

File No. 181188

Committee Item No. 3

Board Item No. 3

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date March 18, 2019

Board of Supervisors Meeting

Date 4/9/19

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Memorandum of Understanding (MOU) |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 - Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 700 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vacancy Notice |
| <input type="checkbox"/> | <input type="checkbox"/> | Information Sheet |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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Completed by: Victor Young

Date March 14, 2019

Completed by: VY

Date 3/21/19

AMENDED IN COMMITTEE

3/18/19

FILE NO. 181188

ORDINANCE NO.

1 [Administrative Code - Implicit Bias Training for Department Heads and Commissioners]

2
3 **Ordinance amending the Administrative Code to require department heads and**
4 **members of City boards and commissions to complete implicit bias training by June**
5 **~~30~~December 31, 2019; to require newly appointed department heads and members of**
6 **City boards and commissions to complete implicit bias training within 60 days of**
7 **assuming office; and to require the Department of Human Resources to provide the**
8 **training.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in ~~*strikethrough italics Times New Roman font*~~.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. Chapter 16 of the Administrative Code is hereby amended by adding
18 Section 16.9-28, to read as follows:

19 **SEC. 16.9-28. IMPLICIT BIAS TRAINING AND REPORTING.**

20 *(a) Definitions. For purposes of this Section 16.9-28, the following definitions apply:*

21 *“Commission” means a board, commission, or other body listed in Campaign and*
22 *Governmental Conduct Code Section 3.1-103(a)(1).*

23 *“Commissioner” means a member of a Commission.*

24 *“Department” means the Department of Human Resources.*

25 *“Department Head” means an individual holding a position listed in Campaign and*
Governmental Conduct Code Section 3.1-103(b)(1).

1 "Implicit Bias Training" means a training prepared and administered by the Department,
2 designed to make Department Heads and Commissioners aware of their unconscious biases and
3 prejudices based on race, ethnicity, national origin, sex, gender identity, sexual orientation, or other
4 characteristics protected by federal, state, or local law.

5 "Secretary" means the City employee responsible for handling administrative and clerical
6 matters for a Commission.

7 (b) Training Requirement.

8 (1) Completion of Training.

9 (A) Department Heads and Commissioners who assumed office on or before
10 the effective date of the ordinance in Board File No. 181188 establishing this Section 16.9-28 shall
11 complete Implicit Bias Training by no later than ~~June 30~~December 31, 2019. Except as provided in
12 subsection (b)(2), Department Heads and Commissioners who assume office after the effective date of
13 the ordinance referenced above shall complete Implicit Bias Training within 60 days of assuming
14 office.

15 (B) Department Heads shall satisfy the training requirement in this
16 subsection (b) by completing the in-person training provided under subsection (c)(2).
17 Commissioners shall satisfy the training requirement in this subsection (b) either by
18 completing the online training provided under subsection (c)(1) or by completing the in-person
19 training provided under subsection (c)(2).

20 (2) Exception. Any Department Head or Commissioner who has already
21 completed Implicit Bias Training as required under subsection (b)(1) and thereafter is reappointed,
22 reelected, or assumes office on another Commission or in another City department within five years of
23 completing Implicit Bias Training shall not be required to complete Implicit Bias Training again.

24 (c) Department Responsibilities.

25 (1) The Department shall prepare and administer an online Implicit Bias Training

1 program for Commissioners. The Department shall make the training available to Department
2 Heads and Commissioners online.

3 (2) The Department may shall also prepare and provide in-person Implicit Bias
4 Training to Department Heads, or and to Commissioners upon their request.

5 (3) The Department shall provide a certificate of completion to each Department
6 Head or Commissioner who has completed Implicit Bias Training. The Department shall retain these
7 certificates and make them available to the public upon request.

8 (4) Beginning July 15, 2019 January 15, 2020, the Department shall post on its
9 website the name of each Department Head and Commissioner who has completed Implicit Bias
10 Training. The Department shall update the list at least once each month.

11 (d) Public Reports.

12 (1) After completing Implicit Bias Training, each Commissioner shall provide a copy
13 of the certificate referenced in subsection (c)(3) to the Secretary for the Commission on which the
14 Commissioner serves.

15 (2) Beginning July 15, 2019 January 15, 2020, the Secretary of each Commission
16 shall post on the Commission's website a statement identifying those Commissioners who have
17 completed Implicit Bias Training and those Commissioners who have not completed Implicit Bias
18 Training. For each Commissioner who has completed Implicit Bias Training, the list shall include the
19 date of the training, and for each Commissioner who has not completed Implicit Bias Training, the list
20 shall include the date by which this Section 16.9-28 requires the Commissioner to complete the
21 training.

