



LINCOLN POLICE DEPARTMENT GENERAL ORDERS

NUMBER: 1260
TOPIC: EQUAL EMPLOYMENT OPPORTUNITY
ISSUED BY: TERESA EWINS, CHIEF OF POLICE
DATE: 1-1-2022
SUPERSEDES: G.O. 1260, 2021
REFERENCE: City Human Resources Policy Bulletin 2001-2; A.R NO. 44

I. POLICY

The Lincoln Police Department endeavors to hire, train, compensate, assign, and promote all persons on the basis of merit. The Department will follow the City's Diversity Policy to treat applicants and employees fairly and equally, without regard to race, religion, gender, gender identity or expression, sexual orientation, color, national origin, ancestry, age, pregnancy, veteran's status, marital status, handicap, disability, or other legally prohibited bases. (3.1.2, 31.2.1)

II. PROCEDURE

A. Definitions

1. **Discrimination:** Unequal treatment of employees or applicants without adequate justification because of non-merit factors set forth in the policy statement of this General Order. Examples include, but are not limited to: derogatory comments, slurs, jokes, derogatory pictures, cartoons or posters, and actions which demean an individual or group.
2. **Sexual Harassment:** Influencing, offering to influence, or threatening the career, pay, or job of another person in exchange for sexual favors; unwelcome sexual advances; or deliberate or repeated offensive comments, written material, gestures, or physical contact of a sexual nature in a work-related environment.
3. **Physical/Mental Disability:** A physical or mental impairment that substantially limits one or more of the major life activities.
4. **Retaliation:** Adverse actions against individuals because they have, in good faith, reported instances of alleged harassment, or participating in any procedure to redress a complaint of harassment or discrimination.
5. **Quid Pro Quo:** Occurs in the workplace when a supervisor or other authority figure offers or hints that they will give the employee something in return for that employee's satisfaction of a sexual demand.

6. **Hostile Work Environment:** Occurs when there is unwelcome conduct that is based on race, color, religion, sex, national origin, age, disability or genetic information. Harassment becomes unlawful when the offensive conduct becomes a condition of continued employment, or is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
7. **Gender Identity or Expression:** An individual's actual or perceived gender-related identity, expression, behavior, or other characteristics of an individual with or without regard to their assigned sex at birth.

B. Equal Employment Opportunity Officer(31.1.2)

1. The Professional Standards sergeant is designated as the EEO officer for the department and will fulfill this responsibility under the supervision of the commanding officer of the Management Services Unit. The duties of the EEO officer include, but will not be limited to:
 - a. Ensuring all department employment procedures conform to Federal, State, and local EEO laws.
 - b. Informal consultation, counseling and mediation with employees regarding equal employment opportunity matters.
 - c. Coordination and review of all complaints in violation of this policy.
 - d. Coordination of equal employment opportunity training.
 - e. Evaluation and refinement of the department EEO practices.
 - f. Serving as liaison to the City Human Resources Department and other agencies on matters concerning equal employment issues.
2. Although the Professional Standards sergeant functions as the EEO officer, all department supervisors have the responsibility for ensuring that the work environment under their control is free of discrimination and harassment. Supervisors

may be held personally liable for violations of the guidelines established by the equal employment opportunity laws which govern our workplace.

C. Equal Employment Practices

1. The department is committed to the fair and equal treatment of all employees and applicants. It shall be the duty and responsibility of all employees to ensure a workplace free of discrimination by immediately reporting real or perceived violations of this policy.
2. The department will follow the City of Lincoln Equity, Access and Diversity Plan, and shall endeavor to recruit and retain employees that reflect the diversity of the community in approximate proportion to the makeup of the available work force.
3. Employees who are not a victim but a direct witness to discrimination are encouraged to report the violation. The report can be made to anyone listed in this policy and can also be made anonymously-see form in library.
4. The commanding officer of the Education and Personnel Unit is responsible for ensuring that personnel practices are reviewed annually and conform to the law and this General Order. Any deficiencies shall be reported to the chief of police.
5. The equal opportunity personnel practices of the department will include, but not be limited to, the following elements:
 - a. All employment and promotional processes will be structured, job-related and nondiscriminatory.
 - b. Supervisors will ensure that employees have an opportunity to apply and qualify for appropriate training and job openings.
 - c. All employee annual job performance evaluations will include a review of matters relating to equal employment opportunity.
 - d. All supervisors' annual job performance evaluations will include a review of their performance in handling equal employment opportunity responsibilities.

D. Prohibited Conduct(26.1.3)

1. Discrimination, sexual harassment, Quid Pro Quo, hostile work environment and retaliation is prohibited and will not be tolerated.
2. Employees who engage in behavior in violation of this policy will be subject to disciplinary action including, but not limited

to, suspension, demotion, or termination of employment.

E. Reporting

1. Any employee who feels they have been the victim or a direct witness to behavior in violation of this policy are encouraged to initiate a complaint by contacting:
 - a. The department EEO officer; who will also accept anonymous complaints.
 - b. The employee's immediate supervisor, commanding officer, or unit manager either directly or anonymously;
 - c. The City Director of Equity and Diversity, (402) 441-8691;
 - d. The Nebraska Equal Opportunity Commission (402) 471-2024;
 - e. The Federal Equal Opportunity Commission.
2. When a complaint is brought to the attention of a supervisor:
 - a. Upon receipt of the complaint, it will be documented by completing an EEO Incident Report.
 - b. The supervisor has a responsibility to handle the complaint, however, may forward the complaint directly to the department equal opportunity officer for handling if the magnitude of the complaint exceeds their immediate resources to resolve it. In all cases, the supervisor receiving the complaint, or having knowledge of an incident giving rise to a complaint, shall notify the chief of police within five days.
 - c. The supervisor has 10 calendar days from receipt of the complaint to resolve the complaint or forward the complaint to the department EEO officer. Any resolution by a supervisor must be accepted by the department EEO officer.
 - d. The department EEO officer will ensure the chief of police is notified of the complaint
3. Following receipt, the EEO officer will work to resolve the complaint in a timely manner.
 - a. The EEO officer shall conduct, or cause to be conducted, any necessary investigation.
 - b. The EEO officer may resolve the complaint informally, if this can be done to the satisfaction of the complainant.
4. All complaints will be forwarded to the chief of police for final review and resolution. The chief of police has the final authority and responsibility for the resolution of any complaint at the department level.

5. The complainant shall be given the opportunity to review the final action taken, after it has been approved by the chief of police. The complainant may place additional comments on the report or attach additional material if so desired.
6. The chief of police shall prepare a letter to the complainant regarding the disposition of any complaint investigated at the department level.