

PERALTA COMMUNITY COLLEGE DISTRICT Item No. 20
Board of Trustees Agenda Report

For the Trustee Meeting Date of: November 9, 2010

ITEM TITLE: Request Board Authorization to Increase Independent Contractor's Agreement for Investigative Services for Mr. Mark Paschal

Consider Approval of Employee Relations Department's request to increase the annual Independent Contractor's Agreement of Mr. Mark Paschal.

BOARD ACTION REQUESTED: District Office of Human Resources requests Board approval to increase its current independent contractor's agreement for Mark Paschal of Paschal & Associates, who provides confidential fact finding for investigations managed by the District's Vice Chancellor for Human Resources. We are requesting an additional \$25,000 to cover matters that will require investigative reports and findings.

ITEM SUMMARY: The Vice Chancellor for Human Resources responds to a number of district-wide personnel matters including discrimination, sexual harassment, and retaliation complaints filed by employees and students, many which require the expertise of a professional investigator with experience and knowledge of Title 5 Regulations, Titles VII, and IX anti-discrimination legislation. The Office of Human Resources utilizes the services of this investigator to assure District compliance in responding to numerous complex matters.

BACKGROUND/ANALYSIS: The current agreement will soon reach the Chancellor's approved limit of \$25,000; with this request, the agreement would increase to an amount not to exceed \$50,000 through fiscal year ending June 30, 2011.

ALTERNATIVES/OPTIONS: Not Applicable

EVALUATION AND RECOMMENDED ACTION:

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT): The source of funds to accommodate the increased contract would be split from Cost Centers 133 (Employee Relations) and Cost Center 135 (Human Resources). Splitting the funds would not adversely impact the District in that a contractor is needed to provide ongoing investigative and other services for Equal Employment Opportunity and compliance

OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):

YES _____ NO X _____

COMMENTS: Providing investigative services assists the District by maintaining equal employment opportunity compliance and the Board mission and goals to "Remain committed to affirmative action and maintain employment practices that assure a superior and diverse workforce and faculty."

WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING?
Trudy Largent, Vice Chancellor for Human Resources

DID A BOARD STANDING COMMITTEE RECOMMEND THE ITEM?
YES _____ NO X

IF "YES", PLEASE INCLUDE THAT INFORMATION IN YOUR SUMMARY.

(*****Board contract approval is subject to negotiation and execution by the Chancellor.)

PLEASE ACQUIRE SIGNATURES IN THIS ORDER:

DOCUMENT PREPARED BY:

DOCUMENT PREPARED BY:

Prepared by:

Trudy Largent
Trudy Largent, J.D., Vice Chancellor for Human Resources

Date: 11/3/10

DOCUMENT PRESENTED BY:

Prepared by:

Trudy Largent, J.D., Vice Chancellor for Human Resources

Date: _____

FINANCE DEPARTMENT REVIEW

_____ Finance review required _____ Finance review *not* required

If Finance review is required, determination is: ___ Approved ___ Not Approved

If not approved, please give reason: _____

Signature: _____ Date: _____
Ron Gerhard, Vice Chancellor for Finance and Administration

GENERAL COUNSEL (Legality and Format/adherence to Education Codes):

_____ Legal review required _____ Legal review *not* required

If Legal review is required, determination is: ___ Approved ___ Not Approved

Signature: _____ Date: _____
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

___ Approved, and Place on Agenda ___ Not Approved, but Place on Agenda

Signature: _____ Date: _____
Wise Allen, Chancellor

Mark Anthony Paschal
727 Peralta Avenue
San Francisco, CA 94110

Phone (415) 265-8119
E-mail Mark_Paschal@hotmail.com

PROFESSIONAL EXPERIENCE:

Paschal and Associates, San Francisco, CA.

1990 to present - Owner

Provide 24 hour human resources related assistance and consultation specializing in diversity training, human resources training for managers and supervisors, sexual harassment prevention training, team building, conflict resolution, complaint investigations, affirmative action plan development, identification of problem areas etc. Provide advice and consultation to management in arriving at human resources solutions that support enhanced diversity in the organization. Clients include the ACLU, The Port of San Francisco, The San Francisco City College District, The Peralta College District, The SUNY College District of Albany New York, The North Bay Regional Center etc.

