



LABOR AND EMPLOYEE RELATIONS ORGANIZATIONAL ASSESSMENT
FOLLOW-UP REVIEW
Moss Adams Final Report

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The goal of this review was to improve operations to assess the implementation of 22 recommendations based on the Labor and Employee Relations (LER) Organizational Assessment completed in 2018 and determine opportunities for additional risk reduction. This assessment was conducted between September and November of 2021. Analysis was informed by interviews, an employee survey, document review, technology reviews, and research into industry best practices.



FINAL REPORT

Seattle Public Schools

LABOR AND EMPLOYEE RELATIONS ORGANIZATIONAL ASSESSMENT FOLLOW-UP REVIEW

November 23, 2021

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I. EXECUTIVE SUMMARY

A. BACKGROUND, SCOPE, AND METHODOLOGY

Seattle Public Schools (SPS, the District) Human Resources Department retained Moss Adams to assess the implementation of 22 recommendations based on the Labor and Employee Relations (LER) Organizational Assessment completed in 2018 and determine opportunities for additional risk reduction. The analysis was informed by interviews, an employee survey, document review, technology reviews, and research into industry best practices. This assessment was conducted between September and November of 2021.

B. SUMMARY OF IMPLEMENTATION

The District has made significant progress implementing the 22 recommendations provided in the 2018 Organizational Assessment. The Labor and Employee Relations (LER) function has been divided into three teams that work collaboratively to provide a standardized, cohesive approach to employee concerns and labor negotiations. While the table below summarizes the results of this assessment, this process revealed several commendable attributes of the LER function, including:

- Significant improvement in management and team culture
- Proactive planning and goal setting, as well as monitoring
- Dedicated, passionate employees
- Strong team morale and mutual accountability
- Employee willingness to embark on changes even in the midst of uncertainty
- Passion for continuous improvement

We determined that 18 of the recommendations are complete, four are ongoing, and none are incomplete. The implementation status of each task is summarized below, with numbering aligned with the recommendations defined in the 2018 Organizational Assessment.

As we conducted the assessment update, we identified additional areas to reduce risk and improve the efficiency and effectiveness of LER operations. Recommendations are provided in the table below.



PRIOR RECOMMENDATION	STATUS	NEW RECOMMENDATION
Organization and Structure		
1. To shift the team culture toward an impact-focused approach, Department and LER leadership should work together to clearly articulate the mission, goals, and ultimate results of LER's work.	Complete	N/A
2. Develop a multi-year operating plan to define LER's strategies, priorities, upcoming projects, and required resources.	Complete	Continue efforts to develop multi-year operating plans to support ongoing improvements and align LER activities with the District's strategic plan.
3. Establish a consistent performance reporting framework to keep the Board, District leadership, and the SPS community informed on LER's work and progress toward goals.	Complete	Continue to refine performance measures to reflect the goals of LER and the District as a whole.
4. Consider a variety of staffing structures to determine which may best suit the needs of the HR Department.	Complete	N/A
5. Evaluate and clarify LER and District employees' roles, responsibilities, and authority throughout the case management process.	Complete	N/A
6. A. Clarify the purpose, format, and contents of investigation reports. B. Standardize the investigation report review process to ensure consistency and independence. C. Clarify and enforce investigators' authority to ensure timely participation from District staff.	Complete	Continue efforts to collaborate with union and District leadership to enforce the expectation that staff participate in investigations in a timely manner.
7. Create a culture of deliberate change management to ensure new initiatives are effectively developed, communicated, implemented, and adopted.	Complete	Continue practicing effective change management and consider messaging in expanded team meetings to facilitate equitable understanding of future changes.



PRIOR RECOMMENDATION	STATUS	NEW RECOMMENDATION
Staffing		
8. Once critical policy, process, and system changes have been implemented, perform a workload analysis to determine staffing needs.	Complete	N/A
9. Prevent future backlogs by establishing processes to hire temporary staff and/or outsource overflow cases during high workload periods.	Complete	N/A
10. Develop a strategic plan to address workforce planning for LER positions to proactively identify needs, develop employees, and support operational continuity.	Ongoing	Continue efforts to support internal career progression through cross-training and promotional opportunities.
11. Conduct cross-training among Department employees to ensure adequate and consistent coverage of key functions and duties.	Complete	N/A
<p>12. A. Ensure performance evaluations are beneficial for staff, including establishing transparent and fair performance expectations, and integrating the review process with a growth and development plan.</p> <p>B. Offer regular high-quality trainings on topics including conflict resolution, difficult conversations, implicit bias, and cultural competency.</p>	Complete	Develop a philosophy that prioritizes external training opportunities to support transparency in how these opportunities are accessed.
13. To increase retention, clarify the position's role, responsibility, and key characteristics, and ensure the position has appropriate support and authority to be successful over time.	Complete	N/A
Systems, Processes, and Policies		
14. Continue developing a comprehensive case management system that will fully integrate with the District's other data systems to support staff needs and adequately protect the District from risk.	Complete	Continue to pursue automation opportunities to further expedite workflows including notifications when tasks have been completed and reporting.



PRIOR RECOMMENDATION	STATUS	NEW RECOMMENDATION
15. Standardize the allegation intake content and process and update the website to improve the user experience.	Complete	Consider adding further details on what information to include within a report on the website to improve the quality and completeness of reports, ultimately resulting in increased efficiency. Update the complaint processing workflow to include i-Sight references.
16. Provide clear expectations, training, and resources to ensure staff have the support and capacity to adequately manage their workloads.	Complete	LER should consider amending its open-door policy to one of office hours or requiring one employee to be “on call” for customer support to balance the need for focused work and accessibility to the public.
17. To promote confidentiality, dedicate at least one private meeting room within the HR office area for LER purposes.	Ongoing	Consider maintaining and formalizing a hybrid workplace policy to increase confidentiality and safety to maintain accelerated project delivery.
18. Document policies and procedures to provide consistency for staff and clients.	Ongoing	Update the existing Board Policy 5207 to include the newly developed Civility Policy to support ongoing improvement in District-wide organizational culture and support LER’s work.
19. Develop an Alternative Dispute Resolution process to support the resolution of allegations without requiring a formal investigation.	Ongoing	Continue advocating for the addition of two mediator positions to support cost-effective conflict resolution through administrator training and facilitation of mediation as appropriate.
20. Work toward improving the CBAs by striving to standardize grievance processes, ensuring CBAs reference District-wide policies whenever possible, and increasing clarity of contracts.	Complete	N/A



PRIOR RECOMMENDATION	STATUS	NEW RECOMMENDATION
Stakeholder Relationships		
21. A. Provide high-level resources and trainings so principals have a clearer understanding of the grievance and allegation processes. B. Increase proactive communication with principals. C. Clarify roles and responsibilities of HR, principals, and Directors of Schools. D. Develop clearer procedures for handling issues related to employees represented by the IUOE Local 609.	Complete	In collaboration with relevant unions, continue providing proactive communication and training opportunities for school leaders.
22. To build a stronger, more productive relationship with all unions in the District, LER should focus on establishing consistent practices and clear expectations for all involved parties.	Complete	Continue meeting regularly with union leadership to strengthen the positive and productive working environment.



II. BACKGROUND, SCOPE, AND METHODOLOGY

A. BACKGROUND

Seattle Public Schools (the District, SPS) Labor and Employee Relations function (LER) is located within the Human Resource Department (the Department). LER is responsible for managing the District's relationship with employees, administering Collective Bargaining Agreements, conducting employee investigations, facilitating contract grievance procedures, and coordinating employee accommodations. The work of LER requires the engagement of multiple, diverse stakeholders, including District staff, union representatives, principals, teachers, families, and students.

In 2018, the District engaged Moss Adams to conduct an Organizational Assessment of the LER function. This assessment provided 22 recommendations in the following categories:

- Organization and Structure
- Staffing
- Systems, Processes, and Policies
- Stakeholder Relationships

Since publication of the 2018 Organizational Assessment, LER has experienced significant changes, including a reorganization of the function across three teams, new leadership, implementation of a new case management system, and ongoing process improvements.

B. SCOPE AND METHODOLOGY

The District engaged Moss Adams to update the 2018 LER Organizational Assessment, determine the extent to which recommendations have been implemented by management, and evaluate additional opportunities for improvement and risk reduction. This follow-up review was conducted between September and November 2021. The analysis was informed by interviews, an employee survey, document review, technology reviews, and research into industry best practices. The project consisted of four major phases:

1. **Project Initiation and Management:** This phase concentrated on comprehensive planning and project management, including identifying employees to interview, identifying documents to review, communicating results, and establishing regular reports on project status.
2. **Fact Finding:** This phase included interviews, document review, and best practice research. We worked with District staff to obtain the most currently available information and insights.
 - *Interviews:* We conducted interviews with LER staff and leadership.
 - *Document review:* We reviewed documents including policies, procedures, planning documents, and others.
 - *Technology review:* We reviewed the case management system that was implemented in September 2021.
 - *Employee survey:* We conducted a survey of all analysts, managers, and investigators within the LER team. The results of this survey are included in Appendix A.



- *Best practice research*: Based on the opportunities for improvement identified, we conducted research to ascertain LER best practices found in other school districts and governmental agencies.
- 3. **Analysis**: This phase served as the assessment portion of the project where, based on information gathered, we evaluated the extent to which recommendations from the 2018 Organizational Assessment were implemented, as well as any additional opportunities for improvement.
- 4. **Reporting**: This phase concluded the project by reviewing draft results and recommendations with HR and LER leadership to validate facts and confirm the practicality of new recommendations, as well as providing a finalized report to the District.



III. STATUS OF RECOMMENDATIONS

A. ORGANIZATION AND STRUCTURE

Mission Definition

1.	Recommendation	To shift the team culture toward an impact-focused approach, Department and LER leadership should work together to clearly articulate the mission, goals, and ultimate results of LER’s work.
	Status	Complete
	Additional Recommendations	None

The 2018 LER Organizational Assessment found that LER lacked mission and vision statements that provided a clear connection between the Division’s work and the impact on students and the SPS community. For example, the SPS LER website provides the following information:

“Labor and Employee Relations is responsible for the District’s relationship with represented and non-represented employees. It is responsible for administering Collective Bargaining Agreements and policies impacting all employees, including contract grievance procedures, 504 accommodations and allegation of violations of anti-harassment/anti-bullying policies.”

