



**HUMAN RESOURCES COMMITTEE  
MEETING MINUTES  
Wednesday June 5, 2024  
5:30 PM**

**Committee Members Present:**

Raul Gonzales, Dale Copedge, Dwight Washington and Alan Platt

**Committee Members Excused:**

Maxine Thome and Tim Hanna

**Board Members Present (non-committee members):**

None.

**Staff Present:**

Jana Baylis, Sara Lurie, Latisha Toussaint, Brian Filipiak, Morgan McKittrick, Janeil Pelton and Melissa Glinn

**Public Present:**

Jessica Lucas  
Sharon Taylor Local 459  
Paul Brooks Local 459

**Call to Order:**

The meeting was called to order at 5:30 p.m., by Committee Member, Alan Platt.

**Previous Meeting Minutes**

**ACTION:**

MOVED by Alan Platt and SUPPORTED by Dwight Washington to approve the meeting minutes of March 06, 2024 as written.

**MOTION PASSED unanimously.**

**Adoption of Agenda**

**ACTION:**

MOVED by Raul Gonzales and SUPPORTED by Dale Copedge to approve the meeting

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agenda of June 05, 2024.

**MOTION PASSED unanimously.**

**Public Comment on Agenda Items:**

None.

**BUSINESS ITEMS**

**Second Quarter EEO Report**

Jana Baylis reviewed the Statement of Diversity and reported that recruitment efforts continue to be within the parameters of the Human Resources budget. Reporting that resources are being utilized for social media, posting platforms, association advertising, career fairs, community partnerships and an active diversity council. Jana also reviewed the CMHA-CEI Overall Analysis reporting that the 2nd quarter EEO Report indicates 24.06% of active employees are minorities and that this is an increase of 0.46% from the 1<sup>st</sup> Quarter EEO Report.

Jana continued to review the report stating that the Human Resources recognizes that minority statistics in the areas of Directors, Managers, Technical, and Skilled Trades are considerably low and need improvement. Minorities in the Professional, Clerical/Office, Service Worker, Direct Care Worker and Para-Professional categories are noticeably higher and offsets the statistical data, making the organizations overall minority total appear above the established threshold of 19%.

Jana also reported that in the last quarter, CMHA-CEI hired a total of fifty-eight (58) employees and forty-eight (48) employees have separated employment. Jana stated the Tri-County Consumer Population Statistics are from the previous quarter, but will be updated for the next regular committee.

**ACTION:**

MOVED by Alan Platt and SUPPORTED by Dale Copedge that the Human Resources Committee recommends that the Community Mental Health Authority of Clinton, Eaton, Ingham Counties Board of Directors accept the Second Quarter EEO Report from January 1, 2024 through March 31, 2024.

**MOTION PASSED unanimously.**

### **Second Quarter Diversity Initiative Report**

Janeil Pelton introduced herself briefly to the committee members and provided a summary of the achievements and events in which the HR Department and the Diversity Advisory Council contributes to the ongoing efforts towards diversity and inclusion and shared that the annual recruitment initiatives include involvement in workforce readiness programs throughout the tri-county area and attendance at career fairs in more diverse geographical locations and reviewed the list of HR Memberships, DAC Initiatives, Career Fairs, Recruitment Support planning's, Presentations on Current CMHA-CEI vacancies, In-services and promotional ongoing recruitment efforts sponsored and/or participated in during the 2<sup>nd</sup> quarter.

Dale Copedge expressed his interest in wanting to know if recruitment efforts have been made at HBCU's. Jenny shared some of the HBCU'S that she has attended in efforts to get the agency's name out there. Dwight Washington inquired if Jenny is able to build relationships with staff at the universities and career fairs that she attends. Jenny responded that she hands out business cards and recruitment information as well as speaking to staff and students at the universities to build a good rapport.

### **Labor Relations Second Quarter Grievance Report**

Brian Filipiak reported that during the second quarter, one (1) new grievance was filed and one (1) grievance was resolved. One (1) open grievance was from the fourth quarter fiscal year 2022 and the one (1) open grievance was from the first quarter.

