

# SAN FRANCISCO FIRE COMMISSION

**Fire Commission Regular Meeting**  
**Wednesday, November 9, 2016 - 9:00 a.m. – 12:00 p.m.**

City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416 ■ San Francisco ■ California ■ 94102

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## AGENDA

*Item No.*

### 1. ROLL CALL

President	Francee Covington
Vice President	Ken Cleaveland
Commissioner	Stephen A. Nakajo
Commissioner	Michael Hardeman
Chief of Department	Joanne Hayes-White

### 2. GENERAL PUBLIC COMMENT

Members of the public may address the Commission for up to three minutes on any matter within the Commission's jurisdiction and does not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Commissioners are not to enter into debate or discussion with a speaker. The lack of a response by the Commissioners or Department personnel does not necessarily constitute agreement with or support of statements made during public comment.

### 3. APPROVAL OF THE MINUTES *[Discussion and possible action]*

Discussion and possible action to approve meeting minutes.

- Minutes from Regular Meeting on October 12, 2016.

### 4. CHIEF OF DEPARTMENT'S REPORT *[Discussion]*

#### REPORT FROM CHIEF OF DEPARTMENT

Report on current issues, activities and events within the Department since the Fire Commission meeting of October 26, 2016, including academies, strategic planning, 150<sup>th</sup> Anniversary update, special events, communications and outreach to other government agencies and the public.

#### REPORT FROM OPERATIONS

Report on overall field operations, including greater alarm fires, Emergency Medical Services, Bureau of Fire Prevention & Investigation, and Airport Division.

### 5. REVIEW OF THE HARASSMENT PREVENTION POLICY *[Discussion]*

Discussion and review of the harassment prevention policy.

### 6. AGENDA FOR NEXT FIRE COMMISSION MEETING *[Discussion]*

Discussion regarding agenda for the December 14, 2016 regular meeting.

### 7. ADJOURNMENT

MINUTES FOR ADOPTION

SAN FRANCISCO FIRE COMMISSION  
FIRE COMMISSION REGULAR MEETING  
MINUTES

Wednesday, October 12, 2016 - 9:00 a.m.

City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, San Francisco, California, 94102

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The Video can be viewed by clicking this link:

[http://sanfrancisco.granicus.com/MediaPlayer.php?view\\_id=180&clip\\_id=26333](http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=180&clip_id=26333)

President Covington called the meeting to order at 9:01 AM.

**1. ROLL CALL**

Commission President	Francee Covington	Present
Commission Vice President	Ken Cleaveland	Present
Commissioner	Stephen Nakajo	Present
Commissioner	Michael Hardeman	Present
Chief of Department	Joanne Hayes-White	Present
Mark Gonzales	Deputy Chief – Operations	
Shane Francisco	Homeland Security	
Dan DeCossio	Bureau of Fire Prevention	
Jeff Myers	EMS	
Assistant Chiefs		
Kevin Smith	Division 2	
Staff		
Mark Corso	CFO	
Olivia Scanlon	Communication and Outreach Coordinator	

**2. PUBLIC COMMENT**

Katherine Alba-Swanson, 17 year member of the SFFD, spoke in regards to additional pending allegations at Station 2 that have not been addressed or investigated. She requested that the administration address the elephant in the room and the management practices, which are the bigger picture. She mentioned that women of the SFFD are not victims and they stand up for themselves and have worked hard to get where they are today.

Julie Desjarlais, Lieutenant in the SFFD and member for approximately 14 years, stated she worked hard to get respect and even harder as a female because she did not want to be considered the weak link. She stated that they want to be considered just like everybody else, a strong firefighter. She described her time working at Station 2 and she is offended by what's going on and how female firefighters are looking and she's upset by what's going on at Station 2, because right now it looks like her family is being attacked by someone who is new and it is wrong.

Adrienne Sims introduced herself as someone who has worked at Station 2 off and on for the last 12 years as an incident scene specialist, and she thinks that as the story goes on without getting factual details, they not only allow the reputation as a department to be tarnished, but more

GENERAL ORDERS



Please find attached, an updated AMENDED Job Announcement from DHR which correctly addresses the requirements for Minimum Qualifications. In addition, the File Code number has been corrected.

SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER

File Code 16 A-

58

October 20, 2016

From: Chief of Department  
To: Distribution List "A"  
Subject: Amended H-40 Battalion Chief Application Filing  
Reference: Rules and Regulations, Section 402  
Enclosure: Amended H-40 Job Announcement

Officer Endorsement:  
Sec. 1108-R&R \_\_\_\_\_

1. The Department of Human Resources has amended the H-40 Job Application to revise the closing date of the application. Applications for H-40 Battalion Chief will now be accepted through Wednesday, November 23, 2016 at **Noon**.
2. Applications are accepted through an online process now through Wednesday, November 23, 2016. Visit [www.jobaps.com/sf](http://www.jobaps.com/sf) to begin the application process by creating an account as follows:
  - Click and select "Battalion Chief", H-40 job announcement
  - Click on "Apply" and read and acknowledge the information
  - Click on "I am a New User" (members who previously applied for an exam through JobAps should click on "I have Registered Previously")
  - Follow the instructions provided on the screen
  - When you get to the Experience section of the application, you only need to list your work history as a uniformed member of the San Francisco Fire Department.

Computer kiosks are located in the lobby of the Department of Human Resources, 1 South Van Ness Avenue, 4<sup>th</sup> Floor, San Francisco, for use by the public to apply for City jobs. The hours of operation are from 8:00 AM to 5:00 PM, Monday through Friday. You may also access the on-line application from any computer with Internet connection.

A completed application must be submitted online by **12:00 PM** on Wednesday, November 23, 2016. **Failure to submit the completed application online by 12:00 PM on November 23, 2016 will result in disqualification from this selection process.**

3. For members who have already submitted an application, there is no need to submit a new application.
4. This examination is open to all members who have current permanent status in the rank of H-30 Captain as of the date of application closing.
5. The components of the H-40 Battalion Chief exam are tentatively scheduled to be administered in January 2017.
6. This General Order supersedes General Order 16 A-49.

Joanne Hayes-White  
Chief of Department

SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER

File Code 16 A-59  
October 28, 2016

From: Chief of Department  
To: Distribution List "A"  
Subject: Vacancy List  
Reference: Rules & Regulations, Section 3953  
Enclosure: Attachment "A" – Vacancy List  
Attachment "B" – Position Qualifications

Officer Endorsement:  
Section 1108 – R. & R. \_\_\_\_\_

1. Vacancy bidding for Firefighters (H2), Firefighter/Paramedics (H3 Level 3), Incident Support Specialists (H10), Officers, (H20 & H30), EMS Captains (H33) and Battalion Chiefs (H40) will be begin at 1200 hours, Monday, October 31, 2016. Members will select from a list of positions, save their selections in order of preference, and print a copy of their bid. All bidding shall be done in HRMS. The deadline for close of this vacancy bid is 1200 hours, Wednesday, November 9, 2016. Bids will not be accepted past this deadline.
2. The vacancy list will be posted on AO Reports, and positions will be marked either VACANT or OWNED. Members may bid for ANY position within rank, vacant or owned, on the premise that someone who owns a position may move, thereby creating a new vacant position. IMPORTANT – Applicants must ensure that ALL of their bid-required qualifications / certifications / licenses are current in the HRMS. Members who do not maintain the qualifications for the position shall be assigned to Vacation Relief status. Refer to Enclosure "B", *Position Qualifications*, for specific requirements of positions.
3. Positions advertised with an asterisk (\*) are positions owned by a member that is working in another assignment. If the member was to return to their original assignment, the member who made the asterisk assignment will be assigned to Vacation Relief status. If the original member was to vacate the assignment, the member who made the asterisk assignment would then own that assignment.
4. H-2 Firefighters must have completed probation in their Permanent Civil Service rank in order to bid. Members in Acting Assignments may bid in the rank of their Permanent Civil Service classification. Officers are not allowed to apply for vacancies in Companies where they were permanently assigned as Firefighters within the last two years.
5. Members will be assigned to vacancies after the proposed assignments are approved by the Chief of Department. PLEASE NOTE, for members who change tours at any time, the start dates for IDV's, TC's and vacations that are already scheduled will shift later on the calendar to coincide with actual work days on the tour schedule.
6. Only Chief Officers or Company Captains may contact the Assignment Office regarding the vacancy list.

SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER

File Code 16 A-60  
October 28, 2016

From: Chief of Department  
To: Distribution List "A"  
Subject: Active Shooter Mass Casualty Incident Response Class  
Reference: Rules & Regulations, Section 402  
Enclosure: None

Officer Endorsement:  
Section 1108 – R & R

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1. The San Francisco Fire Department is offering a one-day Grant Funded Response to Active Shooter Mass Casualty Incident (ASMCI) class, sponsored by the International School of Tactical Medicine (ISTM) at the Division of Training on Tuesday, December 13, 2016, from 0900-1700 hours. Outside agencies will be attending this class as well.
2. Members will be selected in the following order:
  - a) Rescue Captains assigned to Treasure Island EMS Training, Chief Officers
  - b) H3 Paramedics/EMTs working on a designated Tactical Ambulance
  - c) Rescue Captains, Firefighter/Paramedics, and Company Officers
  - d) Firefighters, H3 Level 1 Paramedics, H3 Level 1 EMTs
3. Interested members must have a user account established with the Bay Area UASI Regional Training and Exercise Program. To establish an account visit [www.bauasitep.org](http://www.bauasitep.org). Interested members must also email the Department's Public Information Officer, [Firepio@sfgov.org](mailto:Firepio@sfgov.org) to request a space in the class. The deadline to sign up is **Monday, November 7, 2016**. Assignments will be distributed via **Department email**.
4. All members should be familiar with the Department's Policy, "Operations at Tactical Law Enforcement and Active Shooter Incidents" before attending this training.
5. A limited number of on-duty details will be approved. Compensation will not be paid to members attending class in an off-duty status.
6. The morning session of training will consist of didactic on tactics. The afternoon session will consist of live training.
7. Members who have been issued BDUs are authorized to wear them for the day of training. Other members shall wear Class B uniforms for the morning session and bring comfortable clothing for the afternoon session.

8. A working lunch will be provided to attendees by the SFFCU. Upon completion of the class, members will receive an individual self-aid kit.
9. Any questions relating to this General Order should be directed to the Assistant Deputy Chief of Training.

Joanne Hayes-White  
Chief of Department

**Conefrey, Maureen (FIR)**

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**From:** FireChief, Secretary  
**Sent:** Thursday, November 03, 2016 12:17 PM  
**Subject:** General Order 16 A-61, Daylight Savings Time; Conclusion of

SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER

File Code 16 A-61  
November 3, 2016

**From:** Chief of Department  
**To:** Distribution List "A"  
**Subject:** Daylight Savings Time; Conclusion of  
**Reference:** Rules & Regulations, Section 402  
**Enclosure:** None

Officer Endorsement:  
Sec. 1108 – R. & R. \_\_\_\_\_

1. Daylight Savings Time will conclude and Pacific Standard Time will resume effective 0200 hours, Sunday, November 6, 2016.
2. Clocks in all Department Stations and premises shall be set back one (1) hour to affect the change.
3. All official timing of alarms, or other occurrences, in the 2-hour period between 0001 hours and 0200 hours on November 6, 2016 shall be identified in entries as being PDT for Daylight Savings Time or PST for Pacific Standard Time, as appropriate.

Joanne Hayes-White  
Chief of Department

BUREAU OF FIRE PREVENTION

**SAN FRANCISCO**



**FIRE DEPARTMENT**

**DIVISION OF FIRE PREVENTION &  
INVESTIGATION**

## **MEMORANDUM**

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**TO:** Chief of Department, Joanne Hayes-White

**FROM:** Fire Marshal Daniel de Cossio, DFPI

**SUBJECT:** Activity Report for the Division – October 2016

**DATE:** November 3, 2016

**REFERENCE:** Rules and Regulations, Section 2209

This is the activity report for the Division of Fire Prevention and Investigation for the period from October 1 thru October 31, 2016.

A handwritten signature in cursive script, reading "Daniel de Cossio", written over a horizontal line.

**Daniel de Cossio**



# 1. BUREAU OF FIRE PREVENTION

a.) **Revenue Generating Programs** - The Bureau of Fire Prevention collects fees for services based on California state laws and regulations. For most of the services we provide, we are permitted to charge fees to recover costs. Table 1 outlines budgeted fees and revenues for the Division of Fire Prevention and Investigation and provides a percentage of where we are in relation to where we should be at this time.

Table 1 – Revenues for the Division of Fire Prevention and Investigation (Source—FAMIS)

Fiscal Year 2016–2017	BFP - October 2016			Projected Year-End
	Budgeted Amount 16–17	As of October 31, 2016 Actual Revenue	Percent of Budgeted Amount	
Plan Review Fees	6,099,000.00	2,444,453.00	120.24%	7,333,359.00
Fire Administrative Citation		0.00		
Construction Inspection Fees	1,750,000.00	611,235.00	104.78%	1,833,705.00
Fire Dept. Permits	1,050,000.00	301,199.00	86.06%	903,597.00
False Alarm Fees	220,500.00	53,250.00	72.45%	159,750.00
Referral Inspections	185,175.00	61,310.00	99.33%	183,930.00
Waterflow Information	146,875.00	63,745.00	130.20%	191,235.00
Miscellaneous Fees	1,500.00	12.00	2.40%	36.00
Pre-Application Fees	141,250.00	36,600.00	77.73%	109,800.00
Re-inspection Fees	30,000.00	32,769.00	327.69%	98,307.00
<b>Revenue Programs Subtotal</b>	<b>9,624,300.00</b>	<b>3,604,573.00</b>	<b>112.36%</b>	<b>10,813,719.00</b>
High-Rise Annual Inspection Fees*	1,820,000.00	394,266.00		1,820,000.00
Annual Permit Renewal Fees*	1,795,000.00			1,795,000.00
Fire Residential Inspection Fees	627,041.00	222,048.00		627,041.00
<b>Revenue Programs Total</b>	<b>13,866,341.00</b>	<b>4,220,887.00</b>		<b>15,055,760.00</b>
<b>Projected Surplus/Deficit</b>			<b>109%</b>	<b>1,189,419.00</b>
	<b>Revenue**</b>	<b>Expenditure</b>	<b>Surplus/Deficit</b>	
<b>Overtime Revenue/Expenditure</b>	618,111.00	466,536.00	151,575.00	

FAMIS—November 1, 2016

\* Full recovery of revenues is expected for the categories of Annual High-Rise Inspection and Annual Permit Renewal Fees. Revenues for these programs fluctuate throughout the year based on the method of collection by the Tax Collector's Office.

\*\* Revenue shown in this column does not reflect the overtime surcharge collected by the Tax Collector for Annual Permit Renewal Fees, which covers a portion of the overtime expenditures. The estimated amount of Annual Permit Renewal Fees that should be allocated to this category is \$204,160.

### Description of Revenue Programs:

1. Plan Review—The BFP's Plan Review Section is located within the Department of Building Inspection at 1660 Mission St. The Section reviews plans to verify compliance with State Building and Fire Codes.
2. High-Rise Annual Inspection Fees-All high-rise buildings in the State are required to be inspected annually, as mandated by the California State Fire Marshal. This program is designed to recover 100% of its cost, but revenues fluctuate throughout the year.

3. Construction Inspection Fees-The plans reviewed by the plan check division generate construction inspections which are carried out by the district fire inspectors.
4. Annual Permit Renewal Fees-Fire Department Permits are required by the California Fire Code for special uses, such as hazardous materials, public assemblies, etc. The fees for these permits are charged annually, and are collected by the Tax Collector's office after the initial filing fee is collected.
5. Overtime Fees-Many inspections and plan reviews are conducted on an overtime basis at the request of the applicant, who also pays for the service. Overtime for Place of Assembly Nighttime Inspection Surcharge is included in Annual Permit Renewal Fees.
6. Fire Dept. Permits-As stated above, certain uses require Fire Dept. Permits. This category is for the initial fees that are collected by the BFP when the permit is issued.
7. False Alarm Fees- The SF Fire Code requires that when the SFFD responds to excessive false alarm calls at buildings, the owners be charged a penalty fee. The BFP processes bills and payments, including the maintenance of records for such fees.
8. Referral Inspections-The BFP is responsible for inspecting occupancies requiring a fire department clearance as part of a federal, state, or local license.
9. Waterflow Request Fees- The BFP flows hydrants and performs analysis that provides fire protection contractors with the water supply information necessary to design fire protection systems. A fee is charged for this service.
10. Miscellaneous- This is a catch-all category for BFI subpoena revenue, photocopy revenues, and various consultation fees.
11. Pre-Application Fees-The plan review section meets with architects and engineers prior to the detailed design of buildings to discuss code issues specific to projects.
12. Re-Inspection Fees- During the course of the BFP's inspections, a Notice of Violation may be issued for fire hazards found. This fee is charged for each re-inspection until the condition is corrected.

**b.) Non-Revenue Generating Services** – Some of the services provided by the BFP are not fee generating in the same way our other programs are. These services are supposed to be paid for by local taxes, according to California law. Examples include: complaint inspections (fire hazard), public education presentations, telephone consultation, etc.

**c.) San Francisco International Airport** – SFFD BFP personnel provide fire prevention services to the airport, entirely under the SFO budget.

**d.) Port of San Francisco** – The Port Fire Marshal is the Fire Department's liaison to the Port and conducts construction and referral inspections, plan review, pier surveys, and issues permits along the Port's 7 ½ miles of waterfront jurisdiction. The Port Fire Marshal sits on the Joint Fire Operations Committee and is responsible for coordinating special events and activities of the Port with the Fire Department and other City Agencies.

2. **Bureau of Fire Investigation** – The monthly and year-to-date report for the BFI is included as an attachment.

CC: Fire Commission Secretary

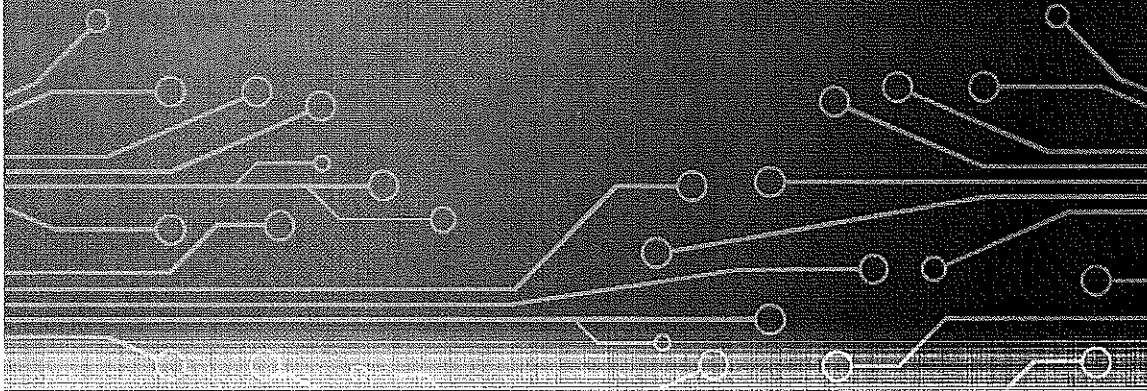
San Francisco Fire Department Bureau of Fire Investigations

Summary Report From 10/01/2016 To 10/31/2016

	YTD 07/01/2016 To 10/31/2016		10/01/2016 To 10/31/2016	
	Count	Property Loss Contents Loss	Count	Property Loss Contents Loss
STRUCTURE FIRES	14	\$3,401,900	2	\$675,000
ACCIDENTAL		\$843,900		\$171,000
INCENDIARY	19	\$3,309,250	6	\$96,500
UNDER INVESTIGATION	3	\$3,905,000	1	\$2,100,000
UNDETERMINED	3	\$105,500	0	
<b>STRUCTURE FIRES TOTAL</b>	<b>39</b>	<b>\$10,721,650</b>	<b>9</b>	<b>\$2,871,500</b>
VEHICLE FIRES	2	\$236,600	0	
ACCIDENTAL		\$100,000		
INCENDIARY	17	\$128,372	2	\$40,000
UNDER INVESTIGATION	2	\$1,000	1	\$1,000
UNDETERMINED	3	\$15,928	0	
<b>VEHICLE FIRES TOTAL</b>	<b>24</b>	<b>\$381,900</b>	<b>3</b>	<b>\$41,000</b>
ATTEMPTS TO BURN	3	\$3,728	0	
OTHER INCIDENTS	31	\$79,160	8	\$8,450
COMMERCIAL	14	\$2,432,500	6	\$421,500
RESIDENTIAL	25	\$8,289,150	3	\$2,450,000
<b>STRUCTURE FIRES TOTAL</b>	<b>39</b>	<b>\$10,721,650</b>	<b>9</b>	<b>\$2,871,500</b>
GREATER ALARMS	7		2	
2ND ALARMS				
3RD ALARMS	0		0	
4TH ALARMS	1		1	
5TH ALARMS	0		0	
<b>GREATER ALARMS TOTAL</b>	<b>8</b>		<b>3</b>	
OTHER	5		0	
ARRESTS				
DEATHS	1		0	
INJURIES	20		9	
JUVENILE FIRE SETTERS	0		0	
SUBPOENAS REQUESTED	69		12	

AGENDA ITEM 5

PRESENTATION REGARDING HARASSMENT  
FIRE COMMISSION MEETING  
NOVEMBER 9, 2016





## INTRODUCTION:

- Since Chief Hayes-White's tenure began in January 2004, the Department has issued two General Orders regarding the Department's and the City's EEO Policy and Complaint Procedure. The two General Orders were 09 A-58 and 15 A-43, which is the current version.
- Under the previous Fire Chief, a General Order regarding the Department's EEO Policy and Complaint Procedure was issued in October 2003. Thus, there was no need for an update during the early years of Chief Hayes-White's tenure.

