

# **COUNTY OF MONTEREY**

**2015 – 2017**

## **EQUAL OPPORTUNITY PLAN**



**PART I: EQUAL OPPORTUNITY PLAN FOR MINORITIES AND WOMEN**

**PART II: EQUAL OPPORTUNITY PLAN FOR COVERED VETERANS  
AND PERSONS WITH DISABILITIES**

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## **EXECUTIVE SUMMARY**

The County of Monterey (County) is an Equal Employment Opportunity Employer and is committed to provide equal employment and promotional opportunities to all County employees and applicants for employment. The County of Monterey believes in treating all people with respect and dignity. We strive to foster a supportive working environment that celebrates the diverse county in which we live. The purpose of the Equal Opportunity Plan (EOP) is to commit the County to a program that makes equal employment opportunity a reality for all County employees and qualified job applicants.

The EOP provides the framework for the County policy of equal employment opportunity. The EOP is a coordinated program of policies, practices, procedures, and initiatives to ensure equal employment opportunity principles are ingrained in the County's recruitment, retention, selection, and advancement practices, as well as into all other aspects of the County's employment environment. These practices are applied without regard to race, color, national origin, religion, sex, gender identity, pregnancy, physical or mental disability, medical conditions (cancer-related or genetic characteristics), genetic information, ancestry, marital status, age (40 or older), sexual orientation, veterans, service in the military or any other characteristic protected by state and federal law.

The County, as a federal contractor, is required by Executive Order 11246, as amended, and its implementing regulations, found at 41CFR, Part 60-2, to implement an annual plan. The Equal Opportunity Office has developed the 2015 EOP in conformance with the requirements and intentions of these governing authorities, as well as Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, Section 4212 and Section 503 of the Rehabilitation Act of 1973 as amended. The purpose of the 2015 Plan is to promulgate employment policies and practices regarding nondiscrimination and to promote affirmative action for minorities, women, individuals with disabilities and covered veterans. Because the County has \$50,000 or more in annual contracts with the federal government and employs 50 or more employees, we are required to prepare annual written EOP's for minorities and women, for covered veterans, and for persons with disabilities for the County-wide and for each County department. Failure to comply with these laws and their implementing regulations, which are enforced by the Office of Federal Contract Compliance Programs (OFCCP), can result in debarment of the County from future contracts and subcontracts.

In compliance with Title VII of the Civil Rights Act, the County has developed this EOP in accordance with and in reliance upon the EEOC's Guidelines on Affirmative Action, Title 29 Code of Federal Regulations, Part 1608.

The Plan presents a utilization analysis comparing the representation of minorities and women in the County workforce (excluding Department Heads, & Appointed Elected Officials) with their estimated labor market availability. Analyses of applicant flow, hires, promotions, and terminations were conducted by job group to determine if there were any selection disparities in personnel activity for women, minorities and/or individual ethnic minority categories through examination of transaction data that occurred during the period of January 1, 2014 through November 21, 2014.

Annual placement goals have been established and additional objectives of the Plan to ensure equal employment opportunity are stated in the plan. The County has a firm commitment to attract a broad and diverse pool of qualified applicants, including minorities and women, to the County's workforce. In addition, the Equal Opportunity Office has reviewed employment policies to assure that non-discrimination and equal opportunity obligations are being met.

Part II addresses the County's equal opportunity plan for individuals with disabilities and covered veterans.

During the upcoming year, the Equal Opportunity Office will work closely with the County Administrative Officer and the Director of Human Resources to provide ongoing evaluation of the County's employment practices and policies that support the goals of the plan.

The Plan is available for review in the Equal Opportunity Office. The Plan is also located on the Equal Opportunity Office website at <http://www.co.monterey.ca.us/eqopp/equal-opp-plan>.

## **INTRODUCTION**

### **STATEMENT OF PURPOSE FOR PARTS I AND II**

This EOP has been designed to bring qualified women, members of minority groups, covered veterans, and persons with disabilities into all levels and segments of the County's workforce in proportion to their representation in the qualified relevant labor market.

The EOP, therefore, is a detailed, results-oriented set of procedures which, when carried out, results in full compliance with equal employment opportunity requirements through the equal treatment of all people.

The manner in which this is to be accomplished becomes technical and somewhat complicated. There are several reasons for this. First, the County is subject to and must address a variety of State and Federal laws and guidelines dealing with equal employment opportunity and affirmative action. These guidelines and requirements are in themselves somewhat technical and complex. In addition, relevant court decisions, which are often useful in interpreting, but sometimes conflicting with these requirements and guidelines, must be taken into account when developing and implementing the EOP. Furthermore, in determining the County's current equal employment opportunity and affirmative action position and its desired future achievements, numbers, percentages, statistics, and numerous calculations and computations must come into play.

The technical, legal, and mathematical aspects of the Equal Opportunity Plan all have one common purpose: to allow us to properly identify three key concepts:

1. Where we stand now;
2. Where we must go; and
3. How best to get there.

These three concepts are the Equal Opportunity Plan.

### **MONTEREY COUNTY VALUES**

We are committed to assuring honesty and integrity in all County actions.

We are committed to providing top quality customer service.

We are committed to practicing continuing innovation.

We are committed to treating our fellow employees, customers and residents with respect and courtesy at all time.

### **MISSION STATEMENT**

“The Mission of Monterey County is to Excel at providing Quality Services for the benefit of all Monterey County residents while developing, maintaining, and enhancing the resources of the region.”

## **REPORTING PERIOD**

This EOP is designed to cover the following reporting period: January 1, 2014 through November 21, 2014.

## **APPLICABLE AFFIRMATIVE ACTION LAWS AND REGULATIONS**

The County's EOP for minorities and women (Part I) has been prepared according to Executive Order No. 11246, as amended, and Title 41, Code of Federal Regulations, Part 60-1 (Equal Employment Opportunity Duties of Government Contractors), Part 60-2 (Affirmative Action Programs of Government Non-Construction Contractors; also known as "Revised Order No. 4"), and Part 60-20 (Sex Discrimination Guidelines for Government Contractors).

The County has developed separately an Equal Opportunity Plan for covered veterans and persons with disabilities (Part II) prepared in accordance with the Rehabilitation Act of 1973, Section 503, as amended and Title 41, Code of Federal Regulations, Part 60-741 (Affirmative Action Program for Handicapped Persons), the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Section 4212, as amended, and Title 41 Code of Federal Regulations, Part 60-250 (Affirmative Action Program for Disabled Veterans and Other Veterans).

The Veterans Employment Opportunities Act of 1998 (VEOA), Public Law 105-339, effective October 31, 1998, increased the threshold for coverage under VEVRAA from a contract of \$10,000, or more to a contract of \$25,000 or more; extended the law's protections to "veterans who served on active duty during a war or in a campaign for which a campaign badge was authorized; and, provides temporary (up to one year) protection to veterans who do not have a service connected disability, did not see action in a foreign war and did not serve during the Vietnam era.

The Jobs for Veterans Act (JFVA), Public Law 107-288, effective December 1, 2003, increased the threshold for coverage under 38 U.S.C. §4212 from \$25,000 to \$100,000; grants VEVRAA protection to those veterans who, while serving on active duty in the Armed Forces, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985 (62 Fed. Reg. 1209); changes the definition of "recently separated veteran" to include "any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty"; changes "Special Disabled Veterans" to "Disabled Veterans," expanding the coverage to conform to 38 U.S.C. § 4211 (3); and, following publication of the final regulations, requires contractors to post job listings with their local employment service delivery system.

## **PROTECTED GROUPS**

Affirmative action laws and regulations applies to:

Women and minorities who are recognized as belonging to or identifying with the following race or ethnic groups: Blacks/African Americans, Hispanics/Latinos, Asians/Pacific Islanders, and Native Americans (American Indians/Alaskan Natives).

The following definitions are applicable to this Program.

**Disabled veterans:** veterans entitled to compensation for a disability rated at 30 percent or more, or rated at 10 or 20 percent in the case of a veteran who has been determined under section 3106 of Title 38 to have a serious employment disability, or a person who was discharged or released from active duty because of a service-connected disability.

