



City and County of San Francisco
Micki Callahan
Human Resources Director



Department of Human Resources
Connecting People with Purpose
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MEMORANDUM

DATE: April 15, 2019
TO: Micki Callahan
Human Resources Director 
FROM: Linda C. Simon 
Director, EEO and Leave Programs
SUBJECT: Fiscal Year 2018/2019—Third Quarter Report on Harassment Complaints

In accordance with San Francisco Administrative Code Section 16.9-27 (Harassment Prevention Training and Reporting), the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO) is posting this report on harassment complaints filed with DHR EEO during the for the Third Quarter (January 1, 2019 through March 31, 2019) of Fiscal Year 2018/2019.

Pursuant to San Francisco Administrative Code Section 16.9-27(d), "DHR shall post on its website on a quarterly and annual basis a report on the number of harassment complaints filed with DHR, the number of complaints by department, and the status of complaints and disposition of complaints in composite numbers."

The quarterly report shows the total number of harassment, including sexual harassment, complaints filed by City department. The quarterly report also provides information about the basis of the alleged harassment (i.e. the protected category the alleged harassment is based on) by department. DHR EEO is reporting this additional information as part of its ongoing efforts, as outlined in its most recent annual report on sexual harassment, to identify "hotspots" that may need additional resources to prevent harassment, and to provide information to City departments so that they may be aware of any trends, areas of concern, and areas of improvement.

In the Third Quarter, a total of 114 complaints alleging harassment from 20 City departments were filed with DHR EEO. Individuals may file a complaint of harassment with allegations based on more than one protected category. As a result, the number of individual complaints may be less than the number of harassment allegations.

Should you have any questions, please contact me at (415) 557-4837.

Enclosure

Attachment A
Harassment Complaints Filed by Basis and Department
Third Quarter of Fiscal Year 2018/2019
(January 1, 2019 through March 31, 2019)

DEPARTMENT	Harassment (excluding Sexual Harassment)	Sexual Harassment¹	TOTAL²
Administrative Services	4		4
Airport Commission	2		2
Asian Arts Museum	1		1
Assessor's Office	1		1
Child Support Services	1		1
Fine Arts Museum	3	2	4
Fire Department	2		2
Homelessness & Supportive Housing	1	1	2
Human Resources	2		2
Human Services	22	6	26
Municipal Transportation Agency	14	1	14
Police Department	7		7
Public Health	13	10	22
Public Library	4	1	4
Public Utilities Commission	5		5
Public Works	6	3	7
Recreation And Park	1	1	2
Sheriff's Department	3		3
Technology		3	3
Treasurer/Tax Collector	2		2
TOTAL COMPLAINTS	94	28	114

¹ Sexual harassment is defined as:

- Any unwelcome sexual advance, request for sexual favors, and other physical, verbal, or visual conduct of a sexual nature; or
- Conditioning an employment benefit on the acceptance of sexual or romantic favors; or
- Making or threatening reprisals after a negative response to a sexual or romantic advance.

Complaints of harassment (*i.e.* physical, verbal, or visual conduct based on any protected category, but not of a sexual nature) are included in the harassment column. For example, a complaint alleging sex harassment due to a colleague stating females are not qualified to be firefighters would be included in the harassment column.

² Total - The total number of individual complaints filed. This figure may be less than the sum of the harassment and sexual harassment columns because a complainant may file a complaint alleging both sexual harassment and harassment. To accurately reflect the total number of complaints filed, such a complaint is counted once in the Total column.

Attachment B

Harassment Complaints Filed by Basis and Department³

Third Quarter of Fiscal Year 2018/2019

(January 1, 2019 through March 31, 2019)

DEPARTMENTS	Age	Color	Disability/ Medical Condition	Ethnicity	Gender Identity	Marital or Domestic Partner Status	National Origin	No EEO Basis Identified	Parental Status	Race	Religion	Retaliation	Sex	Sexual Orientation	Weight	Total Complaints
Administrative Services										3		1	3			5
Airport Commission			1					1								2
Asian Arts Museum								1								1
Assessor's Office			1													1
Child Support Services												1				1
Fine Arts Museum				2			2	2			1	1	2	2		4
Fire Department								1		1		1	1	1		2
Homelessness & Supportive Housing								1					1			2
Human Resources										1			1			2
Human Services	5		3	1			1	6		7		4	9	1	1	25
Municipal Transportation Agency	5		1	2			1	4		7		5	2	1	1	14
Police Department				1		1		1	1	4	1	1				7
Public Health	1			1			4	2		4	1	3	12			22
Public Library				1	1		1	3		1		1	1	2		4
Public Utilities Commission			1				1			2			1	1		5
Public Works	1							1		2		4	3			7

DEPARTMENTS	Age	Color	Disability/ Medical Condition	Ethnicity	Gender Identity	Marital or Domestic Partner Status	National Origin	No EEO Basis Identified	Parental Status	Race	Religion	Retaliation	Sex	Sexual Orientation	Weight	Total Complaints
Recreation And Park								1					1			2
Sheriff's Department								1		1			1			3
Technology													3			3
Treasurer/Tax Collector								2								2
TOTAL NUMBER OF ALLEGATIONS	11	1	7	8	1	1	10	27	1	33	3	22	41	8	2	114

³ Total Complaints – The total number of complaints filed.

Attachment C
Status and Disposition of Complaints Received⁴
During Third Quarter of Fiscal Year 2018/2019
(January 1, 2019 through March 31, 2019)

DEPARTMENT	Closed					Open	Total
	Settled	Insufficient Evidence	Sustained	Insufficient Allegations/Immediate Preventative Actions Taken	No EEO Jurisdiction or Withdrawn		
Administrative Services						4	4
Airport Commission						2	2
Asian Arts Museum						1	1
Assessor's Office						1	1
Child Support Services					1		1
Fine Arts Museum						4	4
Fire Department				1		1	2
Homelessness & Supportive Housing					1	1	2
Human Resources						2	2
Human Services				5	6	15	26
Municipal Transportation Agency					3	11	14
Police Department				1	1	5	7
Public Health				2	2	18	22
Public Library					1	3	4
Public Utilities Commission					1	4	5
Public Works					2	5	7
Recreation And Park				1	1		2
Sheriff's Department					1	2	3
Technology					3		3
Treasurer/Tax Collector					1	1	2
TOTAL				10	24	80	114

⁴ 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 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 the conduct occurred in violation of City's or SFMTA's EEO Policy.
Insufficient Allegations/Immediate Preventative Actions Taken:	Complaint alleged conduct that was within the purview of EEO's jurisdiction (<i>i.e.</i> alleged conduct was based on a protected category or protected activity), but did not raise an inference of harassment; nonetheless, where the complaint alleged conduct in violation of the City's or SFMTA's EEO Policy, immediate preventative and/or corrective actions were taken; in these cases, DHR instructs departments to take immediate preventative or corrective action (<i>i.e.</i> issue City's EEO Policy 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/cultural humility training/management or leadership training, etc.; direct to conduct mediation; conduct review of analysis of department recruitment efforts; etc.). These actions are the same actions that DHR would recommend a department take if the allegation was sustained.
No EEO Jurisdiction or Withdrawn:	Complaint did not allege conduct based on sex or gender or allege conduct in violation of the City's or SFMTA's EEO Policy; 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.