



Notification of City Gender Inclusion Policy

Purpose

The Department recognizes the rights of transgender, gender-variant, and nonbinary (TGN) individuals. Gender-transitioning and TGN individuals can live and work in a manner consistent with their identity and/or gender expression, including through appearance, name and/or gender pronouns, use of facilities, and gender-specific job assignments. This Department Notice informs members about the [City and County of San Francisco Gender Inclusion Policy](#) and associated Department of Human Resource (DHR) materials concerning City Employees. All city agencies are to conform to this policy. An internal Department guide is forthcoming to clarify specific TGN employee related concerns and clarify supervisory duties.

Policy

Discriminatory practices such as misgendering and misnaming are unlawful. Members may not harass, discriminate, or retaliate against anyone based on their actual or perceived gender identity, gender expression, or transgender or transitioning status. These policies are reflections of various Federal, State, and City laws, case law precedent, and U.S. Equal Employment Opportunity Commission (EEOC) Rulings.

Confidentiality and Privacy

Members and applicants have the right to discuss their gender identity or gender expression openly or keep that information private. The medical, personal, or intimate details about someone's gender identity, transgender status, or transition are "Protected Information," and consent is required. Protected information is confidential under Federal and State privacy laws. Spreading rumors or gossiping about anyone's gender identity or gender expression, or "Protected Information" is inappropriate and violates this policy as well as Federal, State, and local anti-discrimination law.

Transitioning

Members may continue to work while they transition and be assigned in a manner consistent with their gender identity for gender-specific facilities and job assignments, i.e., searches as described in DGO 5.22. Designated supervisors and human resources staff will refer to the City's Gender Transition Guidelines, which describes ways San Francisco City Agencies should address a member's transition in the workplace.

Names and Pronouns

Members must address all co-workers and applicants by the names and gender pronouns they use to self-identify. The correct name and pronouns are critical to maintaining a respectful workplace. Failure to use appropriate names or pronouns, known as "mislaming" and "misgendering" is a violation of this policy and may be deemed discriminatory behavior, especially if it is repeated or intentional. However, even a single incident can be severe enough to cause harm. All members shall make reasonable efforts to ensure that they personally use correct names and pronouns. Supervisors shall make reasonable efforts to ensure all members use correct names and pronouns and promptly correct anyone they hear using the wrong name

or pronoun. If a co-worker is unsure of the appropriate pronoun to use with an individual, it is acceptable to respectfully ask which pronoun the individual uses.

Reporting Violations

Discrimination or harassment based on actual or perceived sex, gender, gender identity, or gender expression is a violation of this and other Department policies and could result in discipline, up to and including termination. Intentional or repeated misgendering or misnaming is discriminatory.

The Department encourages all members to report harassing, retaliatory, or discriminatory behavior. It does not matter if the behavior is directed at the member, a co-worker, or others in the workplace. Department policy prohibits retaliation against anyone who reports or files a complaint or helps in the investigation of a complaint.

If a supervisor receives a complaint, or if a supervisor learns about potential discriminatory, harassing, or retaliatory behavior, the supervisor shall report the matter in writing to the SFPD Risk Management Office through the SFPD EEO Liaison by the end of the supervisor's tour of duty. Any supervisor who fails to report such a complaint or behavior may be subject to discipline, up to and including termination; refer to DGO 11.07 for additional details.

Members or applicants who believe they have experienced discrimination, harassment, or retaliation in violation of this policy should report the incident and the individuals involved right away. Complaints must be filed within 180 calendar days (six months) of the date of the incident, or the date the individual should have first become aware of it.

For more information, to request station training, or to file a complaint, a member may contact any of the following, either verbally or in writing:

- The member's supervisory officer.
- Any City supervisor officer or manager outside the members' chain of command. The Department's EEO Liaison.
- The EEO Division in the city's Department of Human Resources (DHR), located at 1 South Van Ness Avenue, 4th Floor, San Francisco, CA 94103 or online at <https://sfdhr.org/>. The EEO Helpline is (415) 557-4900 or (415) 557-4810 (TTY).

Related Resources:

DGO 11.07, *Prohibiting Discrimination, Harassment and Retaliation*

DGO 5.22, *Interacting with Transgender, Gender-Variant, and Nonbinary Individuals*

SFPD Roll-Call Training, *Correct use of Names and Pronouns, 2019-003*



WILLIAM SCOTT

Chief of Police

Per DN 20-150, all sworn & non-sworn members shall electronically acknowledge this Department document in PowerDMS. Members whose duties are relevant to this document shall be held responsible for compliance. Any questions regarding this policy should be made to sfpd.writtendirectives@sfgov.org who will provide additional information.