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October 26th, 2018

Dear Chair Kafoury:

Just over a year ago, you charged my office with the responsibility to hire a consultant to examine how and why Multnomah County's policies, practices and structures were negatively impacting employees of color and employees in other protected classes. The role of the consultant was to elevate opportunities for improvement and provide the county with a thorough understanding of the root causes of negative impact.

Multnomah County is now in receipt of the consultant recommendations. My assessment is that implementation of the recommendations will allow Multnomah County to expand the transformational work that began with the development of the Equity Lens years ago and begin to institutionalize equity practice across our structure. Your acceptance of these recommendations will also represent the most significant investment in workforce equity in Multnomah County's history. I believe this investment is critical to the future stability of Multnomah County and would provide the structure to realize a vision of Safety, Trust and Belonging in our workplace. Therefore, I recommend that you accept the recommendations.

Implementation of the recommendations will require executive action, cooperation from the Board of Commissioners through the budget deliberation process, and a significant corporate effort to plan, budget and prepare new structural and cultural elements. With your support, I will work with your office to develop a plan and timeline for action.

### **Background**

In 2015, the corporate leadership of Multnomah County created a strategic framework<sup>1</sup> to align our activities toward the creation of safety, trust and belonging in the workplace and our community. The county's diverse business lines and the rapidly changing social and technological landscape have made traditional waterfall strategic planning more difficult. Yet, the need for an overarching framework to guide our actions was clear. In the last decade, departments have increasingly faced "unprecedented,"

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<sup>1</sup> See Attachment A - Research shows that these elements are critical to a healthy, productive environment.

“unexpected,” or complex situations that require critical thinking in the moment and realtime application of values and principals to achieve desired outcomes.

Last fall’s Workforce Equity Briefing was an example of this kind of unprecedented event. Employees from multiple departments came to the Board of Commissioners to publicly detail their experiences with racism and other forms of discrimination in the workplace. Some of their stories and complaints had stagnated at the program level without resolution. Others experienced a disjointed, or even traumatizing complaint process, that resulted in further harm. No one present could recall another time in Multnomah County’s 164-year history that employee concerns were so openly - and critically - discussed.

The testimony was heartbreaking and difficult to hear, but it exposed a number of ways in which our non-discrimination policies and practices were not meeting their intent. It became viscerally clear that our stated values were not translating into practice; our institutional choices were not fostering feelings of safety, trust between staff and management, or a sense of belonging. In fact, we heard the opposite in the testimony. We heard staff did not trust management to listen, treat them fairly, or hold discriminators accountable. We heard staff feared retaliation, that they feared the safety and security of their jobs would be at stake if they complained. We heard they felt isolated, alone and rejected at work.

As we sought a consultant to help us examine the gap between our intent and impact, we first sought to do no more harm. We explicitly stated our desire to improve the employee experience of safety, trust and belonging beginning with the consultative process. We knew that hiring an outside consultant could be disruptive and further traumatizing to people within the organization, so we sought a consultant group that would build a process modeling our stated values and supporting a healthy, reflective dialogue. We hoped that our institutional failures could be viewed as opportunities for regeneration, growth and learning, rather than as opportunities for blaming, shaming or other non-productive behaviors that erode safety, trust and belonging in the long-term.

What resulted was a multi-month, cross-departmental effort empowered by the lived experience of county employees from across a range of classifications and expertise. Difficult conversations were had. Research was conducted. Most importantly, representatives of our workforce contributed ideas and solutions that will change the landscape of our Multnomah County community.

In conjunction with the hiring of the Jemmott Rollins Group , the county instituted an interim protected class complaint process to immediately 1) provide centralized review of all protected class complaints 2) provide county leadership (myself, the Chief Human Resources Officer, County Attorney and department directors) with a line of sight on patterns of complaints across the county and 3) provide high level accountability to employees experiencing discrimination. It has been a challenging process, but it has provided us with insights and tensions that I have tried to surface in our work with the consultant, Jemmott Rollins. I believe those insights have improved our (still imperfect) process, and laid the foundation for implementation of the consultant’s recommendations.

## **Response to Recommendations**

What follows is guidance on how you and the Board of Commissioners might begin to implement Jemmott Rollins's recommendations. Within the priority areas, there are recommendations that I believe we are poised to take immediate action on. There are also recommendations within the consultant's report that will require additional discussion and analysis to determine how we might best move forward. I have attempted to note where the consultant's recommendations build on existing work, and where recommendations take us in a new direction. I have also noted where recommendations can be met with existing resources, and where I believe we'll need additional resources to be successful.

