

TOWN OF ROCKY HILL
AFFIRMATIVE ACTION PLAN & POLICY

March 2022

TOWN OF ROCKY HILL AFFIRMATIVE ACTION PLAN

INTRODUCTION:

The Town of Rocky Hill (Town) reaffirms its pledge of Affirmative Action and Equal Employment Opportunity for all at this time.

The Town of Rocky Hill believes a diversified workforce will promote understanding among persons to meet our citizens' needs. Equal Employment Opportunity laws improve public service by encouraging a broader range of individuals to contribute their unique talents and abilities. To that end, the Town is fully committed to Equal Employment Opportunity principles, which ensure the employment process is designed to eliminate any discriminatory practices to enable full utilization of women and minority applicants and employees in the workforce.

The Town also recognizes that the underrepresentation (underutilization) of women and minorities in the workforce can result from unintentional discrimination. The Town recognizes the importance of applying Affirmative Action principles to all phases of employment practices to address workforce underutilization of persons from underrepresented groups.

The Town of Rocky Hill considers applicants for employment, and promotional candidates within the classified service, on the basis of qualifications to meet the essential functions of the position. It has been and will continue to be the policy of the Town of Rocky Hill to provide Equal Employment Opportunities without consideration of any factor prohibited by law, including but not limited to age, ancestry, color, genetic information, learning disability, marital status, past or present history of mental disability, intellectual disability, national origin, physical disability, race, religious creed, sex (including pregnancy), sexual harassment, transgender status, gender identity or expression, sexual orientation or civil union status, workplace hazards to reproductive systems, criminal record, veteran status, or other protected class characteristics, unless there is a bona fide occupational qualification excluding persons in one of the aforementioned protected classes.

STATEMENT OF POLICY:

The Town of Rocky Hill recruits, promotes and employs qualified and/or qualifiable job applicants without discrimination; that is, without regard to any factor prohibited by law, including but not limited to age, ancestry, color, genetic information, learning disability, marital status, past or present history of mental disability, intellectual disability, national origin, physical disability, race, religious creed, sex (including pregnancy), sexual harassment, transgender status, gender identity or expression, sexual orientation or civil union status, workplace hazards to reproductive systems, criminal record, veteran status, or other protected class characteristics, unless there is a bona fide occupational qualification excluding persons in one of the aforementioned protected classes.

Accordingly, the Town shall provide working conditions in which all employees are treated equally, and all personnel actions are based on non-discriminatory factors. Further, the Town prohibits the sexual harassment of any applicant or employee.

The Town is committed fully supports the goal of remedying the detrimental effects of discrimination through Affirmative Action in its employment process. The Town of Rocky Hill acknowledges that the effective application of this policy requires positive steps be taken; and it has and therefore will continue to undertake a program of affirmative action and make known its commitment in this regard.

The Town of Rocky Hill recognizes it's legal and moral obligations to promote the national policy of eliminating discrimination in employment practices by following current and any future, federal and state statutes, executive orders, guidelines and regulations pertaining to the Equal Employment Opportunity Law including, but not limited to:

- 5th, 13th, 14th and 15th Amendments of the U.S. Constitution
- Equal Pay Act of 1963 as amended
- Civil Rights Act of 1964 as amended
- Civil Rights Act of 1968
- Equal Employment Opportunity Act of 1972
- Rehabilitation Act of 1973 and 1974
- Executive Order No. 11246, as amended by Executive Order No. 11375 and Executive Order No. 12086
- Age Discrimination in Employment Act of 1967 and 1975
- Pregnancy Discrimination Act of 1978
- Article I, Section 1. of the Connecticut State Constitution
- Meskill Executive Order Nos. 3 and 17
- Fair Employment Practice Act, Sections 46a-51, etc. Seq.
- Code of Fair Practices 4-61c-4 and 4-61c-61j
- Connecticut General Statutes Section 17-205j
- Connecticut General Statutes Section 45a-51(13)
- Connecticut General Statutes Section 46a-60(*8)
- Connecticut General Statutes Section 46a-79
- Americans with Disabilities Act (ADA)

IMPLEMENTATION PLAN – RESPONSIBILITY:

The Town Manager, as Chief Administrative Officer, or his or her designee, will be responsible for developing policy statements, affirmative action programs, and internal and external communications. This responsibility includes regular review of procedures to determine effectiveness, need for remedial action to meet goals that have been set. Technical aspects of

compliance, such as the keeping of reports, may be delegated, but the final responsibility and authority for all aspects of Rocky Hill's Affirmative Action Program remains with the Town Manager. The implementation plan shall include:

