED] was training Gay on Zoom. [REDACTED] participated in three or four of Gay and [REDACTED] three-hour sessions, and [REDACTED] stated that she spent a total of 40 hours training Gay on Zoom. [REDACTED] also stated that on five to ten occasions, she helped Gay with applications, including Zoom and Teams. All three witnesses stated that Gay had difficulty with training. [REDACTED] stated Gay performed poorly, would "zone out," asked [REDACTED] to repeat herself multiple times, went "off on tangents," and failed to complete practice assignments. [REDACTED] believes Gay wanted to receive Zoom training through osmosis and "didn't want to do the work."

#### **I. Allegation 9: Kim Denied Gay Data Training**

Gay alleged that around May 2020, Kim assigned her a "data cleaning" project but denied her the training necessary to perform the work. Gay believes Kim denied her training due to her race because [REDACTED] Heber, [REDACTED] and Mc Caleb all received training. Gay also claimed that Kim selected her for the task because others had small children while she had a grown child. The investigation established that the project to which Kim assigned Gay was HSA's Health Survey. The investigation further established that in June and July 2020, [REDACTED] trained Gay on the Health Survey for two weeks. [REDACTED] supervisor, [REDACTED] stated that [REDACTED] worked with Gay daily, sometimes for two to three hours. In addition, the investigation established that despite this training, Gay could not independently complete the assignment. The investigation also established that [REDACTED] Heber, [REDACTED] and McCaleb are not similarly situated to Gay because they do not have the same job or perform the same work, and therefore, any training they may

have received to perform their job duties is irrelevant to Gay. Accordingly, the investigation did not substantiate this allegation.

**J. Allegation 10: Racial Equity Work Group (REWG)**

Gay alleged that in early 2020, Kim denied her request to join the REWG due to her race and age. The investigation did not substantiate this allegation. Rather, the investigation revealed that Kim is not in charge of the REWG and does not make membership decisions. Rather, [REDACTED] and [REDACTED] both stated that [REDACTED] leads the REWG and handles the membership application process, and Gay did not allege that [REDACTED] who is also Black, harbored any racial animus against her. Furthermore, [REDACTED] stated that they called for applications in October 2020, and Gay did not apply. Over 100 other employees did apply, and [REDACTED] accepted only 27 applicants. Others who applied and were not selected included several non-Black employees, which further undermines any claim that REWG membership selections were race-based. Finally, Gay did not allege that not being an REWG member was an adverse employment action, and the investigation revealed no information demonstrating a material adverse impact on Gay's employment or on the employment of the numerous applicants who were not selected. Accordingly, the investigation did not substantiate this allegation.

**K. Allegation 11: Data Analysis and Other Duties**

Gay alleged that in June 2020, just three weeks before the end of her probationary period, Kim assigned her several unmanageable projects simultaneously and denied her adequate training to complete the projects due to her race. The investigation did not substantiate Gay's claim that Kim assigned her several projects at once, that the projects were unmanageable, or that Kim denied Gay training.

First, as discussed above in connection with Allegation 9, the investigation revealed that Kim did assign Gay to work on HSA's Health Survey. However, [REDACTED] stated that Kim did so in response to Gay's request for more meaningful tasks and that it was [REDACTED] who suggested to Kim that Gay work on the survey. Also, [REDACTED] provided extensive training to Gay on the survey. Moreover, witnesses stated that Kim assembled a team, including [REDACTED] and [REDACTED] to work on this project, and thus, Gay was not in charge of the project or expected to complete it on her own. Moreover, working on the survey was not an adverse employment action because it is within the job duties of an 1842 Management Assistant, including "[p]erform[ing] and/or assist[ing] management in a variety of research and reporting functions" and "conduct[ing] surveys and needs assessment," and "gather[ing], compil[ing] and analyz[ing] statistical and other data."

Second, the investigation further established that it was [REDACTED] not Kim, who assigned Gay other projects, including creating one or two fliers regarding DSW assignments and COVID-19. Also, the investigation established that Kim assigned her previous assistant, [REDACTED] who is Asian, several special projects, which undermines Gay's claim that she received the assignments because she is Black. Furthermore, being tasked with creating one or two flyers is not an adverse employment action because it is within the duties of an 1842 Management Assistant.

Finally, though Gay implied that the assignments were made in order to prevent her from passing probation, the investigation established that Kim allowed Gay to pass probation without incident. Gay never alleged that Kim tried to release her or extend her probation, and [REDACTED] testified that though she personally believed Gay should not pass probation because she could not work independently, Kim never tried to release Gay or extend her probation. Accordingly, the investigation did not substantiate this allegation.

**L. Allegation 12: Kim and [REDACTED] Enter Gay's Office**

Gay alleged that in June 2020, Kim entered her office with [REDACTED] told her to step out, and required [REDACTED] to search every box and cabinet drawer because Gay is African American. The investigation substantiated Gay's allegation that Kim and [REDACTED] entered Gay's office; however, the investigation did not substantiate Gay's allegation that [REDACTED] searched every box and drawer in the office. [REDACTED] acknowledged that he and Kim entered Gay's office with and without Gay present but explained that they did so because they needed to access personnel files kept there. Gay did not suffer an adverse employment action by having her supervisor and a colleague enter her office to access work files. Gay did not own these files, nor did she have any reasonable expectation of privacy in HSA files maintained inside her HSA office. Moreover, the investigation did not substantiate Gay's claim that Kim and [REDACTED] searched inside her office because she is African American. Rather, as [REDACTED] explained, went to the office to look for personnel files, which is a legitimate, non-discriminatory reason. Accordingly, the investigation did not substantiate this allegation.

**M. Allegation 13: June 2020 Zoom Training**

Gay alleged that in June 2020, Kim prevented her from participating in Zoom training with [REDACTED] by giving her an "overwhelming" workload and also prevented her from learning Teams because she is African American. The investigation did not substantiate this allegation. Rather, the investigation established that Gay requested Zoom training from Kim, and Kim granted the request. As discussed above in connection with Allegation 8, [REDACTED] spent 40 hours training Gay on Zoom in June, September, and October 2020. Although Gay alleged that her Zoom training was circumvented by Kim due to her workload with the Health Survey in June 2020, her Zoom training resumed after she returned to work from leave in September 2020 and continued into October 2020, when she was no longer working on the Health Survey. In addition, documentary evidence and witness testimony established that Gay was not prevented from learning Teams and that Gay scheduled Kim's meetings in Teams. [REDACTED] stated that she provided Gay training on Teams and after Gay learned Teams, Gay scheduled the HSA HR manager meetings and other HR-related meetings for Kim. Documentary evidence corroborated [REDACTED] statements. Finally, Gay did not provide any information supporting her claim that her workload was "overwhelming," and this claim is undermined by the fact that she had plenty of time to do extensive training on Zoom, as well as on Teams and on other matters.

**N. Allegation 14: Induction Training**

Gay alleged that Kim denied her Induction Training due to her race; however, the investigation established that Gay was not eligible for this training and therefore did not suffer an adverse

employment action and was not denied the training due to her race. HSA provided documentation demonstrating that its Induction Training is designed to train 2905 Senior Eligibility Workers on welfare benefit eligibility and select social services programs. (Ex. D). Induction Training is an intensive, four-month program that builds proficiency in Medi-Cal, CalWIN, and CalFresh programs. (*Id.*). As an 1842 Senior Management Assistant, Gay is not eligible for this training, which is not relevant to her job duties. Therefore, Gay's lack of Induction Training had no impact on her employment, and Kim had a legitimate, non-discriminatory reason for not enrolling her in the training.

**O. Allegation 15: Email Dissemination by Williams and [REDACTED]**

Gay alleged that Kim ceased allowing her to send mass emails to employees due to her race and age. The investigation did not substantiate this allegation. Rather, witness testimony and documentary evidence established that between 2020 and October 2021, Gay sent mass emails to HSA HR staff on a variety of topics, including COVID-19 leave benefits, staff meetings, contact lists, health screening forms, cybersecurity training, and return-to-work procedures. Furthermore, even if Gay were not permitted to send mass emails, she provided no information demonstrating that this would materially and adversely impact her employment. Accordingly, the investigation did not substantiate this allegation.

**P. Allegation 16: Isolated by Kim**

Gay alleged that Kim isolated her and denied her job tasks due to her race and age. The investigation did not substantiate this allegation. Documentary evidence and witness testimony demonstrated that in September and October 2020, Gay scheduled Kim's meetings, in November 2020, Gay coordinated the HSA HR employee phone directory project, and in December 2020, Gay organized Kim's office move. Thus, it is not true that Kim isolated Gay or denied Gay tasks, and therefore, Gay did not suffer an adverse employment action.

Furthermore, to support her claim that she was excluded from being part of the HR management team, Gay alleged that [REDACTED] stated during a weekly manager meeting, "intent opposed to impact," which Gay interpreted as, "If HSA intended to hire African Americans, what would be the impact?" However, the investigation did not corroborate this statement. [REDACTED] did not recall ever speaking to Gay about "intent versus impact," and [REDACTED] never heard [REDACTED] and Gay discuss "intent versus impact" or equity issues. In addition, even if [REDACTED] did make the alleged comment, it is not objectively race-related, nor does it demonstrate that Gay was excluded or isolated from her colleagues in any way, or that there was any materially adverse impact on Gay's employment. Accordingly, the investigation did not substantiate this allegation.

**Q. Allegation 17: Data Training for Younger, Lighter-Skinned Employees**

Gay alleged that Kim expected her to have knowledge regarding data while not having this expectation of and providing training to younger and lighter skinned employees. Gay also claimed that in November 2020, when [REDACTED] division needed assistance with data, Kim permanently moved McCaleb there. The investigation did not substantiate Gay's claims. First,



Gay did not allege or provide any information to support that Kim's alleged expectation that she know about data caused her to suffer an adverse employment action. Moreover, as discussed in connection with Allegation 9, [REDACTED] provided Gay with two weeks of training while she was working on the Health Survey, which undermines Gay's claim that Kim expected Gay to already have data knowledge and did not provide her training. In addition, the younger, lighter-skinned employees Gay identified, Blasi and Mora, worked in a different job classification than Gay and therefore are not similarly situated to her. Thus, Kim had a legitimate, non-discriminatory reason for purportedly having different expectations of and providing different training to these employees.

In addition, Gay's statements regarding McCaleb are irrelevant. [REDACTED] explained that Kim suggested McCaleb assist [REDACTED] on the first phase of HSA's Racial Equity Action Plan temporarily during a time when [REDACTED] had no staff. Gay does not work on [REDACTED] team and the Racial Equity Action Plan had nothing to do with her job duties. Furthermore, McCaleb has a different job classification from Gay and is therefore not similarly situated to Gay. To the extent that Gay was suggesting that she should have been considered to work on [REDACTED] team rather than McCaleb, this would not have been appropriate. [REDACTED] pointed out that they had no need for a management assistant and instead needed someone with McCaleb's skill set. Thus, the investigation did not substantiate this allegation.

**R. Allegation 18: Mentoring Training**

Gay alleged that in December 2020, Kim credited [REDACTED] [REDACTED] and Aho with Gay's ideas about training, mentoring, and shadowing employees due to her race, skin color, and age. The investigation did not substantiate this allegation. First, the investigation established that in 2018 – before Gay even began working as Kim's assistant – [REDACTED] developed a mentoring program and shared it with Williams. [REDACTED] denied ever seeing Gay's PowerPoint presentation on this topic, and Williams denied taking information from Gay's presentation, which she saw on December 4, 2020, and giving it to [REDACTED]. Likewise, [REDACTED] could not identify any ideas about training or mentoring they ever heard Gay make, but [REDACTED] did recall seeing [REDACTED] mentoring materials "years ago" and wanting to use them to develop the mentoring program. Finally, [REDACTED] mentoring program was broader than Gay's proposal, which only involved employees in the 1800-series job classification. Thus, the investigation revealed no evidence that Kim or Williams took Gay's ideas and gave them to [REDACTED] or anyone else. The evidence showed that [REDACTED] a seasoned trainer with 30 years of experience, developed her own content over a year before Gay even started her job and was therefore properly credited for this work.

**S. Allegations 19 and 20: Customer Service and New Employee Orientation**

Gay alleged that in November 2020, Kim took her ideas about customer service for HSA staff and new employee orientation and shared them with HR Managers, including Williams and [REDACTED] without crediting her for her work. Gay claimed Kim did so due to her race. However, the investigation did not substantiate this allegation. First, the investigation did not establish that any manager took Gay's ideas or that any of HSA's procedures changed in any way as a result of Gay. Williams denied taking Gay's ideas about onboarding and giving them to [REDACTED] and [REDACTED].

corroborated Williams's statements, explaining that [REDACTED] Operations team already had an onboarding process and did not change it after Gay met with [REDACTED] about onboarding. Williams also denied that HSA Personnel changed onboarding processes or began giving out bags or packets to new employees, as Gay alleged, and [REDACTED] explained that various HSA departments onboard their employees differently and already had an onboarding procedure in place for years. [REDACTED] also stated that it was not Gay's idea to provide new employees with the information Gay claimed.

Second, Gay did not provide any evidence to support her claim that HR Managers were credited for her ideas. Rather, she alleged that Zin, a front desk clerk, was named Employee of the Month as a result of her ideas. However, the investigation proved otherwise. Williams stated that she recommended Zin for Employee of the Month because he was "cheerful" and had "a great attitude" while working at the front desk, and Kaplan and the other HR Managers agreed. This award was unrelated to Gay or her ideas and had no impact on her employment.

**T. Allegation 21: Shadowing and Training**

Gay alleged that in February 2021, Kim removed her from shadowing [REDACTED] due to her race because African Americans were not being trained in Sequel Bi and Power Bi, while Asian employees were. However, the investigation did not substantiate this allegation. First, [REDACTED] stated that in April or May 2021, she trained Gay on how to facilitate Zoom interviews after Gay reached out and told [REDACTED] that Kim wanted Gay to shadow [REDACTED] on how to facilitate interviews. Second, Gay did not provide any information demonstrating that she needed training on Sequel Bi and Power Bi in order to perform her job duties or that not being trained on these applications materially and adversely impacted her job. Third, Williams provided documentation demonstrating that Gay has been enrolled in 44 trainings on various topics dating back to the beginning of her employment and also has access to City University-Academy X and UC Berkeley Extension courses through HSA. Thus, the investigation established that Gay was provided with significant training relevant to her job duties, did not suffer an adverse employment action, and was not denied training due to her race or for any other reason.

**U. Allegation 22: 2021 Form 700s**

Gay alleged that in February 2021, she asked Kim to begin the Form 700s as she had done in 2020, and Kim sabotaged her work due to her race by stating that work on the Form 700s did not begin until April, even though the deadline to complete them was April 1. However, the investigation did not substantiate Gay's allegation. DHR's records indicate that Kim transferred to DPH on March 20, 2021. At that time, Gay began reporting to Williams, and Williams stated that she asked Gay to complete the Form 700s, which Gay did. Therefore, Gay's work was not sabotaged by Kim and was completed, and Gay did not suffer an adverse employment action.

**V. Allegation 23: Transition from Kim to Williams**

Gay alleged that in February 2021, when Williams became Acting HR Director, Williams continued to marginalize Gay by limiting her work assignments and isolating her from other

staff. The investigation did not substantiate this allegation. Williams, who was found to be credible, denied the allegation and stated that Gay handles her schedule, she does not prevent Gay from speaking to her, she does not deny Gay training, and she worked with Gay on creating an FAQ regarding AER and PSLF processing for HSA employees. Williams further stated that when she first began her new role, she gave “few tasks to anyone,” and did not single out Gay to limit her work assignments. Williams stated that she asked Gay to create a “kudos board” for HSA employees, and Gay declined to do so, which surprised Williams because Williams had made such boards herself and did not consider the assignment inappropriate. In addition, as set forth above, Gay completed the Form 700s in March 2021. Also, documentary evidence demonstrated that Gay scheduled Williams’s weekly HR Managers’ meeting on March 29, 2021; April 5, 2021; April 13, 2021; April 20, 2021; May 3, 2021; June 14, 2021; September 1, 2021; and September 7, 2021. (Ex. E). Finally, Gay did not provide any information demonstrating that Williams, a Black woman over the age of 40, harbored any animus against Gay due to Gay’s race, skin color, and age.

**W. Allegation 24: Williams Prevents Gay from Working at HSA Office**

Gay alleged that since April 2020, Williams has preferred for her not to come into the office on a certain day due to concerns over the spread of COVID-19; however, four or five other employees were allowed to come in. The investigation did not substantiate this allegation. Williams denied limiting Gay from working in the office and stated that in April 2020, the City established protocols regarding office capacity. Williams stated that she also was not able to go to the office as freely as she wished due to COVID-19 capacity limits. In addition, ██████ stated that Williams emailed the staff regarding office capacity limits and that there were limits of six to eight people in large conference rooms. ██████ stated that she does not work in the office at all, and ██████ only went to the office one to three times per week to supervise payroll tasks. ██████ further stated that there were limits on the number of people allowed in the office and that there were not many people in the office when he was there. Gay did not provide any information demonstrating that not being permitted to come to the office on a certain day adversely impacted her employment, nor did she identify the employees who were permitted to go to the office on that day or claim that they were similarly situated to her. Finally, the City and HSA had a legitimate, non-discriminatory reason for limiting employees’ time in the office – preventing the spread of COVID-19 – and there is no information demonstrating that this reason was pretextual or that Gay was singled out in the application of these City protocols due to her protected category membership.

**X. Allegation 25: Williams and Form 700s**

Gay alleged that in 2021, Williams asked Gay to give the Form 700s to ██████ instead of Williams so Williams could avoid contact with Gay. The investigation did not substantiate this allegation. Rather, the investigation established that ██████ never processed or collected Form 700s and Williams never asked ██████ to perform any tasks. Documentary evidence established that on April 13, 2021, Gay emailed Williams, telling her that she was giving the Form 700s to ██████ to safeguard because she could not lock her cabinet. Gay did not provide any evidence that Williams tried to avoid Gay or that Williams harbored any discriminatory

animus toward her. Moreover, [REDACTED] is also Black, and therefore, it does not follow that if Williams wanted to avoid Gay because she is Black, then she would do so by having contact with another Black employee. Gay also failed to provide any information demonstrating that she suffered an adverse employment action related to the Form 700s or explaining how allegedly not having contact with Williams on one occasion would materially and adversely impact her employment.

**Y. Allegation 26: Others Assumed Gay's Duties**

Gay alleged that when she was out of the office until July 6, 2021, Williams transferred her duties to [REDACTED] and [REDACTED] criticized Gay's work in front of others. Witness testimony established that in mid-2020, Kim and [REDACTED] asked [REDACTED] a Black woman, to take over scheduling HR meetings while Gay was on leave. However, this is not an adverse employment action because having another employee perform her duties while she was on leave did not impact Gay's employment, and Kim had a legitimate business reason for having [REDACTED] take over scheduling while Gay was out. The investigation did not substantiate Gay's claim that [REDACTED] criticized Gay's work during a meeting, and Gay did not provide any information demonstrating that [REDACTED] alleged criticism on one occasion materially and adversely impacted her employment.

**Z. Allegation 27: Gay's Data Duties and Kim's Comments**

Gay alleged that in February 2021, Kim told Gay that she never intended for Gay to take over "data," and when Gay said she had an email stating the contrary, Kim condescendingly replied, "Oh yeah, you're really good at emails!" The investigation did not substantiate this allegation. Though Gay claimed to have an email stating that Kim wanted her to take over data, Gay did not provide this email. Moreover, Kim's alleged comment is not an adverse employment action because it had no impact on the terms, conditions, or privileges of Gay's employment. In addition, Gay did not provide any information demonstrating that this interaction occurred due to Gay's protected category membership.

**AA. Allegation 28: Mental Health Awareness Flier**

Gay alleged that in May 2021, someone at HSA instructed others to keep work assignments, including disseminating the Mental Health Awareness flier, from Gay. The investigation did not substantiate this allegation. [REDACTED] denied that Kim or any other employee told her to keep work assignments from Gay, and [REDACTED] had no motive to lie. [REDACTED] asked [REDACTED] to email the Mental Health Awareness flier for legitimate business reasons, including [REDACTED] status as a Wellness champion and as [REDACTED] direct report. The investigation established no reason why [REDACTED] would have Gay, who reported to someone else, distribute the flyer. Nonetheless, documentary evidence shows that Gay did, in fact, email the flier. Thus, there is no evidence that anyone denied Gay tasks or that [REDACTED] attempted to keep this particular assignment from Gay.

## **VIII. CONCLUSION AND RECOMMENDED RESOLUTION**

Based on the foregoing, the investigation did not substantiate Gay's allegations that Kim and Williams harassed and discriminated against Gay based on Gay's race, skin color, and age. HSA should inform Kim and Williams of the Human Resources Director's determination.

## **IX. ATTACHMENTS TO THE REPORT**

Attached to this report are the following exhibits:

- Exhibit A: DHR EEO Harassment Helpline Memo, August 10, 2020
- Exhibit B: Interviews with Gay  
Attachment 1: Intake Interview Notes with Gay, February 23, 2021  
Attachment 2: Rebuttal Interview Notes with Gay, March 16 and 22, 2022
- Exhibit C: Charge of Discrimination, June 11, 2021
- Exhibit D: Notice of Charge and Request for Information, September 7, 2021
- Exhibit E: HSA Response to RFI, including attachments, September 28, 2021,
- Exhibit F: Summary of Investigative Interviews  
Attachment 1: Katrina Williams, HSA Human Resources Director  
Attachment 2: ██████████, 0931 Manager III  
Attachment 3: ██████████, 0931 Manager III  
Attachment 4: ██████████, then-0931 Manager III  
Attachment 5: ██████████, 0923 Manager II  
Attachment 6: ██████████, 0922 Manager I  
Attachment 7: ██████████, 1244 Senior Human Resources Analyst  
Attachment 8: ██████████, 1244 Senior Human Resources Analyst  
Attachment 9: ██████████, 1244 Senior Human Resources Analyst  
Attachment 10: ██████████, 1244 Senior Human Resources Analyst  
Attachment 11: ██████████, 1244 Senior Human Resources Analyst  
Attachment 12: ██████████, 1241 Human Resources Analyst  
Attachment 13: ██████████, 1241 Human Resources Analyst  
Attachment 14: ██████████, 1232 Training Officer  
Attachment 15: ██████████, 1232 Training Officer  
Attachment 16: ██████████, 1232 Training Officer  
Attachment 17: ██████████, 1842 Management Assistant  
Attachment 18: ██████████, 1203 Personnel Technician
- Exhibit G: Documents Provided by Gay  
Attachment 1: DAAS List, February 27, 2020  
Attachment 2: Photograph of "Letter from the Executive Directors" re: REWG

Attachment 3: Email from Gay to [REDACTED] September 29, 2020  
Attachment 4: Email from Gay to [REDACTED] November 9, 2020  
Attachment 5: Gay's PowerPoint Presentation  
Attachment 6: Gay's Letter to HSA HR, February 12, 2021  
Attachment 7: Gay's Email to HSA HR Staff, February 23, 2021  
Attachment 8: Gay's Email to DHR EEO re: Time Studies, October 7, 2021

Exhibit H: Documents Provided by [REDACTED]  
Attachment 1: Email Timesheet, April 7, 2020  
Attachment 2: Email Timesheet, April 8, 2020  
Attachment 3: Email Timesheet, February 11, 2020  
Attachment 4: Email Timesheet, February 26, 2020  
Attachment 5: Gay, [REDACTED] Time Study Emails, February 26, 2021

Exhibit I: Documents Provided by [REDACTED]  
Attachment 1: [REDACTED] Email to Williams re: Zoom Training, September 28, 2020  
Attachment 2: Zoom for Learners Participant Guide

Exhibit J: Documents Provided by [REDACTED]  
Attachment 1: [REDACTED] Email to Williams re: Mentorship, July 13, 2020  
Attachment 2: Meeting Invite to Williams re: Mentorship Program, September 28, 2020

Exhibit K: Documents Provided by [REDACTED]  
Attachment 1: Additional Employment Guidelines, October 22, 2019  
Attachment 2: Gay Email to [REDACTED] [REDACTED] re: Employee Info Lookup, August 17, 2021  
Attachment 3: Gay Email to [REDACTED] [REDACTED] re: August 19, 2021  
Attachment 4: [REDACTED] Email to Gay re: AER of Sophear Meas, August 19, 2021  
Attachment 5: Gay Email to Williams, et al. re: AER of Au Khanh, August 20, 2021  
Attachment 6: Gay Email to [REDACTED] et al. re: AER of Au Khanh, August 24, 2021  
Attachment 7: Gay Email to [REDACTED] [REDACTED] re: AER of Danielle Thompson, October 4, 2021  
Attachment 8: Gay Email to [REDACTED] [REDACTED] re: PSLF of K. Hong, September 22, 2021  
Attachment 9: Gay Email to [REDACTED] re: PSLF of Shareetha Adams, September 23, 2021  
Attachment 10: Gay Email to [REDACTED] re: PSLF of Shareetha Adams, September 24, 2021  
Attachment 11: Gay Email to Zin, [REDACTED] re: PSLF of Shareetha Adams, September 27, 2021  
Attachment 12: Gay Email to [REDACTED] [REDACTED] re: People&Pay, September 29, 2021  
Attachment 13: Gay Email to [REDACTED] et al. re: PSLF of K. Jia Wen Li, October 20, 2021  
Attachment 14: Gay Email to [REDACTED] [REDACTED] re: K. Jia Wen Li Email, October 20, 2021  
Attachment 15: HR Ops Appointment and Separation Processing Check List

Exhibit L: Documents Provided by [REDACTED]  
Attachment 1: [REDACTED] Email to Gay re: AER Approvals, November 13, 2020  
Attachment 2: [REDACTED] Email to Gay re: AER Approvals, November 16, 2020  
Attachment 3: [REDACTED] Email to Gay re: AER Approvals, December 4, 2020  
Attachment 4: [REDACTED] Email to Gay re: AER Approvals, July 13, 2021  
Attachment 5: [REDACTED] Email to Gay re: AER FAQ, September 10, 2021

Exhibit M: Documents Provided by [REDACTED]  
Attachment 1: Gay Email to HSA HR re: Phone Directory, October 15, 2020  
Attachment 2: Gay Email to [REDACTED] re: Kim's Office Move, December 9, 2020  
Attachment 3: Gay Email to HSA HR re: Mental Health Month, May 3, 2021  
Attachment 4: [REDACTED] Email to Gay re: Mental Health Month, February 3, 2021  
Attachment 5: Gay Email to [REDACTED] re: Tuition Reimbursement, March 13, 2021

Exhibit N: Documents Provided by [REDACTED]  
Attachment 1: Gay Email to [REDACTED] re: Interview, February 1, 2021  
Attachment 2: Gay Email to HSA HR re: Cybersecurity, June 28, 2021  
Attachment 3: Gay Email to HSA HR re: Daily Health Screening, March 31, 2021  
Attachment 4: Gay Email to [REDACTED] re: Vacancy Reports, May 10, 2021  
Attachment 5: Gay Email to HSA HR re: Mental Health Month, May 3, 2021  
Attachment 6: Gay Email to HSA HR re: Staff Meeting, February 23, 2021  
Attachment 7: Gay Email to [REDACTED] re: Interview, January 26, 2021  
Attachment 8: Gay Email to [REDACTED] re: Shadowing Interview, January 26, 2021  
Attachment 9: [REDACTED] Email to Gay re: Scheduling Interviews, January 21, 2021  
Attachment 10: Gay Email to [REDACTED] re: Scheduling Interviews, January 21, 2021  
Attachment 11: Gay Email to [REDACTED] re: Panel Interview Questions, January 25, 2021  
Attachment 12: Gay Email to [REDACTED] re: Shadowing, January 19, 2021  
Attachment 13: Gay Email to [REDACTED] re: Shadowing, January 20, 2021

Exhibit O: Documents Provided by [REDACTED]  
Attachment 1: HSA Mentoring Program Handbook, L&OD, April 25, 2019  
Attachment 2: HSA Mentoring Program Handbook, Mentee, April 25, 2019  
Attachment 3: HSA Mentoring Program Handbook, Mentor, April 25, 2019  
Attachment 4: HSA Mentoring Program Flow  
Attachment 5: [REDACTED] Email to Williams re: Mentoring Program Draft, May 14, 2019

Exhibit P: Documents Provided by [REDACTED]  
Attachment 1: Gay, [REDACTED] emails re: scheduling meetings on Health Survey  
Attachment 2: Gay, [REDACTED] emails re: Health Survey

Exhibit Q: Documents Provided by [REDACTED]  
Attachment 1: Gay, [REDACTED] emails re: scheduling meetings  
Attachment 2: Gay email re: Form 700 filing, March 5, 2021

Exhibit R: Documents Provided by [REDACTED]  
Attachment 1: Emails re: Voting Notice  
Attachment 2: [REDACTED] Special Project – M CCP  
Attachment 3: [REDACTED] Special Project – Budget  
Attachment 4: [REDACTED] Special Project – Cold Weather Shelter  
Attachment 5: Gay, [REDACTED] emails re: Gay's Leave – May 12-18, 2021

Exhibit S: Documents Provided by [REDACTED]  
Attachment 1: Gay emails to HSA HR – 2020  
Attachment 2: Gay emails to HSA HR – 2021  
Attachment 3: Gay email and voicemail to [REDACTED] June 1, 2021  
Attachment 4: Memo re: HSA Return to Office, October 27, 2021

Exhibit T: Documents Provided by [REDACTED], [REDACTED]  
Attachment 1: Gay, [REDACTED] emails re: MS Teams Assistance, Training  
Attachment 2: Gay, [REDACTED] emails re: Zoom Assistance, Training  
Attachment 3: Gay, [REDACTED] emails re: Health Survey  
Attachment 4: Gay, [REDACTED] emails re: [REDACTED] Assisting Gay

Exhibit U: Documents Provided by [REDACTED]  
Attachment 1: [REDACTED] email to Burke re: Training, Meeting Invites, November 22, 2021  
Attachment 2: Gay, [REDACTED] Zoom Training Dates and Times  
Attachment 3: MS Teams Meetings Scheduled by Gay

Exhibit V: Documents Provided by [REDACTED]  
Attachment 1: Meeting Invitations for MS Office, Teams, and Zoom Training  
Attachment 2: Meeting Invitations for MS Teams Training  
Attachment 3: Meeting Invitation for Zoom Training  
Attachment 4: Meeting Invitations and Emails re: Note Taking Training

Exhibit W: Documents Provided by Katrina Williams  
Attachment 1: Gay, Williams emails re: Time Studies  
Attachment 2: Gay, Williams emails re: AERs  
Attachment 3: Gay, Williams emails re: Locking Cubicle Cabinet  
Attachment 4: Gay, Williams emails re: Form 700s to [REDACTED]  
Attachment 5: Gay, Williams emails re: Gay's Training  
Attachment 6: Gay's Training Transcripts

Exhibit X: Documents Provided by Brenden Lim  
Numerous Emails from Gay to HSA HR Managers and HSA HR staff, dated from July 10, 2020 to March 5, 2021  
Attachment 1: Email from Kauffman to Gay re: DAAS List

Exhibit Y: Documents Provided by HSA  
Attachment 1: Gay, Kauffman email re: DAAS List



## **Exhibit A**

DHR EEO Harassment Helpline Memo,  
August 10, 2020



**MEMORANDUM**

To: Linda C. Simon, DHR, EEO and Leave Programs  
Matthew Valdez, DHR, EEO Programs Manager

From: Kevin Calkins, DHR, EEO Programs Specialist

RE: Helpline Complaint, Velma Gay  
Dept: HSA; DSW: [REDACTED]  
Job Title: 1842 Management Assistant

Date: August 10, 2020

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Complainant's contact information:

Phone number: [REDACTED]  
Email: [REDACTED]

Respondent(s): Luenna H. Kim, 0953 Dep Dir III, DSW: [REDACTED]  
Basis: Race (African American), Age (55 years, on file)  
Issue: Discrimination, Harassment  
Complaint Filing Date: EEO Helpline Voicemail - August 7, 2020

On January 4, 2020, Velma Gay (African American, aged 55 years, on file) started working with the San Francisco Human Services Agency. Gay is a 1842 Management Assistant. On August 10, 2020, I spoke to Gay in response to her voicemail on the EEO Helpline where she reported racially motivated discrimination and harassment.

Gay alleged that, since she was hired, she has worked outside of her job classification, had her assignments taken away, denied training, been humiliated in front of coworkers, and ignored by her boss, Luenna Kim. Gay explained that she is supposed to be Kim's assistant but instead is "placed in different departments to do different things by all kinds of different managers." Additionally, Gay was activated as a Disaster Service Worker for an assignment she felt pressured into by Kim, whom Gay alleged lied to her about the assignment. Gay also alleged that on June 23, 2020, Kim directed her to exit her office while Kim searched the office as if looking for a weapon.

Gay believes Kim's behavior toward her is based on Gay's race, African American, and the fact she is older than Kim. Gay alleged that Kim had previously been accused of not hiring African Americans and that Gay was hired as a "token" in order to demonstrate that Kim is not a racist. Gay claimed that Kim told her African Americans were not previously being hired for the

position because they could not pass the employment test and because African Americans “can’t do the work.” Further, Kim told Gay shortly after she was hired to not “be around here and messing up” and that Kim did Gay a favor by hiring her because she “seemed like someone who needed the money.” Gay also believes she was hired for her current position because “the City has made an open acknowledgement that they weren’t hiring [enough] African Americans.”

I informed Gay that I would write a memorandum and submit her complaint for review. I also informed her to contact the EEO Helpline if she experiences any additional discriminatory or harassing conduct from Kim.

I emailed Gay the instructions on ‘How to File a Discrimination, Harassment, or Retaliation Complaint.’

## **Exhibit B**

### Interviews with Gay

Attachment 1: Intake Interview Notes  
with Gay, February 23, 2021

Attachment 2: Rebuttal Interview Notes  
with Gay, March 16 and 22, 2022

# Attachment 1: Intake Interview Notes with Gay, February 23, 2021



**CONFIDENTIAL**

**DHR EEO INVESTIGATION OF EMPLOYMENT DISCRIMINATION COMPLAINT  
 INTAKE INTERVIEW NOTES**

<b>Complainant: Velma Gay (she/her/hers)</b>	<b>EEO File No./Dept.: 3643/H.S.A.</b>
EEO Investigator: Jennifer Burke	Date & Time: February 23, 2021 10:00 a.m. – 12:56 p.m.; 2:00 p.m. – 3:32 p.m.
Others Present:	
Location: Via Telephone at [REDACTED]	Pages: 12

**I. BACKGROUND INFORMATION**

**A. Employment History**

On January 4, 2020, Velma Gay was hired by the City and County of San Francisco (City) as a PCS 1842 Management Assistant with the Human Services Agency (H.S.A.) Department. Gay was on the 1842 list and had two interview panels for her hire. Around December 2019, Gay was interviewed a panel that included [REDACTED], 0931 Manager III; Katrina Williams, Learning and Organizational Development Manager; and Luenna Kim, Human Resources Director at H.S.A. Gay’s second interview panel included Kim; Tracy Buriss, Program Director; and John Tsutakawa, Contracts Director. Gay works in H.S.A.’s Human Resources Department at 1650 Mission Street, Monday through Friday from 8:00 a.m. to 5:00 p.m. From January 2020 to February 2020, Gay worked on the second floor in an office adjacent to Kim’s. Around February 2020, Gay worked from home due to the City’s shelter-in-place (SIP) order. Around October 2020, Gay and the rest H.S.A. H.R. moved to the 4<sup>th</sup> floor in Suite 400. Since Gay’s job duties include processing Additional Employment Requests (AERs) and Public Service Loan Forgiveness (PSLF), and scheduling for eight managers. January 2020, Kim has supervised Gay. Around June 2020, Gay passed probation.

