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BPC Policy No. 358

SUBJECT: SERVICE PROVIDERS', VENDORS', CONTRACTORS' AND LESSEES' COMPLIANCE WITH EQUAL EMPLOYMENT OPPORTUNITY AND NONDISCRIMINATION POLICY

PURPOSE: To promulgate a formal policy statement of the Board of Port Commissioners (Board) to ensure that service providers, vendors, contractors and lessees adhere to Title VII of the Civil Rights Act of 1964, as amended; the Civil Rights Act of 1991; the California Fair Employment and Housing Act; the Americans with Disabilities Act; and any other applicable Federal, State, and local law or regulation relating to equal employment opportunity and nondiscrimination, including any such law, regulation, and policy hereinafter enacted.

POLICY STATEMENT:

It is the policy of the San Diego Unified Port District (District) that all service providers, vendors, contractors and lessees conducting business with the District shall not discriminate against any employee or applicant for employment because of age (over 40), ancestry, color, disability (mental or physical), gender (including identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with the person's sex at birth), marital status, medical condition, military status, national origin, pregnancy, race, religion, sexual orientation, genetic information or veteran status, and shall take action to assure that applicants and employees are treated without regard to age (over 40), ancestry, color, disability (mental or physical), gender (including identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with the person's sex at birth), marital status, medical condition, military status, national origin, pregnancy, race, religion, sexual orientation, genetic information or veteran status.

The District requires all service providers, vendors, contractors and lessees to comply with all applicable Federal, State, and local law or regulation relating to equal employment opportunity and nondiscrimination, including any such law, regulation, and policy hereinafter enacted for the promotion of equal employment opportunities and nondiscrimination.

Further, the District believes that diversity in the workforce provides a variety of perspectives, promotes the exchange of ideas, and provides the ability to respond to a diverse community. This statement is provided to reaffirm the District's commitment to equal employment opportunity and nondiscrimination, and to require its service providers, vendors, contractors and lessees to ensure that all employment actions shall be administered in a manner to further the principle of equal employment opportunity and nondiscrimination.

The Board hereby declares that from the effective date of this policy statement, there shall be included in contract and lease documents covering services or lands under the control of the District, a provision requiring the service provider, vendor, contractor or lessee to comply with all applicable Federal, State, and local law or regulation relating to equal employment opportunity and nondiscrimination, including any such law, regulation, and policy hereinafter enacted for the promotion of equal employment opportunities and nondiscrimination. The contract or lease provision shall be included in all new, renewed, and substantially amended contracts or leases. A sublessee who is the prime operator on leased premises shall be considered the lessee for the purposes and provisions of this policy.

This policy shall be reviewed annually and updated when required by law.

RESOLUTION NUMBER AND DATE: 2013-207, dated December 10, 2013 (Supersedes BPC Policy 358, Resolution 2008-139, dated August 5, 2008, Resolution 2004-16, dated February 3, 2004; Resolution 2002-265, dated October 8, 2002; Resolution 2001-62, dated July 24, 2001; and Resolution 2000-41, dated February 8, 2000)