

HACSA W. 4. a.

TO: HACSA Board of Commissioners

FROM: Larry Abel, Deputy Director
Dorothy Cummings, Administrative Services/HR Director
Chris Todis, Executive Director

SUBJECT: Diversity

AGENDA DATE: June 6, 2007

At the May 2, 2007 Board meeting, the Commissioners requested that HACSA provide the Board with our Diversity Policy and a report outlining our prior and ongoing diversity efforts. We were also asked to address several questions put forth by the local chapter of the NAACP.

Our Diversity Policy is Attachment A, the report is Attachment B, and answers to the questions is Attachment C.

Upcoming Activities:

We are reconstituting the HACSA Diversity Committee and will begin having regular meetings in the near future. Dorothy Cummings will chair the committee which will include program managers and line staff.

We've recently negotiated an agreement with Portillo Consulting, International to provide cross-cultural staff training. Frances Portillo will be at the Agency on June 19th for preliminary planning and assessment, and on June 20th to train supervisors. Training for all staff will be held in August.

HACSA DIVERSITY POLICY

A. Purpose. Diversity is a key to the future success of the Housing Authority and Community Services Agency of Lane County. We are charged with providing effective services in an increasingly competitive and diverse environment. If we are to succeed, each of us must embrace the value of diversity as being critical to the achievement of our mission. The more successfully we are able to conduct our business in a diverse community the more diverse our presence must be in that community.

Diversity transcends race and gender, affirmative action and Equal Employment Opportunity. It means respecting and valuing differences such as those based on age, disability, ethnicity, gender, language, race and socioeconomic status, as well as respecting each individual's right to privacy in areas such as religious faith, political beliefs and sexual orientation. In order to collaborate successfully with the diverse communities we serve, the Agency must be cognizant and respectful of our differences both in the community and the work site. Most importantly, all in the Agency must rethink our approach to diversity. No longer are such issues just matters of social policy or historical reciprocity. Diversity, and the respect and understanding of the integrity and worth of all cultures, peoples and lifestyles is today and will continue to be simply good business.

1. Policy. The Housing Authority and Community Services Agency of Lane County will demonstrate its commitment to diversity through the way in which it provides Agency services, through its employment practices, through its funding decisions, and through its appointments by:

- a. Ensuring that all Agency services, programs and activities are provided to its diverse community in ways that are sensitive to and responsive to cultural differences, including accessibility for persons with disabilities;
- b. Ensuring that all Agency-funded services are provided, and funding decisions are made, in a manner that recognizes, addresses and is reflective of the cultural diversity of the communities served;
- c. Demonstrating a commitment to workplace diversity through implementation of affirmative action plans and development of cultural sensitivity and cultural competency among other employees.

2. The diversity policy is intended to be an expression of intent and aspiration on the part of the Agency and is to be used to guide the Agency in benefiting from and being responsive to the changing population that provides both the Agency's workforce and its client base. It is not intended to be, nor shall it be used as a basis for anyone demanding a right or making a claim against the Housing Authority or its employees.

B. Definitions. The policy statement above should be interpreted according to these definitions:

Cultural Diversity. Differences in race, ethnicity, language, nationality, or religion among various groups within a community or organization.

Cultural Sensitivity. Demonstrating sensitivity to cultural differences and similarities, and effectiveness in using cultural symbols (e.g., language) to communicate a message.

Diversity. A broad definition that includes a wide range of individuals with unique needs; taken beyond the observable differences of race, gender, and age, and to include the additional characteristics of marital status, sexual orientation, family status, political affiliation, education or socioeconomic status, and disabilities.

Sexual Orientation. Heterosexuality, homosexuality, or bisexuality.

Workplace Diversity. Recognition of the variety of differences among workers across many different dimensions -- race, culture, language, age, gender, etc. -- and the different perspectives and values that may be inherent in those differences. Valuing diversity implies a philosophy while managing diversity involves the translation of the philosophy of valuing diversity into organizational goals and objectives.

