

HENDRICKS COUNTY GOVERNMENT EQUAL EMPLOYMENT OPPORTUNITY PLAN

POLICY STATEMENT

It is the policy and practice of Hendricks County Government (“the County”) to assure that no person will be discriminated against, or be denied the benefit of any activity, program, or employment process, in any area of employment, including but not limited to recruitment, advertising, hiring, promotion, transfer, demotion, lay off, termination, rehiring, rates of pay, benefits, development opportunities, and/or other compensation. The County is strongly committed to non-discrimination and equal opportunity in all employment actions for qualified persons without regard to actual or perceived race, color, religion, national origin, age, disability, sex (including pregnancy, sexual orientation and gender identity), veteran status, genetic information, or any other characteristic protected by applicable federal, state, or local laws. It is the County’s policy to provide a workplace that is free of discrimination and harassment for being a member of a protected class and prohibits retaliatory action for any protected activity. With this in mind, the following policy is set in place.

1. The County shall consider all qualified applicants for available positions without regard to actual or perceived race, color, religion, national origin, age, disability, sex (including pregnancy, sexual orientation and gender identity), veteran status, genetic information, or any other characteristic protected by applicable federal, state, or local laws.
2. All recruitment advertisements will include the County’s commitment to Equal Employment Opportunity, and job specifications/descriptions should be reviewed periodically and updated as appropriate to properly identify job-related requirements.
3. Required workplace EEO posters shall be placed and maintained in conspicuous locations.
4. Advancement to positions of greater responsibility shall be based on an individual’s demonstrated performance.
5. Compensation, benefits, job assignments, layoffs, employee development opportunities, and discipline shall be administered consistent with federal and state laws, and without bias to actual or perceived race, color, religion, national origin, age, disability, sex (including pregnancy, sexual orientation and gender identity), veteran status, genetic information, or any other characteristic protected by applicable federal, state, or local laws.

6. Elected Officials, Department Heads and Supervisors are responsible for implementing this policy and ensuring conformance by subordinates.
7. Any County employee who engages in discrimination of a member of a protected class or unlawful harassment, may be subject to appropriate discipline, up to and including termination.
8. Any Elected Official, Department Head, or Supervisor who knows of unlawful discrimination or harassment in the workplace, and fails to take immediate and appropriate correction action, may be subject to disciplinary action.

The County is committed to its Equal Employment Opportunity Policy, and as part of the Equal Employment Opportunity Plan will:

1. Recruit, hire, train, promote in all job classifications without regard to actual or perceived race, color, religion, national origin, age, disability, sex (including pregnancy, sexual orientation and gender identity), veteran status, genetic information, or any other characteristic protected by applicable federal, state, or local laws.
2. Consider the principles of Equal Employment Opportunity and the intent to further the County's commitment to workplace diversity when making employment decisions;
3. Ensure that all other personnel actions such as compensation, benefits, discipline, and training are administered without regard to actual or perceived race, color, religion, national origin, age, disability, sex (including pregnancy, sexual orientation and gender identity), veteran status, genetic information, or any other characteristic protected by applicable federal, state, or local laws.
4. Provide annual training to all employees on workplace harassment and diversity.
5. Provide reasonable accommodations for qualified applicants with disabilities in the application process and provide reasonable accommodations for qualified employees with disabilities that will enable them to perform essential job functions:
6. Ensure that employees and applicants are not subjected to intimidation and/or harassment, retaliation, threats, coercion, or discrimination because they have filed a complaint, assisted or participated in an investigation or any other activity, or opposed an unlawful act or practice;

7. Investigate claims of discrimination and unlawful harassment in the workplace, and
8. Promote inclusion and diversity in all levels of the workforce.

DISSEMINATION AND COMMUNICATION

This Policy Statement will be made available to employees, applicants and organizations outside this agency through a variety of means that may include posting on the intranet, internet and in conspicuous locations; recruitment documents, advertising and through notification to contractors, *etc.*

Elected officials, Department Heads, and supervisory personnel will be advised of this policy, by annual trainings and by receiving a copy of the policy with an emphasis on individual responsibilities for implementation of the policy.

IMPLEMENTATION AND RESPONSIBILITIES

We, the Hendricks County Commissioners, commit our agency to move toward ever more progressive affirmative action in the County. Employment decisions will be made in a manner that will advance the principles of equal employment opportunity and affirmative action.

To ensure this expectation is carried out, we direct all appointing authorities and Department Heads to place affirmative action on their list of department priorities. One key to successfully managing a diverse workforce and maximizing the full potential that a diverse group offers, is to create a healthy, respectful work environment. Elected Officials, Department Heads and Supervisors play an exceptionally important role in creating healthy work environments by modeling their own self-awareness and appreciation of differences in the workplace. They are also in the best position to hold all staff accountable for creating a professional atmosphere. All Elected Officials, Department Heads and Supervisors are responsible for ensuring compliance with the County's Equal Employment Opportunity Plan.