1. Writing, amending and updating the Affirmative Action Plan bi-annually with approval by the Town Council;
2. Establishing policies and guidelines to facilitate the implementation of equal opportunity employment through recruitment and personnel procedures and purchasing procedures;
3. Communicating such policies and guidelines to Department Heads and employees;
4. Monitoring and evaluating the program to make relevant revisions to problem areas through the analysis of applicant pools.
5. Ensuring fair and equitable practices with respect to recruiting, hiring, transfer, promotion, training, development, compensation, benefits, lay-off, and termination procedures;
6. Preparing and submitting all appropriate federal and state government forms such as the EEO-4; and
7. Providing a forum to raise questions relative to equal employment opportunity policies. The Town Manager will hear formal complaints of discrimination and render decisions. If it is determined that discrimination on the basis of race, color, creed, sex age, sexual preference, marital status, national origin, maternity status physical or mental disability or any other non-merit factor has occurred, those found to be responsible for such discrimination are subject, depending on the severity of the case, to appropriate disciplinary action.

RECRUITMENT AND PERSONNEL GUIDELINES FOR EEO:

1. Review of Job Descriptions: The Town shall regularly review job descriptions and minimum requirements; to remove discriminatory or unnecessary restriction on applicants;
2. Recruitment: The Town shall continue to stimulate interest among targeted groups based on workforce analysis for employment with the Town of Rocky Hill;
3. Community agencies, which serve minority and women populations, will be notified of future job vacancies. An ongoing analysis of the effectiveness of the Town Outreach Advertising Program shall be conducted, dropping non-productive sources and continuing a search for more responsive agencies (see attached list of community agencies);

4. In order to reach qualified minority and female applicants for professional level positions, when appropriate, the Town of Rocky Hill will advertise on the websites (and in publications) of appropriate associations;
5. Job application procedures will be kept as simple as possible so as not to deter any potential applicants. ADA or other assistance will be provided to applicants as needed;
6. All advertisements will be sent to the State Job Centers/Employment Offices;
7. Word of mouth referrals from minority and female employees will be encouraged;
8. Testing: The Town shall review testing procedures for new applicants and promotions to insure they are appropriate and related to the essential duties of the position;
9. Compensation and Benefits: The Town will insure all employees receive the same employee benefits without discrimination based upon race, color, religion, age, sex, marital status, national origin, genetic information, past/present history of mental disability, ancestry, intellectual disabilities, learning or physical disabilities including but not limited to blindness, sexual orientation, political belief or criminal record, or other protected class characteristics, unless the provisions of Section 46a-60(b), 45a-80(b) and 46a-81(b) of the Connecticut General Statutes are controlling or there is a bonafide occupational qualification excluding persons in one of the above protected groups. The Town will review compensation levels to insure they equal market salaries and salaries are based on position value and not subject to discrimination based upon race, color, religion, age, sex, marital status, national origin, genetic information, past/present history of mental disability, ancestry, intellectual disabilities, learning or physical disabilities including but not limited to blindness, sexual orientation, political belief or criminal record, unless the provisions of Section 46a-60(b), 45a-80(b) and 46a-81(b) of the Connecticut General Statutes are controlling or there is a bonafide occupational qualification excluding persons in one of the above protected groups;
10. Training: The Town shall develop training programs, as feasible, to enhance opportunities for promotion of women and minorities within the Town employment such as interview skills, supervision skills, etc. The Town will also provide training, as required or needed, about Equal Employment Opportunity, preventing discrimination, sexual or other harassment prevention, etc. The Town shall provide training to supervisors, and employees when possible, about the Affirmative Action Plan and Sexual Harassment Prevention Policy and ADA Policy; and
11. Exit interviews shall be conducted of all employees to inquire if they experienced or witnessed any discriminatory practices while employed by the Town of Rocky Hill.

PURCHASING POLICIES AND GUIDELINES FOR EEO:

To promote Equal Employment Opportunities, the Town will require all vendors doing business with the Town to support and promote Equal Employment Opportunities by signing the

appropriate documents as listed below and attached. Bid documents will have the following language to promote Equal Employment Opportunities:

Legal Advertisement Language:

Equal Opportunity Employer, minority/women owned businesses are encouraged to submit a bid.

Bid Boilerplate Language:

Each bidder with ten (10) or more employees shall complete the Certification of Bidder which is included as part of these specifications. Bidders with less than ten (10) employees should indicate this on the Certification and return it with their bid.