# INTRODUCTION

- In addition to the General Orders, the Department has always had a provision regarding the prohibition of discrimination and harassment in the workplace in its Rules and Regulations. In the 1997 edition of the Rules and Regulations, this was addressed in Article 3958. In the current edition, it is found in Article 3917.
- Besides the specific articles mentioned above, the sections for Division Chief, Battalion Chief and Captain in both editions of the Rules and Regulations address each Officer's responsibility to maintain a work environment that is free from discrimination, harassment and retaliation.



## CA ASSEMBLY BILL 1825

- CA State Law AB 1825, which is part of the Fair Employment Housing Act, first became effective on August 17, 2007.
- It has been codified in the new California Government Code Section 12950.1. This law mandates training and education of supervisors in sexual harassment prevention in the workplace every two years for employers with 50 employees or more.
- Since 2007, the Department has complied with the training requirement for the following years: 2007, 2009, 2011, 2013, 2015



## DEPARTMENT TRAINING

- In addition to the training requirement under AB 1825, the Department conducts its own training regarding the Department's EEO Policy and Complaint procedure.
- This training is conducted for all entry-level uniformed classes.
- A similar training is also provided either live or online video to new Lieutenants and new Battalion Chiefs, with emphasis on Officer Responsibilities.

## DEPARTMENT TRAINING

- Since there is a current General Order (15 A-43) regarding the Department's EEO Policy and Complaint Procedure, it is included in the Annual Daily Drill Schedule for Officers to discuss with their members.



# HARASSMENT DEFINED

## Two Theories:

- **Quid pro quo** - complainant is subject to a request of a sexual nature as a condition of employment
- **Hostile Work Environment** - may be based on any protected category; may take many forms including, but not limited to, verbal, visual or physical, unwelcome conduct on account of the complainant's membership in a protected category, which is so severe or pervasive as to alter the condition of the complainant's employment and create an abusive working environment.

## HARASSMENT – QUID PRO QUO

- The complainant is subject to a request of a sexual nature;
- The request is unwelcome; and
- The request is a condition of employment.



## HARASSMENT – HOSTILE WORK ENVIRONMENT

- The complainant is subject to physical, verbal or visual conduct on account of the complainant's membership in a protected category;
- The conduct is unwelcome; and
- The conduct is sufficiently severe or pervasive as to alter the condition of the complainant's employment and create an abusive working environment.

# PROTECTED CATEGORIES

- Race
- Color
- Religion
- Creed
- Sex
- National Origin
- Ethnicity
- Age
- Disability or Medical Condition
- AIDS/HIV or Aids Related Conditions
- Political Affiliations
- Sexual Orientation
- Ancestry
- Marital or Domestic Partner Status
- Gender Identity
- Parental Status
- Other non-merit factors or any category provided for by ordinance



## FORMS OF UNLAWFUL HARASSMENT

- Physical conduct – such as assault, blocking normal movement, leering or lewd gestures, or physical interference with work
- Verbal conduct – epithets, derogatory comments, unwelcome jokes or stories, slurs, unwelcome advances or invitations, harassing phone calls
- Visual conduct – such as derogatory or offensive posters, cartoons, bulletins or drawings, or electronic mail transmissions. This includes the use of Department equipment and any equipment physically located at stations.

## OTHER CONSIDERATIONS FOR HARASSMENT

- For Quid Pro Quo Harassment, there has to be a disparity in power. Thus, allegations under this theory always involve a subordinate complaining about a supervisor or higher authority who is accused of making requests of a sexual nature in exchange for a condition in the subordinate's employment.
- What is offensive is in the eye of the beholder
- Either gender or any sexual orientation can be harassed or be a harasser



SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER

File Code 03 A-91  
October 23, 2003

From: Chief of Department  
To: Distribution List "A"  
Subject: EEO Policy and Complaint Procedure  
Reference: Sec. 502 - R. & R.  
Enclosure: SFFD EEO Policy and Complaint Process

Officer Endorsement:  
Sec. 1108 - R. & R.

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1. Effective the date of this order, all San Francisco Fire Department (SFFD) employees shall utilize the enclosed policy for matters related to EEO complaints of discrimination, harassment and/or retaliation. Any EEO matter that arises from the date of this Order forward shall fall under the guidelines of the enclosed process.
2. Rescind and remove General Order 02 A-37.
3. Please note the key changes below to the EEO policy and/or complaint procedure:
  - The SFFD/EEO unit was closed effective July 1, 2003, and its function has been transferred to the Department of Human Resource Equal Employment Opportunity (DHR/EEO) Division. EEO complaint investigations will be conducted by DHR/EEO personnel.
  - SFFD Officers/Supervisors who learn of a possible EEO discrimination complaint are to immediately report the matter to the SFFD Human Resources Division. The report may be made verbally or in writing, and is to occur within 24 hours, or the next business day following a weekend or holiday.
  - The chain of command for officers/supervisors in an EEO matter is from the officer who learns of the possible complaint directly to the SFFD Human Resources Division.
  - To file a complaint of discrimination, the employee should promptly report, verbally or in writing, the alleged EEO violation to any of the following:
    - SFFD Human Resources Division;
    - DHR Equal Employment Opportunity (EEO) Division;
    - Immediate supervisor or other superior. However, the complainant does not have to follow the chain of command in reporting alleged EEO violations. The complainant can choose to report the matter directly to either one of the two offices above.
4. All supervisors, officers, and chief officers are to have each member/employee of his/her company/unit sign the enclosed roster acknowledging having read and receipt of this order and submit the completed signing of the roster no later than Friday, November 14, 2003 to the Deputy Chief of Operations.



Mario H. Treviño  
Chief of Department

San Francisco Fire Department  
EEO Policy and Complaint Process  
October 2003

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**PURPOSE**

The purpose of this policy is to reaffirm that the San Francisco Fire Department (SFFD) is committed to providing a work environment free of discrimination and to insure that SFFD employees understand the City and County of San Francisco's policy regarding equal

San Francisco Fire Department  
EEO Policy and Complaint Process  
October 2003

employment opportunity (EEO) and the process for reporting and resolving EEO discrimination complaints.

### **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

In accordance with the San Francisco (S.F.) Charter, the S.F. Administrative Code, and the Civil Service Commission rules, it is the policy of the City and County of San Francisco and the SFFD that all persons have equal opportunity in employment. No employee or applicant shall be discriminated against in employment or opportunity for employment.

Pursuant to the S.F. Charter, the Director of the Department of Human Resources (DHR Director) is responsible for the review and resolution of complaints of employment discrimination. Discipline is under the purview of the Chief of Department.

#### **A. Discrimination**

Discrimination means violations of civil rights on account of one or more protected categories, which include:

- Race
- Color
- Religion
- Creed
- Sex
- National Origin
- Political Affiliation
- Sexual orientation
- Ancestry
- Marital or Domestic Partner Status
- Gender Identity
- Parental Status
- Other non-merit factors, including any category provided for by ordinance.

The adverse actions or issues complained of may include the following:

- Denial of employment
- Denial of training
- Denial of promotion
- Denial of reasonable accommodation
- Termination
- Disciplinary action
- Harassment
- Work Assignment
- Layoff
- Constructive Discharge
- Compensation

#### **B. Harassment**

The City and County of San Francisco and the SFFD strictly prohibit all forms of unlawful harassment, including sexual harassment and harassment based on a protected category.

Harassment is (1) unwelcome, offensive conduct (2) on account of an individual's (or group of individuals) membership in a protected category (3) that is sufficiently severe or pervasive as to alter the condition of the individual's employment and create a hostile working environment.

Unlawful harassment may take many forms including, but not limited to:

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**Verbal Conduct**, such as epithets, derogatory comments, unwelcome jokes or stories, slurs, unwelcome advances or invitations, requests for sexual favors, or harassing phone calls, which are directed at an individual (or group of individuals) because of his or her membership in a protected category.

**Visual Conduct**, such as derogatory or offensive posters, cartoons, bulletins or drawings, or electronic mail transmissions, which are directed at an individual (or group of individuals) because of his or her membership in a protected category. This includes the use of Department equipment and station equipment (even those pieces of equipment purchased by each individual "house," including but not limited to computers, televisions, etc.).

**Physical Conduct**, such as assault, blocking normal movement, leering or lewd gestures, or physical interference with work, which are directed at an individual (or group of individuals) because of his or her membership in a protected category.  
(Refer to Harassment Free Workplace Policy - Appendix A)

#### C. Retaliation

It is also the policy of the City and County of San Francisco and the SFFD that no employee or applicant shall be discriminated against, retaliated against or harassed because such employee or applicant has complained of or opposed any discriminatory practice prohibited in this policy or made a complaint, testified, supplied evidence, assisted or participated in any manner in any investigation, proceeding, or hearing under these procedures.

Retaliation against an individual who files a complaint of harassment or who assists in an investigation of a complaint is also prohibited.

### HOW TO FILE A COMPLAINT

Per Civil Service Commission Rules, Section 103.3.1/303.3.1, "Any employee or applicant may file a complaint alleging that he or she has been discriminated against as a result of any employment decision made by any agency, department, or commission of the City and County of San Francisco on the basis of any protected category identified in Section 103.1.2 [303.1.2] of this Rule. Any employee or applicant may file a complaint alleging that he or she has been retaliated against in violation of this Rule and any such complaint shall be filed and processed in the same manner as other discrimination complaints under this Rule."

#### A. Where to File

Any employee who believes he or she has been discriminated against, should promptly report the facts of the incident and the individuals involved.

To file an EEO discrimination complaint, the employee should report the alleged violation to any of the following:

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- **SFFD Human Resources Division office** at SFFD Headquarters, 698 Second Street, 2<sup>nd</sup> Floor, San Francisco;
- **DHR Equal Employment Opportunity (EEO) Division**  
[Mailing address: 44 Gough Street, San Francisco, CA 94103, and/or Harassment Helpline: 415-557-4900]; or
- **Immediate supervisor or other superior.** However, the complainant does not have to follow the chain of command in reporting alleged EEO violations. The complainant can choose to report the matter directly to either one of the two offices above.

**B. Filing Deadline**

An EEO discrimination complaint must be filed within 180 calendar days of the alleged discriminatory action or alleged harassment, or the date the complainant should have first become aware of the alleged violation. A complaint is considered filed on the date it is received by DHR or the SFFD. Therefore, time is an important factor when filing a complaint.

**C. Complaint Description**

A complaint may be filed through a detailed letter covering the areas below. A complaint may also be filed with the assistance of the SFFD Human Resources Division, based on information gained from a preliminary interview of the complainant.

Written complaints should include the following areas:

(Refer to How to File an EEO Discrimination Complaint – Appendix B)

1. Personal information: name, address and daytime phone number;
2. Basis or protected category, i.e., the reason you think this occurred;
3. The discriminatory action, i.e., denial of employment or reasonable accommodation, termination, etc.;
4. The date(s) the alleged discriminatory action(s) took place;
5. The names of the individuals accused of discrimination, and their work location(s);
6. The names and daytime phone numbers of any witnesses to the alleged discriminatory action;
7. A detailed explanation of the sequence of events which you believe to be discriminatory; and,
8. The specific action you are seeking to correct the alleged discrimination.

**RESPONSIBILITIES OF SFFD OFFICERS/SUPERVISORS**

**A. Immediate Reporting Required**

SFFD Officers/Supervisors who learn of a possible EEO discrimination complaint are to immediately report the matter to the SFFD Human Resources Division. The report may be made verbally or in writing, and is to occur within 24 hours, or the next business day following a weekend or holiday.

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The SFFD Human Resources Division shall report the complaint to the DHR EEO Division within five business days from the date it was first received/reported.

Any Officer/Supervisor who receives notice of an EEO discrimination complaint and fails to report it may be subject to disciplinary action.

**B. Immediate Corrective Action**

The SFFD Officer/Supervisor who learns of a possible EEO discrimination complaint should take immediate corrective action to diffuse the situation and provide some initial remedy, as appropriate. For assistance, it is recommended that the Officer/Supervisor contact the SFFD Human Resources Division during business hours or the appropriate Division Chief after business hours or on weekends/holidays.

**C. Direct Chain of Command to SFFD Human Resources Division**

For reporting of EEO discrimination complaints, the chain of command is from the SFFD Officer/Supervisor who learns of the complaint directly to the SFFD Human Resources Division.

**COMPLAINT PROCESS**

All EEO discrimination complaints are subject to review by DHR EEO Division staff. DHR EEO may decide to take one or more of the following actions, which will be communicated to the complainant:

- the complaint will be investigated;
- the complaint will be reviewed for resolution through Alternative Dispute Resolution (ADR) or settlement; and/or,
- the complaint will be administratively closed for lack of jurisdiction.

If a complaint is assigned to investigation, the accused and Chief of Department shall be notified accordingly. The purpose of the investigation is to collect facts and gather data. The investigation may include interviews; review of documents, records and data; site visits, etc.

ADR may be pursued, with the facilitation of trained staff, if both the complainant and the respondent are willing to participate.

Closure of a complaint by DHR does not preclude review under the SFFD's administrative processes, i.e., possible SFFD rule violations.

**RESPONSIBILITIES OF SFFD EMPLOYEES DURING DHR INVESTIGATION**

All SFFD employees are required to participate and be truthful in DHR's investigation of any EEO discrimination complaint. In addition, it is the responsibility of SFFD employees to keep such matters confidential, with disclosure to only those with a legitimate business reason to know.

## **DHR DIRECTOR'S REVIEW AND RESOLUTION OF EEO DISCRIMINATION COMPLAINTS**

The DHR Director shall issue a determination on the charges to the complainant and the Chief of Department. This determination may take the following forms:

- For Cause, if the complaint of discrimination is sustained;
- Dismissal, for insufficient evidence, or;
- Administrative Closure for no prima facie showing, settlement of complaint, successful ADR, untimely issues, etc.

The DHR Director may also make recommendations for corrective action to the Chief of Department.

The SFFD will inform the accused of the decision of the DHR Director and determine if any other SFFD rules were possibly violated, and if any additional action should be taken.

## **ENFORCEMENT OF DHR DIRECTOR'S DETERMINATION/RIGHT TO APPEAL**

Pursuant to the S.F. Charter, the decision of the DHR Director shall be enforced by every employee and officer, unless the decision is appealed to the Civil Service Commission, and is reversed.

The complainant, accused, and SFFD have a right to appeal the decision of the DHR Director to the Civil Service Commission.

## **DISCIPLINE**

Any employee, supervisor or agent of the City and County of San Francisco found to have engaged in unlawful discrimination, harassment or retaliation 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 federal and state law, but that, if repeated or allowed to continue, may meet that definition. All discipline is under the purview of the Chief of Department.

## **RIGHT TO FILE OTHER COMPLAINTS**

This policy shall not alter or affect the right of any person to file a complaint with the United States Equal Employment Opportunity Commission, the California Department of Fair Employment and Housing, and/or to consult with a private attorney or union representative.



City and County of San Francisco

## HARASSMENT FREE WORKPLACE POLICY

The purpose of this policy is to reaffirm that the City and County of San Francisco is committed to providing a work environment that is free of discrimination. In keeping with this commitment, the City and County of San Francisco strictly prohibits all forms of unlawful harassment, including sexual harassment and harassment based on race, color, religion, creed, sex, national origin, ethnicity, age, disability or medical condition, political affiliation, sexual orientation, ancestry, marital or domestic partner status, gender identity, parental status, or any other characteristic protected by state or federal employment discrimination laws or by the San Francisco Charter or local ordinance.

Harassment is (1) unwelcome, offensive conduct (2) on account of an individual's (or group of individuals) membership in a protected category (3) that is sufficiently severe or pervasive as to alter the condition of the individual's employment and create a hostile working environment.

Retaliation against an individual who files a complaint of harassment or who assists in an investigation of a complaint is also prohibited.

Unlawful harassment may take many forms including, but not limited to:

**VERBAL CONDUCT**, such as epithets, derogatory comments, unwelcome jokes or stories, slurs, unwelcome advances or invitations, requests for sexual favors, or harassing phone calls, which are directed at an individual (or group of individuals) because of his or her membership in a protected category.

**VISUAL CONDUCT**, such as derogatory or offensive posters, cartoons, bulletins or drawings, or electronic mail transmissions, which are directed at an individual (or group of individuals) because of his or her membership in a protected category.

**PHYSICAL CONDUCT**, such as assault, blocking normal movement, leering or lewd gestures, or physical interference with work, which are directed at an individual (or group of individuals) because of his or her membership in a protected category.

## RESPONSIBILITIES

This policy applies to all employees and agents of the City and County of San Francisco, including supervisory and non-supervisory employees.



Departments are responsible for ensuring that all employees have knowledge of and periodic training regarding this policy.

### REPORTING PROCEDURES

Any employee who believes he or she has been harassed in violation of this policy should promptly report the facts of the incident and the individuals involved. To file a complaint of harassment, the employee should promptly contact any of the following:

- the employee's supervisor or other superior, or,
- the department's equal employment opportunity officer or personnel officer; or,
- the Department of Human Resources Equal Employment Opportunity Division.

If a complaint of harassment is made to a supervisor, the supervisor shall immediately report it to the department's equal employment opportunity officer or personnel officer who shall report the complaint to the Department of Human Resources Equal Employment Opportunity Division. Any supervisor who receives a complaint of harassment and fails to report it may be subject to disciplinary action. The Director of Human Resources is responsible for the investigation and resolution of all harassment complaints.

### DISCIPLINE

Any employee, supervisor or agent of the City and County of San Francisco found to have engaged in unlawful harassment or retaliation 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 federal and state law, but that, if repeated or allowed to continue, might meet that definition.

### RIGHT TO FILE OTHER COMPLAINTS

This policy shall not alter or affect the right of any person to file a charge of discrimination with the United States Equal Employment Opportunity Commission or the California Department of Fair Employment and Housing or to consult with a private attorney or union representative.

**Andrea R. Gourdine**

Andrea R. Gourdine, Human Resources Director

**Oct 16, 2000**

Date

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES

HOW TO FILE A DISCRIMINATION COMPLAINT

**AUTHORITY:**

The authority to investigate complaints of employment discrimination stems from the San Francisco Charter, Section 10.103, and Civil Service Commission Rules (Volume 1, Rule 103; Volume II, Rule 203; Volume III, Rule 303; Volume IV, Rule 403). The Human Resources Director is responsible for the review and resolution of complaints. The Director may designate personnel to investigate complaints and make recommendations for resolution.

The role of the Equal Employment Opportunity ("EEO") investigator is that of an objective third party, representing neither the complainant (employee/applicant), nor the respondent (department).

**COMPLAINT PROCESS:**

**Basis:** Discrimination complaints submitted for investigation must be based on a violation of civil rights on account of one or more of the following: RACE, COLOR, RELIGION, CREED, SEX, NATIONAL ORIGIN, ETHNICITY, AGE, DISABILITY or MEDICAL CONDITION, ACQUIRED IMMUNE DEFICIENCY (AIDS/HIV) or AIDS RELATED CONDITIONS, POLITICAL AFFILIATION, SEXUAL ORIENTATION, ANCESTRY, MARITAL or DOMESTIC PARTNER STATUS, GENDER IDENTITY, PARENTAL STATUS, OTHER NON-MERIT FACTORS.

RETALIATION against any employee or applicant for having made a good faith complaint or report of discrimination, or for participating or aiding in an investigation of employment discrimination is also prohibited.

**Issues:** Actions complained of may include the following: DENIAL OF EMPLOYMENT, DENIAL OF TRAINING, DENIAL OF PROMOTION, DENIAL OF REASONABLE ACCOMMODATION (for disability or religion), TERMINATION, LAY-OFF, CONSTRUCTIVE DISCHARGE, DISCIPLINARY ACTION, HARASSMENT, WORK ASSIGNMENT, SEXUAL HARASSMENT and COMPENSATION.