Human Resources shall:

- Take on the position of EEO Officer for the County.
- Develop and maintain the necessary programs.
- Provide federal and state government agencies with any required reports for Hendricks County Government.
- Commit to annual employee training.
- Guide compliance with laws and regulations and with the goals and objective of equal employment opportunity and affirmative action programs.

- Provide subject matter advice to Elected Officials, Department Heads and Supervisors.
- Ensure appropriate investigation of cases alleging unlawful workplace harassment and discrimination.
- Monitor the resolution of all alleged discrimination and harassment complaints to ensure that the County policies and procedures are followed.

Elected Officials, Department Heads, and Supervisors shall:

- Administer this policy.
- Assure that recruitment for vacancies is handled in a manner that is consistent with this policy.
- Prevent and correct any identifiable illegal discrimination and/or unlawful workplace harassment.
- Create and maintain work environments free of illegal discrimination and unlawful workplace harassment.

Employees shall:

- Adhere to this policy.
- Encourage reporting of discrimination and/or workplace harassment.
- Maintain a work environment free of discrimination and workplace harassment.
- Participate in annual harassment training.

EMPLOYMENT PRACTICES

A. RECRUITMENT

Recruitment is a shared responsibility between the Elected Official, Department Head and Human Resources. Qualified applicants who reflect the composition of all such persons in the relevant labor market will be sought. All personnel involved in the recruiting, screening, and selection processes will be trained on avoiding discrimination and bias in personnel actions.

Recruitment of applicants to assure equal opportunity may include the following employment resources:

- Posting of vacancy(s), internally or externally (*e.g.*, on the County's website, recruiting websites and other appropriate places).
- Contacting universities, colleges, schools, and professional organizations.
- Use of career development programs (*e.g.*, school to work co-ops, internships and student assistants, speaking to schools and community organizations, departmental training programs, *etc.*).

B. HIRING

Each Elected Official and Department Head will make hiring decisions based upon an evaluation of its workforce needs and an evaluation of a person's qualifications and ability to satisfactorily perform the essential duties of the position, with or without reasonable accommodation, consistent with applicable law, rules, regulations, and if applicable, in accordance with any contractual requirements.

C. PROMOTIONS AND CAREER ADVANCEMENT

In accordance with the principles of equal employment opportunity, the County will: (1) promote employees based on experience, training and ability to perform duties of a higher level; and (2) encourage employees to participate in available career advancement activities, including training programs (internal and external), mentoring opportunities, *etc.*

COMPENSATION AND BENEFITS

Structured and uniform procedures ensure the fairness and equity in the administration of compensation and benefits without discrimination. The County follows its Employee Manual, Salary Ordinance and Resolution 2017-12 when hiring and promoting employees. All benefits are equally available to all full-time employees without discrimination, which includes leave policies, retirement plans, and insurance programs. All employees classified as part-time are provided the same level of benefits, without discrimination.

PERFORMANCE EVALUATIONS

The County relies on its Supervisors -- or, where appropriate, Elected Officials or Department Heads -- to evaluate each employee's performance and to communicate the results of the evaluations to each individual employee. This is done through both formal and informal evaluation procedures.

An employee in good standing is one that has consistently achieved a competent rating or above on his/her performance evaluation.

- *Informal Evaluations:* Employees should know how they are doing on the job through frequent informal evaluations. Informal evaluation may consist of a

meeting between the Elected Official, Department Head, or Supervisor and the individual employee to discuss the job, review potential problems, and set work goals.

- *Formal Evaluations:* Formal evaluations should be completed and provided to the Human Resources Department by June 1 of each year for each employee. These evaluations include a written review of the employee's performance, and may cover areas such as job standards, performance of standards, and career development. Performance review procedures and documentation formats should be uniform for all similarly situated individuals in a department. Performance review results should be shared through a meeting with the employee. Performance reviews and pay increases are not necessarily directly related.

DISCIPLINARY PROCESS

To ensure orderly operations, fair and consistent treatment, and a safe and productive work environment, the County expects employees to follow rules of conduct that protect the interests and safety of all employees and the County.

An employee's Supervisor should consult with a representative of the Human Resources Department prior to taking any formal disciplinary action. This will ensure compliance with applicable laws and County policies. All disciplinary documents should be included in the employee's Human Resource file.

