



Agenda Date: 8/23/2005
Agenda Placement: 6R

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Charla M. Freckmann for Dennis Morris - Director
Human Resources
REPORT BY: Charla M. Freckmann, Assistant Human Resources Director, 259-8720
SUBJECT: Harassment and Discrimination Policy

RECOMMENDATION

Human Resources Director requests adoption of a resolution amending the County's Policy for Maintaining a Harassment and Discrimination Free Work Environment.

EXECUTIVE SUMMARY

The County's policy for the prevention of workplace harassment and discrimination is periodically revised in order to maintain compliance with ongoing changes in the law. Recent changes in state law require revision of this policy. The statutory changes concern training requirements for managers and supervisors in the area of sexual harassment and the creation of a protected category regarding self-identified gender. The recommended amendments to the County's Policy for Maintaining a Harassment and Discrimination Free Work Environment include changes reflecting these statutory developments, enhance the policy's emphasis on non-retaliation, and also incorporate certain updates in wording, titles, and text for purposes of clarification.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Since the last revision to the County's Policy for Maintaining a Harassment and Discrimination Free Work Environment, there have been several changes in state law relating to the training of managers and supervisors in sexual harassment and the creation of the protected category of self-identified gender. The current recommendations revise the policy to:

1. Add the newly created protected category of self-identified gender pursuant to amendments in the state's Fair Employment and Housing Act;
2. Reference the County's compliance with new statutory requirements regarding the training of managers and supervisors on sexual harassment;
3. Emphasize the County's non-retaliation policy relating to the filing of and participation in the investigation of complaints of harassment and discrimination;
4. Add additional emphasis on discrimination as being in violation of County policy; and
5. Change references to departments and titles to their current description.

The attached tracked version represents the substantive changes to the policy, however, it does not reflect all iterations of the various review stages because there were multiple tracked versions that were created as part of the review process.

The County has also revised the associated form for the processing of complaints pursuant to the Policy for Maintaining a Harassment and Discrimination Free Work Environment and this form will be administratively revised and updated periodically.

The proposed changes to this policy have been discussed and reviewed with representatives from NAPE-SEIU Local 614 and they have agreed to the recommended amendments.

SUPPORTING DOCUMENTS

- A . Resolution
- B . Tracked Revised Harassment-Discrimination Policy

CEO Recommendation: Approve

Reviewed By: Andrew Carey