Other issues, such as a disagreement regarding Department rules or regulations affecting working conditions, may be subject to review through the Employee Grievance procedure.

**Filing:** Submit a letter or other document that describes your complaint of discrimination. You may wish to contact the EEO Office in your department or in the Department of Human Resources, or your employee representative, to assist you in submitting a complaint. The number for the Department of Human Resources is 415-557-4800. All complaints must be signed by the person making the complaint and sent to:

Director, Department of Human Resources  
Attention: EEO Division  
44 Gough Street  
San Francisco, CA 94103

The letter of complaint should include the following:

1. Name, address and daytime phone number;
2. The basis for the complaint: i.e. race, religion, etc.;

3. The discriminatory action: i.e., denial of employment or reasonable accommodation, termination, etc.;
4. The date(s) the alleged discriminatory action(s) took place;
5. The City and County department and work unit accused of discrimination;
6. The names of the individuals accused of discrimination;
7. The names and daytime phone numbers of any witnesses to the alleged discriminatory action;
8. A detailed explanation of the sequence of events which you believe to be discriminatory; and,
9. The specific action you are seeking to correct the alleged discrimination.

If you are a current City and County employee, please also include your current Civil Service classification and the department where you are employed.

Complaints of sexual harassment may also be made by calling the Department of Human Resources Harassment Helpline at 415-557-4900.

**Filing Deadline:**

Letters of complaint must be filed within one hundred eighty (180) calendar days of the date the discriminatory action or the alleged harassment took place, or the date the employee/applicant should have first become aware of the violation. A complaint is considered filed on the date it is received by the Department of Human Resources. Therefore, time is an important factor when filing a complaint.

**Investigation:**

The Human Resources Director may refer the complaint to an EEO investigator to review for timeliness and jurisdiction. The investigator will then contact the person filing the complaint, either by mail or phone, to schedule an intake interview. Intake interviews afford the investigator an opportunity to clarify the issues involved and also allow the person filing the complaint an opportunity to present the complaint in more detail.

The investigation may include reviewing and obtaining copies of relevant documents such as personnel files, attendance reports and performance evaluations; interviewing co-workers and supervisors; and other actions considered necessary in order to obtain relevant information.

It is important to remember that the individual who brings the complaint is responsible for substantiating the charges. Therefore, it is necessary to cooperate with the investigator by providing any written material, names of individuals to interview or any other information that would assist the investigation.

Note: During the intake interview, the entire complaint process will be explained in more detail by the assigned investigator. Any questions regarding the process can be asked during the intake interview.

**Alternative Dispute Resolution:**

Complainants may be asked to consider resolving their complaint through an alternative dispute resolution process facilitated by trained staff.

**Human Resources Director's Action and Appeal Procedures:**

The Human Resources Director will review the complaint and investigative report, and shall make a finding on the charges. The Director's determination will be sent to the complainant and respondent department and shall be final, unless it is appealed to the Civil Service Commission and is reversed or modified.

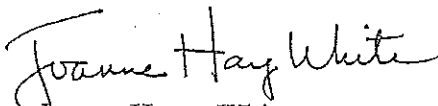
SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDERFile Code 09 A-58  
September 11, 2009

From: Chief of Department  
To: Distribution List "A"  
Subject: EEO Policy and Complaint Procedure  
Reference: Rules & Regulations, Section 402  
Enclosure: 2009 SFFD EEO Policy and Complaint Process

Officer Endorsement:  
Sec. 1108 - R. & R.

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1. All San Francisco Fire Department (SFFD) employees shall follow the enclosed policy for matters related to EEO complaints of discrimination, harassment and/or retaliation.
2. The Department reiterates the following key points in the policy:
  - SFFD Officers/Supervisors who learn of a possible EEO discrimination complaint are to immediately report the matter to the SFFD Human Resources Division. The report may be made verbally or in writing, and is to occur within 24 hours, or the next business day following a weekend or holiday.
  - To file a complaint of discrimination, the employee should promptly report, verbally or in writing, the alleged EEO violation to any of the following:
    - SFFD Human Resources Division;
    - DHR Equal Employment Opportunity (EEO) Division;
    - Immediate supervisor or other superior. However, the Complainant does not have to follow the Chain of Command in reporting alleged EEO violations. The Complainant can choose to report the matter directly to either one of the two offices above.
3. All Supervisors, Officers, and Chief Officers are to have each member/employee of his/her Company/Unit sign the enclosed roster acknowledging having read and receipt of this order and submit the completed signing of the roster no later than Friday, September 25, 2009 to the Deputy Chief of Operations.
4. Rescind and remove General Order 03 A-91.

  
Joanne Hayes-White  
Chief of Department



SAN FRANCISCO



FIRE DEPARTMENT

EEO POLICY  
&  
COMPLAINT PROCESS

Joanne Hayes White  
Chief of Department

September 2009

San Francisco Fire Department  
EEO Policy and Complaint Process  
September 2009

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#### PURPOSE

The purpose of this policy is to reaffirm that the San Francisco Fire Department (SFFD) is committed to providing a work environment free of discrimination and to ensure that SFFD employees understand the City and County of San Francisco's policy regarding equal employment opportunity (EEO) and the process for reporting and resolving EEO discrimination complaints.

#### EQUAL EMPLOYMENT OPPORTUNITY POLICY

In accordance with the San Francisco (S.F.) Charter, the S.F. Administrative Code, and the Civil Service Commission rules, it is the policy of the City and County of San Francisco and the SFFD that all persons have equal opportunity in employment. No employee or applicant shall be discriminated against in employment or opportunity for employment.

Pursuant to the S.F. Charter, the Director of the Department of Human Resources (DHR Director) is responsible for the review and resolution of complaints of employment discrimination. Discipline is under the purview of the Chief of Department.

#### A. Discrimination

Discrimination means violations of civil rights on account of one or more protected categories, which include:

- Race
- Color
- Religion
- Creed
- Sex
- National Origin
- Political Affiliation
- Sexual orientation
- Ancestry
- Marital or Domestic Partner Status
- Gender Identity
- Parental Status
- Other non-merit factors, including any category provided for by ordinance.

The adverse actions or issues complained of may include the following:

- Denial of employment
- Denial of training
- Denial of promotion
- Denial of reasonable accommodation
- Termination
- Disciplinary action
- Harassment
- Work Assignment
- Layoff
- Constructive Discharge
- Compensation



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**B. Harassment**

The City and County of San Francisco and the SFFD strictly prohibit all forms of unlawful harassment, including sexual harassment and harassment based on a protected category.

Harassment is (1) unwelcome, offensive conduct (2) on account of an individual's (or group of individuals) membership in a protected category (3) that is sufficiently severe or pervasive as to alter the condition of the individual's employment and create a hostile working environment.

Unlawful harassment may take many forms including, but not limited to:

Verbal Conduct, such as epithets, derogatory comments, unwelcome jokes or stories, slurs, unwelcome advances or invitations, requests for sexual favors, or harassing phone calls, which are directed at an individual (or group of individuals) because of his or her membership in a protected category.

Visual Conduct, such as derogatory or offensive posters, cartoons, bulletins or drawings, or electronic mail transmissions, which are directed at an individual (or group of individuals) because of his or her membership in a protected category. This includes the use of Department equipment and station equipment (even those pieces of equipment purchased by each individual "house," including but not limited to computers, televisions, etc.).

Physical Conduct, such as assault, blocking normal movement, leering or lewd gestures, or physical interference with work, which are directed at an individual (or group of individuals) because of his or her membership in a protected category.  
(Refer to Harassment Free Workplace Policy - Appendix A)

**C. Retaliation**

It is also the policy of the City and County of San Francisco and the SFFD that no employee or applicant shall be discriminated against, retaliated against or harassed because such employee or applicant has complained of or opposed any discriminatory practice prohibited in this policy or made a complaint, testified, supplied evidence, assisted or participated in any manner in any investigation, proceeding, or hearing under these procedures.

Retaliation against an individual who files a complaint of harassment or who assists in an investigation of a complaint is also prohibited.

**HOW TO FILE A COMPLAINT**

Per Civil Service Commission Rules, Section 103.3.1/303.3.1, "Any employee or applicant may file a complaint alleging that he or she has been discriminated against as a result of any employment decision made by any agency, department, or commission of the City and County of San Francisco on the basis of any protected category identified in Section 103.1.2 [303.1.2] of this Rule. Any employee or applicant may file a complaint alleging that he or she has been retaliated against in violation of this Rule and any such

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complaint shall be filed and processed in the same manner as other discrimination complaints under this Rule."

A. Where to File

Any employee who believes he or she has been discriminated against, should promptly report the facts of the incident and the individuals involved.

To file an EEO discrimination complaint, the employee should report the alleged violation to any of the following:

- SFFD Human Resources Division office at SFFD Headquarters; 698 Second Street, Room 209, San Francisco, CA 94107 and /or at 415 558-3615; or
- DHR Equal Employment Opportunity (EEO) Division at One South Van Ness, 4<sup>th</sup> Floor, San Francisco, CA 94103 and/or Harassment Helpline: 415-557-4900 or TTY at 415 557-4810; or
- Immediate supervisor or other superior. However, there is NO requirement to follow the chain of command in reporting alleged EEO violations. The complainant can choose to report the matter directly to either one of the two offices above.

B. Filing Deadline

An EEO discrimination complaint must be filed within 180 calendar days of the alleged discriminatory action or alleged harassment, or the date the complainant should have first become aware of the alleged violation. A complaint is considered filed on the date it is received by DHR or the SFFD. Therefore, time is an important factor when filing a complaint.

C. Complaint Description

A complaint may be filed through a detailed letter covering the areas below. A complaint may also be filed with the assistance of the SFFD Human Resources Division, based on information gained from a preliminary interview of the complainant.

Written complaints should include the following areas:  
(Refer to How to File an EEO Discrimination Complaint - Appendix D)

1. Personal information: name, address and daytime phone number;
2. Basis or protected category, i.e., the reason you think this occurred;
3. The discriminatory action, i.e., denial of employment or reasonable accommodation, termination, etc.;
4. The date(s) the alleged discriminatory action(s) took place;
5. The names of the individuals accused of discrimination, and their work location(s);
6. The names and daytime phone numbers of any witnesses to the alleged discriminatory action;

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7. A detailed explanation of the sequence of events which you believe to be discriminatory; and,
8. The specific action you are seeking to correct the alleged discrimination.

#### RESPONSIBILITIES OF SFFD OFFICERS/SUPERVISORS

##### A. Immediate Reporting Required

SFFD Officers/Supervisors who learn of a possible EEO discrimination complaint are to immediately report the matter to the SFFD Human Resources Division. The report may be made verbally or in writing, and is to occur within 24 hours, or the next business day following a weekend or holiday.

The SFFD Human Resources Division shall report the complaint to the DHR EEO Division within five business days from the date it was first received/reported.

Any Officer/Supervisor who receives notice of an EEO discrimination complaint and fails to report it may be subject to disciplinary action.

##### B. Immediate Corrective Action

The SFFD Officer/Supervisor who learns of a possible EEO discrimination complaint should take immediate corrective action to diffuse the situation and provide some initial remedy, as appropriate. For assistance, it is recommended that the Officer/Supervisor contact the SFFD Human Resources Division during business hours or the appropriate Division Chief after business hours or on weekends/holidays.

##### C. Direct Chain of Command to SFFD Human Resources Division

For reporting of EEO discrimination complaints, the chain of command is from the Complainant directly to the SFFD Human Resources Division or DHR EEO Division, or from the SFFD Officer/Supervisor who learns of the complaint directly to the SFFD Human Resources Division. Neither the Complainant nor the SFFD Officer / Supervisor who learns of the complaint is required to follow the Fire Department Chain of Command for reporting alleged EEO violations.

#### COMPLAINT PROCESS

All EEO discrimination complaints are subject to review by DHR EEO Division staff. DHR EEO may decide to take one or more of the following actions, which will be communicated to the complainant:

- the complaint will be investigated;
- the complaint will be reviewed for resolution through Alternative Dispute Resolution (ADR) or settlement; and/or,
- the complaint will be administratively closed for lack of jurisdiction.

If a complaint is assigned to investigation, the accused and Chief of Department shall be notified accordingly. The purpose of the investigation is to collect facts and gather data. The investigation may include interviews; review of documents, records and data; site visits, etc.

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ADR may be pursued, with the facilitation of trained staff, if both the complainant and the respondent are willing to participate.

Closure of a complaint by DHR does not preclude review under the SFFD's administrative processes, i.e., review of possible SFFD rule violations.

#### RESPONSIBILITIES OF SFFD EMPLOYEES DURING DHR INVESTIGATION

All SFFD employees are required to participate and be truthful in DHR's investigation of any EEO discrimination complaint. In addition, it is the responsibility of SFFD employees to keep such matters confidential, with disclosure to only those with a legitimate business reason to know.

#### DHR DIRECTOR'S REVIEW AND RESOLUTION OF EEO DISCRIMINATION COMPLAINTS

The DHR Director shall issue a determination on the charges to the complainant and the Chief of Department. This determination may take the following forms:

- For Cause, if the complaint of discrimination is sustained;
- Dismissal, for insufficient evidence, or;
- Administrative Closure for no prima facie showing, settlement of complaint, successful ADR, untimely issues, etc.

The DHR Director may also make recommendations for corrective action to the Chief of Department.

The SFFD will inform the accused of the decision of the DHR Director and determine if any other SFFD rules were possibly violated, and if any additional action should be taken.

#### ENFORCEMENT OF DHR DIRECTOR'S DETERMINATION/RIGHT TO APPEAL

Pursuant to the S.F. Charter, the decision of the DHR Director shall be enforced by every employee and officer, unless the decision is appealed to the Civil Service Commission, and is reversed.

The complainant, accused, and SFFD have a right to appeal the decision of the DHR Director to the Civil Service Commission.

#### DISCIPLINE

Any employee, supervisor or agent of the City and County of San Francisco found to have engaged in unlawful discrimination, harassment or retaliation 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 federal and state law, but that, if repeated or allowed to continue,

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may meet that definition. All discipline is under the purview of the Chief of Department.

**RIGHT TO FILE OTHER COMPLAINTS**

This policy shall not alter or affect the right of any person to file a complaint with the United States Equal Employment Opportunity Commission (EEOC), the California Department of Fair Employment and Housing (DFEH), and/or to consult with a private attorney or union representative. Below are the contact information for the EEOC and DFEH.

- EEOC: 1-800-669-4000 or TTY 1-800-669-6820; or online at [www.eeoc.gov](http://www.eeoc.gov)
- DFEH: 1-800-884-1684 or TTY 1-800-700-2320; or online at [www.dfeh.ca.gov](http://www.dfeh.ca.gov)

## APPENDIX A HARASSMENT FREE WORKPLACE POLICY

### Harassment Prohibited

Harassment of City employees on the basis of sex, race, religion, color, national origin, ancestry, disability, medical condition, marital status, sexual orientation, or other protected category is prohibited and unlawful. Harassment consists of unwelcome visual, verbal, or physical conduct engaged in on account of a person's actual or perceived membership in a protected category. Harassment of employees, applicants, or persons providing services to the City by contract, whether by employees or non-employees, is prohibited. This policy applies to all employees and agents of the City, including supervisory and non-supervisory employees.

### Sexual Harassment

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 either explicitly or implicitly as a term or condition of employment;
- submission to or rejection of such conduct by an employee is used as a basis for employment decisions affecting the employee; 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 a sexual nature. 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, suggestive or obscene letters 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 posters, letters; poems, graffiti, cartoons, computer screen savers or drawings).

### Retaliation Prohibited

Retaliation against an individual who reports harassment, files a complaint of harassment or who otherwise opposes or assists in the investigation of a complaint is also prohibited.

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

All employees are encouraged to report harassing, discriminatory, or retaliatory behavior, whether directed at themselves or co-workers. Supervisory employees are required to take corrective action if employees are being subjected to harassment, discrimination or retaliation on

the basis of a protected category. If a complaint of harassment is made to a supervisor, the supervisor must immediately report it to the department's Equal Employment Opportunity (EEO) officer or personnel officer. Any supervisor who receives a complaint of harassment and fails to report it may be subject to disciplinary action. Departments are required to report all complaints of harassment, discrimination, and retaliation to the Human Resources Director within five days of becoming aware of such complaints. Departments are responsible for ensuring that all employees have knowledge of and periodic training regarding this policy.

### Complaint Procedures

Any employee who believes he or she has been harassed in violation of this policy should promptly report the facts of the incident and the individuals involved. To file a complaint of harassment, the employee should contact any of the following:

- the employee's supervisor or other superior;
- the department's EEO officer or Human Resources officer;
- the City's EEO Division in the Department of Human Resources located at 1 So. Van Ness Ave., 4th Flr., San Francisco, CA 94103;
- the Harassment Helpline at (415) 557-4900 or (415) 557-4810 (TTY); or
- the MTA EEO Division at (415) 701-4407 (MTA employees only)

The Human Resources Director is responsible for the investigation and resolution of all discrimination complaints, except those involving the Municipal Transportation Agency (MTA), which shall be investigated and resolved by the MTA. If the Human Resources Director determines that harassment or discrimination has occurred, the City will take appropriate remedial action.

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

- EEOC: 1-800-669-4000 or TTY 1-800-669-6820; or online at [www.eeoc.gov](http://www.eeoc.gov)
- DFEH: 1-800-884-1684 or TTY 1-800-700-2320; or online at [www.dfeh.ca.gov](http://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 unlawful harassment, discrimination or retaliation 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 federal and state 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

APPENDIX B  
SEXUAL HARASSMENT POLICY

1) It is the policy of the City and County of San Francisco that, in accord with State and federal laws, each city employee has the right to work in an environment free of discrimination, including sexual harassment, and that sexual harassment is unacceptable and will not be tolerated in the workplace. The City and County of San Francisco will take all reasonable steps within its control to provide a workplace in which all individuals are treated with respect and dignity. The City and County of San Francisco recognizes that the elimination of sexual harassment in the workplace will create a better working environment, increase productivity, and improve relationships for all employees.

(2) Sexual harassment of a City official or employee is, in accord with State and federal laws, strictly prohibited by another City official or employee. This policy applies to all officials and employees and to all phases of employment, including, but not limited to, recruitment, testing, hiring, promotion or demotion, transfer, layoff, termination and selection for training.

(3) It is further the policy of the City and County of San Francisco to take reasonable steps, in accord with State and federal laws, to provide its employees with a workplace free of sexual harassment by non-employees, including, but not limited to: contractors and subcontractors of the City and County of San Francisco, clients, volunteers, interns, and members of the general public. It is also the policy of the City and County of San Francisco to take reasonable steps to prohibit its City officials and employees, acting within the scope of their official duties and employment, from sexually harassing non-employees, including, but not limited to: contractors and subcontractors of the City and County of San Francisco, clients, volunteers, interns, and members of the general public.

(4) In order to create and maintain a workplace free from sexual harassment of employees, the City and County of San Francisco will, in accord with State and federal laws, take all reasonable steps to:

(A) Set an example through its leadership and management that sexual harassment will not be tolerated;

(B) Train and educate management and public officials as to their responsibility to carry out the policy of the City and County; and

(C) Train and educate employees regarding sexual harassment issues and policy.

(5) It shall be a violation of this policy to engage in harassing conduct that does not meet the definition of sexual harassment under state and federal law, but that, if repeated or allowed to continue, might meet that definition.

(6) Pursuant to the Charter, the sexual harassment discrimination complaint procedure established by the Civil Service Commission and Human Resources Director is available to review and resolve all allegations of sexual harassment. Persons wishing to file a complaint are urged to contact the Human Resources Department Equal Employment Opportunity Unit for copies of the forms and procedures.

(b) Definition.

(1) For purposes of this Section and in accord with federal and State laws, sexual harassment is defined as any unwelcome sexual advance, request for sexual favors and other verbal or physical conduct of a sexual nature or directed at an individual because of his or her sex when:



(A) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or

(B) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting said individual; or

(C) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

(2) Examples of behavior which may, in accord with State and federal laws, constitute sexual harassment, include, but are not limited to, the following:

(A) Acts from male to female, female to male and between individuals of the same sex which are sexual in nature and unwelcome; sexual harassment may be directed against a particular person, persons or group;

(B) Verbal conduct which is sexual in nature and unwelcome, e.g., epithets, jokes, comments or slurs, repeated requests for dates which are unwelcome;

(C) Nonverbal behavior which is sexual in nature and unwelcome, e.g., staring, leering, lewd gestures;

(D) Physical conduct which is sexual in nature and unwelcome, e.g., assault, sexual advances such as touching, patting or pinching, impeding or blocking movement or any physical interference with normal work or movement;

(E) Visual effects which are sexual in nature and unwelcome, e.g., posters or signs, letters, poems, graffiti, faxes, cartoons or drawings, pictures, calendars, electronic mail and computer programs;

(F) Consensual romantic relationships between a supervisor or manager and a subordinate do not constitute sexual harassment per se and are not prohibited by this policy, but may create a potential for conflict or an appearance of impropriety.

