

**COUNTY OF MONTEREY**

**EQUAL OPPORTUNITY PLAN**

**2018-2020**



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

**PART II: EQUAL OPPORTUNITY PLAN FOR PROTECTED VETERANS  
AND INDIVIDUALS WITH DISABILITIES**

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# MONTEREY COUNTY EOP

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## **INTRODUCTION TO PARTS I AND II**

### **BACKGROUND**

Monterey County is a federal government supply and service contractor subject to the equal opportunity requirements of Executive Order 11246, the Rehabilitation Act of 1973 as amended, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Section 4212. Because Monterey 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 Equal Opportunity Plans for people of color and women, for protected veterans, and for individuals with disabilities for our organization. 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 Company from future contracts and subcontracts.

Equal opportunity is a term that encompasses any measure adopted by an employer to correct or to compensate for past or present discrimination or to prevent discrimination from recurring in the future. Equal opportunity goes beyond the simple termination of a discriminatory practice.

As stipulated in federal regulations, a prerequisite to the development of a satisfactory equal opportunity plan is the evaluation of opportunities for protected group members, as well as an identification and analysis of problem areas inherent in their employment. Also, where a statistical analysis reveals a numeric disparity between incumbency and availability (and/or hiring rates for veterans), an adequate EOP details specific action steps to guarantee equal employment opportunity. These steps are keyed to the problems and needs of protected group members. For people of color and women, such steps include the development of hiring and promotion goals to rectify the disparity between incumbency and availability. For protected veterans and individuals with disabilities, such steps will include a thorough review of the company's outreach efforts to determine the effectiveness of such efforts in closing the hiring and/or utilization gaps. It is toward this end that the following EOP of Monterey County was developed.

### **APPLICABLE EQUAL OPPORTUNITY LAWS AND REGULATIONS**

Monterey County's EOP for people of color 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 (Equal Opportunity Programs of Government Non-Construction Contractors; also known as "Revised Order No. 4"), and Part 60-20 (Sex Discrimination Guidelines for Government Contractors).

Monterey County has developed separately an equal opportunity plan for protected veterans and individuals 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 (Equal Opportunity Program for Individuals with Disabilities), the Vietnam Era Veterans' Readjustment

Assistance Act of 1974, Section 4212, as amended, and Title 41 Code of Federal Regulations, Part 60-300 (Equal Opportunity Program for protected veterans).

Under [Section 503](#), a business with a federal contract of more than \$15,000 is required to treat qualified individuals with disabilities without discrimination on the basis of their physical or mental disability in all employment practices, and to take action to employ and advance in employment individuals with disabilities. If the company has at least 50 employees and a single contract of \$50,000 or more, then it must also develop a Section 503 EOP, as described in [41 CFR 60-741, Subpart C](#). Section 503 applies to businesses with federal construction contracts, but not to businesses with federally assisted construction contracts.

Under [VEVRAA](#), a business with a federal contract of \$150,000 or more is required to treat qualified individuals without discrimination based on their status as a protected veteran in all employment practices, and to take action to employ and advance in employment protected veterans. If the company has at least 50 employees and a single contract of \$150,000 or more, then it must also develop a VEVRAA EOP, as described in [41 CFR 60-300, Subpart C](#). VEVRAA applies to businesses with federal construction contracts, but not to businesses with federally assisted construction contracts.

## **COVERED GROUPS UNDER EQUAL OPPORTUNITY LAWS AND REGULATIONS**

Coverage under equal opportunity 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 American Indians/Alaskan Natives.

Any veteran 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 who was discharged or released from active duty because of a service-connected disability.

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

Veterans who served on active duty in the U.S. military during a war or campaign or expedition for which a campaign badge is awarded.

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.

An individual with a disability: 1) a person who has a physical or mental impairment that substantially limits one or more of his/her major life activities; (2) has a record of such impairment, or (3) is regarded as having such an impairment.

