



## MINUTES

### **Southern Nevada District Board of Health Meeting CHIEF HEALTH OFFICER ANNUAL REVIEW COMMITTEE MEETING September 23, 2015 – 11:00 A.M.**

**Southern Nevada Health District, 330 S. Valley View Boulevard, Las Vegas, NV 89107  
Conference Room 2**

Bob Beers, Chair, called the Southern Nevada District Board of Health Chief Health Officer Annual Review Committee meeting to order at 11:01 a.m.

Annette Bradley, Attorney, noted a quorum was present at the start of the meeting with Members Beers, Dobyne, Nemec and Woodbury seated.

**BOARD:** Bob Beers, Chair – Councilmember, City of Las Vegas  
**(Present)** Douglas Dobyne – At-Large Member, Regulated Business/Industry  
Chris Giunchigliani - Commissioner, Clark County (*Arrived at 11:03 a.m.*)  
Frank Nemec – At-Large Member, Physician  
Rod Woodbury, Chair – Councilmember, Boulder City

**(Absent):** None

**ALSO PRESENT:**  
**(In Audience)**

**LEGAL COUNSEL:** Annette Bradley, Esq.

**EXECUTIVE SECRETARY:** Joseph Iser, MD, DrPH, MSc, Chief Health Officer

**STAFF:** Karen Atkins, Richard Cichy, Andy Glass, Jeff Good, Shandra Hudson, Cassius Lockett, Sharon McCoy-Huber, Verallynn Orewyler, Mike Palmer, Jacqueline Reszetar, Jacqueline Wells

### **CALL TO ORDER**

- I. **PUBLIC COMMENT:** A period devoted to comments by the general public about those items appearing on the agenda. Comments will be limited to five (5) minutes per speaker. Please step up to the speaker's podium, clearly state your name and address, and spell your last name for the record. If any member of the Board wishes to extend the length of a presentation, this may be done by the Chairman or the Board by majority vote.

*Member Giunchigliani arrived at 11:03 a.m.*

Victoria Harding, SNHD, SEIU, noted Dr. Iser has received positive reviews from the community and believes that he does a good job forming partnerships in the community. Ms. Harding provided a document to the Board. (**Attachment 1**) Ms. Harding indicated some of the issues with Dr. Iser are lack of leadership within the organization and lack of presence. In regard to the strategic plan, the values address the community but not internally. The community is expected to be treated in a professional, courteous and prompt manner but this is not done within the District. The District is not prepared for any outbreak of Ebola and not a single person has received protective equipment or the training on how to use it. TB testing was restarted due to OSHA requirements. It would take over fifty hours to get Environmental Health employees fit tested for masks in case of an outbreak. Integrity is not happening appropriately within the District. The employees are disvalued and disregarded. Everything has been down-sized so Ms.

Harding does not understand how superior long-term performance can be accomplished. Intimidation should not be going on and Dr. Iser has said the difference between carrots and sticks, is we are to use carrots in the community and Ms. Harding has never seen Dr. Iser use a carrot with anyone here, it has been sticks. The Directors do an awesome job in turning the negativity around in a positive manner for the employees, as indicated by the survey which shows those that can and those that can't. Ms. Harding referenced the collateral damage that resulted from the EMRB meeting that she felt was unacceptable (page 3 of handout).

Norine Clark, stated one side of the story was heard and there are employees that are trying hard to make the District a wonderful place to work. Dr. Iser has gone above and beyond to help the employees. Ms. Clark is part of the Employee Events Committee of which Dr. Iser has allowed time to improve employee morale. He works with the committee regularly. Dr. Iser has an open door policy and she has often gone to see him unannounced and he has always been there. Ms. Clark stated that Dr. Iser is trying to get the District back in order and it is not fair that he came in to a horrible Administration, opinions were formed early and some have wanted him to fail from the very beginning. Regarding a petition that some nurses and employees were handed to sign, Ms. Clark does not see a problem with Managers being called Chief Nurses and having no Director of Nurses. Ms. Clark does not like the "bashing" and everyone is supposed to be working as a team. If there are bad employees that work at the District it is because management put them there in the first place and Dr. Iser is trying to clean up the house.

