

RESOLUTION NO. 39-14

RESOLUTION OF THE CITY COUNCIL OF RICHMOND CALIFORNIA IN SUPPORT OF THE HUMAN RIGHTS AND HUMAN RELATIONS COMMISSION'S RECOMMENDATION TO DIRECT THE CITY MANAGER TO AMEND THE POLICY AGAINST WORKPLACE HARASSMENT, GENERAL ORDER NO. 33 TO (A) SPECIFY TIME FRAME FOR INITIATING AND CONCLUDING INVESTIGATIONS, AND (B) PROVIDE FOR NOTIFICATION TO ALL INVOLVED PARTIES

WHEREAS lack of closure and uncertainty surrounding workplace harassment investigations has tangible effects on the mental and emotional well-being, job performance, and physical and mental health of participants; and

WHEREAS, the most recent version of the City of Richmond Policy Against Workplace Harassment General Order No. 33 dated February 1, 2007, fails to mention that the City will contact the complainant within three working days of the City being made aware of a complaint; and

WHEREAS, the most recent version of the City of Richmond's Policy Against Workplace Harassment General Order No. 33 dated February 1, 2007, fails to specify any time limits for investigations; and

WHEREAS, the most recent version of the City of Richmond's Policy Against Workplace Harassment, General Order No. 33, dated February 1, 2007, fails to specify that all parties be notified when an investigation has been concluded; and

WHEREAS, the former version of General Order No. 33 specified that investigations be concluded no later than 15 working days of an initial complaint; and

WHEREAS, the former version of General Order No. 33 specified that all parties be notified when an investigation is concluded; and

WHEREAS, workplace harassment investigations at the City of Richmond now routinely last far longer than 15 working days; and

WHEREAS, the accused are not in all cases notified that an investigation is concluded; and

WHEREAS, Richmond's Human Rights and Human Relations Commission has heard concerns over a period of several months from employees and members of the public about this matter; and

WHEREAS, the Commission has held several public meetings where this matter was discussed in depth; and

WHEREAS, the Commission has provided an opportunity for the City Manager to explain the background of General Order 33, and the changes from the former version to the most recent version, and to respond to concerns of the public, and

WHEREAS, there is general agreement that it would be of benefit to all to amend City policy to specify time frames for the initiation of each step of an investigation, and

WHEREAS, there is general agreement that it would be of benefit to all to amend City policy to specify reasonable time limits for the conclusion of investigations, and

WHEREAS, there is general agreement that it would be of benefit to all to amend City policy to specify notification to all parties at the conclusion of an investigation.

NOW, THEREFORE, BE IT RESOLVED that the City Council recommends that General Order No. 33 be amended by the City Manager to specify: (1) that the City will contact the complainant within three working days of the Human Resources Department or City Attorney's Office being made aware of a complaint, (2) that the City will set a time frame for the initiation of other steps of an investigation, (3) that the City conclude all investigations in a timely manner consistent with allowing for an adequate investigation, and (4) that the City will notify all participants within three days after an investigation is concluded.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a special meeting thereof held on **May 13, 2014**, by the following vote:

AYES: Councilmembers Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin.

NOES: Councilmembers Bates and Boozé.

ABSENT: None.

ABSTENTION: None.

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 39-14**, finally passed and adopted by the City Council of the City of Richmond at a special meeting held on May 13, 2014.