Before I dive into the details, I'll restate what I believe is key advice provided by Jemmott Rollins:

“structural, cultural and interpersonal change and realignment is a process that does not happen overnight. Change takes time, patience, learning and persistence.”

The dominant culture in the United States in 2018 took centuries of colonization, slavery and oppression to build, and achieving a new normal that embodies safety, trust and belonging will be challenging and uncomfortable for many. We would do better to account for the investment of time, patience, learning and persistence in our plans and timelines, than to make unrealistic plans that disappoint those we aim to help. Although as a nation we may find ourselves amid what feels like a divisive retreat from the civil rights gains made at the end of the last century - the structural, cultural and interpersonal environment at Multnomah County is within our control to change. So, we must understand and adapt our plans to external reality at the same time that we maintain an unrelenting march toward a new, better, more accountable normal for all Multnomah County employees.

### **Protected Class Complaints**

The reality of our national conflict is nowhere more present at Multnomah County than in our protected class complaint process. After more than a year of listening to, investigating and dissecting protected class complaints, my leadership team has confronted behavior from employees that has saddened and alarmed us. We have processed complaints alleging everything from the use of racial slurs, to extreme intolerance for opposing views, to outright harassment. We have expended an unprecedented amount of time and effort across the departments and corporate divisions to wrap our arms around the patterns and issues across the county. Though admittedly less often, we've also been witness to beautiful acts of courage, interruption and forgiveness, as well.

The consultant's recommendations for Human Resources and County Leadership reflect both the need for the creation of an independent complaints unit at the county and the strategic development of *all* managers to prevent the toxic conditions which allow racial conflict to fester. Their recommendations reinforce the importance of our focus on racial equity and inclusion as part of creating safety, trust and belonging in the workplace. However, they also highlight that in order to constructively manage conflict around issues of race, we must make space to hear concerns of high-status groups who may feel threatened by messages advocating for diversity. They write, “belonging and targeted universalism is for all and not zero sum”. I believe this is the crux of our challenge.

In today's nationally polarized environment, there is little tolerance for opposing views or for those perceived to belong to "other" groups aside from our own. One incident occurring in a work unit might result in multiple complaints and counter-complaints, each with a completely different perspective based on different sets of core beliefs and lived experience. When there is no foundation of trust and complaints cannot be resolved informally, triggering the investigatory process magnifies people's fears of retaliation, false accusations, status or job loss - leading to further conflict.

Managing this kind of conflict is a specialized skill and the consultant's recommendations rightly outline a multitude of ways that the county can improve leadership training, learning and development; re-orient to success factors such as engagement, contact-exposure and social accountability; and create structural supports through existing goals of the Workforce Equity Strategic Plan such as departmental Equity and Diversity teams and Equity Managers. Achieving this vision requires a wholesale rethinking of our workforce development strategy.

*Next Steps: COO to propose re-organization of Talent Development and Talent Acquisition resources in Central HR to build an organizational development model that emphasizes the critical leadership skills needed to create environments of trust, safety and belonging. This program would strategically align county-wide recruitment, on-boarding and leadership development efforts with an explicit goal of strengthening managers ability and accountability in creating a workplace culture that reduces disparities and promotes affirmative equity outcomes. This model will incorporate the best practices and priorities provided in the consultant's recommendations.*

The consultant also recommends fully transferring responsibility for investigating protected class complaints to a non-departmental unit reporting to the COO's office. The creation of a centralized complaint unit would build on the interim process but end departmental management of investigations.<sup>2</sup> It would also allow the county to employ investigators with specialized skills including multi-cultural competency, compassionate communication and conflict resolution.

*Next Steps: COO to work with ODE, the Chair's Office, Central HR and Budget Office to develop FY 2020 budget proposal and plan to create an independent complaints unit in accordance with recommendations.*

### **Office of Diversity and Equity**

The consultant provided a number of recommendations to expand the authority, responsibility and capacity of the Office of Diversity and Equity. I support these recommendations as the next logical step in the institutionalization of practices supporting diversity and equity in county government. Just as we have a Chief Financial Officer and Finance Division with the authority to set and monitor implementation of countywide fiscal policy, so should we have a Chief Diversity and Equity Officer (and division) to set and monitor countywide equity and inclusion policy. Policy must be accompanied by accounting and compliance activities which measure adherence to policy (and result in better outcomes).

