

	PERSONNEL POLICIES AND PROCEDURES		SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY
	NUMBER: GEN 3.0	REVISIONS:	EFFECTIVE DATE: 9-19-2011
	SUPERCEDES:	APPROVED AND ADOPTED BY MAYOR AND COUNCIL:   A. Max Bacon, Mayor Date Eric Taylor, City Administrator	

PURPOSE: To provide for equal employment opportunity for City employees and applicants and to ensure that individuals have the opportunity to bring alleged acts of discrimination to the attention of City management for investigation/resolution.

STATEMENT OF POLICY

The City will ensure equal employment opportunity for all job applicants and employees based on ability and fitness to all persons regardless of race, color, religion, sex, national origin, age, disability, veteran status or military obligation, or any other basis prohibited by law.

Anyone who believes that he or she has been discriminated against in any aspect of the City's employment relationship or process is encouraged to raise discrimination questions promptly so that alleged problematic situations (if shown to exist) may be corrected as soon as possible.

Nothing contained in this policy statement shall be interpreted to require that a less qualified individual will be preferred over a better qualified individual simply because of race, color, religion, sex, national origin, age, disability, veteran status or military obligation, or any other basis prohibited by law.

A City employee may present his or her complaint to his or her immediate supervisor or department head or, if this is not possible or desirable, to the Human Resources Director. A job applicant should present his or her complaint directly to the Human Resources Director. The Human Resources Director may be contacted at City Hall, Human Resources Department, 2800 King Street, Smyrna, Georgia 30080 or by phone at (770) 319-5300.

To file a complaint, the complainant must contact the Human Resources Director or the department head of the department involved within 180 days of the alleged act(s) of discrimination or of learning of the alleged act. Complainants may simultaneously file discrimination complaints with outside state and/or federal agencies, subject to the time limitations set forth by law, without first discussing the problem with City staff. However, complainants are urged to attempt to resolve the problem through City administrative channels before filing with outside agencies.

In accordance with federal and state law, the filing of a discrimination complaint with the City, any state or federal agencies or participation in any City investigative process regarding discrimination shall *not* be used to retaliate against any City employee or job applicant in any aspect of City employment. Any City employee found to retaliate against another employee due to the filing of a discrimination complaint shall be disciplined accordingly.

Upon receipt of a discrimination complaint, the immediate supervisor and/or department head shall notify the Human Resources Director who will notify the City Administrator. Likewise, if the Human Resources Director is the first to receive a complaint, he or she will notify the City Administrator and the department head of the respective department involved.

The Human Resources Director shall be allowed no more than 60 days from the filing date of a discrimination complaint to investigate and attempt to resolve the complaint.

At the discretion of the Human Resources Director, a fact-finding meeting between the parties involved may be scheduled to solicit information and allow presentation of relevant issues by both the complainant(s) and the respondent(s). This meeting will also assist in evaluating the issues and resolving the complaint equitably and expeditiously.

The Human Resources Director may request the presence of witnesses at the fact-finding meeting and/or request additional information and documents that may be necessary in the attempt to resolve the complaint.

Prior approval must be granted by the Human Resources Director in order for any other individual(s) to gain admittance to the fact-finding meeting.

During this investigative period, all testimony and evidence gathered regarding the complaint will be maintained by the Human Resources Director.

The Human Resources Director will analyze all pertinent information and reach a conclusion as to whether or not an act of discrimination has occurred. Notice of the conclusion will be given to the complainant, the City Administrator, and the respective department head, if applicable.

In cases where there appears to have been discrimination, the Human Resources Director will make recommendations for the resolution of the complaint.

Should any decision or recommendation be disputed by the complainant or department involved, a resolution meeting will be scheduled with the City Administrator.

Should the complainant dispute the recommended resolution by the City Administrator, he or she will be advised of alternative complaint redress available through the federal Equal Employment Opportunity Commission.

The Human Resources Director and department head(s) involved shall handle all discrimination complaints with the utmost confidentiality. All City personnel who, by necessity, are involved with or aware of investigations are expected to maintain the same level of confidentiality.