### **ACTION:**

MOVED by Al Platt and SUPPORTED by Raul Gonzales that the Human Resources Committee recommends that the Community Mental Health Authority of Clinton, Eaton and Ingham Counties Board of Directors accept the Second Quarter Grievance Report from January 1, 2024 through March 31, 2024.

**MOTION PASSED unanimously.**

### **OPEIU Local 459 Step 4 Grievance – Discharge & Discipline**

Jana Baylis welcomed the union to the table. The Grievance Hearing Format was distributed and reviewed. Jana noted the format has been agreed to by Management and OPEIU, Local 459. Jana Baylis allowed time for the committee members to review the Management's and Local 459's written position statements.

Jana introduced Dr. Jennifer Stanley, CMHA-CEI Medical Director, and asked her to introduce her program regarding managements case. Dr. Jennifer Stanley shared what

the Psychiatric Services are and the services that the department provides. Dr. Stanley also went over the different positions within the Psychiatric Services department as well an explanation of the breakdown of the roles and responsibilities within the department.

Brian Filipiak outlined the policies, procedures, employment standards and guidelines pertinent to this investigation. Brian reported that on November 20, 2023 the grievant Jessica Lucas was terminated for lack of willingness to adhere to workplace standards, violations of Policies, Procedures and the Employee Handbook in relation to violation of an alcohol free workplace, vaping, the use of e-cigarettes in the office, prohibited harassment, verbally abusing her co-workers and willful action or failure to act which adversely affect the case and treatment of recipients. At the time of the initial reported incident Ms. Lucas had been employed with CMHA-CEI for only ten months.

Brian then provided an overview of each of the staff involved. Staff, Candy Hicks, who is a Medical Assistant in the clinic and shares an office with Ms. Lucas, Coretta Poole a secretary in the clinic, Lisa Kelly another secretary within the clinic, and Jamie Zuniga who was a Supervisor of the clinic at the time.

Brian reported the following sequence of events: Upon Ms. Lucas being hired into the department in November of 2022, Ms. Lucas shared details of her personal life with staff regarding her husband. Staff tried to help Ms. Lucas feeling empathy towards her overlooking her work ethic such as being tardy and taking extended work breaks, sleeping at her desk, vaping in the office and having questionable conversations with consumers.

Brian reported the details of the incident on October 2, 2023 in which Ms. Lucas was found to have a small water bottle filled with clear alcohol, which appeared to be straight Vodka, on her desk. The bottle was found tucked away behind her computer monitor. Ms. Lucas had been observed to be drinking from this small water bottle. On October 2, 2023 around 12 noon, Human Resources was prepared to conduct a reasonable suspicion regarding the found water bottle containing Vodka, however Ms. Lucas left the building and did not return to work after her lunch break. Brian then presented Exhibit 7 where text messages show Ms. Lucas states that she will not be returning back to work.

Brian proceeds to present Exhibit 8 in which involves text messages from the incident on October 2, 2023 between Candy Hicks a co-worker and Ms. Lucas. Brian then presents the Employee Discipline Report found in Exhibit 2.

Prior to the October 2<sup>nd</sup> incident Ms. Lucas had text correspondence on September 27, 2023 in which Ms. Lucas a text message to a co-worker. When interviewed Ms. Lucas denied the use of any racial derogatory comment as well as being in violation of the Agency's Prohibited Harassment Policy. Ms. Lucas portrayed herself as being polite, friendly, and treating all with respect. She did share that one occasion she had a bad moment and called another secretary a bad name, that staff is African American.

Ms. Lucas has presented concerning behaviors around integrity, being truthful and being intentionally deceptive. Ms. Lucas was not forthright and failed to provide accurate information during the investigation process.

Employee Handbook Sections: Employment Standards, it is the expectation of CMHA-CEI that all employees will conduct themselves appropriately in the workplace. Failure to exercise proper conduct or to adequately perform your work duties may result in disciplinary action up to and including termination or employment.

Prohibited Harassment, CMHA-CEI prohibits harassment of and by employees based on any characteristic protected by applicable law, which includes race, color, religion, gender, sex, pregnancy, national origin, age, disability, genetic information, height, weight, and marital status. CMHA-CEI also prohibits discrimination on the basis of sexual orientation.

