



**DISTRICT OF COLUMBIA  
WATER AND SEWER AUTHORITY**

Board of Directors

Human Resources and Labor Relations Committee

Wednesday, September 11, 2013  
11:00 a.m.

1. Call to Order .....Kathleen Boucher  
Chairperson
2. [Workplace Violence Update](#).....Randy Hayman, General Counsel
3. CDL Exception.....George Hawkins, General Manager
4. [Interviewing & Resume Writing Workshops Update](#).....Stephanie Black  
Manager, Learning & Development
5. [Hiring/Promotion Statistics](#).....Steve Rogers, Manager, Compensation
6. Union Presidents.....James Ivey, AFSCME 2091  
Barbara Milton, AFGE 631  
Jonathan Shanks, AFGE 872  
Michelle Hunter, NAGE R3-06  
Charles White, AFGE 2553

Status/Update on Reorganization of Water and Pumping Division

7. Executive Session – To discuss personnel matters pursuant to D.C. Official Code Section 2-575(b)(10)..... Kathleen Boucher
8. Adjournment ..... Kathleen Boucher



# OGC's Response to AFGGE Union Local 872 Recommendation

Human Resources/Labor Relations  
Committee

September 11, 2013



A.) DC Water and Sewer Authority must establish a Violence Prevention Coordinator. The duties must be independent, with no administrative, political, financial or legal obligation to DC Water's management's team, the Office of Security, the accused, the complainant, and/or the Union President or his/her designee or elected official.

Response:

Per the Workplace Violence Policy the General Manager has appointed Mustaafa Dozier as the Violence Prevention Coordinator ("Coordinator") . As the Coordinator he is not responsible for conducting the investigation, which is handled by the Office of Security. The Coordinator simply reviews the investigative reports of workplace violence to assess the cause of the workplace violence and identify steps that can be taken to reduce or eliminate future incidences. In addition he monitors the Authority's workplace violence prevention effort and recommends appropriate actions for preventing workplace violence to the General Manager. He also solicits suggestions on violence prevention from employees, both union and non-union.



B.) The Coordinator shall be responsible, but independent of any input from all the significant parties and reasons as named above, for the administration and enforcement of the Workplace Violence Policy at DC Water. **(apply in Section 5.0)**

Response:

Upon reviewing the administrative role of the Coordinator and investigative role of the Office of Security it is the Office of the General Counsel's (OGC) position that the role of the Coordinator as contained in the policy is fair and proper. The current policy is sufficient.



C.) The Violence Prevention Coordinator shall determine the investigatory methods to be employed in each Workplace Violence investigation. All of the significant parties, the manager, the accused, the complainant, and the union, upon request, shall receive an official copy of the investigatory methods used in each case. **(apply in Section 5.0)**

Response:

As noted above, the Coordinator does not conduct the investigation. The investigation is handled by the Office of Security. As with any investigation, the investigators will speak with all relevant parties and witnesses, and will review all relevant documents. The current policy is sufficient.



D.) The Coordinator must meet with management and the union, initially, and discuss the significant factors in the matter and determine the merits of the complaint and then determine the investigatory methods. **(apply in Section 5.0)**

Response:

OGC disagrees with this request. Each complaint must be investigated independent of input from non-witness third parties. Each investigation is different and has its own underlying facts, but the basic methodology of speaking to the parties, all relevant witnesses and reviewing all relevant documents is elementary. The current policy is sufficient.



E.) The Coordinator shall examine, guide and monitor the Office of Security during the investigation process and must coordinate and be present during all interview sessions. **(apply in Section 5.0)**

Response:

As noted above, the investigation is handled by the Office of Security and not the Coordinator. The current policy is sufficient.



F.) The Coordinator shall be responsible for any and all violence prevention programs and Workplace Violence training programs in coordination with the Office of Security, management, the union, DC Metropolitan Police Dept. **(apply in Section 6.0)**

Response:

Per the policy, training is under the domain of Human Capital Management (Human Resources) and not the Coordinator.





