

The second meeting of the Human Resources Advisory Committee (2019-20), (Hereafter HRAC) met on Monday, December 02, 2019 from 6:00 p.m. to 8:00 p.m.

In attendance were:

- Dr. Helen Nixon, Assistant Superintendent, Human Resources
- Catherine Carroll, FCPS Equity and Employee Relations (EER)
- Cherie Larson, Community Representative from Mount Vernon District
- Melody Thorson, HRAC Co-Chair, Community Representative from Springfield District
- Leonard Bumbaca, HRAC Co-Chair, Community Representative from Mason District
- Tiffany Pryce, Community Representative from Lee District
- Steve Fiumano, Community Representative at-large (Moon)
- Vicka Heidt, Student Representative
- Helena Harte, Student Representative
- Kimberly Adams, FEA President
- Tina Williams, FCFT President
- John McLaren, FCFT. Senior Member Relations Specialist
- Patricia Kremer, Visitor and Community Member

The meeting proceeded as follows:

6:00 p.m. to 6:05 p.m. Minutes and Meeting Agenda

Co-chairman Bumbaca went over the meeting agenda, the HRAC charge and miscellaneous Committee items.

In order to give Ms. Catherine Carroll the opportunity to attend to family matters, the Human Resources Overview (Organization and Mission) as well as the Review of HRAC Recommendations (June 2019) were moved to a later point in the meeting.

Chairman Bumbaca asked for a volunteer to take meeting minutes and attendee Patricia Kremer volunteered.

6:05 p.m. to 6:10 p.m. Introductions of new and returning members/attendees

All present were able to participate.

6:10 p.m. to 6:15 p.m. Impact of new School Board on HRAC structure / Unfilled community appointee assignments

Helen Nixon shared her understanding of the School Board governance parameters as it transitions to a new board. While there are many unknowns, none of the new School Board members will have any authority to make plans or decisions until seated in the new year.

Mr. Bumbaca also addressed questions from the committee about committee appointments and how those would be handled given the fact that a new Fairfax County School Board is being sworn in on December 12, 2019. Although new school board members can appoint their own HRAC and other committee representatives, it is not certain yet whether they will do so or whether they will allow those currently serving to stay. There are also open seats on the committee that need to be filled and that issue will be addressed to the new FCPS School Board.

Dr. Nixon pointed out that she will be leading the new school board orientation very soon and will also bring this up at that time.

6:15 p.m. to 6:45 p.m. EER Data Collection Update

Ms. Carroll discussed the EER work on the questions posed by HRAC from the October 2019 meeting. The questions were as follows:

- How many employee complaints have been submitted since August 2012?

Ms. Carroll stated that because FCPS used a different system for employee complaints before 2015, she could only track these complaints from January 2016 to November 2019. During that time, she reported there were 139 complaints.

EEOC reports are already required and a matter of record, but they are of little value in addressing the local data analysis that would be of most value both to EER and HRAC.

- How many complaints during that time resulted in employees being disciplined, transferred or being terminated? Additionally, HRAC wanted to have the same information for supervisors and managers.

Ms. Carroll stated that EER is working on improving and tracking outcomes to complaints more effectively and efficiently but that these figures are not easily available in a sortable form. (Much has been archived)

Ms. Carroll pointed to other challenges to getting information. When a manager receives a complaint, he/she might not understand that it is a complaint, especially if it is a case of peer to peer differences. When that happens and the employee does not pursue the issue with EER then this incident / complaint is not counted.

Ms. Carroll explained that EER is aware of these shortcomings and is in the process of putting in place new procedures to overcome these tracking difficulties. These include:

1. Providing regular and thorough training to all employees and managers on what constitutes a complaint. Letting EER review and guide all on whether a complaint has a basis for discrimination or requires to be reclassified as a grievance / non-discrimination complaint. Either way, these issues need to be tracked and followed by EER.

2. Placing all complaint forms online so that complaints are not lost and so that tracking is easier to do.
 3. An outside vendor is to be brought in to assist in training staff to enable a transition to an increasingly informed, responsive, and accountable culture.
- Ms. Carroll said that she would look into outcome issues from 2016 forward and report back to HRAC.

**6:45 p.m. to 7:05 p.m. Human Resources Overview (Organization and Mission)
Review of HRAC Recommendations (June 2019)**

Dr. Nixon described the role of the FCPS Department of Human Resources and how it fits into the Ignite FCPS Strategic Plan and its four goals:

- Student Success
- Caring Culture
- Premier Workforce (this is the goal most closely aligned to the work of the Department of Human Resources)
- Resource Stewardship

Dr. Nixon pointed to the division statistics about the number of employees in FCPS and how they are classified (instructional personnel, technical personnel, food service, Principals and AP as well as student services and activity Directors, trade personnel and the FCPS Leadership Team).