Gay is “completely isolated from all employees” and does not “work with anybody.” Gay has not spoken with any City employees about her interview with the Department of Human Resources Equal Employment Opportunity (DHR EEO) Division.

**B. Respondent Luenna Kim**

Around December 2019, during Gay’s interview for the 1842 position, Gay first met Kim. Kim did not tell Gay that Kim was the H.R. Director. Kim only said, “You’ll be working with me” to Gay. Daniel Kaplan, Deputy Director of Finance and Administration at H.S.A., supervises Kim. In addition to Gay, Kim supervises [REDACTED] Williams; [REDACTED], 0931

Manager III; Brenden Lim, 1246 Principal Human Resources Analyst; [REDACTED], 0931 Manager III; [REDACTED], 0923 Manager II; and Shareefun Nisha, 0931 Manager III.

From January to February 22, 2020, Gay worked as Kim's assistant. At the end of January 2020, Kim told Gay that Kim was going to give Gay more job responsibilities and asked Gay to process AERs; PSLFs; Form 700s, Statements of Economic Interests; and filing. Gay believes some of the forms and filing had not been "done for years." Gay went into Kim's office,

In February 2020, Gay had "all 10 symptoms" of Covid. Gay asked Kim if Covid-19 was an airborne disease and Kim "lied to" Gay and said it was not. Gay believes Kim "withheld" Covid-19 information from Gay because she heard Kim telling other H.S.A. employees at a meeting about it being airborne.

Since the City's SIP order, Gay "doesn't really have interactions" with Kim. From February 22 to May 2020, Gay and Kim did not speak. Kim also took Gay's job duties away and assigned them to [REDACTED], 0922 Manager I, as discussed further below in Section III.

Gay believes Kim is "fostering a White supremacy" at H.S.A. because 95-99% of H.S.A. employees are Asian.

## **II. HARASSMENT / HOSTILE WORK ENVIRONMENT**

### **A. Comment about African American Applicants**

In January and February 2020, Gay attended staff meetings where meetings were discussing how H.S.A. H.R. could use an equitable lens of their work. Gay believes H.S.A. was trying to interview racially diverse candidates. Gay attended an implicit bias training and watched videos on racial equality.

Around the first week of February 2020, in Gay's office, Gay asked Kim, "Haven't you noticed there aren't any African American men here?" Kim told Gay, "We're trying to find qualified African Americans" but not enough African Americans were passing the exams. Gay believes Kim meant that African Americans were not "intelligent enough to pass the exam" because the "only people who pass and are getting hired are Asians." Gay believes Kim meant this because there are "other reasons" African Americans are not passing the exams. Gay told Kim that it could be that African American applicants are not allowed or given the opportunity to take the exams. Gay believes: "They have people who make the decisions, HR Analysts determine whether you have qualifications to take the exam. They decide through your address, zip code. Why do you think that is?" For instance, Gay explained that the City pays well because of its cost of living and that makes the jobs highly competitive. Gay could not say if she responded to Kim's comment. Gay believes she did not because she thought, "Really?" in response to Kim's comment, and did not respond because she was "focused on making probation."

Gay clarified that Kim never said that African Americans “can’t do the work,” as what was reported in the DHR EEO’s August 2020 Helpline memo.

**B. “I Did This as a Favor” and “You Really Needed This” Comments**

Around January 7, 2020, Kim came into Gay’s office and handed Gay an email to read and follow-up as necessary. Gay read the email and it involved an attorney and necessary follow-up phone calls.

Around January 9, 2020, Kim called Gay into Kim’s office. Kim told Gay, “Oh, you had me do such-and-such on the email.” However, Kim believed it was inaccurate for Kim to do so and told Gay, “Don’t be coming in here messing up. I built a reputation for myself...I have a good rep[utation]. I did this as a favor. We normally start employees on such and such dates due to payroll, but it seemed like you really needed this.”

Gay understood Kim to mean that Kim hired Gay as a favor. In addition, Gay understood Kim’s reference to payroll to mean that Kim believed Gay “needed the money.” Gay could not say why else Kim would reference payroll in relation to Gay being hired.

Gay believes Kim and H.S.A. were “mandated to hire African Americans.” Around December 2019, after Gay was offered her position, █████ told Gay that her letter of recommendation (LOR) from Academy of Arts did not use formal letterhead and would not suffice for hiring purposes. Gay told █████ “This is economic genocide” because Gay would have to have an even more advanced degree, like a doctorate, to count for hiring purposes if her LOR did not count. Gay cried as she spoke to █████ Gay further told █████ “I’m going to Joaquin Torres, [Assessor]” if █████ would not accept Gay’s LOR. The following day, █████ called Gay into the office and said it was not necessary for Gay to get another LOR and that █████ was doing so “as a favor.” Gay believes █████ told Kim about how upset Gay was during the onboarding process, and Kim took that to mean that Gay “needed the money” for the job because she reacted emotionally during the onboarding process.

Gay believes H.S.A. is only forced to hire African Americans, make African American employees go through a “shaming” process during on-boarding where their credentials are challenged, and then given limited job duties.

**III. DISCRIMINATION DUE TO RACE, COLOR, AND AGE**

**A. Job Duty Concerns**

Gay believes █████ (Asian), 1244 Senior Human Resources Analyst, was Kim’s prior assistant. Gay believes █████ completed Form 700s, AERs, PSLFs, communicated about voting information, and scheduled Kim and the eight HR managers, among other tasks. Gay believes these form processing tasks, like the AERs, were insignificant tasks because they majority of the forms came during the holidays, when City employees were looking to work second jobs. Moreover, from January to February 2020, Gay signed Kim’s name on the PSLF forms. Gay



further believes she should have all of the duties [REDACTED] performed for Kim because she is now Kim's assistant.

In August 2020, Kim assigned Gay to work as an 1842 Management Assistant for the eight H.R. Managers. Gay believes to do so is "unrealistic" because the H.R. Managers cover eight different substantive areas and it is not realistic to learn all of those areas without adequate training. In addition, Gay believes there was a hiring freeze due to Covid-19, and Kim assigned Gay to the task to "throw [Gay] under the bus" by giving Gay tasks she cannot adequately perform in order to justify hiring more employees.

**B. February – March 2020: Kim Removed Gay's Work Assignments**

1. Form 700s

In February 2020, Kim asked Gay to call Bridget Badasow, 1454 Executive Secretary III, for a job list. Gay called and emailed Badasow for something called the DAS list, an exhaustive list of employees for H.S.A. that Gay could use to reference for who has completed their Form 700. Gay compiled the list and sent out the Form 700s and sent one to all the employees. In March 2020, after the City's SIP order, the Form 700s were returned to Gay, who had to give them to [REDACTED] to process for completion. The deadline for the Form 700s was March 15, 2020, but it was possibly extended due to the City's SIP order. Kim told Gay to give the Form 700s to [REDACTED] for processing. When asked how Gay gave the forms to [REDACTED] Gay replied, "Uh, uh, uh, as the employees filed out the forms via email, they could scan it or send it via email to the front desk, and then they were given to [REDACTED] Gay believes the Form 700 assignment was made by Kim to "make sure the African American [employee] does not get credit. She made sure that [REDACTED] was in the position so she gets credit, even though I did all the work."

2. Voting Information Assignment

Sometime after March 2020, [REDACTED] showed Gay how to send out voting information to H.S.A. employees. Gay explained it included sending an email to all of H.S.A.'s employees reminding them to vote and attaching a voting flier. In prior years, [REDACTED] performed this duty; however, Gay believed the job would be hers to perform as Kim's new assistant and because Gay was hired into the job [REDACTED] performed previously. However, on a date Gay could not recall, [REDACTED] sent out the voting information. Gay emailed [REDACTED] and asked about it and who told [REDACTED] to do so. [REDACTED] replied that [REDACTED] asked [REDACTED] to send out the voting information. Gay believes Kim told [REDACTED] to do so because [REDACTED] oversee the Office of Civil Rights (OCR) and it would not fall under his office. Gay believes that this incident is an example of Gay being trained to performed tasks, but after the City's SIP order, Gay's job duties were "stripped" from her and given back to others, including [REDACTED] because Kim only wanted Gay for optics.

3. Kim Tells Gay to Go Home

Sometime in February 2020, on a conference call with 20 other employees, Kim told Gay to "go home" for the City's shelter-in-place order. Gay believes Kim did so as a "form of discrimination

and appearing to all the other employees in a role of domination. She's in control, just a form domination and act of control, using an African American to demonstrate this." Gay believes no other employee was assigned to work from home: "At that time, they could come and go as they pleased." Gay believes at one point, Kim implemented a rotation of the H.R. managers to come into the office and to stay home. Gay believes she "was one of the first people to get a computer to work from home." Gay believes "most of the [H.S.A.] employees work from home because they've always wanted to." However, Gay believes her job duties are connected to Kim and the other H.R. managers and because she was not in the office, she was "isolated."

#### 4. Kim's Schedule Duties

From January to March 2020, Gay schedule Kim's appointments with "anyone in the City" including Daniel Rohrer, H.S.A. Director and Joan Miller, Deputy Director. Sometime in March 2020, Gay could not longer access Kim's schedule. Gay called the IT department. The IT department told Gay that Kim turned off Gay's access. Kim did not inform Gay that she was going to do so: "Instead of talking to me directly, she shut it off." Gay believes that in doing so, Kim stopped allowing Gay to schedule Kim. Gay believes Kim did so because Gay believes Kim hired Gay as a "political prop" to satisfy the move for racial equity in H.S.A. and wanted the outward appearance of equity, but because they were no longer in the office, Gay was no longer necessary to Kim. Gay believes before she was hired, Kim was reproached for hiring only Asian employees at H.S.A.

#### 5. Manager File Duties

In January to February 2020, Gay accessed the H.R. manager files in Kim's office. However, after February 2020, Kim would no longer allow Gay to access the files and told Gay to give whatever she had to file to a manager down the hall, who is an Asian employee. Gay has been holding files in her office for almost a year now because she has no way to access the H.R. manager files.

### C. Denied Training – Shadowing Mentoring

On a date she could not recall, Gay asked Kim if Gay could shadow Oritz, and Kim said no. Gay believes Williams shadowed Kim for over a year and a half. Gay acknowledged that Williams is "African American. She's not new though; she's been working for the City for 4 years. She came through the door as being perceived with 21 years of experience at Santa Clara." Gay also believes [REDACTED] shadowing Williams.

### D. Racial Equity Training

In early 2020, Gay read email from Trent Rohrer, H.S.A. Director, that discussed racial equity. In addition, at staff meetings, Gay heard that [REDACTED] was formulating a racial equity plan for H.S.A. H.R. [REDACTED] asked everyone in Kim's HR managers meeting to participate in the Racial Equity Work Group (REWG). Gay believes the REWG included 30 people and included "exercises for staff to do to dismantle White supremacy and xenophobia." Gay believes there were meetings through MS Teams and Zoom. Two weeks later, Gay received an email from

█ that said Gay can read the REWG's information but cannot "interact on Teams or Zoom." Gay then asked Kim if Gay could participate in the REWG and Kim told Gay, "Ok, ok. Let me check with █ and get back with you." Two weeks after that, Gay got an email about the REWG to read, but no access to Teams or Zoom meetings.

Gay did not ask █ is Gay could join the REWG because "all the employees are doing it." Gay believes 30 employees make up the REWG, including new employees hired after Gay. Gay believes "lighter" people of color including Isabella Blasi (age 28), 1241 Human Resources Analyst; Maribel Mora (age 35), then-1241 Human Resources Analyst; Julie Castro (age 37), 1244 Senior Human Resources Analyst; and Hovaness Dekeyan (age 30), 6138 Industrial Hygienist.

Gay believes Kim is "blocking" Gay from participating in the REWG because Gay is a dark-skinned African American and because of Gay's age.

#### **E. March / April 2020: Microsoft Teams and Zoom Training**

Around March or April 2020, Kim told Gay that she needed someone to use Microsoft Teams and Channels because the City's SIP order means more meetings were taking place virtually. Kim told Gay to train herself. Gay believes Kim did so because Kim "knew [Gay] couldn't do it" and wanted Gay to fail.

Gay asked Kim if Gay could train with the Training Department, who was in training on virtual platforms. Kim replied, "Oh, so you want to be first?" Gay said, "No, I want to be amongst." Gay believes Learning and Organizational Development (LOD) Department's trainers—including Phyllis "Marcia" Brown, Michael Aho, Wael Seruge, █, █, █ 1232 Training Officers.

On a date she could not recall, "after heavy debate," Kim agree for Gay to take the training. However, Kim "circumvented" Gay's training by giving Gay, "five different workloads," which included taking over the data sets on H.S.A.'s Covid-19 responses. As a result of the increased workload, Gay "had to stop the training."

#### **F. May 23, 2020: Data Assignment and Training**

Around May 2020, Kim assigned Gay a special project, which Kim called "specials" or "suddenly," of filtering the data in order to create dashboards and other visualizations of H.S.A.'s Covid-19 employee email/text message responses. Gay believes the job was an IT job; however, later Gay said "I believe it probably is within my classification to learn it, if I was trained." Gay worked on the assignment along with █ IT department; Dekeyan (White); Kim (Asian) and █ (Asian); and █ (Hispanic). █ IT department created an employee survey and called H.S.A. employees with a script about Covid symptoms. █ wrote memos, letters, and fliers about the task. Kim and █ created dashboards. Gay performed data cleaning, which was "one of the most intricate parts" because the file grew by 15,000 entries. Gay struggled to open the large file at home because of its size and had to return to the office to work with the data. Gay believes Kim gave Gay this task because Claire McCaleb (White), 1244

Senior Human Resources Analyst, and [REDACTED] have small children and Kim knew that Gay did not have small children. Gay believes she was selected for the data cleansing task “because [she] had the least amount of knowledge and no kids or family.” Gay acknowledged she told Kim that she has an adult child.

Kim and Williams had Gay work with [REDACTED] (White), 1244 Senior Human Resources Analyst. Kim and Williams told [REDACTED] to work with Gay because Kim and Williams knew that that Gay did not “have enough information” to perform the task. Gay “shadowed” [REDACTED] because of [REDACTED] data skills.

Gay still struggled with the assignment, and when Gay attempted to talk with Kim about her difficulties, Kim “wouldn’t answer her door or run and hop in her car” to avoid Gay.

Gay believes she was assigned to this special project to “overwhelm” and “overload” her as an African American employee, in order to “buy time” and show that H.S.A. H.R. needed additional employees to perform the job. Gay believes Kim did not have the budget to get an official data application and needed a justification to do so. Gay believes Kim gave Gay the data task because Kim “knew [Gay] wasn’t capable” of performing the task adequately. Gay believes she was “being set up” by Kim to fail in order to provide Kim with the necessary business reason to warrant additional staff.

Gay believes she needs to be adequately trained on how to compile and clean up data. Gay said H.S.A. offers Analysis Academy and training on SQL; however, because of Covid-19 all the training programs were shut down. Gay believes [REDACTED] Kim’s prior assistant, never had to perform any data analysis. Gay believes it was discriminatory for Kim to assign Gay data analysis without any training. Gay believes Kim provided data training to [REDACTED] (Asian), [REDACTED] (White), and McCaleb (White). Gay believes she was denied training by Kim because Gay is Black.

In August 2020, H.S.A.’s hiring freeze was lifted. Gay believes her experience on the data analysis special project was one of the reasons it was done so.

**G. June 11 to August 2020: Gay Goes on Leave**

From around June to August 2020, Gay went on leave. Gay went on leave because she was stressed out about the data clean-up assignment, because she had symptoms of Covid-19, and because she believed there were cases of Covid-19 in the building she was working in.

**H. August 2020: Gay and Kim Talk About Job Duties**

After Gay returned from leave, she never worked again on the data clean-up assignment.

Sometime in August 2020, shortly after Gay returned from leave, Gay spoke with Kim about Gay’s job duties. The meeting consisted of a “two-hour conversation.” Gay told Kim that Gay did not feel supported to perform the data analysis work adequately and did not believe the assignment fell under her job classification. Gay explained: “You can’t pick a word off the job

classification and create a project about that. It is a general classification.” Kim told Gay that to not do so would be “lowering the standards by me not having to perform the work classifications.” Gay told Kim, “What’s actually happening is you are lowering the standards and giving the Asian [employees] training and not giving me training. I have no confidence and I feel inferior. I don’t think you’re the type of person to change.” Kim told Gay that Kim was committed to Gay as an employee.

After this “heated conversation,” Kim never gave Gay a suddenly or special project again.

**I. August 2020: No Scheduling Duties or Calendar Access**

From August 2020 to an unknown date, Gay did not schedule Kim or the other H.R. Managers. Gay only completed AERs and PSLFs.

**J. December 4, 2020: PowerPoint Presentation**

In late 2020, after Gay had been having her own struggles and issues with adequate training, Gay observed the H.S.A. H.R. department lacked training for 1800-series employees. Gay observed that the 1800-series is “predominantly African-American” and the only job duties they were performing was scheduling for other people. From around mid-October to December 2020, Gay researched equity and training at H.S.A.

Kim asked Gay to give a presentation about Gay’s ideas. Kim told Gay the ideas were “excellent” and that after Gay gives the presentation, Gay and Kim would work with Williams and develop a formal training around Gay’s ideas.

On December 4, 2020, Gay gave a PowerPoint presentation titled, “A 21<sup>st</sup> Century Approach to Learning” concerning training as inherent to equity. The presentation was focused on how to advance equity issues by training employees in the new virtual environment. Gay explained that the information from her presentation was “derived out of the diversity and equity” emails.

Kim, ██████ ██████ Williams, Lim, and Nisha attended Gay’s presentation. Gay believes ██████ and ██████ were not in attendance. Gay acknowledged she was “nervous throughout the presentation because [she] knew [Kim] was looming in the backdrop.” At first, Gay alleged the participants “laughed” at Gay’s presentation. However, when asked who laughed, Gay said she did not see anyone laugh, but Gay observed some attendees “contort their faces” in order to “contain their laughter” and then turn off their screens until Gay finished her presentation. Gay “could tell they were laughing.” When Kim asked for comments on Gay’s presentation, “they looked sheepish.” Gay got feedback from Nisha that one of the hurdles is that training within H.S.A. departments are “all over the place” and an accounting of the existing training would be needed. Kim clarified to Gay that Gay was agitating for training for the 1800-series employees and Gay said “Yes, that’s the training for us to be successful.” Gay has read the GARE report and said during the presentation that you have to train employees as a shadowing program in order to demonstrate the skills. Kim “scoffed” at Gay’s presentation and said, “We’re gonna stick to the other training,” which is competency modeling, headed by Felix Caraballo, 1244 Senior Human Resources Analyst.

Gay believes [REDACTED] was not in attendance “by design by [Kim]”, so that Kim could give [REDACTED] Gay’s ideas to make [REDACTED] own. Kim asked Gay to give the presentation because Gay had not spoken to [REDACTED] and [REDACTED] and Kim “wanted to get what was written in my head in a well-written format.”

Gay could not recall if she gave the presentation at home or the office.

**K. [REDACTED] Mentoring Program**

Around late January 2021, Gay was looking in the shared U drive for an AER smart pdf. While doing so, Gay found [REDACTED] file on a Mentoring Program. Gay said she observed the file was last modified on February 10, 2021. Gay explained that when someone goes into the file, the file is time-stamped that someone was in the file on this time and date.

Gay thought, “OMG, I hope this isn’t what I think it is.” [REDACTED] is launching a training program with LOD Department. Gay believes Kim took Gay’s ideas of training, mentorship, and pairing junior staff with upper management and gave them to [REDACTED] to use. Gay observed that [REDACTED] had a handbook, which was supposed to be the next phase of her training project. Gay saw that [REDACTED] program was implementing a mentoring program with a cohort, which was different from her recommendation to link employees to shadow upper management.

Gay believes Michael Aho and [REDACTED], 1232 Training Officers, are soliciting for cohorts for training on innovating techniques, with the latest techniques of how to learn in a digital format. Gay believes the training will be in-depth, proactive, and project-based.

Gay has not asked to be in the mentoring program. Gay believes Kim and the rest of the H.S.A. H.R. manager will not tell her of its existence: “Til this day, they don’t know that I know.”

**L. X Academy Training**

On February 22, 2021, Williams emailed Gay and asked Gay to take a course through X Academy. Gay believes Williams is trying to get Gay into a course so Gay will not be able to participate in the Mentoring Program.

**M. January 2021: Shadowing HR Interview Assignment and Removal**

In January 2021, Kim assigned Gay to shadow [REDACTED], 1241 Human Resources Analyst. Gay is supposed to shadow how to coordinate interviews for H.S.A. H.R. Gay’s duties include “coordinate the interview, assist, and shadow” [REDACTED] Gay believes the shadowing with [REDACTED] is a “hodge podge thrown together.” For instance, Gay will email [REDACTED] about an issue and “might not get a response back.” Gay believes she is assisting [REDACTED] because another H.S.A. employee is deployed.

In January 2021, Gay assisted with an interview of Alvina Cheung<sup>1</sup> (Asian), 1842 Management Assistant with TTX, for an appointment to ██████ team. Gay sent the questions to the interview panel through the chat feature in MS Teams. During the interview, the candidate said asked about training opportunities: “I would be curious to know, from the data, certain groups are being held back because they don’t have the knowledge or experience.” ██████ told the candidate: “Yes, we know, we’re giving them training.” McCaleb asked the candidate about what data systems she was trained in and the candidate said Powered Bi Data and SQL. Gay believes Kim knew the candidate personally because Kim said, “Some of the faces we already knew” with a smile and her head up to the candidate.

On February 10, 2021, Gay was in the office to shadow ██████ for an interview process. However, because of the move to the fourth floor, Gay “couldn’t work that day” because her computer was not set up. Gay was not part of the interview process that day and “just cleaned up her office.” Gay clarified, “I worked, but I wasn’t part of the interview process that day.” Gay was in the office and “had starting coming into the office on my own” because she did not have enough one-on-ones with Kim.

Kim took Gay off the interview shadowing process. Gay believes Kim did so because Gay saw that other Asian 1842s were being trained in data analysis and manipulation.

#### **N. February 2021: PLSF Changes**

From January 2020 to February 2021, Gay processed PLSF forms, which included reviewing the form for accuracy, returning it to an employee for any updates or changes that need to be made—like omitting the tax identification number, and signing Kim’s name when the form is completed. In February 2021, Gay asked Kim, “Why don’t you let me fill out the form?” and Kim responded, “I don’t feel comfortable with you” doing so. The forms now come to Gay completely filled out. Gay believes Kim told the front desk to complete the forms prior o sending them to Gay. Gay believes Kim removed Gay’s decision making regarding this task. Gay believes Kim’s conduct is due to Gay’s race and believes Kim “doesn’t trust” Gay and “feel[s] paranoid” around Gay.

#### **IV. BELIEFS ABOUT RACE, COLOR, AND AGE-BASED ANIMUS**

Gay believes H.S.A. is hiring African Americans not because they want to, but because they have to. Gay believes so because of the struggle she had with her LOR and hiring. Gay believes she and other African American employees are being made to feel “inferior” during the on-boarding process and given few job duties. In addition, Gay believes ██████ ██████ (African American), 1842 Management Assistant, was low-balled in her initial job offer with H.S.A. ██████ told Gay that ██████ or ██████ did not want to accept her 17 years of hospital job experience and her lack of a Masters’ degree, so they offered ██████ a Step 1 salary. ██████ told Gay the negotiations were “antagonistic” and made ██████ cry. Eventually, ██████ negotiated the Step 3 salary; however, the requirements to do so made

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<sup>1</sup> Gay identified a female with the last name Cheung from the Controller’s Office. The only 1842 female with the last name Cheung in People&Pay is Alvina Cheung, TTX.

██████ feel like she did not “want this fucking job” if it was so antagonistic because as a “new employee, there should be a certain level of excitement, not confrontational and antagonistic.” In addition, Gay believe ██████ job duties are also limited and she is only allowed to schedule three people’s meetings, including Noelle Simmons, 0954 Deputy Director IV; Caplan; and Shireen McSpaden, 0963 Department Head III.

Once, during the staff meeting with Kim and the eight HR Managers, Gay told them that the mandate to hire African American employees is disingenuous because it was only implemented after Mayor Breed took office and mandated it. Gay said because H.S.A. is 95-99% Asian employees, it shows that the Department is not interest in hiring African American employees and is only doing so because they are being forced to. Gay said Asian employees proctored all five of the civil service exams she took.

Gay believes the Racial Equity group headed by ██████ is an example of “White supremacy being morphed.” Gay believes instead of hiring African Americans, racial equity is now using the term “people of color,” which Gay believes is “code for immigration.” Gay believes ██████ hired Italian and Greek “people of color” to meet a racial equity goal. Gay believes darker skinned African Americans—like Brianna Taylor and George Floyd—are being shot and killed.

Gay believes McCaleb was moved to ██████ team to help with data analysis. When Gay asked Kim about it and cited what Kim said in August 2020 about Gay’s request to not do data would be “lowering the standards” of Gay’s 1842 job class, Kim said: “I’m offended. I doubt anyone on my team said anything out of line.”

Gay is the only African American without a defining role at H.S.A. Gay is isolated and is not getting trained by upper management in a way that will assist her with technological development like Teams and Zoom. Other than Kim’s comment about Gay “needing” to start at H.S.A. and that African Americans cannot pass the City’s exams, Gay never heard Kim make any inappropriate comments about race, color, or age.

## **V. REPORTING OF COMPLAINT**

In early 2021, Gay learned Kim will transfer to the San Francisco Department of Public Health (DPH) and that Williams will be Acting H.R. Director. On February 22, 2021, Gay emailed Williams concerning that Gay does not talk to anyone and wanting clearer definition of Gay’s work role. Williams told Gay that Williams would be out of office from February 25 to March 2, 2021 and would schedule a meeting with Kim on March 5 to discuss Gay’s job duties.

## **VI. IMPACT**

From June to August 2020, Gay was off for Covid leave and stress. Gay exhausted all of the City’s Covid leave and all of her sick and floating time for stress. Gay did not send a doctor’s note for stress to H.S.A. Gay believes without training, others shame her by saying, “Oh, you don’t know?” and “You should know.”

## **VII. REMEDIES**



Gay would like her 2 months of sick time she used regarding these issues. Gay would also like to be transferred out of H.S.A. because she believes Kim's discrimination will continue against her, even with a new supervisor.

#### **VIII. MISCELLANEOUS**

Gay believes McCaleb, Mora, Castro, and Isabella Blasi, 1241 Human Resources Analyst, would have more information about data assignments. Gay believes the H.R. managers will have further information about these issues, but believes they might be told "things [Gay] hasn't said" by Kim.

Gay has not filed a complaint with the DFEH or EEOC. Gay has sent an email to Omar Fell and Danielle Gonzalez, her union representatives.

#### **IX. CONCLUSION**

I thanked Gay for participating in the interview and reminded her of the confidential nature of the interview and the prohibition against retaliation.

# Attachment 2: Rebuttal Interview Notes with Gay, March 16 and 22, 2022



**CONFIDENTIAL**

**DHR EEO INVESTIGATION OF EMPLOYMENT DISCRIMINATION COMPLAINT  
 REBUTTAL INTERVIEW NOTES**

<b>Witness: Velma Gay</b>	<b>EEO File No./Dept.: 3643 / H.S.A.</b>
	Date & Time: March 16, 2022 1:07 p.m. – 3:18 p.m. March 22, 2022 10:00 a.m. – 10:15 (Gay no show) April 12, 2022 10:00 a.m. – 10:15 (Gay no show) May 27, 2022 11:00 a.m. – 11:15 (Gay no show) June 24, 2022 9:30 a.m. – 11:41 a.m.
EEO Investigator: Jennifer Burke	
Others Present:	
Location: Via Teams	Pages:

**I. KATRINA WILLIAMS BACKGROUND INFORMATION**

Around 2018 or 2019, Velma Gay (Gay), 1840 Management Assistant, met Katrina Williams (Williams), H.S.A. H.R. Director, when Gay was a Public Service Trainee (PST) with H.S.A. and Williams was Director of Learning & Organizational Development (L&OD). Brian He, 1031 IS-Trainer Assistant, supervised Gay.

Gay worked at 3120 Mission Street as a PST. Gay says her work as a PST was “fraudulent” because for two months, all Gay did was move tables and chairs. Gay was told that her job would include clerical skill building, but they just wanted Gay to perform manual labor. When asked who wanted Gay to perform manual labor like moving tables and chairs, Gay said the L&OD department asked Gay to do so because Facilities “couldn’t get over there fast enough” to do so. A young, Latino woman who was 8.5-9 months pregnant also worked as a PST, but she did not move tables or chairs. Gay believes the woman had to quit because she could not do anything. Gay does not know the employee’s name. After moving “hundreds” of tables and chairs for approximately three to four weeks, Gay went to her union.

Gay believes Williams and the L&OD staff trained employees who were not African American. For instance, Daniel Varela (Varela), 1244 Senior Human Resources Analyst, came into H.S.A. “fully trained” to work in Williams’ office. Gay believes Varela did so because he went through HR training and was an intern. Varela did not come into H.S.A. as a PST. Gay believes DHR EEO should find out who trained Varela because Gay believes there is discriminatory training occurring at H.S.A. Gay does not know what Varela’s job classification is, but believes he works under Sharee Nisha, 0931 Manager III.

Gay does not work with Williams. Three weeks ago, when Gay returned from leave, Gay met with Williams. Williams told Gay that Williams was learning her job and that she had no tasks for Gay until Williams learns her job. Prior to Gay’s leave in late 2021 to early 2022, Gay asked

Williams to take a Project Management course and Williams approved it. Nonetheless, Gay believes Williams “already ruined” Gay’s “career” because she and Luenna Kim (Kim), then-H.S.A. HR Director, did not have a “comprehensive plan” about Gay’s role and did it “haphazardly.” When Gay met with Williams, Williams outlined Gay’s assignments and it was “mainly AERs and PSLFs” which Gay believes belong to [REDACTED] department.

Gay does not have a working relationship with Williams because she does not work “on anything” with Williams.

Gay believes Williams has a good idea about Williams’ work but Williams also “lies a lot.” When asked to provide an example of Williams lying, Gay said that Williams lied because Williams knew that Gay was just hired to “solely schedule” but that Williams went along with assigning Gay to do an IT data task.<sup>1</sup> Later, Gay believes Williams “gave consent as an African American” that it was ok to add to Gay’s job duties, like with the employee health survey.

Gay never socialized with Williams outside of work.

## **II. HARASSMENT ALLEGATIONS**

### **A. Luenna Kim Allegations**

When informed that no other witnesses heard Kim make disparaging comments about Black people, Gay said that [REDACTED], HR Manager, heard Kim once say, “We got one.” Gay said they were looking to hire an employee and although Gay cannot say who [REDACTED] “was referring to,” but Gay understood them to be discussing an employee who came from bad schools, which Gay “inferred that it was about Black people.” In response, Kim said, “We got one, we have someone we can hire.” Sometime later, an African American male was hired at H.S.A. and Gay believed [REDACTED] and Kim were referring to him. In addition, Gay also said that in a meeting with Natalie Toledo (Toledo), 0942 Manager VII, and others. [REDACTED] HR Manager, said that people are upset at Kim because Kim only hires people “who look like” Kim. Gay believes after this meeting, COVID-19 broke out. However, Gay believes as a result of [REDACTED] comment, Gay and H.S.A. were “looking for African Americans to hire.” When asked to explain how this incident relates to Kim holding animus against African Americans, Gay explained that the

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<sup>1</sup> When asked to clarify, Gay stated that during her interview for the 1842 Management Assistant position with Kim, Kim asked Gay if she was ok with a job that was only going to be scheduling Kim’s calendar. Gay believes her entire job should just be scheduling the HR Director’s calendar. Gay repeated that she stopped scheduling Kim’s calendar around April or May 2020, and “never scheduled for” Kim again and never scheduled Williams calendar. However, Gay then contradicted her previous statement and that she only scheduled for “maybe one month” for Williams” when Gay scheduled the 8 HR Manager’s one-on-ones with Williams.

Gay further alleged that [REDACTED], 1842 Management Assistant, works for Kaplan and has a “consistent” work tasks. Gay explained that if someone is driving and there are various speeds in traffic, you make adjustments to avoid accidents and confusion. Gay believes her role “lacked a comprehensive plan” and there is no inclusiveness at H.S.A. despite what the Office of Diversity, Equity, Inclusion, and Belonging (DEIB) says. Gay believes DEIB “has to be worth more than the digital ink it was created with.” Gay believes she is DEIB but wonders if DEIB is for African Americans or is “only for immigrants and gays?”

meeting was populated by Indians, Mexicans, Whites, Greeks, Spanish, Filipinos, and the one group not present in H.S.A. is African Americans.

When asked how Kim's alleged "they aren't passing the exams" comment relates to race in an offensive way, Gay said that because "people don't come out and say 'nigger.' They say 'the data says the did not pass the exams.'" Gay believes that such comment is an example of "indirect or implicit bias." When asked how the comment about not passing the exams is offensive and not an objective statement of fact, Gay said that it was because Kim talked about "Black men and not any other group."

When asked how Kim's alleged "messaging up" comment relates to race in an offensive way, Gay explained that it was because Kim spoke to an African American with "a dialect of Black slang, Ebonics." Gay explained that Kim has a Ph.D. in law and was a Director and Commissioner, so "why would she be using that language?" Gay explained that this is the "new way of still talking about race without using the typical words." Gay said, "We don't say 'slanty eyes, chinks,' we're being what you call politically correct. Nobody says, 'I got jewed out of my money,' those are thing about race. The term implicit bias behavior is just another way of speaking about a person's race without saying Black derogatory terms."

Gay had no further information to support her allegations.

#### **B. Katrina Williams Allegation**

When asked to respond to witness testimony that stated that time studies are not conducted by administrative assistants and that only employees who conduct analytical or training work for Family and Children's Services, CalFresh, and Adult Protective Services, among others, need to complete time studies, Gay said that she was given information from [REDACTED] 1241 Human Resources Analyst, to complete the time studies. When asked to respond to the fact that [REDACTED] acknowledged he was not the person to determine whether or not Gay is required to perform time studies, Gay said "He explains in the email that I've sent you. Everyone is doing this. Everyone is doing it." When asked to explain if she thought she was required to complete the time studies still, Gay said "Well, of course, that's my whole point, I really can't do anything. There is no plan for me and [Williams] controls that."

Gay said that Williams' response was inappropriate because Williams said it was "dense" and "complicated" and "beyond your scope of understanding." When asked to respond to the fact that Williams' alleged comment is not objectively about race, Gay said "It directly deals with historically and systematically being inferior and not able to understand, inferior. Not being able to understand complicated information. You know, which is historical racism. That Blacks don't read." When asked if she thinks Williams believes Black people are inferior, Gay said, "[Williams] believes she is superior to other Black people." Gay also believes that implicit bias is being used "as opposed to blatant racism...So implicit bias behavior, same as calling people 'Niggers' or 'slow thinking.' They have the same weight, we have courses on implicit bias behavior. They don't call you 'Niggers,' because that's a lawsuit."

When asked to respond to the fact that no witnesses ever heard Williams make disparaging comments about Black employees, Gay said that “several people have made comments about [Williams’] intelligence, that she’s so smart.”

Gay further alleged that the “idea of working with [Williams] and being complicit in [Gay’s] moving tables [as a PST]. The origins of slavery is to use your body as opposed to their intelligence. It doesn’t require any thinking. Allowing me to have Brian He (an Asian male), assign me making \$17 an hour, while he makes \$120 an hour. He uses his intelligence and sits behind a computer. I perform labor because of my size and strength. That’s not implying. That’s not systemic of slavery? [Williams] is sitting in an office and superior. The in-house slave and the out-house slave. The one that in the house works less, and the one in the field performs laborious activity.”

