

CITY OF FRISCO PERSONNEL POLICIES

DISCRIMINATION COMPLAINTS

Subject: DISCRIMINATION COMPLAINTS

Date: 12/7/04

Approved By: Ordinance No 2020-12-77

Revision Date: 12/01/2020

I. **STATEMENT OF PURPOSE:**

The City prohibits unlawful discrimination against any person on the basis of race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), age, national origin (including citizenship), veteran status, disability and genetic information as designated by all relevant laws and regulations. All terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training are covered under this policy. This policy provides an employee who has a discrimination complaint with an avenue for investigation and/or resolution of a complaint. (See the SEXUAL HARASSMENT POLICY for sexual harassment complaints.) The City will attempt to promptly resolve discrimination on the basis of race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), age, national origin (including citizenship), veteran status, disability and genetic information.

It is City policy to fully support enforcement of State and Federal laws, which provide that discrimination is prohibited. All employees are prohibited from engaging in discriminatory conduct toward any other employee or other person in the course of, or in connection with, employment. The desired standard of employee behavior is one of cooperation and respect for each other. **The City will not tolerate any infractions of this policy by its employees or any parties contracting with the City.**

II. **PROCEDURES:**

A. Filing Complaint – The employee must provide a detailed description of the alleged discrimination along with a recommended resolution and/or remedy sought for the alleged discrimination to the employee’s Director. If the Director is the individual for which the complaint is against, the employee should file their complaint with the Director of Human Resources. The employee must file his or her complaint within fifteen (15) calendar days from the day they knew or should have known of the events or series of events giving rise to the complaint.

B. Supervisor Responsibility – Each supervisor must maintain a workplace free of any form of unlawful discrimination. The responsibility to maintain a workplace free of unlawful discrimination includes a duty to report any instance

where the supervisor is aware of an act of direct or indirect unlawful discrimination. A Director must report any instance of unlawful discrimination to the Human Resources Director immediately.

C. Investigation – The Human Resources Director or designee will promptly investigate all allegations of unlawful discrimination. The Human Resources Director will contact the employee to obtain the facts of the alleged unlawful discrimination. The Human Resources Director or designee will conduct an investigation and render a written decision to the employee and appropriate management staff within fifteen (15) calendar days of the date of filing of the complaint, unless otherwise agreed to by the employee and the City. The City Manager or designee and Department Director will review the findings with the Human Resources Director to consider any proposed action. Allegations that may be considered criminal in nature will be referred to and investigated by the Frisco Police Department.

If the complaint is filed by or against an employee in the Human Resources Department, the City Manager or designee will conduct the investigation and render a decision within the timeline specified herein. If the complaint involves allegations that are criminal in nature and is by or against an employee in the Frisco Police Department, then the allegations will be referred to the Chief of Police.

D. Confidentiality – All information concerning an unlawful discrimination complaint will be treated as confidential to the extent permitted by law. However, in no instance can the investigator or the City guarantee confidentiality. No employee will disclose the content of a complaint, whether verbal or written, except to parties investigating the complaint, family, or his or her legal counsel.

E. Appeal – All appeals of discrimination complaints must be filed in accordance with the APPEALS POLICY.

F. Prohibited Retaliation – No employee will retaliate against another employee who files a complaint of unlawful discrimination or cooperates with an investigation of such allegations. Any employee retaliating against another employee will be subject to disciplinary action, up to and including termination.

G. Extensions of Time Limit – The time limit at any stage of the appeal procedure may be extended by mutual agreement of the parties involved in the step.