**Recently separated veterans:** any veteran currently within three-year of discharge or release from active duty.

**Veterans who received an “Armed Forces Medal.”**

**An individual with a disability:** a person who has a physical or mental impairment that limits one or more of his/her major life activities; (2) has a record of such impairment, or (3) is regarded as having such impairment.

See Glossary of Terms page 44 for definitions.



**EQUAL OPPORTUNITY PLAN**  
**FOR**  
**COUNTY OF MONTEREY**



**PART I: EQUAL OPPORTUNITY PLAN FOR MINORITIES AND WOMEN**

**PART I**

**EQUAL OPPORTUNITY PLAN FOR MINORITIES AND WOMEN**

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## **PART I: EOP FOR MINORITIES AND WOMEN**

### **CHAPTER 1: ORGANIZATIONAL PROFILE**

#### **41 C.F.R. § 60-2.11**

The Organizational Profile is a detailed chart of the County's organizational structure. For each County department, the profile includes the following:

- The name of the department (and divisions, if applicable,) and the job title, race and gender of the unit supervisor.
- The total number of male and female incumbents and the total number of male and female incumbents in each of the following groups: African Americans (AA), Asians (A) / Pacific Islanders (PI), Native Americans (American Indians or Alaskan Natives) , Hispanics (H), and White (W) other than Hispanics.

See Exhibit 1

#### **Workforce Analysis**

The County conducted a workforce analysis to identify employees by gender and race/ethnicity in each job title. The data was collected from payroll records dated November 21, 2014.

Job titles are listed by organizational unit. Job titles are listed from lowest to highest paid. The list includes all job titles, including departmental supervision, exempt, and nonexempt titles. For each job title, the lower threshold of the salary range is provided.

For each job title, the County identified the total number of employees, the number of male and female employees, the total number of minority employees, the male and female minority employees, the total number of White, African American, Hispanic, Asian / Pacific Islander, Native Americans (American Indian or Alaskan Native) employees, and the male and female employees within each of these race/ethnic groups.

The County carefully analyzed the workforce analysis to identify apparent underutilization such as concentrations or segregation of minorities or women by organizational unit, job, or pay. Underutilization if any, are identified in Chapter 6: Identification of Problem Areas; programs to correct underutilization are identified in Chapter 7: Action-Oriented Programs.

See Exhibit 2

#### **Lines of Progression**

There are no formal lines of progression in this Plan. To the extent that there is a usual promotional sequence, it is taken into account in establishing feeder Job Groups in the Availability Analysis. A feeder Job Group is one from which an employee could be promoted, transferred, or trained into another job group being analyzed for internal availability data.

**Chapter 2: Job Group Analysis and  
PLACEMENT OF INCUMBENTS IN JOB GROUPS  
41 C.F.R. § 60-2.12, 41 C.F.R. § 60-2.13**

The workforce analysis was conducted individually for every job title, after it was completed, job titles were grouped for the comparison of incumbency to availability and for setting goals. There are three reasons for grouping jobs titles: (1) similar wages, (2) similar job duties and responsibilities; and (3) similar opportunities for training, promotion, transfer and other employment benefits. This is the most critical guideline in creating job groups. Above all, the job titles placed into a job group must be more similar or related to each other than the job titles in other job groups.

Many job titles are so similar in job function that handling them individually in the EOP is not necessary. Grouping together these very similar titles is appropriate for the comparison of incumbency to availability. For many job titles, the availability data that can be collected is limited, and the same data must be used for several related jobs. Therefore, grouping these related titles together is logical. Also, many job titles have so few incumbents in them that identifying disparities between incumbency and availability by job title is meaningless—as underutilization would be identified in terms of fractions of people. By grouping several similar titles and increasing the number of employees involved, a meaningful comparison can be conducted; any identified underutilizations are more likely to be described in terms of whole people. Consequently, goals established to correct underutilization are also more likely to be in terms of whole people.

Job groups must have enough incumbents to permit meaningful comparisons of incumbency to availability and goal setting. Ideally, if a job group is identified as containing underutilization, it should be large enough that a goal of a least one whole person can be established. No minimum size has been established for this purpose, however, since it is dependent not only on the size of the job group, but also on the size of the availability percentage and the number of minorities or women already employed in the job group.

The County did not combine job titles with different content, wages, or opportunities if doing so would have obscured underutilization (e.g., job groups which combine jobs in which minorities or women are concentrated with jobs in which they are underrepresented).

Exhibit 3 includes the job group analysis summary followed by the job group analysis.

## **CHAPTER 3: DETERMINING AVAILABILITY**

### **41 C.F.R. § 60-2.14**

"Availability" is an estimate of the proportion of each gender and race/ethnic group available and qualified for employment at the County for a given job group in the relevant labor market during the life of the EOP. Availability indicates the approximate level at which each gender and race/ethnic group could reasonably be expected to be represented in a job group if the County's employment decisions are being made without regard to gender, race, or ethnic origin. Availability estimates, therefore, are a way of translating equal employment opportunity into concrete numerical terms. Correct comparisons of incumbency to availability, attainable goals, and increases in employment for underrepresented groups depend on competent and accurate availability analyses. With valid availability data, we can compare the percentages of those who could reasonably be expected to be employed versus our current employment (from the workforce analysis), identify areas of underutilization to establish goals to achieve parity.

#### Steps in Comparison of Incumbency to Availability

##### Identify Availability Factors

The following availability factors are required of federal government contractors for consideration when developing availability estimates for each job group:

1. External Factor: The external requisite skills data comes from the 2010 Census of Population.
  - a. Local labor area: County of Monterey, California – 100%
  - b. Reasonable labor area: State of California – 100%
2. Internal Factor: The percentage of minorities or women among those promotable, transferable, and trainable within the County. See Exhibit 5 Internal Availability.

Assign Internal and External Factor Weights: Weights were assigned to each factor for each job group. A combination of historical data and experience were used to determine the weights. Weights were not assigned in an effort to hide or reduce problem areas.

Identify Final Availability: Weights were multiplied by the component-specific data to produce weighted data for each component. Weighted data for each component was summed. This produced a final availability estimate for each gender and race/ethnic group, as well as for minorities in the aggregate.

Exhibit 4 includes the Final Availability Analysis for each job group.

**CHAPTER 4: COMPARING INCUMBENCY TO AVAILABILITY AND  
PLACEMENT GOALS  
41 C.F.R. § 60-2.15, 41 C.F.R. § 60-2.16**

The County has established a percentage annual placement goal whenever it found that minority or female representation within a job group was less than would reasonably be expected given their availability. In each case, the goal was set at the availability figure derived for women and/or minorities, as appropriate for that job group. These goals take into account the availability of basically qualified persons in the relevant labor area. They also take into account anticipated employment opportunities with our organization. The County believes these goals are attainable. These goals will be reached primarily through recruiting and advertising to increase the pool of qualified minority and female applicants and through implementation of our action-oriented programs (see Chapter 7). Selections will occur only from among qualified applicants. Goals do not require the hiring of persons when there are no vacancies or the hiring of a person who is less likely to do well on the job ("less qualified") over a person more likely to do well on the job ("better qualified"), under valid selection procedures. Goals do not require that the County hire a specified number of minorities or women.

Goals are not rigid and inflexible quotas which must be met, but are instead targets reasonably attainable by means of applying every good faith effort to make all aspects of the entire EOP work. A goal is a guideline which the County can measure progress in remedying identified underutilization in the County's workforce. By setting realistic goals, based on expected vacancies and anticipated availability of skills within the relevant labor area, and using a job-related selection system, the County should be able to meet the goals, assuming we conduct effective recruitment and advertising efforts to ensure an adequate pool of qualified minority and/or female qualified applicants from which to make selections.

