



Equity and Inclusion for Everyone and Every Community

***DANE COUNTY***  
***EQUAL OPPORTUNITY***  
***&***  
***AFFIRMATIVE ACTION PLAN***

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## I. INTRODUCTION

Dane County, located in south-central Wisconsin, is the state's second most populous county. It is home to more than 560,000 people (2021 U.S. Census) living in over 60 different cities, towns and villages. Madison, county seat and capital of the state, is Dane County's largest city with a population of over 269,000.

Dane County employment is a public employer that provides services in its functions both as an agent of the state of Wisconsin and as a separate unit of government within the state. The County is governed by a 37 member Board of Supervisors and a County Executive with an annual budget exceeding \$700,000,000 and employs over 2400 people.

## II. EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION POLICY STATEMENT

It is the official policy of Dane County to provide equal employment opportunity for all employees and applicants for employment within the Dane County Civil Service. This policy shall be in accordance with all applicable Equal Employment Opportunity/Affirmative Action (EEO/AA) statutes, directives and regulations of the federal government, State of Wisconsin and Dane County Board of Supervisors, including: the Equal Pay Act of 1963 and its amendments in 1973; Title VI and Title VII of the Civil Rights Act of 1964, and the Equal Opportunity Act of 1972 amendments, the Civil Rights Act of 1991; the Age Discrimination in Employment Act of 1967 and the 1978 and 1986 amendments; Sections 503 and 504 of the Rehabilitation Act of 1973; Title I and Title 11 of the Americans with Disabilities Act of 1991; Presidential Executive Order 11246 of 1965 and the amendments in Presidential Executive Order 11375 of 1967; applicable sections of Wisconsin State Statutes, Chapters 51, 111, 146 and Dane County Ordinances, Chapters 18 and 19.

Forms of compensation, and selection for training. Dane County shall not discriminate against or harass any employee or applicant for employment because of age, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, physical appearance, economic status, arrest record or conviction record or membership in the national guard, state defense force or any other reserve component of the military forces of the United States or this state as specified in Wisconsin State Statutes, Chapters 51 and 111 and Dane County Ordinances, Chapters 18 and 19.

Dane County shall take all actions necessary to ensure that the county's employment practices and employees are provided fair and impartial treatment. This includes, but is not limited to: access to county services and employment for people with disabilities, conditions of employment, advertising, recruitment, examinations, selection, promotions, demotions, classification decisions, layoff, disciplinary action, termination, rates of pay and/or other

Dane County shall commit the necessary time and resources, both financial and human, to achieve the goals of EEO/AA expressed in this plan. This shall include the evaluation of the performance of its management and supervisory personnel on the basis of their involvement in achieving EEO/AA objectives as well as other established criteria. Any employees of this County who do not comply with the EEO/AA policies and procedures as set forth in this statement and plan may be subject to disciplinary action.

Dane County fully supports incorporation of non-discrimination and EEO/AA regulations into all contracts. Any subcontractor not complying with all applicable EEO/AA statutes, directives and regulations of the federal government, Wisconsin State Statutes and specifically Dane County Ordinances, shall be subject to appropriate sanctions. Every effort shall be made to afford business enterprises of women, minority persons and people with disabilities with the maximum practical opportunity to participate in the performance of contracts and subcontracts for any projects in which Dane County engages.

Dane County's Office for Equity and Inclusion Director shall be designated to manage the EEO/AA Plan and Program. These responsibilities will include monitoring all EEO/AA activities and reporting on the effectiveness of the County's EEO/AA Program.

The County Executive, Joe Parisi, and the Equal Opportunity Commission will receive and review reports on the progress of the program. Employees and/or applicants who believe they have been discriminated against can contact The Tamara D. Grigsby Office for Equity and Inclusion (OEI) at 608 283-1391; City-County Building Room 356, 210 Martin Luther King Jr. Boulevard, Madison, Wisconsin, 53709. Or directly contact the Manager of Equal Employment Opportunity, Carrie Braxton, at 608-266-4795.

### III. DEFINITIONS

As used herein, the following terms have the following definitions:

1. **Affirmative Action (AA):** The specific action (e.g., in recruitment, hiring, or training) which is designed and taken for the purpose of eliminating the present effects of past discrimination. One such result of past discrimination is the under-representation of racial and/or ethnic minorities, women, mature workers, and/or people with disabilities in the work force. In cases where certain groups protected by law are under-represented in the work force, affirmative action attempts to address the disparities through numerical goals and timetables.
2. **Agency:** Will mean all departments, commissions, boards and other structural divisions of county government.
3. **Board:** Will mean the Dane County Board of Supervisors, unless the context clearly indicates otherwise.
4. **Commission:** Will mean the Dane County Equal Opportunity Commission.
5. **Disability:** Under federal guidelines, is defined as "Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment."
6. **Discrimination:** Unequal treatment of a class of people. If the result of an action, policy, or practice is unequal treatment of a particular class of people, then that action, policy, or practice is discriminatory. It may involve a single act or it may involve a continuing policy or practice. It may be intentional or unintentional; purpose or intent is irrelevant when the effect is to deny equal opportunity.
7. **EEO/AA:** Equal Employment Opportunity/Affirmative Action
8. **Equal Employment Opportunity (EOC):** Equal access to all available jobs and training, under equal terms and conditions, and with equal benefits and services, without actions, policies, or practices which differentiate among applicants or employees on the basis of race, color, national origin, sex, age, or religion. This includes equality in recruitment, hiring, layoff, discharge, recall, promotion, training, responsibility, wages, vacation, overtime, insurance, retirement and pension benefits.

### IV. DELEGATION OF AUTHORITY AND RESPONSIBILITY

#### A. COUNTY EXECUTIVE

The duties and responsibilities of the County Executive are to ensure that all applicable Equal Employment Opportunity/Affirmative Action statutes, directives and regulations of the federal government, the State of Wisconsin and the Dane County Board of Supervisors are implemented. This shall include, but is not limited to, the following:

1. Balancing the membership of boards, commissions, and committees along the principles of affirmative action in a manner compatible with statutes or other imperatives that require representation be based on such factors as geography, race and ethnicity, gender, disability, and technical expertise.
2. Providing support and assistance to the Office for Equity and Inclusion and the Equal Opportunity Commission in carrying out provisions of the Dane County EEO/AA ordinances.
3. Taking into consideration the EEO/AA Plan, policies and programs when implementing the actions of the County Board of Supervisors.

**B. THE OFFICE FOR EQUITY AND INCLUSION DIRECTOR OR DESIGNEE**

It is the duty and responsibility of the Office for Equity and Inclusion Director to ensure that all applicable EEO/AA statutes, directives and regulations of the Federal Government, the State of Wisconsin and the Dane County Board of Supervisors are implemented. This shall include, but is not limited to the following:

1. Reporting to the County Executive, County Board of Supervisors, Equal Opportunity Commission, and The Office for Equity and Inclusion Advisory Board, regarding attainment of EEO/AA goals and objectives.
2. Providing information and recommendations to the County Executive, County Board of Supervisors, Equal Opportunity Commission, The Office for Equity and Inclusion Advisory Board, staff, County Administrators, Managers, Supervisors, regarding the County's obligations under current applicable EEO/AA statutes, ordinances, regulations and/or guidelines.
3. Reviewing and monitoring the County's ordinances, policies, procedures, and making recommendations as necessary to the County Executive, County Board of Supervisors, Equal Opportunity Commission, The Office for Equity and Inclusion Advisory Board, staff, County Administrators, Managers, Supervisors to ensure compliance with current statutes, ordinances, regulations, guidelines and the County's EEO/AA Plan, Program and Policies. Review and rewrite the EEO/AA plan as needed.
4. Annually audit County employment practices and patterns and report to the County Executive, County Board of Supervisors, Equal Opportunity Commission, The Office for Equity and Inclusion Advisory Board impediments that prevent groups that are underrepresented in the county work force from having the opportunity to participate in County sponsored training, educational activities, services, hiring, promotions, and all other employment programs, practices, and benefits.
5. Preparing demographic and other types of reports that analyze the general population, applicants and the county's workforce, as necessary. Reports shall show representation, availability and utilization of all groups as they exist in the population.



6. Making recommendations to the County Executive, County Board of Supervisors, Equal Opportunity Commission, The Office for Equity and Inclusion Advisory Board, staff, County Administrators, Managers, Supervisors, as necessary for corrective measures when it has been determined that a group is being discriminated against or is being underutilized in the County's work force.
7. Serving as a resource to the County Executive, County Board of Supervisors, the Equal Opportunity Commission, Administrators, Managers, Supervisors and other staff on matters pertaining to EEO/AA.
8. Conducting, reviewing and/or monitoring general recruitment efforts of the County's Employee Relations Division.
9. Conducting special recruitment efforts when a particular population is found to be under-represented in the workforce and/or when a special need is identified.
10. Receiving and attempting to resolve discrimination complaints.
11. Conducting investigations of discrimination complaint allegations brought against the County and/or County staff in accordance with the applicable provisions of the complaint procedure in this plan.
12. Developing and maintaining communication between the County and other public and private agencies and organizations. Particularly those organizations that represent groups which have and/or are experiencing some form of alleged employment discrimination.
13. Serving as staff support to the Equal Opportunity Commission and other County commissions and/or committees as needed.
14. Maintaining records of the County's employment and service delivery complaints and activities for audit and review.
15. Participating in the County's EEO/AA planning and performance monitoring.
16. Developing and writing the County's annual EOC Report and other reports as needed. When applicable EEO/AA reports will contain an analysis of progress and/or lack of progress towards attaining the County's stated EEO/AA goals and/or objectives.
17. Working with the County's Employee Relations Division to improve and monitor employee relations/civil service policies and procedures regarding recruitment, exams, certification, selection, hiring, classification, transfers, promotion, reclassification, compensation, fringe benefits, training, placement, layoffs and terminations.
18. Reviewing all appropriate class specifications, job descriptions and compensation plans routinely to ensure they reflect and comply with the intent of EEO/AA.

19. Serve as liaison between County government and County residents on Equal Opportunity and Fair Housing issues.

### **C. CONTRACT COMPLIANCE OFFICER**

It is the duty and responsibility of the Contract Compliance Specialist to ensure that all applicable EEO/AA statutes, directives and regulations of the federal government, the State of Wisconsin and the Dane County Board of Supervisors are implemented. This shall include, but is not limited to, the following:

1. In cooperation with the Director of the Office for Equity and Inclusion, staff shall write and update as needed a Contract Compliance Plan that addresses the enforcement of applicable EEO/AA and contract standards as outlined by federal law, Wisconsin State Statutes, Dane County Ordinances, HUD requirements and EEO/AA programs of the U.S. Department of Health and Human Services, U.S. Department of Transportation and other applicable federal agencies.
2. Administer the Dane County's Contract Compliance Program and enforce the Contract Compliance Ordinance and all applicable EEO/AA standards including Title VI, and those specified by HUD, U.S. Department of Health and Human Services, U.S. Department of Transportation and other federal agencies, Wisconsin State Statutes and Dane County Ordinances relevant to service providers, public works contractors and all other vendors and service providers doing business with the County.
3. Coordinate, monitor and ensure Title VI Affirmative Action/Civil Rights Compliance requirements are written into Dane County's Contract Compliance Plan and that the county's Department of Human Services (DHS) is in compliance with these requirements. This includes a review of DHS's mechanisms for monitoring service delivery, client complaints and contracts specifically, those with providers of services.
4. Provide assistance and training to service providers, contractors and other vendors in the development of their EEO/AA plans and assisting contracting organizations in recruiting qualified protected group employees.
5. Develop and recommend various program enhancements and policy initiatives to best meet programmatic goals and objectives.
6. Develop and administer a system that assures ongoing service provider/contractor/vendor Affirmative Action Plan compliance, and initiating remedial action as necessary, including debarment proceedings.
7. Implement an on-site evaluation and review process for county contractors to ensure compliance requirements are maintained.
8. Develop and implement processes to certify the business enterprises of people who qualify as being, minority, women, and/or disadvantaged (also referred to as MBEs,

WBEs and DBEs). Perform complex analysis to assure program integrity and validity of certifications.

9. Investigate complaints relating to certification, discrimination and/or affirmative action policies and practices of public works contractors, county service providers, and vendors.
10. When appropriate initiate and provide staff support to business enterprise advisory committees for women, minorities, and people with disabilities. Act as liaison to the various Dane County committees involved in awarding contracts.
11. Consult with relevant federal agencies as required by Title VI, HUD and DOT to ensure compliance with respective program considerations.
12. Prepare narrative and statistical reports. Develop and oversee the maintenance of adequate record keeping systems. Maintain an awareness of related legislation and other program considerations, and initiate responsive programmatic changes as necessary. This shall include recommending necessary changes in the Contract Compliance Plan and updating it as necessary.
13. Investigate complaints and/or appeals of discrimination arising from contracting organizations as defined in the Contract Compliance Plan.
14. Providing oral and written reports to the Equal Opportunity Commission when applicable.