### **III. DISCRIMINATION ALLEGATIONS**

#### **A. DAS List Allegation**

When told that documentation and witness testimony showed that Gay did not formulate the DAS list alone, Gay responded that she “formulated that project, all of it, [her]self.” Gay denied that Badasow worked with Gay. Gay said, “I sent you emails where I contacted her and she never contacted me back. She wouldn’t pick up the phone and respond. I put [the DAS list] all together.” When asked if Badasow sent Gay the old DAS list, Gay denied Badasow did so. When asked if there was a template that Gay used, Gay acknowledged there was a template, but it was “from the previous year.” Gay then explained that she was new and in February 2020, she “didn’t know what” the task entailed and that Kim told Gay that Badasow was “territorial” so Gay had to “put it together [her]self” and that neither “[Badasow] nor [REDACTED] were involved.”

When asked to respond to the email between Gay and Badasow where Badasow told Gay to contact Cindy Kauffman or Jill Nielsen, Gay acknowledged she contacted Kauffman. Gay said that “one thing leads to the next, they say call this person. That’s how that went.” Gay further acknowledged that Kauffman “gave [Gay] who should be on the list. Part of it” and told Gay to contact the managers in each department to find out who should be on the list. Gay denied, however, that she contacted Kauffman because Badasow gave Gay Kauffman’s name. When asked how she got Kauffman’s name, Gay alleged that Nielsen gave Gay Kauffman’s name but was unsure and would have to go back and find out from her emails. When asked if Gay contacted Kauffman and Nielsen because Badasow gave Gay their names, Gay was evasive: “Even is she cited their names in an email, that had nothing to do with putting the list together. You have to contact them and wait for them to respond. You had to wait and see. Wait on more information from them, and have to find out if someone else should be on the list. It required a lot of coordinating. Emails, like a whole shifting thing with each person. [Badasow] didn’t do any of that. If I send an email, I’m doing it. The whole point of giving [DHR EEO] that [allegation] was that’s how it was, ‘Just do this.’ But that’s not a comprehensive plan. [REDACTED] office is comprehensive.”

**B. Form 700 Processing and [REDACTED] as Kim's Assistant**

When told that documentary evidence and witness testimony showed that [REDACTED] was given the assignment to collect the Form 700s because of the approaching deadline and [REDACTED] prior experience in completing the job in 2019, Gay responded that Gay “completed everything. After all the formulating the list, sending out the letterhead. Then, they’re emailing me to collect and to make sure they’re coming in now. It is getting into COVID-19 and we’re waiting and trying to making the April 1 deadline.” Gay explained that [REDACTED] role in “gathering the information” is “what substantiates my claim of a protected category, the reward—which goes into the labor, laborious, putting it together, it is a Black person—when the person in the forefront is young and Asian.” When asked who Gay was referring to, Gay said, [REDACTED] When asked what kind of credit [REDACTED] received from collecting the Form 700s, Gay said that Kim said [REDACTED] “did great with the Form 700s, but did not acknowledge that [Gay] did it. Because [Gay] is Black.”

When asked how many Form 700s Gay collected, she responded “hundreds of them...125-150.” Gay acknowledged it was hard to collect them and that “two weeks into the” process, Dan Kaplan and Trent Rhorer asked about ‘where are we at with the Form 700’ collection. In March 2020, Gay received an email from Rhorer stating that it was an urgent priority and that if it was not completed, they were going to get someone else to complete the task. Gay said the email was “inappropriate.” Gay asked, “Do you think he would’ve sent that email to [REDACTED]?” Gay did not respond to Rhorer’s email. Instead, Gay responded to Kaplan on an MS Teams conversation. Gay alleged this conduct occurred because she is Black. When asked how Rhorer knew Gay was Black, Gay said she was “sure he knows” because when Gay was first hired, Williams took Gay around to show Gay off for “optics,” or to demonstrate that she was the “token” Black employee in the office, because the “whole office was Asian/Pacific Islander.” When asked if Williams took Gay to see Rhorer, Gay denied Williams did so. Gay also believes Rhorer would know that Gay is Black because of her name.

When asked if it is accurate that one has to “hound” employees to get them to complete the forms, Gay acknowledged it was accurate: “You might have to call someone’s manager to get them to respond. Then, when you get in touch, they will say ‘I don’t have to fill out the form.’ All of that is going on.” When asked if Gay followed up with employees to get them to complete the forms, Gay acknowledged she did so: “Yeah, I did all of it. [REDACTED] didn’t do anything.” Gay then conceded that [REDACTED] “might have had to get involved to make sure everything is done, but 99% of the work had already been completed and it was me.”

When asked what evidence Gay had that [REDACTED] became Kim’s assistant, Gay said it was because after early 2020, she “never” scheduled Kim’s meetings. When asked if Gay ever scheduled Kim’s one-on-one meetings with HR Managers, Gay acknowledged she did: “Oh, yeah, I schedule her for the manager meetings. But they are scheduled for the whole year. You do that one day and then once every week or so.” When asked if Gay schedules Williams’ manager meetings, Gay acknowledged she did so: “Once, to schedule for the whole year.” When asked if there were ever changes in meetings that she had to reschedule, Gay said, “Uh, maybe. If there is a higher priority, you are changing. She might need you to cancel. But that’s very rarely. The managers pretty much stick to their schedule.” When asked if there was any other evidence to

show that [REDACTED] became Kim's assistant, Gay said to look at [REDACTED] email and "see if" [REDACTED] was acting as Kim's assistant because the emails would be timestamped.

When asked what additional evidence Gay had to support her allegation, Gay said her additional information is "part of [her] theory that they are training each other." When asked who is training each other, Gay said that on March 9, 2022, she observed [REDACTED], 1241 Human Resources Analyst, was training a PST. Gay further alleged that when in March 2020 she asked Kim for training and shadowing on her position, Kim told Gay "We don't do that here." However, Gay has repeatedly seen others being trained, like the recent PST. Gay "knew they were training one another, but had no plan to train African Americans. The groups I identified before, they classify as people of color. No one trains African Americans."<sup>2</sup>

### **C. Access to Kim's Office**

Gay explained that when Gay first started working at H.S.A., [REDACTED] opened Gay's office when he arrived. Later, [REDACTED] gave Gay the keys to Kim's office and Gay began opening Kim's door in the morning. Gay had access to Kim's office in order to access personnel files. Gay identified that when Gay was first hired, [REDACTED] [REDACTED] and [REDACTED] gave Gay filing assignments that required Gay to work in Kim's office. At some point, Gay was filing "four inches of paperwork" that [REDACTED] gave Gay to file. Other times, if someone called to see if an employee finished a course or was looking for an employment start date, they would request Gay or [REDACTED] pull the file. Once, Michael Ferguson asked Gay for a manager file.

When Gay received Kim's keys, it was a segue to building a working relationship with Kim because it "exemplified a level of trust for people."

Sometime after February 2020, around four to five months after Gay had Kim's keys, Kim asked Gay for Kim's office keys back. When asked how Gay was relieved of her access to Kim's office, Gay said that Kim called Gay and said that Kim needed the keys to her office back. Gay stated that Kim did so in a "frantic" way. Gay told Kim that the keys were in the top drawer on the right-hand side.

When told that if Kim initially allowed Gay access and then removed that access, that it was not compelling that the removal was due to Gay's protected categories, Gay said this was the beginning of when Kim began to "cut everything off" for Gay. When asked if Kim's conduct was in anyway related to the COVID-19 pandemic that began in March 2020, Gay said no because "other people came into her office and...nobody had masks on." Gay also identified that Williams was also present in Gay's office. When asked why Gay believes this conduct was due to her race if Williams—an African American employee—was allowed, Gay said, "Because [Williams] was in [Kim's] inner circle, that's the point. All departments were doing the same thing, if you were in the inner circle, you were accepted as an African American." Gay also believes that because [REDACTED] still had access to Kim's keys, had access to Kim's keys "for years," and because [REDACTED] is Asian like Kim. In addition, Gay believes Joanne Tran, a Public Service Trainee, had access to files,

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<sup>2</sup> In June or July 2020, Gay says to herself that "this is not going to work. I'm being set up to fail." Gay comes up with a "rough draft" of her plan to train employees and sends it to Dylan Smith, 9774 Senior Community Development Specialist I, then- assistant to Joaquin Torres, 4290 Assessor.



manager's offices, and Kim's keys "because she was Asian." Gay also believes that Oscar Lin, and [REDACTED] all had access to Managers' or Kim's office and "they're all Asian."

When asked if Gay had any other information to support her allegations, Gay said "I'm not involved in anything with [Kim]. She puts Brenden Lim to the forefront, who is Asian. I knew Brenden Lim was going to end up in the newspaper in order to make sure an Asian male would be in the newspaper. Kind of like leading the forefront of dealing with food and providing meals. [Kim] puts him in the forefront. Her pattern of escalating Asians/Pacific Islanders and how she interacts with me. She makes them look successful, they get elevated. The food comes into the office during COVID, I don't get the food. When the food gets cut off, and I only go one week of free lunch. They were getting free lunch every day." When asked who at H.S.A. was getting free lunch, Gay said everyone who was not kicked out of the office.

#### **D. 2020 Voting Information Distribution**

When told that [REDACTED] alleged that [REDACTED] asked [REDACTED] to distribute the 2020 Voting Information, and because [REDACTED] processes time off requests, so she's a good person to contact if people need to request time off work for voting, Gay said that [REDACTED] told Gay that Gay's job would include all tasks that [REDACTED] worked on. When asked what information Gay had that Kim was the decision maker for this change, Gay said that she emailed [REDACTED] and told [REDACTED] that Gay thought she would be sending out the information; however, [REDACTED] then distributed the voting information and only then replied to Gay's email.

When asked what distributing the voting information entailed, Gay said to send an email with a form attached. However, then Kim began to take tasks and responsibilities away from Gay. Gay explained that she is no longer sending out the email. However, Gay then went on to say, "They want me to do the tedious and answering questions. That's what's left for me to do, taking away the cognitive, critical thinking skills and leave me with managing and monitoring emails online." Gay explained that she was "sitting 8 hours a day monitoring emails. [Her] legs swell up, [she's] not walking...[She's] getting sick because [she's] not moving, [she's] not doing anything." When asked if Gay sent out the 2021 or 2022 voting information, Gay said, "I'm not 100% sure and I don't think so."

Gay explained that the reason for this harm is that "instead of blatant racism, they hide behind policy. Politics and the Office of Civil Rights, then [REDACTED] said [Lim] said do this." When asked if Gay had any documentation or witnesses who could corroborate that it was Kim's decision to have the email sent by [REDACTED] and not Gay, Gay said that she did not "have proof" because at that point Gay went "five months without speaking to one another." When asked to clarify that Kim did not speak to Gay for five months and if that time was inclusive of Gay's leave, Gay said, "No, that was before my leave." When asked to clarify the dates in question of the five months of no communication between Gay and Kim, Gay said, February to June, when Kim called Gay back into the office. When asked to clarify further, Gay said that Gay had "no contact" with Kim between February to June, "no email or talking, nothing" because [REDACTED] took over Gay's job.

**E. Access to Kim's Calendar and Schedule**

When asked if Gay ever regained access to Kim's calendar and the ability to schedule meetings for Kim, at first Gay said no. But then Gay explained, "She just woke up one day and five to six months later, she gave me back access to her calendar. [Kim told Gay] there was something that came up, and [Kim] couldn't let anyone know." When asked if Gay resumed scheduling meetings for Kim, Gay replied, "No." However, Gay then said, "She gave me access, but I didn't do any scheduling. She's phasing out. She's shutting everything down. She didn't let anyone know, but I knew something was going on. I could see how she was going on. She asked me if I was surprised that she was leaving. I told her no. I knew that once there was going to be an avenue to have African Americans come to the door and require her to hire, and she was out of the picture anyway. Her creating an avenue where only Asians were getting hired, and once she knew African Americans were getting hired, she was not interested in it. So I wasn't surprised that she was leaving."

When asked why documentation showed that on July and September 2020, Gay acknowledged she organized Teams meetings for the weekly Managers meetings. Gay explained, "When you create the manager's meetings and individual 1:1 meetings with Kim and six managers. Gay "scheduled them all in one time for about 10-15 meetings for the whole year." However, Gay noted that it takes approximately 30 seconds to 1 minute to schedule a meeting. Gay explained that when she was a PST in the Mayor's Office and was scheduling for 30 project managers, "that's scheduling." Gay also explained that she has worked on the 5<sup>th</sup> floor at Van Ness and Market and "they don't have time to talk, they're scheduling." Gay also acknowledged that she scheduled a meeting between Kim and Kaplan and was told by Kim to talk to [REDACTED] to find a day that works for Kim to meet with Dan Kaplan, who takes priority over Kim.

When asked that if Gay had access to Kim's calendar when Gay was first hired and then later Gay's access returned when Gay came back from leave, what information Gay had to show that this temporary harm was due to her protected category, Gay said it was because she did not "have access for months" and did not do the job she was hire for. Gay further said that it was because "who else is going through what I'm going through that is not Black?" Gay then went on to say that the GARD report study shows that there is a new paradigm and how to approach the workforce.

Burke then told Gay that she needed to end the interview for the approaching lunch hour. Gay then asked Burke if the investigation had any findings of discrimination and Burke told Gay that it did not. Upon hearing that information, Gay hung up.

## **Exhibit C**

Charge of Discrimination, June 11, 2021

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF HUMAN RESOURCES

**CHARGE OF DISCRIMINATION**

(To be Completed by EEO Staff in Consultation with Complainant)

1. Complainant: Velma Gay Email Address: [REDACTED]  
Address: [REDACTED] Work Phone: \_\_\_\_\_  
[REDACTED] Home Phone: [REDACTED]

2. Respondent Department: Human Services Agency  
Individual Respondent(s): Luenna Kim, then-H.R. Director; Katrina Williams, Acting H.R. Director  
Worksite: 1650 Mission Street, 4<sup>th</sup> Floor Telephone No.: \_\_\_\_\_  
Address: San Francisco, CA 94103

3. Complainant's Current Employment Status (circle one): Classification: 1842 Management Assistant  
PCS TCS TPV PEX TEX PROB NOT A CITY EMPLOYEE

4. Basis of Discrimination (specify):  
 Race: African American  
 Color: Dark skin  
 Religion: \_\_\_\_\_  
 Creed: \_\_\_\_\_  
 Sex: \_\_\_\_\_  
 National Origin: \_\_\_\_\_  
 Ethnicity: \_\_\_\_\_  
 Age: Over 40  
 Disability/Medical Condition: \_\_\_\_\_  
 Political Affiliation: \_\_\_\_\_  
 Sexual Orientation: \_\_\_\_\_  
 Ancestry: \_\_\_\_\_  
 Marital or Domestic Partner Status: \_\_\_\_\_  
 Gender Identity: \_\_\_\_\_  
 Parental Status: \_\_\_\_\_  
 Other Non-Merit Factors: Inability to do my work.  
 Retaliation: \_\_\_\_\_

5. Issue complained of:  
 Denial of Employment  
 Denial of Training  
 Denial of Promotion  
 Denial of Reasonable Accommodation  
 Termination  
 Lay-off  
 Constructive Discharge  
 Disciplinary Action  
 Harassment  
 Work Assignment  
 Sexual Harassment  
 Compensation  
 Other (specify):  
Taking over my computer system during virtual meetings. (Bullying)

6. Has the Complainant filed the complaint with any other local, state or federal agency? Yes  No   
If yes, please specify: \_\_\_\_\_

7. Has the Complainant filed a grievance or lawsuit? Yes  No   
If yes, please specify: \_\_\_\_\_

8. Is the Complainant represented by a Union or an Attorney? Yes  No   
Name: \_\_\_\_\_ Organization/Firm: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

9. Describe specifically and in detail the circumstances of the alleged discrimination. Please include date(s) of adverse employment action(s).

On January 4, 2020, I started working for the City and County of San Francisco (City) at the San Francisco Human Services Agency (H.S.A.) Department at 1650 Mission Street as an 1842 Management Assistant. From January 2020 to March 2021, I was hired to be the Management Assistant for Luenna Kim (Asian) the Human Resources Director for H.S.A. In February 2021, Katrina Williams (African American) became the Director of Human Resources Director for H.S.A.

## **I. HARASSMENT / HOSTILE WORK ENVIRONMENT DUE TO RACE AND AGE**

Between January and February 2021, Kim and Williams subjected me to the following offensive and unwelcome conduct based on my race (African American), and age (over 40):

- (1) On January 6, 2020, in response to a task I completed, Kim called me into her office the next day and I showed up with a pen and pad thinking she was going to go over how we were going to work on assignments and projects together. However, to my surprise, she began telling me, "Don't be coming in here messing up. I built a reputation for myself. I'm in a position in life, where I now can give back, I did this as a favor. We normally start employees on such and such dates due to payroll, but it seemed like you really needed this." I believe Kim meant that she hired me due to my race.
- (2) In February 2020, I asked Kim, "Haven't you noticed there aren't any African American men here [at H.S.A.]?" Kim replied that there were not enough African Americans passing the job examinations, which I believe meant that African Americans were not intelligent enough.
- (3) In March 2021, I received an email from Williams stating that I did not need to fill out or participate in Time Studies, although this was a requirement for my position, stated by [REDACTED] (Asian) in the Fiscal/Office of Controller. I received an email from [REDACTED] that because of my position, I need to fill this out and he provided me the link. However, Williams interfered with my ability to complete because she felt it was too complicated for me to understand. These are her words: "The information is dense and hard to understand, which is why I mentioned future work being done on making it easier to understand." I was extremely hurt, stressed-out and embarrassed or belittled by her commentary. I believe this was due to me being African American.

## **II. DISCRIMINATION DUE TO RACE, COLOR, AND AGE**

I believe Kim has been reproached for only hiring Asian employees at H.S.A. and hired me as a political prop. I believe I was denied the above assignments because Kim only wanted me on her team for optics in order to demonstrate that she was not racist. However, around March 2020, once the City's Shelter-in-Place (SIP) order took effect and I was no longer physically present in the office, Kim no longer needed me for optics purposes and my job duties were assigned to other employees who were not African American. I believe this discriminatory treatment sustained under Williams' leadership.

Between February 2020 and February 2021, Kim and Williams subjected me to the following discriminatory conduct based on my race (African American), color (dark skinned), and age (over 40):

- (1) Towards the end of January 2020, Kim asked me to call Bridget Badasow (White) and request for the DAS List, because she wanted the form 700 and Das List to go out at the same time. I called and emailed Badasow several times but she never responded. Kim kept requesting the list, as a new employee I wanted to begin contributing to the department, also at this time Kim went on vacation and left Williams in

charge. Therefore, I was left to somehow figure out how to formulate the DAS List on my own, which consisted of gathering, compiling emails for two weeks and speaking to at least 15 department heads, asking questions to create the DAS List. Most importantly, this speaks to the character and the beginning grooming process as well as the type of rapport Kim wanted to establish with me, that of continuously lying at all cost to get certain things she wanted completed. [REDACTED] (Asian), 1244 Senior Human Resources Analyst, was never required to complete any task in this manner. Also, Kim had me to create an establish a well-written document, that is clear and concise for processes for other employees who have been working for the Agency for years, as if I'm an Independent Contractor. I strongly believe Kim requested this of me during my probationary period because of my race.

- (2) In February 2020, I was assigned to send and process H.S.A.'s Form 700s and The Harassment and Prevention Forms. However, in March 2020, Kim told me to submit the returned forms to [REDACTED]. Next, all of my work assignments were given to [REDACTED] (Hispanic), 0922 Manager I, and she became Kim's assistant. Last, the Harassment and Prevention Forms, were given to Ivy Yeung in the Exams unit to collect. I asked Kim directly several times why are you giving my work over to other employees, after I did all of the work. Kim's reply was "uh-huh?" Also, when she even thought I was trying to continue working on the applications, she told me to "stand-down" in a strong militaristic manner. Also, she reiterated that I struggled with technology. Afterwards, [REDACTED] and Yeung were given credit for completing the task. I believe Kim did so because of my race and age.
- (3) Around February 2020, without notice, Kim stopped allowing me access to the H.R. manager files in her office and no longer allowed me to into her office.
- (4) For the November 2020 Election, [REDACTED] had previously showed me on how to send out Voting Information to all H.S.A. employees. When [REDACTED] was Kim's assistant [REDACTED] sent out all communication to all HR Staff as well as information to the entire department. However, I was denied and undermined with performing this work assignment because [REDACTED] proceeded to send out the information. [REDACTED] informed me that she was directed to do so by [REDACTED], 1246 Principal Human Resources Analyst; however, I believe Kim assigned [REDACTED] to this task because she was Asian. She was more comfortable working with Asians and no longer wanted to work with me because of my race and age.
- (5) In March 2020, without notice or discussion, Kim deleted my access to her calendar for scheduling purposes and access to her office, and in a commanding voice, demanded her office keys, which were normally kept in my office, back via phone.
- (6) In May 2020, Kim requested for me to come back into the office via phone, to work on projects together. However, when I came back and went to her office Monday morning I eagerly walked over to her office, with a pen and pad; and she said sternly, "Give me a moment." Towards the end of the week she comes into my office on a moment's notice at 4:50pm and forcibly in an aggressive tone, force me take a deployment assignment (The Great Plates Program under Kate Shadoan). I asked Kim why are she was taking me away from my normal daily activity because I'm new and I'm still learning my job. When I asked why she said, "Because we have a need." I knew that it wasn't mandatory but because she was so aggressive, I felt intimidated. She said training starts tomorrow, which was Saturday. [REDACTED] (Asian) and [REDACTED] (Asian) were a part of my training session. Once again, I was undermined by Kim and maliciously placed in a situation to fail, without notice and adequate training. This deployment lasted for only one week and proved to be a failure because 99.5% of the clientele spoke Mandarin Chinese and most, if not all, of the handwriting and their names and profile information was in Mandarin Chinese. That is, 1600 names were on the call list and only 5 names were in English. Therefore, I had to use a global translator phone service to communicate to clients, who average age was 80 years old. I spoke to Kim and stated within the conversation, "that is seems that you are setting me up for failure opposed to success." And she firmly stated that everyone was, "is in the same boat as me." When in fact, [REDACTED] (Asian) and [REDACTED] (Asian) have always worked on the SharePoint APP. Kim, had once again lied

to me at all cost to complete a task. ██████ explained to me that “all of us know how to you use the program SharePoint and have used it in the past.” I believe Kim did so because of my race and the color of my skin.

- (7) In December 2020, without notice Kim stopped allowing me to fill out employee’s information on AER’s and PSLF’s, which was completed before by ██████ (Filipino) and ██████ (Asian). When I asked her why, she specifically stated, “Because I do not feel comfortable with you.”
- (8) In March 2020, I asked Luenna, if I could “shadow” ██████ and Kim denied my request. I continuously asked for training on Zoom and MS Teams and was denied.
- (9) In June 2020, I asked if I could be trained on Data and I was denied and told “we don’t have anything like that.” In October, ██████ was assigned to train me on Zoom. However, after I was thoroughly trained, I was never allowed to utilize the Training on MS Teams or Zoom. ██████ ██████ (Asian) 0931 Manager III, David Heber (White), ██████ (Caucasian) 1244 Sr. Human Resource Analyst, Clare Mc Caleb (White) 1244 Sr. Human Resource Analyst, have all received thorough training before being asked to complete tasks with data. In addition, all other employees who have been hired after me in my department are being advised for training, receiving Professional Development as well as utilizing MS Teams, Zoom and uploading on the New HSA Intranet and MS Teams.
- (10) I asked Kim if I could join H.S.A.’s Racial Equity Work Group (REWG), that the entire HR staff participates in and Kim denied my request. I believe younger, lighter-skinned employees including Isabella Blasi (age 28), 1241 Human Resources Analyst; Maribel Mora (age 35), then-1241 Human Resources Analyst; Julie Castro (age 37) 1244 Senior Human Resources Analyst; and Hovaness Dekeyan (age 30), 6138 Industrial Hygienist, who were hired after me, joined the REWG. I believe Kim did this because of my race and age.
- (11) In June 2020, Kim scheduled a meeting, which included ██████ Williams, ██████, Camguy Cornivelli, Mc Caleb, ██████ Andre De Leon, ██████ and I believe Sharee Nisha, to demonstrate, through a show of force, during the meeting for each employee to begin “handing-over” projects they were working without notice or discussion, to me one-by-one in the meeting. That is, I was expected to completely take over all Data, troubleshooting and data cleanup, dashboards and charts and tables in the office as it relates to the new developmental concept, called H.S.A.’s Covid-19 Employee’s Survey. Although, I did not know at the time, the Data involved extremely intricate knowledge on the level of a HR Data Scientist. Also, the beginning part of this development of Data concept involved David Hebner. Once again, Kim lied and said it involved the ability to know (vlookup) in Excel. Afterwards, ██████ and Claire were instructed to provide instructions to me in a separate meeting on how they began to initially construct this, “make-shift” data concept to generate a Covid -19 Health survey, to all employees. Katrina and ██████ attended this second meeting. They decided that it was intricate and a bit complex and ██████ asked ██████ from the Exams department to assist me. However, the Data (four raw datasets) was “make-shift” without an actual formulation, just a beginning Data concept. The initial Health Survey, could not operate without intricate Data Scientist and IT knowledge. Also, I was told by ██████ I could not write anything down (take notes). To further substantiate this fact, eventually this Data (The New Health Survey, became an actual Data APP, which was just completed April 2021 and is now being used in our department. Furthermore, each one of the Projects given to me during this meeting in June, grew and blossomed into extremely much larger projects, due to the Covid 19 global pandemic. Furthermore, ██████ ██████ and Mc Caleb gave me their projects, soon thereafter ██████ gave me her projects (writing memos, creating Graphic Design DSW flyers as well as locating and making phone calls and communicating, to all employees who responded “Yes” to being infected or close contact with Covid-19. Kim gave me her projects as well, such as working on her Dashboards, creating Charts and Tables. Kim maliciously and recklessly instructed Mc Caleb to give me during my probationary period all four (4) Data Sets of all 2700 employees, which work for the entire Agency. That is, I have within my possession, to this very

day, everyone's home addresses, phone numbers, social security numbers, emails, work cells and so forth. I believe Kim wanted me to fail by not providing me adequate training to fulfill the expectation of the department. Also, in order to justify getting additional FTEs during a City-wide hiring freeze and did so, due to my race. Also, to further substantiate why HR doesn't hire African Americans. I also believe Kim has given [REDACTED] McCaleb, and [REDACTED] training on data analysis, but denied me data training due to my race. [REDACTED] who was Kim's assistant 1 ½ year prior to me, was never asked to fulfill any of these types of expectations or work in this capacity. I left this meeting feeling undermined by Kim because she strategically held the meeting, three weeks before the end of my probationary period, by giving me several unimaginable projects at one time. I believe she did so because of my race.

- (12) In June 2020, after giving me, this exceptional workload mentioned above, Kim came to my office without notice or discussion, wearing a mask and gloves, as if she was about to perform surgery on someone. David wasn't wearing a mask or gloves. Initially, I was confused, Kim said to me in an extremely stern voice, "Step out of your office!" I gestured, as if to say why." She automatically said, "There's too many people in the office." She was accompanied by [REDACTED]. Immediately, they began to search my office, as if they were looking for some type of weapon. Although, Kim as well as [REDACTED] already knew what was in the boxes, even I knew. I was further confused as I watched Kim visibly forcing [REDACTED] to search every single box and cabinet draw, in my office. This was extremely incriminating and I felt embarrassed, stressed-out and demoralized by my fellow colleagues. I believe she did this because I was African American.
- (13) Although, Kim allowed for me to receive training on Zoom, in June 2020 by [REDACTED], the training (two one-hour sessions) was strategically circumvented, due too overwhelming workload mentioned above, to intentionally divert training because I was African American. However, all HR Staff employees are learning, developing and utilizing their skills on MS Teams and Zoom working in Teams, except me.
- (14) After returning back into the office, in my first 1:1 meeting with Kim, we get into a heavily debated discussion on Racial Equity, Equality, minimal work requirements and training for about two hours via MS Teams. I was distraught and I was in tears, literally sniffing periodically throughout the dialogue. This had and still does significantly affect my ability to work, emotional state and my enjoyment in life. I further explained to Kim during this meeting, that how I felt when starting this job isn't how I feel now. That she had taken away my inner-will to succeed and chipped away at my confidence on the job and she slightly "snickered." During this discussion she explain to me that the Human Resources department would be, "lowering the standards" if she gives me training, she further stated "what's in it for her?" by providing me training. I replied, with how so, when Asian 2913 employees in Induction Training were getting eight (8) hour a day six (3) months in the office and (3) months on-the-job of concentrated training course, called "Induction" before entering the respective work stations. However, because the Induction – Training was consistently 99% Asian employees, this was acceptable? In April 2020, I was denied a licensed Zoom account by Kim. After pleading, persuading through debating with Kim, my training with [REDACTED] resumed in October. However, Kim sabotages my work efforts once again, and never allowed me once to utilize any training on MS Teams or Zoom whatsoever. I was told that IT Department now creates Teams and Channels. Although this is why [REDACTED] was specifically instructed to train me. I was being treated different wasn't able to use any of the knowledge like all other employees, who are Asian or an Island Pacificers the lighter People of Color.
- (15) In addition, I find out that Katrina Williams and [REDACTED] will low be the only employees sending out mass communication to employees. I believe this was done due to my race and age. Towards the end of our meeting Kim reassures me that she is completely dedicated to me and that I was definitely an important part of the HR Management Team.
- (16) From this point moving forward, I realize I'm working in a hostile working environment, my fellow



colleagues will not work or talk to me nor am I given any assignments or projects for well over nine (9) months for not working on, “Suddenlies” and “Data Scientist” assignments without adequate training. Even today, I am completely isolated from all HR (56) employees. Kim wanted me to be the Management Assistant to 8 HR Managers, who manage distinct separate departments, without any training. Continuously, my work efforts by Kim were sabotaged and I was asked to achieve an unrealistic standard for any new employee. I believe this was malicious and with reckless intent, due to my race and age and to further justify getting more employees into specifically the HSA HR Department, in specific [REDACTED] and Brenden Lim’s departments. Also because Kim felt she was being mandated by Mayor London Breed to hire specifically African Americans. Portraying me as an incompetent employee would substantiate the fact why Asians were being preferred to work with because they understand or “catch-on” faster, their smarter, they past the exams with higher scores, as opposed to African Americans. This justified why more Asians were in the office opposed to the darker-skinned People of Color (African Americans). In addition, upon my returning back into the office after being out of the office for two months, I was told during the HR Weekly Manager Meeting by [REDACTED] Intent opposed to Impact. That is, inferring if we intend to hire African Americans what would be the impact? Immediately, afterwards, Williams cosigned and interjects with [REDACTED] as a “buffer” between races because of his statement to me. However, I didn’t respond, I just took a mental note and wrote it down. During this meeting I was embarrassed and further demoralized and felt this was “gaslighting” and I really felt excluded and did not belong and was not a part of the HR Management Team.

(17) In November, 2020, [REDACTED] department needed assistance with data. Kim moved Mc Caleb over to her department permanently. I questioned Luenna in a 1:1 meeting about this. Because I was expected to know whereas, when younger and lighter skinned employees such as: Isabella Blasi (White), Judy Castro (Hispanic) and Maribel Mora (Hispanic), all three new employees, weren’t required to know. And were not made to look as incompetent in - front of the other HR Managers. When I brought this to Kim’s attention, she said, “well...the work classification is a generalization and not all employees are at the level as others.” I said, “But...Luenna when I said the same exact thing in reference to myself, you said it was lowering the office standards” and “have you heard of Competency Modeling?” Also, I said, “How is this Racial Equity or Racial Equality?” She became visibly upset via MS Teams and said she was offended!” I said, “Okay Luenna.”

(18) In December 2020, I believe my ideas (intellectual property) about Training, Mentoring and Shadowing employees was taken and the source not given credit by Kim. However, it was given to [REDACTED] 0923 Manager II. I believe Kim did so due to my race, age, and the color of my skin. Because the ‘culture’ within the agency is that the Asians and White people are more intelligent and graduated from better schools, than African Americans as well as Kim personally felt I was not digitally inclined because of my age. Many of my concepts expressed in my Power Point presentation to all HR Managers are now being utilized by employees who were hired after me as well as training, changing the minimum work prerequisites for job classifications, all of which was discussed in-depth with Kim in our two-meeting upon return back to work after I had been OOO for two months. I did not know until March 2021 that Kim was a Commissioner and had the ability to architect programs within departments. Therefore, the entire time I was discussing with her about race, she was implementing my ideas and concepts into actual programs. In addition, prior to Kim asking me to give my PPT on Training on Dec. 4 2020, subtitled, 21<sup>st</sup> Century innovative approach to learning, Kim had stated to me a couple months prior, that afterwards, I was going to start gathering more information to implement a formal program. However, once again Kim had undermined and sabotaged my ability to work effectively. Kim requested for me to email my give my PPT, which was well-written, clear and concise to Katrina Williams and behind my back they gave the information over to L&OD, of which [REDACTED] (White) Senior Trainer and Michael Aho (White) Senior Training created the Mentoring Program that was given to [REDACTED] I believe this was done to me because of my race, age and the color of my skin.

(19) In November 2020, I believe my ideas (intellectual property) about HSA Customer Service and

organization concept was taken and not given credit of the source by Kim. However, it has been given to other HR Managers to implement new strategies, processes to ‘enliven’ their particular departments.

- (20) In February 2021, I believe my ideas (intellectual property) on New Employees Orientation was given to other HR Managers on new updated procedures to guide new employees when starting work, in connection with the customer service for staff and the HSA Agency, without crediting me as the source. I believe my ideas included ensuring new employees had a DSW #, work cell phone number, location of their technical equipment including computer plugs, the identity of their supervisors ( [REDACTED] and [REDACTED] ), the location of the IT Department, the location of photocopy machines and the credentials needed to use them, and their office location (Move-matrix). One of the end results of this concept is that Aung “Oscar” Lin became “Employee of the Month.” I believe the Personnel department began creating packet or bags that they now give to New Employees when starting as well as New Employees now receive much more valuable information before when starting their work assignments. These ideas were initially given to Katrina Williams then to [REDACTED] ask me to meet with [REDACTED] (Supervisor) and [REDACTED]. [REDACTED] forwarded the invite to the entire HR Personnel staff, approximately eight (8) employees—including [REDACTED], [REDACTED], Allan Gonzalez-Ruiz, Mildred Mendoza, Rohodora Sanglang, Lisa Mah, and Minchau Vuong—attended this meeting via MS Teams. The New Employee was discussed in-depth in a 1:15 minute meeting. Afterwards, we were to hold a second meeting, however, no one would speak to me and it was obvious they were instructed not to talk or communicate to me by [REDACTED] and [REDACTED]. I believe this was because I was African American.
- (21) In February 2021, Kim removed me from shadowing [REDACTED] (Asian), 1241 Human Resources Analyst. I believe Kim did so due to my race because during the shadowing assignment, I heard from another 1842 Asian employee, during the interview process, that they were trained in data analysis. Specifically, Sequel Bi and Power Bi as well as other employees (African Americans) were being limited in their ability to move or promote to other positions in other departments because they were not being trained. During this interview, [REDACTED] replied, “we’re planning on training them.” I was previously told by Williams, [REDACTED] and Kim that we did not have any training. However, Kim stated on multiple occasions that I was being treated like everyone else.
- (22) In February 2021, I asked Kim, if I could begin starting on the Form 700’s, in a similar manner to last year. She replied, that does not start until April. However, April 1 is the deadline. Kim sabotaged and interfered with my ability to work. I believe she did so due to my race.
- (23) In early 2021, I learned Kim will transfer to the San Francisco Department of Public Health (DPH) and that Williams will be Acting H.R. Director. However, before Kim left she scheduled a meeting titled “HR Transition”, which was comprised of Williams, Kim, [REDACTED] and [REDACTED]. I knew immediately what the meeting meant. That is, during the transition [REDACTED] was going to be scheduling meetings for Williams and [REDACTED] which further substantiates how Kim established me as an incompetent employee in order to get other FTE’s, Recently, [REDACTED] was approved to received two 1800 series employees and Brenden Lim was approved of I believe One 1244 and two 1241’s Analysts in his departments.

