

Sutter County

Equal Employment Opportunity Plan 2010-2013



Sutter County
1160 Civic Center Boulevard
Yuba City, CA 95993

Sutter County Equal Employment Opportunity Plan

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SECTION 1: Introduction

1A: Personnel Management and Operations Overview

This Equal Employment Opportunity Plan (EEOP) is established in accordance with 28 CFR 42.202. and has been developed using the U.S. Department of Justice guide, "**The Seven-Step Guide to the Design and Development of an Equal Employment Opportunity Plan.**" It upholds the commitment to prohibitions against discrimination in any program or activity. Sutter County has maintained its commitment to the EEO Policy and has conducted active recruitment to reach all appropriate sources to obtain qualified employees for selection on a nondiscriminatory basis including minority, females, disabled and older workers. All efforts toward equal opportunity have been designed to meet Sutter County's staffing needs at all levels.

1B: Purpose

The purpose of the 2010-2013 Equal Employment Opportunity Plan (EEOP) is to commit Sutter County to a program that makes equal employment opportunity a reality for all County employees. The plan will accomplish this purpose by:

Re-affirming the County's commitment to Equal Employment Opportunity and Federal Affirmative Action in its employment practices, program operations, and service delivery systems.

Defining specific action steps to:

- Promote a work environment that is free from all forms of discrimination and harassment.
- Eliminate unnecessary, arbitrary or artificial practices that affect applicants and employees.
- Increase employee awareness and acceptance of race, cultural, sex, age, religion, sexual orientation and disability differences among employees.
- Provide opportunities for career development and advancement for all employees.
- Acknowledge the EEO occupational job categories where all employees, including minorities and women, continue to be under-represented and recommend recruitment, retention and career development solutions to address these areas.

Recognizing the County's expanding workforce by fostering and supporting programs that enhance this diversity.

Assigning responsibility and accountability for the success of the Equal Employment Opportunity Program to department heads, managers and supervisors.

This is a living four-year plan and report and is intended to be a Countywide guide for a plan of action and reference resource. Although it is impossible to fully detail progress made since the last EEOP was developed for 2000-01 since the Community Labor Statistics are previously titled "Yuba Metropolitan Labor Force" is no longer in existence and the 2000 Census employment categories significantly changed from those used during previous years; it is our hope that this EEOP will provide a solid basis for communicating the organizations EEO goals for the next four years and quantifying achievements.

Comments and suggestions regarding this plan are welcomed and should be directed to:

Mary Lynn Carlton, Personnel Director, 1160 Civic Center boulevard, Suite B, Yuba City, CA 95993, e-mail: mcarlton@co.sutter.ca.us ; telephone (530) 822-7113. This plan is available for download at the Sutter County website: <http://www.co.sutter.ca.us> and on the County's internal *SutterNet* intranet site.

It is our hope that the 2010-2013 Equal Employment Opportunity Plan reaffirms the Sutter County commitment to the principles and philosophy of equal employment opportunity and reinforces the need for efforts to ensure that our County workforce is best able to serve the needs of our diverse community.

1C: Responsibilities

To assure support and success of this Equal Employment Opportunity Plan and to meet the established objectives, the following persons have been assigned specific responsibilities:

1. BOARD OF SUPERVISORS

The Board of Supervisors actively and aggressively supports equal employment opportunity through:

- Encouragement and budgetary assistance to County departments;
- Dissemination of equal employment opportunity information to employees and the general public; and,
- Requiring and reviewing equal employment opportunity practices and procedures.

2. COUNTY ADMINISTRATOR

The County Administrator has the ultimate responsibility for the success of the Equal Employment Opportunity Plan. The County Administrator will assure effective communication of, and conformance with, the requirements of this Plan and assure that each Department Head takes such action as is necessary to achieve the Plan's objectives.

3. PERSONNEL DIRECTOR

The Personnel Director, in implementing the provisions of the County's Personnel Department Programs, is responsible for the general administration of the Plan and will continually review all personnel policies, employment practices and procedures, and make recommendations on steps to achieve full equal employment opportunity.

4. DEPARTMENT HEADS

Department Heads will adhere to the County's Equal Employment Opportunity Plan, in both spirit and intent, and are responsible for achieving progress toward the goals and objectives of the Plan in their departments. Each Department Head will ensure that all employment decisions, including development of job knowledge and skill requirements, interviews, offers of employment and compensation commitments, assignment, training and evaluation, and employee relations are consistent with the County's personnel practices and equal employment opportunity principles.

5. MANAGERS AND SUPERVISORS

County managers and supervisors are responsible for:

- Ensuring that all staff understand and work within Federal and State laws, as well as County policies and procedures, dealing with equal employment opportunity and affirmative action.
- Initiating steps to foster and maintain a work climate that is conducive to achieving equal employment opportunities and a workplace free from discrimination or harassment.

6. COUNTY EMPLOYEES

County employees are responsible for supporting a work climate that is conducive to achieving equal employment opportunities and that is free of any form of discrimination or harassment.

EEO Coordinator Responsibilities

The responsibilities and duties of the Equal Employment Opportunity (EEO) Coordinator in administering Sutter County's non-discrimination program relating to employment are as follows:

1. To administer and monitor program progresses and initiate corrective action when appropriate. All personnel actions will be monitored and analyzed to ensure the adherence of this policy. Annual reports are submitted to the County Administrative Officer for review and evaluation of progress.
2. To serve as liaison between Sutter County and minority organizations, women's organizations, organizations representing individuals with disabilities and community action groups concerned with employment opportunities for minorities, the disabled and women.
3. To keep management and supervisors informed of the latest development in applicable laws and regulations relating to employment and to inform management of changes which may affect the non-discrimination program and to review the program as necessary.
4. To inform employees of available opportunities for advancement and to assist in maintaining open lines of communications throughout the work force.
5. To periodically audit Sutter County's Orientation Program, and its hiring, promotion and termination practices.
6. To ensure that EEO and non-discrimination statements are properly displayed, and that minorities, the disabled, and women are encouraged to participate in County sponsored activities.
7. To ensure that supervisors understand that their responsibilities include carrying out Sutter County's commitment to equal employment opportunity and non-discrimination.
8. To assume any contingent responsibilities necessary to ensure effective implementation of the county's non-discrimination program.

1D. Complaint Resolution Procedures

Employees and applicants are encouraged to attempt resolution of complaints as quickly as possible at the lowest and least formal level. However, if deemed inappropriate in the judgment of the individual, then he or she is encouraged to pursue resolution at a higher level. The most important consideration should be resolution of the issue in a prompt and fair manner.

SUTTER COUNTY COMPLAINT PROCEDURES

Sutter County recognizes two internal reporting procedures:

1. Resolution within the Department

An employee can discuss the issue/complaint and seek a remedy with his/her immediate supervisor. If the complaint/issue is not resolved, or the behavior of the employee's supervisor is an issue, the employee is encouraged to pursue resolution through discussion with the next level higher manager up to the Department Head.

2. Filing an Administrative Complaint

Any employee or applicant for employment may file a complaint with the County's Equal Employment Opportunity Coordinator (Personnel Director) in the Personnel Department at: 530-822-7113. Complaints may be made by completing a complaint form, as shown in this plan as Appendix D, and direct it to: EEO Coordinator, Sutter County Personnel Department, 1160 Civic Center Blvd, Suite B, Yuba City, CA, 95993.

