

## **EEO – Affirmative Action Policy**

---

**1.0 POLICY STATEMENT:** It is the policy of the City to select, develop and promote employees based on the individual's ability and job performance. It has been and shall continue to be the policy of the City to provide equal employment opportunity to all people in all aspects of employer/employee relations without discrimination because of race, color, religious creed, sex, national origin, ancestry, marital status, age or physical disability. This policy affects decisions including but not limited to, an employee's compensation, benefits, terms and conditions of employment, opportunities for advancement, training and development, transfer, and other privileges of employment. It is further the policy of the City to comply with the letter and spirit of applicable local, state and federal statutes concerning equal employment opportunity. It is also the policy of the City that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under a program or activity receiving federal financial assistance from the Department of Transportation or the U.S. Department of Housing and Urban Development in compliance with Title VI of the Civil Rights Act of 1964.

**2.0 PROCEDURES:** The purpose of this policy is to state the City continuing position as an equal opportunity employer and to put in motion mechanisms to ensure compliance with applicable state and federal equal employment opportunity regulations and statutes.

*2.1 Dissemination of the City's Equal Opportunity Policy - Internal*

2.1.1 The EEO Policy will be included in the City's Personnel Policy.

2.1.2 Training sessions will continue to be conducted to communicate the legal requirements of compliance to equal employment opportunities and affirmative action.

2.1.3 The policy will be reviewed and discussed with new employees individually and in new employee orientation programs.

2.1.4 The City's Equal Employment Opportunity Policy will be posted on City bulletin boards.

2.1.5 Personnel policies and procedures will incorporate the equal employment opportunity clause on each policy document.

2.1.6 Copies of Equal Employment Opportunity Policy will be distributed to management and supervisory personnel.

*2.2 Dissemination of the City's Equal Opportunity Policy - External*

2.2.1 All recruiting sources will be informed verbally and in writing of the City Equal Employment Opportunity Policy.

- 2.2.2 The equal employment opportunity clause will be incorporated on employment applications, contracts, leases and other official City documents.
- 2.2.3 Prospective employees will be informed of the policy by job announcement where the notation EEO/AA will continue to be included.

2.3 *Responsibility for Implementation and Administration*

2.3.1 City Manager - The City Manager will establish and intensify efforts to achieve equity and fairness in the employment of all minority candidates at all levels of employment and to ensure equal opportunities for minorities with respect to pay, responsibility and status. The City Manager will accomplish this by:

- Being responsible for overall administration of the EEO affirmative action program.
- Establish, administer and provide policy direction for the City's Equal Employment Opportunity Program.
- Formulate and communicate directions to Department and Division Heads to promote the affirmative action goals of the City.

2.3.2 Human Resources Director - Responsible for coordination and implementation of City Equal Employment and Affirmative Action policies rests with the Director of Human Resources. In this capacity, the Human Resources Director will serve as the Affirmative Action Officer. The Affirmative Action Officer will assist management in complying with the City's EEO/AA Policy and advise employees who have questions or problems relating to the City's Equal Opportunity/Affirmative Action Programs. The Affirmative Action Officer has responsibilities, which include but are not limited to the following:

- Develops and recommends policy statements, affirmative action, and valuing diversity training programs and internal communication techniques.
- Assists in the identification of problem areas and in the establishment of goals and objectives.
- Assists in finding solutions to concerns in the equal opportunity area.
- Assists in auditing and measuring effectiveness at the City's Equal Opportunity Programs.
- Completes and submits required EEO-reporting forms on a bi-annual basis to EEOC.
- Keeps management informed of the City's EEO plan and any changes to that plan.
- Reviews vacancies and new positions with Department and Division Heads and provides assistance as needed to ensure compliance.
- Reviews the qualifications of all employees and applicants to ensure minorities are given full opportunity for transfer and promotion.

