

RESOLUTION NO. 15-063

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE TO AMEND THE CITY'S HARASSMENT POLICY, REPEAL IT FROM THE COUNCIL POLICY MANUAL, AND ADOPT IT AS PART OF THE ADMINISTRATIVE POLICY AND PROCEDURES MANUAL

WHEREAS, the City Council desires that employees of the City of Pacific Grove (City) shall work in an environment free of harassment, discrimination and retaliation of any kind based on a protected class;

WHEREAS, harassment and discrimination laws annually result in numerous judgments against public agencies for action taken by public employees against or with respect to their colleagues;

WHEREAS, on May 20, 1992, the City Council approved Resolution 6266, which amended Council Policy No. 000-3 (Policy) to further define harassment and set forth a procedure for investigating and resolving internal complaints of harassment;

WHEREAS, the Fair Employment and Housing Act (FEHA or Act) requires all employers to develop and implement a harassment prevention policy with a procedure for employees to make complaints and for the employer to investigate complaints;

WHEREAS, the Council finds that the City's harassment Policy is currently part of the Council Policy Manual, but as it pertains to and for employees, it would more appropriately be located in the City's Administrative Policy and Procedures Manual (APPM);

WHEREAS, the Policy has been reviewed by representatives for all the employee associations and senior managers without objection; and

WHEREAS, the City Council finds the introduction and adoption of this resolution is not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because amendment of the Policy is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. Council Policy No. 000-3 is amended as indicated in the draft amended policy attached hereto, adopted as Section 100.080 of the City's Administrative Policy and Procedures Manual, and repealed from the Council Policy Manual.

SECTION 3. This resolution shall become effective immediately following passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE
this 18 day of November, 2015, by the following vote:

AYES: Mayor Kampe, Councilmember Cuneo, Fischer, Huitt, Miller and Peake.

NOES: None.

ABSENT: Councilmember Lucius

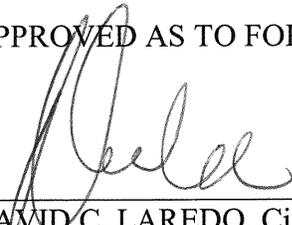
APPROVED:


BILL KAMPE, Mayor

ATTEST:


SANDRA KANDELL, Deputy City Clerk

APPROVED AS TO FORM:


DAVID C. LAREDO, City Attorney