

**FLAGLER COUNTY
BOARD OF COUNTY COMMISSIONERS
EQUAL EMPLOYMENT OPPORTUNITY PLAN**

April 1, 2016 – April 1, 2018



I. INTRODUCTION

A. Basic Information

This Equal Employment Opportunity Plan (“EEOP” or “EEO Plan”) applies to the Flagler County Board of County Commissioners (“Flagler County” or “County”) and all of its employees.

This EEOP will be in effect from April 1, 2016 through April 1, 2018.

The official address and contact information for Flagler County is:

C/O Office of Human Resources
Flagler County Board of County Commissioners
1769 East Moody Blvd, Bldg #2
Bunnell, FL. 32110
(386) 313-4007

B. Statement of Equal Employment Opportunity

Policy Statement

The Flagler County Board of County Commissioners is an equal opportunity employer and makes all employment decisions based on merit. It is recognized that all people regardless of race, color, religion, sex, national origin, age, disability or any other consideration made unlawful by federal, state or local laws have an inherently equal opportunity to compete for positions with the Flagler County BOCC, and they must be evaluated for such on the basis of their individual abilities.

The County is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the operations of the County and prohibits unlawful discrimination by any employee of the County, including supervisors and co-workers.

In order to comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the County will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any applicant or employee who requires accommodation in order to perform the essential functions of the job should contact Human Resources. The individual with the disability should specify what accommodation he or she needs in order to effectively perform the job. The County will conduct an assessment to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform his or

her job. The County will identify possible reasonable accommodations, if any, which will help eliminate or mitigate the limitation. If an accommodation is reasonable and will not impose an undue hardship, Flagler County will make the accommodation.

The Flagler County Board of County Commissioners has an Equal Employment Opportunity Plan to assure that equal employment opportunity affecting employment practices, including (but not limited to) recruiting, testing, hiring, transfer, promotion, training, compensation, benefits, discipline, layoffs and terminations. All management and supervisory personnel share in the responsibility for implementing and maintaining this plan.

The Board of County Commissioners has the overall responsibility for the administration of the Equal Employment Opportunity Plan. The Human Resources Director is ultimately responsible for the implementation of the Plan and making reports annually to the County Administrator for the Administrator's report to the Board.

A. Training of Managers and Supervisors

While the Board of County Commissioners is responsible for the County being committed to equal opportunity, the Department Heads carry out the responsibilities of hiring, promoting, training, discipline, and other employee actions. The Human Resources Director provides the leadership and guidance for Department Heads and supervisors to assure there is uniformity in the approach taken within departments to discharge the responsibilities in accordance with this policy.

B. Selection System

1. Promotion

Notice of all vacancies are posted so that all interested employees may be considered for promotional opportunities that arise. Qualified employees from all departments are considered for vacancies except where prohibited by union agreements.

2. Recruitment and Application

A notice of all vacancies is kept on file in the Human Resources Department.

The employment application only requests pre-employment information that is job related and nondiscriminatory.

3. Job Descriptions and Qualification Standards

All job descriptions are reviewed as necessary to assure that they accurately reflect major job functions. Qualification standards are job-related and call for the minimum education and/or experience needed to perform the job successfully.

4. Testing

All examinations, whether written, oral, or a test of actual performance are job-related and designed to predict accurately the future job performance of the applicant.

5. Interviews

Hiring managers and supervisors ask only questions that relate to a candidate's ability to perform the functions of the job for which the candidate has applied.

6. Hiring

Flagler County recruits and hires the best qualified candidates without regard to race, color, religion, sex, national origin, age, disability, marital status or other protected groups. Whenever two or more candidates are equally qualified, preference will be given to the candidate whose hire will advance the County's EEO objectives.

EEO Procedures

1. Policy

a. The Board of County Commissioners, aware of the legal and moral responsibility to serve all the community's citizens by practicing fair and equal employment opportunity, affirms its commitment to the tenets of Title VII of the Civil Rights Act of 1964 and the Equal Employment Opportunity Act of 1978 (as amended). It is recognized that all people, regardless of race, color, sex, religion, ancestry, national origin, age, disability, marital status or other protected group status have an inherently equal opportunity to compete for positions with the Flagler County Board of Commissioners and they must be evaluated for such on the basis of their individual abilities. Whatever an applicant's race, color, sex, religion, ancestry, national origin, age, disability, marital status or other protected group status may be, he or she has a constitutional right to have his or her application considered on its individual merits in a neutral, unbiased manner. However, it is the policy of the Flagler County Board of County Commissioners that no applicant is entitled to any advantages by reason of race, color, sex, religion, ancestry, national origin, age, disability, marital status or other protected group status.

