

# **EQUAL OPPORTUNITY ADVISORY COMMISSION BYLAWS**

## **ARTICLE I – INTRODUCTION**

This organization shall be known as the Monterey County Equal Opportunity Advisory Commission (EOAC), and shall be guided by the policies and procedures established by the Board of Supervisors of Monterey County in the performance of its duties.

## **ARTICLE II – PURPOSE AND DUTIES**

1. In accordance with the Monterey County Plan for Equal Access to Employment and Contracting Opportunities adopted by the Board of Supervisors on July 23, 1996 and any subsequent updates (The Monterey Plan), the Monterey County Equal Opportunity Advisory Commission shall advise and make recommendations to the Board of Supervisors on matters relating to equal opportunity as part of the Monterey Plan. The document will be referenced as the “Monterey Plan” throughout the remainder of the EOAC Bylaws.
2. The Commission has the following specific responsibilities:
  - a. Review and become familiar with the Monterey Plan and present proposals for modification to the Board of Supervisors for consideration.
  - b. Recommend goals and timetables regarding the Monterey Plan for departments and the County as a whole.
  - c. Periodically during the year, review and make recommendations regarding the progress of departmental plans in furtherance of the Monterey Plan’s goals for equal opportunity.
  - d. Review the County’s recruitment, testing, selection, and promotion procedures, and recommend changes where needed.
  - e. Hold meetings with department heads, appropriate employee groups, and community groups to implement the Monterey Plan.
  - f. Review and advise Board of Supervisors on issues relating to equal access to contracting opportunities.
  - g. Provide updates to their organization or Board Member on Commission related matters.
  - h. Each newly appointed Commissioner must attend a Commission orientation.
  - i. The completion of the ethics training as required under AB1234 (Chapter 700, 2005).

### **ARTICLE III – MEMBERSHIP AND SELECTION**

The Commission shall be composed of a total number not to exceed sixteen (16) representatives:

1. Two Department Heads Council Representatives.
2. The following employee organizations shall each select employees representing a protected group<sup>1</sup>:
  - a. Monterey County Deputy Sheriff's Association – one (1) representative
  - b. Service Employees International Union (SEIU) Local 521 – two (2) representatives
3. Each Supervisor shall appoint a representative from his or her district. At least three supervisory appointees shall be of a protected group.
4. The Commission on the Status of Women shall have one representative.
5. Up to five representatives from various community based organizations which actively advocate for civil rights and/or represent the interest and concerns of protected groups in the County of Monterey. Each organization is approved separately and must be screened in accordance with standards established by the Commission. All representatives are appointed after the organization is approved for membership. Upon expiration of a community member's term, other interested and qualified community based groups may petition for appointment to the Commission.
6. Members shall be approved by the Board of Supervisors.

### **ARTICLE IV – TERMS OF OFFICE**

1. Terms of office shall begin January 1<sup>st</sup> and end December 31<sup>st</sup>.
2. The term of office for Commissioners, other than Board of Supervisors' representatives, is three years. Except Board of Supervisors' representatives, Commissioners desiring to be reappointed must petition for an additional term.
3. Each Board of Supervisors' representative shall serve during the term of office of the appointing Supervisor, or until replaced
4. There shall be a six-year maximum consecutive membership for all representatives, with the exception of the Board of Supervisors' representative.

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<sup>1</sup> A protected group is a group of people who share common characteristics and are protected from discrimination and harassment by federal and/or state law. A protected group is distinguished by their race or ethnic origin, color, nation origin, religion, disability, sex, age, veteran status, or sexual orientation/identity.

5. Vacancy and replacements:

a. A vacancy shall exist:

- 1) when a commissioner submits a written resignation to the Commission Chairperson and the appointing Supervisor/organization;
- 2) when a commissioner has three consecutive unexcused absences;
  - i. Absences due to vacation, family emergencies, personal illness, and out of town work-related events, will be considered an "excused absence" provided the County Equal Opportunity Office was notified at least 24 hours in advance of such absence and the excused absences do not total more than three (3) in a calendar year.
- 3) when a commissioner's death, disability or any other circumstance prevents him/her from completing a term; or
- 4) when a commissioner no longer resides in the County or Supervisorial District or otherwise does not meet the qualifications for the appointment.

b. Vacancies shall be filled for the remainder of the term.

c. When a vacancy on the Commission occurs, the Commission Chairperson shall forthwith notify the Board of Supervisors in writing. Notice of vacancies shall comply with Board of Supervisors' Resolution No. 80-12. Pursuant to Resolution 80-12, public notices of unscheduled vacancies shall be listed in newspapers of general circulation printed and published in Monterey County and posted in County offices, and libraries by the Clerk to the Board of Supervisors.

