

Agenda Report

DATE: JANUARY 22, 1998
TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: AFFIRMATIVE ACTION IN EMPLOYMENT ANNUAL REPORT

RECOMMENDATION:

There are no recommendations associated with this annual report. It is presented for informational purposes only.

BACKGROUND:

On November 6, 1996, Californians voted to approve Proposition 209. California voters approved the measure by a margin of 54% - 46%, with a majority of Males and Whites voting in favor and a majority of women, African Americans, Latinos and Asians voting in opposition. The racial and gender breakdown of the vote was as following:

<u>VOTERS</u>	<u>YES (%)</u>	<u>NO (%)</u>
Male	61%	39%
Female	48%	52%
White	63%	37%
Black	26%	74%
Latino	24%	76%
Asians	39%	61%

Case Appealed.

On December 23, 1996, the Northern District Court found a likelihood of success on the merits of the claim that Proposition 209, and issued a preliminary injunction preventing implementation of the proposition. **Decision Appealed.**

On April 8, 1997, the Court of Appeals for the Ninth Circuit reversed and vacated the preliminary injunction. **Decision Appealed.** On Monday, November 3, 1997, the U.S. Supreme Court announced that it will let stand the 9th Circuit Court ruling upholding Proposition 209.

BACKGROUND: (Cont'd.)

The Affirmative Action in City Employment Ordinance, revised in 1987, requires the preparation of an annual report on the progress achieved under the City's Affirmative Action Plan to be presented to the City Council at one of its regular meetings. Such report is to include a utilization analysis of the City's work force, progress made toward achieving goals and recommendations for corrective action, as necessary.

EXECUTIVE SUMMARY:

HIGHLIGHTS:

New Hires:

- During FY 1997, total new hires was 42, females represented 24 or (57.1%) of all new hires. Minorities represented 71.4%, and Whites represented 28.6%.

Workforce:

- The overall representation of minorities in the full-time work force is 60.4% in FY 1997. Females represent 35.6% of the work force. Whites are represented at 39.6%.

Executive Committee:

- Minority representation in the Executive Committee is 63.2% (12 of 19 positions), which includes one (1) interim position and one (1) dual role position (one held by a Hispanic/Male. Five (5) members (or 26.3%) are Women. Whites represented 36.8% (See Exhibit No. 1.)

Officials & Administrators:

- Minorities make up 56% of all Officials and Administrators. Females represent 30% of Officials and Administrators. Whites represented 44%. (See Exhibit No.2.)

OVERALL REPRESENTATION:

During FY 1997, the City's full-time workforce was made up of 1,608 employees. Of these:

- 637 (39.6%) were White;
- 413 (25.7%) were Hispanic;
- 8 (0.5%) were Native American; and
- 403 (25.1%) were Black;
- 129 (8.0%) were Asian;
- 18 (1.1%) were Armenian American

(See Exhibit No. 2 and No. 2a.)

APPLICANT TRACKING:

Based upon the data collected for FY 97, the applicant pool and eligible candidates were as follows:
(Information provided by the Department of Human Resources.)

Applicants:	Total Number	Known Percentage
White	697	21.6%
Black	1303	40.3%
Hispanic	909	27.9%
Asian	252	7.8%
Native American	25	0.7%
Armenian American	57	.018%
Unknown	<u>623</u>	16.2%
Total:	3,857	

Eligible Candidates from Pasadena

Applicants:	Total Number	Percentage
White	51	15.1%
Black	151	45.0%
Hispanic	98	29.1%
Asian	19	6%
Native American	2	0.6%
Armenian American	16	.5%
Unknown	<u>64</u>	19.0%
Total:	401	of 1,688 = 23.8% from Pasadena

**Total Non-Pasadena
 Eligible Candidates**

	Total Number	Percentage
White	131	12.3%
Black	569	53.3%
Hispanic	286	26.8%
Asian	48	4.5%
Native American	5	0.5%
Armenian American	28	2.6%
Unknown	<u>220</u>	20.6%
Total:	1,287	of 1,688 = 76.2%

Of all applicants, total eligible candidates = 1,688, or 43.8%.

Gender Breakdown Percentages:

	Total Applicants (%)	Total Eligibles (%)
Male	1,923 (55.3%)	718 (55.7%)
Female	1,552 (44.7%)	571 (44.3%)
Declined to State	<u>382</u> (9.9%)	<u>118</u> (8.4%)
TOTAL	3,857	1,407

Note: The percentage of candidates who elected not to complete the optional data collection field designating gender is shown as "Declined to State".

