



# 2020-2021 Annual Report

## Office of the Employee Ombud

Statistics, Trends, and Recommendations from 2020-2021

This report details the most recent updates from the Seattle Office of the Employee Ombud, including statistics and analysis from April 2020-March 2021.

# Table of Contents

2	Executive Summary
3	Note from the Director
6	Office Structure
7	Case Management Process
7	Office Tenets
8	Outreach
12	Accountability and Impact
14	2020-2021 Statistics
17	Case Outcomes
22	Systemic Trends
24	Recommendations
31	Capacity Building
37	2021 Priorities
38	Conclusion

# Executive Summary

This report details the work of the Office of the Employee Ombud (OEO) for the City of Seattle. Our office is available to all current City staff, whether in temporary, contract, or permanent roles with the City. Over the 2020-21 year, we handled 201 cases where we helped employees raise concerns and resolve conflicts. In this report, we detail changes to our office structure in the 2020-21 year, as well as providing information on our office tenets and case management process.

We also detail our efforts to track and monitor our impact as an office on City culture and climate, and to be accountable to the standards of practice that our office follows. We have made changes to how we track our impact, including using new data we began tracking this year that helps us understand how we have helped our visitor to achieve full, partial, or no resolution to the issues they have raised with the Ombud office.

We present new systemic trends and discuss how last year's trends were altered by the dual pandemics of COVID-19 and our societal reckoning with the ongoing impacts of systemic racism. Discrimination was a trend that we tracked in our first-year report that has since increased as a distinct systemic trend and will likely continue to do so in the coming years. Lack of clarity on policy was also a trend that increased over the last year, particularly policies on telework, AWA agreements, and the designation of essential workers.

In our recommendations section, we provide progress updates on our recommendations from last year. We also offer new recommendations, particularly in the areas of transition management – we also updated our recommendations on discrimination and lack of clarity on policy in addition to our other noted systemic trends.

Finally, in our capacity building section, we discuss the ongoing capacity building efforts OEO has expanded, primarily virtually, over the last year, and provide some framing on our capacity building paradigm that will guide our work in 2021-2022. We also offer an update to OEO department priorities for the coming year.



# Note from the Director

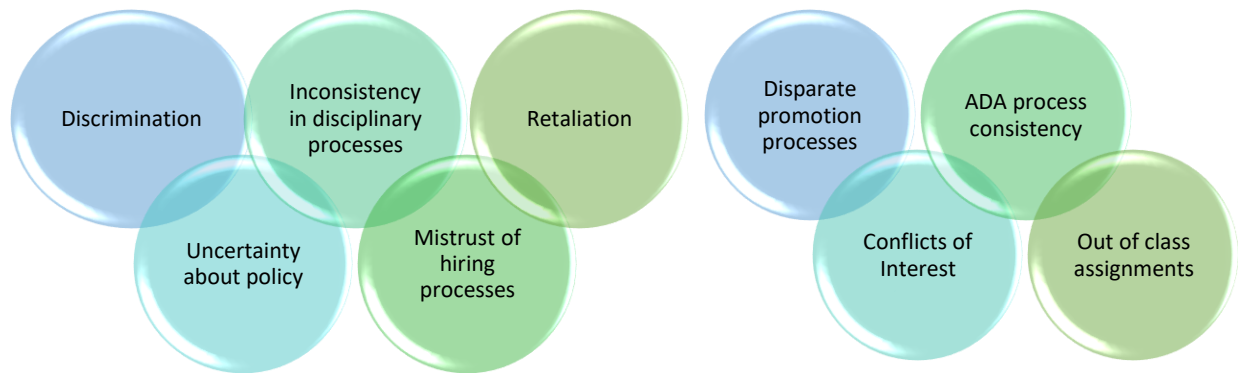
2020 can easily be described as one of the most challenging years for humanity. We witnessed the highest numbers of lives lost to a pandemic with still no definitive end in sight. The previous year has taken an enormous toll. The City of Seattle has had to shore up its response on several front, both in keeping the City's workforce safe as it transitions to a remote work arrangement, and attempting to keep the pandemic under control with a focus on addressing the needs of the most vulnerable among us. But the most important frontier to raise our collective efforts has been the fight against racism, hatred, and bigotry. Many believe that George Floyd's murder brought the awakening to our City in the form of sustained, weeks-long protests. The truth is this battle for justice has been living among us for generations. We as people, have never truly come to terms with difference. The Office of the Employee Ombud has pledged to lead the City's vision for achieving an anti-racist, anti-bias and anti-hate workplace—one that doesn't shy away from difficult conversations and yes, intense conflict about identity, race and inclusion, but actually meets that challenge head-on. Mayor Jenny Durkan signed an Executive Order in February 2020, calling for a City-wide effort to address and prevent Hate Crimes and Crimes of Bias. OEO is leading the charge on this effort because of a few essential elements of our service to Seattle:



- We believe that no efforts to address or mitigate conflict at the City are realistic without acknowledging that race, power, and identity play a monumental role in generating strife.
- We believe that inter-personal conflict provides evidentiary wisdom about the systemic shortcomings in our best laid plans for inclusion and justice. The Ombud Office's commitment to Restorative Justice practices enable us to focus away from punitive corrections for a few to systemic corrections for all.
- We all hold biases. Many learn how to counter them. Even though having biased opinions does not always lead to criminal acts, we must realize that a system permissive of bias and exclusion is ripe for crimes of hate to occur.

This year and moving forward, OEO will invest all resources available to equip City departments, the individuals that work here, the folks that call this City home, and the leaders that run this great City with skills to recognize and address signs of hate, exclusion, bias and disrespect. From trainings to policy measures, we are learning from the 415+ cases brought to us to date and informing the City on how best to change to improve upon the good things we all know exist right among us. Recognizing that recommendations from OEO's 2020 Report faced a delayed response due to Covid-19, we have linked our conflict management work with the expected outcomes of the Hate Crimes Executive Order. The following trends are still evident in our data for year 2020-21.





We commit as an office to continue to track these systemic trends, to monitor progress on our recommendations and to offer our continued analysis and transparent reporting on the impact of our work in the coming years.

Best Regards,

Dr. Amarah Khan





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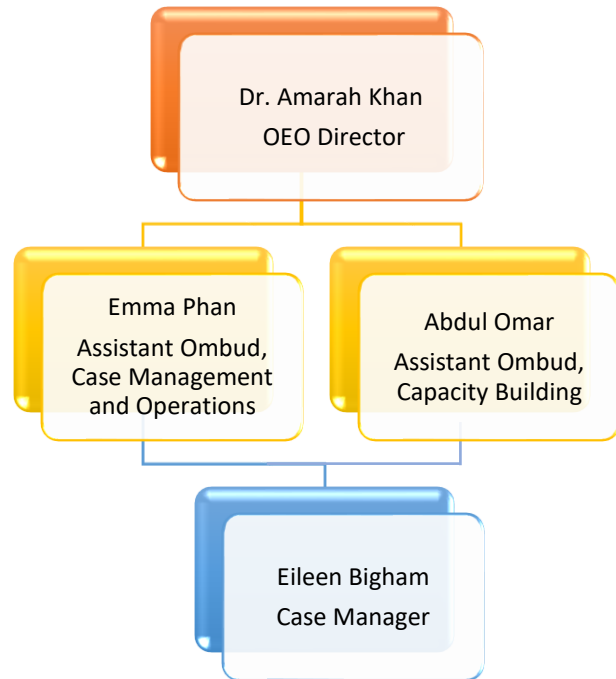
# Office Structure

The 2020-21 year saw many challenges for our office, like so many offices at the City. First, we transitioned to telework in March of 2020, and have remained largely on telework as the City determines the return to work plan. Second, and much more challenging, was that our planned hire of a Systems' Coordinator in April of 2020 was cancelled due to budget cuts. Finally, as part of the budget cuts, we had to cancel the planned lease of a new office space.

Despite these challenges, we have continued to expand our services, particularly in the area of Capacity Building, where we quickly pivoted to offering virtual trainings for staff that have been well attended and appreciated. Additionally, we were able to work with another City entity to sublease a new space in Columbia Tower that will work for our needs to preserve confidentiality for the staff who visit our office. When the majority of City staff return to on-site work, the Ombud Office will have moved to the 20<sup>th</sup> floor of Columbia Tower across from City Hall.

