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Title:	Ordinance amending Title One: Administrative, Article IX: Boards, Commissions and Authorities, Chapter 177C: Gender Equity Commission in order to align scope of work with the jurisdiction of the City Government and ensure inclusivity in the Commission's actions and membership.		
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Date	Ver.	Action By	Action	Result
11/21/2024	1	Mayor	Signed by the Mayor	
11/19/2024	1	City Council	Passed Finally	Pass
11/13/2024	1	Standing Committees	Affirmatively Recommended	Pass
11/4/2024	1	City Council	Read and referred	

Ordinance amending Title One: Administrative, Article IX: Boards, Commissions and Authorities, Chapter 177C: Gender Equity Commission in order to align scope of work with the jurisdiction of the City Government and ensure inclusivity in the Commission's actions and membership.

WHEREAS, Section 177C of City Code provides the guidelines, membership, and focus areas of the Gender Equity Commission; and

WHEREAS, Section 177C is meant to empower the Gender Equity Commission to provide recommendations, policies and research that will address gender inequities within the City of Pittsburgh; and

WHEREAS, the Gender Equity Commission was created to identify and provide solutions for the Office of the Mayor, City Council and City Departments to utilize in creating a more equitable City for all gender identities; and

WHEREAS, by amending the language within 177C the Gender Equity Commission will be better equipped to provide recommendations that are inclusive to the needs of the City's residents and within the City Government's jurisdiction to act upon.

The Council of the City of Pittsburgh hereby enacts as follows:

Section 1. The Pittsburgh Code of Ordinances, Title One: Administrative, Article IX: Boards, Commissions

and Authorities, Chapter 177C: Gender Equity Commission, is hereby amended as follows:

CHAPTER 177C: GENDER EQUITY COMMISSION

§ 177C.01 DEFINITIONS.

As used in this Chapter, the following words and phrases shall have the meanings indicated herein:

ACCESSIBILITY shall mean giving equitable access to everyone along the continuum of human ability and experience. Accessibility encompasses the broader meanings of compliance and refers to how organizations make space for the characteristics that each person brings. This includes but is not limited to: accommodating disabilities and language access.

CITY shall mean the City of Pittsburgh.

THE GENDER EQUITY COMMISSION shall mean the body tasked with developing policies, recommendations, and research to address gender inequities within the scope of the city government.

DISAGGREGATED DATA shall mean information collected and analyzed by enumerated categories in order to identify the disparities existing between gender identities. These categories shall include, to the extent permitted by law, sex, race, immigration status, parental status, language, sexual orientation, ability, and age and other attributes.

GENDER-BASED DISCRIMINATION shall mean when someone is treated unequally or disadvantageously based on their gender. This includes harassment/discrimination based on sex, gender identity, or gender expression.

GENDER shall mean the spectrum associated with the socially constructed roles, behaviors, expressions and identities of men, boys, women, girls, non-binary and gender non-conforming people. It influences how people perceive themselves and each other, how they act and interact, and the distribution of power and resources in society.

GENDER IDENTITY shall mean one's innermost concept of self as male, female, both or neither - how individuals perceive themselves and what they call themselves. One's gender identity can be the same or different from their sex assigned at birth. This includes cisgender, transgender, non-binary, and gender non-conforming identities.

GENDER ANALYSIS shall mean an intersectional examination of the cultural, economic, social, civil, legal, and political relations of gender within a certain entity, recognizing how different genders prescribe and proscribe different social roles, responsibilities, opportunities, and needs for people, and that these differences, which permeate our society, affect how decisions, including budgetary decisions, and how policies are made.

GENDER EQUITY shall be the state of equal ease of access to resources and opportunities regardless of gender, including economic participation and decision-making, and the state of valuing different behaviors, aspirations, and needs in an impartial and fair manner.

HUMAN RIGHTS shall mean the rights every individual possesses that are intended to improve the conditions in society that protect each person's dignity and well-being and the humanity of all people.

RACIAL DISCRIMINATION shall mean any exclusion, barrier, or bias on the basis of race, ancestry, ethnic or national origin, skin color or hair texture. The oppression of an individual or a racial group to the advantage of another as perpetuated by inequity within interconnected systems (such as political, economic, and social systems).

SEX shall mean a person's identified or perceived biological traits as they relate to that person's reproductive system, secondary sex characteristics, or genetic composition including physical anatomy, chromosomal sex, or sex assigned at birth

A. GENDER-BASED VIOLENCE shall mean violence directed against a person because of that person's perceived gender or gender expression or violence that affects persons of a particular gender disproportionately.