On February 22, 2021, I emailed Williams concerning that I do not talk to anyone (isolated) and wanting clearer definition of my role. On February 19, 2021, Williams became Acting H.R. Director. Initially, I believed this type of behavior from the previous Director Kim would have subsided; however, it has continued under the transferred leadership of Kim to acting Director Williams, which includes giving my work assignments to other employees, allowing intellectual theft and continuous demoralization through condescending remarks and “bullying” remarks through conversation towards me as an employee with the City and County of San Francisco, such as “I’m only going to speak to you once.” And stating that she has nothing for me to do until July 2021, which was to create a Kudos-Board. As if I was child, working on arts and crafts. Throughout our conversation in our second 1:1

Meeting she continuously reiterates, there will be no new procedures developed. Because she is learning her new position as well as training ██████████ to work her previous position as L &OD Manager. I told Katrina I was enrolled in Project Management and Business writing courses and she said, "Great!" However, when asking her for work, she told me to use my Project Management skills on Additional Employment request (AER)'s and Public Service Loan Request (PSLF)'s in a comical condescending manner because there is nothing to do or my courses do not necessarily work with AER's and PSLF's. In addition, she knew I was just starting with the courses. For example, to further put in scope, what she's saying, one would take Project Management courses at UC Berkeley, to run a section of the city or entire department. Also, I'm being told, if I want to have a 1:1 meeting, I am to write down a list and come to her with concept or issue, that is, I'm supposed to bring work to her. However, if I'm only working on AER's and PSLF's Katrina already knows it doesn't require much information. In return, I would never have a meeting with her. Clearly establishing a clear delineation between me and her. Even though I'm "Her assistant." Last, I do not schedule any appointments for Katrina or anyone else.

There has never been any attempt to develop me as an employee to work within the HR Department. Williams has been asked by Kim to establish entire training and development for other employees. For example, Williams could have easily established or suggested to Kim or vice-versa, to have me work with each Manager in a certain manager and learn what's there, "top-three" concepts I need to really understand in every department. However neither Kim, ██████████ nor Williams or has any other Manager amid Racial Equity ever suggested any type of training, for those who have been previously excluded. That was the entire reason for establishing the G.A.R.E. report and Diversity Equity Inclusiveness and Belongingness (DEI/B) being created. I believe this is done because I'm an African American as well as my age. Beforehand, there needed to be an actual manner in which I was supposed to work within the department, as if I'm an independent Contractor.

In May 2021, being asked to establish an actual processes for Additional Employment Request's (AER)'s and Public Service Loan Forgiveness (PSLF)'s. ██████████ and ██████████ (supervisor) are both a part of ██████████ department, and have been working for the HR department for well-over 20 years and have never been asked to develop a process for another employee to follow. That is, what I have been learning for 1 ½ Katrina and ██████████ want me to development a comprehensive process, that will provide anyone a substantive understanding on how they can learn in about one week. Opposed to how I learned through, "trial and error and along the way somehow, through word of mouth." I'm creating a blueprint, which is what I stated in my PPT in December 2020. If it's written digitally or on paper other employees can develop successfully much faster and merge into the group seamlessly. In return, the employees will be viewed in a more professional positive appearance and come across as having the ability to learn quickly and work faster because they rarely ask questions and don't make mistakes and need little to no management. Most importantly, Supervisors, Managers and Directors would want to work with this employee. However, I believe this is being done to me because of my race, color of my skin and age.

In May 2021, Steve Lin (Asian) is being ordered to come back into the HR Department on 06/01, to work with ██████████ (Asian) in the personnel. What's important to understand, is that Steve Lin has been out of the office for approximately one-year. However, Luenna, ██████████ or Katrina never allowed me to train or establish a working relationship with the Personnel Department. I was not to assist nor allowed to learn, even though, that is what I was partially, hired to do. I believe this was done because of my age, race and the color of my skin.

- (24) In April 2020, Williams has preferred for me not to come into the office on a certain day because it would cause Health and Safety issues. In reference, to the spread of Covid-19, meanwhile all other employees (4 or 5) who have been coming in on a regular basis, were able to do so.

- (25) Instead of me giving the 2021 Form 700s to Williams, Williams requested for me to give the forms to [REDACTED] (OCR) to avoid contact with me.
- (26) Upon leaving the office, I was a part of the HR Management Weekly, which was the last meeting I attended. [REDACTED] interjected for Williams to give her project over to [REDACTED] while she's OOO until July 6, 2021. This was done in a very aggressive, demoralizing and condescending manner, inferring me and my work ethic in front of all six (6) HR Managers, "to give her work project over to [REDACTED] you can give who you want but that is just I think you should do," "I've seen PSTs that work better than this!" [REDACTED] nodded his head on MS Teams, as if to say "Yes" in agreement with [REDACTED]. [REDACTED] said that we've had PSTs that work better than me. [REDACTED] then said Aung "Oscar" Lin was a great employee that works the front desk on the second floor, which took a general consensus of the room to begin demonizing me, in order to find reason to remove me from my position. However, [REDACTED] doesn't know that was the objective of aligning customer service with employees in the office, which is the idea I pitched to Kim in mid-November I believe Lin was made Employee of the month, which was the first time, the HR department has ever awarded one of their own employees, because [REDACTED] is [REDACTED] supervisor who asked him to initially assist me with the initial phase of The Health Survey (data), which unexpectedly lead into a year's long endeavor, until an actual Data App was created. Therefore, whenever she has had the chance she would take "shots" at me to get other employees laughing during the virtual Christmas Party virtual MS Teams gathering and so forth. [REDACTED] didn't want to accept the fact that Kim is a masterful manipulator, who can be very deceptive to those who do not have situational awareness.
- (27) February 2021 Kim told me that she never intended on me taking over Data. I said well I have the email stating this, and she replied, "Oh yeah, you're really good at emails!" in an extremely condescending manner. I believe this was done because of my race, age and the color of my skin by [REDACTED] and Kim. I left the meeting feeling demoralized, mentally anguished and stressed-out. I cannot take another year of this, after I had been through so much psychological violence already with Kim.
- (28) In May 2021, I receive an email from [REDACTED] (Asian) requesting, me to send an email out to all HR staff. This email came from [REDACTED] (White), who is an HR Manager. [REDACTED] has been working at the Covid Command Center (CCC) for several months, but still knew not to give me any assignments. However, when I emailed [REDACTED] for clarification on the May was Mental Health Awareness Month flyer, she responded, "I didn't ask you to send out, I asked [REDACTED] to send." I believe this was due to my race.

10. Has the Complainant taken any action to resolve the issue(s)? If yes, please specify:

11. Remedy or corrective action desired by Complainant:

1. I would like the two months of sick time I used for stress leave from June to August 2020 restored.
2. Maintain employment, however transfer to another department.
3. Provided adequate Work Assignment
4. Adequate Training in Power Bi, Oracle Bi, Sequel Bi, HR Intern, Data Analyst.
5. All HR Hiring Managers in the HR Department need to take a Cultural Competency Program.
6. All HR Hiring Mangers in the HR Department need to receive a 'negative mark' placed in each of their files.
7. Out-of-Pocket expenses and overtime, incurred recompensed. (Creation of several Graphic Design – DSW Flyers and Health and Safety flyers). I paid to create professional looking fliers and charge for my professional artistic endeavors. I worked 60 hours of overtime on several different fliers for the HR department.

Completed by:

Jennifer Burke

EEO Staff's Name and Signature

DocuSigned by:

Jennifer Burke

E29FD127545E4B8...

6/11/2021

Date

Velma Gay

Complainant's Name and Signature

DocuSigned by:

Velma Gay

E630592E54D64BD...

6/11/2021

Date

## **Exhibit D**

Notice of Charge and Request for  
Information, September 7, 2021

City and County of San Francisco  
Carol Isen  
Human Resources Director



Department of Human Resources  
*Connecting People with Purpose*  
www.sfdhr.org

**CONFIDENTIAL**

September 7, 2021

Trent Rhorer, Executive Director  
Human Services Agency  
1650 Mission, 2<sup>nd</sup> Floor  
San Francisco, CA 94103

Via Email  
[trent.rhorer@sfgov.org](mailto:trent.rhorer@sfgov.org)

RE: Notice of Charge and Request for Information  
Complainant: Velma Gay, EEO File No. 3643

Dear Director Rhorer:

A complaint of employment discrimination has been filed against the Human Services Agency (HSA) by Velma Gay, 1842 Management Assistant. A copy of the Charge of Discrimination is enclosed. The Charter of the City and County of San Francisco provides that the Human Resources Director shall review and resolve all allegations of employment discrimination. I have been assigned to investigate this complaint and my role as an investigator is to act as an objective third party, representing neither the complainant nor the party charged with discrimination.

**I. NOTIFICATION OF CHARGES**

Since January 4, 2020, Gay has worked for H.S.A. From 2020-2021, Gay's direct supervisor was Luenna Kim, then-H.S.A. H.R. Director. In 2021, Katrina Williams, Acting H.R. Director, began supervising Gay. Gay alleges that Kim and Williams subjected her to offensive and unwelcome comments due to Gay's race (African American). Gay further alleges that she was hired as Kim's assistant as a token hire and to provide optics that Kim and H.S.A. H.R. are not racist because after the move to remote work in early 2020, Gay's job duties were given away to others. Gay also claims that she was denied training in order to perform her assignments due to her race and age. Finally, Gay alleges that Kim stole Gay's ideas about racial equity and gave them to other H.S.A. employees to develop due to Gay's race, skin color, and age.

Gay seeks the following remedies: Two months of sick leave restored and a transfer to another City department outside of H.S.A. If a transfer is not possible, Gay requests clear job duties and training in Power Bi, Oracle Bi, Sequel Bi, HR Intern, and Data Analyst. Gay further requests that H.S.A. H.R. hiring managers take a cultural competency program and receive a negative designation on their performance evaluations. Finally, Gay requests out-of-pocket expenses and overtime for the work she performed on DSW and health and safety fliers.

## **II. REQUEST FOR INFORMATION AND DEPARTMENT RESPONSE**

To investigate the above allegations, we request the following information below. Please provide a response by no later than **September 17, 2021**.

### **A. Witnesses for the Department**

Please provide a list of witnesses that the Department requests to be interviewed on its behalf.

### **B. Request for Information**

We would like to obtain the following information:

1. A description of H.S.A.'s Induction Training content and identify those H.S.A. employees who have attended Induction Training.
2. A description of Velma Gay's Disaster Service Worker (DSW) assignment and the dates of its duration.

### **C. Request for Documents**

Please provide copies of the following documents:

1. Organizational charts for H.S.A. H.R. from 2018-2021.
2. Velma Gay's payroll records from January 4, 2020 to March 31, 2021.
3. Any PPARs for Velma Gay.
4. [REDACTED] 2018 and 2019 PPARs.
5. Any agendas or staff meeting notes for the H.R. Weekly Manager meetings from January 2020 to February 2021.
6. Any documentation related to Aung "Oscar" Lin's nomination for Employee of the Month, including the submission/nomination form and any selection process documentation.

Additionally, I may request to review Velma Gay's, Luenna Kim's, and Katrina Williams' official personnel files. Please mark all information sent in response to this request "Confidential" on the mailing envelope.

### **D. Scheduling of Interviews**

We also request your assistance in scheduling interviews with any witnesses identified by the Department, as well as the employees listed below:

1. Katrina Williams, Acting Human Resources Director
2. [REDACTED], 0931 Manager III
3. [REDACTED], 0931 Manager III
4. [REDACTED], 0931 Manager III
5. [REDACTED], 0923 Manager II



6. Brenden Lim, 1246 Principal Human Resources Analyst
7. [REDACTED], 1244 Senior Human Resources Analyst
8. [REDACTED], 1244 Senior Human Resources Analyst
9. [REDACTED], 1244 Senior Human Resources Analyst
10. [REDACTED], 1244 Senior Human Resources Analyst
11. [REDACTED], 1241 Human Resources Analyst
12. [REDACTED], 1241 Human Resources Analyst
13. [REDACTED], 1232 Training Officer
14. [REDACTED], 1232 Training Officer
15. Michael Aho, 1232 Training Officer
16. [REDACTED], 1203 Personnel Technician

Also, please be advised that there may be a need to schedule further witness interviews as the investigation progresses. We would appreciate the Department's designating a person to assist in this process and informing us of the person's name and contact information.

### **III. IMPORTANT REMINDERS**

Please remember that the information in this request is sensitive and that this document should not be shared with anyone named in the document. In addition, management should be reminded that any form of retaliation against an employee for making a complaint of discrimination or participating in this investigation is strictly prohibited by law.

We remind all those involved in complaints of discrimination that the process of evaluating the merits of the charges reinforces each employee's right to a workplace free of discrimination. Therefore, allegations should not be considered as personal attacks but management opportunities to demonstrate a commitment to such a working environment.

Should you have any questions about the complaint process, mediation, or this request, please do not hesitate to contact me at 925-226-8940. Thank you for your assistance.

Sincerely,

*Jennifer Burke*

Jennifer Burke  
EEO Programs Senior Specialist

Encl: Velma Gay's Charge of Discrimination

c: Brenden Lim, OCR Analyst, HSA  
Amalia Martinez, Director, EEO and Leave Programs, DHR

## **Exhibit E**

HSA Response to RFI, including  
attachments, September 28, 2021



**SAN FRANCISCO  
HUMAN SERVICES AGENCY**

Department of Benefits  
and Family Support

Sent via Email: [Jennifer.Burke@sfgov.org](mailto:Jennifer.Burke@sfgov.org)

Department of Disability  
and Aging Services

September 28, 2021

Office of Early Care  
and Education

Jennifer Burke  
Department of Human Resources  
One South Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94103-5413

P.O. Box 7988  
San Francisco, CA  
94120-7988  
[www.SFHSA.org](http://www.SFHSA.org)

RE: EEO File No. 3643

Dear Mx. Burke:

Please find enclosed the Human Services Agency (HSA) response to the Department of Human Resources' request for information and documentation for the complaint by filed by Velma Gay (DHR EEO File No. 3643).



If you are in need of additional information or would like to discuss this complaint, you may contact me by email at [Brenden.Lim@sfgov.org](mailto:Brenden.Lim@sfgov.org), through MS Teams, or by telephone at (415) 816-7442.

Sincerely,

*Brenden Lim*

**London Breed**  
Mayor

Brenden Lim  
HSA Human Resources

**Trent Rhorer**  
Executive Director

Encl.: Response to Information and Document Request

cc: HSA OCR File No. T7-20210391



**SAN FRANCISCO  
HUMAN SERVICES AGENCY**

Department of Benefits  
and Family Support

Department of Disability  
and Aging Services

Office of Early Care  
and Education

P.O. Box 7988  
San Francisco, CA  
94120-7988  
[www.SFHSA.org](http://www.SFHSA.org)



**London Breed**  
Mayor

**Trent Rhorer**  
Executive Director

Complainant: Velma Gay  
DHR-EEO File No. 3643  
HSA OCR File No. T7-20210391

**Request for Information**

**A. Witnesses for the Department**

The Human Services Agency (HSA/Agency) does not suggest interviewing additional witnesses at this time.

**B. Request for Information**

- 1. A description of the HSA’s Induction Training content and identify those HSA employees who have attended Induction Training.

The Agency provides newly hired classification 2905 Senior Eligibility Workers a 3-4 month classroom based training on welfare benefit eligibility, with an additional on-the-job component for select social services programs. The HSA does not offer a comparable induction training for management assistants or human resources professionals.

See Exhibit A for an overview of the eligibility worker induction training.

- 2. A description of Velma Gay’s Disaster Service Worker (DSW) assignment and the dates of its duration.

Complainant recorded DSW activities from May 26-29, 2020. On May 18, 2020, the San Francisco Mayor announced the Great Plates Delivered SF program, “an emergency food assistance program for seniors sheltering in place due to the COVID-19 pandemic.” In partnership with local food vendors and restaurants, recipients would receive from vendors/restaurants three meals per day. The program was led by the Agency’s Department of Disability and Aging



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Services (DAS), which submitted request 213RR-0834 on May 21, 2020, for ten DSWs that would telephone eligible or possibly eligible recipients to inform them of the program and record their participation. As with any public contact, the City, under the Language Access Ordinance, has an obligation to provide effective communication, which may entail the use of interpretative services of staff or through contracted services.

See Exhibit B for the Mayor's Office Press Release.

### C. Request for Documents

#### 1. HSA Human Resources Organization Charts

See Exhibit C for organizational charts for 2019-2021.

#### 2. Payroll Records

See Exhibit D for Velma Gay's payroll records from January 4, 2020, to March 31, 2021.

#### 3. PPARs for Velma Gay

No PPARs for Velma Gay are in the official personnel file.

#### 4. 2018 and 2019 PPARs for [REDACTED]

See Exhibit E for PPARs for [REDACTED].

#### 5. Agendas for Weekly HR Manager meetings

See Exhibit F for Agendas for Weekly HR Manager meetings.

#### 6. Documentation of [REDACTED] nomination

See Exhibit G for an overview of the nomination process and award explaining his selection.



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Please contact [REDACTED] in order to schedule a time to inspect an official employee personnel file. Please be aware that Luenna Kim is no longer with the HSA and her official personnel file will be located at the Department of Public Health.

D. Scheduling of Interviews

The EEO Specialist may contact potential witnesses directly in order to schedule interviews. Please note [REDACTED] [REDACTED] through her anticipated retirement date of October 1, 2021; and [REDACTED] [REDACTED] through December 2021.

# Exhibit A

# Cohort 21 – Dual Program Induction TRAINER

Training Dates: April 5<sup>th</sup>, 2021 – August 27<sup>th</sup>, 2021

In-Person Location: 1650 Mission Street - Pacific/Bay & Candlestick Rooms

SFBNet Trainers: Abel Alejandrino, Erica Raiti Pineda, Irvin Lazo

(updated: 06/11/2021)

## Week One

April 5 Monday	April 6 Tuesday	April 7 Wednesday	April 8 Thursday	April 9 Friday
<p><b>Welcome to SF City &amp; County</b></p> <ul style="list-style-type: none"> <li>Introduction to Induction Training (PPT)</li> <li>2905 Core competencies</li> <li>2905 Performance Appraisal</li> <li>HSA Attendance &amp; Time-Keeping Standards</li> <li>HSA Discipline Policy &amp; Procedures (9-13)</li> </ul> <p><b>Performance Standards</b></p> <ul style="list-style-type: none"> <li>10 Keys to Success                             <ul style="list-style-type: none"> <li>Expectations</li> </ul> </li> <li>Passing Score requirement</li> <li>Quiz's/Exams/Finals</li> <li>Time management</li> <li><b>Meet and Greet</b> with HR Director, Katrina Williams</li> <li>Empathy Video</li> </ul>	<p><b>Zoom for Learners 8:00AM to 11:00AM</b> Meeting ID: 972 7362 5579 Password: 598529 <a href="https://tinyurl.com/59esympx">https://tinyurl.com/59esympx</a></p> <p>Instructor: [REDACTED]</p> <p><b>MS Teams 101 11:00AM to 12:00PM</b> <a href="https://tinyurl.com/a7acnn8r">https://tinyurl.com/a7acnn8r</a></p> <p>Instructor: Wael Seruge</p>	<p><b>NEO Orientation to HSA Pt#1 8:00AM to 12:00PM</b> Meeting ID: 957 1331 5424 Password: \$n6f1A <a href="https://tinyurl.com/2w7r5rm9">https://tinyurl.com/2w7r5rm9</a></p> <p>Instructor: [REDACTED] Co-Host: Michael Aho</p>	<p><b>NEO Orientation to HSA Pt#2 8:00AM to 12:00PM</b> Meeting ID: 957 1331 5424 Password: \$n6f1A <a href="https://tinyurl.com/2w7r5rm9">https://tinyurl.com/2w7r5rm9</a></p> <p>Instructor: Michael Aho Co-Host: [REDACTED]</p>	<p><b>Success Roadmaps for Employees 8:00AM to 10:00AM</b> Meeting ID: 980 6157 2563 Password: 202425 <a href="https://tinyurl.com/2d3a9abu">https://tinyurl.com/2d3a9abu</a></p> <p>Instructor: Felix Caraballo</p> <p><b>DSW Disaster Service Worker 10:00AM to 12:00PM</b> Meeting ID: 995 1054 3850 Password: 061502 <a href="https://tinyurl.com/crwy6c6e">https://tinyurl.com/crwy6c6e</a></p> <p>Instructor: Wael Seruge</p>
<b>IPL</b>	<b>OLL</b>	<b>OLL</b>	<b>OLL</b>	<b>OLL</b>
<p><b>Test Equipment</b></p> <ul style="list-style-type: none"> <li>Pick up Equipment</li> <li>Sign into network and test access</li> </ul> <p>Ensure all needed applications are available</p> <p><b>Safety in the Work Place</b></p> <ul style="list-style-type: none"> <li>Social Distancing</li> <li>Face Covering Requirement</li> <li>Health Screening for Employees</li> <li>Easy Ergo for Desktop Users</li> </ul> <p><b>Telecommuting Process</b></p> <ul style="list-style-type: none"> <li>DHR Telecommute process</li> <li>Employee ELearn ModuleDHR Telecommute Policy</li> <li>Telecommute Policy Technical Guide</li> <li>Telecommute Agreement Form</li> <li>Best Practices for Temporary Telecommuting</li> </ul>	<p><b>Introduction to EQ (Emotional Intelligence) 1:00PM to 3:00PM</b> Meeting ID: 926 8881 8703 Password: 390519 <a href="https://tinyurl.com/bksever2">https://tinyurl.com/bksever2</a></p> <p>Instructor: Michael Aho Co-Host: [REDACTED]</p> <p><b>Break 3:00PM – 3:20PM</b></p> <p><b>Induction Zoom 3:20PM</b> Meeting ID: 999 2807 1348 Password: Cohort21!</p> <p><b>Welcome to Induction</b></p> <ul style="list-style-type: none"> <li>Induction Icebreaker</li> </ul>	<p><b>LGBTQ Promoting Respect among HSA 1:00PM to 3:30PM</b> Meeting ID: 962 3620 7693 Password: 372248 <a href="https://tinyurl.com/3y4hhrd5">https://tinyurl.com/3y4hhrd5</a></p> <p>Instructor: [REDACTED]</p> <p><b>Zoom for Hosts 3:30PM to 5:00PM</b> Meeting ID: 968 9400 4997 Password: 799308 <a href="https://tinyurl.com/eh4388vt">https://tinyurl.com/eh4388vt</a></p> <p>Instructor: Marcia Brown</p>	<p><b>Appreciating Diversity 1:00PM to 3:30PM</b> Meeting ID: 936 3409 6621 Password: 624271 <a href="https://tinyurl.com/393y7p96">https://tinyurl.com/393y7p96</a></p> <p>Instructor: Marcia Brown</p> <p><b>Outlook 101 3:30PM to 5:00PM</b> Meeting ID: 933 2568 9186 Password: 615488 <a href="https://tinyurl.com/4d4k3jhz">https://tinyurl.com/4d4k3jhz</a></p> <p>Instructor: [REDACTED]</p>	<p><b>Multi-Generations 1:00PM to 3:00PM</b> Meeting ID: 964 0237 4325 Password: 930305 <a href="https://tinyurl.com/y2tfsu8m">https://tinyurl.com/y2tfsu8m</a></p> <p>Instructor: [REDACTED]</p> <p><b>Business Writing Basics 3:00PM to 5:00PM</b> Meeting ID: 978 4867 1627 Password: 031373 <a href="https://tinyurl.com/7k8hr66a">https://tinyurl.com/7k8hr66a</a></p> <p>Instructor: Marcia Brown</p>



# Cohort 21 – Dual Program Induction TRAINER

Training Dates: April 5<sup>th</sup>, 2021 – August 27<sup>th</sup>, 2021

In-Person Location: 1650 Mission Street - Pacific/Bay & Candlestick Rooms

SFBNet Trainers: Abel Alejandrino, Erica Raiti Pineda, Irvin Lazo

(updated: 06/11/2021)

<h2>Week Two</h2>				
<b>April 12</b>	<b>April 13</b>	<b>April 14</b>	<b>April 15</b>	<b>April 16</b>
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<p><b>Induction Zoom</b> Meeting ID: 999 2807 1348 Password: Cohort21!</p> <ul style="list-style-type: none"> <li>Review Syllabus and Calendar in depth</li> <li>SFBenefitsNet Overview (PPT)</li> </ul> <p><b>Ethics &amp; Boundaries PPT</b></p> <ul style="list-style-type: none"> <li>Ethics &amp; Boundaries PPT</li> <li>HSA handbook (9-12) Code of Ethics &amp; Conduct</li> </ul>	<ul style="list-style-type: none"> <li>Getting to know your Computer Systems                             <ul style="list-style-type: none"> <li>CalWIN</li> <li>CalHEERS</li> <li>MEDs</li> </ul> </li> </ul> <p><b>Introduction to CalWIN</b></p> <ul style="list-style-type: none"> <li>Introduction PPT</li> <li>CalWIN Main Navigation</li> <li>Terminology &amp; 5 basic steps</li> <li>CWINS vs. CINS</li> <li>Inquiry Quick Guide</li> <li>Practice Logging into CalWIN</li> <li>Inquiry Assessment Exercises</li> </ul> <p>Note: HSA Acronyms through CalWIN Inquiry Assessment located in the "SFBN Systems" Live Binder</p>	<p><b>Eligibility Fundamentals- Basics</b></p> <ul style="list-style-type: none"> <li>Introduction to Basic Eligibility Factors (PPT)</li> <li>Introduction to Residency</li> <li>Introduction to Household Relationships (PPT)</li> <li>HH relationships defined</li> <li>HH relationships exercises</li> <li>HH relationship Diagram: Drawing HH's based on relationship</li> </ul> <p><b>Eligibility Fundamentals- SOGI</b></p> <ul style="list-style-type: none"> <li>Collecting SOGI Data PPT</li> <li>CW 223 Form</li> <li>Summary of SOGI Laws</li> <li>ACL 18-133</li> <li>SOGI Ordinance</li> <li>How To: Enter SOGI in CalWIN</li> </ul> <p>Note: How-To located in "Dual Tab" of the How-To Live Binder</p>	<p><b>High Level SFBNet Procedural</b></p> <ul style="list-style-type: none"> <li>Caseload banks                             <ul style="list-style-type: none"> <li>APPL, APP1, APP2, XAPP</li> </ul> </li> </ul> <p>Note: Caseload banks located in "Elig. Fundamentals" Live Binder</p> <p><b>Eligibility Fundamentals-Income</b></p> <ul style="list-style-type: none"> <li>Introduction to Income (PPT)</li> <li>Unearned Income types</li> <li>2021 SSI/SSP Rates</li> <li>Treatment of offsets to UIB/DIB Income                             <ul style="list-style-type: none"> <li>UIB/DIB income on IEVS Report</li> </ul> </li> <li>Self-Employment Defined                             <ul style="list-style-type: none"> <li>SE Exercises</li> <li>How-To: SE income for Dual cases</li> </ul> </li> </ul> <p>Note: How-To located in "Dual Tab" of the How-To Live Binder</p>	<p><b>General Math/Calculation Overview</b></p> <ul style="list-style-type: none"> <li>Practicing with Multipliers</li> <li>Calculating Missing checks</li> <li>Budgeting Income &amp; Expenses</li> <li>Proration Practice</li> </ul>
<b>OLL - Irvin</b>	<b>OLL – Abel Erica off PM</b>	<b>OLL -Abel</b>	<b>IPL - Erica</b>	<b>OLL – Irvin AM, Erica PM</b>
<p><b>Confidentiality</b></p> <ul style="list-style-type: none"> <li>Privacy &amp; Confidentiality in HSA PPT</li> <li>Confidentiality Q&amp;A</li> <li>HSA Client Confidentiality Policy</li> <li>SFBNet Induction Agreement</li> <li>Citywide Confidentiality Agreement</li> <li>EDD Confidentiality Agreement</li> </ul> <ul style="list-style-type: none"> <li>HSA Acronyms List</li> <li>Human Treasure Hunt</li> </ul> <p>Note: Ethics &amp; Boundaries and Confidentiality are located in "SFBN Induction Overview" Live Binder</p>	<p><b>Additional Information</b></p> <p>Income Eligibility Verification System (IEVS)</p> <ul style="list-style-type: none"> <li>What is IEVS and when to request</li> <li>IEVS FTB codes defined</li> <li>How-To request, view or clear via CalWIN</li> </ul> <p>System Alien Verification Entitlement (SAVE)</p> <ul style="list-style-type: none"> <li>What is SAVE and when to request</li> <li>How-To request, view SAVE report Alerts</li> <li>What are Alerts</li> <li>How-To review and clear alerts in CalWIN</li> </ul> <p>Note: How-To's located in "Dual Tab" of the How-To Live Binder</p>	<p style="text-align: center;"><b>Mandatory Training:</b> <b>UCDavis Welfare Fraud Online Training 1:30PM – 4:30PM</b></p> <p style="text-align: center;"><b>Mandatory Trainer Meeting:</b> <b>Equity, Inclusion &amp; Power Sharing (1:30-4:00PM)</b></p>	<p><b>Eligibility Fundamentals- Income continued</b></p> <p>Income Categories in CalWIN</p> <ul style="list-style-type: none"> <li>Income matching exercise</li> <li>CalWIN Inquiry Assessment – Income</li> </ul> <ul style="list-style-type: none"> <li>Understanding Pay Periods and Multipliers                             <ul style="list-style-type: none"> <li>Pay Periods and multiplier exercises</li> <li>Paystub exercise</li> </ul> </li> <li>Calculation of Work hours                             <ul style="list-style-type: none"> <li>Calculation of work hours exercises</li> </ul> </li> </ul>	<p><b>Eligibility Fundamentals- Resources</b></p> <ul style="list-style-type: none"> <li>Introduction to Resources &amp; Property (PPT)</li> <li>Resource/Property Categories in CalWIN</li> <li>Resource matching exercise</li> <li>CalWIN Inquiry Assessment – Resources</li> <li>Determining vehicle FMV after encumbrances</li> <li>Determining Bank Account Value using bank statements</li> </ul> <p><b>Introduction to Citizenship &amp; Immigration Statuses</b></p> <ul style="list-style-type: none"> <li>USC &amp; Immigration Definitions</li> <li>Identifying Status exercise</li> <li>Go SFBN Tool for non-citizens</li> <li>Public Charge Fact Sheet</li> </ul> <p><a href="https://www.sfhsa.org/services/immigrants-benefits/understanding-public-charge">https://www.sfhsa.org/services/immigrants-benefits/understanding-public-charge</a></p>

# Cohort 21 – Dual Program Induction TRAINER

Training Dates: April 5<sup>th</sup>, 2021 – August 27<sup>th</sup>, 2021

In-Person Location: 1650 Mission Street - Pacific/Bay & Candlestick Rooms

SFBN Trainers: Abel Alejandrino, Erica Raiti Pineda, Irvin Lazo

(updated: 06/11/2021)

## Week Three

April 19 Monday	April 20 Tuesday	April 21 Wednesday	April 22 Thursday	April 23 Friday
<p><b>Introduction to CalWIN Data Collection</b></p> <ul style="list-style-type: none"> <li>Data Collection PPT</li> <li>Effective Begin and End Dates PPT</li> <li>Viewing History of Windows</li> </ul> <ul style="list-style-type: none"> <li>CalWIN scavenger Hunt</li> <li>Separation of income - SFBN Training Team Material</li> </ul> <p><b>Back Dating Income</b></p> <ul style="list-style-type: none"> <li>Why and when</li> <li>How-To Back Date                             <ul style="list-style-type: none"> <li>Back Dating Exercises</li> </ul> </li> <li>Back Dating Excel Tool – upload after exercises</li> </ul> <p>Note: How-To located in "Medi-Cal Tab" of the How-To Live Binder &amp; fundamentals Get to know CalWIN Independent practice navigating in CalWIN</p>	<p><b>Pathways to Health Coverage</b></p> <ul style="list-style-type: none"> <li>Video: "YouTunes Get Ready for Obamacare"</li> <li>Medi-Cal Overview (PPT)</li> <li>Minimum Essential Coverage MEC</li> <li>Medi-Cal Managed Care Plans</li> <li>Managed Care Comparison Chart</li> </ul> <p><b>Medi-Cal Basics</b></p> <ul style="list-style-type: none"> <li>BIC Card &amp; How-To issue</li> <li>California Residency</li> <li>SSN</li> <li>Medicare vs. Medi-Cal</li> <li>239C Speed letter (Medicare)</li> <li>SSA vs. SSI/SSP</li> <li>OHC</li> <li>Child Support Enforcement                             <ul style="list-style-type: none"> <li>Required forms</li> <li>How to enter in CalWIN</li> </ul> </li> </ul> <p>Note: How-To located in "Medi-Cal Tab" of the How-To Live Binder</p>	<p><b>Trainer Meeting: 8:00AM-9:00AM</b></p> <ul style="list-style-type: none"> <li>Independent Review-time</li> </ul> <p><b>Medi-Cal Applications</b></p> <ul style="list-style-type: none"> <li>Application Timeframes</li> <li>Retro Medi-cal                             <ul style="list-style-type: none"> <li>MC210A</li> <li>Retro MC How-To</li> </ul> </li> </ul> <p>Note: How-To located in "Medi-Cal Tab" of the How-To Live Binder</p> <p><b>IAP Application Forms</b></p> <ul style="list-style-type: none"> <li>Mandatory Forms vs Other Forms                             <ul style="list-style-type: none"> <li>SAWS1, SAWS2Plus</li> <li>CW2200, MC355</li> <li>MC219, PUB 13</li> </ul> </li> </ul>	<p><b>Review Medi-Cal Standard of Assistance: Year 2021</b></p> <ul style="list-style-type: none"> <li>Useful Medi-Cal income and property limits, including MC program specific deductions                             <ul style="list-style-type: none"> <li>How to use</li> </ul> </li> </ul> <p><b>MEGA Mandatory Hierarchy</b></p> <ul style="list-style-type: none"> <li>Hierarchy Overview</li> <li>ACWDL 17-03</li> </ul> <p><b>Former Foster Care</b></p> <ul style="list-style-type: none"> <li>Program details</li> </ul> <p>Note: How-To located in Medi-Cal Program &amp; HowTo Live Binders</p> <p><b>Pickle/DAC/DWI</b></p> <ul style="list-style-type: none"> <li>Eligibility requirements</li> <li>screening sheets</li> </ul> <p>Forms</p>	<p><b>MAGI Medi-Cal Basics</b></p> <ul style="list-style-type: none"> <li>MAGI Basics (PPT)</li> <li>Self-Attestation</li> <li>Tax Dependent Defined</li> <li>MAGI Hierarchy &amp; Coverage Group</li> <li>Determining MAGI Households                             <ul style="list-style-type: none"> <li>HH Exercises (1-7)</li> </ul> </li> <li>Tax Filing Status &amp; How-To enter into CalWIN</li> </ul> <p>Note: All Non-CALWIN MAGI Exercises are located in the Training Exercises Binder, Tab#4</p>
OLL – Irvin AM, Erica PM	OLL – Abel	OLL - Abel	OLL – Irvin low staffing, Abel off	OLL - Erica
<p><b>Application Registration</b></p> <ul style="list-style-type: none"> <li>Watch App. Reg instructional Video located in the live binder</li> <li>How-to register an application</li> <li>Register MC &amp; CF applications for cases #1 – #5</li> <li>Request IEVS through CalWIN for cases #1 - #5</li> </ul> <p>NOTE: Register cases to APPL bank following the App. Reg How-To</p> <p>Note: How-To &amp; Application registration data located in "CalWIN Exercises Tab" of the Classwork Live Binder</p>	<p><b>Medi-Cal Basics continued</b></p> <ul style="list-style-type: none"> <li>Who is a Caretaker Relative</li> <li>5<sup>th</sup> Degree of relatedness</li> <li>What is an AR and Forms                             <ul style="list-style-type: none"> <li>MC380 - MC383</li> <li>AR Desk Guide (SFPost)</li> </ul> </li> <li>Citizenship/Immigration Requirements Handout                             <ul style="list-style-type: none"> <li>Scope of Coverage Full vs. Restricted</li> <li>DRA-Deficit Reduction Act</li> <li>Citizenship &amp; Verification Sources DRA in CalWIN &amp; MEDs (2Z)</li> <li>Form DHCS0011 &amp; MC 13</li> <li>MEDS INQE Window (DRA)</li> <li>SB 75 - full scope for children under 19yo</li> <li>SB104 – Full scope for young adults under 26yo</li> <li>DACA</li> <li>EAD codes</li> </ul> </li> </ul>	<p><b>IAP Application Forms continued</b></p> <ul style="list-style-type: none"> <li>Intake Check List</li> <li>OCR 2, NVRA</li> <li>MC007</li> <li>MC194, MC05</li> <li>DHS 6155</li> <li>DHCS 6168 (online form)</li> <li>MC003 EPSDT</li> <li>PUB183 CHDP</li> <li>Gen 1365</li> <li>1095B</li> <li>CW2.1Q, CW2.1NA, CW51</li> </ul> <p>Note: How-To Initiate CHDP Referral located in "Medi-Cal Tab" of the How-To Live Binder</p> <ul style="list-style-type: none"> <li>MC Overview Word Search: located in the Training Exercises Binder, Tab#3</li> </ul>	<p><b>What is Medicare?</b> What Medicare is, who is entitled and different types of Medicare</p> <p><b>Medicare Savings Programs</b></p> <ul style="list-style-type: none"> <li>QMB/SLMB/QI-1 requirements</li> <li>State Buy-in</li> <li>INQB MEDs Screen</li> <li>Beneficiary ID Codes for SSA benefits hand out</li> </ul> <p><b>MEGA Mandatory Group Cheat Sheet</b></p> <p><b>Introduction to the GoSFBN Review Tool</b></p>	<p><b>ACA Aid Codes</b></p> <ul style="list-style-type: none"> <li>MAGI</li> <li>MCAP</li> <li>CCHIP</li> <li>Covered CA</li> </ul> <p><b>Case Comment Tool</b> Mandatory information to include and samples</p> <p><b>Individual Unit Meetings: 3:30PM to 4:30PM</b></p>