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<sup>2</sup> The interim complaint process is best characterized as a hybrid departmental/central process with departmental management of the mechanics of the complaint, but oversight and decision-making resting with central authorities.

The Office of Diversity and Equity and its role were created in County Code in 2010. The consultant's recommendations provide a timely opportunity to review and update the Office's role, responsibility, focus areas and structural position within the county.

*Next Steps: Review of the Office of Diversity and Equity's current and proposed roles and responsibilities; Power analysis of benefits and drawbacks of various structural placements of ODE. Chair's office to propose updates to Multnomah County Code provisions related to ODE to reflect expanded scope and authority.*

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To fully occupy ODE's expanded role and fulfill these responsibilities, ODE will need significant updates to its job classifications and associated job descriptions. It will need an investment of new staff to review exempt hiring and promotional decisions; review involuntary terminations; review probationary terminations; develop reports; develop standards and processes; develop an Equity Toolkit; conduct exit interviews and monitor department adherence to evaluation metrics set by the division.

*Next Steps: ODE work with COO, HR, Chair's Office and Budget Office to update positions and develop a FY 2020 budget proposal for the Chair's consideration. It should align with development of a 3 year strategic budget/plan as recommended by the consultant.*

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The consultant recommends the addition of a disabilities support specialist to ODE to be responsible for "assisting with access, accommodations and to act as a resource for purchasing and recruitment." This aligns with the independent conclusions of a report, *Equity Accommodations for People with Disabilities*, conducted by ODE and the Department of County Management's Research and Evaluation Unit. Among many other related findings, the report calls for centralized handling of Americans with Disabilities Act Accommodation requests in response to inconsistent knowledge and application of ADA accommodation policies across the county.

*Next Steps: ODE to propose addition of Disabilities Support Specialist in FY 2020 budget, Review Equity Accommodations Report findings and recommendations and develop a 3-year implementation plan.*

### **Multnomah County Workforce Equity Strategic Plan**

Over the last year, the Workforce Equity Strategic Plan (WESP) work and the consultant's review have been conducted on related but parallel paths. We asked the consultant to provide us with opportunities to better integrate these two efforts and the recommendations give the county the ability to consolidate intersecting strategies. With the completion of the Equity Accommodations Report, we can also incorporate relevant recommendations into the WESP.

*Next steps: ODE returns to the Board of Commissioners with edits to the WESP for approval-*

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The consultant recommends a robust accountability and oversight structure for Workforce Equity Strategic Plan efforts. Jemmott Rollins recommends a committee including internal and external stakeholders, frontline staff, and representation from Employee Resource Groups. These recommendations affirm many of the goals that have been developed for the Workforce Equity Strategic Plan committee and create an opportunity to further refine the mission and scope of the group.

*Next Steps: Chair to appoint WESP Committee*

## **Conclusion**

The lessons of the last year have been deep and plentiful for all of us at the county who have leaned into this work. I am grateful for the mandate from employees, managers, the Chair and Commissioners to examine our institutional structure and align our impact with our intent. I am grateful as a professional and executive for the empowerment it lends. But above all, I am grateful as a Latinx mother and daughter of an immigrant who has seen my family's story reflected in the stories of our employees. Frankly, I did not work my way up the ladder to simply preside over a system that oppresses or harms people. I came to change it. These recommendations provide a concrete path forward to making things better.

This undertaking is deeply personal work for me, other managers of color and our white allies. And it should be. This work requires that we both collect data AND be in tune with the pain people can experience in the workplace. Actions that inspire hope in some may evoke fear in others, despite our universal goal of a healthy, supportive workplace for all. We need to use emotional intelligence to lift ourselves out of any defensive or reactionary mode, and critically ask ourselves how our approach or response is helping the situation or making it worse.

Our employees and clients have little refuge from the racist and xenophobic attitudes being flamed at the highest levels of our government. Those attitudes can and do penetrate our workplace. Multnomah County does not and cannot dictate the mindsets of our employees. But we can be clear about our values and our expectations, build an infrastructure to support them and hold people accountable for behavior that doesn't align. While we may or may not be able to change minds, we can hold people accountable for behavior. Multnomah County has been a national leader in many fields, and with your leadership, the Board's support and the will to act, we can achieve the same here.

Sincerely,



Marissa Madrigal

Chief Operating Officer