

COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 230867

Amending Chapter 2, Code of Ordinances, by adding a new Section 2-2006, General Code of Conduct, defining and prohibiting ~~workplace~~ discrimination and harassment.

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WHEREAS, City officials and representatives have a responsibility to conduct themselves, in all interactions with the public, as responsible and respectable leaders of the City; and

WHEREAS, City officials and representatives have a responsibility to conduct themselves, in all interactions with coworkers and others in the workplace, as responsible and respectable leaders of the City; and

WHEREAS, Council has codified this responsibility in Section 2-2001(a)(1)(h) of the City's Code of Ordinances, providing that, "[a]s representatives of the public, [City officials' and employees'] conduct in both official and private affairs should be above reproach;" and

WHEREAS, the actions of City employees, even as non-elected representatives, reflect on the City and the People of Kansas City; and

WHEREAS, City employees and members of the public who interact with City officials and employees deserve to feel safe and respected in those interactions; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 2, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by enacting Section 2-2006, "General Code of Conduct" to read as follows:

Sec. 2-2006. General Code of Conduct.

(a) *Commitment to safe and respectful environment.* The City ~~is committed to providing~~ asupports safe, and respectful ~~environment~~environments for all individuals with whom its officials and employees interact. Moreover, the City recognizes that the proper operation of democratic government requires agents of the public be both personally and professionally above reproach in order to respect the People of Kansas City, who they serve, and instill faith in government.

(b) *Applicability of General Code of Conduct.*

(1) **Individuals Covered.** This section applies to the mayor and the mayor's assistants; and members of the city council and the members' assistants; ~~and members of any city board, commission, authority, task force, or committee.~~

- (2) Situations and Locations Covered. This section applies wherever work on behalf of the city is performed or discussed and wherever an individual invokes or makes public their title and position with the City, including offices, conferences, meetings, and social events: for the purpose of gaining influence.

(c) *Unacceptable Behaviors.* The following behaviors violate the General Code of Conduct.

- (1) Harassment. Harassment is unwelcome conduct that is based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, age, or disability and that is severe or pervasive enough to create a workan environment that a reasonable person would consider intimidating, hostile, or abusive. OffensiveSuch conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, unwelcome sexual advances, verbal or physical conduct of a sexual nature, inquiries or comments about an individual's sex life, bullying and cyberbullying or other online harassment, offensive and inappropriate comments about third parties, and other conduct that interferes with work performance or normal activities. Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of harassment.
- (2) Violence. Violence is the threatened, attempted, or actual exercise of physical force against an individual in the workplace that could cause discomfort, pain or injury. It includes unwanted physical contact or assault, unwelcome horseplay, bringing weapons into the workplace or other non-permitted locations, threatening an individual verbally in writing or digitally, and stalking or intimidating.

(d) *Reporting and Enforcement.* Reporting, investigating, enforcing, and penalizing violations of this section shall follow the procedures outlined in this Article of the Code.

(e) *Non-Exclusivity.* This section's requirements are in addition to any personal conduct policies applicable to individuals covered by this section, including employment and personal conduct policies from the City's Human Resource Department.

Approved as to form:

Katherine Chandler
Senior Associate City Attorney