G.) Only the Coordinator and the Office of Security can advise the accused of the complaint with his/her Union representative present in accordance with the applicable article of the current Master Agreement. **(apply in Section 8.0)**

Response:

It is important to note that the Workplace Violence Policy applies to all employees. The Union's proposed "8.0" is directed only to represented staff. Also, the proposed language is not necessary because Article 5 of each agreement on working conditions provides for the union to be present during investigatory interviews. There is no need for the Coordinator to be present. The current policy is sufficient.



H.) All Workplace Violence complaints must be reported, only, to the Workplace Violence Coordinator by witness(es) and/or the victim.  
**(apply in Section 7.0)**

Response:

As noted above, all workplace violence investigations are conducted by the Office of Security. The current policy is sufficient.



I.) **Section 8.2**, “Where there is a clear (remove “perception”) act by any DC Water employee/manager of imminent danger .....

Response:

It is the OGC’s position that the word “perception” best defines the policy’s intent.



J.) Any alleged witness/victim shall be allowed to withdraw their complaint up to the date and/or time, but no later than the close of business after the initial interview session with the Violence Prevention Coordinator has been convened. Any request to withdraw the complaint after the day of the initial interview session shall require a full investigation with the possibility of discipline.  
**(apply in Section 8.2)**

Response:

This addition is unnecessary. The policy under Section 10.0 contains disciplinary language addressing anyone who makes a false statement. Said discipline is up to and includes termination. The current policy is sufficient.



K.) **Apply Section 8.3**, “All claims or complaints of workplace  
.....with a report due within thirty (30) work days.....”

Response:

The OGC accepts the change from 30 days to 30 work days. Also, every effort should be made by the Authority to complete the investigation reports in lesser time, if possible.



- L.) The Coordinator shall decide, based on the merits of the significant factors, if the accused shall be removed from DC Water with administrative leave with pay or if the accused shall remain on official duty pending the outcome of the case overall. Upon the Coordinator's decision to remove the accused, the accused shall be placed on administrative leave with pay upon completion of the investigation and disciplinary action is deemed warranted. The accused shall not be placed on leave without pay unless the alleged act is deemed a crime by the local law enforcement. **(apply in Section 9.0)**

Response:

Under Section 9 (“Leave Pending Investigation”) during a Workplace Violence Investigation it is within the Authority’s discretion to place the accused on administrative leave. OGC suggests that the policy be revised such that when administrative leave is required, it is noted as paid leave unless otherwise stated within the policy.



M.) Any act of retaliation, by any DC Water employee, during or subsequent to the investigation will result in discipline up to termination. In addition, if/when it is determined at any time, before or subsequent to the investigation and/or the outcome, that the complaint is/was an act of retaliation, by any DC Water employee, discipline up to termination. **(apply in Section 10.0)**

Response:

The suggestions contained in Paragraph M are already contained in the policy under Section 10.0. The current policy is sufficient.



N.) Any modifications and/or exceptions granted by the General Manager or his/her designee to this policy shall be accompanied with a detailed, written explanation to the union and management throughout DC Water unless exceptions are specific to an official investigation, then the detailed, written explanation will be provided only to the accused, management, the union, the Coordinator and the Office of Security.

Response:

In granting an exception the GM is acting within his authority. An exception is granted on a case by case basis. For the most part exceptions would inherently be administrative and narrowly tailored to address the underlying facts associated with a given situation. DC Water will continue to follow best practices in implementing the Workplace Violence Policy.





# **Office of the General Counsel's Opinion Regarding the Workplace Violence Policy**

Human Resources/Labor Relations  
Committee

September 11, 2013



## Outline of Current Workplace Violence Policy

- **Purpose of Workplace Violence Policy:** promote safe work environment for all employees.
- **Workplace Violence:** includes but not limited to: behavior resulting in violence, harassing, intimidating, or other disruptive behavior that communicates a direct or indirect threat of physical or emotional harm; property damage, and/or disruption of business operations.
- **Violence:** exertion of physical force or power calculated or intended to alarm or result in physical or emotional harm; term 'violence' includes 'harass', 'threat' and 'verbal abuse'.