The EEO Coordinator, or designee, shall take all complaints seriously and investigate with due diligence. Confidentiality shall be maintained at all times to the greatest extent possible, recognizing the rights of the complainant, the accused, and all third party witnesses.

No employee shall be subjected to intimidation, coercion, or retaliation of any kind as a result of filing a complaint pursuant to this policy or as a result of being a witness in an investigation.

Section 23 - "Discriminatory Workplace Harassment Policy" of the Sutter County Rules and Regulations (Attached) provides more detail on resolution procedures.

EXTERNAL AGENCIES

In addition to the above, employees and applicants always have the option of filing a complaint with either, or both, the state and federal external compliance agencies. The address and phone numbers for each agency are listed below.

1. California Department of Fair Employment and Housing

1515 Clay Street, Suite 701
Oakland, CA 94612
(800) 884-1684
www.dfeh.ca.gov

2. United States Equal Employment Opportunity Commission

350 Embarcadero, Suite 500
San Francisco, CA 94105
(415) 356-5600

Section 2: POLICY

Sutter County Policy Statement

Equal Employment Opportunity Policy

Sutter County is an equal employment opportunity (EEO) employer and is committed to an active non-discrimination program. It is the stated policy of Sutter County that all employees, and applicants, shall receive equal consideration and treatment. All recruitment, hiring, placements, transfers, and promotions will be on the basis of the qualifications of the individual for the positions being filled regardless of race, color, religious creed, sex marital status, age, national origin, medical condition (cancer-related only), mental or physical disability (including ADIS or HIV), ancestry, or any other consideration made unlawful by federal, state or local laws. All other personnel actions such as compensation, benefits, layoffs, returns from layoffs, terminations, training, and social and recreational programs are also administered regardless of race, color, religious creed, sex marital status, age national origin, medical condition (cancer-related only), mental or physical disability (including AIDS or HIV), ancestry, sexual orientation, denial of Family and Medical Care Leave, Denial of Pregnancy Disability Leave, or any other consideration made unlawful by federal, state or local laws.

The object of Sutter County's Equal Employment Opportunity Program is wherever possible, to actively recruit and include for consideration for employment, members of minority groups, females and the disabled. All decisions on employment and promotions must be made solely on an individual's qualifications (merit) and bona fide occupational qualifications for the job in question, and the reasonableness of any necessary job accommodations.

The County of Sutter will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability that is an applicant or an employee unless undue hardship would result. Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the Personnel Department and request such an accommodation. The individual with the disability should specify what accommodation(s) he or she needs to perform the job. The County of Sutter will identify the possible accommodations, if any, that will help eliminate the barrier. If the accommodation(s) is reasonable and will not impose an undue hardship, the County of Sutter will make the accommodation(s).

Equal Employment Opportunity (EEO) Coordinator

The Personnel Director has been designated the EEO Coordinator to coordinate compliance with the non-discrimination requirements relating to employment pursuant to section 35.107 of the Department of Justice regulations and is responsible for implementation of Sutter County's non-discrimination program as outlined on page 3 (EEO Coordinator responsibilities). Inquiries concerning the application of federal and state laws and regulations regarding employment should be referred to the Personnel Director.

To achieve the goals of our non-discrimination program, it is necessary that each member of this County understand the importance of the program and his or her individual responsibility to contribute toward its maximum fulfillment.

Sutter County will reaffirm this Equal Employment Opportunity/Non-Discrimination on the Basis of Disability Policy Statement annually.

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF SUTTER, STATE OF CALIFORNIA

RESOLUTION OF THE BOARD OF)
SUPERVISORS ADOPTING AN EQUAL)
EMPLOYMENT OPPORTUNITY/)
NON-DISCRIMINATION ON-THE-BASIS-)
OF-DISABILITY POLICY STATEMENT AND)
IMPLEMENTATION RESPONSIBILITY)
STATEMENT)

RESOLUTION NO. 10-034

WHEREAS the County of Sutter has implemented an equal employment opportunity program by enacting Resolution No. 09-033; and

WHEREAS the County of Sutter desires to update its equal employment opportunity policy statement to be consistent with the employment provisions of the Americans with Disabilities Act of 1990, and current law and personnel practices.

THEREFORE, the Board of Supervisors resolves:

1. That the Sutter County equal employment opportunity/non-discrimination policy statement and implementation responsibility statement, attached hereto as Exhibit A and incorporated by reference, is adopted.
2. This resolution replaces Resolution No. 09-033.

PASSED AND ADOPTED this 1st day of June, 2010, by the Sutter County Board of Supervisors by the following vote:

AYE: Supervisors Montna, Cleveland, Munger, Whiteaker, and Gallagher

NO: None

ABSENT: None

ABSTAIN: None


CHAIRMAN, BOARD OF SUPERVISORS

ATTEST:

DONNA M. JOHNSTON, CLERK

BY: 
DEPUTY



SUTTER COUNTY'S EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION
ON THE BASIS OF DISABILITY POLICY STATEMENT

Equal Employment Opportunity/Non-Discrimination on the Basis of Disability Policy Statement

Sutter County is an equal employment opportunity (EEO) employer and is committed to an active non-discrimination program. It is the stated policy of Sutter County that all employees, and applicants, shall receive equal consideration and treatment. All recruitment, hiring, placements, transfers, and promotions will be on the basis of qualifications of the individual for the positions being filled regardless of race, color, religious creed, sex, marital status, age, national origin, medical condition (cancer-related only), mental or physical disability (including AIDS or HIV), ancestry, sexual orientation, or any other consideration made unlawful by federal, state or local laws. All other personnel actions such as compensation, benefits (including Family and Medical Care Leave and Pregnancy Disability Leave), layoffs, returns from layoffs, terminations, training, and social and recreational programs are also administered regardless of race, color, religious creed, sex, marital status, age, national origin, medical condition (cancer-related only), mental or physical disability (including AIDS or HIV), ancestry, sexual orientation, or any other consideration made unlawful by federal, state or local laws.

The object of Sutter County's Equal Employment Opportunity Program is wherever possible, to actively recruit and include for consideration for employment, members of minority groups, females and the disabled. All decisions on employment and promotions must be made solely on an individual's qualifications (merit) and bona fide occupational qualifications for the job in question, and the reasonableness of any necessary job accommodations.

The County of Sutter will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result. Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the Personnel Department and request such an accommodation. The individual with the disability should specify what accommodation(s) he or she needs to perform the job. The County of Sutter will then conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform the job. The County of Sutter will identify the possible accommodations, if any, that will help eliminate the barrier. If the accommodation(s) is reasonable and will not impose an undue hardship, the County of Sutter will make the accommodation(s).

Equal Employment Opportunity (EEO) Coordinator

The Personnel Director has been designated the EEO Coordinator to coordinate compliance with the non-discrimination requirements relating to employment pursuant to section 35.107 of the Department of Justice regulations and is responsible for implementation of Sutter County's non-discrimination program as outlined in Attachment A. Inquiries concerning the application of federal and state laws and regulations regarding Employment should be referred to the Personnel Director.