University of California, San Francisco, CA

1989 to Present – Assistant Director in the Affirmative Action, Equal Opportunity and Diversity Office

Provide assistance in the development and implementation of UCSF's AA/EEO policies, procedures and programs. Manage UCSF's voluntary Community Construction Workforce Program, which includes direct supervision of three fulltime employees. Develop recommendations, create and manage programs to enhance workforce diversity. Identify problem areas and counsel senior and line management in arriving at human resources related solutions that support AA/EEO policies. Investigate internal and external complaints of prohibitive discrimination and recommend appropriate corrective action programs. Develop and implement diversity training for managers and supervisors, staff, and faculty. Provide advice and consultation for affirmative action goal attainment and the establishment of effective action-oriented programs. Provide advice and consultation to other University of California campuses regarding their compliance reviews with the Office of Federal Contract Compliance Programs.

Department of Labor, Office of Federal Contract Compliance Programs, San Francisco, CA

1974 –1989, Compliance Officer

Responsible for over 190 compliance reviews of construction and supply and service government contractors. Led investigative teams for many high profile investigations and compliance reviews, both locally and in other regions. Examples of such team reviews under my leadership included UC Berkeley, Lawrence Livermore Laboratories, International Business Machines, and the 580 Grove-Shafter Freeway Construction Project. Evaluated government contractor's affirmative action plans and programs for compliance with federal laws, and conciliated and negotiated corrective -action agreements. Many of these agreements included back-pay and other forms of restitution for identified victims of discrimination. Investigated both individual and class-action discrimination complaints. Acted as a formal/ informal community contact and referral source for contractors and community groups. Reviewed and monitored construction contractors for minority and female goal attainment /required good faith efforts pursuant to Executive Order 11246.

Paschal Group, Inc., San Francisco, CA

1982 – 1996, Owner and Manager

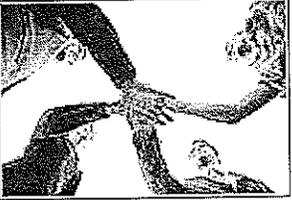
Owned and managed three home care facilities for developmentally disabled adults. Responsible for the oversight of the facilities operations that provided 24-hour care to 22 live-in residents. Supervised managers and professional support staff (25 total employees) at the facilities. Provided leadership in state audits and quality care reviews. Interfaced with residents, guardians, state and local community groups as necessary. As a volunteer for the San Francisco Special Olympics for over 15 years, assisted and provided leadership to the organization. From 1993 through 1996, directed the San Francisco Special Olympics Track and Field activities and the efforts of 35 volunteers. Coordinated a myriad of contributing organizations, including UCSF.

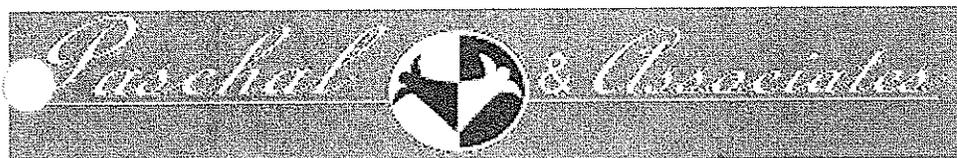
EDUCATION:

B.S. in English, California State University, Hayward, CA

REFERENCES:

Available Upon Request

Mission		HR Help		
	Training Diverse Teams		Compliance	
Clients		Contact Us		
<p><i>Parshall & Associates</i></p> 				
Preparing Organizations			Human Resource Related Investigations	



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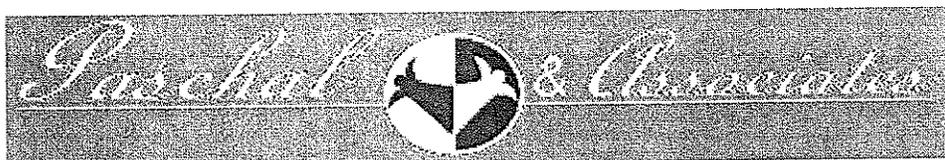


Paschal and Associates provides human resource departments of any size, consultation and training for most human resources-related matters.