#### **D. ADMINISTRATORS, DEPARTMENT HEADS, PROGRAM COORDINATORS, SUPERVISORS, AND ALL APPOINTING AUTHORITIES**

It shall be the duty and responsibility of administrators, department heads, program coordinators, supervisors, and all appointing authorities to ensure that all applicable EEO/AA statutes, directives and regulations of the federal government, the State of Wisconsin, and the Dane County Board of Supervisors are implemented. This shall include, but is not limited to, the following:

1. Assist the County Executive, the Director of the Office for Equity and Inclusion, Equal Opportunity Commission, The Office for Equity and Inclusion Advisory Board in all matters relating to EEO/AA and the Office for Equity and Inclusion.
2. Comply with the County's EEO/AA Plan and all other applicable federal, state and county EEO/AA statutes, ordinances, regulations, policies and procedures.
3. Communicate with the County Executive, the Director of the Office for Equity and Inclusion, Equal Opportunity Commission, The Office for Equity and Inclusion Advisory Board, regarding complaints of discrimination and assisting in the development and

implementation of positive actions to correct any problems and situations that pertain to their department.

4. Assume responsibility for implementation of the EEO/AA Program and all other applicable federal, state and county EEO/AA statutes, ordinances, regulations, policies and procedures within their areas of responsibility. The duties and responsibilities shall be reflected in each individual job description and shall include but not be limited to:
5. Attain a general understanding of the EEO/AA plan and policies.
6. Ensure that all employees have a general understanding of Dane County's EEO/AA Plan and all other applicable federal, state and county statutes, ordinances, regulations, policies and procedures.
7. Inform their staff that all County employees are responsible for complying with Dane County's EEO/AA plan and all other applicable federal, state and county statutes, ordinances, regulations, policies and procedures.
8. Monitor services delivered and verification that Dane County's EEO/AA plan and all other applicable federal, state and county statutes, ordinances, regulations, policies and procedures are adhered to in service delivery by service providers.
9. Take effective corrective action as necessary to enforce Dane County's EEO/AA Plan, policies, procedures and guidelines.
10. Take all necessary steps to maintain a harassment-free work environment.
11. Inform all applicants being considered for positions that Dane County is an EEO/AA employer and ensure that the selection process is in conformance with Dane County's EEO/AA plan and all applicable federal, state and county statutes, ordinances, regulations, policies and procedures.
12. Striving to ensure that programs under departments' supervision have a diversified workforce.

## **E. EMPLOYEES**

It is the duty and responsibility of all Dane County employees to strive to ensure that all applicable EEO/AA statutes, directives and regulations of the federal government, the State of Wisconsin and the Dane County Board of Supervisors are implemented. This shall include, but is not limited to the following:

1. Refraining from any form of harassing behavior towards other employees, clients, customers and contractors of Dane County.

2. Applying program and agency regulations equitably and treating other employees, customers and clients fairly and without regard to their status.
3. Assisting the Director of the Office for Equity and Inclusion and the Equal Opportunity Commission in implementing Dane County's EEO/AA plan and other applicable federal, state and county EEO/AA statutes, ordinances, regulations, policies and procedures within their areas of responsibility. These duties and responsibilities shall be reflected in each individual job description, where applicable.

#### **F. DANE COUNTY BOARD OF SUPERVISORS**

It shall be the duty and responsibility of the Dane County Board of Supervisors to be aware of and promote the goals of all applicable federal, state and county EEO/AA statutes, ordinances, executive orders, regulations, policies and procedures to the fullest extent possible. The Board should be particularly aware of these EEO/AA goals when awarding contracts for goods and services, ratifying boards, committees and commission appointments of the County Executive and ratifying union contracts or Employee Groups.

#### **G. EQUAL OPPORTUNITY COMMISSION**

It shall be the duty and responsibility of the Commission to ensure Dane County Ordinances, Chapters 19 and all other applicable federal, state and county EEO/AA statutes, ordinances, executive orders, regulations, policies and procedures within its areas of responsibility are implemented. These duties and responsibilities shall be reflected through policies, procedures and programs developed under Chapter 15.12 of the Dane County Ordinances. The Commission activities shall include, but is not limited to, the following:

1. Act as an advisory body to the County Executive, Director of the Office for Equity and Inclusion, and the Dane County Board of Supervisors and by making recommendations on EEO/AA issues, plans, policies, procedures, problems and programs as necessary.
2. The Commission may initiate special projects to enhance opportunities for traditionally excluded groups; collaborate with a wide range of individuals and organizations in the county to promote positive means of engaging the community in equal opportunities; design initiatives and support existing efforts to increase cooperation and enhance understanding among diverse populations.
3. Work closely with the Office for Equity and Inclusion Director in monitoring EEO/AA plans, policies, problems, procedures and programs.
4. Advise the Office for Equity and Inclusion in gathering information and developing specific plans, procedures and programs to meet EEO/AA objectives.
5. Advise the Office for Equity and Inclusion Director on development and maintenance of an EEO/AA plan.
6. The selection, tenure and removal of the members of the commission will be as stated in Dane County Ordinance, Chapter 15.12 of the Dane County Ordinances and ex-officio

members may be appointed as set forth in Dane County Ordinances, Chapter 19, Section 19.06 (1) (a).

#### **H. EMPLOYEE RELATIONS DIVISION**

The Employee Relations Division will ensure that Dane County Ordinances, Chapters 18, 19 and all other applicable federal, state and county EEO/AA statutes, executive orders, regulations, policies and procedures within its areas of responsibility are implemented. Duties and responsibilities shall be reflected in the policies, procedures and programs developed by the Employee Relations Division. They shall include, but is not limited to, the following:

1. Working closely with the Director of the Office for Equity and Inclusion and staff in implementing the Dane County EEO/AA plan.
2. Maintaining records of all personnel transactions involving women, minority persons and employees with a disability and applicants for employment.
3. Periodically reviewing and updating all personnel policies to assure their compliance with the EEO/AA plan.
4. Assisting the Office for Equity and Inclusion in the recruitment of applicants from groups that are under-represented in the County's work force.
5. When appropriate, make every attempt to balance examination boards/panels with a diverse membership that includes male, female, minority, older adults, citizens with a disability and others. Ensure that, as much as is possible, all segments of the community are represented.
6. Make every attempt to ensure that all examinations are job related and that any disparate impact, if it exists, is eliminated.
7. Follow the EEO/AA training policies when conducting and/or approving training.
8. Using non-traditional selection techniques/processes when appropriate to ensure that the disabled and other socially and economically disadvantaged individuals have an equal opportunity for employment. This shall include but is not limited to "Alternative Selection" and "Expanded Certification."

## **V. COMMUNICATION AND DISSEMINATION OF EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION PLAN**

### **A. CONTENT OF EEO/AA PLAN**

The County's EEO/AA Plan shall be reviewed and updated periodically. The Plan shall be printed in Braille, large print, on tape and/or in other languages other than English when appropriate and upon request. The Plan shall contain, but is not limited to, the following sections:

1. A policy statement of the County's commitment to follow all applicable federal, state and county EEO/AA statutes.
2. A section that defines duties and responsibilities of all county staff engaged in implementing the EEO/AA plan, policies, procedures and programs.
3. The process for internal and external dissemination of the EEO/AA Plan.
4. A policy statement on implementation of the EEO/AA Plan.
5. A written complaint procedure to resolve EEO/AA complaints.
6. Data collection, record keeping, and reporting systems.
7. An annual review of the Affirmative Action Plan and program via the EOC Report.
8. EEO/AA goals and time tables.
9. Training.

### **B. INTERNAL DISSEMINATION OF EEO/AA PLAN**

The EEO/AA Plan shall be made available to all county employees, including Limited Term Employees (LTE), and all other individuals engaged in conducting work for the county, including employees whose work is of a temporary nature and/or who function as consultants. The EEO/AA Plan shall be distributed to members of the Board of Supervisors and made available to all members of commissions, committees and/ or any other groups that meet regularly to conduct county business. In addition, information on the County's EEO/AA Plan, policies, procedures and programs shall be made available to all other individuals who request such information. Other methods of internal dissemination shall include but is not limited to, the following.

1. Ensuring that an EEO/AA statement is included in the Personnel Administrative Practices Manual, the Annual Report and all other policy and procedure manuals.
2. Information on Dane County Ordinances, Chapters 18 and 19 and other applicable EEO/AA statutes, ordinances, executive orders, regulations, policies and procedures of the federal government, State of Wisconsin and Dane County Board of Supervisors shall be made available to employees upon request and shall be included in EEO/AA orientation and training for new employees.

3. Posters and pamphlets from other governmental agencies, community organizations and the County that explain Dane County Ordinances, Chapters 18 and 19 and all other applicable Federal, State and County EEO/AA statutes, ordinances, executive orders, policies, procedures, directives and regulations of the Federal Government, State of Wisconsin, and Dane County Board of Supervisors on services and employment shall be prominently displayed at appropriate work-sites, facilities and locations where Dane County services and/or activities are conducted.
4. Recognition of the EEO/AA obligations shall be included in all Employee Group contracts.
5. The Director of the Office for Equity and Inclusion or designee shall serve as resource person to all County staff regarding EEO/AA policies.
6. The name and telephone number of the Director of the Office for Equity and Inclusion shall be printed in the County Directory.
7. The TDD number for the Office for Equity and Inclusion and the Director is Call **WI Relay 711**. This number shall be listed in the telephone directory.
8. The TDD number for the Employee Relations Division is also **WI Relay 711**.
9. The internal dissemination policy is reviewed at least annually by the Director of the Office for Equity and Inclusion.
10. The AA/EEO Plan shall be made available to all county employees on the DCINET.

### **C. EXTERNAL DISSEMINATION**

1. Recruitment:
  - a. All sources of recruitment and work shall be notified both verbally and/or in writing of the County's commitment to EEO/AA. This shall include, but is not limited to: media outlets, schools, social organizations, subcontractors, employment agencies, community action agencies, community leaders, colleges, churches and missions frequented by or which represent minority persons, "Protected Groups" or any other under-represented groups or individuals.
  - b. All advertisements and announcements for job openings shall include the phrase, "AN EQUAL OPPORTUNITY EMPLOYER FUNCTIONING UNDER AN AFFIRMATIVE ACTION PLAN." Job announcements will be worded in a manner that encourages members of groups under-represented in the County work force to apply.
2. Contractors, providers of services and goods:



- a. Prior to concluding any agreements, Dane County will inform the prospective suppliers, subcontractors or vendors of the County's commitment to EEO/AA and the responsibilities they have regarding EEO/AA.
  - b. Notification in writing shall be given as often as required to all subcontractors, vendors and suppliers of Dane County's commitment to EEO/AA, and the need for supportive action on their part. Failure or refusal to comply with Dane County EEO/AA goals and objectives could result in severance of all business ties with the County.
  - c. All persons and agencies with which Dane County has Purchase of Service contracts must operate in accordance with county EEO/AA policies. A clause to this effect is standard language in the contract between these agencies and Dane County departments.
  - d. Upon recommendation from the Contract Compliance Officer, information and training sessions will be provided for contractors.
  - e. Contract compliance training sessions shall include information on Dane County's commitment to EEO/AA and shall provide information on current statutes pertaining to contract compliance.
3. General public: Copies of this Affirmative Action Plan and other EEO/AA materials used by the County shall be available to the general public upon request.
  4. County publications, announcements and other advertising:
    - a. County publications, announcements, advertisements and other documents shall be translated into languages other than English when appropriate; and, made available in alternative formats as requested.
    - b. All County publications, announcements, advertising, and job application forms shall contain the phrase, "AN EQUAL OPPORTUNITY EMPLOYER FUNCTIONING UNDER AN AFFIRMATIVE ACTION PLAN."
    - c. The service delivery non-discrimination policy is included in all publications intended for clients and the general public.
  5. County services:
    - a. Enforcement of the County EEO/AA and non-discrimination policies are included in County publications intended for clients and the general public.
    - b. Policies shall be made available to and be translated for non-English speaking persons and for clients with hearing /vision or other impairments.
  6. Policies on external dissemination of EEO/AA matters shall be periodically reviewed by the Director of the Office for Equity and Inclusion.

## **VI. EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION POLICY AND PROCEDURE STANDARDS**

In order to achieve a consistent county-wide Affirmative Action effort, it is the objective of the Office for Equity and Inclusion to ensure that all county departments and structural divisions of County Government shall adhere to these Policy and Procedure Standards. Each department shall retain records which demonstrate their compliance with these standards and recommended EEO/AA initiatives. Upon request, the department will make its records available for review by the Office for Equity and Inclusion.

### **A. STANDARDS TO PROMOTE EQUAL EMPLOYMENT OPPORTUNITY**

The Standards in this section are designed to promote the Office for Equity and Inclusion principles in the county. All personnel transactions that occur within a department shall be governed by the principles of EEO. Employment Relations representatives shall consider or include equal employment opportunity and affirmative action goals in recruitment. Documentation of compliance with these standards shall be made available for monitoring upon reasonable notice.

