

# SECTION 201: EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY

**201.1 POLICY:** It is the policy of Black Hawk County to provide equal treatment to all County employees and applicants for County employment without regard to race, creed, color, national origin or ancestry, age, sex, sexual orientation, marital status, religion, political affiliation, mental or physical handicap (except as a bona fide occupational qualification), genetic information or any other protected class. This policy relates to all employment decisions, actions and procedures including, but not limited to: recruitment, selection, training, compensation, benefit programs, promotion, demotion, transfer, termination of employment, and all other terms and conditions of employment.

**201.2 SCOPE:** This policy applies to all terms, conditions, and privileges of employment with Black Hawk County, and is applicable to the following:

- All Black Hawk County employees;
- All non-county employees whose governing body has certified to the Black Hawk County Board of Supervisors the applicability of this policy.

Whenever the provisions of this policy are in conflict with the Code of Iowa, or with a collectively-bargained agreement between the County and a certified bargaining unit, the provisions of the collectively-bargained agreement and/or the *Code of Iowa* will prevail.

## **201.3 APPLICATION:**

1. Only job-related requirements will be stated in posted job notices or job advertisements for employment vacancies or opportunities for advancement, transfer, or promotion.
2. Black Hawk County department heads, supervisors and/or managers will make all recruitment, placement, selection, training and layoff decisions based solely on job-related qualifications and abilities without regard to race, creed, color, national origin, citizenship status, religion, age, sex, pregnancy, mental or physical disability, military or veteran status, or any other protected characteristic.
3. Black Hawk County will administer and conduct all personnel procedures including compensation, benefits, discipline, training, recreational and social activities, and safety and health programs without regard to an individual's race, creed, color, national origin, citizenship status, religion, age, sex, pregnancy, mental or physical disability, military or veteran status, or any other protected characteristic.
4. The Human Resources Department has overall responsibility for this policy. Employee or applicant questions or concerns should be referred to the Human Resources Department.

**201.4 OBJECTIVES:** The primary objectives of Black Hawk County's equal employment opportunity and affirmative action program are as follows:

1. To assure non-discrimination in the application of hiring procedures and employment practices;
2. To strive for an integrated work force that includes minority and female representation in all major occupational categories equivalent to the actual availability of qualified minorities and females in the relevant labor market area;
3. To provide adequate training for department managers and supervisors involved in the selection process to assure the use of objective standards in filling all position vacancies;
4. To ensure compliance with federal, state and local laws and regulations related to equal employment opportunity, and to provide an internal complaint procedure for the resolution of EEO-related complaints.

While the County recognizes the importance of taking affirmative steps to achieve the objectives defined herein, these shall not unreasonably infringe upon the County's goal of providing efficient and productive service to the citizens of Black Hawk County.

**201.5 ADMINISTRATIVE PROCEDURES:** Efforts will be initiated and promoted by the EEO Coordinator and the Black Hawk County Human Resources Department to address areas of "under-utilized" ethnic groups.

1. **Relevant Labor Market Analysis:** For the purpose of administering this policy, the relevant labor market for all occupational categories shall be the most current U.S. Census Bureau's report for the State of Iowa and Black Hawk County. The bi-annual EEO-4 report shall be the basis for gathering relevant statistical data for determining occupational categories for the employer being Black Hawk County.

2. **Definition of Underutilized Ethnic Group:** An underutilized ethnic group is defined as an identified group of employees existing in an ethnic category in which the representation of minorities or females in the County workforce is significantly skewed from either State or County-wide norms.

3. **Actions Designed to Attract Underutilized Ethnic Groups:** The Human Resources department will continually evaluate hiring practices including but not limited to keeping job descriptions updated to accurately reflect the duties and qualifications needed, identify and utilize resources for reaching and attracting underutilized groups, train and assist hiring managers throughout the hiring process, and review and maintain applicant flow data.

**201.6 RESPONSIBILITY FOR IMPLEMENTATION:** The Board of Supervisors has ultimate responsibility for achievement of EEO objectives under both the law and principles of sound administration.

Black Hawk County's Human Resources Department shall be responsible for administering this policy and monitoring the County's compliance with EEO laws. The Black Hawk County Human Resources Department shall be Black Hawk County's EEO Officer.