HACSA Diversity Activities

Activities and Trainings 2004 through April 2007:

August 2004: The Section 8 Supervisor conducted training for the HCs which included Reasonable Accommodation issues.

September 2004: Chuck Hauk, 504/ADA Coordinator, distributed the current version of HACSA's poster displaying "Policy on Nondiscrimination on the Basis of Disability/Handicap Status".

February 2005: Reasonable Accommodation Training conducted by Chuck Hauk, ADA/504 Coordinator (17 staff members attended).

April 2005: The Section 8 Supervisor attended a Diversity Conference at the request of DHS to present HACSA information to DHS Lane County managers.

July 2005: Reasonable Accommodation Training conducted by Chuck Hauk, ADA/504 Coordinator (17 staff members attended).

September 2005: The Section 8 Division Director taught a class on subsidized housing/ Fair Housing/Reasonable Accommodation to Real Estate Investment class at LCC.

September 2005: The Section 8 Supervisor met with Marianne Baker, Region 2 Coordinator for Oregon Housing Opportunities in Partnership (OHOP). Her organization administers HOPWA (Housing Opportunities for People with Aids) grant funds and she wanted to continue a working relationship with HACSA which had been developed with her predecessor.

February 2006: The Section 8 Division Director taught a Fair Housing class for a Property Management course at LCC.

May 2006: Fair Housing Training conducted by Fair Housing Council of Oregon (FHCO) (44 staff members attended).

October 2006: Christi Champ, bilingual staff person, represented HACSA at the Latino/Hispanic Homeownership/Financial Fair at Springfield City Hall.

December 2006: The Section 8 Supervisor conducted training for the HCs which included Reasonable Accommodation issues.

2006: Information added in Spanish to the pre application.

2006 & 2007: PH Occupancy meetings included trainings on written versus oral culture and how this can affect our interactions with staff and/or residents.

January 2007: The Section 8 Supervisor finished development of the standardized Release of Information form and distributed it to the HCs, IAs, Intake and OAs.

February 8, 2007: Staff participated in Project Homeless Connect (several staff members were involved in the planning stages of this one day event). The purpose of the event was to increase access to services for homeless people and to engage local communities in finding a solution for homelessness.

February 2007: The Section 8 Supervisor sent an e-mail to the Housing Coordinator staff explaining the definition and effect of the policy of blockbusting.

February 28, 2007: Both Section 8 and PH Managers participated in HUD's Limited English Proficiency (LEP) webcast.

March 2007: Section 8 circulated to staff an e-mail regarding sources of information for our clients about accessible rental units.

March 2007: The Section 8 Income Analyst discussed LEP at their staff meeting.

April 2007: Working on LEP with an emphasis on Spanish. Using alternate language version of HUD forms as they become available from HUD.

April 2007: Agency outreach at Centro Latino open house.

May 18, 2007: Staff members attended the Lee Mun Wah training 'Multi-cultural Alliances' that was sponsored by the City of Eugene and the 4J School District. (attended by 10 staff members)

Ongoing: Both Section 8 and PH Managers are actively involved when resident issues (eviction, termination from the program, etc) might be culturally or language related.

Ongoing: Approximately every 3 months PH conducts a Spanish speaking group briefing (last one was 3/15/07). An Intake person and staff interpreter conducts the meeting. If needed, in PH and Section 8, Spanish speaking applicants and residents meet privately with staff to go over Intake and Lease Up information. A bilingual staff person participates in the meeting (unless the client brings their own interpreter).

Ongoing: In Section 8 issues of diversity are addressed with the HCs as they come up – usually related to Reasonable Accommodations for those with mental and/or physical disabilities.

Ongoing: Section 8 participates in the local Rental Owners Association to keep an open dialog with local landlords. This keeps local landlords informed regarding our program and our policies and procedures.

