



City of Seattle
Mayor Jenny A. Durkan

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Office of the Mayor
City of Seattle
Jenny A. Durkan, Mayor

Executive Order 2018-04: Anti-Harassment and Anti-Discrimination

An Executive Order directing City executive branch departments to implement a series of changes, based on the Anti-Harassment Interdepartmental Team recommendations, that will reform and update how the City addresses allegations of harassment, discrimination, and other forms of misconduct.

WHEREAS, the City of Seattle must be a safe, welcoming and inclusive workplace for all employees; and

WHEREAS, an Anti-Harassment Interdepartmental Team (IDT) was formed to provide recommendations on training, reporting mechanisms, and personnel rules that focus on addressing discrimination and workplace harassment; and

WHEREAS, the IDT is composed of 21 members consisting of representative from the Mayor's Office, Councilmember Teresa Mosqueda's office, Race and Social Justice Initiative (RSJI) Change Teams, the Seattle Silence Breakers, the Coalition of Affinity Groups Against Racial Harassment, Race and Social Justice (RSJ) Affiliates, labor union representatives, Seattle Department of Human Resources (SDHR) and department human resources representatives, Office for Civil Rights (OCR) representatives, the City Investigator, and the City Attorney's Office; and

WHEREAS, the IDT utilized the Race and Social Justice Initiative Survey, employee focus group sessions conducted by the Seattle Office for Civil Rights regarding harassment in the City, and the U.S. Equal Employment Opportunity Commission (EEOC) 2016 Select Task Force recommendations; and

WHEREAS, in the Citywide RSJI survey completed by 4,000 employees, we found that 34 percent of participants experienced or observed an incident of workplace harassment in the last 12 months. Eighty percent of respondents who experienced gender-based incidents of harassment in the workplace did not seek help. The RSJI survey also found that 29 percent of women of color and 18 percent of men of color reported experiencing different workplace treatment due to their race – compared to seven percent of white women and seven percent of white men. Additionally, 30 percent of women of color and 37 percent of white women reported experiencing different treatment due to their gender, compared to 12 percent of men of color and 11 percent of white men; and

WHEREAS, the City of Seattle understands that for our employees to best serve the people of Seattle, we must recognize their inherent dignity, and provide safe- and intimidation-free work environments, as well as consistent and equitable processes for addressing their concerns; and

WHEREAS, the IDT made 35 recommendations and proposed 125 strategies focused on commitment & accountability, transparency, policy, reporting, training & development, and continued work;

NOW, THEREFORE, I, Jenny A. Durkan, Mayor of Seattle, hereby affirm the City's commitment creating a workplace culture free from harassment, discrimination, and intimidation and order the following actions to be taken:

Section 1. Establishing Citywide Workplace Expectations

The Seattle Department of Human Resources (SDHR) director and the Office for Civil Rights (OCR) director will establish and implement Citywide workplace expectations for all employees in the executive branch. Executive branch department directors, managers, supervisors and all employees will be held accountable to the Citywide workplace expectations.

Section 2. Improving the City's Response to Misconduct Allegations

The SDHR director shall work with the Mayor's Office to form an Investigation Unit that will conduct all workplace misconduct investigations in the executive branch at the Citywide and department level. In 2019, SDHR will establish a new Investigation Unit, which will transition all executive branch workplace misconduct investigations currently taking place inside departments to the SDHR Investigation Unit. If a complaint is filed regarding personnel within the Investigation Unit an employee can report to the SDHR director and the City will conduct an independent investigation. SDHR and the City Budget Office will work with departments to identify resources and staff to be transferred to SDHR's Investigation Unit.

Section 3. Creating an Office of the Employee Ombud

There will be an Office of the Employee Ombud (OEO) within the executive department. The OEO will operate independently from both SDHR and individual executive branch departments' human resources staff. The mission of the OEO is to support employees experiencing a workplace that conflicts with the City of Seattle's workplace expectations meant to create an inclusive, safe, and welcoming workplace environment. The OEO will provide an independent, impartial, and informal place for City employees in the executive branch to bring concerns and to support them throughout the investigation process as it pertains to misconduct. It will provide recommendations to the Mayor's Office to address issues that may extend beyond individual employees and have a broader, systemic impact on the City.

The OEO will serve as a resource for employees to voluntarily explore a variety of paths for addressing questions, concerns, and complaints within the City and improve the fairness and effectiveness of the City's workplace expectations and misconduct systems. If appropriate, the OEO will facilitate discussions to break down miscommunication that may have led to the conflict and rebuild workplace expectations. The OEO shall not investigate or make any determinations in any matter; nor shall the OEO have the power to impose or recommend any corrective or disciplinary action.

On an annual basis the OEO shall present a report on any trends or significant systemic issues related to City workplace conduct policy that should be considered by the Mayor and the City Council.

Section 4. Training

This Executive Order requires the SDHR director and the OCR director to develop anti-harassment and anti-discrimination training. The SDHR director will work with all executive branch departments to develop a training plan for employees that should include anti-harassment and anti-discrimination training and racial bias training.

By December 31, 2018, all executive branch departments will be required to submit an employee training plan to the SDHR director and the OCR director. The plan shall include 1) an assessment of which anti-harassment and anti-discrimination trainings and racial bias trainings (or their equivalent, to be determined by SDHR) employees have taken; and 2) a plan, including timeline, for how the department intends to ensure these trainings are taken. The SDHR director and OCR director will work with each department to implement the training plans. Beginning January 1, 2019, the SDHR director shall develop and evaluate the inclusion of anti-harassment and anti-discrimination training into new employee orientation and new supervisor training.

Section 5. Ensuring Accountability

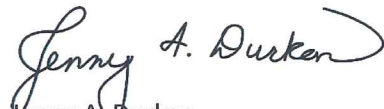
The SDHR director, OEO, and the IDT shall submit an annual workplan to the Mayor, beginning March 31, 2019, with progress on implementation of the IDT recommendations. This workplan must include a proposed update to the City Personnel Rules incorporating anti-harassment and anti-discrimination measures, a launch of a website portal where all employees can access information from a central location, and a Citywide approach for performance management. This requirement will sunset after three years, or sooner if the Mayor's Office determines the conditions of the Executive Order have been met.

Section 6. Role of the Anti-Harassment IDT

The IDT will continue to meet to provide oversight of the implementation of these initial steps and the ongoing efforts that will follow these initial actions. The Mayor therefore requests the IDT to work with SDHR to guide the City's efforts to drive cultural change, now and in the future.

Inquiries regarding this Executive Order should be directed to Adrienne Thompson, Office of the Mayor.

Dated this 21st day of September, 2018.



Jenny A. Durkan
Mayor of Seattle