

Departmental Racial Equity Progress Report

Annual Report for 2021

Part A

Submit to ORE by May 2, 2022

Department name: Ethics Commission

Date: May 2, 2022

Reflections from Department Leadership

What specific racial inequities and disparities within your department are you focused on addressing in 2022?

The Ethics Commission is a unique City department in that it was established directly by San Francisco voters with the duty to impartially administer and enforce the city's ethics, campaign finance, and lobbying laws, which are designed to promote broad, fair, and equal participation in city government. Under the City Charter, with a background in laws related to campaign finance, governmental ethics, and lobbying, the Executive Director serves as the department's chief executive officer and provides strategic, operational, and program direction in support of the department's mission and mandate.

At the core of the Commission's mission is the goal of promoting full participation and trust in the effective and equitable practices of local government by recognizing and removing obstacles to fair and equal participation. When corrupt actions and pay-to-play practices perpetuate inequities and serve to systemically disenfranchise those with less privilege and access, for example, the ability of people to participate effectively in decisions that affect their lives is diminished. The Commission's mandate to develop, implement, and impartially enforce ethics laws to address these systemic issues is vital "to assure that the governmental processes of the City and County promote fairness and equity for all residents and to maintain public trust in governmental institutions." [SFC&GCC Sec 3.200]

For this work to be effective, understanding the context in which longstanding political and governmental processes and structures have instead served to blunt full and equitable participation is essential. As Spencer Overton has written, "[w]hile past racially discriminatory laws impact the distribution of substantive property rights, they also establish the framework within which individuals exercise political rights" and "resources are needed to engage in effective political communication and to participate in the democratic process." [Spencer

Overton, *Racial Disparities and the Political Function of Property*, 49 UCLA L. Rev. 1553 (2002), p17.] “A more equitable democratic environment allows people of color to use the political process to secure privileges and resources for themselves.” [Spencer Overton, *But Some are More Equal: Race, Exclusion, and Campaign Finance*, 80 Tex. L. Rev. 987 (2002). P 1056]

As the Ethics Commission’s five members noted in a statement issued during its FY22 budget deliberations, longstanding systemic racism, income inequality, and recent public corruption convictions and indictments in multiple City departments, each is an “insidious crisis that directly threatens our ability to rise” as a City. The Commission concluded, “[e]quity is not advanced when the public loses faith in the legitimacy of government and opts out of participating.”

Aligned with this understanding and within this context, my work as Racial Equity Leader to date has been to initiate our departmental Racial Equity Action Plan by engaging our senior leadership team in December 2020 and work in tandem with our Deputy Director/Chief Operating Officer to focus and prioritize departmental resources in support of the action steps identified in the Plan. Primary priority steps focused on continuing to rightsize the number, nature, and level of staff positions required for the Commission’s work and elevating and standardizing a racial equity perspective within those processes.

At the same time, more informally as we worked to secure staffing through our priority recruitment and hiring processes, my focus has also been on engaging diverse staff experiences and perspectives internally to help strengthen the impact and effectiveness of programs and services we deliver, to:

- develop and enhance public disclosure programs and new tools to promote broad and informed participation by the public;
- administer and enforce governmental ethics laws fairly and equitably to prevent the securing of preferential outcomes from city government based on privilege, money, or connections;
- advance fair, objective, and timely investigations, so that enforcement actions that hold accountable those who violate the law are not significantly delayed, which helps prevent inequities from being perpetuated and further disenfranchising those with less privilege and access when corrupt actions are allowed to take root;
- safeguard whistleblower protections to empower those inside city government to speak out about waste, fraud, and abuse without fear of reprisal;
- build opportunities to deepen civic and community engagement across all Commission programs and policy initiatives, to ensure broad stakeholder perspectives can be more consistently engaged and integrated into our compliance guidance approaches, and policy analysis processes; and
- through robust stewardship in administering the city’s campaign matching funds system, encourage new and diverse voices in city elections by helping offset fundraising barriers faced in seeking public office by grassroots candidates, and

empower the role of relatively small donors to strengthen candidate responsiveness to the communities they are elected to serve.