Abuse or Mistreatment of Recipients, commission of an act or a failure to act, which jeopardizes or impairs the rights, safety and well-being, best interests, or property of recipients, is prohibited. Willful action or failure to act be staff which adversely affect the care and treatment of recipients, are prohibited.

Alcohol and Drug Free Workplace, consistent with state and federal law, CMHA-CEI will maintain a workplace free from the unlawful manufacture, distribution, dispensation, possession or use of controlled substances, illicit drugs and alcohol. CMHA-CEI maintains a policy of zero tolerance for substance abuse and has reasonable suspicion testing procedures for drugs and alcohol.

Tobacco-Free Environment, in order to protect the health and well-being of all employees and recipients and to avoid conflicts between smokers and non-smokers, CMHA-CEI has established a policy governing the use of cigarettes, cigars, pipes and electronics nicotine delivery systems. Specifically, smoking and use of tobacco is prohibited in CMHA-CEI buildings and vehicles.

Brian presented Exhibit 15 which is a signed document by Ms. Lucas on September 12, 2023 in which states that on September 11, 2023 a patient stated that the employee who checked him in approximately six weeks ago, was vaping. He went on to describe Ms. Lucas. The violation was discussed prior to this event several months ago and it was understood and agreed by Ms. Lucas that this is a direct violation of company policy and should never happen again.

On September 8, 2023 Jessica Lucas was found to be sleeping during work hours in her office. It was discussed that sleeping during work hours is not allowed. Jessica stated that she wasn't feeling well and agreed to go home for the day. A picture of Ms. Lucas surfaced on September 11, 2023 of her sleeping during work hours while at the check-out window on March 20, 2023. The discussion was again discussed that sleeping during work hours is not allowed.

There have been complaints received regarding violation of dress code. This subject was verbally discussed within the last two months and it was understood and agreed upon that the dress code will be followed. Other concerns that were discussed on September 12, 2023 was the matter of focus and not becoming distracted many times in which was a concern from physicians that was brought to attention, as well as tardiness.

The document was signed on September 12, 2023 by both Jessica Luca and Supervisor, Jamie Zuniga, acknowledging that all matters stated in the document have been discussed.

Brian concluded that the employer does recognize termination is a life changing event. Ms. Lucas' actions and in-actions have eroded the employee-employer trust relationship and the breakdown of integrity is beyond repair. Management requests the HR Committee move to deny the grievance which will uphold Management's termination of Ms. Lucas.

Sharon Taylor from the Local 459 Union introduced herself to the HR Committee as well as Paul Brooks the current Chief Steward for the Local 458 at CMHA-CEI and the grievant Jessica Lucas. Sharon stated the investigation against Ms. Lucas is one-sided as there has been no witnesses who came forward other than Ms. Hicks and that the contents within the water bottle found on Ms. Lucas' desk was not hers. The Supervisor at the time of the incident Jamie Zuniga, appeared to have text messages between both her and Jessica Lucas in which were inappropriate on Ms. Zuniga's part. They had appeared to have developed a friendship in which may or may not have been appropriate as Ms. Zuniga was the Supervisor and in Sharon's opinion had a responsibly to uphold.

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Sharon states that there was no evidence produced by HR proving that the bottle in question belonged to Ms. Lucas or providing any witnesses who saw her drinking from the bottle. She also stated that there was never any testing of the contents of the bottle allegedly found at Ms. Lucas's desk and that Vodka typically has no distinct taste or aroma. Ms. Lucas offered to take a breathalyzer test the day she was confronted with the bottle.

Sharon presents that Jessica's manager, Jamie Zuniga, had very poor personal boundaries and was unable to adequately supervise not only Jessica, but other staff in her department. Ms. Lucas reported harassment from several of her co-workers to Ms. Zuniga and Ms. Zuniga had her go to HR to speak with Brian Filipiak. Sharon presents Brian reportedly stated that if he had been treated the way Jessica had he would have called the co-worker worse than what Jessica did.