In each of the 20 job groups of the County (i.e. Job Group 01 - Management II, Job Group 02 - Management I, Job Group 03 - Professionals Administration, Job Group 04 - Professional Attorneys, Job Group 05 - Human Services, Job Group 06 - Land Use, Job Group 07 - Health Administration, Job Group 08 - Health Ancillary, Job Group 09 - Health Doctors, Job Group 10 - Health Nurses, Job Group 11 - Law Enforcement II, Job Group 12 - Law Enforcement I, Job Group 13 - Paraprofessional Technicians II, Job Group 14 - Paraprofessional Technicians I, Job Group 15 - Skilled Craft II, Job Group 16 - Skilled Craft I, Job Group 17 - Office Clerical II, Job Group 18 - Office Clerical I, Job Group 19 - Service Maintenance II, Job Group 20 - Service Maintenance I) placement goals have been established and are listed in Exhibit 6.

In establishing goals, the County considered the results which could reasonably be expected from putting forth every good faith effort to make our overall EOP work. (In philosophy, the concept of good faith denotes sincere, honest intention, regardless of the outcome of an action.) We involved human resources staff and department heads in the goal-setting process. Goals were not established that would exclude any gender or race/ethnic group. Once final availability estimates were made for each job group, the County compared the percentage of incumbents in each job group to their corresponding availability. A comparison was made between the percentage employed as of November 21, 2014 and that group's final availability.

Exhibit 6 includes the Comparison of Incumbency to Availability and Placement Goals reports.

**CHAPTER 5: DESIGNATION OF RESPONSIBILITY**  
**41 C.F.R. § 60-2.17(a)**

As part of its efforts to ensure equal employment opportunity to all individuals, the County has designated specific responsibilities to various staff to ensure the EOP focuses on all components of the employment system.

To assure support and success of the EOP, and to meet the established objectives, the following persons have been assigned specific responsibilities:

Board of Supervisors

The Monterey County Board of Supervisors bears the responsibility to assure that the County is in compliance with any and all federal and state laws and regulations mandating equal employment opportunity and nondiscrimination.

The Board's role includes, but is not limited to, the following:

1. Adoption of the EOP on a county-wide basis.
2. Designate the Equal Opportunity Officer the responsibility for overseeing, administering, implementing, and monitoring the County's EOP. Ensure that the Equal Opportunity Officer is identified in writing by name and job title.
3. Ensure that the Equal Opportunity Officer, who is responsible for all EOP components, is given the necessary authority and budgetary support and staffing to successfully implement the EOP.
4. In accordance with County policies, hold all County officials, elected and appointed accountable for the actions of their managers, supervisors, staff and agents.
5. Ensure that the County adheres to the stated policy of equal employment opportunity, and monitor the application of equal employment opportunity policies and their participation in and completion of mandatory equal opportunity trainings.

Equal Opportunity Officer

The Equal Opportunity Officer is responsible for ensuring the directives of the Board of Supervisors are implemented. The Equal Opportunity Officer's duties include, but are not limited to, the following:

1. Responsible for the design and effective implementation of the EOP.
2. Update the EOP on an annual basis utilizing the County's current workforce statistics and the current census data.
3. Prepare and present a report to the Board of Supervisors on an annual basis on the EOP.

4. Develop, implement, and maintain audit and reporting systems to measure effectiveness of equal employment opportunity programs, including those that will indicate the need for improvement and determine the degree to which goals and objectives have been obtained.
5. Advise management in the modification and development of County policies to ensure the enhancement of equal employment opportunity for all employees and applicants within existing equal employment opportunity guidelines.
6. Conduct periodic audits to ensure all required posters and those advertising County equal employment opportunity policies and the EOP are displayed and that County equal employment opportunity policies are being thoroughly communicated.
7. Assist in review and revision of all policies, procedures, and rules that may affect equal opportunity programs and to ensure they are not in violation of federal or state laws and regulations.
8. Ensuring that the Department's EOP is updated annually.
9. Identifying underutilization and establishing procedures, goals and objectives to achieve parity.
10. Keeping management informed of the latest developments in the equal employment opportunity area.
11. Provide guidance to Department Heads, managers and supervisors in taking proper action to prevent employees from being harassed in any way, through one-on-one contact, training, and corrective action.

#### Equal Opportunity Advisory Commission

The Equal Opportunity Advisory Commission (EOAC) serves as an advisory commission to the Board of Supervisors in regards to EEO related matters relating to equal employment opportunity and access to contracting opportunities.

The EOAC is a diverse commission comprised of representatives of protected groups, representatives appointed by the County's Board of Supervisors, and representatives of designated employee groups.

The specific duties of the EOAC include the following:

1. Review and provide recommendations on EEO programs, EEO-related trainings and activities.
2. Review County recruitment, testing, selection, and promotion procedures and recommend changes when deemed necessary.
3. Hold meetings with Department Heads, appropriate employee groups and community



groups in order to achieve full implementation of the EOP.

4. Assist with the preparation and delivery of an annual report to the Board of Supervisors in coordination with the Equal Opportunity Officer.

#### County Administrative Officer

The County Administrative Officer is responsible for achievement of the objectives established in the County's Equal Opportunity Plan and for effective implementation of the Plan on a county-wide basis as directed by the Board of Supervisors. The County Administrative Officer's duties include, but are not limited to, the following:

1. Evaluate the Equal Employment Opportunity performance of subordinate department heads.
2. Through both administrative and budgetary direction, establishes priorities for carrying out the various aspects of the EOP.
3. Appropriately manage subordinate department heads who consistently fail to comply with EOP guidelines, who fail to complete mandatory equal opportunity training, or where underutilization is demonstrated to be caused by lack of good faith efforts in hiring, recruitment or promotions.

#### Human Resources

The Director of Human Resources has the principal responsibility of developing and maintaining the County's personnel system including recruitment, selection, classification, testing, and compensation programs, and for ensuring that these systems are adhered to in accordance with federal and state mandates. In addition, the Director of Human Resources is responsible for coordination and/or implementation of various County programs and policies which impact the EOP include, but not limited to, the following:

1. Develop and implement recruitment, selection, promotion, transfer, and layoff programs which address the County's Equal Opportunity needs.
2. Evaluate Recruitment and Examination methodology to ensure applied criteria is job related, defensible and free from adverse impact towards women, minorities, veterans and people with disabilities.
3. Monitor County recruitments/selection efforts to ensure compliance with the EOP.
4. Coordinate with the Equal Opportunity Officer to assure compliance with the EOP procedures and objectives.
5. Coordinate employee development programs which are designed to increase employee job skills and career opportunities within County government and ensure that employees seeking career counseling are referred to appropriate agencies.
6. Collaborate with the Equal Opportunity Officer and all Human Resources staff

(whether “Centralized” or “Decentralized”) to assist departments in arriving at solutions to EEO/AA problems. Address adverse impact implications in the hiring process by providing training on selection process, policy, the proper use of disposition codes for applicants and consistent application of selection criteria. Monitor hiring decisions on an ad hoc basis, as appropriate.

7. Review all job descriptions and specification to ensure they are free of discriminatory provisions and artificial barriers. Ensure that all requirements are job related, that they are realistic, and that they reflect the actual work requirements of the essential job duties.
8. Provide information to the County’s Equal Opportunity Advisory Commission.
9. Provide the Equal Opportunity Officer the prior year Applicant Data from Neo.gov by January 30<sup>th</sup> of every year.

#### Department Heads

Department Heads, elected and appointed, are the “Appointing Authorities” within the County who are responsible for all personnel actions within their departments. Department Heads may delegate authority to functional unit managers or supervisors to make employment and promotion decisions, but the ultimate responsibility and authority remains with the elected or appointed Department Head. Additionally, Department Heads are responsible for:

1. Department Heads are accountable for any and all actions taken by departmental managers and supervisors and for assuring their compliance with the provisions of the EOP and the County's policies requiring equal employment opportunity and nondiscrimination, including the completion of mandatory equal opportunity training, participation in equal opportunity workshops and forums.
2. Annually submit to the Equal Opportunity Office their Department’s Equal Opportunity Plan report outlining the effectiveness of their equal employment opportunity efforts. The Department must use the format disseminated by the Equal Opportunity Office.
3. Present Department’s Equal Opportunity Plan to the Equal Opportunity Advisory Commission.
4. Coordinate and monitor employee training programs within their own departments which are designed to increase employee job skills and career opportunities and ensure that all employees have equal access to job related developmental programs and on-the-job training.
5. Provide opportunities for managers, supervisors, and employees to attend County-sponsored equal employment opportunity training.
6. Ensure that managers, supervisors, and other employees in their departments understand and comply with the County’s EEO policies.