- 2.3.3 Department and Division Heads - In the day to day operations of their respective departments, management and supervision have responsibilities, which include, but are not limited to, the following:
- Adhere to the policy and intent of the City's Equal Opportunity/Affirmative Action Plan by supporting and promoting the objectives of equal employment opportunity.
  - Ensuring that appropriate steps are taken throughout their departments to encourage and hold supervisory staff accountable for promoting equal employment opportunities in the workplace.
  - Periodically review job descriptions of positions in the department to ensure they adequately reflect the job being performed.
  - Assists in career counseling with employees.
  - Review the qualification of all applicants and employees in the department to ensure minorities and women are given full opportunity for transfers and promotions.
  - Regular discussions with managers, supervisors and employees to be certain EEO/AA policies are being followed.

2.4 *Recruitment and Applications* - Vacancies within the City are advertised in local and regional newspapers and through Internet and City Website locations. The advertisements publicize the City's policy of equal opportunity employment and affirmative action clause. Applicants complete an application for the vacancy in which he/she is interested. Applications are held for consideration for a period of twelve months. Applications are accepted in the Department of Human Resources, Municipal and Safety Building, 601 East Main Street, Johnson City, TN 37601. Applicants can also access the City of Johnson City website to obtain a copy of the employment application.

2.5 *Selection and Appointment* - All applicants for positions with the City must apply through the Department of Human Resources. Preliminary screening to determine if applicants meet minimum qualifications is done through this office. Any testing required for certification is performed prior to the departmental interviews. Qualified applicants are then scheduled for interviews with the supervisor in the respective department. Individuals are interviewed and notations made on the applications form in regard to the personal interview. Once an individual is selected by the department for employment, the Department of Human Resources is contacted. The City Manager reviews all new hires before they are placed on the payroll.

2.6 *Training* - Appropriate training will be provided by the City's Training and Development Specialist and in some cases outside training organizations and training providers. Employees will receive equal opportunity to participate in all training programs wherever held without regard to race, color, religion, national origin age or sex. The Director of Human Resources and the Training and

Development Specialist will schedule on a regular basis training on Equal Employment Opportunity/Affirmative Action policies and procedure. These types of training programs will be included in the City's Leadership Academy for current and potential supervisors and managers.

2.7 *Internal Audit and Reporting* - opportunity and affirmative action. Many procedures are related to employment of staff; however, terminations, promotions, transfers, placement, retention, recruitment, testing and training (when applicable) are also monitored. The following data is collected by the Human Resources Department to monitor progress:

- 2.7.1 Applicant Flow Data
- 2.7.2 Terminations
- 2.7.3 New Hires
- 2.7.4 Promotions
- 2.7.5 Transfers
- 2.7.6 Training (when applicable)

2.8 This information is monitored and analyzed on an annual basis for review to determine adverse impact. Records pertaining to all personnel actions are maintained for the appropriate time limitations under the records retention guidelines. The following records are maintained as part of the Affirmative Action Program:

- 2.8.1 Applicant Flow Data – Includes information on each applicant to include name, sex, race, age, job applied for, interview status.
- 2.8.2 New Hires – Includes data on total hires and employment offers by name, race, sex, age and job title.
- 2.8.3 Promotions and Transfers – Includes information on all promotions or transfers by name, race, sex, age, date of transaction, department and job title from which and to which employee moved.
- 2.8.4 Terminations – Includes information on all terminations by name, race, sex, age, department and reason for termination as reported by the Office of Human Resources' exit interviews.
- 2.8.5 Selection Procedures – Results of typing tests are maintained by the Office of Human Resources. Those who fail this typing test are not considered for employment.

2.9 *Inequity Correction* - On notice of an inequity of Affirmative Action the Director of Human Resources shall coordinate with the grieved person to resolve the inequity by the following means:

- 2.9.1 Human Resources Director will work with the grieved person in the investigation of the inequity and take positive steps with the effected department head to resolve that inequity.

- 2.9.2 The Human Resources Director will coordinate a meeting between the grieved person and the City Manager to review the inequity and discuss the corrections that have been made.
- 2.9.3 The City Manager will communicate the directives to the effected department to insure that the inequity (if substantiated), is remedied to the satisfaction of those parties involved. The decision of the City Manager in this matter shall be final.

**3.0 RESPONSIBILITY:** The Human Resources Director is responsible for the administration and communication of this policy. Department Directors shall comply with the provisions of this policy and applicable state and federal laws.

APPROVED:

---

M. Denis Peterson  
City Manager

Original:  
Revisions: 03/18/2009