

Minutes Human Relations Commission June 9th, 2009

Minutes of the HUMAN RELATIONS COMMISSION held on TUESDAY, June 9th, 2009
6:00 P.M. at City Hall, 3rd Floor Conference Room, 31 East Fifth Street, Tempe, Arizona.

(MEMBERS) Present:

Colleen Byron
Arlene Chin
Kathy Dietz
Joseph Mann
Frank Morales
Linda Ritland
Thaddeus Swiecki
Josephine Vega
Janis Webb

(MEMBERS) Absent:

Zach Berning
Florence Boyle
Patricia Young

City Staff Present:

Rosa Inchausti
Brandy Naleski

Guests Present:

Caterina Mena, TCC
Jan O'Malley, Corona Del Sol
Tiffany Dayton, Corona Del Sol
Michelle Henson, Tempe & McClintock High
John Dolan, Marcos de Niza
Chief Tom Ryff, Tempe Police Dept
Charles Cobbs, Tempe Police Dept
Srgt. Trent Luckow, Tempe Police Dept
Lt. Mike Collins, Tempe Police Dept
Cheryl Allen, WUD Employee
Sandra DeWittie, SEIU Representative
Jeff Kulaga, Assistant City Manager

Meeting convened at 6:04 P.M.

Chair Arlene Chin called the meeting to order and invited members of the public to address the Commission.

Agenda Item 1 – Public Appearances

None

Agenda Item 2 –Consideration of Minutes

April 14th, 2009 and May 12th, 2009 Commission Minutes

Motion made by Commissioner Joseph Mann to ACCEPT minutes.

**Second by Commissioner Kathy Dietz
Minutes APPROVED.**

Agenda Item 3 – Diversity Unity Grant Presentations

Jan O'Malley from Corona del Sol High School, together with student leaders of the program presented on the Awareness Day and AztecTown program. This year all freshman students participated on campus and 80 selected students were sent to AztecTown Camp. There were 22 student leaders and the goal is to expand to 27 next year. Jan added that next year they will have a pilot program at Aprende Middle School with high school student mentors from Corona.

Michelle Hensen from McClintock High School and Tempe High School presented on the "Our Town" diversity leadership program. The program is tailored after the "Anytown" program and this year students from Marcos de Niza were also invited to attend. Michelle shared a short video presentation of the program with the commission. The camp takes place during a four day retreat, with student topics to promote non violent communication. Approximately 80 youth participated from the three schools. The students have grown to be very close. Chair Arlene Chin asked how the partnership among schools is going. Michelle responded that it is working well and would like to add more schools but that reduces the number of participants per school.

John Dolan from Marcos De Niza presented on their Diversity Week. During the week there are various guest speakers including former gang members, women and Hispanic business owners with the focus on understanding where people come from. There is also lunch time entertainment and an ethnic menu during the week. John also shared that a group of art students have created a graffiti wall that will be displayed in the cafeteria to celebrate diversity on campus.

Commissioner Linda Ritland complimented all of the representatives and their diversity programs. Linda invited all the schools to participate in next year's Unity Walk as an opportunity to be visible to the community.

Agenda Item 4 – WUD Safety

Cheryl Allen, retired WUD employee spoke to the commission regarding the safety concerns within the Water Department. Cheryl worked at the Kyrene Reclamation Facility as a plant mechanic beginning in 2004. Cheryl stated that she is only speaking to the commission now because she has retired and no longer feels like her job is in jeopardy. Cheryl's previous work experience in the wastewater management field was in King City, WA where she worked for 15 years.

Cheryl addressed statements made at previous HRC meetings as stated in the minutes.

- March 17th HRC Minutes – Commissioner Sweicki stated that the Calderon report raised more questions than answers. Cheryl responded that the Kyrene team agrees with that statement. She believes that management is out to make Glenda Nichols look incompetent. Cheryl stated that she is here to say "she is the best supervisor I have ever had". Cheryl is concerned about a disparity with women working at the water department. Positions are skill based pay and Cheryl believes that women are not given the same opportunities to complete skill blocks. Without the training, these employees do not receive pay increases and they quit. Cheryl is personally aware of 3 women within a 1 ½ year time frame who have left.
- April 14th HRC Minutes – Cheryl stated that Don Hawkes has a good way of presenting a good picture to people who have no knowledge of water treatment. Mr. Hawkes stated that the "issue

is with the screens.” Cheryl stated that this is a injustice to you. The vendor corrected the screens, the issue is with the ventilation rate. The building has never met the regulation minimum of 12 air exchanges per hour. The room only averages 3-4 air exchanges per hour. Since 1996 the workgroup has been complaining every time an employee gets sick and management keeps brushing it under the rug. In September of 2007 an incident took place in which several employees were injured from inhalation. Mild exposure can result in flu-like symptoms, nausea and vision problems. After September 2007, the team united and demanded that the issue be fixed and the work group believes they have since been retaliated against. Glenda Nichols has received the most retaliation since she is management.

- May 5th HRC Minutes – Commissioner Dietz voiced concern that Mr. Hawkes was presenting a defense and an attempt to smooth everything over. Cheryl responded that the concern is valid. Mr. Hawkes isn’t working on anything. Cheryl urged the commission to ask him for a specific date when he would start working on the ventilation issue. Cheryl feels that Mr. Hawkes is putting band aids on the problem

Commissioner Linda Ritland asked if there were any safety oversight commissions that Mr. Hawkes has to answer to. Cheryl responded the department has to meet OSHA standards but stated that there are ways to twist OSHA standards. OSHA has not given Mr. Hawkes a deadline to fix the issue.