# Cohort 21 – Dual Program Induction TRAINER

Training Dates: April 5<sup>th</sup>, 2021 – August 27<sup>th</sup>, 2021

In-Person Location: 1650 Mission Street - Pacific/Bay & Candlestick Rooms

SFBNet Trainers: Abel Alejandrino, Erica Raiti Pineda, Irvin Lazo

(updated: 06/11/2021)

<h2 style="margin: 0;">Week Four</h2>				
<b>April 26</b>	<b>April 27</b>	<b>April 28</b>	<b>April 29</b>	<b>April 30</b>
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<p><b><u>CalWIN/CalHEERs interfacing</u></b></p> <ul style="list-style-type: none"> <li>RIDP – what meets RIDP?</li> <li>Interface Verification Fields</li> <li>Syncing CalWIN/CalHEERs to determine/approve MAGI</li> <li>How-To E-Verify Zero Income</li> <li>How To View CalHEERs Results</li> <li>How To Authorize MAGI</li> </ul> <p>Note: How-To's located in "Medi-Cal Tab" of the How-To Live Binder</p> <p><b><u>CalWIN Exercise (MC Only)</u></b></p> <ul style="list-style-type: none"> <li><b>#1 Donald</b> <ul style="list-style-type: none"> <li>MAGI Medi-Cal Basics</li> </ul> </li> </ul>	<p><b><u>MAGI Medi-Cal Income</u></b></p> <ul style="list-style-type: none"> <li>MAGI FPL Limits 2021</li> <li>Online Calculator</li> <li>MAGI Income basics                             <ul style="list-style-type: none"> <li>Income &amp; deductions Types</li> </ul> </li> <li>Determining MAGI HH income</li> </ul>	<p><u>Trainer Meeting: 8:00AM-9:00AM</u> Independent Review-time</p> <p><u>Trainer Meeting: 10:30PM-12PM</u></p> <p><b><u>Practice</u></b></p> <ul style="list-style-type: none"> <li>Wrap up any unfinished work from previous examples</li> <li>Independent study time</li> <li>Organize material</li> <li>Play in CalWIN independently</li> </ul>	<p><b><u>MAGI Medi-Cal Income continued</u></b></p> <ul style="list-style-type: none"> <li>CMI vs PAI Overview</li> <li>CMI vs PAI Desk Guide</li> <li>CMI vs PAI Exercises (1-4)                             <ul style="list-style-type: none"> <li>Determine if CMI or PAI is more advantageous</li> </ul> </li> <li>MAGI Medi-Cal Eligibility Exercises (1-4):                             <ul style="list-style-type: none"> <li>Using CMI/PAI methods, determine which is advantageous and eligibility to MAGI</li> </ul> </li> </ul>	<p><b><u>CalWIN Exercise (MC Only)</u></b></p> <ul style="list-style-type: none"> <li><b>#2 Barbara &amp; Bill</b> <ul style="list-style-type: none"> <li>CMI/PAI practice</li> </ul> </li> <li>How To Enter Tax Filing Info.</li> </ul> <p>Note: How-To located in "Medi-Cal Tab" of the How-To Live Binder</p>
<b>OLL - Erica</b>	<b>IPL - Erica</b>	<b>OLL - All</b>	<b>OLL – Irvin Abel off</b>	<b>OLL - Irvin Abel off</b>
<p><b><u>MAGI Medi-Cal – running EDBC and reviewing Wrap-up</u></b></p> <ul style="list-style-type: none"> <li>"Running" EDBC and calling the BRE, sending an EDR to receive the DER</li> <li>Review Wrap –Up, Authorizing MAGI</li> <li>BRE - FAIL reason codes</li> <li>Practice Case Comment w/Daniel</li> </ul> <p><b><u>CalWIN Activities Follow-up:</u></b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#1) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> <li>CalWIN Troubleshooting via Zoom - Breakout Rooms</li> </ul>	<ul style="list-style-type: none"> <li>MAGI Medi-Cal HH Income Exercises (1-8)                             <ul style="list-style-type: none"> <li>Complete #1 – 7 only, #8 pertaining to RDPs</li> </ul> </li> </ul>	<p><b><u>Practice</u></b></p> <ul style="list-style-type: none"> <li>Wrap up any unfinished work from previous examples</li> <li>Independent study time</li> <li>Organize material</li> <li>Play in CalWIN independently</li> </ul>	<ul style="list-style-type: none"> <li>Registered Domestic Partners                             <ul style="list-style-type: none"> <li>ACL 09-03 RDPs</li> <li>RDP Desk Aid</li> <li>MAGI Exercise #8 – from Mondays exercises</li> </ul> </li> </ul> <p>MAGI Acceptable Income Verifications</p>	<p><b><u>CalWIN Activities Follow-up:</u></b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion(#2) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> <li>CalWIN Troubleshooting via Zoom - Breakout Rooms</li> </ul> <p style="color: red; font-weight: bold;">Instead of grading this CC, we make notes and use as assessment</p>


# Cohort 21 – Dual Program Induction **TRAINER**

Training Dates: April 5<sup>th</sup>, 2021 – August 27<sup>th</sup>, 2021

In-Person Location: 1650 Mission Street - Pacific/Bay & Candlestick Rooms

SFBNet Trainers: Abel Alejandrino, Erica Raiti Pineda, Irvin Lazo

(updated: 06/11/2021)

<h2 style="margin: 0;">Week Five</h2>				
<b>May 3</b>	<b>May 4</b>	<b>May 5</b>	<b>May 6</b>	<b>May 7</b>
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<p><b>CalWIN Exercise (MC Only)</b></p> <ul style="list-style-type: none"> <li>• #2 Barbara &amp; Bill                             <ul style="list-style-type: none"> <li>○ CMI/PAI practice</li> </ul> </li> <li>• How To Enter Tax Filing Info.</li> </ul> <p>Note: How-To located in "Medi-Cal Tab" of the How-To Live Binder</p>	<p>Overview Discussion of Additional programs not administered by HSA</p> <ul style="list-style-type: none"> <li>• MCAP</li> <li>• CCHIP</li> </ul> <p><b>Covered California</b></p> <ul style="list-style-type: none"> <li>• Covered CA Overview PPT</li> <li>• CCA Glossary</li> <li>• CCA Basics and Immigration</li> <li>• APTC &amp; CSR Defined</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Meeting with Katrina</b></li> </ul> <p><b>CalWIN Exercise (MC Only)</b></p> <ul style="list-style-type: none"> <li>• #3 Amy &amp; Luke                             <ul style="list-style-type: none"> <li>• Covered CA</li> </ul> </li> </ul> <p><b>CalWIN Activities Follow-up:</b></p> <ul style="list-style-type: none"> <li>• Turn in verification of CalWIN completion(#3) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>▪ Display Eligibility Summary</li> <li>▪ Display Individual Eligibility Summary</li> <li>▪ Authorize Eligibility Program Benefits</li> <li>▪ Case Comments</li> </ul> </li> <li>• CalWIN Troubleshooting via Zoom - Breakout Rooms</li> </ul>	<p style="text-align: center;"><b>Medi-Cal Quiz #1</b></p> <div style="text-align: center;">  <p style="font-size: 2em; font-weight: bold; color: green; margin-top: 5px;">EXAMS</p> </div> <ul style="list-style-type: none"> <li>• <b>Debrief from Quiz</b></li> <li>• <b>One-on-One check in's with Trainees in person</b></li> </ul>	<p><b>Application Registration</b></p> <ul style="list-style-type: none"> <li>• Register additional CF &amp; MC applications for cases #6 – #10</li> <li>• Request IEVS through CalWIN for cases #6 - #10</li> </ul> <p>NOTE: Register cases to APPL bank following the App. Reg How-To</p>
<b>OLL - Abel</b>	<b>OLL - Abel</b>	<b>IPL -All</b>	<b>OLL - Erica</b>	<b>OLL – Irvin</b>
<p><b>CalWIN Activities Follow-up:</b></p> <ul style="list-style-type: none"> <li>• Turn in verification of CalWIN completion(#2) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>▪ Display Eligibility Summary</li> <li>▪ Display Individual Eligibility Summary</li> <li>▪ Authorize Eligibility Program Benefits</li> <li>▪ Case Comments</li> </ul> </li> <li>• CalWIN Troubleshooting via Zoom - Breakout Rooms</li> </ul>	<p><b>Covered California continued...</b></p> <ul style="list-style-type: none"> <li>• Key Enrollment Dates                             <ul style="list-style-type: none"> <li>○ Open Enrollment</li> <li>○ Special Enrollment period Reference Chart</li> </ul> </li> <li>• MEC Defined and what it means to "lose" MEC</li> <li>• CCA HHs and income</li> </ul> <p>Determine Covered CA eligibility for exercises from MAGI section:</p> <ul style="list-style-type: none"> <li>• MAGI Exercises (CMI)                             <ul style="list-style-type: none"> <li>○ 1 – 7, completed on 4/27/21</li> <li>○ Additional MAGI Exercises: (CMI/PAI) 1 – 4, completed on 4/29/21</li> </ul> </li> </ul>	<p style="text-align: center;"><b>SFHSA – Telecommuting Ergonomics Training 2:00PM to 3:00PM</b></p> <p style="text-align: center;"><b>Individual Unit Meetings: 3:30PM to 4:30PM</b></p>	<ul style="list-style-type: none"> <li>• <b>Wrap up any unfinished work from prior week</b></li> <li>• <b>Independent study time prior to quiz</b></li> </ul>	<p style="text-align: center;"><b>UCDavis Crisis Intervention &amp; De-Escalation Training 1:00PM to 4:00PM</b></p>

# Cohort 21 – Dual Program Induction TRAINER

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In-Person Location: 1650 Mission Street - Pacific/Bay & Candlestick Rooms

SFBNet Trainers: Abel Alejandrino, Erica Raiti Pineda, Irvin Lazo

(updated: 06/11/2021)

## Week Six

Week Six				
May 10	May 11	May 12	May 13	May 14
Monday	Tuesday	Wednesday	Thursday	Friday
<p><b><u>CalFresh Overview</u></b></p> <ul style="list-style-type: none"> <li>What are CalFresh benefits?</li> <li>CalWIN How-To: Add Restaurant Meals</li> <li>Restaurant Meals Program</li> <li>CF Fact Sheet FFY20-21</li> <li>CF Application Process Overview PPT</li> <li>Proration based on BDOA                             <ul style="list-style-type: none"> <li>Income Calculation in month of application</li> <li>Actual vs. anticipated income</li> </ul> </li> <li>CF Authorized Representative                             <ul style="list-style-type: none"> <li>AR PIMs</li> <li>AR Desk Guide</li> </ul> </li> <li>Identifying eligible &amp; ineligible facilities</li> <li>CalWIN How-To: Fail for IE facility</li> </ul>	<p><b><u>CF Appl. Process &amp; Timeframes continued</u></b></p> <ul style="list-style-type: none"> <li>Reporting Requirements                             <ul style="list-style-type: none"> <li>SAR-7 basics</li> <li>Certification</li> <li>ESAP</li> </ul> </li> </ul> <p><b><u>CF Forms and General Requirements</u></b></p> <ul style="list-style-type: none"> <li>Review CalFresh forms                             <ul style="list-style-type: none"> <li>Intake Packet</li> <li>Intake Checklist</li> </ul> </li> <li>CF Verification requirements                             <ul style="list-style-type: none"> <li>Verification Checklist</li> <li>Over Verifying</li> </ul> </li> </ul> <p><b><u>EBT Card</u></b></p> <ul style="list-style-type: none"> <li>How-To Request EBT Card</li> <li>How-To Review EBT Card</li> <li>Dormant/Expunged EBT Cards</li> </ul> <p>Note: How-To's located in "CalFresh Tab" of the How-To Live Binder</p>	<p style="color: red;"><b><u>Trainer Meeting: 8:00AM-9:00AM</u></b></p> <p style="color: red;"><b><u>Independent Review-time</u></b></p> <p><b><u>CalFresh Households</u></b></p> <ul style="list-style-type: none"> <li>Identifying who is in the CFHH                             <ul style="list-style-type: none"> <li>Head of HH</li> <li>Mandatory members</li> <li>Ineligible vs. excluded</li> <li>ABD</li> <li>Minor applicants</li> <li>Student</li> <li>Foster Children</li> <li>Striker</li> </ul> </li> <li>CalFresh HH Exercises (1-9)                             <ul style="list-style-type: none"> <li>Total included in the P&amp;P HH</li> <li>Total included in the CFHH</li> <li>Are there any IE or Excluded members</li> </ul> </li> <li>CalFresh HH Extra Exercises (1-10)</li> </ul>	<p><b><u>MCE Modified Categorical Eligibility</u></b></p> <ul style="list-style-type: none"> <li>What is MCE &amp; who qualifies</li> <li>PUB275</li> <li>Resource limit for ABD HHs</li> </ul> <p>MCE Flow Chart</p> <p><b><u>IRT Income Reporting Threshold</u></b></p> <ul style="list-style-type: none"> <li>What is IRT &amp; when does it apply</li> <li>SAR2 form</li> </ul>	<p><b><u>CalWIN Exercise (CF Only)</u></b></p> <ul style="list-style-type: none"> <li><b>#4 Eric</b> <ul style="list-style-type: none"> <li>Evaluate for ES, no income</li> <li>Rental obligation</li> </ul> </li> </ul> <p>Send CW2200 to request verif's SSN – MC194</p> <p><b><u>EDBC and Wrap Up for CalFresh</u></b></p> <ul style="list-style-type: none"> <li>"Running" EDBC, Wrap-Up,</li> <li>Authorizing ES only and pending Regular CalFresh</li> <li>Request EBT card</li> </ul> <p>Note: How-To located in "CalFresh Tab" of the How-To Live Binder</p> <p><b><u>Special Indicators</u></b></p> <ul style="list-style-type: none"> <li>Batch AU-FS – only when pending</li> <li>Modified CE</li> <li>ADA</li> </ul>
OLL - Abel	OLL – Irvin Erica PM	OLL - Abel	IPL – Irvin	OLL - Erica
<p><b><u>CF Appl. Process &amp; Timeframes</u></b></p> <ul style="list-style-type: none"> <li>Application Timeframes                             <ul style="list-style-type: none"> <li>Intake defined</li> <li>Restoration vs Rescind</li> </ul> </li> <li>Expedited Services (ES)                             <ul style="list-style-type: none"> <li>ES Decision Matrix</li> <li>ES Tips &amp; Reminders                                     <ul style="list-style-type: none"> <li>How-To: Add, Approve, Deny ES</li> </ul> </li> </ul> </li> </ul> <p>Note: How-To located in "CalFresh Tab" of the How-To Binder &amp; "Expedited Tab" of the CalFresh Live Binder</p> <ul style="list-style-type: none"> <li>Expedited CF Exercises (1-6)</li> <li>Determine ES days and when benefits must be available by</li> </ul>	<p><b><u>CF Non-Financial Eligibility Factors</u></b></p> <ul style="list-style-type: none"> <li>Citizenship status</li> <li>SSN Requirement</li> <li>Identity</li> <li>Residency</li> <li>Safe at Home</li> <li>ABAWD overview (exp.06/2021)</li> <li>ABAWD/Work Registrant Checklist</li> <li>Voluntary Quit - Good Cause                             <ul style="list-style-type: none"> <li>How To Enter VQ Sanction</li> <li>Determination &amp; form</li> </ul> </li> <li>Fleeing Felon handout                             <ul style="list-style-type: none"> <li>How To Initiate Special Investigations (SIU)</li> <li>How To Deny Fleeing Felon</li> </ul> </li> </ul> <p>Note: How To's located in the "How-To" Live Binder</p>	<p><b><u>Review CalFresh Standard of Assistance - FFY 2020/2021</u></b></p> <ul style="list-style-type: none"> <li>HH size</li> <li>Income limits</li> <li>Minimum/Maximum Benefit</li> </ul> <p>IRT/MCE</p> <ul style="list-style-type: none"> <li>CF Aid Codes</li> <li>Income Deductions</li> <li>Certification Periods</li> <li>ESAP Elderly Simplified Application Process</li> <li>SAR-7 Cycles</li> </ul>	<ul style="list-style-type: none"> <li>MCE, IRT, Certification &amp; SAR determination Exercise (1-7)                             <ul style="list-style-type: none"> <li>CFHH</li> <li>HH Gross Income</li> <li>Is HH MCE</li> <li>Will they have an IRT</li> <li>Certification Period</li> <li>When are SAR7s due</li> </ul> </li> </ul> <p><b><u>CalFresh Case Comments</u></b></p> <ul style="list-style-type: none"> <li>What to include</li> <li>Sample CF comment</li> </ul>	<p><b><u>CalWIN Activities Follow-up:</u></b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#4) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> <li>CalWIN Troubleshooting via Zoom - Breakout Rooms</li> </ul>


# Cohort 21 – Dual Program Induction **TRAINER**

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In-Person Location: 1650 Mission Street - Pacific/Bay & Candlestick Rooms

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(updated: 06/11/2021)

<h2 style="margin: 0;">Week Seven</h2>				
<b>May 17</b>	<b>May 18</b>	<b>May 19</b>	<b>May 20</b>	<b>May 21</b>
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<p><b><u>Wrap up CalWIN Case Exercise</u></b></p> <ul style="list-style-type: none"> <li>• #4 Eric</li> </ul> <p><b><u>CalFresh Income</u></b></p> <ul style="list-style-type: none"> <li>• CalFresh Income at intake PPT                             <ul style="list-style-type: none"> <li>• Determine what income to request at intake</li> <li>• Explore different scenarios</li> <li>• Reminders</li> </ul> </li> <li>• CalFresh Income &amp; Multipliers                             <ul style="list-style-type: none"> <li>• Earned</li> <li>• Self-Employment                                     <ul style="list-style-type: none"> <li>▪ self-employment deductions</li> <li>▪ Revisit How-To: SE</li> </ul> </li> <li>• Unearned</li> <li>• Excluded</li> <li>• Multipliers</li> </ul> </li> </ul>	<p><b><u>CalFresh Income continued...</u></b></p> <ul style="list-style-type: none"> <li>• CalFresh Income Determination Exercise (1-5)                             <ul style="list-style-type: none"> <li>• Determine if information provided is sufficient for intake</li> <li>• Determine CalWIN Income Type &amp; Frequency</li> <li>• CalWIN entry</li> <li>• Gross Monthly Income</li> </ul> </li> </ul> <p>Budgeting CalFresh Income</p> <p><b><u>CalFresh Deductions &amp; Expenses</u></b></p> <ul style="list-style-type: none"> <li>• <b>CalFresh Deductions</b> <ul style="list-style-type: none"> <li>• Standard Deduction</li> <li>• Court Ordered Child/Sup</li> </ul> </li> </ul>	<p style="color: red; font-weight: bold;">Trainer Meeting: 8:00AM-9:00AM Independent Review-time</p> <p style="color: purple; font-weight: bold; font-size: 1.2em;">CalFresh Quiz #1</p>  <p style="color: green; font-weight: bold; font-size: 1.5em;">EXAMS</p> <ul style="list-style-type: none"> <li>• <b>Debrief from Quiz</b></li> <li>• <b>One-on-One check in's with Trainees in person</b></li> </ul>	<p><b>Self Paced Trainings through SF Learning</b></p> <p>Independently Complete budgets for the CalFresh HH Composition &amp; Countable Income Exercises</p> <ul style="list-style-type: none"> <li>• DFA 285 B Budget</li> <li>• DFA 285 D Budget</li> </ul>	<ul style="list-style-type: none"> <li>• Review manual budgets for CalFresh HH Composition &amp; Countable Income Exercise (1-5)</li> <li>• Online and Manual Budgeting                             <ul style="list-style-type: none"> <li>• DFA 285 B Budget</li> <li>• DFA 285 D Budget</li> </ul> </li> </ul>
<b>OLL - Erica</b>	<b>OLL – Abel</b>	<b>IPL - All</b>	<b>OLL – NA (interviews 2913s)</b>	<b>OLL – Abel/Erica</b>
<p><b><u>CalFresh Income continued...</u></b></p> <ul style="list-style-type: none"> <li>• CalFresh Income: Counted vs Exempt</li> <li>• How To: Budget AmeriCorps                             <ul style="list-style-type: none"> <li>• ACL No. 12-41</li> </ul> </li> <li>• Treatment of offsets to UIB/DIB Income                             <ul style="list-style-type: none"> <li>• UIB/DIB income on IEVS Report</li> </ul> </li> </ul> <p><b><u>Budgeting</u></b></p> <ul style="list-style-type: none"> <li>• Budgeting Income for CalFresh</li> <li>• Prospective budgeting</li> <li>• Reasonably Anticipated Income &amp; SAR Reporting</li> </ul>	<p><b><u>CalFresh Deductions &amp; Expenses continued...</u></b></p> <ul style="list-style-type: none"> <li>• <b>Dependent Care overview</b> <ul style="list-style-type: none"> <li>• Allowable vs. Disallowed</li> <li>• Transportation Costs</li> <li>• CF10 Form</li> <li>• ACL 20-135</li> </ul> </li> <li>• <b>Excess Medical Expense Overview</b> <ul style="list-style-type: none"> <li>• SMD vs. Actual</li> <li>• Allowable vs. Disallowed Expenses</li> <li>• ESAP – Elderly Simplified Application Process</li> </ul> </li> <li>• Homeless Deduction</li> <li>• Utilities: SUA, LUA, TUA, SUAS</li> <li>• Shelter Deduction                             <ul style="list-style-type: none"> <li>• Regular vs ABD HH</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• How-To: Enter Shelter expenses                             <ul style="list-style-type: none"> <li>▪ Flat vs. Contribution</li> </ul> </li> <li>• CalFresh HH Composition &amp; Countable Income Exercise (1-5), Determine:                             <ul style="list-style-type: none"> <li>• P&amp;P HH and CFHH Size</li> <li>• Identify any IE/EX members</li> <li>• Gross income of CFHH</li> <li>• Identify allowable CF deductions to determine Adjusted net income</li> <li>• Identify total shelter costs (i.e. housing costs plus utilities)</li> </ul> </li> </ul>	<p><b>Self Paced Trainings through SF Learning</b></p> <p>Independently Complete budgets for the CalFresh HH Composition &amp; Countable Income Exercises</p> <ul style="list-style-type: none"> <li>• DFA 285 B Budget</li> <li>• DFA 285 D Budget</li> </ul>	<p><b><u>CalWIN Exercise (CF Only)</u></b></p> <p style="color: purple; font-weight: bold;">#4 Eric - SIU Report Received</p>

# Cohort 21 – Dual Program Induction TRAINER

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In-Person Location: 1650 Mission Street - Pacific/Bay & Candlestick Rooms

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(updated: 06/11/2021)

<h2>Week Eight</h2>				
<b>May 24</b>	<b>May 25</b>	<b>May 26</b>	<b>May 27</b>	<b>May 28</b>
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<p><b><u>Household Composition - Students in Detail</u></b></p> <ul style="list-style-type: none"> <li>Student Eligibility Overview</li> <li>CF Definition (reg. 63-406)                             <ul style="list-style-type: none"> <li>Exempt from requirements</li> <li>Eligible Student</li> <li>Ineligible Student</li> <li>Students</li> </ul> </li> <li>CF Student Checklist                             <ul style="list-style-type: none"> <li>CalWIN Quick Ref.</li> </ul> </li> <li>CalFresh Student Eligibility Exercises (1-16)                             <ul style="list-style-type: none"> <li>Is individual defined as a CF student</li> <li>Do they meet exemption</li> <li>Do they meet a requirement</li> <li>Are they considered: Eligible Student, IE Student or Regular Applicant – those not defined as a student</li> </ul> </li> </ul>	<p><b><u>CalWIN Exercise (Dual)</u></b></p> <ul style="list-style-type: none"> <li><b>#5 Henry (Han Solo)</b> <ul style="list-style-type: none"> <li>Evaluate for ES</li> <li>Evaluate student status</li> <li>Income and expenses</li> <li>Practice updating student windows</li> </ul> </li> </ul> <p><b><u>Correspondences</u></b></p> <ul style="list-style-type: none"> <li>Notice of Actions                             <ul style="list-style-type: none"> <li>Approvals</li> <li>Denials</li> <li>Withdraw/Cancel</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><b>Wrap up any unfinished work from prior week</b></li> </ul> <p><b><u>Citizenship Status &amp; Non-Citizen Eligibility</u></b></p> <ul style="list-style-type: none"> <li>Citizenship Status - Eligibility based on Citizenship</li> <li>Eligible non-citizens</li> <li>Ineligible non-citizens</li> <li>Sponsored Non-Citizens</li> <li>Does Sponsor Deeming Apply</li> <li>Sponsorship codes</li> <li>Indigence Flowchart</li> <li>California Food Assistance Program (CFAP)                             <ul style="list-style-type: none"> <li>Federal vs State funding</li> </ul> </li> <li>Review Intranet tool: Non-Citizen Guide</li> </ul>	<p><b><u>Citizenship Status &amp; Non-Citizen Eligibility continued...</u></b></p> <ul style="list-style-type: none"> <li>Sponsor Deeming Exercises (1-5)                             <ul style="list-style-type: none"> <li>Does sponsor deeming apply</li> <li>Deeming exemption</li> <li>CFAP/Federal</li> </ul> </li> <li>How-to: Enter Sponsor Deeming in CalWIN</li> </ul> <p><b><u>CalWIN Exercise (CF Only)</u></b></p> <ul style="list-style-type: none"> <li><b>#6 Charles (Chuy #18)</b> <ul style="list-style-type: none"> <li>HH relationship window</li> <li>Non-Citizen window</li> <li>Sponsor window</li> </ul> </li> </ul>	<p><b><u>CalWIN Exercise (CF only)</u></b></p> <ul style="list-style-type: none"> <li><b>#7 Phillip &amp; Gloria (Gladys #19)</b> <ul style="list-style-type: none"> <li>Medical Expense</li> <li>Purchase &amp; Prepare</li> </ul> </li> </ul> <p style="color: red;"><b>Add MC later to use for UEM exercise</b></p> <p><b><u>How to Clear Error Prone Characteristics in Wrap up</u></b></p> <p>Note: on the display eligibility Summary in wrap up</p> <ul style="list-style-type: none"> <li>Select Management Indicator</li> <li>Check error prone characteristics to clear the issue</li> </ul> <p>Do not re-run EDBC</p>
<b>OLL - Abel</b>	<b>OLL -Erica Abel off</b>	<b>OLL – Irvin</b>	<b>IPL – Irvin</b>	<b>OLL - Erica Abel &amp; Irvin off</b>
<p><b><u>Household Composition - Students in Detail, continued...</u></b></p> <ul style="list-style-type: none"> <li>Exempt Student Income</li> <li>CalWIN How-To: CF Student Data</li> <li>ACL No. 17-05</li> <li>Temp. updates to Student Eligibility related to current pandemic</li> </ul> <ul style="list-style-type: none"> <li>Online CalFresh Student Game: <a href="https://www.classtools.net/vortex/6-L1mlk">https://www.classtools.net/vortex/6-L1mlk</a></li> </ul> <p>Note: Open in new tab (not in the Live Binder)</p>	<p><b><u>CalWIN Activities Follow-up:</u></b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#5) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Display CalFresh Budget</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> <li>CalWIN Troubleshooting workshops via Zoom - Breakout Rooms</li> </ul>	<ul style="list-style-type: none"> <li>CalFresh Non-Citizen Sponsor Exercises (1-4)                             <ul style="list-style-type: none"> <li>Does sponsor deeming apply</li> <li>Deeming exemption</li> <li>CFAP/Federal</li> </ul> </li> </ul> <p><b>Individual Unit Meetings: 3:30PM to 4:30PM</b></p>	<p><b><u>CalWIN Activities Follow-up:</u></b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#6) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> </ul> <p>CalWIN Troubleshooting via Zoom - Breakout Rooms</p>	<p><b><u>CalWIN Activities Follow-up:</u></b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#7) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> <li>CalWIN Troubleshooting via Zoom - Breakout Rooms</li> </ul>

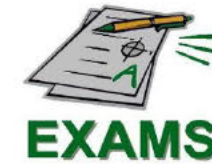
# Cohort 21 – Dual Program Induction TRAINER

Training Dates: April 5<sup>th</sup>, 2021 – August 27<sup>th</sup>, 2021

In-Person Location: 1650 Mission Street - Pacific/Bay & Candlestick Rooms

SFBNet Trainers: Abel Alejandrino, Erica Raiti Pineda, Irvin Lazo

(updated: 06/11/2021)

<h2 style="margin: 0;">Week Nine</h2>				
<b>May 31</b>	<b>June 1</b>	<b>June 2</b>	<b>June 3</b>	<b>June 4</b>
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<h3 style="margin: 0;">HOLIDAY</h3>	<ul style="list-style-type: none"> <li>Wrap up any unfinished work from prior week</li> </ul> <p><b><u>Work Incentive Nutritional Supplement (WINS) benefits</u></b></p> <ul style="list-style-type: none"> <li>What is WINS?</li> <li>Who is WINS Eligible?</li> <li>WINS AID Codes</li> <li>When to review for WINS</li> <li>WINS Correspondences</li> <li>Determining WINS hours                             <ul style="list-style-type: none"> <li>How-To: Trigger WINS</li> </ul> </li> <li>WINS Calculation of Work Hours Exercise (1-5)</li> <li>Determine how many paystubs to use</li> <li>What is the average weekly hours</li> </ul>	<p><u>Trainer Meeting: 8:00AM-9:00AM</u></p> <ul style="list-style-type: none"> <li>Independent Review-time</li> </ul> <p><b>CalWIN Activities Follow-up:</b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#8) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> <li>CalWIN Troubleshooting via Zoom - Breakout Rooms</li> </ul>	<p><b>CalFresh Quiz #2</b></p>  <p><b>EXAMS</b></p> <ul style="list-style-type: none"> <li>Debrief from Quiz</li> <li>One-on-One check in's with Trainees in person</li> </ul>	<p><b><u>CalWIN Exercise (Dual)</u></b></p> <ul style="list-style-type: none"> <li>#9 Ruth, Oliver, &amp; children                             <ul style="list-style-type: none"> <li>Self-Employment</li> <li>Proration</li> </ul> </li> </ul>
	<b>OLL – Abel (WINS), Irvin CalWIN Erica off</b>	<b>OLL – Irvin Erica off</b>	<b>IPL – Abel Erica off</b>	<b>OLL – Abel Erica off</b>
	<p><b><u>CalWIN Exercise (Dual)</u></b></p> <ul style="list-style-type: none"> <li>#8 Lucy &amp; Jill                             <ul style="list-style-type: none"> <li>Evaluate for ES</li> <li>Dependent Care</li> <li>Child Support received</li> <li>Shelter Obligation</li> <li>HH relationship/P&amp;P</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Wrap up any unfinished work from prior exercises</li> <li>Independent study time prior to quiz</li> </ul>	<p><b><u>Budgeting</u></b></p> <ul style="list-style-type: none"> <li>Prorating Income &amp; Expenses</li> <li>Treatment of income and Expenses when there are IE/EX HH members</li> <li>Proration Exercises (1-6)                             <ul style="list-style-type: none"> <li>P&amp;P HH and CFHH Size</li> <li>Any IE/EX members?</li> <li>CFHH Gross income</li> <li>Countable income (any proration?)</li> <li>Allowable CF deductions (any proration?)</li> </ul> </li> </ul>	<p><b>CalWIN Activities Follow-up:</b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#9) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> <li>CalWIN Troubleshooting via Zoom - Breakout Rooms</li> </ul>




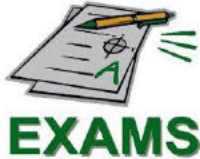

# Cohort 21 – Dual Program Induction TRAINER

Training Dates: April 5<sup>th</sup>, 2021 – August 27<sup>th</sup>, 2021

In-Person Location: 1650 Mission Street - Pacific/Bay & Candlestick Rooms

SFBNet Trainers: Abel Alejandrino, Erica Raiti Pineda, Irvin Lazo

(updated: 06/11/2021)