## STATEMENT OF PURPOSE FOR PARTS I AND II

This EOP has been designed to bring women and men, people of color, protected veterans, and individuals with disabilities into all levels and segments of Monterey 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 way this is to be accomplished becomes technical and somewhat complicated. There are several reasons for this. First, Monterey County is subject to and must address a variety of State and Federal laws and guidelines dealing with equal employment. 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 considered when developing and implementing the EOP. Furthermore, in determining Monterey County's current equal employment opportunity 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 EOP, however, all have one common purpose—to allow us to properly identify three key concepts:

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

These three concepts are the Equal Opportunity Plan.

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



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

**FOR**  
**2018-2020**

## **PART I**

### **EOP 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**

##### **Workforce Analysis/Lines of Progression**

The County of Monterey conducted a workforce analysis to identify employees by gender and race/ethnicity in each job title. The data was collected from payroll records dated 01/01/2018.

Job titles are listed by department. 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, Monterey 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 employees who are White, Black, Hispanic, Asian, American Indian or Alaskan Native employees, Native Hawaiian or Pacific Islander, and Two or More races, and the male and female employees within each of these race/ethnic groups.

##### **Lines of Progression**

Developed in conjunction with the workforce analysis is information on Monterey County's lines of progression. Lines of progression (career ladders/career paths) identify the job titles through which an employee can move to the top of a line. For each line of progression, applicable departments are identified. These are the departments which employ persons in the job titles in the specified line of progression. Some lines of progression are limited to only one department, while others are found throughout several departments.

The lines of progression provide useful information regarding patterns of vertical and horizontal movement throughout our workforce. These patterns will be evaluated to ascertain whether they provide to our employees the optimum career mobility and opportunities for advancement.

See the *Workforce Analysis/Lines of Progression* for the results per organizational unit.



## **CHAPTER 2: JOB GROUP ANALYSIS**

### **41 C.F.R. § 60-2.12**

Although 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 were several reasons for grouping jobs.

Many job titles are so similar in content 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 problem areas 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 problem areas are more likely to be in terms of whole people. Consequently, goals established to correct problem areas are also more likely to be in terms of whole people.

The three reasons for grouping job titles all discuss "similar" or "related" jobs. That 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.

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 a problem area, 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.

It may not be possible for a smaller contractor's job groups to meet the guideline of not crossing EEO categories. While there are usually two or more job groups within each EEO-4 category, for smaller contractors some or all of their job groups may correspond to EEO categories.

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

### **CHAPTER 3: PLACEMENT OF INCUMBENTS IN JOB GROUPS**

#### **41 C.F.R. § 60-2.13**

Each job group appears on a Job Group Report with a job group name and number. The report lists each job title in the job group. For each job title, the worksheet provides the following information: EEO reporting category, job title, employee headcounts for each job title, and overall percentages by gender and race/ethnicity as of 01/01/2018.

See the ***Job Group Analysis*** for the listing of the job titles and the associated race and gender headcounts per job group.

## CHAPTER 4: DETERMINING AVAILABILITY

### 41 C.F.R. § 60-2.14

"Availability" is an estimate of the proportion of each sex and race/ethnic group available and qualified for employment at Monterey 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 race/ethnic and sex group could reasonably be expected to be represented in a job group if Monterey 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, worthwhile and attainable goals, and real increases in employment for problem 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 problem areas or areas of deficiency, and establish goals to correct the problems.

#### 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 2006-2010 American Community Survey (ACS) Census of Population data.
  - A. Local labor area: An employee Zip Code Analysis was used to identify the most precise local labor area. The final local labor area met the following two (2) conditions: 1) it includes all counties/county sets where 5% or more of the employees/applicants resided, and 2) when summed, those counties/county sets accounted for at least 78% of the total applicants/employees within the at-issue workforce. Smaller contributing counties/county sets are removed (i.e., trimmed) unless they are necessary to reach 78%. Once trimmed, the weights for the remaining counties/county sets were proportionately increased to reach 100%.
  - B. Reasonable labor area: National

See the **Zip Code Analysis** report for the counties included in the local labor area.