The Flagler County Board of County Commissioners reciprocally expects to benefit from the program through more efficient utilization, development, and management of human resources. The Board will comply with all equal opportunity policies, laws, and directives, both State and Federal that may be set forth to assure non-discrimination in so far as such policies, laws, and directives do not offend the equal protection clause of the United States Constitution.

The EEOP/Affirmative Action program affects all aspects and departments of the Flagler County Board of Commissioners and employment practices, including (but not limited to) recruiting, testing, hiring, transfer, promotion, training, compensation, benefits, discipline, layoff, and termination.

All management and supervisory personnel share in the responsibility for implementing and maintaining this program. Their performance in the area of affirmative action is evaluated in the same way that performance of assigned duties is evaluated.

The Flagler County Board of County Commissioners has charged the Human Resources Director with proper administration of the EEOP/Affirmative Action Program for the Board. The Flagler County Board of County Commissioners has undertaken and maintains this program voluntarily to assure that equal employment opportunity is a reality as well as ideal.

b. Discrimination against any person in recruitment, examination, appointment, training, promotion, or any other employee action because of race, color, sex, religion, ancestry, national origin, age, disability, marital status, or other protected group status is strictly prohibited.

c. Veterans' Preference shall be given to eligible veterans in accordance with Florida Statutes.

2. EEO Complaint Procedures

a. Any employee or applicant for employment shall have the right to file a discrimination complaint.

b. Complaints received by the Equal Opportunity Office are reviewed for jurisdiction before being accepted for formal investigation, i.e., the alleged discriminatory act must be based on race, color, religion, sex, national origin, age, disability or other protected group status (as covered under these Regulations).

c. However, upon request, the Equal Opportunity Office will assist to the greatest extent possible, in the resolution of any employee concern or complaint brought to its attention, and offer mediation as another option for resolving employee conflicts.

3. Retaliation

a. Retaliation against any person for bringing a good faith allegation forward, filing a complaint, or participating in an investigation of alleged unlawful discrimination is strictly prohibited.

b. Under no circumstances will an employee be penalized for reporting unlawful or improper conduct prohibited by these policies.

c. Any employee who feels that he or she is being retaliated against for filing a complaint or participating in an investigation must report the retaliation to the Equal Opportunity Office immediately.

C. Personnel Management and Operations Overview

The County conducts an assessment of its employment practices on a biannual basis. The intent of this biannual assessment is to compare current employment practices with applicable laws and regulations. The positions within Flagler County fall within the following seven (7) basic categories: (see next page)

1. Officials and Administrators
2. Professionals
3. Technicians
4. Protective Service – Unsworn
5. Skilled Craft
6. Administrative Support
7. Service/Maintenance

The County trains all management and supervisory personnel who have responsibilities in hiring, promoting, training and disciplining in the area of equal employment opportunity. The Human Resources Director provides leadership and guidance to management and supervisory personnel to ensure uniformity in the approach each department takes in discharging its responsibilities. Because all management and supervisory personnel share in the responsibility for implementing and maintaining the County's EEO objectives, their performance in this area is evaluated in the same way that performance of assigned duties is evaluated.

B. Narrative

A comparison of the Flagler County Board of County Commissioners' workforce to the community labor statistics for Flagler County indicates an underutilization in certain job categories; however, community labor statistics also indicate that minorities do not have a large presence in the community, especially in specific job categories. Overall, the largest areas of underutilization based on the OJP Utilization Analysis Chart are Hispanic or Latino females in the Professional category as well as White, Hispanic or Latino and Black African American females in the Protected Services Non-Sworn category. There is also significant underutilization with Hispanic or Latino males in the Skilled Craft and Service/Maintenance categories. However, after reviewing the EEOP Utilization Report that the County submitted to the OCR two years ago, we were able to track significant improvements in the recruitment and retention of White females in the Officials/Administrators and Professionals and Administrative Support job category. We have also tracked significant improvement of Black or African American females in the Protected Services Non-Sworn job category as well as the recruitment of Hispanic or Latino males in the Officials/Administrators job category.