Employment with the County is at-will, unless specified otherwise in Indiana law. However, the County endeavors to use a progressive framework in addressing employee discipline issues. Disciplinary action shall be applied progressively except when the violation is serious and less severe discipline would be inappropriate considering the totality of the situation. The severity of any discipline imposed shall be based upon:

1. The severity of the most recent offense;
2. The employee's work record and prior disciplinary history; and
3. The likelihood of successful corrective action, short of termination.

The progressive disciplinary framework is as follows:

- *Oral Warning:* An oral warning should be documented and maintained in the Elected Official's, Department Head's or Supervisor's employee file, and the employee's personnel file. This serves as a reference in the event future written warning(s) or further disciplinary action is needed.

- *Written Warning:* A written warning must be documented, signed by the employee and Elected Official, Department Head and/or Supervisor, and submitted to the Human Resources Representative for placement in the employee's personnel file. A copy of the warning must be offered to the employee. If the employee refuses to sign the document, the document should reflect refusal to sign.
- *Suspension:* An hourly employee may be suspended without pay. Salaried employees may also be suspended without pay in appropriate situations in which such a suspension does not violate applicable wage and hour laws. Suspensions may be with pay if approved by the appropriate Elected Official.
- *Termination:* An Elected Official, Department Head or Supervisor should consult the Human Resources Representative prior to terminating an employee to ensure proper documentation.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The Employee Manual provides examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination.

UTILIZATION ANALYSIS

To determine whether minorities are fully and fairly utilized at Hendricks County Government, we have looked at the relevant labor market comparison in Hendricks County, Indiana. In doing so, we have compared our 2019 workforce data and found that we have opportunities to improve our utilization of women and/or minorities in the following classifications: White Male Administrative Classification (-25%), White Female Professional Classification (-22%), White Female Technicians (-23%), White Female Sworn Protective Classification (-14%), White Female Non-Sworn Protective Classification (-12%), White Female Service/Maintenance Classification (-27%), Black or African American Female Non-Sworn Protective Classification (-13%), Black or African American Female Administrative Support (-3%), and Two or More Races Non-Sworn Protective Classification (-18%).

EEO OFFICER

The EEO Officer has the responsibility for effectively administering and promoting a program of equal employment opportunity with the County and provides confidential counseling or consultation for management in the development and implementation of EEO plans and programs, and in matters involving EEO concerns, or complaints alleging discrimination.

COMPLAINT PROCEDURES

All County employees and applicants are encouraged to report any incidents of discrimination or harassment they experience, witness, or of which they are aware. The employees should report

any incidents to their Elected Official, Department Head, Supervisor or Human Resources. If the discrimination includes the Elected Official, Department Head or Supervisor, then the employee should report to Human Resources or any other member of management with whom they feel comfortable reporting. A Supervisor receiving a complaint from an employee shall immediately pass it to the Elected Official or Department Head and Human Resources.

It is a violation of policy, subject to discipline, for any employee to retaliate or take any sort of adverse action against someone who lodges a complaint. No person reporting discrimination or harassment will be penalized in any way unless an investigation of the complaint determines that the person knowingly stated material facts in the complaint that were untrue.

A complaint alleging discrimination or harassment shall:

- Be in writing on forms provided by any Supervisor/Human Resources or in a format that presents substantially the same information;
- Name the complainant and the person alleged to have engaged in discrimination/harassment, and describe the alleged discrimination/harassment in as much detail as possible;
- Be returned in completed form directly to Human Resources;
- Be promptly and thoroughly investigated, and the results of the investigation shall be reported in writing to the Commissioners, and if appropriate, the Elected Official and Department Head employing the alleged harasser and victim.

Human Resources shall receive, review and oversee all investigations of discrimination and harassment and recommend a disposition to the Commissioners and the Elected Official employing the alleged harasser/discriminator and victim.

Human Resources will share the results of the investigation, in the amount of detail it deems appropriate, to the person alleging discrimination/harassment and the person accused of discrimination/harassment.

The results of an investigation that results in an employee being disciplined may be a public record under the Indiana Access to Public Records Act and should be retained accordingly.

PENALTIES FOR CONFIRMED HARASSMENT

Where the County after investigation concludes that discrimination/harassment took place in violation of County policies, the employee engaging in such misconduct will be subject to disciplinary action up to and including termination of employment.

Any applicant who believed that he/she has been the subject of unlawful discrimination/harassment, or who witnessed discriminatory/harassing acts, shall report the alleged act(s) as soon as possible to Human Resources or an Elected Official. Human Resources will ensure a timely and complete review of the complaint.

IN WITNESS WHEREOF, Hendricks County Government has executed this Equal Employment Opportunity Plan this 14th day of July, 2020.

BY: Hendricks County Commissioners

WITNESS

Phyllis A. Palmer
Phyllis A. Palmer, President

Nancy L. Marsh
Nancy L. Marsh, Auditor

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