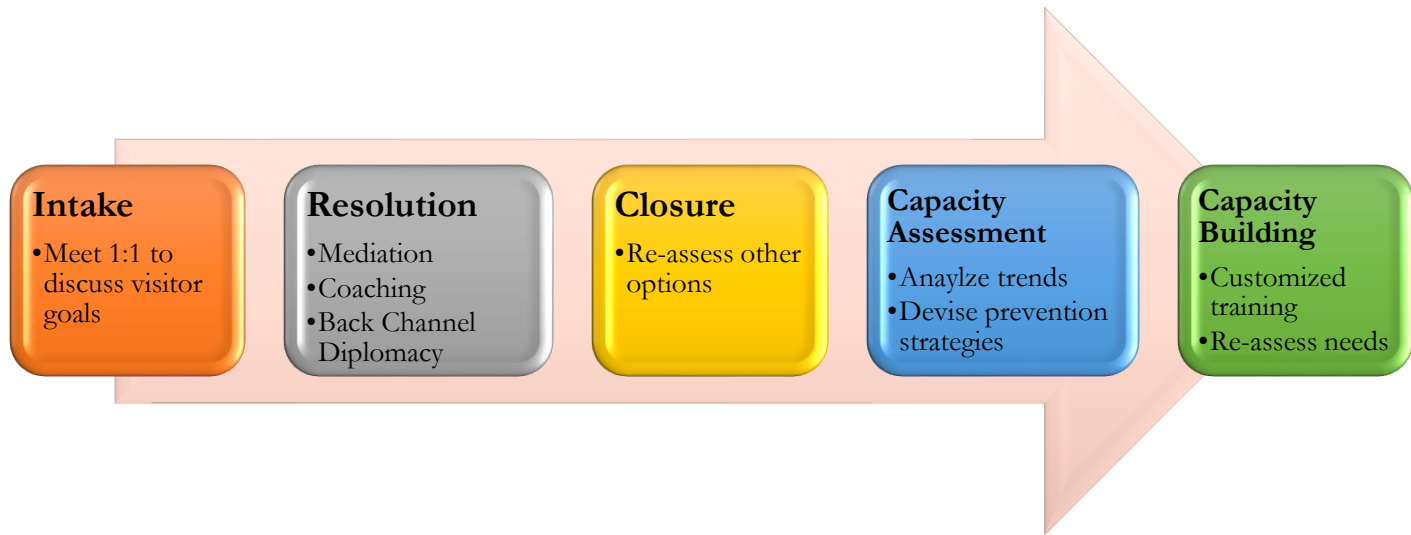
Our office continues, as noted in our organizational chart, to be divided into two core functions: Case Management and Capacity Building. Emma Phan is the Assistant Ombud supporting Case Management and Operations, while Abdul Omar has taken on the role of Assistant Ombud for Capacity Building. Eileen Bigham supports both functions in her role as Case Manager. Our case cycle, as illustrated below, is designed to run from intake to preventative efforts to capacity building and/or training in response to every incident if possible. We embrace our role as leaders responsible for creating and sustaining a respectful, inclusive, and hate-free workplace. OEO is in need of additional resources and we have submitted our ask for the following positions to the Mayor's Office and the City Council:

1. Training Coordinator
2. Management Systems Analyst



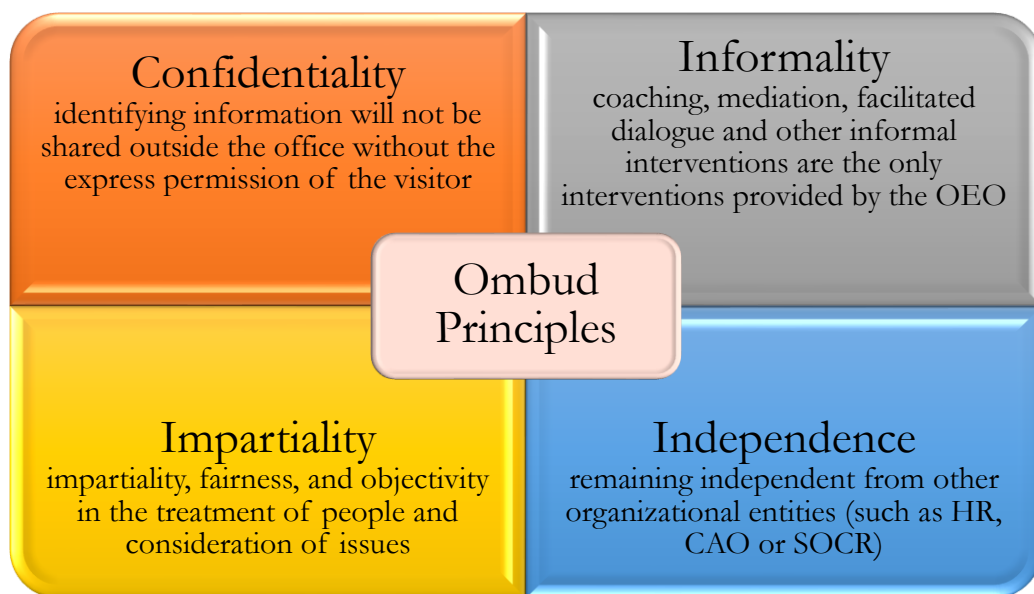
# Case Management Process

Below is a graphic designed to help clarify our case management process. Given the complexity of cases, this process, particularly in intake and resolution phases, will vary based on the needs and goals of the visitor:



# Office Tenets

The Office of the Employee Ombud has four main tenets that guide our work – these same tenets govern the working scope of many Ombud offices around the world.





# Outreach

Much of OEO's work during the 2020-21 year was to be focused on the further development and deepening of City staff understanding of our office and role. We had planned as part of our efforts to visit as many of the 192 City locations as was allowable given our scheduling. However, COVID-19 largely interrupted those efforts, but we were able to continue some of our ongoing outreach work, described in more detail below.

## **Specific Outreach Efforts in Response to Emerging Events**

Over the past year, the Office of the Employee Ombud has sustained its outreach efforts despite the COVID-19 pandemic. When the Stay-at-Home order was implemented, the issues OEO received trended around responding and adjusting to COVID-19. To address these employee concerns and reach out to employees, OEO hosted listening sessions via Cornerstone throughout April and May. Each session focused on a specific theme: “**Shelter in Place**” where we discussed the impact that the mandate had on employees, whether positive or negative; “**Essential Personnel**” where we discussed how essential personnel feel they are being protected, treated, and cared for; and “**Temporary and Probationary Employee Concerns**” where temporary and probationary employees were able to ask questions regarding their employment status and what the Stay-at-Home order meant for them. During these listening sessions, OEO staff answered employee questions and collected questions to address with HR leadership. OEO then published the answers to the employee questions on its SharePoint for employees to easily access.

Additionally, OEO set up virtual office hours so City employees were able to easily make a confidential appointment with any OEO staff member without having to come to the office. With the help of the IT department, we were able to create a Teams Calendar App on our SharePoint site which linked to our individual Outlook calendars.

Amidst the COVID-19 Pandemic, our nation also experienced mass protests after the murder of George Floyd. City of Seattle employees needed a space to voice their frustration, pain, and confusion. In partnership with SOCR and SDHR Workforce Equity, OEO participated in three Citywide Employee Forums for folks to process what led to these crucial moments and discuss their feelings about recent events. These Forums included two parts; an educational portion wherein employees learned about the history of institutional and systemic racism, and caucusing groups.

## **Open Outreach Efforts to Listen and Connect with Staff**

Offering a safe and inclusive feedback loop to City employees is a big part of OEO's mission. Our team organizes and facilitates opportunities for employees to weigh in on policy/practice initiatives, leadership standards and general impact evaluation of the City's workplace culture.

This year, OEO engaged in Listening Sessions with many City departments, which included Town Halls, Community Outreach Webinars, and Inclusive Excellence Forums. Each of these meetings included anywhere from 50-500 people. The insight we gathered helped inform process



improvement efforts, leadership restructuring and a wide range of other corrections requested by employees.

### **Staff and Introductory Meetings**

The OEO is new and we are a small team but participate in staff and all hands meetings as frequently as possible to build trust with City employees. Our attendance at some of these meetings is in response to concerns that there is conflict in the unit among team-members, but others times it is to highlight tensions with management, and occasionally it is in response to a realization by management that staff may not be aware of OEO as a confidential resource.

### **Outreach in support of Transition Management**

OEO has been actively engaging City departments and the Mayor’s Office in establishing Transition Management protocols for teams that are experiencing a leadership change or a restructure. Our approach has been to offer a safe and confidential forum to employees so they can have intentional conversations about leadership transition, including their preexisting needs, upcoming needs, and most importantly to discuss how they might feel included in the entire process. This year, we have provided this support to departments where a leader or an entire function was transitioning or reorganizing.

### **Point of Contact Meetings**

In addition to conducting presentations, hosting listening sessions, and facilitating employee forums, we have added regular Point of Contact meetings to our breadth of work. We have asked each Cabinet Director to name a Point of Contact in their department. This person is designated by their leader to be the primary interface between OEO and the department. We meet with our Points of Contact on a regular basis to review any trends or concerns that have come up specifically in that department, and to collaborate on the best resources to resolve those concerns. Some of our Points of Contact are HR Directors, some are Administrators, and all are integral to helping our office understand the culture of the different departments we work with and to minimize the times where an employee issue of concern comes as a surprise to the department.