LER leadership revised the mission and goals of the Department to be aligned with Seattle Excellence, the District’s strategic plan. LER also developed Key Performance Indicators (KPIs) that are aligned to these goals (refer to section A, [recommendation 3](#) for additional details on performance measures), which focus staff work on the mission. The Department reports that it is working to shift its focus from reactive to proactive, meaning that systems must be designed for consistency and recalibrated to serve the best interest of students. Finally, 80% of survey respondents strongly or somewhat agreed that they have a clear understanding of LER’s mission and goals while all survey respondents agreed that they understand how their work ties to LER’s performance. Based on these results, we have determined that the recommendation has been completed.

Operational Planning

2.	Recommendation	Develop a multi-year operating plan to define LER’s strategies, priorities, upcoming projects, and required resources.
	Status	Complete
	Additional Recommendations	Continue efforts to develop multi-year operating plans to support ongoing improvements and align LER activities with the District’s strategic plan.



The prior LER assessment recommended the development of a multi-year operating plan to define priorities, inform budgetary and staffing decisions, and guide strategies and initiatives. Operating plans should be a practical actionable guide for the next one to three years of LER activities, ultimately setting the direction of the team.

The LER team leveraged the results of the 2018 Organizational Assessment to develop a comprehensive operating plan to address the recommendations, which has guided the work of the team over the past several years. The plan broke down each finding and recommendation into actionable steps such as changing the organization structure and conducting hiring activities as necessary, standardizing processes and documentation, modifying existing processes, and increasing automation. Each sub-step includes the action item, purpose of the item, responsible person, status, and any conditions or requirements to promote achievement of the activity. The operating plan has been a working document that tracks progress toward activities, and the plan was presented to the School Board on February 3, 2021.

As of August 2021, LER has achieved most of the activities listed in the operating plan to address the Organizational Assessment recommendations. Therefore, the team has adjusted the operating plan to focus on four core areas to support its goals: reporting, training, accountability, and relationships with partners. Each area has a group of specific activities that have been or will be completed to continue driving process and operational improvements that best serve the District. Some of these activities are listed below and will continue to be formalized into a new operating plan that aligns with the District's strategic plan in collaboration with key stakeholders.

- **Prevent conflict:** Preventative employee relations that align the needs of employers and employees through direct and proactive communication and problem solving. Sample activities include:
 - Creation of a mediation unit and process/tools
 - Additional training for administrators to handle issues more effectively and at the lowest level possible
 - Further heat map work to prevent issues regarding harassment, intimidation, and bullying (HIB), the provision of a Free Appropriate Public Education (FAPE) to students, race, and student boundaries
- **Foster a supportive culture:** Work to create a culture that makes employees feel safe, supported, valued, and productive. Foster a friendly, team-oriented community that encourages everyone to succeed. Sample activities include:
 - Provide a way for employees to express concerns and resolve conflicts short of grievances and complaints
 - Promote the ability for employees to ask questions and clarify ideas in a safe space
 - Revise applicable policies to handle complaints/concerns in another manner—civility policy rollout
- **Shift of culture through wellness implementation:** Help employees feel valued and recognize high achievers.

As LER moves forward with developing this operating plan, it should be sure to carry forward best practices used in the prior plan, including assigning responsibility to a position, anticipated timelines for completion, and any contingencies that may exist to support success.



Performance Measurement

3.	Recommendation	Establish a consistent performance reporting framework to keep the Board, District leadership, and the SPS community informed on LER's work and progress toward goals.
	Status	Complete
	Additional Recommendations	Continue to refine performance measures to reflect the goals of LER and the District as a whole.

The 2018 Organizational Assessment recommended that LER establish a performance reporting framework consisting of performance measures that provide meaningful, balanced information about LER operations to guide management decisions, promote transparency and accountability, complement anecdotal evidence with data, and steer the future direction of the team. In response to this recommendation, LER has established and monitored performance measures and KPIs to describe and communicate its workload and the impact of its operations. Examples of measures included in the performance reporting framework include:

GOAL		MEASURE
1.	Efficient processing of reports and complaints received by LER	Implemented and rolled out complaint processing workflow spring 2020 (verified complete)
2.	Improve labor partners' trust in HR staff and processes	Target of no more than 90 information requests from labor partners by end of school year (SY) 19-20
3.	LER and investigations staff resolve an employee misconduct complaint within 180 days	Target of no more than five cases open beyond 180 days
4.	Improve hiring, supervisory, and removal practices within the District to address employee misconduct concerns	Target at or near median value of employee misconduct investigations as detailed in <i>Council of Great City Schools Performance Benchmark</i> (15.5 per 1,000 FTE)
5.	Improve staff confidence with processing of internal employment discrimination complaints	Target at or near median value of complaints/charges of discrimination filed by employees with any governmental agency as detailed in <i>Council of Great City Schools Performance Benchmark</i> (1.21 per 1000 FTE)

Performance measures are included in HR Department-wide presentations to the School Board as well as ad-hoc requests.

The performance measures developed by LER provide a good balance of workload and impact metrics. As was noted in the 2018 Organizational Assessment, performance reporting for LER can present challenges and no one-size-fits-all approach exists in the industry. However, as LER continues to evolve, performance measures should also adjust accordingly. Some potential performance measures that align with the Department's future direction include:

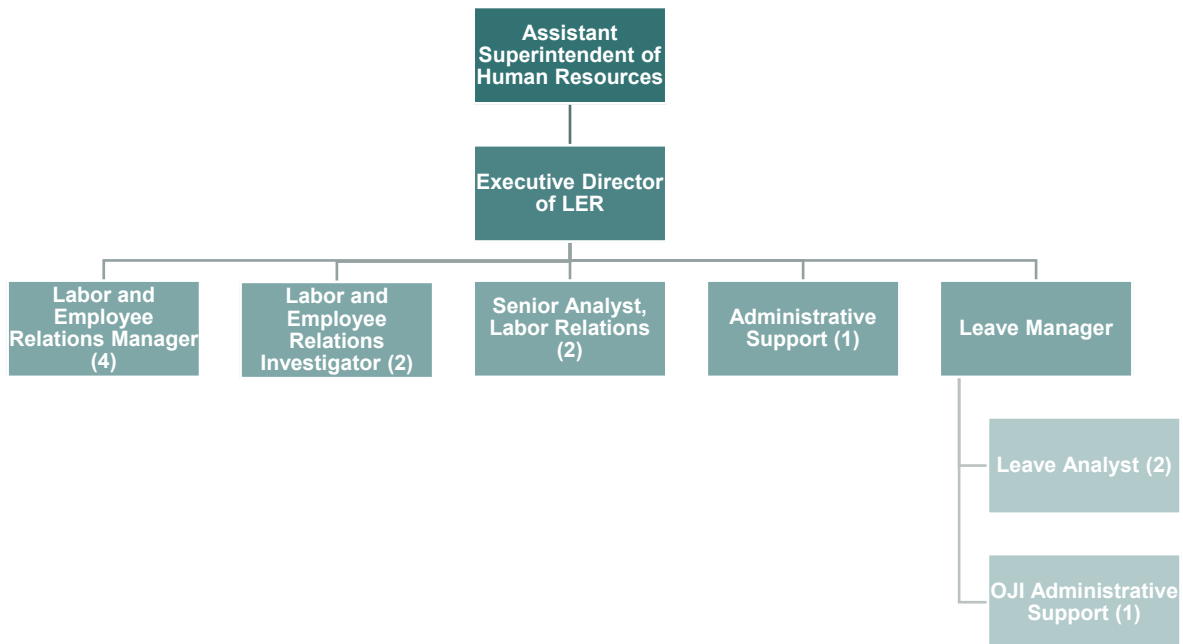


- Cases (number or percent) resolved through mediation rather than formal investigative processes
- Total number of cases filed/complaints received
- Principal satisfaction in support received by LER to resolve concerns at the lowest possible level
- Employee engagement across sites and the District as a whole (typically measured via an annual survey)

Organization Structure

4.	Recommendation	Consider a variety of staffing structures to determine which may best suit the needs of the HR Department.
	Status	Complete
	Additional Recommendations	None

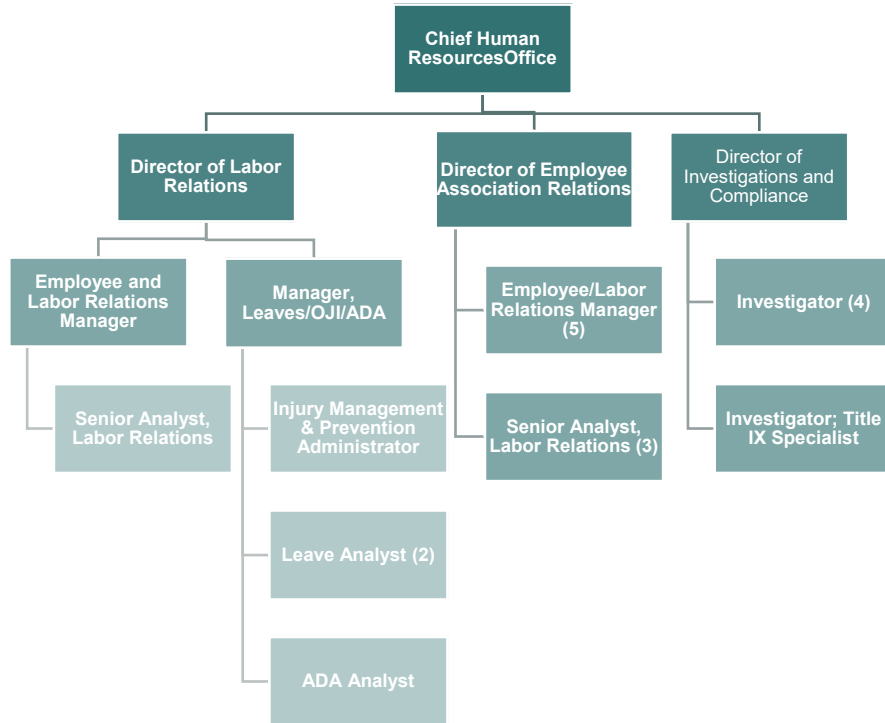
The 2018 Organizational Assessment provided several potential restructuring options to clarify roles and responsibilities, align functions with appropriate staffing, and build additional capacity across the team and Director positions. At that time, LER was one consolidated department with individuals who were assigned responsibility over negotiations, performance improvement plans, HIB allegations, grievances, records requests, misconduct, and ADA accommodations. The prior organization structure is depicted below.