A signature on the form certifies that the Bidder is declaring that it does not discriminate on the bases of race, color, religion, age, sex, marital status, national origin, genetic information, past/present history of mental disability, ancestry, intellectual disabilities, learning or physical disabilities including but not limited to blindness, sexual orientation, political belief or criminal record, unless the provisions of Section 46a-60(b), 45a-80(b) and 46a-81(b) of the Connecticut General Statutes are controlling or there is a bonafide occupational qualification excluding persons in one of the above protected groups.

Language for Certification of Bidders:

AFFIRMATIVE ACTION STATEMENT – CERTIFICATION OF BIDDER:

The bidder certifies that it:

1. Is in compliance with the equal opportunity clause as set forth in the Connecticut State Law;
2. Does not maintain segregated facilities;
3. Has filed required employer's information reports;
4. Lists job openings with State Employment Services; and
5. It is in compliance with the Americans with Disabilities Act.

Check Appropriate One:

- Yes / bidder certifies to having an Affirmative Action Program
 Not applicable / bidder employs ten (10) or less people.

POLICY DISSEMINATION:

Critical to guaranteeing attainment of equal employment opportunity goals is the awareness and understanding of the Affirmative Action Plan by all applicants and employees. To this end, the Town of Rocky Hill has implemented the following procedures:

A. Internal

1. Drafts, revisions and updates of the Affirmative Action Plan shall be reviewed.

2. Revisions and updates of the Affirmative Action Plan shall be approved by the Town Council to ensure full support of the Town toward equal employment opportunity.
3. The Affirmative Action Plan shall be available to all employees and shall be given to all new employees, including policies workplace harassment and the ADA (see attached policies).
4. The Town's Affirmative Action Plan shall be posted on the Town Bulletin Boards.

B. External

1. All bid specifications sent to potential vendors shall contain the language indicated in the Purchasing Policies and Guidelines for EEO listed in this document.
2. All advertisement for recruitment of Town employees shall state that the Town of Rocky Hill is an "Affirmative Action-Equal Employment Opportunity Employer (AA/EEO).
3. The Town's Affirmative Action Plan shall be available to all applicants.
4. Agencies and associations, which serve minority and women populations, shall be notified of Town of Rocky Hill job opportunities to encourage all applicants to apply, especially minorities and women.

UTILIZATION ANALYSIS AND GOALS:

The purpose of a utilization analysis is to identify where and to what extent the protected groups may be under-utilized or concentrated within the employment structure, in order to rationally develop affirmative action goals. These documents are always changing depending upon vacancies, promotions, recruitments, etc. Therefore, the most recently filed EEO-4 form is attached. These reports allow the Town of Rocky Hill to set goals for the next year based on the analysis of these reports compared to the census data for the Town and Region. Current goals for the Town of Rocky Hill are to increase the number of minority employees in all categories and to increase the number of women in all categories other than administrative support when there are vacancies.

GRIEVANCE PROCEDURE:

Any job applicant or employee who feels that he/she has been harassed or discriminated against either through the hiring process or subsequent employment practices based upon race, color, religion, age, sex, marital status, national origin, genetic information, past/present history of mental disability, ancestry, intellectual disabilities, learning or physical disabilities including but not limited to blindness, sexual orientation, political belief or criminal record, or other protected class characteristics, unless the provisions of Section 46a-60(b), 45a-80(b) and 46a-81(b) of the Connecticut General Statutes are controlling or there is a bonafide occupational qualification

excluding persons in one of the above protected groups, shall use the following grievance procedure.

This grievance procedure shall be available in the Town Manager's Office for review:

1. The grievance should be submitted to the Affirmative Action Officer in writing within ten (10) working days of the incident.
2. Within ten (10) working days of the receipt of the complaint, the Affirmative Action Officer shall call a meeting with the aggrieved to attempt to reach a mutual agreeable resolution or to gather information to investigate the complaint.
3. Within ten (10) working days of the meeting, a decision shall be issued in writing to the aggrieved.
4. If the aggrieved is not satisfied with the response, then he/she has ten (10) working days to send a written statement of concerns to the Affirmative Action Officer.
5. Within ten (10) working days of receipt of the second letter/statement the Affirmative Action Officer shall issue in writing a decision about the complaint.
6. If the aggrieved is not satisfied with the response, then he/she may submit his/her complaint to CHRO and/or EEO.
7. Employees may use their union grievance procedure if they wish instead of the procedure listed above.
8. The Town will not tolerate retaliation of anyone who files a complaint.

