



STAFF REPORT

TO: Board of Commissioners
FROM: Suzy Watkins, Harbor Director
DATE: November 15, 2022
SUBJECT: **Revised Draft Policies 1015, 2215 and 2220**

Recommendations / Proposed Motion

1. Review and approve updated Draft Policy 1015-Standards of Decorum and Civility.
2. Review and approve updated Draft Policy 2215-Workplace Bullying and Violence.
3. Review and approve updated Draft Policy 2220-Equal Employment Opportunity.

Proposed Motion: Approve staff recommendations.

Policy Implications

Update policies to match current practice and standards.

Fiscal Implications / Budget Status

- None at this time.

Alternatives Considered

The following actions were considered but are not recommended at this time:

- None at this time.

Discussion

At your meeting of September 27, 2022, your Board considered draft updates to the proposed policies listed above. During Board discussion, your Board directed staff to bring back the draft policies with additional revisions for final review. The draft policies have been revised and the most current versions are attached in redline and clean versions.

Attachment(s):
1. Draft policies in redline markup
2. Clean draft policies

Port San Luis Harbor District

POLICY HANDBOOK

POLICY TITLE: Standards of Decorum and Civility
POLICY NUMBER: 1015
Originally Adopted: September 2022
Revised: November 2022
Reviewed: September 27, 2022; November 15, 2022

1015.10 The Port San Luis Harbor District desires to encourage mutual respect, civility, and orderly conduct among elected and appointed District officials, District staff, and members of the public. This policy is not intended to deprive any person of their right to freedom of expression, but to promote, to the extent possible and reasonable, open dialogue and positive communications while discouraging intimidating, demeaning, volatile, hostile, or aggressive actions.

The District is committed to maintaining a safe, productive and harassment-free work environment for District staff and a safe and non-threatening environment for visitors and customers. The District expects elected and appointed officials and its employees to comply with this policy, and also seeks cooperation from members of the public.

1015.20 The District has numerous public interactions, including meetings of the Board of Commissioners and committees (hereinafter "Public Meetings"). All elected officials, appointed officials and District employees (hereinafter "District Officials") as well as public participants are expected to adhere to the following standards of conduct in all public interactions:

- Treat everyone courteously;
- Listen to others respectfully;
- Exercise self-control;
- Give open-minded consideration to all viewpoints;
- Focus on the issues and avoid personalizing debate;
- Embrace respectful disagreement and dissent as democratic rights that are inherent components of an inclusive public process and tools for forging sound decisions and allow all members of the public to speak without intimidation or interruption; and
- Provide fair and equal treatment for all persons and matters coming before District Officials.

1015.30 **Standards of Decorum for District Officials.** In furtherance of the

foregoing standards of conduct, the standards of decorum set forth below shall be followed by District Officials:

1. District Officials shall treat all members of the public with respect at all times during Public Meetings and shall not make belligerent, personal, impertinent, slanderous, threatening, intimidating, abusive, profane, or disparaging comments towards members of the public or other District Officials. No shouting or physical actions that could be construed as threatening will be tolerated on the part of any District Official.
2. Every effort shall be made by District Officials to be fair and impartial in listening to public testimony. Members of the public deserve an opportunity to influence the thinking of elected and appointed officials. Expressing a final opinion or passing judgment prior to the close of presenting evidence and testimony at a Public Meeting casts doubt on the ability of members of a District body to conduct a fair review of the issue.
3. The same level of respect and consideration of differing points of view that is deemed appropriate for Public Meetings shall be maintained by District Officials in private conversations or communications, such as emails, voicemail messages, and text messages regarding matters of District business.
4. The professional and personal conduct of District Officials shall be above reproach and avoid even the appearance of impropriety. District Officials shall refrain from abusive conduct, personal charges or verbal attacks upon the character of members of the public or other District Officials.
5. All District Officials shall promote the use of and adherence to these standards at all Public Meetings.

