

**BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA**

RESOLUTION APPROVING EQUAL EMPLOYMENT OPPORTUNITY POLICY

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104(6), the County has the power to do all acts in relation to the concerns of the county necessary to the exercise of its corporate powers;

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the County Board;

WHEREAS, Sarpy County previously approved an Equal Employment Opportunity Plan for Sarpy County on February 1, 2014, via Resolution 2014-47, said Plan included an “Equal Employment Opportunity Policy”;

WHEREAS, a revised Equal Employment Opportunity Plan was approved via Resolution 2018-052; said Plan does not include an “Equal Employment Opportunity Policy,” thus the County desires to adopt an updated “Equal Employment Opportunity Policy” separate from the already approved Equal Employment Opportunity Plan (Resolution 2018-052);

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the “Equal Employment Opportunity Policy” attached hereto.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with the applicable law on the 27th day of February, 2018.

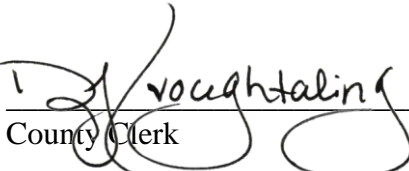


Sarpy County Board Chairman



Attest:

SEAL



County Clerk

**EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY
FOR SARPY COUNTY, NEBRASKA**



February 2018

Equal Employment Opportunity Policy

- I. **Objective:** It is the policy of Sarpy County to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, or any other characteristic protected by applicable law, except where such characteristic is a requirement of the position and thus constitutes a bona fide occupational qualification. Sarpy County prohibits any such discrimination or harassment.

- II. **Scope:** The policy of equal employment opportunity (EEO) applies to all aspects of the relationship between Sarpy County and its employees, including:
 - a. Recruitment
 - b. Employment and employment practices
 - c. Promotion
 - d. Transfer
 - e. Training
 - f. Working conditions
 - g. Wages and salary administration
 - h. Employee benefits and application of policies

- III. **Dissemination and Implementation of Policy:** This Policy shall be maintained within the Human Resources (HR) Department and made available at www.sarpy.com. Elected Officials, Department Heads, and supervisors are responsible for implementing equal employment practices. The HR Department is responsible for overall compliance and will maintain personnel records in compliance with applicable laws and regulations.

- IV. **Achievement of Objectives:** Sarpy County shall achieve its EEO objectives by doing the following:
 - a. Displaying all required notices regarding employee rights under EEO laws in areas highly visible to employees.
 - b. Advertising for job openings with the statement "An Equal Opportunity Employer."
 - c. Posting job openings with the appropriate state and minority agencies within the State of Nebraska.
 - d. Ensuring that applicant screening mechanisms are valid and job-related.
 - e. Critically evaluating the bi-annual EEO-4 Report and EEO Utilization Analysis to determine if additional mechanisms are needed to achieve the EEO Objectives.

- V. **Index:**
 - a. Definitions applicable to this Policy:
 - i. Discrimination: The showing that a practice, procedure, or test has an adverse effect on at least one protected group and is not job-related. With regard to employment practices, the denial or equal treatment to a person in comparison with other, similarly situated,

based on that person's rights as defined under by Title VII; the Age Discrimination Employment Act; American with Disabilities Act; any amendments as well as other federal or state anti-discrimination laws.

- ii. Adverse Impact: A statistical measure (such as those outlined in the EEO Commission's Uniform Guidelines on Employee Selection Procedures) that is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group defined in terms of ethnic group identification, sex, or disability. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.
- iii. Disparate Treatment: Refers to treating an employee or applicant differently from another employee or applicant because of membership in a protected class.
- iv. Employment Practices: Means activities and decisions associated with job advertisements, recruiting, application and hiring, job referrals, job assignments and promotions, pay and benefits, discipline and discharge, employment references, reasonable accommodation and disability, reasonable accommodation and religion, training and apprenticeship programs, harassment, terms and conditions of employment, pre-employment inquiries (general), and dress code.
- v. Equal Employment Opportunity: Means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment. Equal employment opportunity should exist at all levels and in all job categories. Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and that is welcoming to men and women, persons of color, persons with disabilities, and individuals from all other protected groups.

VI. Complaint Procedure:

- a. Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct shall discuss their concerns with their immediate supervisor or Human Resources. In order to have the complaint considered for review, the complainant must file the complaint no later than 60 days after:
 - i. The date of alleged act of wrongdoing; or

- ii. Where there has been a continuing course of conduct, the date of the most recent act of alleged wrongdoing.
 - iii. In either case (i) or (ii), Sarpy may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.
- b. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed policy violation. In the event that a person makes a verbal complaint to an officer or employee of Sarpy, the officer or employee who received the verbal complaint shall notify the Human Resources Director. In turn, the person who made the verbal complaint shall be interviewed by the Human Resources Director and encouraged to reduce the complaint to writing.
- c. Within 10 calendar days, the Human Resources Director will acknowledge receipt of the allegation.
- d. Within 30 calendar days after acknowledgement of the allegation, if necessary, the Human Resources Director will begin to conduct an investigation of the allegation and will thereafter timely render a final decision for action in a report of findings. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.
- e. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.
- f. Retaliation against an individual for reporting an alleged policy violation or for participating in an investigation, is a serious violation of this policy and will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. For purposes of this policy, retaliation occurs when an employer takes an adverse action against an individual because he or she engaged in a protected activity.
- g. False and malicious complaints of wrongdoing (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.
- h. Responsive action will be recommended as warranted and may include training, referral to counseling or disciplinary action such as a warning,

reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination.

- i. The Human Resources Director will notify the complainant in writing that a resolution has been reached and will advise the complainant of his/her appeal rights.

VII. Dissemination of Plan:

- a. A copy of the EEO Plan shall be available within the Human Resources Department and on www.sarpy.com
- b. The HR Director shall be available on request to discuss concerns regarding work-related problems of discrimination.