

1 [Administrative Code Revision, Chapter 33]
2 AMENDING CHAPTER 33, PART ONE OF THE SAN FRANCISCO MUNICIPAL CODE
3 (ADMINISTRATIVE CODE) BY AMENDING SECTION 33.3 TO MAKE THE DISTRIBUTION
4 OF POWER BETWEEN THE COMMISSION ON THE STATUS OF WOMEN AND ITS
5 DEPARTMENT IN THIS CHAPTER CONSISTENT WITH THE CHARTER; SECTION 33.4 TO
6 REQUIRE THE COMMISSION ON THE STATUS OF WOMEN TO COORDINATE THE
7 CITY'S EFFORTS TO ESTABLISH A COMPREHENSIVE RESPONSE TO VIOLENCE
8 AGAINST WOMEN AND GIRLS; AND BY AMENDING SECTION 33.7 TO REQUIRE ALL
9 DEPARTMENTS TO MAKE QUARTERLY REPORTS REGARDING COMPLAINTS OF
10 GENDER DISCRIMINATION FILED BY THEIR EMPLOYEES TO THE HUMAN
11 RESOURCES DEPARTMENT AND TO REQUIRE THE HUMAN RESOURCES
12 DEPARTMENT TO COMPILE AND REPORT ON THOSE COMPLAINTS QUARTERLY TO
13 THE COMMISSION ON THE STATUS OF WOMEN.

14 Note: Additions are underlined; deletions are
15 in ((double parentheses)).

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. Chapter 33 of the San Francisco Administrative Code is hereby amended by
18 amending Sections 33.3 and 33.4 to read as follows:

19
20 **SEC. 33.3. DEPARTMENT, COMMISSION, EXECUTIVE DIRECTOR.**

21 The Department shall be known as the Department on the Status of Women. The
22 Commission shall formulate, evaluate and approve goals, objectives, plans and programs, set
23 policies for the Department and carry out the additional functions enumerated in the Charter.
24 The Executive Director shall be the department head and carry out the functions of
25 department head as enumerated in Section 4.126 of the Charter.((supervise the

1 Commission's staff.)) In selecting the Commission's staff, the Executive Director shall
2 consider the diverse makeup of the general public of San Francisco, including the racial,
3 ethnic, age and sexual orientation groups in the City and County. The Executive Director shall
4 also ensure that staff have demonstrated commitment and expertise in working on behalf of
5 women's issues and gender equity.

6
7 **SECTION. 33.4. POWERS AND DUTIES.** The Commission and its Department shall have
8 the power and the duty to:

9 (a) Prepare and disseminate educational and informational material relative to the
10 role that tradition and prejudice and the deprivation of equal opportunities in areas such as
11 education and employment have played in keeping women and girls of all races, creeds,
12 ages, marital status and sexual orientation from developing their full individual potentials and
13 from contributing fully to the cultural and economic life of the community;

14 (b) Hold public hearings on matters relevant to the general scope of the
15 Commission, and ((to)) subpoena records and witnesses in connection with such hearings;

16 (c) Review national, state and local legislation that ((which)) may have an impact on
17 the status of women and girls and communicate the Commission's position regarding the
18 proposed legislation to the appropriate legislative bodies, so long as the Commission's
19 position on state and federal legislation does not conflict with any official position taken by the
20 City and County;

21 (d) Analyze the composition of boards and commissions by gender and advise the
22 Mayor and the Board of Supervisors on the equity of appointments. Develop and maintain a
23 Talent Bank of Women that ((which)) can be used in a variety of ways, including but not
24 limited to assisting the Commission on the Status of Women in nominating qualified women
25 for appointment by the Mayor to vacancies on boards and commissions of the City and

1 County;

2 (e) Study, ((and)) make recommendations to and advocate for the Mayor, the Board
3 of Supervisors and departments to implement programs that promote the economic
4 development of women. The Commission's responsibilities shall include, but not be limited to:

