

# Human Resources Department



September 9, 2013

Thomas J. Borris  
Presiding Judge, Orange County Superior Court  
700 Civic Center Drive West  
Santa Ana, CA 92701

**RE: CITY OF TUSTIN'S RESPONSE TO ORANGE COUNTY GRAND JURY REPORT, "THE GOAL OF EQUAL EMPLOYMENT OPPORTUNITY: NO VICTIMS"**

Dear Honorable Judge Borris:

We have reviewed the Orange County Grand Jury Report, "The Goal of Equal Employment Opportunity: No Victims", which was released on June 27, 2013. The City of Tustin ("City") agrees that equal employment opportunity is an important issue and appreciates the opportunity to address the Grand Jury's report. Overall, the City agrees with the study's findings and had already implemented the Grand Jury's recommendations prior to this report. Specifically, the City's responses are as follows:

## **GRAND JURY FINDINGS**

*F.1: Municipalities in Orange County cities are well-versed in EEO issues and maintain exemplary compliance strategies.*

**Response:** Based on the information presented in the Grand Jury's report, the City agrees with this finding.

*F.4: Complaint ratios between OC cities and the County of Orange are similar; but differences in how previous complaints were handled in the County led to major problems.*

**Response:** Based on the information presented in the Grand Jury's report, the City agrees with this finding.

*F.5: The County and several cities do not offer, or provided limited, training in harassment, discrimination, and retaliation, particularly for line staff.*

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**Response:** Based on the information presented in the Grand Jury's report, the City agrees with this finding in that training in several cities is not provided beyond what is required by state law. However, as noted in the report, the City of Tustin does provide harassment prevention training to all levels of City staff.

*F.6: There are several Risk Management Joint Powers Insurance Pools (of which most cities are members) to ensure adequate coverage and sharing of liability with other member entities.*

**Response:** The City agrees with this finding.

## GRAND JURY RECOMMENDATIONS

*R.1: All OC cities and County government shall include funding for training of management and supervision as required by law and ensure training for all employees every two to three years.*

**Response:** This recommendation has been implemented. The City allocates funding for staff training, including funding specifically for harassment prevention training. For many years, the City has provided biannual harassment prevention training not only to supervisors and managers as required by law, but to City employees at all levels, including part-time employees. Further, the training provided has been live interactive training led by attorneys who specialize in employment law.

*R.2: OC cities shall review SIR aggregate limits every five years to assess changes in risk management economies and insurance pool mix.*

**Response:** This recommendation has been implemented. The City is a member of the California Insurance Pool Authority (CIPA) and reviews its SIR aggregate limits on a regular basis to ensure coverage is adequate.

*R.3: OC cities and the County of Orange government shall continue efforts to utilize best practices with respect to Harassment, Discrimination, and Retaliation.*

**Response:** This recommendation has been implemented. City staff regularly participates in training to stay abreast of changes in employment law and best practices in the area of equal employment opportunity. The City's formal policy on these matters was recently updated after a comprehensive review of our Personnel Rules in 2010.

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The City thanks the members of the Grand Jury for their efforts in investigating this issue. If you have any questions regarding this letter, please feel free to contact me at (714) 573-3044 or [dyasuda@tustinca.org](mailto:dyasuda@tustinca.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Yasuda".

Derick Yasuda

Human Resources Manager

CC: Orange County Grand Jury  
Jeffrey Parker, City Manager  
Chuck Robinson, Deputy City Manager