

SAN BERNARDINO MUNICIPAL WATER DEPARTMENT

POLICIES & PROCEDURES MANUAL

POLICY 31.010 - EQUAL OPPORTUNITY - AFFIRMATIVE ACTION

Date: April 24, 2018
Revision No.: 1
Supersedes: August 12, 1992
First Adopted: August 12, 1992

POLICY:

The City of San Bernardino Municipal Water Department is committed to a policy of equal opportunity for applicants and employees. Employment decisions will comply with all applicable laws prohibiting discrimination in employment, including the Civil Rights Act of 1964, the Equal Employment Act of 1972 (Public Law 92-261), Civil Rights Act of 1991 (Public Law 102-166), the Age Discrimination in Employment Act of 1967, the Older Workers Benefit Protection Act of 1990, the Americans with Disabilities Act (ADA) of 1990 and the Americans with Disability Act Amendments Act of 2008, the Immigration and Nationality Act of 1965, and any other applicable State or federal laws.

In keeping with this policy, the City does not engage in impermissible discrimination based on any protected characteristic, including actual or perceived race, religious creed (including religious dress and grooming practices), gender, gender expression, gender identity, color, national origin (including language use and undocumented immigrants who hold special "AB-60" driver's licenses), ancestry, genetic information, age (40 and above), sex (including pregnancy, childbirth, breastfeeding, and/or related medical conditions), marital status, disability (physical and mental, including HIV and AIDS), medical condition (genetic characteristics, cancer, or a record or history of cancer), sexual orientation, military or veteran status, political affiliation or beliefs, or any other characteristic protected by State or federal law.

Any person who perceives they have been excluded from participation in employment opportunities with the City of San Bernardino Municipal Water Department or have been excluded from participation in or denied the benefits of any service, program or activity

sponsored in whole or part by the City of San Bernardino, or anyone who believes that they have been subjected to discrimination in any form based upon any characteristic protected by law may file a complaint alleging such discrimination.

Therefore, all notices and all contracts and agreements and services to be provided to the City of San Bernardino Municipal Water Department and for the City and/or Water Department sponsored activities and programs, must contain information relating the requirement of the Civil Rights Act, Equal Employment Act, Vocational Rehabilitation Act and the Americans with Disabilities Act (ADA).

The following will be printed on all brochures, flyers, notices, announcements, posters, etc., which give information about programs, services, activities, and facilities, and will be included in contracts and agreements for services to be provided by private individuals and organizations for City and/or Water Department sponsored programs and activities.

Pursuant to the requirements of Federal and State law, including but not limited to, California Labor Code Section 1735, 29 U.S.C. § 623, and President's Executive Order No. 11246, and supplements thereto, in the performance of this agreement/service and in the hiring and recruitment of employees [CONTRACTOR/VENDOR] shall not engage in, nor permit its officers, employees, or agents to engage in discrimination in employment of persons because of their race, religion, color, national origin, ancestry, age, mental or physical disability, medical condition, marital status, sexual gender or sexual orientation, or any other status protected by law.

COMPLAINT PROCEDURE:

1. Should any individual complain to any City Department employee of alleged discrimination in conjunction with any City or Water Department afforded services, activities, programs and/or facilities, that person may be directed to the City Affirmative Action Office in the City Human Resources Department to complete an informal/formal complaint form, or seek advice if the complaint cannot be resolved at the Department level.
2. The Affirmative Action Officer will initiate an inquiry into the alleged discrimination complaint. Information as to the

findings will be forwarded to all concerned parties as listed in paragraph 3 below.

3. Procedures for filing and distributing complaint forms and information: When the individual files the formal complaint form, the transaction will be date-stamped as being received in the Affirmative Action Office and entered into the Complaint Log. One copy of the form will be forwarded to the appropriate office in Washington D.C. when the complaint cannot be resolved at the local level. A second copy will be maintained in the Affirmative Action Office with an information copy forwarded to the interested City Department. A fourth copy will be returned to the complainant.

The above requirements and procedures are provided for the guidance and direction of all City Department personnel as activities and services are planned and carried out. It is incumbent upon each City Department to ensure that all requirements and procedures are followed and that individuals voicing complaints which cannot be resolved at the Department level be directed to the Affirmative Action Office for filing a formal complaint form.

Policy Review

Established:	<u>8/12/992</u>
Revision Board approved:	<u>5/8/2018</u>
No changes:	<u>7/2019</u>
No changes:	<u>7/2020</u>
No changes:	<u>7/2021</u>
No changes:	<u>7/2022</u>
No changes:	<u>7/2023</u>
Spacing/grammar changes only:	<u>7/2024</u>