In 2022, as we continue to evolve our Racial Equity Action Plan and work toward magnifying its impact in our department and, ultimately, beyond, we've identified a number of paths forward for progress in the coming year.

First, to advance racial equity in our department our work will focus on **expanding and formalizing our recruitment outreach and hiring-related resources** for hiring managers and continue to engage diverse interviewers for hiring panels.

We also plan to regularly **gather and assess our workforce and operational data** related to racial equity to further inform our organizational priorities and decision-making. In gathering staff feedback via a staff survey on departmental diversity, equity, and inclusivity, for example, we want to better understand racial equity issues as they relate to departmental hiring and recruitment, and onboarding processes. We also hope to gain insights from the perspectives and experiences of all staff regarding our work environment and ways in which our department can better support individuals to thrive and achieve in their work and advance professionally.

Our updated plan also identifies providing **new training opportunities to promote a wider understanding of racial equity** among departmental senior leadership and staff. While a two-day DHR-facilitated *Creating an Inclusive Environment / Implicit Bias Workshop* was held for all Commission staff in 2018, not all individuals on staff currently were on board at that time. More importantly, however, we recognize that understanding and fostering a culture that values diversity, equity, and inclusion is not a one-off exercise, but that it is an ongoing journey that continues to evolve with regular focus and engagement.

The updated plan also identifies additional ways to establish more consistent and effective community feedback and engagement methods. With a focus on **public engagement in policy development and implementation**, we will look to shape creative new approaches to engaging community stakeholders in how programs and policies are designed, communicated, and implemented.

Lastly, as we seek to expand and deepen the impact of our Racial Equity Action Plan over the coming year, it will be essential to enable time and space for all Commission staff to be able to share their perspectives and insights and engage with each other in this process. Developing a shared understanding of what racial equity means for the work we do, and in the way we work together, will mean enhancing and deepening our ongoing collaboration to broaden public participation, build public trust, and make our work more impactful. Providing organizational leadership and commitment to these efforts by enabling time, resources, and opportunities to pursue this valuable work is also a priority focus in the year ahead.

Please describe your engagement to date with your Racial Equity Leaders. What specific types of support are you providing your Racial Equity Leaders and other employees doing this work?

Since late 2020, steps to initiate a departmental Racial Equity Action Plan and to identify and implement initial action steps for 2021 have been priorities of the Executive Director and Deputy Director with input from the senior leadership team, due to a strategic department-wide focus on recruitment and hiring efforts to fill a high volume of new staff positions and backfill several other staff vacancies. To date, this work has been led by the Executive Director with the participation of senior staff leadership in hiring and recruitment activities.

As detailed in this May 2022 Plan update, going forward we have identified broadened ways in which we plan to engage staff in our departmental racial equity work beginning in FY23. That information is contained in this report.

Acknowledged by
LeeAnn Pelham, Executive Director, May 2, 2022

1. Hiring and Recruitment

Goals

In 2016 the Commission established a Blueprint for Accountability to bring its strategic, operational, and budgetary priorities into stronger alignment. Key to its Blueprint was the goal of rightsizing the organization to better achieve the broad range of mandates the Commission was established to serve. The organizational restructuring, realignment of staffing functions, and creation of new positions this has required, while also implementing process improvements to strengthen core operations and programs, has resulted in a period of significant organizational transformation over the past six years. This transformation has been essential for the Commission's effectiveness as it works to promote broad, fair, and equal participation in city government.

As it continues to pursue this work, the Ethics Commission is committed to recruiting, hiring, and retaining a diverse, collaborative, and high performing staff of individuals whose individual experiences, knowledge, and talents collectively drive achievement of the Commission's unique mission in San Francisco city government. We honor and value diversity, inclusion, and engagement, and are committed to promoting racial equity and to creating and sustaining a

work environment that reflects and engages the diversity of our communities. The Commission provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sex, gender, gender identity or expression, national origin, age, disability, genetics, or any other protected category.

Performance measures

- Candidate pool is increasingly more diverse and referred from a variety of sources.
- Departmental hiring and onboarding procedures are further refined and formalized.
- Hiring and onboarding delays are minimized.

