

ORDINANCE NO. 19906

AN ORDINANCE introduced by Councilmember Chad Manspeaker, concerning the affirmative action program for city employees amending City of Topeka Code § 2.135.020 and 2.135.040 and specifically repealing said original sections.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 2.135.020, Definition, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Definition.

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

(a) The affirmative action program is a positive program designed to ensure that a good faith effort will be made to employ applicants and to treat employees equally without regard to race, religion, creed, color, sex, sexual orientation, gender identity, disability, national origin or ancestry or age which is unrelated to the ability to perform a particular job or occupation.

(b) “Gender identity” means the persistent sense of one’s gender-related identity, appearance, behavior, and other characteristics of an individual, as perceived by the individual or another, and without regard to the individual’s actual or assigned sex at birth.

(c) “Sexual orientation” means perceived or actual heterosexuality, homosexuality or bisexuality.

(d) A good faith effort to treat employees equally without regard to sexual orientation will include an effort to contract for health coverage for domestic partners registered on the City’s domestic partner registry and any children of such registered

31 domestic partners.

32 Section 2. That section 2.135.040, Unlawful employment practices, of The
33 Code of the City of Topeka, Kansas, is hereby amended to read as follows:

34 **Unlawful employment practices.**

35 It shall be an unlawful employment practice for an official, department head,
36 agent or employee of the city, because of race, religion, creed, color, sex, disability,
37 familial status, national origin or ancestry, age, sexual orientation or gender identity,
38 which is unrelated to the ability to perform a particular task or occupation, of any person
39 to refuse to hire or employ, or to bar or to discharge from employment, such person or
40 to otherwise discriminate against such person in compensation or in terms, conditions
41 or privileges of employment; or to limit, segregate, separate, classify or make any
42 designation in regard to employees; or to follow any employment procedure or practice
43 which, in fact, results in discrimination, segregation or separation without a valid
44 business motive.

45 Section 2. That original § 2.135.020 and § 2.135.040 of The Code of the City
46 of Topeka, Kansas, are hereby specifically repealed.

47 Section 3. This ordinance shall take effect and be in force on January 1, 2015
48 and after its passage, approval and publication in the official City newspaper.

49 Section 4. This ordinance shall supersede all ordinances, resolutions or rules,
50 or portions thereof, which are in conflict with the provisions of this ordinance.

51 Section 5. Should any section, clause or phrase of this ordinance be declared
52 invalid by a court of competent jurisdiction, the same shall not affect the validity of this
53 ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

54 PASSED AND APPROVED by the City Council on May 20, 2014.
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CITY OF TOPEKA, KANSAS

ATTEST:

Larry E. Wolgast, Mayor

Brenda Younger, City Clerk