## Outline of Current Workplace Violence Policy (cont.)

### Responsibilities

- **Office of Security:** investigates complaints and reports of workplace violence.
- **Directors, Managers, and Supervisors:** take action to defuse workplace violence situations; conduct initial review of occurrences; and contact Office of Security to assist and investigate.
- **Violence Prevention Coordinator:** reviews all incidents of workplace violence to access the causes and identify steps to reduce; monitors workplace violence prevention efforts; makes recommendations; solicits ideas for prevention from employees.

Consistent with applicable collective bargaining agreements, DC Water to seek collaboration and support of union representatives to prevent workplace violence.



## **Outline of Current Workplace Violence Policy (cont.)**

### **Reporting and Investigating Claims of Workplace Violence**

- All claims investigated immediately by Office of Security, written report due within 30 days of receipt of complaint.
- Investigative findings forwarded to Human Capital Management, affected Department Director(s) and Violence Prevention Coordinator.



## **Outline of Current Workplace Violence Policy (cont.)**

### **Reporting and Investigating Claims of Workplace Violence (cont.)**

- Employee filing complaint provided written findings.
- Department Director(s), in conjunction with Human Capital Management, determines timely disciplinary/corrective action necessary to prevent future violence.
- If findings involve consultant, contractor or vendor, corrective action taken in accordance with contract.
- Individual found in violation of Policy subject to disciplinary action up to and including termination and criminal penalties.
- If individual making complaint makes false statement/acts in bad faith, subject to disciplinary action up to and including termination.



## **Outline of Current Workplace Violence Policy (cont.)**

### **Leave Pending Investigation**

- Employee accused of violent conduct may be placed on administrative leave pending investigation.
- Upon completion of investigation, Human Capital Management may require fitness for duty exam prior to return to work.
- If employee does not cooperate fully, employee may be placed on leave without pay and/or disciplined up to and including termination.
- Employee not allowed to return to work without written permission from Human Capital Management.



## Improvements to Workplace Violence Policy

### Improvements to Ensure Equity/Fairness

- That the fact and practice of the accused being informed of the allegations at the time of the investigation be placed in writing in the policy.
- That DC Water is required to attempt to interview the accused as part of the investigative process be placed in writing in the policy.
- That workplace violence reports are due within thirty (30) days of receipt of the complaint or report of an incident; every effort should be made to meet this deadline or complete the investigation sooner if at all possible. However, the policy should also state that under limited circumstances additional time may be granted to conduct a thorough investigation.
- That the accused is provided written notice of the findings.



## Improvements to the Workplace Violence Policy (cont.)

### Improvements to Ensure Clarity

- **Section 5.5** should be reworded to clarify that department managers and supervisors assist the Office of Security in investigations, but the Office of Security takes the lead and is responsible for the investigations.
- **Section 6.0** discusses the responsibilities of the Violence Prevention Coordinator. The Coordinator is designated by the General Manager and the designation is announced to all employees. If this has not been done lately, DC Water may wish to do so.
- The term “Violence Prevention Coordinator” should be used consistently throughout the Policy.
- Under Section 9 regarding Leave Pending Investigation, if an employee is placed on administrative leave the policy should be revised to clearly state that said leave is with pay.





## **Significant Issues Associated with Implementation of Workplace Violence Policy**

- Union Employees
- Non Union Employees



# Interview Skills and Resume Writing Workshops Success Analysis

## HR Labor Relations Committee

### Kathleen Boucher, Chair

September 11, 2013





# Interview Skills and Resume Writing Workshops

## Purpose:

- Enhance interviewing skills of internal candidates
- Re-enforce DC Water's commitment to employees
- Capitalize on the institutional knowledge of internal applicants
- Improve interview results of employees

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## Collaborative Effort

- Based on the feedback from team members, Learning and Development and Talent Management partnered in the fall of 2012.
- Classroom dynamics:
  - Instructor led ½ day sessions – 3 hours each
  - Industry best practices, role play, and Q&A
  - HCM presence in each class
- Classes are offered quarterly. Coaching sessions occur intermittently on an as needed basis.



