



A Place To Call Home

ADMINISTRATIVE POLICY

DISCRIMINATION WORKPLACE PRACTICES 027

EFFECTIVE DATE: 5-01-00

I. SCOPE

COVERS ALL EMPLOYEES.

II. PURPOSE

The purpose of this policy is to eliminate discrimination in the workplace and ensure that all decisions and actions affecting applicants, employees, and members of the public are based on appropriate factors and criteria. Elimination of discrimination is essential to maintain the trust and confidence of applicants, employees, and members of the public, and to promote an environment that incorporates mutual respect and acceptance of the diversity among individuals.

III. GUIDELINES

A. DEFINITION

Discrimination is the granting or denial of opportunities, privileges, or benefits to individuals based on the groups or classes to which they belong. Discrimination in employment occurs when the individual discriminated against is an applicant or employee. Discrimination may also occur in regard to services, programs, or activities provided by the City when the affected individual is a member of the public. Discrimination results when individuals in similar situations are treated differently because of race, sex, sexual orientation, color, religion, national origin, age, or disability, or when a policy, practice, or procedure disproportionately excludes a protected class from employment or other opportunities. Discrimination is prohibited by federal, state, and local laws, and executive orders.

III. GUIDELINES (continued)

B. GENERAL PROVISIONS

1. All applicants will be evaluated on their skills and qualifications and other criteria established for the particular position. An employee involved in the hiring process may not take any action or make any decision based, in whole or in part, on an applicant's race, color, religion, sex, sexual orientation, age, national origin, or disability.
2. Actions and decisions regarding the terms and conditions of an employee's employment or the service of a volunteer, including, but not limited to, discipline, compensation, benefits, promotion, transfer, and job assignment, shall be based solely on the criteria established for the particular situation and not on race, color, religion, sex, sexual orientation, age, national origin, or disability.
3. The City of Henderson provides numerous services, programs, and activities for the general public. Employees whose job responsibilities include dealing with the public shall not take any action or make any decision in the course of their employment affecting a member of the public that is based on the individual's race, color, religion, sex, sexual orientation, age, national origin, or disability.
4. Harassment that is based on one of the prohibited factors set forth in this policy and that is directed against an employee is covered by **Workplace Practices 024 – Workplace Harassment**.

C. RETALIATION

Recognizing that the City cannot effectively address workplace discrimination, either against employees or other persons, unless such individuals are able to freely and safely report any possible instances of a discrimination, any act of reprisal or retaliation against any person who, in good faith, reports possible discrimination under this policy is prohibited.

D. COMPLAINT PROCEDURE

1. Employees or other individuals who believe that they have been victims of discrimination, or who believe that they have been retaliated against for filing a complaint alleging discrimination, should report the problem immediately to their supervisor or to the Director of Human Resources or designee.
2. All complaints will be immediately and thoroughly investigated in a professional manner in order to protect the privacy of persons involved. All actions taken to internally investigate or resolve any complaint of discrimination and all information gathered through such actions shall be confidential to the extent possible.

III. GUIDELINES

D. COMPLAINT PROCEDURE (continued)

3. Employees or other individuals who report potential discrimination, and the employee allegedly engaging in the discrimination, will be notified of the decision or status of the investigation within eight (8) working days of the filing of the complaint.
4. In appropriate cases, and if both the complaining individual and the employee allegedly engaging in discrimination agree, the Director of Human Resources or designee will assist the parties in resolving the complaint. Resolution of the complaint is not necessarily a substitute for discipline.

E. DISCIPLINARY ACTION

1. An employee who engages in prohibited discrimination or retaliation is subject to disciplinary action, up to and including termination, and such other remedial action as deemed appropriate. In all cases, the Director of Human Resources will take appropriate action to ensure that the discrimination and/or retaliation do not occur again.
2. An employee who knowingly files a false and malicious discrimination complaint is subject to disciplinary action, up to and including termination. An employee who, in good faith, files a discrimination complaint is not subject to discipline, even if the investigation does not substantiate the allegations in the complaint.

ISSUED:

Daryl A. Moore
Director of Human Resources

Date

APPROVED:

Philip D. Speight
City Manager

Date