In fall 2019, the LER function was reorganized into three separate divisions: Labor Relations, Employee Association Relations, and Investigations and Compliance. This reorganization was largely designed to address workload. Under this model, the Employee Association team focuses on labor and employee relations among the SEA, PASS, and unrepresented employees, while the Labor



Association team manages relations with other associations and leaves. Additionally, the Investigations and Compliance team was expanded to include Title IX investigations, with the intention of expanding oversight of investigations and supporting timeliness and integrity in these processes. The new organization structure is included below.



In addition to reorganizing positions across teams, positions were also redistributed, and four new positions were added to the LER function since 2018. These changes are summarized in the table below.

POSITION	2018	2021
Executive Director of LER	1 FTE	3 FTE; distinct Director roles
Labor and Employee Relations Manager	4 FTE	6 FTE
Labor and Employee Relations Investigator	2 FTE	5 FTE; one Title IX Investigator
Senior Analyst, Labor Relations	2 FTE	4 FTE
Leave Manager	1 FTE	1 FTE; role combined with OJI and ADA
Leave Analyst	2 FTE	2 FTE
OJI Administrative Support	1 FTE	Position up-leveled to Injury Management and Prevention Administrator
Administrative Support	1 FTE	Position no longer exists



POSITION	2018	2021
ADA Analyst	Position did not exist	1 FTE
Total	14 FTE	18 FTE

60% of survey respondents strongly or somewhat agreed that they have a clear understanding of the different roles and responsibilities across the three divisions involved in LER. In interviews, staff reported overall clear roles and responsibilities between the three distinct teams, but also noted opportunities to enhance collaboration when initiatives that span across teams arise. LER leadership noted good partnerships with their colleagues, but this information may not always trickle down to the rest of the team members. To support equal access to information, LER leadership should consider rolling out new initiatives through expanded team meetings that reach all employees within LER (see section A, [recommendation 7](#) for additional detail).

Roles and Responsibilities

5.	Recommendation	Evaluate and clarify LER and District employees' roles, responsibilities, and authority throughout the case management process.
	Status	Complete
	Additional Recommendations	None

In 2018, interviewed staff reported that roles, responsibilities, and decision-making authority was often unclear, which sometimes contributed to miscommunications and potentially unnecessary delays. To clarify roles and responsibilities, areas of responsibility are assigned for employees for each school year. These assignments are available to the full team and include information such as who is responsible for principal support teams, certificated employees, information requests, different unions, leave processing by first letter of last name, etc.

Additionally, the new complaint processing workflow defines who has what authority during each step of the complaint lifecycle depending on specific factors, which are outlined in the guidance. When a complaint comes in, through any mechanism, a case manager is assigned based on the Division of Work directory, which lists who handles what schools and/or employee groups. For example:

- Assign a case manager based on the directory of who handles what schools/groups.
- Review of the complaint by the case manager for clarity, applicable policies, District authority, whether notification to an external agency or other internal department is merited, and whether an investigation is required. Guidance is provided for each of these decision-making points.
- Assign an investigator, either central office investigator, worksite delegation, or consultation. Guidance is provided for this decision-making process.
- Issue notification letters to complainant and respondent after assigning investigator.



- Hand- off Investigation: “Guidance for Handling Employee Misconduct and Conducting Internal Investigations” was created in October 2020 to support worksite supervisors in conducting investigations. This manual includes templates for incident report, letter of counseling, written reprimand, employee admin leave checklist, etc.
- Investigation process and report development process, including reviews and routing (see section A, [recommendation 6](#) for additional details).
- Report redaction for complainant, subject of complaint, and public record.

All survey respondents reported having a clear understanding of their roles and responsibilities. Additionally, 74% of respondents agreed that they have the appropriate level of authority to fulfill their responsibilities. This sentiment was echoed among team members in interviews.

Investigation Independence and Authority

6.	Recommendations	<p>A. Clarify the purpose, format, and contents of investigation reports.</p> <p>B. Standardize the investigation report review process to ensure consistency and independence.</p> <p>C. Clarify and enforce investigators’ authority to ensure timely participation from District staff.</p>
	Status	Complete
	Additional Recommendations	Continue efforts to collaborate with union and District leadership to enforce the expectation that staff participate in investigations in a timely manner.

In the 2018 Organizational Assessment, LER staff reported that there is a lack of clarity and guidance around investigation report scope, content, and review processes. These concerns have been addressed through the development and implementation of the Complaint Processing Workflow as well as established templates.

- The Complaint Processing Workflow includes the following section related to investigative outcomes and details the review process:
 - The Director of Investigations and Compliance will review and collaborate with the investigator on content to ensure clarity and legally sound information and presentation.
 - Following this review, the Director of Investigations and Compliance provides the report to the appropriate staff to develop outcome letters for the complainant and respondent. The team has developed and implemented a routing form to ensure the appropriate parties are notified and applicable corrective actions options are considered.
- Template development
 - Investigative report template: This template includes boilerplate language and sections—i.e., summary of allegations, policies reviewed, investigation methodology including interview lists and documents reviewed, findings of fact, analysis and conclusion.
 - Interview requests: The Investigations and Compliance team adopted templates for interview requests, including the initial request, follow-up request, and final request.



Despite the improvements, staff report infrequent but ongoing issues with ensuring timely participation by District staff who have the right to union representation in interviews. As a result, LER leadership are collaborating with various union representatives to improve timely completion of interviews to support investigations.

Change Management

7.	Recommendation	Create a culture of deliberate change management to ensure new initiatives are effectively developed, communicated, implemented, and adopted.
	Status	Complete
	Additional Recommendations	Continue practicing effective change management and consider messaging in expanded team meetings to facilitate equitable understanding of future changes.

The 2018 Organizational Assessment noted challenges in effectively managing, encouraging, and adopting new systems and processes among the LER team. These challenges were exacerbated by the team’s high workloads and a reactive culture.

New leadership and the reorganization of LER has resulted in significant staffing, process, and system changes to promote improvements. Leadership reports strong efforts at proactive change management including:

- Collaboration among the team to inform the design of processes, systems, and policies
- Regular staff meetings to provide a space for review, input, and adjustments
- Training staff on new processes to promote adoption and consistency
- Accountability measures, primarily positive reinforcement to encourage adoption of new changes

Within the all-staff survey, 60% of survey respondents reported that they are an active participant in continuous improvement activities in their division and 66% reported that leadership effectively communicates and engages the team in departmental changes. Additionally, survey comments reported confidence in leadership and a strong sense of collaboration within and across teams, which suggests that change management has significantly improved since 2018. This sentiment was largely echoed in interviews. As noted previously, there may be opportunities to enhance communication across teams through expanded team meetings on an ad-hoc basis as division-wide initiatives are planned and implemented. To manage ongoing changes there are a few approaches to consider.

- **Listen:** To reinforce change effectively, it's important to follow up with employees to understand how the change is working. The feedback gathered will be helpful in developing corrective actions and post-implementation change management activities.
- **Assess:** Based on the feedback gathered from employees, the root cause of the problem may already be known. Continue to ask the question, "Why is this happening?" until the root cause of the problem has been found.
- **Address:** Determine the appropriate steps to take to address the root cause of the performance gap. These could include additional 1:1 training, reiteration of the desired outcome, different



incentives, continued communication of employee expectations, additional accountability measures.

When addressing resistance to change, it can be helpful to have the right people reinforcing the change message. Often, the best person to resolve a point of resistance with an employee or group of employees is their direct supervisor or highest level manager. As the pace of change slows in LER, leaders will have more of an opportunity to gather feedback on changes to support continuous improvement.

B. STAFFING

Division Workload

8.	Recommendation	Once critical policy, process, and system changes have been implemented, perform a workload analysis to determine staffing needs.
	Status	Complete
	Additional Recommendations	None

In 2018, staff and stakeholders uniformly reported that LER workloads were too high for the current number of employees. However, LER’s operating environment and lack of data prevented an accurate assessment of employee workloads. Therefore, the assessment recommended a workload analysis to evaluate staffing needs after policy, process, and system changes were implemented.

As noted throughout this report, processes and systems that support LER work have significantly improved through the collaboration and work of leadership and staff alike. Since 2018, LER has increased its overall FTE count by four and clarified its workload distribution across and within teams through the development of the “LER Division of Work” guide. In the all-staff survey, 87% of employees strongly or somewhat agreed with the statement that their workload is generally manageable.

LER continues to evolve and place additional emphasis on preventing employee relation concerns, which would be better supported by a dedicated mediation team. In the interim, all LER staff are receiving training on de-escalation in difficult situations. The HR Department requested two FTE who would be dedicated mediators to support a robust mediation process in which employees can resolve issues prior to conducting lengthy, time-consuming investigations for certain types of reports. However, this was not funded by the District. LER should continue advocating for the addition of these two positions to support mediation of conflicts, which will be more cost-effective than conducting investigations, and provide additional and ongoing training to administrators on how to effectively mediate conflicts at the appropriate level. The addition of the mediators will ultimately help support cost-effective LER services and may eventually result in reduce investigations (see section C, [recommendation 19](#) for additional detail).



Backlog and Overflow

9.	Recommendation	Prevent future backlogs by establishing processes to hire temporary staff and/or outsource overflow cases during high workload periods.
	Status	Complete
	Additional Recommendations	None

When the 2018 report was issued, there were a total of 195 active cases, 59 of which required full investigations. Although LER tried to address its delayed or backlogged cases in a timely manner, especially those involving an employee on administrative leave, cases were still often delayed. Since that time, two additional investigators were hired full-time and LER contracted with external providers as necessary to clear up the historical backlog of cases. These efforts have led to more effective and timely case management, resulting in an average case completion timeframe of 93.5 days. Out of 443 total cases in FY 2019-20 and FY 2020-21, 68 cases (15.3%) took more than 180 days to complete.

LER noted that in-house investigations are generally more efficient and cost-effective. With the addition of two investigators, workloads appear to be appropriate in preventing the creation of future backlogs. Additionally, 80% of survey respondents strongly or somewhat agreed that during high workload periods, they can rely on other teammates for help. Because the work of LER is inherently reactive, there may be periods of elevated cases that require support from internal resources.