After reviewing the results of the underutilization analysis, the County has noted the following:

Officials/Administrators – Hispanic or Latino males were underutilized by -10% (an increase in underutilization from +4% in 2014). Black or African American males were underutilized by -4% (an increase in underutilization from -2% in 2014). Asian males were also underutilized by -1% (an increase in underutilization from 0% in 2014). White females are no longer underutilized in this category (-8% in 2014 to +6% currently).

Professionals – Black or African American males were underutilized by -4% (an increase in underutilization from -1% in 2014). Hispanic or Latino and Asian males were underutilized by -2% (an increase in underutilization from -1% in 2014). Hispanic or Latino females are underutilized by -9% (an increase in underutilization from -2% in 2014). Asian females are underutilized by -2% (an increase in underutilization from -1% in 2014).

Technicians - Asian males are underutilized by -2% (an increase from 0 % in 2014). White females are underutilized by -16% (a decrease in underutilization from -17% in 2014). Hispanic or Latino females are underutilized by -5% (an increase in underutilization from -1% in 2014). Black or African American females are underutilized by -6% (an increase in underutilization from 0% in 2014). Asian females are underutilized by -2% (an increase in underutilization from 0% in 2014).

Protective Services Non-sworn – Hispanic or Latino males are underutilized by -9% (an increase in underutilization from +4% in 2014). Black or African American males were underutilized by -2% (an increase in underutilization from +4% in 2014). White females are underutilized by -26% (an increase in underutilization from -25% in 2014). Hispanic or Latino females are underutilized by -7% (an increase in underutilization from 0% in 2014). Black or African American females are underutilized by -8% (a decrease in underutilization from -29% in 2014). Asian females and Two or more races females are underutilized by -1% (an increase in underutilization for both from 0% in 2014).

Skilled Craft – Hispanic or Latino males are underutilized by -23% (an increase in underutilization from +1% in 2014). Black or African American males are underutilized by -4% (this percent remains the same from 2014). Hispanic or Latino females and Black or African American females are underutilized by -1% (an increase in underutilization from 0% in 2014).

Administrative Support – Hispanic or Latino males and Black or African American males are underutilized by -8% and -2% respectively (an increase in underutilization for Hispanic or Latino males from +2% in 2014 and an increase in underutilization in Black or African American males from +0% in 2014). Hispanic or Latino females and Black or African American females are underutilized by -1% (an increase in underutilization from 0% in 2014).

Service/Maintenance – Hispanic or Latino males are underutilized by -12% (an increase in underutilization from +3% in 2014). Black or African American males are underutilized by -4% (an increase in underutilization from +5% in 2014). Asian males are underutilized by -1% (this percent remains the same from 2014). White females are underutilized by -7% (a decrease in underutilization from -12% in 2014). Asian females are underutilized by -1% (this percent remains the same from 2014).

V. OBJECTIVES

The County is committed to maintaining a qualified workforce that more closely represents the available labor force in the community. Based upon the results of the underutilization analysis, the County has established the objectives set forth below. Because females are underutilized in all job categories at a greater rate than males, the County's goal is to increase representation by evaluating its promotional and recruitment practices. The County will review its job requirements and hiring procedures to ensure that no unnecessary barriers exist with respect to females or minorities.

VI. STEPS TO ACHIEVE OBJECTIVES

- Continue the effective contact with minority groups and females and establish and/or strengthen working relationships with these organizations
- Advertise job opportunities with local organizations
- Consider advertising job opportunities with local minority publications
- Evaluate testing procedures and opportunities and consider opportunities to provide greater access, such as off-site or evening testing
- Continue to provide training to supervisors and managers regarding EEO policies
- Encourage females and minorities to take advantage of the County's educational assistance program

VII. DISSEMINATION

The Human Resources Director is responsible for managing the day-to-day implementation and monitoring of the County's EEO Policy. The Human Resources Director will ensure that the County's EEO Policy is available to its work force and the community as follows:

1. A copy of the Equal Employment Opportunity Policy will be available to all employees.
2. A copy of the Equal Employment Opportunity Policy will be maintained on file in the Human Resource Office and the County Administrator's Office.
3. The Equal Employment Opportunity Policy will be discussed at staff meetings and management training sessions.

4. Notice that the County is an Equal Opportunity Employer will continue to appear on job postings.
5. The Equal Employment Opportunity Policy is also available to the general public on the County's website at www.flaglercounty.org.