MEMORANDUM

DATE: November 6, 2023
TO: The Honorable Mayor London Breed
    Honorable Members of the Board of Supervisors
    Sheryl Davis, Executive Director, Human Rights Commission
    Kimberly Ellis, Director, Department on the Status of Women
FROM: Carol Isen, Human Resources Director
SUBJECT: Annual Report on Sexual Harassment Complaints filed in Fiscal Year 2022/2023

Pursuant to San Francisco Administrative Code, Section 16.9-25(e)(2):

The Human Resources Director shall provide annually to the Mayor, the Board of Supervisors, the Human Rights Commission, and the Commission on the Status of Women a written report on the number of claims of sexual harassment filed, including information on the number of claims pending and the departments in which claims have been filed. The reports shall not include names or other identifying information regarding the parties or the alleged harassers.

In accordance with the San Francisco Administrative Code, Section 16.9-25(e)(2), enclosed is the Annual Report on Sexual Harassment Complaints. Attachment A identifies internal complaints filed with the City and County of San Francisco (City), as well as the number of external complaints filed with the California Civil Rights Department (CRD-formerly the California Department of Fair Employment and Housing/DFEH) and the U.S. Equal Employment Opportunity Commission (EEOC).

For Fiscal Year 2022/2023, there were a total of 99 internal complaints filed with the City and 7 external complaints filed with the CRD and the EEOC.

For further information, please contact EEO Director Amalia Martinez at Amalia.Martinez1@sfgov.org.

Enclosure
## Attachment A

### Status and Disposition of Internal and External Complaints

#### Fiscal Year 2022/2023

(=July 1, 2022 through June 30, 2023=)

<table>
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<th>Insufficient Evidence</th>
<th>Sustained</th>
<th>Insufficient Allegations/ Immediate Preventative Actions Taken</th>
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## FY 22/23 Annual Report on Sexual Harassment Complaints

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<th>Insufficient Allegations/Immediate Preventative Actions Taken</th>
<th>No EEO Jurisdiction/Withdrawn/Administrative Decision</th>
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**Note:** Some complaints contain more than one allegation and may have been closed with more than one disposition. Therefore, the total number of dispositions and open complaints will exceed the total number of complaints filed. This table contains a total of 32 dispositions and 78 open complaints stemming from 106 filed complaints. Data as of 7/15/23.

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1 **Definitions**

- **Settled:** Complaint was resolved, without any admission or acknowledgement of liability.
- **Insufficient Evidence:** A full investigation was conducted, and there was insufficient evidence to establish that sexually harassing conduct occurred in violation of City’s or SFMTA’s EEO Policy.
### FY 22/23 Annual Report on Sexual Harassment Complaints

| **Sustained:** | A full investigation was conducted, and there was sufficient evidence to establish that sexually harassing conduct occurred in violation of City’s or SFMTA’s EEO Policy. |
| **Insufficient Allegations/Immediate Preventative Actions Taken:** | Complaint was resolved through immediate preventative and/or corrective actions; where the alleged conduct may have violated the City’s or SFMTA’s EEO policy, DHR instructs departments to take immediate preventative or corrective action (i.e. issue City’s or SFMTA’s EEO Policy and/or Policy Regarding Treatment of Co-Workers and Members of the Public; obtain signed acknowledgement of receipt of policy; direct to take online Harassment Prevention Training/Implicit Bias Training; direct to conduct mediation; etc.). These actions are the same actions that DHR would recommend a department take if the allegation were sustained. |
| **No EEO Jurisdiction/Withdrawn/Administrative Decision:** | Complaint did not allege that a supervisor requested sexual or romantic favors or that complainant was subjected to unwelcome sexual or romantic advances or other conduct of a sexual nature; complainant was not a City employee, applicant, volunteer, unpaid intern, or contractor; complaint was not against a City department; the complaint was untimely; or complainant declined to participate or withdrew complaint, and based on the information provided, DHR EEO was without sufficient detail to conduct a full investigation. |