

AFFIRMATIVE ACTION / EQUAL EMPLOYMENT OPPORTUNITY POLICY – updated 12/2024

The County of Sullivan is committed to ensuring equal employment opportunity as an integral element of an effective merit system and its personnel policies by maintaining a “zero” tolerance policy with respect to unlawful discrimination. Therefore, it is the policy of the County of Sullivan to fully comply with all Equal Employment Opportunity Affirmative Action laws, rules, regulations and definitive court decision: to provide equal opportunity in all its business opportunities and equal employment for all qualified persons; to prohibit sexual, racial and national origin harassment and other unlawful discrimination in employment and to promote the full realization of equal employment through a positive continuing program for the County as a whole and for each constituent department of the County.

The requirements of equal employment opportunity and affirmative action in state and local governments have been mandated, defined, regulated or directed by numerous statutes, regulations, guidelines and executive orders. Relevant and representative authorities are:

- United States Constitution—5th, 13th, 14th, section 1, 15th and 19th amendments
- Civil Rights Acts of 1866, 1870, 1871
- Civil Rights Act of 1964, Title VII, as amended by the EEO Act of 1972
- Executive Order 11246 and 11375
- The Equal Pay Act of 1963
- Age Discrimination in Employment Act of 1967
- Pregnancy Discrimination Act / Pregnant Workers Fairness Act
- Rehabilitation Act of 1973
- Vietnam Era Readjustment Assistance Act of 1974
- American with Disabilities Act 1990 / Genetic Information Non-Discrimination Act
- Civil Rights Act of 1991
- New York Human Rights Law
- Provisions of Section 296 of NYS Executive Law

COVERAGE AND APPLICABILITY

The County of Sullivan Affirmative Action Plan, covers all departments, agencies and boards of County government, except Sullivan County Community College, for which Board of Trustees, have adopted a separate written Affirmative Action Plan. Nothing in this plan relates to programs administered by Sullivan County Community College.

The Affirmative Action Plan shall not apply to the selection of any elected official or to the Clerk of the County Legislature, County Attorney and Assistant County Attorneys or to any position exempted under regulations applicable to preparation of the County’s EEO-4 report.

This Policy of Equal Employment Opportunity:

- Applies to all persons without regard to race, creed, color, citizenship, national origin, age, sex, disability, religion, non-disabled or disabled veterans’ status, marital status, pregnancy, arrest

record or political affiliation or belief, sexual orientation, gender identity, gender expression, familial status, genetic predisposition or genetic information;

- Applies equally to all job classifications (Competitive, Non-Competitive, Labor and Exempt) and titles in the County and to all types of appointments under County jurisdiction, whether full time or part- time;
- Governs all County employment policies, practices and actions including but not necessarily limited to: recruitment, employment, rate of pay or other compensation, advancement, upgrading, promotion, demotion, termination, leave, training, employee benefits of whatever nature;
- Applies equally to all County organizational departments;

Each independent contractor who performs services for the County, or supplies goods and services to the County, shall be required to comply with all applicable laws and regulations prohibiting discrimination, and to state in writing, their commitment to the County's policy of equal employment opportunity. In the event of a finding of discrimination by any agency of government against such contractor, such finding shall be grounds for termination of any contract and ineligibility for any future contract with the County unless such contractor shall obtain a certificate of compliance with the decision, ruling or order. No Minority and Women-Owned Business Enterprise (MWBE), employee or applicant for employment will be discriminated against because of race, color, religion, national origin, sex, age, disability, sexual preference, sexual orientation, gender identity, gender expression or veteran status. The County of Sullivan will take affirmative steps to ensure the MWBE's have full participation in our procurement process.

IMPLEMENTATION AND ADMINISTRATION OF THE AAP

General responsibility for the enforcement of the Affirmative Action Plan lies with the Chair of the Sullivan County Legislature. The County Manager, County Attorney and Commissioner of Human Resources have significant responsibility within their areas of competence and authority to carry out the objectives of the plan. The Personnel Officer who has been designated the Equal Employment Opportunity officer is responsible to administer the plan and shall have at least the following duties:

1. Review, update and annually post copies of the County's EEO Policy Statement and insure that all new employees receive a copy of the Policy statement and are aware of their rights under the Affirmative Action Plan.
2. Have knowledge of departmental operating procedures to resolve problems that could lead to complaints of discrimination.
3. Evaluate the progress of the plan and report same to the Chair of the County Legislature with copies to the County Manager, County Attorney and Commissioner of Human Resources.
4. Establish annually an update and revision of goal of the plan and suggest modifications of the plan where necessary.
5. Communicate with and educate the Public with respect to the administration of the Plan and the implementation of the County's Policy, establish and maintain contact with minority, affected persons, affirmative action groups and other interested persons, and seek support, comments and proposals for a more effective Affirmative Action Plan.

