

City and County of San Francisco
Carol Isen
Human Resources Director



Department of Human Resources
Connecting People with Purpose
www.sfdhr.org

MEMORANDUM

DATE: August 7, 2023
TO: Carol Isen
Human Resources Director
FROM: Amalia Martinez
Director, EEO and Leave Programs *Amalia Martinez*
SUBJECT: Fiscal Year 2022/2023—Annual Report on Harassment Complaints

This memo contains the annual report on harassment within the City and County of San Francisco’s (City) workforce, in accordance with San Francisco Administrative Code Section 16.9-27 (Harassment Prevention Training and Reporting). This report shows the total number of harassment complaints filed with the Department of Human Resources (DHR) in fiscal year 2022/2023 (July 1, 2022 through June 30, 2023).

DHR received 284 complaints alleging harassment from employees in 33 City departments during fiscal year 2022/2023. (Table A). Of the 284 cases, 77 were closed and 207 remain open and are being investigated. The status and disposition of each complaint is contained in Table D.¹

This report also provides information about the basis of the harassment complaint (i.e. the protected category the harassment is based on), by department. (Table B). This additional information is part of DHR’s ongoing effort to identify “hotspots” that may need additional resources to prevent harassment, and to advise City departments of any trends, concerns, or areas in need of improvement. In some cases, the complaint may have multiple bases, for example a complaint that the harassment was due to both sex and race.

DHR receives more harassment complaints based on sex than any other protected category. During this fiscal year, 35% of the harassment complaints received by DHR, alleged sex as the basis. Table C provides a breakdown of the sex-based harassment complaints (i.e. complaints of harassment based on sex and sexual harassment).

Should you have any questions, please contact me at Amalia.Martinez1@sfgov.org.

Enclosure

¹ Some complaints contained more than one allegation and may have been closed with more than one disposition. Therefore, Table D reflects that there were a total of 82 dispositions that resulted from the 78 closed complaints.

Table A
Harassment Complaints by Department²
Fiscal Year 2022/2023
(July 1, 2022 through June 30, 2023)

| Department | Total |
|-------------------------------------|------------|
| Academy of Sciences | 1 |
| Adult Probation | 2 |
| Airport Commission | 7 |
| Asian Art Museum | 2 |
| Assessor-Recorder's Office | 2 |
| Building Inspection | 2 |
| Child Support Services | 1 |
| City Administrator's Office | 4 |
| City Attorney | 4 |
| District Attorney | 3 |
| Emergency Management | 5 |
| Fine Arts Museums | 4 |
| Fire Department | 14 |
| Homelessness and Supportive Housing | 5 |
| Human Resources | 3 |
| Human Services Agency | 38 |
| Juvenile Probation | 2 |
| Municipal Transportation Agency | 28 |
| Non-City | 5 |
| Police Accountability | 2 |
| Police Department | 15 |
| Port | 10 |
| Public Defender | 2 |
| Public Health | 55 |
| Public Library | 14 |
| Public Utilities Commission | 10 |
| Public Works | 17 |
| Recreation and Parks | 6 |
| Retirement Services | 2 |
| Sheriff's Office | 12 |
| Status of Women | 2 |
| Technology | 2 |
| Treasurer Tax Collector | 1 |
| War Memorial | 2 |
| Total Complaints | 284 |

² All complaints of harassment, including sexual harassment, are included in these figures. These complaints were filed pursuant to the City's internal process. Complaints filed externally with the California Civil Rights Department (CRD-formerly the California Department of Fair Employment and Housing/DFEH) or the U.S. Equal Employment Opportunity Commission (EEOC) are not included.

Table B
Harassment Complaints by Protected Category Alleged and by Department²
Fiscal Year 2022/2023
(July 1, 2022 through June 30, 2023)