# Workshops Conducted 2012 - 2013

- A total of **11** workshops were facilitated.
  - Seven (7) Interview Skills Workshops held
  - Four (4) Resume Writing Workshops held
- **A combined total of 44 employees attended the workshops**
  - 30 employees (only) attended the interviewing sessions
  - 14 employees (only) attended the resume writing sessions
  - 12 employees attended both sessions
- The next class will be in October. The date is to be determined.

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# Workshops: Statistics

- **Out of the 44 employees:**
  - 31 employees applied for jobs
    - 8 employees were promoted/hired
    - 1 employee was offered the position but declined
    - 1 employee was recommended for hire
    - 5 employees took the course just in time for interviews
    - 8 employees were not interviewed
    - 4 employees were not recommended
    - 4 employees have just applied for jobs
  - 13 employees have not applied for a job since taking either of the courses





# Success: Analysis

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## Departments and Unions of Employees Recommended for Hire

- Water Services, Tech Support (Union: AFGGE Local 872)
  - 1 - Technician III Const Civil Eng (Water)



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# Success: Analysis (cont'd)

## Hired/Promoted Employees

### Departments and Unions

- Water Services, Distribution (Union: AFGE Local 872)
  - 2 - Water Services Worker Leader CDL/Leader ;
  - 3 - Water Services Worker 10 CDL;
  - 1 - Engineering Equipment Operator 10/CDL
  
- Sewer Services, Repair (Union: Local 2091)
  - 1 – Sewer Construction Repair Worker CDL
  
- Water/Sewer Pumping Maintenance (Non Union Position)
  - 1 – Foreman, Instrumentation





# Thank You!

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# **Human Capital Management**

## **Hiring & Promotion Statistics**

### **January 2010 – August 2013**

**HR Labor Relations Committee**  
**Kathleen Boucher – Chair**  
**September 11, 2013**

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**DC WATER EMPLOYEE  
PROMOTIONS JAN 2010 -  
August 2013**

As of 9/05/13 union employees represent 68% of the total full time DC Water workforce (730/1074)

	ACTUAL	% OF TOTAL DC WATER UNION POSITIONS FILLED	AFGE 631	AFGE 872	AFSCME 2091	AFGE 2553	NAGE	NON-UNION
2010 TOTAL UNION NEW HIRES	32	54%	11	7	8	4	2	
2010 TOTAL UNION PROMOTIONS	27	46%	7	11	2	2	0	5
2010 TOTAL UNION POSITIONS FILLED	59							
2011 TOTAL UNION NEW HIRES	49	68%	17	16	7	6	3	
2011 TOTAL UNION PROMOTIONS	23	32%	3	11	4	1	0	4
2011 TOTAL UNION POSITIONS FILLED	49							
2012 TOTAL UNION NEW HIRES	55	57%	26	13	9	2	5	
2012 TOTAL UNION PROMOTIONS	41	43%	3	22	11	0	0	5
2012 TOTAL UNION POSITIONS FILLED	96							
2013 TOTAL UNION NEW HIRES	33	67%	8	13	10	0	0	
2013 TOTAL UNION PROMOTIONS	16	33%	4	7	3	1	1	0
2013 TOTAL UNION POSITIONS FILLED	49							
<b>TOTAL UNION NEW HIRES Jan 2010 - August 2013</b>	<b>169</b>	<b>61%</b>						
<b>TOTAL UNION PROMOTIONS Jan 2010 - August 2013</b>	<b>107</b>	<b>39%</b>	<b>17</b>	<b>51</b>	<b>20</b>	<b>4</b>	<b>1</b>	<b>14</b>
<b>2013 TOTAL UNION POSITIONS FILLED</b>	<b>276</b>							
<b>TOTAL NON - UNION PROMOTIONS Jan 2010 - August 2013</b>	<b>101</b>							