

**July 20, 2021 City Council Staff Introduction Request Regarding DC-7 - Resolution to Make Investigative Report Public and to Direct Actions to Work to Conclude Mr. Crawford's Employment as the City Administrator**

**Question:** Please provide information regarding HR policies and practices in the City concerning protected class inappropriate comments or conduct. (Mayor Taylor)

**Response:** We have been asked to provide information regarding HR policies and practices in the City concerning protected class based inappropriate comments or conduct made by an employee. First, the City has a Zero Tolerance Policy for discrimination and discriminatory language as set forth in Human Resource Policy and Procedure (HRPP) 2.2 Non-Discrimination, and HRPP 2.12, Anti-Harassment.

Second, the City has a history of taking strong action against any type of discriminatory language or conduct and that is the current practice today. This is consistent with a professional HR practice and what is required by law. When dealing with discriminatory comments or conduct, there is an obligation to take prompt remedial action to lessen the harm done and prevent future similar conduct.

The most recent publicized matter involving discriminatory comments made by a city employee involved a former high-level employee's inappropriate text messages to a subordinate. The content of the messages, particularly given the employee's position, warranted dismissal and, as has been publicized, the employee resigned before the investigative report was concluded.

The HR Director's normal practice in dealing with these situations is described as follows by him: "Consistent with the City's policies and practice, my normal practice would be to conduct a thorough investigation of all claims and prepare a report, or have an outside investigator do so. If the report substantiated discriminatory comments or conduct, I would be concerned about policy violations, harm to individuals by such discriminatory or derogatory comments, damage to the City as an organization, for example in the areas of morale, staff retention and recruiting, and other related issues. My general practice concerning substantiated discriminatory comments would be to recommend to terminate employment immediately (though this could be effectuated by way of a resignation or separation agreement in addition to termination). Further, depending on the initial investigation, I would conduct an additional investigation in order to better understand if there are further and additional concerns beyond the issues that have been the subject of initial investigation."