

5-10-60-7

RESOLUTION NO. 255-10 (5/25/10)

GovOps&W&M-Cayuga County Policy Manual -05-10

AUTHORIZATION TO UPDATE AND ADOPT THE POLICIES OF THE COUNTY OF CAYUGA.

**BY: Mr. Fearon, Chairman, Government Operations Committee.
MR. Palermo, Chairman, Ways & Means Committee.**

WHEREAS, the County of Cayuga has adopted numerous policies and procedures for conducting county business and other policies were developed as mandated by statute; and

WHEREAS, these current policies have been reviewed, revised as needed and presented to the Legislature individually; and

WHEREAS; all current documents have been reviewed, revised as needed and formatted into one manual; now, therefore, be it

RESOLVED, that the County Legislature does hereby adopt the attached list of policies and procedures; and be it further

RESOLVED, that the policies be formatted in accordance to the direction of the Legislature and County Administrator, printed, and placed in manuals; and be it further

RESOLVED, that any future adoption of revisions to the above stated policies and procedures or newly adopted policies or procedures be updated in the Cayuga County Policy Manual; and be it further

RESOLVED, that this resolution take effect immediately upon adoption.

I HEREBY CERTIFY, THAT I HAVE COMPARED THE FOREGOING COPY OF A RESOLUTION DULY PASSED AND ADOPTED BY THE LEGISLATURE OF CAYUGA COUNTY AT A MEETING HELD ON THE 25th DAY OF MAY, 2010 WITH THE ORIGINAL RESOLUTION, AND THAT THE SAME IS A TRUE AND CORRECT COPY AND TRANSCRIPT THEREOF, AND THE WHOLE THEREOF.

5/26/2010 8:16AM


CLERK, CAYUGA COUNTY LEGISLATURE

CAYUGA COUNTY POLICY MANUAL

Subject: Affirmative Action Plan for Cayuga County

Effective Date: 5/25/10; Res. 255-10

Supersedes Policy of: July 1998

Policy Title: Affirmative Action

Objective: It has been, and will continue to be, the policy of the County of Cayuga to provide equal employment opportunities to all the people regardless of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, genetic predisposition or carrier status, marital status or religion, or any other unlawful discrimination. Equal opportunity will be accorded to all applicants. All personnel practices such as recruitment, hiring, promotions, wage, and salary administration, and other terms, conditions, and privileges of employment will be administered in a non-discriminatory manner at all levels of employment.

Accordingly, equal opportunity must be supported by Affirmative Action on the part of the County. This Affirmative Action must have definite programs such as responsibility for compliance, dissemination of policy, and viable goals. For such programs to be effective requires strong support and commitment from the County Legislature, Administration and staff.

Policy: It has been, and will continue to be, the policy of the County of Cayuga to provide equal employment opportunities to all the people regardless of race, color, creed, sexual orientation, military status, sex, disability, genetic predisposition or carrier status, marital status or religion, or any other unlawful discrimination. Equal opportunity will be accorded to all applicants. All personnel practices such as recruitment, hiring, promotions, wage, and salary administration, and other terms, conditions, and privileges of employment will be administered in a non-discriminatory manner at all levels of employment.

1. **DISSEMINATION OF POLICY:** This Affirmative Action Policy approved by the Cayuga County Legislature will be disseminated in the following manner:
 - a. Internally: The Resolution adopting this revised Affirmative Action Plan will be posted in all County-owned buildings as well as a copy of this plan for both employees and the public to see. All County Legislators and Department Heads will receive a copy of the revised Affirmative Action Plan which will be distributed by the Human Resources Office.
 - b. Externally: All recruitment advertising will contain a statement stating, "Cayuga County is an equal employment opportunity/affirmative action employer." In all cases, a copy of the County's Affirmative Action Policy will be made available on request.

2. **IMPLEMENTATION RESPONSIBILITIES:** The Cayuga County Legislature is the ultimate authority regarding decisions that affect the welfare of the County.
 - a. The Clerk of the County Legislature (hereafter may be referred to as the Clerk) is designated the Affirmative Action Officer for this program and the County Attorney shall assist the Clerk in the program implementation.
 - b. The Clerk will report to the Chairperson of the County Legislature all complaints filed or problems arising in regard to this Affirmative Action Plan. The Chairperson of the County Legislature, being the Chief Executive Officer, is responsible for ordering remedial action if it is determined that a person has been subjected to an unlawful act of discrimination.
 - c. Under the direction of the Affirmative Action Officer, each Department's appointing authority will have the responsibility for carrying forth directives in the County Affirmative Action Plan. All Department Heads shall submit to the Affirmative Action Officer any complaints arising within their departmental operations with regard to this Affirmative Action Plan.

