

**A POLICY AND PROGRAM OF EQUAL OPPORTUNITY
AND AFFIRMATIVE ACTION
IN COUNTY OF SONOMA EMPLOYMENT**

SECTION I.

- A. NONDISCRIMINATION POLICY** The County of Sonoma has been, is, and will continue to be, committed to the principle that equal employment opportunity in the public service of the County must be afforded to all persons regardless of race, color, ancestry, national origin, religion, sex, sexual orientation, marital status, age, medical condition or disability (the term disabled or disability shall be construed to apply to those individuals covered by Title 2 California Administrative Code, Sec. 7293.6 (a) and 29 USC, Sec. 706 (7) (B) and the regulations promulgated pursuant to that section) as required by applicable federal and state laws. No person shall suffer discrimination with respect to employment or other terms or conditions of employment by reason of such person's status as enumerated above.

The County of Sonoma recognizes that equal employment opportunity may be ensured only by a carefully administered and practiced program designed to eliminate any practices, standards or conditions tending to result in discrimination, and by initiating positive efforts in recruitment, examination, selection, promotion, pay and training procedures to extend equal employment opportunities to all qualified persons without limiting, segregating or classifying employees or applicants for employment in any way which would deprive any individual of employment opportunities or otherwise adversely affect his or her status as an employee because of such individual's race, color, ancestry, national origin, religion, sex, sexual orientation, marital status, age, medical condition or disability. A comprehensive Equal Employment Opportunity Plan has been developed to enable the County to effectively carry out the policy and objectives set forth herein.

- B. AIDS POLICY** Acquired Immune Deficiency Syndrome (AIDS), AIDS-Related Complex (ARC) and other Human Immune Deficiency Virus (HIV) are medical conditions within the meaning of Paragraph A. Neither fear of transmission of such diseases through casual contact nor disruption of the workplace because of such fear shall be grounds for discrimination against a person with such a disease.
- C. PREGNANCY POLICY** No person shall be terminated, denied employment, promotion, advancement, or accumulated seniority or other employee benefits on account of pregnancy. Disability due to pregnancy, childbirth, or pregnancy-related medical condition shall be treated the same as disability due to illness for the purpose of entitlement to employee benefits such as paid sick leave, vacation, unpaid leave of absence or medical insurance coverage. Any female employee of the County of Sonoma is entitled to a leave of absence for a period not to exceed four months when she is physically unable to work due to pregnancy, childbirth, or pregnancy-related medical conditions. A leave of absence which exceeds four months is discretionary according to policy regarding leave of absence in general.
- D. DISABILITY POLICY** An otherwise qualified disabled individual shall not be denied

employment opportunities solely on the basis of the disability. The County shall make reasonable accommodation to eliminate obstacles that would prevent an otherwise qualified disabled person from performance in a County position.

E. EQUAL EMPLOYMENT OPPORTUNITY POLICY The County of Sonoma will take appropriate affirmative steps to maximize the employment opportunities of those racial minority groups and women whose representation in the County work force is less than could reasonably be expected given their availability in the area labor force.

F. SEXUAL HARASSMENT It is the policy of the County of Sonoma to provide for a work environment free from unwelcome sexual behavior and overtures. This policy applies to all employees, including permanent, probationary, part-time and temporary employees. Sexual harassment is an unlawful employment practice prohibited by state and federal law. It is also unapproved and unacceptable work behavior that will not be tolerated by the County. County employees are expected to adhere to a standard of conduct while on the job that consists of respect and courtesy towards other employees and persons. County employees shall under no circumstances engage in behavior which constitutes sexual harassment.

County officials and employees who perpetrate sexual harassment will be subject to firm disciplinary action up to and including termination of employment. Retaliation resulting from filing a sexual harassment complaint is unacceptable and will subject the violator to disciplinary action, including but not limited to reprimand, suspension, and termination. Anyone who engages in sexual harassment may not be entitled to indemnification and defense where the Board of Supervisors finds that such conduct falls outside the scope of employment.

In order to prevent sexual harassment, management and supervisory employees are responsible for, among other things, informing employees of the County policy and complaint procedure, and reporting all complaints of sexual harassment to the Department Head and the Human Resources Department for investigation. It is also the responsibility of the Department Head to take appropriate disciplinary action if the findings of the investigation indicate sexual harassment has occurred.

DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is defined as any unwelcome sexual advance, request for sexual favors, or other verbal, physical or visual conduct of a sexual nature that occurs under any of these circumstances:

- a. Where submission to such conduct is either explicitly or implicitly a term or condition of employment, including advancement or receipt of other job-related benefits;
- b. Where submission to or rejection of such conduct by an employee is used as a basis for employment decisions affecting the employee;
- c. Where unlawful conduct unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive working environment.

The type of conduct that may constitute sexual harassment when it occurs under the foregoing circumstances includes making unsolicited written or oral communications and physical or visual contact with sexual overtones (e.g., making, sending, or displaying sexually suggestive or obscene letters, notes, invitations, slurs, jokes, gestures, objects, pictures, cartoons or posters).

Acts of sexual harassment should immediately be reported by the complainant either to departmental management or to the Human Resources Department's Equal Employment Opportunity Manager. Acts of sexual harassment should, if possible, be reported first to the supervisor or manager. However, it is sometimes more comfortable for the complainant to talk directly with the Human Resources Department's Equal Employment Opportunity Manager.

Please reference the Equal Employment Opportunity Discrimination Complaint Procedure for further information. This can be obtained from the County Human Resources Department, Equal Employment Opportunity Division, 2300 County Center Drive, Suite 167B, Santa Rosa, California, 95403, (707) 565-3572.

SECTION II. OBJECTIVES

- A. To achieve equality of employment opportunities for all qualified persons without regard to race, color, ancestry, national origin, religion, sex, sexual orientation, marital status, age, medical condition or disability in accordance with Federal and State laws and County ordinance.
- B. To remove any artificial, arbitrary or unnecessary barriers to employment which operate to discriminate on the basis of race, color, ancestry, national origin, religion, sex, sexual orientation, marital status, age, medical condition or disability.
- C. To increase employment opportunities of all qualified persons by eliminating non job-related factors, conditions and requirements from all position specifications
- D. To evaluate the County's personnel activities so as to enable the County to take affirmative action where appropriate.

SECTION III. SCOPE

- A. The scope of this Equal Employment Opportunity Program will encompass all phases of personnel management including, but not limited to, recruitment, examination, selection, promotion, compensation and training.
- B. The County Human Resources Director will conduct a program of outreach recruitment of qualified minorities and women for County employment and endeavor to attract such persons through appropriate announcements directed to such persons and groups of such persons informing them of available employment opportunities. He or she will further make all efforts to ensure that all examinations and personnel actions do not result in unlawful discrimination.

- C. Each department head will post the Equal Employment Opportunity Policy on the employee bulletin board so as to enable employees to avail themselves of its benefits; and he/she will endeavor to obtain the understanding and cooperation of all employees in the Program's implementation and on-going maintenance.

Department heads will notify the Director of Human Resources of any positions identified for which nonessential qualifications might discourage the employment of protected group members.

All department heads will be responsible for implementing, practicing and ensuring equal employment opportunity within his/her department and appointed department heads will be held accountable in his/her formal performance evaluation by the County Administrator and/or the Board of Supervisors.

- D. The Equal Employment Opportunity staff of the Human Resources Department shall be available to explain the Equal Employment Opportunity Program, its purposes and objectives, to all County employees and applicants for employment.

SECTION IV. ADMINISTRATION

- A. Under the general direction of the Sonoma County Civil Service Commission and the Board of Supervisors, the Sonoma County Human Resources Director shall be responsible for the overall administration and coordination of this program of Equal Employment Opportunity. The Human Resources Director shall periodically monitor and analyze Sonoma County employment patterns in accordance with the Equal Employment Opportunity Program adopted by the Board of Supervisors.

All department heads and County agencies shall cooperate with the Director and the Civil Service Commission in the continued implementation of this program.

- B. This program of Equal Employment Opportunity may be amended as needed by a majority vote of the Board of Supervisors.
- C. An employee or applicant for employment with the County of Sonoma who believes he/she has suffered discrimination on the basis of race, color, ancestry, national origin, religion, sex, sexual orientation, marital status, age, medical condition or disability and in contravention of the policies set forth herein is encouraged to bring such claim to the attention of the County of Sonoma Equal Employment Opportunity Manager in accordance with the County's Discrimination Complaint Procedure.