1015.40 Standards of Decorum for Members of the Public. In furtherance of the foregoing standards of conduct, the standards of decorum set forth below shall be followed by Members of the Public:

1. No person attending a Public Meeting shall engage in disorderly or boisterous conduct, including, but not limited to, applause, whistling, stamping of feet, booing, or making any loud, threatening, profane, abusive, personal, impertinent, or slanderous utterance, that disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting.
2. All remarks by members of the public shall be addressed to the President or the Chair of the District body (hereinafter "Presiding Officer") and not to any other member of the public or to any individual member of the District body unless in response to a question from that member.
3. Signs, placards, banners, or other similar items shall not be permitted in the audience during a public meeting if the Presiding Officer determines that the presence of such item disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting.

4. All persons attending a Public Meeting shall obey any lawful order of the Presiding Officer to enforce the Standards of Decorum.
5. All persons attending a Public Meeting shall listen courteously and attentively to all public discussions at the meeting and avoid interrupting members of the public addressing the District body or District Officials.
6. Members of the public while attending a Public Meeting shall refrain from abusive conduct, personal charges or verbal attacks upon the character of District Officials.
7. It is the responsibility of the Presiding Officer to keep comments on topic during Public Meetings. Individuals should honor efforts by the Presiding Officer to focus discussion on current agenda items. If there is disagreement about the agenda or the Presiding Officer's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

1015.50 Enforcement of Standards of Decorum and Civility Policy.

1. The Presiding Officer shall be responsible for maintaining the decorum and civility at Public Meetings and enforcing the Standards of Decorum in a uniform and even-handed manner.
2. The Presiding Officer may intervene to ensure that no Commissioners interrupt members of the public while speaking.
3. District Officials who intentionally and repeatedly do not adhere to these standards may be reprimanded by the Presiding Officer or formally censured by a majority of the members of the Board of Commissioners.
4. In the event that any member of the public breaches the Standards of Decorum in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of a Public Meeting, the Presiding Officer shall order that person to cease the offending conduct.
5. If any member of the public continues to breach the Standards of Decorum in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of a Public Meeting following an order from the Presiding Officer to cease the offending conduct, the Presiding Officer may order that person to leave the Public Meeting and may engage the efforts of law enforcement as necessary to carry out the order.
6. If a member of the public acts abusively towards a District employee outside of a public meeting but in the workplace, staff will issue a verbal warning before taking further action in response to the abuse and providing that person with this policy. This warning, which should clearly identify both the offending behavior and the potential consequences that may occur if such behavior persists, shall provide the member of the public with an opportunity to improve their behavior before the District takes more serious action, such as removal from the premises.
7. If a member of the public does not improve their behavior in response to an oral warning, the District will ask the abusive individual to leave the premises for a short

period of time (e.g., the remainder of the day).

The above-described remedies for compliance with the Standards of Decorum are not exclusive and shall not preclude the application or use of other remedies provided by State or Federal law or the Port San Luis Code of Ordinances.

A breach of the Standards of Decorum and Civility Policy shall in no event be a basis for the invalidation of any action taken by the Board of Commissioners or any District committee.

PORT SAN LUIS HARBOR DISTRICT POLICY HANDBOOK

Attachment 1a

POLICY TITLE: Workplace Bullying and Violence (Previously Harassment)
POLICY NUMBER: 2215
Originally Adopted: October 2001
Revised: April 2017, September 2022, November 2022
Reviewed: September 27, 2022; November 15, 2022

2215.10 Port San Luis Harbor District is proud of its tradition of a collegial work environment in which all individuals are treated with respect and dignity. All District employees have the right to a professional and safe work environment. The District is committed to maintaining a workplace free from bullying, intimidation and violence.

2215.20 Workplace violence is any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the work site. It ranges from threats and verbal abuse to physical assaults. It can affect and involve employees, vendors, customers, and visitors.

2215.21 Claims of workplace bullying or violence will be investigated and remedied promptly.

2215.22 Disciplinary action up to and including termination may be instituted for an employee's behavior that conflicts with expectations as described in the definition of bullying, abusive conduct and retaliation set forth in this policy.

2215.23 An employee may be subject to discipline for engaging in bullying or abusive conduct that is not covered by the definition of harassment under the law, but, if repeated or allowed to continue, may fall under that definition.

2215.30 Bullying: Bullying behavior violates this Policy and, in some cases may constitute misconduct that violates Federal and State laws. When evaluating complaints of hostile, offensive, or abusive conduct, the District will consider both current legal standards and District Policy.