6. Serve as a liaison between County government and federal and state agencies regulating the County.
7. Review and monitor recruitment, hiring, promotion, demotion, discipline, training, transfers, compensation, termination, employee benefits, labor contract provisions, job classification and specifications, job structuring and recommend action to be taken with respect to each to insure compliance with the Plan.
8. Conduct programs to train, educate and inform department heads and other officials of their obligations and responsibilities under the Plan.
9. Investigate, conciliate, and adjust complaints of discrimination and recommend an appropriate disposition to the Chair of the Legislature or their designee, i.e. County Manager.

The Equal Employment Opportunity Officer shall report to the Commissioner of Human Resources with respect to all matters involving the general administration of the plan. The Equal Employment Opportunity Officer shall report to the Legislative Chair for all matters relating to evaluation of the implementation and enforcement of the plan, all complaints of discrimination and all recommendations for modification to the Plan.

Each County Commissioner and Department Head is responsible for devoting their best effort to ensure that the Affirmative Action Plan and its objectives are successfully implemented within their division/department. All managers, supervisors and employees must make consistent and diligent efforts to implement the County's policy in normal day-to-day program employment decisions. The County expects each Contractor, supplier, union, public agency or other cooperative agent to support this policy by complying with all applicable state and federal equal employment opportunity laws and regulations.

DISSEMINATION OF POLICY

INTERNAL

Commissioners and Department Heads will receive a copy of the Policy on an annual basis. Upon receipt, each Commissioner/Department Head shall sign a letter of compliance and statement of understanding of the Plan and return same to the Personnel Office.

All employees will receive copy of policy upon update and all new employees will receive upon hire. Acknowledgement and statement of understanding shall be signed and returned to the Personnel Office upon receipt.

All Unions and Associations will receive a copy of the policy on an annual basis. The County will request their full cooperation in the existence of an effective policy.

The County will discuss the policy in both employee orientation and management programs. Every Commissioner, Department Head and every employee who has authority to hire, discipline, promote, discharge, evaluate performance, or resolve grievances shall participate in orientation and training sessions with respect to the obligation of each such person to comply with the Affirmative Action Plan.

Periodic courses, conferences, and other meetings will be held to discuss equal opportunity, the Affirmative Action Plan and the required modification and update of the AAP.

The Equal Employment Opportunity officer shall monitor compliance with the plan by issuing reports to the Chair of the County Legislature. Copies of such reports are to be furnished to the County Attorney, County Manager and Commissioner of Human Resources.

EXTERNAL

Each department shall include on all stationery the statement, "Sullivan County is an Equal Opportunity/Affirmative Action Employer". In addition, all personnel advertisements, notices and announcements in which applicants for County positions are recruited, the following shall be included, "M/F/V/H", representing minority/female/veteran/handicapped.

The EEO/AA statement shall be used on application forms, exam and recruitment announcements, advertising and other printed materials as appropriate. In all announcements for tests for positions encompassing the County and other municipal corporations, the Personnel Officer shall include the EEO statement with appropriate reference that it applies to the County of Sullivan only.

All publications, brochures and other reports issued by the County of Sullivan shall include the EEO statement. The County will use the internet and local media to dispense information on job opportunities in Sullivan County, including local newspapers, who print our recruitment releases and local radio stations who periodically announce civil service jobs over the air. In addition, the County will make appropriate contacts with community counselors, placement personnel and schools of secondary education. The County will make every effort for continuous expansion of their mailing list so that it includes local minority and women's organizations, schools and colleges, post offices, employment centers, libraries, churches and other community-based organizations.

The County will provide general career information and referrals to those who walk in seeking employment, maintain effective and continuing liaison between the County and outside groups such as community-based organizations and agencies who demonstrate a relationship to the economically disadvantaged, women and minorities. The County will submit classified advertisements to newspapers for positions which are difficult to recruit for, and to give notice of upcoming civil service examinations.

Personal and written contact will be made with all interested groups whose membership represents minority, affected class or affirmative action groups, organizations, churches, clinics, Association for the Blind, and Access-VR to inform them of the existing plan and programs, to seek comment, support and proposals for the modification of the AAP to better accomplish the results intended.

The County of Sullivan will attempt to educate the public in every way possible to ensure that its Equal Employment Opportunity Policy is fully understood. The Equal Employment Opportunity/Affirmative Action Policy will be made available upon request for review by the Public in the Personnel Office.

Upon receipt, each Commissioner/Department Head shall sign a letter of compliance and statement of understanding of the Plan and return same to the Human Resource/Personnel Office.