7. Make a good faith effort to achieve a diverse workforce. Monitor and ensure that assigned Human Resource professionals follow EEO policies so that recruitment, exam and selection processes promote diversity and reduce adverse impact.
8. Make positive measures to provide equal employment opportunity within their departments.

### Managers and Supervisors

The County recognizes that the cooperation of managers and supervisors is required to reach the full potential of the Equal Opportunity Plan. In their direct day-to-day contact with County employees, managers and supervisors have assumed certain responsibilities to help the County ensure compliance with equal employment opportunity programs and effective implementation of the Equal Opportunity Plan. These include, but are not limited to, the following:

1. Apply equitably all personnel policies and practices to provide a workplace free of discrimination. Upon request, provide employees with copies of written policies.
2. Assign employees to significant jobs that might lead to greater personal growth and value, and counsel them with respect to what is needed for upward mobility within the employment structure.
3. Ensure that all interviews, offers of employment and/or wage commitments are consistent with the County's policies.
4. Implement the internal promotion and transfer of all qualified employees under their supervision consistent with the EOP goals and objectives.
5. Assist in identifying underutilization and provide needed information for establishing and meeting department equal employment opportunity goals and objectives.
6. Undertake measures designed to prevent harassment of employees.

### Employees

All County employees are responsible for creating and maintaining a work environment that is conducive to achieving equal employment opportunities and that is free of any form of discrimination or harassment and being aware of and understanding the County's policies and procedures that prohibit discrimination in the workplace.

## **CHAPTER 6: IDENTIFICATION OF PROBLEM AREAS**

### **41 C.F.R. § 60-2.17(b)**

On an annual basis, information pertaining to recruitment and selection practices, transfer and promotion practices, termination practices, and personnel actions (i.e. an analysis of applicant flow, new hires, promotions, reclassifications and separations) is reviewed to identify potential underutilization within the County. The Equal Opportunity Officer, Director of Human Resources and appropriate management personnel will be advised of potential underutilization and specific objectives recommended to address and remedy them as needed.

The County used the Any Difference rule to identify underutilization. The Any Difference Rule is defined as; underutilization exists if there is any difference between the availability of minorities or women, compared to their percentages in the County's actual workforce availability.

The County has identified job groups in which underutilization for women and minorities exist. Underutilization is defined as "having fewer minorities and/or females in a particular job group that would be reasonably expected by their availability in the relevant job market". The County is underutilized for minorities in 3 of the 20 Job Groups. They are Job Group 03 - Professional-Administration Job Group 11 - Law Enforcement II and Job Group 15 - Skilled Craft II. This report can be found in Exhibit 6. For women the County is underutilized in 9 of the 20 Job Groups. They are Job Group 01 - Management II, Job Group 06 - Professionals Land Use, Job Group 10 - Professional – Health, Nurses, Job Group 11 - Law Enforcement II, Job Group 12 - Law Enforcement I, Job Group 13 - Paraprofessionals- Tech II, Job Group 15 - Skilled Craft II and Job Group 16 - Skilled Craft I, Job Group 19 - Service Maintenance II. This report can be found in Exhibit 6.

In each case where potential underutilization has been identified, affirmative steps, as appropriate, will be taken consistent with the action-oriented programs described in Chapter 7 of this Plan.

Areas of underutilization will be analyzed by the Equal Opportunity Officer each year and will be communicated annually to the Human Resources Department. The information will be shared with departments to encourage them to consider a diverse pool of candidates during the screening and referral process.

#### **41 C.F.R. § 60-2.17(b)(1): Workforce by Organizational Unit and Job Group**

An analysis of minority and female distribution within each organizational unit was accomplished by a thorough investigation of the Workforce analysis. Exhibit 2 includes the Workforce Analysis by organizational unit.

An analysis of minority and female utilization within each job group was accomplished by a thorough investigation of the Comparison of Incumbency to Availability and Placement Goals reports. See Exhibit 6 for a copy of the Comparison of Incumbency to Availability reports for each job group.

**41 C.F.R. § 60-2.17(b)(2): Personnel Activity**

Applicant flow, hires, promotions, and terminations were analyzed by job group. An analysis of selection disparities in personnel activity between men/women and whites/minorities was accomplished by a thorough examination of transaction data. In order to avoid meaningless results, Impact Ratio Analyses were conducted only if there are at least 5+ transactions that occurred in a job group. Exhibit 7 includes the Personnel Transaction reports for each job group.

**CHAPTER 7: ACTION-ORIENTED PROGRAMS**  
**41 C.F.R. § 60-2.17(c)**

The County tailors our action-oriented programs each year to ensure they are specific to the problem identified. Corrective actions were taken only when the underutilization equaled at least one whole person.

**Action-Oriented Program:**

The Action-Oriented Program is designed to address the underutilization of women and minorities are listed below. These Action-Oriented Programs will be carried-out throughout the EOP year. The Equal Opportunity Officer, with the help of the County Administrative Officer, Director of Human Resources, Department Heads and managers, will be responsible in ensuring that the following are implemented.

**Recruitment:**

1. Human Resources will work to ensure that recruitments and examination processes are defensible and free from adverse impact.
2. The County will place job opportunity announcements on the County website and post in convenient locations throughout the County offices.
3. The County will place advertisements on job opportunities through local and regional educational and vocational institutions.
4. The County will continue to strengthen relationships to encourage applicant referrals with the following organizations: minority groups, female groups, community action groups, state employment agencies, professional organizations and recruitment agencies. We will keep documentation of all contacts made and responses received, whether formal or informal. We will make every effort to give these agencies a reasonable amount of time to locate and refer applicants. .
5. Due to the extensive technical education and experience required for some positions, the County may conduct a state-wide, regional, or national recruitment to attract a qualified, diverse applicant pool.
6. Applications, advertisements and newsletters will always carry the Equal Employment Opportunity clause.
7. Minority and female applicants will be considered for all positions for which they are qualified.
8. The County will participate in job fair and career day activities when possible.
9. The County acknowledges that the expertise and services of an outside recruitment agency may be required on occasion. When a recruitment is assigned to an outside recruitment firm, Human Resources and the Appointing Department are responsible for

monitoring the recruitment activities to ensure that the intent of the Equal Employment Opportunity principles are observed throughout all phases of the recruitment.

10. The County will encourage all employees to refer qualified applicants.
11. Where groups of employees are featured in recruiting brochures and other County literature, minorities, females, and individuals with disabilities will be included.
12. Where underutilization is present, a recruitment outreach plan must be submitted to and approved by the Equal Opportunity Office before the job announcement can be posted. The Equal Opportunity Officer shall recommend changes where necessary to eliminate artificial barriers to employment and promotion.
13. Where underutilization is present, departments shall explore the potential use of the trainee status prior to conducting recruitment to determine if it would be expected to produce a more diverse candidate pool. The use of the trainee status shall be in compliance with the elements outlined in the County's Personnel Policies and Practices Resolution.
14. List with the California Employment Development Department all job openings of three days or more.
15. Human Resources will conduct formal briefing sessions with representatives from recruiting sources. Include as part of the briefing sessions, facility tours, clear and concise explanations of current and future job openings, position descriptions, explanations of the County's selection process, and recruiting literature. Arrange for referral of applicants and follow up with sources.

**Job Classifications/Selection Process:**

1. Develop position descriptions that accurately reflect position functions, identify the essential job functions, and the physical and mental abilities required to perform the essential functions. Whenever the County applies physical or mental qualification standards, in the selection of applicants or employees, Human Resources will conduct a review of the class specification to be certain that the qualification standards are job-related and consistent with business necessity.
2. Human Resources will ensure that job classifications are continually reviewed to determine the knowledge, skills, abilities, and other requirements are current. Job classifications will not contain any requirements that would result in discrimination based on race, color, religion, sex, age, national origin, disability, veteran status, or other characteristics protected by law.
3. The Equal Opportunity Officer will be advised of all new and revised job classifications and class specifications and may recommend changes where necessary to eliminate artificial barriers to employment and promotion.
4. Approved job classifications will be made available by Human Resources to the Equal

Opportunity Officer.

