



OFFICE OF
**Community
& Civic Life**

**ADVISORY BODIES
& COMMISSIONS**

**HRAR 2.02
HARASSMENT
AND
DISCRIMINATION
TRAINING**

Ocean Eale
Advisory Bodies
Program
March 2023

What this training covers:

What is HRAR 2.02?

Does HRAR 2.02 apply to you as an advisory body member?

What is harassment?

What is sexual harassment?

What is discrimination?

What is racism?

What is retaliation?

What should you do as an advisory body member?

What is HRAR 2.02?

- Human Resources Administrative Rule 2.02 prohibits workplace harassment, discrimination, racism and retaliation based on protected status.
- Protected status includes race, color, ethnicity, religion, nonreligion, gender, marital status, familial status, national origin, age, mental or physical disability (as defined by the Americans with Disabilities Act and state law), sexual orientation, gender identity, source of income, protected veterans' status or other protected status under applicable law.

Does HRAR 2.02 apply to you as an advisory body member?

This Rule covers all elected officials, employees, interns (paid or unpaid), volunteers and applicants for employment with the City of Portland, as well as contractors providing services to the City of Portland such as outside vendors or consultants. Contractors shall be notified of this rule.

Advisory body members are considered volunteers. Therefore HRAR 2.02 applies to you as an advisory body member.

What is harassment?

The City strictly prohibits harassment based on protected status.

Inappropriate verbal or physical conduct, which may include conduct that is derogatory or shows hostility towards an individual, related to the individual's protected status.

The intent or consent of the persons engaging in the inappropriate conduct, or whether the person toward whom the inappropriate conduct is directed is aware of it, does not matter.

By way of illustration only, and not limitation, such prohibited harassment includes:

Racial or ethnic slurs, epithets, and any other offensive remarks;

Jokes, pranks or other banter, including stereotyping;

Whether written, verbal, or electronic, threats, intimidation, and other menacing behavior; and

Inappropriate verbal, graphic, or physical conduct; sending or posting harassing messages, videos or messages via text, instant messaging, or social media which have a nexus to the workplace; and other harassing conduct based on one or more of the protected statuses identified in this policy.

What is sexual harassment?

Sexual harassment is a specific form of harassment which includes a broad spectrum of conduct. It is a specific type of harassment, which includes unwanted sexual advances, requests for sexual favors, and other sexually oriented verbal or physical conduct. It may also include situations where:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's service on an advisory body; or
- (2) Submission to or rejection of such conduct is used as a basis for advisory body decisions affecting such individual; or
- (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's performance, or creating an intimidating, hostile, or offensive working environment.

By way of illustration only, and not limitation, some examples of unacceptable behavior include:

Unwanted sexual advances;

Visual conduct, such as leering, making sexual gestures, and displaying or posting sexually suggestive objects or pictures, cartoons or posters;

Sending or posting sexually-related messages, videos or messages via text, instant messaging, or social media;

Verbal abuse of a sexual nature, graphic verbal comments about an individual's body, sexually degrading words used to describe an individual, and suggestive or obscene letters, notes or invitations;

Welcome or unwelcome contact with any intimate body part including but not limited to breasts, buttocks, hair, neck, lips, legs, thighs and feet, such as pinching, kissing, grabbing, patting or neck massages/rubs; and

Physical or verbal abuse concerning an individual's gender, gender identity or gender expression.

What is discrimination?

The City is committed to prohibiting discrimination in advisory bodies. Discrimination is the unequal or different treatment of an individual in any personnel action based on protected status.

By way of illustration only, and not limitation, examples of discrimination may include:

1. Making advisory body decisions, such as, selection decisions and removal decisions based on a protected status;
2. Using stereotypes or assumptions about a protected status for the purpose of advisory body decisions;
3. Denial or exclusion from information/meetings that could impact successful advisory body member performance based on protected status; and
4. Collusion with another person to treat someone negatively based on protected status.

What is racism?

Racism is a form of discrimination and/or harassment. The City prohibits racism in the workplace.

By way of illustration only, and not limitation, examples of racism may include:

- Commenting that a Black advisory body member is “so articulate” or referring to a Black employee as “you people”; and
- Racial slurs, racist jokes or cartoons, racial stereotypes, paraphernalia like swastikas or nooses, or singing along to racist song lyrics.

What is retaliation?

The City prohibits retaliation against those who engage in protected activities. Protected activity may include but is not limited to the following:

1. Complaining or threatening to complain about alleged discrimination, racism or harassment against oneself or others;
2. Resisting sexual advances or intervening to protect others; and requesting reasonable accommodation for disability or religion.

Conduct that would likely deter an individual from reporting or supporting a claim of harassment or discrimination may constitute retaliation. The City will not tolerate retaliation against any individual who reports discrimination or harassment, testifies, assists, or participates in any manner in an investigation, proceeding or hearing, regardless of the outcome of the complaint. Retaliation can occur even if the underlying complaint of harassment or discrimination is not substantiated.

By way of illustration only, and not limitation, examples of retaliation may include:

Any adverse action including disciplining or removing an advisory body member for filing a claim of harassment, racism or discrimination;

Ostracizing or excluding a complainant from an advisory body-related meeting or conversation;

Spreading malicious gossip or rumors about a coworker for filing a complaint of discrimination, racism or harassment; and

Scrutinizing work or attendance more closely than that of others without justification.

What should you do as an advisory body member?

As an advisory body member, you are advised to document incidents of harassment, discrimination, racism or retaliation, as well as take the following action:

1. Not engage in discrimination, harassment, racism or retaliatory conduct in violation of this rule.
2. If you believe you are being subjected to conduct that violates this rule and feel comfortable doing so: tell the offender to "stop it!" Say it firmly, without smiling or apologizing. However, nothing prevents you from filing a complaint because you did not tell the offender their behavior is unwelcome or ask the offender to stop.
3. Promptly file a complaint if you are the recipient of harassment, discrimination, racism or retaliatory conduct prohibited by this rule. If you witness prohibited conduct, you are encouraged to bring that information to the attention of an Advisory Body Liaison, the Advisory Bodies Analyst, or to Bureau of Human Resources staff. You may go directly to Bureau of Human Resources.



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