



GLOUCESTER COUNTY
ADMINISTRATIVE DIRECTIVE
ON
EQUAL EMPLOYMENT
OPPORTUNITY

EQUAL EMPLOYMENT OPPORTUNITY POLICY

I. PURPOSE

The purpose of the Gloucester County Equal Employment Opportunity Policy is to ensure that all employees are treated with fairness and respect, thereby creating and maintaining a working environment that allows all employees to perform to the best of their abilities. Discrimination of any type subverts the goals of County government and threatens the careers and well being of its employees.

This Policy, having been put into effect for fiscal year 2004, and subsequently amended - most recently for fiscal year 2019, is effective until once again amended. The fiscal year for Gloucester County is July 1 through June 30.

II. POLICY AND GOALS

It is the policy of Gloucester County to recruit, hire and assign employees on the basis of their qualifications without regard to race, color, age, sex, religion, national origin, disability, or genetic information. Gloucester County is committed to building and maintaining a diverse workforce reflective of the County's population by providing equal opportunities for employment and advancement. This policy applies to initial employment practices and procedures as well as to all other aspects of the employment relationship, including but not limited to training, compensation, benefits, job classification and assignment, working conditions, promotions, transfers, layoffs, rehires, disciplinary actions and social and recreational programs. Gloucester County's Equal Employment Opportunity Policy is applicable to all supervisors, employees and job applicants.

This Equal Employment Opportunity Policy is designed to provide guidance to all employees and citizens of Gloucester County with respect to the County's commitment to full implementation of its equal employment opportunity program.

The goals of this policy are to:

- Ensure equal treatment of all persons, and to continue to recruit, hire, train, promote and compensate persons in all jobs without regard to race, color, age, sex, religion, national origin, disability or genetic information.
- Ensure equal opportunity in all personnel policies and procedures through identification and elimination of policy and procedural areas that unlawfully discriminate on the basis of race, color, age, sex, religion, national origin, disability or genetic information.
- Encourage employment of a workforce representative of the County's population.
- Compile a statistical breakdown of the current County workforce for each job category (see Appendix for list of Job Categories) broken down by gender within each racial, color and national origin group. A similar statistical breakdown of the available community workforce for each job category broken down by gender within each racial, color and national origin group may be compiled and analyzed, as practicable.
- Identify areas of needed concentration, to assess under-utilization of protected classes at all levels of employment, and to work toward appropriate utilization of these classes throughout the workforce.

- Ensure a workplace free from all forms of discrimination and harassment and to provide a prompt and impartial investigation process and remedy for victims of discrimination and harassment.
- Ensure that reasonable steps are taken to give applicants, employees and citizens with limited English proficiency (LEP) meaningful access to County resources and employment information by providing oral interpretation services, bilingual staff, telephone interpreter lines, written language services and/or community volunteers as interpreters, as needed.
- Educate the workforce about demographic changes through appropriate educational and training programs.
- Develop, coordinate and/or present employee training programs that are designed to assist supervisors and employees in learning how to comply and work effectively in accordance with the equal employment opportunity provisions.
- Ensure compliance throughout the organization by educating every employee regarding their duty to identify any discriminatory practices that do exist within the County and assert that any such practices identified be eliminated. All supervisory personnel are responsible for promptly addressing any instance of discrimination that is brought to their attention and monitoring that there is no recurrence.

- Design and implement an on-going internal assessment process that will allow for the monitoring and reporting of hiring and promotional procedures.
- Demonstrate that the County values diversity in all aspects of County employment and encourages the sharing of diverse opinions in all team efforts.
- Ensure that the County is in compliance with Title VII of the Civil Rights Act of 1964, as amended; the Equal Pay Act of 1963; the Age Discrimination in Employment Act of 1967, as amended; the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; and the 14th Amendment of the United States Constitution.

III. SCOPE

This Equal Employment Opportunity Policy applies to all employees of Gloucester County. Each employee of Gloucester County is responsible for complying with the Policy.

IV. DISSEMINATION

A. INTERNAL

The Gloucester County Equal Employment Opportunity Policy will be included in the County Personnel Policy and Procedures Manual and shall be available to all employees. Meetings will be conducted as appropriate with management and supervisory personnel to explain the intent of the policy, and to reiterate the County's commitment, as well as the expectations regarding each individual supervisor's responsibility for effective implementation of the policy.