1. The department shall actively engage in initiatives to promote a diverse workforce through recruitment and upward mobility (e.g., reclassifications, reallocations, transfers, promotions, and training) for racial/ethnic minorities, women, and persons with disabilities. The Office for Equity and Inclusion shall ensure that equal employment opportunity activities are included in all recruitment activities. Efforts should be made to develop and increase the participation of racial/ethnic minorities, women and persons with disabilities in career development and training programs.
2. To identify the need to provide reasonable accommodations for employees with disabilities, a self-identification and needs assessment survey will be initiated on a routine basis. All new County employees will be surveyed as they enter the workforce.
3. The Office for Equity and Inclusion staff will use data containing certifications to monitor the cumulative results of post-selection procedures when racial/ethnic minorities, women, and person with disability candidates were considered for appointment. An annual summary report shall be prepared.
4. Additional information shall be made available to the Office for Equity and Inclusion staff by Employee Relations or the hiring authority for monitoring purposes. Information shall include: recruitment activity plans, interview questions, grading criteria and notes, and a list of exam raters and interviewers.
5. For all eligibility lists, the Director of the Office for Equity and Inclusion or designee shall be notified by Employee Relations of all planned actions which administratively remove or suspend racial/ethnic minorities, women, and persons with disabilities. If the Director disagrees with the planned actions, he/she shall make a recommendation in writing to the Employee Relations Authority or designee, prior to such personnel action being taken.

6. The Director of the Office for Equity and Inclusion or designee shall be notified of all LTE and project position openings and given an opportunity to refer qualified individuals.
7. The performance standards of all supervisory and management staff shall include an EEO/AA objective that is measurable and evaluated at least annually or at the time of performance review.
8. Efforts shall be made to hire persons with disabilities. Activities may include participation in supported employment programs, and work experience programs.
9. Staff of the Office for Equity and Inclusion is strongly encouraged to participate in advanced training annually on emerging EEO/AA and civil rights compliance topics.
10. To the extent feasible, all classified management and supervisory staff will receive training in the following topic areas: nondiscriminatory and EEO/AA selection interviewing, recruitment and outreach of targeted groups, multicultural awareness, supervision of a diverse workforce, internal complaint investigations, reasonable accommodations for persons with disabilities, preventing sexual harassment, etc.
11. The Office for Equity and Inclusion or designee shall review and document all regular and probationary termination recommendations of racial/ethnic minorities, women, and persons with disabilities to ensure equal employment opportunity. Documentation that the review occurred prior to such action shall be monitored.
12. The County shall encourage a policy to include racial/ethnic minorities, women, and persons with disabilities on oral boards, interview panels, search and screen committees and as exam raters.
13. The Office for Equity and Inclusion or designee shall ensure that interview questions are nondiscriminatory and job related for all positions.

#### **B. STANDARDS FOR POSITIONS UNDER PARITY (AFFIRMATIVE ACTION)**

The standards that are listed in this section represent Affirmative Action initiatives used to address underutilization of racial/ethnic minorities or women in a designated job group. County departments shall take the following actions to eliminate the underutilization of racial/ethnic minorities and women whenever there is an opportunity for appointment in a job group which has an established affirmative action goal (or is under parity). Departments may recommend alternative procedures to meet these standards which must be reviewed and approved by the Office for Equity and Inclusion before they are implemented by the department.

1. Departments shall receive expanded eligibility lists whenever they meet the criteria and are eligible. Departments will be considered eligible to receive expanded certification for racial/ethnic minorities and women if the classification to be filled is in a job group which is underutilized (under parity) for racial/ethnic minorities and/or women, there are no AA

candidates on the original certification and the expanded scores are within ten points of the lowest eligible certified score.

*\*Note - All county departments will receive expanded certification for persons with disabilities, when applicable.*

2. In order to ensure that there is no adverse effect on the department's EEO/AA program, all requests for authorization to extend or not to use recently created eligibles list, shall require the review and signature of the Director of the Office for Equity and Inclusion or designee on the certification request before the request is sent to Employee Relations for approval. The Director of the Office for Equity and Inclusion or designee shall make a recommendation before the proposed personnel action will be taken.

*\*Note - Reference Administrative Procedure Manual or Chapter 18.*

- a. All department staff involved in the hiring process must be informed in writing when there is a goal for racial/ethnic minorities, women or both.
  - b. For positions with Affirmative Action goals, the staff responsible for developing interview questions shall contact the Director of the Office for Equity and Inclusion or designee to review the appropriateness of the proposed interview questions and the related grading criteria for evaluating the candidates.
3. Any time there is an Affirmative Action goal and an Affirmative Action group (women and racial/ethnic minorities) candidate(s) is certified or eligible (reinstatement, transfer, layoff, restoration, etc.) for consideration for an appointment but **not recommended** for hire:
    - a. Communication will be had prior to any offer of appointment between the Director of the Office for Equity and Inclusion or designee and the highest level-hiring official who is responsible for the recommendation(s) not to hire.
    - b. The Director of the Office for Equity and Inclusion or designee will review the explanations or circumstances regarding the recommendation.
    - c. If a consensus or agreement is not reached between the Director of the Office for Equity and Inclusion or designee and the highest level hiring official, both parties shall jointly consult with the department appointing authority and/ or designee regarding the appropriateness of the recommendation not to hire and the final decision reached. For senior level management positions, the County Executive is the ultimate hiring authority.
    - d. If an agreement to make the Affirmative Action hire is not reached prior to any offer of appointment, the appointing authority or designee responsible for the hiring decision shall draft and submit a written justification that explains the non-

selection to the Director of the Office for Equity and Inclusion or designee. The Director of the Office for Equity and Inclusion or designee will review the written justification and acknowledge his/her agreement or disagreement in writing.

*\*Note - Whenever there is a decision not to hire an Affirmative Action candidate, even if there is agreement, a written justification for the non-hire of the Affirmative Action candidate is required.*

4. Upon request by the Office for Equity and Inclusion, Employee Relations shall retain and compile applicant flow data reports documenting the hiring process from application to hire, for underutilized personnel transactions.

### **C. RECOMMENDED EEO/AA INITIATIVES**

1. Although the activity level of these efforts may vary from department to department, there should be supporting documentation to substantiate that these practices do occur frequently and on an ongoing basis.
2. All supervisory and management staff should be trained on their roles and responsibilities in ensuring its successful implementation of the County's EEO/AA Plan.
3. The examination and selection process for all supervisory and administrative positions should contain an EEO/AA component. Situation questions related to EEO/AA matters should be included in at least one of the following: written and oral exams administered prior to certification, selection interviews, and the rating scale for established grading criteria.
4. All orientation programs for new employees should include an EEO/AA component. A copy of policy statements and procedures regarding disability accommodations, sexual harassment, Wisconsin Works (W-2), alternative work patterns, internal discrimination complaint procedures, training programs, exit interviews and other EEO/AA issues should be issued to each department employee. This information should be included in the handbook.
5. The Director of the Office for Equity and Inclusion or designee should prepare a written evaluation on the department's recruitment and upward mobility activities on a regular basis to determine their effectiveness.
6. The county Director of the Office for Equity and Inclusion or designee should review the missed opportunities for employment of persons with disabilities to ensure equal employment opportunity.
7. Each department will ensure that the Americans with Disabilities Act (ADA) Title II selfevaluation of services, programs, policies and procedures has been completed and establish the required grievance procedure. (The Director of the Office for Equity and

Inclusion or designee shall be consulted by personnel if planned actions lead to discipline or termination.)

8. The Director of the Office for Equity and Inclusion should be consulted by supervisors, managers or Employee Relations Manager when they are considering discipline or termination of racial/ethnic minorities, women and persons with disabilities.

## VII. PROBLEM ANALYSIS AND ISSUE IDENTIFICATION

The Office for Equity and Inclusion with input from the Equal Opportunity Commission has identified and assessed previous achievements and problems encountered in the implementation of previous Affirmative Action and Equal Opportunity programs. The following categories of issues have been identified as needing special attention during the planning period:

1. Recruitment and Selection
2. Targeted Business Contracting
3. Harassment and/or Discrimination
4. Fair Housing Outreach
5. Civil Rights Compliance/ Service Delivery

### ***\*\*COUNTYWIDE ACTION STEPS AND TIMELINES***

#### **A. RECRUITMENT AND SELECTION**

##### **Goal**

To develop applicant pools for regular employment eligibility lists, which include women, racial-ethnic group members and people with disabilities, with a special emphasis on job categories where the county is under parity for these target groups.

##### **Objectives 1**

Identify potential job applicants who are members of AA target groups and ensure that they are made aware of county job openings they may be interested and qualified for.

##### **Initiatives**

1. The Office for Equity and Inclusion will assist Employee Relations Department and County organizational units in the development of methods to outreach and educate target group referral sources regarding job openings and job requirements.

Timetable Ongoing

2. The Office for Equity and Inclusion will conduct an employee disability survey to determine if the composition of disabled employees in the county workforce is comparable to the county labor market availability for persons with disabilities. Target recruitment activities will be directed towards people with disabilities by utilizing disability-focused community based organizations.

Timetable Ongoing, periodically

3. The Office for Equity and Inclusion will provide technical assistance to County organizational units in developing recruitment activity plans and activities for classifications in job categories that are under parity for target group members.

Timetable, Ongoing

4. The Office for Equity and Inclusion will assist County organizational units in promoting preannouncements and submitting County job announcements to minority, women and persons with disabilities websites for positions with a history of Affirmative Action recruitment problems. Job information will be made available to potential target group applicants at job fairs, community events, and to community based organizations.

Timetable, Ongoing

5. The Office for Equity and Inclusion will assist Employee Relations in developing an annual list of job and career fairs that have yielded positive recruitment results and will coordinate with Employee Relations and the appropriate unit for continued participation.

Timetable, Ongoing

6. The Office for Equity and Inclusion office in conjunction with Employee Relations will explore the following options to assist County organizational units in identifying and attracting women, racial-ethnic group members and persons with disabilities, who can benefit from internships or work experiences, to prepare for successful competition for jobs in underutilized job categories.

Timetable, Ongoing

#### Suggestions/Options

- Summer Affirmative Action (college and high school) Internship Programs
- Minority University student field placements
- Utilize target group employees, Community Based Organizations to develop and recruit potential LTE applicants.

Timetable Ongoing

#### Planned Evaluation

1. The Office for Equity and Inclusion staff will meet and gather feedback from each department/organizational unit head or designee to develop specific initiatives related to their unit.
2. The Office for Equity and Inclusion with assistance from Employee Relations, will generate quarterly report summaries to review progress in meeting AA/EEO objectives.



3. The Director of the Office for Equity and Inclusion will report progress in completing initiatives and reaching goals and objectives with the County Executive's Office and the Equal Opportunity Commission on a regular basis. New initiatives will be developed based on results of each departmental/organizational unit evaluation.

### **Objectives 2**

Develop and implement strategies to offer equal opportunity to target group applicants in order to reduce the potential adverse impact in the testing and selection process, due to the present effects of past discrimination.

### **Initiatives**

1. The Office for Equity and Inclusion in conjunction with the Employee Relations Department will develop and coordinate orientation and training sessions with community employment and training agencies to assist potential target group candidates in successfully competing for County and County funded positions.

Timetable, Ongoing

2. The Office for Equity and Inclusion in conjunction with the Employee Relations Division will review all County selection procedures annually and make recommendations for changes where target group members are adversely impacted.

Timetable, Ongoing

3. Staff from the Office for Equity and Inclusion and other members of qualified areas will participate as job experts, on rating and interviewing panels to encourage balanced panels and ensure equal opportunity and encourage Affirmative Action in the selection process.

Timetable, Ongoing

### **Planned Evaluation**

1. The Office for Equity and Inclusion will summarize and analyze county applicant flow data to evaluate the progress in target group applicants, certifications and hires. New initiatives will be developed with appropriate units of county government based on the results of this evaluation.
2. The Office for Equity and Inclusion in cooperation with Employee Relations Division will conduct a follow-up survey of target group employees from the orientation and training sessions through the initial county probation period to identify any existing barriers to successful employment and provide assistance if necessary. Recommendations for changes to the process will be made, as necessary.
3. Progress in completed initiatives and reaching goals and objectives will be reviewed by the County Executive's Office and the Office for Equity and Inclusion Director annually.

### **Goal**

To ensure the Affirmative Action target groups receive appropriate consideration and are selected, as appropriate and in keeping with the AA/EEO policy and procedures standards, the Administrative Practices Manual and the county's goals to eliminate underutilization (under parity) and diversify the workforce.

### **Objective 1**

Communicate AA/EEO policy and procedure standards for interviewing and selection to supervisors, which can be translated into measurable performance expectations.

#### **Initiatives**

1. In cooperation with the Employee Relations Division, the Office for Equity and Inclusion will supplement the Administrative Procedures Manual to include the AA/EEO policy and procedures standards, where appropriate. Topics will include briefings for use of balanced interview panels, reviewing interview questions for bias and the justification procedure for non-selection of a target group candidate.
2. The Office for Equity and Inclusion will conduct orientation sessions regarding EEO/AA policy and procedure for supervisory and management staff.

#### **Planned Evaluation**

1. In cooperation with the Employee Relations Division, utilize the Administrative Procedure Manual update procedure to ensure distribution of the AA/EEO policy and procedure standards to all county supervisors.
2. The Office for Equity and Inclusion will collect, summarize and analyze the evaluations from the supervisory orientation and training sessions to determine their effectiveness. Modifications to the sessions will be made as a result of the evaluations.
3. The Office for Equity and Inclusion will monitor the level of County affirmative hires as well as complaints relative to the selection process. Results will be reported to the County Executive's Office and the Equal Opportunity Commission.

### **Objective 2**

Diversify (balance) the composition of interview panels so as to reflect the composition of certified applicant groups, whenever achievable, and to maximize equal opportunity in the selection process.

