

Pueblo Police Department

EEOP Utilization Report

2018



As a condition of receiving federal grant funding through the US Department of Justice, the Pueblo Police Department must report on employee demographics within the department as they relate to gender, ethnicity and race. The report is called the Equal Employment Opportunity Program (EEOP) Utilization Report. A copy of the latest EEOP Utilization Report for the Pueblo Police Department can be found on the City's intranet site, on the Human Resources page and there is also a copy available for review in both the Chief's office as well as the Human Resources office at 301 West B Street.

EEO Utilization Report

Organization Information

Name: Pueblo Police Department

City: Pueblo

State: CO

Zip: 81003

Type: County/Municipal Law Enforcement

Step 1: Introductory Information

Policy Statement:

The City of Pueblo has adopted the following uploaded relevant policies:

General Regulation #1 - Equal Employment Opportunity

General Regulation #2 - Harassment Prohibited

General Regulation #3 - Sexual Harassment Prohibited

General Regulation #5 - Reporting Harassment, Sexual Harassment, or Violence

Police Department Policy 315 - Discriminatory Harassment

Following File has been uploaded: Combined General Reg_PDLexipol_315.pdf

Step 4b: Narrative of Interpretation

See Attachment

Step 5: Objectives and Steps

1. Review minimum qualifications for Police Patrol Officer to identify changes that might allow broader recruitment.

- a. Review of job description to include possibility of lowering educational requirements to broaden pool of qualified applicants.

2. Target Hispanic and White Females in police recruitment efforts.

- a. Ensure that career fairs and recruitment teams attending career days include diverse agency representation to include White and Hispanic female employees. Examples include CSU-Pueblo Career Fair and Pueblo Community College Career Fair.

3. Pueblo Police Careers Open House and enhance social media use

- a. Determine feasibility of hosting second annual Police Careers Open House for the public. Ensure that minority officers are in attendance to connect with potential applicants. Internal resources to show various aspects of law enforcement to include K-9, narcotics, justice center facility tours. Use social media more creatively to share Police Officer application process more broadly and generate interest in public safety career with the Pueblo Police Department.

Step 6: Internal Dissemination

Internal Dissemination

1. Information will be provided to all Police Department command staff.
2. Notices will be posted on the central bulletin boards in the Pueblo Municipal Justice Center and at the Human Resources Department that the report is available for review in Human Resources as well as the Chief's office.

Step 7: External Dissemination

External

1. Post on the City's website

Utilization Analysis Chart
Relevant Labor Market: Pueblo County, Colorado

Job Categories	Male							Female								
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Officials/Administrators																
Workforce #/%	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/
CLS #/%	2,935/45%	745/12%	0/0%	30/0%	75/1%	0/0%	35/1%	0/0%	1,780/27%	775/12%	30/0%	25/0%	25/0%	0/0%	4/0%	15/0%
Utilization #/%																
Professionals																
Workforce #/%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	3/100%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	3,015/29%	755/7%	100/1%	10/0%	65/1%	45/0%	65/1%	4/0%	4,540/44%	1,650/16%	45/0%	35/0%	40/0%	4/0%	40/0%	0/0%
Utilization #/%	-29%	-7%	-1%	-0%	-1%	-0%	-1%	-0%	56%	-16%	-0%	-0%	-0%	-0%	-0%	0%
Technicians																
Workforce #/%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	1/100%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	385/25%	140/9%	0/0%	25/2%	0/0%	0/0%	10/1%	0/0%	525/35%	435/29%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Utilization #/%	-25%	-9%	0%	-2%	0%	0%	-1%	0%	-35%	7/1%	0%	0%	0%	0%	0%	0%
Protective Services: Sworn-Officials																
Workforce #/%	23/59%	12/31%	0/0%	2/5%	0/0%	0/0%	0/0%	0/0%	1/3%	1/3%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	875/58%	370/24%	10/1%	4/0%	0/0%	0/0%	10/1%	0/0%	215/14%	24/2%	0/0%	10/1%	0/0%	0/0%	0/0%	0/0%
Utilization #/%	1%	6%	-1%	5%	0%	0%	-1%	0%	-12%	1%	0%	-1%	0%	0%	0%	0%
Protective Services: Sworn-Patrol Officers																
Workforce #/%	97/55%	45/25%	6/3%	2/1%	1/1%	0/0%	3/2%	0/0%	12/7%	9/5%	1/1%	1/1%	0/0%	0/0%	0/0%	0/0%
Civilian Labor Force #/%	750/30%	280/11%	0/0%	0/0%	15/1%	0/0%	10/0%	0/0%	1,055/43%	335/14%	0/0%	0/0%	12/0%	0/0%	0/0%	15/1%
Utilization #/%	24%	14%	3%	1%	-0%	0%	1%	0%	-36%	-8%	1%	1%	-0%	0%	0%	-1%
Protective Services: Non-sworn																
Workforce #/%	1/3%	2/6%	1/3%	0/0%	0/0%	0/0%	0/0%	0/0%	19/58%	10/30%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	50/43%	45/39%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	10/9%	10/9%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%

