

EXECUTIVE ORDER NO. 46

EFFECTIVE DATE: July 2, 1990

SUBJECT: Administration of the Equal Employment Opportunity/Affirmative Action (EEO/AA) Program

AUTHORITY: Metro Ordinance No.86-166, Establishing Authority to Administer the Equal Employment Opportunity and Affirmative Action Policies

Provisions in this document rescind those of Executive Order No. 19.

This document designates persons and responsibilities for implementing and maintaining an effective Metro Affirmative Action Program to ensure Equal Employment Opportunities. Further, it is to prevent discrimination in employment personnel practices and establish complaint procedures for persons alleging that they have been discriminated against.

Definitions

For purposes of this Executive Order, the terms used in context with Equal Employment Opportunities and Affirmative Action shall be those definitions in Section 3. Definitions, Metro Ordinance No. 83-166; further, the terms used in context with personnel matters shall be those definition in Section 6. Definitions, Metro Personnel Rules.

Affirmative Action Officer

The Personnel Manager is appointed Metro Affirmative Action Officer.

The Affirmative Action Officer shall be responsible for developing, managing, and implementing the program; and for disseminating information to employees, Metro department heads, the general public and employment agencies, including minority and culturally related organizations having employment functions as a primary service. In addition, the Affirmative Action Officer shall be empowered to investigate as the agent of the Executive Officer, any complaint regarding an alleged act of discrimination in accordance with the procedures set forth in the Executive Order.

Department Heads

Department heads shall have the following responsibilities under this program, and shall be evaluated based on their performance in these areas:

- (a) assure compliance with the spirit and intent of the program;

- (b) manage and supervise all department personnel matters in accordance with Ordinance No. 83-166;
- (c) keep managers and supervisors in their respective departments aware of progress towards meeting goals;
- (d) coordinate outreach recruitment efforts with Personnel staff; and,
- (e) assist in the investigation and resolution of any complaints.

Personnel Staff

Personnel staff shall be responsible for the following:

- (a) conduct training sessions;
- (b) distribute Equal Employment Opportunity and Affirmative Action laws and regulations and related information to departments;
- (c) develop and maintain a record keeping system to monitor Personnel Actions and progress toward goals;
- (d) monitor our personnel practices and procedures to ensure compliance with the program;
- (e) conduct outreach efforts to recruit qualified women and minorities;
- (f) maintain the Metro Pay and Classification Plan and Personnel Rules to facilitate Equal Employment Opportunity goal achievement;
- (g) provide guidance and assistance to all employees in matters related to Affirmative Action;
- (h) disseminate program information internally and externally;
- (i) assist in the processing for complaints of failure to comply with Ordinance No. 83-166;
- (j) conduct meetings at least semiannually to discuss the Equal Employment Opportunity program and its implementation; and,
- (k) provide career counseling.

Complaint Procedure

- (a) Any representative of a protected group who has made application for employment and alleges that an act of

discrimination has occurred may file a discrimination complaint in writing to the Metro Affirmative Action Officer. The complaint filing must include the following information:

- (1) Complainant's name and protected class status (minority, female, handicapped or age);
 - (2) nature of the complaint and date the alleged violation occurred; and,
 - (3) if the complaint is in regard to a subrecipient, contractor or subcontractor, the name of that organization.
- (b) The Affirmative Action Officer shall, within ten (10) working days:
- (1) thoroughly investigate the complaint and establish a file of findings;
 - (2) submit the findings with a recommendation to the Executive Officer; and,
 - (3) notify complainant of relevant avenues of appeal, if appropriate.
- (c) An employee who alleges that an act of discrimination has occurred may file a grievance under the procedure set forth in the Metro Personnel Rules, Section 22. An employee filing a grievance is not precluded from filing a complaint with other agencies having jurisdiction in such matters.
- (d) In all cases, the Affirmative Action Officer will notify the Federal Highway Administration division office within sixty (60) calendar days, if a complaint is made against an employee, department, subrecipient, contractor or subcontractor funded by the U.S. Department of Transportation.



Rena Cusma, Executive Officer

Dated

7/2/90