## **Initiatives**

1. The Office for Equity and Inclusion will assist the county-hiring supervisors in finding target group applicants to serve on interview panels and as exam raters. The Office for Equity and Inclusion will encourage county supervisors to be actively recruiting and supplementing the Office for Equity and Inclusion list.

Timetable Ongoing

2. The Office for Equity and Inclusion will communicate with the County-hiring supervisors whenever a position is under parity to assist in ensuring a balanced rating and interview panel. Additional assistance will be provided as necessary.

Timetable Ongoing

## **Planned Evaluation**

1. The Office for Equity and Inclusion will conduct routine reviews of exam and rating panels for positions that are under parity, to ensure compliance with this objective.
2. The Office for Equity and Inclusion staff will participate as job experts when necessary and appropriate.

## **B. TARGETED BUSINESS CONTRACTING**

### **Goal**

To promote the use of certified targeted businesses by increasing the number and percentage of county procurements and contracting with targeted business enterprises, with a particular focus on minority business enterprises.

### **Objective 1**

Monitor and evaluate on a bi-annual basis all county department organizational unit procurements, including non-bid, bids and contracts with available certified targeted business enterprises. Evaluate county units based on the 10% targeted business participation goal.

## **Initiatives**

1. The Office for Equity and Inclusion will communicate with each department/organizational unit head to discuss their targeted business procurement participation in helping the county meet its goals. The department/organization will designate a person responsible for reporting targeted business enterprises procurement information to the OEI.

Timetable, Ongoing

2. The Office for Equity and Inclusion will develop an effective process to track each county department/organizational unit's procurements on a quarterly basis. This will include identifying a departmental contact in each organizational unit as well as developing a reporting format for requesting procurement information.

Timetable, Ongoing

### **Planned Evaluation**

1. The Office for Equity and Inclusion will evaluate which department/organizational units are not making progress towards the goals based on the quarterly reports. Short term objectives and new strategies will be developed to improve their targeted business enterprise participation for the next reporting period.
2. The Office for Equity and Inclusion will report to the County Executive's Office and the Equal Opportunity Commission a summary of the county's targeted business enterprise procurements. Based on this summary, strategies will be developed to continue improvement and focus on departments with poor targeted business enterprise participation.

### **Objective 2**

Monitor all county Targeted Business Reports to ensure good faith effort and provide technical assistance in contracting with qualified targeted business enterprises.

### **Initiatives**

1. The Office for Equity and Inclusion will review all Targeted Business Reports submitted as part of the bid process. This office will follow-up with prospective bidders and provide technical assistance to them regarding targeted business contracts and agreements.

Timetable: Annually, Ongoing

### **Planned Evaluation**

1. The Office for Equity and Inclusion will evaluate a summary of all Targeted Business Reports noting the contractors with approved plans and those that are not. Based on this summary, this office will follow-up with the non-approved contractors to provide technical assistance and improve the quality and rate for the Targeted Business Reports.

### **Objective 3**

Expand outreach activities to targeted business enterprises by the following initiatives.

### **Initiatives**

1. Develop and conduct routine county departmental procurement information session for TBEs.

Timetable, Ongoing

2. Outreach to TBEs via minority business web sites and publications.

Timetable, Ongoing

3. Development of a Contract Compliance link on the Dane County web site.

Timetable, Ongoing

4. Recruitment of TBE at state and municipal business forums and meetings.

Timetable, Ongoing

5. Enhance the Dane County Targeted Business Certification process to increase certified TBS's.

Timetable, Ongoing

### **Planned Evaluation**

1. The Office for Equity and Inclusion will monitor the contacts made between potential contractors and targeted business enterprises, to determine effectiveness of the sessions. An evaluation survey will be developed and administered to the participants to determine the knowledge gained any positive results of the sessions and to solicit suggestions for the future.
2. The Office for Equity and Inclusion will evaluate the responses from outreach efforts via minority business website and publications as well as the county website link. Any contacts regarding contract compliance/targeted business enterprises will be asked how they were made aware of the program. Future outreach enhancements will be made as a result of a summary of this information.
3. The Office for Equity and Inclusion in conjunction with the Equal Opportunity Commission will evaluate the feasibility of resuming the Dane County Targeted Business Enterprise Engagement Events. Results from the procurement information sessions as well as input from

partners such as DOA, UW Business Development Center and budget/cost priorities will be taken into consideration.

4. The Office for Equity and Inclusion will monitor and summarize contacts with new targeted business enterprises and pursue having them certified with Dane County. The office will seek out new organizations to partnership with and evaluate which forums or meetings are the most productive.
5. The Office for Equity and Inclusion will evaluate the number of new and current businesses certified with Dane County. The OEO will conduct a survey of all newly certified businesses to determine problems with the process and suggestions for enhancements to the process.
6. The Office for Equity and Inclusion will evaluate outreach activities conducted in cooperation with the Equal Opportunity Commission to determine the effectiveness of the activities. The Equal Opportunity Commission will provide feedback and make recommendations for future participation.

#### **Objective 4**

Review and monitor contractor Affirmative Action plans to ensure workforce awareness of available employment opportunities for targeted groups.

#### **Initiatives**

1. All Dane County contractors will have an approved Affirmative Action Plan on file with the Office for Equity and Inclusion. Plans will be reviewed and approved for a two-year period, based on meeting the standards specified in the sample plan provided by the contract compliance specialist.

Timeline, Ongoing

2. The Office for Equity and Inclusion will conduct compliance reviews of contractor's workforce based on complaint activity and a random sample of commodity types. Recommendations will be made for improvements in the workforce composition of target group employees, where appropriate.

Timeline, Ongoing

#### **Planned Evaluation**

1. A summary database of all approved contractor AA plans on file and those that are pending will be kept up to date. Corresponding hard copy files will be maintained for reference and documentation purposes. This summary will be reviewed periodically with the goal of 100% compliance within 60 days of receipt of plan.

2. An annual summary of compliance reviews will be evaluated to ensure contractor compliance and determine the areas where technical assistance maybe needed. The goal is for 100% compliance with AA plan requirements, goals and objectives.

### **C. HARASSMENT & DISCRIMINATION**

#### **Goal**

To reduce the number of informal and formal harassment and discrimination complaints and encourage early and satisfactory resolution.

#### **Objective 1**

Develop and implement preventing harassment and discrimination training for all county supervisory and management staff. Also, provide general training for individual work units, per request and provide technical assistance and advice to county staff as needed. Focus on prevention, appropriate response, fair investigation and early resolution.

#### **Initiatives**

1. Develop, schedule and conduct preventing harassment and discrimination training to county managers, supervisors and employees.

Timeline, Annually or as requested

2. Develop and conduct unit specific training as requested.

Timeline, Annually or as requested

3. Assist and advise county staff in handling informal complaints and facilitating conflict resolution.

Timeline, Ongoing

4. Include harassment and discrimination training with new employment training.

Timeline, Monthly

#### **Planned Evaluation**

1. The Office for Equity Inclusion staff will develop and administer training evaluation for each session. The training sessions will be revised as needed.

2. The Office for Equity Inclusion staff will work with Employee Relations regarding trainings, feedback and other avenues to prevent harassment and discrimination.

### **Objective 2**

The Office for Equity Inclusion will develop clear communication of formal complaints among appropriate county authorities such as Employee Relations, Corporation Counsel, Risk Management, and the Department of Administration.

#### **Initiatives**

1. Copies of all formal complaints will be forwarded to the above named county entities to ensure the appropriate offices are aware of pending and resolved discrimination complaints. Briefings will be scheduled as necessary.

Timeline, Monthly

2. A summary of formal complaints will be reviewed annually to determine if problem areas within Dane County exist.

Timeline, Annually

#### **Planned Evaluation**

1. The Risk Manager will evaluate the effectiveness of the communication between the appropriate county authorities and make recommendations for improvement.

### **Objective 3**

The Office for Equity and Inclusion will develop and implement a formal complaint review process. The Equal Opportunity Commission may provide advisory direction per ordinance, on difficult complaints. This will reduce the potential for internal bias regarding complaint resolution actions.

#### **Initiatives**

1. The Office for Equity and Inclusion will implement a process where the commission may provide advisory direction to the Office for Equity and Inclusion Director on county discrimination complaints.

Timeline, Ongoing

#### **Planned Evaluation**



1. The Equal Opportunity Commission will review the effectiveness of the procedure and consider the need for revisions or ordinance changes as necessary.

#### **Objective 4**

The Office for Equity and Inclusion will implement a process to include all county limited term employees (LTE), as part of the AA/EEO segment of the New Employee Orientation conducted by the Office for Equity and Inclusion staff. This segment will include the county's harassment and discrimination complaint policies and procedures.

#### **Initiatives**

1. All newly hired county LTE's will be scheduled for the next available AA/EEO segment of the New Employee Orientation.

Timeline, TBD

2. The Office for Equity and Inclusion in cooperation with Employee Relations will keep documentation regarding LTE's who have completed the AA/EEO segment of the new employee orientation.

Timeline, TBD

#### **Planned Evaluation**

1. The Office for Equity and Inclusion will review the frequency of discrimination complaints involving limited term employees to determine if the sessions are having a positive impact. **Reviews will be conducted periodically to ensure that LTE's are completing the required sessions. If there are any problems with compliance, it will be immediately addressed.**

### **D. CIVIL RIGHTS COMPLIANCE (SERVICE DELIVERY)**

#### **Goal**

Ensure county-wide compliance with Title VI, Disability rights and County nondiscrimination in service delivery.

#### **Objective 1**

Ensure that all departments are meeting compliance requirements as specified in the Dane County Civil Rights Compliance Plan.

#### **Initiatives**

1. The Office for Equity and Inclusion will conduct an assessment of complaints and practices in place addressing service delivery compliance in county departments.

Timeline, Ongoing

2. Based on the results of the assessments, the Office for Equity and Inclusion will make recommendations for compliance with requirements of the plan.

Timeline, Ongoing

3. The Office for Equity and Inclusion will conduct periodic reviews to ensure compliance requirements are being met.

Timeline, Ongoing

#### **Planned Evaluation**

1. The Office for Equity and Inclusion will review departmental compliance annually in preparation for submitting the county's civil rights compliance plan due every two years.
2. The Office for Equity and Inclusion will follow-up with departments that have not provided evidence of compliance review corrections or have pending service delivery complaint.

#### **Objective 2**

To develop, sponsor and implement Title VI service delivery training for county department staff and Point of Service (POS) agencies with particular emphasis on Limited English Speaking proficiency requirements and disability rights.

#### **Initiatives**

1. The Office for Equity and Inclusion will schedule and implement a series of Title VI Service Delivery training for department staff and POS agencies.

Timeline, Ongoing

2. Department or agency specific training will be scheduled, as needed based on complaint recommendations.

Timeline, Ongoing

3. The Office for Equity and Inclusion will provide technical assistance to work units or agencies where needed.

Timeline, Ongoing

#### **Planned Evaluation**

1. Training evaluations will be administered, summarized and reviewed to determine the amount of knowledge gained from the sessions and recommendations for improvement.

2. A review of the frequency of service delivery complaints from participating work units and agencies will be surveyed to monitor the impact the training may be having.

### **Objective 3**

Develop and implement a countywide Limited English Speaking Proficiency (LESP) plan that meets federal compliance standards.

1. The Office for Equity and Inclusion will conduct a countywide departmental survey to determine what the county work units are currently doing.

Timeline, Ongoing

2. The Office for Equity and Inclusion will provide technical assistance to county departmental units to ensure a plan of action is in place that meets LESP guidelines.

Timeline, Ongoing

3. The Office for Equity and Inclusion will review contract language to ensure applicable LESP requirements are current. Changes to the current contract language will be made as required to meet federal regulations.

Timeline, Ongoing

4. The Office for Equity and Inclusion will conduct routine LESP reviews in conjunction with required contract compliance and civil rights compliance reviews.

Timeline, Ongoing

### **Planned Evaluation**

1. The Office for Equity and Inclusion will submit a countywide LESP plan to the County Executive and the EOC for approval.
2. The Office for Equity and Inclusion will also submit a copy of the approved county plan for review and approval by the applicable state agency.
3. The Office for Equity and Inclusion will summarize results of compliance reviews and make recommendations for corrective action where necessary.

### **Objective 4**

Explore the feasibility of and support community efforts to promote cultural competency in county service delivery.

### **Initiatives**

1. The Office for Equity and Inclusion will participate in community-wide efforts in Dane County to promote cultural competency in service delivery.

Timeline, Ongoing

2. The Office for Equity and Inclusion will determine the feasibility of implementing a cultural competency strategy within Dane County by participating in community based focus groups, designed to develop a broader community-wide infrastructure.

Timeline, Ongoing

3. The Department of Human Services, by virtue of its previous exposure to the cultural competency effort in Dane County, will serve as a potential pilot agency for future implementation.

Timeline, Ongoing

### **Planned Evaluation**

1. The Office for Equity and Inclusion in cooperation with the Department of Human Services will evaluate the feasibility of county implementation through analysis of available information and resources in Dane County.
2. Based on the evaluation of available information and resource, a determination will be made regarding the extent of Dane County's efforts to provide culturally competent services. Priority will be given to federally mandated service delivery requirements.

## **E. FAIR HOUSING**

### **Goal**

Ensure county-wide compliance with the Fair Housing ordinance, providing adequate information and referral services to county residents and providing for timely enforcement as specified.

