



CITY OF PEMBROKE PINES

EQUAL EMPLOYMENT OPPORTUNITY

Revised – February 1, 2019

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CITY OF PEMBROKE PINES

EQUAL EMPLOYMENT OPPORTUNITY POLICY

1. STATEMENT OF POLICY

Equal Employment Opportunity

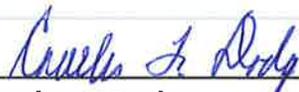
The City of Pembroke Pines is an Equal Employment Opportunity employer.

The City does not discriminate against any person in hiring, recruitment, examination, appointment, training, promotion, salary increases, retention or any other personnel action because of political or religious opinions, or affiliations, or because of race, color, creed, sex, age, disability, national origin, marital status, veteran status, sexual orientation/gender identity, or any other protected class.

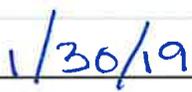
Individuals with disabilities will be given full consideration for employment in all departments and agencies. Physical standards will be fair, reasonable and adapted to the realistic requirements of the job. Such standards will be based on complete, factual information regarding working conditions, hazards and essential physical requirements of each job.

The City values and promotes diversity in its workplace. Diversity refers to human differences that exist in the workplace, including those based on culture, ethnicity, gender, and age. The City believes that promoting diversity plays an important role in attracting the widest pool of qualified applicants, fostering greater innovation and creativity, and enhancing our communication and relationships with customers and the community. The City is committed to enhancing our diversity and demonstrating that commitment to our employees, customers, and community. The City promotes diversity by developing policies, programs, and procedures that foster a work environment in which differences are respected and all employees are treated fairly.

Reasonable accommodations are modifications to applicants' or employees' work environment or schedule that allow them to perform the essential functions of the job they seek or hold unless the accommodations create undue hardship for the City. The City is committed to providing reasonable accommodation to qualified individuals. Requests for reasonable accommodation may be made by contacting the Human Resources Department.



Charles F. Dodge
City Manager



Date

2. INTRODUCTION

The Equal Employment Opportunity Program is the City of Pembroke Pines method of documenting and formulating its commitment to Equal Employment Opportunity and provides a benchmark for measuring its effectiveness. It is an integral part of the Human Resources management system including, but not limited to, the City's Collective Bargaining Agreements. The Plan precludes preferential treatment and a quota system to solely increase minority or female representation.

The plan shall apply to all City employees.

Its primary objectives are:

1. To eliminate arbitrary, unnecessary and artificial practices that have an adverse impact based upon any protected class by examining personnel policies and practices and ensuring that policies and practices are nondiscriminatory.
2. To engage in outreach efforts to ensure that women, minorities, disabled individuals and veterans participate in all employment opportunities for which they are qualified.
3. To promote harmonious employee relations by providing training regarding personnel policies and fair employment practices to supervisory employees, increasing employee awareness and acceptance of race/cultural, sex and disability differences among employees, and prohibiting unlawful harassment of employees in the work place.
4. To look to having a workforce that is fairly representative of the relevant labor market for all classes of positions within the City, while selecting the best qualified candidate for position.
5. To provide opportunities for promotions for all employees.

3. EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City of Pembroke Pines is an Equal Opportunity Employer and prohibits discrimination and harassment because of gender, race, color, religion, national origin, age, disabilities (except where such factor is a bona fide occupational qualification or required by Federal and State Laws), marital status, sexual orientation/gender identity and veteran status. This policy shall be applied in all aspects of personnel hiring, appointment, training, promotion, retention or any other actions and operations.

The Reason for this Policy:

The purpose of this policy is to reaffirm the City's position regarding equal opportunity in all matters as well as operate in a manner that is consistent in the spirit and intent of all applicable laws.

The Type of Conduct Covered by this Policy:

The following is not inclusive, however represents examples of verbal and nonverbal conduct that are discriminatory and harassing:

- A. Referring to a person in a derogatory way regarding his/her religion, ethnic group, color, race, disabilities, sexual orientation, etc.
- B. Telling racial, gender, ethnic, religious, etc. jokes and/or stories
- C. Asking unwelcome personal questions about ethnic, racial, gender, religious, etc. issues
- D. Displaying visuals that may be degrading to an employee's gender, ethnicity, race, religion, disabilities, etc.

Violation of this Policy

Violations of this policy will not be permitted. Any employee or supervisor who violates this policy will be subject to disciplinary action up to and including termination.

Procedure:

It is a violation of the City policy for any employee to engage in any act or behavior that has been found to be discriminatory or harassing due to gender, race, color, religion, national origin, age, disabilities, marital status, sexual orientation, gender identity, or veteran status. Employees should promptly report an incident of discrimination or harassment directly to their supervisor or the Human Resources Director. All related incidents will be investigated.

This policy further prohibits any form of retaliation against any employee for bringing up a concern that may be discriminatory or harassing and/or assisting in an investigation related to discrimination or harassment.

Filing a Discrimination/Harassment Complaint:

The City's primary objective in handling complaints is to reach resolution of all EEO concerns through its administrative processes. There are two (2) methods for filing a complaint under this policy:

A. INFORMAL PROCESS

When an employee perceives an incident to be discriminatory for the reasons aforementioned, the employee may choose to have an informal discussion with his/her supervisor or the Department Director to attempt to resolve the situation at the departmental level. However, choosing this procedure does not preclude an employee from initiating a formal complaint.

Informal complaints shall be reviewed at the departmental level. A report outlining the facts of the situation and corrective action implemented, if any, shall be submitted by the Human Resources Department in all cases.

