

City and County of San Francisco
Carol Isen
Human Resources Director



Department of Human Resources
Connecting People with Purpose
www.sfdhr.org

MEMORANDUM

DATE: November 10, 2021
TO: The Honorable Mayor London Breed
Honorable Members of the Board of Supervisors
Sheryl Davis, Executive Director, Human Rights Commission
Kimberly Ellis, Director, Department on the Status of Women
FROM: Carol Isen, Human Resources Director
SUBJECT: Annual Report on Sexual Harassment Complaints filed in Fiscal Year 2020/2021

I. Annual Report on Sexual Harassment Complaints

Pursuant to San Francisco Administrative Code, Section 16.9-25(e)(2):

The Human Resources Director shall provide annually to the Mayor, the Board of Supervisors, the Human Rights Commission, and the Commission on the Status of Women a written report on the number of claims of sexual harassment filed, including information on the number of claims pending and the departments in which claims have been filed. The reports shall not include names or other identifying information regarding the parties or the alleged harassers.

In accordance with the San Francisco Administrative Code, Section 16.9-25(e)(2), enclosed is the "Annual Report on Sexual Harassment Complaints." Attachment A identifies "internal" complaints filed with individual City and County of San Francisco Departments and the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO). For Fiscal Year 2020/2021, a total of sixty-nine (69) internal and zero (0) complaints were filed with the U.S. Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH).

Please feel free to contact Amalia Martinez, Director of EEO and Leave Programs, at 415-557-4932, for further information.

Enclosure

FY 20/21 Annual Report on Sexual Harassment Complaints

Attachment A
Status and Disposition of Internal Complaints¹
Fiscal Year 2020/2021
(July 1, 2020 through June 30, 2021)

| Department | Total Filed | Closed | | | | | Open |
|---------------------------------|-------------|---------|-----------------------|-----------|--|-------------------------------------|------|
| | | Settled | Insufficient Evidence | Sustained | Insufficient Allegations/ Immediate Preventative Actions Taken | No EEO Jurisdiction or Withdrawn | |
| Administrative Services | 5 | | 1 | 1 | 1 | 1 | 1 |
| Airport Commission | 2 | | | | | 2 | |
| Child Support Services | 1 | | | | | | 1 |
| District Attorney's Office | 1 | | | | | | 1 |
| Elections | 1 | | | | | | 1 |
| Fine Arts Museum | 1 | | | | | | 1 |
| Fire Department | 4 | | | | 1 | | 3 |
| Human Resources | 1 | | 1 | | | | |
| Human Services | 3 | | | | 1 | 1 | 1 |
| Juvenile Probation | 2 | | | | | 1 | 1 |
| Municipal Transportation Agency | 10 | 1 | 1 | 1 | 1 | 3 | 3 |
| Police Department | 3 | | | 1 | | | 2 |
| Port of San Francisco | 1 | | 1 | | | | |
| Public Health | 19 | | 4 | | 1 | | 14 |
| Public Library | 5 | | 1 | 1 | | | 3 |
| Public Utilities Commission | 3 | | 1 | | 1 | | 1 |
| Public Works | 2 | | 2 | | | | |
| Recreation And Park | 1 | | | | | | 1 |

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|-------------------------|-------------|----------|-----------------------|-----------|--|-------------------------------------|-----------|
| | | Settled | Insufficient Evidence | Sustained | Insufficient Allegations/ Immediate Preventative Actions Taken | No EEO Jurisdiction or Withdrawn | |
| Sheriff's Department | 2 | | | | | | 2 |
| Treasurer/Tax Collector | 1 | | | | | 1 | |
| War Memorial | 1 | | | | 1 | | |
| Total | 69 | 1 | 12 | 4 | 7 | 9 | 36 |

¹ Definitions

- Settled:** Complaint was resolved, without any admission or acknowledgement of liability.
- Insufficient Evidence:** A full investigation was conducted, and there was insufficient evidence to establish that sexually harassing conduct occurred in violation of City's or SFMTA's EEO Policy.
- Sustained:** A full investigation was conducted, and there was sufficient evidence to establish that sexually harassing conduct occurred in violation of City's or SFMTA's EEO Policy.
- Insufficient Allegations/
Immediate Preventative
Actions Taken:** Complaint was resolved through immediate preventative and/or corrective actions; where the alleged conduct may have violated the City's or SFMTA's EEO policy, DHR instructs departments to take immediate preventative or corrective action (*i.e.* issue City's or SFMTA's EEO Policy and/or Policy Regarding Treatment of Co-Workers and Members of the Public; obtain signed acknowledgement of receipt of policy; direct to take online Harassment Prevention Training/implicit bias training; direct to conduct mediation; etc.). These actions are the same actions that DHR would recommend a department take if the allegation were sustained.
- No EEO Jurisdiction or
Withdrawn:** Complaint did not allege that a supervisor requested sexual or romantic favors or that complainant was subjected to unwelcome sexual or romantic advances or other conduct of a sexual nature; complainant was not a City employee, applicant, volunteer, unpaid intern, or contractor; complaint was not against a City department; the complaint was untimely; complainant's MOU prevents employees from filing both a grievance and an internal EEO complaint regarding the same issue, and complainant elected to pursue complaint as a grievance; or complainant declined to participate or withdrew complaint, and based on the information provided, DHR EEO was without sufficient detail to conduct a full investigation.