### **Objective 1**

Develop, coordinate and implement a county fair housing information and education program to inform citizens regarding the county fair housing ordinance and complaint process.

### **Initiatives**

1. The Office for Equity and Inclusion will work in a joint venture with other offices regarding the fair housing ordinances et al.

Timeline, Ongoing

2. The Office for Equity and Inclusion will communicate with various housing partners both public and private including Dane County consumers, to determine the most effective forum and the appropriate locations for presenting housing education and information sessions.

Timeline, Ongoing

### **Planned Evaluation**

1. The Office for Equity and Inclusion office will monitor the level of complaint activity following each session, as well as track complainants who may have attended one of the sessions.
2. The Office for Equity and Inclusion office will monitor where the participants reside to ensure the sessions are inclusive and accessible to all participating Dane County municipalities.

### **Objective 2**

Review and assess the status of Dane County housing discrimination and ensure compliance with the housing ordinance via reports from systemic investigations, complaints from corporation counsel and other jurisdictions (state, federal, and local).

### **Initiatives**

1. The Office for Equity and Inclusion will **survey** the number of housing related complaints filed within Dane County and with other jurisdictions to determine the extent of housing discrimination. The results of the survey will be reported to the County Executive and the Equal Opportunity Commission.

Timeline, Annually

2. The Office for Equity and Inclusion in cooperation with Corporation Counsel will review the number of housing complaints filed with Dane County, the nature of the complaints, the results of the investigation and the enforcement action taken.

Timeline, Annually

### **Planned Evaluation**

1. Based on the results of the survey, the Office for Equity and Inclusion will work cooperatively with other housing enforcement jurisdictions to ensure that Dane County is doing its fair share in ensuring fair housing compliance throughout Dane County.

2. The Office for Equity and Inclusion will provide a summary of housing and other complaints filed with Dane County to the County Executive and the Equal Opportunity Commission.

### **Objective 3**

To work cooperatively with existing housing partners - both public and private, in determining an appropriate strategy to facilitate fair housing in Dane County.

### **Initiatives**

1. The Office for Equity and Inclusion will work with the various Dane County sponsored housing entities to assist in clarifying the multiple roles and responsibilities they have in the Dane County fair housing arena.

Timeline, Ongoing

2. The Office for Equity and Inclusion will work cooperatively to facilitate the development of a diverse group of housing partners, to develop a fair housing strategy for Dane County that is in compliance with the Fair Housing Ordinance. Activities may include convening informational meetings and facilitating strategy sessions.

Timeline, Ongoing

### **Planned Evaluation**

1. The County Executive's Office with cooperation from the Office for Equity and Inclusion will review the minutes of meetings and strategy sessions and evaluate the results of activities and accomplishments of the various county-housing entities. The results should indicate evidence of eliminating duplication of efforts and facilitating a more cohesive county housing environment.
2. The County Executive's Office with cooperation from the Office for Equity and Inclusion will evaluate the results of various activities leading to the development of a Dane County Fair Housing strategic plan. Approval of such a plan will need the support and buy in of a diverse group of housing partners.

## **VIII. MEASURES TO FACILITATE IMPLEMENTATION OF EEO/AA PLAN**

### **A. INTERNAL/EXTERNAL RECRUITMENT**

The Office for Equity and Inclusion and Employee Relations Division staff shall review employment practices to determine if the Employee Relations Division is effective in achieving EEO/AA objectives for employment and advancement of qualified underrepresented group members. Based upon the findings of such review, appropriate outreach and recruitment activities will be undertaken which shall include, but is not limited to, those listed below.

1. Develop internal commitments and support from administrators, department heads, program coordinators, supervisors, and appointing authorities to achieve the employment and advancement of individuals who belong to under-represented groups in the County's work force.
2. Fair and equitable treatment of staff by administrators, department heads, program coordinators, supervisors, and all appointing authorities. In addition, staff are expected to treat each other in such a manner as to foster understanding, acceptance, and support from each other and clients.
3. Develop oversight procedures/mechanisms that ensure that all parts of the EEO/AA plan and all other policies, procedures and programs are being fully implemented.
4. The Office for Equity and Inclusion, the Employee Relations Division, administrators, department heads, program coordinators, supervisors, and all appointing authorities have an ongoing responsibility to inform employees and prospective employees of the commitment to EEO/AA.
5. Dane County, through the efforts of the Office for Equity and Inclusion and the Employee Relations Division, will enlist the assistance and support of recruiting sources, including state and community employment agencies, state and community vocational agencies and/or facilities, college placement officers, state and community education agencies, labor organizations and organizations of or for individuals covered by Dane County's EEO/AA Plan of the commitment to provide meaningful employment opportunities to qualified under represented members.
6. Dane County, through the efforts of the Office for Equity and Inclusion and the Employee Relations Division, will engage in recruitment activities at educational and other types of institutions that participate in the training, counseling and/or placement of individuals covered by this plan.
7. Dane County, through the efforts of the Office for Equity and Inclusion and the Employee Relations Division, will work closely with appropriate social service agencies and organizations serving underrepresented groups. This will include vocational training agencies and facilities, for such purposes as advice, technical assistance and referral to potential employees and/or service providers.
8. The Office for Equity and Inclusion and the Employee Relations Division will ensure that outside recruitment resources are annually reviewed, revised and updated.

9. The Office for Equity and Inclusion and the Employee Relations Division will review personnel records/files to ensure employees covered by this plan are being given equal access to promotional opportunities and other forms of job development/advancement commensurate with their skill levels.
10. Dane County will make every attempt to include individuals who are reflective of the entire general community when employees are pictured in consumer, promotional, or help-wanted advertisements.
11. The Contract Compliance Officer will send written notification of Dane County's EEO/AA policy to all contractors, vendors and suppliers.
12. Dane County, through the efforts of the Office for Equity and Inclusion and the Employee Relations Division, will take positive steps to attract individuals who belong to groups that are under-represented in the county's work force and who have requisite skills and can be recruited through EEO/AA efforts.
13. The Office for Equity and Inclusion will counsel and encourage employees who belong to groups that are under-represented in the county's work force and/or certain job categories to apply for "in-house" openings that constitute job advancement/career development.

## **B. EMPLOYMENT SELECTION/EMPLOYMENT QUALIFICATIONS**

1. Exams and other selection mechanisms: Exams and other selection mechanisms will be continually reviewed by the Office for Equity and Inclusion and Employee Relations Division staff to determine if unnecessary requirements exist that have an adverse impact on, or work to exclude, individuals who belong to groups that are under-represented in the county's work force. All job requirements will be screened to ensure they are job-related. This includes unreasonable barriers that work to exclude disabled employees from pursuing employment opportunities.
2. Bona Fide Occupational Qualifications (BFOQ): In some instances jobs may have requirements that will exclude certain individuals. These requirements will be specific and verifiable.
3. Job Vacancy Announcements: Job Vacancy Announcements will be distributed throughout Dane County and posted on the Dane County website. As reasonable and appropriate, job information will be bilingual and/or in a form that will be understood by people with limited English literacy or fluency. This will include reasonable accommodations for the needs of under-represented individuals.



4. Application forms and other tests: As is reasonable and appropriate, bilingual accommodations and/or screening devices may be used when specific language skills are required for a position.
5. Job requirements: All job requirements will be job-related and contain all essential functions of the job (intellectual as well as physical demands).
6. Applicants: All applicants shall be informed before a job interview that Dane County is an EEO/AA Employer. Applicants who request appropriate additional information about the selection process shall be provided with that information.
7. Applicant Questions: Interviews will be conducted using predetermined, job related questions which will be asked of all applicants interviewed. Additional questions will only be asked to clarify and/or amplify applicant responses and/or to obtain specific information on written material supplied by the applicant including, but is not limited to, resumes, applications, references and examples of work.
8. Interview Panels/Boards: When appropriate every attempt shall be made to balance examination boards/panels with a diverse membership that includes male, female, minority, mature/older adults, citizens with disabilities and others. This intent is to ensure, as much as is possible, all segments of the community are represented.
9. Interviewers: Interviewers will disqualify themselves from participating in any interview in which there may be a conflict of interest or any other circumstances that may prevent an applicant from having an impartial interview.
10. Selection Process: Final employment selections will be based on the results of the interviews, submitted material and employment and/or personal references. The goals and timetables established for reaching a balanced workforce in a work unit shall be reviewed and may be considered as a factor in determining the selection of an employee.

### **C. EMPLOYEE RELATIONS DIVISION/ADMINISTRATIVE POLICIES**

1. Promotion, transfer, lay-off, demotion, termination and retention:
  - a. All decisions relating to promotion, transfer, lay-off, demotion, termination and retention of existing employees will be made within the structures of applicable Employee Relations Division Policies and Employee Group Representative bargaining agreements.

- b. Work units that exhibit disparities among groups covered by this EEO/AA plan and continually fail to address those disparities will be considered to be in noncompliance with the EEO/AA plan.
  - c. When necessary, the Director of the Office for Equity and Inclusion will determine and recommend actions, which will address the problems causing a work unit's non-compliance.
  - d. The Director of the Office for Equity and Inclusion, the Employee Relations Division, and the responsible supervisor will work together in developing plans to resolve the problems causing a work unit's non-compliance.
2. Disciplinary actions:
- a. All disciplinary actions will be taken within the framework of administrative policies and bargaining agreements and shall not be taken with an employee's group affiliation, status or class in mind.
  - b. Patterns of frequent and/or continued severe discipline of any employee shall be reviewed by the Director of the Office for Equity and Inclusion.
  - c. All results and/or recommendations at the completion of a review made by the Director of the Office for Equity and Inclusion may be reviewed by the Equal Opportunities Commission for advisory direction.
  - d. The Director of the Office for Equity and Inclusion and other affected parties, as deemed appropriate, shall make recommendations to remedy problems.
3. Working conditions:
- a. Discrimination against and/or harassment of individuals because of their age, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, affection preference, physical appearance, economic status, arrest record, conviction record or membership in the national guard, state defense force or any other reserve component of the military forces of the United States or this state is prohibited. Conditions of employment will be maintained and improved, when necessary, to ensure that all employees are able to maximize their potential. This shall include, but is not limited to the following:
  - b. All employees are entitled to working conditions free from intimidation or harassment. This includes all individuals affiliated with the County in any capacity.
  - c. Harassing behavior that is expressly prohibited shall include but is not limited to: sexual; religious; ethnic; racial slurs and/or sexual, religious, ethnic and/or racial stereotyping; physical or verbal aggression; explicit or implied threats; ridicule;

name calling; malicious gossip or other activity that contributes to a denial of employment opportunities and/or contributes to an intimidating or hostile work environment.

4. Employee recall:

Recall of laid-off employees shall be conducted within the terms of current Administrative Policies and collective bargaining agreements. Recall of laid off employees shall not be determined by age, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, physical appearance, economic status, arrest record, conviction record or membership in the national guard, state defense force or any other reserve component of the military forces of the United States or this state. When applicable, the status of a particular department's progress in meeting EEO/AA goals and timetables will be considered in a lay-off-recall decision. Under no circumstances should this paragraph be a rationale for, or interpreted as, interfering with an employee's collective bargaining and/or any other contractual rights to be recalled from lay-off.

#### **D. EXIT INTERVIEWS**

1. Employees shall be notified by the Employee Relations Office that they are entitled to complete an exit interview form and be encouraged to complete it when or after they terminate their employment with Dane County.
2. Employees, at their request, will be granted a meeting with the Office for Equity and Inclusion prior to or after they have terminated their employment with Dane County.
3. The Director of the Office for Equity and Inclusion or designee will review and/or meet with the employee submitting exit interview material to:
  - a. Identify problems in the work environment.
  - b. Determine if Dane County employees are subject to discriminatory or harassing practices in the workplace.
  - c. Work to correct any problems identified through the exit interview process.

#### **E. COMPOSITION OF COMMITTEES/COMMISSIONS**

Composition of Dane County commissions, committees, citizen and/or employee groups sponsored or in any way endorsed and/or supported by the Dane County Executive and/or by the Board of Supervisors or other staff acting as agents of the County will be done in a manner consistent with this EEO/AA plan and will include, but is not limited to, the following guidelines:

1. It is the policy of Dane County that the principle of equal treatment, equal opportunity and non-discrimination shall be followed in all aspects of its operations, including the conduct of the affairs of all groups in any way affiliated with or conducting County business.
2. All such members shall be entitled to equal rights and responsibilities without regard to their affiliation with any group.
3. Members will be allowed to file a formal or informal complaint under the procedures of this EEO/AA plan if they believe the provisions and principles of this plan have been violated.
4. Dane County policy is that all advisory and/or policy-making bodies fairly represent and reflect the makeup of the general population. In cases where a group is representing a singular interest within the community, as much as is reasonable the makeup of the group will be reflective of the special interest group's membership and/or concerns.