5. The County will use only job classifications that include job-related criteria.
6. Human Resources will continue to carefully select and counsel all personnel involved in the recruiting, screening, selection, promotion, disciplinary, and related processes to eliminate and prevent bias in all personnel actions.
7. Human Resources will notify the appointing authorities when they are filling positions in underutilized job groups. This notice will include a reminder of the County's commitment to equal employment opportunity and making good faith efforts in the recruitment and selection of minorities and women.

**Retention and Promotion:**

1. Human Resources will ensure through the County's Learning and Organizational Development Division (i.e. Growing your Own Program) to develop a Succession Preparation Program that will focus on retention and promotion of female and minority employees. The program will include leadership training, opportunities to participate in cross functional project assignments, mentoring, and trainings and workshops to prepare employees for future leadership positions within the County.
2. Minority, female and people with disabilities will be afforded a full opportunity and will be encouraged to participate in all organization sponsored educational and training programs.
3. Encourage all employees to apply for promotional opportunities by providing career development opportunities and notices of promotional opportunities.
4. Train and educate management and supervisory staff about their responsibilities in providing equal employment opportunities.
5. Encourage managers and supervisors to discuss their employee's career goals and help develop and record plans for them to achieve them.
6. Encourage the promotion and overall career development of qualified employees without regard to their gender, race, disability, age, and all other characteristics protected by law.
7. The County will use a formal employee evaluation process in accordance with its Performance Evaluation Policy and Program.
8. Within available resources, the County will provide career development opportunities for employees. All employees are provided equal access to development and training classes sponsored by the County.
9. Where appropriate, the County's flexible staffing program will be utilized to facilitate mobility and promotional opportunity within the County.



10. The County acknowledges that the Tuition Assistance Program is a valuable tool for employees and the County in aiding in the job advancement of County employees. The County suspended its program as a cost reduction measure. However, the County is committed to re-establishing the program or an effective alternative when financially feasible.

### **Separations**

1. Departments will use the County's Progressive Discipline Model before terminating employees, where appropriate. The Equal Opportunity Officer will monitor and conduct adverse impact analyses so that women, minorities and employees with disabilities do not leave the County at rates substantially dissimilar to those of men, non-minorities, and employees without disabilities.
2. The Human Resources Department will submit an annual report in March of each year to the Equal Opportunity Advisory Commission detailing the demographics of separating employees for the previous calendar year. If trends or adverse impacts are identified, the Equal Opportunity Office and Human Resources Department will work collaboratively to address the issue(s).
3. A standard exit interview form has been developed and will be disseminated as a tool for departments in conducting exit interviews. Each department will be responsible for reviewing information collected and reporting any areas of concern impacting equal opportunity to the Equal Opportunity Officer.

## **CHAPTER 8: INTERNAL AUDIT AND REPORTING**

### **41 C.F.R. § 60-2.17(d)**

The purpose of the internal audit and reporting system is to measure results by assessing the effectiveness of the efforts undertaken to achieve the County's goals and objectives. The maintenance of records on applicants, employees, personnel transactions, and programmatic activities is necessary for this assessment.

Applicant Information: Information about the gender, ethnicity, veteran, and disabled status of each applicant is collected and maintained for affirmative action reporting purposes. This information is requested on a voluntary basis, and applicants self-identify these statuses. Information regarding the disposition of each application for each opening is also maintained.

Employee Information: information is collected and maintained for the following personnel transactions: placements (new hires, promotions, and transfers); appointment step of new hires; merit increases; reclassifications; separations (resignation, death, retirement, and medical); involuntary separations (layoffs and dismissals); and training programs. The information is compiled by job group, by gender, by ethnicity, by veteran status, and by disability status.

Inherent in the EOP is the need for periodic self-assessment of underutilization, corrective action taken, and progress made. Self-evaluation requires complex record keeping systems on applicants, employees, and components of the EOP itself. Periodic reports from supervisors, department managers, and other relevant persons are required.

The objective of all record keeping systems to be implemented is to assess the results of past actions, trends, the appropriateness of goals and objectives, the appropriateness and relevancy of identified solutions to problems, and the adequacy of the Plan as a whole. In addition, a further objective is to identify the proper corrective actions to be made to all components.

In order to fully achieve the objectives of such a record keeping system, the results of it must lead to follow-up through feedback to managers, supervisors, and staff, through reallocation of resources, through modifications to plans and the record keeping system itself, through appropriate recognition of personal achievements as well as punitive actions for discriminatory acts. For any identified deficiencies, appropriate corrective action will be identified and implemented.

The records that are maintained are the basis for updating the EOP, including revising the availability data and establishing annual numerical goals. The internal audit and reporting system is used as the basis for evaluating systemic, results-oriented programs and affirmative action efforts.

The County's auditing and reporting system periodically measures the effectiveness of its total equal employment opportunity program. The Equal Opportunity Officer:

1. Monitors records of all personnel activity, including referrals, placements, transfers, promotions, terminations, and compensation, at all levels to ensure the non-discriminatory policy is carried out;

2. Requires internal reporting on a scheduled basis as to the degree to which equal employment opportunity and organizational objectives are attained;
3. Reviews report results with all levels of management; and
4. Advises top management of program effectiveness and submit recommendations to improve unsatisfactory performance.

In order to audit the effectiveness and EOP, the following steps will be taken:

1. The Equal Opportunity Officer in conjunction with the Director of Human Resources will monitor records of all personnel activity, including but not limited to applicant flow, hires, transfers, promotions, terminations, layoffs and compensation to ensure the County's non-discriminatory policies are carried out.

The Director of Human Resources shall submit data, by County department and County-wide, to the Equal Opportunity Officer for review, including but not limited to the following:

- a. **Applicant Flow** - Reports that document the number of applicants for employment, interviewees, and new hires to assess overall applicant pool diversity by gender and ethnicity and to assess overall equity of the employment decisions in the recruitment and selection process
  - b. **Recruitment and Selection** - Reports that contain applicant data in selection decisions, including copies of recruitment plans that document special activities designed to increase the representation of women and minorities in the applicant pool
  - c. **Periodic Review** - Periodically, the Director of Human Resources and the Equal Opportunity Officer shall review and may jointly adjust the job groupings, to assure that groupings and job categories are in line with, and appropriate to, the criteria, goals and objectives specified in this Plan
  - d. **Promotions and Demotions** - Reports that contain data on promotions into and demotions out of job groups by gender and ethnicity
  - e. **Separations** - Reports that contain data on separations, by type, and by gender and ethnicity
  - f. **Corrective Actions** - Reports that contain data on corrective actions other than terminations by gender and ethnicity
2. The Equal Opportunity Officer will advise Department Heads (Elected and Appointed) of program effectiveness and submit recommendations to improve unsatisfactory performance, where needed.

- a. Copies shall be furnished to the County Administrative Officer and the Director of Human Resources.
3. Non-Statistical Objectives. Progress in non-statistical aspects of the EOP, such as policy dissemination, training in equal opportunity policies and procedures, and corrective action, will be summarized and reviewed on a semiannual basis by the Equal Opportunity Officer and the Director of Human Resources.
  4. Meetings and Reports.
    - a. Every County Department will annually submit to the Equal Opportunity Office their Department's Equal Opportunity Plan. The Plan shall include the following:
      - Department Head's Acknowledgement & Commitment to the County's Equal Opportunity Plan, Equal Opportunity and Non-Discrimination and Diversity Policies – The Monterey County Board of Supervisors adopted an ordinance reaffirming their longstanding commitment to the principles of providing equal opportunities for all, and preventing and eliminating unlawful discrimination. The Board of Supervisors values providing an open and empathetic channel of communication for County officials and employees, applicants for employment and for business relationships with the County. Through the adoption of the Equal Opportunity and Non-Discrimination and Diversity Policies the Board of Supervisors also reaffirms its expectation that each County official and employee should be responsible for maintaining a workplace that is free from unlawful discrimination, harassment and retaliation.
      - Department's Organizational Profile – The organizational profile is a detailed chart of the department's organizational structure. The display must indicate total number of employees by job title, race and gender.
      - Department's Workforce Analysis – The workforce analysis is an analysis of employees by gender and race/ethnicity in each job title within each job group. This information can be attained by contacting the County's Human Resources Department.
      - Personnel Activity – The data is only from the reporting year and shall include new hires, promotions, voluntary terminations and retirements, involuntary terminations, releases during probationary period, corrective actions and layoffs for each job group.
      - Recruitment – Data – The data is only for underrepresented for minorities/females
      - Action-Oriented Programs – Action-oriented programs are designed to address the underutilization of minorities and females. These programs are carried out throughout the year. In this section, please identify the

efforts the department has undertaken or will undertake to recruit, hire, promote, and retain qualified minorities and women.