Specific areas of expertise include:

- Investigations of all types of internal and external agency discrimination complaints (Department of Fair Employment and Housing, Equal Employment Opportunity Commission and the Office of Civil Rights) to include sexual harassment.
- Expedient investigation, intervention in top priority human resource matters to include hiring, terminations, grievances, misconduct, theft, risk management, etc.
- Conflict resolution and mediation.
- Salary analysis to ensure compliance with State and Federal Equal Pay Act Laws.
- Case specific training to managers and supervisors to address identified problem areas.

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Workshops are tailored to meet the individual needs of the organization. Training schedules can range from a 1-hour to a 3-day program spread over several weeks.

The length of each program depends on a variety of factors. We will analyze the goals and expected outcomes and give you options.

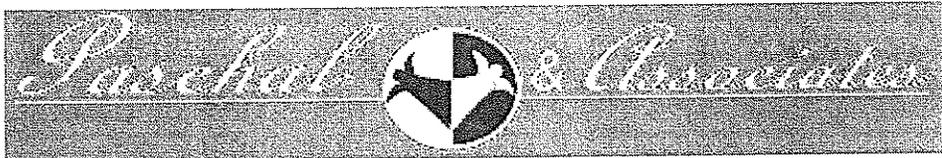
Workshops can be designed to meet a variety of concerns such as:

- Diversity of Work Style
- Conflict Resolution
- Team Building
- Cross-cultural Communication
- Non-discrimination/Equal Opportunity
- Affirmative Action Plans
- Harassment Prevention/Sexual Harassment Prevention
- Business Affirmative Action
- Cross-cultural Academic Issues
- New Employee Orientation
- Performance Management
- Manager's Performance Evaluation Training
- EEO Plans at Community Colleges
- Problem Solving Approaches

Confidentiality

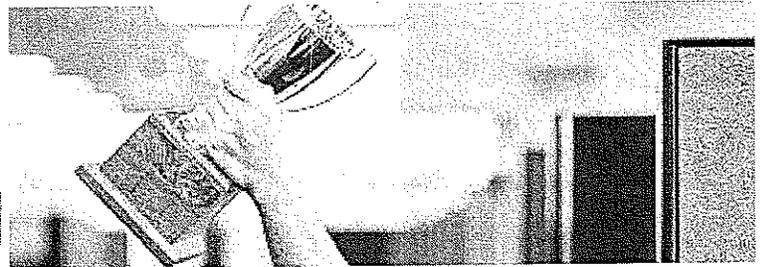
Ideally, our workshops are designed to be highly participatory and experiential in a small group setting. However, large audience-based programs are also available.

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Satisfaction Guaranteed

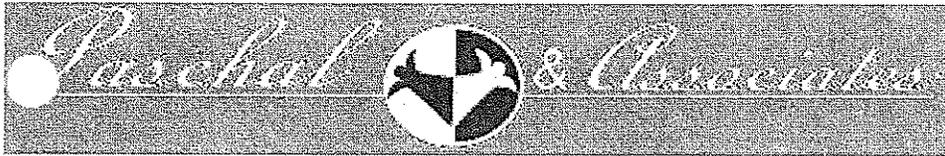


Meeting (and keeping current with) government regulations can be a time-consuming task. Paschal and Associates has the experience and expertise to assist with compliance with state and federal requirements.

Services Include

- Developing Affirmative Action Plans
- Planning and conducting orientation to Affirmative Action for management and employees
- Performing adverse impact analysis
- Identifying problem areas within the organization
- EEO Plans
- Development of specific action plans based on needs assessment

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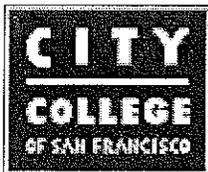
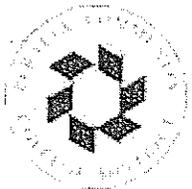
What our clients are saying:

- "Interactive."
- "Very informative, motivating, humorous."
- "Excellent opportunity to discuss issues."
- "Very useful and thought-provoking."
- "Great facilitators."

SCHWAB

ST. CLOUD STATE UNIVERSITY

UC SANTA CRUZ



City and County of San Francisco
Port of San Francisco



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City:

Email:

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