As the team continues to focus on proactive training and having the right level of involvement in case resolution (depending on the level, through mediation, etc.), the number of investigations may begin to decline. As noted previously, dedicated mediators would support the development of a dispute resolution process with union partners and resources to train principals to mediate situations.

Workforce Planning

10.	Recommendation	Develop a strategic plan to address workforce planning for LER positions to proactively identify needs, develop employees, and support operational continuity.
	Status	Ongoing
	Additional Recommendations	Continue efforts to support internal career progression through cross-training and promotional opportunities.

The 2018 report noted that LER did not conduct workforce planning to proactively identify and fill staffing needs. This resulted in elevated risk due to the Division's reliance on multiple sole contributors, minimal cross-training and procedural documentation, and Director turnover. Since then, many new employees have joined the organization and are dedicated to implementing improvements. As noted previously, the new structure of LER promotes clarity around roles and responsibilities, while still providing back-up for positions. For example, HR analysts have each been matched with an



HR manager to assist in case management, act as a back-up to support the work and customers and develop the skillset of the analysts. Given the variety of initiatives and ongoing work, staff report that they are strategically involved in various aspects of the division’s work to promote skill and leadership development.

Workforce planning as a whole has improved significantly over the past two fiscal years. In interviews, staff noted the ongoing need to support the analyst progression to manager roles. Because LER is a small team, there may be infrequent opportunities to enable analysts to take on manager-level work. To support ongoing career development, however, analysts could be cross-trained into manager roles and potentially serve as interim HR managers when vacancies arise.

Cross-Training

11.	Recommendation	Conduct cross-training among Department employees to ensure adequate and consistent coverage of key functions and duties.
	Status	Complete
	Additional Recommendations	None

Previously, several key functions in the Department were the sole responsibility of one employee, including teacher evaluations and ADA accommodation requests. However, since the reorganization and role clarification, LER managers have been functionally aligned to provide similar services to different employee groups. As noted previously, the LER Division of Responsibilities delineates who is responsible for what items depending on the employee and/or labor group. Additional tasks (e.g., monitoring *Let’s Talk* or shared email boxes, information requests from the public or unions) are assigned to a primary person, primary back up, and secondary back up to promote consistency. LER has also developed a cross-training matrix to support these clear roles and responsibilities and ensure cross-training for key tasks. In the survey, 80% of respondents reported that they had the skills or resources to back up other positions and that they could rely on teammates for help during high workload periods. These sentiments were also echoed in interviews.

Additional training and professional development are planned to ensure that LER managers who handle misconduct cases are also aware of the work being conducted by the manager who is handling staff performance issues. Based on this cross-training, managers ensure adequate and consistent coverage of key tasks regarding employee misconduct cases and staff performance cases. Sr. analysts are cross-trained in evaluation process to ensure adequate cross-training and coverage for this critical area.



Employee Development

12.	Recommendations	<p>A. Ensure performance evaluations are beneficial for staff, including establishing transparent and fair performance expectations, and integrating the review process with a growth and development plan.</p> <p>B. Offer regular high-quality trainings on topics including conflict resolution, difficult conversations, implicit bias, and cultural competency.</p>
	Status	Complete
	Additional Recommendations	Develop a philosophy that prioritizes external training opportunities to support transparency in how these opportunities are accessed.

The 2018 report noted that LER was not utilizing the performance evaluation process to set clear goals and expectations for staff or tying goals to staff growth and development plans that would direct beneficial trainings. The recommendations suggested that professional development should align with each employee’s career goals, LER workforce planning, and Department objectives.

LER adheres to the District’s performance evaluation process for non-represented employees, which requires employees and their managers to determine two competencies to focus on and monitor for the year. Additionally, employees and managers set between two and four performance goals and objectives that the employee will focus on during the review period. The District’s performance evaluation form includes a section for an individual development plan, where employees can define how they would like to professionally develop and identify resources necessary to successfully achieve each objective.

In the survey, 54% of employees strongly or somewhat agreed that performance evaluations are meaningful, fair, and constructive. This may be a limitation of the District process, or an opportunity for managers and employees to meet and develop more meaningful goals. Additionally, 53% of survey respondents reported they strongly or somewhat agreed that they understand career development opportunities that are available at District. To encourage meaningful evaluations and communicate ongoing development opportunities across LER and investigations, LER leadership should better leverage the appraisal process through the creation of meaningful goals and development plans. According to the Society for Human Resources Management (SHRM),¹ one type of goal that may be useful to encourage employee development are stretch goals, which expand the knowledge, skills, and abilities of high-potential employees. Effective goals require both the manager and employee to be involved in their development and active participation in supporting achievement of that goal through opportunities that arise during the performance year.

In order to evaluate the frequency and volume of trainings offered to employees, we reviewed training records and found that all LER staff completed Conflict Resolution Specialist training during the 2018-2019 school year. Additionally, various staff, including investigative staff, completed the 36-hour

¹ SHRM: Managing Employee Performance Toolkit



formal mediation training offered through either UW School of Law or Seattle University School of Law. Additional trainings covered topics including, but not limited to:

- Harassment, Intimidation, Bullying (HIB)
- Maintaining Professional staff/student Boundaries
- Redaction training
- i-Sight Training
- *Let's Talk* Training
- TRI DAY 2021 – Transforming Space, Climate, and Practice for Anti-Racist Schools
- Sexual Harassment Prevention
- PERC Training
- Crucial Conversations
- Trauma-Informed Prevention and De-escalation Strategies and Practices
- UW Law School Professional Mediation Skills Training

Although all survey respondents reported that they have sufficient training and resources to develop the skills required for their role, accessing professional development opportunities is an ongoing challenge noted in interviews, due to budget constraints. Staff reported that there is not a repository of available trainings for newer employees to access and that workload and/or budget constraints may prevent participation in external training opportunities. As the LER division continues to evolve, it may consider developing a philosophy to define how it prioritizes training opportunities based on topic and employee development needs to support transparency in accessing these opportunities.

Leadership Stability

13.	Recommendation	To increase retention, clarify the position’s role, responsibility, and key characteristics; and ensure the position has appropriate support and authority to be successful over time.
	Status	Complete
	Additional Recommendations	None

LER has been characterized by consistent Director turnover for over a decade. Additionally, the Superintendent and Assistant Superintendent of HR positions have also experienced turnover. The 2018 report noted that while individual Directors were successful in accomplishing immediate goals, the lack of continuity in leadership has resulted in the absence of long-range planning or completion of long-term projects. Since 2018, the Director position was divided into three positions: Director of Labor Relations, Director of Employee Association Relations, and Director of Investigations and Compliance. Noted throughout this report are examples of significant procedural and cultural improvements, including short and long-term planning. Both staff and leadership report that a culture of shared ownership of the priorities and tasks has been fostered within LER. This has increased collaboration and leadership by all members of the two teams to complete the priorities and tasks that



are outlined in the LER work plan and to identify opportunities that can be included in future work plans.

C. SYSTEMS, PROCESSES, AND POLICIES

System Support

14.	Recommendation	Continue developing a comprehensive case management system that will fully integrate with the District's other data systems to support staff needs and adequately protect the District from risk.
	Status	Complete
	Additional Recommendations	Continue to pursue automation opportunities to further expedite workflows including notifications when tasks have been completed and reporting.

Since 2018, LER purchased i-Sight for its electronic case management system and has worked to configure, test, and integrate the system into case workflows. i-Sight is a case management platform designed to guide and assist LER managers and/or investigators throughout the entire complaint workflow including activities associated with any investigation. The main record types in the i-Sight application are cases and profiles. Cases and profiles are added to the system as standalone records to track and contain events, people, or incidents that require further analysis or investigation. After a case or profile is created, the user can add other records including Office of Student Civil Rights (OSCR) cases, grievances, or complaints, and any new information. These records contain additional details and information to support the investigative process including to-dos, case assignments, appointments, notes, files, emails, and other requests.

i-Sight was rolled out across the LER team in September 2021. Training was initially provided by the vendor and has been significantly enhanced by LER staff. During weekly staff meetings, time is dedicated to highlighting different aspects of system functionalities, troubleshooting issues, and continuing to educate staff on overall use. Within the first month of use, 60% of respondents to the employee survey strongly or somewhat strongly agreed that they are comfortable using i-Sight and it meets the requirements of their role.

The LER team has dedicated a significant amount of time to load the last three years' worth of investigative and grievance data into the system in preparation for its implementation. Furthermore, LER has established a regular cadence and standardized workflow for adding new data from administrators. For example, at the end of every semester, principals upload any disciplinary actions, even those LER may already be aware of, into a secure SharePoint site to be added to the i-Sight system for a complete employee file. LER has also taken proactive steps to begin loading employee data into the system. It will be important for LER to establish and document the process for updating employee information, to ensure it is up-to-date and aligned with any other systems.

LER plans to continue developing i-Sight and utilize its automation capabilities during key steps of the intake and investigative process. These could include notifications when items are ready for review,



when tasks are completed, when items are ready to be assigned, or if a case requires a central investigation. This case management system should provide increased efficiency through automation and replacement of historical manual case tracking practices. In addition, the case management system will enhance the ability to spot trends and improve communication between LER and Investigations teams. This is an important step in digitizing paper files and transitioning all cases to be electronically stored and searchable.

Intake Process

15.	Recommendation	Standardize the allegation intake content and process and update the website to improve the user experience.
	Status	Complete
	Additional Recommendations	<p>Consider adding further details on what information to include within a report on the website to improve the quality and completeness of reports, ultimately resulting in increased efficiency.</p> <p>Update the complaint processing workflow to include i-Sight references.</p>

As in 2018, allegations are reported to LER through a variety of methods including email, in-person requests at the front desk, or calls to either the front desk or individual LER staff members. The District launched *Let's Talk*, an online form submission mechanism, which LER leverages as an additional channel for submitting allegations. Through these channels, LER receives complaints, grievances, and OSCR reports. According to staff, this multi-channel structure for report intake enhances the accessibility to report violations by complainants.

