



# County of Monterey

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

## Board Report

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**File #:** 12-1127, **Version:** 1

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- a. Introduce, waive reading and set January 15, 2013 at 1:30 p.m. to consider adoption of an Ordinance of the County of Monterey, State of California, revising Monterey County Code, Title 2, Chapter 2.80 of the County of Monterey Discrimination Complaint Ordinance and retitling Chapter 2.80 to Equal Opportunity and Non-Discrimination Ordinance.
- b. Direct the Clerk of Board to publish the summary five days prior to set date of January 15, 2013 and within 15 days of adoption in The Salinas Californian.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Introduce, waive reading and set January 15, 2013 at 1:30 p.m. to consider adoption of an Ordinance of the County of Monterey, State of California, revising Monterey County Code, Title 2, Chapter 2.80 of the County of Monterey Discrimination Complaint Ordinance and retitling Chapter 2.80 to Equal Opportunity and Non-Discrimination Ordinance.
- b. Direct the Clerk of Board to publish the summary five days prior to set date of December 11, 2012 and within 15 days of adoption in The Salinas Californian.

### 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 meet its constitutional obligation to provide due process and equal protection to all employees, applicants for County employment, bidders, contractors and recipients 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.

The 2012 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, and authorizes the Equal Opportunity Office to develop implementing procedures that can be updated.

At the time that the proposed ordinance is brought forward for consideration, the Board will also be asked to approve specific policies which have been updated, and to rescind certain resolutions in an effort to consolidate into one place the County's commitments to equal opportunity and anti-discrimination, and to clarify and update those commitments. Copies of those proposed policies are attached to this Board Report for informational purposes.

To promote this commitment, it is recommended that the County introduce this ordinance, waive its reading and set January 15, 2013 for consideration and possible adoption.

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:

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Equal Opportunity Office

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Equal Opportunity Officer

Attachments:

- Draft Ordinance
- Draft Equal Opportunity and Non-Discrimination Policy
- Draft Prevention of Sexual Harassment Policy
- Draft Equal Opportunity for Persons with Disabilities and Reasonable Accommodation Policy
- Draft Diversity Policy