

OHIO RIVER VALLEY WATER SANITATION COMMISSION

APPENDIX B

EQUAL EMPLOYMENT OPPORTUNITY

AND

AFFIRMATIVE ACTION PLAN AND PROCEDURES

Revised February 2008

Equal Opportunity Policy Statement

It is the policy of ORSANCO to assure equal opportunity for all applicants and employees. In furtherance of this policy, ORSANCO will not discriminate and will take affirmative action to ensure that applicants for employment, and employees, are treated without regard to their race, color, religion, gender, sexual preference, national origin, age, handicapping condition, marital status, political affiliation, or any other status protected under applicable federal, state or local laws governing nondiscrimination in employment.. This policy prohibits all forms of harassment based on any of these factors, including sexual harassment, and requires maintenance of a working environment free of such conduct. Any employee who engages in an action or conduct determined to be harassment, including sexual harassment, will be subject to appropriate disciplinary action.

ORSANCO continues its commitment to an active policy of non-discrimination and affirmative action in all aspects of employment, employee relations and community activities. This includes, but is not limited to, recruitment, employment, promotion, transfer, layoff, termination, selection for training, rate of pay, benefits and all other forms of compensation. All decisions regarding personnel actions must be made or administered in accordance with these principles.

Employees and applicants are protected from coercion, intimidation, interference, retaliation, or discrimination for filing a complaint or assisting in an investigation.

Every member of management and every employee are urged to make positive contributions toward the objectives established in our affirmative action plans. While the responsibility for administration of these plans falls to the Executive Director, the implementation of them is the responsibility of every employee.

EEO Policy Dissemination

The internal dissemination of the equal opportunity/affirmative action policy is accomplished through the following:

1. New employees are informed of the policy during employee orientation.
2. The policy is included in the ORSANCO Reference Manual.
3. Material concerning the equal employment opportunity and affirmative action policy and program is publicized by posting the policy on the bulletin board.
4. Instruction in laws and regulations concerning equal employment and knowledge of the affirmative action plan are included in supervisory meetings and training programs.

The external dissemination of the equal opportunity policy is accomplished through the following:

1. Whenever a position is to be filled, the responsible manager informs all recruitment sources of the EEO/affirmative action policy, stipulating that these sources actively recruit and refer minorities and women for all positions listed. The recruiting sources also include minority and female colleges, universities, technical institutions, and other organizations.
2. The application form contains no items of a discriminatory nature.
3. The equal opportunity clause is included in all recruiting literature.
4. All help-wanted advertising contains the phrase "an equal opportunity employer M/F/H."
5. The equal opportunity clause is incorporated in all purchase orders, leases, contracts, etc., covered by Executive Order 1146, as amended, and its implementing regulations.

Responsibility for Program Administration

EEO Officer - The EEO Officer, appointed by the Executive Director, is Peter A. Tennant, who shall serve until replaced or he resigns. The specific duties of the EEO Officer are as follows:

1. Keep informed of significant development in EEO laws and regulations, and notify appropriate managers of changes and their impact on ORSANCO.
2. Develop and/or modify policy statements and procedures as required by changes in EEO laws or regulations, and transmit such changes to all affected employees.
3. Identify any problem areas, including potential violations of this program, and assist in their correction.
4. Train supervisory personnel in EEO policies and procedures.
5. Maintain records of personnel transactions in a form which will provide available information needed for completion of official reports when so required.
6. Handle the complaint procedure, making appropriate investigations and recommendations for resolution of complaints.

(NOTE: If the EEO Officer is personally involved in a complaint, or the Executive Director is involved, the Personnel Committee Chairman of the Commission will handle the complaint.)

7. Assist in evaluating discrimination complaints filed against ORSANCO with outside regulatory bodies; participate in the representation of ORSANCO as assigned; and implement corrective action as necessary.
8. Represent ORSANCO in any compliance review initiated by a regulatory agency.
9. Prepare reports as required by the Executive Director or the Commission or committee thereof.

Executive Director - The Executive Director has overall responsibility for ORSANCO management; this includes administration of the EEO program. Specifically, he will do the following:

1. Provide leadership and direction to the EEO program, and make his commitment thereto understood by all employees.
2. Perform, or see that unit managers perform, all personnel functions and make all personnel decisions without regard to race, color, religion, gender, sexual preference, national origin, age, handicapping condition, marital status, and political affiliation.
3. Make the final decision on any complaints processed by the EEO Officer.

Supervisory Personnel - All supervisors shall be knowledgeable of ORSANCO's basic policy and prevent

harassment and discrimination of employees in the work place.

EEO Complaint Procedure

Equality of opportunity is a civil right under both federal and Ohio state laws. Every employee and applicant for employment has the right to seek employment and to be employed in a climate that is free from restraint, intimidation, harassment or coercion. This complaint procedure has been devised to provide for equity in the resolution of allegations of discrimination in employment.