The Director of Human Resources and Legal Compliance, Dana McGee, will serve as the Affirmative Action Officer for the Town of Rocky Hill, Connecticut. Should the task of Affirmative Action Officer be reassigned, the Affirmative Action Plan and Policy will be revised and executed appropriately.

Ms. Dana McGee
Director of Human Resources and Legal Compliance
Affirmative Action Officer
Town of Rocky Hill
761 Old Main Street
Rocky Hill, CT 06067
(860) 258-2700

AMERICANS WITH DISABILITIES (ADA) POLICY:

Purpose: The Town of Rocky Hill is committed to providing and promoting equal opportunities in all of its activities and services. This commitment includes adhering to the mandates of the

Americans with Disabilities Act of 1990 (ADA), a federal law that makes it unlawful to discriminate against a qualified person with a disability in all aspect of the employment process and in the provision of Town services and benefits. The Town adheres to all other Connecticut and Federal laws and regulations that apply to individuals with disabilities. The ADA enables society to benefit from the skills and talents of individuals with disabilities.

WHAT IS A “DISABILITY” UNDER THE ADA?

The ADA utilizes a three-pronged definition of disability. An individual with a disability is any person who:

1. Has a physical or mental impairment that substantially limits one or more major life activities;
2. Has a record of such impairment; and
3. Is regarded as having such impairment.

An individual must satisfy at least one of the three prongs of the above definition in order to be considered an individual with a disability under the ADA.

REQUESTING ACCOMMODATIONS:

Qualified employees or prospective employees with disabilities may request accommodations in order to perform the essential functions of their job or gain access to the hiring process. Such requests should be made to the ADA Coordinator. The Town will reasonably accommodate the known physical or mental limitation of an otherwise qualified applicant or employee with a disability unless the accommodation would impose an undue hardship on its operations. Access to citizens to Town programs will also be accommodated for known disabilities. Accommodation requests should be made to the Program Director or ADA Coordinator.

COMMITMENT:

The Town of Rocky Hill is committed to providing reasonable accommodations to qualified persons with disabilities. This will ensure the full and fair participation of all employees and the public in all Town services and activities. All policies, procedures and employees will support and embrace our Town’s efforts to promote and achieve the principles of the Americans with Disabilities Act.

GRIEVANCE PROCEDURE:

This grievance procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in

employment practices and policies or the provisions of services, activities, programs, or benefits by the Town of Rocky Hill.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interview or a tape recording of the complaint will be made available for persons with disabilities upon request.

The grievant and/or his/her designee should submit the complaint as soon as possible but no later than sixty (60) calendar days after the alleged violations to the ADA Coordinator.

Within fifteen (15) working days after receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) working days after the meeting, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audiotape. The response will explain the position of the Town of Rocky Hill and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within fifteen (15) working days after receipt of the response to the Town Manager.

Within fifteen (15) working days after the receipt of the appeal, the Personnel Committee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) working days after the meeting with the Personnel Committee, the committee will respond in writing, and where appropriate, in a format accessible to the complainant, with the final resolution of the complaint.

RETALIATION:

The Town of Rocky Hill will not tolerate any retaliation by Town employees of anyone who has filed an ADA complaint.

The ADA Coordinator for the Town of Rocky Hill for the purpose of addressing **issues related to employment is:**

Ms. Dana McGee
Director of Human Resources and Legal Compliance
Town of Rocky Hill
761 Old Main Street
Rocky Hill, CT 06067
(860) 258-2700

The ADA Coordinator for the Town of Rocky Hill for the purpose of addressing **services to the community** is:

Melissa Hicks
Director of Human, Youth and Senior Services
Town of Rocky Hill
761 Old Main Street
Rocky Hill, CT 06067

Should the task of ADA Coordinator be reassigned, the Affirmative Action Plan and Policy will be revised and executed appropriately.

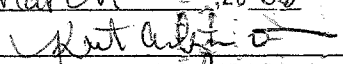


John Mehr, Town Manager

3/8/22

Date

Dated in Rocky Hill, Connecticut this 8th day of March, 2022.

Subscribed and Sworn to before me, a Notary Public, in and for County of Hartford and State of Connecticut, this 8th day of March, 2022


NOTARY PUBLIC
My Commission Expires December 31, 2020

KRISTIN A. OLZACKI-OWEN
NOTARY PUBLIC
My Commission Expires Dec. 31, 2025