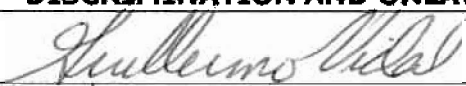


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Subject: DISCRIMINATION AND UNLAWFUL HARASSMENT		
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GENERAL

The Department of Public Works is instituting this policy in the belief that prevention is the best method for elimination of discrimination and unlawful harassment. This policy supersedes and replaces Public Works Policy 10-P003, Sexual Harassment, issued February 1, 1994.

POLICY

It is the policy of the Career Service Board that all employees have a right to work in an environment free of discrimination and harassment. The City maintains a strict policy prohibiting discrimination, sexual harassment and harassment because of race, national origin, sexual orientation, physical or mental disability, age, gender, marital status, military status, religion, political affiliation, or any other basis protected by federal, state, or local law or regulation. It must be noted that sexual harassment is one form of discrimination. All such harassment or discrimination is unlawful. The Career Service Board's anti-harassment policy applies to all persons involved in the operation of the City and prohibits unlawful harassment or discrimination by any employee of the City, including supervisors and co-workers. Unlawful harassment in any form, including but not limited to verbal, physical, visual conduct, threats, demands, and retaliation is prohibited.

Violation of this Policy does not automatically equate to a violation of Federal, State or local law, since it is the goal of the Department of Public Works and the City and County of Denver, to address discrimination and harassment before it becomes actionable and or a violation of law.

Types of Harassment

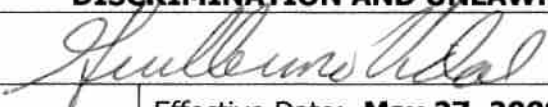
Unlawful harassment because of race, national origin, sexual orientation, physical or mental disability, age, gender, marital status, military status, religion, political affiliation, or any other basis protected by federal, state, or local law or regulation, includes but is not limited to:

- a. Verbal conduct such as epithets, derogatory comments, slurs, unwanted sexual advances, invitations, comments, "kidding," "teasing," or jokes;
- b. Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- c. Physical conduct such as assault, unwanted touching, blocking normal movement, or interfering with work directed at an employee because of the employee's sex or race or any other protected basis;
- d. Threats or demands to submit to sexual requests in order to keep a job or avoid some other loss, and offers of job benefits in return for sexual favors; and
- e. Retaliation for having reported or threatened to report harassment.

PROCEDURE

Employee's Responsibility

1. Employees must treat each other with dignity and respect at all times.

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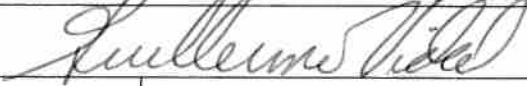
2. Individuals who experience any activity which is perceived as offensive or harassment are urged to:
 - a. Make it clear that such behavior is offensive to them and request that such behavior be discontinued; and
 - b. Reports such conduct to their supervisor so that the agency may take action and resolve the problem. If the complaint involves an employee's supervisor or someone in the direct line of supervision, or if the employee for any reason is uncomfortable in dealing with his or her immediate supervisor, the employee may report such conduct to another supervisor, to his or her agency human resource representative or directly to the Career Service Authority Employee Relations Section.
3. If after following the steps outlined in this policy the individual who experiences the alleged harassment or discrimination feels the above steps were ineffective, that employee may contact the Employee Relations Division of the Career Service Authority.

Supervisor's Responsibility

1. It is the responsibility of the supervisor to take any and all necessary action to ensure that pornographic or offensive materials, obscene language, or other harassing activities are eradicated from the work place and that appropriate corrective action is taken towards employees displaying or participating in such activities.
2. Immediately after an allegation is reported, the supervisor shall gather essential details of the incident and inform the appropriate human resource representative to determine whether an investigation is necessary.
3. If an investigation is warranted, such investigation will be conducted by the Agency or at the Agency's direction by an appropriate entity.

Agency Responsibility

1. The Appointing Authority will take all steps necessary to prevent discrimination and unlawful harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, scheduling periodic training, informing employees of their rights, and developing methods for sensitizing all concerned.
2. The Department of Public Works will immediately undertake effective, thorough, and objective steps concerning the allegation of harassment or discrimination. At any time after a complaint is filed, the Department may put the alleged harasser on investigatory leave. If an investigation is deemed necessary, it will be completed and a determination regarding the alleged harassment will be made and communicated to the employee as soon as practicable. Agency staff conducting harassment or any other type of workplace investigation will be required to complete a training program on investigation techniques as developed by the Career Service Authority Training Section.
3. The complaint shall be investigated immediately by the human resource representative or designated investigator to determine the following information:

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- a. Who is presently involved?
 - b. What is/are the act(s) being considered as harassment?
 - c. Where did the alleged harassment occur?
 - d. When did the alleged harassment occur?
 - e. In what context and totality of circumstances did the alleged harassment occur, and
 - f. Who may have witnessed the event(s) or could supply other relevant information?
4. Once the data is gathered, it shall be reviewed by the human resources representative and the deputy manager.
 5. During the investigation, all information regarding the case shall be kept in complete confidence except as needed to disclose in order to further the investigation or to take action in response to the investigation.
 6. After assessing the data, a determination shall be made regarding appropriate disciplinary action to be taken. If disciplinary action is warranted, proper disciplinary procedures will be followed. If it is determined that unlawful harassment or discrimination has occurred, the agency will take effective remedial action commensurate with the severity of the offense. Appropriate action will be taken to deter any future harassment.

Retaliation against employees for reporting unlawful harassment or discrimination or assisting the City in the investigation of any complaint is against the law and will not be permitted. Retaliation can include, but is not limited to, such acts as refusing to recommend an employee for a benefit for which he or she qualifies, spreading rumors about the employee, encouraging hostility from co-workers and escalating the harassment. Any employee engaging in retaliation may be subject to corrective action, up to and including dismissal.

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