Ongoing: The Section 8 Division Director is a current board member of Lane Workforce Partnership and a member of the Youth Council. As a Youth Council member she has been 1 of 3 people to determine scholarships for low income youth and grants to local schools and agencies in Lane County to provide additional educational/work services to youth 14-21 years of age. One focus of the Youth Council is to target minorities for those services.

Ongoing: The Deputy Director has been a Board member and the Board Treasurer of O.U.R. Federal Credit Union since 1995. O.U.R. is the only community development (low income) credit union in Lane County. During those years there has been a significant increase in Latino members. This accomplishment began with the recommendations of a Latino Advisory Board in the late 1990s. Two of the eight O.U.R. staff members are bilingual (Spanish and English).

Ongoing: Contracting opportunities are publicized and minority, women owned, and Section 3 business participation is encouraged. Ads are routinely placed in the Register Guard and Daily Journal of Commerce. Ads are occasionally published in The Scanner, El Hispanic News, Asian Reporter, and/or Career Works.

Contracting statistics: In our Public Housing program for the period October 1, 2005 through September 30, 2006, the Agency reported to HUD that 33 prime contracts were awarded totaling approximately 1 million dollars. Of those dollars, 6.4% were awarded to minorities, 9.6% were awarded to women owned businesses, and 36.6% of the contracts were awarded to Section 3 business concerns.

Ongoing: HACSA currently has 20+ agencies serving as the Advisory Board for HACSA's Family Self-Sufficiency (FSS) program. Representatives of these agencies meet with HACSA staff on a quarterly basis to review policies and procedures of the FSS program, as well as to share information about HACSA services and services provided by the various agencies. This connection provides an ongoing basis for communication between these agencies, their clients, and HACSA. Organizations currently on the FSS Advisory Board include: Catholic Community Services, Centro LatinoAmericano, Community Sharing, Confederated Tribes of Siletz, (Oregon) Department of Human Services, Food For Lane County, Goodwill Industries, Head Start, Lane MicroBusiness, Lane ShelterCare, LCC Women's Program/Transition to Success, NEDCO, OUR Federal Credit Union, Relief Nursery, Rural Development/USDA, Sexual Assault Support Services (SASS), Siuslaw Bank, St. Vincent dePaul's, Veterans Affairs, Willamette Family Treatment Services, and Womenspace.

Ongoing: The Housing Director has been a member of the Board of Directors for the Fair Housing Council of Oregon since 2001 and has served as the Board's Vice President since 2003.

Ongoing: Chuck Hauk, Housing Director, also serves as the Agency's 504/ADA Coordinator. Acting as the 504/ADA Coordinator, Chuck has participated in informal staff trainings, been a presenter at Rental Owner's Association, and participated in several statewide housing industry conferences speaking on the issues of fair housing and reasonable accommodations.

Ongoing: The Agency continues to look at and add to existing information to assist Spanish speaking applicants and residents. For example, the Public Housing division is exploring the possibility of adding a Spanish speaking narrator to our Intake power point presentation. Also, HACSA's website (www.hacsa.org) directs Spanish-speaking clients to employees who speak Spanish, multiple voice mail recordings direct Spanish-speaking callers to employees who speak Spanish, and the receptionists in both administration buildings are bilingual.

Diversity Committee activities from approximately April 2000 to April 2004:

Changed the name of HACSA from the Housing Authority and Community Services Agency of Lane County to the Housing And Community Services Agency of Lane County. The word "Authority" was removed from HACSA's name, as the result of feedback that some applicants – in particular, Hispanic/Latino applicants – were put off by the Agency's name. It was felt that removing the word "Authority" from the Agency's name would give it a more consumer-friendly feeling. Feedback from applicants and residents indicated that this change was received well.

Developed new Agency logo, discontinuing the long-standing, more formal and institutional-type logo for a more inviting, consumer-friendly logo. The new logo is incorporated into all HACSA letterhead and on the HACSA website, along with the Fair Housing logo. Again, this change was made, in an effort to project a more inviting image to the populations served by HACSA.