Sharon presents that there have been a number of irregularities in Ms. Lucas file. Sharon then turns the HR Committee to exhibit 19 in which shows Jessica received an outstanding evaluation from Ms. Zuniga at the end of her probationary period. Ms. Lucas was told by Jamie that she was extending her probationary period to "get the other Secretaries off her back". Ms. Zuniga reportedly shared inappropriate comments about co-workers with Jessica.

Despite the HR reports of Ms. Lucas being disruptive in the workplace she received several Service Star Awards from her co-workers. In addition, she had positive relationships with many co-workers. Sharon presented the letter received from Dr. Vigor providing a reference.

Sharon stated that Jessica maintained that the blue Vodka bottle in her desk drawer was brought to her by Ms. Zuniga and that she was taking it out of the building because she felt it was inappropriate to have at the workplace. Jessica maintains that the past incidents were not made aware until the water bottle incident and that concerns of harassment issues should have been investigated when brought forward by Jessica. Sharon concluded that without substantiated evidence Ms. Lucas should be returned to work as soon as possible.

Jessica Lucas stated that she is not racist and that Candy Hicks knew that. She also stated that she whole heartedly loves her job and that she is not sure why she has been treated in the manner she was and that she takes her job very seriously.

Committee deliberations ensued.

Raul Gonzales stated a lot of things did not add up. Sharon responded that Ms. Lucas has admitted to some of the incidents. Raul then stated that sleeping on the job is not acceptable under any circumstances and that it needs to be addressed.

Dwight Washington asked about the policy regarding alcohol use in the workplace and if the agency would assist in getting the person some sort of treatment. Jana Baylis responded that the alcohol procedure states that if an employee does notify HR of a problem then they can be placed on a leave to obtain treatment however they will need to notify the agency of that before reasonable suspicion.

Dale Copedge asked if Ms. Hicks was aware of Ms. Lucas drinking on the job prior to the incident on October 2, 2023. Brian clarified that Ms. Hicks was aware that the bottle was on her desk and that she then pointed it out to the Supervisor, Ms. Zuniga, who then turned the water bottle over to HR.

The water bottle evidence was passed around, Mr. Gonzales stated that Vodka does in fact have a smell to it and that the smell is strong so he inquired if anyone else had ever reported that Ms. Lucas smelled of Vodka. Brian responded that there were reports that Ms. Lucas would keep it in her car. Dwight Washington then proceeded to ask Ms. Lucas if she usually drinks water bottles of that size. In which Ms. Lucas responded that she has before but she has not seen that water bottle. She stated that she usually stops by the gas station before work to purchase a vitamin water and a soda or water.

Mr. Copedge inquired about clarification regarding vaping on the job. Ms. Lucas responded that the allegation was coming from one of the secretaries and not the actual clients mouth. She then stated that all the allegations came at once as she thought that she was doing great in job performance beforehand. She expressed that she was going through a lot at the time but she felt a lot of the incidents were not true.

Jana Baylis then reviewed the signed document that Ms. Lucas had signed September 11, 2023 again stating that she had violated the company policy in the past and she agreed to not do it again. Ms. Lucas states that the day she signed the document she was distraught, been terminated and was not aware of what she was signing. Jana responded that the document was signed in September and that Ms. Lucas was terminated in November of 2023 so the document that she signed was not a termination document. Ms. Lucas then stated that she did not read the document but should have.



Mr. Washington then asked if the termination goes through what will that mean regarding her job reference for the agency if she goes to find employment elsewhere. Jana then stated that the agency's policy only allows CMHA-CEI to provide a neutral reference and that we do not disclose reason for leaving or if they were terminated. It was also shared the Union has the right to file for Arbitration.

**ACTION:**

MOVED by Dwight Washington and SUPPORTED by Raul Gonzales to uphold Management's decision to terminate the employment of Jessica Lucas.

**MOTION PASSED unanimously.**

**Unfinished Business**

None.

**New Business**

None.

**Public Comment**

None.

**Adjournment**

The meeting was adjourned at 7:49 p.m. The next regular quarterly meeting of the Human Resources Committee is scheduled for Wednesday September 4, 2024 at 5:30 PM, 812 E. Jolly Rd, Atrium.

Minutes respectfully submitted by:

Latisha Toussaint

Human Resources Administrative Assistant