(3) For purposes of this Section, retaliation against any official, employee or applicant for employment for having made a good faith complaint or report of sexual harassment, or participating or aiding in an investigation of sexual harassment shall be prohibited. Examples of retaliation may, in accord with State and federal laws, include, but are not limited to, the following:

(A) Transferring the complainant or witness against his or her will;

(B) Ignoring the complainant or witness;

(C) Spreading rumors and innuendoes about the complainant or witness;

(D) Changing work assignments of the complainant or witness without a valid work-related rationale;

(E) Sabotaging of tools, materials or work of the complainant or witness; and

(F) Withholding work-related information from the complainant or witness.

(c) Right to File Other Complaints. This policy shall not alter or affect the right of any person to make a charge of discrimination with any State or federal agency with jurisdiction over such claims, file a grievance under a collective bargaining agreement, or consult a private attorney.

(d) Education and Training. Prevention is the best tool for the elimination of sexual harassment. All City and County commissions, departments, boards and agencies shall provide to each of

their supervisory employees a copy of this ordinance with a written explanation of the most current procedure for filing a complaint. Each appointing officer shall require his or her supervisory personnel to instruct all employees under their supervision of the contents of this ordinance and of the Civil Service and Human Resources Department procedures for filing and processing a complaint. Each appointing officer shall provide to or acquire for its supervisory personnel a periodic training program designed to educate and thereby prevent sexual harassment.

(e) Department of Human Resources Reports.

(1) Quarterly Reports. The Human Resources Director shall provide, on a quarterly basis, to the Commission on the Status of Women a written report on the number of sexual harassment complaints filed and the departments that were involved. The report also shall include information on the dispositions of complaints that are concluded and the status of complaints that are pending. The reports shall not include names or other identifying information regarding the parties or the alleged harassers.

(2) Annual Report. The Human Resources Director shall provide annually to the Mayor, the Board of Supervisors, the Human Rights Commission, and the Commission on the Status of Women a written report on the number of claims of sexual harassment filed, including information on the number of claims pending and the departments in which claims have been filed. The reports shall not include names or other identifying information regarding the parties or the alleged harassers.

(f) Commission on the Status of Women. The Commission on the Status of Women is available to offer technical advice on this City and County policy, assistance and referrals for sexual harassment complainants, technical assistance and additional resources to supervisory employees and managers regarding sexual harassment, and to assist in the prevention of sexual harassment incidents.

(g) The City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, any obligations for which it is liable in money damages or otherwise to any person who claims that such breach proximately caused injury.

## APPENDIX C

### POLICY ON LANGUAGE DIVERSITY

#### Purpose Statement

The City and County of San Francisco finds that the cultural and racial composition of the City and its workforce is among the most diverse in the nation. Therefore, it is desirable to reaffirm its policy, which fosters acceptance and prevents intergroup tensions as related to the use of languages other than English in the provision of public services and the employment of individuals whose primary language is not English.

The City and County of San Francisco reaffirms its equal employment opportunity policy that ensures the opportunity for employment of an ethnically and culturally diverse workforce wherein individuals shall enjoy equal application of the terms and conditions of employment, including the right to speak their primary language.

The City and County of San Francisco recognizes that a workforce that speaks languages other than English enhances the services provided to the City's culturally diverse public by providing efficient and accessible public services to its non-English speaking communities.

In addition, the Equal Access to City Services for Limited English Speakers Ordinance makes it the policy of the City and County of San Francisco to provide equal access to City services to all San Franciscans, including those with limited proficiency in English.

All employees of the City and County of San Francisco are advised that an employee's use of a language other than English is not only an asset in the provision of public services but, with few exceptions, is a legally protected right.

#### Legal Requirements

The policy of the City and County of San Francisco is in compliance with federal guidelines of the U.S. Equal Employment Opportunity Commission, which state that prohibiting employees from speaking their native language in the workplace may result in unlawful national origin discrimination under Title VII of the Civil Rights Act.

A rule which requires employees to speak only English at all times may violate Title VII as a burdensome term and condition of employment since the primary language of an employee is often an essential national origin characteristic. A department may only have a rule requiring that employees speak only English at certain times where an employer:

can show that the rule is justified by business necessity; notifies their employees of the speak-only-English rule and of the general circumstances when speaking only English is required; and notifies employees of the consequences of violating the rule.

There are few circumstances under which a policy will meet the "business necessity" test. Justifications such as "Supervisors can't understand what employees are saying," "English speaking employees suspect that non-English speaking employees are talking about them," and "The policy will enhance public image" are not sufficient to meet the business necessity requirement. Departments must confer with the City Attorney prior to implementing an English-only rule.

#### Dual Responsibility

Supervisors and line employees have a shared responsibility for maintaining a work environment that is comfortable and productive for everyone. Where co-workers or clients express concerns about employees speaking in a language other than English, supervisors should work toward informally resolving these interpersonal difficulties in a constructive and sensitive manner.

In order to assure effective communication during emergencies and constructive discussion of assignments, work performance and work rules, supervisors and employees should expect that any direct communications be conducted in a commonly understood language.

#### Policy Implementation

Each department's appointing officer is responsible for implementation of this Policy on Language Diversity. The Human Resources Director is responsible for ensuring compliance of this policy.

Employees and applicants for employment who believe that they have been subjected to unlawful conduct in violation of this policy may file a complaint with the Department of Human Resources EEO Division under the provisions of Civil Service Commission Rules. Instructions on how to file a complaint are available from the DHR EEO Division located at 44 Gough Street, or by calling 415-557-4900. Complaints may also be filed with the California State Department of Fair Employment and Housing or the United States Equal Employment Opportunity Commission.

#### Distribution of Policy

Appointing Officers and/or Department Heads are responsible for assuring that all employees are aware of this policy. In addition to distributing this policy to all employees, Departments are required to post it in a conspicuous manner on Departmental or employee bulletin boards. Further, this policy is to be included in the Department's new employee orientation.

## APPENDIX D HOW TO FILE A DISCRIMINATION COMPLAINT

### Authority

The authority to investigate complaints of employment discrimination stems from the San Francisco Charter, Section 10.103, and Civil Service Commission Rules (Volume I, Rule 103; Volume II, Rule 203; Volume III, Rule 303; Volume IV, Rule 403). The Human Resources Director is responsible for the review and resolution of complaints. The Director may designate personnel to investigate complaints and make recommendations for resolution.

The role of the Equal Employment Opportunity ("EEO") investigator is that of an objective third party, representing neither the complainant (employee/applicant), nor the respondent (department).

### Complaint Process

**Basis.** Discrimination complaints submitted for investigation must be based on a violation of civil rights on account of one or more of the following: RACE, COLOR, RELIGION, CREED, SEX, NATIONAL ORIGIN, ETHNICITY, AGE, DISABILITY or MEDICAL CONDITION, ACQUIRED IMMUNE DEFICIENCY (AIDS/HIV) or AIDS RELATED CONDITIONS, POLITICAL AFFILIATION, SEXUAL ORIENTATION, ANCESTRY, MARITAL or DOMESTIC PARTNER STATUS, GENDER IDENTITY, PARENTAL STATUS, OTHER NON-MERIT FACTORS.

RETALIATION against any employee or applicant for having made a good faith complaint or report of discrimination, or for participating or aiding in an investigation of employment discrimination is also prohibited.

**Issues.** Actions complained of may include the following: DENIAL OF EMPLOYMENT, DENIAL OF TRAINING, DENIAL OF PROMOTION, DENIAL OF REASONABLE ACCOMMODATION (for disability or religion), TERMINATION, LAY-OFF, CONSTRUCTIVE DISCHARGE, DISCIPLINARY ACTION, HARASSMENT, WORK ASSIGNMENT, SEXUAL HARASSMENT and COMPENSATION.

Other issues, such as a disagreement regarding Department rules or regulations affecting working conditions, may be subject to review through the Employee Grievance procedure.

**Filing.** Submit a letter or other document that describes your complaint of discrimination. You may wish to contact the EEO Office in your department or in the Department of Human Resources, or your employee representative, to assist you in submitting a complaint. The number for the Department of Human Resources is 415-557-4800. All complaints must be signed by the person making the complaint and sent to:

Director, Department of Human Resources  
Attention: EEO Division  
One South Van Ness, 4<sup>th</sup> Floor  
San Francisco, CA 94103

The letter of complaint should include the following:

1. Name, address and daytime phone number;
2. The basis for the complaint: i.e. race, religion, etc.;
3. The discriminatory action: i.e., denial of employment or reasonable accommodation, termination, etc.;

5. The date(s) the alleged discriminatory action(s) took place;
5. The City and County department and work unit accused of discrimination;
6. The names of the individuals accused of discrimination;
7. The names and daytime phone numbers of any witnesses to the alleged discriminatory action;
8. A detailed explanation of the sequence of events which you believe to be discriminatory; and,
9. The specific action you are seeking to correct the alleged discrimination.

If you are a current City and County employee, please also include your current Civil Service classification and the department where you are employed.

Complaints of sexual harassment may also be made by calling the Department of Human Resources Harassment Helpline at 415-557-4900.

**Filing Deadline.** Letters of complaint must be filed within one hundred eighty (180) calendar days of the date the discriminatory action or the alleged harassment took place, or the date the employee/applicant should have first become aware of the violation. A complaint is considered filed on the date it is received by the Department of Human Resources. Therefore, time is an important factor when filing a complaint.

**Investigation.** The Human Resources Director may refer the complaint to an EEO investigator to review for timeliness and jurisdiction. The investigator will then contact the person filing the complaint, either by mail or phone, to schedule an intake interview. Intake interviews afford the investigator an opportunity to clarify the issues involved and also allow the person filing the complaint an opportunity to present the complaint in more detail.

The investigation may include reviewing and obtaining copies of relevant documents such as personnel files, attendance reports and performance evaluations; interviewing co-workers and supervisors; and other actions considered necessary in order to obtain relevant information.

It is important to remember that the individual who brings the complaint is responsible for substantiating the charges. Therefore, it is necessary to cooperate with the investigator by providing any written material, names of individuals to interview or any other information that would assist the investigation.

**Note:** During the intake interview, the entire complaint process will be explained in more detail by the assigned investigator. Any questions regarding the process can be asked during the intake interview.

**Alternative Dispute Resolution.** Complainants may be asked to consider resolving their complaint through an alternative dispute resolution process facilitated by trained staff.

**Human Resources Director's Action and Appeal Procedures.** The Human Resources Director will review the complaint and investigative report, and shall make a finding on the charges. The Director's determination will be sent to the complainant and respondent department and shall be final, unless it is appealed to the Civil Service Commission and is reversed or modified.

SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER


File Code 15 A-43  
September 11, 2015

FROM: Chief of Department  
TO: Distribution List "A"  
SUBJECT: EEO Policy and Complaint Procedure  
REFERENCE: Rules & Regulations, Sec. 402  
ENCLOSURE: Attachment "A" – Acknowledgement Roster  
Attachment "B" – SFFD EEO Policy and Complaint Process

Officer Endorsement:  
Sec. 1108--R.&R.

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1. The San Francisco Fire Department, in support of and compliance with the City's policies on discrimination, reiterates its position that there shall be no discrimination or harassment of any kind against any employee.
2. All SFFD employees shall follow the enclosed policy for matters related to EEO complaints of discrimination, harassment and/or retaliation.
3. The Department reiterates the following key points in the policy:
  - SFFD Officers/Supervisors who learn of a possible EEO discrimination complaint are to immediately report the matter to the SFFD Human Resources Division. The report may be made verbally or in writing, and is to occur within 24 hours, or the next business day following a weekend or holiday.
  - To file a complaint of discrimination, the employee should promptly report, verbally or in writing, the alleged EEO violation to any of the following:
    - SFFD Human Resources Division;
    - DHR Equal Employment Opportunity (EEO) Division;
    - Immediate supervisor or other superior. However, the Complainant does not have to follow the Chain of Command in reporting alleged EEO violations. The Complainant can choose to report the matter directly to either one of the two offices above.
4. All Supervisors, Officers, and Chief Officers are to have each member/employee of his/her Company/Unit sign the enclosed roster acknowledging having read and receipt of this order and submit the completed signing of the roster no later than Friday, October 30, 2015 to the Deputy Chief of Operations.
5. Rescind and remove copies of General Order 09 A-58, and replace with this General Order.

  
 Joanne Hayes-White  
 Chief of Department





SAN FRANCISCO



FIRE DEPARTMENT

EEO POLICY  
&  
COMPLAINT PROCESS

Joanne Hayes White  
Chief of Department

SEPTEMBER 2015

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#### PURPOSE

The purpose of this policy is to reaffirm that the San Francisco Fire Department (SFFD) is committed to providing a work environment free of discrimination and to ensure that SFFD employees understand the City and County of San Francisco's policy regarding equal employment opportunity (EEO) and the process for reporting and resolving EEO discrimination complaints.

#### EQUAL EMPLOYMENT OPPORTUNITY POLICY

In accordance with the San Francisco (S.F.) Charter, the S.F. Administrative Code, and the Civil Service Commission rules, it is the policy of the City and County of San Francisco and the SFFD that all persons have equal opportunity in employment. No employee or applicant shall be discriminated against in employment or opportunity for employment.

There shall be no discrimination in the workplace. Discrimination is a violation of civil rights on account of protected categories provided by law.

It is also the policy of the City and County of San Francisco that no employee or applicant shall be discriminated against, retaliated against or harassed because such employee or applicant has complained of or opposed any discriminatory practice prohibited in this policy or made a complaint, testified, supplied evidence, assisted or participated in any manner in any investigation, proceeding, or hearing under these procedures.

Pursuant to the S.F. Charter, the Director of the Department of Human Resources (DHR Director) is responsible for the review and resolution of complaints of employment discrimination. Discipline is under the purview of the Chief of Department.

#### A. Discrimination

Discrimination means violations of civil rights on account of one or more protected categories, which include:

- Race
- Color
- Religion
- Creed
- Sex
- National Origin
- Ethnicity
- Age
- Disability or Medical Condition
- AIDS/HIV or Aids Related Conditions
- Political Affiliations
- Sexual orientation
- Ancestry
- Marital or Domestic Partner Status
- Gender Identity
- Parental Status
- Other non-merit factors, including any category provided for by ordinance.

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### Gender Identity and Sexual Orientation

It is important to understand not only the definitions of relevant terminology, but also and more importantly, what it means for the individual to have a particular sense of self-regard within these protected categories.

- Gender identity is defined as an internal sense of gender, which may be different from one's assigned sex at birth, that is, an individual's biological and physiological characteristics at birth. Transgender is the umbrella term to describe individuals whose gender identity is different from their assigned sex at birth.
- Sexual orientation is defined as an individual's physical, emotional and/or romantic attraction to persons of the same and/or different gender.
- Gender identity and sexual orientation are separate and distinct identities.

In interacting with colleagues and/or with individuals within the SFFD's and/or the City and County of San Francisco's response and service communities and overall citizenry, it is imperative that all individuals are treated with dignity, respect, professionalism and equity. SFFD employees shall NOT single out, mistreat and/or ridicule any member of the LGBTQ (Lesbian, Gay, Bi-sexual, Transgender, Queer or Questioning) communities. SFFD shall use the proper pronoun for the individual's gender identification. When in doubt, SFFD shall politely ask the individual how he/she would like to be addressed.

The adverse actions or issues complained of may include the following:

- Denial of employment
- Denial of training
- Denial of promotion
- Denial of reasonable accommodation (for disability or religion)
- Termination
- Disciplinary action
- Harassment
- Sexual Harassment
- Work Assignment
- Layoff
- Constructive Discharge
- Compensation

#### B. Harassment

The City and County of San Francisco and the SFFD strictly prohibit all forms of unlawful harassment, including sexual harassment and hostile work environment harassment.

Sexual Harassment or *Quid Pro Quo* is where the complainant is subject to a request of a sexual nature, the request is unwelcome, and the request is a condition of employment.

Hostile Work Environment Harassment is unwelcome, offensive conduct on account of an individual's (or group of individuals) membership in a protected category that is sufficiently severe or pervasive as to alter the condition of the individual's employment and create a hostile working environment.

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Unlawful harassment may take many forms including, but not limited to:

**Verbal Conduct**, such as epithets, derogatory comments, unwelcome jokes or stories, slurs, unwelcome advances or invitations, requests for sexual favors, or harassing phone calls, which are directed at an individual (or group of individuals) because of his or her membership in a protected category.

**Visual Conduct**, such as derogatory or offensive posters, cartoons, bulletins or drawings, or electronic mail transmissions, which are directed at an individual (or group of individuals) because of his or her membership in a protected category. This includes the use of Department equipment and station equipment (even those pieces of equipment purchased by each individual "house," including but not limited to computers, televisions, etc.).

**Physical Conduct**, such as assault, blocking normal movement, leering or lewd gestures, or physical interference with work, which are directed at an individual (or group of individuals) because of his or her membership in a protected category.  
(Refer to Harassment Free Workplace Policy - Appendix A)

### C. Retaliation

Retaliation occurs when an individual is subject to an adverse employment action by the employer because the individual engaged in a protected activity. Under this theory of discrimination, the complainant need not be a member of a protected category; he or she need only have engaged in a protected activity.

Protected activity includes opposing a practice forbidden by the Charter's discrimination provisions, or participating in activity protected by the Charter's discrimination provisions, such as filing a charge, testifying, assisting or participating in any manner in an investigation proceeding or hearing pursuant to the Charter's discrimination provisions.



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### HOW TO FILE A COMPLAINT

Per Civil Service Commission Rules, Section 103.3.1/303.3.1, "Any employee or applicant may file a complaint alleging that he or she has been discriminated against as a result of any employment decision made by any agency, department, or commission of the City and County of San Francisco on the basis of any protected category identified in Section 103.1.2 [303.1.2] of this Rule. Any employee or applicant may file a complaint alleging that he or she has been retaliated against in violation of this Rule and any such complaint shall be filed and processed in the same manner as other discrimination complaints under this Rule."

#### A. Where to File

Any employee, who believes he or she has been discriminated against, should promptly report the facts of the incident and the individuals involved.

To file an EEO discrimination complaint, the employee should report the alleged violation to any of the following:

- SFFD Human Resources Division office at SFFD Headquarters, 698 Second Street, Room 209, San Francisco, CA 94107 and /or at 415 558-3615; or
- DHR Equal Employment Opportunity (EEO) Division at One South Van Ness, 4<sup>th</sup> Floor, San Francisco, CA 94103 and/or Harassment Helpline: 415-557-4900 or TTY at 415 557-4810; or
- Immediate supervisor or other superior. However, there is NO requirement to follow the chain of command in reporting alleged EEO violations. The complainant can choose to report the matter directly to either one of the two offices above.

#### B. Filing Deadline

An EEO discrimination complaint must be filed within 180 calendar days of the alleged discriminatory action or alleged harassment, or the date the complainant should have first become aware of the alleged violation. A complaint is considered filed on the date it is received by DHR or the SFFD.

#### C. Complaint Description

A complaint may be filed through a detailed letter covering the areas below. A complaint may also be filed with the assistance of the SFFD Human Resources Division, based on information gained from a preliminary interview of the complainant.

Written complaints should include the following areas:

(Refer to How to File an EEO Discrimination Complaint - Appendix D)

1. Personal information: name, address and daytime phone number;
2. Basis or protected category, i.e., the reason you think this occurred;
3. The discriminatory action, i.e., denial of employment or reasonable accommodation, termination, etc.;

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4. The date(s) the alleged discriminatory action(s) took place;
5. The names of the individuals accused of discrimination, and their work location(s);
6. The names and daytime phone numbers of any witnesses to the alleged discriminatory action;
7. A detailed explanation of the sequence of events which you believe to be discriminatory; and,
8. The specific action you are seeking to correct the alleged discrimination.

#### RESPONSIBILITIES OF SFFD OFFICERS/SUPERVISORS

##### A. Immediate Reporting Required

SFFD Officers/Supervisors who learn of a possible EEO discrimination complaint are to immediately report the matter directly to the SFFD Human Resources Division. The report may be made verbally or in writing, and is to occur within 24 hours, or the next business day following a weekend or holiday.

The SFFD Human Resources Division shall report the complaint to the DHR EEO Division within five business days from the date it was first received/reported.

Any Officer/Supervisor who receives notice of an EEO discrimination complaint and fails to report it may be subject to disciplinary action.

##### B. Immediate Corrective Action

The SFFD Officer/Supervisor who learns of a possible EEO discrimination complaint may consider to take immediate corrective action if there is a need to diffuse the situation and provide some initial remedy, as appropriate. For assistance, it is recommended that the Officer/Supervisor contact the SFFD Human Resources Division during business hours or the appropriate Division Chief after business hours or on weekends/holidays.