Changes implemented over the 2021 calendar year

If relevant, include action numbers from the RE Action Plan.

- Expanded recruitment outreach by promoting job postings via City's social media accounts and sharing with diverse community groups through DHR's Diversity Recruitment Team. (1.2.1)
- Greater standardization of all job announcements with inclusive language in the description to invite applicants from diverse backgrounds. (1.2.3)
- Greater standardization of onboarding procedures and new employee orientation to ensure that all new hires are welcomed into the department and timely provided with information, resources, and equipment. (1.4.7)

Priority actions for 2022 calendar year, including opportunities for staff input and decision-making

If relevant, include action item numbers from the RE Action Plan. Please also highlight any major revisions made to RE Action Plan since first submission.

- Conduct an employee survey in FY23 to gather staff's feedback on departmental diversity, equity, and inclusivity, to inform its ongoing priorities and decision-making. (1.1.2)
- Continue to expand recruitment outreach through new and diverse outlets to increase applicants with more diverse life, education, and professional experiences. (1.2.2)
- Consolidate and formalize hiring related resources for hiring managers to increase efficiency in the recruitment process. (1.2.2, 1.4.1, 1.4.3)
- Continue to engage diverse panelists in the department's interview process. (1.4.2)
- Actively manage recruitment timelines to promptly address bottlenecks in hiring and onboarding processes to minimize delays. (1.4.6)
- Assess hiring outcomes using demographic and other available data to identify and implement improvements in the recruitment process. (1.5.1)

2. Retention and Promotion

Goals

The Ethics Commission is committed to promoting an inclusive work environment and employee retention and promotion practices in alignment with overall departmental RE goals and that support, develop, and equitably advance the unique knowledge, skills, and abilities of a diverse staff, including paths to promotional opportunities and leadership roles.

Performance measures

- Consistent review and application of salary standards across positions.
- Consistent review of job classification levels for right-sizing the positions as business needs evolve.
- Increase in professional development resources for staff.
- Decrease in staff turnover.

Changes implemented over the 2021 calendar year

If relevant, include action numbers from the RE Action Plan.

- Performed an increased number of regular assessments of salary placements, job classification levels, and acting assignments with heightened number of hires conducted, to ensure that staff are compensated fairly and equitably. (2.1.2, 2.2.1, 2.3.3)
- Consistently shared information regarding heightened number of internal job openings with all staff. (2.3.2)
- Encouraged all staff to participate in trainings and Council on Governmental Ethics Laws (COGEL) virtual conference for professional development. (2.4.1)

Priority actions for 2022 calendar year, including opportunities for staff input and decision-making

If relevant, include action item numbers from the RE Action Plan. Please also highlight any major revisions made to RE Action Plan since first submission.

- Continue to regularly assess job classification levels and staffing needs to request necessary funding through the City's annual budget submission process. (2.1.2)
- Continue to conduct regular review of staff salaries to ensure that staff are compensated fairly and equitably. (2.2.1)
- Facilitate greater awareness of City's hiring processes and promotion opportunities among employees. (2.3.1)
- Continue to provide training and professional development opportunities to staff. (2.4.1)
- Assess staff's feedback regarding retention and promotion opportunities through an employee survey in FY23. (1.1.2)

3. Discipline and Separation

Goals

In actively managing employee performance and applying progressive discipline when warranted, the Ethics Commission seeks to ensure both individual and organizational accountability and achievement. Aligned with the department's overall racial equity goals, the Commission's administrative and personnel management practices are designed to accomplish that aim fairly and equitably, through clear expectations, regular feedback, and identified pathways for improvement, so that the service we provide is consistent with the values we express and the standards to which we hold others accountable.

Performance measures

- Track and analyze data regarding disciplinary actions annually.

Changes implemented over the 2021 calendar year

If relevant, include action numbers from the RE Action Plan.

- Continued to track and review disciplinary actions. (3.1.1)
- Continued to ensure that supervisors completed essential trainings related to Implicit Bias awareness, racial equity, and leadership development. (3.1.2)
- Continued to apply standardized discipline procedures per City policies. (3.1.4)

Priority actions for 2022 calendar year, including opportunities for staff input and decision-making

If relevant, include action item numbers from the RE Action Plan. Please also highlight any major revisions made to RE Action Plan since first submission.