Developed and distributed an outreach poster for HACSA ("Helping all our Community Feel at Home") in English and Spanish, to highlight HACSA's services and reflect the Agency's commitment to respect and honor diversity.

Encouraged diversity in Agency hiring. Encouraged a commitment to have bi-lingual (English/Spanish) staff in the front desk positions at both the Eugene (Day Island) and Springfield (Fairview) offices. Adopted, as the standard in advertising for all positions, sending job announcements to the following papers: The Skanner, El Hispanic News, and The Asian Reporter. This is in addition to the regular distribution list and advertising in the Register-Guard. (Of interest is the fact that the Agency's newly-resurrected employee newsletter, the HACSA Blade, noted in its premier issue that this emphasis on encouraging diversity in Agency hiring had resulted in the hiring of bi-cultural, bi-lingual Office Assistant Rachel Rodriguez-Parra in the Day Island office to increase the facility with which Spanish-speaking clients can obtain information on HACSA programs and services.

Completed a Diversity Survey among HACSA employees.

Reviewed HACSA Diversity Policy in HACSA's Personnel Policy.

Fair Housing Training conducted by FHEO staff (44 staff members attended).

In February 2003 Section 8 conducted a resident survey of Section 8 participants (in addition to the annual resident survey of Public Housing residents conducted by HUD). Five hundred and ninety one Section 8 residents responded to the survey (How are we Doing?). Of those responses only 27 residents expressed any negative feedback.

Conducted multiple Diversity Training sessions for all HACSA employees, with follow-up evaluations.

Conducted formal outreach meetings with agencies that serve people with disabilities, minorities, seniors, and youth, as well as with landlords, in an effort to describe the services offered by HACSA and the process for accessing those services.

HACSA employees staffed tables/booths at, or participated in, a number of community events, in an effort to raise awareness about HACSA services. These events included: Los Comunidades Unidos – Against Drugs festival, Cinco de Mayo Celebration/Fiesta Latina, Asian Celebration, Eugene Celebration, United Way Day of Caring, Neighborhood Volunteer Fair, Earlybird Kiwanis meeting, and the City of Springfield's "Carousel of Information".

Employment Related:

Ongoing: When the Agency adds bilingual or signing skills as a requirement for a position, the employee receives an additional 5.7% compensation above the regular pay for the position. When those skills are only needed intermittently, the employee is paid 5% above the regular pay as working out-of-class.

Ongoing: Position postings are advertised in the following papers: The Scanner, El Hispanic News, and The Asian Reporter. This is in addition to the regular distribution list and advertising in the Register-Guard.

Hiring Statistics: 2000 through 2006 – 51 new hires (37 permanent; 14 temporaries), approximately 12% minority hires for permanent positions. 2004 through 2006 – 17 new hires (11 permanent; 6 temporaries), approximately 18% minority hires for permanent positions.

Currently, diversity related questions are being added to the interviewing process for new hires.

Compliance Reviews

April 2006 – Title VI (of the Civil Rights Act of 1964) Compliance Review of the Section 8 Voucher Program and the Public Housing Program was conducted on site by the Office of Fair Housing and Equal Opportunity (FHEO). The review included applications and waiting list administration, occupancy, recordkeeping, and services to persons with Limited English Proficiency (LEP). On June 30, 2006 FHEO issued their results of the compliance review. There were no findings as a result of the review. There was one concern listed regarding an apparent significant difference between the number of days from application to first offer of housing for minorities. The Agency hired an outside party to review the files and application process. It was found that data entry errors reasonably explained the delays, and a Letter of Compliance was issued by FHEO on November 30, 2006.

