



## Equal Opportunity Complaint Policy

The City is committed to maintaining a workplace free of discrimination, harassment, and inappropriate behavior on the basis of race, color, gender, age, religion, national origin, marital status, sexual orientation, disability, or gender identity (protected characteristics). The City is responsible for ensuring that all actions dealing with personnel and employment practices will be in accordance with equal employment laws, policies, and procedures and that services, programs and activities will be in accordance with applicable laws, policies, and procedures.

Employees and applicants for employment and citizens utilizing City services will be given the opportunity to voice complaints of discrimination, harassment, or inappropriate behavior. Such complaints will be given prompt and full consideration and every effort will be made to resolve them rapidly. Employees, applicants, or citizens registering complaints of discrimination, harassment or inappropriate behavior will be free from reprisal, harassment, intimidation, or retaliation. The receipt, investigation and resolution of complaints shall be in accordance with equal opportunity laws, policies, and procedures. The Equal Opportunity Department Director shall develop procedures for investigation of complaints.

An employee, applicant, or other individual maintains the right to file a complaint with an outside agency or to use existing collective bargaining procedures, as applicable, at any stage in the complaint process.

In carrying out the City's formal or informal Equal Opportunity Complaint investigations, all information either received, solicited, or compiled during the course of said investigation, whether in written, oral, or other form, will be protected and remain strictly confidential to the extent allowed by Florida law. All City employees are required to cooperate fully with the Equal Opportunity Department during any formal or informal investigation.

Formal Complaints:

1. The affected employee or citizen will complete a "Complaint of Discrimination" form in the Equal Opportunity Department within one hundred-eighty (180) days of the employee's or citizen's knowledge of the alleged act of Discrimination.
2. The Charter Officer or designee will have ten (10) working days from receipt of the complaint and request in which to provide information and/or documents requested by the Equal Opportunity Department Director. Any additional requests for information and/or documents should be completed within the timeframe specified by the Equal Opportunity Department Director. The response deadlines may be extended by the Equal Opportunity Department Director.
3. The Equal Opportunity Department Director or designee, may work alone or in conjunction with other investigator (s) selected by the Equal Opportunity Department Director to conduct a formal investigation of the alleged charges, which may include an informal hearing of persons involved, and on-site interviews of other employees who may have witnessed the alleged discriminatory act(s). If other investigators are used, they will work under the direction and supervision of the Equal Opportunity Department Director or designee and all investigative plans, interviews, requests for information, work, and scope of work will be coordinated and approved through the Equal Opportunity Department Director or designee. All reports of the investigator(s) will be submitted to the Equal Opportunity Department Director or designee.
4. The complainant and the alleged discriminating party may give a list of witnesses to be interviewed by the Equal Opportunity Department Director or other investigator(s) in support or denial of the charge(s) of discrimination. Also, any documents related or pertinent to the allegation(s) should be submitted to the Equal Opportunity Department Director or designee.
5. Prior to completing the final written investigation report, the Equal Opportunity Department Director will meet with the Charter Officer or designee and will consult with the City Attorney's Office regarding the preliminary results of the investigation. The Charter Officer or designee will be allowed to present additional information.
6. Upon completion of the investigation, the Equal Opportunity Department Director will submit a written investigative report of findings directly to the Charter Officer. If the complaint makes personal and direct allegations against a Charter Officer, the written investigative report will be submitted to the City Commission by the Equal Opportunity Department Director and the City Auditor.
7. If the complaint is against an employee working under the Charter Officer, the respective Charter Officer will meet with the Equal Opportunity Department Director to discuss the complaint or report. The Charter Officer will issue a written response directly to the Equal Opportunity Department Director and the complainant within fifteen (15) working days after receipt of the Equal Opportunity Department

Director's written investigative report.

Investigation Coordination:

If the investigation will be conducted by external investigators, the Equal Opportunity Department Director shall prepare the necessary paperwork and develop any evaluative criteria to be used. The Equal Opportunity Department Director shall be responsible for selecting the investigator(s). The Equal Opportunity Department Director shall receive the report(s) of the investigator(s) and ensure that any contractual terms have been fulfilled. Funds for contracting with external investigators will be allocated in the Equal Opportunity Department's budget.

Informal Complaints:

Informal Complaints are complaints that have not been notarized. An employee/applicant or citizen who believes that he/she is the victim of discrimination may informally contact the Equal Opportunity Department Director or designee or a supervisor or manager. The Equal Opportunity Department Director or designee will attempt to resolve the issue or concern, if necessary.

Confidentiality of Negotiations for Resolution:

During formal negotiations for resolution of formal or informal complaints, offers and statements made by parties shall not be used by or against either party if resolution attempts fail. Parties involved in resolution attempts should be given the opportunity to explore reasonable avenues of relief.

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