The following table illustrates some of our outreach events in 2020-21:

<b>Title</b>	<b>Date</b>	<b># Attendees</b>
Shelter in Place	April 22nd (2)	49
Seattle Municipal Court Town Hall	April 24th	~100
Temp + Probationary Employee Concerns	April 29th (1)	24
Essential Personnel	May 6th (1)	22



Employee Forum I	June 15th	Open to all employees
Employee Listening Session	June 16th	7
Employee Forum II	June 17th	Open to all employees
Employee Forum III	June 19th	Open to all employees
COVID-19 Community Outreach Webinar	June 26th	~200
COVID-19 Community Outreach Webinar	July 10th	~200
MO employees Listening Session	June 18 <sup>th</sup>	~20
CSO Presentation	July 27th	~20
COVID-19 Community Outreach Webinar	August 14th	~200
COVID-19 Community Outreach Webinar	August 28th	~200
SPD Meet & Greet	August 25th	~5
Affinity Group Research	August 11th, 13th, 21st, Sept. 18th	Final Survey Open to All Employees
PEP Supervisors Listening Session	Oct. 6th	15
HRLT	Oct. 14th	HR leadership
OED M-Team Meeting	Oct. 21st	7
Inclusive Excellence	Oct. 21st	Open to All Employees
SPU Contact Center Session I	Nov. 3rd	9
SPU Contact Center Session II	Nov. 4th	8
SPU Contact Center Session III	Nov. 5th	8



SPU Contact Center Session IV	Nov. 5th	4
SPU Contact Center Session V	Nov. 6th	5
Women in Power	Nov. 19th	SCL Women
People and Culture Team Meeting	Feb. 3rd	10
Beyond the Task	Feb. 21st	15



# Accountability and Impact

OEO's role has a dual function of serving at the individual and systemic levels. At the individual level, we strive to be impactful by helping to find resolution options for the individuals who bring a report to our office. At the systemic level, we utilize our case data and expertise to inform and sustain overall systemic improvement efforts. Because so many cases come to our office anonymously, and we maintain confidentiality to the fullest extent possible, it can be difficult to talk specifically about the kind of relief or improvement we have been able to achieve in individual cases. However, this section will detail three ways that we benchmark our work to ensure that we are continually monitoring our impact and holding ourselves to highest ethical and industry standards of practice.

## **Case Audits**

Case audits are an integral part of our system of checks and balances. With 415 cases and growing, our team audited every case on our docket for consistency, rate of resolution, impediments to resolution, process improvement, and trends monitoring. The process is time-consuming but imperative for meaningful impact. The audit includes a thorough review of case notes in EthicsPoint, (our case management program), review of all open cases for closure or follow-up, review of closure notes to see whether further resolution can be achieved or additional capacity building efforts can be implemented, and review of identity factors in cases as reported by visitors. Case audits are our primary tool for identifying systemic trends and emerging patterns within the data. Additionally, we continue to track what factors have contributed to a conflict, such as race, gender, or identity.

## **Case Resolutions and Outcomes**

As part of our case audits, we discuss and debrief the resolutions achieved in each case. Our goal is to determine whether we used all of the tools and strategies available to our office to bring about the resolution sought by the individual, but also to determine whether we captured any systemic issues that were part of the conflict. We also monitor the individuals named in a given case – whether as a direct participant in the conflict, or as someone who helped bring about resolution. There are several ways that we consider resolution, which will be discussed in more detail below. First is whether we achieved the respectful resolution sought by the individual. Second is how our office intervened to bring about resolution – whether indirectly, directly, through referral to a formal a process, whether there was no intervention available (either formal or informal), or whether the individual found a path to resolution on their own.

We measure our effectiveness based on the number of times we achieve the respectful resolution sought by a complainant. It is, however, worth noting that there are a lot of cases where the resolution sought by the employee is not in their best interest and might lead to continued conflict in the future. Our approach in such cases is to provide impartial coaching and guidance to the employee and attempt to explore an alternative outlook. If that coaching doesn't result in the employee wanting a different resolution, we make our best attempt at resolving the matter to their



satisfaction while holding true to our goal of not inflicting more harm. Our case audits reflect the resolution type sought by the complainant at the time of in-take to the time of case closure.

## **Training Evaluations**

As part of our office’s case management cycle, as noted above, we assess each case to determine whether there could be some intervention in the form of training, or other capacity building initiative, to prevent future conflicts of a similar nature. Discussed in more detail in our Capacity Building section below, we have developed a number of trainings and interventions. Each training and intervention are followed by an evaluation to help us assess whether the information provided is helpful, germane, and usable by the participants. As we receive that feedback, we continually change and update our capacity building initiatives based on the data we collect. We also monitor each case and continue to assess where our training efforts need to change and grow to meet the changing needs of City staff.



# 2021 Statistics

201 Cases

Backlog: 0

81% Closed

34 workdays:  
average time case  
remains open

2020 Cases: 211

## Systemic Trends:

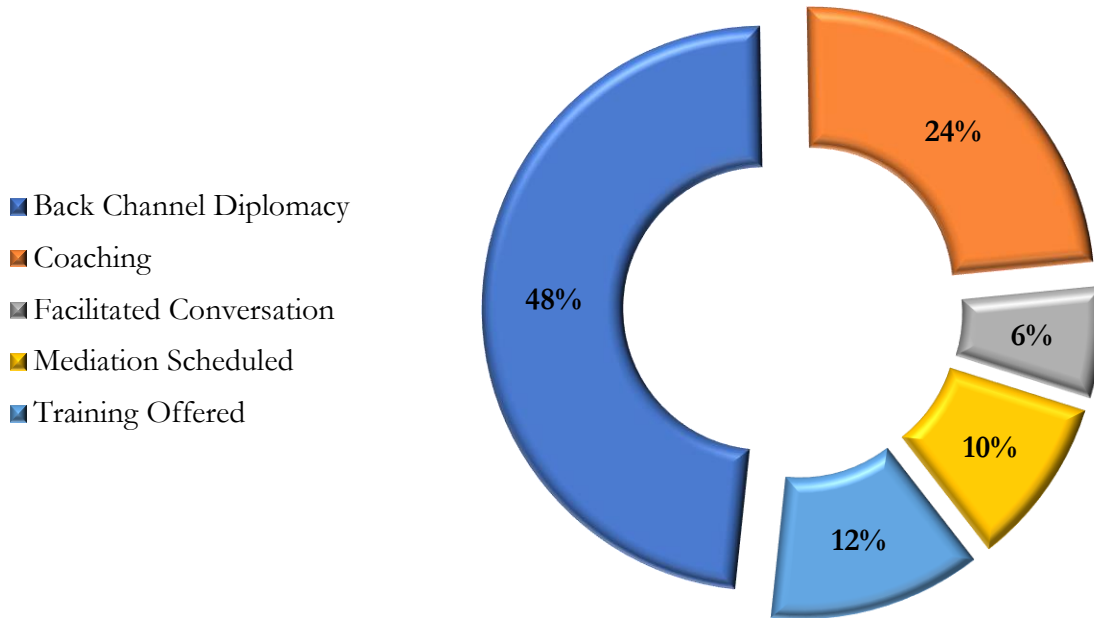
- Discrimination
- Uncertainty about policy
- Inconsistency in disciplinary processes
- Mistrust of hiring processes
- Retaliation
- Disparate promotion processes
- Conflicts of Interest
- ADA process consistency
- Out of Class assignments

## Case Resolution

Over the last year, our office conducted an audit of all of our 415+ cases. We added to our tracking systems to include review of whether a case was resolved, partially resolved, not resolved, or no action was requested. In the 2020-21 year, we achieved either partial or full resolution on 80% of our cases, while 12% had no action requested, and 8% did not achieve resolution.

## OEO Case Interventions

As mentioned above, our process is highly customized to meet the needs of the visitors to our office. In 2020-21, our office engaged in the following intervention strategies:



### Definitions:

*Back Channel Diplomacy:* Raising a concern to leadership without identifying the visitor who raised the concern. The goal is to work with leadership to provide information such that they can address and resolve concerns within their units.

*Coaching:* Working directly with the visitor on their own communication and conflict resolution strategies to help them resolve conflicts without direct OEO intervention or involvement.

*Facilitated Conversation:* Convening a large group dialogue or listening session designed to help resolve issues within the group itself, or to raise concerns to leadership.

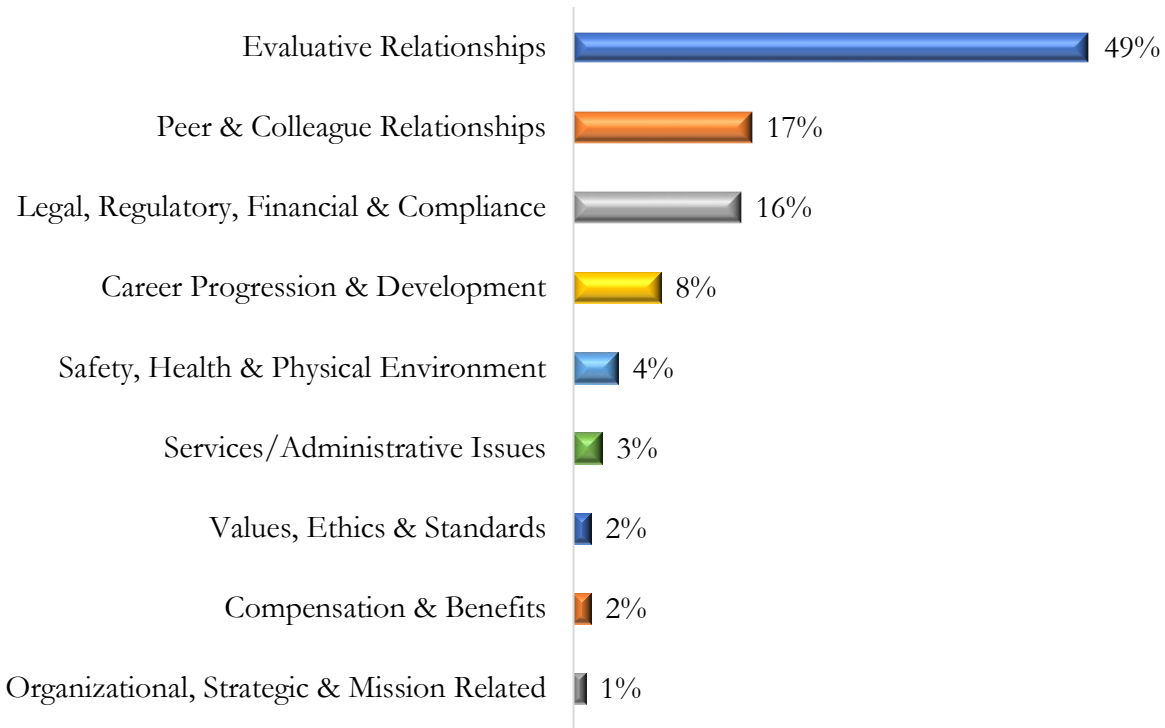
*Mediation:* Facilitating a small group dialogue, usually 2-3 people only, designed to help the individuals involved address harms they have caused to each other and resolve concerns.