To achieve the goals of our non-discrimination program, it is necessary that each member of this County understand the importance of the program and his or her individual responsibility to contribute toward its maximum fulfillment.

Sutter County will reaffirm this Equal Employment Opportunity/Non-Discrimination on the Basis of Disability Policy Statement annually.


Signature

Chairman of the Board of Supervisors
Title

June 1, 2010
Date

Responsibility of the EEO Coordinator for Implementation and Administration of Sutter County's Non-Discrimination Program

The responsibilities and duties of the Equal Employment Opportunity (EEO) Coordinator in administering Sutter County's non-discrimination program relating to employment are as follows:

1. To administer and monitor program progress and initiate corrective action when appropriate. All personnel actions will be monitored and analyzed to ensure the adherence of this policy. Regular annual reports are submitted to the County Administrative Officer for review and evaluation of progress.
2. To serve as liaison between Sutter County and minority organizations, women's organizations, organizations representing individuals with disabilities and community action groups concerned with employment opportunities for minorities, the disabled and women.
3. To keep management and supervisors informed of the latest development in applicable laws and regulations relating to employment and to inform management of changes which may affect the non-discrimination program and to review the program as necessary.
4. To inform employees of available opportunities for advancement and to assist in maintaining open lines of communications throughout the work force.
5. To periodically audit Sutter County's orientation program, and its hiring, promotion and termination practices.
6. To ensure that EEO and non-discrimination statements are properly displayed, and that minorities, the disabled and women are encouraged to participate in County sponsored activities.
7. To ensure that supervisors understand that their responsibilities include carrying out Sutter County's commitment to equal employment opportunity and non-discrimination.
8. To assume any contingent responsibilities necessary to ensure effective implementation of the County's non-discrimination program.

Section 3: EEO Statistics

Agency Workforce Breakdown December 2009

JOB CATEGORY	Total in CLS Pop	Total in SC WF Pop	MALE							FEMALE						
			W	B	H	A/PI	AI/AN	Other	Totals	W	B	H	A/PI	AI/AN	Other	Totals
Officials/Administrators	4959	83	49	0	1	0	0	0	50	29	0	4	0	0	0	33
<i>% of position population</i>			59.0%	0.0%	1.2%	0.0%	0.0%	0.0%	60.2%	34.9%	0.0%	4.8%	0.0%	0.0%	0.0%	39.8%
Professionals PLUS Para-Professionals	7089	231	61	4	7	5	0	2	79	116	6	17	4	2	7	152
<i>% of position population</i>			26.4%	1.7%	3.0%	2.2%	0.0%	0.9%	34.2%	50.2%	2.6%	7.4%	1.7%	0.9%	3.0%	65.8%
Technicians	1348	147	35	0	4	1	1	0	41	87	3	11	1	3	1	106
<i>% of position population</i>			23.8%	0.0%	2.7%	0.7%	0.7%	0.0%	27.9%	59.2%	2.0%	7.5%	0.7%	2.0%	0.7%	72.1%
Protective Svcs	1055	170	93	3	12	2	5	3	118	42	0	8	0	0	2	52
<i>% of position population</i>			54.7%	1.8%	7.1%	1.2%	2.9%	1.8%	69.4%	24.7%	0.0%	4.7%	0.0%	0.0%	1.2%	30.6%
Office/Clerical	8516	186	7	2	1	0	0	0	10	138	3	23	3	0	9	176
<i>% of position population</i>			3.8%	1.1%	0.5%	0.0%	0.0%	0.0%	5.4%	74.2%	1.6%	12.4%	1.6%	0.0%	4.8%	94.6%
Skilled Craft	2878	21	17	0	2	1	0	1	21	0	0	0	0	0	0	0
<i>% of position population</i>			81.0%	0.0%	9.5%	4.8%	0.0%	4.8%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Service/Maintenance	10512	52	16	1	10	3	0	1	31	11	2	6	0	1	1	21
<i>% of position population</i>			30.8%	1.9%	19.2%	5.8%	0.0%	1.9%	59.6%	21.2%	3.8%	11.5%	0.0%	1.9%	1.9%	40.4%

KEY	W =	White
	B =	Black
	H =	Hispanic
	A/PI =	Asian/Pacific Islander
	AI/AN =	American Indian or Alaskan Native

Notes: Other category is NOT included for any calculations
Totals may not always add to 100% due to rounding

Data Source Infinium System Report as of December 2009

Workforce Data Categories

Sutter County is a public agency and, therefore, utilizes the following EEO data category codes:

- 01 Officials and Administrators
- 02 Professionals
- 03 Technicians
- 04 Protective Services
- 05 Para-Professionals
- 06 Office/Clerical
- 07 Skilled Craft
- 08 Service Maintenance

Agency data as of December 2009 was extracted from the County's Infinium computer system. Future data will be extracted from the new IFAS computer system (to be implemented in April 2010) using the same data coding.

Community Labor Statistics (2000 Census Data)

About the Community Labor Statistics (CLS) area:

Sutter County is one of the major agricultural counties in north central California. Surrounding counties include Butte to the north, Colusa and Yolo to the west, Sacramento to the south, and Placer and Yuba to the east. During the previous reporting period, Sutter, together with Yuba, constituted what was known as the Yuba City Metropolitan Statistical Area. Census data collected in 2000 abolished the Yuba City Metropolitan Statistical Area. Therefore, data was drawn from the County's current Infinium computer system and it was determined that the employee population primarily resided in Yuba and Sutter Counties. Therefore, Yuba County and Sutter County Census 2000 data was combined for these two areas to represent the Sutter County Community Labor Statistics (CLS).

COMMUNITY LABOR STATISTICS (CLS) - Sutter & Yuba Counties

JOB CATEGORY	Total in Pop	MALE						FEMALE					
		W	B	H	A/PI	AI/AN	2+	W	B	H	A/PI	AI/AN	2+
Management, Business and Financial Workers	4959	2370	55	305	330	60	55	1395	65	235	55	0	34
<i>% of position population</i>		47.8%	1.1%	6.2%	6.7%	1.2%	1.1%	28.1%	1.3%	4.7%	1.1%	0.0%	0.7%
Science, Engineering and Computer Professionals PLUS Healthcare Practitioner Professionals PLUS Other Professional Workers	7089	2400	83	227	259	58	26	3120	85	419	272	45	95
<i>% of position population</i>		33.9%	1.2%	3.2%	3.7%	0.8%	0.4%	44.0%	1.2%	5.9%	3.8%	0.6%	1.3%
Technicians	1348	460	15	58	24	30	14	565	4	80	69	15	14
<i>% of position population</i>		34.1%	1.1%	4.3%	1.8%	2.2%	1.0%	41.9%	0.3%	5.9%	5.1%	1.1%	1.0%
Protective Service Workers	1055	650	19	105	14	20	0	200	0	29	14	4	0
<i>% of position population</i>		61.6%	1.8%	10.0%	1.3%	1.9%	0.0%	19.0%	0.0%	2.7%	1.3%	0.4%	0.0%
Administrative Support Workers	8516	1230	55	295	190	24	28	5165	115	815	375	90	134
<i>% of position population</i>		14.4%	0.6%	3.5%	2.2%	0.3%	0.3%	60.7%	1.4%	9.6%	4.4%	1.1%	1.6%
Construction and Extractive Craft Workers	2878	2095	64	500	25	45	85	60	0	0	0	0	4
<i>% of position population</i>		72.8%	2.2%	17.4%	0.9%	1.6%	3.0%	2.1%	0.0%	0.0%	0.0%	0.0%	0.1%
Installation, Maintenance and Repair Craft Workers PLUS Service Workers, except Protective	10512	3580	155	915	265	110	84	3775	144	870	359	154	101
<i>% of position population</i>		34.1%	1.5%	8.7%	2.5%	1.0%	0.8%	35.9%	1.4%	8.3%	3.4%	1.5%	1.0%