## **IX. SEXUAL HARASSMENT**

### **A. DEFINITION**

Sexual harassment is a violation of the United States Civil Rights Act of 1964 and its later amendments, specifically section 703 of Title VII. Chapter 111.36 (b), Wisconsin State Statutes prohibits Sexual Harassment as defined in Chapter 111.32 (13m), Wisconsin State Statute. In addition Sexual Harassment is a violation of Chapters 18.15 and 19.09 (8), Dane County Ordinances. Sexual Harassment is defined in Chapter 18.04 (26), Dane County Ordinances, which state:

"Sexual Harassment shall mean sexual advances, physical contact or verbal or physical conduct of a sexual nature which has the purpose or effect of substantially interfering with an employee's work performance or of creating an intimidating, coercive, hostile or offensive environment." Conduct which shall be deemed sexual harassment shall include but not be limited to the repeated use or display of sexually explicit gestures, verbal comments, written matter or graphic materials in the work setting in the presence of another person or persons in circumstances in which such conduct is known or should be known to be offensive or unwelcome."

1. This includes harassing practices that require submission to such conduct and is made either explicitly or implicitly a term or condition of employment and that submission to or rejection of such conduct by an individual is used as the basis for decisions affecting that individual's employment.

2. Failure to be aware of harassing behavior is not a defense. In the case of employment, the County and/or any administrative/management staff person who knows or should have known of the existence of the harassment and fails to take timely and appropriate action is liable.

## **B. HARASSMENT**

Employees who feel they have been sexually harassed are encouraged to contact their supervisors first then the Office for Equity and Inclusion and use the complaint procedure in Section XI of this plan. Individuals may also use one of the following procedures:

1. Contact the Employee Relations Division.
2. If and when applicable, contact an Employee Group Representative.
3. If and when applicable, utilize the alternative complaint procedures available through the Federal, State, or County governments.

## **X. AFFIRMATIVE ACTION POLICY FOR DISABLED INDIVIDUALS**

### **A. DISABLED INDIVIDUALS EEO/AA POLICY STATEMENT**

1. Dane County shall not discriminate against any employee or applicant for employment because of physical, mental and/or sensory disability in regard to any position for which the employee or applicant for employment is qualified. This includes individuals covered by federal, state and county statutes, particularly the relevant sections of Chapters 51, 111 and 146 of Wisconsin State Statutes and the relevant sections of Dane County Ordinances and county policies pertaining to HIV infections, AIDS and other diseases and infections classified as disabilities. Dane County agrees to take EEO/AA steps to employ, advance in employment, and otherwise treat qualified persons with disabilities without discrimination based upon their physical and/or mental disability, including "Developmental Disabilities" as defined in 111 Statute 51.01 (5), in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training. This will include apprenticeships.
2. Dane County agrees to comply with all federal, state and county ordinances, rules, regulations and statutes relevant to persons with disabilities. This includes individuals covered by federal, state and county statutes, particularly the relevant sections of Chapters 51, 111 and 146 of Wisconsin State Statutes and the relevant sections of Dane County Ordinances and county policies pertaining to HIV infections, AIDS and other diseases and infections classified as disabilities. Dane County agrees to post in conspicuous places, accessible to employees and applicants for employment, notices that state Dane County's obligation under the law to apply EEO/AA to employ and advance in employment qualified employees with a disability and applicants for employment and the rights of applicants and employees. Dane County shall notify

each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding that the contractor is bound by Wisconsin Statutes and Dane County Ordinances and is committed to take EEO/AA measures to employ and advance in employment physically and persons with mental disabilities.

## **B. SCHEDULE FOR REVIEW**

1. Dane County will review all physical and intellectual job requirements to the extent that these requirements tend to screen out qualified persons with disabilities. It will be determined whether or not these requirements are job related and consistent with business necessity and the safe performance of the job.
2. Requirements for all jobs will be reviewed annually by the Director of the Office for Equity and Inclusion and the Employee Relations Division.

## **C. PRE-EMPLOYMENT MEDICAL EXAMS**

When Dane County requires medical exams, the results of such an examination will not be used to screen out qualified persons with disabilities. Information shall not be requested or collected that is in violation of an individual's rights protected by federal, state and county statutes, particularly the relevant sections of Chapters 51, 111 and 146 of Wisconsin State Statutes and the relevant sections of Dane County Ordinances and county policies pertaining to HIV infections, AIDS and other diseases and infections classified as disabilities. Information that is collected will be kept confidential, except in the following circumstance:

1. Supervisors and managers may be informed regarding restrictions on the work or duties of a person with a disability and regarding accommodations.

## **D. ACCOMMODATIONS FOR PHYSICAL AND MENTAL LIMITATIONS OF EMPLOYEES AND APPLICANTS**

Dane County shall make reasonable accommodations in all employment situations, including the interview process, to the physical and mental limitations of an employee and applicants unless such an accommodation would impose an undue hardship on the conduct of business.

The employee accommodations portion of the Americans with Disabilities Act is designed to ensure that employees with known disabilities are given reasonable accommodations when their disability does not allow them to perform the essential functions of their job. It is the goal of Dane County to provide reasonable, reliable, timely and qualified and efficient accommodations to its employees. This can only be done through one-on-one communication with requesting employees.

Dane County recognizes that it is the sole responsibility of the employee to request an accommodation. Dane County has the right to request documentation of a disability prior to seeking a reasonable accommodation. Dane County seeks to provide requested accommodations through a mixture of program, structural and technological modifications

as appropriate to each individual situation. Dane County shall provide requested accommodations by first making all possible programmatic modifications prior to considering structural changes.

The initial responsibility for paying for purchase of any needed accommodation rests with each department. If department funding is inadequate, the department head may request funding from the Department of Administration central ADA fund. (Contact the ADA Coordinator if this becomes necessary.) Departments are also encouraged to work directly with the requesting employee and the ADA Coordinator when determining programmatic accommodations.

The ADA Employee Accommodation Procedures should be followed when accommodations are requested. Employees should be instructed to complete the accommodation request form (Appendix A) located in the back of this handbook. The form should then be given to the department head or designee who will contact the Americans with Disabilities Coordinator.

## **E. COMPENSATION**

In offering employment or a promotion to a person with a disability, Dane County shall not reduce the amount of compensation offered because of any disability income, pension, or other benefit the applicant or employee receives from another source.

## **F. OUTREACH, POSITIVE RECRUITMENT AND EXTERNAL DISSEMINATION OF POLICY**

Dane County shall review employment practices to determine whether Employee Relations programs provide enough EEO/AA opportunity for employment and advancement of qualified persons with disabilities. Based upon the findings of such review, Dane County shall undertake appropriate outreach and positive recruitment activities, including but not limited to those listed below.

1. Develop internal communication of obligation to engage in EEO/AA efforts to employ qualified persons with disabilities in such a manner as to foster understanding, acceptance, and support among executive, management, supervisory, and all other employees and to encourage such persons to take the necessary action to aid Dane County in meeting this obligation.
2. Develop reasonable procedures to ensure that the obligation to engage in EEO/AA for qualified persons with disabilities are being fully implemented.
3. Periodically inform employees and prospective employees of the commitment to EEO/AA and to increase employment opportunities for qualified persons with disabilities.

4. Enlist the assistance and support of recruiting sources, including state employment security agencies, veteran's organizations, state vocational rehabilitation agencies or facilities, sheltered workshops, college placement officers, state education agencies, labor organizations and organizations of or for persons with disabilities, of Dane County's commitment to provide meaningful employment opportunities to qualified persons with disabilities.
5. Engage in recruitment activities at educational institutions which participate in training of the disabled, such as schools for the blind, deaf or developmentally disabled.
6. Establish contacts with appropriate social service agencies, organizations of and for persons with disabilities and vocational rehabilitation agencies or facilities for such purposes as advice, technical assistance and referral of potential employees.
7. Review employment records to determine the availability of qualified known persons with disabilities who have potential for promotions or transfers and are presently employed with the county and to determine whether their present and potential skills are being fully utilized or developed.
8. Include disabled workers when employees are pictured in consumer, promotional or help wanted advertising.
9. Send written notification of Dane County's policy to all contractors, vendors and suppliers requesting that they act in a manner consistent with Dane County's policy on EEO/AA.
10. Take positive steps to attract qualified persons with disabilities not currently in the work force who have requisite skills and can be recruited through EEO/AA measures.

#### **G. INTERNAL DISSEMINATION OF POLICY**

Realizing that an outreach program is ineffective without adequate internal support from supervisory and management personnel and other employees who may have had limited contact with persons with disabilities in the past, and in order to ensure greater employee cooperation and participation, Dane County shall disseminate this policy internally as follows:

1. ALL Dane County Departments will make themselves aware that an Employee Accommodations Policy exists.
2. ALL Dane County Departments will seek the approval of the ADA Coordinator prior to any purchase of accommodations or the adaptation of programmatic changes.
3. Dane County will only accommodate an employee with a known disability.



4. Dane County may request documentation of a disability as well as any limitations prior to making a reasonable accommodation for a requesting employee.
5. ALL Dane County employees will request accommodations for their disability on the Employee Accommodations Request Form (Appendix A).
6. Accommodations will only be given to employees who need an accommodation to perform an essential function of their job. Essential functions of the job will be determined by the department head (or his/her designee), Risk Management, Employee Relations, OEI/Affirmative Action and the ADA Coordinator.
7. Dane County and the employee requesting the accommodation may request that an outside source be used to address the feasibility of adaptive equipment.
8. Dane County reserves the right to claim "undue hardship" under Section 101, (10)A of the ADA. Undue hardship means the significant difficulty or expense in, or resulting from, the provision of the accommodation.
9. All employee medical information regarding disability will remain in a separate file in accordance with Sec. 102, (3)B.
10. Include the ADA policies and procedures in the policy manual.
11. Publicize the policy, if necessary, in Dane County's newspapers, magazines, annual reports, and other media releases.
12. Conduct special meetings with executive, management, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation, making clear Dane County's attitude towards accommodation.
13. Schedule meetings with all employees to discuss policy and explain individual employee responsibilities.
14. Discuss the policy thoroughly in both employee orientation and management training programs.
15. Meet with union officials to inform them of Dane County's policy and request their cooperation.
16. Include nondiscrimination clauses in all union agreements, review all contractual provisions to ensure they are nondiscriminatory and take necessary steps to eliminate discriminatory provisions.

17. Post the policy on Dane County's bulletin boards, including a statement that employees and applicants are protected from coercion, intimidation, interference or discrimination for filing a complaint or assisting in an investigation under the Wisconsin State Statutes and Dane County Ordinances.
18. When employees are featured in employee handbooks or similar publications, employees with disabilities will be included.

## **H. RESPONSIBILITY FOR IMPLEMENTATION**

The responsibilities for development and implementation of programs for employees with disabilities will be the same as in Section IV of the Dane County EEO/AA plan. In addition, the ADA Coordinator with the cooperation of the Office for Equity and Inclusion will have the responsibility to:

1. Identify problem areas, in conjunction with line management and known employees with disabilities, in the implementation of the EEO/AA plan and develop solutions.
2. Design and implement audit and reporting systems that will include measuring the effectiveness of Dane County's plan and identifying areas that need remedial action. This will include a determination as to whether objectives have been attained and if known employees with disabilities have had the opportunity to participate in all Dane County sponsored educational, training, recreational and social activities.
3. Ensure that locations for all events are accessible for all employees.
4. Serve as liaison between Dane County and organizations that serve persons with disabilities. Arrange for the active involvement by County representatives in community service programs of local organizations for the disabled.
5. Evaluate the total selection process, including promotional opportunities, to ensure freedom from stereotyping persons with disabilities in a manner, which limits their access to all jobs for which they are qualified.
6. Make a special effort to recruit qualified persons with disabilities to work in the Employee Relations Division.
7. Ensure recruiting efforts at all schools shall include special efforts to reach students with disabilities.
8. Make a special effort to include participation by persons with disabilities in work-study programs and other on-the-job training programs with rehabilitation facilities and schools which specialize in training and/or educating persons with disabilities.

## I. EMPLOYEE ACCOMMODATION PROCEDURE

### RESPONSIBILITY

### ACTION

- |                             |   |
|-----------------------------|---|
| Employee                    | 1. Fills out Employee Accommodation Request form (Appendix A).  |
|                             | 2. Submits the Employee Accommodation Request form along with documentation of the disability to his/her department head (or designee).   |
| Department Head or Designee | 3. Reviews request and discusses possible accommodations with employee.   |
|                             | 4. Submits the request to the ADA Coordinator.  |
|                             | 5. Submits a request for Department of Administration funds if their department funds are inadequate.   |
| ADA Coordinator             | 6. Reviews the accommodation request, investigates the appropriateness of the accommodation and verifies the department's or Department of Administration funds.  |
| ADA Coordinator             | 7. Reviews the request with a team of representatives from Department of Administration, Employee Relations, Office for Equity and Inclusion, Corporation Counsel, and Risk Management. Drafts letter to the employee regarding the team decision of the accommodation request. |
| Team Investigators          | 8. Approves or disapproves accommodation based on the documentation of the disability and reassurance that the accommodation will assist the employee perform the essential functions of the job.   |

- |  |   |
|--|---|
| ADA Coordinator                                | 9. Meets with the employee and immediate supervisor to review the decision of the ADA Advisory Accommodations Team. Obtains employee signature on Appendix B.   |
|  | 10. Completes the remainder of Appendix B and forwards this information to Employee Relations for the employee's personnel file.  |
| Department Head or Designee                    | 11. If the request is approved:<br>a. begin programmatic changes immediately; OR<br>b. Begin process for purchasing.  |
| Employee                                       | 12. Any employee not accepting the finding of the Accommodation Team, may appeal the Team's decision by filing a written appeal, stating the basis of their disagreement with the Manager, Office of Budget and Program Planning. |
| Manager, Office of Budget and Program Planning | 13. Reviews appeal. Prepares written finding of facts.  |
| Employee                                       | 14. Any employee not accepting the finding of the Manager, Office of Budget and Program Planning, may appeal their decision by filing a written disagreement with the Director of the Department of Administration.               |
|  | 15. Any employee not accepting the finding of the Director of the Department of Administration has the option of filing a formal complaint with the Department of Justice.  |
| ADA Coordinator                                | 16. Files all information regarding the employee request for reasonable accommodation and the outcome of these procedures.  |

## **J. ACCOMMODATION FOR PUBLIC SERVICES**

The accommodations services portion of the Americans with Disabilities Act is designed to ensure that there are timely accommodation services and communication of same between service providers and consumers with physical, hearing, speech, or visual impairments. It is the goal of Dane County to provide reasonable, reliable, timely, qualified and efficient accommodation services to its residents. This can be achieved by all county department staff members through direct one on one communication with requesting consumers.

