
CHAPTER 33:

COMMISSION ON THE STATUS OF WOMEN

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SEC. 33.1. FINDINGS.

(a) Because of tradition and prejudice, social, political, economic, cultural and educational restrictions on women through the years, women and girls have been denied by virtue of their gender, basic human rights resulting in inequities in economic, political, legal, cultural and social status. Despite obvious deprivations of opportunity to attain equality with men, women have made and continue to make substantial contributions in diverse areas of human activity and enterprise. Women have initiated movements for social and political emancipation, human welfare and world peace. The disadvantaged status of women and girls is, however, inimical to the public welfare in that it prevents women and girls from fully developing their individual potentials and from contributing fully to the cultural and economic life of the community. In view of the long tradition of according women and girls an inferior status in society, nothing less than a concerted effort at the national, State and local levels will result in true equality of the sexes.

(b) Despite remedial legislation and increased public awareness of the disparity in the treatment of women in our society, women and girls continue to be treated unequally. Women in the workforce continue to earn, on average, less than men. The skills and abilities that women bring to job fields that have not historically been open to them remain underutilized. Women continue to perform only a small percentage of City contracts. Women continue to constitute a disproportionate percentage of the population earning the minimum wage and/or living in poverty. In addition, reported cases of violence against women and girls have risen dramatically. Violence against women and girls now accounts for approximately one quarter of assault arrests and homicides in San Francisco.

(c) There is a continued need for a governmental body to monitor the status of women and girls, including the status and unique problems of women and girls of color, homeless women and girls, immigrant women and girls, lesbians and low-income women and girls, both within City and County government and in the private sector, to monitor complaints about unlawful and unequal treatment of women, to investigate inequalities, and to propose remedies.

(Added by Ord. 28-75, App. 2/11/75; amended by Ord. 271-89, App. 7/28/89; Ord. 131-98, App. 4/17/98)

SEC. 33.2. DECLARATION OF POLICY.

It is the policy of the City and County of San Francisco to give every inhabitant of the City and County, woman or man, girl or boy, equal economic, political, social and educational opportunities and to give equal services and protection by public agencies. It is the policy of the City and County of San Francisco to keep the public informed on developments in the legal and social status of women and girls; to develop and distribute pertinent information and recommendations to the City and County agencies and to the general public; to provide expert advice and assistance to the offices, agencies, boards, departments, and employees of the City and County in undertaking efforts to assure equality in the treatment of the sexes; and to officially encourage private persons and groups to take steps to remove the barriers in the struggle of both women and men for equal opportunities resulting from tradition and prejudice as well as the educational, economic, political, legal and social restrictions of the past. It is the policy of the City and County of San Francisco that the Mayor, the Board of Supervisors, and all City and County commissions, boards and department heads shall consult with the Commission on matters relating to gender.

(Added by Ord. 28-75, App. 2/11/75; amended by Ord. 271-89, App. 7/28/89; Ord. 287-96, App. 7/12/96; Ord. 131-98, App. 4/17/98)

SEC. 33.3. DEPARTMENT, COMMISSION, EXECUTIVE DIRECTOR.

The Department shall be known as the Department on the Status of Women. The Commission shall formulate, evaluate and approve goals, objectives, plans and programs, set policies for the Department and carry out the additional functions enumerated in the Charter. The Executive Director shall be the department head and carry out the functions of department head as enumerated in Section 4.126 of the Charter. In selecting the Commission's staff, the Executive Director shall consider the diverse makeup of the general public of San Francisco, including the racial, ethnic, age and sexual orientation groups in the City and County. The Executive Director shall also ensure that staff have demonstrated commitment and expertise in working on behalf of women's issues and gender equity.

(Amended by Ord. 363-80, App. 8/7/80; Ord. 271-89, App. 7/28/89; Ord. 131-98, App. 4/17/98; Ord. 106-00, File No. 000537, App. 5/26/2000)

SEC. 33.4. POWERS AND DUTIES.