KEY	W = White
	B = Black
	H = Hispanic
	A/PI = Asian/Pacific Islander
	AI/AN = American Indian or Alaskan Native
	2+ = Two or more races

Notes: Two or more races category is not included for any calculations
Totals may not always add to 100% due to rounding

Data Source State Employment Development Department Report - 2000 Census
Labor Market Information for Nondiscrimination Programs, Tables 4 & 5
www.calmis.cahwnet.gov

Agency data as of December 2009 was extracted from the County's Infinium computer system. Future data will be extracted from the new IFAS computer system (to be implemented in April 2010) using the same data coding.

Community Labor Statistics (CLS) Area Categories

Since Community Labor Statistics are measured using private sector EEO data categories, CLS statistics are calculated by the following data categories:

Management, Business and Financial Workers

Science, Engineering and Computer Professionals

Healthcare Practitioner Professionals

Other Professional Workers

Technicians

Protective Service Workers

Administrative Support Workers

Construction and Extractive Craft Workers

Installation, Maintenance and Repair Craft Workers

Service Workers, except Protective

Sales Workers and various other categories not associated with classifications within public service

Utilization Statistics

The 2000 Labor Force census data was used in determining available workforce representation for ethnicity and gender in preparing this report. Since there is great disparity between public sector and private sector labor statistics categories, it is challenging to compare the utilization of employees by sex and ethnicity between the public sector and the community from which it recruits its workforce. Sutter County has made its best attempt to combine categories and draw useful comparisons between its own agency data and data obtained for the Yolo and Sutter County recruitment area.

The following chart shows comparison categories and the % of utilization of the different sexes and ethnic groups. Categories where Sutter County employee representation is below the available workforce by more than -10% are highlighted and consist of the following:

- White Female Service Maintenance -14.8%

UTILIZATION ANALYSIS FOR 2010-2013 RECRUITMENT EFFORTS

JOB CATEGORY	DATA SOURCE	MALE					FEMALE				
		W	B	H	A/PI	AI/AN	W	B	H	A/PI	AI/AN
Officials/Administrators	Workforce %	59.0%	0.0%	1.2%	0.0%	0.0%	34.9%	0.0%	4.8%	0.0%	0.0%
Management, Business and Financial Workers	-CLS %	47.8%	1.1%	6.2%	6.7%	1.2%	28.1%	1.3%	4.7%	1.1%	0.0%
	=Utilization %	11.2%	-1.1%	-4.9%	-6.7%	-1.2%	6.8%	-1.3%	0.1%	-1.1%	0.0%
Professionals PLUS Para-Professionals	Workforce %	26.4%	1.7%	3.0%	2.2%	0.0%	50.2%	2.6%	7.4%	1.7%	0.9%
Science, Engineering and Computer Professionals PLUS Healthcare Practitioner Professionals PLUS Other Professional Workers	-CLS %	33.9%	1.2%	3.2%	3.7%	0.8%	44.0%	1.2%	5.9%	3.8%	0.6%
	=Utilization %	-7.4%	0.6%	-0.2%	-1.5%	-0.8%	6.2%	1.4%	1.4%	-2.1%	0.2%
Technicians	Workforce %	23.8%	0.0%	2.7%	0.7%	0.7%	59.2%	2.0%	7.5%	0.7%	2.0%
Technicians	-CLS %	34.1%	1.1%	4.3%	1.8%	2.2%	41.9%	0.3%	5.9%	5.1%	1.1%
	=Utilization %	-10.3%	-1.1%	-1.6%	-1.1%	-1.5%	17.3%	1.7%	1.5%	-4.4%	0.9%
Protective Services	Workforce %	54.7%	1.8%	7.1%	1.2%	2.9%	24.7%	0.0%	4.7%	0.0%	0.0%
Protective Service Workers	-CLS %	61.6%	1.8%	10.0%	1.3%	1.9%	19.0%	0.0%	2.7%	1.3%	0.4%
	=Utilization %	-6.9%	0.0%	-2.9%	-0.2%	1.0%	5.7%	0.0%	2.0%	-1.3%	-0.4%
Office/Clerical	Workforce %	3.8%	1.1%	0.5%	0.0%	0.0%	74.2%	1.6%	12.4%	1.6%	0.0%
Administrative Support Workers	-CLS %	14.4%	0.6%	3.5%	2.2%	0.3%	60.7%	1.4%	9.6%	4.4%	1.1%
	=Utilization %	-10.7%	0.4%	-2.9%	-2.2%	-0.3%	13.5%	0.3%	2.8%	-2.8%	-1.1%
Skilled Craft	Workforce %	81.0%	0.0%	9.5%	4.8%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Construction and Extractive Craft Workers	-CLS %	72.8%	2.2%	17.4%	0.9%	1.6%	2.1%	0.0%	0.0%	0.0%	0.0%
	=Utilization %	8.2%	-2.2%	-7.8%	3.9%	-1.6%	-2.1%	0.0%	0.0%	0.0%	0.0%
Service/Maintenance	Workforce %	30.8%	1.9%	19.2%	5.8%	0.0%	21.2%	3.8%	11.5%	0.0%	1.9%
Installation, Maintenance and Repair Craft Workers PLUS Service Workers, except Protective	-CLS %	34.1%	1.5%	8.7%	2.5%	1.0%	35.9%	1.4%	8.3%	3.4%	1.5%
	=Utilization %	-3.3%	0.4%	10.5%	3.2%	-1.0%	-14.8%	2.5%	3.3%	-3.4%	0.5%

KEY:	W =	White
	B =	Black
	H =	Hispanic
	A/PI =	Asian/Pacific Islander
	AI/AN =	American Indian or Alaskan Native
	CLS =	2000 Census - Labor Statistics for Sutter & Yuba Counties

Note: Shaded percentages indicate underutilized groups for focus for 2010-13 Plan

Utilization Analysis Narrative, Objectives and Action Steps

In order to ensure that Sutter County's EEOP is a result-oriented Program that goes beyond policy and philosophical commitment, the following Objectives and Steps to achieve the objectives have been implemented for the underutilized groups. The Objectives and Steps have been based on a review of the County's applicant flow data. These action-oriented programs are tailored in such a way that their execution will result either in an increase in the minority group/female representation in the group identified if vacancies occur, or document the County's good faith efforts to do so.

All underutilized groups have been identified and highlighted on the Utilization Analysis Chart. The following will address the under-utilization areas separately, and then address identified objectives, and finally provides steps to achieve the objectives to address the under-utilization.

The following strategies will be employed along with continuing programs in an effort to remedy these areas of under-utilization. The continuing programs will be discussed in the overall Objectives section.

