

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL 10 - 2025

January 15, 2025

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INTRODUCED BY

Councilpersons Mota, Affa, Napoli and Hendricks

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**WHEREAS, SECTION 210 Investigations, of the Charter states:**

- A. In addition to the authority of the City Controller to conduct audits under Section 403D of this Home Rule Charter, Council shall have the power, by ordinance, to make or cause to be made investigations, audits or studies of the City and the conduct of any City department, office or agency, and, for this purpose, may retain professional and technical assistance, subpoena witnesses, administer oaths, take testimony, require the production of evidence and provide funds for such investigation, audit and study.
- B. The subjects of such investigation, audit or study shall be specifically stated in the authorizing ordinance; and

**WHEREAS,** Section 80-3 of the Administrative Code sets forth the Nondiscrimination Policy Statement of the City providing that the City shall be an equal opportunity employer and will abide by all federal, state, and City equal employment opportunity guidelines.

**WHEREAS,** to assure full implementation of this policy, Section 80-3 of the Administrative Code further provides that the City shall take certain affirmative measures in connection with the recruitment, hiring, promotion, and other aspects of employment as specifically set forth in Section 80-3 (the "Nondiscrimination Policy").

**WHEREAS,** further Section 603 of the Home Rule Charter provides for, among other things, the inclusion within the City's Personnel Code of merit-based procedures for the recruitment, selection, training, and development of personnel based solely on merit and qualifications; the advancement of personnel based on merit and qualifications with emphasis on promotion from within the career service; and the discipline and discharge of personnel ("Required Personnel Code Procedures").

**WHEREAS**, City Council has been made aware of allegations of employment discrimination made by the NAACP and a former HR Director for the City of Allentown.

**NOW THEREFORE BE IT RESOLVED BY the** City Council of Allentown that they intend to authorize an investigation upon passage of this ordinance and pursuant to the scope and terms therein.

**AN ORDINANCE**

Authorizing an investigation by an outside agency under Section 210, Investigations, of the Home Rule Charter:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:**

**SECTION ONE.** That City Council authorizes an independent investigation by an outside agency for the purpose of examining:

1. Whether the City of Allentown, and departments thereof, have in place documented procedures to ensure the City's compliance with the Nondiscrimination Policy and the Required Personnel Code Procedures, including procedures to receive, investigate, escalate, resolve, and monitor reports of employment discrimination (as defined by state and federal laws) made in connection with the hiring, employment, and termination of employment of personnel ("Procedures"); and
2. Whether those Procedures have been implemented, in practice, from January 1, 2022 through present.

**SECTION TWO:** That the investigation shall include recommendations based on their findings for appropriate changes to the Policies and Procedures moving forward, including but not limited to ongoing monitoring, periodic audits, recommendations for internal standardization among departments and/or other steps, to ensure effective implementation of Procedures with the goal of preventing instances of employment discrimination, preventing retaliation if reports are made, and creating a productive workplace environment in the City of Allentown.

**SECTION THREE:** Allentown City Council hereby approves the engagement of Duane Morris to conduct such investigation and make such recommendations.

**SECTION FOUR:** That Ordinance 19548 passed October 4, 2023 be hereby repealed.

**SECTION FIVE:** That this ordinance shall become effective 10 days after final passage.

**SECTION SIX:** That Council's solicitor work with the solicitor's office to take all necessary action to implement this ordinance.