

**27.0 - EQUAL EMPLOYMENT OPPORTUNITY AND  
AFFIRMATIVE ACTION; PROHIBITION  
AGAINST DISCRIMINATION AND  
HARASSMENT, INCLUDING SEXUAL HARASSMENT**

27.1 - The City is an equal opportunity employer. All employment decisions, including but not limited to, decisions regarding hiring, promotions, transfers, compensation, benefits, training, recalls, social and recreational programs, reductions in force, and terminations, shall be made without regard to age, sex, color, race, national origin, religion, marital status, familial status, sexual orientation, disability, genetic information, veteran status (except as provided in Rule 5.1.4), or any other legally recognized status entitled to protection under local, state or federal anti-discrimination laws.

27.1.1 - The City will take affirmative action to insure equal employment opportunity and to eliminate any past or present discrimination on the basis of any legally protected status.

27.1.2 - The Human Resources Director is responsible for the overall administration of this policy. However, the implementation and continued support of this policy is the responsibility of each employee, supervisor, Department Head, and administrator. Accordingly, full cooperation is required from all City employees.

27.1.3 - All efforts shall be taken to attract and retain qualified employees, regardless of age, sex, color, race, national origin, religion, marital status, sexual orientation, disability, veteran status, or any other legally protected status.

27.1.4 - The City is committed to maintaining a discrimination-free workplace. Discrimination includes, but is not limited to, unequal treatment or harassment on the basis of any legally protected status with regard to a term or condition of employment. Conduct of this nature is strictly prohibited and will be subject to disciplinary action, up to and including dismissal.

27.2 - It is the policy of the City to ensure that all employees are able to work in an environment that is free from all forms of discrimination, including sexual harassment. The City of Coral Gables will not tolerate any form of discrimination, including sexual harassment, by any employee, vendor, contractor or volunteer.

27.2.1 - Sexual harassment includes any unwelcome, unsolicited, personally offensive conduct of a sexual nature. Such conduct may be in the form of verbal or written comments, pictures, gestures and/or physical contact. Such conduct constitutes sexual harassment:

1. when submission to the conduct is made either explicitly or implicitly a term of an individual's employment;

2. when submission to or rejection of the conduct is used as a basis for employment decisions affecting that individual; or
3. when the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

If you have questions about what constitutes sexual harassment, you should contact the Human Resources Director.

27.3 - Due to the serious nature of any issue concerning alleged discrimination, harassment, or sexual harassment in the workplace, any employee who feels this Policy has been violated, or who has questions about a possible violation, must immediately contact the employee's supervisor, Department Head, and/or the Human Resources Director. If the Human Resources Director is the subject of the report, the employee must contact the City Manager. Any complaint of an alleged violation may be in writing or may be made verbally.

27.3.1 - Although personnel activities will be developed and monitored to ensure that employment actions further the principles of equal employment opportunity and a work-place that is free from all forms of discrimination, harassment or sexual harassment, all personnel share the responsibility of meeting the objectives and assuring compliance with this policy.

27.3.2 - Any supervisor or Department Head who receives a complaint of discrimination, harassment, or sexual harassment must promptly report the complaint to the Human Resources Director. Failure to promptly report a complaint may subject the supervisor or Department to disciplinary action.

27.3.3 - The City does not permit retaliation against employees raising concerns about discrimination, harassment, or sexual harassment. Employees can raise concerns and make reports without fear of reprisal. Any allegation of discrimination, harassment, sexual harassment or retaliation will be investigated immediately and anyone found to have engaged in any type of unlawful discrimination, harassment, sexual harassment, or retaliation will be subject to disciplinary action, up to and including dismissal.

27.3.4 - The City will investigate complaints of discrimination, harassment or retaliation promptly. The City will take prompt remedial action based on the specifics of the case to address any violation of this policy, which may include disciplinary action, up to and including dismissal. If the City's investigation does not disclose evidence of a violation of this policy, the City reserves the right to take appropriate action, which may include counseling or a reminder of the City's Equal Employment Opportunity Policy to the employee who allegedly engaged in discriminatory, harassing or retaliatory conduct. An employee who feels that his or her complaint was not appropriately addressed or that he or she is still being subject to discriminatory, harassing or retaliatory conduct should immediately

notify the Director of Human Resources. If the Human Resources Director is the subject of the report, the employee should notify the City Manager.

27.3.5- Any applicant for employment who has questions regarding this policy or believes that he or she has not been treated in accordance with this policy should contact the Human Resources Department.