Note: Zip code analysis results only apply to job groups where populated census data is available.

2. Internal Factor: The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization. See the **Internal Availability Analysis** for more detail.

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 never 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 sex and race/ethnic group, as well as for minorities in the aggregate.<sup>1</sup>

See the *Availability Analysis* for the availability breakdown for each job group.

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<sup>1</sup> In most cases, the final availability report (and most other technical reports in this EOP) only includes data/information for females and minorities in the aggregate.

**CHAPTER 5: COMPARING INCUMBENCY TO AVAILABILITY**  
**41 C.F.R. § 60-2.15**

Once final availability estimates were made for each job group, Monterey County compared the percentage of incumbents in each job group to their corresponding availability. A comparison was made between the percentage employed as of 01/01/2018 and that group's final availability.

See the *Comparison of Incumbency to Availability* for the results per job group.

## **CHAPTER 6: PLACEMENT GOALS**

### **41 C.F.R. § 60-2.16**

Monterey County has established an annual percentage 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. 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. 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 9). Selections will occur only from among qualified applicants. Goals do not require the hiring of a person 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 Monterey County hire a specified number of minorities or women.

A goal is a guidepost against which Monterey County, a community group, or a compliance agency can measure progress in remedying identified deficiencies in Monterey County's workforce. By setting realistic goals, Monterey 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 applicants.

See the *Placement Goals* report for each job group and the *Goals Progress Report* for progress made since the previous EOP.

## **CHAPTER 7: DESIGNATION OF RESPONSIBILITY**

### **41 C.F.R. § 60-2.17(a)**

As part of its efforts to ensure equal employment opportunity to all individuals, Monterey County has designated specific responsibilities to various staff to ensure the EOP focuses on all components of the employment system. To that end, the Board of Supervisors, the Civil Rights Officer, and those employed as supervisors and managers have undertaken the responsibilities described below.

#### Board of Supervisors

The Monterey County Board of Supervisors bears the responsibility to assure that the County is compliant with 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 Civil Rights Officer the responsibility for overseeing, administering, implementing, and monitoring the County's EOP. Ensure that the Civil Rights Officer is identified in writing by name and job title.
3. Ensure that the Civil Rights 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.

#### Civil Rights Office

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

1. Provide direction to Monterey County's employees, as necessary, to carry out all actions required to meet the County's equal employment opportunity and Equal Opportunity commitments.
2. Review, report on, and update Monterey County's EOP at least once every two years in accordance with stated policy.
3. Responsible for the design and effective implementation of the EOP at all

establishments.

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 remedial action and determine the degree to which goals and objectives have been obtained.
5. Advise management in the modification and development of Monterey County's policies to ensure the enhancement of equal employment opportunity for all employees and potential employees within existing equal employment opportunity guidelines.
6. Conduct periodic audits to ensure all required posters and those advertising Monterey County's equal employment opportunity policies and EOP are displayed and that Monterey County's equal employment opportunity policies are being thoroughly communicated.
7. Assist in review and revision of all policies, procedures, and rules to ensure they are not in violation of federal or state laws and regulations.
8. Ensuring that the Departments' 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 regard to 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 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 Civil Rights 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 Civil Rights 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 Civil Rights Officer and all Human Resources staff (whether “Centralized” or “Decentralized”) to assist departments in arriving at solutions to EEO 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 Civil Rights Officer the prior year Applicant Data from Neo.gov by January 30th 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 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 Civil Rights 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 Civil Rights 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 EOP. 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 EOP. 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 8: IDENTIFICATION OF PROBLEM AREAS**