*Training Offered:* Working with the leadership in a unit to identify issues within their unit that could be improved or resolved through a training or other capacity building effort developed by the OEO and customized to unit-specific needs.

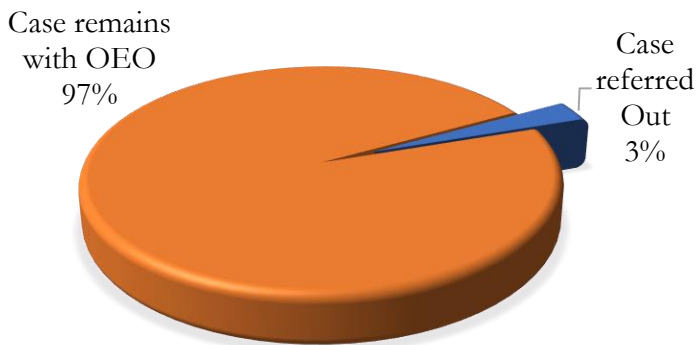




# IOA Reporting Categories and Referrals



The OEO practices to the standards of the International Ombuds Association (IOA). We track issues using the IOA Standard Reporting Categories. One thing to note about the above chart is that each case may include more than one category. For example, for an individual upset about their relationship with their manager and their performance evaluation, we might characterize the case as being both an issue of “Evaluative Relationship” but also, if they were concerned about career impacts, an issue of “Career Progression & Development.” Full descriptions of IOA categories are available at the IOA [website](#).



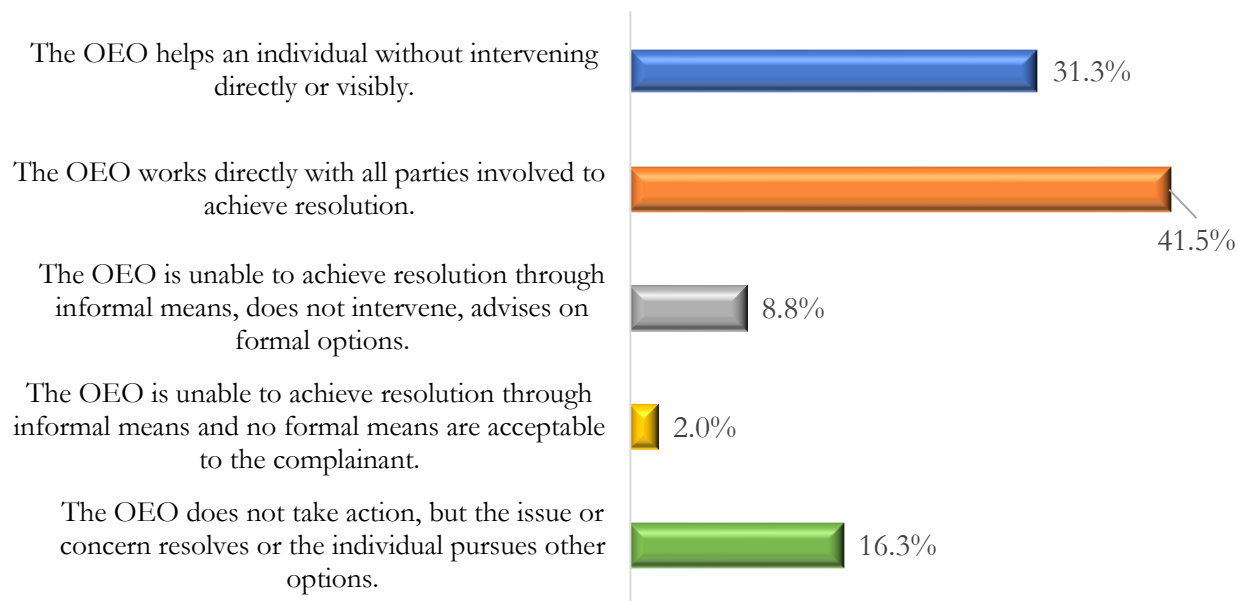
In 97% of our cases, we attempted informal resolution. Some cases were still referred out later to a formal process, but the vast majority resolved through informal intervention. There were a very small number of cases where the resolution sought was not possible through informal process, and in those 3% of cases, we made the referral without any attempted OEO intervention.



# Case Outcomes and Complexity

In our previous Annual Report from the 2019-2020 year, we tracked case outcomes in terms of how our office intervened – visibly, behind the scenes, or through referral to formal processes. Over the past year, we have continued to assess the efficacy of our work, and the relative impact we have to help achieve resolution in the issues raised by employees. In doing so, we have added to the ways that we track resolution. The first effort is by tracking the different ways our office intervenes under the broad hearing “OEO Intervention”. This allows us to understand the ways in which we are engaging with cases and if we are consistent in our engagement strategy. The second is by tracking whether the visitor’s stated respectful resolution was achieved, which we refer to as “Respectful Resolution”. This allows us to track and monitor whether the individuals who are coming to the office are getting what they are seeking from our processes. Third and finally, we track the number of participants in a case. This allows us to understand how complex the cases are that we are managing.

## Case Outcomes by OEO Intervention



No matter what the nature of intervention attempted by our office is, we maintain a database of case trends and track emerging and ongoing systemic issues, which are continuously reported to leadership. It should also be noted that we regularly conduct policy and process review in cases to see whether there was an unintended consequence that could be avoided through a policy change. Included in the 2019-2020 Annual Report were case examples highlighting each type of intervention, which can help explain what the interventions actually mean in practice.

From the 2019-20 year to the 2020-21 year, the most dramatic change to our data was the number of cases in which we intervened directly, which went from 27% to 42%, where the numbers for all

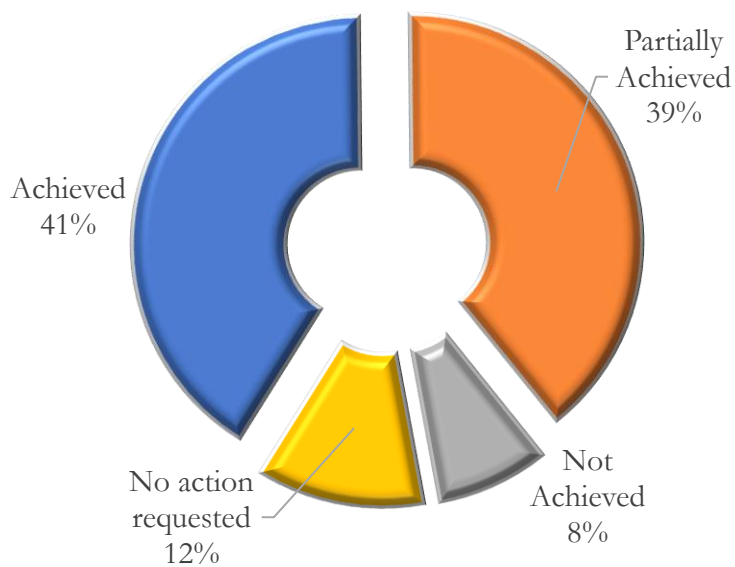


other types of intervention went down slightly or stayed constant. What this means is that there has been a significant increase in cases where our office was visibly involved in seeking resolution. This likely indicates several things: first, that our office, in increasing outreach efforts and learning about City department and workplace dynamics, is becoming more effective in suggesting or considering interventions that involve our direct engagement. Second, the referrals to our office, which are coming from more and more City departments directly allow for more direct intervention on the part of our office.

In 2020-21, we refined our case tracking. As an office, measuring our efficacy in getting to outcomes is neither an easy nor a simple feat, particularly when we cannot report on any individual case to discuss how we reached resolution in that particular instance. However, with more than 415 cases now in our office, we have enough data to begin considering how else we might track the outcomes achieved with our help and measure the impact that we are having on how a case is resolved. There are, of course, limitations to tracking case outcomes by OEO intervention alone. Those numbers do not tell us whether the individual who visited our office reached the resolution they desired. That is why, as mentioned above, we also track cases by Resolution Type.