**ARTICLE V – ORGANIZATION AND PROCEDURES**

**1. Meetings:**

- a. Each Commission meeting shall be open to the public, and shall be governed by applicable law and the requirements of Board of Supervisors' Resolution No. 80-12. The time and place shall be determined by a quorum of the members at the first meeting of each calendar year.
- b. Members of the Commission shall meet once each month or at least nine times per year.
- c. Special meetings shall be called by the Chairperson and/or may be called at the request of three members of the Commission.
- d. The Commission may, for good cause, grant leaves of absence for a reasonable period to its members. Request for leaves of absence must be presented to the Commission Chairperson in writing.

## **2. Quorum:**

A quorum is a majority of the total current appointed membership of the Commission. Commission action may be taken only if a quorum is present. A roll call vote shall be taken when requested by any members in attendance.

## **3. Officers:**

The Commission shall elect its Chairperson and Vice Chairperson. Commission officers shall be elected during the Commission's first meeting of the year.

a. Officers shall serve for one year and may run for reelection at the annual election.

b. Duties of Officers:

### **1) Chairperson**

- a) Is responsible to speak for the Equal Opportunity Advisory Commission to other organizations and to the public
- b) Presides at all Commission meetings.
- c) Appoints committees and committee chairpersons per bylaws.
- d) Signs all documents to carry out the will of the Commission.
- e) Stands as an ex-officio member of all committees with the exception of the nominating committee.
- f) Is responsible for the establishment of the agenda.

### **2) Vice-Chairperson**

- a) Assumes the duties of the Chairperson in case of absence or incapacity and becomes the Chairperson upon the death, resignation or permanent incapacity of the Chairperson.

## **4. Committees:**

a. There shall be two standing committees:

- 1) Departmental Review of Monterey Plan Compliance
- 2) County Review of Monterey Plan Compliance

b. Ad hoc committees shall be appointed by the Chairperson as needed for special situations not covered by the standing committees. Ad hoc committees shall serve only until the final report of the committee is given to the Commission.

- c. The Commission Chairperson shall appoint a temporary chairperson of each committee until each committee meets and selects a chairperson.
- d. The Chairperson shall appoint a Nominating Committee of at least three members in November to oversee the nomination process and conduct the election of officers at the first Commission meeting of the subsequent year.
- e. Duties of each committee shall be decided upon by the committee members and submitted to the general Commission for approval with the exception of the Nominating Committee.

**5. Amendments of Bylaws:**

- a. Any member of the Commission may suggest amendments to the bylaws.
- b. To be approved, an amendment must first be presented in writing at a regular meeting. At the next regular meeting, it may be adopted by a two-thirds vote of those present. Thereafter, such amendment must be submitted to the Board of Supervisors for final approval.

**6. County Staff Support:**

The Equal Opportunity Office shall provide staff support to the Commission. The County Equal Opportunity Officer shall be the Executive Secretary to the Commission and shall be responsible for taking minutes of each regular meeting, preparing the same, and for mailing the meeting agenda and informational materials to all Commission members.

The Equal Opportunity Officer shall provide the Commission with an annual status report summarizing:

- a. Equal employment opportunity categories and job groups
- b. Workforce composition and utilization analysis
- c. Selection and separate analysis
- d. Problem areas and trends
- e. Countywide and Departmental EEO related training
- f. Current status of the County in meeting goals and timetables outlined in the Monterey Plan.

**7. Minutes:**

Official minutes indicating attendance and recording actions taken at each Commission meeting shall be prepared and submitted to the Board of Supervisors through the Clerk to the Board, prior to the subsequent meeting.

**8. Expenses:**

Pursuant to the provisions of Resolution 80-12, Commission members shall be entitled to mileage reimbursement to and from meetings and reasonable expenses necessarily incurred to

conduct official County business. Standard rates allowed County personnel shall be paid for reimbursement.

## **9. Annual Report**

An annual report shall be prepared for submission to the Board of Supervisors.

- a. Each committee chairperson shall be responsible for preparing a report summarizing the work of his/her committee. Each committee's report shall be approved by the full Commission, and submitted to the Commission Chairperson no later than the May meeting of each year.
- b. The Chairperson, with staff support, shall prepare a short, concise summary report of the Commission activities which shall be mailed to the Commission members prior to the June meeting. A two-thirds vote of those present at the June meeting is required for approval of the Commission's annual report.
- c. The Commission shall submit copies of the annual report to the Clerk to the Board of Supervisors by July 30 of each year. The Clerk to the Board shall distribute copies to the Board of Supervisors and the County Administrative Officer.

## **10. Rules:**

Board of Supervisors' Resolution 80-12, together with all other Resolutions which establish County policy and/or procedure for the formation and operations of the various County commissions, shall apply to the activities of the Equal Opportunity Advisory Commission except as otherwise modified by these bylaws. Roberts' Rules of Order shall guide the procedural conduct of meetings.