LER conducted a webpage review to evaluate opportunities to enhance the ability and accessibility of reporting information on the site including channels for reporting, forms, and contact information. At the time of this review, the information on the site is clearly organized, and all links are functional. However, the site could be further improved by providing additional guidance to those submitting a report. For example, to ensure that information submitted via email or *Let's Talk* includes essential components, below the email hyperlink for Employee Misconduct, a bulleted list could be added to the webpage outlining what type of information to include in the email or a note to include one of the forms listed on the site. This information is included in the "Guidance for Handling Employee Misconduct and Conducting Internal Investigations" and could be reiterated on the website as well.

While the range of reporting channels increases the accessibility of the system for complainants, the information that is collected can vary widely in terms of content and details. Investigators and managers often contact the complainant to obtain the information necessary to move forward with processing an allegation; however, due to improvements to overall workloads, this has not resulted in additional challenges and issues for managers.

Additionally, the Complaint Processing Workflow, dated December 2020, outlines the case intake process, including which cases are assigned to a central office-based investigator, a worksite supervisor, or LER manager for resolution. Further updates to the Complaint Workflow should include any applicable i-Sight references to help employees adopt the new case management system and



understand how this technology integrates into their workflows. This will also help ensure the right information ends up in the correct system.

Work Prioritization

16.	Recommendation	Provide clear expectations, training, and resources to ensure staff have the support and capacity to adequately manage their workloads.
	Status	Complete
	Additional Recommendations	LER should consider amending its open-door policy to one of office hours or requiring one employee to be “on call” for customer support to balance the need for focused work and accessibility to the public.

When assessed in 2018, many LER and investigative staff faced extremely high workloads and struggled to manage their time in a way that met high-priority needs and facilitated focused task completion. Contributing factors included:

- LER’s open-door policy: Staff were continuously receiving calls and visitors, making work that required deep concentration extremely challenging.
- Prioritization standards: The Department had not provided any methods or standards for LER staff to prioritize their work. Many staff reported that they prioritized their efforts based on immediate need or who was the most persistent in requesting a task. However, this prioritization method did not put District goals or student impact at the forefront of LER’s efforts.

Taken as a whole, the LER staff operated in fire-drill culture, moving from crisis to crisis.

Currently, according to the staff survey, 87% of respondents strongly agreed or somewhat agreed that their workload was manageable. Interviewees attributed improvements to overall workload to several factors including increased staff, a digital work environment, and focused time for demanding tasks. Several interviewees also noted how the remote work and remote learning environments induced by COVID-19, has resulted in fewer disruptions due to the LER’s open door policy. Fewer disruptions have resulted in more dedicated focused time for high-concentration tasks, leading to improved case processing timelines. When COVID-19 considerations are no longer a factor, LER should consider amending its open-door policy to one of office hours or requiring one employee to be “on call” for customer support to balance the need for focused work and accessibility to the public.

Finally, directors meet with their respective team members on a weekly basis to discuss cases, prioritize the work, and develop strategies to manage time/cases. As appropriate, goals regarding time management, case completion, etc., were included in various staff members’ annual performance evaluation. Regularly scheduled case review meetings with Legal and the Assistant Superintendent of Human Resources help to ensure cases are being handled promptly, consistently, and appropriately. The improved caseload for managers and investigators has helped to mitigate the fire-drill behaviors that has been a historical part of LER culture.

As workloads fluctuate and departmental changes continue to become ingrained into workplace practices, LER may experience a return to a fire-drill like environment. It will be important for LER to



continue to reinforce its process improvements, which have been designed to work together to help mitigate a fire-drill culture by:

- Creating a focused channel to field incoming calls and requests
- Increasing regular communication and planning among staff to assist with prioritization
- Continuing to streamline workflows including intake, reviews, approvals, and information management
- Clarifying roles and responsibilities

In an environment of perpetual change, it may take more time than initially planned to realize the benefits of process and culture improvement. If LER continues to experience a fire-drill culture, it may be beneficial to conduct a check-in with staff to review pain point areas and opportunities for additional improvements. Additionally, LER’s efforts to transition to proactive support through mediation and ongoing school leadership trainings would help support a more balanced workload for the team over time.

Confidentiality

17.	Recommendation	To promote confidentiality, dedicate at least one private meeting room within the HR office area for LER purposes.
	Status	Ongoing
	Additional Recommendations	Consider maintaining and formalizing a hybrid workplace policy to increase confidentiality and safety to maintain accelerated project delivery.

As noted in 2018, physical space limitations at the District’s HR Department office presents challenges to ensuring information remains confidential. Since the last report, the physical office environment has not changed. Several staff noted that within the John Stanford Center there is a significant demand for office or cubicle space that far exceeds the supply and goes beyond the needs of HR staff. A shift of workspace was completed to dedicate a private space for LER staff, specifically investigators, to conduct confidential meetings or interviews. However, without the acquisition of additional space, or renovations to the current office, there are limited options for creating additional private meeting rooms.

Due to COVID-19, LER staff have been working in either a remote, or hybrid, environment where most meetings and investigations have taken place virtually. Overall, 74% of survey respondents reported having adequate physical or virtual space to conduct private meetings. According to staff, this alternate work environment has led to several benefits including improvements to confidentiality and shortened investigation timelines due to decreased commutes to the office and worksites. Interviewees also noted increased responses to investigation meeting requests, due to greater flexibility and different options for participating in an interview such as by phone or virtual meeting.

Due to the sensitive nature of the situations handled by the LER team such as employee complaints, investigations, and discipline, LER staff have in the past have expressed safety concerns. There was at least one incident where a prohibited District employee was able to access the LER workspace,



and in the 2021 staff survey, only 40% of LER employees reported that their work environment is physically safe. In a remote or hybrid remote environment, many interviewed staff noted improvements to their overall sense of safety when able to work remotely, and the inability of potentially harmful employees to impact their physical safety.

LER leadership is currently considering a remote or hybrid work policy based on employee classification, and it is the stated goal of LER leadership to continue remote meetings and investigations. LER leadership is also pursuing whether additional safeguards can be installed to further protect staff in the John Stanford Center.

Policy and Procedure

18.	Recommendation	Document policies and procedures to provide consistency for staff and clients.
	Status	Ongoing
	Additional Recommendations	Update the existing Board Policy 5207 to include the newly developed Civility Policy to support ongoing improvement in District-wide organizational culture and support LER's work.

Due to several improvements to staffing, workload distribution, and prioritization efforts, LER has been able to make significant progress towards developing or updating its policies and procedures. When undertaking policy development and documentation, LER compiled and reviewed relevant District policies, Superintendent procedures, and administrative guidelines. After reviewing the documentation, as appropriate, LER updated and/or created additional policies, procedures, and guidelines. For example:

- Two new policies were created to strategically minimize the number of HIB Complaints between employees: The Civility Policy and the Self-Reporting of Criminal History. These policies support the safety and security of staff and students because staff are reporting criminal history after initially reporting their criminal background at hire. These have been drafted and are awaiting final approval and replacement with the existing Board Policy 5207. The drafted Civility Policy extends beyond HIB complaints and provides behavioral expectations to promote a welcoming, safe, and productive learning and work environment. As LER transitions to promote proactive resolution of issues, the Civility Policy supports a shared understanding of expectations in a professional environment.
- Policies and procedures on Maintaining Staff and Student Boundaries were revised, and training materials were updated.
- The “Action Notice” process was improved to make sure that settlement agreements and other transactions are properly communicated across departments and entered in the payroll system.
- Grievance response procedures have been standardized to include guidance regarding timelines and response requirements.
- Standard templates for notice, outcome, and corrective action (including disciplinary) letters, and investigation report templates were created in collaboration with Office of the General Counsel.
- A Case Processing Workflow was implemented with efficiency adjustments occurring on an ongoing basis.



- Standards for submitting reports to Office of Professional Practices (OPP) were clarified and revised in consultation with staff from OPP and the General Counsel’s Office.

While significant progress has been made to revise, update, and document policies and procedures, 60% of respondents to a staff survey reported that processes are standardized and consistent. This suggests that there are ongoing opportunities in this area. As noted above, there are several policies and procedures that have been drafted and are awaiting finalization. Additionally, the District’s Title IX Task Force recently identified the need to create a separate sexual harassment policy and procedures for employees and students given recent changes to Title IX regulations, which only apply to students. To continue progress in this area, LER should continue to prioritize final approval efforts. LER should also regularly solicit feedback from key stakeholders (i.e., school leaders, union leadership) and staff to capture additional areas where updated, documented, or new policies should be created.

In an employee survey, 93% of respondents reported that they have access to and can easily find policies and procedures relevant to their work. This is due to improvements to LER’s knowledge management processes, which have included:

- A single electronic repository has been established in HR where all administrative guidelines and other relevant materials are stored and can now be easily accessed by all HR staff.
- A digitized records and file room audit/plan is ready for approval and implementation along with the electronic case management project.
- A standard case file naming convention and process has been established to ensure proper retention and storage for ready access to case files.

Good knowledge management processes provide increased engagement, speed up access to relevant documentation, increase consistency, accelerate delivery, and stimulate continued innovation.

Alternative Dispute Resolutions

19.	Recommendation	Develop an Alternative Dispute Resolution process to support the resolution of allegations without requiring a formal investigation.
	Status	Ongoing
	Additional Recommendations	Continue advocating for the addition of two mediator positions to support cost-effective conflict resolution through administrator training and facilitation of mediation as appropriate.

In 2018 LER did not have a clear policy to determine when an issue required an investigation, and when it could be addressed without one. In the absence of this criteria, staff and stakeholders reported that issues were frequently escalated to investigations, even if the work was potentially unnecessary.

To assist with consistent determinations of whether a case qualifies for an investigation. LER staff developed the Complaint Processing Workflow. This workflow outlines the requirements necessary to



escalate a case to an investigation or not. While this is a useful tool for employees, there is a level of case management that is missing, which could address instances where an issue could be solved using alternative dispute resolution (ADR) methods. SPS currently has a HIB² policy in place, which is valuable when building a strong work environment; however, LER staff noted that the team devotes a significant amount of resources to handling employee HIB complaints. According to District staff, most complaints lead to an investigation yet have no findings. As a result, most reported HIB issues appear to be handled through an investigation, which is the most time-consuming and expensive possible option.