5 (1) Advocating the Human Resources Department to develop and implement
6 programs that assist in recruiting and employing qualified women applicants for those
7 positions filled through the Human Resources Department which traditionally employ few
8 women, making recommendations regarding terminology used in job announcements,
9 recruitment techniques, job qualifications, salary schedules, training and promotional
10 practices,

11 (2) Studying job categories that ((which)) traditionally are filled primarily by women
12 or primarily by men to determine whether the rate of compensation in the traditionally female
13 jobs compares reasonably and favorably with the rate of compensation in the traditionally
14 male jobs, taking into consideration the training, experience, mental and physical effort and
15 responsibility required and the working conditions involved, and take necessary steps to
16 implement equity,

17 (3) Studying, developing policies and advocating for the Human Resources
18 Department and other City departments to implement policies addressing ((and making
19 recommendations regarding)) the special employment problems of women, including but not
20 limited to the need for family-friendly policies, flexible work options, ((part-time employment
21 options)), and family care resources ((child care centers, on-the-job training and retraining for
22 those who have been out of the employment market for extended periods and "glass-ceiling
23 issues")),

24 (4) Studying, developing policies and advocating for the elimination of barriers to
25 employment and advancement for women, including but not limited to on-the-job training and

1 retraining for women who have been out of the employment market for extended periods due
2 to family responsibilities and policies and practices addressing "glass-ceiling issues,"

3 (5) (((4))) Advising the Civil Service Commission and Human Resources Department
4 on the form of reports regarding City and County employees and members of boards and
5 commissions regarding sex, race, salary level, job classification and other disaggregated
6 statistical data, and to develop an analysis of the data in regard to the areas of concern to the
7 Commission,

8 (6) (((5))) Monitoring the reports of complaints of all forms of ((employment))
9 discrimination against women (including sexual harassment) received and forwarded by the
10 Department of Human Resources ((and all other agencies, departments, boards and
11 commissions of the City and County)) pursuant to Administrative Code Section 33.7, and
12 consult with and make recommendations to the Department of Human Resources ((and all
13 agencies, departments, boards and commissions of the City and County)) concerning the
14 handling of such complaints,

15 (7) (((6))) Assisting in the preparation of training programs and materials with respect
16 to the economic development of and employment discrimination against women and girls,
17 including sexual harassment, for City and County departments and agencies;

18 (f) Cooperate with and make recommendations to law enforcement agencies and
19 officials concerning the treatment of women and girls in the City and County's correctional and
20 juvenile justice system and ((,)) the enforcement of laws that ((which)) have a particular
21 impact on women and girls, including but not limited to laws relating to violence against
22 women and girls, rape and prostitution;

23 (g) Cooperate with, ((and)) make recommendations to, and advocate for the
24 Community College District and ((to)) the San Francisco Unified School District to ((on the))
25 develop ((development)) and implement ((implementation of)) programs and practices that

1 ((which)) have the purpose of furthering the objectives of this ordinance, including but not
2 limited to recommendations and advocacy concerning in-service training, sex-role
3 stereotyping in textbooks, sexual harassment, violence against women and girls, ((and))
4 courses and methods of providing role models for female students who may be interested in
5 areas of employment not traditionally filled by women, and ensuring that women and girls
6 have equal access to and opportunity in developing areas of technology;

7 (h) Provide information, guidance and technical assistance to other public agencies
8 and private persons, organizations and institutions engaged in activities and programs
9 intended to eliminate prejudice and discrimination against women and girls because of their
10 gender, and to serve as liaison between the public and private sectors on matters affecting
11 women and girls in the community;

12 (i) Cooperate with and make written recommendations to the Board of Supervisors,
13 the Mayor, City and County agencies, boards and commissions and City and County officials
14 regarding the development and implementation of programs and practices for the purpose of
15 furthering the objectives of this ordinance, including but not limited to, recommendations with
16 respect to improving the City and County's procedures for enforcing prohibitions against all
17 forms of discrimination against women and girls, including sexual harassment, within the City
18 and County government and with its contractors;

