



# CITY OF HOUSTON

## Executive Order

Subject: **Prohibition of Discrimination Based On Sexual Orientation and/or Gender Identity**

E.O. No. **1-8 Revised**

Effective Date:  
**Upon Approval**

### 1. AUTHORITY

1.1 Article VI, Section 7a, of the City Charter of the City of Houston.

### 2. PURPOSE

2.1 The purpose of this Executive Order is to prohibit discrimination and/or retaliation on the basis of sexual orientation and/or gender identity at every level of municipal government, including in hiring, contracting and/or access to City facilities and programs/activities. It is further the city's policy to provide each city employee a work environment free of discrimination and harassment based on either sexual orientation and/or gender identity.

### 3. OBJECTIVES

3.1 To provide an environment free of discrimination and/or harassment based on sexual orientation and/or gender identity, including but not limited to:

3.1.1 All aspects of employment such as recruitment, appointment, compensation, promotion, discipline, demotion, transfers, layoff, recall, termination, training opportunities, and work environment

3.1.2 All aspects of economic opportunity such as contracting and vending

3.1.3 Availability of city facilities

3.1.4 Provision of city services

3.1.5 All city interactions with the public

### 4. DEFINITIONS

4.1 Sexual orientation - The actual or perceived status of a person with respect to his or her sexuality

4.2 Gender Identity - An individual's innate identification as either male or female, although it may not correspond to the individual's body or gender as assigned at birth

4.3 Gender expression - A person's expression of gender through appearance, dress, mannerisms, speech patterns, and other social interactions

4.4 City employee - All employees who work for the city, whether civil service protected in any civil service system, contract, grant or exempt under Art. V-a, Sec. 2 of the Charter,

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including appointive officials, city attorneys and their professional staff, and part-time, temporary, emergency and executive level workers

## 5. SCOPE

5.1 This directive applies to all City of Houston Departments and Divisions.

## 6. DUTIES OF THE OFFICE OF THE INSPECTOR GENERAL

6.1 The Office of the Inspector General (OIG) shall investigate all reports alleging discrimination and/or retaliation by city employees based on sexual orientation and/or gender identity. These investigations of reports shall include allegations made by city employees, as well as allegations made by members of the public who allege discriminatory and/or retaliatory treatment by city employees.

6.2 The OIG shall provide each department a copy of the procedures for accepting complaints made pursuant to this Executive Order.

## 7. DUTIES OF DEPARTMENT DIRECTORS

7.1 Department directors shall inform each of their employees of the procedures established by the OIG to investigate complaints of discrimination and/or retaliation by city employees based on sexual orientation and/or gender identity. Each department director shall distribute and post the procedures promulgated by the OIG in a manner calculated to make them as widely available to employees as possible.

7.2 Department directors shall cooperate with the OIG to ensure timely investigation of complaints.

7.3 So that all officials and employees understand the city policy on sexual orientation and/or gender identity and the requirements of this Executive Order, the Affirmative Action and Contract Compliance Division of the Mayor's Office shall develop and implement diversity training.

## 8. DUTIES OF CITY EMPLOYEES

8.1 City employees in the performance of their employment related duties and assignments with the city shall not discriminate or retaliate against any other employee or against any member of the public because of an individual's actual or perceived sexual orientation and/or gender identity.

8.2 All city employees shall have an affirmative duty to report immediately, in writing, any violation of this Executive Order to his/her supervisor or manager and to the OIG.

## 9. COMPLIANCE

9.1 It shall be a violation of this Executive Order for an employee to fail or refuse to hire, recruit, appoint, promote or train any individual or otherwise discipline, demote, transfer, lay off, fail to recall, or terminate any individual because of such individual's sexual orientation and/or gender identity; or to limit, segregate or classify employees or applicants in any way that would deprive, or tend to deprive, any individual of equal

opportunity or otherwise adversely affect the status of the employee or applicant because of such individual's sexual orientation and/or gender identity

- 9.2 It shall be a violation of this Executive Order for an employee to fail or refuse to recommend any contract or purchase for award based upon any contractor's or vendor's sexual orientation and/or gender identity; or to fail to make available to any member of the public or employee use of a city facility or receipt of a city service, if that person otherwise would be entitled to such use or receipt, based upon that person's sexual orientation and/or gender identity; or to impede access by any employee or member of the public to a city restroom facility that is consistent with and appropriate to that person's expression of gender identity; or to limit, based upon an individual's sexual orientation and/or gender identity, participation by any city employee or member of the public in any city-sponsored activity in which the individual would otherwise be permitted to participate.
- 9.3 Adherence to this Executive Order is mandatory. Violation of this Executive Order will subject a city employee to disciplinary action, up to and including indefinite suspension/termination.