##### C. Direct Chain of Command to SFFD Human Resources Division

For reporting of EEO discrimination complaints, the chain of command is from the Complainant directly to the SFFD Human Resources Division or DHR EEO Division, or from the SFFD Officer/Supervisor who learns of the complaint directly to the SFFD Human Resources Division. Neither the Complainant nor the SFFD Officer / Supervisor who learns of the complaint is required to follow the Fire Department Chain of Command for reporting alleged EEO violations.

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#### COMPLAINT PROCESS

All EEO discrimination complaints are subject to review by DHR EEO Division staff. DHR EEO may decide to take one or more of the following actions, which will be communicated to the complainant:

- the complaint will be investigated;
- the complaint will be reviewed for resolution through Alternative Dispute Resolution (ADR) or settlement; and/or,
- the complaint will be administratively closed for lack of jurisdiction.

If a complaint is assigned to investigation, the accused and the Chief of Department shall be notified accordingly. The purpose of the investigation is to collect facts and gather data. The investigation may include interviews; review of documents, records and data; site visits, etc.

Alternative Dispute Resolution (ADR) may be pursued, with the facilitation of trained staff, if both the complainant and the respondent are willing to participate.

Closure of a complaint by DHR does not preclude review under the SFFD's administrative processes, i.e., review of possible SFFD rule violations.

#### RESPONSIBILITIES OF SFFD EMPLOYEES DURING DHR INVESTIGATION

All SFFD employees are required to participate and be truthful in DHR's investigation of any EEO discrimination complaint. In addition, it is the responsibility of SFFD employees to keep such matters confidential, with disclosure only to those with a legitimate business reason to know.

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### DHR DIRECTOR'S REVIEW AND RESOLUTION OF EEO DISCRIMINATION COMPLAINTS

The DHR Director shall issue a determination on the charges to the complainant and the Chief of Department. This determination may take the following forms:

- For Cause, if the complaint of discrimination is sustained;
- Dismissal, for insufficient evidence, or;
- Administrative Closure for no prima facie showing, settlement of complaint, successful ADR, untimely issues, etc.

The DHR Director may also make recommendations for corrective action to the Chief of Department.

The SFFD will inform the accused of the decision of the DHR Director and determine if any other SFFD rules were possibly violated, and if any additional action should be taken.

**ENFORCEMENT OF DHR DIRECTOR'S DETERMINATION/RIGHT TO APPEAL**  
Pursuant to the S.F. Charter, the decision of the DHR Director shall be enforced by every employee and officer, unless the decision is appealed to the Civil Service Commission, and is reversed.

The complainant, accused, and SFFD have a right to appeal the decision of the DHR Director to the Civil Service Commission.

### DISCIPLINE

Any employee, supervisor or agent of the City and County of San Francisco found to have engaged in unlawful discrimination, harassment or retaliation 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 federal and state law, but that, if repeated or allowed to continue, may meet that definition. All discipline is under the purview of the Chief of Department.

### RIGHT TO FILE OTHER COMPLAINTS

This policy shall not alter or affect the right of any person to file a complaint with the United States Equal Employment Opportunity Commission (EEOC), the California Department of Fair Employment and Housing (DFEH), and/or to consult with a private attorney or union representative. Below are the contact information for the EEOC and DFEH.

- EEOC: 1-800-669-4000 or TTY 1-800-669-6820; or online at [www.eeoc.gov](http://www.eeoc.gov)
- DFEH: 1-800-884-1684 or TTY 1-800-700-2320; or online at [www.dfeh.ca.gov](http://www.dfeh.ca.gov)



## HARASSMENT-FREE WORKPLACE POLICY

### Harassment Prohibited

Harassment of City employees on the basis of sex, race, age, religion, color, national origin, ancestry, disability, medical condition, marital status, sexual orientation, gender identity or other protected category is prohibited and unlawful. Harassment consists of unwelcome visual, verbal, or physical conduct engaged in on account of a person's actual or perceived membership in a protected category. Harassment of employees, applicants, or persons providing services to the City by contract, whether by employees or non-employees, is prohibited. This policy applies to all employees and agents of the City, including supervisory and non-supervisory employees.

### Sexual Harassment

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 either explicitly or implicitly as a term or condition of employment;
- submission to or rejection of such conduct by an employee is used as a basis for employment decisions affecting the employee; 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 a sexual nature. 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, 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 posters, letters, poems, emails, graffiti, cartoons, computer screen savers or drawings).

### Retaliation Prohibited

Retaliation against an individual who reports harassment, files a complaint of harassment or who otherwise opposes or who assists in the investigation of a complaint is also prohibited.

**Responsibility for Responding to and Reporting Harassment, Discrimination and Retaliation**  
All employees are encouraged to report harassing, discriminatory, or retaliatory behavior, whether directed at themselves or at co-workers. Supervisory employees are required to take corrective action if employees are subjected to harassment, discrimination or retaliation on the basis of a protected category.

If a complaint of harassment is made to a supervisor, the supervisor must immediately report it to the department's Equal Employment Opportunity (EEO) officer or personnel officer. Any supervisor who receives a complaint of harassment and fails to report it may be subject to disciplinary action. Departments are required to report all complaints of harassment, discrimination, and retaliation to the Human Resources Director within five days of becoming aware of such complaints. Departments are responsible for ensuring that all employees have knowledge of and periodic training regarding this policy.

#### Complaint Procedures

Any employee who believes he or she has been harassed in violation of this policy should promptly report the facts of the incident and the individuals involved. To file a complaint of harassment, the employee should contact any of the following:

- the employee's supervisor or other superior;
- the department's EEO officer or Human Resources officer;
- the City's EEO Division in the Department of Human Resources located at 1 So. Van Ness Ave., 4<sup>th</sup> Flr., San Francisco, CA 94103;
- the Harassment Helpline at (415) 557-4900 or (415) 557-4810 (TTY); or
- the MTA EEO Division at (415) 701-4407 (MTA employees and applicants only)

The Human Resources Director is responsible for the investigation and resolution of all discrimination complaints, except those involving the Municipal Transportation Agency (MTA), which shall be investigated and resolved by the MTA. If the Human Resources Director determines that harassment or discrimination has occurred, the City will take appropriate remedial action.

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

- EEOC: 1-800-669-4000 or TTY 1-800-669-6820; or online at [www.eeoc.gov](http://www.eeoc.gov)
- DFEH: 1-800-884-1684 or TTY 1-800-700-2320; or online at [www.dfeh.ca.gov](http://www.dfeh.ca.gov)

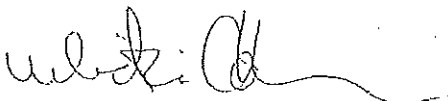
Remedies available through these agencies include hiring or reinstatement, back pay or promotion, fines or damages for emotional distress, and changes in the policies or practices of the employer.

#### Discipline

Any employee, supervisor or agent of the City found to have engaged in unlawful harassment, discrimination or retaliation 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 federal and state 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



*City and County of San Francisco*  
*Department of Human Resources*  
*Sexual Harassment Policy*

(1) It is the policy of the City and County of San Francisco that, in accord with State and federal laws, each city employee has the right to work in an environment free of discrimination, including sexual harassment, and that sexual harassment is unacceptable and will not be tolerated in the workplace. The City and County of San Francisco will take all reasonable steps within its control to provide a workplace in which all individuals are treated with respect and dignity. The City and County of San Francisco recognizes that the elimination of sexual harassment in the workplace will create a better working environment, increase productivity, and improve relationships for all employees.

(2) Sexual harassment of a City official or employee is, in accord with State and federal laws, strictly prohibited by another City official or employee. This policy applies to all officials and employees and to all phases of employment, including, but not limited to, recruitment, testing, hiring, promotion or demotion, transfer, layoff, termination and selection for training.

(3) It is further the policy of the City and County of San Francisco to take reasonable steps, in accord with State and federal laws, to provide its employees with a workplace free of sexual harassment by non-employees, including, but not limited to: contractors and subcontractors of the City and County of San Francisco, clients, volunteers, interns, and members of the general public. It is also the policy of the City and County of San Francisco to take reasonable steps to prohibit its City officials and employees, acting within the scope of their official duties and employment, from sexually harassing non-employees, including, but not limited to: contractors and subcontractors of the City and County of San Francisco, clients, volunteers, interns, and members of the general public.

(4) In order to create and maintain a workplace free from sexual harassment of employees, the City and County of San Francisco will, in accord with State and federal laws, take all reasonable steps to:

(A) Set an example through its leadership and management that sexual harassment will not be tolerated;

(B) Train and educate management and public officials as to their responsibility to carry out the policy of the City and County; and

(C) Train and educate employees regarding sexual harassment issues and policy.

(5) It shall be a violation of this policy to engage in harassing conduct that does not meet the definition of sexual harassment under state and federal law, but that, if repeated or allowed to continue, might meet that definition.

(6) Pursuant to the Charter, the sexual harassment discrimination complaint procedure established by the Civil Service Commission and Human Resources Director is available to review and resolve all allegations of sexual harassment. Persons wishing to file a complaint are urged to contact the Human Resources Department Equal Employment Opportunity Unit for copies of the forms and procedures.

(C) Spreading rumors and innuendoes about the complainant or witness;

(D) Changing work assignments of the complainant or witness without a valid work-related rationale;

(E) Sabotaging of tools, materials or work of the complainant or witness; and

(F) Withholding work-related information from the complainant or witness.

(c) Right to File Other Complaints. This policy shall not alter or affect the right of any person to make a charge of discrimination with any State or federal agency with jurisdiction over such claims, file a grievance under a collective bargaining agreement, or consult a private attorney.

(d) Education and Training. Prevention is the best tool for the elimination of sexual harassment. All City and County commissions, departments, boards and agencies shall provide to each of their supervisory employees a copy of this ordinance with a written explanation of the most current procedure for filing a complaint. Each appointing officer shall require his or her supervisory personnel to instruct all employees under their supervision of the contents of this ordinance and of the Civil Service and Human Resources Department procedures for filing and processing a complaint. Each appointing officer shall provide to or acquire for its supervisory personnel a periodic training program designed to educate and thereby prevent sexual harassment.

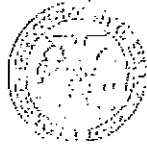
(e) Department of Human Resources Reports.

(1) Quarterly Reports. The Human Resources Director shall provide, on a quarterly basis, to the Commission on the Status of Women a written report on the number of sexual harassment complaints filed and the departments that were involved. The report also shall include information on the dispositions of complaints that are concluded and the status of complaints that are pending. The reports shall not include names or other identifying information regarding the parties or the alleged harassers.

(2) Annual Report. The Human Resources Director shall provide annually to the Mayor, the Board of Supervisors, the Human Rights Commission, and the Commission on the Status of Women a written report on the number of claims of sexual harassment filed, including information on the number of claims pending and the departments in which claims have been filed. The reports shall not include names or other identifying information regarding the parties or the alleged harassers.

(f) Commission on the Status of Women. The Commission on the Status of Women is available to offer technical advice on this City and County policy, assistance and referrals for sexual harassment complainants, technical assistance and additional resources to supervisory employees and managers regarding sexual harassment, and to assist in the prevention of sexual harassment incidents.

(g) The City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, any obligations for which it is liable in money damages or otherwise to any person who claims that such breach proximately caused injury. (Added by Ord. 441-96, App. 11/22/96; amended by Ord. 149-00, File No. 000696, App. 6/30/2000)



## **Department of Human Resources Policy on Language Diversity**

### **Purpose Statement**

The City and County of San Francisco finds that the cultural and racial composition of the City and its workforce is among the most diverse in the nation. Therefore, it is desirable to reaffirm its policy, which fosters acceptance and prevents intergroup tensions as related to the use of languages other than English in the provision of public services and the employment of individuals whose primary language is not English.

The City and County of San Francisco reaffirms its equal employment opportunity policy that ensures the opportunity for employment of an ethnically and culturally diverse workforce wherein individuals shall enjoy equal application of the terms and conditions of employment, including the right to speak their primary language.

The City and County of San Francisco recognizes that a workforce that speaks languages other than English enhances the services provided to the City's culturally diverse public by providing efficient and accessible public services to its non-English speaking communities.

In addition, the Equal Access to City Services for Limited English Speakers Ordinance makes it the policy of the City and County of San Francisco to provide equal access to City services to all San Franciscans, including those with limited proficiency in English.

All employees of the City and County of San Francisco are advised that an employee's use of a language other than English is not only an asset in the provision of public services but, with few exceptions, is a legally protected right.

### **Legal Requirements**

The policy of the City and County of San Francisco is in compliance with federal guidelines of the U.S. Equal Employment Opportunity Commission, which state that prohibiting employees from speaking their native language in the workplace may result in unlawful national origin discrimination under Title VII of the Civil Rights Act.

A rule which requires employees to speak only English at all times may violate Title VII as a burdensome term and condition of employment since the primary language of an employee is often an essential

national origin characteristic. A department may only have a rule requiring that employees speak only English at certain times where an employer:

can show that the rule is justified by business necessity; notifies their employees of the speak-only-English rule and of the general circumstances when speaking only English is required; and notifies employees of the consequences of violating the rule.

There are few circumstances under which a policy will meet the "business necessity" test. Justifications such as "Supervisors can't understand what employees are saying," "English speaking employees suspect that non-English speaking employees are talking about them," and "The policy will enhance public image" are not sufficient to meet the business necessity requirement. Departments must confer with the City Attorney prior to implementing an English-only rule.

### **Dual Responsibility**

Supervisors and line employees have a shared responsibility for maintaining a work environment that is comfortable and productive for everyone. Where co-workers or clients express concerns about employees speaking in a language other than English, supervisors should work toward informally resolving these interpersonal difficulties in a constructive and sensitive manner.

In order to assure effective communication during emergencies and constructive discussion of assignments, work performance and work rules, supervisors and employees should expect that any direct communications be conducted in a commonly understood language.

### **Policy Implementation**

Each department's appointing officer is responsible for implementation of this Policy on Language Diversity. The Human Resources Director is responsible for ensuring compliance of this policy.

Employees and applicants for employment who believe that they have been subjected to unlawful conduct in violation of this policy may file a complaint with the Department of Human Resources EEO Division under the provisions of Civil Service Commission Rules. Instructions on how to file a complaint are available from the DHR EEO Division located at 44 Gough Street, or by calling 415-557-4900. Complaints may also be filed with the California State Department of Fair Employment and Housing or the United States Equal Employment Opportunity Commission.

**Distribution Of Policy**

Appointing Officers and/or Department Heads are responsible for assuring that all employees are aware of this policy. In addition to distributing this policy to all employees, Departments are required to post it in a conspicuous manner on Departmental or employee bulletin boards. Further, this policy is to be included in the Department's new employee orientation.

Amended and Reissued: 08/23/2002

## CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF HUMAN RESOURCES

### HOW TO FILE A DISCRIMINATION COMPLAINT

#### AUTHORITY:

The authority to investigate complaints of employment discrimination stems from the San Francisco Charter, Section 10.103, and Civil Service Commission Rules (Volume 1, Rule 103; Volume II, Rule 203; Volume III, Rule 303; Volume IV, Rule 403). The Human Resources Director is responsible for the review and resolution of complaints. The Director may designate personnel to investigate complaints and make recommendations for resolution.

The role of the Equal Employment Opportunity ("EEO") investigator is that of an objective third party, representing neither the complainant (employee/applicant), nor the respondent (department).

#### COMPLAINT PROCESS:

**Basis:** Discrimination complaints submitted for investigation must be based on a violation of civil rights on account of one or more of the following: RACE, COLOR, RELIGION, CREED, SEX, NATIONAL ORIGIN, ETHNICITY, AGE, DISABILITY or MEDICAL CONDITION, ACQUIRED IMMUNE DEFICIENCY (AIDS/HIV) or AIDS RELATED CONDITIONS, POLITICAL AFFILIATION, SEXUAL ORIENTATION, ANCESTRY, MARITAL or DOMESTIC PARTNER STATUS, GENDER IDENTITY, PARENTAL STATUS, OTHER NON-MERIT FACTORS.

RETALIATION against any employee or applicant for having made a good faith complaint or report of discrimination, or for participating or aiding in an investigation of employment discrimination is also prohibited.

**Issues:** Actions complained of may include the following: DENIAL OF EMPLOYMENT, DENIAL OF TRAINING, DENIAL OF PROMOTION, DENIAL OF REASONABLE ACCOMMODATION (for disability or religion), TERMINATION, LAY-OFF, CONSTRUCTIVE DISCHARGE, DISCIPLINARY ACTION, HARASSMENT, WORK ASSIGNMENT, SEXUAL HARASSMENT and COMPENSATION.

Other issues, such as a disagreement regarding Department rules or regulations affecting working conditions, may be subject to review through the Employee Grievance procedure.

**Filing:** Submit a letter or other document that describes your complaint of discrimination. You may wish to contact the EEO Office in your department or in the Department of Human Resources, or your employee representative, to assist you in submitting a complaint. The number for the Department of Human Resources is 415-557-4800. All complaints must be signed by the person making the complaint and sent to:

Director, Department of Human Resources  
Attention: EEO Division  
One South Van Ness, 4<sup>th</sup> Floor  
San Francisco, CA 94103



The letter of complaint should include the following:

1. Name, address and daytime phone number;
2. The basis for the complaint: i.e. race, religion, etc.;
3. The discriminatory action: i.e., denial of employment or reasonable accommodation, termination, etc.;
4. The date(s) the alleged discriminatory action(s) took place;
5. The City and County department and work unit accused of discrimination;
6. The names of the individuals accused of discrimination;
7. The names and daytime phone numbers of any witnesses to the alleged discriminatory action;
8. A detailed explanation of the sequence of events which you believe to be discriminatory; and,
9. The specific action you are seeking to correct the alleged discrimination.

If you are a current City and County employee, please also include your current Civil Service classification and the department where you are employed.

Complaints of sexual harassment may also be made by calling the Department of Human Resources Harassment Helpline at 415-557-4900.

**Filing Deadline:**

Letters of complaint must be filed within one hundred eighty (180) calendar days of the date the discriminatory action or the alleged harassment took place, or the date the employee/applicant should have first become aware of the violation. A complaint is considered filed on the date it is received by the Department of Human Resources. Therefore, time is an important factor when filing a complaint.

**Investigation:**

The Human Resources Director may refer the complaint to an EEO investigator to review for timeliness and jurisdiction. The investigator will then contact the person filing the complaint, either by mail or phone, to schedule an intake interview. Intake interviews afford the investigator an opportunity to clarify the issues involved and also allow the person filing the complaint an opportunity to present the complaint in more detail.

The investigation may include reviewing and obtaining copies of relevant documents such as personnel files, attendance reports and performance evaluations; interviewing co-workers and supervisors; and other actions considered necessary in order to obtain relevant information.

It is important to remember that the individual who brings the complaint is responsible for substantiating the charges. Therefore, it is necessary to cooperate with the investigator by providing any written material, names of individuals to interview or any other information that would assist the investigation.

Note: During the intake interview, the entire complaint process will be explained in more detail by the assigned investigator. Any questions regarding the process can be asked during the intake interview.

**Alternative Dispute Resolution:**

Complainants may be asked to consider resolving their complaint through an alternative dispute resolution process facilitated by trained staff.

Human Resources Director's Action and Appeal Procedures:

The Human Resources Director will review the complaint and investigative report, and shall make a finding on the charges. The Director's determination will be sent to the complainant and respondent department and shall be final, unless it is appealed to the Civil Service Commission and is reversed or modified.

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Revised October 2000

## Article 39. General Rules

7. All assignments made by the Chief of Department may be revoked by the Chief of Department and reassignments made for the good of the service.
8. All vacancies in companies and units shall be advertised in the stations of the Department as provided in the Procedure Guide.

**3954. EXCHANGES OF TOURS OF DUTY**

Members may be granted the privilege of exchanging tours-of-duty with officers or members of equal grade or responsibility assigned to other tours or to services requiring continuous operation.

The procedures necessarily required to limit, control, delegate approval or disapproval for, and record such exchanges of tours-of-duty, will be as directed by the Chief of Department and contained in the Procedure Guide. Chief Officers and company officers shall be held strictly and personally responsible for proper application of the procedures authorized to supplement this rule.

**3955. GRIEVANCES**

Procedures adopted by the Civil Service Commission and designated as Rule 18 thereof, shall form the basis for resolving applicable and properly reported grievances within the Fire Department.

**3956. SAFETY RULES**

The neglect or failure upon the part of any officer or member after first offense warning, to follow safety rules and regulations or to use protective devices and equipment properly, as elsewhere prescribed by rule, regulation, or order, shall constitute disobedience.

