

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION CERTIFYING REVIEW AND RE-ADOPTION OF AN EQUAL  
EMPLOYMENT OPPORTUNITY POLICY PROHIBITING DISCRIMINATORY  
EMPLOYMENT DECISIONS BASED ON PROTECTED CHARACTERISTICS  
OR ANY PERCEPTION THEREOF**

**WHEREAS**, the Board of Supervisors of the County of Humboldt (County) is authorized by the provisions of Section 25300 of the Government Code of the State of California to provide for the number, compensation, tenure, appointment and conditions of employment of County employees by resolution; and

**WHEREAS**, on June 7, 2016 the Board of Supervisors approved the Equal Employment Opportunity policy; and

**WHEREAS**, the Equal Employment Opportunity policy has been reviewed to ensure compliance with current Federal and State law; and

**WHEREAS**, the Board of Supervisors desires to prohibit discriminatory employment practices through re-adoption of the EEO policy.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Equal Employment Opportunity Policy is hereby re-adopted as official County policy (see attachment 1).
2. This resolution shall become effective upon adoption by the Board of Supervisors.

\_\_\_\_\_  
Chair

Adopted on motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_ and the following vote:

AYES: Supervisors--  
NOES: Supervisors--  
ABSENT: Supervisors--  
ABSTAIN: Supervisors--

STATE OF CALIFORNIA     )  
  ) ss.  
County of Humboldt         )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed the Seal of said Board of Supervisors

KATHY HAYES

Clerk of the Board of Supervisors of the County of  
Humboldt, State of California

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Human Resources/Risk  
Management  
County of Humboldt  
825 5<sup>th</sup> Street, Room 100  
Eureka, CA 95501  
(707) 476-2349

REFERENCE: State of California Department of Fair Employment and Housing	PAGE 1 OF 6
BOARD APPROVED: June 7, 2016 <i>REVIEWED AND REAPPROVED:</i> July 23, 2019	POLICY:  Equal Employment Opportunity

**PURPOSE**

The purpose of this policy is to express Humboldt County's strong commitment to providing equal employment opportunities to all employees, and to advise employees on the procedures to report incidents of perceived discriminatory treatment. This policy also sets forth a procedure for investigating and resolving complaints of such conduct.

**APPLICABILITY**

This policy prohibits all Humboldt County employees, appointing officials, and elected officials from making discriminatory employment decisions based on any protected characteristic or any perception thereof.

**POLICY**

- A. The County is an equal opportunity employer. We enthusiastically accept our responsibility to make employment decisions without regard to race, religion or religious creed, color, age (over 40), sex (including gender identity and expression, pregnancy, childbirth and related medical conditions), sexual orientation (including heterosexuality, homosexuality and bisexuality), national origin, ancestry, marital status, medical condition (including cancer and genetic characteristics), mental or physical disability (including HIV status and AIDS), military service, or any other classification protected by federal, state, or local laws or ordinances.

- B. Our management is dedicated to ensuring the fulfillment of this policy with respect to hiring, placement, promotion, transfer, demotion, layoff termination, recruitment advertising, pay, and other forms of compensation, training, and general treatment during employment.

## **RESPONSIBILITIES**

### **I. EMPLOYEE RESPONSIBILITIES**

- A. It is the responsibility of all Humboldt County employees to know and follow this policy.
- B. This policy will be reviewed with employees during their annual performance evaluations. Employees will be given the opportunity to review the policy and ask questions of their supervisors during this time.
- C. All employees are expected to fully cooperate with any County-initiated investigations to examine any perceived violation of this policy. This includes, but is not limited to, maintaining an appropriate level of discretion regarding the investigation and disclosing any and all information that may be pertinent to the investigation consistent with each individuals constitutionally provided rights.

### **II. MANAGEMENT RESPONSIBILITIES**

#### **A. Duty to implement policy**

All Department Heads, other managers, and supervisors have the duty to implement and enforce this policy.