Bullying is defined as malicious, unwelcome and/or pervasive mistreatment of others that harms, intimidates, offends, degrades or humiliates, whether verbal, physical or otherwise, and interferes with an individual's ability to do their job. Behaviors constituting workplace bullying include, but are not limited to:

- Shouting or raising one's voice at another person
- Using obscene or intimidating gestures
- Personal insults and derogatory remarks
- Public humiliation
- Glaring or other nonverbal demonstrations of hostility
- Ignoring or interrupting another person
- Socially or physically excluding or disregarding a person in work-related activities
- Spreading rumors and gossip
- Exclusion or social isolation

- Sabotage of an employee's work product

2215.40 Violence: Any act or threat of physical aggression or other disruptive behavior intended to injure or intimidate another person or damage property. Violence includes but is not limited to:

- Hitting
- Shoving
- Poking
- Pushing
- Kicking
- Shaking fists
- Making intimidating gestures
- Destroying property
- Throwing objects

2215.50 Weapon: Any object, instrument or device designed or used to inflict bodily harm or physical damage.

2215.60 It is the responsibility of every District employee to conduct themselves in a manner that does not mistreat, intimidate, threaten, bully, coerce, abuse, or assault another employee, customer, or individual engaged in a business relationship with the District (e.g., vendor, contractor, consultant).

2215.61 Employees shall treat fellow employees and others (e.g., customers, contractors, vendors) in a respectful manner. Behavior that can be characterized as bullying, abusive, intimidating or offensive shall not be tolerated.

2215.62 Employees shall not engage in violent conduct or make threats of violence, implied or direct, in the workplace, at a work site, or within the context of District employment.

2215.63 No person shall have in their possession an unauthorized weapon while on District property, including in a District vehicle.

2215.64 The District has zero tolerance for any retaliation or retaliatory actions taken against anyone reporting behaviors in violation of this policy.

2215.70 Reporting Incidents: An employee who believes that they are the recipient ~~or of~~ workplace bullying or violence, or who is aware of, or suspects the occurrence of workplace bullying or violence, shall report such behavior to their supervisor, department head, Human Resources, the Harbor Director, ~~or~~ the President of the Board of Commissioners. Each complaint will be investigated with due process, quickly and confidentially to determine whether a policy violation has occurred.

2215.80 Policy Violation: If, as a result of an investigation, a determination is made that a policy violation has occurred, appropriate disciplinary and/or corrective action will be implemented. An employee will be disciplined according to the nature and severity of the offense. The range of disciplinary action extends from verbal reprimand to termination of employment, depending on the specific circumstances. In the event a non-employee violates this policy, appropriate District response may include, but is not limited to, barring the individual from District facilities and/or legal action.

PORT SAN LUIS HARBOR DISTRICT POLICY HANDBOOK

POLICY TITLE: Equal Employment Opportunity (Previously “Non-Discrimination”)
POLICY NUMBER: 2220
Originally Adopted: October 2001
Revised: April 2017; September 2022; November 2022
Reviewed: ~~September 27~~ November 15, 2022

2220.10 The Port San Luis Harbor District has a strong commitment to prohibiting and preventing discrimination, harassment, and retaliation in employment related to State and Federal protected classes. ~~It is t~~The District’s objective is to ensure a work environment free from all forms of discrimination and harassment for its diverse workforce. The principles of EEO are applied in all employment decisions and business practices, unless such practices would violate state or federal laws and statutes, court orders, or result in a loss of federal funds.

The District encourages all covered individuals to report, as soon as possible, any conduct that is believed to violate this policy.

2220.20 The District uses merit and excellence of qualifications as the basic principles guiding District Equal Employment Opportunity (EEO) efforts regarding employee recruitment, hiring, retention, training, transfers, promotions, and related public and private sector business activities.

The District strives to maintain a diverse workforce and to provide EEO to all applicants, employees, clients, and customers, without regard to race, religious creed, color, national origin, ancestry, age, disability (physical or mental), medical condition (cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, sexual orientation, political affiliation, or military and veteran status (Government Code sections 12920 and 19702 et seq). The District has a zero tolerance policy for EEO-related discrimination and/or harassment.