The policy will be explained during new employee orientation, with each new hire receiving a copy.

Training regarding the Equal Employment Opportunity Policy will be available at the request of individual supervisors.

The policy will be posted on designated County bulletin boards and a link to the complete policy will be available at the County's Intranet Web site. It is the County's intent that the policy be accessible to all County employees, prospective employees and citizens.

B. EXTERNAL

The County will inform all recruiting sources that Gloucester County is an Equal Opportunity Employer and will encourage those sources to actively recruit and refer protected group members to the County for employment. In recruiting and hiring applicants for employment, advertising shall be conducted in a nondiscriminatory manner using not only traditional methods, but newspapers, television, radio, magazines, and/or other recruiting sources as appropriate. All advertisements of employment positions shall clearly state that Gloucester County is an Equal Opportunity Employer. Position announcements will be sent to known special interest groups and organizations informing them of the County's Equal Opportunity Employment Policy and encouraging them to refer qualified applicants for advertised openings.

V. RESPONSIBILITIES FOR THE EQUAL EMPLOYMENT OPPORTUNITY POLICY

A. COUNTY ADMINISTRATOR

The County Administrator supports and endorses the County's commitment to the Equal Employment Opportunity Policy. The County Administrator delegates compliance and enforcement responsibilities to key supervisors and employees as necessary to ensure a high degree of program success. The County Administrator is also committed to meeting periodically with Department Heads, supervisors, and the Human Resources Director to review policy accomplishments and holds these personnel accountable for their contributions to the success of the policy. Compliance with and support of equal opportunity is a part of the formal performance appraisal process for all Department Heads and supervisors.

B. HUMAN RESOURCES DIRECTOR

The Human Resources Director has primary responsibility for the design, implementation, administration and success of the Equal Employment Opportunity Policy for Gloucester County. The Human Resources Director will monitor the progress of the plan and periodically recommend changes, improvements and expansion of the policy to the County Administrator, where applicable. The policy will be disseminated through the Human Resources department and the Human Resources Director will timely inform Department Heads and supervisors of new developments in the area of equal opportunity. The Human Resources Director will also make a periodic review to ensure that Human Resources program objectives are in concert with the Policy objectives and that systems and procedures provide equal access and opportunities to all applicants and employees. Such systems and procedures shall include, but not necessarily be limited to, recruitment, testing, selection, compensation, employee relations and training procedures. The Human

Resources Director will periodically review and update the policy to ensure it is consistent with law.

The Human Resources Director is delegated to assist Department Heads and supervisors in the identification and resolution of problems relative to any provision of the Equal Employment Opportunity Policy. This duty includes the responsibility to administer the policy complaint procedure, to serve as the Equal Opportunity Compliance Officer under the direction of the County Administrator and to maintain records of all complaints of discrimination and the resolution of such complaints. The Human Resources Director also serves as a liaison between Gloucester County and external government agencies and organizations serving individuals of diverse backgrounds and other community groups.

Employees are provided with assistance, training, information and other counseling matters concerning the Equal Employment Opportunity Policy through the Human Resources Department.

VI. COMPLIANCE

A. EMPLOYEE REPORTING RESPONSIBILITY

Any employee who believes that they have been a victim of discrimination or harassment in their employment with the County can seek a remedy for their concerns through the appropriate supervisor or the Human Resources Director or designee. An employee who feels harassed or discriminated against should report the circumstances of the incident(s) to his or her immediate supervisor. In the event that the immediate supervisor is the offender, the employee should report to the next level supervisor or another management representative with whom he or she feels

comfortable discussing the situation. The Human Resources Director or designee will be available to discuss such a situation with the employee, as needed.

To report an incident of alleged discrimination or harassment, the employee should contact his or her supervisor or the Human Resources Department as soon as possible after the event giving rise to the complaint. The report may be made verbally or in writing and should include the date(s) of the alleged conduct, the individual(s) involved and a description of the discriminatory or harassing conduct. Failure to do so without good cause may waive the opportunity to pursue the complaint procedures set forth by the Equal Employment Opportunity Commission. In the event that a satisfactory resolution of the problem is not reached after informal, initial processing of the employee complaint by the immediate supervisor or the Human Resources Department, the employee may file a written grievance on Grievance Form A, as provided in the Personnel Policies and Procedures Manual.

