

Discussion of Non-Discrimination and Human Relations Commission Council Item of Special Interest Report

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City Council Workshop

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Previous Council Action

- This topic was brought to City Council Workshop on December 2 as a Council Item of Special Interest
- Council directed staff to move forward with the UNITY Pledge and return to a future Council Workshop for additional discussion after the new Council was seated
- Resolution supporting the UNITY Pledge was approved at the December 18th City Council Meeting

Municipal Anti-Discrimination Ordinances

Phoenix, Tucson, Flagstaff and Tempe

- All four prohibit discrimination by City contractors and vendors.
- All four prohibit **outside** employers, labor organizations, owners/operators of places of public accommodation, and owners/lessors of dwellings from discrimination based on gender identity, sexual orientation, and age.
- All exempt religious organizations, private/social clubs and private landlords.
- All offer mediation as a first step in resolving complaints; penalties vary.
- Three exempt “small” businesses, although definition differs.
- Three add protections for marital/familial status; two protect veteran status.
- Two exempt “expressive organizations” like Boy Scouts.
- Two cities have Human Relations Commissions

Municipal Anti-Discrimination Ordinances

- Tempe voters also approved change to the city charter expanding anti-discrimination protections for city workers.
- Scottsdale and Mesa are exploring the adoption of an ordinance
- More than **200** cities and counties nationwide have adopted an anti-discrimination ordinance.

Glendale Policy and Practice

- Benefits and leave to ALL married couples.
- Non-discrimination in employment practices and benefits extends to:
 - Sexual orientation
 - Genetic characteristics
 - Gender identity
 - Marital and Familial status
 - Veteran status
- Draft internal administrative policy changes will be presented to Personnel Board
- 2014 Municipal Equality Index score was 36

Benchmarked Cities Researched

- Flagstaff, Phoenix, Tucson, Tempe, and Scottsdale
- Up to 6 month timeframe for study and implementation
- Recommend Diversity Office, Commission or independent professional 3rd party to lead initiatives
- Develop public participation/feedback mechanism
- Include business community and chamber

Council Consideration

Options:

- Option A: UNITY Pledge Approved by Council on 12/18/14;
No further action taken
- Option B: Adopt an ordinance
 1. City Contractors, Vendors, Suppliers, etc. (could be done administratively without an ordinance)
 2. All employers doing business in Glendale.
- Option C: Voter approved City Charter Amendment

No Further Action

- Council takes no further action other than the UNITY Pledge, which was signed at the December 18 City Council meeting.
- City's internal anti-discrimination employment practices will be codified as part of City's administrative policies.
- City's policies will expand employment protections based on sexual orientation, gender identity, genetic characteristics, marital, familial and veteran status.
- No budgetary considerations.

Option B - Adopting a City Ordinance

- City could change how we do business with City contractors or vendors **administratively** rather than adopt an Ordinance.
- Currently, City does business with approximately 700 contractors, vendors and suppliers a year.
- City also currently has anti-discrimination provisions in its contracts; could expand the protections in these contract provisions to include sexual orientation, gender identity, genetic characteristics, marital, familial and veteran status.
- If Council gives staff direction to change City's policies for dealing with contractors, vendors and suppliers, no further action by Council is required.

Option B - Adopting a City Ordinance

Council could adopt an Ordinance

Applicability:

1. City contractors, vendors and suppliers only; or
 2. All employers doing business in Glendale?
- Who is Protected?
 - Who is Exempt?
 - Procedures for Addressing Violations?
 - Who Reviews and Decides Complaints- New Human Relations Commission, City Department, or new staff positions?
 - Potential budget considerations depends on scope of the ordinance

Option C – City Charter Amendment

- Citizens decide whether Anti-Discrimination Ordinance applies to all persons/entities doing business in the City.
- Same considerations as designing an ordinance: Applicability, Classes Protected, Exemptions, Complaint Procedure and Reviewing Body.
- Requires budget allocation and ongoing enforcement

Option Considerations

- Benchmark cities have used a variety of methods to obtain public input
 - Public meetings
 - Professional survey
- Outside consultant could cost up to \$50,000 for a statistically valid survey, facilitated community meetings and final report
- Timeframes ranged from six months to two years

Questions/Direction

- Direction on options presented or any combination thereof
- Options menu:
 - No further action aside from UNITY Pledge adopted by Council on 12/18/14
 - City can change how it does business with city contractors, vendors and suppliers administratively with Council direction.
 - Option B: Does the Council want to adopt an ordinance?
 1. If so, applies to City and its Contractors and/or
 2. All employers in the City of Glendale?
 - Option C: Does the Council want to send this issue to the voters through a City Charter Amendment?