



CITY OF FERNANDINA BEACH

AFFIRMATIVE ACTION POLICY AND PLAN

The Equal Employment Opportunity Statement contained in the *City of Fernandina Beach Personnel Policy Manual* and the *Affirmative Action Policy and Plan* are designed to work in tandem and are the enabling documents that identify the policies, programs and strategies that ensure equal access by all persons to the programs conducted by the City of Fernandina Beach.

Purpose: It is the policy of the City of Fernandina 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 Fernandina Beach to comply with equal opportunity laws and provisions and to establish an Affirmative Action Plan to accomplish the goals of hiring and promoting to address "areas of concern".

Affirmative Action Plan: Human Resources, in cooperation with other departments, will establish the City's Affirmative Action Plan based upon applicable federal and state laws and progress toward creating a workforce that is reflective of our community. Any updated plan shall be presented to the City Manager and City Commission for approval.

**AFFIRMATIVE ACTION
POLICY AND PLAN
STATEMENT**

Effective June 5, 2012

STATEMENT

It is the policy of the City of Fernandina 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 Fernandina 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 Fernandina Beach to comply with equal opportunity laws and provisions and to create a plan with goals in the areas 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 Fernandina 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 to maintain 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 are 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 Fernandina 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.

RESPONSIBILITY FOR IMPLEMENTATION

CHARTER OFFICERS

The Charter Officers of the City of Fernandina Beach are committed to implementing the objectives of this Affirmative Action Plan. The Charter Officers have the overall responsibility for implementing the City's Affirmative Action Policy and Plan. The City Manager will present the Affirmative Action Plan and/or updates to the City Commission and provide reports on the progress made.

HUMAN RESOURCES DIRECTOR

The Human Resources Director, in implementing the provisions of the Personnel Policies of the City of Fernandina Beach, shall act as the Equal Employment Officer and be responsible for the general administration of the Affirmative Action Plan. It is the responsibility of the Human Resources Director:

1. To review all personnel policies, employment practices and procedures as well as 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 biennially 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.
8. Maintain the Affirmative Action Plan and help establish program goals.
9. Provide training regarding EEO issues to employees, managers and supervisors.

DEPARTMENT DIRECTORS

The most critical parts for policy and plan implementation are at the Department Director and Supervisory level because this is where decisions affecting employment practices are primarily made. Department Directors are responsible for adhering to the policy and intent of the City of Fernandina Beach's Affirmative Action 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. Review job descriptions and update them accordingly and when job openings occur.
3. Hold supervisors and employees accountable for promoting equal opportunity in the work place and complying with all applicable laws.
4. Ensure supervisors are aware of their responsibilities under the Plan.
5. Review all job actions to ensure elimination of discrimination and assist the Human Resources Director in implementing the Affirmative Action Plan.

Supervisors will have the responsibility to:

1. Ensure that they follow all practices and policies adopted by the City in compliance with the Affirmative Action Plan.
2. Hold their employees accountable for complying with the terms of the City's Affirmative Action Plan and 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 Fernandina Beach are responsible for maintaining a work climate free from harassment so that the goals of the Affirmative Action Plan 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.

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; C) or directly through their Department Director. These procedures do not limit an employee from reporting a complaint to supervisors or department directors in departments other than the one in which he/she works. The following procedures shall be used in presenting a grievance:

Filing with Supervisor Following Grievance Procedure.

1. The grievance must be filed with the employee's immediate supervisor within seven (7) 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.

Filing with Human Resources Director.

1. The grievance must be filed with the Human Resources Director within seven (7) calendar days from the date the incident occurred which created such grievance. An extension of not more than five (5) calendar 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 fifteen (15) working days of receipt of the complaint.
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 (5) 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 thirty (30) 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.

Filing with the Department Director.

1. The grievance must be filed with the Department Director within seven (7) calendar days from the date the incident occurred which created such grievance. An extension of no more than five (5) 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 fifteen (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 (5) 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 thirty (30) 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.

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 City Manager's Office.

DISSEMINATION OF THE AFFIRMATIVE ACTION PLAN

The City will continue to make its Affirmative Action Plan known internally and externally by:

- Posting the Affirmative Action Plan on the City's Intranet web pages under the Human Resources Department as well as on employee bulletin boards and job announcement boards.
- Placing an EEO statement on all job application forms, job posting forms and advertisements.

- Making the Affirmative Action Plan available to the public upon request.
- Providing copies of the Affirmative Action Plan to Union partners.
- Including it in new employee and supervisory orientations and any EEO training classes.
- Providing a copy to new employees within 30 days of employment.

WORKFORCE ANALYSIS

A workforce analysis of the City's current makeup of employees according to job category shall be reviewed at least biennially. All City positions are classified according to one

Government. See Attachment A for job Classifications.

This analysis shall be done on a City-wide basis and as necessary to satisfy grant requirements.

REPRESENTATION ANALYSIS

Representation Analysis provides an indication of areas that need attention, but does not provide a basis for personnel decisions as to a particular job title. The Representation Analysis compares the representation of minorities and women in each job group with their representation among those available for employment in the local labor market in order to determine under-representation.

Job categories containing 10 or more employees, City-wide, were used in determining areas of possible underrepresentation in comparison to the local labor market. This analysis shall be done on a City-wide basis and as necessary to satisfy grant requirements.

CITY POSITIONS IDENTIFIED AS AREAS OF UNDERREPRESENTATION

For areas of underrepresentation, the City has identified City positions containing 10 or more employees for which minorities and women should be targeted.

For the 2011-2012 fiscal year, the following job groups show underrepresentation and are areas upon which more concentrated recruiting shall be focused. This focus shall not grant or deny any individual employment preference because of race, color, religion, national origin, gender, age, sex or disability.

<u>Females</u>
Protective Services - Police Officers and Firefighters
Service Maintenance positions

OBJECTIVES AND STEPS

To prepare underutilized groups for advancement and to encourage females to apply for vacancies in the Public Services and Service Maintenance job categories:

1. The Human Resources Department will attempt to provide eligible candidates with the broadest possible representation of the available labor market.
2. The Human Resources Department shall cultivate/deepen relationships with organizations that serve women and minorities to establish good referral channels.
3. The City will provide training specific to the departments with underutilized job categories; and the City will continue to provide training to all City management and employees regarding EEO policies and

procedures.

4. The City will continue advertising job openings on the City's web site and other appropriate media, particularly those that serve/represent women and minorities.
5. The Human Resources Department will encourage training to enhance skills and provide upward mobility for the existing workforce.
6. The Human Resources Department will continue to ensure that our employment and promotion practices are non-discriminatory.

Internal Dissemination

1. The Affirmative Action Plan will be posted on the Human Resources page of the City's web site.
2. A hard copy of the Affirmative Action Plan will be maintained in the Human Resources Department and available upon request.
3. The Human Resources Department will provide a copy of Affirmative Action Plan to all employees.

External Dissemination

1. The Human Resources Director will make this Affirmative Action Plan available upon request to applicants, citizens, or any equal employment opportunity interest group
2. This Affirmative Action Plan will be posted on the human resources web page available through the City's internet website (www.fbfl.us).