### **41 C.F.R. § 60-2.17(b)**

#### **Terminology**

The phrases “comparison of incumbency to availability,” and “problem area” appearing in this chapter are terms Monterey County is required by government regulations to use. The criteria used in relation to these terms are those specified by the government. These terms have no independent legal or factual significance. Although Monterey County will use the terms in good faith in connection with its EOP, such use does not necessarily signify the company agrees that these terms are properly applied to any particular factual situation and is not an admission of non-compliance with EEO laws, regulations, and objectives. Whenever the term “goal” is used, it is expressly intended that it “should not be used to discriminate against any applicant or employee because of race, color, religion, gender, or national origin,” as stated in Title 41 Code of Federal Regulations, Part 60-2.16(e).

In addition to comparing incumbency to availability within job groups, Monterey County has conducted studies to identify problem areas in each of its selection procedures (i.e., hires, promotions, and terminations). Monterey County will continue to monitor and update these studies during each EOP year. In each case where potential problem areas have been identified, affirmative steps, as appropriate, will be taken consistent with any of the action-oriented programs described in Chapter 9 of this EOP.

Goals are established within each of the job groups at no less than the current availability data for the job group.

Background: In April of 2018 the County of Monterey entered an indefinite hiring freeze due to the current fiscal climate. The County will continue to strive towards the goals outlined in this plan under the current constraints. Opportunities to strengthen outreach partnerships remain.

#### **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*.

An analysis of minority and female utilization within each job group was accomplished by a thorough investigation of the *Comparison of Incumbency to Availability* reports.

#### **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.

See the *Summary of Personnel Transactions Report* for each job group.

**41 C.F.R. § 60-2.17(b)(3): Compensation Systems**

Compensation analyses were conducted by comparing the salaries for men v. women, and whites v. minorities in each job title.

## **CHAPTER 9: ACTION-ORIENTED PROGRAMS**

### **41 C.F.R. § 60-2.17(c)**

Monterey County tailors our action-oriented programs each year to ensure they are specific to the problem identified.

#### Action-Oriented Program (AOPs):

The action-oriented programs designed to address the underutilization of women and minorities, the utilization goal set for individuals with disabilities, and the hiring benchmark for the protected veterans are listed below. These action-oriented programs will be carried-out throughout the EOP year. Evaluation of these AOPS will be conducted at least annually. The Civil Rights 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 Civil Rights Office before the job announcement can be posted. The Civil Rights 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 compliant with the elements outlined in the County's Personnel Policies and Practices Resolution.
14. List all job openings of three days or more with the California Employment Development Department.
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 Specifications/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 Monterey 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 Civil Rights 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 Civil Rights Officer.
5. Monterey County will only use 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 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 Monterey County's commitment to equal 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 Civil Rights 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 Civil Rights 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 Civil Rights Officer.

## **CHAPTER 10: INTERNAL AUDIT AND REPORTING**

### **41 C.F.R. § 60-2.17(d)**

Inherent in the EOP is the need for periodic self-assessment of problems encountered, 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, the Board of Supervisors, 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. In addition, a further objective is to identify the proper corrective actions to be made to all components.

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 Equal Opportunity plan, 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 Equal Opportunity efforts.

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

1. Monitors records of all personnel activity, including referrals, placements, transfers, promotions, terminations, and compensation, at all levels to ensure the nondiscriminatory 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.

To audit the effectiveness and EOP, the following steps will be taken:

1. The Civil Rights 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.

2. The Director of Human Resources shall submit data, by County department and County-wide, to the Civil Rights 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 Civil Rights 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

3. The Civil Rights Officer will advise Department Heads (Elected and Appointed) of program effectiveness and submit recommendations to improve unsatisfactory performance, where needed.