Under-utilization narrative: Service/Maintenance (White Females)

White females are underutilized in the Service/Maintenance job category. The community workforce indicated 35.9% of white females in this job category; our agency has only 21.2%, an under-utilization of 14.8%. It has been difficult to recruit white females in this job category and we are continuing to strive to make improvements.

Under-utilization objectives

To create a sufficient pool of qualified White female applicants from which to make entry level selections for positions in the Service/Maintenance job category.

Steps to achieve the objectives

Recruitment efforts will also include area colleges that have courses or programs related to County jobs in the Service Maintenance category; specifically, Yuba College and Butte College.

Specific contact will be made with Welfare to Work, and CalWorks Programs, also the One Stop Program. Additionally, we will continue to provide notice of recruitments to the Beale AFB Family Support Center. Contact will be made with other professional and civic organizations deemed appropriate to gain cooperation and assistance in recruiting qualified White male applicants. We will continue to identify additional specific minority and women's groups at the colleges indicated for outreach purposes.

The County will continue to examine available testing methods to ensure utilization of the most effective, equitable, and valid measurements possible and to ensure that testing procedures are reliable indicators of a candidate's suitability for hire or promotion.

Overall Agency EEO Objectives

In addition to the steps to address specific areas of under-utilization, the following action-oriented programs have been implemented in the areas of recruitment, selection, promotion, and employee welfare. The following programs support the County's policies and philosophical commitment to Equal Employment Opportunity. The County is committed to making its workforce profiles more closely reflect published availability data to ensure equal opportunity regardless of race, national origin, or gender.

Overall EEO Action Steps

To address underutilization in the target areas, Sutter County will implement the following action steps over the next four year period.

RECRUITMENT AND SELECTION

1. The County will continue outreach efforts to attract the most qualified candidates for employment who represent the diverse community we serve. Continued emphasis will be given towards attracting all under-represented groups to meet individual departmental needs.

2. The County will engage in recruitment programs designed to attract females to non-traditional jobs in order to decrease underutilization in the Service Maintenance category and will contact local agencies such as the One Stop Program in order to partner with training and apprentice programs.
3. Succession planning efforts will be expanded to partner with departments to plan for the exodus of “baby boomer” employees who retire over the next four years.
4. Increase Countywide recruitment efforts to attract a broad and balanced candidate pool for the Service/Maintenance job category.
5. Job specifications and job fliers are available to all members of management involved in the recruiting, screening, selection, and promotion process. Copies of job specifications and Job Fliers are available to all recruiting sources. This information is available on the County website.
6. Job openings, except for appointed and elected positions, are opened for recruitment to all applicants who would like to apply. On occasion, there are positions that are limited to a “promotional recruitment”, which would be open to current employees, either Countywide or within a department. This information is available on the County website.
7. In order to increase the flow of underutilized group applicants, the County will establish enhanced employment referral relationships with a list of community agencies and college career centers that provide services to women and minorities. Personnel Department staff are encouraged to interact actively with contacts of recruiting sources. These contacts receive all employment opportunity bulletins. In the next year, the County will review its list of recruitment sources and its outreach efforts and revise as appropriate in order to target groups where under-utilization may exist.
8. The County will participate in more job fairs; and the booth will be staffed by a Personnel representative and when possible, department hiring authorities. We will also evaluate more job fairs that are sponsored by community agencies and local area schools.
9. The County will continue to place recruitment advertising in help-wanted sections in various media. In addition, all advertisements seeking applicants for employment identify the County as “An Equal Opportunity Employer/Americans with Disabilities Act” or “EOE/ADA”. In the upcoming year, the County will target recruitment advertising to groups where under-utilization may be occurring, to further County goals.
10. The County will continue to evaluate the entire selection process to ensure it is nondiscriminatory. All personnel having any part in the selection processes are chosen with special care and receive ongoing training to ensure that these processes remain nondiscriminatory. Efforts are made to select diverse oral panel members, when possible. Interview rating sheets are required from all oral panel participants (interviewers), as a written justification for eligibility and ranking on eligibility list.
11. The County will continue to make every good faith effort to select persons according to ability and qualifications, while recognizing its commitment to take positive action to remedy any under-utilization of minorities and women. Recruitment sources for all positions are notified of the County’s policy of nondiscrimination. With the exception of a bona-fide occupational necessity (i.e. female correctional officer for female cell block), there is no department or job group in the County, which is limited or closed to employees of a particular race, color, religion, sex or national origin.

PROMOTION

The County does the following to ensure that employees in underutilized groups have equal opportunity for all promotions:

1. Promotional opportunities are posted on bulletin boards, the County website and are accessible through job announcements.
2. The County provides formal employee evaluation through its annual job performance appraisal program. Each month the Personnel Department distributes reports to supervisors with employees that have upcoming review dates in that month. Prior to being given to the employee, performance appraisals are approved by the employee's department management, to ensure that the contents are consistent and job-related.
3. The County and the Personnel Department have an open door policy to provide professional and career counseling to County employees.

CAREER DEVELOPMENT AND RETENTION

The County will explore additional ways to actively support and enhance EEO through the following training and employee development activities:

1. Provide management development and leadership programs with a focus of developing future leaders.
2. Support career planning and development courses for employees interested in promotional opportunities.
3. Support departments in providing expanded work experience opportunities and special assignments to enhance career development including:
 - “Acting” assignments
 - Temporary/provisional appointments
 - Job rotation
 - Short term projects
 - Enhanced training opportunities
 - Development experience opportunities

MISCELLANEOUS

1. All County facilities, social and recreational activities are fully integrated and provide disability accommodation, as required. All employees are encouraged to participate in County sponsored activities.
2. The County provides an Educational Incentive Program to assist employees continuing their education to prepare for other positions available within the County. The County also provides in-house and outside training to employees to prepare them to perform satisfactorily in positions they currently hold.

3. The County provides a Dependent Care Assistance Program (DCAP) that allows childcare and other dependent care expenses to be used on a pre-tax basis as a benefit to employees.
4. The written EEO Program is available to current employees and interested individuals to enable them to know and benefit themselves of the County's commitment to Equal Employment Opportunity.
5. The County surveys employees and maintains a central bank of non-English language proficiency in the Personnel Department to assist the County's customers, employees, and the public with their communication needs. Bilingual pay is designated for multiple positions within the County, where employees who possess certified bilingual skills are compensated by monthly premium pay.
6. The Personnel Director and other Personnel staff attend conferences, workshops, and legal briefings to stay up to date on the latest EEO and other employment law developments.

SECTION 4: Dissemination

Sutter County recognizes that communication of these Equal Employment Opportunity policies and procedures is an integral part of consistent and effective implementation, and vital to the success of the Program. Accordingly, broad steps are taken to ensure adequate dissemination of the policies and procedures.

Internal Dissemination

The County will continue to make its equal employment opportunity policy known internally by:

Reaffirmation of EEO Policy

The Board Resolution reaffirming the County EEO policy is disseminated to all new and existing employees and is conspicuously displayed throughout the County in employee break-rooms, and in all places where candidates apply for employment. This Letter of Commitment will be reaffirmed annually with all postings updated and the affirmation communicated in writing to all employees.