Dane County recognizes that it is the responsibility of each consumer to request needed and/or preferred accommodation services in a timely manner. County department staff will acknowledge stated preferences to accommodation requests. The County seeks to provide requested services through a mixture of program and structural modifications as appropriate to each individual situation. County departments shall provide requested accommodations by first making all possible programmatic modifications prior to considering structural changes.

The county has allocated funds in both Capital and operating budgets of the Department of Administration to provide necessary accommodations. While annual capital budget funding is included for specific projects, departments may access operating funding for interpreters and program communication materials by following the procedures. The ADA Coordinator manages both funds under the supervision of the Division of Budget and Program Planning. It is anticipated that while capital funding may terminate at some future date due to completion of required modifications, program funding will continue into the foreseeable future in support of county program activities and ongoing consumer requests.

#### **K. PUBLIC SERVICES ACCOMMODATION POLICY**

It shall be the policy of Dane County that:

1. Dane County will provide reasonable accommodations upon request from individuals with disabilities. Department staff will attempt to provide the preferred accommodation when available.
2. Departments shall be responsible to advertise the availability of accommodations to the community in regard to its programs.
3. Department staff are responsible to complete and submit the ADA Communication Request form to the County ADA Coordinator.
4. All efforts at program modification will be exhausted before considering any expenditure solutions in providing an accommodation.
5. Department staff shall not request accommodations prior to receipt of an actual request from a person with a disability. Approval for accommodations will only be given when a person with a disability makes a specific request.
6. The Department of Administration shall be the responsible agency to maintain files on all accommodations.

#### **L. PUBLIC SERVICES ACCOMMODATION PROCEDURES**

It shall be the policy of Dane County that:

1. Dane County will provide reasonable accommodations upon request from individuals with disabilities. Department staff will attempt to provide the preferred accommodation when available.
2. Departments shall be responsible to advertise the availability of accommodations to the community in regard to its programs.
3. Department staff are responsible to complete and submit the ADA Communication Request Form to the County ADA Coordinator.
4. All efforts at program modification will be exhausted before considering any expenditure solutions in providing an accommodation.
5. Department staff shall not request accommodations prior to receipt of an actual request from a person with a disability. Approval for accommodations will only be given when a person with a disability makes a specific request.
6. The Department of Administration shall be the responsible agency to maintain files on all accommodations.

**M. PUBLIC SERVICES ACCOMMODATION PROCEDURES RESPONSIBILITY/ACTION**

**RESPONSIBILITY**

**ACTION**

|                  |    |   |
|------------------|----|---|
| Department Head  | 1. | Designates staff responsible for processing requests for interpreters/alternative print formats and readers.  |
| Department Staff | 2. | Notify public about the availability of accommodations and who to contact through;<br>a. Applications<br>b. Meeting notices<br>c. Brochures<br>d. Announcements |
| Consumer         | 3. | Contacts the department staff and requests an accommodation.  |
| Department Staff | 4. | Obtains copies of form <b>#014-118</b> from <b>PRINTING &amp; SERVICES</b> by completing <b>Printing and Requisition form #014-1-15</b> .                       |

5. Completes ADA Accommodation Request form (#014-118) with assistance from the consumer (noting any preference to a specific accommodation).
  6. Sends completed form to ADA Coordinator same day.
- ADA Coordinator
7. Reviews request and approves/disapproves within 24 hours of receipt. If form is not complete with all requested information, the ADA Coordinator will return it to the requesting department staff. Once updated the form is returned, the ADA Coordinator has another 24 hours to act on the request.
  8. Sends approved/rejected ADA Accommodation Request form back to the department. Reasons for rejected requests will be given in writing.
- Department Staff
9. Contacts a sign language interpreter by using the Dane County Interpreter list. Staff will:
    - a. Refer to the skill that is needed for the appointment (ex. ASL or ES) and call the first interpreter on the list.
    - b. Continue down the list until the appropriate interpreter is found.
    - c. Retain all phone logs of calls made to unavailable interpreters.
  - OR
  - d. Give the authorization code to the freelance interpreter or SEWCIL.
  - e. Send materials to braille service identified by ADA Coordinator.
10. Accommodation request action is confirmed with the consumer. Noting dates and time of communication.

|                                     |     |  |
|-------------------------------------|-----|--|
| SEWCIL/Freelance/<br>Braille Agency | 11. | Services are provided to the consumer. Billing is sent to ADA Coordinator.             |
| ADA Coordinator                     | 12. | Billing is reviewed by ADA Coordinator and the Department of Administration.           |
|                                     | 13. | Matches invoice with approved authorization code and request made by department staff. |
|                                     | 14. | Makes copies of request and billing and routes bill for payment processing.            |

**N. COMPLAINT PROCEDURE**

The complaint procedure for discrimination/harassment against persons with disabilities are contained in section X of this plan.

**XI. AFFIRMATIVE ACTION POLICY FOR MATURE WORKERS**

**A. MATURE WORKERS EEO/AA POLICY STATEMENT**

1. Dane County shall not discriminate against any employee or applicant for employment because of age in regard to any position for which the employee or applicant for employment is qualified. Dane County agrees to take EEO/AA steps to employ, advance in employment, and otherwise treat qualified mature workers without discrimination in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.
2. Dane County agrees to comply with all federal, state and county ordinances, laws, orders and rules pursuant to mature workers. Dane County agrees to post in conspicuous places accessible to employees and applicants for employment notices that state Dane County's obligation under the law to take EEO/AA measures to employ and advance in employment qualified mature workers and protect their rights for employment as applicants and employees. Dane County shall notify each labor union or employee representative with which it has a collective bargaining agreement or other contractual understanding that the contractor is bound by Wisconsin Statutes and Dane County Ordinances and is committed to take EEO/AA measures to employ and advance in employment mature workers.

**B. SCHEDULE FOR REVIEW**

1. Dane County will review all job requirements to the extent that these requirements tend to screen out mature workers. It will be determined whether



these requirements are job-related and consistent with business necessity and the safe performance of a job.

2. Requirements for all jobs will be reviewed annually by the Affirmative Action Officer and the Employee Relations Division.

### **C. ACCOMMODATIONS FOR MATURE WORKERS**

Dane County shall make a reasonable attempt to accommodate the limitations of employees and/or applicants that are a result of the aging process unless such an accommodation would impose an undue hardship on the conduct of business.

### **D. COMPENSATION**

In offering employment or promotions to mature workers, Dane County shall not reduce the amount of compensation offered because of any disability income, pension, or other benefit the applicant or employee receives from another source.

### **E. OUTREACH, RECRUITMENT AND EXTERNAL DISSEMINATION OF POLICY**

Dane County shall review employment practices to determine whether current programs provide adequate opportunities for employment and advancement of mature workers. This review will be used to determine outreach and recruitment activities including but not limited to those listed below.

1. Development of internal policies of obligation to engage in EEO/AA efforts to employ qualified Mature workers in such a manner as to foster understanding, acceptance, and support among executive, management, supervisory and all other employees and to encourage such persons to take the necessary action to aid Dane County in meeting this obligation.
2. Develop reasonable internal procedures to ensure that the obligation to engage in EEO/AA and to employ and promote qualified mature workers is being fully implemented.
3. Periodically inform all employees and prospective employees of the commitment to engage in EEO/AA measures to increase employment opportunities for mature workers.
4. Enlist the assistance and support of recruiting sources including state employment security agencies, Veterans organizations, state vocational rehabilitation agencies or facilities, labor organizations and organizations of or for mature workers, of Dane County's commitment to provide meaningful employment opportunities to mature workers.

5. Establish meaningful contacts with appropriate social service agencies, organizations of and for mature workers and vocational rehabilitation agencies or facilities for such purposes as advice, technical assistance, and referral to potential employees.
6. Include mature workers when employees are pictured in consumer, promotional or various advertising.
7. Send written notification of Dane County's policy to all contractors, vendors and suppliers requesting that they act in a manner consistent with Dane County's policy on mature workers.
8. Take positive steps to attract qualified mature workers not currently in the work force who have requisite skills and can be recruited through EEO/AA measures.
9. Disseminate this policy internally:
  - a. Include it in the policy manual.
  - b. Publicize it in Dane County's newspapers, magazines, annual reports, and other media releases.
  - c. Conduct special meetings with executive, management, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation, making clear Dane County's attitude towards mature workers and the aging process.
  - d. Schedule meetings with all employees to discuss policy and explain individual employee responsibilities.
  - e. Discuss the policy thoroughly in both employee orientation and management training programs.
  - f. Meet with union officials to inform them of Dane County's policy, and request their cooperation.
  - g. Include nondiscrimination clauses in all union agreements, review all contractual provisions to ensure they are nondiscriminatory, and take the necessary actions to eliminate discriminatory provisions.
  - h. Post the policy on Dane County's bulletin boards, including a statement that employees and applicants are protected from coercion, intimidation, interference, or discrimination for filing a complaint or assisting in an investigation under Wisconsin State Statutes and Dane County Ordinances.

- i. When employees are featured in employee handbooks or similar publications for employees, mature workers will be included.

## **G. RESPONSIBILITY FOR IMPLEMENTATION**

The responsibilities for development and implementation of programs for mature workers will be the same as in Section IV of the Dane County EEO/AA plan. In addition the Affirmative Action Officer will have responsibility to:

1. Identify problem areas in the implementation of this EEO/AA plan and develop solutions.
2. Design and implement audit and reporting systems that will:
  - a. Measure effectiveness of Dane County's plan.
  - b. Indicate need for remedial action.
  - c. Determine the degree to which objectives have been attained.
  - d. Determine whether mature workers have had the opportunity to participate in all Dane County sponsored educational, training, recreational and social activities.
3. Serve as liaison between Dane County and organizations of and for mature workers and arrange for the active involvement by Dane County representatives in the programs of local organizations of and for mature workers.
4. Arrange for career counseling for mature workers.
5. Evaluate the total selection process including training and promotion to ensure freedom from stereotyping mature workers in a manner which limits their access to jobs for which they are qualified.
6. Make a special effort to recruit qualified mature workers for positions in the Employee Relations Division.
7. Ensure that mature workers shall be allowed to participate in career days and related activities in their communities.
8. Make a special effort to include participation by mature workers in special work programs and other on-the-job training programs. Maintain contacts with organizations that specialize in retraining mature workers.

## **H. COMPLAINT PROCEDURE**

The Complaint procedure for discrimination/harassment against mature workers is contained in Section XIII of this plan.

## **XII. TRAINING POLICY**

### **A. EMPLOYEE TRAINING OPPORTUNITIES**

All training shall be offered equally and fairly, without regard to an employee's group status.

1. Training opportunities will be available to all employees within budgetary constraints and in conformance with improving the productivity and capabilities of the employee.
2. Employees who belong to groups covered by this EEO/AA plan will be encouraged to seek training opportunities. Priority will be given to:
  - a. Assisting employees to improve their job skills.
  - b. Helping employees enhance their career mobility and advancement.

### **B. EEO/AA TRAINING**

1. Every new Dane County employee will receive EEO/AA and Sexual Harassment Training as a part of their orientation. This training will include an explanation of the Affirmative Action Plan, relevant federal, state and county laws and policies concerning affirmative action, sexual harassment, mature workers, employees with disabilities, and particularly the relevant sections in Chapters 51, 111 and 146 of Wisconsin State Statutes and the relevant sections of Dane County Ordinances and policies. This includes, but is not limited to, statutes, ordinances and policies pertaining to, HIV infections, AIDS, and other diseases and infections classified as disabilities.
2. The Office for Equity and Inclusion may provide and/or purchase additional EEO/AA training annually for each Dane County employee.
3. Upon recommendation of the Director of the Office for Equity and Inclusion and the County Executive, informational training sessions will be provided for the County Board of Supervisors and county commissions, committees and groups.
4. Additional staff training will be conducted as needed to address specific issues. This training will be integrated into the overall County training plan.

5. Administrators, department heads, managers, supervisors and appointing authorities will receive eight (8) hours of EEO/AA and sexual harassment training each calendar year as a part of their management development plans.

