

PERSONNEL POLICY DIRECTIVE

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Supersedes: 04/05-04
Issued: October 9, 2007
Effective: October 1, 2007
FROM: George D. Forbes, City Manager *GDF*

EQUAL EMPLOYMENT OPPORTUNITY PLAN

Purpose: It is the policy of the City of Jacksonville Beach to provide equal opportunity in employment for all qualified persons regardless of race, color, religion, sex, national origin, age, physical disability or marital status. It is our intention to hire and promote the best qualified candidates measured against the requirements of the job. It is also the intention of the City of Jacksonville Beach to comply with equal opportunity laws and provisions and to establish an EEO plan to accomplish the goals of hiring and promoting to address “areas of concern”.

Equal Employment Opportunity Plan: Human Resources in cooperation with other departments will update the City’s Equal Opportunity Plan based upon applicable federal and state laws and progress toward creating a workforce that is reflective of the community served. Any updated plan shall be presented to the City Manager for approval. The attached plan is approved for the period October 1, 2007 through September 30, 2009.

Mayor	Fland Sharp	904-247-6270
City Manager	George Forbes	904-247-6270
Human Resources Director and EEO/AA Officer	Sue Taylor	904-247-6263

Equal Employment Opportunity Plan
City of Jacksonville Beach, FL

POLICY AND STATEMENT

1) STATEMENT

It is the policy of the City of Jacksonville Beach to provide equal opportunity in employment for all qualified persons regardless of race, color, religion, sex, national origin, age, physical disability, or marital status. The City of Jacksonville Beach provides equal opportunity to all employees and applicants based upon experience, training, education, and ability to do the work. It is our intention to hire and promote the best-qualified candidates measured against the requirements of the job. It is also the intention of the City of Jacksonville Beach to comply with equal opportunity laws and provisions and to establish an affirmative action plan to accomplish the goals of hiring and promoting when there are minority or female under-utilizations.

This policy of equal opportunity applies to all aspects of the City of Jacksonville Beach employment policies and practices. It includes taking action to reasonably accommodate those qualified individuals with known disabilities in order for them to perform the essential functions of the job and maintaining an atmosphere free from harassment and/or intimidation. Harassment and intimidation because of race, color, religion, sex, national origin, age, physical disability or marital status is strictly prohibited. If an employee becomes aware of any discriminatory behavior or any activity, which might be considered harassment, it is the responsibility of the employee to report such conduct to their Supervisor, Department Director, or the Human Resources Director. Any reports made shall be investigated in the most expeditious and confidential manner possible.

Equal opportunity is not only the law, but also the principle on which the City of Jacksonville Beach bases its employment practices. Responsibility for ensuring implementation of the above policies is assigned to all Department Directors with oversight by the Human Resources Director.

Equal Employment Opportunity Plan
City of Jacksonville Beach, FL

2) ASSIGNMENT OF RESPONSIBILITIES

HUMAN RESOURCES DIRECTOR

The Human Resources Director, in implementing the provisions of the Personnel Rules of the City of Jacksonville Beach, shall act as the Equal Employment Officer and be responsible

for the general administration of the plan. It is the responsibility of the Human Resources Director:

1. To review all personnel policies, employment practices and procedures and to make recommendations to these processes in realizing full Equal Employment Opportunity.
2. To provide for effective communication of and conformance with the requirements of the Plan, and monitor that each Department Director takes the necessary action to promote its goals.
3. To annually review the progress of each department and submit a report to the City Manager citing program accomplishments and/or shortcomings.
4. Ensure recruitment efforts target underrepresented individuals.
5. Review all job actions to ensure elimination of discrimination.
6. Ensure all job descriptions and testing does no adversely affect any protected group.
7. Ensure all union contracts conform to the plan requirements.