Job Categories	Male										Female					
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Utilization #/%	-40%	-33%	3%	0%	0%	0%	0%	0%	49%	22%	0%	0%	0%	0%	0%	0%
Administrative Support																
Workforce #/%	1/5%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	13/62%	7/33%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	3,900/22%	2,060/12%	45/0%	15/0%	15/0%	30/0%	90/1%	6,870/40%	4,025/23%	60/0%	25/0%	60/0%	20/0%	125/1%	15/0%	15/0%
Utilization #/%	-18%	-12%	-0%	-0%	-0%	-0%	-1%	22%	10%	-0%	-0%	-0%	-0%	-1%	-0%	-0%
Skilled Craft																
Workforce #/%	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/
CLS #/%	3,965/59%	2,225/33%	75/1%	10/0%	0/0%	55/1%	4/0%	160/2%	230/3%	0/0%	0/0%	0/0%	0/0%	25/0%	0/0%	0/0%
Utilization #/%																
Service/Maintenance																
Workforce #/%	0/0%	1/100%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	4,595/25%	4,555/25%	265/1%	65/0%	40/0%	125/1%	55/0%	3,840/21%	4,000/22%	130/1%	170/1%	20/0%	0/0%	105/1%	40/0%	40/0%
Utilization #/%	-25%	75%	-1%	-0%	-0%	-1%	-0%	-21%	-22%	-1%	-1%	-0%	-0%	-1%	-1%	-0%

Significant Underutilization Chart

Job Categories	Male						Female									
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Protective Services: Sworn-Officials									✓							
Protective Services: Sworn-Patrol Officers									✓	✓						
Protective Services: Non-sworn	✓	✓														

Law Enforcement Category Rank Chart

Job Categories	Male										Female					
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Police Chief																
Workforce #/%	1/100%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Deputy Police Chief																
Workforce #/%	2/100%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Police Captain																
Workforce #/%	5/62%	2/25%	0/0%	1/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Police Sergeant																
Workforce #/%	15/54%	10/36%	0/0%	1/0%	0/0%	0/0%	0/0%	0/0%	1/4%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Protective Services:																
Sworn-Patrol Officers																
Workforce #/%	97/55%	45/25%	6/3%	2/1%	1/1%	0/0%	3/2%	0/0%	12/7%	1/1%	1/1%	0/0%	0/0%	0/0%	0/0%	0/0%

I understand the regulatory obligation under 28 C.F.R. ~ 42.301-.308 to collect and maintain extensive employment data by race, national origin, and sex, even though our organization may not use all of this data in completing the EEO Utilization Report.

I have reviewed the foregoing EEO Utilization Report and certify the accuracy of the reported workforce data and our organization's employment policies.

Certified As Final By: Marisa Pacheco

Human Resources Director

02-27-2019

[signature]

[title]

[date]



Pueblo Police Department Response to Step 4b of the EEOP Utilization Report for 2018

In reviewing the Utilization Analysis Chart, the Human Resources Department for the City of Pueblo Police Department made the following key observations:

1. **The Protective Services: Sworn Officials** category was interpreted to include our Chief, Deputy Chiefs, Police Captains, and Police Sergeants. Currently, there are two female Police Sergeants (one Hispanic and one white) and no female Police Captains, Deputy Chiefs of Chiefs. Our agency, like others, has struggled with a trend of fewer females in these promoted sworn ranks. The utilization data shows that our organization is experiencing an underutilization rate of 12% of females in this category. We are a closed Civil Service promotion system and therefore, any promotions to command staff positions must come from the pool of available Police Officers/Corporals in our organization.
2. **The Protective Services: Sworn Officials** category underutilization in both the White female (-36%) and Hispanic female (-8%) employees is perhaps the most significant of these observations. As mentioned in observation number 1 above, promotions occur within our agency's closed Civil Service system. Lateral transfers from other agencies are currently prohibited under the collective bargaining agreement. Therefore, the root of the problem in promoted ranks is clearly identified within this particular finding, as our agency is struggling to attract female applicants to what is a predominantly male occupation. This fact is also complicated by several external trends and factors in our area: A) State and Federal corrections facilities are located within 50 miles of Pueblo have been hiring and tend to pay higher than our positions, B) Colorado Springs Police Department, 40 miles north has also been hiring during this time period with many positions paid 10-15% more than Pueblo Police Department positions, C) Other jurisdictions within the state are paying more and recruiting in the Pueblo area because of the number of highly qualified minorities in our area. These factors are evident in our recruitment efforts when in the last several recruitment processes, we have had applicants in our lengthy selection process drop out after receiving offers from the Colorado Springs Police Department and other law enforcement agencies.
3. **The Protective Services: Non-Sworn** category was interpreted to include our Emergency Services Dispatcher, Dispatch Supervisor, Dispatch Training Coordinator and Code Enforcement Officer and Lead Code Enforcement Officer classifications. It appears that underutilization is occurring in the white male and Hispanic/Latino male categories. Quite possibly, the largest reason for this is that the Emergency Services Dispatch employees comprise the vast majority of this category of employees. Our candidate pool for these positions has been predominantly female and the success rate in our intensive Civil Service selection process has resulted in female hires outpacing male hires, simply because that was the demographic of the applicant pool. Like other agencies, our dispatch function has been difficult to keep fully staffed. Therefore, while this is a noteworthy finding, our focus will remain on trying to fill those critical vacancies and advertising to the local labor market to attract all qualified candidates.

The Pueblo Police Department is committed to having a workforce that reflects the community we serve. We continue to review recruitment and selection processes as well as retention techniques to identify ways to attract more Hispanic and White females to apply for entry-level patrol officer positions.



HANDBOOK OF GENERAL REGULATIONS FOR ALL CLASSIFIED EMPLOYEES OF THE CITY OF PUEBLO

This handbook contains all general regulations governing employment of all classified employees within the City. It supersedes all previously issued Administrative Policy Memorandums or other general regulations.

In addition to the general regulations set forth in this handbook, employees are required to know and adhere to departmental regulations as well as City Charter and Ordinance provisions governing their employment.

Pursuant to Section 6-10-4 of the Pueblo Municipal Code (P.M.C.), grounds for discipline or discharge of an employee shall include:

- (1) Refusal or inability to follow orders;
- (2) Inefficiency;
- (3) Violation of Title VI of the Pueblo Municipal Code, Civil Service Rules, departmental regulations, general regulations, or law (including provisions of City Charter and Ordinance governing employment);
- (4) Conduct unbecoming an employee of the City;
- (5) Immoral or indecent conduct; and
- (6) Any personal delinquency which renders the employee unfit or undesirable for a particular position in the classified service or employment by the City.

Employee shall be presumed to be familiar with and abide by the regulations contained herein and any amendments thereof. The Department of Human Resources (HR) shall be responsible for the distribution of copies of this handbook, and all amendments thereof, and shall serve as custodian of the official handbook in hard copy and/or electronic form. The Department of Human Resources shall also maintain the most current version of the handbook on the City's Intranet site.

Undersigned employee (Employee) acknowledges that Employee has received and reviewed a copy of this handbook.

EMPLOYEE

Signature: _____ Name (print): _____ Date: _____

CITY OF PUEBLO

**GENERAL REGULATION #1
EQUAL EMPLOYMENT OPPORTUNITY**

No applicant, candidate, or employee shall be discriminated against or denied equal employment opportunity in the service of the City on the basis of race, color, religion, political affiliation, sex (including pregnancy), sexual orientation, national origin, ancestry, genetic information, age, or disability, except as may be provided by law.

Originated August 2011.