The Commission and its Department shall have the power and the duty to:

- (a) Prepare and disseminate educational and informational material relative to the role that tradition and prejudice and the deprivation of equal opportunities in areas such as education and employment have played in keeping women and girls of all races, creeds, ages, marital status and sexual orientation from developing their full individual potentials and from contributing fully to the cultural and economic life of the community;
- (b) Hold public hearings on matters relevant to the general scope of the Commission, and subpoena records and witnesses in connection with such hearings;
- (c) Review national, State and local legislation that may have an impact on the status of women and girls and communicate the Commission's position regarding the proposed legislation to the appropriate legislative bodies, so long as the Commission's position on State and federal legislation does not conflict with any official position taken by the City and County;
- (d) Analyze the composition of boards and commissions by gender and advise the Mayor and the Board of Supervisors on the equity of appointments. Develop and maintain a

Talent Bank of Women that can be used in a variety of ways, including but not limited to assisting the Commission on the Status of Women in nominating qualified women for appointment by the Mayor to vacancies on boards and commissions of the City and County;

(e) Study, make recommendations to and advocate for the Mayor, the Board of Supervisors and departments to implement programs that promote the economic development of women. The Commission's responsibilities shall include, but not be limited to:

(1) Advocating the Human Resources Department to develop and implement programs that assist in recruiting and employing qualified women applicants for those positions filled through the Human Resources Department which traditionally employ few women; making recommendations regarding terminology used in job announcements, recruitment techniques, job qualifications, salary schedules, training and promotional practices,

(2) Studying job categories that traditionally are filled primarily by women or primarily by men to determine whether the rate of compensation in the traditionally female jobs compares reasonably and favorably with the rate of compensation in the traditionally male jobs, taking into consideration the training, experience, mental and physical effort and responsibility required and the working conditions involved, and take necessary steps to implement equity,

(3) Studying, developing policies and advocating for the Human Resources Department and other City departments to implement policies addressing the special employment problems of women, including but not limited to the need for family-friendly policies, flexible work options, and family care resources,

(4) Studying, developing policies and advocating for the elimination of barriers to employment and advancement for women, including but not limited to on-the-job training and retraining for women who have been out of the employment market for extended periods due to family responsibilities and policies and practices addressing "glass-ceiling issues."

(5) Advising the Civil Service Commission and Human Resources Department on the form of reports regarding City and County employees and members of boards and commissions regarding sex, race, salary level, job classification and other disaggregated statistical data, and to develop an analysis of the data in regard to the areas of concern to the Commission,

(6) Monitoring the reports of complaints of all forms of discrimination against women (including sexual harassment) received and forwarded by the Department of Human Resources pursuant to Administrative Code Section 33.7, and consult with and make recommendations to the Department of Human Resources concerning the handling of such complaints,

(7) Assisting in the preparation of training programs and materials with respect to the economic development of and employment discrimination against women and girls, including sexual harassment, for City and County departments and agencies;

(f) Cooperate with and make recommendations to law enforcement agencies and officials concerning the treatment of women and girls in the City and County's correctional and juvenile justice system and enforcement of laws that have a particular impact on women and girls, including but not limited to laws relating to violence against women and girls, rape and prostitution;

(g) Cooperate with, make recommendations to, and advocate for the Community College District and the San Francisco Unified School District to develop and implement programs and practices that have the purpose of furthering the objectives of this ordinance, including but not limited to recommendations and advocacy concerning in-service training,

sex-role stereotyping in textbooks, sexual harassment, violence against women and girls, courses and methods of providing role models for female students who may be interested in areas of employment not traditionally filled by women, and ensuring that women and girls have equal access to and opportunity in developing areas of technology;

(h) Provide information, guidance and technical assistance to other public agencies and private persons, organizations and institutions engaged in activities and programs intended to eliminate prejudice and discrimination against women and girls because of their gender, and to serve as liaison between the public and private sectors on matters affecting women and girls in the community;

(i) Cooperate with and make written recommendations to the Board of Supervisors, the Mayor, City and County agencies, boards and commissions and City and County officials regarding the development and implementation of programs and practices for the purpose of furthering the objectives of this ordinance, including but not limited to, recommendations with respect to improving the City and County's procedures for enforcing prohibitions against all forms of discrimination against women and girls, including sexual harassment, within the City and County government and with its contractors;

(j) Investigate and mediate, at the request of a party and within the limitations of staff time and resources, any incidents of discrimination against women because of their status as women that are not within the exclusive jurisdiction of some federal or State agency, the Human Resources Department or the Human Rights Commission, and make specific recommendations to the involved parties as to the methods for eliminating discrimination against women;

(k) Prepare, encourage and coordinate programs of voluntary action to reduce or eliminate existing inequalities and disadvantages in both the public and private sector resulting from prejudice, tradition and past discrimination against women and girls;

(l) Coordinate the City's efforts to establish a comprehensive response to violence against women and girls in cooperation with City departments and the community at large. The Commission's responsibilities shall include, but not be limited to:

(1) Overseeing and administering funds allocated to the Commission for programs regarding violence against women and girls;

(2) Receiving reports from all City departments funding programs regarding violence against women;

(m) Review the programs and budget of any other City and County department or agency where there are reasonable grounds for believing that department or agency is not complying with this Article or is otherwise not protecting the rights of women and girls fully; and, if necessary, to request the Controller to perform a management or budget audit with respect to those deficiencies;

(n) Study and monitor all agencies, departments, boards and commissions of the City and County to identify patterns and practices that have a discriminatory effect upon women and girls;

(o) Carry out the provisions of Section 12K of the San Francisco Administrative Code implementing, locally, the principles of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);

(p) Coordinate with other City departments, policy bodies and community groups to develop an integrated services plan for women and girls.

(Added by Ord. 28-75, App. 2/11/75; amended by Ord. 271-89, App. 7/28/89; Ord. 64-92, App. 2/28/92; Ord. 335-95, App. 10/27/95; Ord. 131-98, App. 4/17/98; Ord. 106-00, File No. 000537, App. 5/26/2000)

SEC. 33.5. COOPERATION WITH OTHER GROUPS AND INDIVIDUALS.

The Commission shall consult with and maintain contact with groups and individuals who are concerned with the status of women and girls or who are primarily responsible for assuring gender equity and women's human rights.

(Added by Ord. 28-75, App. 2/11/75; amended by Ord. 131-98, App. 4/17/98)

SEC. 33.6. REPORTS.

The Commission shall render written reports of its activities to the Mayor and the Board of Supervisors not less than once every six months.

(Added by Ord. 28-75, App. 2/11/75; amended by Ord. 271-89, App. 7/28/89; Ord. 131-98, App. 4/17/98)

SEC. 33.7. COOPERATION OF OTHER CITY AND COUNTY ENTITIES.

(a) The Mayor, Board of Supervisors, and each commission, board, department and agency of the City and County shall fully cooperate with the Commission in fulfilling the provisions and purposes of this Article and shall regularly consult with the Commission on matters relating to women.

(b) All agencies, departments, boards and commissions of the City and County, with the exception of the City Attorney, shall make quarterly reports to the Human Resources Department regarding all complaints of gender or sex discrimination file by their employees. Those reports shall include:

- (1) the number of complaints filed that quarter;
- (2) the specific type of discrimination alleged in each complaint filed;
- (3) the department, bureau or division in which each complaint arose;
- (4) the harm allegedly suffered by the complainant;
- (5) the cost to the department in handling the matter, when available;
- (6) the status of all outstanding complaints, including, but not limited to a report that the complaint is being investigated or mediated;
- (7) the findings in all completed cases; and
- (8) what, if any, corrective action was taken.

The Human Resources Department shall compile the information regarding the complaints and report it to the Commission quarterly. The Human Resources Department shall consult with the Commission concerning the policy manner in which such complaints are handled. The Human Resources Department shall also send the Commission any and all reports they make to the Board of Supervisors and/or the Mayor concerning any type of discrimination against women (including sexual harassment). The Human Resources Department shall provide the Commission, upon request, access to pertinent, nonconfidential personnel information with respect to current City and County employees and applicants for employment including, but not limited to:

- (1) an employee's or applicant's eligibility or certification status; and
- (2) any workforce utilization or salary analysis performed by the Human Resources Department.

San Francisco Administrative Code

(c) The City Attorney shall submit to the Commission a monthly report of settlements, which includes lawsuits and claims filed by female employees of the City and County alleging employment discrimination. The report shall include:

- (1) the name of the case or claimant;
- (2) the nature of the case;
- (3) the damages allegedly suffered; and
- (4) the amount of the settlement.

The City Attorney shall also provide, quarterly, a summary of litigation judgments in favor of and against the City and County, including all lawsuits filed by female employees alleging discrimination. The City Attorney shall alert the Commission to the filing of any lawsuit against the City and County alleging any form of discrimination against women and shall provide a monthly report of all administrative claims filed against the City, including any claims alleging discrimination against women. Upon request, the City Attorney shall forward to the Commission a copy of any complaint or claim filed with or served upon the City Attorney.

(Added by Ord. 271-89, App. 7/28/89; amended by Ord. 64-92, App. 3/28/92; Ord. 287-96, App. 7/12/96; Ord. 131-98, App. 4/17/98; Ord. 106-00, File No. 000537, App. 5/26/2000)