Policy Manual

The County's Equal Employment Opportunity and Harassment Policy Statements are incorporated into the Personnel Rules and Regulations Manual, which is distributed to all supervisors and is also available on the County's website. The Employee Handbook also includes a statement of our commitment to being an equal opportunity employer. The Employee Handbook is given to each new employee in Orientation.

Recruitment

Participants (interviewers) on Oral Panels are advised of the County's EEO policy and coached regarding job-related interview questions and rating criteria before interviews begin. A Personnel representative reviews all interview questions for job-relatedness prior to any interviews.

Communicating to employees

1. The County will continue to communicate to employees the existence of the EEO program and advise employees of such elements of this program, as it will enable our employees to know of and avail themselves of its benefits.
2. The Equal Employment Opportunity and Harassment Prohibition Policies are distributed during orientation sessions and Countywide training courses, and distributed to all employees.
3. The County will offer education and training classes to employees to assist them in their personal development as well as to develop skills and abilities. Employees are given equal opportunity to participate in these classes, seminars and programs.

External Dissemination

Sutter County's Equal Employment Opportunity Policy will continue to be disseminated externally in the following manner:

Recruitment Sources Including Minority and Female Organizations

Recruitment sources will be maintained on a master list and will be informed annually in writing of the County's EEO policy and our commitment to equal employment opportunity. Organizations serving the employment needs of minorities, females and/or individuals with disabilities are emphasized. Job announcements are regularly mailed to the recruitment sources and they will be actively encouraged to refer applicants and assist in the implementation of our EEO policy. The master list will be reviewed annually to determine the effectiveness of the recruitment sources in referring a representative diversity of applicants. The County welcomes and considers suggestions of additional recruitment sources that will assist the County in meeting its EEO goals.

Prospective Employees

Help wanted or other communiqués that solicit applicants using County letterhead include the words "Sutter County is an Equal Opportunity Employer" or be identified by "EOE/ADA."

Citizenship/Immigration Status: The County hires only U.S. Citizens and lawfully authorized alien workers in accordance with the Immigration Reform and Control Act of 1986.

Employment Applications

The County's Employment Application is reviewed regularly to determine compliance with the latest Federal, State and local EEO laws and regulations, and to ensure that each applicant is provided the maximum opportunity to display his or her job-related qualifications. The County's Application informs applicants of the existence of the County's Equal Opportunity Program.

APPENDIX A: EEO OCCUPATIONAL JOB CATEGORY DESCRIPTIONS

Officials and Administrators: Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district, or area basis. Includes: department heads, division chiefs, directors, elected officials, deputy directors, controllers, fiscal managers, Judges, sheriffs, Captains, Lieutenants, building inspectors, assessors, labor relations workers, investigators, coroners, program managers, and health services managers.

Professionals: Occupations that require specialized and theoretical knowledge, which is usually acquired through college training or work experience and other training that provides comparable knowledge. Includes: personnel, social workers, probation officers, doctors, psychologists, registered nurses, dieticians, attorneys, system analysts, accountants, appraisers, engineers, employment and vocational rehabilitation counselors, teachers or instructors, librarians, management analyst, buyers, environmental specialist, group supervisor, counselors, nurse practitioner, pharmacist, and auditors.

Technicians: Occupations that require a combination of basic scientific or technical knowledge and manual skill, which can be obtained through specialized post-secondary school education or equivalent on-the-job training. Includes: computer programmers, drafters, surveyors, licensed vocational nurses, technical illustrators, technicians (medical, dental, electronic, physical sciences), benefits analysts, communications dispatchers, child support officers, park rangers, cooks, and revenue collectors.

Protective Service Workers: Occupations in which workers are entrusted with public safety, security, and protection from destructive forces. Includes: deputy sheriffs, bailiffs, correctional officers, sergeants, harbor patrol officers, wardens, and district attorney inspectors.

Administrative Support: Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information, and other paperwork required in an office. Includes: administrative secretaries, fiscal office assistants, clerk-typists, court services, supervisors, courtroom clerks, deputy court clerk, court transcribers, payroll clerks, office machine and computer operators, telephone operators, legal assistants, mail services driver, cashiers, medical office assistants, patient services attendant, and library aide.

Skilled Craft Workers: Occupations in which workers perform jobs that require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training and experience or apprenticeship or other formal training programs. Includes: auto mechanics and repairers, electricians, heavy equipment operators, stationary engineers, painters, skilled machining occupations, and carpenters.

Service-Maintenance: Occupations in which workers perform duties that result in or contribute to the comfort, convenience, hygiene or safety of the general public or that contribute to the upkeep and care of buildings, facilities, or grounds of public property. Workers in this group may operate machinery. Includes: bus drivers, transportation drivers, community workers, food service workers, gardeners, road maintenance worker, shelter care counselor, residential counselor, medical services assistant, custodians, utility workers, construction laborers, park rangers (maintenance), and craft apprentices/trainees/ helpers.

APPENDIX B: GLOSSARY OF EEO TERMINOLOGY

Adverse Impact or Adverse Effect: The showing that an employment practice, procedure, or test has hampered the employment opportunity of one or more members of a protected group.

Affected Class: Members of an applicant group who, by virtue of past discrimination, continue to suffer the present effects of that discrimination.

Applicant Flow Analysis: A statistical analysis conducted to determine if any portion of the examination process is having an adverse impact upon protected group members.

Artificial Barriers: Requirements, procedures, or standards for employment that are not related to successful job performance.

Auxiliary Aides and Services: To include qualified interpreters or other effective methods of making aurally delivered materials available to those with hearing impairments; qualified readers, taped text or other effective methods of making visual materials available to those with visual impairments; acquisition or modification of equipment or devices, or other similar services and actions.

Bona Fide Occupational Qualification (BFOQ): A situation where a member of only one protected group is appropriate in an occupation because of function, authenticity, or genuineness or as required by law.

Criteria: Quantifiable measures of job performance or success, as indicated in supervisor's ratings or training evaluations.

Disability: A person who has a physical or mental impairment that limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

Discrimination: The showing that a practice, procedure, or test has an adverse effect on at least one protected group and is not job related.

Disparate Treatment: When members of a protected group have been denied the same employment, promotion, transfer, benefits, or membership opportunities that have been made available to other employees or applicants.

Equal Employment Opportunity: A condition under which all employment practices including selection, transfer, promotion, termination, compensation, and other benefits are implemented on the basis of valid, job-related requirements without regard to race, creed, national origin, color, religion, age, disability, sex, or sexual orientation.

Job-Related Qualifications: Requirements that are realistically related to the actual duties of the job. These requirements consist of the actual knowledge and skills required to perform those duties determined by a thorough job analysis.

Merit Systems: Selection of persons for employment based on ability.

Protected Group: Groups protected against discrimination by law or policy. These groups include, but are not limited to, race, sex, sexual orientation, national origin, religion, disability, age, medical condition, and pregnancy.

Selection Device: Tests, educational and work history data, interviews, and other tools to determine relative levels of job qualifications.

Validity: The extent to which a selection procedure samples the content of the job. Theoretically, a valid selection procedure is predictive of job success.