2220.21 It is unlawful and a violation of this policy to retaliate against District employees, applicants, vendors, contractors, or an employee of another organization or agency who has supported this policy, filed a complaint, testified, or assisted in any proceeding under this policy.

2220.22 All applicants and employees have the right to file complaints alleging discrimination. All EEO complaints must be filed with the District EEO Officer by completing and returning a PSLHD Employment Discrimination Complaint Form to the District Administrative Offices, filing via email at EEOConcerns@portsanluis.com or by phone at: 805-595-5412 within the applicable statute of limitations.

2220.30 Definitions and Protected Classes:

2220.30.1 Discrimination – Any act or failure to act, or an employment decision that is based in whole or in part on a person’s status in a protected class or retaliation that adversely affects privileges, benefits, working conditions, results in disparate treatment, or has a disparate impact on employees, applicants, and business partners.

2220.30.2 Harassment – A form of employment discrimination that violates related civil rights laws. Harassment is unwelcome conduct that is based on the State and Federal protected classes. Harassment becomes unlawful where (1) enduring the offensive conduct becomes a condition of continued employment, or (2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Behaviors constituting workplace harassment include, but are not limited to:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings or gestures;
- Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis; and,
—Retaliation for having reported or threatened to report harassment.

2220.30.3 Retaliation – Civil rights laws prohibit punishing job applicants or employees for asserting their rights to be free from employment discrimination including harassment. It is unlawful to retaliate against applicants, employees, or business partners for reporting, filing an EEO complaint, or participating in an EEO-related investigation, or the perception of either. Employees (supervisors, co-workers and management) found to be retaliating against another employee shall be subject to disciplinary action up to, and including, termination.

2220.30.4 Protected Classes – Race, religious creed, color, national origin, ancestry, age, disability (physical or mental), medical condition (cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, sexual orientation, political affiliation, or military and veteran status (Government Code sections 12920 and 19702 et seq)~~Race, color, ancestry/national origin, religion, age (40 and over), disability (physical or mental), sex (includes pregnancy, childbirth, breastfeeding and related medical conditions), gender (including identity and expression), sexual orientation, medical condition (cancer and genetic characteristics), genetic information, marital status, military or veteran status, political affiliation~~, as well as protection from retaliation for filing/perception of filing an EEO complaint and protection from retaliation if participating/being perceived to participate in an EEO investigation.

2220.40 Responsibilities

2220.40.1 EEO Officer:

- a. Ensures that the District's EEO Program and plan are fully implemented and complied with in all programs and business activities.
- b. Ensures that employment, recruitment, hiring, retention, training, transfers, promotions and business activities comply with EEO guidelines and laws.
- c. Ensures that active recruitment efforts for qualified applicants are broad and inclusive of all segments of the relevant workforce.
- d. Provides EEO technical assistance to managers and supervisors.
- e. Provides oversight for District discrimination complaint processes.
- f. Ensures that comprehensive, neutral and timely investigations of discrimination complaints and provides a thorough, impartial, uniform, and confidential complaint intake process. Serves as point of contact for employees to initiate the complaint process.
- g. Conducts fair, impartial, and timely reviews of discrimination complaints (including allegations of sexual harassment and denial of reasonable accommodation) and recommends resolutions.
- h. Serves as the liaison to the United States Equal Employment Opportunity Commission (EEOC), the Department of Fair Employment and Housing (DFEH), and representatives from other State agencies as required, and executive and legal staff regarding EEO matters.
- i. Submits reports and data to executive staff and legal counsel for presentation to Commissioners.

2220.40.2 Managers and Supervisors:

- a. Provide a work environment that is free from discrimination and harassment by ensuring that standards and practices comply with EEO guidelines and this policy.
- b. Review this policy with employees on an annual basis, or more often as needed.
- c. Forward EEO complaints to the EEO Officer in a confidential and timely manner.
- d. Ensure that employees are aware of their responsibility to cooperate fully in the investigation processes of a complaint and in any disciplinary proceedings for violations of this policy.
- e. Work with the EEO Officer, legal counsel, and human resources to take immediate and appropriate corrective action when a violation of this EEO policy occurs. Corrective action may include remedial or disciplinary action after an appropriate finding that a policy violation occurred, and/or taking steps during the period that an investigation of a complaint is pending to prevent additional potential or alleged policy violations.
- f. Provide a work environment that is free from retaliation for those who have

supported this policy, filed a complaint, testified, or assisted in any proceeding under this policy.