Commissioner Thaddeus Sweicki shared that he worked many years in wastewater and is familiar with the environment. Hydrogen Sulfide (H₂S) is highly toxic and even small amounts can damage nerves in your nose so you can no longer smell that you are being exposed to it.

Commissioner Kathy Dietz asked how often do city employees have to go into the room. Cheryl responded that she would enter the room anywhere from 30 minutes to 2 hours daily when equipment needed to be worked on. Plant operators go in every day to monitor the equipment. Electricians would have to enter the room if there was an electrical issue. Cheryl stated that there is much maintenance that needs to be done on a regular basis due to the corrosive nature of the sewage.

Commissioner Kathy Dietz asked Cheryl what she thought would be Mr. Hawkes’ motive for being reluctant to fix the safety issue. Cheryl responded that she can’t really answer that since she is not in management. Her guess would be that perhaps he had engineers giving him bad information or maybe it was a financial reason.

Commissioner Josephine Vega asked if Mr. Hawkes reported to anyone. Cheryl responded that Mr. Hawkes is in charge of the Water Department. Cheryl added that Water Management is very lucrative. Every citizen pays their water bill. As a tax-paying Tempe resident, Cheryl stated she thinks Mr. Hawkes could have fixed the problem in the first place and saved the city a lot of money.

Commissioner Thaddeus Swiecki asked what OSHA has to say about the issue. Cheryl responded that the work group has filed a report but no action has ever been taken.

Commissioner Dietz asked if there is any danger to the citizens of Tempe. Cheryl responded “no”, the only issue would be a possible odor in the neighborhood. Cheryl explained when residents smell a “rotten egg” smell it is the sewer system and she explained the various possible explanations for the odor. This is not a health issue for citizens, the Kyrene screen room is self contained within the building.

Commissioner Janis Webb asked Cheryl, other than your letter and disagreement with the Calderon Report, what would she perceive this commission should do to address her concerns? Cheryl responded that she is concerned about the department losing women employees. People are retiring and there is no one qualified to replace them. She would also like Mr. Hawkes to fix the ventilation issue. And she would like to see a more fair and equitable workforce and to stop the retaliation.

Agenda Item 5 – WUD Letter Discussion

Chair Arlene Chin led a group discussion about the letter received from SEIU representatives regarding the Water Department and how the commission should move forward.

Commissioner Janis Webb stated that the letter was directed to Mayor and Council. As an advisory commission this is informational to us. If the Mayor wants us to pursue the issue we can, if not, she does not believe the commission should take any action.

Commissioner Kathy Dietz disagreed. We are an advisory commission, we have been given information, we have heard two presentations on the issue, it is right for us to make recommendations to Mayor and Council. There is a situation of whistle blowing and women are being most affected. The focus of the response should be narrowed to three main areas – Safety, Money (taxpayers, ventilation and cost of hosing) and Employee Issues (Retaliation and promotion).

Commissioner Joseph Mann stated that he doesn't believe the employee issue is within our preview.

Commissioner Colleen Byron suggested that we ask Mayor and Council if they would like our input. Commissioner Byron also stated that the fact of the letter is a concern to this commission and that it was signed by a number of people, not a single person.

Chair Arlene Chin stated that she feels that there is due diligence for the commission to respond to the letter. The commission should acknowledge that we have received the letter and state our concerns and encourage them to look further into these issues. The response will focus on safety, communication issues by management/leadership and monetary cost of this issue to taxpayers. Chair Chin will draft a letter for the commission to agree on. An ad hoc meeting will be held on June 16th, 2009 at 5:30pm for the commission to review and approve the letter. Chair Chin will send out the letter before hand, please bring your changes with you to the meeting.

Agenda Item 6 – Tempe Police Hate Crime Update

Chief Tom Ryff, Srgt Trent Luckow and Charles Cobbs appeared before the commission to provide a Hate Crime Update. A recent incident occurred in North Tempe of a flyer being distributed in the neighborhood. The Police Department takes this seriously. The flyer distribution appears to fall under 1st Amendment rights and does not appear to be related to the other incidents. A report was taken but there were no witnesses that could identify who distributed the flyers, therefore it doesn't qualify as a crime. Commissioner Joseph Mann asked about the flyer distribution in the Shalimar area. Srgt. Luckow responded that yes, that was entered as a hate crime. At this time all 2008 cases have been closed out. For 2009 there have been 6 incidents, 4 arrests. The individual from the In-n-Out incident was tracked across the valley by various police departments and arrested in April for an assault.

On another note, Chief Ryff stated that the Police Department is starting to review and revise their Diversity Action Plan and would appreciate any feedback on how the Police Department can improve their service to the community.

Agenda Item 7 – Diversity Department Update

Staff Rosa Inchausti provided the Diversity Department Update

- A. Boards and Commission Orientation will be held on June 30th at 6:00pm at the Tempe Transportation Center. Any commissioner interested in attending needs to let our office know and we will get you registered. Commissioner Frank Morales is already registered. Commissioners Kathy Dietz, Josephine Vega and Thaddeus Swiecki all stated that they would like to attend.
- B. It is time to pull together a MLK Diversity Awards Subcommittee for next year's event. Commissioners Linda Ritland, Josephine Vega, Colleen Byron and Janis Webb volunteered.
- C. June 25th will be Staff Brandy Naleski's last day with the city. An open house will be on Tuesday June 23rd from 8:30 – 10:30am for anyone who would like to come and say good bye.
- D. There will not be a July commission meeting.

Agenda Item 8-Current Events Announcements

The commission's next meeting is scheduled for August 11th, 2009.

Meeting adjourned at 7:35 P.M.

Prepared by: Brandy Naleski

Reviewed by: Rosa Inchausti

Rosa Inchausti, Diversity Manager