

# **EQUAL OPPORTUNITY AND CIVIL RIGHTS ADVISORY COMMISSION BYLAWS**

## **ARTICLE I – INTRODUCTION**

This organization shall be known as the Equal Opportunity and Civil Rights Advisory Commission, which 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. The Equal Opportunity and Civil Rights Advisory Commission shall advise and make recommendations to the Board of Supervisors on matters relating to equal opportunity and civil rights as part of the Equal Opportunity Plan and the Title VI of the Civil Rights Act Plan.
2. The Commission has the following specific responsibilities:
  - a. Review and become familiar with the Equal Opportunity Plan and the Title VI Plan and present proposals for modification to the Board of Supervisors for consideration.
  - b. Recommend goals and timetables regarding the Equal Opportunity Plan and the Title VI Plan for Monterey County departments and the County government as a whole.
  - c. Annually review and make recommendations regarding the progress of departmental plans in furtherance of the Equal Opportunity Plan's goals for equal opportunity and the Title VI Plan's goals of equitable access to public services.
  - d. Review the County's recruitment, testing, selection, and promotion procedures, and recommend changes where needed.
  - e. Review the County's discrimination complaint procedures, language access, and community engagement plan for Title VI Plan compliance.
  - f. Hold meetings with Department Heads, appropriate employee groups, and community groups to consider input on the Equal Opportunity and Title VI Plans, as needed.
  - g. Annually review and advise the Board of Supervisors on issues relating to equal access to contracting opportunities.
3. Each Commissioner shall have the following specific responsibilities:
  - a. Provide updates to their organization or Board Member on Commission related matters.
  - b. Each newly appointed Commissioner must attend a Commission orientation, provided by the Civil Rights Officer, or designee, within 30 days of appointment by the Board of Supervisors.

- c. All Commissioners are required to complete the ethics training under Government Code §§ 25008 *et seq.*, and newly appointed Commissioners shall complete the training within 60 days of appointment by the Board of Supervisors.

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

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

1. Two (2) Department Heads Council Representatives.
2. The following employee organizations shall each select employees representing a protected group<sup>1</sup>:
  - a. Monterey County Deputy Sheriffs' Association – one (1) representative; and,
  - b. Service Employees International Union (SEIU) Local 521 – two (2) Monterey County employee representatives.
3. Each Supervisor shall appoint a representative from their district. At least three supervisorial appointees shall be of a protected group.
4. The Commission on the Status of Women shall have one (1) representative.
5. Up to five (5) representatives from various community-based organizations which represent the interests and concerns of protected groups in the County of Monterey. Each organization shall be approved separately after careful consideration by the Commission. 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 is three years. Commissioners desiring to be reappointed must petition for an additional term.
3. There shall be a six-year maximum consecutive membership for all representatives. By consent of a majority of the Commission, a Commissioner's term may be temporarily extended, for a period not to exceed one year, pending appointment of a replacement.
4. Vacancy and replacements:
  - a. A vacancy shall exist:

---

<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 state law (e.g. individuals distinguished by their race, color, national origin, religion, disability, sex, age, veteran status, and sexual orientation/identity).

- 1) when a commissioner submits a written resignation to the Commission Chairperson and the appointing Supervisor or organization;
  - 2) when a commissioner's death or any other circumstance prevents them from completing a term;
  - 3) when a Commissioner no longer resides in the County or Supervisorial District or otherwise does not meet the qualifications for the appointment; or
  - 4) when a Commissioner is in violation of the attendance policy.
- b. Vacancies shall be filled for the remainder of the term.
  - c. When a vacancy on the Commission occurs, the Civil Rights Office shall notify the Board of Supervisors in writing for consideration of a new appointment.

## **ARTICLE V – ORGANIZATION, PROCEDURES AND ATTENDANCE**

### **1. Meetings:**

- a. Each Commission meeting shall be open to the public and governed by applicable law.
- b. The time and place shall be determined by a quorum of the members at the first meeting of each calendar year.
- c. The Commission shall meet once each month or at least nine times per year.
- d. Commissioners may contact the Civil Rights Office or the Chairperson to request an item be placed on the agenda for discussion and consideration at the next regular meeting.
- e. Special meetings shall be called by the Chairperson or at the request of three members of the Commission.

### **2. Attendance:**

- a. Commissioners are expected to attend every meeting, unless excused.
- b. Excused absences are those due to vacation or other special circumstances, provided a 48-hour advance notice is given to the Civil Rights Office, or family emergencies or personal illness.
- c. Unexcused absences are those where advance notice was not provided to the Civil Rights Office.
- d. The Commission may, for good cause, grant leaves of absence for a reasonable period to its members. Request for leave of absence must be submitted to the Civil Rights Office.
- e. A Commissioner shall be in violation of the attendance policy when:
  - 1) A Commissioner has three (3) unexcused absences in one calendar year; or,

2) A Commissioner has two (2) consecutive unexcused absences in one calendar year.

3. 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 Commissioners in attendance.

4. Officers:

The Commission shall elect a Chairperson and Vice-Chairperson prior to the January meeting to take office in January. Officers shall serve for one year and may run for reelection at the annual election.

a. Duties of Officers:

1) Chairperson:

- a) Is responsible to speak for the Equal Opportunity and Civil Rights Advisory Commission to other organizations and to the public.
- b) Presides at all Commission meetings.
- c) Appoints committee members and temporary chairpersons to serve until each committee meets and selects a chairperson.
- 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 approval of the agenda.
- g) Attend the Board of Supervisors Equal Opportunity Committee meetings.

2) Vice-Chairperson:

- a) Be knowledgeable of and assume the duties of the Chairperson in case of absence or incapacity.
- b) Becomes the Chairperson upon the death, resignation, or permanent incapacity of the Chairperson.

5. Committees:

- a. Ad hoc committees shall be created by action of the Commission, as needed. Ad hoc committees shall serve only until the final report of the committee is given to the Commission.
- b. The Commission may establish standing committees, as needed, by a majority vote.

- c. The Chairperson shall appoint a Nominating Committee of at least three Commissioners in November to oversee the nomination process and conduct the election of officers at the December meeting.

6. Amendments of Bylaws:

- a. Commissioners 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.

7. County Staff Support:

The Civil Rights Office shall provide staff support to the Commission.

8. 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.

9. Expenses:

Commissioners shall be entitled to mileage reimbursement to and from meetings and reasonable expenses necessarily incurred to conduct official County business, pursuant to County policy.

10. Reporting Process:

- a. The Civil Rights Officer shall be responsible for the overall reporting process.
- b. The Civil Rights Officer will bring to the Board of Supervisors, as a scheduled item, an annual report. During the scheduled item, the Civil Rights Officer will make a presentation highlighting the activities of the Commission.

11. Procedural Guidelines:

Roberts' Rules of Order shall guide the procedural conduct of meetings.

APPROVED and ADOPTED this 4<sup>th</sup> day of December 2018, and shall take effect January 1, 2019.