**3957. MINIMUM PERFORMANCE AND FITNESS STANDARDS**

Members shall meet minimum performance and fitness standards as set forth in the Procedure Guide. Physical and performance testing is mandatory: other portions of the program are optional.

**3958. DISCRIMINATION AND HARASSMENT PROHIBITED**

Federal, State and Local Laws and Ordinances, and San Francisco Fire Department Policy prohibit discrimination and harassment in any form.

Members shall not discriminate or harass on the basis of race, color, religion, sex, national origin, ethnicity, ancestry, age, political affiliation, sexual orientation, marital status, physical handicap or medical condition.

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## ARTICLE 9: DIVISION CHIEFS

### 901. DIVISION CHIEFS

Division Chiefs, of the rank of H-50, Assistant Chief, shall be the executive officers of their respective divisions. They shall administer their divisions in conformity with the rules and regulations, orders of the Department, and the policies and procedures prescribed by the Chief of Department.

### 902. ACCOUNTABILITY

Division chiefs shall be held accountable for maintaining a work environment that promotes harmony, respect for each person, and is free from harassment, discrimination, and retaliation. They shall note particularly that subordinate officers are aggressively ensuring compliance with the Rules and Regulations, and policies of the Department.

### 903. DIVISION COMMANDER

The Division Commander of each Division shall be designated by the Chief of Department with due regard for seniority.

### 904. DUTIES

Division Chiefs shall perform their duties under the direction of the Chief of Department or the Deputy Chiefs and shall be responsible to the Chief of Department for the proper execution of such duties.

### 905. RESPONSIBILITIES

They shall be responsible for the general condition, the discipline, and the efficiency of the divisions under their charge and shall require strict enforcement of the Rules and Regulations and of the orders and instructions of the Chief of Department.

### 906. RESPONSE

They shall respond to all alarms of fire or other emergencies assigned to them and shall remain in charge until relieved by the Chief of Department or the Deputy Chief Operations upon their arrival.

### 907. INSPECTIONS

Every four months they shall inspect each district in their division. During such inspections they shall carefully inspect the personnel, journals, apparatus, records, equipment, and general condition of the stations. Immediately thereafter they shall submit a report thereon in writing to the Deputy Chief Operations.

## ARTICLE 10. BATTALION CHIEFS

### 1001. BATTALION CHIEF

Battalion Chiefs shall be in charge of all companies and staffed Department buildings in their assigned districts. They shall administer their battalion districts in conformity with the rules and regulations, orders of the Department, and the policies and procedures prescribed by the Chief of Department.

### 1002. ACCOUNTABILITY

Battalion Chiefs shall be held accountable for maintaining a work environment that promotes harmony, respect for each person, and is free from harassment, discrimination and retaliation. They shall note particularly that subordinate officers are aggressively ensuring compliance with the Rules and Regulations and policies of the Department. They shall regularly confer with company officers under their supervision and shall provide assistance and support to company officers in implementing and enforcing the Rules and Regulations and policies of the Department.

### 1003. BATTALION COMMANDER

The Battalion Commander shall be designated by the Chief of Department, and be so recognized at all times, with due regard for seniority.

### 1004. COMPANY EFFICIENCY

They shall be responsible for the operational efficiency of the companies within their districts and for the proper maintenance of stations, apparatus, tools and equipment.

### 1005. COMPLIANCE WITH RULES & REGULATIONS

They shall require all officers and members under their charge to comply with the rules, regulations and orders of the Department. They shall promptly investigate all violations of discipline committed in their presence or reported to them. Following such investigation, they shall promptly notify the Division Chief in charge and submit a written report to the Chief of Department concerning the incident.

### 1006. STRENGTH OF DISTRICT

At the beginning of each tour of duty they shall ascertain the numerical strength of their district. They shall balance the companies in their district with the cooperation of their Division Chief.

### 1007. RESPONSE TO ALARMS

They shall promptly respond to all alarms of fire or other emergencies assigned to them. At such fires or emergencies they shall remain in charge until the arrival of a senior or superior officer. They shall respond to unit dispatches and to such other incidents in their districts as they deem necessary.

## ARTICLE 11. CAPTAINS

### 1101. CAPTAINS

Captains shall be the company commanders and shall exercise authority over all company procedures and policies at all times, and, except as otherwise provided in Section 1201, over all subordinate officers and members under their supervision.

### 1102. ACCOUNTABILITY

Captains shall be held accountable for maintaining a work environment that promotes harmony, respect for each person and is free from harassment, discrimination, and retaliation. They shall ensure that there is fair and equitable treatment of all members under their supervision, and be responsible for implementing and enforcing the Rules and Regulations and policies of the Department.

### 1103. RESPONSIBILITIES

They shall acquire a thorough knowledge of the duties of their office and shall be responsible for the strict enforcement of the rules, regulations and orders of the Department. They shall exact proper order and discipline from their personnel in the company stations and at fires or other emergencies. They shall particularly observe the general department, and performance of members under their command, at incidents and station duties.

### 1104. ADMINISTRATIVE PROGRAM

They shall formulate and put into practice a comprehensive administrative program specifically adapted to the companies and units under their supervision. This program shall be subject to the approval of the Battalion Commander.

### 1105. STATION DUTIES

They shall apportion station duties among subordinates and shall require these duties to be performed promptly and efficiently.

### 1106. STATION MAINTENANCE

They shall be responsible for the cleanliness and maintenance of their stations and for the apparatus, tools, equipment and other Department property assigned to or stored therein.

### 1107. ROLL CALL

Each day at the specified time, the ranking company officer on duty in the station shall conduct roll call in the communications room, promptly report any imperfections or deficiencies to the Battalion Chief, and then cause the necessary data to be entered in the company journals. Whenever there are two or more officers of the same level of authority in one station, the senior officer on duty shall conduct the roll call.

## Article 39. General Rules

**3908. PROHIBITION ON STRIKES**

Members shall not instigate, participate or afford leadership in a strike against the City and County of San Francisco, or engage in any picketing activity in furtherance of such a strike. Strike means: (1) the willful failure to report for duty, the willful absence from one's position, any concerted work stoppage or slowdown, any concerted interruption of Department operations or services by employees, or the willful abstinence in any way from the full, faithful, and proper performance of one's job duties; and (2) done to induce, influence, or coerce a change in the conditions of employment or to honor or support a strike by other City and County of San Francisco employees.

**3909. FALSE REPORTS**

- A. Member shall not make any false or misleading report, oral or written, about their own or another person's actions. A false or misleading report includes one where a member omits information necessary to fully and completely describe the member's or another person's actions or an incident or interaction.
- B. Members shall not falsify any Department record, or alter a record with intent to deceive or conceal.

**3910. PARTICIPATING IN RADIO OR TELEVISION PROGRAMS AND PUBLIC EVENTS**

Members shall at no time represent the Department in any radio or television program or public event without the express prior approval of the Chief of Department. If approached at any time by the media for comment about Department operations or procedures, a member shall refer the media representative to the Public Information Officer or, where applicable, the Incident Commander.

**3911. DISCRIMINATION, HARASSMENT AND RETALIATION PROHIBITED**

- A. Members shall not discriminate against or harass any person based on that person's actual or perceived race, religion, sex, national origin, ethnicity, age, physical or mental disability, political affiliation, sexual orientation, ancestry, marital status, color, medical condition, genetic characteristics, gender identity, parental status, domestic partner status, veteran status or any other basis protected by law.
- B. Members shall not retaliate against any employee for making a good-faith complaint of discrimination, harassment or retaliation, for assisting another employee in doing so, or for participating in an investigation of a discrimination, harassment or retaliation complaint.

**3912. ALCOHOL AND PROHIBITED DRUGS**

- A. Members shall know and comply with the Department's Alcohol and Drug Testing Policies, including the following:
  - a. The Reasonable Suspicion Alcohol and Drug Testing Policy,
  - b. The Random On-Duty Alcohol and Drug Testing Policy,

CURRENT

R &amp; R



## ARTICLE 9. DIVISION CHIEFS

### 901. DIVISION CHIEFS

Division Chiefs, of the rank of H-50, Assistant Chief, shall be the executive officers of their respective divisions. They shall administer their divisions in conformity with the rules and regulations, orders of the Department, and the policies and procedures prescribed by the Chief of Department.

### 902. ACCOUNTABILITY

Division chiefs shall be held accountable for maintaining a work environment that promotes harmony, respect for each person, and is free from harassment, discrimination, and retaliation. They shall note particularly that subordinate officers are aggressively ensuring compliance with the Rules and Regulations, and policies of the Department.

### 903. DIVISION COMMANDER

The Division Commander of each Division shall be designated by the Chief of Department with due regard for seniority.

### 904. DUTIES

Division Chiefs shall perform their duties under the direction of the Chief of Department or the Deputy Chiefs and shall be responsible to the Chief of Department for the proper execution of such duties.

### 905. RESPONSIBILITIES

They shall be responsible for the general condition, the discipline, and the efficiency of the divisions under their charge and shall require strict enforcement of the Rules and Regulations and of the orders and instructions of the Chief of Department.

### 906. RESPONSE

They shall respond to all alarms of fire or other emergencies assigned to them and shall remain in charge until relieved by the Chief of Department or the Deputy Chief Operations upon their arrival.

### 907. INSPECTIONS

Every four months they shall inspect each district in their division. During such inspections they shall carefully inspect the personnel, journals, apparatus, records, equipment, and general condition of the stations. Immediately thereafter they shall submit a report thereon in writing to the Deputy Chief Operations.

## ARTICLE 10. BATTALION CHIEFS

### 1001. BATTALION CHIEF

Battalion Chiefs shall be in charge of all companies and staffed Department buildings in their assigned districts. They shall administer their battalion districts in conformity with the rules and regulations, orders of the Department, and the policies and procedures prescribed by the Chief of Department.

### 1002. ACCOUNTABILITY

Battalion Chiefs shall be held accountable for maintaining a work environment that promotes harmony, respect for each person, and is free from harassment, discrimination and retaliation. They shall note particularly that subordinate officers are aggressively ensuring compliance with the Rules and Regulations and policies of the Department. They shall regularly confer with company officers under their supervision and shall provide assistance and support to company officers in implementing and enforcing the Rules and Regulations and policies of the Department.

### 1003. BATTALION COMMANDER

The Battalion Commander shall be designated by the Chief of Department, and be so recognized at all times, with due regard for seniority.

### 1004. COMPANY EFFICIENCY

They shall be responsible for the operational efficiency of the companies within their districts and for the proper maintenance of stations, apparatus, tools and equipment.

### 1005. COMPLIANCE WITH RULES & REGULATIONS

They shall require all officers and members under their charge to comply with the rules, regulations and orders of the Department. They shall promptly investigate all violations of discipline committed in their presence or reported to them. Following such investigation, they shall promptly notify the Division Chief in charge and submit a written report to the Chief of Department concerning the incident.

### 1006. STRENGTH OF DISTRICT

At the beginning of each tour of duty they shall ascertain the numerical strength of their district. They shall balance the companies in their district with the cooperation of their Division Chief.

### 1007. RESPONSE TO ALARMS

They shall promptly respond to all alarms of fire or other emergencies assigned to them. At such fires or emergencies they shall remain in charge until the arrival of a senior or superior officer. They shall respond to unit dispatches and to such other incidents in their districts as they deem necessary.

## ARTICLE 11. CAPTAINS

### 1101. CAPTAINS

Captains shall be the company commanders and shall exercise authority over all company procedures and policies at all times, and, except as otherwise provided in Section 1201, over all subordinate officers and members under their supervision.

### 1102. ACCOUNTABILITY

Captains shall be held accountable for maintaining a work environment that promotes harmony, respect for each person and is free from harassment, discrimination, and retaliation. They shall ensure that there is fair and equitable treatment of all members under their supervision, and be responsible for implementing and enforcing the Rules and Regulations and policies of the Department.

### 1103. RESPONSIBILITIES

They shall acquire a thorough knowledge of the duties of their office and shall be responsible for the strict enforcement of the rules, regulations and orders of the Department. They shall exact proper order and discipline from their personnel in the company stations and at fires or other emergencies. They shall particularly observe the general department, and performance of members under their command, at incidents and station duties.

### 1104. ADMINISTRATIVE PROGRAM

They shall formulate and put into practice a comprehensive administrative program specifically adapted to the companies and units under their supervision. This program shall be subject to the approval of the Battalion Commander.

### 1105. STATION DUTIES

They shall apportion station duties among subordinates and shall require these duties to be performed promptly and efficiently.

### 1106. STATION MAINTENANCE

They shall be responsible for the cleanliness and maintenance of their stations and for the apparatus, tools, equipment and other Department property assigned to or stored therein.

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Each day at the specified time, the ranking company officer on duty in the station shall conduct roll call in the communications room, promptly report any imperfections or deficiencies to the Battalion Chief, and then cause the necessary data to be entered in the company journals. Whenever there are two or more officers of the same level of authority in one station, the senior officer on duty shall conduct the roll call.

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# ATTACHMENT G



SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER


File Code 07 A-79  
December 11, 2007

From: Chief of Department  
To: Distribution List "A"  
Subject: Sexual Harassment Prevention Training for Supervisors  
Reference: Rules and Regulations, Section 402  
Enclosure: Roster for December 12, 2007 Training

Officer Endorsement:  
Sec.1108-R&R \_\_\_\_\_

1. California Government Code Section 12950.1 requires employers to provide training to its supervisors on preventing sexual harassment in the workplace. Supervisors must be trained every two years and new supervisors must be trained within six months of hire. The mandatory training must be at least two hours long, and meet other requirements established by the California Fair Employment & Housing Commission.
2. The City & County of San Francisco contracted with Brightline Compliance, LLC to provide a web-based training program that meets the state requirements. All supervisors must complete harassment prevention training as described above. All board and commission members whose responsibilities include personnel-related matters must also complete this training requirement. All supervisors, managers and appropriate members of boards and commissions must complete the training by **December 31, 2007**.
3. Since this web-based training requires Internet access, the Department of Human Resources has arranged for uniformed Fire Department supervisors who work in the field to take the training at the 311 Customer Service Center Training Room located at the Bank of America building, One South Van Ness, 2<sup>nd</sup> Floor. The roster of supervisors scheduled for tomorrow's training is attached. Lotus notes messages will go out the day before for the participants for the rest of the scheduled sessions.
4. Upon arrival at One South Van Ness, members must check in with the security officer in the lobby area. The security officer may ask the member to present his/her City ID and/or sign-in.
5. Each supervisor will have his/her own work station. Headsets will be provided at the site. Instructions on how to log in, including the website address for the training course, will also be provided at the site.
6. The training course is designed to be completed in 2 ½ to 3 hours. Members should go through the whole material in a continuous and diligent manner so as not to negatively impact succeeding sessions. The facility is only available to us until 2000 hours, so the last session should also proceed in a timely fashion.

7. The Fire Department Human Resources Staff will be at the site on the first session of the first day. Any questions/problems thereafter should be directed to Jesusa Bushong at 558-3615.



Richard Kochevar  
Acting Chief of Department

ROSTER for December 12, 2007  
 Session - 1630 to 1930 hours  
 General Order 07 A-79, Attachment A

	1630 to 1930		
AS9396	Assereto, Andrew J	E41	E41
BA2149	Barnes, Carl A	E22	E22
CA3503	Castelan, Michael E	T09	T09
CH2588	Chocker, Kevin S	RC2	RC1
CH6084	Charlton, Michael B	T06	E06
CR1577	Crawford, Paul C	E36	E36
DA5753	Danner III, John H	E09	E09
DE2714	Dea, Edmund G	B08	B08
GA6100	Garcia, George H	T08	T08
GO3262	Goggin, Donald J	T18	E18
GR2157	Gregory, Stephan H	E48	E01
HO0461	House, Warren W	E34	E34
KO2086	Kosta, Frank H	T05	T05
KO7302	Kojimoto, Glen M	E23	E23
KW9356	Kwan, Theresa E	E32	E32
LA1276	Lau, Kerby	E40	E39
LA5865	Lai, Samson	E42	E42
LA6941	Lavelle, Michael D	T10	E10
OS9311	O'Sullivan, Kevin E	E35	E35
PA0477	Payton, Eli F	E37	E21
PU8622	Pumphrey, Zachary W	E37	E37
RI1185	Richardson, Kirk W	B03	B03
SE8707	Serrano, Robert T	B10	B10
SM2424	Smith, Kevin W	T19	E19

SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER

File Code 09 A-66  
September 29, 2009

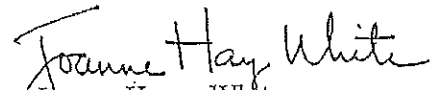
From: Chief of Department  
To: Distribution List "A"  
Subject: Mandatory Sexual Harassment Prevention Training for Supervisors  
Reference: Rules and Regulations, Sec. 402  
Enclosures: Attachment "A" – Members Required to Complete Training  
Attachment "B" – Instructions on How to Access and Log In to the Training Program

Officers Endorsement:  
Sec 1108 – R & R

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1. California Government Code Section 12950.1 (AB 1825) requires employers with 50 or more employees to provide harassment prevention training of at least two (2) hours in duration to supervisors and that supervisors must complete harassment prevention training every two (2) years. In addition, all Board and Commission members must complete the training requirement. This year is a compliance year. All supervisors, managers and members of Boards and Commissions must complete the training by December 31, 2009.
2. The Department of Human Resources (DHR) has once again contracted with Brightline Compliance, LLC, to provide a web-based training program that complies with AB 1825. The Brightline Training is available now. Supervisors should allocate approximately two and one-half (2 ½) to three (3) hours to complete the Brightline web-based training.
3. To access the Brightline Training Program, the following steps must be taken:
  - Type in the address: <https://secure.brightlinecompliance.com/ondemand/cosf.html>
  - In the User Name box, type in your DSW ID number, five digits, found on the lower right corner of your City-issued ID
  - In the Password box, type in your last name in lower case letters
  - For employees who have a suffix after their last name, e.g., Jr., first try type in just your last name without the suffix. If login is unsuccessful, type in your last name with the suffix, no space, all in lower case. Use a space between your last name and the suffix if your second attempt still does not work.
  - For employees who have hyphenated last names, first type in your whole last name with no hyphen. If login is unsuccessful, type in your two last names separated by a space.
4. If you have any access or log-in issues, please call Jesusa Bushong at 558-3615 or Maryann Poon at 558-3329.

5. If you do not have Internet access, please call Jesusa Bushong at 558-3615 by October 9, 2009 so she can explore possible arrangements for use of a City computer either at the Department of Human Resources or Fire Department Headquarters.
6. Certificates of completion must be submitted to the SFFD Human Resources Division either in person, by mail to 698 2<sup>nd</sup> Street, Room 209, or by fax to 558-3463 by no later than December 31, 2009. Failure to comply with the training completion by this deadline date may result in disciplinary action.
7. Members who are on long-term leave should be referred to the Department Information Line at 558-3274 for a recorded message regarding the pertinent details of this General Order.

  
Joanne Hayes-White  
Chief of Department

Mandatory Sexual Harassment Prevention Training for Supervisors  
Enclosure "A"

UNIFORMED MEMBERS	
Last Name	First Name
Abbott	Thomas F
Ahern	Michael
All	Khairul A
Armenta	Daniel V
Balmy	Alec
Banford	Ethan I
Barden	James A.
Bartels	William J
Bello	Michael W
Bigarani	William
Blake	James M
Bokura	Steven M
Brady	Brian
Brandon	Melany
Bryant	Michael R
Burke	Kevin M
Busalacchi	Richard
Calzolari	Franco S
Campbell	Edward L
Cardinale	Frank T.
Carniglia	Marco W
Casserly	Patrick J
Castagnola	Michael
Castellanos	Rudy J
Cavanaugh	John D
Cerna	George A
Chocker	Kevin S
Christobal	Clyde M
Chung	John
Crane	Charles
Cremen	John C
Cuff	Joseph E.
Cunnane	James P
Darmstadt	Scott H
Dea	Edmund G
Dealba	Fernando
Decossio	Daniel E
Del Bino	Jon J
Delane	Michael W
Dente	Dan F
Doudiel	Thomas
Drabble	David B
Driscoll	Joseph D
Erler	Rudolf
Evans	Robert E
Fay Jr	Pete L
Fazackerley	James M
Fields	Donald
Fields	Monica L
Forbes III	John J
Franklin	David L
Fuhrman	Paul L
Garcia	George H
Gardner	Patrick T

Last Name	First Name
Goldberg	Lloyd
Gonzales	Mark A
Gonzalez	Eduardo B
Griffey	Nikki
Groothoff	Ehrhardt
Guajardo	Rudy
Guitron	Bruce
Guzman	Raymond A
Hale	Rex J
Hanley	John F
Harvey	Thomas E
Hayes-White	Joanne M.
Heald	Karen J
Hickey	John A
Hogue	Terrance
Howes	Peter
Hunter	Darryl
Izquierdo	Rodrigo
Johnson	Mark J
Johnson	Richard I
Jones	Gregory D
Jones	Winona M
Kalos	Lorrie A
Kawaguchi	Todd L
Kearney	Mark S
Kearney	Michael S
Kenney	Arthur W
Khadir	Abdul
Kircher	James S
Kojimoto	Glen M
Kosta	Frank H
Kuzma	Robert C
Lai	Samson
Lambrechts	James A
Larkin	Henry
Lee	Alson
Lee	Audry
Lewin	Ronald
Low	Jonathan C
Massetani	Gary P
Mathews	Sofia M
McFarland	William R
Mcgee	Richard E
McKeon	Joseph B.
McNaughton	Matthew J
Merrill	Clifton D
Mitchell	William
Morris	Michael J
Moy	Edward B.
Mullaney	Patrick K
Murdock	Cherish
Myers	Jeffrey
Newman	Denise L
Nolan	Vincent J

Mandatory Sexual Harassment Prevention Training for Supervisors  
Enclosure "B"

CITY AND COUNTY OF SAN FRANCISCO  
MANDATORY HARASSMENT PREVENTION TRAINING

Access to Brightline's Preventing Workplace Harassment, California Supervisors, 3<sup>rd</sup> Edition

Getting Started

Before entering the course, *be sure to turn off any pop-up blockers* that you may have installed on your computer. Pop-up blockers can interfere with the proper operation of the course. (If you do not turn off your pop-up blocker, be sure that you know how to override it when necessary. You can temporarily override many pop-up blockers by holding down the "control" key when you click on a button or link that opens a pop-up). It also is a good idea to close any other open programs.

