



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: 13-0058 **Name:** Adoption of Discrimination Complaint Ordinance, Resolutions and Policies

Type: General Agenda Item **Status:** Passed

File created: 1/17/2013 **In control:** Board of Supervisors

On agenda: 1/29/2013 **Final action:** 1/29/2013

Title: a. Consider adoption of an Ordinance amending Chapter 2.80 of the Monterey County Code establishing policy and procedures for the investigation and resolution of discrimination complaints;
b. Adopt a Resolution to establish the Equal Opportunity & Non-Discrimination Policy;
c. Adopt a Resolution to establish the Prevention of Sexual Harassment Policy;
d. Adopt a Resolution to establish the Equal Opportunity for Persons with Disabilities and Reasonable Accommodation Policy;
e. Adopt a Resolution to establish the Diversity Policy; and
f. Direct the Equal Opportunity Officer to implement policies and procedures.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Discrimination Complaint Ordinance final 010913.pdf, 2. Board Resolution Equal Opportunity and Non-Discrimination Policy.pdf, 3. Board Resolution Prevention of Sexual Harassment Policy.pdf, 4. Board Resolution Equal Opportunity/ Persons with Disabilities and Reasonable Accommodation Policy.pdf, 5. Board Resolution Diversity Policy.pdf, 6. Equal Opportunity and Non-Discrimination Policy 11.26.12.pdf, 7. Prevention of Sexual Harassment Policy 11.26.12.pdf, 8. Equal Opportunity for Persons/Disabilities & Reasonable Accommodation-11.26.12.pdf, 9. Diversity Policy 11.26.12.pdf, 10. Completed Board Order/Ordinance/Resolutions

Date	Ver.	Action By	Action	Result
1/29/2013	1	Board of Supervisors	approved	Pass

a. Consider adoption of an Ordinance amending Chapter 2.80 of the Monterey County Code establishing policy and procedures for the investigation and resolution of discrimination complaints;
b. Adopt a Resolution to establish the Equal Opportunity & Non-Discrimination Policy;
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d. Adopt a Resolution to establish the Equal Opportunity for Persons with Disabilities and Reasonable Accommodation Policy;
e. Adopt a Resolution to establish the Diversity Policy; and
f. Direct the Equal Opportunity Officer to implement policies and procedures.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Adopt an Ordinance amending Chapter 2.80 of the Monterey County Code establishing policy and procedures for the investigation and resolution of discrimination complaints;
- b. Adopt a Resolution to establish the Equal Opportunity & Non-Discrimination Policy;
- c. Adopt a Resolution to establish the Prevention of Sexual Harassment Policy;
- d. Adopt a Resolution to establish the Equal Opportunity for Persons with Disabilities and Reasonable Accommodation Policy;
- e. Adopt a Resolution to establish the Diversity Policy; and
- f. Direct the Equal Opportunity Officer to implement policies and procedures.

SUMMARY:

In February 2012, the Board of Supervisors gave direction to the Equal Opportunity Officer to review and update the County of Monterey Discrimination Complaint Ordinance. The Equal Opportunity Office, in collaboration with the Office of the County Counsel, has met bi-weekly to review and update the County of Monterey Discrimination Complaint Ordinance.

DISCUSSION:

On May 9, 1989, the Board of Supervisors adopted Ordinance No. 3387, Amending Title 2 of the Monterey County Code to add Chapter 2.80, Discrimination Complaint Investigative Procedures. The Ordinance was developed to provide due process and equal protection to all employees, applicants for County employment, bidders, contractors and recipient of County services within its jurisdiction.

On April 30, 1991, the Board of Supervisors adopted Ordinance No. 3537, Amending Title 2, Chapter 2.80 of the Monterey County Code, Establishing Policy and Procedures for the Investigation and Resolution of Discrimination Complaints. This policy applies to County employees, applicants for County employment and or promotion, bidders and contractors who seek to do business with the County or its agencies, and recipients of County services. The purpose of the policy and procedures were to provide appropriate and available means for raising, investigating and resolving, to the fullest extent possible issues of discrimination which affect any of these individuals.

On January 15, 2013 the Board of Supervisor introduced, waived reading, and set January 29, 2013 at 1:30 p.m. to consider adoption of the ordinance amending Chapter 2.80 of the Monterey County Code establishing policy and procedures for the investigation and resolution of discrimination complaints.

The 2013 amendment and retitling of the ordinance recognizes and reaffirms the long-standing commitment of the County of Monterey to the principles of equal opportunity and anti-discrimination. It also provides for greater flexibility in the administration of this commitment and the ability to respond to changes in the law. The ordinance establishes specific policies, which will be adopted by resolution, supersedes and rescinds older, identified resolutions, and authorizes the Equal Opportunity Office to develop implementing procedures that can be updated.

The Board is also asked to approve specific resolutions to establish specific policies which have been updated and created, in an effort to consolidate into one place the County's commitments to equal opportunity and non-discrimination, and to clarify and update those commitments. Copies of those proposed policies are attached to this Board Report.

OTHER AGENCY INVOLVEMENT:

The Equal Opportunity Office has been working with The Office of the County Counsel.

FINANCING:

There is no financial impact to the General Fund.

Prepared by:

Approved by:

Michelle Gomez Date
Equal Opportunity Specialist-Confidential

Irma Ramirez-Bough Date
Equal Opportunity Officer

Attachments:

- Equal Opportunity and Non-Discrimination Ordinance
- Resolution adopting the Equal Opportunity & Non-Discrimination Policy
- Resolution adopting the Prevention of Sexual Harassment Policy
- Resolution adopting the Equal Opportunity for Persons with Disabilities and Reasonable Accommodation Policy
- Resolution adopting the Diversity Policy
- Equal Opportunity & Non-Discrimination Policy
- Prevention of Sexual Harassment Policy
- Equal Opportunity for Persons with Disabilities and Reasonable Accommodation Policy
- Diversity Policy