

DENVER CITY COUNCIL COMMITMENT TO A RESPECTFUL WORKPLACE

Citizens and residents expect their elected officials to behave in a manner befitting the honor and privilege they hold as representatives of the City and County of Denver.

Any City and County of Denver chartered employee, elected official, officer, or appointee may file a grievance alleging a violation of the Denver City Council Commitment to a Respectful Workplace using this Grievance Form. Grievances through this process are not accepted if filed by the public, including, but not limited to citizens and residents of the City and County of Denver.

On an annual basis, Denver City Council will publicly report the total number of credible complaints of illegal discrimination, harassment, including sexual harassment, and retaliation received through the grievance process and the resolution.

The expectations in the following policy excerpt from the Denver City Council Employee Handbook apply to all members of Denver City Council, the Executive Director, legislative staff, district team staff, and all City and County of Denver employees supporting Denver City Council:

2.1 Respectful Workplace and Equal Employment Opportunity Policy

The City and County of Denver, through the Denver City Council, is dedicated to being a beacon of inclusivity, equity, and opportunity for all who live, work, and visit, regardless of race, national origin, religion, gender identity, sexual orientation, ability, or socioeconomic status. [[Ref. Proclamation 25-0036](#)].

The Denver City Council is an equal employment opportunity employer in accordance with federal, state, and local laws. The Denver City Council does not discriminate in its employment practices based on a person's race, color, religion, creed, national origin or ancestry, sex, sexual orientation, gender identity and expression, disability, genetic information, military status, age, marital status, political affiliation, pregnancy or related condition, or any other status protected under federal, state, or local law (Protected Characteristics).

The Denver City Council strictly prohibits discrimination, harassment (including sexual harassment), and retaliation based on Protected Characteristics. Retaliation is any act of punishment, reprisal, or revenge that is taken against a person because they report a form of harassment prohibited under this Handbook, attempt to prevent unlawful practices, or participate in an investigation of an alleged act of harassment. An act of punishment, reprisal, or revenge can include any action that is harmful to the point that it would dissuade a reasonable employee from making a complaint of discrimination.

Any employee who engages in illegal discrimination, harassment (including sexual harassment), or retaliation will be subject to discipline, up to and including termination of employment.

2.4 Sexual Harassment Prohibited

All employees are prohibited from engaging in behavior that could be interpreted as sexual harassment. Sexual harassment can involve individuals of any sex or gender identity being harassed by members of

either sex and is defined as unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal or physical conduct of a sexual nature when:

- a) the employee's submission to or rejection of conduct results in a tangible employment action (such as promotion or demotion); or
- b) the conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include such actions as sex-oriented verbal "kidding," "teasing," jokes, or suggestive or lewd remarks; subtle or blatant pressure for sexual activity or unwelcome dating; physical contact such as pinching or brushing against another's body; demands for sexual favors; unwanted hugging or kissing; and displaying derogatory or pornographic images regardless of the medium (e.g. virtual, digital, paper, etc.).

2.5 Reporting and Response to Alleged Discrimination, Harassment, or Retaliation

The Denver City Council has established a procedure for good-faith reports of any form of discrimination, harassment, or retaliation. You are not required to confront or to report the alleged discrimination, harassment, or retaliation to the individual whom you believe is harassing you.

The Denver City Council human resources team may be contacted at: #citycouncilhr@denvergov.org

If an employee is experiencing discriminatory, harassing, or retaliatory behavior from a co-worker, another employee of the City and County of Denver not in their chain of command, or an individual the employee encounters while performing their duties who is not employed by the City and County of Denver, the employee is strongly encouraged to:

- a) Make it clear to that person that the behavior is offensive or makes the employee uncomfortable and ask that individual to stop; if the inappropriate behavior continues, the employee must report the behavior to a supervisor and/or the Executive Director directly, or through the human resources team; or
- b) Report the behavior to a supervisor and/or the Executive Director directly, or through the human resources team.

If an employee is subjected to discriminatory, harassing, or retaliatory behavior from a supervisor in the employee's chain of command, the employee is encouraged to:

- a) If the employee feels comfortable doing so, address the behavior with that supervisor directly, explain that the behavior is offensive or makes the employee uncomfortable, and ask the supervisor to stop; or
- b) If the employee doesn't feel comfortable speaking to the supervisor directly about the behavior or has done so already and either the behavior hasn't stopped, or the

employee is being subjected to retaliation, promptly contact the Executive Director directly, or through the human resources team.