To enter the course, hold down the control key on your keyboard while clicking on the link below (Ctrl-click) or open your internet browser and copy it into the browser's address field:

<https://secure.brightlinecompliance.com/ondemand/cosf.html>

Logging In to Brightline

Your username is your DSW ID number

Your password is your last name (use lower case letters)

Please note that the above account information is case-sensitive.  
Enter the username and password into the fields and select "Login".

Accessing Your Course

Once you have logged in, you are directed to the Welcome page. Please select the "View My Courses" button to access the Home Page. Launch the course "Preventing Workplace Harassment -- California Supervisors' 3<sup>rd</sup> Edition -- City of San Francisco."

Exiting and Re-Entering the Course

We encourage you to take the course straight through. If necessary, however, you can exit the course using the EXIT BUTTON ("X") on the course screen, top right, and your place will be saved. Do not close the LMS window to exit the course. If you exit the course correctly, when you return, you will be taken to the section where you left off.

If, at any point, you'd like to see where you are in the course and what you have already completed, click on the "Features" tab (at the bottom of the screen) and then click on "Status." You will see a set of boxes representing each page of the course. A highlighted grid over the page number indicates the pages that you have completed. To go back to a section of the course, just click on the page number.

Certificate of Completion

At the end of the course, print out a Certificate of Completion, sign it, and give it to your Department to have it placed in your personnel file.

For Assistance

Brightline can not assist you until you are successfully logged into the program. If you cannot log into the Brightline program, you should contact your Department Coordinator or Human Resources staff, or the following individuals in the DHR EEO Division: Svetlana Vaksberg at 551-8926, Janie White at 551-8903, or Linda Simon at 557-4837, for assistance or questions.

If supervisors have any other difficulties or questions with the course, they should call Brightline at 1-800-331-7924 or use the on-site "Help" link.



SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER

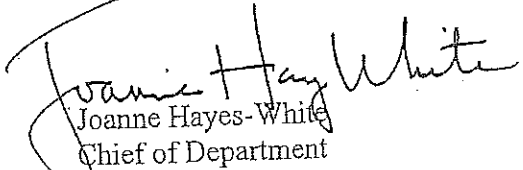
File Code 11 A-60  
October 28, 2011

From: Chief of Department  
To: Distribution List "A"  
Subject: Mandatory Sexual Harassment Prevention Training for Supervisors  
Reference: Rules and Regulations, Sec. 402  
Enclosures: Attachment "A" – Course Access Instructions  
Attachment "B" – Members Required to Complete Training

Officers Endorsement:  
Sec 1108 – R & R

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1. California Government Code Section 12950.1 (AB 1825) requires employers with 50 or more employees to provide harassment prevention training of at least two (2) hours in duration to supervisors and that supervisors must complete harassment prevention training every two (2) years. In addition, all Board and Commission members must complete the training requirement. **This year is a compliance year. All supervisors, managers and members of Boards and Commissions included in Attachment "B" must complete the training by December 31, 2011.**
2. The Department of Human Resources (DHR) has contracted with Global Compliance, LLC, to provide a web-based training program that complies with AB 1825. The training program is available now. Supervisors should allocate approximately two and one-half (2 ½) to three (3) hours to complete this web-based training.
3. To access the Brightline Training Program, the following steps must be taken:
  - Type in the address: <https://secure.brightlinecompliance.com/ondemand/cosf.html>
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Joanne Hayes-White  
Chief of Department

CITY AND COUNTY OF SAN FRANCISCO  
2011 MANDATORY HARASSMENT PREVENTION TRAINING

Access to Global Compliance Preventing Workplace Harassment, California Supervisors, 4<sup>th</sup> Edition

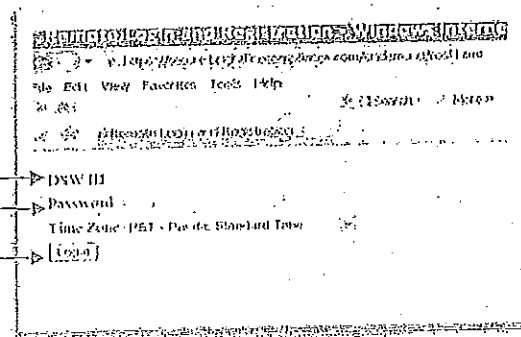
**Step 1: Logging in to the Global Compliance Course**

To enter the course, hold down the control key on your keyboard while clicking on the link below (Ctrl-click) or open your internet browser and copy the link into the browser's address field:

<https://secure.brightlinecompliance.com/ondemand/cosf.html>

You will see the following login screen:

- ① Enter your DSW ID
- ② Enter your Password, which is your last name (use lower case letters, case-sensitive)
- ③ Select "Login"



**Having Trouble?**

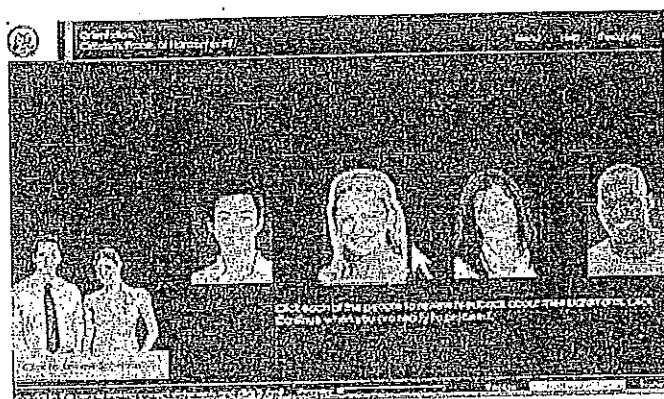
- If you do not know your DSW ID, call your Department Coordinator, Department Personnel Officer, or Client Services Department Representative.
- If you incorrectly typed in your DSW ID or password and cannot login into the program, exit out of the login screen or reboot your computer and try logging in again.

**Step 2: Accessing the 4th Edition Course:** At the "Launch a Course" page, click on "Start Course"

**Important Information:**

**Progressing Through the Course:**

- The course includes timers. You can only advance in the program after the "Continue," "Next," "Done" or "Submit" buttons are illuminated.
- The course includes scenarios that are either narrated or must be read.
- Several scenarios require you to drag a "Star" to select the best answer. You must click on each person again to obtain additional feedback to proceed to the next screen. Here is an example:

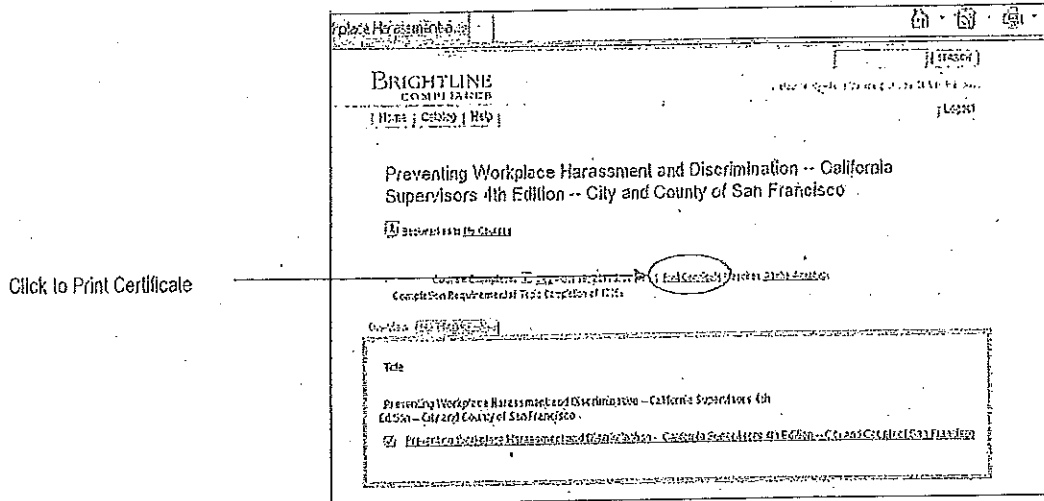


Exiting and Re-Entering the Course:

You are encouraged to take the course straight through. If necessary, however, you can exit the course by clicking on the "EXIT" button on the course screen, top right, and your place will be saved.

Certificate of Completion:

After completing the course, you will be prompted to "Exit" the course and will see the following screen. Click on the "Print Certificate." Give the Certificate to your Department Coordinator, Department Personnel Officer, or Client Services Department Representative for placement in your personnel file.



For Assistance:

- After you have successfully logged into the course and have other difficulties or questions, call Global Compliance at 1-800-331-7924 or use or use the on-site "Help" link.
- If you continue to have login problems, please call Svetlana Vaksberg at 551-8926 or Janie White at 551-8903 in the DHR EEO Division.

# Members Required to Complete Training

General Order 11 A-60

Enclosure "B"

## Uniformed Members

Abbott, Thomas F	Cochrane, Michael A	Gonzalez, Eduardo B	Knight, Rohan
Adams, Eugene D	Collier, Christian V	Goudreau, Beth M	Kohmann, Thomas J
Ahern, Michael	Columbini, Jeff A	Grant, John	Kojimoto, Glen M
Ali, Khairul A	Conrad, Lawrence F	Griffey, Nikki P	Kosta, Frank H
App, James	Cordero, Kenneth C	Griffin, Daniel B	Krieger, Aisha E
Arteseros, Erica C	Crane, Charles	Groothoff, Ehrhardt	Kuzma, Robert C
Arzave, Robert L	Crawford, Ray	Gross, Peter L	Kwan, Theresa E
Aspelin, Lars	Crawford, Paul C	Guajardo, Rudy	Lai, Samson
Austin, Kathy A	Crean, Ryan	Guitron, Bruce G	Larkin, Henry J
Baker, Brook	Cremon, John C	Guzman, Raymond A	Lau, Kerby
Balmy, Alec M	Crispen, Dean	Hale, Rex J	Leal, Eric D
Banford, Ethan J	Cuff, Joseph E	Hall III, Jim	Lee, Matthew J.
Barbero, Joseph M	Curry, Dwayne R	Hardeman, Mark A	Lee, Arnie
Barden, Jeffrey J	Danner III, John H	Harvey, Thomas E	Linney, Kenneth B.
Barnes, Carl A	D'Arcy, Patrick D	Hayes, Mark T	Lo, Barry R
Barreto Jr, Ramon	Darmstadt, Scott H	Hayes-White, Joanne M	Lombardi, Kenneth A
Barry, Michael	De Alba, Fernando	Hazen, Christopher M	Lopes, John P
Bello, Michael W	Dea, Edmund G	Heald, Karen J	Louie, Craig M
Bendik, Anthony J	Decossio, Daniel E	Hickey, John A	Low, Jonathan C
Benz, Christopher M	Deen, Larry J	Higgins, Patrick B	Lucey, Cornelius A
Blake, James M	Del Bino, Jon J	Hiro, Randall C	Lui, Patricia Yuen
Blatman, Gregory L	Delane, Michael W	Hong, Clifton D	Luttrupp, Darius O
Bohler Barnett, Heidi M	DeWitt, Dawn	Hoo, Erika V	Lysenko, George V
Bokura, Steven M	Diluzio, John A.	House, Warren W	Madsen, Christopher D
Branchcomb, Anthony D	Dito, Derio M.	Hoy, Carlos	Maguire, Stephen A
Brandon, Melany	Douglas Jr, Alexander P	Hsieh, Frank	Maloney, Michael E
Britz, Barbara R	Drake III, Carl E	Hunter, Darryl	Martinez, Anthony D
Brown, David M	Driscott, Joseph D	Hunter, Shelia V	Mathews, Berglioth M
Brown, Justin D	Duncan, Michael T	Hupke, Kenneth W	Mathews, Jennifer M
Brown, Richard A	Durkee Jr, Donald R	Hurtado, Victor G	Mathews, Sofia M
Bryant, Michael R	Emmons, Christine E	Hutchinson, Matthew F.	Maxion, David M
Burke, Kevin M	Ertola, Chadwick C	Ibarra-Rivera, Luis A	Mc Coy, Charles F
Caba, Norman J	Estrella, Anesto R	Jackson, Ethan H	Mc Keon, Kevin A
Calzolari, Franco S	Evans, Marc E	Jiang, Cecilia L	Mc Keon, Kimberly D
Campanali, Michael N	Farmer, Timothy J	Joe, Alfred K	Mc Partlan, Stephen A
Campbell, Edward L	Fay Jr, Pete L	Johnson, Ernest L	McDonagh, Paul G
Cannon, Matthew M	Fazackerley, James M	Johnson, Mark J	McDonald, Robert
Cappa, Robert A	Ferry, Michael D	Johnston, Sean A	McFarland, William R
Carnes, Dale C	Fewell, James R	Jones, Gregory D	McGee, Richard E
Carrillo, Ernest M	Fields, Donald S	Jones, Kenneth L	McGorin, Brendan P
Cassidy, Stephen F	Fields, Monica L	Juratovac, Nicol P	McHugh, Paul M
Castagnola, Mark S	Foster, Dennis	Kaialoa, Shayne	McKinney, Sean F.
Castagnola, Michael	Francisco, Raul	Kalos, Lorrie A	McNaughton, Matthew J
Castellanos, Rudy J	Francisco, Shane G	Kasper, Marc T.	Merkins, Kyle J
Cavanaugh, John D	Francois, Pierre	Kato, Tomie A	Montero, Ruben
Cavellini, Neal J	Franklin, David L	Kearney, Mark S	Morris, Michael J
Cercos, Frank	Fucciolo, Michael	Kearney, Michael S	Moy, Edward B
Cerna, George A	Garcia, George H	Kennedy, Ryan A	Mullane, Sean E
Chan, Joe N	Garibaldi, Anthony A	Kenney, Arthur W	Mullaney, Patrick K
Chan, Wing C	Gering, Rick W	Kerr, Karen E	Mullin, Michael K
Charlton, Michael B	Ghillardi Jr, Edward J	Khadir, Abdul	Murdock, Cherish
Chavez, David J	Glickman, Jennifer W	Kieffer, Helen	Murphy, John G
Chocker, Kevin S	Goggin, Donald J	Kiernan, Thomas D	Murray, David L.
Choy, Perry P	Goldberg, Lloyd C	Kimball, James R	Myers, Jeffrey
Christobal, Clyde M	Gonzales, Mark A	Kircher, Glenn E	Nakao, Spencer K
Chu, Edward Y.	Gonzales, Michael R	Kircher, James S	Neuneker, Robert J
Chung, John F	Gonzales, Stephen J	Kishi, Robert T	Newman, Denise L

## Members Required to Complete Training

General Order 11 A-60  
Enclosure "B"

Uniformed Members		
Newton, Dwayne E Nicholson, Jeanine R Novo, Dustin C OConnell, James T OConnor, Thomas P Oertli, Thomas P O'Kane, Paul D O'Neill, Dennis W Ortiz-Schuldt, Glenn E OSullivan, Kevin E Ottoboni, Dominic Pang, Simon Paratley, Anita D Pardini, Kevin J Parker, Michael R Parks, Natasha J Patt, Michael D Pedruco, Alberto A Peoples, Brice P Perriatt, Stanley J Perry II, James W Piper, Heather A Pirosko, Janeen M Plata, Jorge A Posey, Allen M Postel, Robert F Pruitt, Tyrone Pruy, Ronald C Pumphrey, Zachary W Rabbitt, Patrick J Reidy, James J Reyes, Cristeo A Reynaud, Alan Rhodes, Jensen C Riba, Douglas Richardson, Kirk W Rickert, Cynthia H Ritter, David C Rivera, Anthony W Robinson, Anthony C Rocco, John S Roland, Edward Rollins, Floyd K Rolovich, Michael V Romero, Angela N Romero, Samuel Ross, Marty A Rubenstein, Bryan W Rubenstein, Seth I Saitz, Andrew G Sala, Siulagi L Sato, Joel H Schiebold, Joseph M Schwartz, Matthew Serrano, Ramon Seyler, Jeanne M	Shattuck, Thorin Siguenza, Pablo Siragusa, Thomas A Slattery, Richard F Smerdel, Anthony R Smerdel, Terry W Smith, Britton L Smith, Kenneth D Smith, Kevin W Sobozinsky, Andrew T Stevens, Philip T Stevenson, Aaron C Stewart, Gregory L Stewart, Gregory L Storey, Eric R Storti, William O Stuckert, Brent W Styles, Robert A Sullivan, Dennis W Sullivan, Patrick Szela, Shirley S Tai, Robert Talmadge, Melinda A Tam, Anne Tangherlini, Niels L Taormina, Salvatore Taylor, Kevin D Thompson, David B Thompson, Michael I Tingin, Leonel J Tong, Sandra L Triplitt, Cantrez M. Truong, Dat C Tse, Mary M Tulasosopo, John M Turnquist, Robert J Untaian, Richard D Urquiaga, Paul T Vail, Edmund G Vannucchi, James M Vanpool, Ronald J Velò, Jose L Villavicencio, Walter P Walsh, Brian P Walsh, Michael A Ward, Brendan A Wells, Brock Whooley, Michael P Williams, Raemona E Wilson, Chase H Winn, Dustin B Winslow, Robert E Wolowic, Theresa R Wong, Wayne Wong, Alan K Wong, Allen	Wong, Allen K Wong, Jeffrey Wong, Leslie A Wong, Mike J Wong, Robert A Wong, Sebastian E Wong, Sueon F Woo, Eddy B Woo, Herman J Wu, Allen S Wu, Anson S Wyrsh, Greg L Wyrsh, Victor H Yamamoto, Jiro B Yee, Allison Yee, Ken Yee, Tyson G Yeung, William Yonts, Daniel A Yu, Daisy Zanders, Gregory J Zanoft, Andy G Zlatunich, Robert P
<b>Commissioners / Civilian Members</b>		
Hardeman, Michael E Lau, George K Alves, Kelly K Bushong, Jesusa S Corso, Mark Delara, Enrico Fokin, Tania N. Lee, Stanley Mora, Jesus A Rill, Peter Terrazas, Ramon J. Yee, Connie S		

SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER

File Code 13 A-84  
November 4, 2013

From: Chief of Department  
To: Distribution List "A"  
Subject: Mandatory Harassment Prevention Training  
Reference: DHR October 28, 2013 Memorandum; Assembly Bill 1825  
Rules & Regulations, Section 402  
Enclosures: Attachment "A" – Course Access Instructions  
Attachment "B" – Members Required to Complete Training

Officers Endorsement:  
Sec 1108 – R & R.

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1. California Government Code Section 12950.1 (AB 1825) requires employers with 50 or more employees to provide harassment prevention training of at least two (2) hours in duration to supervisors. Supervisors must complete the training every two (2) years.

Moreover, newly-hired or promoted supervisors, as well as employees appointed to acting assignments as supervisors, must take the training. In some circumstances, employees in non-supervisor or non-management positions will be asked to take the training. Being assigned to take the training does not indicate that an employee is deemed a manager or supervisor.

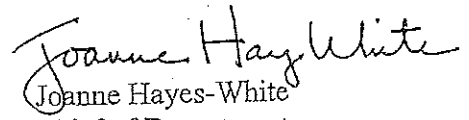
Finally, Commissioners and Board Members are, likewise, required to take the training. This year is a "compliance year" in which all City supervisors, managers and Commissioners or Board Members must be trained by December 31, 2013.