### Case Outcomes by Respectful Resolution

We ask each person who visits our office, “What does respectful resolution look like to you?”. We try to tailor all of our subsequent interventions and strategies to achieve a resolution that is as close as possible to their stated respectful resolution. In some cases, we are able to get them exactly what they want, whether it’s a better working relationship and communication with a supervisor, or an opportunity to better understand the expectations of their role, etc. In other cases, we are unable to achieve their desired resolution, particularly if they are looking for



a formal action such as firing of another employee. In every case reported to us, we gain information points about a leader, a unit, a department, and the larger system. If our assessment leads us to believe that leadership or process change is warranted, we raise the matter directly with department directors or at times with the Mayor’s office. Our office records all attempts made at informing decision makers about issues that need immediate correction, their response is recorded and timelines for remedy are established.



Our 2020-21 audits tell us whether we achieved a full resolution, a partial resolution, or no resolution to the cases we have had throughout the year. There are a few things to note about the data presented. First, the desired resolution by a visitor sometimes changes. As an example, an individual may come to our office looking to challenge their performance evaluation and get the evaluation changed. Over time, as we review their evaluation with them, they may realize that the actual issue is a lack of effective communication between themselves and their supervisor, which has hindered them from meeting the stated performance goals of their position. While they can still challenge the performance evaluation, their focus and desired resolution might shift to improving the relationship and communication to prevent another challenging performance evaluation in the future.

A second note about the data is that sometimes, even when their desired resolution has been achieved, the individual is still dissatisfied with the outcome in their case. For example, we had an employee who came to us with safety concerns relating to COVID-19 and the configuration of their work environment. The employee had raised their concerns with their immediate supervisor and had felt that the supervisor was resistant to the changes they proposed, primarily due to cost constraints. OEO escalated the issue to a higher level of management, who felt that the investments were worthwhile and immediately began work on an approach that was even more expansive than the employee originally proposed and would allay the employee's safety concerns. Nonetheless, the employee ended up leaving City employment both due to personal concerns, but also due to the ongoing need to escalate concerns in order to get resolution in their work unit.

### **Case Complexity**

One thing that we have been working on understanding over the last year is how many individuals are involved in a single case. In some cases, there is only 1 participant, while others can number 10, or 15 people on the path to resolution. To capture the complexity of our work, we have begun tracking participants in a case – from the reporter who raised the initial complaint, to the sources who can repair the harm or provide resolution, to the information resources who help us understand processes, policies, and procedures or provide expertise. In the cases we have tracked so far, we average a total of 3 participants. This indicates that most of our cases are likely being resolved through a low-level, informal process, like mediation or facilitation.

To better understand the data, we looked at how many cases involved coaching or individual work, in other words, where there was only one participant. This is to be expected, as part of our mandate is to resolve cases wherever possible at the lowest level. We found that 25% of cases involved only a single individual, and that, given the resolution requested and the conflict as analyzed, there was no further follow up needed on that individual case. In 62% of our cases, however, we involved anywhere from 2 to 4 parties to raise concerns and resolve issues with some sense of expediency. Facilitated dialogues or mediations keep the number of participants to a conflict narrowly focused to who caused harm and who can help to repair it, and thus those numbers stay small. In about 13% of cases, however, we worked with a larger group or team, anywhere from 5-15 people. In those cases, we assisted through numerous individual and group meetings to resolve the larger dynamics that were causing challenges in a group.



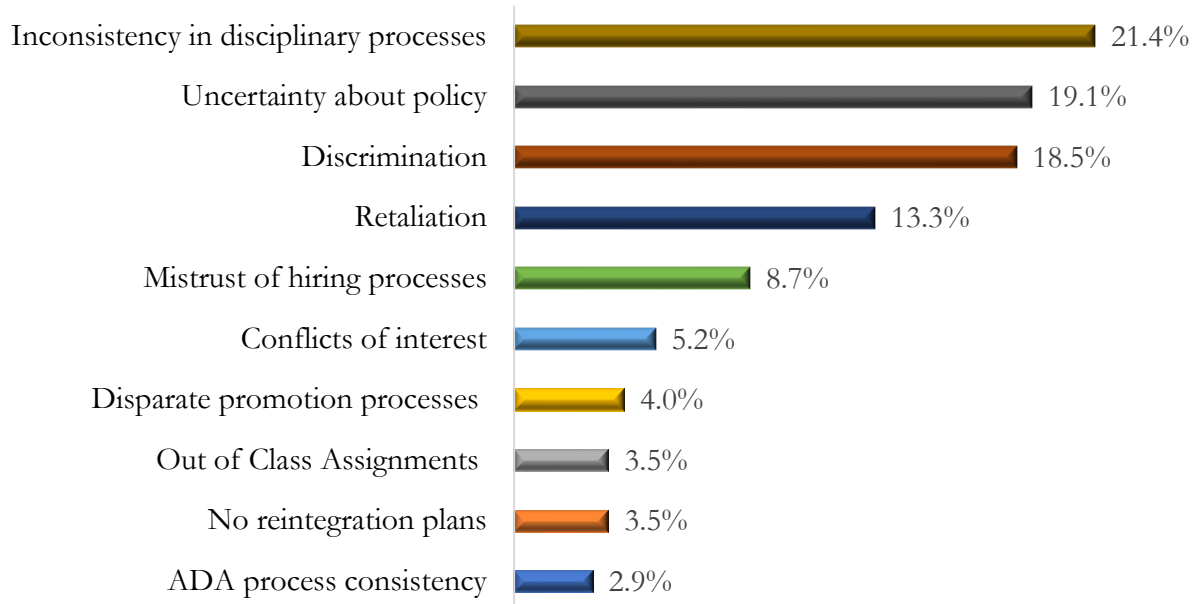
A note about this data: there are some interventions we may engage in as an office that we do not track as part of an individual case or in our participant data. For example, we might have a number of cases involving a single unit, each case with a single reporter who we worked with on individual coaching strategies. As a result of those single, related cases, we may choose to conduct a larger listening session, inclusivity audit, or other intervention to better understand the dynamics throughout the unit and to provide feedback to leadership. As these numbers are difficult to track and maintain, we do not include them in our participant numbers or case data.



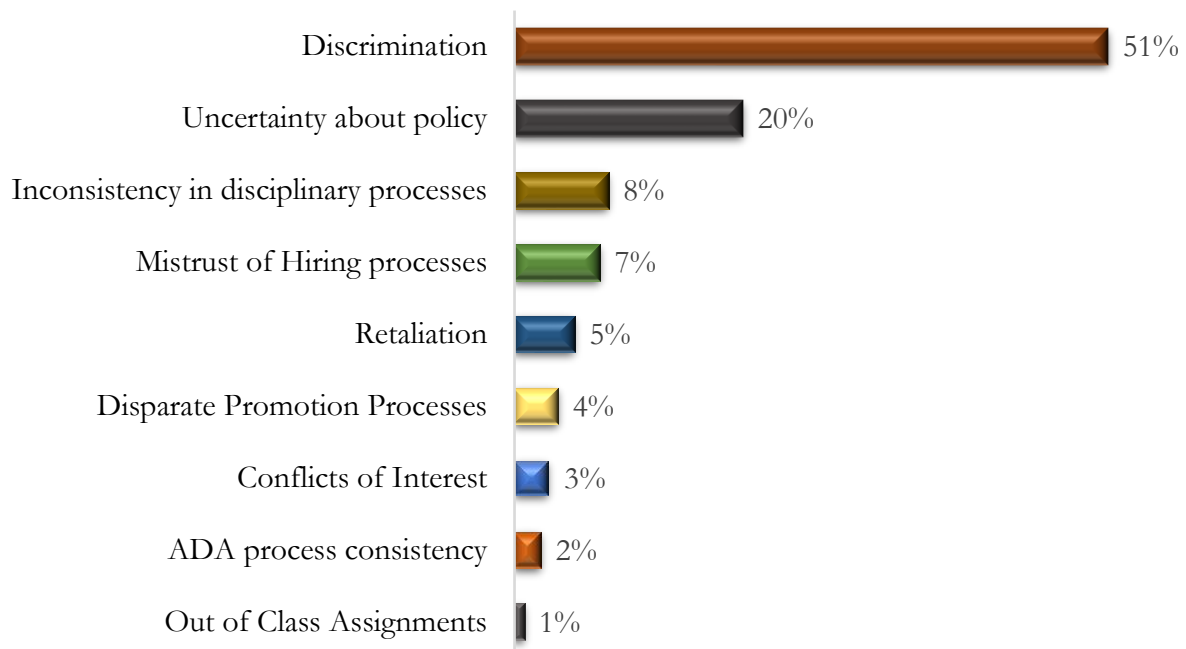


# Systemic Trends

## 2019-2020 Trends



## 2020-2021 Systemic Trends



## Changes to Systemic Trends in 2020-21

With dual pandemics of COVID-19 and systemic racism ongoing in our Nation, the 2020-21 year has called upon all City entities, including the Ombud Office, to pivot our focus and respond to the needs of our City staff and community. To accurately represent the trends our office saw in 2020-21 would be to largely focus on how those pandemics impacted City staff directly.

