

EEO Policy

Updated October 28, 2019

EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

1. Statement of policy

The City of Jamestown has been and will continue to be an equal opportunity organization. The City is committed to complying with New York State Executive Law §296 and New York State Civil Service Laws, and is committed to Equal Employment Opportunity (EEO) for all persons regardless of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victims. This Equal Employment Opportunity Policy (EEOP) applies to all employment practices including recruitment, selection, promotion, termination, transfer, layoff, compensation, training, benefits and other terms and conditions of employment. Successful achievement of EEO benefits the City through fuller utilization and development of human resources which may be otherwise underutilized.

2. EEO OFFICER

(a) Officer Designation

The EEO Officer for the City is the City Director of Human Resources, and can be contacted at:

City of Jamestown
Department of Human Resources
200 E. Third Street
Jamestown, NY 14701
(716)483-7540

The EEO Officer is responsible for ensuring compliance with this policy; however, all City Department Heads, City Council Members and the Mayor, and all those with purchasing authority, share in this responsibility. Specific tasks will be assigned by the EEO Officer to ensure that compliance is achieved. Performance by individuals will be evaluated on the success of the EEO Program in the same manner that other City goals are evaluated.

(b) EEO Officer Responsibilities

The EEO Officer is responsible for:

- (i) Developing and recommending EEO Policy, a written EEO Program, and internal and external communication procedures;
- (ii) Assisting management in collecting and analyzing employment data, identifying opportunities for improvement, setting goals and timetables, and developing programs to achieve goals;
- (iii) Designing, implementing, and monitoring internal audit and reporting systems to measure program effectiveness and to determine where progress has been made and where further action is desired;

- (iv) Reporting to the Mayor on the progress of each unit in relation to the City's goals;
- (v) Serving as a liaison between the City, Federal, State and Local governments, regulatory agencies, minority, handicapped and women's organizations, and other community groups;
- (vi) Assuring that current legal information affecting affirmative action is disseminated to responsible officials;
- (vii) Assisting in achieving goals for recruiting minority, handicapped and women applicants and establishing outreach sources for use by hiring officials;
- (viii) Concurring in all hires and promotions, and
- (ix) Processing employment discrimination Claims.

(c) Mayor, Department Head and Supervisor Responsibilities

The Mayor, City Department Heads and City Supervisors are responsible for:

- (i) Assisting in identifying opportunities for improvement and establishing City and City Department goals and obstacles;
- (ii) Assisting the EEO Officer as needed in being actively involved with local minority organizations, women's and handicapped groups, community action organizations, community service programs and other appropriate agencies, groups and organizations;
- (iii) Participating actively in annual audits of various aspects of employment in order to identify and to remove barriers obstructing the achievement of specified goals and objectives, and reviewing audit results at the annual Department Head Performance Review;
- (iv) Holding discussions with other Department Heads and employees to assure the City's policies and procedures are being followed;
- (v) Reviewing the qualifications of employees to assure that minorities, handicapped persons, and women are given full opportunities for transfers, promotions, training, salary increases and other forms of compensation;
- (vi) Participating in the review and/or investigation of complaints alleging discrimination;
- (vii) Assisting as needed on the conduct and support of career counseling for all employees, and
- (viii) Participating in annual audits to ensure that each department is in compliance.

3. Dissemination

The City will disseminate its EEOP to employees, applicants and the general public through the following means:

(a) Internally

- (i) The EEOP will be sent via email to all City Employees;
- (ii) Posting on the intranet with other City Policies
- (iii) Department Heads will be asked to sign a copy of the EEOP to confirm that they have received and read it;
- (iv) The EEO Officer will provide to Department Heads annual updates on EEOP implementation and will seek feedback from Department Heads regarding barriers and impediments to implementation;
- (v) The EEOP will be provided to the head of each Union;
- (vi) The EEO Officer will periodically seek EEO input from employees, including but not limited to suggestions in implementing and refining the EEOP;
- (vii) The EEOP will be referenced in all examination announcements issued by the City and will be provided to all new employees, and
- (viii) All City Council Members will receive copies of the EEOP.

(b) Externally

- (i) The City EEO Officer will ensure that the EEOP is distributed to recruitment services such as employment agencies, educational institutions, and other appropriate organizations, groups and associations;
- (ii) The EEOP will be posted on the City Internet web page;
- (iii) Advertisements for personnel shall include a statement that the City is an EEO Employer;
- (iv) The EEOP will be distributed to local media including local newspapers, radio stations and television stations, and
- (v) Bids and Requests for Proposals (RFPs) for goods and services will include an EEO statement.