Week Ten				
June 7	June 8	June 9	June 10	June 11
Monday	Tuesday	Wednesday	Thursday	Friday
<p><b>CalWIN Activities Follow-up:</b></p> <ul style="list-style-type: none"> <li>Clean up any cases that may not have been completed fully, CalFresh/Dual cases #1-9.</li> <li>Turn in verification of CalWIN to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> <li>CalWIN Troubleshooting via Zoom - Breakout Rooms</li> </ul>	<p><b>CalWIN Exercise (Keep Dual)</b></p> <ul style="list-style-type: none"> <li><b>#10 Emma &amp; Penelope (Ellen &amp; Portia #22)</b> <ul style="list-style-type: none"> <li>MCE</li> </ul> </li> </ul> <p><b>CalWIN Activities Follow-up:</b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#10) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Display Medi-cal Budget</li> <li>Display CalFresh Budget</li> <li>Authorize Eligibility Program Benefits</li> </ul> </li> <li>CalWIN Troubleshooting workshops via Zoom - Breakout Rooms</li> </ul>	<p><b>Trainer Meeting: 8:00AM-9:00AM</b></p> <ul style="list-style-type: none"> <li>Independent Review-time</li> </ul> <p><b>CalFresh Jeopardy</b></p> 	<p><b>CalFresh Written Exam</b></p> 	<p><b>Practice Manual Exercise:</b></p> <ul style="list-style-type: none"> <li>Add CalFresh to CalWIN to determine CalFresh eligibility for previously used Medical Cases                             <ul style="list-style-type: none"> <li>Use Appl. Date of 6/11/21)</li> <li>Cases #1 – Donald</li> <li>Case#2 – Barbara/Bill</li> </ul> </li> </ul>
<p><b>OLL – All Abel off PM</b></p>	<p><b>OLL – Irvin</b></p>	<p><b>IPL – All Irvin Off</b></p>	<p><b>IPL – All Irvin Off</b></p>	<p><b>OLL – All Irvin Off</b></p>
<p><b>CalWIN Activities Follow-up:</b></p> <ul style="list-style-type: none"> <li>Clean up any cases that may not have been completed fully, CalFresh/Dual cases #1-9.</li> <li>Turn in verification of CalWIN to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> <li>CalWIN Troubleshooting via Zoom - Breakout Rooms</li> </ul>	<p><b>CalWIN Activities Follow-up:</b></p> <ul style="list-style-type: none"> <li>Clean up any cases that may not have been completed fully, CalFresh/Dual cases #1-10.</li> <li>Turn in verification of CalWIN to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> <li>CalWIN Troubleshooting via Zoom - Breakout Rooms</li> </ul>	<p><b>Time to Study</b></p> 	<p><b>Practice Manual Exercise:</b></p> <ul style="list-style-type: none"> <li>Manually determine CalFresh eligibility for previously used Medical Cases (MC appl. Date 4/19/21)                             <ul style="list-style-type: none"> <li>Cases #1 – Donald</li> <li>Case#2 – Barbara/Bill</li> </ul> </li> </ul>	<p><b>Practice Manual Exercise:</b></p> <ul style="list-style-type: none"> <li>Add CalFresh to CalWIN to determine CalFresh eligibility for previously used Medical Cases                             <ul style="list-style-type: none"> <li>Use Appl. Date of 6/11/21)</li> <li>Cases #1 – Donald</li> <li>Case#2 – Barbara/Bill</li> </ul> </li> </ul>

# Cohort 21 – Dual Program Induction TRAINER


Training Dates: April 5<sup>th</sup>, 2021 – August 27<sup>th</sup>, 2021

In-Person Location: 1650 Mission Street - Pacific/Bay & Candlestick Rooms

SFBNTrainers: Abel Alejandrino, Erica Raiti Pineda, Irvin Lazo

(updated: 06/11/2021)

## Week Eleven

Week Eleven				
June 14	June 15	June 16	June 17	June 18
Monday	Tuesday	Wednesday	Thursday	Friday
<p style="text-align: center; color: purple;"><b>CalFresh CalWIN Exam</b></p> <div style="text-align: center;">  <p style="font-size: 24px; font-weight: bold; color: green; margin: 0;">EXAMS</p> </div> <ul style="list-style-type: none"> <li>Debrief from Exam</li> <li>One-on-One check in's with Trainees</li> </ul> <p><u>Review</u></p> <p><u>MAGI Eligibility Extra #1</u></p> <ul style="list-style-type: none"> <li>Joselyn &amp; Stevie</li> <li>Voletta, Faith &amp; Biggie</li> </ul> <p><u>MAGI Eligibility Extra #2</u></p> <ul style="list-style-type: none"> <li>Elijah &amp; Kasandra</li> <li>Billy &amp; Janet</li> <li>Aretha</li> <li>Anna</li> </ul>	<p><u>Non MAGI Medi-Cal Fundamentals</u></p> <ul style="list-style-type: none"> <li>Coverage groups                             <ul style="list-style-type: none"> <li>ABD</li> <li>AFDC</li> <li>LTC etc.</li> </ul> </li> </ul>	<p><u>Trainer Meeting: 8:00AM-9:00AM</u></p> <ul style="list-style-type: none"> <li>Independent Review-time</li> </ul> <p><u>Trainer Meeting: 9:00-9:30AM</u></p> <p><u>Non-MAGI Property</u></p> <ul style="list-style-type: none"> <li>Treatment of Property                             <ul style="list-style-type: none"> <li>Form MC 007</li> <li>MC210 PS</li> </ul> </li> <li>Property Exercises (1-4)</li> </ul>	<p><u>Non-MAGI Income</u></p> <ul style="list-style-type: none"> <li><u>Introduction to income:</u> <ul style="list-style-type: none"> <li>Earned</li> <li>Unearned</li> <li>In-kind</li> <li>Self-employment                                     <ul style="list-style-type: none"> <li>How-To: SE income for Dual cases</li> </ul> </li> </ul> </li> <li>Rental Property Income                             <ul style="list-style-type: none"> <li>Rental Income Exercises (board examples)</li> </ul> </li> </ul>	<p><u>Non-MAGI Income continued...</u></p> <ul style="list-style-type: none"> <li><u>How-To: Dual Medical Expenses</u> - located in "Dual al Tab" of the How-To Binder</li> <li><u>How-To: Trigger Hunt vs Kizer</u> - located in "Medi-Cal Tab" of the How-To Binder</li> <li>Non-MAGI Fundamentals Review Exercise – Jacob, Sherena and family</li> </ul>
<b>IPL – All</b>	<b>OLL – Abel</b>	<b>OLL – Abel</b>	<b>OLL – Abel Erica off</b>	<b>OLL – Abel Erica off, Omran (PM only) off</b>
<p><u>Application Registration</u></p> <ul style="list-style-type: none"> <li>How-to register an application</li> <li>Register MC &amp; CF applications, cases #11 – #20</li> <li>Request IEVS through CalWIN for cases #11 - #20</li> </ul> <p>NOTE: Register cases to APPL bank following the App. Reg How-To</p> <p>Note: How-To &amp; Application registration data located in "CalWIN Exercises Tab" of the Classwork Live Binder</p>	<ul style="list-style-type: none"> <li><u>Non-MAGI HH size</u> <ul style="list-style-type: none"> <li>Medical Family Budget Unit (MFBU)                                     <ul style="list-style-type: none"> <li>MFBU Exercises (1-16)</li> </ul> </li> </ul> </li> </ul> <p><b>Note: All Non-MAGI Exercises are located in the Training Exercises Binder, Tab#5</b></p>	<p><u>Practice</u></p> <ul style="list-style-type: none"> <li>Wrap up any unfinished work from previous examples</li> <li>Independent study time</li> <li>Organize material</li> <li>Play in CalWIN independently</li> </ul> <p style="text-align: center; color: purple;"><b>Individual Unit Meetings: 3:30PM to 4:30PM</b></p>	<ul style="list-style-type: none"> <li><u>Income Deductions Cheat Sheet</u> <ul style="list-style-type: none"> <li>AFDC vs ABD HH's</li> <li>Standard Deductions</li> <li>Medical Expenses</li> </ul> </li> <li>Income Exercises (1-6)</li> <li><u>Health Coverage Countable Income Table</u> <ul style="list-style-type: none"> <li>MAGI vs Non-MAGI vs CCA</li> </ul> </li> </ul>	<p><u>Non-MAGI Program Hierarchy</u></p> <ul style="list-style-type: none"> <li>ABD FPL</li> <li>Classic MC</li> <li>Sneede vs Kizer</li> <li>LTC</li> <li>250% WDP</li> <li>Small Programs</li> </ul> <p><u>Non-MAGI Aid Codes</u></p>

# Cohort 21 – Dual Program Induction TRAINER


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(updated: 06/11/2021)

## Week Twelve

June 21	June 22	June 23	June 24	June 25
Monday	Tuesday	Wednesday	Thursday	Friday
<p><b><u>DDSD – Disability Referral</u></b></p> <ul style="list-style-type: none"> <li>DDSD Referral, Requirements and Forms                             <ul style="list-style-type: none"> <li>MC179 , MC017</li> <li>MC220 , MC221 LA</li> <li>MC222 LA , MC223</li> </ul> </li> </ul>	<p><b><u>ABD FPL Program</u></b></p> <ul style="list-style-type: none"> <li>Who is Eligible</li> <li>Income limits</li> <li>Budget MC176 AD                             <ul style="list-style-type: none"> <li>Exercises (1-4 using budgets)</li> <li>Extra Exercise – determine overall healthcare eligibility</li> </ul> </li> </ul> <p><b><u>CalWIN Exercise (Dual)</u></b></p> <ul style="list-style-type: none"> <li>#11 Ester (#3)                             <ul style="list-style-type: none"> <li>Undocumented</li> </ul> </li> </ul> <p>**Still needs a future review of Data &amp; verifs for consistency of format**</p>	<p><u>Trainer Meeting: 8:00AM-9:00AM</u> Independent Review-time</p> <p><b><u>CalWIN Exercise (MC Only)</u></b></p> <ul style="list-style-type: none"> <li>#12 Diego &amp; Diego                             <ul style="list-style-type: none"> <li>OHC, not requesting</li> </ul> </li> </ul> <p>**Still needs a future review of Data &amp; verifs for consistency of format**</p>	<p><b>Medi-Cal Quiz #2</b></p>  <p style="font-size: 2em; font-weight: bold; color: green;">EXAMS</p> <ul style="list-style-type: none"> <li>Debrief from Quiz</li> <li>One-on-One check in's with Trainees</li> <li>Moved and adjust week 4</li> </ul>	<p><b><u>Classic Medi-Cal</u></b></p> <ul style="list-style-type: none"> <li>Share of Cost</li> <li>MC 176M Budgeting for ABD vs. Non-ABD</li> <li>Manual budgeting Exercises</li> </ul> <p><b><u>CalWIN Exercise (MC only- Make Dual)</u></b></p> <ul style="list-style-type: none"> <li>#13 Scarlet (#5)                             <ul style="list-style-type: none"> <li>Blind</li> </ul> </li> </ul> <p>Make this the medical case comment instead of Dave</p>
OLL – Abel Erica off	OLL - Irvin	OLL – Irvin	IPL – All Abel off PM	OLL – Erica Abel off
<p><b><u>PD – Presumptive Disability</u></b></p> <ul style="list-style-type: none"> <li>PD Requirements and Forms                             <ul style="list-style-type: none"> <li>IHSS PD – Physicians Statement</li> <li>DHCS 7035A</li> </ul> </li> <li>MC Eligibility Procedural Manual Sect. 50167 PD categories</li> <li>How-To: Enter Pending or Presumptive DDSD</li> </ul> <p>Note: How-To's located in "Medi-Cal Tab" of the How-To Live Binder</p>	<p><b><u>Authorization</u></b></p> <ul style="list-style-type: none"> <li>Authorizing Non-MAGI benefits</li> <li>NOAs</li> <li>MC Client Correspondence and form numbers</li> <li>RRR dates</li> <li>How-To: Print Manual NOAs</li> </ul> <p>Note: How-To's located in "Dual Tab" of the How-To Live Binder</p> <p><b><u>CalWIN Activities Follow-up:</u></b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#11) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Display Medi-Cal A&amp;D budget</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> </ul>	<p><b><u>CalWIN Activities Follow-up:</u></b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#12) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Display Medi-Cal ABD budget</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> </ul> <p>➡ CalWIN Troubleshooting workshops via Zoom - Breakout Rooms</p>	<p><b><u>Practice</u></b></p> <ul style="list-style-type: none"> <li>Wrap up any unfinished work from previous examples</li> <li>Independent study time</li> <li>Organize material                             <ul style="list-style-type: none"> <li>Additional MAGI Exercises</li> </ul> </li> <li>Play in CalWIN independently</li> </ul>	<p><b><u>CalWIN Activities Follow-up:</u></b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#13) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Display Medi-Cal SOC Budget</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> </ul>

# Cohort 21 – Dual Program Induction TRAINER

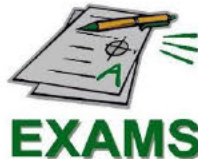

Training Dates: April 5<sup>th</sup>, 2021 – August 27<sup>th</sup>, 2021

In-Person Location: 1650 Mission Street - Pacific/Bay & Candlestick Rooms

SFBN Net Trainers: Abel Alejandrino, Erica Raiti Pineda, Irvin Lazo

(updated: 06/11/2021)

## Week Thirteen

Week Thirteen				
June 28	June 29	June 30	July 1	July 2
Monday	Tuesday	Wednesday	Thursday	Friday
<p><b><u>Sneede vs. Kizer</u></b></p> <ul style="list-style-type: none"> <li>• Regulations</li> <li>• MBUs                             <ul style="list-style-type: none"> <li>○ MBU Exercises (1-5)</li> </ul> </li> <li>• Sneede Income Calculation - budgeting for SVK                             <ul style="list-style-type: none"> <li>○ Standard MN vs. SNEEDE MN</li> </ul> </li> <li>• Sneede Board Exercise (1-2)</li> </ul>	<p><b><u>Training Exercise (MC Only)</u></b></p> <ul style="list-style-type: none"> <li>• <b>#14 Julie &amp; Robert (#6)</b> <ul style="list-style-type: none"> <li>○ Completing the AP window</li> <li>○ Completing CW2.1Q/2.1NA</li> </ul> </li> </ul> <p style="color: red; font-weight: bold;">Don't enter to CalWIN Manual only</p>	<p><u>Trainer Meeting: 8:00AM-9:00AM</u> Independent Review-time</p> <p><b>Intro to Other Programs</b></p> <ul style="list-style-type: none"> <li>• Board and Care</li> <li>• Minor Consent</li> <li>• PACE/On-Lok</li> <li>• CALM/CAPI</li> <li>• Refugee Medical Assistance RMA</li> <li>• Craig vs. Bonta CVB</li> <li>• Home &amp; Community Based Services HCBS Waiver Program</li> <li>• Long Term Care LTC</li> </ul>	<p style="color: purple; font-weight: bold;">Medi-Cal CalWIN Exam</p> <div style="text-align: center;">  <p style="font-size: 24px; color: green; font-weight: bold; margin: 0;">EXAMS</p> </div>	<p><b><u>250% WDP Working Disabled Program</u></b></p> <ul style="list-style-type: none"> <li>• Who is eligible</li> <li>• Evaluation Steps - SSI/SSP test</li> <li>• Program Income limits &amp; premiums</li> <li>• How-To Trigger 250% WDP Evaluation                             <ul style="list-style-type: none"> <li>○ BENDs Workaround</li> </ul> </li> <li>• MC338 Client Flyer</li> <li>• 250% WDP EFT Regulations</li> </ul> <p style="font-size: small;">Note: How-To located in "Medi-Cal Tab" of the How-To Live Binder</p>
<p>OLL – Erica Abel, Danielle off Irvin Off by 2:00 Erica out at 4PM</p>	<p>OLL – Erica Danielle off</p>	<p>OLL – Abel Danielle off</p>	<p>IPL – All Erica, Danielle off</p>	<p>OLL - Irvin Danielle off</p>
<p><b><u>Sneede vs. Kizer continued...</u></b></p>	<p><b><u>Training Exercise continued</u></b></p>	<p style="color: purple; font-weight: bold;">Time to Study</p> <div style="text-align: center;">  </div>	<ul style="list-style-type: none"> <li>• Debrief from Exam</li> <li>• One-on-One check in's with Trainees</li> </ul> <p style="color: purple; font-weight: bold;">Individual Unit Meetings: 3:30PM to 4:30PM</p>	<p><b><u>Manual Training Exercise (MC Only)</u></b></p> <ul style="list-style-type: none"> <li>○ <b>#15 David</b> <ul style="list-style-type: none"> <li>○ Do not enter into CalWIN</li> </ul> </li> </ul> <p style="color: red; font-weight: bold;">Don't enter to CalWIN Manual only</p>

# Cohort 21 – Dual Program Induction TRAINER





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(updated: 06/11/2021)

## Week Fourteen

July 5 Monday	July 6 Tuesday	July 7 Wednesday	July 8 Thursday	July 9 Friday
<p><b>HOLIDAY</b></p>	<ul style="list-style-type: none"> <li>Break out Rooms: Pulling it all together Exercises               <ul style="list-style-type: none"> <li>Manual examples of all programs taught thus far</li> </ul> </li> </ul>	<p>Medi-Cal Jeopardy</p> 	<p>Medi-Cal Written Exam</p>  <p><b>EXAMS</b></p> <ul style="list-style-type: none"> <li>Debrief from Exam</li> <li>One-on-One check in's with Trainees</li> </ul>	<p><u>CalWIN Exercise (MC Only)</u></p> <ul style="list-style-type: none"> <li>#16 - Michael and Nicole (#8)</li> </ul> <p>Still decide if MC or dual after assess cases</p>
	<p>OLL – All Abel off PM</p>	<p>IPL – All</p>	<p>IPL - All</p>	<p>OLL – Abel Michelle out at 4:30pm</p>
	<p>Time to Study</p> 	<p>Time to Study</p> 	<ul style="list-style-type: none"> <li>Clean up any case work from the week</li> </ul>	<p><b>CalWIN Activities Follow-up:</b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#16) to trainer, including CalWIN Screens:           <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> <li>CalWIN Troubleshooting via Zoom - Breakout Rooms</li> </ul>

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## Week Fifteen

July 12	July 13	July 14	July 15	July 16
Monday	Tuesday	Wednesday	Thursday	Friday
<p><b>CalWIN Exercise</b></p> <ul style="list-style-type: none"> <li>#17 - Retro Medi-Cal (#9)                             <ul style="list-style-type: none"> <li>Example using case #16</li> </ul> </li> <li>Retro MC business process</li> </ul>	<p>Extra CalWIN Exercises, to work on individually (All Dual app's):</p> <ul style="list-style-type: none"> <li>#18 James &amp; Maya (#10)</li> <li>#19 Theresa &amp; Sandra (#11)</li> <li>#20 George (#13)</li> <li>CalWIN Troubleshooting workshops via Zoom - Breakout Rooms</li> </ul>	<p>Mock Dual Final</p> 	<p>Dual MC/CF Cumulative Scenario#1</p> 	<p>Excel # 1 and Excel #2 Training</p>
<p>OLL – Abel Art in @ 10:30</p>	<p>OLL - All</p>	<p>IPL - All</p>	<p>IPL – All Abel off</p>	<p>OLL - Irvin</p>
<p><b>CalWIN Activities Follow-up:</b></p> <ul style="list-style-type: none"> <li>Turn in verification of CalWIN completion (#17) to trainer, including CalWIN Screens:                             <ul style="list-style-type: none"> <li>Display Eligibility Summary</li> <li>Display Individual Eligibility Summary</li> <li>Display Retro Medical Budgets</li> <li>Authorize Eligibility Program Benefits</li> <li>Case Comments</li> </ul> </li> </ul>	<p>Extra CalWIN Exercises, to work on individually (All Dual app's):</p> <ul style="list-style-type: none"> <li>#18 James &amp; Maya (#10)</li> <li>#19 Theresa &amp; Sandra (#11)</li> <li>#20 George (#13)</li> <li>CalWIN Troubleshooting workshops via Zoom - Breakout Rooms</li> </ul>	<p>Time to Study</p> 	<p>Dual MC/CF Cumulative Scenario#2</p> 	

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(updated: 06/11/2021)

## Week Sixteen

Week Sixteen				
July 19	July 20	July 21	July 22	July 23
Monday	Tuesday	Wednesday	Thursday	Friday
<b>In-Person Learning</b> Erica off Michelle off	<b>On-Line Learning</b> Erica off; Art off 10 - 1	<b>On-Line Learning</b> Erica off	<b>On-Line Learning</b> Erica off	<b>On-Line Learning</b> Danielle off Abel off PM
<p><b><u>Confidentiality around MEDs Training</u></b></p> <p><b><u>MEDs instruction and lecture</u></b></p> <ul style="list-style-type: none"> <li>What is the MEDS System</li> <li>INQE Screens &amp; Citizenship verification codes</li> <li>IEVS/SAVE &amp; PVS Report Codes</li> </ul> <p>MEDS Network User Manual: Aid Codes</p> <ul style="list-style-type: none"> <li>MEDs Quick Reference</li> <li>SSI Payment Status Codes</li> <li>Health Care Plan Control Log</li> <li>MEDs for Exparte Review</li> </ul> <p><b><u>MEDS hands on practice</u></b></p> <ul style="list-style-type: none"> <li>MEDS Security Agreement &amp; password requirements</li> <li>Practice logging in, changing color settings</li> <li>Reviewing real cases in MEDS</li> <li>Exercises/assessment</li> <li>Team presentations</li> </ul> <p>For CalWIN scenarios, fill in the blank on the MEDs screens</p> <p><b><u>X, Y, Z Period for Intake</u></b></p> <ul style="list-style-type: none"> <li>DERs in the Z period</li> <li>EDBC &amp; Authorization must occur in the same period</li> </ul> <ul style="list-style-type: none"> <li>Open Q&amp;A</li> </ul>	<p><b><u>CalHEERS System:</u></b></p> <ul style="list-style-type: none"> <li>General over view</li> <li>CH's Job Aids                             <ul style="list-style-type: none"> <li>Reading the Budget worksheet</li> <li>Where to locate Aid codes</li> <li>Reading/Viewing the HUB                                     <ul style="list-style-type: none"> <li>Verification status</li> <li>Everified vs. Pass</li> </ul> </li> </ul> </li> <li>Upload &amp; print documents</li> <li>CalHEERS Search exercises with sample cases</li> </ul> <p>How to view documents</p> <ul style="list-style-type: none"> <li>What is Carry Forward                             <ul style="list-style-type: none"> <li>How/when to Lift</li> </ul> </li> <li>What is Soft Pause                             <ul style="list-style-type: none"> <li>How/When to Lift</li> </ul> </li> </ul> <p><b><u>CalHEERS DER Ref. Guides</u></b></p> <ul style="list-style-type: none"> <li>Approved DER-Eligible/Conditionally eligible</li> <li>Pending DER</li> <li>Denied DER</li> </ul>	<p><b><u>ABAWD In-depth Training</u></b></p> <ul style="list-style-type: none"> <li>Intro to ABAWD PPT</li> <li>ABAWD Exemptions                             <ul style="list-style-type: none"> <li>ABAWD Exemptions verification Reference Chart</li> <li>Applying ABAWD Exemptions</li> <li>ABAWD Exemption case comment guide</li> <li>Percentage Exemption desk guide</li> </ul> </li> <li>ABAWD Forms                             <ul style="list-style-type: none"> <li>A100, A104, A105, A101</li> </ul> </li> <li>Satisfying ABAWD Work Requirement</li> <li>Exemption vs Work Requirement</li> <li>Workfare</li> <li>Countable Months</li> <li>Consecutive Months</li> <li>ABAWD Intake Workflow</li> <li>ABAWD How-To's:                             <ul style="list-style-type: none"> <li>COSTs Desk Guide</li> <li>Enter ABAWD Exemptions</li> <li>Student Exemption</li> <li>Applied for UIB Workaround</li> <li>Receiving UIB Workaround</li> <li>In-Kind &amp; Volunteer</li> <li>ABAWD Referrals to WDD Services</li> <li>Use Individual Time Clock in CalWIN</li> </ul> </li> <li>ABAWD Exercises                             <ul style="list-style-type: none"> <li>ABAWD Exercises</li> <li>Work Requirement Exercise</li> <li>Time Clock INQG Exercise</li> <li>Crossword Puzzle</li> </ul> </li> </ul> <p>Note: ABAWD Waiver extended</p>	<p><b>TBD</b></p>	<p><b>TBD</b></p>

# Cohort 21 – Dual Program Induction TRAINER

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(updated: 06/11/2021)

<b>Week Seventeen (Observation with Program Staff)</b>				
<b>July 26</b>	<b>July 27</b>	<b>July 28</b>	<b>July 29</b>	<b>July 30</b>
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
On-Line Learning Danielle off	On-Line Learning Danielle off	On-Line Learning Danielle off	On-Line Learning Danielle off	On-Line Learning Danielle off
Observation Week (All Day) Details TBD	Observation Week (All Day) Details TBD	Observation Week (All Day) Details TBD	Observation Week (All Day) Details TBD	Observation Week (All Day) Details TBD
<b>Week Eighteen (PSI week 1)</b>				
<b>August 2</b>	<b>August 3</b>	<b>August 4</b>	<b>August 5</b>	<b>August 6</b>
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
In-Person Learning Danielle off	On-Line Learning	On-Line Learning	In-Person Learning	On-Line Learning
<b>Week Nineteen (PSI week 2)</b>				
<b>August 9</b>	<b>August 10</b>	<b>August 11</b>	<b>August 12</b>	<b>August 13</b>
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
In-Person Learning	On-Line Learning	On-Line Learning	In-Person Learning	On-Line Learning
Start Task Assignment TBD	Start Task Assignment TBD	Start Task Assignment TBD	Start Task Assignment TBD	Start Task Assignment TBD
<b>Week Twenty (PSI week 3)</b>				
<b>August 16</b>	<b>August 17</b>	<b>August 18</b>	<b>August 19</b>	<b>August 20</b>
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
In-Person Learning	On-Line Learning	On-Line Learning	In-Person Learning	On-Line Learning Abel off PM
Start Task Assignment TBD	Start Task Assignment TBD	Start Task Assignment TBD	Start Task Assignment TBD	Start Task Assignment TBD
<b>Week Twenty One – (PSI week 4)</b>				
<b>August 23</b>	<b>August 24</b>	<b>August 25</b>	<b>August 26</b>	<b>August 27</b>
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
In-Person Learning	On-Line Learning	On-Line Learning Michelle off	In-Person Learning Michelle off	On-Line Learning Michelle off
Start Task Assignment TBD	Start Task Assignment TBD	Start Task Assignment TBD	Start Task Assignment TBD	Start Task Assignment TBD



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(updated: 06/11/2021)

## Week Twenty Two (transition out to program)

August 30	August 31	September 1	September 2	September 3
Monday	Tuesday	Wednesday	Thursday	Friday
Move to Permanent Building Michelle off	Michelle off	Michelle off	Michelle off	Erica off Michelle off, Art off
Details to be provided by management				

# Exhibit B

Visit the City's new website, [SF.gov](https://sf.gov)

## Office of the Mayor

# News Releases

The latest news and announcements from Mayor London N. Breed

### Mayor London Breed Announces Launch of "Great Plates" Meal Delivery Program for At Risk Seniors in Need of Food Assistance

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**Posted Date** Monday, May 18, 2020

#### **Great Plates Delivered SF will deliver three restaurant meals a day to seniors in need while supporting local businesses during the COVID-19 crisis.**

**San Francisco, CA** Mayor London N. Breed today announced the launch of Great Plates Delivered SF, an emergency food assistance program for seniors sheltering in place due to the COVID-19 pandemic. The program will deliver three free restaurant meals a day to seniors, who are at high risk from COVID-19. The program is also an economic catalyst for local restaurant and food vendors, who will partner with the City to prepare and deliver meals.

"Staying home is especially important for seniors, who continue to be at greater risk for COVID-19. But that means many older adults also need additional support in accessing meals and groceries while staying at home," said Mayor Breed. "Great Plates Delivered SF will provide freshly prepared, nutritious meals for our seniors while helping to bring much-needed business back to some of our local restaurants."

In late April, Governor Newsom announced the availability of state funding for locally administered Great Plates Delivered programs in an effort to support at-risk seniors throughout the state while reigniting economic activity. Given that seniors are at heightened risk of COVID-19, this program is for older adults who live alone or with another senior and are unable to prepare or obtain meals while sheltering in place.

Since the Governor announced the temporary program last month, over 350 eligible clients have contacted the City's disability and aging helpline to sign up for the program. The City's Department of Disability and Aging Services (DAS) estimates that Great Plates Delivered SF could end up serving over 6,000 seniors daily.

"Access to food is critical during this COVID-19 emergency and we know there is still considerable need. Great Plates Delivered SF is an innovative City and community partnership that will address food insecurity, particularly for the older adult who live alone or do not have additional support in place," said Shireen McSpadden, Executive Director of DAS. "Through this new program, many seniors will be able to access the food they need to stay healthy and safe during this crisis."

Great Plates Delivered SF will serve eligible seniors over 65, as well as those age 60 - 64 with certain underlying health conditions. Eligible seniors must live alone or with another eligible senior and earn less than \$74,940 for a single-person household or \$101,460 for a two-person household. Participants will receive up to three free meals a day provided by local food vendors that have entered into a partnership with the City. All deliveries will be contactless for safety, and all individuals delivering meals are subject to background check.

In April, the City conducted a public procurement process for the Great Plates Delivered SF program and selected SF New Deal, a San Francisco based non-profit and rapid response organization, as the primary vendor. SF New Deal is currently providing 20,000 meals per week to vulnerable San Franciscans and has partnerships with over 65 local restaurants across San Francisco.

“We are excited to partner with the City to bring Great Plate Delivered SF to the community. This will provide seniors with access to delicious meals made by local small businesses. Neighbors are helping to keep neighbors nourished, healthy, and safe,” said Lenore Estrada, Executive Director of SF New Deal, a volunteer led, nonprofit rapid response effort. “With over 65 local restaurants already on our roster, collaborating with Great Plates Delivered SF will allow us to provide to more members of our community and to bring onboard additional local businesses and the workers they employ. We are so grateful for the support of Mayor London Breed and all of the City employees for continuing to support the essential needs of everyone in our community.”

Older adults interested in the program can call (415) 355-6700 for assistance. This helpline is operated by DAS and is available seven days a week, from 8:00am to 5:00pm. Support is provided in multiple languages.

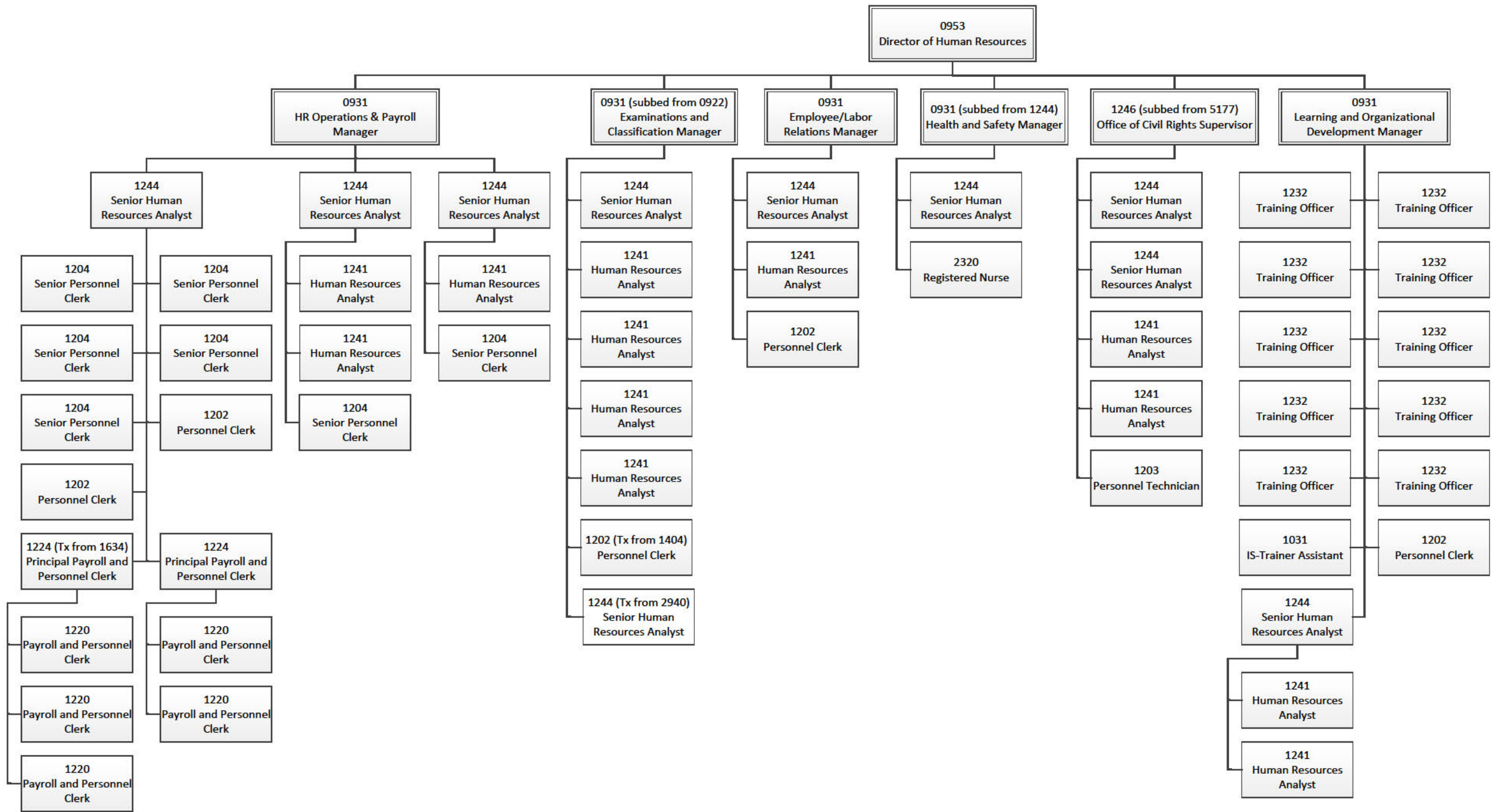
Seniors who currently receive state or federal food assistance such as CalFresh or home-delivered meals should contact the DAS helpline to understand their eligibility for this program or other assistance. (415) 355 6700. San Francisco residents seeking additional information about Great Plates Delivered SF can visit: <http://www.sfhsa.org/GreatPlates>.

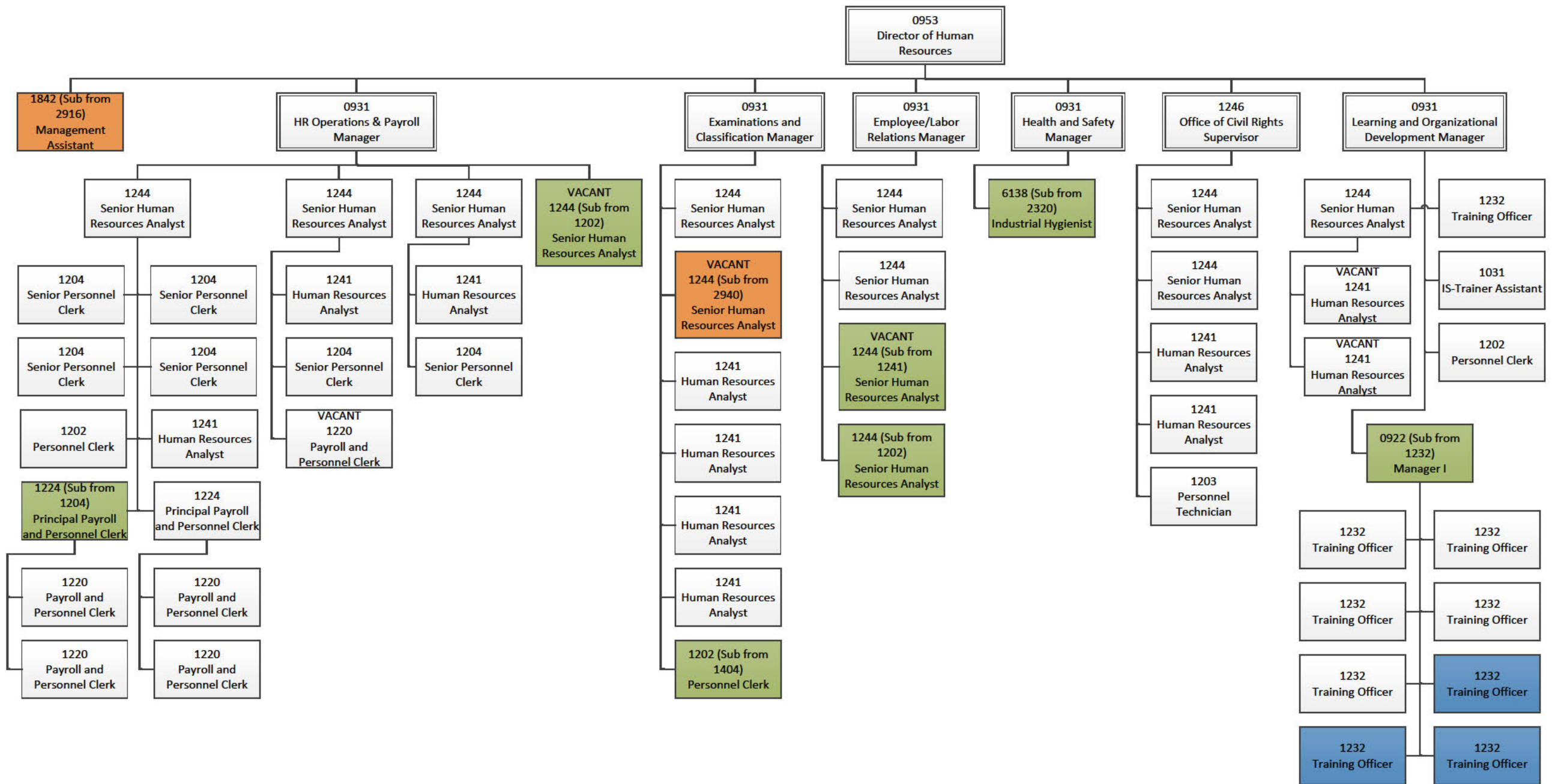
Addressing food insecurity and expanding food access has also been a critical objective of the City’s Emergency Operations Center (EOC). Last week, Mayor Breed announced a major contribution of \$15 million to the Give2SF COVID-19 Response and Recovery Fund, with \$5 million going to food security efforts. To date, the EOC’s Feeding Unit has:

- Delivered over 20,000 meals in partnership with Off the Grid, who prepared meals for medically isolated San Franciscans who are COVID-19 positive or living with a COVID-19 positive individual.
- Delivered close to 20,000 meals to vulnerable clients of organizations such as City Suppers, Project Open Hand, and Self Help for the Elderly.
- Deployed a daily average of 70 City employees to the San Francisco Marin Food Bank to help package and distribute roughly 2,800 grocery bags per day.

