CITY OF DETROIT
MAYOR'S OFFICE

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OFFICE OF THE
DETROIT CITY CLERK

2014 APR 16 P 2:43

EXECUTIVE ORDER NO. 2014-2

TO: **ALL BOARDS, COMMISSIONS, DEPARTMENT DIRECTORS, CITY COUNCIL MEMBERS AND THE CITY CLERK**

FROM: **MICHAEL E. DUGGAN, MAYOR**

RE: **INTERNAL POLICY AGAINST ANY AND ALL FORMS OF DISCRIMINATION AND/OR SEXUAL HARASSMENT**

WHEREAS, discrimination against, or sexual harassment of, any employee or any other person is a serious violation, which will not be tolerated and will subject the offending employee to appropriate discipline, including discharge,

WHEREAS, this Executive Order clarifies and updates the City of Detroit's employment practices regarding discrimination or harassment as delineated: 1) in Section 27-3-1 of the 1984 Detroit City Code governing discrimination on the basis of race, color, religious beliefs, national origin, age, marital status, disability, sex, sexual orientation, or gender identification or expression and 2) in Section 13-12-1 of the 1984 Detroit City Code governing sexual harassment,

WHEREAS, all employees, managers and supervisors, are responsible for ensuring that subordinates or co-employees are afforded a work environment that is free from improper or unwelcome discrimination on the basis of race, color, religious beliefs, national origin, age, marital status, disability, sex, sexual orientation, or gender identification or expression, and from harassment on the basis of sex,

WHEREAS, all appointees, managers and supervisors shall attend training classes on the City's policy and guidelines regarding discrimination and harassment,

WHEREAS, it is the policy of this Administration to encourage and promote the early resolution of internal employment disputes while considering the interest of all parties with the goal to promote and safeguard a harmonious work environment. In order to facilitate the implementation of this policy, the Human Rights Department will have sole responsibility and authority to investigate complaints of unlawful discrimination that

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is alleged under Section 27-3-1 of the 1984 Detroit City Code and harassment that is alleged under Section 13-12-1 of the 1984 Detroit City Code,

I, Michael E. Duggan, Mayor of the City of Detroit, do hereby order as follows:

1.) employees who believe that they have been subjected to discrimination on the basis of their race, color, religious beliefs, national origin, marital status, disability, sex, sexual orientation, or gender identification or expression, or to harassment on the basis of sex, may file a complaint with the Human Rights Department. Except under extraordinary circumstances, the Human Rights Department should endeavor to complete the investigation and provide a written report to the Mayor's office, the Law Department, and the employee's department director or agency head within sixty (60) days of the date the complaint was filed with the Department. The report shall contain a statement regarding the findings of the investigation and, if appropriate, a recommendation for corrective and/or disciplinary action. The complainant and the affected employee shall be provided with a written disposition of the investigation.

2.) The employee or employees charged by the complainant shall have an opportunity to review the written complaint and to provide a written response. Each witness named in the complaint and in the associated response shall be interviewed. The Human Rights Department shall provide an opportunity for early resolution by holding a Conciliation Hearing prior to the close of the investigation attended by the complainant and his or her representative, and the charged employee's department director or designee.

It is important to note that, with the exception of sexual orientation and of gender identification or expression, the Equal Employment Opportunity Commission (EEOC) and Michigan Department of Civil Rights (MCDR) have concurrent federal and state jurisdiction of same and similar subject areas. At any time, the Human Rights Department or the complainant may request that, due to a concurrent filing with the appropriate federal or state agency, the Human Rights Department file shall be closed.

This Order does not encroach upon the Human Resources Department's authority to investigate claims of discrimination that do not arise under Section 27-3-1 of the 1984 Detroit City Code and harassment that do not arise under 13-12-1 of the 1984 Detroit City Code. In addition, this Order does not encroach upon the Human Resources Department's authority to investigate any other personnel-related matter.

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Pursuant to the powers vested in me by the 1963 Michigan Constitution and by the 2012 Detroit City Charter, I, Michael E. Duggan, Mayor of the City of Detroit, issue this Executive Order. This Executive Order is effective upon its execution and filing with the City Clerk and supersedes Executive Order No.2 issued by Mayor Dennis W. Archer, reissued by Mayor Dennis W. Archer on August 16, 1994, Mayor Kwame M. Kilpatrick on May 27, 2003, and Mayor Dave Bing on November 15, 2010.

Michael E. Duggan
Mayor, City of Detroit