| Department | Age | Ancestry | Color | Disability/ Medical Condition | Ethnicity | Gender Identity | Height | National Origin | Other | Parental Status | Race | Religion | Retaliation | Sex | Sexual Orientation | Veteran Status | Weight |
|-------------------------------------|------------|-----------------|--------------|--|------------------|------------------------|---------------|------------------------|--------------|------------------------|-------------|-----------------|--------------------|------------|---------------------------|-----------------------|---------------|
| Academy of Sciences | | | | | | | | | | | 1 | | | | | | |
| Adult Probation | 1 | | | | | | | | | | 1 | | | 1 | | | |
| Airport Commission | 3 | | | 1 | | | | | | | 4 | | 1 | 4 | | | |
| Asian Art Museum | | | | | | | | | 1 | | | | | 1 | | | |
| Assessor-Recorder's Office | 1 | 1 | | 1 | | | | | 1 | | 1 | | | 1 | | | |
| Building Inspection | | 1 | | | 1 | | | | 1 | | 2 | | | | | | |
| Child Support Services | | | | | | | | | 1 | | | | | | | | |
| City Administrator's Office | | | | 1 | | | | | 1 | | 1 | | | 2 | | | |
| City Attorney | | | | | | | | | 2 | | | | | 2 | | | |
| District Attorney | | | | | | | | | 2 | | 1 | | | 2 | | | |
| Emergency Management | | | | | 1 | 1 | | | 4 | | | | | 2 | | | |
| Fine Arts Museums | 1 | | 1 | 3 | 1 | | | | 1 | | 1 | 1 | 2 | | | | |
| Fire Department | | | | | | | | | 8 | | 1 | | 5 | 3 | 1 | 1 | |
| Homelessness and Supportive Housing | | | | 1 | | | | | | | 1 | | | 3 | | | |
| Human Resources | | | | | | 2 | | | | | 1 | | | | | | |
| Human Services Agency | 4 | | 2 | 8 | 1 | 2 | | 4 | 8 | | 11 | | 3 | 11 | 7 | | |
| Juvenile Probation | | | | | | | | | | | | | | 2 | | | |
| Municipal Transportation Agency | 2 | | | 7 | | | | | 8 | | 12 | 1 | 6 | 8 | 1 | | |
| Non-City | | | 1 | 1 | 1 | | | | 1 | | 2 | | | 3 | | | |
| Police Accountability | | | | | | | | | | | | 1 | | 1 | | | |
| Police Department | | 1 | | 1 | 1 | | | | 5 | | 2 | 1 | | 5 | | | |

| Department | Age | Ancestry | Color | Disability/ Medical Condition | Ethnicity | Gender Identity | Height | National Origin | Other | Parental Status | Race | Religion | Retaliation | Sex | Sexual Orientation | Veteran Status | Weight |
|-----------------------------|-----------|----------|----------|----------------------------------|-----------|-----------------|----------|-----------------|-----------|-----------------|-----------|----------|-------------|-----------|--------------------|----------------|----------|
| Port | 1 | | | | | | | | 2 | | 4 | | | 4 | 1 | | |
| Public Defender | | | | | | | | | | | | | 2 | | | | 1 |
| Public Health | 1 | | | 3 | 2 | 5 | 1 | 5 | 18 | 1 | 24 | 1 | 7 | 14 | 4 | | |
| Public Library | 1 | | | 1 | 1 | 2 | | | 4 | | 4 | | 1 | 6 | 5 | | |
| Public Utilities Commission | 1 | | | | | | | | 4 | | 4 | | 3 | 3 | 1 | | |
| Public Works | 2 | | | 4 | | | | 1 | 3 | | 6 | | 4 | 8 | 2 | | |
| Recreation and Park | | | | 1 | | | | | 1 | | 1 | | 1 | 4 | | | |
| Retirement Services | | | | | | | | | | | 1 | | | 1 | | | |
| Sheriff's Office | | | | 1 | | | | 1 | 1 | | 5 | | 3 | 6 | 1 | | |
| Status of Women | | | | | | | | | 1 | | | | 1 | 1 | | | |
| Technology | | | 1 | | | | | | | | 1 | | | | | | |
| Treasurer Tax Collector | | | | 1 | | | | | | | | | | | | | |
| War Memorial | | | | | | | | | 1 | | | | | 1 | | | |
| Total | 18 | 3 | 5 | 35 | 9 | 12 | 1 | 11 | 80 | 1 | 92 | 5 | 39 | 99 | 23 | 1 | 1 |

² Some complaints contain more than one allegation of discrimination. Therefore, the total number of identified protected categories will exceed the total number of complaints. Table B contains a total of 435 protected categories stemming from 284 complaints.

Table C
Sex-Based Harassment Complaints by Department⁴
Fiscal Year 2022/2023
(July 1, 2022 through June 30, 2023)

| Department | Sexual Harassment | Harassment Based on Sex |
|-------------------------------------|--------------------------|--------------------------------|
| Adult Probation | | 1 |
| Airport Commission | 2 | 2 |
| Asian Art Museum | | 1 |
| Assessor-Recorder's Office | | 1 |
| City Administrator's Office | 1 | 1 |
| City Attorney | 1 | 1 |
| District Attorney | 1 | 1 |
| Emergency Management | 2 | |
| Fire Department | 1 | 2 |
| Homelessness and Supportive Housing | 1 | 2 |
| Human Services Agency | 6 | 6 |
| Juvenile Probation | | 2 |
| Municipal Transportation Agency | 4 | 4 |
| Non-City | 1 | 3 |
| Police Accountability | 1 | |
| Police Department | 4 | 3 |
| Port | 1 | 3 |
| Public Health | 2 | 12 |
| Public Library | 4 | 4 |
| Public Utilities Commission | | 3 |
| Public Works | 4 | 4 |
| Recreation and Park | 3 | 1 |
| Retirement Services | | 1 |
| Sheriff's Office | 3 | 5 |
| Status of Women | 1 | 1 |
| War Memorial | 1 | 1 |
| Total | 44 | 65 |