4. UTILIZATION ANALYSIS OF WOMEN AND MINORITIES

A Utilization Analysis of Women and Minorities will be completed on or before April 1 of each year and as dictated by the Goals and Timelines set by the City.

The purpose of the Utilization Analysis is to identify those job categories where there may be an underutilization and/or concentration of minorities and women in relation to their availability in the relevant job market. A Utilization Analysis consists of work force analysis and an availability analysis. The work force analysis is a statistical breakdown of the recipient's work force by each: department, job category (e.g. Officials/Manager, clerical, laborer, etc.) grade/rank of the employee, and job title. Each of the above should be cross referenced by race, national origin and sex.

An availability analysis is a comparison of the participation rates of minorities and woman at various levels in the work force with their availability in relevant labor markets. The Utilization Analysis shall be completed in accordance with all Federal EEO guidelines for grant recipients.

5. NARRATIVE AND STATISTICAL ASSESSMENT

The City will prepare a Narrative and Statistical Assessment (NSA) in conjunction with its Utilization Analysis and its review of Goals and Timetables. The NSA will assess present employment practices to identify those practices that operate as employment barriers and unjustifiably contribute to underutilization. The analysis must contain statistical data to document the impact of employer practices. At a minimum, the analysis must contain the following as required by the Federal; Transit Administration (FTA):

- (a) The number of individuals by race, national origin and sex, to the extent such identifying factors are known, applying for employment; and the number who were actually hired, to the extent that such identifying factors are known;
- (b) The number of individuals by race, national origin and sex, to the extent such identifying factors are known, who applied for a promotion or transfer within the past year; and the number who were promoted or transferred, to the extent that such identifying factors are known, and
- (c) The numbers and types of disciplinary actions and terminations by race, national origin and sex, to the extent that such identifying factors are known.

All opportunities for improvement must be identified and a proposed program of action enumerated in the EEO.

6. MONITORING AND REPORTING

The EEO Officer will maintain an internal monitoring and reporting system which will

- (a) Assess EEO accomplishments;
- (b) Enable the evaluation of the program during the year;

- (c) Enable the taking of necessary action regarding goals and timetables;
- (d) Identify those units which have failed to achieve a goal, and
- (e) Provide factual data base for future projections.

The monitoring and reporting system should be used to prescribe and revise short-term goals. The system should allow for revision of long-range goals to reflect availability of traditionally underutilized persons. The reporting system should provide documentation to support actions that affect women and minority job applicants or employees. Supervisors and Council Members should be kept informed of program effectiveness.

7. GOALS

The City of Jamestown shall continue to focus on its goal to provide a workforce that reflects the composition of the entire City community. Staffing will be recruited and hired based on ability and qualifications in accordance with New York State Civil Service Law. All appropriate allowances shall be afforded each candidate to qualify for employment, including promotional options, within the scope of equal opportunity access.

8 COMPLAINTS

(a) Complaint Submission

Any complaints in connection with this policy or its implementation shall be addressed to the City's Director of Human Resources at the listed address. Complaints must be filed in writing and must include the name and contact information of the person filing the complaint as well as a brief description of the concern. Complaints should be filed within ten (10) days after the complainant becomes aware of the concern.

(b) Investigation

An investigation, as appropriate, shall be made as promptly as practicable following the receipt of a complaint. An informal but thorough investigation is contemplated, affording all interested persons and their representative, if any, an opportunity to submit evidence relevant to the complaint.

(c) Disposition Report

A written statement of the disposition of the complaint, including findings about the validity of the complaint and a statement of any action taken shall be issued by the Director of Human Resources with ninety (90) days of the filing of the complaint. The Director will maintain files and records pertaining to complaints for a period of six (6) years from the date of filing, or for such other time period as is required by law.

This Equal Opportunity Policy Replaces and supersedes all previously issued Affirmative Action/Minority And Women Owned Business Enterprise Police Statements, and all other Affirmative Action plans. In the event of a conflict between this policy and any applicable law, rule,

policy or regulations, the terms of law, rule, policy or regulations shall apply. If a complaint submitted under this policy also constitutes a complaint pursuant to another City policy, the City in its discretion shall determine which procedure to apply to the complaint.

This EEOP is intended to fulfill the requirements of the US Department of Transportation and its Urban Mass Transport Administration, as well as the requirements of all other US and New York State Departments and Agencies.

Samuel Teresi, Mayor

Date: _____