2. The Department of Human Resources (DHR) has contracted with a new provider, Workplace Answers, to provide a web-based training program. This training program is now available and will be administered by both DHR and City departments. Although the mandated time for the training is a minimum of two (2) hours, employees should allocate between two (2) and two and one-half hours (2 ½) to complete the course.
3. To access the training program, the following steps must be taken:

- Type in the address: <https://slate.workplaceanswers.com/ccsf/>
- In the Last Name box, type in your last name. You may type in upper or lower case. It is not case sensitive.
- In the DSW ID number box, type in your DSW number that can be found on the back of your City-issued identification card. If your DSW number only has five digits, you must add a "zero" (0) before the five digit number

Instructions on how to launch the training program are also found in Attachment "A" of this General Order.

4. If you have any access or log-in issues, please call Jesusa Bushong at 558-3615 or Maryann Poon at 558-3329.
5. After completing the course, employees will be prompted to "Retrieve the Certificate of Completion" and to print it. Members are required to print and submit the certificate to the SFFD Human Resources Division either in person, by mail to 698 2<sup>nd</sup> Street, Room 209, or by fax to 558-3463 by no later than December 31, 2013. Failure to comply with the training completion by this deadline date may result in disciplinary action.

  
Joanne Hayes-White  
Chief of Department

## ACCESSING THE 2013 PREVENTING WORKPLACE HARASSMENT - CCSF CA SUPERVISORS TRAINING

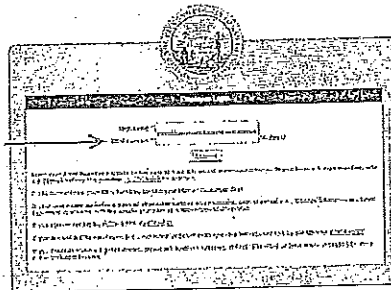
### STEP 1: LOGGING IN TO THE TRAINING COURSE

To access the login screen, click on the link below or open your internet browser and copy the link into the browser's address field.

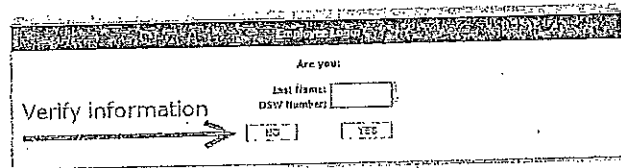
<https://slate.workplaceanswers.com/ccsf/>

You will see the following "Employee Login" screen:

If you have a 5 digit DSW #, you must add 0 (zero) before the # to access the training

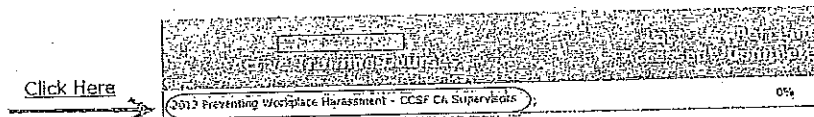


Verify login information



### STEP 2: ACCESSING THE 2013 PREVENTING WORKPLACE HARASSMENT COURSE

Select the course



#### Certificate of Completion

After completing the course, you will be prompted to "Retrieve Certificate of Completion" and to print the certificate. Give the certificate to your Department Human Resources staff for placement in your personnel file.

#### Assistance

If you encounter problems with the course, please call Svetlana Vaksberg at (415) 551-8926 or Janie White at (415) 551-8903 in the DHR EEO Division.



# Members Required to Complete Training

General Order 13 A-64  
Enclosure "B"

## Uniformed Members

Abbott, Thomas F	Cofflin, Kenneth W	Hate, Rex J	Lopez, Robert J
Adams, Eugene D	Columbini, Jeff A	Hall III, Jim	Low, Jonathan C
Alba, Matthew	Conrad, Lawrence F	Hardeman, Mark A	Lui, Patricia Yuen
Ali, Khairul A	Cordero, Kenneth C	Harold, Kathleen T	Luttrupp, Darius O
Altenberg, Gary L	Covitz, Jeffrey A	Hayes, Janice J	Lysenko, George V
App, James	Crane, Charles	Hayes, Mark T	Madsen, Christopher D
Arteseros, Erica C	Crawford, Paul C	Hayes-White, Joanne M	Magalong, Michael C
Arzave, Robert L	Crawford, Ray	Heald, Karen J	Maloney, Michael E
Ashbrook, Johnathan	Crean, Ryan	Hickey, John A	Martinez, Anthony D
Aspelin, Lars	Cremen, John C	Hiro, Randall C	Mathews, Berglioth M
Austin, Kathy A	Crispen, Dean	Hoddinott, Annie L	Mathews, Jennifer M
Avila II, Clementino L	Curry, Dwaynie R	Hoo, Erika V	Mathews, Sofia M
Baker, Brook	D'Arcy, Patrick D	Hsieh, Frank	Mau, Julie C
Ballard, Brian A	Darmanin, John F	Hunter, Darryl	Mc Coy, Charles F
Balmy, Alec M	Darmstadt, Scott H	Hunter, Shelia V	Mc Keon, Kevin A
Banford, Ethan I	Day, Michael B	Hupke, Kenneth W	Mc Keon, Kimberly D
Barbero, Joseph M	Dea, Edmund G	Hutchinson, Matthew F	Mc Partlan, Stephen A
Barden, Jeffrey J	Decossio, Daniel E	Ibarra-Rivera, Luis A	McDonagh, Paul G
Barry, Michael	DeJarlals, Julie C	Jackson, Ethan H	McDonald, Robert
Beach, Stuart E	Del Bino, Jon J	Jamerson, Kinnie L	McFarland, William R
Beckwith, Daniel M	Delane, Michael W	Jiang, Cecilia L	McGee, Richard E
Bendik, Anthony J	DeWitt, Dawn	Johannessen, Thomas R	McGorin, Brendan P
Benz, Christopher M	Douglas Jr, Alexander P	Johnson, Mark J	McHugh, Paul M
Blatman, Gregory L	Draper, James B	Johnson, Sean A	McKinney, Sean F
Bokura, Steven M	Driscoll, Joseph D	Jones, Gregory D	McNaughton, Matthew J
Bonetti, Sean P	Dumont, Anthony J	Jones, Micki A	Melberg, James
Bowden, Altica D	Emmons, Christine E	Juratovac, Nicol P	Merkins, Kyle J
Brandon, Melany	Emmons-Samson, Catherine A	Kalaloo, Shayne	Mishler, Jason T
Brown, David M	Ertola, Chadwick C	Kalos, Lorrie A	Molloy, Antenor S
Brown, Justin D	Estrella, Anesto R	Karawanny, George	Montero, Ruben
Bryant, Michael R	Evans, Marc E	Kasper, Marc T	Monteverdi, David J
Buford, Shon M	Farmer, Timothy J	Kennedy, Ryan A	Morris, David B
Burke, Kevin M	Fay Jr, Pete L	Kenney, Arthur W	Moy, Edward B
Caba, John J	Fazackerley, James M	Khadir, Abdul	Moy, Lisa
Caba, Norman J	Fedigan, Ketty S	Kieffer, Helen	Mullane, Sean E
Calzolari, Franco S	Fields, Melissa M	Kiernan, Thomas D	Mullaney, Patrick K
Campbell, Edward L	Filiss, Elisabeth J	Kircher, Glenn E	Mullin, Michael K
Cannon, Matthew M	Francisco, Raul	Kircher, James S	Murdock, Cherish
Cappa, Robert A	Francisco, Shane G	Kishi, Robert T	Murphy, Brian
Carnes, Dale C	Francois, Pierre	Klofstad, Judith A	Murphy, John G
Carrillo, Ernest M	Franklin, David L	Kojimoto, Glen M	Murray, David L
Cassidy, Stephen F	Fucciolo, Michael	Kotter, James	Myers, Jeffrey
Castagnola, Mark S	Garibaldi, Anthony A	Krieger, Aisha E	Neuneker, Robert J
Castagnola, Michael	Gering, Rick W	Kuzma, Robert C	Newman, Denise L
Castellanos, Rudy J	Giacalone, Stephen	Kwan, Eric C	Newton, Dwayne E
Cavanaugh, John D	Goggin, Donald J	Kwan, Theresa E	Nicholson, Jeanine R
Cavellini, Neal J	Gonzales, Mark A	Lai, Samson	Novo, Dustin C
Cercos, Frank	Gonzales, Michael R	Lau, Kerby	OConnell, James T
Chan, Joe N	Goudreau, Beth M	Leal, Eric D	OConnor, Thomas P
Charlton, Michael B	Grant, John	Lee, Matthew J	Oertli, Thomas P
Choy, Arnold M	Griffey, Nikki P	Lee, Patricia F	O'Kane, Paul D
Christobal, Clyde M	Griffin, Daniel B	Lesavoy, Lester A	O'Neill, Dennis W
Chu, Edward Y	Groothoff, Ehrhardt	Linney, Kenneth B	Ortiz-Schuldt, Glenn E
Chung, John F	Gross, Peter L	Linney, William	OSullivan, Kevin E
Cleland, Jay M	Guajardo, Rudy	Lombardi, Kenneth A	Ottoboni, Dominic
Cochrane, Michael A	Guzman, Raymond A	Lopes, John P	Pang, Simon

# Members Required to Complete Training

General Order 13 A-84  
Enclosure "B"

Uniformed Members		
Paratley, Anita D Pardini, Kevin J Parks, Natasha J Pedruco, Alberto A Peoples, Brice P Pereira, Joshua Perry II, James W Piper, Heather A Pirosko, Janeen M Plata, Jorge A Postel, Robert F Pruitt, Tyrone Pruyn, Ronald C Pumphrey, Zachary W Putt, Frederick W Quinto, Nash D Rabbitt, Patrick J Ramos, Reuben N Reidy, James J Reyes, Cristeo A Reynaud, Alan Richardson, Kirk W Rickert, Cynthia H Ritter, David C Rivera, Anthony W Robinson, Anthony C Rocco, John S Roland, Edward Rollins, Floyd K Rotovich, Michael V Romero, Angela N Romero, Samuel Ross, Marly A Rubenstein, Bryan W Russell, Lourdes Maria Saitz, Andrew G Salan, Frederick M Sato, Joel H Schiebold, Joseph M Schorr, Justin H Schwartz, Matthew Selck, Steven T Serrano, Ramon Seyler, Jeanne M Shattuck, Thorin Shea, Patrick Siguenza, Pablo Siragusa, Thomas A	Slattery, Richard F Smerdel, Terry W Smiley, David G Smith, Britton L Smith, George D Smith, Kenneth D Smith, Kevin W Sobozinsky, Andrew T Stanfield, John R Stevenson, Aaron C Stewart, Gregory L Storti, William O Stuckert, Brent W Styles, Robert A Sullivan, Dennis W Sullivan, Patrick Szela, Shirley S Talmadge, Melinda A Tam, Anne Tangherlini, Niels L Taormina, Anthony Taormina, Salvatore Taylor, Kevin D Thomas, Andrew Thompson, David B Thompson, Michael I Thompson, Michael M Tingin, Leonel J Tong, Sandra L Triplitt, Canlrez M Truong, Dat C Tse, Mary M Turnquist, Robert J Untalan, Richard D Vail, Edmund G Velo, Jose L Villavicencio, Walter P Walsh, Brian P White, Terence G Whittaker, Dean J Whooley, Michael P Williams, Raemona E Williams, Steven M Wilson, Chase H Winn, Dustin B Winslow, Robert E Wolowic, Theresa R Wong, Alan K	Wong, Allen Wong, Leslie A Wong, Michie L Wong, Sebastian E Wong, Wayne J Woo, Herman J Wu, Allen S Wu, Anson S Wyrsh, Greg L Wyrsh, Victor H Yamamoto, Jiro B Yee, Alison Yee, Ken Yee, Ricky A Yee, Tyson G Yonls, Daniel A Zalba, Jose A Zanoft, Andy G Zlatunich, Robert P
		<b>Commissioners / Civilian Members</b>
		Covington, Francee Evans, Andrea Hardeman, Michael E Nakajo, Stephen A Alves, Kelly K Bales, Colleen M Borlaza, Joshua E Bushong, Jesusa S Corso, Mark Fokin, Tania N Lee, Stanley Mora, Jesus A Poon, Maryann M Rill, Peter Terrazas, Ramon J Yee, Connie S

SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER

File Code 15 A-61  
November 2, 2015

From: Chief of Department  
To: Distribution List "A"  
Subject: Mandatory Harassment Prevention Training  
Reference: DHR October 20, 2015 Memorandum; Assembly Bill 1825  
Rules & Regulations, Section 402  
Enclosures: Attachment "A" – Course Access Instructions  
Attachment "B" – Members Required to Complete Training

Officers Endorsement:

Sec 1108 – R &

R \_\_\_\_\_

1. California Government Code Section 12950.1 (AB 1825) requires employers with 50 or more employees to provide harassment prevention training of at least two (2) hours in duration to supervisors. Supervisors must complete the training every two (2) years.

Moreover, newly-hired or promoted supervisors, as well as employees appointed to acting assignments as supervisors, must take the training. In some circumstances, employees in non-supervisor or non-management positions will be asked to take the training. Being assigned to take the training does not indicate that an employee is deemed a manager or supervisor.

Finally, Commissioners and Board Members are, likewise, required to take the training. This year is a "compliance year" in which all City supervisors, managers, other relevant personnel, and Commissioners or Board Members must be trained by December 31, 2015.

2. The Department of Human Resources (DHR) has contracted with Workplace Answers to provide a web-based training program. This training program is now available and will be administered by both DHR and City departments. Although the mandated time for the training is a minimum of two (2) hours, employees should allocate between two (2) and two and one-half hours (2 ½) to complete the course.

3. To access the training program, the following steps must be taken:

- Type in the address: <https://slate.workplaceanswers.com/ccsf/>

- In the Last Name box, type in your last name. You may type in upper or lower case. It is not case sensitive.
- In the DSW ID number box, type in your DSW number that can be found on the back of your City-issued identification card. If your DSW number only has five digits, you must add a "zero" (0) before the five digit number

Instructions on how to launch the training program are also found in Attachment "A" of this General Order.

4. If you have any access or log-in issues, please call Jesusa Bushong at 558-3615 or Maryann Poon at 558-3329.
5. After completing the course, employees will be prompted to "Retrieve the Certificate of Completion" and to print it. Members are required to print and submit the certificate to the SFFD Human Resources Division either in person, by mail to 698 2<sup>nd</sup> Street, Room 209, or by fax to 558-3463 by no later than December 31, 2015. Failure to comply with the training completion by this deadline date may result in disciplinary action.

Joanne Hayes-White  
Chief of Department

Soljai, Cecile (FIR)

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From: FireChief, Secretary  
Sent: Tuesday, October 18, 2016 5:34 PM  
Subject: File Code 16 A-56, Mandatory Harassment Prevention Training for All Employees  
Attachments: Attachment A Accessing online training (003).pdf

SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER

File Code 16 A-56

October 18, 2016

From: Chief of Department  
To: Distribution List "A"  
Subject: Mandatory Harassment Prevention Training for All Employees  
Reference: Rules & Regulations, Section 402  
Enclosures: Attachment "A" – Course Access Instructions

Officers Endorsement:  
Sec 1108 – R & R

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1. In the best interests of the City, the Fire Department, and all of our employees, the Department will require that all members complete the City's online "Preventing Workplace Harassment" training. While this training was developed for supervisors and managers, it provides information that is relevant to all members, and all members regardless of rank are required to complete the training.
2. Completing the training will help members identify and avoid conduct that could constitute discrimination, harassment, and retaliation under federal, California, and San Francisco law. The training addresses employees' and supervisors' rights and responsibilities with regard to equal employment opportunity, and provides important information on the City's policy regarding the treatment of co-workers and the public.
3. All members, both uniformed and civilian, must complete the training by Friday, December 16, 2016, regardless of a member's completion of the training in 2015. The training must be completed during regular work hours. No overtime will be approved. The training can be paused and then resumed at a later time. The link to access the training is:  
  
<https://slate.workplaceanswers.com/ccsf/>
4. Accessing and Completing the Training

For your convenience, the login instructions for the training are attached (Attachment A).

Members should allocate between 2 and 2 ½ hours to complete the training. Members may take the training at their own pace, which allows one to stop and then resume where they left off at any time. However, if a member proceeds too quickly and does not meet the 2-hour time requirement, the member

will not receive the Certificate of Completion and will need to review the course information until the 2-hour requirement is met.

To log into the training course, you will need your Disaster Service Worker (DSW) number.

Certificates of Completion shall be forwarded to Fire Human Resources either in person, by mail to 698 2<sup>nd</sup> Street, Room 209, or by fax to 558-3463 for inclusion in each member's personnel file by no later than Friday, December 16, 2016.

5. If you have any access or log-in issues, please call Jesusa Bushong at 558-3615 or Maryann Poon at 558-3329.
6. Failure to comply with the training completion by this deadline date may result in disciplinary action. Thank you for your cooperation.

Joanne Hayes-White  
Chief of Department

## ACCESSING THE 2016 PREVENTING WORKPLACE HARASSMENT – CCSF CA SUPERVISORS TRAINING

### STEP 1: LOGGING IN TO THE TRAINING COURSE

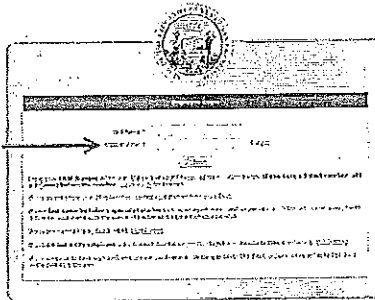
To access the login screen, click on the link below or open your internet browser and copy the link into the browser's address field.

- Make sure an updated Adobe Flash Player is installed.
- If using Internet Explorer, make sure it is at least version 11.
- If you encounter problems using a browser, i.e., Internet Explorer, please try Chrome or Firefox.

**<https://slate.workplaceanswers.com/ccsf/>**

You will see the following "Employee Login" screen:

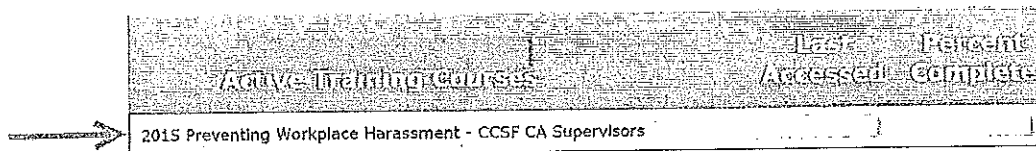
If you have a 5 digit DSW #, you must add 0 (zero) before the # to access the training



Verify login information.

### STEP 2: ACCESSING THE 2016 PREVENTING WORKPLACE HARASSMENT COURSE

Select the course.



#### Certificate of Completion

After completing the course, you will be prompted to "Retrieve Certificate of Completion" and to print the certificate. Give the certificate to your Department Human Resources staff for placement in your personnel file.

#### Assistance

If you encounter problems with the course, please email [dhr-eeogabox@sfgov.org](mailto:dhr-eeogabox@sfgov.org), or call Svetlana Vaksberg at (415) 551-8926 in the DHR EEO Division.





State of California

GOVERNMENT CODE

Section 12950.1

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12950.1. (a) An employer having 50 or more employees shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees in California within six months of their assumption of a supervisory position. An employer covered by this section shall provide sexual harassment training and education to each supervisory employee in California once every two years. The training and education required by this section shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

(b) An employer shall also include prevention of abusive conduct as a component of the training and education specified in subdivision (a).

(c) The state shall incorporate the training required by subdivision (a) into the 80 hours of training provided to all new supervisory employees pursuant to subdivision (b) of Section 19995.4, using existing resources.

(d) Notwithstanding subdivisions (j) and (k) of Section 12940, a claim that the training and education required by this section did not reach a particular individual or individuals shall not in and of itself result in the liability of any employer to any present or former employee or applicant in any action alleging sexual harassment. Conversely, an employer's compliance with this section does not insulate the employer from liability for sexual harassment of any current or former employee or applicant.

(e) If an employer violates this section, the department may seek an order requiring the employer to comply with these requirements.

(f) The training and education required by this section is intended to establish a minimum threshold and should not discourage or relieve any employer from providing for longer, more frequent, or more elaborate training and education regarding workplace harassment or other forms of unlawful discrimination in order to meet its obligations to take all reasonable steps necessary to prevent and correct harassment and discrimination.

(g) (1) For purposes of this section only, "employer" means any person regularly employing 50 or more persons or regularly receiving the services of 50 or more persons providing services pursuant to a contract, or any person acting as an agent of an

employer, directly or indirectly, the state, or any political or civil subdivision of the state, and cities.

(2) For purposes of this section, "abusive conduct" means conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. A single act shall not constitute abusive conduct, unless especially severe and egregious.

(Amended by Stats. 2014, Ch. 306, Sec. 1. (AB 2053) Effective January 1, 2015.)