CITY OF PUEBLO

**GENERAL REGULATION #2
HARASSMENT PROHIBITED**

The City prohibits harassment against anyone (including any applicant, employee, supervisor, or member of the public being served) based on the individual's race, color, religion, political affiliation, sex (including pregnancy), sexual orientation, national origin, ancestry, age, or disability.

Harassment may include:

- Epithets or slurs
- Negative stereotyping
- Threats, intimidation, or hostile acts
- Suggestive, offensive, demeaning, or hostile jokes or pranks
- Transmitting or posting sexually suggestive, graphic, insulting, hostile, or offensive materials in the workplace or via City voice mail or e-mail, or accessing such information on the Internet while at work

All employees of the City have a responsibility to report any incident of harassment they experience or observe, and all employees are strongly encouraged to make a report, as explained further in General Regulation #5: *Reporting Harassment, Sexual Harassment, or Violence*.

This policy is not meant nor intended to limit the City's authority to discipline employees for conduct which is otherwise unacceptable even if such conduct does not satisfy the definition of unlawful harassment.

Originated August 2011

**GENERAL REGULATION #3
SEXUAL HARASSMENT PROHIBITED**

The City prohibits sexual harassment. No one at the City, including officers and employees, whether classified or unclassified, may make unwelcome sexual advances or requests for sexual favors, or engage in any other unwelcome verbal or physical conduct of a sexual or gender-based nature where (1) such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment; or (2) it is obvious or implied that tolerating or submitting to such conduct is a condition of employment or will be used for the basis of any employment decision, including, but not limited to, hiring, firing, performance appraisals, salary, benefits, position, job transfers, or any other decision affecting any term or condition of employment with the City.

The City does not tolerate sexual harassment. No employee or applicant should be subjected to unwelcome sexual requests or insulting behavior. No employee or applicant should be led to believe that any employment opportunity or benefit will in any way depend on his or her cooperation with sexual demands or that he or she must tolerate an offensive sexual environment. Any employee who commits sexual harassment will be subject to discipline up to and including termination.

All employees of the City have a responsibility to report any incident of sexual harassment they experience or observe, and all employees are strongly encouraged to make a report, as explained further in General Regulation #5: *Reporting Harassment, Sexual Harassment, or Violence*.

This policy is not intended to limit the City's authority to discipline employees for conduct which is otherwise unacceptable even if such conduct does not satisfy the definition of unlawful harassment.

Originated August 2011

**GENERAL REGULATION #5
REPORTING HARASSMENT, SEXUAL HARASSMENT, OR VIOLENCE**

Employees have an important responsibility in the effective implementation of the City's regulations against harassment, sexual harassment, and violence. Any employee who believes that he or she has been the subject of harassment or sexual harassment, who has been harmed by or threatened with violence, or who has witnessed anyone else connected with the City experience or commit such conduct, should take prompt action through his or her appropriate chain of command. He or she should notify his or her supervisor, the department head, or the Director of Human Resources. If a perpetrator is the employee's supervisor, the employee should notify the department head or the Director of Human Resources.

The City will promptly, thoroughly, and impartially investigate any harassment, sexual harassment, or violence report or complaint, and take corrective action where appropriate. The City will make reasonable efforts to preserve the confidentiality of everyone involved with any harassment, sexual harassment, or violence complaint and investigation. Employees have a right to make good faith complaints about harassment, sexual harassment, or violence and to act as witnesses in investigations of those complaints. The City will protect reporting employees and witnesses against retaliation for making a harassment, sexual harassment, or violence report.

Employees are required to participate in any training the City provides or sponsors about harassment, sexual harassment, or violence. Employees are also required to participate and to be truthful in any investigation by the City.

Originated August 2011

Discriminatory Harassment

315.1 PURPOSE AND SCOPE

This policy is intended to prevent department members from being subjected to discrimination or sexual harassment.

315.2 POLICY

The Pueblo Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against employees in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The non-discrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

315.3 DISCRIMINATION PROHIBITED

315.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by an employee that adversely affects an applicant or employee and is based on race, color, religion, sex, age, national origin or ancestry, genetic information, disability, military service, sexual orientation and other classifications protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments, crude and offensive statements or remarks, making slurs or off-color jokes, stereotyping, engaging in threatening acts, making indecent gestures, pictures, cartoons, posters or material, making inappropriate physical contact, or using written material or department equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to department policy and to the department's commitment to a discrimination free work environment.

