

Emery County School District



Policy: GBA—Equal Employment Opportunity

Date Adopted: 20 April 1988
Current Review / Revision: 1 November 2000

It is the policy of the Board of Education of the Emery County School District to prohibit discrimination against any individual for reasons of race, color, religion, disability, national origin, gender.

The Emery County School District commits itself to the concept of equal employment opportunity. Efforts will be made to insure equal employment opportunity and non-discriminatory treatment of personnel both in terms of securing employment and promotional opportunities. The Emery County School District desires to provide full and equal opportunities for employment and promotion to all present and potential employees, regardless of race, color, religious creed, ancestry, national origin, gender, age, political affiliation, or disability. It is expected that all employees will become familiar with this policy

OCR/EEO Compliance Officer

Overall responsibility for the Equal Opportunity Employment Plan of the Emery County School District resides with the superintendent. Responsibility for implementation is delegated to the District OCR/EEO Compliance Officer, at 120 North Main, PO Box 120, Huntington, Utah 84528 (435-687-9846).

General Action Items

The general items that follow represent the efforts and methods that will be used to insure equal employment opportunity throughout the District. The goal for implementation of most of the action items will be one year from the date of endorsement. The exceptions to this implementation goal will be only those activities which are implemented within the year and require ongoing activity. The OCR/EEO Compliance Officer will assume primary responsibility for implementing the action items.

The duties and functions of the OCR/EEO Compliance Officer pertaining to staff operations include:

- 1) Maintain current information on equal employment programs. Work with administration to assure compliance.
- 2) Review qualifications for employment to ensure that full opportunities are given to protected classes for in-house promotion. If qualified minorities and women are not being referred, referral and recruitment procedures will be reviewed. If significant numbers of minorities and women are not being hired, hiring procedures will be reviewed.
- 3) Review job descriptions to assure that qualifications are related to task performance and specified duties.
- 4) Disseminate discrimination complaint procedures. Accept complaints, mediate problems or instruct individual or formal review process.
- 5) Make recommendations and review the OCR/EEO Compliance Plan as new and different circumstances prevail.

- 6) Serve as a liaison contact with the District superintendent in obtaining information for resolution of complaints.

Recruitment

The OCR/EEO Compliance Officer will be responsible for seeing that the following activities are in compliance with E.E.O. Regulations:

- 1) Insure that all segments of the population are reached:
 - a. Avoidance of language or photographs depicting inequality;
 - b. Publications should be clear and understandable to all applicants; and
 - c. Advertising and recruitment literature shall state "*An Equal Employment Opportunity Employer*".
- 2) Insure all District jobs are listed within the Equal Opportunity Guidelines.

Selection Procedures

- 1) Any job qualification standard or selection standard which unfairly eliminates members of the affected class is strictly prohibited.
- 2) All employees and enrollee selection procedures, including educational and experience ratings, interviews, and employee application forms are regulated by Equal Employment Opportunity guidelines and directives. To use any selection procedure which adversely affects the employment, promotion, or transfer of a member or the "affected class" constitutes discrimination.
- 3) Optimum utilization of the skills of present employees and enrollees shall be vigorously promoted. Opportunities shall be provided for employees to perform at optimum levels of ability and seek advancement. Transfers for further development of skills shall be encouraged for clients who possess exceptional skills.

Delivery of Services

No member of the affected class participating in District programs shall be excluded or denied benefits in any program or activity.

- 1) Denial of any benefit or service normally provided by the program.
- 2) Providing services or benefits which are different than those provided to others in the same program.
- 3) Segregation or separate treatment in any program.
- 4) Restricting any participant from enjoying advantages or privileges enjoyed by others.

Orientation

All employees and participants in all phases of District programs shall be kept informed of the objectives of the Equal Employment Opportunity Plan. Each new employee or participant shall receive a written statement concerning the existence of an Equal Employment Opportunity Plan and an outline of the procedures.

Discrimination Complaint Procedures

If any prospective, current or former participant believes he or she has been discriminated against either through recruitment, selection, or enrollment practices of the District, they may file a written complaint with the OCR/EEO Compliance Officer. The filing of such a complaint with the OCR/EEO Compliance Officer will not adversely affect the complainant's relationship with the program. When a complaint/grievance occurs, it should be discussed with the immediate supervisor. Within forty-eight (48) hours, the complainant must receive a written decision from the supervisor. When the complainant is not satisfied with the results, proceed to Step 1:

- Step 1: The District OCR/EEO Compliance Officer is notified by the supervisor or complainant, that the aggrieved wishes to register a complaint. The OCR/EEO Compliance Officer should arrange to meet with the complainant at a time convenient to complainant to take the written complaint. At this time, the OCR/EEO Compliance Officer should review the District's procedure with the complainant and give a written copy of the procedure to complainant. Appeal procedures to the state and regional offices should also be reviewed with the complainant.
- Step 2: The OCR/EEO Compliance Officer should begin informal investigation and reconciliation efforts. Informal investigation and reconciliation efforts shall be completed and a written report containing findings and remedy shall be issued to concerned parties as soon as practical.

No Cause

If an investigation does not warrant action, the OCR/EEO Compliance Officer will, at once, and in writing, so inform the respondent, the complainant and the Office of Labor and Training.

Remedy / Conciliation

If a remedy acceptable to all parties is agreed upon, the agreement shall be written within five (5) calendar days of the filing by the OCR/EEO Compliance Officer.

If a remedy acceptable to all parties cannot be agreed upon, the EEO Coordinator will convene the state level informal hearings process. Notification of the date/time/place of the hearing, including a statement of the rights of both complainants and respondents will be sent by certified mail to all parties involved within the 24-hour period following completion of Step 2. The EEO Coordinator will complete the investigation* (if the investigation was not complete before conciliation attempt), and shall present written findings to the Hearings Committee at the time of the hearing. The informal hearing shall take place no later than thirty-five (35) calendar days from the date filed after completion of Step 2.

Within twenty-four (24) hours the Office of Labor and Training EEO Coordinator contacts the Regional Office of Equal Employment Opportunity Compliance and reports information.

- Step 3: The Hearings Committee will issue a written determination of all parties no later than ten (10) days after commencement of the hearing.** The written determination will contain notification to respondent/complainant of the available appeals procedure to the regional level (fifty-five days from filing of written complaint).

The EEO Coordinator will forward a copy of this determination to the regional office of Equal Employment Opportunity Compliance within the twenty-four (24) hour period following completion of Step 3.

Maintenance of File of Complaint

Master files of all correspondence on complaints will be maintained by the OCR/EEO Compliance Officer. A separate file will be maintained for each complaint. These complaints are not part of the official Personnel file.

- 1) Reviews will be consulted when a valid complaint from any agency has been lodged against a particular contractor. These reviews will be kept valid for a period of three (3) years. If there is adequate evidence that the contractor has been and continues to be traditionally unfair in any EEO practice, no contract will be entered into with this contractor.
- 2) The following project data with respect to ongoing or prospective grants/contracts will be examined on review for grant application.
 - a. Project identification;
 - b. Composition of sponsor boards by race and gender;
 - c. Staff composition by race and gender;
 - d. Number of enrollees by race and gender; and
 - e. Participating agencies training sites.

The requirements of all new legislation, national or regional policies, directive and executive orders shall be incorporated into existing and new contracts and grants.

* (See ETA Equal Employment Opportunity Manual, 'Investigation procedures').

** (The hearing should be no longer than ten days).