



Board Policy No. 213

Prohibiting All Forms of Unlawful Employment Discrimination Including Sexual or Other Forms of Harassment

ADOPTED: 8/98

RECENT AMENDMENT: 10/26/16

SEE ALSO: 213A

SUBJECT CATEGORY: HUMAN RESOURCES

SUBSECTION: GENERAL

CONTROL DEPARTMENT: COMPLIANCE & DIVERSITY

I. PURPOSE

The purpose of this policy is to demonstrate AC Transit's commitment to providing a work environment free from all forms of unlawful employment discrimination, including sexual and other forms of harassment. This includes fostering an organizational culture of inclusiveness with a diverse workforce.

II. PERSONS AFFECTED

All elected officials, Board Officers, employees, temporary employees, volunteers, paid and unpaid interns, consultants, vendors, contractors and job applicants. This Policy applies to all District locations, as well as to all employer-sponsored activities, such as training, social, or other events; whether held at a District facility or at other locations.

III. POLICY

AC Transit will not tolerate unlawful employment discrimination, including sexual or other forms of harassment of any employee or applicant for employment because of race, religious creed (including religious dress and grooming practices), color, national origin (including language use restrictions), ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity, gender expression, age, sexual orientation, military or veteran status, denial of Family or Medical Care Leave or Pregnancy Disability Leave or any additional protected classes.

Supervisors, co-workers and third parties are prohibited from engaging in unlawful behavior under the Fair Employment Housing Act.

Any incident of unlawful Discrimination, including sexual or other forms of Harassment, may be reported to the employee's supervisor or manager, to any member of management, or to the District's EEO Office. Supervisors must report all complaints to the EEO Office immediately. All complaints will be followed by a fair, complete and timely investigation. To the extent possible, a complaint will be treated with confidentiality and the privacy rights of all parties involved in an investigation will be protected. Remedial action will be taken if any misconduct is found.

AC Transit will not tolerate any retaliation against anyone because he or she has opposed any discriminatory employment practice; made a charge; or testified, assisted, or participated in any manner in an investigation, proceeding, or hearing involving unlawful employment discrimination.

Part of maintaining a work environment free from employment discrimination and harassment rests on the fundamental principles that we must treat each employee and all others with respect, dignity and professionalism.

The Human Resources Department in conjunction with the EEO Program Administrator are responsible for distributing this policy to all employees with an acknowledgment form for the employee to sign and return.

IV. GENERAL RESPONSIBILITIES

All persons affected are responsible for ensuring that his or her on-the-job behavior and performance are consistent with this policy and responsible for implementation of this Policy, including taking the steps necessary to prevent all forms of employment discrimination, including sexual and other forms of harassment, and undertaking to accomplish AC Transit's Equal Employment Opportunity (EEO) goals. Supervisors, co-workers and third parties are prohibited from engaging in unlawful behavior under the Fair Employment and Housing Act.

V. AUTHORITY

A. Authority of the General Manager

The General Manager is directed to issue the necessary Administrative Regulations and develop the necessary forms and systems required to implement this Policy.