19 (j) Investigate and mediate, at the request of a party and within the limitations of
20 staff time and resources, any ((all)) incidents of discrimination against women because of their
21 status as women that ((which)) are not within the exclusive jurisdiction of some federal or
22 state agency, the Human Resources Department or the Human Rights Commission, and
23 make specific recommendations to the involved parties as to the methods for eliminating
24 discrimination against women;

25 (k) Prepare, encourage and coordinate programs of voluntary action to reduce or

1 eliminate existing inequalities and disadvantages in both the public and private sector
2 resulting from prejudice, tradition and past discrimination against women and girls;

3 (l) Coordinate the City's efforts to establish a comprehensive response to violence
4 against women and girls in cooperation with City departments and the community at large.

5 The Commission's responsibilities shall include, but not be limited to:

6 (1) Overseeing and administering funds allocated to the Commission for programs
7 regarding violence against women and girls;

8 (2) Receiving reports from all City departments funding programs regarding violence
9 against women ((Oversee and administer funds allocated to the Commission for programs
10 regarding violence against women; receive reports from all City departments funding
11 programs regarding violence against women));

12 (m) Review the programs and budget of any other City and County department or
13 agency where there are reasonable grounds for believing that department or agency is not
14 complying with this Article or is otherwise not protecting the rights of women and girls fully;
15 and, if necessary, to request the Controller to perform a management or budget audit with
16 respect to those deficiencies;

17 (n) Study and monitor all agencies, departments, boards and commissions of the
18 City and County to identify patterns and practices that have a discriminatory effect upon
19 women and girls;

20 (o) Carry out the provisions of Section 12K of the San Francisco Administrative
21 Code implementing, locally, the principles of the United Nations Convention on the Elimination
22 of All Forms of Discrimination Against Women (CEDAW);

23 (p) Coordinate with other City departments, policy bodies and community groups to
24 develop an integrated services plan for women and girls.

1 Section 2. Chapter 33 of the San Francisco Administrative Code is hereby amended by
2 amending Section 33.7, to read as follows:

3
4 **SECTION. 33.7. COOPERATION OF OTHER CITY AND COUNTY ENTITIES.** (a) The
5 Mayor, Board of Supervisors, and each commission, board, department and agency of the
6 City and County shall fully cooperate with the Commission in fulfilling the provisions and
7 purposes of this Article and shall regularly consult with the Commission on matters relating to
8 women.

9 (b) All agencies, departments, boards and commissions of the City and County, with
10 the exception of the City Attorney, shall make quarterly reports to the Human Resources
11 Department regarding all complaints of gender or sex discrimination filed by their employees.

12 ((The Human Resources Department shall make quarterly reports to the Commission
13 regarding all complaints of discrimination that it receives. The Human Resources
14 Department's quarterly reports to the Commission on the Status of Women shall not contain
15 information identifying the parties involved in the events giving rise to the complaint, but))
16 Those reports shall include: (1) the number of complaints filed that quarter ((and an identifier
17 that the Commission can use to monitor the status of each complaint;)) (2) the specific type of
18 discrimination alleged in each complaint filed; (3) the department, bureau or division in which
19 each complaint arose; (4) the harm allegedly suffered by the complainant; (5) the cost to the
20 department in handling the matter, when available; (6) the status of all outstanding
21 complaints, including, but not limited to a report that the complaint is being investigated or
22 mediated; (7) the findings in all completed cases; and (8) what, if any, corrective action was
23 taken. The Human Resources Department shall compile the information regarding the
24 complaints and report it to the Commission quarterly. The Human Resources Department
25 shall consult with the Commission concerning the policy manner in which such complaints are

1 handled. The Human Resources Department ((and all other agencies, departments, boards
2 and commissions of the City and County)) shall also send the Commission any and all reports
3 they make to the Board of Supervisors and/or the Mayor concerning any type of
4 ((employment)) discrimination against women (including sexual harassment). The Human
5 Resources Department shall provide the Commission, upon request, access to pertinent,
6 nonconfidential personnel information with respect to current City and County employees and
7 applicants for employment including, but not limited to: (1) an employee's or applicant's
8 eligibility or certification status; and (2) any workforce utilization or salary analysis performed
9 by the Human Resources Department.