DEPARTMENT DIRECTORS

The most crucial parts for policy implementation are at the Department Director and Supervisory level because this is where decisions affecting employment practices are made. Department Directors are responsible for adhering to the policy and intent of the City of Jacksonville Beach's Equal Employment Opportunity plan and accepting responsibility for progressing towards the goals and objectives of the Plan. Specifically, Department Directors shall:

1. See that the intention and provisions of this Plan are fully implemented in their respective departments.
2. Submit reports to the Human Resources Director on their employment, disciplinary and job classification statistics.
3. Review job descriptions and update them accordingly and when job openings occur.
4. Hold supervisors and employees accountable for promoting equal opportunity in the work place and complying with all applicable laws.
5. Ensure supervisors are aware of their responsibilities under the Plan.
6. Review all job actions to ensure elimination of discrimination.

Equal Employment Opportunity Plan City of Jacksonville Beach, FL

SUPERVISORS

1. Ensure that they follow all practices and policies adopted by the City in compliance with the Equal Employment Opportunity Plan.
2. Hold their employees accountable for complying with the terms of the City's equal employment policy and plan. Report any violations of the City's policy regarding equal employment.
3. Promote an atmosphere free from discrimination and harassment of any type at their worksites.

CITY EMPLOYEES

The employees of the City of Jacksonville Beach are responsible for maintaining a work climate free from harassment so that the goals of the Equal Employment Opportunity Program can be achieved.

Commitment to the plan shall be a condition of employment and continued employment. Individuals found to be engaging in harassing behavior will be subject to disciplinary action, up to and including dismissal.

3) COMPLAINT PROCEDURE

If any employee believes they have been discriminated against because of race, religion, national origin, age, sex, or disability, he/she may request his/her case be reviewed. Employees may utilize one of three avenues in filing a complaint: **A)** through their Supervisor as outlined in the grievance procedures in the personnel rules, **B)** directly through the Human Resources Director, or **C)** directly through their Department Director. The following procedures shall be used in presenting a grievance:

A. Grievance Procedure.

1. The grievance must be filed with the employee's immediate supervisor within five calendar days from the date the incident occurred, which created such grievance.
2. Once filed with the supervisor the grievance procedure as outlined in the Personnel Rules or applicable union contract shall be followed. In conclusion, the grievance will be finally settled by the City Manager.

B. Filing with Human Resources Director.

1. The grievance must be filed with the Human Resources Director within five calendar days from the date the incident occurred which created such grievance. An extension of not more than five days may be granted by the Human Resources Director.
2. The Human Resources Director shall make a careful investigation into the case and render a recommendation to the City Manager or his/her designee within 15 working days of receipt of the complaint.

Equal Employment Opportunity Plan
City of Jacksonville Beach, FL

3. If the employee is dissatisfied with the decision of the Human Resources Director, he/she may submit his/her grievance in writing to the City Manager or his/her designee within five calendar days of receipt of the Human Resources Director's recommendation. The City Manager or his/her designee shall make such investigation and conduct such meetings as he deems necessary and shall, within 15 calendar days of receipt of the employee's grievance, render a decision in writing to the employee. The City Manager's decision shall be final.

C. Filing with the Department Director.

1. The grievance must be filed with the Department Director within five calendar days from the date the incident occurred which created such grievance. An extension of no more than five days may be granted by the Department Director.
2. The Department Director, in cooperation with the Human Resources Director (unless the Human Resources Director is the subject of the grievance), shall make a careful investigation into the case and render a recommendation to the City Manager or his/her designee within 15 working days of receipt of the complaint.
3. If the employee is dissatisfied with the decision of the Department Director, he/she may submit his/her grievance in writing to the City Manager or his/her designee within five calendar days of receipt of the Department Director's recommendation. The City Manager or his/her designee shall make such investigation and conduct such meetings as he deems necessary and shall, within 15 calendar days of receipt of the employee's grievance, render a decision in writing to the employee. The City Manager's decision shall be final.

4) NON RETALIATION

Retaliation against an employee who utilizes the above-referenced complaint procedure is prohibited. All employees are assured that no reprisal in any form will result from any complaint filed. Complainants who feel that they have been retaliated against should file a complaint with their Supervisor or Department Director unless it is preferred to file it directly with the Human Resources Director or Assistant City Manager .