B. POWER-BASED VIOLENCE shall mean any form of interpersonal violence intended to control or intimidate another person

through the assertion of power over the person

- C. **EMERGING COMMUNITIES** shall mean minority communities that have recently arrived in Pittsburgh and are experiencing significant population growth
- D. **FAMILIAL STATUS**, in addition to the definition in Article 5 Chapter 651.04 shall also mean, for purposes of this Chapter, the protection afforded against discrimination in employment or housing on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of eighteen (18) years.
- E. **CULTURE** shall mean the sum of attitudes, customs, and beliefs that distinguishes one (1) group of people from another

§ 177C.02 LOCAL IMPLEMENTATION OF AN INTERSECTIONAL GENDER EQUITY LENS

The City of Pittsburgh hereby finds and declares as follows:

- a. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), an international human rights treaty, provides a universal definition of discrimination against women. Countries that ratify CEDAW are mandated to condemn all forms of discrimination against women and girls and to ensure equality for women and girls in the civil, political, economic, social and cultural arenas. The United Nations General Assembly adopted CEDAW in 1979 and President Carter signed the treaty on behalf of the United States in 1980, but the United States Senate has not yet ratified CEDAW.
- b. Since 1995, state and local jurisdictions passed resolutions in support of CEDAW, including Pittsburgh, which adopted a City Council Resolution in support of the ratification of CEDAW. Some cities have implemented ordinances establishing CEDAW principles as law. Since 2014, municipalities across the nation began signing onto the Cities for CEDAW Initiative. On April 6, 2011, Pittsburgh declared itself a Human Rights City, and in 2014, as part of the United States Conference of Mayors 82nd Annual Meeting, the Conference of Mayors adopted a resolution in support of the Cities for CEDAW Initiative and encouraging cities to implement the principles of the UN Convention on the Elimination of All Forms of Discrimination Against Women.
- c. The interpretation of “Gender Equity” has evolved since CEDAW was introduced in 1979 and the City of Pittsburgh shall uphold this expanded vision of inclusion. The Gender Equity Commission will expand upon the original focus of CEDAW to ensure that intersectionality is a key part of the overall focus of addressing gender inequities. Gender Equity shall include all people on the gender spectrum including transgender and nonbinary residents of Pittsburgh. There is a continued need for the City of Pittsburgh to protect the human rights of women, girls, and femmes by addressing discrimination and inequities that disproportionately impact those identities.
- d. It shall be the focus of the Gender Equity Commission to center the communities that experience the most impact from inequitable systems. These communities will be identified by the Gender Equity Commission through research and evaluation of data that will determine where systemic discrimination exists, and which identities are disproportionately impacted by it. It is a requirement to include people that reflect the communities or identities the Gender Equity Commission is targeting in the development of any research or recommendations. There is a need to analyze the operations of City departments, policies and programs to identify discrimination in, but not limited to, employment practices, budget allocation, and the provision of direct and indirect services and, if identified, to remedy that discrimination.
- e. The City shall create the Gender Equity Commission to identify gender-based discrimination, including intersectional discrimination that includes race, age, gender identity, ethnicity, immigration status, disability and sexual orientation. And provide recommendations and advice to the City Council and the Office of the Mayor on ways to address equity disparities identified by the Gender Equity Commission.
- f. The Gender Equity Commission shall work to develop long-term action plans to further identify problems and recommend solutions within the scope of the City of Pittsburgh. The Gender Equity Commission shall be responsible for monitoring and recommending, both positive rights, which affirm or oblige action, such as access

to fair wages and human services, and negative rights, which permit or oblige inaction, such as freedom from discrimination, freedom from harassment and violence, and freedom from other adverse actions or experiences.

§ 177C.03 SCOPE OF WORK FOR THE GENDER EQUITY COMMISSION

It is the focus of the Gender Equity Commission to evaluate the presence of gender inequities within the City of Pittsburgh and create recommendations, policies and research that will address these inequities. While utilizing the Intersectional Gender Equity Lens, the Gender Equity Commission will address inequities that disproportionately affect specific communities especially concerning the intersection of race, gender identity and disability as identified through research and data analysis. The Gender Equity Commission will prioritize the issues of which the City Government has direct control and oversight since these issues can be solved with action from the Office of the Mayor or the City Council. The Commission will also have the ability to advocate for changes to issues that are not under the City Government's control, but in which, the City Government may have influence.

