

**CITY OF CORTEZ
RESOLUTION NO. 19, SERIES 2023**

**A RESOLUTION APPROVING AN ACTION PLAN FOR RESOLVING A
PERSONNEL MATTER**

WHEREAS, on March 2, 2023, the City Manager and a City Staff Member had a verbal exchange in the City Hall building. During the exchange, the City Staff Member (“the Complaining Party”) struck a boxing pose in jest and asked the City Manager about having a battle; and

WHEREAS, the Complaining Party credibly asserts that both the comment and the pose were intended to be lighthearted and funny. The Complaining Party asserts that the response from the City Manager was serious and threatening; and

WHEREAS, no voices were raised and there was no physically threatening posture. However, the Complaining Party felt threatened and initiated a complaint; and

WHEREAS, the City Manager asserts that he was merely matching the Complaining Party’s joke with his own, and states that he was not trying to threaten the Complaining Party in any way; and

WHEREAS, the parties do not regularly work together and they office in separate buildings; and

WHEREAS, the Complaining Party asserts that it was necessary to press Human Resources on the issue before Human Resources considered it a formal complaint. The Complaining Party also asserts that others working in the City do not treat complaints seriously, there is a general mistrust of the complaint process, and that some employees fear retaliation for making or supporting a complaint.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CORTEZ CITY COUNCIL THAT:

The Council determines that disputes of fact exist as to the manner and tone of the verbal exchange at issue, and the City Council finds that the response to the complaint was not adequate and did not comply with City policies.

The Council **HEREBY ORDERS** that the City will promptly conduct training on personnel policies and the complaint process, including measures against retaliation, for all City employees. Supervisors and managers will attend further training on handling responses to complaints regarding personnel policies. The City will additionally initiate an independent review of the City’s workplace complaint policies and investigation procedures.

BE IT KNOWN that City takes all complaints regarding potential violations of workplace policies seriously. These complaints include, but are not limited to, complaints regarding threats, intimidation, discrimination, harassment, or retaliation. Everyone working for the City, including its managers and supervisors, play a critical role to ensure that the City follows workplace policies and that such complaints are appropriately handled. Unlawful retaliation will not be tolerated.

MOVED, SECONDED, AND ADOPTED THIS 8th DAY OF AUGUST, 2023.

CORTEZ CITY COUNCIL



Rachel B. Medina, Mayor

ATTEST:



Donna Murphy, Deputy City Clerk