10 (c) The City Attorney shall submit to the Commission a monthly report of
11 settlements, which includes lawsuits and claims filed by female employees of the City and
12 County alleging employment discrimination. The report shall include: (1) the name of the case
13 or claimant; (2) the nature of the case; (3) the damages allegedly suffered; and (4) the amount
14 of the settlement. The City Attorney shall also provide, quarterly, a summary of litigation
15 judgments in favor of and against the City and County, including all lawsuits filed by female
16 employees alleging discrimination. The City Attorney shall alert the Commission to the filing of
17 any lawsuit against the City and County alleging any form of discrimination against women
18 and shall provide a monthly report of all administrative claims filed against the City, including
19 any claims alleging discrimination against women. Upon request, the City Attorney shall
20 forward to the Commission a copy of any complaint or claim filed with or served upon the City
21 Attorney.


22 (((d) All agencies, departments, boards and commissions of the City and County, with
23 the exception of the City Attorney, shall make quarterly reports to the Commission regarding
24 all complaints of gender or sex discrimination filed by their employees. The quarterly report
25 shall include: (1) the number of complaints filed that quarter and an identifier that the

1 Commission can use to monitor the status of each complaint; (2) the specific type of
2 discrimination alleged in each complaint filed; (3) the department, bureau or division in which
3 each complaint arose; (4) the harm allegedly suffered by the complainant; (5) the costs to the
4 department in handling the matter; (6) the status of all outstanding complaints, including, but
5 not limited to a report that the complaint is being investigated or mediated; (7) the findings in
6 all completed cases; and (8) what, if any, corrective action was taken. All agencies,
7 departments, boards and commissions of the City and County required to file such reports
8 shall consult with the Commission concerning the manner in which such complaints shall be
9 handled.))

10
11 APPROVED AS TO FORM:

12 LOUISE H. RENNE, City Attorney

13
14 By:


15 Amy S. Ackerman
16 Deputy City Attorney
17
18
19
20
21
22
23
24
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 000537

Date Passed:

Ordinance amending Chapter 33, Part One of the San Francisco Municipal Code (Administrative Code) by amending Section 33.3 to make the distribution of power between the Commission on the Status of Women and its Department in this Chapter consistent with the Charter; Section 33.4 to require the Commission on the Status of Women to coordinate the City's efforts to establish a comprehensive response to violence against women and girls; and by amending Section 33.7 to require all departments to make quarterly reports regarding complaints of gender discrimination filed by their employees to the Human Resources Department and to require the Human Resources Department to compile and report on those complaints quarterly to the Commission on the Status of Women.

April 10, 2000 Board of Supervisors — SUBSTITUTED

May 8, 2000 Board of Supervisors — PASSED ON FIRST READING

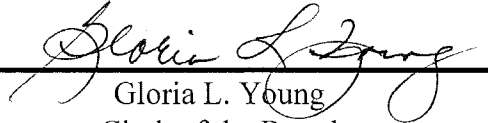
Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

May 15, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 000537

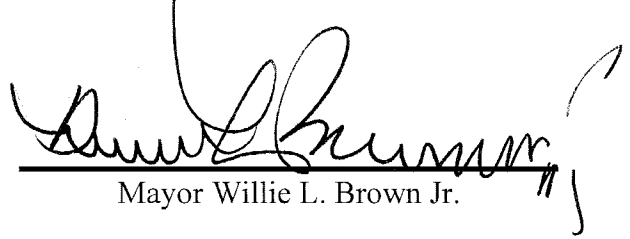
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on May 15, 2000 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

MAY 26 2000

Date Approved



Mayor Willie L. Brown Jr.