- Continue to track and review disciplinary actions annually. (3.1.1)
- Continue to ensure that supervisors complete essential trainings related to racial equity and leadership development. (3.1.2)
- Continue to apply standardized discipline procedures per City policies. (3.1.4)
- Assess staff's feedback regarding discipline process through an employee survey in FY23. (1.1.2)

4. Diverse and Equitable Leadership**Goals**

The Ethics Commission seeks to ensure that its staff leadership reflects and fully engages the diversity of the Commission and the communities it serves in alignment with its overall departmental racial equity goals.

Performance measures

- Increase in diverse leadership.
- Increase in training opportunities provided to leadership.

Changes implemented over the 2021 calendar year

If relevant, include action numbers from the RE Action Plan.

- Supervisors completed City-provided 'Managing with an Equity Mindset' and 'Introduction to Implicit Bias' trainings. New supervisor completed leadership development training. (4.1.2)
- Incorporated senior leadership demographics in the annual report. (4.1.3)

Priority actions for 2022 calendar year, including opportunities for staff input and decision-making

If relevant, include action item numbers from the RE Action Plan. Please also highlight any major revisions made to RE Action Plan since first submission.

- Continue to provide training opportunities regarding racial equity and leadership development to senior leadership. (4.1.2)
- Continue to incorporate senior leadership demographics in the annual report. (4.1.3)
- Explore methods to submit anonymous feedback to senior leadership. (4.1.4)
- Assess staff's feedback regarding diverse and equitable leadership through an employee survey in FY23. (1.1.2)

5. Mobility and Professional Development**Goals**

The Ethics Commission seeks to provide meaningful, practical, and impactful support for the development, mobility, and advancement of its staff aligned with the department's overall racial equity goals.

Performance measures

- Increase in training and professional development opportunities provided to staff.
- Complete annual performance evaluation for all staff.

Changes implemented over the 2021 calendar year

If relevant, include action numbers from the RE Action Plan.

- Continued to provide training opportunities for staff, including broader participation in virtual COGEL conference. (5.1.1, 5.1.2)
- All new employees were provided consistent and structured orientation training during onboarding. (5.1.1, 5.2.2)
- As a part of reopening the Commission's physical office in November 2021, formerly assigned private office spaces have been repurposed for use by all staff teams to maximize staff health and safety in preventing the spread of COVID-19. An additional office space was dedicated as a break room for staff. (5.3.3)

Priority actions for 2022 calendar year, including opportunities for staff input and decision-making

If relevant, include action item numbers from the RE Action Plan. Please also highlight any major revisions made to RE Action Plan since first submission.

- Continue to provide training and professional development opportunities to all staff. (5.1.1)
- Continue to track training and professional development opportunities provided to staff to ensure that they are made available equitably. (5.1.5, 5.4.1)
- Resume formalized annual performance evaluation process for staff to share and receive feedback. (5.2.1)
- Enable greater knowledge-sharing and collaboration opportunities for employees to learn from senior, longer-tenured, and cross-functional staff. (5.2.2)
- Assess staff's feedback regarding professional development opportunities through an employee survey in FY23. (1.1.2, 5.2.2)

6. Organizational Culture of Belonging and Inclusion

Goals

In alignment with its overall racial equity goals, the Ethics Commission seeks to be a dynamic and inclusive workplace of choice that attracts and retains high performing and collaborative teams that fully engage individuals with diverse experiences, perspectives, and talents to support the Commission's unique role in promoting broad, fair, and equal participation in city government.

Performance measures

- Increase in staff engagement, collaboration, and feedback.
- Increase in opportunities for discussions and trainings on racial equity.

Changes implemented over the 2021 calendar year

If relevant, include action numbers from the RE Action Plan.