###

# Exhibit C



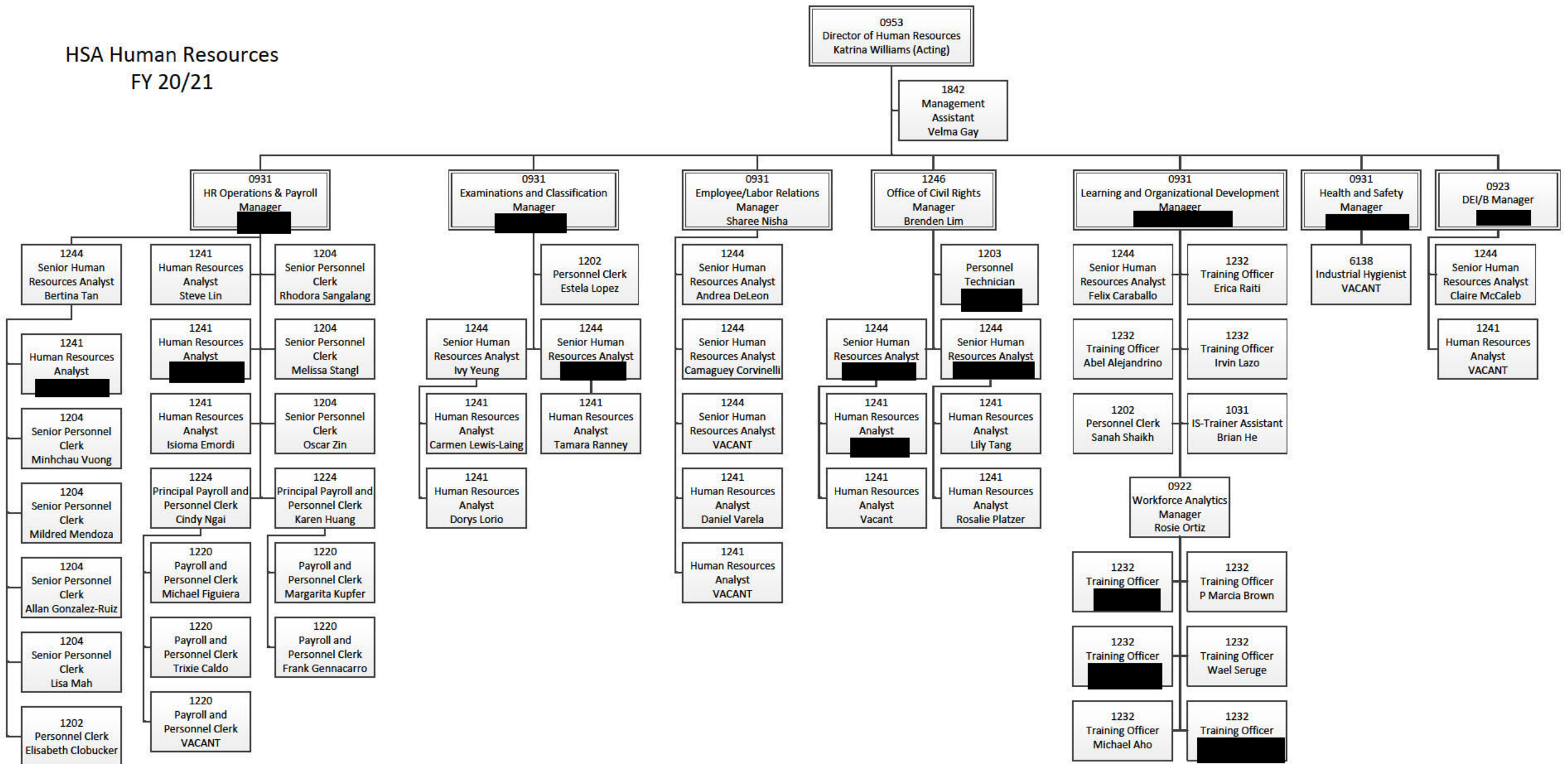


New Sub Request
New Reassignment Request
New Sub and Reassignment Request

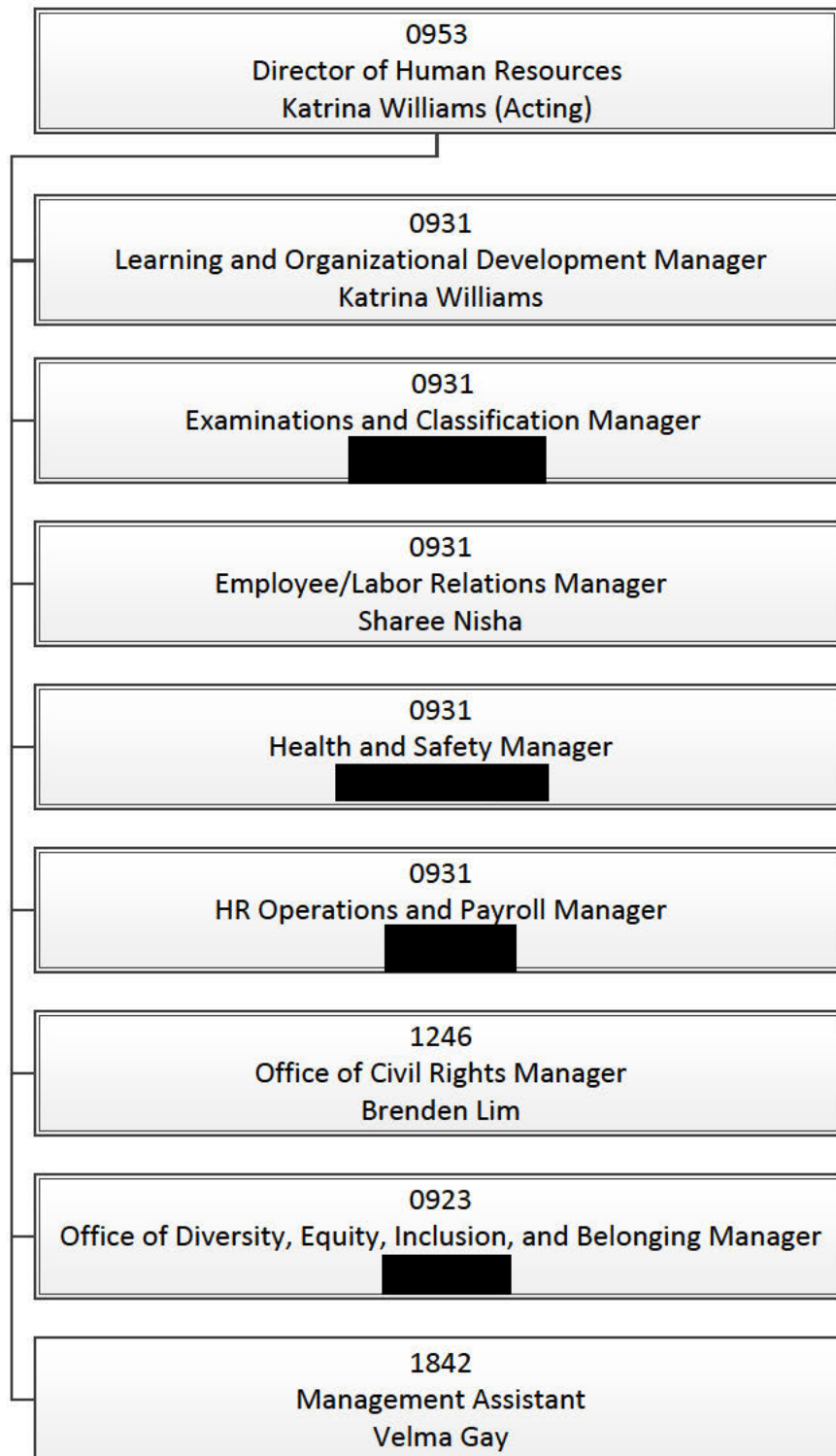




HSA Human Resources  
FY 20/21



HSA Human Resources  
FY 20/21



# Exhibit D

	A	B	C	D	E	F	G
1	Total hours and pay by TRC	332					
2	ID	Empl Record	Rpt Dt	Time Reporting Code	Description	Hours/Units	Pay
3		0	1/6/2020	WKP	Regular Hours - Worked	8.000000	328.600000
4		0	1/7/2020	WKP	Regular Hours - Worked	8.000000	328.600000
5		0	1/8/2020	WKP	Regular Hours - Worked	8.000000	328.600000
6		0	1/9/2020	WKP	Regular Hours - Worked	8.000000	328.600000
7		0	1/10/2020	WKP	Regular Hours - Worked	8.000000	328.600000
8		0	1/13/2020	WKP	Regular Hours - Worked	8.000000	328.600000
9		0	1/14/2020	WKP	Regular Hours - Worked	8.000000	328.600000
10		0	1/15/2020	WKP	Regular Hours - Worked	8.000000	328.600000
11		0	1/16/2020	WKP	Regular Hours - Worked	8.000000	328.600000
12		0	1/17/2020	WKP	Regular Hours - Worked	8.000000	328.600000
13		0	1/20/2020	LHP	Legal Holiday Pay	8.000000	328.600000
14		0	1/21/2020	WKP	Regular Hours - Worked	8.000000	328.600000
15		0	1/22/2020	WKP	Regular Hours - Worked	8.000000	328.600000
16		0	1/23/2020	WKP	Regular Hours - Worked	8.000000	328.600000
17		0	1/24/2020	WKP	Regular Hours - Worked	8.000000	328.600000
18		0	1/27/2020	WKP	Regular Hours - Worked	8.000000	328.600000
19		0	1/28/2020	WKP	Regular Hours - Worked	8.000000	328.600000
20		0	1/29/2020	WKP	Regular Hours - Worked	8.000000	328.600000
21		0	1/30/2020	WKP	Regular Hours - Worked	8.000000	328.600000
22		0	1/31/2020	WKP	Regular Hours - Worked	8.000000	328.600000
23		0	2/3/2020	WKP	Regular Hours - Worked	8.000000	328.600000
24		0	2/4/2020	WKP	Regular Hours - Worked	8.000000	328.600000
25		0	2/5/2020	WKP	Regular Hours - Worked	8.000000	328.600000
26		0	2/6/2020	WKP	Regular Hours - Worked	8.000000	328.600000
27		0	2/7/2020	SLP	Sick Leave Pay	3.000000	123.230000
28		0	2/7/2020	WKP	Regular Hours - Worked	5.000000	205.380000
29		0	2/10/2020	WKP	Regular Hours - Worked	8.000000	328.600000
30		0	2/11/2020	WKP	Regular Hours - Worked	8.000000	328.600000
31		0	2/12/2020	WKP	Regular Hours - Worked	8.000000	328.600000
32		0	2/13/2020	WKP	Regular Hours - Worked	8.000000	328.600000
33		0	2/14/2020	WKP	Regular Hours - Worked	8.000000	328.600000
34		0	2/17/2020	LHP	Legal Holiday Pay	8.000000	328.600000
35		0	2/18/2020	WKP	Regular Hours - Worked	8.000000	328.600000
36		0	2/19/2020	WKP	Regular Hours - Worked	8.000000	328.600000
37		0	2/20/2020	WKP	Regular Hours - Worked	8.000000	328.600000
38		0	2/21/2020	SLP	Sick Leave Pay	3.000000	123.230000
39		0	2/21/2020	WKP	Regular Hours - Worked	5.000000	205.380000
40		0	2/24/2020	WKP	Regular Hours - Worked	8.000000	328.600000
41		0	2/25/2020	WKP	Regular Hours - Worked	8.000000	328.600000
42		0	2/26/2020	WKP	Regular Hours - Worked	8.000000	328.600000
43		0	2/27/2020	WKP	Regular Hours - Worked	8.000000	328.600000
44		0	2/28/2020	WKP	Regular Hours - Worked	8.000000	328.600000
45		0	3/2/2020	WKP	Regular Hours - Worked	8.000000	328.600000
46		0	3/3/2020	WKP	Regular Hours - Worked	8.000000	328.600000
47		0	3/4/2020	WKP	Regular Hours - Worked	8.000000	328.600000
48		0	3/5/2020	WKP	Regular Hours - Worked	8.000000	328.600000
49		0	3/6/2020	SLP	Sick Leave Pay	8.000000	328.600000
50		0	3/9/2020	WKP	Regular Hours - Worked	8.000000	328.600000
51		0	3/10/2020	WKP	Regular Hours - Worked	8.000000	328.600000
52		0	3/11/2020	WKP	Regular Hours - Worked	8.000000	328.600000
53		0	3/12/2020	WKP	Regular Hours - Worked	8.000000	328.600000
54		0	3/13/2020	WKP	Regular Hours - Worked	8.000000	328.600000
55		0	3/16/2020	WKP	Regular Hours - Worked	8.000000	328.600000
56		0	3/17/2020	WKP	Regular Hours - Worked	8.000000	328.600000
57		0	3/18/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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59		0	3/20/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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61		0	3/24/2020	WKP	Regular Hours - Worked	8.000000	328.600000
62		0	3/25/2020	WKP	Regular Hours - Worked	8.000000	328.600000
63		0	3/26/2020	WKP	Regular Hours - Worked	8.000000	328.600000
64		0	3/27/2020	WKP	Regular Hours - Worked	8.000000	328.600000

	A	B	C	D	E	F	G
65		0	3/30/2020	WKP	Regular Hours - Worked	8.000000	328.600000
66		0	3/31/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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71		0	4/7/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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73		0	4/9/2020	WKP	Regular Hours - Worked	8.000000	328.600000
74		0	4/10/2020	WKP	Regular Hours - Worked	8.000000	328.600000
75		0	4/13/2020	WKP	Regular Hours - Worked	8.000000	328.600000
76		0	4/14/2020	WKP	Regular Hours - Worked	8.000000	328.600000
77		0	4/15/2020	WKP	Regular Hours - Worked	8.000000	328.600000
78		0	4/16/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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85		0	4/27/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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87		0	4/29/2020	WKP	Regular Hours - Worked	8.000000	328.600000
88		0	4/30/2020	WKP	Regular Hours - Worked	8.000000	328.600000
89		0	5/1/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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91		0	5/5/2020	WKP	Regular Hours - Worked	8.000000	328.600000
92		0	5/6/2020	WKP	Regular Hours - Worked	8.000000	328.600000
93		0	5/7/2020	WKP	Regular Hours - Worked	8.000000	328.600000
94		0	5/8/2020	WKP	Regular Hours - Worked	8.000000	328.600000
95		0	5/11/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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98		0	5/14/2020	WKP	Regular Hours - Worked	8.000000	328.600000
99		0	5/15/2020	WKP	Regular Hours - Worked	8.000000	328.600000
100		0	5/18/2020	SLP	Sick Leave Pay	3.000000	123.230000
101		0	5/18/2020	WKP	Regular Hours - Worked	5.000000	205.380000
102		0	5/19/2020	WKP	Regular Hours - Worked	8.000000	328.600000
103		0	5/20/2020	WKP	Regular Hours - Worked	8.000000	328.600000
104		0	5/21/2020	WKP	Regular Hours - Worked	8.000000	328.600000
105		0	5/22/2020	WKP	Regular Hours - Worked	8.000000	328.600000
106		0	5/25/2020	LHP	Legal Holiday Pay	8.000000	328.600000
107		0	5/26/2020	WKP	Regular Hours - Worked	8.000000	328.600000
108		0	5/27/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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110		0	5/29/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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112		0	6/2/2020	WKP	Regular Hours - Worked	8.000000	328.600000
113		0	6/3/2020	WKP	Regular Hours - Worked	8.000000	328.600000
114		0	6/4/2020	WKP	Regular Hours - Worked	8.000000	328.600000
115		0	6/5/2020	WKP	Regular Hours - Worked	8.000000	328.600000
116		0	6/8/2020	WKP	Regular Hours - Worked	8.000000	328.600000
117		0	6/9/2020	WKP	Regular Hours - Worked	8.000000	328.600000
118		0	6/10/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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120		0	6/12/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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124		0	6/18/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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127		0	6/23/2020	WKP	Regular Hours - Worked	8.000000	328.600000
128		0	6/24/2020	WKP	Regular Hours - Worked	8.000000	328.600000

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129		0	6/25/2020	WKP	Regular Hours - Worked	8.000000	328.600000
130		0	6/26/2020	WKP	Regular Hours - Worked	8.000000	328.600000
131		0	6/29/2020	WKP	Regular Hours - Worked	8.000000	328.600000
132		0	6/30/2020	WKP	Regular Hours - Worked	8.000000	328.600000
133		0	7/1/2020	WKP	Regular Hours - Worked	8.000000	328.600000
134		0	7/2/2020	WKP	Regular Hours - Worked	8.000000	328.600000
135		0	7/3/2020	LHP	Legal Holiday Pay	8.000000	328.600000
136		0	7/6/2020	WKP	Regular Hours - Worked	8.000000	328.600000
137		0	7/7/2020	WKP	Regular Hours - Worked	8.000000	328.600000
138		0	7/8/2020	WKP	Regular Hours - Worked	8.000000	328.600000
139		0	7/9/2020	WKP	Regular Hours - Worked	8.000000	328.600000
140		0	7/10/2020	WKP	Regular Hours - Worked	8.000000	328.600000
141		0	7/13/2020	WKP	Regular Hours - Worked	8.000000	328.600000
142		0	7/14/2020	WKP	Regular Hours - Worked	8.000000	328.600000
143		0	7/15/2020	ESP	Emergency Sick Paid	3.000000	123.230000
144		0	7/15/2020	WKP	Regular Hours - Worked	5.000000	205.380000
145		0	7/16/2020	ESP	Emergency Sick Paid	8.000000	328.600000
146		0	7/17/2020	ESP	Emergency Sick Paid	8.000000	328.600000
147		0	7/20/2020	ESP	Emergency Sick Paid	8.000000	328.600000
148		0	7/21/2020	ESP	Emergency Sick Paid	8.000000	328.600000
149		0	7/22/2020	ESP	Emergency Sick Paid	8.000000	328.600000
150		0	7/23/2020	ESP	Emergency Sick Paid	8.000000	328.600000
151		0	7/24/2020	ESP	Emergency Sick Paid	8.000000	328.600000
152		0	7/27/2020	ESP	Emergency Sick Paid	8.000000	328.600000
153		0	7/28/2020	ESP	Emergency Sick Paid	8.000000	328.600000
154		0	7/29/2020	COV	COV City Paid Sick Leave	3.000000	123.230000
155		0	7/29/2020	ESP	Emergency Sick Paid	5.000000	205.380000
156		0	7/30/2020	COV	COV City Paid Sick Leave	8.000000	328.600000
157		0	7/31/2020	COV	COV City Paid Sick Leave	8.000000	328.600000
158		0	8/3/2020	COV	COV City Paid Sick Leave	8.000000	328.600000
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160		0	8/5/2020	COV	COV City Paid Sick Leave	8.000000	328.600000
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163		0	8/10/2020	COV	COV City Paid Sick Leave	8.000000	328.600000
164		0	8/11/2020	COV	COV City Paid Sick Leave	8.000000	328.600000
165		0	8/12/2020	COV	COV City Paid Sick Leave	5.000000	205.380000
166		0	8/12/2020	SLP	Sick Leave Pay	3.000000	123.230000
167		0	8/13/2020	SLP	Sick Leave Pay	8.000000	328.600000
168		0	8/14/2020	SLP	Sick Leave Pay	8.000000	328.600000
169		0	8/17/2020	SLP	Sick Leave Pay	8.000000	328.600000
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171		0	8/19/2020	SLP	Sick Leave Pay	8.000000	328.600000
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173		0	8/21/2020	SLP	Sick Leave Pay	8.000000	328.600000
174		0	8/24/2020	SLP	Sick Leave Pay	8.000000	328.600000
175		0	8/25/2020	SLP	Sick Leave Pay	8.000000	328.600000
176		0	8/26/2020	SLP	Sick Leave Pay	3.980000	163.480000
177		0	8/26/2020	UNL	Unpaid Leave	4.020000	0.000000
178		0	8/27/2020	UNL	Unpaid Leave	8.000000	0.000000
179		0	8/28/2020	UNL	Unpaid Leave	8.000000	0.000000
180		0	8/31/2020	FHP	Floating Holiday Pay	8.000000	328.600000
181		0	9/1/2020	FHP	Floating Holiday Pay	8.000000	328.600000
182		0	9/2/2020	WKP	Regular Hours - Worked	8.000000	328.600000
183		0	9/3/2020	WKP	Regular Hours - Worked	8.000000	328.600000
184		0	9/4/2020	WKP	Regular Hours - Worked	8.000000	328.600000
185		0	9/7/2020	LHP	Legal Holiday Pay	8.000000	328.600000
186		0	9/8/2020	WKP	Regular Hours - Worked	8.000000	328.600000
187		0	9/9/2020	WKP	Regular Hours - Worked	8.000000	328.600000
188		0	9/10/2020	WKP	Regular Hours - Worked	8.000000	328.600000
189		0	9/11/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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191		0	9/15/2020	WKP	Regular Hours - Worked	8.000000	328.600000
192		0	9/16/2020	WKP	Regular Hours - Worked	8.000000	328.600000

	A	B	C	D	E	F	G
193		0	9/17/2020	WKP	Regular Hours - Worked	8.000000	328.600000
194		0	9/18/2020	WKP	Regular Hours - Worked	8.000000	328.600000
195		0	9/21/2020	WKP	Regular Hours - Worked	8.000000	328.600000
196		0	9/22/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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200		0	9/28/2020	WKP	Regular Hours - Worked	8.000000	328.600000
201		0	9/29/2020	WKP	Regular Hours - Worked	8.000000	328.600000
202		0	9/30/2020	WKP	Regular Hours - Worked	8.000000	328.600000
203		0	10/1/2020	WKP	Regular Hours - Worked	8.000000	328.600000
204		0	10/2/2020	WKP	Regular Hours - Worked	8.000000	328.600000
205		0	10/5/2020	WKP	Regular Hours - Worked	8.000000	328.600000
206		0	10/6/2020	WKP	Regular Hours - Worked	8.000000	328.600000
207		0	10/7/2020	WKP	Regular Hours - Worked	8.000000	328.600000
208		0	10/8/2020	WKP	Regular Hours - Worked	8.000000	328.600000
209		0	10/9/2020	WKP	Regular Hours - Worked	8.000000	328.600000
210		0	10/12/2020	LHP	Legal Holiday Pay	8.000000	328.600000
211		0	10/13/2020	WKP	Regular Hours - Worked	8.000000	328.600000
212		0	10/14/2020	WKP	Regular Hours - Worked	8.000000	328.600000
213		0	10/15/2020	WKP	Regular Hours - Worked	8.000000	328.600000
214		0	10/16/2020	WKP	Regular Hours - Worked	8.000000	328.600000
215		0	10/19/2020	WKP	Regular Hours - Worked	8.000000	328.600000
216		0	10/20/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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227		0	11/4/2020	WKP	Regular Hours - Worked	8.000000	328.600000
228		0	11/5/2020	SLP	Sick Leave Pay	8.000000	328.600000
229		0	11/6/2020	WKP	Regular Hours - Worked	8.000000	328.600000
230		0	11/9/2020	WKP	Regular Hours - Worked	8.000000	328.600000
231		0	11/10/2020	WKP	Regular Hours - Worked	8.000000	328.600000
232		0	11/11/2020	LHP	Legal Holiday Pay	8.000000	328.600000
233		0	11/12/2020	WKP	Regular Hours - Worked	8.000000	328.600000
234		0	11/13/2020	WKP	Regular Hours - Worked	8.000000	328.600000
235		0	11/16/2020	WKP	Regular Hours - Worked	8.000000	328.600000
236		0	11/17/2020	SLP	Sick Leave Pay	8.000000	328.600000
237		0	11/18/2020	WKP	Regular Hours - Worked	8.000000	328.600000
238		0	11/19/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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241		0	11/24/2020	WKP	Regular Hours - Worked	8.000000	328.600000
242		0	11/25/2020	WKP	Regular Hours - Worked	8.000000	328.600000
243		0	11/26/2020	LHP	Legal Holiday Pay	8.000000	328.600000
244		0	11/27/2020	LHP	Legal Holiday Pay	8.000000	328.600000
245		0	11/30/2020	WKP	Regular Hours - Worked	8.000000	328.600000
246		0	12/1/2020	WKP	Regular Hours - Worked	8.000000	328.600000
247		0	12/2/2020	FHP	Floating Holiday Pay	8.000000	328.600000
248		0	12/3/2020	WKP	Regular Hours - Worked	8.000000	328.600000
249		0	12/4/2020	WKP	Regular Hours - Worked	8.000000	328.600000
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251		0	12/8/2020	WKP	Regular Hours - Worked	8.000000	328.600000
252		0	12/9/2020	WKP	Regular Hours - Worked	8.000000	328.600000
253		0	12/10/2020	WKP	Regular Hours - Worked	8.000000	328.600000
254		0	12/11/2020	WKP	Regular Hours - Worked	8.000000	328.600000
255		0	12/14/2020	WKP	Regular Hours - Worked	8.000000	328.600000
256		0	12/15/2020	WKP	Regular Hours - Worked	8.000000	328.600000

	A	B	C	D	E	F	G
257		0	12/16/2020	WKP	Regular Hours - Worked	8.000000	328.600000
258		0	12/17/2020	WKP	Regular Hours - Worked	8.000000	328.600000
259		0	12/18/2020	WKP	Regular Hours - Worked	8.000000	328.600000
260		0	12/21/2020	WKP	Regular Hours - Worked	8.000000	328.600000
261		0	12/22/2020	WKP	Regular Hours - Worked	8.000000	328.600000
262		0	12/23/2020	WKP	Regular Hours - Worked	8.000000	328.600000
263		0	12/24/2020	WKP	Regular Hours - Worked	8.000000	328.600000
264		0	12/25/2020	LHP	Legal Holiday Pay	8.000000	328.600000
265		0	12/28/2020	WKP	Regular Hours - Worked	8.000000	338.500000
266		0	12/29/2020	WKP	Regular Hours - Worked	8.000000	338.500000
267		0	12/30/2020	WKP	Regular Hours - Worked	8.000000	338.500000
268		0	12/31/2020	FHP	Floating Holiday Pay	8.000000	338.500000
269		0	1/1/2021	LHP	Legal Holiday Pay	8.000000	338.500000
270		0	1/4/2021	WKP	Regular Hours - Worked	8.000000	355.500000
271		0	1/5/2021	WKP	Regular Hours - Worked	8.000000	355.500000
272		0	1/6/2021	WKP	Regular Hours - Worked	8.000000	355.500000
273		0	1/7/2021	WKP	Regular Hours - Worked	8.000000	355.500000
274		0	1/8/2021	WKP	Regular Hours - Worked	8.000000	355.500000
275		0	1/11/2021	WKP	Regular Hours - Worked	8.000000	355.500000
276		0	1/12/2021	WKP	Regular Hours - Worked	8.000000	355.500000
277		0	1/13/2021	WKP	Regular Hours - Worked	8.000000	355.500000
278		0	1/14/2021	WKP	Regular Hours - Worked	8.000000	355.500000
279		0	1/15/2021	WKP	Regular Hours - Worked	8.000000	355.500000
280		0	1/18/2021	LHP	Legal Holiday Pay	8.000000	355.500000
281		0	1/19/2021	WKP	Regular Hours - Worked	8.000000	355.500000
282		0	1/20/2021	WKP	Regular Hours - Worked	8.000000	355.500000
283		0	1/21/2021	WKP	Regular Hours - Worked	8.000000	355.500000
284		0	1/22/2021	WKP	Regular Hours - Worked	8.000000	355.500000
285		0	1/25/2021	WKP	Regular Hours - Worked	8.000000	355.500000
286		0	1/26/2021	WKP	Regular Hours - Worked	8.000000	355.500000
287		0	1/27/2021	WKP	Regular Hours - Worked	8.000000	355.500000
288		0	1/28/2021	WKP	Regular Hours - Worked	8.000000	355.500000
289		0	1/29/2021	WKP	Regular Hours - Worked	8.000000	355.500000
290		0	2/1/2021	WKP	Regular Hours - Worked	8.000000	355.500000
291		0	2/2/2021	FHP	Floating Holiday Pay	2.000000	88.880000
292		0	2/2/2021	WKP	Regular Hours - Worked	6.000000	266.630000
293		0	2/3/2021	WKP	Regular Hours - Worked	8.000000	355.500000
294		0	2/4/2021	WKP	Regular Hours - Worked	8.000000	355.500000
295		0	2/5/2021	WKP	Regular Hours - Worked	8.000000	355.500000
296		0	2/8/2021	WKP	Regular Hours - Worked	8.000000	355.500000
297		0	2/9/2021	WKP	Regular Hours - Worked	8.000000	355.500000
298		0	2/10/2021	WKP	Regular Hours - Worked	8.000000	355.500000
299		0	2/11/2021	WKP	Regular Hours - Worked	8.000000	355.500000
300		0	2/12/2021	WKP	Regular Hours - Worked	8.000000	355.500000
301		0	2/15/2021	LHP	Legal Holiday Pay	8.000000	355.500000
302		0	2/16/2021	WKP	Regular Hours - Worked	8.000000	355.500000
303		0	2/17/2021	WKP	Regular Hours - Worked	8.000000	355.500000
304		0	2/18/2021	FHP	Floating Holiday Pay	8.000000	355.500000
305		0	2/19/2021	WKP	Regular Hours - Worked	8.000000	355.500000
306		0	2/22/2021	WKP	Regular Hours - Worked	8.000000	355.500000
307		0	2/23/2021	WKP	Regular Hours - Worked	8.000000	355.500000
308		0	2/24/2021	WKP	Regular Hours - Worked	8.000000	355.500000
309		0	2/25/2021	WKP	Regular Hours - Worked	8.000000	355.500000
310		0	2/26/2021	WKP	Regular Hours - Worked	8.000000	355.500000
311		0	3/1/2021	WKP	Regular Hours - Worked	8.000000	355.500000
312		0	3/2/2021	WKP	Regular Hours - Worked	8.000000	355.500000
313		0	3/3/2021	SLP	Sick Leave Pay	8.000000	355.500000
314		0	3/4/2021	WKP	Regular Hours - Worked	8.000000	355.500000
315		0	3/5/2021	WKP	Regular Hours - Worked	8.000000	355.500000
316		0	3/8/2021	WKP	Regular Hours - Worked	8.000000	355.500000
317		0	3/9/2021	WKP	Regular Hours - Worked	8.000000	355.500000
318		0	3/10/2021	WKP	Regular Hours - Worked	8.000000	355.500000
319		0	3/11/2021	WKP	Regular Hours - Worked	8.000000	355.500000
320		0	3/12/2021	WKP	Regular Hours - Worked	8.000000	355.500000



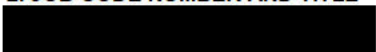
	A	B	C	D	E	F	G
321		0	3/15/2021	WKP	Regular Hours - Worked	8.000000	355.500000
322		0	3/16/2021	WKP	Regular Hours - Worked	8.000000	355.500000
323		0	3/17/2021	WKP	Regular Hours - Worked	8.000000	355.500000
324		0	3/18/2021	WKP	Regular Hours - Worked	8.000000	355.500000
325		0	3/19/2021	SLP	Sick Leave Pay	4.000000	177.750000
326		0	3/19/2021	WKP	Regular Hours - Worked	4.000000	177.750000
327		0	3/22/2021	WKP	Regular Hours - Worked	8.000000	355.500000
328		0	3/23/2021	WKP	Regular Hours - Worked	8.000000	355.500000
329		0	3/24/2021	WKP	Regular Hours - Worked	8.000000	355.500000
330		0	3/25/2021	WKP	Regular Hours - Worked	8.000000	355.500000
331		0	3/26/2021	WKP	Regular Hours - Worked	8.000000	355.500000
332		0	3/29/2021	WKP	Regular Hours - Worked	8.000000	355.500000
333		0	3/30/2021	WKP	Regular Hours - Worked	8.000000	355.500000
334		0	3/31/2021	WKP	Regular Hours - Worked	8.000000	355.500000

# Exhibit E



# 2019 Performance Plan and Appraisal Report

## I. EMPLOYEE IDENTIFICATION INFORMATION

	<b>2. JOB CODE NUMBER AND TITLE</b> 	<b>3. STATUS</b> <input type="checkbox"/> Permanent (PCS) <input checked="" type="checkbox"/> Provisional (TPV) <input type="checkbox"/> Permanent Exempt (PEX) <input type="checkbox"/> Temporary Exempt (TEX) <input type="checkbox"/> Temporary Civil Service (TCS) <input type="checkbox"/> Limited Tenure (Restricted Use) (TLT) <input type="checkbox"/> Non Civil Service (Restricted Use) (NCS)
<b>4. WORK LOCATION &amp; DIVISION</b> Office of Civil Rights (OCR) Human Resources Human Services Agency  1650 Mission Street, 2 <sup>nd</sup> Floor	<b>5. DEPARTMENT</b> Human Services Agency	<b>6. REASON FOR REPORT</b> <input checked="" type="checkbox"/> Annual (2019) <input type="checkbox"/> Dept. Review Period <input type="checkbox"/> Probationary <input type="checkbox"/> Unscheduled
	<b>7. REVIEW PERIOD</b> 7/01/2018 – 6/30/2019	<b>8. PROBATION START AND END DATE</b>

## II. PERFORMANCE PLAN – JOB DESCRIPTION

### REVIEW OF DUTIES & RESPONSIBILITIES BASED ON JOB DESCRIPTION

<b>FUNCTIONAL/WORKING TITLE: HSA OCR Analyst</b>	
1. Prepares written materials including letters, reports, memoranda, and forms.	<b>COMMENTS:</b> [REDACTED] completes correspondence and case summaries and records related to Title 6, Leaves, Workers' Compensation, and Reasonable Accommodation.
2. Provides information to departmental representatives, labor organizations, manager, employees, applicants, other agencies and the general public.	<b>COMMENTS:</b> [REDACTED] regularly meets with employees and their labor representatives to discuss accommodations. She also consults with and advises management in the areas of leave management, accommodations, workers' comp., and EEO.
3. Interprets and applies knowledge of Federal (e.g., Title VI, FMLA), State (e.g. FEHA, CFRA), Local laws, ordinances (e.g., Language Access, PPL), regulations (e.g., CDSS), and guidelines.	<b>COMMENTS:</b> [REDACTED] regularly applies knowledge of local, state, and federal law, CBA provisions, and City policies to evaluate employee requests. She is committed to continuous learning by expanding her responsibilities to include EEO investigations and responses.
4. Reviews and Analyzes reasonable accommodations, and processes workers compensation claims, leaves, and accommodations within the mandated timeframes.	<b>COMMENTS:</b> [REDACTED] has managed approximately 69 reasonable accommodation cases in the year.
5. Conducts interviews (via telephone and in-person) with employees, clients, and members of the public in order to obtain relevant information.	<b>COMMENTS:</b> [REDACTED] engages with employees and their representatives to ascertain critical facts to make determinations on reasonable accommodations.
6. Documents and resolves cases in a timely manner.	<b>COMMENTS:</b> [REDACTED] is a well-organized analyst, which is a major contributing factor to her ability to analyze and resolve requests quickly and comprehensively. In audits, her case management regularly meets standards for thoroughness and clarity.
7. Participates in, lead, and recommend process improvements, and implement changes as needed and appropriate.	<b>COMMENTS:</b> [REDACTED] has suggested several updates to OCR practices and procedures in order to improve customer service and communication. She is providing more regular updates to programs regarding employees' return to work by running eMerge reports and coordinating notifications with support staff.
8. <b>Statement of Incompatible Activities:</b> Fully comply with the department's Statement of Incompatible Activities as approved by the Ethics Commission. Compliance includes, but is not limited to: Restrictions on Incompatible Activities; Restrictions on Use of City Resources, City Work-Product and Prestige; and Prohibition on Gifts for Assistance with City Services.	<b>COMMENTS:</b> [REDACTED] complies with the SIA. In 2018, she completed the Additional Employment Request.