- g. Copies shall be furnished to the County Administrative Officer and the Director of Human Resources.
- 2. 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 Civil Rights Officer and the Director of Human Resources.
- 3. Meetings and Reports.
  - a. Every County Department will annually submit their Equal Opportunity Plan to the Civil Rights Office and the Equal Opportunity Advisory Commission. The Plan shall include the following:
    - i. 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.
    - ii. 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.
    - iii. 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.
    - iv. 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.
    - v. Recruitment – Data – The data is only for underrepresented for minorities/females
    - vi. 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.

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

Department's Equal Opportunity Plans will be due the 1st week in February of every year; extensions may be granted by the Civil Rights 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 Civil Rights 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 an annual report to the Civil Rights Officer using a format disseminated by the Civil Rights Office. The Civil Rights Officer advises appointing authorities of program effectiveness and recommends improvements at least once annually.

**COUNTY OF MONTEREY**

**EQUAL OPPORTUNITY PLAN**

**2018-2020**



**PART II: EQUAL OPPORTUNITY PLAN FOR PROTECTED VETERANS AND  
INDIVIDUALS WITH DISABILITIES**

## **PART II**

### **EOP FOR PROTECTED VETERANS AND INDIVIDUALS WITH DISABILITIES**

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**CHAPTER A: POLICY STATEMENT**  
**41 C.F.R. §§ 60-300.44(a); 60-741.44(a)**

It is the policy of Monterey County and my personal commitment that equal employment opportunity be provided in the employment and advancement for all persons regardless of race, religion, color, national origin, sex, age, sexual orientation/gender identity and status as a protected veteran or individual with a disability at all levels of employment, including the executive level. Monterey County does not and will not discriminate against any applicant or employee regardless of race, religion, color, national origin, sex, age, sexual orientation/gender identity and status as a protected veteran and/or individual with a disability to any position for which the applicant or employee is qualified. In addition, Monterey County is committed to a policy of taking Equal Opportunity to employ and advance in employment qualified protected veteran employees and qualified employees with disabilities at all levels, including the executive level. Such Equal Opportunity shall apply to all employment practices, including, but not limited to hiring, upgrading, demotion or transfer, recruitment, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship and on-the-job training. Decisions related to personnel policies and practices shall be made on the basis of an individual's capacity to perform a particular job and the feasibility of any necessary job accommodation. Monterey County will make every effort to provide reasonable accommodations to any physical and mental limitations of individuals with disabilities and to disabled veterans.

Employees and applicants shall not be subjected to harassment, intimidation, threats, coercion or discrimination because they have engaged in or may engage in any activity protected by state, federal or local anti-discrimination laws including the following activities:

- (1) Filing a complaint;
- (2) Assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to the administration of the Equal Opportunity provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (VEVRAA) or any other Federal, state or local law requiring equal opportunity for disabled veterans, recently separated veterans, active wartime or campaign badge veterans, or Armed Forces service medal veterans or Section 503 of the Rehabilitation Act of 1973, as amended (Section 503) or any other federal, state or local law requiring equal opportunity for disabled persons;;
- (3) Opposing any act or practice made unlawful by VEVRAA or its implementing regulations or any other federal, state or local law requiring equal opportunity for disabled veterans, recently separated veterans, active wartime or campaign badge veterans, or Armed Forces service medal veterans or section 503 or its implementing regulations or any other federal, state or local law requiring equal opportunity for disabled persons; or
- (4) Exercising any other right protected by VEVRAA or Section 503 or their implementing regulations.

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 all persons regardless of race, religion, color, national origin, sex, age, sexual orientation/gender identity and status as a protected veteran or an individual with disability. Monterey County's EEO policy and Equal Opportunity obligations include the full support from County Administrative Officer, Lew Bauman.

Monterey County will also continually design and implement audit and reporting systems that will measure the effectiveness and the compliance of the EOP, identify the need for remedial actions, determine if objectives were attained, and determine if opportunities to participate in company-sponsored activities were extended to all employees and applicants.