- Racial Equity Action Plan was updated and made available to the public. (6.1.3)
- Invited Commissioners to speak at staff meetings to introduce diverse perspectives in the discussions. (6.2.2)
- As a part of reopening the Commission's physical office in November 2021, formerly assigned private office spaces have been repurposed for use by all staff teams to maximize staff health and safety in preventing the spread of COVID-19. An additional office space was dedicated as a break room for staff. (6.3.2)
- Continued to provide digital tools and services to enable Commission's business functions while operating fully remotely during the COVID-19 shelter-in-place health

order. As Commission has resumed presence in the physical office, continued to provide digital tools and services to support a hybrid work model. (6.3.3)

- Continued to receive comments from the public in the Commission meetings and Interested Persons meetings. Staff conducted follow up with members of the public regarding feedback received. Publicly noticed proposed regulation changes before they were made, to invite public feedback. Staff regularly met with public stakeholders on policy matters. (6.4.1)

Priority actions for 2022 calendar year, including opportunities for staff input and decision-making

If relevant, include action item numbers from the RE Action Plan. Please also highlight any major revisions made to RE Action Plan since first submission.

- Continue to update the Racial Equity Action Plan, publish it on the Commission's website, and report on it in the Commission meetings. (6.1.3, 6.1.4)
- Create spaces to facilitate discussions and information sharing among staff to foster a culture of equity and inclusivity as the Commission's business operations continue to evolve post-pandemic. (6.1.5)
- Identify opportunities to promote a wider understanding of racial equity among staff. (6.1.6)
- Assess staff's feedback regarding organizational culture through an employee survey in FY23. (6.1.7)
- Increase the number and diversity of speakers invited to participate in the staff meetings. (6.2.2)
- Evaluate and improve the Commission's website to enhance its accessibility. (6.3.3)
- Continue to provide digital tools and services to staff and the public in a hybrid work model. (6.3.3)
- Continue to receive comments from the public in the Commission meetings and Interested Persons meetings. Conduct follow up with members of the public regarding feedback received. Publicly notice proposed regulation changes before they are made, to invite public feedback. Regularly meet with public stakeholders on policy matters. Identify additional ways to establish effective community feedback and engagement methods. (6.4.1)

7. Boards and Commissions

Goals

Members appointed to the Ethics Commission serve independently with a sworn responsibility to uphold the public trust. As stewards of that trust, Commissioners work impartially for the benefit of all San Franciscans to ensure that the laws it shapes, administers, and enforces are

effective, equitable, and uphold the highest standards of governmental integrity and accountability.

Performance measures

- Greater progress made on RE actions identified in the Plan.

Changes implemented over the 2021 calendar year

If relevant, include action numbers from the RE Action Plan.

- Regularly asked for updates on departmental Racial Equity Action Plan to be included on Commission meeting agendas. (7.1.4)
- Increased participation by individual commission members in Interested Persons meetings to directly hear from the public on policy issues within the Commission's jurisdiction. (7.1.5)
- Continued to conduct public hearings on the Commission's budget priorities and proposals to receive input from the public. (7.1.5)
- In its departmental budget deliberations in February, 2021, the five-member Ethics Commission issued a public statement identifying systemic racism as a longstanding challenge that, like corrupt practices that favor those who pay-to play, also results in inequity. The Commission noted that "[e]quity is not advanced when the public loses faith in the legitimacy of government and opts out of participating" and called for an FY22 departmental budget necessary to advance the Commission's work 'to ensure the public's trust in its officials and elections.'

Priority actions for 2022 calendar year, including opportunities for staff input and decision-making

If relevant, include action item numbers from the RE Action Plan. Please also highlight any major revisions made to RE Action Plan since first submission.

- Continue to include Commission demographic data in the department's annual report. (7.1.2)
- Staff to continue to provide public updates to the Commission on Racial Equity Action Plan implementation. (7.1.4)
- Continue to conduct public hearings on the Commission's budget priorities and proposals to receive input from the public. (7.1.5)
- Staff to continue to work with and support the Commission in implementation of RE priorities it establishes for FY23.