Retaliation is treating a person differently or engaging in reprisal or acts of intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation or opposed a discriminatory practice. Retaliation will not be tolerated.

Pueblo Police Department
Pueblo PD Policy Manual

Discriminatory Harassment

315.3.2 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or an employee because of that person's sex.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile or offensive work environment.

315.3.3 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the Colorado Civil Rights Division.
- (b) Bona fide requests or demands by a supervisor that an employee improve his/her work quality or output, that the employee report to the job site on time, that the employee comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and employee.

315.4 RESPONSIBILITIES

This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional law enforcement standards and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher ranking supervisor or manager. Complaints may also be filed with the Chief of Police, Director of Human Resources or the City Manager.

Any member who believes, in good faith, that he/she has been discriminated against, harassed, subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

Pueblo Police Department

Pueblo PD Policy Manual

Discriminatory Harassment

315.4.1 SUPERVISOR RESPONSIBILITIES

Each supervisor and manager shall:

- (a) Continually monitor the work environment and strive to ensure that it is free from all types of unlawful discrimination, including sexual harassment or retaliation.
- (b) Take prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.
- (c) Ensure subordinates understand their responsibilities under this policy.
- (d) Ensure that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Notify the Chief of Police or Director of Human Resources in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment or retaliation no later than the next business day.

315.4.2 SUPERVISOR'S ROLE

Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory.

Supervisors and managers shall be aware of the following considerations:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional law enforcement standards.
- (b) False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.
- (c) Supervisors and managers must act promptly and responsibly in the resolution of such situations.
- (d) Supervisors and managers shall make a timely determination regarding the substance of any allegation based upon all available facts.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling employees or issuing discipline, in a manner that is consistent with established procedures.

315.4.3 RESPONSIBILITIES UPON RECEIPT OF COMPLAINT

Upon receipt or notification of a complaint filed with the Colorado Civil Rights Division, the Chief of Police or the authorized designee shall assign the complaint for action. The person assigned the complaint is responsible to ensure completion of the following (CRS § 24-34-301, et seq.):

- (a) Provide a written answer to the complaint within the time required after receiving it.
- (b) Supply and explain all relevant information, data or papers upon request.

Pueblo Police Department
Pueblo PD Policy Manual

Discriminatory Harassment

- (c) Respond to all telephone or mail inquiries from the Colorado Civil Rights Division.
- (d) Attend all meetings, hearings or fact-finding conferences when requested.

315.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved members should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination or harassment shall be fully documented, and promptly and thoroughly investigated. As soon as a complaint is made, any and all documents that may in any way relate to the allegations of the complaint, including but not limited to e-mail, text messages, correspondence, photographs, and notes, should be preserved and forwarded to the Chief of Police, Director of Human Resources or City Manager as may be appropriate. The participating or opposing member should be protected against retaliation, and the complaint and related investigation should be kept confidential to the extent possible.

315.5.1 SUPERVISORY RESOLUTION

Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome. However, if the member feels uncomfortable, threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

315.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation will be conducted.

The employee assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include, but not be limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Reporting shall be in compliance with this policy. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, Director of Human Resources or the City Manager.

Pueblo Police Department
Pueblo PD Policy Manual

Discriminatory Harassment

315.5.3 EQUAL OPPORTUNITY EMPLOYMENT COMPLAINTS

No provision of this policy shall be construed to prevent any employee from seeking legal redress outside the Department. Employees who believe that they have been harassed or discriminated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Employees are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

315.6 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and actions taken to remedy the complaint.

315.7 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

- Approved by the Chief of Police or the authorized designee, Director of Human Resources or the City Manager if more appropriate.
- Maintained for the period established in the department's records retention schedule.

315.8 TRAINING

All new employees shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new employee. The employee shall certify by signing the prescribed form that he/she has been advised of this policy, is aware of and understands its contents and agrees to abide by its provisions during his/her term of employment.

All employees shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents and agree that they will continue to abide by its provisions.

315.8.1 QUESTIONS REGARDING DISCRIMINATION OR SEXUAL HARASSMENT

Members with questions regarding discrimination or sexual harassment are encouraged to contact a supervisor, manager, the Bureau Chief, the Director of Human Resources or the City Manager, or they may contact the Colorado Civil Rights Division.