RECRUITMENT/NEW HIRES:

For this reporting period, the City hired 42 full-time regular employees, of which 11 (26.2%) were White; 14 (33.3%) were Black; 8 (19.0%) were Hispanic; 8 (19.0%) were Asian. Women constituted 24 (57.1%) of all new hires. The largest group of new hires were Women.

(See Exhibit No. 3.)

PROMOTIONS:

Forty-one (41) City employees were promoted during FY 1997. The representation was as follows:

- 19 (46.3%) were White;
- 8 (19.5%) were Black;
- 10 (24.4%) were Hispanic;
- 4 (9.8%) were Asian;

(See Exhibit # 4.)

DISCRIMINATION COMPLAINTS:

There were 43 discrimination complaints closed/resolved during FY 97. Twenty (20) of which were opened in FY 97 and twenty-three (23) of which were from previous fiscal years.

There were also 34 internal complaints filed and 9 external complaints filed, for a total of 43 complaints filed during FY 97. We currently have 14 discrimination complaints opened.

(See Exhibit #5)

DISCIPLINARY ACTIONS:

During FY 1997, there were a total of 67 disciplinary actions. Of these, 10 actions (15%) were imposed upon 8 White employees; 30 actions (48%) were imposed upon 26 Black employees; 25 disciplinary actions (37%) were imposed upon 16 Hispanic employees. There were two (2) disciplinary actions taken against Asian employees, and no actions taken against Native American or Armenian American employees.

2 YEAR COMPARISON

<u>FISCAL YEAR 1996</u>		<u>FISCAL YEAR 1997</u>	
White	= 17 (25.0%)	White	= 10 (15%)
Black	= 31 (46.0%)	Black	= 30 (48%)
Hispanic	= 20 (29%)	Hispanic	= 25 (37%)
		Asian	= 2 (3%)
Total	= 68	Total	= 67

Among the EEO-4 employment categories, disciplinary actions were distributed as follows:

<u>EEO-4</u>	<u>Number of</u>	<u>Disciplinary</u>	<u>Actions</u>
<u>Job Categories</u>	<u>Employees</u>	<u>By Ethnicity</u>	<u>Issued</u>
(1) Officials & Administrators:	52	One (1):	1 - Asian
(2) Professionals:	408	Three (3):	1 - White, 2 - Black
(3) Technician:	122	Not Applicable	
(4) Protective Service:	387	Seventeen (17):	4 - White, 5 - Black, 7 - Hispanic, 1 - Asian
(5) Para-Professional:	45	Four (4):	1 - White, 3 - Black
(6) Admin. Support:	284	Ten (10):	3 - Black, 7 - Hispanic
(7) Skilled Crafts:	172	Fourteen (14):	2 - White, 3 - Black, 9 - Hispanic
(8) Service Maintenance:	169	Eighteen (18):	2 - White, 14 - Black, 2 - Hispanic

Total Employees = 1608

Total Disciplinary Actions = 67

EMPLOYMENT TREND ANALYSIS FOR ALL FULL-TIME EMPLOYEES:

Exhibit No. 6 is a nine-year historical comparative analysis of the fluctuation of the total number of all full-time employees for the period of 1989 through 1997.

SIGNIFICANT CHANGES:

- The number of White employees decreased from 792 (49.6%) in 1989 to 637 (39.6%) in 1997. A 19.8% decrease. 155 fewer employees.
- Black employees are consistently represented in the workforce at 25%.
- Hispanic employees increased from 298 (18.6%) in 1989 to 413 (25.7%) in 1997. A 38.6% increase, 115 additional employees during this period.
- Asian employees increased from 95 (5.9%) in 1989, to 129 (8.0%) in 1997. A 35.7% increase, 34 additional employees during this period.
- Women increased from 533 (33.3%) in 1989, to 573 (35.6%) in 1997. A 7.5% increase, 40 additional employees during this period.
- Minority employees increased from 806 (50.4%) in 1989, to 971 (60.4%) in 1997. An additional 165 employees.

AVAILABILITY:

The City Council adopted the following revised availability standards that superseded the Eight- Factor Availability Analysis on May 21, 1991.

ADOPTED AVAILABILITY STANDARD

<u>EEO-4</u>	<u>Job Category</u>	<u>Standard</u>
8	Service & Maintenance Workers (Entry)	
6	Office & Clerical (Unskilled)	Pasadena Population * (100%)
4	Protective Services (Entry)	
7	Skilled Crafts	Pasadena Internal (City Employees)
6	Office & Clerical (Skilled)	Plus
5	Paraprofessionals	Pasadena Workforce ** (60% / 40%)
3	Technicians	
4	Protective Services (Above Entry Level)	Pasadena Internal Availability (100%)
2	Professionals	Pasadena Internal Plus
1	Officials & Administrators	LA-LB SMSA Workforce (60% / 40%)

** 60% Weighing used for the Higher Total Minority Availability of the Two Availabilities Utilized
* Female Availability for Entry Level Positions is Pasadena Workforce Statistics

AA In Employment Annual Report
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BACKGROUND:

The State Office of Compliance Program Policy position is that any appropriate methodology used to assess availability is acceptable as long as the final availability figures do not fall below what is provided in the **Standard Metropolitan Statistical Area (SMSA)**, based on 1990 Census requisite skill data.