April 2006 – Section 504 (non discrimination based on disability) Compliance Review of the Section 8 Voucher Program and the Public Housing Program was conducted on site by FHEO. The focus of the review was our Public Housing Program. The review included application and waiting list administration, occupancy, accessibility, reasonable accommodations, and program requirements. On June 30, 2006, FHEO issued their results of the compliance review. There were no findings as a result of the review. Three concerns were listed noted in their response: 1) a significant (and unexplained) difference between the number of days between application and first offer for disabled

persons as opposed to non disabled persons – we hired an outside party to review files and application processes. It was concluded that reasonably explained delays for placements of individual tenants had occurred or preferences had been expressed for one bedroom units for which there are low turnover rates thus there was no statistically significant difference between the number of days from application to first offer for disabled persons. 2) the portion of the Transfer Policy that addresses who shall bear the costs of reassignment of a resident from a non accessible unit to an accessible unit did not specifically address who bears the costs associated with that move – we explained that while the Policy did not specifically address who bears the costs, we were in fact paying for the costs associated with those moves, and our Policy has been updated to include specific language. 3) the Pet Policy is not clear that the procedures for processing requests for 'companion' animals and 'service/assistance' animals is the same, and HACSA requires spaying/neutering of reasonable accommodation animals – we have updated the Policy to remove the separate definitions for 'companion' and 'service/assistance' animals to make it clear that the process is the same for all 'assistance' animals. HACSA respectfully disagreed with FHEO's concern regarding our spaying/neutering requirement. We noted that this is an opinion only, not currently codified by case law. FHEO accepted our responses to their concerns (noting an exception on the spaying/neutering issue) and on December 18, 2006, FHEO issued a Letter of Compliance.

Upcoming Activities:

Cross-cultural Training and Assessment. Portillo Consulting, International will be working with the Agency to provide this training. On June 19th, Frances Portillo will be here for an initial meeting and to conduct a preliminary assessment in order to customize the training for our Agency. On June 20th, Ms. Portillo will conduct a four hour supervisor's training, and all staff training will be conducted in August.

We are restarting HACSA Diversity Committee meetings and will begin having regular meetings in the near future. Dorothy Cummings will chair the committee which will include program managers and line staff.

NAACP Questions / Answers

What work sessions pertaining to cultural competence have the HACSA Board members held in the last year? What about the last four years?

Both Judith Pothier and June Gallagher, former HACSA resident commissioners, attended the Agency's cultural competency training in 2002. We do not have knowledge of trainings attended by other (non-resident) HACSA Board members. Hugh Massengill, a current HACSA resident commissioner, has been on the City of Eugene Human Rights Commission for the last three and one-half years.

Does the HACSA Board have a vision statement for your diversity efforts?

There is no independent HACSA vision statement. HACSA non-resident Board members may have a vision statement as Lane County commissioners.

What trainings pertaining to cultural competence and diversity has the HACSA General Staff had in the last year? What about the last four years?

**Last Year - 5/30/06 - conducted by Pegge McGuire, Fair Housing Council of Oregon
Prior - 5/13/02 - Cliff Jones and Guadalupe Guajardo, Technical Assistance for
Community Services (TACS)
9/19/00 - Cliff Jones, TACS**

How many HACSA staff members have issues of diversity written explicitly into their job description? **None**

What are the three main goals for HACSA concerning increasing cultural competence?

**Continue to develop a culturally diverse workforce.
Continue to improve ability to provide effective services to diverse clients.
Support diversity within our community.**

When you hire for new staff, where do you advertise?

Standard outreach includes the Register-Guard and three minority newspapers - The Register-Guard, The Scanner and the El Hispanic News. Application packets are hand delivered to Lane County for distribution in the Human Resources Department. Job posting notices are sent to the State Employment Division, the Employee Assistance Group, BOLI, Centro Latino Americano, City of Eugene, City of Springfield and EWEB.

What is the racial/cultural diversity of the contractors and outside suppliers of HACSA?