APPENDIX C: SUTTER COUNTY DISCRIMINATORY WORKPLACE HARASSMENT POLICY

23.1 Policy Statement

It is the policy of the County of Sutter that employees have a working environment free of unlawful and improper discriminatory harassment. The work environment should be businesslike and assure fair, courteous treatment for employees and the public we serve. All employees should treat each other with dignity and respect. It is the responsibility of every employee, supervisor and manager to make sure there is no discriminatorily harassing behavior in the work place. Discriminatory harassment may constitute illegal discrimination and may violate both state and federal law. This policy is intended to address such conduct.

All employees should be informed of the discrimination complaint process and be assured of their right to file complaints without fear of reprisal. All employees, including supervisors and managers should be trained regarding behavior that constitutes discriminatory harassment. Employees should also understand the importance of reporting incidents promptly to assure that further incidents do not occur.

The Board of Supervisors expects County department heads to convey to their employees strong disapproval of discriminatory harassment. All employees including supervisors and managers should be informed, clearly, regarding behavior that constitutes discriminatory harassment and the consequences of such actions. They should be aware that discriminatory harassment of another employee may be grounds for disciplinary action up to and including termination.

Definition of Discriminatory Harassment

1. Verbal Harassment – Epithets, derogatory comments, slurs, propositioning, or otherwise offensive words or comments on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation, whether made in general, directed to an individual, or to a group of people regardless of whether the behavior was intended to harass. This includes but is not limited to inappropriate sexually orientated comments on appearance, including dress or physical features, sexual rumors, and race oriented stories.
2. Physical Harassment – Assault, impeding or blocking movement, leering, or the physical interference with normal work, privacy or movement when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation. This includes pinching, patting, grabbing, or making explicit or implied threats or promises in return for submission to physical acts.
3. Visual Forms of Harassment – Derogatory, prejudicial, stereotypical or otherwise offensive posters, photographs, cartoons, notes, bulletins, drawings or pictures on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation. This applies to both posted material, or material maintained in or on County equipment or personal property in the workplace.
4. Sexual Harassment – Any act which is sexual in nature and is made explicitly or implicitly a term or condition of employment, is used as the basis of an employment decision, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

5. This policy is intended not only to address and correct acts of discriminatory harassment, but to prevent them. Therefore, the County, as part of the implementation of this policy, may act to correct what is viewed as discriminatory harassment prior to the behavior reaching the level that would constitute “discriminatory harassment” as defined in law.

(Amended 08/31/04 General, Supervisory & Professional Units MOU)

(Amended 08/26/08, Fire Safety Unit MOU)

(Amended 01/30/07 Confidential Unit Agreement)

(Amended 01/30/07, Resolution 07-006, Management Unit)

(Amended 01/30/07, Law Unit MOU)

(Amended 01/30/07, Deputy County Counsels and Assistant County Counsel Agreement)

23.2 Department Obligation and Responsibility

Every department has an obligation to assure that the work environment is free from all types of unlawful discrimination. Prevention is the best tool. Prompt, appropriate action may help to avoid, or at least minimize, the incidence of discriminatory harassment.

By law, department heads, other managers and supervisors are responsible to ensure that employees, supervisors and managers are aware of the County's policy. Supervisors' training should include information about the County's Discriminatory Workplace Harassment Policy.

(Revision 01/11/00, General, Supervisory, Professional Units MOU)

(Revision 02/01/00, Confidential Unit Agreement)

(Revision 02/01/00, Resolution 2000-06, Management Unit)

(Revision 02/01/00, Deputy County Counsels & Assistant County Counsel Agreement)

(Revision 01/09/01, Fire Safety Unit MOU)

(Revision 01/08/02, Law Enforcement MOU)

23.3 Employee Action

Some people are not aware that their behavior is offensive or potentially harassment. Often simply advising someone of the offensive nature of their behavior can resolve the problem. Whenever possible, employees should inform the harassing party that his or her behavior is unwelcome, offensive, in poor taste or highly inappropriate. If this does not resolve the concern or if an employee feels uncomfortable, threatened, or has difficulty expressing his or her concern, informal assistance or counseling should be sought from any supervisor, manager, department head or the County Personnel Director.

(Revision 06/27/89, General, Supervisory, Professional Units MOU)

(Revision 07/18/89, Confidential Unit Agreement)

(Revision 08/01/89, Resolution 89-69, Management Unit)

(Revision 08/08/89, Deputy County Counsels & Assistant County Counsel Agreement)

(Revision 07/18/89, Fire Safety Unit MOU)

(Adopted 9/18/89, Letter of Approval, Law Enforcement Unit)

23.4 Investigative Procedure

Any complaint which cannot be satisfactorily resolved through a discussion between the aggrieved person and the harassing party should be referred to either (1) the department head or (2) the County Personnel Director. Either person will have full authority to investigate all aspects of the complaint. The investigatory authority includes accessibility to records and cooperation of any

involved employees. No influence will be used to suppress any complaint, and no one will be subject to any recrimination or reprisal for filing a complaint.

(Revision 06/27/89, General, Supervisory, Professional Units MOU)
(Revision 07/18/89, Confidential Unit Agreement)
(Revision 08/01/89, Resolution 89-69, Management Unit)
(Revision 08/08/89, Deputy County Counsels & Asst. County Counsel Agreement)
(Revision 07/18/89, Fire Safety Unit MOU)
(Adopted 9/18/89, Letter of Approval, Law Enforcement Unit)

23.5 Informal Resolution

If an employee desires primarily to discuss personal thoughts and feelings or consider meetings in which to deal individually with the incident(s) the department head or the County Personnel Director will offer consultation and advice.

When any complaint is received, the department head or the County Personnel Director will ask the complainant to define his or her perception of the problem and the desired solution. The department head or County Personnel Director will explain the rights involved and discuss potential solutions. The department head or County Personnel Director may conduct a brief informal investigation and make every effort to resolve the problem on a very informal basis.

(Revision 11/14/00, General, Supervisory, Professional Units MOU)
(Revision 11/21/00, Confidential Unit Agreement)
(Revision 11/21/00, Resolution 2000-088, Management Unit)
(Revision 11/21/00, Deputy County Counsels and Assistant County Counsel Agreement)
(Revision 01/09/01, Fire Safety Unit MOU)
(Revision 01/08/02, Law Enforcement MOU)

23.6 Formal Investigation

If any informal investigation does not successfully resolve the issue, with the filing of a written complaint by the employee to the department head (with a copy to the Personnel Director) or to the County Personnel Director, or if in the opinion of the Personnel Director and/or County Administrative Officer a formal investigation is warranted, a formal investigation will be initiated. As appropriate, the formal investigation may include, but not necessarily be limited to, the following:

- a. Obtaining the date and place of the alleged act and the names of persons alleged to be involved or to have relevant knowledge.
- b. Interviewing the persons named above and any other persons determined to possibly have relevant knowledge concerning the complaint. Providing a copy of the formal complaint to the employee or employees being accused of harassment insofar as it relates to them at the onset of the investigation.
- c. Reviewing any pertinent documents or records. Making a survey of action in similar situations involving other employees or applicants for employment.
- d. A written report, including a proposed resolution of the matter will be made. The report will be forwarded to and reviewed by the department head who will determine the appropriate resolution, including the possibility of formal disciplinary action.