3. **WORK FORCE ANALYSIS DATA AVAILABILITY:**
 - a. The County Treasurer's Office shall provide the necessary statistical data from the Federal EEO Report when requested.
 - b. The New York State Department of labor can provide information based on the census for:
 - (1) Minorities and women in Standard Metropolitan Statistical Areas (SMSA) or local labor area.
 - (2) Unemployment rates for minorities and women in the local labor area.
 - (3) Availability of minorities and women with prerequisite skills in the local labor area.
 - c. The County Treasurer shall maintain and have available by request a report of all categories of employees by sex, ethnicity, etc., as set forth in the Federal EEO Report.

4. **GOALS:** Cayuga County, as an employer, after a review of the statistics based on full-time employment as reported in the latest annual EEO 4 Report has established the following goals:
 - a. To actively recruit minorities.
 - b. To institute an upward mobility program to allow present and future County employees the opportunity to progress to positions that may have been previously unobtainable.
 - c. To annually review the County's statistics in order to insure that the County is actively striving to maintain the standards established by this Affirmative Action Program.

5. **SPECIFIC PROGRAMS TO ACHIEVE GOALS:**
 - a. The Affirmative Action Officer, in conjunction with the Cayuga County Civil Service Commission, all County Department Heads, and/or agency heads shall, through the various news media and/or direct mailing, make available to the minorities of the community information with regard to employment opportunities.
 - b. The Cayuga County Civil Service Commission shall encourage through pre-employment inquiries, application forms, testing, interviewing, etc., the employment of minorities, females, disabled individuals and Veterans.
 - c. The Affirmative Action Officer through contact with department heads and/or agency heads, shall have authority to take steps to create an environment conducive to the assignment, job progression, promotion, seniority and training of minorities.
 - d. The County of Cayuga, through its collective bargaining agreement, shall endeavor to protect the rights of all minorities with regard to wages, benefits, conditions of employment, term of employment, demotion, discharge or disciplinary action.

6. **RECORD KEEPING SYSTEM:** The Cayuga County Civil Service Commission/Human Resources Office shall maintain the following records with regard to application for employment by minorities:
 - a. Recruitment of applicants.
 - b. Applicant flow for all new hires.
 - c. Promotions by title, salary grade.
 - d. Termination by title.
 - e. Periodic review of all job titles to ensure minimum qualifications are realistic and job-related, and are not barriers to employment of protected classes.

7. **DISCRIMINATION COMPLAINT PROCEDURE:**
 - a. The Process:
 - (1) Any person with a complaint of discrimination should contact the Clerk of the Legislature as Affirmative Action Officer. Complaints should be made within sixty (60) working days of the occurrence of the event, which gave rise to the complaint.
 - (2) The Affirmative Action Officer will advise and counsel the complainant; explain the internal procedure; explain other options available to the employee including time limitations for filing complaints with State or Federal compliance agencies; and assist in completing the complaint form.
 - (3) The Affirmative Action Officer shall give the complainant a copy of this plan, interview the complainant and study relevant documents.

- (4) The Affirmative Action Officer shall interview witnesses and further investigate the situation. At each opportunity, the Affirmative Action Officer will seek conciliation or an informal settlement that is satisfactory to the parties concerned and shall be responsible for investigating the feasibility and legality of any remedies proposed.
 - (5) When the investigation is completed, the Affirmative Action Officer shall prepare a written report including recommendations for the Chairman of the Cayuga County Legislature, the Chief Executive Officer.
 - (6) The Chairperson of the County Legislature shall issue the final decision in writing to the parties concerned.
 - (7) The decision of the Chairperson of the County Legislature is final. If the complainant is not satisfied with the attempts to resolve the problem, the claimant may seek remedy through other sources such as the NYS Division of Human Rights, or the U.S. Equal Employment Opportunity Commission.
 - (8) The claimant may withdraw the charge at any point in the procedure.
- b. **TIME FRAME:** A decision shall be reached within sixty (60) working days beginning from the date on which the written complaint is received.
- c. **CONFIDENTIALITY:** The substance of the investigation will remain confidential. No party or staff member shall disclose the results of the investigation or parts thereof. The Affirmative Action Officer will inform all charged parties of the factual allegations and give them an opportunity to respond to all charges and evidence.
- d. **ACCESSIBILITY:** The County of Cayuga will provide such assistance as may be necessary to enable a complainant to understand and participate in the complaint process. This may include sign language interpreters, wheelchair attendants, Braille copiers, sound amplification equipment or foreign language interpreters.

(Note: Policy shall be reviewed by the Clerk to the Legislature and the Human Resources Office periodically, and revisions that are approved by the Legislature shall be distributed to all County Departments.)