

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

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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*
Governmental Conduct Code Section 3.1-103(a)(1).

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

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

24 *“Department Head” means an individual holding a position listed in Campaign and*
25 *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 completes 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.

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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

9

10 By: _____
11 JON GIVNER
12 Deputy City Attorney

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