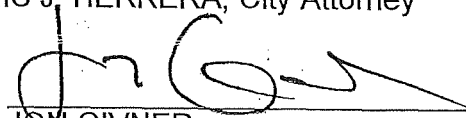
22 (3) Beginning July 15, 2019 January 15, 2020, each City department shall post on
23 its website a statement reporting whether the Department Head for that department has completed
24 Implicit Bias Training. If the Department Head has completed Implicit Bias Training, the website shall
25 include the date of the training, and if the Department Head has not completed Implicit Bias Training,

1 the website shall include the date by which this Section 16.9-28 requires the Department Head to
2 complete the training.

3
4 Section 2. Effective Date. This ordinance shall become effective 30 days after
5 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
6 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
7 of Supervisors overrides the Mayor's veto of the ordinance.

8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By:


11 JON GIVNER
Deputy City Attorney

12 n:\egana\as2018\1800657\01345091.docx

LEGISLATIVE DIGEST

(Revised 3/18/19)

[Administrative Code - Implicit Bias Training for Department Heads and Commissioners]

Ordinance amending the Administrative Code to require department heads and members of City boards and commissions to complete implicit bias training by December 31, 2019; to require newly appointed department heads and members of City boards and commissions to complete implicit bias training within 60 days of assuming office; and to require the Department of Human Resources to provide the training.

Existing Law

Existing law requires City employees and officers to complete anti-harassment training provided by the City at least once every two years. Existing law does not separately require City officers or employees to complete implicit bias training.

Amendments to Current Law

This ordinance would require the Department of Human Resources to prepare an implicit bias training designed to make participants aware of their unconscious biases and prejudices based on race, ethnicity, national origin, sex, gender identity, sexual orientation, or other characteristics. The ordinance would require the Department to provide the training online and in person.

The ordinance would require every current City department head and commissioner who is required to file a Statement of Economic Interests with the Ethics Commission to complete implicit bias training by December 31, 2019. Department heads would be required to complete in-person training, while Commissioners could complete either in-person or online training. The ordinance would require department heads and commissioners who assume office after the effective date of the ordinance to complete the training within 60 days of assuming office. The ordinance would also require the City to post online lists of department heads and commissioners who have completed the training and those who have not.

Background Information

This legislative digest reflects amendments adopted by the Rules Committee on March 18, 2019.

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Micki Callahan, Director, Department of Human Resources
All City Department Heads via Kanishka Karunaratne Cheng, Liaison to
the Board of Supervisors, Mayor's Office

FROM:  Alisa Somera, Legislative Deputy Director
Rules Committee

DATE: December 7, 2018

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee has received the following proposed legislation, introduced by Supervisor Stefani on December 4, 2018:

File No. 181188

Ordinance amending the Administrative Code to require department heads and members of City boards and commissions to complete implicit bias training by June 30, 2019; to require newly appointed department heads and members of City boards and commissions to complete implicit bias training within 60 days of assuming office; and to require the Department of Human Resources to provide the training.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: Susan Gard, Department of Human Resources
Carol Isen, Department of Human Resources
Mawuli Tugbenyoh, Mayor's Office
Rebecca Peacock, Mayor's Office

Lew, Lisa (BOS)

From: Lew, Lisa (BOS)
Sent: Friday, December 7, 2018 4:14 PM
To: Callahan, Micki (HRD); Karunaratne, Kanishka (MYR)
Cc: Gard, Susan (HRD); Isen, Carol (HRD); Tugbenyoh, Mawuli (MYR); Peacock, Rebecca (MYR); Somera, Alisa (BOS)
Subject: BOS Referral: File No. 181188 - Administrative Code - Implicit Bias Training - Department Heads and Commissioners
Attachments: 181188 FYI.pdf

Hello,

The following proposed legislation is being referred to your department for informational purposes:

File No. 181188

Ordinance amending the Administrative Code to require department heads and members of City boards and commissions to complete implicit bias training by June 30, 2019; to require newly appointed department heads and members of City boards and commissions to complete implicit bias training within 60 days of assuming office; and to require the Department of Human Resources to provide the training.

Sent on behalf of Alisa Somera, Rules Committee. Please forward any comments or reports to Alisa Somera.

Regards,

Lisa Lew
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
P 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org



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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Stefani

Subject:

Implicit Bias Training for Department Heads, Commissioners, and Elected Officials

The text is listed:

Ordinance amending the Administrative Code to require department heads, members of City boards and commissions, and elected officials to complete implicit bias training by June 30, 2019; to require newly appointed department heads and members of City boards and commissions to complete implicit bias training within 60 days of assuming office; and to require the Department of Human Resources to provide the training.

Signature of Sponsoring Supervisor: [Signature]

For Clerk's Use Only