2220.40.3 Employees, Applicants and Business Partners:

- a. Ensure that fellow employees, business partners, and the general public are treated with dignity and respect in a work environment that is free from discrimination and harassment.
- b. Immediately report alleged violations of this policy, whether directed at themselves or at co-workers, to a supervisor, manager, or the District EEO Officer.
- c. Cooperate fully in the investigation processes of a complaint and in disciplinary proceedings for violations of this policy.

2220.40.4 Applicability

- a. This policy applies to all District employees, applicants and business partners.

RESOURCES

Government Code sections [19790-19799](#)

California Fair Employment and Housing Act ([Government Code 12900-12996](#))

[Title VII, US Civil Rights Act of 1964](#)

[The Age Discrimination in Employment Act of 1967 \(ADEA\)](#)

[Rehabilitation Act of 1973 \(29 USC 791 et. seq.\)](#)

[The Pregnancy Discrimination Act](#)

[Title I of the Americans with Disabilities Act of 1990 \(ADA\)](#)

[Unruh Civil Rights Act \(Civil Code 51-53\)](#)

[Article 1, Section 31, California Constitution](#)

EEO concerns email EEOConcerns@portsanluis.com

Exhibits:

PSLHD Employment Discrimination Complaint Form

PSLHD Equal Employment Opportunity Statement

Port San Luis Harbor District

POLICY HANDBOOK

POLICY TITLE: Standards of Decorum and Civility
POLICY NUMBER: 1015
Originally Adopted: September 2022
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Reviewed: September 27, 2022; November 15, 2022

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Reviewed: September 27, 2022; November 15, 2022

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2215.50 Weapon: Any object, instrument or device designed or used to inflict bodily harm or physical damage.

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2215.70 Reporting Incidents: An employee who believes that they are the recipient of workplace bullying or violence, or who is aware of, or suspects the occurrence of workplace bullying or violence, shall report such behavior to their supervisor, department head, Human Resources, the Harbor Director, or the President of the Board of Commissioners. Each complaint will be investigated with due process, quickly and confidentially to determine whether a policy violation has occurred.

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PORT SAN LUIS HARBOR DISTRICT POLICY HANDBOOK

POLICY TITLE: Equal Employment Opportunity (Previously “Non-Discrimination”)
POLICY NUMBER: 2220
Originally Adopted: October 2001
Revised: April 2017; September 2022; November 2022
Reviewed: November 15, 2022

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The District encourages all covered individuals to report, as soon as possible, any conduct that is believed to violate this policy.

2220.20 The District uses merit and excellence of qualifications as the basic principles guiding District Equal Employment Opportunity (EEO) efforts regarding employee recruitment, hiring, retention, training, transfers, promotions, and related public and private sector business activities.

The District strives to maintain a diverse workforce and to provide EEO to all applicants, employees, clients, and customers, without regard to race, religious creed, color, national origin, ancestry, age, disability (physical or mental), medical condition (cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, sexual orientation, political affiliation, or military and veteran status (Government Code sections 12920 and 19702 et seq). The District has a zero tolerance policy for EEO-related discrimination and/or harassment.

2220.21 It is unlawful and a violation of this policy to retaliate against District employees, applicants, vendors, contractors, or an employee of another organization or agency who has supported this policy, filed a complaint, testified, or assisted in any proceeding under this policy.

2220.22 All applicants and employees have the right to file complaints alleging discrimination. All EEO complaints must be filed with the District EEO Officer by completing and returning a PSLHD Employment Discrimination Complaint Form to the District Administrative Offices, filing via email at EEConcerns@portsanluis.com or by phone at: 805-595-5412 within the applicable statute of limitations.

2220.30 Definitions and Protected Classes:

2220.30.1 Discrimination – Any act or failure to act, or an employment decision that is based in whole or in part on a person’s status in a protected class or retaliation that adversely affects privileges, benefits, working conditions, results in disparate treatment, or has a disparate impact on employees, applicants, and business partners.