#### **B. Educate, investigate, and cure**

All Department Heads, other managers, and supervisors have the responsibilities, as appropriate for their level in the organization, to:

- Ensure all employees are aware that:
  - This policy prohibits discriminatory conduct.
  - They have a right to complain about behavior they believe violates this policy.
  - Anyone involved in the complaint process

- o will be protected from retaliation.
  - o Incidents should be reported to help ensure they will not recur.
  - o Prompt and appropriate follow-up action will be taken to stop behavior that violates this policy.
  - o Violations of this policy may lead to disciplinary action.
- Ensure that all employees are provided a copy of this policy.
- Promptly and thoroughly report any complaint under this policy to the Department Head, the Director of Human Resources, and/or Risk Manager.
- At the direction of the Director of Human Resources or Risk Manager, in appropriate circumstances, to take corrective action to stop substantiated inappropriate behavior.
- Ensure that all personnel with supervisory authority attend County- sponsored equal employment opportunity training on a bi-annual basis.
- Take appropriate preventative action to ensure compliance with this policy.
- Maintain the confidentiality of all complaints by limiting dissemination of information to a "need-to-know" basis.

#### **C. Responsibilities of the Director of Human Resources**

The Director of Human Resources has the responsibility for:

- Advising Department Heads on how to handle complaints under this policy.
- Accepting claims from County officers, elected officials, and employees who believe they are being subjected to discrimination or retaliation.
- Investigating and attempting to resolve complaints.
- Advising all parties about the limited confidentiality of the complaints and the investigative process.

### **III. COMPLAINTS AND INVESTIGATIONS**

#### **A. Reporting**

- I. If an employee believes someone has violated this policy, the employee should bring the matter to the attention of one of the following designated persons:
  - Any manager or supervisor,
  - Any Department Head,
  - The Humboldt County Director of Human Resources, or
  - The Humboldt County Risk Manager.
2. The employee should choose the person from the above list with whom he or she feels most comfortable and report the incident. The employee need only make one report. If an employee submits a complaint and does not receive a response within five business days, the employee should immediately notify the County Administrative Officer.
3. Any supervisor who learns of any potential violation of this policy must immediately report the matter to the Director of Human Resources or the Risk Manager.

**B. Management's Response to Complaints**

**I. Investigate**

- a. All reports will be promptly and thoroughly investigated by the Director of Human Resources or Risk Manager.
  - i. The Director of Human Resources or Risk Manager may delegate the investigation to an appropriate designee.
  - ii. The depth of the investigation will vary depending upon the circumstances of each case, but management personnel will be sensitive and respectful of all persons involved in the incident during investigations.

- iii. To the extent possible, the County will endeavor to keep the reporting employee's concerns confidential.

**2. Document**

- a. All designated persons receiving complaints must document the allegations reported.
- b. All investigations must be thoroughly documented.
- c. All interviews must be recorded by Humboldt County investigators.

**3. Take action**

- a. The County will take appropriate corrective action, depending upon the circumstances. This may range from participation in mandatory training, up to and including discharge from County employment consistent with Humboldt County Merit System Rules.
- b. All claims, whether substantiated or not, will result in the re-education of the parties involved by providing them with a copy of this policy, or other educational measures determined by the Director of Human Resources or Risk Manager to be appropriate under the circumstances.
- c. Department Heads must forward a copy of all reports, investigations, and resolutions of policy violations to the EEO Compliance Officer (Director of Human Resources), unless the Director of Human Resources is the subject of the report, in which case the Department Head will forward it to the Risk Manager.

5. If the Director of Human Resources or Risk Manager receives the initial complaint, he/she will forward the results of the investigation to the Department Head of the complaining employee, except and unless the Department Head is the person accused of the prohibited conduct.
6. In the case of a Department Head being the accused, the results of the investigation will be forwarded to the appropriate authority for resolution. Under no circumstances may a Department Head alleged to have engaged in prohibited conduct investigate the complaint.

#### **IV. RETALIATION**

- A. No one will be subject to, and the County prohibits, any form of discipline or retaliation for reporting perceived violations of this policy, pursuing any such complaint, or cooperating in any way in the investigation of such complaint. If an employee believes someone has violated this policy against retaliation, the employee should contact the Director of Human Resources, Risk Manager, or County Administrative Officer immediately.

#### **V. DISTRIBUTION**

This policy, including any revisions, will be distributed to all County employees, including elected officials, managers, supervisors, and employees.

#### **BOARD APPROVED:**

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Rex Bohn, Board Chairperson

Pursuant to Board Order \_\_\_\_\_ Dated \_\_\_\_\_

**I have read and understand this policy on Equal Employment Opportunity. And I was given the opportunity to ask questions or express concerns regarding this policy.**

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Employee Signature

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Date