Ellen Spears has been with the District since 1982 and does not know about bashings, but thinks everyone is here to do public health. As a native Las Vegan and public health official of SNHD, Ms. Spears is concerned about being a public health official and is buying out her last year. She is taking the resources she has obtained over the last thirty years with her and is not "giving anymore blood" as she feels that she has been doing over the last couple of years. Ms. Spears hopes to find resolution and move forward to protect the public health of this community. With that, human resources, the first line of defense, is required, whether they feel good or bad. Personally, she does not feel good anymore. Ms. Spears reminded everyone that the employees are civil servants that serve the community first and "we don't take two and a half percent pay raises over the backs of overtime."

Seeing no one else, this portion of the meeting was closed.

## II. **ADOPTION OF THE SEPTEMBER 23, 2015 AGENDA (for possible action)**

Chair Beers noted that Agenda Item III.2 should be corrected from September 14, 2014 to September 18, 2014.

*A motion was made by Member Dobyne seconded by Member Woodbury and unanimously carried to adopt the September 23, 2014 Agenda as corrected.*

## III. **Report/Discussion/Action:**

1. **NOMINATION OF CHAIR OF THE CHIEF HEALTH OFFICER (CHO) ANNUAL REVIEW COMMITTEE**; direct staff accordingly or take other action as deemed necessary (***for possible action***)

*A motion was made by Member Giunchigliani seconded by Member Nemeck and unanimously carried to nominate Chair Beers as Chair of the Chief Health Officer Annual Review Committee.*

2. **APPROVE MINUTES/SEPTEMBER 18, 2014 CHO ANNUAL REVIEW COMMITTEE MEETING**; direct staff accordingly or take other action as deemed necessary (***for possible action***)

Member Giunchigliani noted that the agenda indicated recommendations would be made to the Board on September 24, 2014 and this meeting has since been cancelled. Member Giunchigliani asked if the recommendation referred to the contract change and is not sure that contract change recommendations have occurred before the evaluation.

Chair Beers recommended October 9, 2015 after 10:00 a.m. as a potential date for rescheduling the September 24 meeting. District staff will query the full board to determine if a quorum is available.

*A motion was made by Member Dobyne seconded by Member Nemeec and unanimous carried to approve the minutes of the September 18, 2104 Annual Review Committee Meeting as presented.*

**3. RECEIVE AND DISCUSS THE CHO REPORT OF ACCOMPLISHMENTS AND DISCUSS PROPOSED GOALS FOR NEXT REVIEW PERIOD; direct staff accordingly or take other action as deemed necessary (*for possible action*)**

Dr Iser discussed Chief Health Officer and District goals and accomplishments. ([Attachment 2](#)) Dr. Iser emphasized that accomplishment of the goals was a team effort and thanked everyone for their support. Despite the budget issues over the last two years, the District has done an outstanding job.

Member Giunchigliani asked for more information regarding the OSHA incident referenced by Ms. Harding at Public Comment. Heather Anderson-Fintak, Associate Attorney, explained that an expansive allegation was made against the District, however only two were found to be validated. 1) The TB prevention plan had not been updated in approximately two years and 2) the Eyewash station in the Battery Room was not appropriately monitored.

Some of the allegations that were found to be unsubstantiated were:

- Fire extinguishers had not been looked at by the Fire Marshalls
- Environmental Health Specialists did not have appropriate confinement training
- Lack of hearing conservation
- Janitorial staff were not appropriately trained to operate forklift
- Janitorial staff did not have access to appropriate knowledge about chemical spills

Each individual allegation was reviewed and proof and documentation was provided to OSHA.

Member Giunchigliani referenced an email from Ms. Anderson-Fintak regarding the redacting of names, titles, specific groups of people who could be easily identified, curse words and specific employees performance or conduct from the Employee Satisfaction Survey. Member Giunchigliani obtained a copy of the survey before it was redacted and stated there were no curse words and does not want language used that taints or gives the image of tainting the process. Ms. Anderson-Fintak assured that the "s-word" was redacted three times from the survey.