2220.30.2 Harassment – A form of employment discrimination that violates related civil rights laws. Harassment is unwelcome conduct that is based on the State and Federal protected classes. Harassment becomes unlawful where (1) enduring the offensive conduct becomes a condition of continued employment, or (2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Behaviors constituting workplace harassment include, but are not limited to:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings or gestures;
- Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis; and,

Retaliation for having reported or threatened to report harassment.**2220.30.3** Retaliation – Civil rights laws prohibit punishing job applicants or employees for asserting their rights to be free from employment discrimination including harassment. It is unlawful to retaliate against applicants, employees, or business partners for reporting, filing an EEO complaint, or participating in an EEO-related investigation, or the perception of either. Employees (supervisors, co-workers and management) found to be retaliating against another employee shall be subject to disciplinary action up to, and including, termination.

2220.30.4 Protected Classes – Race, religious creed, color, national origin, ancestry, age, disability (physical or mental), medical condition (cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, sexual orientation, political affiliation, or military and veteran status (Government Code sections 12920 and 19702 et seq), as well as protection from retaliation for filing/perception of filing an EEO complaint and protection from retaliation if participating/being perceived to participate in an EEO investigation.

2220.40 Responsibilities

2220.40.1 EEO Officer:

- a. Ensures that the District’s EEO Program and plan are fully implemented and complied with in all programs and business activities.
- b. Ensures that employment, recruitment, hiring, retention, training, transfers, promotions and business activities comply with EEO guidelines and laws.
- c. Ensures that active recruitment efforts for qualified applicants are broad and inclusive of all segments of the relevant workforce.
- d. Provides EEO technical assistance to managers and supervisors.
- e. Provides oversight for District discrimination complaint processes.
- f. Ensures that comprehensive, neutral and timely investigations of discrimination complaints and provides a thorough, impartial, uniform, and confidential complaint intake process. Serves as point of contact for employees to initiate the complaint process.
- g. Conducts fair, impartial, and timely reviews of discrimination complaints (including allegations of sexual harassment and denial of reasonable accommodation) and recommends resolutions.
- h. Serves as the liaison to the United States Equal Employment Opportunity Commission (EEOC), the Department of Fair Employment and Housing (DFEH), and representatives from other State agencies as required, and executive and legal staff regarding EEO matters.
- i. Submits reports and data to executive staff and legal counsel for presentation to Commissioners.

2220.40.2 Managers and Supervisors:

- a. Provide a work environment that is free from discrimination and harassment by ensuring that standards and practices comply with EEO guidelines and this policy.
- b. Review this policy with employees on an annual basis, or more often as needed.
- c. Forward EEO complaints to the EEO Officer in a confidential and timely manner.
- d. Ensure that employees are aware of their responsibility to cooperate fully in the investigation processes of a complaint and in any disciplinary proceedings for violations of this policy.
- e. Work with the EEO Officer, legal counsel, and human resources to take immediate and appropriate corrective action when a violation of this EEO policy occurs. Corrective action may include remedial or disciplinary action after an appropriate finding that a policy violation occurred, and/or taking steps during the period that an investigation of a complaint is pending to prevent additional potential or alleged policy violations.
- f. Provide a work environment that is free from retaliation for those who have supported

this policy, filed a complaint, testified, or assisted in any proceeding under this policy.

2220.40.3 Employees, Applicants and Business Partners:

- a. Ensure that fellow employees, business partners, and the general public are treated with dignity and respect in a work environment that is free from discrimination and harassment.
- b. Immediately report alleged violations of this policy, whether directed at themselves or at co-workers, to a supervisor, manager, or the District EEO Officer.
- c. Cooperate fully in the investigation processes of a complaint and in disciplinary proceedings for violations of this policy.

2220.40.4 Applicability

- a. This policy applies to all District employees, applicants and business partners.