### **C. CONTRACT COMPLIANCE TRAINING**

The Contract Compliance Specialist will include a training policy in the Contract Compliance Plan that includes, but is not limited to:

1. Training for contractors and vendors on all applicable Equal Employment Opportunity/Affirmative Action laws, directives and regulations of The Federal government, State of Wisconsin and Dane County Board of Supervisors, including the Equal Pay Act of 1963 and its amendments in 1973; Title VI and Title VII of the Civil Rights Act of 1964, the Equal Opportunity Act of 1972 amendments, and the Civil Rights Act of 1991; the Age Discrimination in Employment Act of 1967 and the 1978 and 1986 amendments; Sections 503 and 504 of the Rehabilitation Act of 1973; Title I and Title II of the Americans with Disabilities Act of 1991; Presidential Executive Order 11246 of 1965 and the amendments in Presidential Executive Order 11375 of 1967; the relevant sections of Chapter 111 of Wisconsin State Statutes; Dane County Ordinances, Chapters 18 and 19 and HUD requirements and Equal Opportunity regulations of the U.S. Departments of Health and Human Services and Transportation.
2. Training for contractors and vendors on how to develop Affirmative Action Plans and recruit qualified members of groups that are under-represented in their work force.
3. Training for administrators, department heads, managers, and appointing authorities on contract compliance.

## **XIII. COMPLAINT PROCEDURE**

### **A. FILING A COMPLAINT**

1. Coverage: The complaint procedure is intended to provide an internal process that will address grievances and shall be available to all employees and applicants who feel the County has or is engaging in discriminatory and/or harassing employment practices. The complaint and appeal process/procedures for vendors, contractors and Providers of Service contracting with the Human Services Department will be addressed in the Contract Compliance Plan and the Title VI appendix in this plan.

- a. Dane County encourages the use of the Dane County complaint procedures before utilizing other complaint/appeal procedures.
  - b. Practices subject to grievance shall include violations of this EEO/AA Plan or any other applicable Equal Employment Opportunity and/or Affirmative Action statutes, ordinances, directives and regulations of the federal government, State of Wisconsin and Dane County, including: the Equal Pay Act of 1963 and its amendments in 1973; Title VI and Title VII of the Civil Rights Act of 1964, the Equal Opportunity Act of 1972 amendments, and the Civil Rights Act of 1991; the Age Discrimination in Employment Act of 1967 and 1978, 1986 amendments; Sections 503 and 504 of the Rehabilitation Act of 1973; Title I and Title II of the Americans with Disabilities Act of 1991; the relevant sections of Chapter 111 of Wisconsin State Statutes; and Dane County Ordinances, Chapters 18 and 19.
2. Administrative procedures/collective bargaining agreements: This complaint process should not be interpreted as replacing, contradicting or in any way interfering with Dane County's administrative policies and collective bargaining agreements.
  3. Purpose: The purpose of all investigations resulting from a complaint will be to resolve EEO/AA problems and violations within the agency as quickly and fairly as possible.
  4. Confidentiality: The identity of the parties and the specifics of a complaint shall be kept confidential by all involved parties, except to the extent necessary to investigate and resolve the complaint.
  5. Agencies handling complaints: Employees are encouraged to use the internal complaint procedure contained in this plan. Employees who do so will not forfeit the option of pursuing state and/or federal remedies.

For initial level of complaints contact The Tamara D. Grigsby Office for Equity and Inclusion City-County Building, 210 Martin Luther King Jr. Blvd; Room 356; (608)266-4795.

Complaint of Discrimination Form <https://oei-exec.countyofdane.com/ComplaintForm>

**The complaint must be filed within 300 days of alleged discrimination.**

Formal complaint

**Physical Address**

Department of Workforce Development Equal Rights Division

201 E. Washington Ave; Room A100

Madison, WI. 53703

(608)266-4795 (TTY) (608)264-8752

**Mailing Address**

Department of Workforce Development Equal Rights Division  
PO Box 8928  
Madison, WI. 53708-8928  
(608)266-4795 (TTY) (608)264-8752

**Regional Address**

United States Equal Employment Opportunity Commission  
Reuss Federal Plaza  
310 West Wisconsin Ave. Suite 500  
Milwaukee, WI. 53203-2292  
(800)669-4000 (TTY) (800)669-6820

**The complaint must be filed within 240 days of date of alleged discrimination.**

**B. REPRISALS/RETALIATION**

1. Anyone filing a complaint under this procedure or anyone who aids, testifies, investigates, or in any way assists in an investigation shall do so without fear of coercion, interference, intimidation, obstruction or reprisals of any form. It is a violation of Chapter 19.14 (8), Dane County Ordinances and Chapter 111.322 (3) Wisconsin State Statutes, to discriminate against an individual "because he or she has made a complaint, testified or assisted in any proceedings ...." Any individual found to be in violation of Chapter 111.322 (3) Wisconsin State Statute and Chapter 19.14 (8) Dane County Ordinance will be subject to disciplinary action.
2. Anyone who engages in or assists in reprisals or retaliates against a complainant, or both, or anyone who was a part of the investigation is subject to disciplinary action including but not limited to discharge from Dane County Civil Service, even if it's determined later that the initial complaint was without merit.

**C. APPLICANTS FOR EMPLOYMENT COMPLAINT PROCESS**

1. Applicants who feel they have been discriminated against because of political, labor union, or religious affiliations or activities or because of sex, race, national origin, color, ancestry, age, sexual orientation, marital status, physical appearance, disability, arrest record, conviction record or membership in the national guard, state defense force or any other reserve component of the military forces of the United States should contact the Office for Equity and Inclusion.

2. If the complainant is not satisfied with the recommendations of the Office for Equity and Inclusion he or she may appeal by filing a request with the Director of the Office for Equity and Inclusion. The complainant shall have the opportunity to pursue other courses for relief at any stage in these proceedings.

**D. COMPLAINT PROCESS**

Employees who feel that they have been discriminated against or harassed are encouraged to immediately notify either:

- Supervisor and/or the Department Head
- The Office for Equity and Inclusion – (608)283-1391-5623, TDD (608)266-9138, City County Building; Room 356

Response to non-criminal discrimination/sexual harassment complaints made by a county employee or applicant for county employment.

**RESPONSIBILITY**

**ACTION**

Employee

1. A written complaint of discrimination shall be directed to the complainant’s immediate supervisor/manager or to Dane County’s Manager of Equal Employment Opportunity. A complaint made to the Manager of Equal Employment Opportunity must be submitted on the Dane County’s Complaint of Discrimination form (Appendix C) within one hundred eighty (180) days of his or her knowledge of the occurrence of the alleged discrimination/harassment.

Manager of Equal Employment Opportunity

2. When an individual indicates that he/she is filing a complaint, the Manager of Equal Employment Opportunity receiving the complaint should immediately request that the complainant submit the complaint to him/her in writing, if not already in writing, and encourage the complainant to be specific as to actions taken, statements made, dates, times, places and people involved.



3. The Manager of Equal Employment Opportunity should immediately assess whether any of the allegations, if valid, would involve a violation of federal laws, state statutes, Dane County ordinances, County work rules, the County's Affirmative Action Plan or the Americans with Disabilities Act (ADA) Transition Plan. If a manager/supervisor has any questions regarding this determination, this individual should consult with his or her supervisor, department head, Corporation Counsel, Employee Relations Division, Americans with Disabilities Act (ADA) Coordinator, or the Office for Equity and Inclusion as necessary, for assistance in making this determination. If it is determined that the allegations, if valid, would violate the County's EEO/AA Action Plan or ADA Transition Plan, then the Manager of Equal Employment Opportunity or the ADA Coordinator must be notified at this step. If it is determined that any of the allegations, if valid, would violate federal laws, state statutes, Dane County Ordinances, County work rules or the County's Affirmative Action Plan or ADA Transition Plan the manager/supervisor shall proceed to the next step. If there is a question as to whether any of the allegations in the complaint, if valid, would violate any criminal laws, the District Attorney's Office should be contacted immediately. Criminal complaints must be handled through the District Attorney's Office and are not covered by this procedure.
4. The allegations in the complaint should be presented to the person being complained about, with a request for his or her immediate response. If informing the person being complained about of the allegations against him/her would undermine the investigation or place the individual making the complaint at risk, the presentation of allegations to the person being complained about should await further investigation.
  5. If the person being complained about acknowledges the validity of the allegations, no further investigation is needed. The Manager of Equal Employment Opportunity staff should then assess whether disciplinary action should be taken against the person being complained about, referencing the procedure for imposing discipline in the Administrative Practices Manual.
6. If the person being complained about denies the allegations, the Manager of Equal Employment Opportunity should assess whether this individual has a credible explanation for

the cause of the allegations being made or compelling evidence regarding the lack of validity of the allegations.

7. If the Manager of Equal Employment Opportunity determines that the person being complained about is innocent of the allegations, the allegations should be dismissed. The complainant and the person the complaint was filed against shall be informed in writing of the dismissal.

If the Manager of Equal Employment Opportunity has reasonable doubts about whether the person being complained about is innocent of the allegations being made, the Manager of Equal Employment Opportunity should conduct an investigation. Before beginning an investigation, review the procedures for conducting an investigation outlined in the Administrative Practices Manual. The investigation should be conducted based on the specifics of the allegations. The Manager of Equal Employment Opportunity should obtain as much information as is reasonably possible to assist in assessing the validity of the allegations. It is not the purpose of an investigation to prove someone guilty. The purpose of an investigation is to collect factual information. Depending on the allegations, this could include interviewing other people involved and reviewing any relevant written documents. If other people are interviewed, this should be done immediately, tailoring each interview to the alleged involvement of that individual in the allegations in the complaint.

8. If during the course of an investigation, additional allegations surface regarding the person being complained about, the same process outlined herein should be used regarding those allegations.
9. After obtaining as much information as is reasonably possible regarding the validity of the allegations, Manager of Equal Employment Opportunity should do a written report regarding the validity of the allegations.
10. Based on the written report, the Manager of Equal Employment Opportunity should determine whether discipline should be imposed, referencing the procedure for imposing discipline in the Administrative Practices Manual. When a disciplinary decision has been made and if discipline appears to be the appropriate action, it must be done in a manner that conforms to the appropriate collective bargaining agreement and/or County Ordinance. The

manager or supervisor should seek the assistance of the Employee Relations Division to ensure that any discipline to be imposed conforms to the appropriate collective bargaining agreement and/or County Ordinance.

11. At whatever step the process is concluded, the Manager of Equal Employment Opportunity should communicate in writing to the complainant and the person being complained about regarding his/her decision. The Manager of Equal Employment Opportunity should seek the assistance of the Employee Relations Division et al to insure that these written communications are complete and appropriate.
- Employee 12. A complainant may file a written request, to appeal a determination of his/her complaint, with the Director of the Office for Equity and Inclusion.
- Director of the Office for Equity and Inclusion 13. The Director of the Office for Equity and Inclusion will be responsible for investigating the applicant complaint and seeking resolution. In addition, the Director of the Office for Equity and Inclusion shall inform the Equal Opportunity Commission of all complaints filed, without breaching confidentiality, and the final disposition of each complaint.

#### **XIV REPORTS**

The Office for Equity and Inclusion will prepare reports on their respective EEO/AA programs. The reports will focus on the progress and problems of Dane County's EEO/AA efforts. In addition, reports will be completed and submitted to the appropriate federal, state, local and all other funding sources as required. Standard reports will be completed and submitted in a timely manner. They will include, but is not limited to, the following:

##### **A. ANNUAL REPORTS**

Annual reports will contain complete employment, training, grievance and contract compliance activity, which will include, but is not limited to, the utilization/underutilization of individuals covered by this plan, EEO/AA violations, recruitment efforts, turnover, and other demographic data that is requested and/or is indicative of EEO/AA activity during each calendar year and will be submitted no later than February 1 of each year. Reports will be submitted to:

1. The Dane County Equal Opportunity Commission to be published as the county's annual report
2. The Dane County Board of Supervisors

3. The County Executive
4. Administrators, supervisors, managers and appointing authorities of Dane County departments
5. Dane County staff at their request
6. The residents of Dane County and other interested groups upon request

## **B. SEMI-ANNUAL REPORTS**

Semi-annual reports will be progress reports of employment, training, grievance and Contract Compliance activity which will include, but is not limited to, the utilization/ under-utilization of individuals covered by this plan, EEO/AA violations, recruitment efforts, turnover, and other demographic data that is requested and/or is indicative of EEO/AA activity during six month period and will be submitted no later than August 1st of each year. Reports will be submitted to:

1. The Dane County Equal Opportunity Commission as a progress report.
2. The County Executive
3. Administrators, supervisors, managers and appointing authorities of Dane County Departments
4. Dane County staff at their request.

## **C. MONTHLY REPORTS**

Monthly reports will be briefly written updates by the Manager of Equal Employment Opportunity and/or the Employee Relations Office. These reports will contain data on EEO/AA activities that address problem areas, progress towards goals and success at meeting timetables. This report may also include contract/grant awards, recruitment and filling of positions. These reports will be submitted to the County Executive, Equal Opportunity Commission, and other appropriate groups. Information will include but is not limited to:

1. Employee Relations
  - a. Monthly reports on staff turnover, applicant availability, selection and
  - b. Position status
  - c. Current and anticipated vacancies
  - d. Recruitment activities
  - e. Alternative Selection and expanded certification hires

2. Manager of Equal Employment Opportunity
  - a. Recruitment activities
  - b. Training activities
  - c. Community contacts
  - d. Status of investigations, complaints or other problems