<p><b>9. Use of City and County Resources for Business Purposes Only:</b> All City equipment, devices, and materials (i.e., photocopiers, telephones, computers, vehicles, stationery, fax machines, email accounts, etc.) must be used only for conducting City business.</p>	<p><b>COMMENTS:</b> [REDACTED] has complied with the City's policy on use of City resources.</p>
<p><b>10. DSW Preparedness:</b> Take all necessary steps to prepare yourself for an emergency, in your capacity as a Disaster Service Worker; provide updated personal contact information to your department so that you can be contacted in the event of an emergency; report in and respond promptly to instructions by the City and/or your department in the event of an emergency; participate in any drills or emergency exercises as notified; and carry out disaster-related work assignments as required; complete all required disaster-related trainings.</p>	<p><b>COMMENTS:</b> [REDACTED] has completed this training.</p>
<p><b>11. Customer Service:</b> As a representative of the City, be efficient, professional, accountable, and courteous in your interactions with the public, fellow employees, and external business partners. Respond to requests for assistance and/or requests for information in a timely manner as specified by your department.</p>	<p><b>COMMENTS:</b> [REDACTED] meets this standard. See Duties 2 and 3.</p>
<p><b>12. Attendance:</b> Regular and prompt attendance is required for your job. All planned absences must be requested and approved in advance. For illness, emergencies or other unplanned and unforeseeable absences, notify your supervisor as soon as possible, but no later than the beginning of the work day on the first day of the absence</p>	<p><b>COMMENTS:</b> [REDACTED] meets this standard.</p>
<p><b>13. Compliance with Rules, Policies and Procedures:</b> Fully comply with all Departmental rules, policies and procedures. Also comply with City rules and policies in the Employee Handbook including, but not limited to: Policy on Equal Employment Opportunity; Policy on Equal Opportunity and Reasonable Accommodation for Individuals with Disabilities; Policy Prohibiting Harassment; Policy Prohibiting Employee Violence in the Workplace; Policy Regarding the Treatment of Co-Workers and Members of the Public; Responsibility for Responding to and Reporting Discrimination, Retaliation and Harassment; Reporting and Responding to Workforce Violence; etc.</p>	<p><b>COMMENTS:</b> [REDACTED] meets this standard.</p>

### III. PERFORMANCE PLAN – KEY OBJECTIVES

#### Departmental Goal #1: Critical Evaluation – Data Gathering

Starting 7/01/2019, Understand the unit's measures of performance, working to ensure data collection efforts are aligned with the unit's goals to efficiently and fairly address and resolve cases by 6/30/2020.

**PLAN OF ACTION:** Evaluate current workflows and lead process improvement changes by updating best practices and technology. By working with People and Pay queries and data collected by OCR and other HR units, become familiar with data models and questions to improve upon the OCR data dashboard.

#### Departmental Goal #2: Work Effectiveness

Beginning 7/01/2019, apply new tools and processes by researching materials and trainings that will improve knowledge of new process/programs/tools and to pilot solutions that may eventually create improved standard operating procedures by 6/30/2020.

**PLAN OF ACTION:** Attend training regarding the new intranet, Power Bi, and attend HR meetings discussing process improvement and technological solutions.

## IV. APPRAISAL REPORT SUMMARY

### A. OVERALL PERFORMANCE RATING

The appraisal report on overall performance should include a consideration of all items in the Job Description, Departmental policies and procedures, and the Performance Plan's Key Objectives for the review period. Circle the appropriate number on the continuum.

Did Not Meet Expectations	Met Expectations	Exceeded Expectations
Performance of job duties needs improvement; did not meet many or majority of objectives.	Performed job duties competently and effectively; met the objectives. (Meets Competent and Effective requirement)	Performed job duties with exceptional competence and effectiveness; exceeded the objectives.
1	2	3

### B. COMMENTS REGARDING OVERALL PERFORMANCE

██████████ professionalism, aided by her empathy towards others and efficiency in her work, routinely results in compliments from staff she engages with in the areas of reasonable accommodations, leave management and workers' compensation. She consistently meets deadlines for evaluating leaves and creates or improves upon OCR's best practices when managing reasonable accommodations.

As she did in previous years, ██████████ has taken on additional responsibilities in support of other units: administration, she supports the Director of Human Resources and has twice been called upon by the Executive Staff to assume the coordination duties and support for 4 deputy directors, drafting and initiating Agency-wide communications (e.g., emergency staffing, notices of Form 700, MCCP); and Employee/Labor Relations, conducting witness interviews for investigations and contributing to the written report detailing findings, analysis, and recommendations for possible disciplinary actions.

### C. EMPLOYEE GUIDELINES -- PERFORMANCE PLAN AND APPRAISAL REPORT

1. Employee should review his/her employee organization's Memorandum of Understanding with the City and County of San Francisco for information that may add to or modify the following list of guidelines.
2. Employee has the right to read the Performance Plan and Appraisal Report.
3. Employee has the right to receive a copy of the Performance Plan and Appraisal Report.
4. Employee has the right to discuss the report with the Reporting Supervisor or Manager.
5. Employee has the right to attach a rebuttal to the Performance Appraisal Plan and Report. The rebuttal must be presented within 30 working days of the report date. The rebuttal should only address the items presented in the report.
6. Employee may request a conference, if requested, with the Reviewer (Reporter's supervisor or manager).

## V. SIGNATURE PAGE

### PERFORMANCE PLAN

#### A. Performance Plan/Key Objectives Sign-Off

1. REVIEWER SIGNATURE	2. REVIEW DATE	
3. SUPERVISOR SIGNATURE	4. EMPLOYEE SIGNATURE	5. MEETING DATE

#### B. Mid-Period Performance Review Meeting

1. SUPERVISOR SIGNATURE	2. EMPLOYEE SIGNATURE	3. MEETING DATE
-------------------------	-----------------------	-----------------

### PERFORMANCE APPRAISAL REPORT

#### C. Reviewer's Certification

1. NAME, WORK LOCATION Luenna Kim 1650 Mission Street, 2 <sup>nd</sup> Floor	2. JOB CODE NUMBER AND TITLE 0953 Deputy Director III
--	--

3. I CERTIFY THAT I HAVE REVIEWED THIS REPORT. (Signature)	5. DATE
--	---------

#### D. Reporting Supervisor/Manager

2. NAME, WORK ADDRESS Brenden Lim 1650 Mission Street, 2 <sup>nd</sup> Floor	2. JOB CODE NUMBER AND TITLE 1246 Pr. Human Resources Analyst
--	--

3. DATE OF CONFERENCE WITH EMPLOYEE 9/17/2018	4. SIGNATURE	5. DATE
--	--------------	---------

#### E. Employee's Statement

1. <input type="checkbox"/> I AGREE WITH THIS REPORT. <input type="checkbox"/> I DO NOT AGREE WITH THIS REPORT: SECT. ____ NO. ____	2. CONFERENCE DATE
--	--------------------



<p><input type="checkbox"/> I HAVE ATTACHED A REBUTTAL.</p> <p><input type="checkbox"/> I HAVE ATTACHED A REBUTTAL AND REQUEST A CONFERENCE WITH THE REVIEWER.</p>	<p>3. SIGNATURE CERTIF ES I HAVE READ THE REPORT</p> <p><input type="checkbox"/> DECLINED TO SIGN. DATE:</p>
--	--

## VI. EXPLANATIONS OF SECTIONS

**I. EMPLOYEE IDENTIFICATION INFORMATION** — Basic information about the employee, his/her status, and the review period.

**II. PERFORMANCE PLAN: JOB DESCRIPTION** — A list of the duties and responsibilities based on the job description. Comments may include clarification of job description items, address mid-year progress, and appraise the performance of the duties and responsibilities. If appropriate, the job description may be a source of Key Objectives for the review period.

**III. PERFORMANCE PLAN: KEY OBJECTIVES** – Most important objectives for the review period and comments regarding the appraisal of the performance of the objectives.

### IV. APPRAISAL REPORT SUMMARY

**A. Overall Performance Rating** — Reporting Supervisor's/Manager's rating of the employee's overall performance over the appraisal review period.

**B. Comments Regarding Overall Performance** — Narrative explanation of the rating of overall performance during the appraisal report review period.

- |  |                                      |  |
|--|--------------------------------------|--|
| ◆ Demonstration of Dept values           | ◆ Attendance And Punctuality         | ◆ Effectiveness Of Working With Others |
| ◆ Overall Performance of Job Description | ◆ Quantity Of Work Performed         | ◆ Use Of Materials And Equipment       |
| ◆ Results of Performance Objectives      | ◆ Quality Of Work Performed          | ◆ Safety                               |
| ◆ Knowledge Of Job                       | ◆ Adaptability To The Work Situation | ◆ Performance Plans                    |
| ◆ Employee's Strengths                   |                                      |  |
| ◆ Achievements                           |                                      |  |

In addition to the areas above, the following areas may be addressed for supervisors/managers:

- |                                  |                                 |                   |
|----------------------------------|---------------------------------|-------------------|
| ◆ Communication                  | ◆ Planning                      | ◆ Decision Making |
| ◆ Directing and Motivating Staff | ◆ Training and Developing Staff |                   |

**C. Employee Guidelines** — Guidelines for employees regarding the Performance Plan and Appraisal Report.

### V. SIGNATURE PAGE

**A. Performance Plan/Key Objectives Sign-Off** — Signatures of the supervisor and the employee, the date they met to finalize the plan, the signature of the reviewer, and the date of the review.

**B. Mid-Period Performance Review Meeting** — Signatures of the supervisor and the employee and the date they met to review progress on the plan.

**C. Reviewer's Certification** — Information regarding the reviewer of the report. This is the person who directly supervises the reporting supervisor/manager.

**D. Reporting Supervisor/Manager** --Information regarding the reporting supervisor/manager of the report. This is the person who directly supervises the employee's performance.

**E. Employee's Statement** – Employee's opportunity to respond to the PPA Report using a checklist, signature and date. Signing the report only certifies that the employee has read it. It does not indicate, unless marked, that the employee agrees with the report.

**VI. EXPLANATION OF SECTIONS** — Basic information about what should be included in each section of the Performance Plan and Appraisal Report.



CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES

HRSA HUMAN RESOURCES  
OPERATIONS RECEIVED

2018 AUG 27 AM 10:40

*vec*  
8/29/18

**2017/2018**

**Performance Plan  
and  
Appraisal Report**

**I. EMPLOYEE IDENTIFICATION INFORMATION**

<p>1. LAST NAME FIRST NAME MIDDLE INITIAL</p> <p>[REDACTED]</p>	<p>2. JOB CODE NUMBER AND TITLE</p> <p>TEX 1241 HR Analyst (7/1/17 – 1/14/18)</p> <p>TEX 1822 Administrative Analyst (1/15/18 – 6/30/18)</p>	<p>3. STATUS</p> <p><input type="checkbox"/> Permanent (PCS)</p> <p><input type="checkbox"/> Provisional (TPV)</p> <p><input type="checkbox"/> Permanent Exempt (PEX)</p> <p><input checked="" type="checkbox"/> Temporary Exempt (TEX)</p> <p><input type="checkbox"/> Temporary Civil Service (TCS)</p> <p><input type="checkbox"/> Limited Tenure (Restricted Use) (TLT)</p> <p><input type="checkbox"/> Non Civil Service (Restricted Use) (NCS)</p>
<p>4. WORK LOCATION &amp; DIVISION</p> <p>1650 Mission Street, 2<sup>nd</sup> Floor</p>	<p>5. DEPARTMENT</p> <p>Human Resources</p>	<p>6. REASON FOR REPORT</p> <p><input checked="" type="checkbox"/> Annual</p> <p><input type="checkbox"/> Dept. Review Period</p> <p><input type="checkbox"/> Probationary</p> <p><input type="checkbox"/> Unscheduled</p>
	<p>7. REVIEW PERIOD</p> <p>July 1, 2017 – June 30, 2018</p>	<p>8. PROBATION START AND END DATE</p>

## II. PERFORMANCE PLAN – JOB DESCRIPTION

### REVIEW OF DUTIES & RESPONSIBILITIES BASED ON JOB DESCRIPTION

<p>1. Provide consultation, guidance, and direction to Agency managers regarding Civil Service Rules, Citywide policies, best practices, and compliance with Agency policies.</p>
<p>2. Maintain procedures, administrative monitoring practices and controls in order to obtain smooth and effective HR operation; coordinate work activities of one unit with other units within HR to prevent delays in required actions or to improve programs or services; and assists in the identification, development and implementation of Agency goals, objectives, policies, and priorities.</p>
<p>3. Receive and analyze Agency and HR reports; respond to personnel requests, reports, and other related documents; collect and analyze information and reports necessary to document and evaluate processes.</p>
<p>4. Evaluates requests for leave and ADA accommodations.</p>
<p>5. Provide leadership with data, analysis, recommendations and advice regarding employment trends, practices, and characteristics of Agency workforce. Meet with employees, Agency management, labor representatives and other stakeholders regarding position allocations, data evaluation, and other personnel related matters.</p>
<p>6. Monitor and evaluate the effectiveness and efficiency of HR's service delivery system, organizational structure, staffing levels, financial systems, and other internal operations; present recommended alternative approaches or improvements; implement revisions, adjustments and changes.</p>
<p>7. Participates in the collective bargaining process by conducting research and preparing reports in support of negotiation and arbitration.</p>
<p>8. Conducts classification and salary surveys; collects, compiles and analyzes classification and wage data; interprets and administers provisions of memoranda of understanding; and reviews, analyzes, and processes requests for special pay premiums in accordance with provisions of multiple memoranda of understanding.</p>
<p>9. Prepare and maintain of a wide variety of statistical, fiscal, and operational reports and studies; and provide HR management with an early warning and practical options.</p>
<p>10. <b>Statement of Incompatible Activities:</b> Fully comply with the department's Statement of Incompatible Activities as approved by the Ethics Commission. Compliance includes, but is not limited to: Restrictions on Incompatible Activities; Restrictions on Use of City Resources, City Work-Product and Prestige; and Prohibition on Gifts for Assistance with City Services.</p>
<p>11. <b>Use of City and County Resources for Business Purposes Only:</b> All City equipment, devices, and materials (i.e., photocopiers, telephones, computers, vehicles, stationery, fax machines, email accounts, etc.) must be used only for conducting City business.</p>
<p>12. <b>DSW Preparedness:</b> Take all necessary steps to prepare yourself for an emergency, in your capacity as a Disaster Service Worker; provide updated personal contact information to your department so that you can be contacted in the event of an emergency; report in and respond promptly to instructions by the City and/or your department in the event of an emergency; participate in any drills or emergency exercises as notified; and carry out disaster-related work assignments as required; complete all required disaster-related trainings.</p>

- 13. Customer Service:** As a representative of the City, be efficient, professional, accountable, and courteous in your interactions with the public, fellow employees, and external business partners. Respond to requests for assistance and/or requests for information in a timely manner as specified by your department.
- 14. Attendance:** Regular and prompt attendance is required for your job. All planned absences must be requested and approved in advance. For illness, emergencies or other unplanned and unforeseeable absences, notify your supervisor as soon as possible, but no later than the beginning of the work day on the first day of the absence
- 15. Compliance with Rules, Policies and Procedures:** Fully comply with all Departmental rules, policies and procedures. Also comply with City rules and policies in the Employee Handbook including, but not limited to: Policy on Equal Employment Opportunity; Policy on Equal Opportunity and Reasonable Accommodation for Individuals with Disabilities; Policy Prohibiting Harassment; Policy Prohibiting Employee Violence in the Workplace; Policy Regarding the Treatment of Co-Workers and Members of the Public; Responsibility for Responding to and Reporting Discrimination, Retaliation and Harassment; Reporting and Responding to Workforce Violence; etc.

### III. PERFORMANCE PLAN – KEY OBJECTIVES

<b>Departmental Goal #1: Implement and maintain efforts to manage leaves of absence - all in compliance with best practices and CSC rules.</b>	
1. Maintain detailed workflows and metrics to identify areas for improvement.	<b>REVIEW OF PERFORMANCE:</b>
2. Maintain effective communication methods amongst HR staff and Agency directors, supervisors, and staff to ensure consistent, rule based practices and decisions.	<b>REVIEW OF PERFORMANCE:</b>
3. Recommend updates to processes and forms to comply with City’s best practices regarding leaves.	<b>REVIEW OF PERFORMANCE:</b>
<b>Departmental Goal #2: Develop courses and materials on leave process and rules.</b>	
1. Create and update FAQs to ensure consistent application of HR rules, policies, and procedures that are based on MOU, CSC, best practices, etc.	<b>REVIEW OF PERFORMANCE:</b>
<b>Departmental Goal #3: Introduce and implement technology (e.g. SharePoint)</b>	
1. Implement protocols to increase the speed and efficiency of the leave process.	<b>REVIEW OF PERFORMANCE:</b>
2. Maintain better records for tracking an analysis.	<b>REVIEW OF PERFORMANCE:</b>

## IV. APPRAISAL REPORT SUMMARY

### A. OVERALL PERFORMANCE RATING

The appraisal report on overall performance should include a consideration of all items in the Job Description, Departmental policies and procedures, and the Performance Plan's Key Objectives for the review period. Circle the appropriate number on the continuum.

Did Not Meet Expectations	Met Expectations	Exceeded Expectations
Performance of job duties needs improvement; did not meet many or majority of objectives.	Performed job duties competently and effectively; met the objectives. (Meets Competent and Effective requirement)	Performed job duties with exceptional competence and effectiveness; exceeded the objectives.
1	2	3 X

### B. COMMENTS REGARDING OVERALL PERFORMANCE

█████ consistently demonstrated a high level of conscientiousness. █████ has a high level of self-awareness and operated with integrity in all interactions. █████ carried out the Agency's commitment to its vision by working diligently in completing projects and going above and beyond when those opportunities arose. █████ followed through on all commitments to employees, representatives from other departments, and her supervisors.

█████ seldom let the personal emotions of others make an impact on her own ability to perform █████ work. █████ often led and motivated █████ peers, even during stressful times. █████ skillfully engaged others to work together toward shared goals. █████ exhibited patience, empathy, and tact when working with others. █████ anticipated the needs of others and treated all people with equal respect and fairness.

█████ clearly received and conveyed information and was well-prepared and organized for meetings and projects. █████ used tools effectively and demonstrated understanding of how █████ work fit into the big picture.

█████ was a valuable member of the County's IHSS bargaining team.

During the entire appraisal period, █████ performed all of the duties of a █████

Over the next year, I encourage her to build a network of contacts to foster effective collaboration which will help █████ works on projects. I also encourage █████ to continue to strengthen her knowledge of tools (technical and interpersonal).

### C. EMPLOYEE GUIDELINES -- PERFORMANCE PLAN AND APPRAISAL REPORT

1. Employee should review his/her employee organization's Memorandum of Understanding with the City and County of San Francisco for information that may add to or modify the following list of guidelines.
2. Employee has the right to read the Performance Plan and Appraisal Report.
3. Employee has the right to receive a copy of the Performance Plan and Appraisal Report.
4. Employee has the right to discuss the report with the Reporting Supervisor or Manager.
5. Employee has the right to attach a rebuttal to the Performance Appraisal Plan and Report. The rebuttal must be presented within 30 working days of the report date. The rebuttal should only address the items presented in the report.
6. Employee may request a conference, if requested, with the Reviewer (Reporter's supervisor or manager).

## V. SIGNATURE PAGE

### PERFORMANCE PLAN

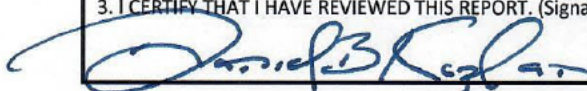
#### A. Performance Plan/Key Objectives Sign-Off

1. REVIEWER SIGNATURE	2. REVIEW DATE	
3. SUPERVISOR SIGNATURE	[REDACTED]	5. MEETING DATE 8/13/18

### PERFORMANCE APPRAISAL REPORT

#### B. Reviewer's Certification

1. NAME, WORK LOCATION Daniel Kaplan, 170 Otis Street	2. JOB CODE NUMBER AND TITLE 0954 Deputy Director for Finance and Administration
--	---

3. I CERTIFY THAT I HAVE REVIEWED THIS REPORT. (Signature) 	5. DATE 8/24/18
--	--------------------

#### C. Reporting Supervisor/Manager

2. NAME, WORK ADDRESS Luenna H. Kim 1650 Mission Street, 2 <sup>nd</sup> FL	2. JOB CODE NUMBER AND TITLE 0953, Director, HR
---	--

3. DATE OF CONFERENCE WITH EMPLOYEE 8/13/18	4. SIGNATURE [REDACTED]	5. DATE 8/22/18
--	----------------------------	--------------------

#### D. Employee's Statement

1. <input checked="" type="checkbox"/> I AGREE WITH THIS REPORT. <input type="checkbox"/> I DO NOT AGREE WITH THIS REPORT: SECT. ____ NO. ____ <input type="checkbox"/> I HAVE ATTACHED A REBUTTAL. <input type="checkbox"/> I HAVE ATTACHED A REBUTTAL AND REQUEST A CONFERENCE WITH THE REVIEWER.	2. CONFERENCE DATE 08/13/18
	READ THE REPORT [REDACTED] 08/22/18

## VI. EXPLANATIONS OF SECTIONS

**I. EMPLOYEE IDENTIFICATION INFORMATION** — Basic information about the employee, his/her status, and the review period.

**II. PERFORMANCE PLAN: JOB DESCRIPTION** — A list of the duties and responsibilities based on the job description. Comments may include clarification of job description items, address mid-year progress, and appraise the performance of the duties and responsibilities. If appropriate, the job description may be a source of Key Objectives for the review period.

**III. PERFORMANCE PLAN: KEY OBJECTIVES** — Most important objectives for the review period and comments regarding the appraisal of the performance of the objectives.

### IV. APPRAISAL REPORT SUMMARY

**A. Overall Performance Rating** — Reporting Supervisor's/Manager's rating of the employee's overall performance over the appraisal review period.

**B. Comments Regarding Overall Performance** — Narrative explanation of the rating of overall performance during the appraisal report review period.

- |  |                                      |  |
|--|--------------------------------------|--|
| ◆ Demonstration of Dept values           | ◆ Attendance And Punctuality         | ◆ Effectiveness Of Working With Others |
| ◆ Overall Performance of Job Description | ◆ Quantity Of Work Performed         | ◆ Use Of Materials And Equipment       |
| ◆ Results of Performance Objectives      | ◆ Quality Of Work Performed          | ◆ Safety                               |
| ◆ Knowledge Of Job                       | ◆ Adaptability To The Work Situation | ◆ Performance Plans                    |
| ◆ Employee's Strengths                   |                                      |  |
| ◆ Achievements                           |                                      |  |

In addition to the areas above, the following areas may be addressed for supervisors/managers:

- |                                  |                                 |                   |
|----------------------------------|---------------------------------|-------------------|
| ◆ Communication                  | ◆ Planning                      | ◆ Decision Making |
| ◆ Directing and Motivating Staff | ◆ Training and Developing Staff |                   |

**C. Employee Guidelines** — Guidelines for employees regarding the Performance Plan and Appraisal Report.

### V. SIGNATURE PAGE

**A. Performance Plan/Key Objectives Sign-Off** — Signatures of the supervisor and the employee, the date they met to finalize the plan, the signature of the reviewer, and the date of the review.

**B. Mid-Period Performance Review Meeting** — Signatures of the supervisor and the employee and the date they met to review progress on the plan.

**C. Reviewer's Certification** — Information regarding the reviewer of the report. This is the person who directly supervises the reporting supervisor/manager.

**D. Reporting Supervisor/Manager** — Information regarding the reporting supervisor/manager of the report. This is the person who directly supervises the employee's performance.

**E. Employee's Statement** — Employee's opportunity to respond to the PPA Report using a checklist, signature and date. Signing the report only certifies that the employee has read it. It does not indicate, unless marked, that the employee agrees with the report.

**VI. EXPLANATION OF SECTIONS** — Basic information about what should be included in each section of the Performance Plan and Appraisal Report.



# Exhibit F

**From:** [Gay, Velma \(HSA\)](#)  
**To:** [Lim, Brenden \(HSA\); \[REDACTED\]; \[REDACTED\]](#); [Nisha, Sharee \(HSA\); \[REDACTED\]; \[REDACTED\]](#)  
**Cc:** [Williams, Katrina \(HSA\)](#)  
**Subject:** RE: Agenda  
**Date:** Monday, April 5, 2021 3:50:46 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

Hi Team,

HR Managers Weekly Meeting Agenda:

**Follow Up/Updates**

- Weekly DEIB meetings
- Move Matrix
- IT Priorities

**Reopening**

- Citywide
- Telecommute Policy
- Each manager will report out

**HR Division Updates**

**Questions**

Thank you,

**Velma Gay** (she/her/hers)

Management Assistant  
Human Resources

**O:** (415) 557-5153



**Office Address:**

1650 Mission street, Suite 400  
San Francisco, CA 94103

[www.SFHSA.org](http://www.SFHSA.org)



**From:** [Gay, Velma \(HSA\)](#)  
**To:** [REDACTED] (HSA); [REDACTED]; [Lim, Brenden \(HSA\)](#); [Nisha, Sharee \(HSA\)](#); [REDACTED]; [REDACTED] (HSA)  
**Cc:** [Williams, Katrina \(HSA\)](#)  
**Subject:** RE: HR Managers Weekly Meeting Agenda  
**Date:** Tuesday, April 20, 2021 12:28:17 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

Hi Team,

Agenda

- Changes in HSA Leadership
  - Possible impacts
- HR Program Reports
- Questions

**Velma Gay** (she/her/hers)  
Management Assistant  
Human Resources

**O:** (415) 557-5153



**Office Address:**  
1650 Mission street, Suite 400  
San Francisco, CA 94103

[www.SFHSA.org](http://www.SFHSA.org)



**From:** [Gay, Velma \(HSA\)](#)  
**To:** [REDACTED] (HSA); [REDACTED]; [REDACTED]; [Yeung, Ivy \(HSA\)](#); [Nisha, Sharee \(HSA\)](#); [Lim, Brenden \(HSA\)](#); [Williams, Katrina \(HSA\)](#)  
**Cc:** [Williams, Katrina \(HSA\)](#)  
**Subject:** RE: HR Managers Weekly Meeting  
**Date:** Monday, June 14, 2021 12:02:15 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

Hi Team,

This will be the Agenda for this week's meeting:

- Return to Work Planning
- Cal/OSHA Updates
- Program Reports

If you have any questions please do not hesitate to email or call me.

Thank you,

**Velma Gay** (she/her/hers)

Management Assistant

Human Resources

**O:** (415) 557-5153



**Office Address:**

1650 Mission street, Suite 400

San Francisco, CA 94103

[www.SFHSA.org](http://www.SFHSA.org)



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**From:** [Gay, Velma \(HSA\)](#)  
**To:** [REDACTED]; [Lim, Brenden \(HSA\)](#); [REDACTED]; [Nisha, Sharee \(HSA\)](#); [REDACTED]  
**Cc:** [Williams, Katrina \(HSA\)](#)  
**Subject:** RE: HR Managers Weekly Meeting  
**Date:** Monday, March 29, 2021 3:13:19 PM  
**Attachments:** [image011.png](#)  
[image012.png](#)  
[image013.png](#)  
[image014.png](#)  
[image015.png](#)

---

Hi Team,

This week's agenda:

- **In-depth discussion on the roles of the HR Managers and how our units, specifically inter-relates or connects with The Racial Equity Action Plan.**

Thank you,

**Velma Gay** (she/her/hers)  
Management Assistant  
Human Resources

**O:** (415) 557-5153



**Office Address:**

1650 Mission street, Suite 400  
San Francisco, CA 94103

[www.SFHSA.org](http://www.SFHSA.org)



**From:** [Gay, Velma \(HSA\)](#)  
**To:** [REDACTED]; [REDACTED] (HSA); [REDACTED] [Lim, Brenden \(HSA\)](#); [REDACTED]; [Nisha, Sharee \(HSA\)](#)  
**Subject:** RE: HR Managers Weekly Meeting  
**Date:** Tuesday, April 13, 2021 5:01:56 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

Hi Team,

Here is the agenda for tomorrow.

Agenda

- Changes in HSA Leadership
  - Possible impacts
- HR Program Reports

Questions

**Velma Gay** (she/her/hers)

Management Assistant  
Human Resources

**O:** (415) 557-5153  
[REDACTED]

**Office Address:**

1650 Mission street, Suite 400  
San Francisco, CA 94103

[www.SFHSA.org](http://www.SFHSA.org)



**From:** [Gay, Velma \(HSA\)](#)  
**To:** [REDACTED] (HSA); [Nisha, Sharee \(HSA\)](#); [REDACTED] [Lim, Brenden \(HSA\)](#); [REDACTED]; [REDACTED] (HSA)  
**Subject:** RE: HR Managers Weekly Meeting  
**Date:** Monday, May 3, 2021 11:52:04 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

Good Morning,

FYI: Meeting cancelled, due too, managers are attending the Greenlining Summit.

Thanks for your cooperation,

**Velma Gay** (she/her/hers)  
Management Assistant  
Human Resources

**O:** (415) 557-5153

[REDACTED]

**Office Address:**  
1650 Mission street, Suite 400  
San Francisco, CA 94103

[www.SFHSA.org](http://www.SFHSA.org)



**From:** [Gay, Velma \(HSA\)](#)  
**To:** [REDACTED] (HSA); [Lim, Brenden \(HSA\)](#); [REDACTED]; [Nisha, Sharee \(HSA\)](#); [REDACTED]  
**Subject:** RE: HR Managers Weekly Meeting  
**Date:** Tuesday, September 7, 2021 3:49:02 PM  
**Attachments:** [image011.png](#)  
[image012.png](#)  
[image013.png](#)  
[image014.png](#)  
[image015.png](#)

---

Hello Team,

This is the Agenda:

- Update on Unvaccinated Employees
- Check In on Return to Work
- Program Updates

Thank you,

**Velma Gay** (she/her/hers)  
Management Assistant  
Human Resources

**O:** (415) 557-5153



**Office Address:**  
1650 Mission street, Suite 400  
San Francisco, CA 94103

[www.SFHSA.org](http://www.SFHSA.org)





**From:** [Gay, Velma \(HSA\)](#)  
**To:** [REDACTED] (HSA); [REDACTED]; [Lim, Brenden \(HSA\)](#); [REDACTED]; [REDACTED] [Nisha, Sharee \(HSA\)](#)  
**Subject:** RE: HR Managers Weekly Meeting  
**Date:** Wednesday, September 1, 2021 8:25:49 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

Hi Team,

HR Managers Meeting Agenda 9/1/21

- Update from Disability and Leaves Roundtable
- Update on Vax reporting and Next Steps
- Kudos- CDSS Audit, Submission of Annual Training Plan
- Suite 400 Updates
- Program Reports

**Velma Gay** (she/her/hers)

Management Assistant  
Human Resources

**O:** (415) 557-5153

**Office Address:**

1650 Mission street, Suite 400  
San Francisco, CA 94103

[www.SFHSA.org](http://www.SFHSA.org)



**From:** [Gay, Velma \(HSA\)](#)  
**To:** [REDACTED] (HSA); [REDACTED]; [Lim, Brenden \(HSA\)](#); [REDACTED]; [REDACTED] [Nisha, Sharee \(HSA\)](#)  
**Subject:** RE: HR Managers Weekly Meeting  
**Date:** Wednesday, September 1, 2021 8:25:49 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

Hi Team,

HR Managers Meeting Agenda 9/1/21

- Update from Disability and Leaves Roundtable
- Update on Vax reporting and Next Steps
- Kudos- CDSS Audit, Submission of Annual Training Plan
- Suite 400 Updates
- Program Reports

**Velma Gay** (she/her/hers)

Management Assistant  
Human Resources

**O:** (415) 557-5153

**Office Address:**

1650 Mission street, Suite 400  
San Francisco, CA 94103

[www.SFHSA.org](http://www.SFHSA.org)



**From:** [Williams, Katrina \(HSA\)](#)  
**To:** [Gay, Velma \(HSA\); \[REDACTED\]; \[REDACTED\]](#); [Lim, Brenden \(HSA\); \[REDACTED\]](#) [Nisha, Sharee \(HSA\); \[REDACTED\] \(HSA\)](#)  
**Subject:** RE: RE: HR Managers Weekly Meeting  
**Date:** Tuesday, March 23, 2021 3:00:59 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image016.png](#)  
[image017.png](#)

---

Hello,

I am adding to the topics below and shifting order.

Thanks,

**Katrina Williams, MA, EdD** (she/her/hers)

Interim Director  
Human Resources

**O:** (415) 557-6681

**Office Address:**

1650 Mission Street, Suite 400

San Francisco, CA 94103

[www.SFHSA.org](http://www.SFHSA.org)



---

**From:** Gay, Velma (HSA) <velma.gay@sfgov.org>  
**Sent:** Tuesday, March 23, 2021 11:59 AM  
**To:** [REDACTED]; [REDACTED]; [REDACTED]; Lim, Brenden (HSA) <brenden.lim@sfgov.org>; [REDACTED]; Nisha, Sharee (HSA) <sharee.nisha@sfgov.org>; [REDACTED]  
**Cc:** Williams, Katrina (HSA) <katrina.williams@sfgov.org>  
**Subject:** RE: HR Managers Weekly Meeting

HR Team

This is going to be tomorrow's talking points for the HR Managers weekly meeting.

Agenda:

- Accessing Suite 400
- Move Matrix needs- due 3/26/21
- Updates from HR Professionals Meeting
- Reminder- COVID 19 Response Meeting with PDs 4/1/21
- Form 700
- HSA Confidentiality Statement
- Greenlining Institute
- New Health Screening
- Post Pandemic Planning
- HR Manager updates/sharing

If you have any questions please do not hesitate to email or reach out to me via MS Teams.

Thank you,

**Velma Gay** (she/her/hers)

Management Assistant  
Human Resources

**O:** (415) 557-5153



**Office Address:**

1650 Mission street, Suite 400  
San Francisco, CA 94103

[www.SFHSA.org](http://www.SFHSA.org)



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# Exhibit G