



Monterey County

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: 20-540

July 28, 2020

Introduced: 6/24/2020

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

Review and approve the Civil Rights Complaint Procedures.

RECOMMENDATION:

It is recommended that the Board of Supervisors:
Review and approve the Civil Rights Complaint Procedures.

SUMMARY/DISCUSSION:

Although vested with the delegated authority to enact procedures to enforce Chapter 2.80 of the County Code, the Civil Rights Officer recommends that the Board of Supervisors review and approve the recommended update to the County's Civil Rights Complaint Procedures.

The Complaint Procedures govern the enforcement of the County's Nondiscrimination Policy, Sexual Harassment Policy, Language Access and Effective Communication Policy, and the Reasonable Accommodation Policy.

On October 10, 2019, California Governor Gavin Newsom signed AB 9 into law, which amended §§ 12960 and 12965 of the Government Code and became effective January 1, 2020. The amendment extended the time for employees to file a charge of unlawful discrimination, harassment, or retaliation with the Department of Fair Employment and Housing (DFEH) from one year to three years.

Currently, the Complaint Procedures allow complainants up to 180 days to bring their concern to the Civil Rights Office. The proposed revisions to the Complaint Procedures would increase the time to bring concerns to the Civil Rights Office to 365 days. The proposed timeframe will strike the proper balance between allowing Monterey County to address issues of unlawful discrimination, harassment, and retaliation in a timely manner, while recognizing the sensitivity and oftentimes difficult nature of bringing forth a complaint to the Civil Rights Office.

In addition, the proposed changes to the Complaint Procedures include revisions for clarity, grammar, and spelling. No substantive changes, other than the change in statute of limitations, are proposed.

OTHER AGENCY INVOLVEMENT:

County Counsel reviewed, provided recommendations, and approved the changes to the procedures.

FINANCING:


There is no financial impact to the General Fund.

BOARD OF SUPERVISORS' STRATEGIC INITIATIVES:

Effective enforcement of harassment and discrimination laws and policies is essential to all facets of County government.

Mark a check to the related Board of Supervisors' Strategic Initiatives

- X Economic Development
- X Administration
- X Health & Human Services
- X Infrastructure
- X Public Safety

Prepared and Approved by: Juan P. Rodriguez, Civil Rights Officer, x6614 

Attachments:

- Attachment A - Proposed Civil Rights Complaint Procedures - Redline English
 - Attachment B - Proposed Civil Rights Complaint Procedures - Clean English
 - Attachment C - Proposed Civil Rights Complaint Procedures - Redline Spanish
 - Attachment D - Proposed Civil Rights Complaint Procedures - Clean Spanish
 - Attachment E - Civil Rights Complaint Procedures (2018 Revision - English)
 - Attachment F - Civil Rights Complaint Procedures (2018 Revision - Spanish)
- (Attachments on file with the Clerk of the Board)