

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

Date: February 18, 2022

To: The City Council

From:  for
Matthew W. Szabo, City Administrative Officer

Subject: **CITYWIDE WORKPLACE EQUITY POLICY**

RECOMMENDATION

The Office of the City Administrative Officer (CAO) recommends the following actions by the City Council:

1. Adopt the proposed Workplace Equity Policy (Policy) for implementation on a citywide basis, including proprietary departments.
2. Instruct the CAO to take the appropriate actions so that the attached Policy supersedes the City's previous policy as adopted by the City Council and as contained in Council file 91-0469.

DISCUSSION

Background

In 2018, the City's Risk Reduction Cabinet (RRC) introduced an initiative to focus resources on addressing the impact of discrimination, harassment, and other equity issues impacting the City, its employees, and employment liability payouts. The RRC collaborated with over 50 risk managers, Equal Employment Opportunity professionals, department management, and other subject matter experts from across the City workforce on the development of a plan to address these issues relative to four impact areas: Technology, Training, Procedures, and Policy.

Tasked with plan development and implementation, the Personnel Department, with RRC support, developed and issued over 50 recommendations to effectively address and prevent incidents of workplace harassment and discrimination within the framework of the impact areas. One of the most notable advancements under the Technology recommendation was the development and implementation of the reporting and case management system known as MyVoiceLA, which is designed to encourage reporting and ensure fair, thorough, and timely investigations of all reported incidents of discrimination and harassment.

Key Policy Terms

The RRC joint subcommittees on Policy and Procedure produced the proposed Policy, which consolidates existing policies and modernizes language used to describe prohibited behaviors, such as harassment, discrimination, retaliation, and hazing. While the majority of the content should be familiar to most City employees, the Policy introduces and clarifies a few important concepts and requirements:

- **Values statement.** This is the first citywide policy that includes a positive expectation of employee behavior as opposed to a recitation of bad and prohibited behaviors.
- **Bystander Harassment.** A pre-existing protection that is now specifically highlighted to ensure employees are empowered to report offensive conduct even if they were not the intended target.
- **Inequitable Conduct.** Conduct similar to discrimination or harassment but lesser in severity. This new standard allows management to proactively address behavior with counseling and/or training in effort to prevent such behavior from becoming unlawful or systemic.
- **Bullying/Abusive Conduct.** This covers conduct that would meet similar standards to harassment but is unrelated to protected categories, including but not limited to contextually inappropriate yelling, maliciously isolating a coworker, or unreasonably undermining a subordinate or colleague.
- **Supervisor Reporting.** To streamline compliance with California law, the Policy includes a 'Supervisor Duty to Report'. Under the terms of the Policy, supervisors will be required to file a report through MyVoiceLA.org regarding any policy violations of which they become aware.

FISCAL IMPACT

There is no direct impact to the General Fund, although Personnel Department anticipates the supervisory reporting mandate may double the number of equity complaints received. This anticipated increase in volume may necessitate a commensurate increase in staffing to maintain or improve current and desired service levels.

MWS:MCB:PAG:0722086

Attachment