- e. The department head will provide a confidential written response to the employee who filed the complaint advising the employee of the resolution to the extent legally permitted. A copy of this response will be provided to the alleged harassing party.

(Amended 08/31/04 General, Supervisory & Professional Units MOU)
(Amended 08/26/08, Fire Safety Unit MOU)
(Amended 01/30/07, Confidential Unit Agreement)
(Amended 01/30/07, Resolution 07-006, Management Unit)
(Amended 01/30/07, Deputy County Counsels & Assistant County Counsel Agreement)
(Revision 01/30/07, Law Unit MOU)

23.7 Retaliation

Retaliation in any manner against a person for filing a harassment charge or initiating a harassment complaint, testifying in an investigation, providing information or assisting in an investigation, is expressly prohibited and subject to disciplinary action up to and including termination. The Director of Personnel will take reasonable steps to protect the victim and other potential victims from further harassment, and to protect the victim from any retaliation as a result of communicating the complaint. This section will not prohibit the County from disciplining an employee pursuant to section 18.5(v), Sutter County Personnel Rules and Regulations.

(Revision 01/11/00, General, Supervisory, Professional Units MOU)
(Revision 02/01/00, Confidential Unit Agreement)
(Revision 02/01/00, Resolution 2000-06, Management Unit)
(Revision 02/01/00, Deputy County Counsels & Assistant County Counsel Agreement)
(Revision 01/09/01, Fire Safety Unit MOU)
(Adopted 01/08/02, Law Enforcement MOU)

23.8 FEHC/EEOC Complaints

The filing of a complaint pursuant to this policy or the decision of the department head does not prevent the employee from filing a complaint with the Fair Employment and Housing Commission (FEHC) or the Equal Employment Opportunity Commission (EEOC) or from filing any action in the courts.

(Revision 06/27/89, General, Supervisory, Professional Units MOU)
(Revision 07/18/89, Confidential Unit Agreement)
(Revision 08/01/89, Resolution 89-69, Management Unit)
(Revision 08/08/89, Deputy County Counsels & Assistant County Counsel Agreement)
(Revision 07/18/89, Fire Safety Unit MOU)
(Adopted 09/18/89, Letter of Approval, Law Enforcement Unit)

23.9 Confidentiality

- A. General, Supervisory, Professional, Confidential, Management and Law Units, Deputy County Counsels and Assistant County Counsel

To the extent feasible, proceedings under this policy and all reports and records filed shall be confidential to the parties involved, and reasonable effort shall be made to protect the privacy interests of the parties. Confidentiality may not be feasible under certain circumstances, including, but not limited to: (1) disclosure of any fact is necessary to the appropriate investigation of or response to a harassment or discrimination incident; (2) disclosure of any fact is necessary to assure due process to any person accused of harassment or discrimination if that person may be subject to

disciplinary action; or (3) disclosure of any fact is necessary to comply with lawful orders or rules governing any court proceeding.

(Amended 08/31/04 General, Supervisory & Professional Units MOU)
(Amended 01/30/07 Confidential Unit Agreement)
(Amended 01/30/07 Resolution 07-006, Management Unit)
(Amended 01/30/07 Deputy County Counsels and Assistant County Counsel Agreement)
(Amended 01/30/07 Law Unit MOU)

B. Fire Unit

To the extent feasible, proceedings under this policy and all reports and records filed shall be confidential to the parties involved, and reasonable effort shall be made to protect the privacy interests of the parties.

(Revision 07/18/89, Fire Safety Unit MOU)

3.10 Distribution

This policy and any revisions thereof, shall be distributed to all, County officers and employees.

(Revision 06/27/89, General, Supervisory, Professional Units MOU)
(Revision 07/18/89, Confidential Unit Agreement)
(Revision 08/01/89, Resolution 89-69, Management Unit)
(Revision 08/08/89, Deputy County Counsels and Assistant County Counsel Agreement)
(Revision 07/18/89, Fire Safety Unit MOU)
(Adopted 09/18/89, Letter of Approval, Law Enforcement Unit)

SUTTER COUNTY DISCRIMINATION COMPLAINT FORM Appendix D

Complainant's Name <i>(Please Print)</i>		Title
Department		Classification
Home Address <i>(Street No.)</i>		Telephone numbers
City	Zip Code	Work: () Home: ()
Ethnicity	Sex <i>(Gender)</i> <input type="checkbox"/> Female <input type="checkbox"/> Male	Age <input type="checkbox"/> Under 40 <input type="checkbox"/> Over 40
Immediate Supervisor/Title		Second Line Supervisor/Title
Name of Person(s) Charged with Discriminatory Practices		Date(s) Action(s) Took Place
Name of Counselor		Date of Last Contact

Cause of Discrimination Based On *(Please see Attachment to Check Appropriate Box[es])*

- | | | |
|--|---|---|
| <input type="checkbox"/> Age | <input type="checkbox"/> Political Affiliation or Opinion | <input type="checkbox"/> Sexual Harassment |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Pregnancy | <input type="checkbox"/> Sexual Orientation |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Race | <input type="checkbox"/> Denial of Family/Medical Leave |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Religion | <input type="checkbox"/> Veteran's Status |
| <input type="checkbox"/> Medical Condition | <input type="checkbox"/> Retaliation (Reprisal) | |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Sex (Gender) | <input type="checkbox"/> Other <i>(Specify)</i> |

State specific incidents of discriminatory treatment *(Continue on second page, if necessary)*

Remedy Requested:

I wish to file a EEO discrimination complaint as stated above. I authorize investigation of my complaint and the revealing of my identity only as needed to employees and/or my supervisor(s) in the investigation of my complaint. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge.

Complainant's Signature:

Date:

TIME-FRAMES AND BASIS FOR FILING INTERNAL AND EXTERNAL COMPLAINTS

An employee, applicant, or client who believes he/she has been discriminated against may file with:

- 1) The Employer, DFEH, or California Emergency Management Agency (Cal EMA) Equal Employment Opportunity (EEO) Office within 365 days of the last incident or notification of alleged discrimination act(s). If the complainant just obtained knowledge of the alleged discriminatory action(s), an additional 90 days are granted following the one-year expiration date. The covered basis includes RACE, COLOR, ANCESTRY, NATIONAL ORIGIN, RELIGION, AGE, SEX (INCLUDES SEXUAL HARASSMENT), PHYSICAL OR MENTAL DISABILITY, MARITAL STATUS, SEXUAL ORIENTATION, MEDICAL CONDITION, DENIAL OF FAMILY AND MEDICAL AND CARE LEAVE, AND/OR RETALIATION.
- 2) EEOC within 300 days of the last incident or notification of the alleged discrimination act(s). The covered basis includes RACE, COLOR, SEX (SEXUAL HARASSMENT), NATIONAL ORIGIN, RELIGION, AGE, DISABILITY, AND/OR RETALIATION.
- 3) Department of Labor (DOL) within two (2) years of the last incident or notification of the alleged discriminatory act(s). The covered basis includes the FAMILY MEDICAL LEAVE ACT (FMLA).
- 4) Department of Justice OCR one year under the Omnibus Crime Control & Safe Street, Act of 1968 (RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX) and 180 days under other federal legislation listed in the grantee handbook.