The Commission shall receive input from various stakeholder agencies, representatives, communities, and individuals to determine what issues are crucial. The Commission has the discretion to invite subject matter experts to speak on specific issues during the monthly meeting.

(1) Economic development.

The Commission shall look for ways to improve its commitment to the elimination of discrimination on the basis of gender in Pittsburgh in economic opportunities, including, but not limited to:

Direct Control

- a. Employment opportunities within the city government, including inclusive recruitment and marketing of opportunities to under-represented identities (race, gender identity, disability) and the application of the same criteria for selection in matters of employment as well as the right to receive access to vocational training for nontraditional jobs.
- b. Utilization of the Workforce HUB to create more pathways for disadvantaged workers to access jobs with family-sustaining wages especially in sectors that are experiencing ongoing growth (ex. clean energy jobs that reduce the impact of climate change)
 - i. Equitable pay and benefits for comparable work
 - ii. Promotion, job security and all benefits and conditions of service, regardless of parental status, particularly encouraging the appointment of under-represented identities (race, gender identity, disability) to decision-making posts, including but not limited to: City revenue-generating posts, chief and director-level positions, and management of commissions and departments
- c. Increasing the inclusivity and accessibility for minority and women-owned businesses to bid and become prime and sub-contractors for City contracts through the City's procurement system
 - i. Upholding standards of health and safety in working conditions, including efforts not to purchase sweatshop goods and slavery-produced goods, regular inspection of work premises, protection from harassment, discrimination and violent acts in workplaces, and reasonable accommodations for pregnant and nursing parents.
- d. Evaluation of the City's internal policies to create more equitable work environments including but not limited to childcare, bereavement, reproductive leave, accessibility and accommodations.

Influence

- a. The Commission shall encourage and, where possible, support the necessary social services to enable all people to balance family obligations with work responsibilities and participation in public life, in particular, through promoting the establishment and development of an accessible, affordable, and quality network of childcare facilities, paid family leave, and family-friendly policies.

- b. The Commission shall promote access to safe and affordable housing and transportation. The City shall prioritize safety and accessibility when building or repairing city-owned facilities, sidewalks, and streets and shall promote the prioritization of these practices with its partners and other municipalities.
- c. The Commission shall encourage the use of public education and all other available means to urge financial institutions to facilitate increased access for under-represented identities (race, gender identity, disability) to utilize bank accounts, loans, mortgages, and other forms of financial services.

(2) Gender-Based Violence.

The Commission shall diligently pursue all appropriate measures to prevent and redress sexual and domestic violence and human trafficking, including, but not limited to:

Direct Control

- a. Police protocol, education, and practices when addressing situations involving gender-based violence including, but not limited to: power-based violence, physical abuse, stalking, harassment, sexual abuse, human trafficking, domestic violence and violence in households that have children
 - i. Address systemic issues of over-policing or escalation in situations that involve gender-based violence especially in communities that are disproportionately targeted on the basis of race, gender identity, and disability
 - ii. Ensure that police protocol does not equate sex work with human trafficking and does not disproportionately target stigmatized communities that may have higher rates of sex work
 - iii. Study and address issues of labor trafficking, sexual exploitation, human trafficking, and domestic servitude that affects people in the City of Pittsburgh. The Commission shall develop appropriate policies, procedures, and training to uphold the principles of human rights within the City.
- b. Provide city employees that experience gender-based violence the appropriate support services and resources, including, but not limited to, medical, counseling, protective leave, rehabilitation programs and hotline services
- c. The Commission shall work with the Department of Human Resources and Civil Service to ensure that the City provides intersectional training for City employees regarding gender equity, sexual and domestic violence and human trafficking, as appropriate.
- d. It shall be a goal of the City to ensure that all public works projects, or projects receiving City financial incentives, include measures such as adequate lighting, clear exit routes and the placement of restrooms, to protect the public's safety.

Influence

- a. Encourage ways for survivors of gender-based violence to receive appropriate protective and support services, including, but not limited to, medical, counseling, shelter, rehabilitation programs, and hotline services.
- b. Support violence prevention education and resources that address harmful beliefs and behaviors before an act of violence is committed. Advocate for pathways for perpetrators of gender-based violence to receive rehabilitation services to prevent future acts of violence.
- c. It shall be the goal of the City to support public information and education programs to shift traditional cultural attitudes concerning the limited roles and under-represented status of certain genders in particular jobs or roles.

