File #: 241021, **Version:** 2

[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 241021

Sponsor: Mayor Quinton Lucas
COMMITTEE SUBSTITUTE

Amending Chapter 2, Administration, Article XV, Code of Ethics, of the Code of Ordinances by repealing and replacing Section 2-2006 to further prohibit harassment and to expand individuals covered under anti-harassment provisions to include all members of City boards and commissions under the Code of Ethics.

WHEREAS, the City has a Code of Ethics contained in its Code of Ordinances; and

WHEREAS, the Code of Ethics established the Municipal Officials and Officers Ethics Commission; and

WHEREAS conduct constituting harassment creates workplace harms for City employees, constituents, and volunteers; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter II, Article XV, Code of Ethics, of the Code of Kansas City, Missouri is hereby amended by repealing Section 2-2006, and enacting in lieu thereof a new section of like number and subject matter to read as follows:

Sec. 2-2006. General code of conduct.

(a) Commitment to safe and respectful environment. The city supports safe and respectful environments for all individuals with whom its officials and employees interact. Moreover, the city recognizes that the proper operation of democratic government requires agents of the public be both personally and professionally above reproach in order to respect the people of Kansas City, who they serve, and instill faith in government.

(b) *Applicability of general code of conduct*.

(1) *Individuals covered*. This section applies to the mayor and the mayor's assistants, members of the city council and the members' assistants, and all members of City boards and commissions.

(2) *Situations and locations covered*. This section applies wherever work on behalf of the city is performed or discussed and wherever an individual invokes or makes public their title and position with the city, including offices, conferences, meetings, and social events for the purpose of gaining influence.

(c) Unacceptable behaviors. The following behaviors violate the general code of conduct.

(1) Harassment. Harassment includes any objectionable or offensive behavior that is known or ought reasonably to be known to be unwelcome and that is severe or pervasive enough to create an environment that a reasonable person would consider intimidating, hostile, or abusive. Harassment may be intended or unintended. Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of harassment. Harassment includes:

a. Discriminatory conduct. Discriminatory conduct includes conduct that is based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, age, genetic information, or disability. Such conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and other conduct that interferes with work performance or normal activities.

b. Abuse of authority. Abuse of authority is harassment that occurs through a use of authority.

c. Sexual harassment. Sexual harassment is harassment which is gender-based or of a sexual nature and includes offensive objects or pictures, unwelcome sexual advances, verbal or physical conduct of a sexual nature, inquiries or comments about an individual's sex life, offensive and inappropriate comments about third parties, or other similar conduct.

d. Bullying. Bullying is a repeated pattern of unwanted, aggressive mistreatment aimed at a specific person or group that involves a real or perceived power imbalance.

(2) Violence. Violence is the threatened, attempted, or actual exercise of physical force against an individual that could cause discomfort, pain or injury. It includes unwanted physical contact or assault, unwelcome horseplay, bringing weapons into the workplace or other non-permitted locations, threatening an individual verbally in writing or digitally, and stalking or intimidating.

(d) Reporting and enforcement. Reporting, investigating, enforcing, and penalizing violations of this section shall follow the procedures outlined in this article of the Code.

(e) Non-exclusivity. This section's requirements are in addition to any personal conduct policies applicable to individuals covered by this section, including employment and personal conduct policies from the city's human resource department.

Approved as to form:

_____

Katherine Chandler
Senior Associate City Attorney

powered by Legistar™