



Administrative Regulations

Office of the Mayor

Title: ANTI-HARASSMENT

A.R. Number: 4.6 **Effective Date:** February 24, 2021 **Page:** 1 of 3

Supersedes: Anti-Harassment **A.R.:** 4.6 **DATED:** October 1, 2011

I. PURPOSE

The purpose of this policy is to ensure the City of Richmond (City) maintains a workplace in which all employees are treated with respect and dignity.

II. POLICY

The City is committed to providing a work environment free from harassment and will not tolerate any form of harassment, whether the harassment is based on: race, and on the basis of race, including traits historically associated with race, including hair texture, hair type, and protective hairstyles such as braids, locks, and twists; color; religion; sex; age; pregnancy, childbirth, or related medical conditions, including lactation; sexual orientation, gender identity, national origin, citizenship status, disability, genetic information, veteran status, or membership in any other protected group (*protected categories*).

The City will not discharge or otherwise discriminate against an employee because such employee has filed any complaint or instituted or caused to institute any proceeding related to the failure to pay wages, or has testified, or is about to testify, in any such proceeding.

In addition, the City will not tolerate any form of retaliation directed against an employee who either complains about harassment or who participates in any investigation process related to workplace harassment complaints.

III. PROCEDURES

A. Unacceptable Behaviors or Conduct

Unlawful harassment is a serious offense. Any employee who engages in such conduct or encourages such behavior by others shall be subject to disciplinary action, including possible dismissal from the City service. Harassment may take many forms, including, but not limited to:

- 1. Verbal Harassment:** For example, epithets, derogatory comments or slurs on the basis of the *protected categories* referenced in section II. Policy. Verbal harassment may also include sexual remarks or well-intentioned compliments about a person's clothing, body, sexual activities; jokes targeting a protected group, as well as jokes or comments of a sexual nature;
- 2. Physical Harassment:** For example, assault, unwelcome touching, impeding or blocking body movement, and/or any physical interference with normal work or movement when directed at an individual on the basis of the *protected categories* referenced in section II. Policy.
- 3. Visual Harassment:** For example, derogatory posters, notices, bulletins, cartoons, drawings, or other advertisements on the basis of the *protected categories* referenced in section II Policy. This includes, but is not limited to: posters, magazines, videos, Internet sites, or other electronic media of a sexual nature.



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4. **Sexual Harassment:** Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature which are implicitly or explicitly a term or condition of an employee's employment, are used as a basis for employment decisions, or affect or interfere with the employee's work performance.
5. **Hostile Environment:** Conduct, including the above-referenced behaviors, which has the purpose of effect of creating an intimidating, hostile, or offensive work environment.

B. Reporting Procedures

In addition to the avenues of redress available through the U.S. Equal Employment Opportunity Commission (EEOC), effective relief may also be available within City government through the Department of Human Resources' (HR) Equal Employment Opportunity (EEO) Coordinator. Classified City employees may also participate in the City's grievance process.

When appropriate, informal means to resolve discrimination complaints will be taken, to include, but not limited to, mediation, conflict resolution, etc.

When a discrimination complaint cannot be resolved informally, please refer to *Administrative Regulation 4.23 – Investigation (Complaint) Process* for detailed procedures on filing a complaint and the respective investigation process.

IV. RESPONSIBILITIES

The City and its agents have a duty to promptly investigate allegations of unlawful harassment and, when appropriate, take corrective actions.

A. Responsibilities of Management

1. Management who allow unlawful harassment to continue or who fail to take appropriate corrective action shall be considered a party to the act or behavior, although they may not behave in such a manner. Such management shall be subject to corrective action. Depending upon the circumstances, such corrective measures may result in demotion from a supervisory position or dismissal from City service.
2. In an effort to avoid and eliminate harassment, the management of each agency shall take affirmative steps to sensitize all of its employees to the nature of any form of unlawful harassment and express strong disapproval of such conduct. These efforts are subject to the approval of the Department of HR. These steps shall include, but are not limited to:
 - a. The communication and distribution of this official City policy to all City employees.
 - b. Monitoring the workplace for potential incidents of harassment or discrimination.



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B. Responsibilities of the Department of Human Resources

The Department of HR shall be responsible for updating and providing oversight-policy; the development and implementation of on-going training, education programs, and providing resources to ensure that all City employees clearly understand that unlawful harassment in the workplace will not be tolerated.

V. AUTHORITY

Title VII, Civil Rights Act, as amended
Age Discrimination Employment Act, as amended
Americans with Disabilities Act, as amended
Equal Pay Act
Immigration Reform & Control Act
Civil Rights Act of 1866
Genetic Information Nondiscrimination Act
§VA2.2-3901
§VA2.2-3903
§VA2.2-3904

In situations where this policy is at variance with Federal or State laws or regulations, the Federal or State laws or regulations will prevail.

VI. REGULATION UPDATE

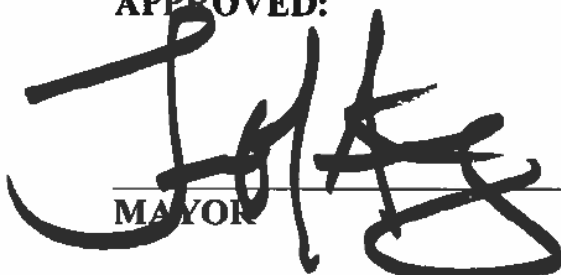
The Department of Human Resources shall be responsible for modifications to this Policy.

RECOMMEND APPROVAL:


CHIEF ADMINISTRATIVE OFFICER/DESIGNEE

2-24-21

APPROVED:


MAYOR

2/24/2021