Dr. Nixon then explained how HR is organized into 4 areas and she explained the role of each of these areas:

- Talent Acquisition and Management
- EER
- Business Services
- Benefits and Compensation

Dr. Nixon also answered questions from HRAC members and attendees and explained the meaning of Title IX and the difference between a complaint and a grievance.

Dr. Nixon also thanked the committee for its work and dedication to the school division's human relations and employee/ management relationships recognizing that Committee members are volunteers and give their time and effort to this endeavor.

In presenting the progress in addressing the recommendations from the June 2019, Dr. Nixon reported:

- There is work on drafting a regulation on bullying and harassment.
- The division is actively seeking to promote diversity within the Principal Pool
- An Engagement Survey will be released in the January/February timeframe (committee members requested that the questions used be made available at the January meeting)

7:05 p.m. to 7:45 p.m. Areas of Focus (AOF) for 2019-2020, Draft Presentation, and Data Requests

Co-chairman Bumbaca went over the proposed draft of the Committee's Areas of Focus (AOF) based on discussions at the October 2019 meeting:

1. Complaint and Grievance Outcomes
2. Intervention and Separation Procedures
3. Employee Rights
4. 2018-2019 HRAC Report Progress

Detailed descriptions regarding these areas of focus were provided:

1. Review of Complaint Statistics - Advise on improving employee moral through better processes for complaints and outcomes. Advise on Policy to Prevent Toxic Employees from Rehire (in any capacity)

Documentation Requested of HR – all data should be detailed by the year the incident began with the time it took for the conclusion to occur.

1. How many Employee complaints have been submitted since August 2012?
 - a. How many complaints resulted in the employee being disciplined, transferred, terminated or quitting?
 - b. How many complaints resulted in the supervisor being disciplined, transferred, terminated or quitting?
 - c. How many went to mediation?
 - i. After mediation how many reoccurred as problems.
 2. How many grievances have been filed since August 2012?
 - a. At what stage of the grievance process was the grievance settled?
 - b. How many was decided in favor of the employee or supervisor.
 - c. Specify with time in months from when the grievance was filed to completion.
 4. When an employee clearly identified as toxic (bullying, sexual harassment, danger to others) is terminated or participated in litigation, how often are they rehired? What steps are taken to ensure the employee is not rehired even as a contractor, etc?
2. Intervention and Separation Procedures
 1. What safeguards are in place during administrative proceedings to prevent abuses of employee rights and noncompliance with established FCPS regulations/professional norms?
 2. How often are staff counseled and assisted in transitioning back into the workplace (original or reassignment)? What resources are available? What office is responsible?
 3. What safeguards are in place to identify staff members facing administrative separation/action, who may be a danger to themselves or others? What is done to ensure a continued "sense of connection" for employees in all stages of these processes? (physical/mental health, and positive reentry outcome as applicable)

3. Employee Rights

1. What regulations are in place to identify employee rights?
2. When were they last updated?
3. Create a summary “Employee Bill of Rights” based on existing/updated regulations to post in staff working areas.
4. Incorporate into both regulations and practice, robust accountability and reporting measures for Leadership or HR personnel that violate employees’ rights.

4. Monitor progress of FCPS responses to 2018-19 HRAC Report.

The chairs of the committee then led a discussion on various issues:

Steve Fiumano generally questioned the lack of useful documentation and outcome information. He also asked about the perceived unequal treatment of employees and management. He also said that the charge of the Committee refers to leadership twice and thus the focus should be on management’s role in a making a positive workplace environment.

Tiffany Pryce expressed an opinion that the fourth item in the area of focus should not be a formal part of the 2019/2020 HRAC report, but did agree that tracking the progress of last year’s HRAC report is necessary. Helen Nixon agreed to provide the Committee with a monthly update. The entire membership present contributed their thoughts. Following this discussion, a consensus decision was reached and restated by Leonard Bumbaca that indeed a status update on the 2018/2019 HRAC report will be included in the 2019/2020 HRAC report.

HRAC attendee and visitor Patricia Kremer pointed out that there is plenty of research and scholarly material available on topics of interest to HRAC and that something akin to a “Teacher’s Bill of Rights” already exists and it is to be posted in every Louisiana school as of this school year in Louisiana. Furthermore, much scholarly research has recently and is currently being conducted on school climate and teacher retention issues.

The committee unanimously approved the draft as presented.

7:45 p.m. to 8:00 p.m. Wrap-up and Agenda Setting for Next Month

The Committee laid out plans for the January, February, and March meetings with the intent of inviting leaders from staff associations/unions, principals, and area management respectively.

Steve Fiumano asked that broader language be applied to the third element of the third area of focus. There was no objection from the committee and a minor edit incorporating this will be presented at the January meeting.

The Co-Chairs adjourned the meeting after reiterating that the next meeting will be on Monday January 13, 2020. Both the Co- Chairs and Dr. Nixon wished everyone a happy holiday season.