Two trends emerged more strongly in the 2020-21 year, most likely related to these two pandemics – discrimination, which represents concerns about microaggressions, racism, sexism, ageism, and harassment within the City; and uncertainty about policy, which was related to concerns about policies surrounding COVID-19 such as telework agreements and the designation of essential staff. The content of the concerns about discrimination were also related to perceptions of discrimination in telework policies, age-based layoffs or position eliminations, and succession planning targeting older workers who might not return to work due to COVID safety concerns. As the impact of COVID-19 to the City budget became apparent, we also heard many concerns relating to budget crises, including layoffs and seniority questions.

To respond to the COVID crisis, OEO facilitated listening sessions early in the pandemic to capture questions and concerns that staff had about the COVID-19 crisis and relay them to leadership.

Some of the questions we heard frequently during those sessions included:

- How will the City address the budget shortfall?
- How has the City handled budgeted crises in the past?
- Who will be laid off first?
- How will redeployment impact me?
- What criteria are used to determine whether staff is deemed essential?

Those questions, and the concerns staff had about layoffs, budget instability, and safety both in and out of the office, have been continuously provided to City leaders in Cabinet meetings and other discussions to ensure that they are known to leaders and can be addressed accordingly.

OEO also received many reports relating to race and social justice, to the crisis of ongoing systemic oppression and continued protests to push for systemic change. In partnership with SOCR and SDHR Workforce Equity Team, we assisted in the facilitation of listening sessions after the murder of George Floyd to provide City staff with a safe space to grieve, process, and come together to discuss what we can do as a City. Receiving employee concerns and elevating these discussions to executive leadership has underscored for us the value and timeliness of raising an alarm about White Supremacy and Extremism among our folds, as a threat to the most vulnerable in our communities and as a larger threat to our very nation. Employees at various levels of the organization are continuing to grapple with how to advance race and social justice in their own units. OEO's response has been to imbed the thematic significance of the root causes of extreme prejudice and hate motivated conduct into every curriculum and capacity building tool we offer to City employees. Our office also experienced an increase of cases where we have been asked directly to provide individualized coaching to staff to increase their awareness of privilege, prejudice, exclusion, hate and power.





# Recommendations

## Update on 2019-20 Trends and Recommendations

Despite the many changes that have come during the 2020-21 year, our office continues to monitor progress on the recommendations we put in our 2019-20 report. Here is an update on the recommendations we made in our 2019-20 report and new recommendations for the current year.

### Discrimination

Our recommendations with regard to discrimination, uncertainty about policy, inconsistency in disciplinary processes, and retaliation are to create a consistent City response to acts of discrimination and retaliation. This would reinforce the City’s commitment to prevention. Being consistent in how we name and respond to acts of discrimination or retaliation would both serve as a deterrent to potential actors, who would know the likely consequences of their actions, and as a means of offering some transparency to the victims of harm, who would be able to accurately predict what the response might be to their reports.

Recommendations	Progress/Updates
<p>Expand trainings available to City employees on Bystander Intervention and Cultural Intelligence.</p> <p>Centralize data, particularly around disciplinary action and investigation outcomes.</p> <p>Centralize the development of trainings at the City to ensure more consistent design and delivery.</p>	<ul style="list-style-type: none"> <li>• Debuted Bystander Intervention and Responses to Discrimination trainings on Cornerstone.</li> <li>• Developing Cultural Intelligence Training to debut Spring of 2021.</li> <li>• Created a line-up of Capacity Building efforts on hate motivated conduct.</li> <li>• Continued partnership with HRIU and City departments to sustain this ongoing work.</li> <li>• Continued discussion and review with Workforce Equity, SDHR, and SOCR to ensure trainings are consistent and coordinated among departments.</li> <li>• Partner with SDHR to gather all Capacity Building units in the City together for a one-day retreat to review existing definitions for terms and concepts among the units.</li> </ul>



## Uncertainty about policy

The OEO has consistently encountered policies that are outdated, lack consistent application or implementation, or where communication about the policy is ineffective. During the 2020-21 year, many of the policy concerns raised with our office were specific to the COVID-19 pandemic, such as the telework/AWA policies, or the CARES Act and other new COVID-19 specific policy updates.

Recommendations	Progress/Updates
<p>Partnership with OEO to increase communication and clarity of policies and practices.</p> <p>Revamp outdated policies.</p> <p><b>2020-21 Recommendation:</b> Provide minimum standards to managers to help them prevent conflicts from escalating to disciplinary action or other policy violations.</p> <p><b>2020-21 Recommendation:</b> Broaden stakeholder engagement during policy drafting process followed by OEO holding Listening Sessions before new policies with wide-ranging impacts on employees are implemented.</p>	<ul style="list-style-type: none"> <li>• OEO established departmental Point of Contact (POC) meetings to ensure regular communication about department specific policy challenges. This has allowed our office to highlight unintended policy impacts in individual cases and more broadly.</li> <li>• As we identify outdated policies, we continue to bring them to the attention of leadership. The COVID-19 crisis has highlighted many policies in need of change or update, and we have continued to review those with departments or SDHR as we have encountered the concerns.</li> <li>• Partner with SDHR’s Workforce Equity Team in establishing mandatory trainings and supervisory standards for conflict mitigation and de-escalation.</li> <li>• Develop a better understanding of already existing policy rollout conversations among Unions and their members and offer OEO support in expanding those conversations.</li> </ul>

## Inconsistency in disciplinary processes

Recommendation	Progress/Updates
<p>Create a guideline for disciplinary sanctions to be used city-wide by managers, supervisors, and HR to encourage the consistency of sanctions.</p>	<ul style="list-style-type: none"> <li>• Began discussions on feasibility with HR leaders – more discussion is needed with HR, Labor Relations, and the Labor Unions that represent City staff to finalize a City-wide document.</li> <li>• Reviewed individual cases with disciplinary action to ensure consistency at the department-wide level wherever possible.</li> </ul>



<p>Establish a Senior Leadership training program and instill an Inclusive Excellence Model in City of Seattle leadership. This could help improve many people-management challenges faced across the City.</p>	<ul style="list-style-type: none"> <li>• Designed an Effective Management Training which has been piloted in 2020 and will be provided more broadly in 2021.</li> <li>• Developed tools for needs assessment including an Inclusivity Audit and individual self-assessment to determine what is needed before providing uniquely tailored resources for leadership and staff.</li> </ul>
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## Mistrust of hiring processes

Recommendation	Progress/Updates
<p>Wherever possible, provide a public forum with all team members for every finalist candidate for a managerial role to solicit the team’s feedback on the eligibility of each finalist.</p> <p>Develop a Search Advocate Program where individuals are trained specifically to participate on hiring panels to increase the diversity, validity, and equity of search processes.</p> <p><b>2020-21 Recommendation:</b> Offer coaching upon request to internal applicants who were not selected for a position.</p> <p><b>2020-21 Recommendation:</b> Transition management support – we recommend that the City make an intentional effort to invite conversations about leadership transition, but also about preexisting needs, upcoming needs, etc. and to find ways to acknowledge that change is traumatic. This should occur prior to putting a new unit or leader in place.</p>	<ul style="list-style-type: none"> <li>• Highlighted during ongoing POC meetings with departments. Feedback also provided to the Mayor’s team on Executive level recruitment efforts.</li> <li>• Prepared Pilot model and hope to have a pilot model up and running in the 2021-22 year.</li> <li>• OEO has asked for this in several individual cases and will continue to ask that it be more broadly offered in the coming year.</li> <li>• OEO to partner with HR Leadership Team to explore developing a more robust and transparent score sheet or more detailed feedback to provide to top internal applicants.</li> <li>• OEO has provided this support to a number of departments where leadership was transitioning and will continue to offer this support during the 2021-22 year.</li> </ul>



Retaliation	
Recommendation	Progress/Updates
<p>Expand the definition of retaliation within City policy.</p> <p>Develop protocols for reintegration of employees who have reported issues or who have been on leave because of conflict.</p> <p>Partner with the OEO to create reintegration plans focused on restorative justice to promote continued healthy work environments for all employees.</p> <p><b>2020-21 Recommendation:</b> Whenever there is a serious misconduct allegation, the department should take immediate action wherever possible to separate the employees involved.</p>	<ul style="list-style-type: none"> <li>• Updates to the Misconduct policy are ongoing and will hopefully finalize in the 2021 year.</li> <li>• We are in the final stages of developing a protocol for reintegration and will be offering that to departments as soon as it is finalized.</li> <li>• Our reintegration protocol as currently developed has embedded elements of restorative justice practices and will allow us to create opportunities for partnership around reintegration plans with many departments.</li> </ul>
Disparate promotion processes	
Recommendation	Progress/Updates
<p>Explore wherever possible the option of creating technical tracks within positions that do not require an individual to take on managerial duties if they do not wish to or are not well suited to do so.</p> <p><b>2020-21 Recommendation:</b> Continue expansion of the E3 evaluation process into all departments and include a 360 evaluation for all people managers.</p> <p><b>2020-21 Recommendation:</b> Establish periodic career progression reviews initiated by managers with all their staff who have been in the same position a minimum of five years.</p>	<ul style="list-style-type: none"> <li>• This has been a focus of OEO wherever it is possible to do so, and we have been exploring this within our POC meetings and in response to individual cases.</li> <li>• This will be a priority for HRLT collaboration.</li> </ul>



