

## **Executive Order Number 4 -11**

### **Prohibition of Sexual Harassment In City Government**

WHEREAS, it is the policy of the City of Philadelphia to promote a workplace environment free of harassment or discrimination on the basis of gender, gender identity or sexual orientation;

WHEREAS, the City of Philadelphia is an equal opportunity employer and does not discriminate on the basis of race, color, national origin, sexual orientation, gender, gender identity, religion, age or disability; and

WHEREAS, the City of Philadelphia wishes to resolve complaints of sexual harassment or discrimination fairly and efficiently;

NOW, THEREFORE, by the powers vested in me by the Philadelphia Home Rule Charter, it is hereby ORDERED that:

#### **1. PROHIBITION OF SEXUAL HARASSMENT**

1. Unwelcome sexual advances, requests for sexual favors, or other acts of a sexual nature may constitute sexual harassment when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

2. Sexual harassment of a City employee or applicant for City employment by City officials or employees is prohibited. The granting or withholding of City employment opportunities and benefits (including, but not limited to, job assignments, unequal discipline, promotion, evaluation and compensation) may constitute prohibited sexual harassment of other employees when it is based on a consensual sexual relationship between a supervisor/manager and subordinate.

3. No City official or employee shall engage in any form of retaliation against a person because he or she has raised a concern, filed a complaint of, or been a witness to, sexual harassment.

4. All City employees, supervisors and managers shall, to the best of their abilities, maintain a work environment that is free of sexual harassment or intimidation.

5. A City employee or applicant for City employment who believes he or she has been sexually harassed, or has knowledge that others have been sexually harassed, may contact his or her supervisor, departmental personnel officer, EEO officer, or the

EEO/AA Unit of the City's Office of Human Resources and may seek either an informal or formal resolution of his or her complaint.

6. City supervisors and managers shall report allegations of harassment to the head of the department, the Labor and Employment Unit of the Law Department, the EEO/AA Unit of the Office of Human Resources (OHR), and the appropriate Cabinet official within five (5) business days of receipt of the complaint.

7. City supervisors and managers shall provide copies of the City's policy on sexual harassment to employees under their supervision.

## **2. RELATED POLICY**

The Department of Human Resources Policy for Preventing Sexual Harassment in City Government, last revised August 1998, is, by this Order, simultaneously adopted and incorporated here by reference as if fully stated.

## **3. EFFECTIVE DATE**

This Order shall be effective immediately.

Date: 1/25/11

  
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Michael A. Nutter, Mayor