



2.C.-1

DEPARTMENT OF
PERSONNEL

CITY OF SACRAMENTO
CALIFORNIA

801 NINTH STREET
ROOM 201
SACRAMENTO, CA
95814-2693

DONNA L. GILES
DIRECTOR

916-449-5270

June 5, 1989

DIVISIONS:
ADMINISTRATION
EMPLOYEE SERVICES
PERSONNEL MANAGEMENT
SERVICES
WORKERS'
COMPENSATION

Budget and Finance Committee
Sacramento, California

Honorable Members In Session:

**SUBJECT: REPORT BACK - INFORMATION ON DISCRIMINATION COMPLAINTS
FILED IN THE 1988-89 FISCAL YEAR**

SUMMARY

This report is in response to a request for information regarding discrimination complaints filed against the City of Sacramento in the 1988-89 fiscal year.

BACKGROUND

The Personnel Administration Division's program statistics chart on page A36 of the 1989-90 Proposed Budget, states that during the 1988/89 FY, an estimated 20 discrimination complaints will be filed against the City of Sacramento. This includes complaints filed through the City's Internal Discrimination Complaint Resolution Procedure, with state and federal agencies and suits filed in court.

Based on a more recent review, it appears that the number of complaints will fall short of the projection. As of June 5, 1989, there have been 14 complaints filed during the current fiscal year. Seven of the complaints were initially filed with the Department of Fair Employment and Housing, and the remaining seven were filed with the City's Affirmative Action Officer. Seven cases are based on allegations of sex discrimination, four allege physical handicap discrimination and three are race discrimination complaints.

Of the seven cases filed with the Department of Fair Employment and Housing, five have not been decided, one complainant withdrew on the basis of electing court action, and one case was closed administratively based on the Department of Fair Employment and Housing's preliminary analysis.

Four complaints filed through the internal process have been closed on the basis of insufficient evidence to support a finding of discrimination, two cases have decisions pending and one complaint was withdrawn by the complainant.

Synopsis of the cases are attached.

FINANCIAL

None

POLICY CONSIDERATIONS

None

MBE/WBE EFFORTS

None

RECOMMENDATION

This report is submitted for committee information only. There are no recommendations.

Respectfully Submitted



DONNA L. GILES
Director of Personnel

FOR COMMITTEE INFORMATION ONLY:



JACK R. CRIST
Deputy City Manager

CONTACT PERSON: Gary L. Little
449-5270

All Districts

2. 4. 1

Synopsis of Discrimination Complaints
Filed in the 1988/89 FY

Investigating Agency

1. DFEH Complainant alleged discrimination on the basis of physical handicap (perceived). The complainant is a Black Male employed in a limited-term Clerical position. The complainant alleges that he was released from his position and denied an opportunity to advance because his supervisors believed he has a physical handicap, Acquired Immune Deficiency Syndrome (AIDS). A decision on the case is pending.
2. DFEH Complainant alleged discrimination on the basis of sex and retaliation. The complainant is a female employed in a Peace Officer occupation. The complainant alleges that she has been subjected to harassment by coworkers. In addition, the complainant alleges that she reported the harassment to her supervisors and higher management. She alleges that her supervisors retaliated against her for complaining to higher management. The case was closed on the basis that the complainant elected to pursue court action.
3. DFEH Complainant alleged discrimination in employment on the basis of sexual harassment. The complainant, a White female employed in a Skilled Crafts position, alleges that she has been subjected to an intimidating, hostile and offensive environment, by her supervisor. An investigation by the Department of Fair Employment and Housing is in progress.
4. DFEH Complainant alleged discrimination in employment based on sexual harassment. The complainant is a Black female who resigned her employment in a Service Maintenance position. The complainant alleges that she was forced to resign (constructive discharge) as a result of being sexually harassed by her supervisor. She further alleges that she had been denied a promotion because she had complained about sexual harassment. The case was transferred to the jurisdiction of the Equal Employment Opportunity Commission. The complaint is under investigation.
5. Internal Complainant alleged discrimination in employment based on race, sex, handicap and other basis. The complainant is an American Indian male who was denied reemployment in a seasonal position. The complainant was also denied hire into a different part-time non-career position in the same department. The complainant alleged that the refusals to hire occurred because of his race, sex (male), and handicap (learning disorder), and other protected factors. The case was closed on the basis of insufficient evidence. In addition, some of the allegations had not been filed in a timely manner and were therefore, outside of the Affirmative Action Officer's jurisdiction to investigate.

6. Internal Complainant alleged discrimination on the basis of race. The complainant is a Black male employed in a part-time Technicians position. The complainant alleges that he has been denied employment opportunities because of his race. The case was closed on the basis of insufficient evidence to support a finding of discrimination.
7. DFEH Complainant alleged discrimination on the basis of physical handicap. The complainant, a White female, alleges that she was denied employment in a sworn Peace Officer position, as a result of poor vision. The complainant further alleges that the City did not reasonably accommodate her by allowing her to carry a second pair of glasses or wear contact lens which would bring her eyesight up to normal. The case was closed on the basis of a preliminary analysis by the Department of Fair Employment and Housing.
8. DFEH Complainant alleged discrimination on the basis of physical handicap. The complainant is a White male employed in a Protective Service occupation. The complainant alleges that he was injured on the job and has not been allowed to return to light duty although he is physically capable of working on light duty. An investigation is in progress.
9. DFEH Complainant alleged discrimination on the basis of sex. The complainant is a White female who is employed in a Peace Officer classification. The complainant alleged that she has been subjected to harassment on the basis of her sex. An investigation is in progress.
10. Internal Complainant alleged discrimination on the basis of race. The complainant is a White male who was released from probationary employment in a Service Maintenance classification. The complainant believes that he would not have been released if he were Hispanic. The case was closed on the basis of insufficient evidence to support a finding of discrimination.
11. Internal Complainant alleged discrimination on the basis of physical handicap. The complainant is a Black female who was released from probationary employment in a Technicians position. The complainant alleges that she was released because of a physical handicap, possible carpal tunnel syndrome. The case was closed on the basis of insufficient evidence to support a finding of discrimination.

12. Internal Complainant alleged discrimination on the basis of sex. The complainant is a Hispanic male employed in a Service Maintenance position. The complainant alleged that he was not provided with the same level of training as his female coworkers. The investigation is in progress.
13. Internal Complainant alleged discrimination on the basis of sex. The complainant is a Black male employed in a Clerical position. He alleged that he was subjected to more criticism than his female coworkers because of his gender and due to the fact that his supervisor suspected that he had a physical handicap. The case was closed on the basis of complaint withdrawn by complainant.
14. Internal Complainant alleged discrimination on the basis of sex. The complainant is a Hispanic male who filed an earlier action addressed above. The complainant alleges that he is being subjected to harassment from his female supervisor because of his sex. An investigation is in progress.