



A
18-114
06/21/18

Equal Employment Opportunity (EEO) Policy
(Re-issue DB 16-118)

The Department is committed to providing every employee with a work environment that is free from unlawful harassment and discrimination. Please review the attached City and County of San Francisco Equal Employment Opportunity Policy.

The policy provides that every person has the right to a work environment free from unwelcome conduct based on membership in a protected class. Although it is a City and County of San Francisco policy, the provisions are based on state and federal laws prohibiting workplace discrimination. The policy also prohibits retaliation against employees who complain about unlawful harassment and discrimination, or employees who assist in the investigation of such complaints.

Thank you for reviewing the policy and for your commitment to a harassment-free workplace.

William Scott
WILLIAM SCOTT
Chief of Police

Per DB 17-080, both sworn and non-sworn members are required to electronically acknowledge receipt and review of this Department Bulletin in HRMS.



EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY

Discrimination and Harassment Prohibited

Discriminating against, or harassing City and County of San Francisco (City) employees, applicants, or persons providing services to the City by contract, including supervisory and non-supervisory employees, because of their sex, race, age, religion, color, national origin, ancestry, physical disability, mental disability, medical condition (associated with cancer, a history of cancer, or genetic characteristics), HIV/AIDS status, genetic information, marital status, sexual orientation, gender, gender identity, gender expression, military and veteran status, or other protected category under the law is prohibited and unlawful. For the purpose of this policy only, the term "employees" includes unpaid interns and volunteers. Discrimination is the unequal treatment of individuals with respect to the terms and conditions of their employment, based on their membership in a protected category. Harassment is unwelcome visual, verbal, or physical conduct engaged in on account of a person's actual or perceived membership in a protected category.

Sexual Harassment Prohibited

Sexual harassment is illegal under federal and state law. Federal law defines sexual harassment as unsolicited and unwelcome sexual advances, requests for sexual favors and other verbal, physical, visual, or written conduct of a sexual nature directed to persons of the same or opposite sex when:

- submission to such conduct is made explicitly or implicitly as a term or condition of employment;
- submission to or rejection of such conduct by an employee or applicant is used as a basis for employment decisions affecting the employee or applicant; or
- such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or otherwise offensive working environment.

State law defines sexual harassment as unwanted sexual advances or verbal, visual, or physical conduct of either a sexual nature, or other conduct based on sex. These are some examples of sexual harassment:

- requests for sexual favors or unwanted sexual advances;
- offering employment benefits in exchange for sexual favors;
- making or threatening reprisals after a negative response to sexual advances;
- verbal harassment (e.g., graphic comments, derogatory comments, sexually suggestive or obscene jokes or telephone calls);
- physical harassment (e.g., assault, impeding or blocking movement, gestures, or any physical interference with normal work or movements); or
- visual forms of harassment (e.g., leering, derogatory or sexually explicit emails, posters, letters, poems, graffiti, cartoons, computer screen savers, or drawings).

Retaliation Prohibited

Retaliation against an individual who reports, files a complaint of, or otherwise opposes conduct he or she reasonably believes to be unlawful discrimination, harassment, or retaliation, or assists in the investigation of a complaint, is also prohibited.

Responsibility for Responding to and Reporting Discrimination, Harassment, and Retaliation

All employees are encouraged to report discriminatory, harassing, or retaliatory behavior, whether directed at themselves or at co-workers.

Supervisory employees are required to take corrective action if employees are subjected to discrimination, harassment, or retaliation on the basis of a protected category. If a complaint is made to a supervisor, or if a supervisor becomes aware of potential discrimination, harassment, or retaliation, the supervisor **must** immediately report it to the department's EEO or Human Resources personnel. Any supervisor who receives a complaint of discrimination, harassment, or retaliation and fails to report it may be subject to disciplinary action.

Departments **must** report all complaints of discrimination, harassment, and retaliation to the Human Resources Director within five days of becoming aware of such complaints. Departments are responsible for ensuring that all employees know of and are trained periodically regarding this policy.

Complaint Procedures

Any employee or applicant who believes he or she has been discriminated against, harassed, or retaliated against in violation of this policy should promptly report the incident and the individuals involved. Complaints must be filed within 180 calendar days of the date of the alleged discriminatory action, harassment, or retaliatory action, or the date the individual should have first become aware of a violation. For information or to file a complaint, contact any of the following:

- the employee's supervisor or any other supervisor or manager;
- the department's EEO or Human Resources personnel;
- the City's Department of Human Resources, EEO Division located at 1 South Van Ness Avenue, 4th Floor, San Francisco, CA 94103, or online at www.sfdhr.org;
- the City's EEO Helpline at (415) 557-4900 or (415) 557-4810 (TTY); or
- SFMTA employees may also contact SFMTA's EEO Officer, Virginia Harmon, at (415) 701-4404 or EEO@sfmta.com

The Human Resources Director is responsible for the investigation and resolution of all discrimination, harassment, and retaliation complaints. All complaints are kept confidential (to the extent possible); responded to timely; investigated (if necessary) by qualified personnel in a timely and impartial manner; and documented and tracked. If the Human Resources Director determines that discrimination, harassment, or retaliation occurred, the City will take appropriate remedial action.

The [U.S. Equal Employment Opportunity Commission \(EEOC\)](http://www.eeoc.gov) and the California Department of Fair Employment and Housing (DFEH) also investigate and prosecute employment discrimination, harassment, and retaliation complaints. Employees who believe that they have been discriminated against, harassed, or retaliated against may file a complaint with either of these agencies using the following contact information:

- EEOC: (800) 669-4000 or TTY (800) 669-6820; or online at www.eeoc.gov
- DFEH: (800) 884-1684 or TTY (800) 700-2320; or online at www.dfeh.ca.gov

Remedies available through these agencies include hiring or reinstatement, back pay or promotion, fines or damages for emotional distress, and changes in the policies or practices of the employer.

Discipline

Any employee, supervisor, or agent of the City found to have engaged in conduct in violation of this policy may be subject to disciplinary action, up to and including termination. An employee may be subject to discipline for engaging in harassing conduct that does not meet the definition of harassment under the law, but that, if repeated or allowed to continue, might meet that definition.

Para mayor información sobre el hostigamiento en el trabajo: (415) 557-4900.

如欲索取更多資料或要舉報在工作場所受到騷擾,可致電415-557-4900



Micki Callahan
Human Resources Director