If an employee witnesses discrimination, harassment, or retaliation in violation of this rule by or against any City and County of Denver employee, including but not limited to employees of the Denver City Council, the employee must report such behavior to at least one of the following:

- a) Denver City Council human resources team directly (via any routine contact method) or at: #citycouncilhr@denvergov.org
- b) Your immediate supervisor
- c) Executive Director
- d) Any City Council Member
- e) City Council President or President Pro-Tem
- f) City Attorney's Office, or
- g) Human Resources Team through the Grievance Procedure.

A supervisor, including but not limited to any elected official, who receives a report of discrimination, harassment or retaliation must notify the Executive Director directly, or through the human resources team, or both, immediately or as soon as practicable, unless the report concerns the Executive Director. Reports concerning the Executive Director are encouraged to be brought directly to any reporting group above, or directly to the City Attorney's Office. Supervisors are also strongly encouraged to notify a supervisor in their chain of command about the report, particularly if the allegation involves discrimination, harassment, or retaliation by a supervisor against a subordinate employee.

Supervisors should not investigate allegations and should keep the allegations as confidential as possible, only sharing information about the reported allegations on a need-to-know basis, such as with a supervisor in their chain of command, the Executive Director, or the human resources team.

Denver City Council employees are encouraged to report allegations of discrimination, harassment, or retaliation directly to the City Council President or President Pro-Tem, especially if the employee does not feel comfortable contacting their supervisor, the Executive Director, or the human resources team.

All credible allegations of discrimination, harassment, and retaliation will be promptly investigated, as outlined in Section 2.6.5 Investigations. Pending the outcome of the investigation, appropriate precautionary steps may be taken to separate and/or restrict contact between the alleged perpetrator and alleged victim, which may include placing the alleged perpetrator on paid investigatory leave. After the investigation is concluded, appropriate remedial action will be taken, which may include discipline or dismissal of the employee who engaged in the discrimination, harassment, or retaliation.

If an employee reports misconduct, issues of disrespect, or other workplace conduct that does not rise to the level of discrimination, harassment, or retaliation prohibited under this policy and applicable law, the Executive Director, with the support of the human resources team, will perform an initial fact-finding to determine the appropriate remedial options designed to help the parties reach a confidential resolution or other appropriate outcome.

Additional details regarding reporting, investigation, confidentiality, and resolution of alleged discrimination, harassment, and/or retaliation against elected officers of City Council can be found in Denver City Council's Ordinance No. 549-21, § 1, 6-7-21. [[Ref. Art. II, Sec. 2-17 Antidiscrimination and harassment policy requirements of elected officers](#)].

Retaliation for reporting or participating in the resolution of any complaint of discrimination, harassment, or retaliation, regardless of whether the alleged perpetrator is an elected official, is prohibited and will not be tolerated.

2.7 Workplace Violence Prohibited

The safety and security of employees and visitors are of the utmost importance. Therefore, acts or threats of violence made by an employee or visitor against another person's life, health, well-being, family or property are strictly prohibited and will not be tolerated.

This policy applies to any threats made on Denver City Council property, at events, or under other circumstances that may reflect negatively on the Denver City Council or affect its ability to conduct business or accomplish its mission.

To accomplish this purpose, the Denver City Council expressly adopts by reference, for all purposes, Executive Order No. 112. [[Ref. Executive Order No. 112 – Violence in the Workplace](#)].

Executive Order No. 112 defines violence as, but not limited to:

- a) The actual or attempted: physical assault, beating, improper touching, striking, shoving, kicking, grabbing, stabbing, shooting, punching, pushing, rape, use of a deadly weapon; or
- b) The actual or attempted: threatening or abusive behavior (physical or verbal), intimidation, harassment, obscene or harassing telephone calls or electronic communications (including, but not limited to, text messages, emails, or social media posts), shouting at, restricting one's physical movement, or stalking.

Employees should familiarize themselves with Executive Order No. 112, including its attached memorandums dictating supervisory and management responsibilities as well as employee responsibilities, as well as the procedures for notifying law enforcement if a visitor makes a threat of violence.