## Conflicts of interest

Recommendation	Progress/Updates
<p>Facilitate open discussions of perceived conflicts of interest in a unit to address concerns of staff in as open and transparent manner as possible.</p> <p>As noted above in ‘Mistrust of Hiring Processes’, involve staff in hiring processes for their managers so they have an opportunity to provide feedback before a new manager is hired.</p> <p><b>2020-21 Recommendation:</b> Whenever a conflict of interest issue is raised, either invite OEO to facilitate a team dialogue or refer the issue to the Ethics Commission to address.</p>	<ul style="list-style-type: none"> <li>• Recommended in various individual cases where the perceived conflicts of interests have caused challenges in a unit.</li> <li>• Recommended as part of individual casework where relevant and discussed in POC meetings with department partners.</li> </ul>

## ADA process consistency

Recommendation	Progress/Updates
<p>Centralize ADA case management so all requests for accommodations are processed in a uniform manner in consultation with department HR and within a prescribed timeframe.</p> <p>Explore hiring a special investigator who has unique expertise in deciding allegations of disability related discrimination.</p> <p><b>2020-21 Recommendation:</b> City Policy Department and SDHR send out handout or graphic to every City department with information about ADA accommodations and rules as they are related to Federal ADA and City guidelines.</p>	<ul style="list-style-type: none"> <li>• Recommendation reviewed with SDHR in the previous year, and an education effort is ongoing with departmental ADA case managers to process ADA accommodations in a uniform manner.</li> <li>• HRIU staff hired over the past year have relevant expertise in Federal and State disability law as well as City personnel rules and policies.</li> </ul>



## Out of Class (OOC) assignments

Recommendation	Progress/Updates
<p>Review and close OOC policy loopholes that create unintended consequences by allowing a bypass of the standard hiring process.</p> <p>Acknowledge where the standard hiring process is bypassed appropriately and provide an explanation to staff.</p> <p><b>2020-21 Recommendation:</b> Wherever possible, departments should consider OOC rotation among all interested and qualified candidates to provide opportunities for all staff to develop.</p>	<ul style="list-style-type: none"> <li>• Reviewed OOC policy based on anecdotal reports with SDHR and in departmental POC meetings. No consistent policy loopholes have been found regarding the bypass of hiring processes. Instead, the conflict appears to arise when an individual is consistently not selected for OOC opportunities, which we have addressed in more detail in ‘Disparate Promotion Processes’ recommendations.</li> <li>• As stated above, reviewed OOC policy based on anecdotal reports with SDHR and in departmental POC meetings. No consistent policy loopholes have been found regarding the bypass of hiring processes.</li> </ul>

## No reintegration plans\*

\*Did not appear as a distinct trend in the 2020-21 year. There have been concerns about reintegration for employees that are more closely related to inconsistency in discipline or retaliation and are addressed in more detail in those systemic trends and corresponding recommendations.

Recommendation	Progress/Updates
<p>SDHR and City leadership partner with OEO to review reintegration of employees returning from admin leave and develop a transition plan focused on restorative justice.</p> <p>Consistent use of a restorative circle for teams that have been involved in an investigation or where there has been major discipline.</p>	<ul style="list-style-type: none"> <li>• We are in the final stages of developing a protocol for reintegration and will be offering that to departments as soon as it is finalized.</li> <li>• Our reintegration protocol as currently developed has embedded elements of restorative justice practices and will allow us to create opportunities for partnership around reintegration plans with many departments.</li> </ul>





# Capacity Building

The last year has been both exciting and challenging in terms of OEO’s capacity building efforts. The political climate and social movements aligned perfectly with our training curricula while the changes in our work environment necessitated by the COVID-19 pandemic presented a significant hurdle in the intended development, delivery, and assessment of our capacity building efforts. Nonetheless, we adapted to the changing needs of our community and are happy to report that we were able to deliver a variety of trainings collectively aimed at promoting an inclusive workplace.

As the implementation of the Hate Crimes and Crimes of Bias Executive Order became an added priority for OEO, we reviewed every curriculum, every activity and every assessment tool for consistency and alignment with two essential acknowledgements:

- Racial discrimination and other forms of injustice grow and thrive in environments where bias, prejudice and stereotyping go unchecked. Our workforce at all levels of responsibility must seek and own the tools they need to check, control and prevent harm to others. Only then can we mitigate recurring conflict.
- Systemic racism is our collective problem. It will persist and become more corrosive unless we normalize anti-racist policy and practice review. It will persist unless we break down fences around who is and isn’t eligible to engage in conversations about racism and all different kinds of discrimination. We, as a City, as a community of professionals have the choice and the opportunity to not wait until the next hate-motivated crime/act of disrespect makes the headlines. We can be proactive in our attempts to check the ideologies and the perceptions that eventually lead to hate.

An underlying theme of preventing bias and hate threads through all of the trainings we delivered this year. Starting in May of 2020, the OEO has offered City-wide trainings on Bystander Intervention, Responses to Discrimination and Conflict Management. There were also a few trainings and other capacity building initiatives that were customized to the needs of a particular unit/department in response to emerging issues of inclusivity. Our vision for capacity building includes offering a progressive learning spectrum to employees where they grow fundamental skills such as Cultural Intelligence to more advanced learning needed to address extremism and hate. Despite our limited personnel capacity, OEO offered trainings almost every week since May of 2020, with over 800 employees trained so far. Starting in Spring of 2021, we will offer Cultural Intelligence and Anti-Racism trainings via Cornerstone as well. A summary of our 2020-21 trainings are outlined below.

## Spectrum of Learning from Bias Prevention to Anti-Extremism





## Bystander Intervention

As colleagues working together in the City, engaging a healthy majority in reinforcing workplace values is an effective way to prevent discrimination, harassment, racial bias, prejudice, micro-aggressions, and other forms of harmful workplace behavior. Our Bystander Intervention model centers around the idea that every one of us has a critical role to play and shares responsibility to create a positive workspace. The main goal of this training is to give employees strategies and tools that they can use as an active bystander whenever they witness problematic behavior in the workplace.

The goal of this course is to increase the level of confidence individuals feel to intervene as active bystanders when confronted with instances of hate violence, discrimination, harassment, and other forms of misconduct. By the end of the training participants:

- Develop an awareness of early warning signs
- Connect bias, prejudice, stereotyping with instances of hate motivated aggression
- Understand barriers to intervention
- Learn about different strategies to intervene
- Practice using intervention strategies in real-life scenarios

### Participant Testimonials

*“This should be mandatory for everyone City-wide, especially supervisors and managers.” (8/21)*

*“Time well spent, a great adjunct to other RSJI trainings.” (11/10/20)*

*“Take it! It’s very informative and you come away with new tools to utilize. Maybe it should be mandatory for Executives, Managers and Supervisors.” (11/17/20)*

*“This training is great to help encourage people to feel empowered to speak up if necessary.” (1/22/21)*

## Responses to Discrimination

Our Responses to Discrimination training applies a bystander intervention framework specifically to instances of discrimination at work. This interactive course situates race, inclusion, and prejudice at the heart of understanding the anatomy of conflict commonly presented at work. The training provides participants with a thorough understanding of their role in creating and promoting a safe and welcoming work environment. Employees learn how to identify the different facets of discrimination as it manifests itself at work, explore their own biases that lead to discriminatory practices, and know how to respond as individuals and as a collective when confronted with workplace hostility and lack of inclusion.



By the end of this training course participants are able to:

- Identify their own biases related to discrimination
- Understand and be able to articulate the difference between actual and perceived discrimination
- Understand how to respond if they encounter discrimination at work
- Identify inclusion issues in which further discussion and planning needs to take place in their own workplaces
- Create a plan for taking action after completion of the training

## Participant Testimonials

*“I have great respect for Dr. Khan and your team. I have been telling SeaIT people to sign up for this. I want to take the other class as well. I see it’s being very well received. Nice!” (8/19/20)*

*“I recommend the series to all staff. It is helpful and practical, and it ties in quite well with RSJI trainings.” (8/25/20)*

*“This and Bystander Intervention should be required courses for leadership and highly recommended for all City staff.” (11/13/20)*

*“I thought the training was great and recommend it highly. It helps people to look at discrimination and its impacts from the employees’ point of view, whether it rises to an illegal level or not it still has harmful impacts. Gives practical info and ideas about how to respond. And had a beautifully refreshing open conversation at the end that is rare in City settings. I thank the trainers, who gave personal examples in helpful ways modeling humility and integrity.” (12/17/20)*

*“This training is extremely valuable and almost a must for anyone in Leadership or Managing/ Supervising employees. I learned many new skills and tactics to help better identify and then assist me with appropriately intervening when I encounter discrimination, both in my professional and personal lives. It helped me challenge my own biases related to discrimination and how I may respond differently and more effectively, be more aware of the language I use to ensure its inclusive. The information and discussion on the actual or perceived negative impact of discrimination in the workplace really resonated with me. I will continue to work on and hone my intervention strategies. Thank you OEO!” (12/4/20)*

*“I would encourage everyone in the City to attend, as it does a great job of explaining the nuances of harassment and discrimination, as well as methods for addressing issues that arise.” (12/4/20)*

## Conflict Management

Conflict is inevitable. Everyone has had conflicts and will probably experience them again in the future. Our Conflict Management training presents tools and techniques so participants can more confidently deal with workplace conflict. The training situates race, inclusion, and prejudice at the



heart of understanding the anatomy of conflict commonly presented at work. The program explores definitions of workplace conflict and illustrates a conflict management process. By the end of the session, participants gain a basic understanding of responding to conflict, mitigation innovations, and resolution techniques. Participants also learn about different conflict resolution styles and discover their own preferred style.