The Monterey County is also committed to abiding with the Pay Transparency Nondiscrimination Provisions and therefore, will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. The Monterey County's employees who have access to the compensation information of other employees or applicants as part of their essential job functions are informed and trained to not disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) a response to a formal complaint or charge; (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the Monterey County's legal duty to furnish the information.

If you have any questions regarding our equal employment opportunity, harassment policies or the complaint procedure, you may contact your local Human Resources representative. Parts of the Equal Opportunity Plan may be reviewed, as appropriate, by making an appointment with a local Human Resources representative.

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(Signature)

Lew Bauman  
County Administrative Officer

08/28/2018

**CHAPTER B: REVIEW OF PERSONNEL PROCESSES**  
**41 C.F.R. §§ 60-300.44(b); 60-741.44(b)**

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

- 1) Monterey County periodically conduct a review of its employment processes to ensure thorough and systematic consideration of the job qualifications of 1) known protected veteran applicants and employees; and 2) 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. 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 protected veterans and individuals with disabilities, both applicants and employees. In determining the qualifications of a protected 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) Monterey County ensures that its personnel processes do not stereotype individuals with disabilities or protected veterans in a manner which limits their access to jobs for which they are qualified.
- 3) Monterey County ensures that applicants and employees with disabilities have equal access to its personnel processes, including those implemented through information and communication technologies.
- 4) Monterey County provides reasonable accommodations, unless such accommodations will cause undue hardship to the company, to applicants and employees with disabilities to ensure that equal employment opportunity are extended in the operation of its personnel processes.
- 5) Monterey County ensures that information and communications systems are accessible to all employees and applicants with disabilities even in the absence of a specific request for accommodation.

**CHAPTER C: PHYSICAL AND MENTAL QUALIFICATIONS**  
**41 C.F.R. §§ 60-300.44(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 protected veterans and employees and applicants with qualified 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 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 D: REASONABLE ACCOMMODATION TO PHYSICAL AND MENTAL LIMITATIONS**

### **41 C.F.R §§ 60-300.44(d); 60-741.44(d)**

Monterey 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. Such reasonable accommodations are implemented in the County's electronic and/or online application systems. The company ensures that qualified applicants and employees with disabilities, who are unable to fully utilize the system, are provided equal opportunities to apply and be considered for all jobs. Monterey 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.

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

Name: Juan Rodriguez

Title: Civil Rights Officer

Phone: (831) 755-5117

Email: [RodriguezJP1@co.monterey.ca.us](mailto:RodriguezJP1@co.monterey.ca.us)

**CHAPTER E: HARASSMENT**  
**41 C.F.R. §§ 60-300.44(e); 60-741.44(e)**

Monterey County has developed and implemented a set of procedures to ensure that its employees with disabilities and protected veterans are not harassed due to those conditions. A copy of the sexual harassment policy, which includes a section prohibiting harassment of individuals with disabilities or protected veterans is available for distribution to new as well as to existing employees.

## **CHAPTER F: EXTERNAL DISSEMINATION OF POLICY, OUTREACH AND POSITIVE RECRUITMENT**

**41 C.F.R. §§ 60-300.44(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 Equal Opportunity efforts. All activities are the responsibility of the Civil Rights Officer.

- 1) Initiate and maintain communication with organizations having special interests in the recruitment of and job accommodations for protected 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 protected veterans and individuals with disabilities.
- 4) Provide information emphasizing job opportunities for protected 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 protected veterans and individuals with disabilities.
- 6) List with the State Employment Development Department all suitable job openings.

The exemptions for posting jobs are when positions are,

- (1) executive and top management positions,
- (2) positions that will be filled from within the contractor's organization,
- (3) and positions lasting three days or less.

This is an on-going activity. A listing of job opportunities reported to the local State Employment Service Delivery System is always kept current.

- 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 4212 form and, for employers with 50 or more employees and contracts of \$50,000 or more, their obligation to develop a written Equal Opportunity 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, worker specifications, explanations of the County's selection process, and recruiting literature. Arrange for referral of applicants, follow up with sources, and feedback on disposition of applicants.