- Discrimination Complaint Report – Number of discrimination complaints filed in the department for the prior year.

Department's Equal Opportunity Plans will be due the 1<sup>st</sup> week in February of every year; extensions may be granted by the Equal Opportunity Officer on a case by case basis when business needs necessitate.

- b. Annual Status Report of the EOP Progress. An annual status report, including a summary of the above information and an evaluation of the progress, problems, and trends in the EOP shall be presented to the County Administrative Officer and the County's Board of Supervisors, in advance of its Fiscal Year budget deliberations, by the Equal Opportunity Officer and the Director of Human Resources. The report shall be augmented by their recommendations as well as those of the Equal Opportunity Advisory Commission and interested citizens groups, addressing underutilization. This report shall be submitted to the County Administrative Officer and County Board of Supervisors as soon as practicable of each year.
- c. The Equal Opportunity Advisory Commission shall receive an advance copy of the annual report, so that the Commission has not less than one monthly meeting at which to discuss both the report and any recommendations the Commission may wish to make, in advance of the time the annual report is placed on the Board of Supervisors' agenda.
- d. Upon its review, and after consideration of the comments and/or recommendations made, the Board of Supervisors may in its discretion require that the EOP's goals and objectives, as well as the annual Department Equal Opportunity plans be reviewed and/or revised in accordance with particular priorities set by the Board of Supervisors, or to deal appropriately with identified underutilization in the County's EOP's progress. The Board shall consider the fiscal implications of any such action.  
[Reference: 41 C.F.R. 60-2.23; 60-2.25; 60-250; 20-741 60-2.17(d).]

All appointing authorities are responsible for periodic internal audits to measure the effectiveness of their equal employment opportunity efforts. Each Department Head is required to submit a annual report to the Equal Opportunity Officer using a format disseminated by the Equal Opportunity Office. The Equal Opportunity Officer advises appointing authorities of program effectiveness and recommends improvements at least once annually.

## **CHAPTER 9: EXTERNAL AND INTERNAL DISSEMINATION OF POLICIES**

The Equal Opportunity Office undertakes the following to communicate the County policies on non-discrimination and equal opportunity. See Exhibit 8 for Equal Opportunity and Non-Discrimination Policy and Exhibit 9 for the Diversity Policy.

### **External Dissemination**

1. Inform recruitment sources that the County is an equal opportunity employer. Encourage these sources to refer all qualified potential applicants, including minorities and women, to the Human Resources Department for employment opportunities.
2. Include the clause, "the County of Monterey is an Equal Opportunity Employer," in all job announcements.
3. Provide notice to all contractors, subcontractors, vendors, and suppliers of goods and services of the County's equal opportunity and nondiscrimination policies and obligations pursuant to Executive Order 11246, as amended, and its implementing regulations. Include the clause, "the County of Monterey is an Equal Opportunity Employer," in all the County's purchase agreements, leases, and contracts.

### **Internal Dissemination**

1. Communicate the non-discrimination and equal opportunity policies to employees, including during new employee orientation sessions.
2. Conduct both formal and informal meetings with employees, managers, and supervisors to discuss non-discrimination and equal opportunity policies.
3. Publish written notices concerning training and development programs to ensure equal opportunity and nondiscrimination in participation in such programs.
4. Display equal employment opportunity posters on bulletin boards and in other areas designated for general information.
5. Publish feature articles and photos (when such items are prepared for newspapers, advertisements, handbooks, and other publications) that include women and minorities.
6. Advise union officials of the equal opportunity policies and provide for the inclusion of appropriate clauses in collective bargaining agreements. Review agreements to ensure that they are nondiscriminatory.

## **CHAPTER 10: COUNTY PROCUREMENT AND CONTRACT OUTREACH OPPORTUNITIES**

The County provides outreach opportunities for Disadvantaged Business Enterprises (DBE), Minority Business Enterprises (MBE), Women Business Enterprises (WBE), and Disabled Veteran Business Enterprises (DVBE) to participate in an environment of inclusion for County procurement and contracting. The County has an adopted policy to promote Small/Local Businesses (SLB) to participate in all aspects of contracts related to construction, materials and services, professional services, land development-related activities, leases and concessions. This policy allows DBE's, MBE's, WBE's, and DVBE's to participate in all phases of procurement contracting activity within the scope of current and existing law.

The Purchasing Manager shall, upon request, provide an annual report to the Equal Opportunity Officer and the Advisory Commission, reflecting the community outreach opportunities and the current trends in participation by DBE, MBE, WBE, DVBE and SLB business enterprises.

See Exhibit 12.

**COUNTY OF MONTEREY**

**2015 – 2017**

**EQUAL OPPORTUNITY PLAN**



**PART II: EQUAL OPPORTUNITY PLAN FOR DISABLED VETERANS, OTHER  
VETERANS, AND PERSONS WITH DISABILITIES**



## PART II

### EQUAL OPPORTUNITY PLAN FOR DISABLED VETERANS, OTHER VETERANS, AND PERSON WITH DISABILITIES

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**CHAPTER A: POLICY STATEMENT**  
**41 C.F.R. §§ 60-250.44(a); 60-741.44(a)**

It is the policy of the County of Monterey to provide equal employment opportunity and advancement to disabled veterans, other veterans, and persons with disabilities at all levels of employment, including the executive level. The Equal Opportunity and Non-Discrimination Policy is in Exhibit 8 and the Diversity Policy is in Exhibit 9. The County of Monterey does not and will not discriminate against any applicant or employee because he or she is a disabled veteran, other veterans, or because of a physical or mental disability in regard to any position for which the applicant or employee is qualified. "Covered Veterans" includes veterans with disabilities, recently separated veterans, Vietnam era veterans, veterans who served on active duty in the U.S. Military, Ground, Naval or Air Services during a war or campaign or expedition for which a campaign badge has authorized, or Armed Forces service medal veterans.

In addition, the County of Monterey is committed to a policy of taking affirmative steps to employ and advance in employment qualified disabled veterans, other veterans, and individuals with disabilities. Such affirmative steps shall apply to all employment practices, including, but not limited to hiring, promotion, demotion or transfer, recruitment, recruitment advertising, layoff or termination, compensation and selection for training. Employment decisions shall be based on merit, qualifications and abilities to perform the essential functions of the position and the feasibility of any necessary job accommodation. The County of Monterey will make every effort to provide reasonable accommodations to any physical and mental limitations of individuals with disabilities and to disabled veterans. The Equal Opportunity for Persons with Disabilities and Reasonable Accommodation Policy is in Exhibit 10.

The County of Monterey makes every effort to engage in an interactive process and to provide reasonable accommodations to any physical and mental limitations of individuals with disabilities and to disabled veterans. In addition, the County has a policy to ensure that covered veterans and employees with disabilities are not harassed.

Our obligations in this area stem from not only adherence to various state and federal regulations, but also from our commitment as an employer in this community to provide job opportunities to disabled veterans, other veterans, and persons with disabilities.

**CHAPTER B: DATA COLLECTION ANALYSIS**  
**41 C.F.R. §§ 60-300.44(k); 60-741.44(k)**

The County has adopted the current national percentage of veterans in the civilian labor force of 7.0% as its hiring benchmark for protected veterans. The County will update its hiring benchmark as new data is published and updated via the OFCCP's website. The 7.0% hiring benchmark is applied to each job group within the County.