HUD requires that we annually report our contract and subcontract activity in the public housing program. For the last reporting period (10/1/05 - 9/30/06) HACSA awarded about \$1 million in prime contracts. 16% of the dollar amount of these contracts were awarded to minority business (MBE) and women owned (WBE) enterprises (6.4% MBE, 9.6% WBE). In addition, 36.6% of the dollar amount of these contracts were awarded to Section 3 (committed to low income persons) businesses.

Misuse of the AIRS System and other breaches-

Apparently the NAACP asked the Lane County Sheriff's Office to investigate HACSA's possible misuse of the AIRS system. It is normal procedure to use the AIRS system to investigate applicants for HACSA housing assistance. Captain Tom Turner investigated this matter and determined that no misuse took place.

Why was a HACSA co-worker (Don Bucholtz) inappropriately instructed by a HACSA Division Director (Geni Sustello) to pull backgrounds on Rachel and her family 2 and a half years into her employment and without prior signed written authorization?

Under oath, the same individual admitted to utilizing the system, on several occasions, to contact law enforcement and have low income applicants arrested during their intake briefings for low income housing. Low income families come to these programs for stabilization and housing, not to be arrested.

We are also asking that the Board of Commissioners investigate correspondence between HACSA and Rachel Parra's legal counsel that indicates that HACSA's insurance carrier may have illegally tried to obtain medical records from Ms. Parra's physician by presenting a letter indicating that Ms. Parra had filed for Workers' Compensation, and giving a closed Workers' Compensation case number. The correspondence from Ms. Parra's legal counsel and physician allude to the fact that Ms. Parra never applied for Workers' Compensation.

These questions are included in a lawsuit filed by Ms. Parra. We are not able to address them unless our litigation attorney is present.

Waiting Lists Closed due to Funding

The Section 8 waiting list has become closed due to funding for almost two years. The recent Register Guard article stated that HACSA spent \$19,312 on investigator Tom Brett, in order to investigate Rachel Parra. What the Register Guard does not mention is that HACSA has spent

over \$100,000 on two investigators (hired at different times). HACSA has retained 4 different attorneys to represent them unsuccessfully at three different arbitrations and in the current lawsuit. How many low income families could have been helped with that money?

The closing of the Section 8 waiting list had nothing to do with funding. The list was closed (in October 2005) because there was an excessively long wait (approximately four years) for applicants. Today we are serving people who applied in July 2004. A correction to the recent Register-Guard article states “The Housing and Community Services Agency of Lane County paid \$5,691 to private investigator Tom Brett to investigate agency concerns about employee Rachel Parra. The agency paid an additional \$13,620 to a personnel consultant to investigate claims made by Parra against the agency.” \$19,312 is the total amount paid by the Agency to investigators. An additional \$86,379 was paid to attorneys and arbitrators in conjunction with three arbitrations (all resulted, at least partially, in favor of Agency) instituted by AFSCME Local 3267 on behalf of Ms. Parra. The outlay of these funds did not in any way reduce the number of low income families served or the quality of these services.

Lack of Diversity Committee, outreach and Training

The Register Guard printed a follow-up article addressing HACSA’s current lack of a diversity committee and training. We are asking the Commissioners to look into the fact that HACSA has not had a diversity training in over 4 plus years. They have not had an active diversity committee in 3 plus years.

The diversity committee is being reconstituted and diversity training has been scheduled.

In recent depositions HACSA managers testified they had never received any diversity training from HACSA before or during their employment.

We do not believe this to be the case.

In the Register Guard article, HACSA stated lack of diversity in their internal employment was due to low turnover. Yet, in the past 5 years HACSA has had at least five open positions, two of which were bilingual positions. Yet they did not hire people of color to fill the positions.

The Register-Guard article stated that low employee turnover was only one of the reasons that there are not more minority employees. In fact, during the past five years, nine permanent employees were hired and two are bilingual - one Native American and one Hispanic. We do not know the minority status of the other seven.

We are asking the Commissioners why Chris Todis, HACSA Executive Director, has not had an evaluation in 6 plus years.