

CITY OF SOUTH BEND, INDIANA

EXECUTIVE ORDER NO. 1-2009

**PROHIBITION OF DISCRIMINATION ON
THE BASIS OF SEXUAL ORIENTATION
OR GENDER IDENTITY IN
CITY EMPLOYMENT**

WHEREAS, this Administration is committed to the principles of equal employment opportunity as set forth in federal, state and local law, and treats its employees and prospective employees without regard to race, color, disability, religion, sex, age, national origin or veteran status; and

WHEREAS, it is the policy of this Administration to provide equal opportunity in all city employment and to prohibit discriminatory intent from playing any role in such employment; and

WHEREAS, it is the goal of this Administration that discrimination on the basis of sexual orientation or gender identity in city employment shall not be tolerated; and

WHEREAS, this Administration believes denying equal opportunities based on sexual orientation or gender identity is contrary to the principles of freedom and equality of opportunity and is a burden to the objectives of the city's policies; and

WHEREAS, the successful implementation of this policy requires the participation and cooperation of all Departments and Divisions of the City of South Bend;

NOW, THEREFORE, by virtue of the authority vested in me as the Chief Executive and Administrative Officer of the City, and pursuant to Indiana Code 36-4-5, it is hereby ordered as follows:

1. Discrimination on the basis of sexual orientation or gender identity in any city employment is hereby prohibited.
2. The Department of Administration and Finance shall modify all materials containing the city's Equal Employment Opportunity Policy to include a prohibition against discrimination on the basis of sexual orientation or gender identity when those materials are next printed. The Department shall also review the city's Employee Manual and modify it as necessary to reflect the policy set forth in this Executive Order when those materials are next printed. Memoranda amending such materials shall be distributed in the interim.
3. The Division of Human Resources shall include the prohibition against sexual orientation or gender identity discrimination in any curricula of training in which the city's Equal Employment Opportunity Policy is addressed.

4. The heads of all City Departments shall affirm their commitment to the city's policy against discrimination on the basis of sexual orientation or gender identity and shall appropriately communicate their support throughout their respective Departments. The Department Heads shall assure all appropriate departmental documents include standard language prohibiting discrimination on the basis of sexual orientation or gender identity. The Department Heads shall promptly supply documentation concerning their efforts to the City Controller.

5. City employees who believe they have been discriminated against on the basis of their sexual orientation or gender identity are encouraged to report the facts giving rise to their belief to their supervisor, Department Head or Human Resources representative, who shall investigate the allegations promptly and thoroughly and attempt to resolve the issue in the same manner provided for individuals alleging discrimination on other grounds.

6. Individuals who are not city employees but who believe they have been discriminated against on the basis of their sexual orientation or gender identity in their application to the city for employment shall be encouraged to report the facts giving rise to their belief to the Division of Human Resources, which shall contact the involved parties, investigate the allegations promptly and thoroughly, and attempt to resolve the issue in the same manner provided for individuals alleging discrimination on other grounds.

7. This Executive Order shall become effective immediately upon execution.

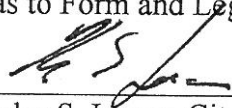
DATED this 24th day of June, 2009.

CITY OF SOUTH BEND, INDIANA


STEPHEN J. LUECKE, MAYOR

Approved as to Form and Legality

By:


Charles S. Leone, City Attorney