⁴ Some sex-based harassment complaints may contain allegations of sexual harassment, harassment based on sex, or both. Therefore, the total number of sex-based harassment complaints identified in Table C will exceed the total number of harassment complaints by protected category identified in Table B. Table C contains a total of 109 sex-based harassment complaints stemming from 99 complaints.

Sexual harassment is defined as:

- Any unwelcome sexual advance, request for sexual favors, and other physical, verbal, or visual conduct of a sexual nature; or
- Conditioning an employment benefit on the acceptance of sexual or romantic favors; or
- Making or threatening reprisals after a negative response to a sexual or romantic advance.

Sexual harassment is distinguished from harassment based on sex, as the latter is defined as physical, verbal, or visual conduct based on sex, but is not of a sexual nature. For example, a sex-based harassment complaint resulting from a colleague stating "females are not qualified to be firefighters" would be included in the Harassment Based on Sex column.

Table D
Status and Disposition of Harassment Complaints⁴
Fiscal Year 2022/2023
(July 1, 2022 through June 30, 2023)

| Department | Closed | | | | | | Open |
|-----------------------------------|-------------------------|---------|-----------------------|-----------|--|----------------------------------|------|
| | Administrative Decision | Settled | Insufficient Evidence | Sustained | Insufficient Allegations/ Immediate Preventative Actions Taken | No EEO Jurisdiction or Withdrawn | |
| Academy of Sciences | | | | | | | 1 |
| Adult Probation | | | | | | 1 | 1 |
| Airport Commission | | | 1 | 1 | 3 | | 3 |
| Asian Art Museum | | | | | | 1 | 1 |
| Assessor-Recorder's Office | | | | | | | 2 |
| Building Inspection | | | | | 1 | | 1 |
| Child Support Services | | | | | | | 1 |
| City Administrator's Office | 1 | | | | | | 3 |
| City Attorney | | | | | | 3 | 1 |
| District Attorney | | | | | 1 | | 2 |
| Emergency Management | | | | | | 3 | 2 |
| Fine Arts Museums | | | | | | | 3 |
| Fire Department | | | | | 2 | 3 | 11 |
| Homelessness & Supportive Housing | | | | | | 2 | 3 |
| Human Resources | | | | | | 2 | 1 |
| Human Services Agency | 2 | | | | 4 | 4 | 28 |
| Juvenile Probation | | | | | | | 2 |
| Municipal Transportation Agency | | | | | 6 | 4 | 20 |
| Non-City | | | | 1 | | | 4 |
| Police Accountability | | | | | | 1 | 1 |
| Police Department | 1 | | | | 1 | 3 | 8 |
| Port | | | | 2 | 1 | 1 | 6 |

| Department | Closed | | | | | | Open |
|-----------------------------|-------------------------|----------|-----------------------|-----------|--|----------------------------------|------------|
| | Administrative Decision | Settled | Insufficient Evidence | Sustained | Insufficient Allegations/ Immediate Preventative Actions Taken | No EEO Jurisdiction or Withdrawn | |
| Public Defender | | | | | | 1 | 1 |
| Public Health | | | | 1 | 1 | 3 | 50 |
| Public Library | | | | | 4 | 3 | 9 |
| Public Utilities Commission | | | | | | | 10 |
| Public Works | | | | | 2 | 2 | 13 |
| Recreation and Park | | | | 1 | 2 | | 3 |
| Retirement Services | | | | | | | 2 |
| Sheriff's Office | 1 | | | 1 | 1 | 2 | 7 |
| Status of Women | | | | | | | 2 |
| Technology | | | | | | | 2 |
| Treasurer Tax Collector | | | | | | | 1 |
| War Memorial | | | | | | | 2 |
| Total | 5 | 0 | 1 | 7 | 29 | 39 | 207 |

⁴ Some complaints contained more than one allegation and may have been closed with more than one disposition. Therefore, Table D reflects that there were a total of 81 dispositions that resulted from the 77 closed complaints.