Exhibit Nos. 7 and 7a are reports which show the Employment Development Department (EDD or SMSA) availability and the City's adopted availability compared to the City's utilization of employees by EEO-4 categories. Employees are listed by gender/ethnicity. As you can see, the Availability figures are different and could be higher or lower. In the Citywide Employee Plan, we are using the information to guide us in our recruitment effort.

Our goal is to have a workforce which reflects the community and includes equal representation of all ethnic groups in all EEO-4 job categories yet meet availability standards of SMSA.

EEO-4 JOB CATEGORIES TREND ANALYSIS:

A trend analysis has been developed by individual EEO-4 job categories to track gender and ethnic trends for all full-time regular employees for the past eight years, beginning in 1989 to 1997.

(See Exhibit No. 8.)

ACCESSIBILITY AND DISABILITY ISSUES:

Much of the department's activities in the area of accessibility is connected to the City's ongoing effort to implement compliance with the Americans with Disabilities Act (ADA). Nevertheless, this is not the only law on accessibility for which the Affirmative Action & Diversity Department develops implementation strategies and provides advice on compliance. Other federal legislation includes the Fair Housing Act, the Rehabilitation Act, and the Social Security Act. State of California laws include the state building code, and the Fair Employment and Housing Act.

Following is a summary of the department's activities to encourage appropriate implementation and to provide accurate information concerning the laws mentioned above.

Access/Accessibility Assistance given to the City Manager and Other Employees

The number of instances of providing technical advice on accessibility matters continues at about three per day. While some instances are brief, requiring only short explanation and referrals for technical information or for special equipment, other instances take considerable time, occasionally lasting for a period of weeks.

- Approximately sixty (60%) percent of the instances is related to accessibility of City buildings and other facilities, compared to fifty percent (50%) from last year.
- Approximately Ten (10%) percent is related to improving the accessibility of City services and programs for people with disabilities, compared to twenty percent (20%) from last year.
- Approximately thirty (30%) percent is related to employment matters, the same as last year.

Accessibility Advice Provided to Residents and to People Doing Business in Pasadena

Last year the number of instance of providing technical advice on accessibility matters was approximately three (3) per day. This year, due to a five-month period from February through July, during which staff time available for accessibility work was drastically reduced, the daily average of instances of providing technical advice on accessibility matters was around two (2) per day.

Similar to last year, most of the activity in this area is brief in duration, typically requiring only explanation of law and code, the provision of copies of appropriate documents, and referrals. More time is required when the advice involves reviewing design and construction plans.

- Approximately forty (40%) percent of the effort in the area related to accessibility of commercial buildings and places of public accommodations, comparing to thirty (30%) percent from last year.
- Approximately twenty (20%) percent is related to accessible housing, compared to twenty-five (25%) percent from last year.
- Approximately twenty (20%) percent related to employment of disabled people, the same percent as last year.

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- Approximately five (5%) percent is related to transportation, compared to ten (10) percent from last year.
- The remaining fifteen percent (15%) is a mixture related to education, health, and other areas, the same percent as last year.

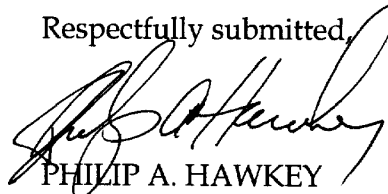
Community Education Activities Supporting the City's Accessibility Efforts:

Among the obligations that the Americans with Disabilities Act (ADA) places on the City is informing the public of the law and the City's intention to comply. The department has utilized several methods to promote awareness of the ADA and the City's role. These methods include articles in "In Focus," announcements on KPAS-TV, speaking appearances at organizations of disabled people and agencies serving the disabled community, and interviews on public access television programs. Also, the department has participated in public seminars on the average of once every two months and provided information on City activities and accessibility topics.

FISCAL IMPACT:


There is no fiscal impact identified at this time.

Respectfully submitted,



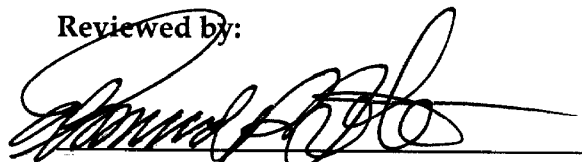
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