B. FORMAL PROCESS

Once an employee decides to formally file a complaint, he/she must complete and submit a written complaint to the Department Director or the Human Resources Director.

The City will investigate all complaints filed by employees in a timely and reasonable manner. The information regarding the complaint and investigation shall be maintained in confidence to the extent allowed by the law.

An administrative finding report will be completed, including recommendation to the City Manager within thirty (30) days from receipt of the written complaint by the Human Resources Department. The outcome of the investigation and corrective actions, if any, will be forwarded by the Director of Human Resources to the employee who has filed the complaint as well as the individual against whom the complaint was filed. The Human Resources Director may assign the investigation to another party and/or the Threat Management Committee.

The City shall seek to resolve all complaints uniformly. In the event an employee is not satisfied with the City's decision, the employee has the right to appeal within ten (10) working days of receipt of the finding report. A request for an appeal hearing must be made in writing. An appeal hearing before the City Manager or designee shall be held in less than thirty (30) days from the date of receipt of appeal request. The City Manager's decision on such matter shall be final and conclusive.

4. Elements of the Plan

1. Race/Ethnic Identification

The concept of race as used by the Equal Employment Opportunity Commission does not denote clear-cut scientific definitions of anthropological origins. For the purposes of this plan an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one race/ethnic category.

For the purpose of this Equal Employment Opportunity Program, the following race/ethnic categories will be used:

- A. The category “White” (not of Hispanic origin): All persons having origins in any of the original people of Europe, North Africa, or the Middle East. This category is also referred to as “Caucasian”.
- B. The category “African American” (not of Hispanic origin): All persons having origins in any of the Black racial groups of Africa.
- C. The category “Hispanic”: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- D. The category “Asian or Pacific Islanders”: All persons having origins in any of the original people of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa.
- E. The category “American Indian or Alaskan Native”: All persons having origins in any of the original people of North America, and who maintain cultural identification through tribal affiliation or community recognition.

2. Top Level Support

The City of Pembroke Pines affirms its commitment to provide equal employment opportunity for all current and prospective employees of the City.

The City Manager or his/her designee shall be responsible for administering the City’s EEO program and provide leadership to:

- A. Ensure equal opportunity in all personnel policies, practices, written and/or implications that discriminate on the basis of race, color, gender, religion, national origin, age, handicap, sexual orientation, and marital status.
- B. Communicate the City’s position on EEO.
- C. Appoint a staff member with sufficient authority and resources to carry out and implement the provisions of the Equal Employment Opportunity.

3. Assignment of Responsibilities to Administer the Plan

- A. All administrative personnel are bound by the provisions of Federal, State, and local Legislation/Laws to make personnel decisions without regard to race, color, religion, gender, national origin, sexual orientation, age, handicap, or marital status.

B. All department heads will assist with the following:

1. Having regular discussions with superiors and subordinates to address adherence to the EEO Policy whenever necessary.
2. Provide assistance to the Human Resource Department to report progress within their respective areas, as requested.

4. Dissemination of Equal Employment Opportunity Policy Program

The EEO Policy will be disseminated as outlined below:

A. Internal Disseminations

1. The policy statement and non-discrimination posters will be posted and displayed in areas available to employees and applicants for employment in the City as well as on the City's website and or other digital means of communication.
2. All employees will have access to the policy statement.
3. All elective, executive, management and supervisory personnel will have access to the Equal Employment Opportunity document and amendments as stated above.
4. Include non-discrimination clauses in union agreements, and review contractual provisions to ensure that union agreements are non-discriminatory, as permitted in good faith negotiations.

B. External Dissemination

We will notify all recruitment sources, representatives, minority, female, disabled and news media of our EEO policies and encourage them to actively recruit and refer minorities, women and the disabled to assist us in achieving our objectives.

Communicate to prospective employees the existence and contents of our Equal Employment Opportunity Program and policies.

5. Implementing the Equal Employment Opportunity Program

ACTIONS:

Objective 1:

To eliminate arbitrary, unnecessary practices that have an adverse impact based upon race, color, religion, sex, national origin, age, disability, marital status, and veteran status.

- A. Review and ensure that the City hiring practices do not directly or indirectly identify, limit or discriminate against any individuals unless bona fide occupational qualifications require such limitations.
- B. Develop guidelines to foster consistency and uniformity in the processes for recruitment, hiring, selection, promotion, transfer and training City employees.

Objective 2:

To engage in outreach efforts to ensure that women, minorities, disabled individuals and veterans participate in all employment opportunities for which they are qualified.

- A. Develop specific recruitment efforts aimed at women, minorities, disabled individuals and veterans in collaboration with the organization.
- B. Seek the input and involvement from women, minorities, disabled individuals and veterans in all appropriate aspects of employment.
- C. Announce all externally advertised job opportunities to community organizations whose constituents are women, minorities, disabled individuals and veterans via the City's website.
- E. Ensure that announcements, advertisements, pamphlets, brochures and other related information publicize the City's commitment.

Objective 3:

To promote harmonious employee relations through increased employee awareness and acceptance of race, sex, disability and cultural differences among employees.

- A. Conduct training programs as necessary.

Objective 4:

Utilize a comprehensive approach to ensure that Equal Employment Opportunity Program is an integral part of the City of Pembroke Pines.

A. Ensure that union agreements and programs are consistent with the EEO Program.

6. Program Evaluation

Records:

Review personnel actions (such as new hire, promotions, etc.) are reviewed as necessary to ensure the EEO Program is implemented.

Charles J. Rodo

CITY MANAGER

1/30/19

DATE

M. Day

CITY ATTORNEY

1/29/2019

DATE