

# **CITY OF COMMERCE ADMINISTRATIVE POLICIES**

## **EQUAL EMPLOYMENT OPPORTUNITY**

### **1.0 PURPOSE**

To establish a policy to ensure equal employment opportunity with the City and to outline procedures for action in case of violation.

### **2.0 POLICY**

It is the policy of the City to ensure equal employment opportunity for all employees and appointed representatives. This commitment includes a mandate to promote and afford equal treatment and services to all citizens, employees and City representatives, and to assure equal employment opportunity based on ability and fitness to all persons regardless of race, religion, color, creed, national origin, sex, marital status, age, or the presence of any sensory, mental, or physical disability unless such disability effectively prevents the performance of the essential duties required of the position and which are bonafide occupational qualifications which cannot be accommodated without undue hardship.

### **3.0 GENERAL PROVISIONS**

The goals and objectives of the Equal Employment Opportunity Policy are to:

- 3.1 Ensure fair treatment and nondiscrimination in City hiring, City employment, and in appointments to and service on City boards and commissions.
- 3.2 Provide compliance with State and Federal equal opportunity requirements and regulations.
- 3.3 Provide a basis for encouraging those who do business with the City to practice Equal Employment Opportunity.

### **4.0 PROGRAM RESPONSIBILITY**

- 4.1 The Director of Administrative Services will serve as the Equal Opportunity Officer to carry out the Equal Employment Opportunity Policy and Program.
- 4.2 The Department of Administrative Services will be the focal point for the City's equal opportunity efforts and will advise and assist staff and management personnel in all matters regarding implementation of and compliance with the Equal Employment Opportunity Policy, and be responsible for the successful execution of the program, utilizing the assistance of appropriate State and community agencies.

- 4.3 The Equal Opportunity Officer will have responsibility to examine existing internal policies or procedures which may serve as barriers to implementing the Equal Employment Opportunity Program.

## 5.0 EQUAL EMPLOYMENT OPPORTUNITY PRACTICES

The Equal Opportunity Officer will undertake the following actions to assure equal employment opportunities in the City:

- 5.1 Periodically review all position qualifications and job descriptions to insure requirements are relevant to the tasks to be performed. Make recommendations as needed to delete requirements not reasonably related to the tasks to be performed.
- 5.2 Inform and provide guidance to staff and management personnel who make hiring decisions so that all applications for selections, promotion and termination, including those of minorities and women are considered without discrimination and all applicants be given equal opportunity regardless of race, creed, color, national origin, sex, marital status, age, or the presence of a sensory, mental, or physical disability unless such disability effectively prevents the performance of essential duties and functions required by the position and which are bonafide occupational qualifications which cannot be accommodated without undue hardship.
- 5.3 Assure that pay and fringe benefits depend upon job responsibility and, along with overtime work, are administered on a nondiscriminatory basis.
- 5.4 Create a large pool of qualified candidates to encourage diversity and ensure equal employment opportunity in hiring. The following practices for listing jobs will be followed under the Equal Employment Opportunity Officer's direction:
- A. Regular full time jobs must be open for a minimum of ten work days.
  - B. Jobs must be advertised in the City's paper of record.
- 5.5 Provide orientation for all new employees specifically emphasizing how the City assures equal opportunity. Encourage all employees to avail themselves of services rendered.
- 5.6 This policy will be made known to all employees, contractors, and suppliers through distribution of the Equal Opportunity Policy. Applications for employment will include an equal opportunity clause.

## 6.0 APPOINTED CITY REPRESENTATIVES

- 6.1 Though employees represent a very important part of City government, there are

other areas where nondiscrimination is essential. One of these areas is in the appointment of boards, commissions and ad-hoc committees. Therefore, in order to enhance the appearance of fairness and nondiscrimination in the City, the administration will strive to achieve a balanced representation of racial, social and ethnic persons on City boards, commissions and ad-hoc committees.

- 6.2 Ensuring nondiscrimination in the appointment of the City's representatives will encourage the fair and evenhanded administration of the City's code and policies.

## 7.0 COORDINATION WITH STATE AND FEDERAL LAWS

The City recognizes its responsibilities to comply with and assure that equal opportunity and nondiscrimination policies of state or federal agencies with which it conducts business are carried out. Specifically, the City will:

- 7.01 Be responsible for reporting to the appropriate agencies any complaints received from any employee of, or an applicant for employment with any City contractor or subcontractor, subject to Executive Order No. 11246, as amended, which requires affirmative action programs of certain government contractors and subcontractors.
- 7.02 Cooperate in special compliance reviews or in investigations as requested.
- 7.03 Carry out minority reporting functions of contractors or subcontractors as required by state or Federal laws.
- 7.04 Standard City contracts will include a nondiscrimination clause.
- 7.05 The City's Equal Employment Opportunity Program will be made available to any Federal or State agency upon request.

## 8.00 EEO GRIEVANCE PROCEDURES

In as much as the success of the Equal Employment Opportunity depends largely upon the attitude of the community as well as of the employees, opinions as to what constitutes fair and equal opportunity and treatment may vary widely and grievances may result. The City's Grievance Procedures will be followed for any grievance arising from the implementation of this program so as to maintain the best possible employee/supervisor and City/community relationships.

## 9.00 DEFINITIONS

- 9.01 Equal Employment Opportunity Policy. It is the policy of the City of ensure equal employment opportunity for all employees and appointed representatives. This commitment includes a mandate to promote and afford equal treatment and services to all citizens, employees and City representatives, and to assure equal employment opportunity based on ability and fitness to all persons regardless of

race, religion, creed, national origin, age, sex, marital status, or the presence of a sensory, mental, or physical disability unless such disability effectively prevents the performance of essential duties required by the position and which are bonafide occupational qualifications and which cannot be accommodated without undue hardship pursuant to Title I of the Americans with Disabilities Act.

- 9.02 Equal Employment Opportunity Program. The written, results-oriented program specifically set forth in this policy detailing the steps to be taken to ensure equal employment opportunity.
- 9.03 Equal Employment Opportunity Officer. That person designated by the City Manager, responsible for meeting the obligations and responsibilities of the Equal Employment Opportunity Program.
- 9.04 Appointed Representatives. Members of City-appointed boards, commissions, and ad-hoc committees.

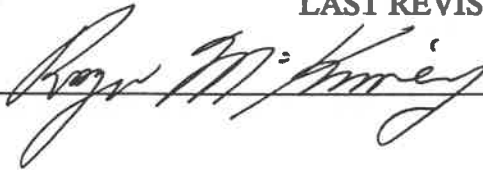
#### 10.00 OTHER

Violations of this policy may be cause for the full range of disciplinary action.

EFFECTIVE: 06-01-97

LAST REVISED: 09-20-94

CITY MANAGER APPROVAL:



A handwritten signature in black ink, appearing to read "Roger M. Kniey", is written over a horizontal line.

eeoc.adp