



**ADMINISTRATIVE
POLICY AND PROCEDURE**

Subject: Affirmative Action Policy	Index: Number: 03-1
Effective Date: 04/1/03	Prepared By: Randy Anstine City Manager
Supersedes: All Previous	Approved By: City Council

EQUAL OPPORTUNITY AFFIRMATIVE ACTION POLICY OF THE CITY OF
GREENFIELD

I. Policy Statement

It is the policy of the City of Greenfield that the City is committed to increasing the diversity in the work force to reflect the makeup of our community. The City will strive to eliminate discrimination in service to the public and increase public awareness of these efforts. No person shall be denied the benefit of any City service or activity on the grounds of race, ethnicity, color, age, religion, gender, national origin, political affiliation, beliefs and disability

The City's goal is to continue to have a diverse work force and a supporting work environment that is committed to delivering effective, courteous and responsive service, and treating citizens and employees with fairness, dignity and respect. This environment is achieved through the aggressive pursuit of excellence and a work force that values and respects the diversity of the Greenfield community.

The City's diversity commitment also applies to all appointed commissions, boards, and committees. The Mayor and City Council will strive to appoint persons to these bodies which reflect the ethnic, disability and gender characteristics of the City's population whenever possible.

The City Council, in this Policy, declares its commitment to provide Equal Opportunity in all activities of the City and its agencies, including employment of

individuals and firms, including marketing of the City, which contract with the City. This policy is intended to reinforce the merit principle in public employment. Its provisions serve to promote equal opportunity in a cooperative spirit and to create goodwill throughout the community.

Further, the issue of accessibility, both architecturally and programmatically by people with disabilities to public and private entities has been addressed by Section 504 of the Rehabilitation Act of 1973, and most recently by the passage of the Federal legislation known as the Americans with Disabilities Act. This broad reaching legislation addresses the right of people with disabilities to obtain equal access to services, programs, buildings, facilities, and employment.

It is the intent of the City Council that the City of Greenfield take a proactive leadership role in addressing ways of making Greenfield accessible and to address the requirements of the Americans with Disabilities Act by calling on all businesses and industries to work together toward this goal. In addition, it is the intent of the Council to ensure that the City of Greenfield provides equal employment opportunities to persons with disabilities.

II. The Policy Statement addresses the obligations of the City under the following laws and regulations:

- Titles VI and VII, Civil Rights Act of 1964 including the 1991 amendments
- Executive Order 11246, as amended
- The Equal Pay Act of 1963
- Section 504 of the Rehabilitation Act of 1973
- The Vietnam Era Veterans Rehabilitation Act of 1974, as amended
- The Americans With Disabilities Act of 1990, as amended
- The Federal Fair Housing Act as amended

III. Policy Procedures

- A. The City Council is committed to an Equal Opportunity Program pursuant to applicable State and Federal laws and guidelines, to provide Equal Opportunity in all activities of the City and its agencies, including employment of individuals and firms, including marketing which contract with the City.
- B. The agency and corporate directors of those entities under contract will submit reports detailing goals, progress and strategies to the City Council for review as requested by the City of Greenfield.
- C. The City Council will require reports on Equal Opportunity programs and progress to be submitted by those individuals and companies doing contract work with the City.
- D. The City is committed to eliminating architectural barriers to the employment of the disabled and to provide equal opportunity in City employment to the disabled community.
- E. The City Council encourages equal opportunity for women, minorities and the disabled to serve on City commissions, boards, committees, and panels.

IV. Assignment of Affirmative Action Responsibility

The Greenfield City Council will be consistent with the objectives of this Affirmative Action Plan and authorize appropriate resources in order to insure the attainment of the Plan. This commitment will include the necessary funds to address all of the components stated in this Plan and to provide staff and resources for monitoring compliance and for appropriate training of managerial and supervisory personnel in the area of equal opportunity.

City Manager

1. Be responsible for the overall administration of the Affirmative Action Plan.
2. Establish, administer and provide administrative direction for the Plan in order that affirmative action exists in all departments.
3. Evaluate person under his/her direct supervision in specific areas of affirmative action performance. The evaluation shall include, but not be limited to:
 - a. The subordinate's progress in filling professional and administrative positions with minorities, females, and persons with disabilities where under-utilization exists.
 - b. The subordinate's knowledge of equal employment opportunity principles and the status of affirmative action in his/her department.
 - c. The subordinate's own evaluation of persons under his/her supervision in the area of equal employment opportunity.
 - d. Review personnel practices and policies for adverse impact or other problem areas affecting the employment opportunities of minorities, females and persons with disabilities.
 - e. Maintain current statistical data with regard to the labor market availability, appropriate census data and serve as the central record keeper of affirmative action data to federal and state agencies.