(3) Education.

The Commission shall look for ways to address inequities on the basis of gender within Pittsburgh's educational systems, internships and after-school activities, including, but not limited to:

Direct Control

- a. The Commission shall ensure that out-of-school educational programs in City facilities, such as recreation centers, are developed and managed in an equitable and accessible manner.
- b. The Commission shall ensure that any youth employment or internship opportunities are developed, and participants are placed in a manner consistent with the principles of inclusivity and accessibility.
 - i. This shall include equitable access to the City's Youth Civic Leadership Academy

Influence

- a. The Commission will support free or affordable early childhood education to enable children of all socio-economic environments to have access to the necessary resources that will contribute to their success before entering school.
- b. The Commission will look for ways to support the Pittsburgh Public School District in delivery and access to high-quality public education. The Commission will advocate for the same standards to be followed within Charter Schools that educate Pittsburgh residents.
 - ii. The Commission shall support access to career and technical education that prepares students for future professional pursuits.
 - iii. The Commission shall support early testing for learning disabilities to ensure that children are given the resources that accommodate their needs and give them the best opportunity to be successful in their education.\
 - iv. The Commission shall advocate for transgender, non-binary and gender non-conforming students to have access to the facilities, activities and resources that align with their gender identity.
- c. The Commission shall make suggestions for ways to eliminate discrimination and stigma that contributes to the school to prison pipeline. Along with encouraging schools to utilize non-disciplinary interventions, resources and support services for students that are struggling in school.

(d) Delivery of City Services.

- a. Gender equity must be prioritized on every level of City operations as leaders, employers, and service providers.
- b. City services and partnerships shall be considered and deployed using an intersectional gender equity lens.

§ 177C.04 INTERSECTIONAL GENDER EQUITY ACTION PLAN.

- a. The Gender Equity Commission shall develop an intersectional gender equity 5-year action plan that includes recommendations for City departments, services, and budget allocations to address inequities and create more accessibility within the City's scope of direct control
- b. The action plan shall create direction and focus for the City government's pursuits in addressing and rectifying issues of gender inequity,
- c. The Gender Equity Commission shall identify the City departments, programs, policies, and entities, to include in the action plan and shall develop timelines for completion of the associated recommendation.
- d. Each department or entity undergoing an intersectional gender analysis shall designate a management and/or executive level employee to execute the recommendations and to serve as a liaison to the Gender Equity Commission.
- e. The Gender Equity Commission shall provide technical assistance to the City throughout the development and implementation of the action plan, as well as monitoring and evaluation of implementation.
- f. The action plan shall include input from the Human Resources and Civil Service Department, the Office of the Mayor as well as relevant community leaders and stakeholders.

- g. Prior to completion of the 5-year action plan, the Gender Equity Commission will publish the drafted document on the City's website and will hold a thirty (30) day public comment period to take all feedback into consideration. The Commission will be required to publish the finalized document within sixty (60) days of the date in which the public comment period ends.
- h. The Gender Equity Commission shall present the five-year Citywide action plan to the Mayor and to the City Council to receive and file.
- i. The Gender Equity Commission will release annual updates to report the progress that has been made on the implementation of the 5-year action plan. The annual report must be completed by the end of the first quarter of each new year to track the progress of the previous year. These annual updates will be published on the City's website within thirty (30) days of its completion to ensure public access.

§ 177C.05 GENDER EQUITY COMMISSION.

(a) Duties of the Gender Equity Commission.

- 1. The Gender Equity Commission shall, based upon the identified areas of inequity, offer guidance to the Office of the Mayor, City Council and City Departments (bring in community or subject experts, seek out best practices, etc.) in the development of policies, practices, research and action plans.
- 2. The Gender Equity Commission shall develop five-year and ongoing action plans and monitor and guide them in implementation. These action plans will prioritize the identities that experience disproportionate inequities as evidenced through research and data analysis.
- 3. The Gender Equity Commission shall produce annual reports to Pittsburgh City Council and the Office of the Mayor on what progress has been made to address gender inequities.
- 4. The Gender Equity Commission shall evaluate budget proposals and make annual funding recommendations to the Mayor and City Council.
- 5. The Gender Equity Commission shall advocate for any specific costs during the development and evaluation of budget proposals. Otherwise, the Gender Equity Commission shall seek outside sources of funding to supplement Gender Equity Commission activities.

(b) Gender Equity Commission members.

