

POLICY 201: EQUAL EMPLOYMENT OPPORTUNITY

ADOPTED: MAY 11, 1994 (REVISED: JUNE 20, 2017)

Policy:

It is the policy of the County to provide equal opportunity in employment to all employees and applicants for employment. No person is to be discriminated against in any and all terms, conditions and privileges of employment as defined by local, state and federal laws, rules or regulations based upon race, sex, religious belief, color, national origin, ancestry, disability, age or any other category of protected persons.

201:1 GENERAL PROVISIONS

1. The County may, consistent with applicable law, choose to establish programs to achieve prompt and full utilization of minorities, the disabled, Wartime-era or disabled veterans and women at all levels and in all segments of the work force. The results of the program(s) are to be reviewed periodically and modified as necessary to achieve their stated objectives.
2. The County, as a matter of policy and practice, shall not:
 - a) Fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, sex, religious belief, color, national origin, ancestry, disability, age, genetic information or any other category of protected persons; and
 - b) Limit, segregate, or classify employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect the status as an employee, because of such individual's race, sex, religious belief, color, national origin, ancestry, disability, age, genetic information or any other category of protected persons.

201:2 EMPLOYMENT

1. The Human Resources Director or designee(s) is responsible for formulating, implementing, coordinating and monitoring all efforts in the area of equal employment opportunity. These may include, but are not limited to:
 - a) Assisting management in collecting and analyzing employment data;
 - b) Developing policy statements and programs emphasizing recruitment and retention techniques designed to comply with the equal employment policies of the County;
 - c) Complying with various statutory record-keeping and notice requirements in order to ensure full compliance with all employment-related statutes and regulations;
 - d) Assisting supervisory personnel in arriving at solutions to specific equal opportunity related personnel problems; and

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- e) Keeping employees informed of the latest developments in equal employment opportunity laws and regulations.
2. Any communication from an employee or applicant for employment, an external agency or an attorney concerning any equal employment opportunity matter is to be referred to Human Resources.
3. While overall authority for implementing this policy is assigned to Human Resources, an effective equal employment opportunity program cannot be achieved without the support of supervisory personnel and employees at all levels. Any employees or applicants who feel they may have been subjected to any form of employment discrimination have a responsibility to report this fact to their supervisor and/or Human Resources.

201:3 COMPLAINT PROCEDURE

1. Employees or applicants having reason to believe they may have been subjected to discrimination or harassment, including sexual harassment, are urged to bring those concerns to the attention of their immediate supervisor, department director, the Director of Human Resources or designee(s), up to the County Manager, as appropriate. The complaint procedure is detailed in Section 202:3 of the Policies and Procedure Manual regarding the investigation procedures. Confidentiality and prohibition of retaliation apply to any complaints of discrimination.

201:4 REASONABLE ACCOMMODATION RE: THE AMERICANS WITH DISABILITIES ACT

1. The County will provide a reasonable accommodation to an otherwise qualified disabled employee or applicant, unless or until the accommodation imposes an undue hardship on the County. Human Resources will assist departments in the reasonable accommodation process for those employees with a qualifying disability, in order to enable them to perform the essential functions of their job.
 - a) Employees who are diagnosed by a health care provider as having a disability, as that term is defined by applicable law, and who want a reasonable accommodation to enable performance of essential job functions, should inform Human Resources or Employee Health Services of their need as soon as possible. The employee's medical condition will be kept confidential as required by law. It is the employee's responsibility to request the accommodation(s) desired.
 - b) Employees who have a disability and who want an accommodation must provide Employee Health with any pertinent medical records regarding diagnosis, and those records requested by the County to make decisions regarding job assignments, ability to continue working or ability to return to work.

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- c) The County will also require a doctor's certification of an employee's ability to perform duties safely. Additionally, the County may request that an employee submit to a medical examination if it believes the employee is a direct health or safety threat to himself/herself or others.
- d) In attempting to reach a reasonable accommodation with a person with a qualifying disability the County will consult with the person with the disability in a sincere effort to reach an accommodation that will permit the employee to perform the essential functions of the job.