During the 2019-2020 school year, the Director of Investigations and Compliance had been collaborating with leadership staff from University of Washington School of Law Mediation Clinic to draft an ADR resolution process for the District. However, due to the impact of the COVID-19 pandemic, further collaboration with those individuals was on hold. Additionally, due to budgetary impacts of COVID-19, SPS is unable to move forward with the proposed cost of UW Mediation Clinic's proposal. Consequently, LER staff began to work with labor partners to develop a dispute resolution process on a smaller scope to address staff-staff or supervisor-staff issues on a case-by-case basis. These cases and outcomes will inform the development of a larger, more comprehensive ADR process for the District.

As noted previously, in 2021 LER staff petitioned the Board for the addition of two ADR staff to handle HIB complaints that did not necessitate an investigation. However, these two positions were not funded. Despite this, LER should continue to gather data to support the addition of mediator roles within the Division. This could include case examples, associated costs, and outcomes. Additionally, with the implementation of the electronic case management system, LER can document the volume and location of cases that could be addressed using ADR methods to demonstrate how targeted ADR training in certain schools or districts could proactively address issues among staff.

Proactive engagement, ADR training, and support for principals could result in significant benefits to school culture, staff relations, and student outcomes. ADR typically offers a less formal or intimidating environment to resolve workplace disputes. Parties can work together with a neutral individual or panel to come to a decision resolving the issues in conflict for those involved. Some of the most significant benefits of utilizing ADR include:

- Less costly
- More efficient than going through the investigation process
- Less disruptive to the school and/or its ongoing operations
- Gives those involved greater influence over the situation and final result
- Decisions are focused on compromise rather than conviction
- Typically results in a more concrete decision, as people are more willing to stick to a decision they make themselves
- Can result in a less severe outcome
- Helps keep relationships intact by attempting to satisfy both parties
- Helps parties deal with the dispute constructively

² SPS has two HIB policies: one which prohibits HIB against students and one which prohibits HIB against staff. This report is referencing the HIB policy applicable where staff are the targeted person.



Disputes of varying degrees are bound to happen in any workplace. Implementing an ADR layer to complaint processing will address interpersonal or behavioral complaints that do not need to be escalated to a full investigation.

Collective Bargaining Agreements

20.	Recommendation	Work toward improving the Collective Bargaining Agreements (CBAs) by striving to standardize grievance processes, ensuring CBAs reference District-wide policies whenever possible, and increasing clarity of contracts.
	Status	Complete
	Additional Recommendations	None

Based on information provided during regular consultations with school leaders and worksite supervisors and managers, LER staff identified several opportunities to standardize language across all CBAs leading to greater clarity of contracts in recent years. For example, the State Employment Benefits Board language varied across all CBAs and has since been revised to be consistent. Additional opportunities like this are passed on to lead District negotiators to be discussed during future negotiations. This process has led to the successful negotiation of consistent language across CBAs in subject areas including union dues, benefits, Voluntary Employees Beneficiary Association (VEBA), sick leave utilization, and leaves.

A Labor Relations Guiding Principles document is also in the process of being developed as a guide to lead LER's collective bargaining work and further standardize processes. The Labor Relations Guiding Principles document is aligned with the District's strategic goals including commitment to ensuring equitable access, eliminating the opportunity gaps, and excellence in education for every student particularly those furthest away from educational justice, which serve as the framework for the document currently being drafted. This continuity will ensure that future negotiations are aimed at achieving the goals set out in the strategic plan.

LER has also created such documents as Scheduling Guidelines to help administrators implement the terms of the CBA. This document helps school leaders interpret the language of the CBA and state law regarding the scheduling of the day, lunches, breaks, and other items. In addition to undertaking efforts to standardize language across various CBAs, LER has also:

- Developed a process to actualize Seattle Education Association/SPS collective bargaining language of transferring discipline records to Labor Relations files at the end of the school year to ensure administrators are aware of progressive discipline status.
- Negotiated approximately 39 changes to the IUOE Local 609 CBAs to ensure the language accurately reflected current practice; that language was revised to provide management more rights to operate various departments.
- Successfully negotiated various changes in working conditions due to COVID-19 with seven different labor partners as conditions continuously evolved.



- Successfully adopted a market-competition based approach towards wage increases, which will vary based on job title.

D. STAKEHOLDER RELATIONSHIPS

Principal Support

21. Recommendation	<ul style="list-style-type: none"> A. Provide high-level resources and trainings so principals have clearer understanding of grievance and allegation processes. B. Increase proactive communication with principals. C. Clarify roles and responsibilities of HR, principals, and Directors of Schools. D. Develop clear procedures for handling issues related to employees represented by the IUOE Local 609.
Status	Complete
Additional Recommendations	In collaboration with relevant unions, continue providing proactive communication and training opportunities for school leaders.

In the 2018 report, principals generally reported positive interpersonal relationships with individual LER staff members. However, even principals who had strong relationships with LER staff encountered significant challenges related to some of the LER functions. Specific issues included training and resources, communication, clarity of roles and responsibilities, and procedures related to IUOE Local 609.

Since then, LER launched an initiative to provide school leaders and worksite supervisors with consistent and predictable tools and guidance to handle cases in their buildings or worksites. To fulfill this goal, the LER team worked to develop several materials to standardize, clarify, and enhance the current misconduct reporting and investigative processes. These materials were created in collaboration with the Director of Labor Relations to ensure that clearer procedures for the handling of represented cases are delineated in the final product. These include:

- **Administrators needs assessment:** An assessment for training that includes survey results from school leaders to capture desired training opportunities and learn what tools are needed to help administrators handle misconduct cases or supervise employees.
- **Guidance on handling misconduct cases:** Guidance on handling misconduct cases and handling grievances including templates and guidance on progressive discipline and appropriate corrective action when assigned by LER management to the worksite supervisor. This was revised and distributed to administrators in October 2020 and again in August 2021, including updates to protocols, templates, and guidelines for instances of alcohol and substance abuse, allegations of adult sexual misconduct, and others.
- **Table of corrective action:** Guidelines for employee discipline and consequences for varying infractions, including potential mitigating circumstances to consider. For example, a finding of an assault of a student will not be tolerated and will lead to a termination recommendation.



- **Administrators administrative leave guidelines:** A checklist and letter templates to help administrators inform an employee of the Assistant Superintendent of Human Resources's decision to place them on administrative leave. These templates help ensure the proper protocols and procedures are followed such as gathering keys and laptops, restricting network and email access, and other interim measures while the results of an investigation are pending.

To complement these resources, LER has taken proactive steps to launch additional training sessions with administrators including:

- Annual training for school leaders that includes basic information on how to conduct site-based investigations. The goal is to expand training opportunities to include all staff tasked with supervisory responsibilities.
- Online Public Employee Relations Commission (PERC) labor relations training offered to school leaders and HR staff.
- The first Employee Misconduct Training with school leaders in 8 years, which took place in August 2021.
- Aligning standards for disciplinary action to ensure that appropriate disciplinary action for specific infractions is consistently applied across all employee groups.

To enhance communication and build positive rapport with school leaders, LER managers email the administrators they support introducing themselves and outlining the various resources available that address employee misconduct outlined above. This holistic approach of providing updated processes, templates, and guidelines, training, and consistent communication all helps to build a strong and effective partnership between LER and school leaders.

As changes continue to unfold and LER focuses on proactive prevention of employee relations concerns, it should keep school leaders informed of new practices and systems through ongoing communication. Additionally, with the future implementation of the ADR process, principals, school leaders, and other relevant District administrators (i.e., assistant principals and worksite supervisors) should receive enough training to help resolve issues at the lowest possible level where appropriate.

Labor Relationships

22.	Recommendation	To build a stronger, more productive relationship with all unions in the District, LER should focus on establishing consistent practices and clear expectations for all involved parties.
	Status	Complete
	Additional Recommendations	Continue meeting regularly with union leadership to strengthen the positive and productive working environment.

The District and unions are often on different sides of the bargaining table representing divergent interests. This can set the tone for adversarial relationships; however, more can be gained if the working environment is based on the mutual aim of improving performance and sustainability.



Since 2018, staff report that the overall state of relations between LER and classified unions including Seattle Education Association (SEA) and IUOE Local 609 has improved. Despite several COVID-19 related challenges in the 2020-2021 school year, which tested relationships between LER and classified unions, LER staff noted that the working environment between the Division and the unions remained productive and respectful. Positive relations in trying times is a testament to the trust-building efforts that have taken place over the last several years. Improvements to LER processes, procedures, and staffing structure, as well as changes to union leadership, have all contributed to overall improved relationships.

In the past, inefficient practices and deliberately adversarial attitudes led to undue delays in processing complaints. To build better relationships, LER has focused on improving the timeline and consistency of complaint processing, and tailoring the support provided to unions. Balanced and optimized workloads among staff as described in recommendations [8](#) and [16](#) have resulted in clearly defined processes and procedures, shortened investigation times, and consistent practices. The addition of the Director of Labor Relations, separate from the Director of Employee and Association Relations position, has meant that LER has also been able to implement more frequent Labor Management meetings. During the pandemic, these meetings had been placed on hold, however, beginning in August 2021, the meetings resumed and increased in frequency to address ongoing health and safety issues. LER also continues to hold monthly Resolution Team meetings with PASS and staff report that the relationship with PASS and PASS leadership has also significantly improved.

LER has also attended 8 hours of “Crucial Conversations” training along with representatives from SEA for the purpose of enhancing communication to resolve concerns and complaints. LER is also actively collaborating with SEA to build a mediation model and associated process, as detailed above.

To continue improving the relationship between LER and classified unions, LER can use the following tenets to guide future progress:

- **Mutual respect:** Acknowledge that the other has a legitimate and valued purpose. The goals of the District and its unions are interdependent. Mutual respect makes it easier for both parties to meet their goals because it facilitates negotiations that can help prevent either party from unnecessarily taking a hard stance towards the other.
- **Regular communication:** Regular communication can improve the quality of working relationships and minimizes conflicts. If LER is in regular communication with the union and involves them in formulating the best strategies to handle disturbances that can impact the District, LER and the unions can minimize conflict and maintain a productive working relationship.
- **Focus on proactivity:** LER can improve their relationships with unions through the adoption of proactive employment policies. LER can minimize the need for constant negotiation by adopting policies and practices that enhance employee welfare. This can boost the employee unions’ confidence in the working relationship and prevent them from exerting undue pressure.
- **Develop teamwork opportunities:** LER and unions can cultivate opportunities to work together as a way to enhance their working relationship. Together, they can jointly decide on the strategies they will adopt to support the District in the short and long term and the most effective way to achieve the best interests of all parties involved.