- 9) Participate in veterans "job fairs" and work study programs with Veterans' Administration rehabilitation facilities and schools which specialize in training or educating protected veterans.
- 10) Monterey County will also grant leaves of absence to employees who participate in honor guards for the funeral of veterans.



**CHAPTER G: INTERNAL DISSEMINATION OF POLICY**  
**41 C.F.R. §§ 60-300.44(g); 60-741.44(g)**

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

- 1) Include the policy in the County's policy manual and other in-house publications.
- 2) 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 County Administrative Officer's attitude.
- 3) Schedule training sessions for all employees involved in recruiting, selection, promotion, and other related employment issues for protected veterans and individuals with disabilities.
- 4) Discuss the policy thoroughly in both employee orientation and management training programs.
- 5) Inform union officials of the contractor's policy, and request their cooperation.
- 6) Include non-discrimination clauses in all union agreements, and review all contractual provisions to ensure they are non-discriminatory.
- 7) Include articles on accomplishments of protected veterans and workers with disabilities in Company publications.
- 8) Post the policy on Company bulletin boards, along with the County's harassment policy which includes protection from harassment based on disability.
- 9) When employees are featured in employee handbooks or similar publications for employees, include employees with disabilities.

**CHAPTER H: AUDIT AND REPORTING SYSTEM**  
**41 C.F.R. §§ 60-300.44(h); 60-741.44(h)**

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

- 1) Measures the effectiveness of Monterey County's overall Equal Opportunity program and whether the company is in compliance with specific obligations.
- 2) Indicates the need for remedial action. Any corrective actions will be the responsibility of the Civil Rights Officer.
- 3) Measures the degree to which Monterey County's objectives are being met.
- 4) Whether there are any undue hurdles for individuals with disabilities and protected veterans regarding company sponsored educational, training, recreational, and social activities. This will also include, but not limited, to the review of the on-line and electronic application system to determine their accessibility and ensuring that procedures to request for accommodations are prominently displayed and that individuals with disabilities can readily obtain the needed accommodation.

**CHAPTER I: RESPONSIBILITY FOR IMPLEMENTATION**  
**41 C.F.R. §§ 60-300.44(i); 60-741.44(i)**

As part of its efforts to ensure equal employment opportunity to all individuals, Monterey County has designated specific responsibilities to various staff to ensure the EOP focuses on all components of the employment system. To that end, the Board of Supervisors, the Civil Rights Officer, and those employed as supervisors and managers have undertaken the responsibilities described below.

Board of Supervisors

The Monterey County Board of Supervisors bears the responsibility to assure that the County is compliant with 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:

3. Adoption of the EOP on a county-wide basis.
4. Designate the Civil Rights Officer the responsibility for overseeing, administering, implementing, and monitoring the County's EOP. Ensure that the Civil Rights Officer is identified in writing by name and job title.
6. Ensure that the Civil Rights Officer, who is responsible for all EOP components, is given the necessary authority and budgetary support and staffing to successfully implement the EOP.
7. In accordance with County policies, hold all County officials, elected and appointed accountable for the actions of their managers, supervisors, staff and agents.
8. 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.

Civil Rights Officer

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

1. Provide direction to Monterey County's employees, as necessary, to carry out all actions required to meet the County's equal employment opportunity and Equal Opportunity commitments.
2. Review, report on, and update Monterey County's EOP at least every two years in accordance with stated policy.
3. Responsible for the design and effective implementation of the EOP at all

establishments.