- 1. The Gender Equity Commission shall be composed of persons that are residents of Pittsburgh and are appointed by the Mayor and approved by City Council as follows:
 - a. One (1) member representing the Mayor's Office;
 - b. One (1) member representing City Council;
 - c. One (1) member representing Pittsburgh Public Schools;
 - d. One (1) member of the community that is actively working on gender equity issues;
 - e. One (1) member with experience advocating for ADA and disability rights;
 - f. One (1) employee of the City knowledgeable about the City budget;
 - g. One (1) employee of the Department of Human Resources and Civil Service;
 - h. One (1) member representing the Black Women's Equity Initiative or a representative from an equivalent community group;
 - i. One (1) member representing the My Brother's Keeper Initiative or a representative from an equivalent

community group;

- j. One (1) member representing the LGBTQIA+ Commission;
- k. One (1) member representing the Commission on Human Relations;
- l. One (1) member representing the Youth Council or a representative from an equivalent youth civic community group;
- m. One (1) member representing Emerging Communities;
- n. One (1) member representing Immigrant and Refugee Communities;
- o. One (1) member with experience working on economic development, labor unions, and gender-based discrimination in the workplace;
- p. One (1) member with experience working on addressing gender-based violence.

2. The Mayor may also appoint, subject to the approval of City Council, additional persons to the Commission who may offer additional knowledge or capacity to gender equity work in the City of Pittsburgh.

3. The Mayor shall appoint a management-level employee to staff the Gender Equity Commission and ensure that the administrative duties are completed to continue the progress of the Commission.

- a. This individual shall have no voting powers
- b. They will be responsible for, but not limited to, the following:
 - i. Community outreach at City-sponsored events
 - ii. Informing the Office of the Mayor on Commission activity and progress
 - iii. Creating drafted budget proposals on behalf of the Gender Equity Commission (with input from Commissioners)
 - iv. Tracking terms of Commissioners and filling empty seats on the Gender Equity Commission

(c) *Gender Equity Commission process.*

- 1. The Commission shall meet in regular session monthly and shall conduct its first meeting no later than thirty (30) calendar days after its members are appointed.
- 2. Meetings of the Commission shall be public and shall be advertised in a manner designed to ensure full and meaningful public participation in Commission decisions.
- 3. The Commission shall also provide a mechanism through which interested persons may request and receive timely notification of regular and special meetings, which shall include at a minimum a summary of the matters that will be under consideration.
- 4. The Commission shall allow for public comment on matters up for deliberation at each public meeting.

(d) *Gender Equity Commission member attendance requirements.*

- 1. All members of the Commission are required to attend all sessions of the Commission.
- 2. In the event that any member misses more than two (2) regularly scheduled meetings without the prior notice to the Gender Equity Commission, the Staffer for the Commission shall certify in writing to the Mayor that the member has missed two (2) meetings.
- 3. On the date of such certification, the member shall be deemed to have resigned from the Gender Equity Commission. The Mayor shall then request the appointment of a new member.

(e) *Gender Equity Commission member term limits.*

1. Each member shall serve for a term of three (3) years or until a successor is appointed and approved. Commissioner's terms are measured by the month in which they were approved by City Council and officially appointed to the Gender Equity Commission
2. In the event that a Commissioner wishes to end their term early, they must indicate their end date in writing to the Gender Equity Commission and the Staffer to ensure that the Mayor and City Council are notified.
3. Recruitment for new Commissioners shall start at the beginning of the year in which a Commissioner is scheduled to finish their term. If a commissioner desires to serve for a second term, they must notify the Staffer six (6) months before their term will end. There is a term limit of two (2) consecutive terms (six consecutive years).

§ 177C.07 COMMISSION ON HUMAN RELATIONS.

- a. Any individual issue of gender discrimination shall fall under the jurisdiction of the Pittsburgh Commission on Human Relations, as described in Pittsburgh Code, Article 5, § 653.05 - POWERS AND DUTIES. This section states that the Pittsburgh Commission on Human Relations is empowered to "Initiate or receive and investigate other complaints of discrimination against any person because of race, color, religion, ancestry, national origin, place of birth, sex, sexual orientation, familial status, age, handicap or disability or use of support animals because of the handicap or disability of the user, and seek the satisfactory adjustment of such complaints. Any complaint filed under this subsection which the Commission believes may constitute a violation of a law of the United States or the Commonwealth may be certified to its Solicitor for such actions as it deems proper."