RESOURCES

Government Code sections [19790-19799](#)

California Fair Employment and Housing Act ([Government Code 12900-12996](#))

[Title VII, US Civil Rights Act of 1964](#)

[The Age Discrimination in Employment Act of 1967 \(ADEA\)](#)

[Rehabilitation Act of 1973 \(29 USC 791 et. seq.\)](#)

[The Pregnancy Discrimination Act](#)

[Title I of the Americans with Disabilities Act of 1990 \(ADA\)](#)

[Unruh Civil Rights Act \(Civil Code 51-53\)](#)

[Article 1, Section 31, California Constitution](#)

EEO concerns email EEOConcerns@portsanluis.com

Exhibits:

PSLHD Employment Discrimination Complaint Form

PSLHD Equal Employment Opportunity Statement



PORT SAN LUIS HARBOR DISTRICT

3950 Avila Beach Drive / P.O. Box 249
Avila Beach, California 93424

**Employment Discrimination
Complaint Form**

Port San Luis Harbor District strives to maintain a diverse workforce and to provide equal employment opportunities to all applicants, employees, clients, and customers, without regard to race, religious creed, color, national origin, ancestry, age, disability (physical or mental), medical condition (cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, sexual orientation, political affiliation, or military and veteran status. The District has a zero tolerance policy for EEO-related discrimination and/or harassment.

If you believe that your EEO rights have been violated by the District or it's representative(s), you may use this form to file a complaint with the District. Complaints should be filed as close to the date of the alleged discrimination as possible, but no later than the applicable statute of limitations.

The following information is necessary to assist us in processing your complaint. The completed form must be returned to the District at the address listed at the top of this form. You may also file a complaint by phone at: 805-595-5412 or email: EEOConcerns@portsanluis.com.

In case you need assistance filling out this form, please contact us.

Your Name:	
Street Address, City, State, Zip:	
Your Phone:	Alternate Phone:
E-mail Address:	
Name of person(s) discriminated against (if others beside yourself are discriminated against please include whatever you know about them):	
Street Address, City, State and Zip:	

Which of the following best describes the reason you believe the alleged discrimination took place?

- Race
- Religious Creed
- Color
- National Origin (Limited English Proficiency)
- Ancestry
- Age
- Disability (physical or mental)
- Medical condition (cancer and genetic characteristics)
- Genetic information
- Marital status
- Sex (including pregnancy, childbirth, breastfeeding, and related medical conditions)
- Gender
- Gender identity
- Gender expression
- Sexual orientation
- Political affiliation
- Military and veteran status

Protected class identified by Federal or State Statutes may be revised to stay current with legislative changes.

BOARD OF COMMISSIONERS

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Harbor Director
Legal Counsel
Treasurer

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

September 7, 2022

Port San Luis Harbor District (the "District") is committed to the principle of equal employment opportunity for all employees, and to providing employees a work environment free of discrimination and harassment. We are committed to equal employment opportunity (EEO), by celebrating diversity, and creating an inclusive and accessible work environment that prohibits and remedies discrimination and harassment of any kind. It is the policy of the District to ensure that no employee or applicant for employment is denied equal opportunity because of race, color, religion, sex (including sexual orientation, gender identity and expressions, and pregnancy), national origin, age (40 and over), disability, marital status, parental status, veteran status, genetic information, or reprisal. These protections extend to all aspects of employment and management practices and decisions, including recruitment and hiring, pay, job assignments, appraisal systems, promotions, training, career development programs, and any other term, condition, or benefit of employment. All employment decisions are based on business needs, job requirements and individual qualifications.

The District aspires to be a diverse workforce, representative of the public we serve. All District employees must comply with all non-discrimination laws and policies, and actions inconsistent with these laws and policies could result in disciplinary action, up to and including termination of employment. While all District employees are required to attend mandatory EEO training bi-annually, as part of our ongoing efforts to foster and maintain a civil non-discriminatory work environment, additional workplace training opportunities will be available throughout the year, and employees are encouraged to participate as their work schedules permit. All employees and applicants for employment are afforded legal protections against EEO violations and have the right to raise allegations of discrimination and harassment without fear of reprisal. Any employee, former employee, or applicant for employment who believes that they were subjected to discrimination, harassment, or retaliation based upon a protected class and elects to initiate an EEO complaint is encouraged to do so as soon as possible after the alleged discriminatory event or action by completing the EEO Complaint Form or contacting the District EEO Officer, Human Resources, a member of management or Commissioner. Read the full Equal Employment Opportunity Policy available in any staff break room or online on "Z" drive.

The District thanks and appreciates all employees for our continuing commitment to sustaining a civil, respectful, and discrimination-free work environment.

EEO Officer: Karen O'Brien

Date