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 remedial action and determine the degree to which goals and objectives have been obtained.
5. Advise management in the modification and development of Monterey County's policies to ensure the enhancement of equal employment opportunity for all employees and potential employees within existing equal employment opportunity guidelines.
6. Conduct periodic audits to ensure all required posters and those advertising Monterey County's equal employment opportunity policies and EOP are displayed and that Monterey County's equal employment opportunity policies are being thoroughly communicated.
7. Assist in review and revision of all policies, procedures, and rules 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 regard 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:

5. Review and provide recommendations on EEO programs, EEO-related trainings and activities.

6. Review County recruitment, testing, selection, and promotion procedures and recommend changes when deemed necessary.
7. Hold meetings with Department Heads, appropriate employee groups and community groups to achieve full implementation of the EOP.
8. Assist with the preparation and delivery of an annual report to the Board of Supervisors in coordination with the Civil Rights 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:

4. Evaluate the Equal Employment Opportunity performance of subordinate department heads.
5. Through both administrative and budgetary direction, establishes priorities for carrying out the various aspects of the EOP.
6. 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:

10. Develop and implement recruitment, selection, promotion, transfer, and layoff programs which address the County's Equal Opportunity needs.
11. 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.
12. Monitor County recruitments/selection efforts to ensure compliance with the EOP.

13. Coordinate with the Civil Rights Officer to assure compliance with the EOP procedures and objectives.
14. 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.
15. Collaborate with the Civil Rights 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.
16. 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.
17. Provide information to the County’s Equal Opportunity Advisory Commission.
18. Provide the Civil Rights Officer the prior year Applicant Data from Neo.gov by January 30th 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:

9. 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.
10. Annually submit to the Civil Rights 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 Civil Rights Office.
11. Present Department’s Equal Opportunity Plan to the Equal Opportunity Advisory Commission.

12. 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.
13. Provide opportunities for managers, supervisors, and employees to attend County-sponsored equal employment opportunity training.
14. Ensure that managers, supervisors, and other employees in their departments understand and comply with the County's EEO policies.
15. 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.
16. 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:

7. Apply equitably all personnel policies and practices to provide a workplace free of discrimination. Upon request, provide employees with copies of written policies.
8. 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.
9. Ensure that all interviews, offers of employment and/or wage commitments are consistent with the County's policies.
10. Implement the internal promotion and transfer of all qualified employees under their supervision consistent with the EOP goals and objectives.
11. Assist in identifying underutilization and provide needed information for establishing and meeting department equal employment opportunity goals and objectives.
12. 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 J: TRAINING**  
**41 C.F.R. §§ 60-300.44(j); 60-741.44(j)**

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

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

Monterey County has adopted the current national percentage of veterans in the civilian labor force of 6.7% as its hiring benchmark for protected veterans. Monterey County will update its hiring benchmark as new data is published and updated via the OFCCP's website. The 6.7% hiring benchmark is applied to each job group within Monterey County.

Monterey County also adopted the current national utilization goal of 7.0% for qualified individuals with disabilities. Monterey 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 Monterey County.

Goals and/or benchmarks do not require that Monterey 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 Monterey County, a community group, or a compliance agency can measure progress in remedying identified deficiencies in Monterey County's workforce.

Monterey County has collected the required data and conducted studies to identify areas of opportunities in the employment of protected veterans and individuals with disabilities. Monterey 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, actions, as appropriate, will be taken consistent with the activities mentioned in Chapter F (External Dissemination of Policy and Outreach and Positive Recruitment) and measures described in Chapter H (Internal Audit and Reporting) of this EOP.

See the *Hiring Benchmark and Utilization Goals Analyses*.

**CHAPTER L: COMPENSATION**  
**41 C.F.R. §§ 60-300.21(i); 60-741.21(i)**

It is the policy of Monterey County that when offering employment or promotion to protected 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.

The Monterey County is also committed to abiding with the Pay Transparency Nondiscrimination Provisions. Employees or applicants who have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant will not be discharged or in any other manner be discriminated. Employees who have access to the compensation information of other employees or applicants as part of their essential job functions are informed and trained to not disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) a response to a formal complaint or charge; (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the Monterey County's legal duty to furnish the information.