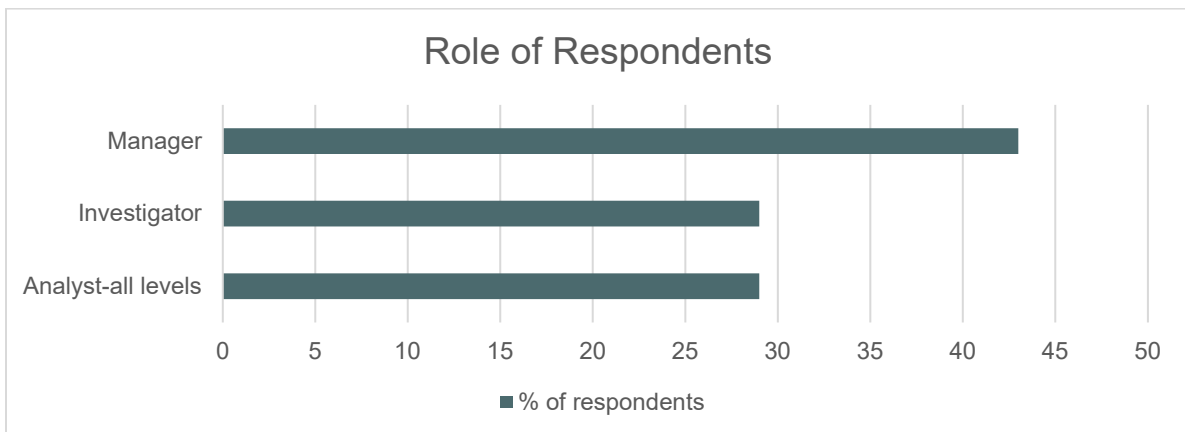
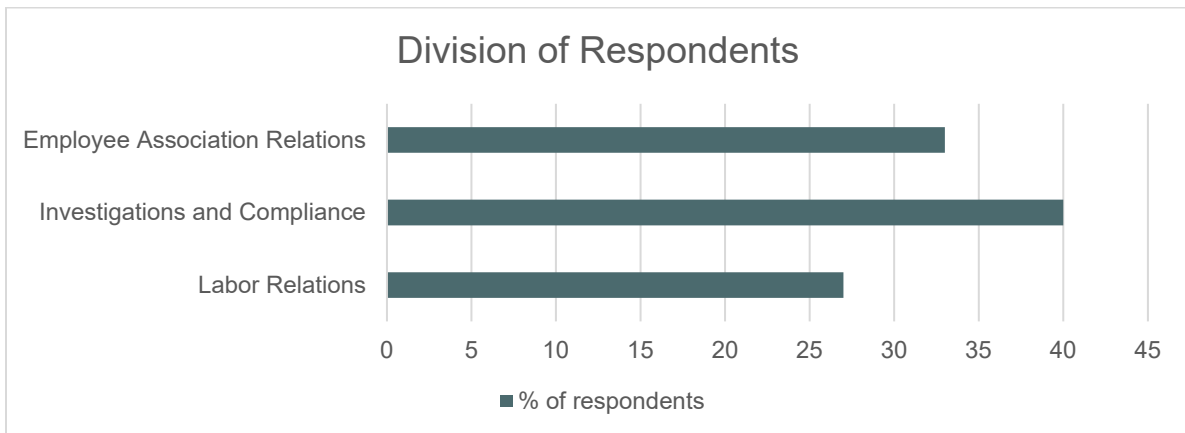
Continuing to focus on building and strengthening relations between LER and classified unions will provide an outsized benefit to the Division, the District, employees, and ultimately students.



APPENDIX A: SURVEY RESULTS

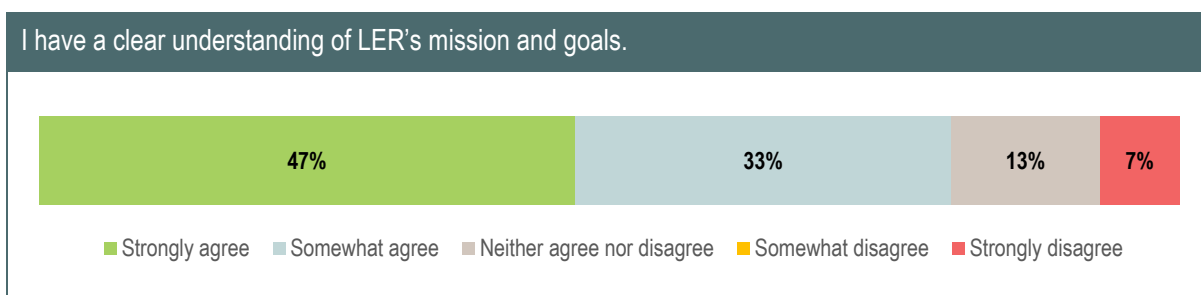
A survey was sent out to all LER employees and was open for submission from October 4, 2021 through October 8, 2021. Out of the 21 employees invited to take the survey, 15 individuals submitted either full or partial responses (a participation rate of 65%).

Employee Divisions and Roles



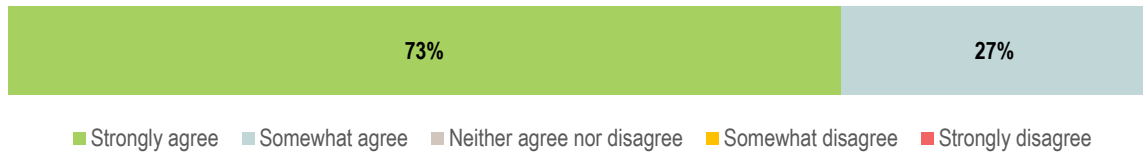
Organizational Structure

In this section, respondents were asked to rate their agreement with the following statements.

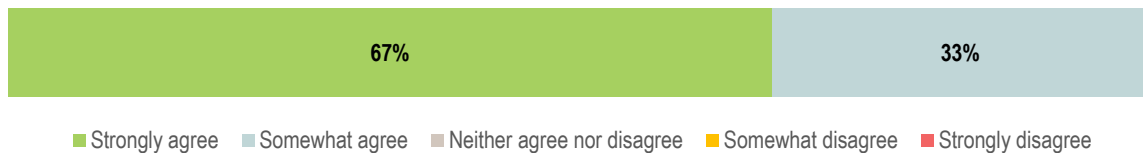




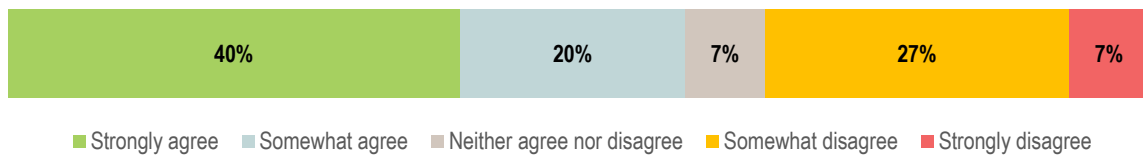
I understand how my work ties to LER's performance.



I have a clear understanding of my role and responsibilities.



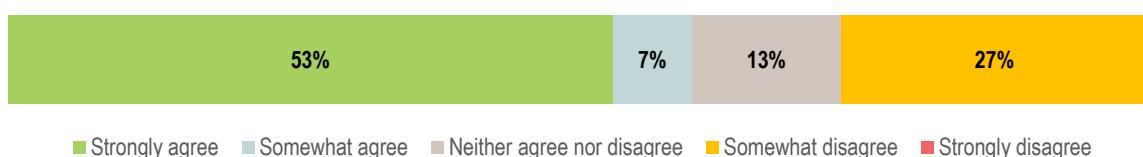
I have a clear understanding of the different roles and responsibilities across the three divisions involved in LER.



I have the appropriate level of authority to fulfill my responsibilities.

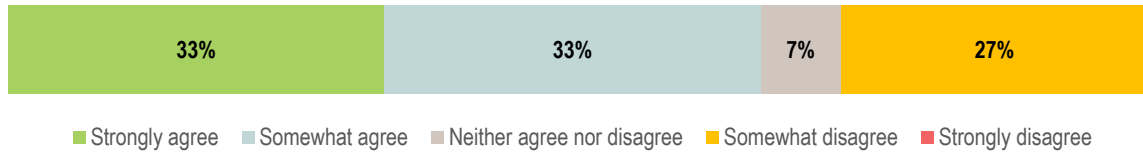


I am an active participant in continuous improvement activities in my Division.





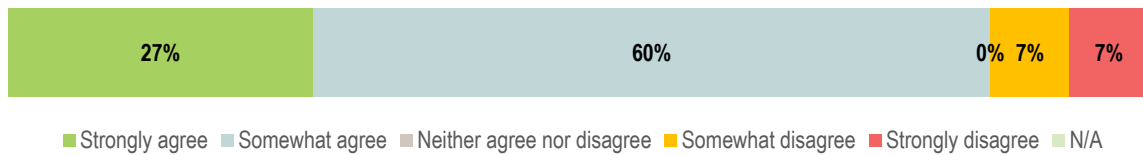
Leadership effectively communicates and engages the team in departmental changes.



Staffing

In this section, respondents were asked to rate their agreement with the following statements.

My workload is generally manageable.

