



Policy Type: Board

Category: Personnel

Policy Name: Policy Against Discrimination, Harassment, and Retaliation -
Board Policy 3.8

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3.8 POLICY AGAINST DISCRIMINATION, HARASSMENT, AND RETALIATION (Adopted 8-5-03)

The Board of Supervisors for the County of Santa Clara is committed to providing equal opportunity in employment and equal access to programs, services, and contracting opportunities.

Therefore, it is the policy of the Board of Supervisors that:

- no person shall be subject to discrimination or harassment with regard to any aspect of recruitment or employment with the County; and,
- no person shall be denied, or provided unequal access to, programs, services or contracting opportunities

on the basis of race, religious belief, color, national origin, culture, ancestry, age, gender, sexual orientation, gender identity, pregnancy, marital status, disability, medical condition, political belief, organizational affiliation or association with any individual in any of these groups.

A person who speaks up about discrimination or harassment, or files a complaint or participates in the complaint process, is participating in a



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“protected activity.” Retaliation against any person who participates in a protected activity is prohibited.

The County does not tolerate discrimination, harassment, or retaliation in any form; therefore, any violation of this policy will generate prompt and appropriate action. Those who commit acts of discrimination, harassment, or retaliation will be subject to discipline up to and including dismissal.

The Board recognizes that continuing efforts must be taken to prevent discriminatory practices and that merely prohibiting discriminatory practices will not ensure equal opportunity. Therefore, the Board assigns responsibilities pursuant to this Policy to all County employees.

The County Executive will ensure that this Policy is made known to all County employees and that procedures necessary to ensure compliance are implemented.

Agency/department heads, managers, supervisors, and leads are responsible for preventing discrimination, harassment, and retaliation. In addition, agency/department directors, managers, supervisors, and leads are responsible for upholding this Policy by:

- Avoiding participation in any form of discrimination, harassment, or retaliation. Monitoring to ensure the elimination of non-job-related barriers to employment and promotions in accordance with Department of Justice, Office of Civil Rights, regulations and guidelines governing Equal Employment Opportunity.
- Providing employees information on procedures for submitting complaints of alleged violations of this policy.



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- Reviewing practices to remove barriers to equitable access to programs, services and contracting opportunities.
- Ensuring that the workforce is trained to recognize discrimination, harassment, and retaliation.
- Addressing and correcting issues of discrimination, harassment, or retaliation in a timely manner.
- Attaining objectives in the County's Equal Employment Opportunity Plan.

The Equal Opportunity Division is responsible for accepting, investigating, and processing complaints involving potential violations of this policy. Persons who believe they have been subject to discrimination, harassment, or retaliation should contact the Equal Opportunity Division. Employees and applicants for employment may also contact a manager, supervisor, the agency or departmental Equal Opportunity Officer or advisor, a union representative, an outside enforcement agency, or a private attorney.

Related Policies

- Policy on Diversity - Board Policy 3.7 - <https://saecommon.sccgov.org/countypolicy/Board-Policy-3.7-Policy-on-Diversity.pdf>
- Policy on Sexual Harassment - Board Policy 3.9 - <https://saecommon.sccgov.org/countypolicy/Board-Policy-3.9-Policy-on-Sexual-Harassment.pdf>
- Contracting with Individuals - Board Policy 5.13 - <https://saecommon.sccgov.org/countypolicy/Board-Policy-5.13-Contracting-with-Individuals.pdf>



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Related Forms and Information

- Santa Clara County Restricted Travel Reference List -
[url]/sites/policies/FormsrelatedtoPolicies/Santa-Clara-County-Restricted-Travel-Reference-List.pdf

History

Date	Changes Made
3/3/2016	Related Policies and Related Forms and Information Updated (David Bruno)
1/23/2014	Policy Uploaded. (John Myers)
8/5/2003	Policy Adopted. View legislative file.