Member Giunchigliani stated that today is the day that the Health District should become healthy again. She has a great deal of respect for Ms. Clark, Ms. Harding and Ms. Spears as it takes a lot to speak at a public forum. Member Giunchigliani does not want to see management that becomes defensive rather than working out the problems at hand. There is talented management and employees and the climate and culture for employees to feel comfortable while doing their jobs needs to be developed. Arbitrary and capricious behavior

is not appropriate. Member Giunchigliani hopes to hear acknowledgement about how there are workable problems in some of the departments that can help change the culture. She does not want to see emails that say "don't share with the Commissioner" or "I want to check your phone to see if you have talked to a particular Commissioner or politician" as that is inappropriate. Member Giunchigliani would like to hear a plan for creating empowerment versus fear. Dr. Iser advised that the Employee Satisfaction Survey was on the September 24, 2015 agenda and will be on the agenda when rescheduled for discussion with the full board by the new Human Resources Administrator. Dr. Iser clarified that he, nor management, has indicated that Environmental Health staff or anyone else is "at fault". There will be no retribution from Management; however, some employees may fear retribution from the Union or Board. When brought to his attention, he has promised these employees that they will be protected from any type of retribution, as it is his job to protect staff whether they are for or against him. Regarding the survey, there is currently a plan under development beginning with front line staff all the way up that has been discussed with the Board previously and will be summarized and updated at the next Board meeting.

Member Giunchigliani stated that she was still hearing from North Las Vegas regarding the lack of a clinic there and asked if there was a plan in place for providing assistance for those constituents. Dr. Iser advised there have been several meetings with City of North Las Vegas leadership, as recently as this week, and they are up to date. As discussed with North Las Vegas, the need is for primary care centers, a service not provided by the District. Both North Las Vegas Council members present at the meeting were pleased with the progress that has been made and the plan that is in place. Andy Glass, Director of Administration, confirmed that at the last meeting with the City of North Las Vegas leadership, which also included the Nevada Primary Care Association CEO, new data was provided, particularly on the location of primary care facilities and the demographic data for North Las Vegas. The locations originally requested for the District to provide services were the wrong locations relative to where the need is within that particular population. There is a lot of discussion going on with the City of North Las Vegas and a commitment to continue that discussion. There is also consideration of a mobile specialty service clinic. Dr. Iser added this same process is in place with the City of Henderson in looking at next steps when the Henderson Clinic lease terminates.

Member Giunchigliani asked Dr. Iser to clarify his position regarding sex trade. Dr. Iser explained that he was interviewed regarding adult immunizations. At the end of the interview, the reporter asked Dr. Iser if he could get immunizations for adults, which ones would he like to have. Dr. Iser's response was STDs and HIV. He was then asked if there were alternatives. His response was decriminalization of the sex trade would be helpful, as those counties that have legalized prostitution have a much better working environment and they are tested regularly. Dr. Iser added that his statement, as reported, was taken out of context.

Member Giunchigliani asked Dr. Iser if he practices in California or just maintains an office in California. Dr. Iser advised that he does have a medical license in California however; he does not see patients anywhere. Member Giunchigliani stated that Google results list Dr. Iser's office in Bernal Heights, California. Dr. Iser explained that he owns a home in Bernal Heights, California, not an office, and asked why he was not called and asked that question in person rather than bring it to a public meeting. Member Giunchigliani advised that the information was just obtained that morning. Dr. Iser stated the problem with a lot of interactions is that the Union bring up allegations to the Board that may or may not be believed, however, by encouraging those, causes strife and morale problems. Dr. Iser acknowledged that he visits his home at 154 Gate St on some weekends and long weekends and he has not seen any private patients since 1984. Member Giunchigliani noted that it was not the Union who brought this to her attention.

In regard to staff reductions and the rumor that the District is less prepared because there is

not enough Environmental Health staff to respond, Dr. Iser noted the majority of the layoffs occurred in Administration, not clinical services or Environmental Health. Sharon Mc-Coy Huber, Financial Services Manager, indicated before the layoffs there were 562 budgeted positions, after the layoffs there were 499 budgeted positions, a difference of sixty-three. However of those, forty-eight were vacant. This year, thirteen more vacant positions have been eliminated. Also, some of the employees that were laid off have returned to work due to attrition.

Member Dobyne stated the Board has heard comments from the Union however; he has been contacted as well by non-Union employees to say that they are afraid of the Union. He has received no proof from either side and does not deal in innuendo. Member Dobyne was angered by the signs that were put up by employees regarding Ms. Reszetar the day after the last Board meeting. The rhetoric on both sides has to stop and leadership needs to lead both sides to work out the issues.