The County also adopted the current national utilization goal of 7.0% for qualified individuals with disabilities. The County will update its utilization goal as new data becomes available, updated and published. The 7.0% utilization goal is applied to each job group within the County.

Goals and/or benchmarks do not require that the County hire, promote, train, and/or retain a specified number of individuals with disabilities and/or protected veterans. These goals/benchmarks are not rigid and inflexible quotas which must be met, but are instead targets reasonably attainable by means of applying every good faith effort to make all aspects of the entire EOP work. A goal is a guidepost against which the County, a community group, or a compliance agency can measure progress in remedying identified deficiencies in County's workforce.

The County has collected the required data and conducted studies to identify areas of opportunities in the employment of protected veterans and individuals with disabilities. The County will continue to monitor and update these studies periodically during each EOP year. In each case where the hiring benchmark for protected veterans and/or the utilization goal for individuals with disabilities are not met, affirmative actions, as appropriate, will be taken consistent with the activities mentioned in Chapter G (External Dissemination of Policy and Outreach and Positive Recruitment) and measures described in Chapter I (Internal Audit and Reporting) of this EOP.

**CHAPTER C: REVIEW OF PERSONNEL PROCESSES**  
**41 C.F.R. §§ 60-250.44(b); 60-741.44(b)**

To ensure that all personnel activities are conducted in a job-related manner which provides and promotes equal employment opportunities for all known applicants and employees, who are covered veterans, and/or individuals with disabilities, reviews are periodically made of the County's examination and selection methods to identify barriers to employment, training, and promotion.

- 1) The County of Monterey periodically conducts a review of its employment processes to insure thorough and systematic consideration of the job qualifications of known covered veteran applicants and employees and applicants and employees with disabilities for job vacancies filled either by external hiring or internal promotions/transfers, as well as for all training opportunities available. In order to determine whether an individual is qualified for a particular job, a close examination of the content of the job is made, as well as a review of the job qualifications of known disabled veterans, other veterans, and individuals with disabilities, both applicants and employees. In determining the qualifications of a covered veteran, consideration is given only to that portion of the military record, including discharge papers, relevant to the job qualifications for which the veteran is being considered.
- 2) The County ensures that its personnel processes do not stereotype disabled persons or other veterans in a manner which limits their access to jobs for which they are qualified.
- 3) It is the County of Monterey's expectation that managers and supervisors with this delegated authority have the responsibility to assure that all personnel actions are administered in accordance with applicable personnel policies or labor agreements.

**CHAPTER D: PHYSICAL AND MENTAL QUALIFICATIONS**  
**41 C.F.R. §§ 60-250.44(c); 60-741.44(c)**

To ensure that all physical and mental qualifications and requirements are job-related and promote equal employment opportunity for all known covered veteran and employees and applicants with disabilities, reviews are periodically made of the County's physical and mental qualifications and requirements as they relate to employment, training, and promotion.

The County's physical and mental job requirements are reviewed periodically to determine whether or not they are job-related and consistent with business necessity and safe performance on the job.

Schedule for Review: Any previously reviewed classification will be reviewed again if there is a change in working conditions which affects the job's physical or mental requirements (e.g., new requirements, new equipment, etc.)

**CHAPTER E: REASONABLE ACCOMMODATION TO PHYSICAL AND MENTAL  
LIMITATIONS**

**41 C.F.R §§ 60-250.44(d); 60-741.44(d)**

The County will make every effort to provide reasonable accommodations to physical and mental limitations of applicants and employees with disabilities or who are disabled veterans unless it can demonstrate that the accommodations would impose an undue hardship on the operation of business. The County will confidentially review performance issues of employees with known disabilities to determine whether a reasonable accommodation is needed when: 1) the employee is having significant difficulty with job performance, and 2) it is reasonable to conclude that the problem is related to the known disability. The Equal Opportunity for Persons with Disabilities and Reasonable Accommodation Policy is in Exhibit 10.

Employees may also contact the following at any time to formally request an accommodation:

Name: Irma Ramirez-Bough  
Title: Equal Opportunity Officer  
Phone: (831) 755 - 5117

**CHAPTER F: HARASSMENT**  
**41 C.F.R. §§ 60-250.44(e); 60-741.44(e)**

The County of Monterey is dedicated to providing a professional working environment that embodies mutual respect for the dignity and worth of its employees. Exhibit 10 includes the County's Equal Opportunity and Non-Discrimination policy, which includes a section prohibiting harassment. In addition the County's Prevention of Sexual Harassment Policy is in Exhibit 11.

**CHAPTER G: EXTERNAL DISSEMINATION OF POLICY, OUTREACH AND  
POSITIVE RECRUITMENT  
41 C.F.R. §§ 60-250.44(f); 60-741.44(f)**

Based upon the County's review of its personnel policies as described in Chapter B, the following activities will be implemented or continued to further enhance our affirmative action efforts. All activities are the responsibility of the Equal Opportunity Officer.

- 1) Initiate and maintain communication with organizations having special interests in the recruitment of and job accommodations for disabled veterans, other veterans, and individuals with disabilities.
- 2) Include workers with disabilities when employees are pictured in consumer, promotional, or help wanted advertising.
- 3) Disseminate information concerning employment opportunities to radio and television stations, and to publications that primarily reach disabled veterans, other veterans, and individuals with disabilities.
- 4) Provide information emphasizing job opportunities for disabled veterans, other veterans, and individuals with disabilities to all local educational institutions, public and private.
- 5) Inform all recruiting sources, in writing and orally, of the County's equal opportunity policy for disabled veterans, other veterans, and individuals with disabilities.
- 6) List with the California Employment Development Department all job openings of three days or more.  
  
This is an on-going activity.
- 7) Send written notification of the County's equal opportunity policy to all subcontractors, vendors, and suppliers requesting appropriate action on their part. This includes their obligation to annually file their EEO Reporting form and VETS-100 form and, for employers with 50 or more employees and contracts of \$50,000 or more, their obligation to develop a written affirmative action plan.
- 8) Conduct formal briefing sessions with representatives from recruiting sources. Include as part of the briefing sessions, facility tours, clear and concise explanations of current and future job openings, position descriptions, explanations of the County's selection process, and recruiting literature. Arrange for referral of applicants and follow up with sources.
- 9) Participate in veterans "job fairs" and work study programs with Veterans' Administration rehabilitation facilities and schools which specialize in training or educating disabled veterans.



**CHAPTER H: INTERNAL DISSEMINATION OF POLICY**  
**41 C.F.R. §§ 60-250.44(g); 60-741.44(g)**

In order to gain positive support and understanding for the affirmative action program for disabled veterans, other veterans, and individuals with disabilities the County will implement or continue to implement the following internal dissemination procedures, all of which are the responsibility of the Equal Opportunity Officer. The following policies and procedures are designed to foster support and understanding from the County's executive staff, management, supervisor's, and other employees in an effort to encourage all employees to take the necessary actions to aid the County in meeting its obligations.

- 1) Conduct special meetings with executive, management, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation, making clear the Board of Supervisors' commitment.
- 2) Schedule training sessions for all employees involved in recruiting, selection, promotion, and other related employment issues for disabled veterans, other veterans, and individuals with disabilities.
- 3) Discuss the policies thoroughly in both employee orientation and management training programs.
- 4) Inform union officials of the contractor's policy, and request their cooperation.
- 5) Include non-discrimination clauses in all union agreements, and review all contractual provisions to ensure they are non-discriminatory.
- 6) Include articles on accomplishments of disabled veterans, other veterans, and workers with disabilities in County publications.
- 7) Post the County policies on County bulletin boards and website.
- 8) When employees are featured in employee handbooks or similar publications for employees, include employees with disabilities.