By the end of this training participants are able to:

- Learn, practice and follow a process of resolving conflict
- Become more confident in handling interpersonal and common workplace conflict situations
- Find out their own preferred style of resolving conflict and become aware of the different styles of resolving conflict
- Follow a step-by-step process of successfully mediating conflict between two parties

### **Participant Testimonials**

*“The trainers have some very constructive ways of thinking about the topic and provide specific actions to consider in future conflicts.” (10/30/20)*

*“I feel this should be a mandatory training for everyone, but especially for management. Frequently at the City good employees are promoted into management without the necessary...set of tools beyond being a hard-working employee. One of the most important management skills is recognizing a conflict developing and address it early before tensions and bad feelings develop.” (12/11/20)*

*“This training is a must to add to your Relationship Toolbox. I would encourage my colleagues to attend. Good tools for all levels of staff.” (2/5/21)*

*“Good general overview of interest-based negotiation. Good to have under your belt.” (3/1/21)*

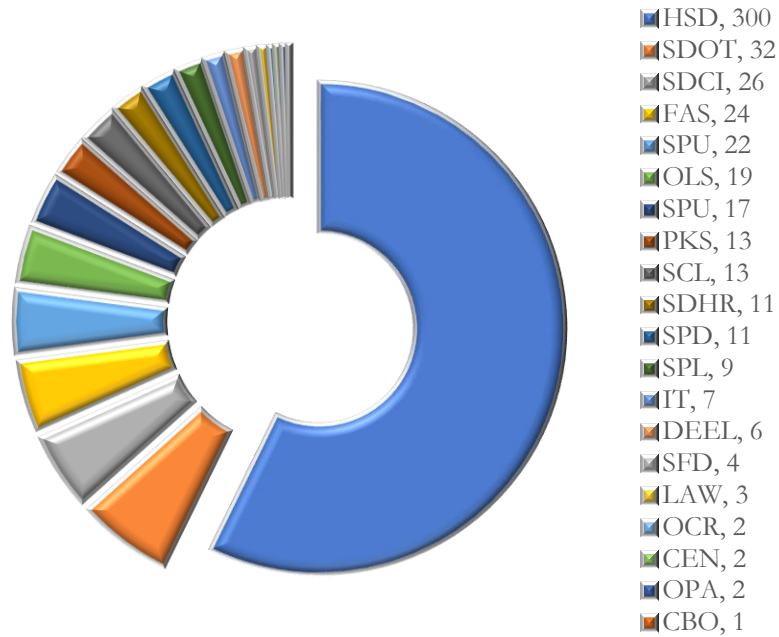


# Training Data and Evaluations

We track all participants who attend our trainings and have been continuing to provide trainings throughout the pandemic. The statistics gathered reflect trainings from April 2020-March 2021.

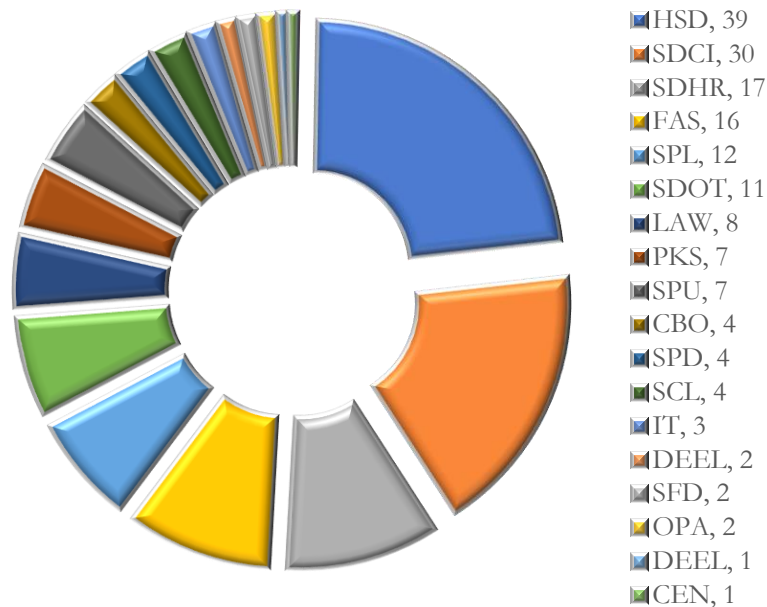
## Bystander Intervention

**Total Trainings: 14**  
**Total Attendees: 516**



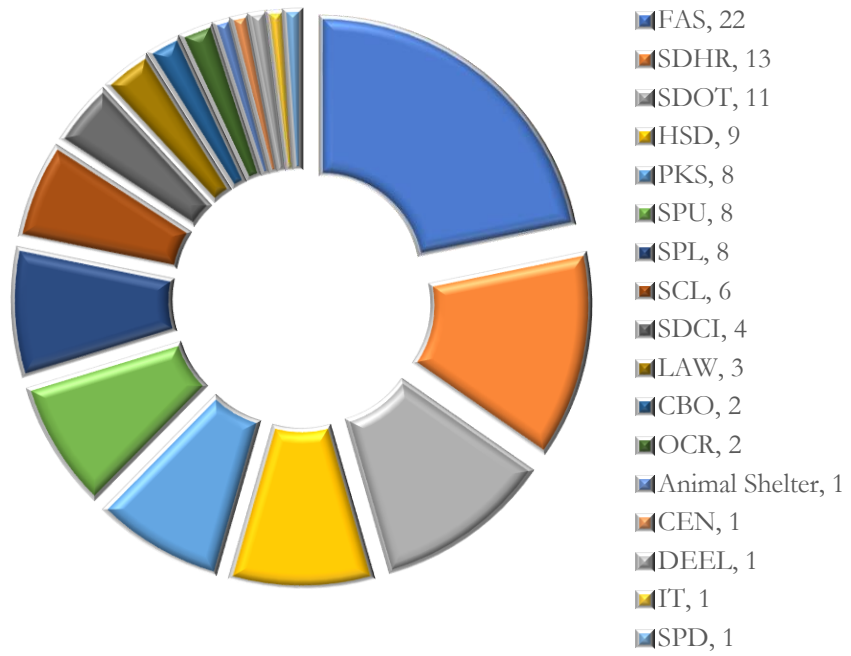
## Responses to Discrimination

**Total Trainings: 9**  
**Total Attendees: 179**



## Conflict Management

**Total Trainings: 6**  
**Total Attendees: 100**



# 2021 Priorities

## Priority #1

- Provide expedient Conflict Management services to City employees.

## Priority #2

- Lead the Hate Crime EO Workgroup.
- Increase departmental awareness and capacity for preventing Hate motivated conduct.
- Work with SOCR to implement community engagement goals outlined in the EO.

## Priority #3

- Present citywide trends in a transparent manner.

## Priority #4

- Offer Effective Management trainings to City departments.

## Priority #5

- Hold listening sessions and provide employees safe spaces to communicate their needs.

## Priority #6

- Deliver online trainings on Bystander Intervention, Responding to Discrimination, Conflict Management, and Cultural Intelligence.

## Priority #7

- Create a 5-day inclusive excellence leadership retreat for City leaders in collaboration with SDHR.



# Conclusion

OEO has served City of Seattle employees for less than two years. In this short time, our City community has opened its hearts and minds to us. You all have invited us in to help ease tensions, lay the groundwork for transition, or just to hold space for careful listening and consideration. Our learning about this community has grown tremendously. We have seen missed opportunities for better communication, delays in efforts to engage in transparent dialogue, and lost chances to teach values. We watch and take note of those missed opportunities and do endless covert and overt work to make sure our collective next effort is better than the first one. The Office of the Employee Ombud still has a lot of growing and learning to do, but, alongside City employees, we are doing some meaningful work and that is a reward in and of itself.

As we move forward into our 3<sup>rd</sup> year as an office, we are mindful of the continual need to monitor our impact and be accountable for our own growth and improvement to our processes and services to the City community. We have solicited ongoing feedback from our stakeholders. We continue to appreciate the opportunity to work alongside City staff to ensure that we are providing the best possible service while staying true to our own best practices and mandate as an office. In our next year, we will continue and expand upon these efforts to ensure meaningful and impactful service that truly serves the needs of our community.

As the possibility of change emerges once large-scale vaccination efforts have borne fruit—we are gearing up to hold listening sessions for employees to share what their needs, fears and recommendations are for a safe return to work. We are collaborating across the board to determine swift and informed response to continued and escalating wave of Anti-Asian Hate Crimes. This City and its people have high expectations, we hope to meet them to the best of our ability.