Department Directors

1. Department Directors have the primary responsibility for ensuring that the City's Affirmative Action and Equal Opportunity policies are adhered to in their respective departments. Department directors will be held accountable to the City Manager in meeting the requirements of the Affirmative Action Plan.
2. Meet with the City Manager on an annual basis to discuss affirmative action efforts and to develop annual departmental employment goals.
3. Provide periodic reports, as requested by the City Manager describing the Department's affirmative action progress. These reports may include, but are not limited to, information regarding hiring, promotions, transfers, training, terminations, and positive efforts made to enhance affirmative action.
4. Utilize the Equal Opportunity Appointment Policy in filling positions in job groups where there is a substantial under-representation of minorities,

- persons with disabilities and female employees.
5. Evaluate person under his/her direct supervision in the specific areas of affirmative action performance.
 6. Disseminate affirmative action information and if requested make copies of the Affirmative Action Policy available to departmental employees.

Employees

An employee who perceives the comments, gestures, or action of a co-worker, supervisor, an employee of a customer or vendor to be harassing should communicate to the person that such behavior is unwelcome. However, failure to express disapproval does not prevent the employee from filing a complaint nor does it in any way exonerate the harasser.

Any employee, including a supervisor, whom believes he or she has been harassed, should immediately report the incident to a supervisor. If the harasser is the employee's supervisor or if the employee does not believe that the situation was adequately resolved, he or she should report the incident to the Department Director and/or the City Manager.

Any employee who witnesses harassing behavior has a responsibility to report it to an appropriate supervisor. If the harasser is an employee's immediate supervisor, the witness should support the harassed employee in reporting the incident to another supervisor or to the City Manager.

Supervisor's Responsibilities

Any Supervisory employee to whom a harassment complaint has been made has the legal obligation to investigate and address the complaint. Failure to act promptly and decisively makes the Supervisory employee and the City an accessory to the harassment. The supervisor must record and document the complaint and perform an immediate preliminary investigation to determine the validity of the complaint. The preliminary investigation should take no longer than 6 to 8 days and the supervisor must provide a copy of the report to the Department Director and City Manager in all cases regardless of the supervisor's finding.

NOTE TO ALL EMPLOYEES

Please do not assume that the organization is aware of your problem. It is your responsibility to bring your complaints and concerns to our attention so that we can help resolve them.

V. Procedure For Identifying Problem Areas

The City Manager, with the assistance of the appropriate staff members will review all policies, practices and procedures pertaining to:

- Recruitment

- Hiring and Selection: Criteria Practices
- Salaries and Wages
- Benefits and Working Conditions
- Layoff, recall, disciplinary action and discharge

And all other conditions of employment. This review will help identify any systemic barriers, which may cause or contribute to under-utilization of protected class individuals. This analysis will examine both the numerical employment profile of the City and the organizational policies and practices that produced the numerical profile.

VI. Complaint Procedures

Nothing in this policy should be construed to mean that a complainant(s) could not file a complaint directly with the Equal Employment Opportunity Commission, United States Department of Housing and Urban Development, State of California Fair Employment Housing Department or other State and Federal agencies with jurisdiction over such matters.

All complaints filed under these procedures are confidential and this policy prohibits the intimidation and/or reprisals against any person who files a complaint of discrimination under these procedures or with other enforcement agencies.

Any person who believes he/she has encountered discrimination because of race, ethnicity, color, age, religion, sex, national origin, political affiliation, beliefs, and physical or mental disability may file a complaint with the City Manager within thirty (30) calendar days after the alleged act occurred.

The City Manager will assist the complainant(s) in filling out the appropriate form, inform the complainant(s) of their right to file complaints with any appropriate Federal, State or local civil rights agency and offer any other technical assistance needed. The original complaint form will be expeditiously sent to the Department Director, a copy to the complainant and one copy will be retained by the City Manager.

The City Manager will investigate the complaint and present the findings to the Complainant(s). If he/she does not agree with the decision of the City Manager, the complainant(s) will be given the opportunity to appear before the City Personnel Board to offer any additional information relative to their case; and may be accompanied by a representative of the complainant(s) choosing. Similarly, a representative from the Department will be given an opportunity to appear before the Personnel Board.

The Board will have thirty (30) calendar days upon receipt of the complaint to render a determination, a written copy of which will be sent to the respondent department director, the complainant(s) and the City Manager. The complaint with any other State, Federal, or other appropriate agencies.