**CHAPTER I: AUDIT AND REPORTING SYSTEM**  
**41 C.F.R. §§ 60-250.44(h); 60-741.44(h)**

The County has developed and currently implements an audit and reporting system that addresses the following:

- 1) Measures the effectiveness of the County's overall Equal Opportunity Program and whether the County is in compliance with specific obligations.
- 2) Determine the degree to which the Equal Opportunity Program objectives have been attained and its obligation fulfilled.
- 3) Indicates the need for remedial action.
- 4) Measures the degree to which the County's objectives are being met.
- 5) Whether there are any undue hurdles for individuals with disabilities and veterans regarding County sponsored educational, training, recreational, and social activities.

**CHAPTER J: RESPONSIBILITY FOR IMPLEMENTATION**  
**41 C.F.R. §§ 60-250.44(i); 60-741.44(i)**

These responsibilities are identical to those described in Part I of the Equal Opportunity Plan for Minorities and Women. Please refer to page 12.

**CHAPTER K: TRAINING**  
**41 C.F.R. §§ 60-250.44(j); 60-741.44(j)**

The County trains all employees involved in any way with the recruitment, selection, promotion, disciplinary actions, training, and related processes of individuals with disabilities or veterans to ensure commitment to the County's stated equal employment opportunity goals.

**CHAPTER L: COMPENSATION**  
**41 C.F.R. §§ 60-250.21(i); 60-741.21(i)**

It is the policy of the County that when offering employment or promotion to disabled veterans, other veterans, or individuals with disabilities, the amount of compensation offered will not be reduced because of any disability income, pension, or other benefit the applicant or employee receives from another source.

## **CHAPTER M: INVITATION FOR SELF-IDENTIFICATION**

The County, is a Federal Contractor subject to the requirements of Section 503 of the Rehabilitation Act of 1973, as amended, and the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended. These Acts and regulations require that the County take affirmative steps to employ, and to advance in employment, qualified persons with disabilities, special disabled veterans, and veterans of the Vietnam era.

In accordance with regulations effective March 24, 2014, regarding the Vietnam Era Veteran's Readjustment Assistance Act of 1974, the mandated Voluntary Veteran Self-Identification form has been incorporated into the County web-based application system and new hire onboarding process.

In accordance with regulations effective March 24, 2014, regarding Section 503 of the Rehabilitation Act of 1973, the mandated Voluntary Self-Identification of Disability form has been included as part of the new hire onboarding process. It is also provided to employees on a periodic basis.

If you are a person with a disability, a special disabled veteran, or a veteran of the Vietnam era and would like to be considered under the equal opportunity program, please tell us. Provision of this information is voluntary. If you do not wish to identify yourself at this time as a person with a disability, a special disabled veteran, and/or a veteran of the Vietnam era, you will not be subject to any adverse treatment. Applicants and employees may voluntarily self-identify their status at any time.

The County will keep the information confidential, except to assist the person in availing him/herself of the employment rights stipulated under the Vietnam Veterans Readjustment Act, the Americans with Disabilities Act, the Vocational Rehabilitation Act and the Jobs for Veterans Act.

**EQUAL OPPORTUNITY PLAN**

**FOR**

**COUNTY OF MONTEREY**



**GLOSSARY OF TERMS**

## GLOSSARY OF TERMS

American Indian or Alaskan Native – A person having origins in any of the original peoples of North and South American (including Central America), who maintain tribal affiliation or community attachment.

Asian – A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

African American – A person having origins in any of the black racial groups of Africa.

Hispanic or Latino – a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

Pacific Islander – A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

White – A person having origins in any of the original of peoples of Europe, the Middle East, or North Africa.

Adverse Impact – Occurs when a decision, practice, or policy has a disproportionately negative effect on a protected group.

Any Difference Rule – This rule states that underutilization exists if there is any difference between the availability of women or minorities, compared to their percentages in the employer's actual workforce.

Applicant - The precise definition of the term 'applicant' depends upon recruitment and selection procedures. The concept of an applicant is a person who has indicated an interest in being considered for hiring, promotion, or other employment opportunities. This interest may be expressed by completing an application form, or expressed orally, depending upon the employer practice.

Applicant flow statistics - Those records kept by an employer indicating the race, sex, source, and disposition of individuals who apply for employment. *Required element of an Affirmative Action Program.*

Artificial Barriers - Requirements, procedures, or standards for employment that are not related to successful job performance.

Availability Analysis - Availability is an estimate of the number of qualified minorities and women available for employment in an AAP job group, expressed as a percentage of all qualified individuals available for employment. The purpose of determining "availability" is to establish a standard against which to measure the demographic composition of a contractor's workforce (41CFR60 2.14). *Required element of an Affirmative Action Program.*



Corrective Action - Reports that contain data on corrective actions other than terminations by gender and ethnicity.

Equal Employment Opportunity – (EEO) Under the Civil Rights Act of 1964, Title VII, was enacted to eliminate all sources of racial discrimination in the U.S. and ensure equal employment opportunity in the workplace without regard to race, color, religion, sex, or national origin.

Executive Order 11246 – An Order first issued by President Lyndon B. Johnson in 1965 and supported by all subsequent sitting Presidents, placing the EEO clause into federal contracts, which in part, requires affirmative action as a condition of doing business with the Executive Branch of the Government.

Federal Contractor - A organization or firm doing business in the United States, directly or indirectly, with the Executive branch of the Government, which employs 50 or more individuals, and (a) has a covered contract of \$50,000, or more; or (b) has government bills of lading in any 12-month period totaling \$50,000, or more; or (c) serves as a depository of Government funds in any amount; or (d) is a financial institution issuing and paying U.S. savings bonds and notes in any amount (41CFR60-2.1).

Good Faith – In philosophy, the concept of good faith denotes sincere, honest intention, regardless of the outcome of an action.

Job Groups – Is defined as one or a group of jobs having similar content, wage rates and opportunities.

Minority – A person who identifies as being American Indian/Alaska Native, Asian/Pacific Islander, Black/African American, Hispanic/Latino, Pacific Islander, or in any combination of these identifiers.

Parity – The quality or state of being equal or equivalent.

OFCCP - The Office of Federal Contract Compliance Programs (OFCCP) is the lead federal agency within the Employment Standards section of the Department of Labor that administers and enforces Executive Order 11246, affirmative action programs for Minorities and Females, The Rehabilitation Act of 1973, and the Vietnam Era Veterans Readjustment Assistance Act of 1974.

Title VII – That part of the Civil Rights Act of 1964, prohibiting employment discrimination.

Underutilization - Underutilization exists if there is any difference between the availability of minorities or women, compared to their percentages in the County's actual workforce (i.e. availability).

Individual with a disability - any person who (1) has a physical and mental impairment that substantially limits one or more of such person's major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment.

Qualified individual with a disability - a disabled individual as defined above who is capable of performing the essential functions of a particular job, with or without reasonable accommodation.

Protected Veteran comprises the following categories:

- Disabled Veteran - (1) A veteran of the U.S. military, ground, naval or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or (2) A person who was discharged or released from active duty because of a service-connected disability.
- Recently Separated Veteran - any veteran during the three year period beginning on the date of such veteran's discharge or release from active duty in the U.S. military, ground, naval, or air service.
- Active Wartime or Campaign Badge Veteran - a veteran who served on active duty in the U.S. military, ground, naval, or air service during a war or in a campaign or expedition for which a campaign badge has been authorized, under laws administered by the Department of Defense.
- Armed Forces Service Medal Veteran - any veteran who, while serving on active duty in the U.S. military, ground, naval, or air service, participated in a United States military operation for which Armed Forces service medal was awarded pursuant to Executive Order 12985.
- Veteran of the Vietnam era - a person who (1) served on active duty for a period of more than 180 days and was discharged or released therefrom with other than a dishonorable discharge, if any part of the active duty occurred (a) in the Republic of Vietnam between February 28, 1961 and May 7, 1975, or (b) between August 5, 1964 and May 7, 1975 in all other cases, or (2) was discharged from active duty because of a service-connected disability, if any part of the active duty occurred (a) in the Republic of Vietnam between February 28, 1961 and May 7, 1975, or (b) between August 5, 1964 and May 7, 1975 in all other cases.

Qualified veteran with a disability - a disabled veteran who has the ability to perform the essential functions of the employment position with or without reasonable accommodation.