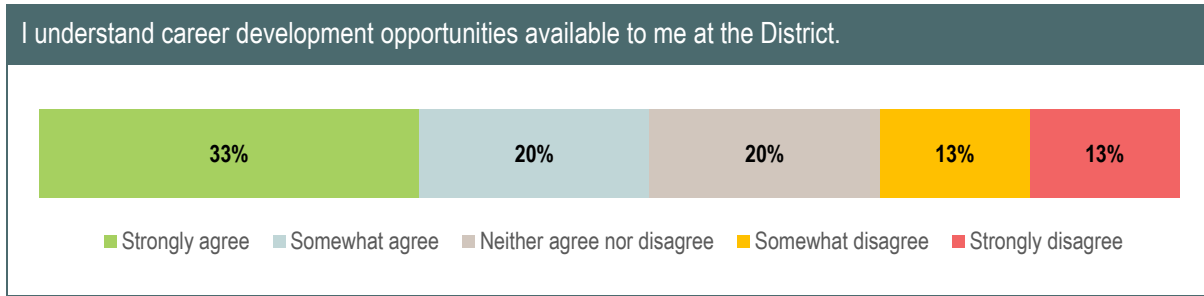
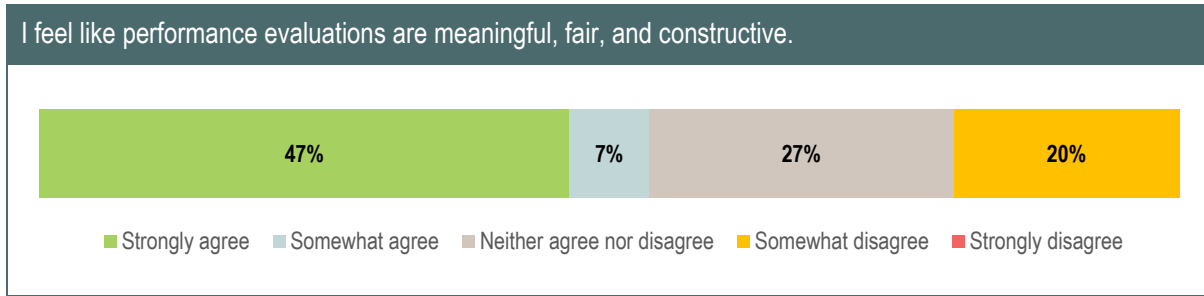
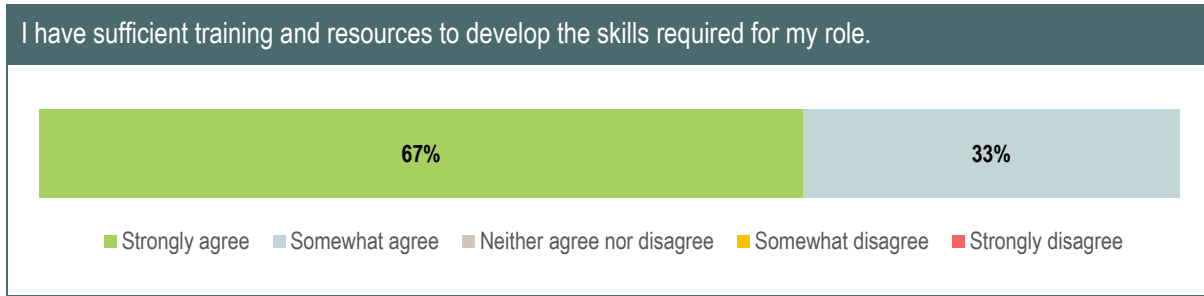
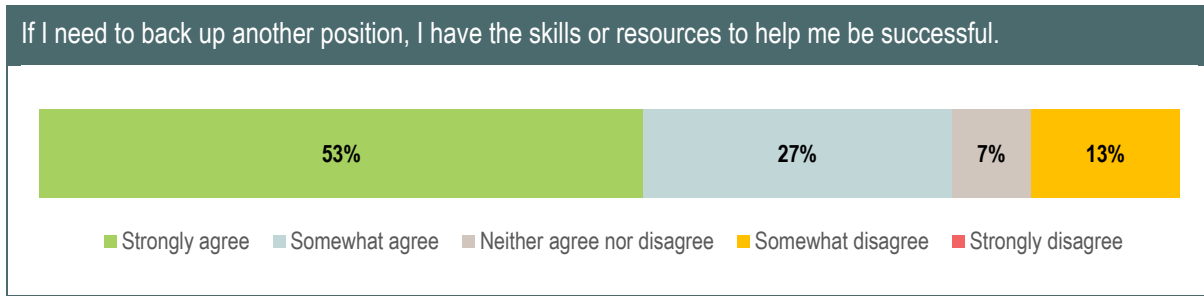


During high workload periods, I feel like I can rely on other teammates for help.



If I'm out, my co-workers can adequately manage my work.



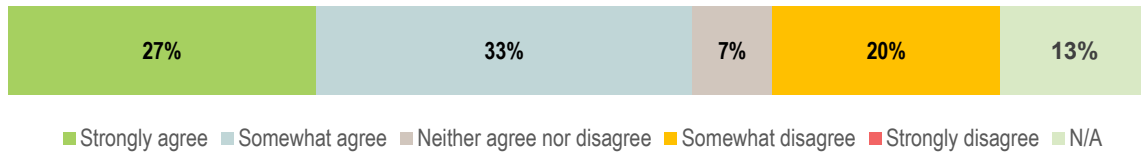


Systems, Processes, and Policies

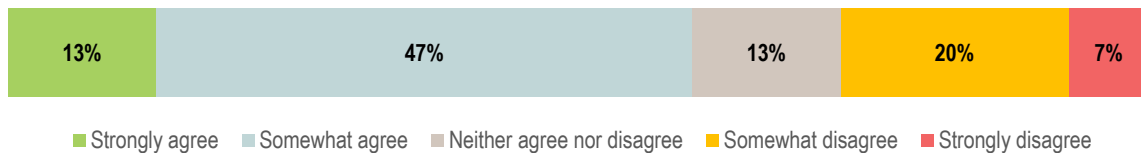
In this section, respondents were asked to rate their agreement with the following statements.



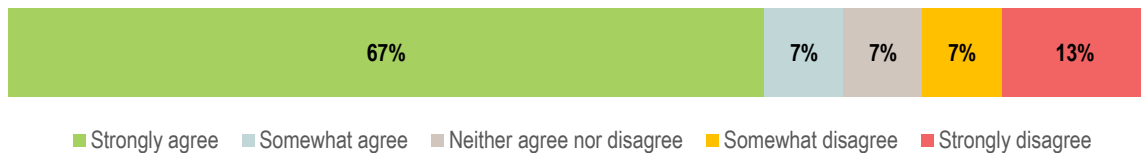
I am comfortable using i-Sight, and it meets the requirements of my role.



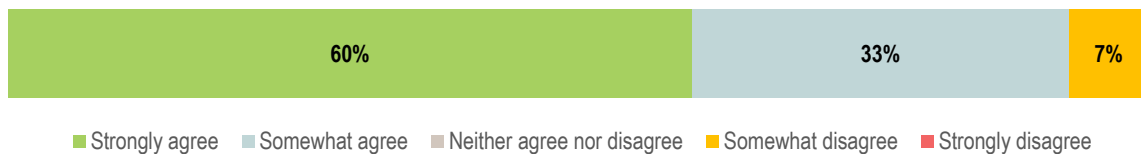
Processes are standardized and consistent.



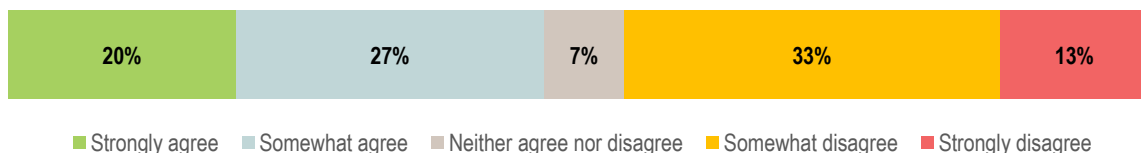
I have adequate physical or virtual space to conduct private meetings.

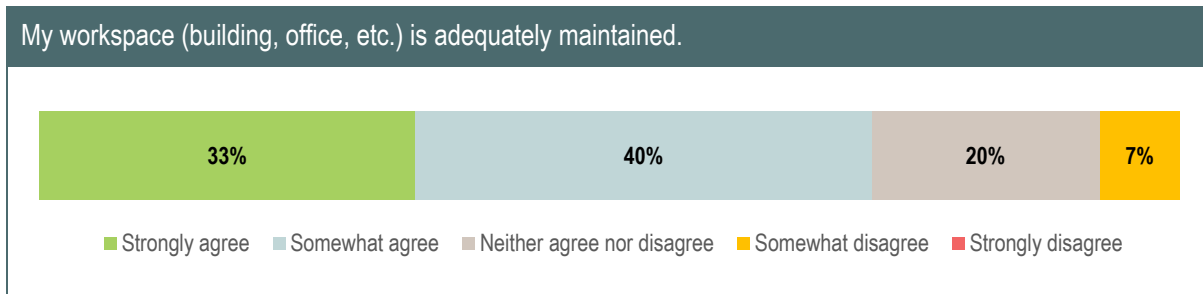
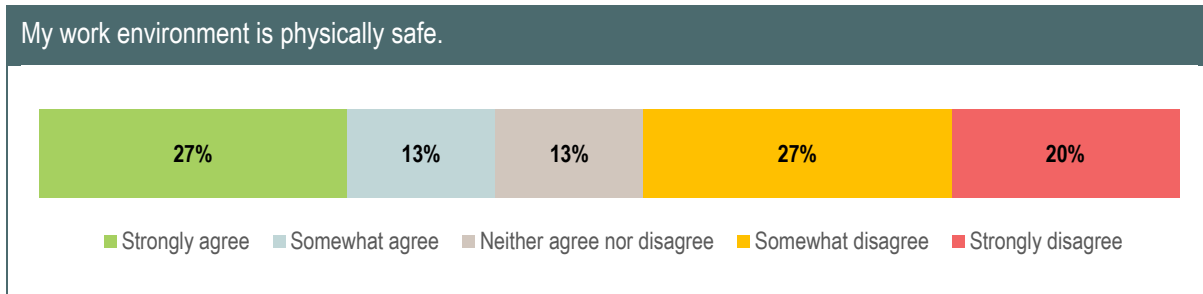


I have access to, and can easily find, policies and procedures relevant to my work.



I am aware of, and feel comfortable using, alternative dispute resolution methods.





Strengths

What are the top strengths of the LER department?

- Teamwork—collaboration within and across teams
- Experience and perspective of employees
- Good morale and accountability
- Dedicated and passionate employees
- Willingness to embark on changes in midst of uncertainty
- Passion for improvement

Opportunities for improvement

What are the top three opportunities for improvement in the LER department?

- Communicate changes and improvements externally more frequently
- Sole contributors are an ongoing concern
- Limited opportunities for internal career advancement
- Documentation of decisions to ensure fair and equitable application
- Need for conflict management positions to provide greater support to principals and handle complaints at the appropriate level, and ongoing staff education needs
- Electronic management of cases and documentation (forthcoming)



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