

**SAN DIEGO POLICE DEPARTMENT
ORDER**

DATE/TIME: JANUARY 14, 2020 – 1100 HOURS

NUMBER: OR 20-05

SUBJECT: RESTATEMENT OF EQUAL EMPLOYMENT OPPORTUNITY
(EEO) PROCEDURE

COST CENTER: 1914000013

SCOPE: ALL MEMBERS OF THE DEPARTMENT

DEPARTMENT PROCEDURE AFFECTED: D.P. 5.03

All Department members are reminded to adhere to Department Policy 5.03 - Equal Employment Policy, which states in part:

Members shall be permitted a work atmosphere free from discrimination and harassment of any form. Members shall not discriminate against, nor harass other members. It shall be the responsibility of all supervisors to ensure a non-discriminatory work environment exists. (Refer to Department Procedure 5.03.)

All employees shall be treated equally without regard to race, color, gender, creed, religion, national origin, age, marital status, ancestry, medical condition (history of cancer), pregnancy, disability, transgender status, or sexual orientation in all employment matters, including, but not limited to, promotions, transfers, job rotation, training, work assignments, hiring, merit increases, overtime, awards, and discipline.

All employees shall be provided a work environment free from harassment. Behavior constitutes harassment, as defined in this policy, when it is unwelcome and unsolicited, offends or otherwise causes distress, and is undertaken because of a person's race, color, gender, creed, religion, national origin, age, marital status, ancestry, medical condition, disability, pregnancy, transgender status or sexual orientation. Examples include the use of derogatory comments, slurs, jokes, or derogatory pictures, cartoons, or posters.

Sexual harassment is a form of illegal gender discrimination. Whether or not harassment occurred depends not on whether the act was intended to cause harm, but on the impact of the act on the individual's employment or work environment. If one's behavior is harassing to an individual or a group of individuals, it will not suffice that the harasser failed to recognize the behavior as harassing. It is not a requirement that the complainant be the intended target of the offensive conduct.

Retaliation is defined as an adverse employment action taken against an employee because that employee complained of discrimination or participated in an EEO investigation. Retaliation is illegal and should be reported immediately.

The Department prohibits any harassment of employees and actively responds to all allegations of violations of this procedure. Such inappropriate conduct may be in violation of Department policy and result in discipline the first time such behavior occurs. Prior incidents of harassment can be considered when assessing the facts and circumstances of a later complaint. Employees are expected to adhere to a higher standard of conduct than defined by law, as further defined in Department Procedure 5.03 Equal Employment Opportunity. While some types of behavior may not rise to the level of a federal or state violation, it may nevertheless violate the Department's EEO policy.

Please read at squad conferences and give a copy to all personnel.