Employees are assured that complaints of discrimination or harassment are investigated and handled with appropriate confidentiality and discretion. Information about complainants is revealed only as required to investigate allegations thoroughly or as needed by those involved in such investigations. Management and/or supervisors will take corrective action, up to and including termination, as warranted by the results of the investigation.

Employees raising a complaint based on a legitimate perception of being subjected to any form of harassment or discrimination are protected from any form of reprisal or retaliation. Any perceived act of retaliation for making a complaint of harassment or discrimination is to be reported in the same manner as the initial

complaint. Any person(s) found culpable of acting in a retaliatory manner to an individual because he or she made a complaint is subject to discipline, up to and including termination.

B. RESPONSIBILITY TO INVESTIGATE

Management and/or supervisors have a duty to investigate all allegations of discrimination or harassment and to take immediate and appropriate action as warranted. The policy requires the active participation of all Department Heads, and supervisors to ensure that the policy's goals and objectives are met and requires that these personnel include compliance with and support of the policy as a part of the formal performance appraisal process for all employees.

Department Heads or supervisors who allow harassment or discriminatory actions to continue or fail to take appropriate corrective action upon becoming aware of such behavior or actions, may be considered parties to the offense, even where they may not have engaged actively in such behavior or actions. These Department Heads or supervisors who fail to respond appropriately to allegations of harassment or discrimination may be subject to disciplinary action, up to and including termination.

Upon receipt of a written grievance of harassment or discriminatory action, a manager or supervisor, with the assistance of the Human Resources Department, will promptly begin an investigation. The investigation will include an interview of the complaining party to ensure understanding of the complaint and to obtain all necessary information regarding the incident(s). Following the interview with the complainant, contact will be made with the individual alleged to have engaged in

harassing or discriminatory conduct. That individual will be informed of the nature of the complaint and a time will be arranged for the individual to respond to the allegations. The investigation may include interviews with additional individuals whom the parties have identified as having pertinent information regarding the complaint. The investigation may also include the review of relevant documents provided or identified by either party to the dispute or by witnesses or any other documents deemed relevant to the inquiry.

Upon completion of the investigation, the supervisor or the Human Resources Director, shall prepare a report documenting the investigation, findings and determination of whether harassment or discriminatory actions occurred as alleged. The goal of the County's investigation policy is to complete a report within thirty (30) days of receipt of the complaint.

In the event it is determined that harassment or discriminatory action has occurred, the findings will be reported to the supervisor and/or department manager of the individual who engaged in the wrongful conduct. A recommendation will then be made by the supervisor and/or department manager as to the appropriate disciplinary action up to and potentially including termination. Recommended disciplinary action will be determined by the severity and frequency of the offense and will be consistent with County policy.

If it is determined that no harassment or discriminatory action has occurred, the parties involved will be informed by the Human Resources Department. The Department will offer the parties assistance, training or other counseling, as deemed

necessary to allow them to continue to function as valued employees in the workplace.

A complaint of harassment or discriminatory conduct, the details of the investigation, the outcome of the investigation, and any action(s) taken relating to a specific employee or employees shall be kept confidential to the extent possible. Dissemination of information will be limited to persons with a need to know to investigate or to implement disciplinary or corrective action and the complainant, or otherwise as required by law.

No person or department may take disciplinary action against, or in any other manner discriminate or retaliate against, or deny any person a benefit to which that person is entitled because such person has filed a complaint or instituted any proceeding under or related to this policy, has testified or is about to testify in any such investigation, or has provided information or assisted in an investigation. If any of the aforementioned actions of a person involved are deemed to have been taken in bad faith and with malicious intent, such person shall be subject to disciplinary action consistent with County policy, up to and potentially including termination.

The procedures set forth in this Section VI are meant to further explain the investigation procedure set forth in the County Personnel, Policies and Procedure Manual.

APPENDIX – JOB CATEGORIES

State and Local Government Report EEO-4

1. Officials and Administrators
2. Professionals
3. Technicians
4. Protective Service Workers
5. Paraprofessional
6. Administrative Support
7. Skilled Craft Workers
8. Service Maintenance

U.S. Census Bureau

1. Officials and Managers
2. Professionals
3. Technicians
4. Protective Service: Sworn
5. Protective Service: Non-sworn
6. Administrative Support
7. Skilled Craft
8. Service Maintenance