



ERIC GARCETTI
MAYOR

EXECUTIVE DIRECTIVE NO. 23

Issue Date: April 30, 2018

Subject: Harassment and Discrimination

Every person that works for the City of Los Angeles should feel respected and safe in the workplace. All forms of harassment, discrimination and other activities that create hostile work environments are unacceptable and will not be tolerated.

The City of Los Angeles has been a model for diversity and nondiscrimination in the workplace. In 1992, the City Council adopted a ‘Discrimination Free Workplace Policy,’ outlining the right of all City employees to a discrimination-free workplace, and their responsibility to prevent acts or speech that are derogatory or demeaning to any employee based on their race, gender, sexual orientation, disability or other protected class. In 2004, Mayor James Hahn signed Executive Directive PE-1: Equal Employment Opportunity, Non-Discrimination and Reasonable Accommodations, celebrating the diversity of the City family, directing that staff receive support through the appointment of Equal Employment Opportunity (EEO) representatives in all departments, and mandating the prompt, objective and thorough investigations of all complaints. In 2008, Mayor Antonio Villaraigosa signed Executive Directive No. 12, “Policy against Discrimination in Employment based on Sexual Orientation, Gender Identity or Gender Expression,” which directs all departments to designate an EEO counselor to advise employees who may have been discriminated against on the basis of actual or perceived sexual orientation or gender identity.

Building on these directives, and to further an inclusionary and nondiscriminatory workplace, on August 26, 2015, I signed Executive Directive No. 11, “Gender Equity in

City Operations,” establishing policies to foster equal representation of women at all levels of City government.

On February 1, 2017, I signed Executive Directive No. 18, creating the Mayor’s Risk Reduction Cabinet, and later established a Harassment and Discrimination Working Group within that Cabinet. Through this Working Group, my staff partners with our City Councilmembers, the City Attorney, the Commission on the Status of Women, sexual harassment counselors and EEO coordinators from key departments, and experts from external organizations to design and implement updates to the City’s harassment and discrimination protocols.

On December 15, 2017, I directed all General Managers and heads of City departments to report incidents of sexual harassment involving an employee, customer, visitor, volunteer or contractor to the Personnel Department within 48 hours of the incident occurring or of the department becoming aware of the incident, in order to ensure that all incidents, regardless of reporting method, are counted, recorded, and investigated appropriately. Through these efforts, the City of Los Angeles has developed a set of robust policies and practices.

The United States Equal Employment Opportunity Commission (EEOC) recently released the Select Task Force on the Study of Harassment in the Workplace, a report that estimates that 90 percent of incidents of harassment do not result in formal complaints, indicating that nationwide, these incidents may be more prevalent than statistics would suggest. Victims of harassment and discrimination face considerable barriers to filing formal complaints due to fear of blame, disbelief or retaliation. As a City, we must administer policies and practices that prevent harassment and discrimination, as well as support those who wish to report their experiences.

Accordingly, I hereby order the following:

- By August 31, 2018, the General Managers of the Information Technology Agency (ITA) and Personnel Department shall develop and launch an online web portal that allows for the reporting of incidents of harassment and discrimination in the City of Los Angeles, and provides information and resources to City employees. The General Manager of ITA shall ensure that the security of the online portal is maintained according to the standards that the Information Technology Policy Committee established in the City of Los Angeles Information Security Policy Manual, effective November 14, 2016, as updated, and that information collected through the online portal is private and secure.

- By July 31, 2018, the Harassment and Discrimination Working Group of the Mayor's Risk Reduction Cabinet shall submit to my Office, the City Council President (or his designee on the Working Group), the City Attorney (or his designee on the Working Group), and the General Manager of the Personnel Department their recommendations for enhancing the City's policies and procedures on harassment and discrimination, including:
 - Creating a streamlined process for staff in the Personnel Department to review, process and track incidents of harassment and discrimination received by the Personnel Department. This shall include, but is not limited to, the establishment of a Harassment and Discrimination Intake Unit within the Personnel Department's EEO division. The Harassment and Discrimination Intake Unit shall:
 - accept all harassment and discrimination reports that are received by the Personnel Department;
 - conduct an initial review and refer the matter to the appropriate department;
 - ensure all matters are assessed and resolved in accordance with City policies and procedures; and
 - track relevant metrics and conduct data analyses to drive performance improvements in accordance with City policies and procedures.
 - Creating an independent review board comprised of impartial and experienced members that can be called upon to review certain complex or sensitive cases of harassment and discrimination, and provide recommendations.
 - Developing policies and procedures that require supervisors to report and take appropriate action to correct and eliminate harassment and discrimination from the workplace (in collaboration with the Civil Service Commission and employee representatives, where applicable).
 - Formalizing the Personnel Department's policies that allow for the anonymous reporting of incidents of harassment and discrimination.
 - Formalizing the Personnel Department's policies that allow for the reporting of all incidents of harassment and discrimination, regardless of the length of time that has elapsed since the incident occurred.

- Developing new, and updating and expanding all existing, in-person and online harassment, discrimination and retaliation trainings.

The recommendations of the Harassment and Discrimination Working Group shall consider the unique barriers faced by all races, genders, sexual orientations, abilities and ages in reporting harassment and discrimination. Where possible, any new policies and procedures should be based on a trauma-informed and evidence-based approach.

- By October 31, 2018, the General Manager of the Personnel Department shall submit to my Office a plan to implement the Harassment and Discrimination Working Group's recommendations.
- The General Manager of the Personnel Department shall ensure that the Department's EEO division continues to review harassment and discrimination data, and develop strategies to reduce and eliminate incidents and foster a respectful and safe workplace. The General Manager of the Personnel Department shall submit to my Office, the Chair of the City Council's Personnel and Animal Welfare Committee, and the City Attorney an annual report including:
 - the number of incidents of harassment and discrimination reported, by department;
 - the average processing time for resolving investigations;
 - departmental compliance with the City's harassment and discrimination policies and procedures; and
 - the status of the Personnel Department's implementation of new strategies to reduce and eliminate incidents.
- The General Managers of ITA and the Personnel Department shall make publicly available, in an "open source" format, the online web portal and training(s), subject to valid privacy, confidentiality, security, and other legal restrictions, to empower other governments, businesses and organizations to improve their own tools and procedures to combat harassment and discrimination.

Executed this 30th day of April 2018.



ERIC GARCETTI
Mayor