Department Resourcing for Phase 1 RE Action Plan

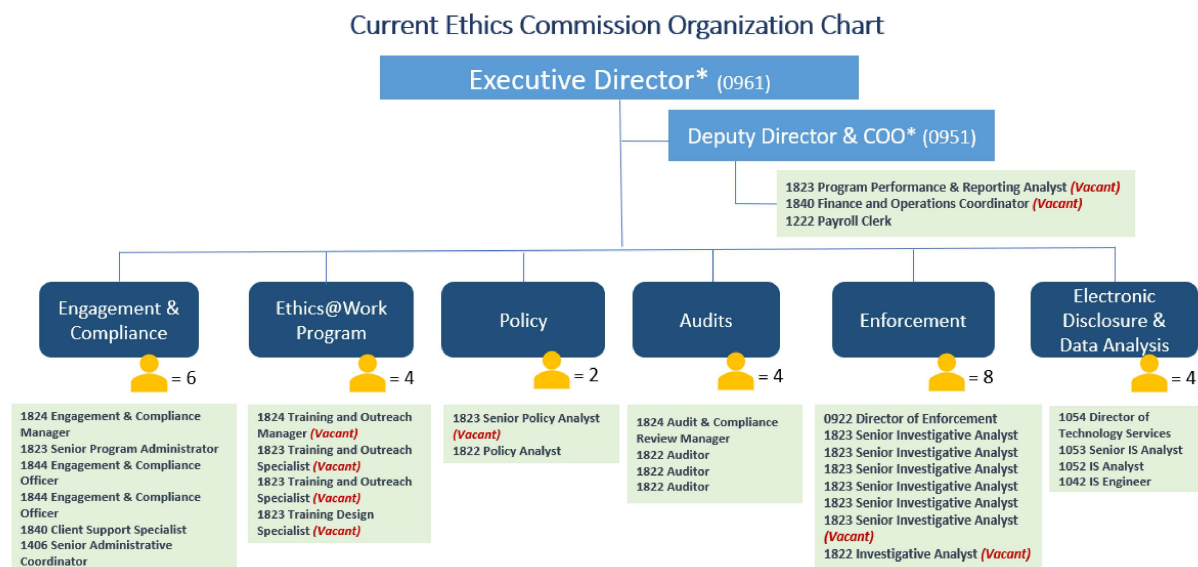
Please describe your department's resourcing for Phase 1 RE Action Plan implementation in 2021. Include employee names, titles, and organizational chart. Note the designated Racial Equity Leader(s) with an asterisk. Please clearly distinguish between:

- Staff who were assigned full-time (all responsibilities were directly related to Phase 1 RE Action Plan and other departmental racial equity work)
- Staff who were assigned part-time (had responsibilities not directly related to racial equity, which were reduced for them to take on racial equity work)
- Staff who were voluntary (had responsibilities not directly related to racial equity, which were not reduced for them to take on racial equity work)
- Consultants/vendors (including firm name and contract number, if applicable)

The Ethics Commission's Racial Equity Leaders in 2021 were:

- LeeAnn Pelham, Executive Director
- Gayathri Thaikkendiyil, Deputy Director & Chief Operating Officer

No other staff were assigned full-time or part-time to responsibilities directly related to Phase 1 RE Action Plan.



What changes, if any, do you plan for 2022?

In FY23, the department plans to engage its senior leadership team in the implementation of the racial equity actions identified in its Plan, and gather staff feedback on the department's diversity, equity, and inclusivity through an employee survey.

Attachments

Workforce and board/commission demographic data

Include relevant data on status of racial equity within department, such as race/ethnicity by job classification, average pay, discipline and separation, promotions, and changes over the last calendar year.

Demographic data for staff and the Commission have been included in the revised Racial Equity Action Plan.

The department received additional data on status of workforce racial equity on Friday, April 29, 2022, from DHR. We are unable to include that information in this report due to the small size of our department, as disclosure of that data may disclose personal identifying information about individual staff members. We are consulting further with DHR on what type of information from that data can appropriately be shared publicly.

Racial Equity Action Plan

[Ethics Commission Racial Equity Action Plan V3 May 2, 2022](#)

Departmental Racial Equity Progress Report

Annual Report for 2021

Part B

Attachment
Budget Equity Tool: Department Inventory <i>Completed department inventory spreadsheet has been attached.</i>