*Member Giunchigliani left the meeting at 12:03 a.m. and did not return*

Member Woodbury still hates this public process and does not think it is the most effective manner to resolve issues. Member Woodbury reviewed his comments from last year and still has generally positive reviews for Dr. Iser, although there are still some morale issues which are addressed in Dr. Iser's goals. Member Woodbury agrees that Dr. Iser has developed relationships within the community and encouraged him to continue as the image of the health district in the community is important. He is pleased with the budget improvements and understands that hard decisions were made to get the District out of deficit spending. Dr. Iser has made great strides in many of his goals. Member Woodbury has gladly met with the SEIU and Union representatives and hopes to facilitate better processes. Communication is always going to be a problem and leadership needs to find ways to improve within the District. Member Woodbury agrees with Ms. Harding that the grievances and arbitrations take too long and are not cost effective and leadership needs to work with the Union to create internal informal processes to resolve issues. He asked the Union and Dr. Iser to put the past behind and give everyone a blank slate, focusing on the future and not the past. He believes Dr. Iser is working hard, the District is making great strides and he hopes that Dr. Iser continues to find ways to improve the District.

Member Dobyne appreciates the work Dr. Iser has done and understands how difficult it is to come into a situation and affect cultural change. The improvements in the budget area have been outstanding. The challenges are morale and personnel issues, which are accomplishable. Member Dobyne likes the changes that have been made in Environmental Health and emphasized that uniform enforcement and consistency is vital.

Member Nemec noted a testimonial to Dr. Iser's work and that of the District is the lack of outbreaks in the community. Member Nemec hopes for better relationships between the Union and administration.

**APPROVE RECOMMENDATIONS TO BE MADE TO THE SOUTHERN NEVADA DISTRICT BOARD OF HEALTH AT THE NEXT MEETING OF THE FULL BOARD REGARDING THE CHO'S ANNUAL REVIEW**; direct staff accordingly or take other action as deemed necessary ***(for possible action)***

Chair Beers reviewed the proposed Second Amendment to the Chief Health Officer Employment Agreement ([Attachment 3](#)) which consists of:

- Modification of language to synchronize with state law
- Extension of contract through September 22, 2017
- Increases compensation by 2.5%

Dr. Iser added that 2.5% is the normal step increase for any employee that is not topped out

*A motion was made by Member Nemeč seconded by Member Woodbury and unanimously carried to approve proposed recommendations of the Second Amendment to the Chief Health Officer Employment Agreement as presented to the Southern Nevada District Board of Health at the next meeting.*

- IV. PUBLIC COMMENT:** A period devoted to comments by the general public, if any, and discussion of those comments, about matters relevant to the Board's jurisdiction will be held. No action may be taken upon a matter raised under this item of this Agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to NRS 241.020. Comments will be limited to five (5) minutes per speaker. Please step up to the speaker's podium, clearly state your name and address, and spell your last name for the record. If any member of the Board wishes to extend the length of a presentation, this may be done by the Chairman or the Board by majority vote.

*Member Nemeč left the meeting at 12:30 p.m. and returned at 12:32 p.m.*

Ellen Spears, stated that the budget has been a big concern for her, especially when human resources are asked to make conciliations, but then a raise is given to someone who is making almost half million dollars including retirement. Ms. Spears stated "We haven't had had a raise in six years, but yet this leader has had two raises in the last two years, with this last recommendation, five percent raise." Ms. Spears does not think this is equitable and recommends that the Board not approve this raise as the human resources issues are not resolved no one else is getting raises.

Victoria Harding stated things went wrong beginning June 24, 2014 at an All Hands meeting. Dr. Iser asked for shared responsibility between the employees, union and everyone. The employees did their fair share, the contract gave up a lot of things and there were layoffs. One of the biggest complaints was when Dr. Iser got a raise right after the contract was signed. Ms. Harding asks Dr. Iser to turn down the proposed pay increase in the same vein as he talked to the employees about keeping the finances of the District under control.

Seeing no one else, the Chair closed this portion of the meeting.

**XI. ADJOURNMENT**

The Chair adjourned the meeting at 12:34 p.m.

Joseph P. Iser, MD, DrPH, MSc  
Chief Health Officer/Executive Secretary

/jw