Purpose - This procedure is designed to allow ORSANCO the opportunity to resolve complaints internally, and to allow employees and applicants for employment the opportunity to seek redress from any alleged incidents of discrimination informally. It is not intended to duplicate or circumvent options available to claimants through agencies which are charged with the enforcement of anti-discrimination laws.

Coverage - This procedure applies to all complaints of discrimination in employment based on race, color, religion, gender, sexual preference, national origin, age, handicapping condition, marital status, political affiliation. Complaints may be based on any alleged act or failure to act in the nature of discrimination, including the following:

Discipline	Job assignment
Dismissal	Performance evaluation
Harassment	Promotion
Hiring	Transfer
Interviewing	Working Conditions

However, it should be noted that this procedure applies only if the complainant bases his/her complaint on a charge of discrimination. For example, if an employee does not like a given working condition which is applicable to all affected employees, this procedure is not the proper remedial course.

Procedure - Any person with a complaint of discrimination should contact the EEO Officer. The complaint should be made within 60 days of the occurrence of the event which gave rise to the complaint unless this deadline is missed because of circumstances beyond the complainant's control.

The complainant may be represented by any person of his/her choice in filing and pursuing the complaint.

The EEO Officer will investigate the complaint within 60 days of notification, studying any relevant documents, interviewing appropriate employees or other witnesses, including the complainant, and take any other actions necessary to a prompt and satisfactory resolution.

Following investigation, the EEO Officer will discuss the case and his findings with the complainant and seek conciliation, if appropriate. If the complainant is satisfied at this point, the matter will be considered closed.

If the complainant is not satisfied at this point, the EEO Officer will prepare a written report to the Executive Director setting forth the complaint, findings and recommendations, and the complainant's

reasons for dissatisfaction. The Executive Director will then issue a decision, which shall be final insofar as ORSANCO is concerned.

The EEO Officer will transmit the Executive Director's final decision to the complainant, and advise him/her of the external remedies available in case he/she wishes to pursue the complaint further.

Confidentiality - The EEO Officer will inform all charged parties of the factual allegations and give them an opportunity to respond to all charges and evidence.

Other than the foregoing, complaints and investigations will be considered confidential.

Retaliation - Any employee who participates in the procedure, either as complainant, representative or witness, may do so without fear of retaliation.

Outcomes - The outcome of an investigation is either dismissal of the complaint or remedial action. If remediation is required, the decision will be made by the Executive Director, who may choose any appropriate action that he believes will put the complainant in a position he/she would have been in, had the incident not happened. Examples of possible remedial actions include:

- ordering an employee to cease discriminatory or harassing conduct, with or without disciplinary action;
- hiring or promoting a person who was denied a position sought, because of discrimination;
- changing a working condition found to have been discriminatory.

Follow-up - The EEO Officer will maintain a file of complaints received. Following any order for remedial action issued by the Executive Director, the EEO Officer shall follow up to be sure the order has been carried out with no retaliation against the complainant.

Commitments for Special Issues and Protected Categories

In addition to the commitments made elsewhere in this program, ORSANCO pledges the following efforts to protect certain specific categories of persons and rights:

Protection of Religious Beliefs and Practices - ORSANCO accommodates, whenever feasible, the religious beliefs and practices of employees and applicants for employment.

Protection for Pregnancy, Childbirth and Related Medical Conditions - ORSANCO does not deny employment because of pregnancy, childbirth or any related medical condition. Such conditions are treated the same as any other temporary medical disability. ORSANCO does not consider that any work assignment poses a threat to the health or well-being of any employee. However, in case of any question involving the well-being of any employee, the question will be evaluated by competent medical authority.

Protection Against Sexual Harassment - Every effort will be made to ensure that no employee is subjected to sexual harassment by supervisors or co-workers. Sexual harassment is defined as any sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature:

1. when submission to such conduct is made either explicitly or implicitly a term or condition of employment;
2. when submission to or rejection of such conduct is used as the basis for employment decision affecting such individual; or
3. when such conduct has the purpose or effect of unreasonably interfering with the individual's work performance, or creating an intimidating, hostile, or offensive work environment.

Protection for National Origin - United States citizenship is not a requirement for any ORSANCO position.

Accommodation for Handicap - ORSANCO does not discriminate against any employee or applicant for employment because of physical or mental handicap in regard to any position for which the person is qualified. The sole determinant is ability to do the work.

The Commission office building was constructed to meet or exceed the requirements of the Americans with Disabilities Act. There is no problem of access to the office for any handicapped person.

Protection of Veterans - ORSANCO does not discriminate against any person because of his/her status as a disabled veteran or veteran of the Vietnam era. ORSANCO complies with all applicable federal and state laws concerning the employment rights of veterans.