Department heads and supervisory personnel are responsible for complying with all aspects of this policy, for distributing and discussing this policy with departmental staff as necessary, and for cooperating with the County's EEO Officer in providing information relevant to departmental selection procedures and employment practices.

**201.7 DUTIES OF THE EEO OFFICER:** In general, the duties of the EEO Officer include, but are not limited to:

1. Developing and administering an affirmative recruitment program with special emphasis in occupational categories where the County's minority or female representation is significantly below the actual availability of qualified minorities or females in the relevant labor market area;
2. Assisting departments in developing objective selection criteria and techniques that do not adversely impact on minorities or other protected classes;
3. Maintaining an up-to-date list of recruitment sources for seeking qualified minority and female applicants;
4. Monitoring compliance with federal, state and local laws regarding EEO/Affirmative Action, including preparation of annual reports to the EEOC, Board of Supervisors, and other reports as required;
5. Providing periodic staff training on EEO-related topics; observing the interview and selection process for any or all County positions, and providing appropriate feedback to department heads and supervisors;
6. Conducting periodic review of County employment practices and related documents (e.g. job announcements and descriptions, application forms, employment and promotional tests, etc.) to assure non-discriminatory effect;
7. Maintaining EEO-related data on the County's regular workforce and applicants for regular County positions;
8. Investigating and attempting to resolve EEO-related complaints.

9. Providing staff assistance to the Black Hawk County Civil Service Commission as may be needed in the area of EEO compliance.

**201.8 VETERAN'S PREFERENCE:** It is the policy of Black Hawk County to provide equal employment opportunities to all Veterans of the United States armed forces. In accordance with Chapter 35C of the *Code of Iowa*, Veterans of any war in which the United States has been engaged are entitled to preference in County employment over other applicants of equal qualifications.

**201.9 DISSEMINATION OF POLICY:** To ensure that all employees, applicants for employment, and the public are aware of Black Hawk County's official policy on Equal Employment Opportunity (EEO) and its commitment to nondiscrimination and all applicable Federal and State civil rights laws, the following practices and procedures have been developed:

**A. INTERNAL DISSEMINATION**

- The County's policy on equal employment opportunity and the Federal and State Notice of Equal Employment Opportunity are to be posted on department bulletin boards at locations accessible to employees as well as the public.
- The policy statement shall be included in departmental personnel policies and procedure manuals, in the employee handbook and in employee publications.
- A discussion of equal employment opportunity and non-discrimination policies shall be included in the orientation of all new employees. New employees will be given a copy of the EEO Policy Statement and sign an acknowledgment of receipt of the policy.

**B. EXTERNAL DISSEMINATION**

- All recruiting sources will continue to be informed orally and in writing of the County's equal employment opportunity policy.
- The phrase "AN EQUAL OPPORTUNITY EMPLOYER" will be used in all recruitment publications. If pictures are utilized, those pictured will be representative of the entire workforce.
- All purchase orders, leases, and contracts covered by, or subject to approval by the Black Hawk County Board of Supervisors will contain an appropriate EEO clause therein (either by reference or in its entirety.)
- Additionally, Black Hawk County will notify each labor union or representative of workers with whom the County has a collective bargaining agreement or other contract or understanding of our EEO commitment.

**201.10 COMPLAINT PROCEDURE:** Any employee or applicant alleging discriminatory practice by the County on the basis of race, sex, etc. may file a complaint with the County EEO Officer. All employees or applicants shall have the right to file a complaint without fear of reprisal.

This Grievance Procedure is established to meet the requirements of the Equal Employment Opportunity Act and the Americans with Disabilities Act. 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 provision of services, activities, programs, or benefits by Black Hawk County.

In the interest of resolving EEO-related complaints internally, the following complaint procedure is established: 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 interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint shall be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

EEO Coordinator  
c/o Black Hawk County Human Resources Department  
316 E 5<sup>th</sup> Street  
Waterloo, IA 50703  
(319) 833-3009

The following steps shall be followed to gather necessary facts regarding a complaint and adjudicating any complaint received by the EEO Officer

**Step 1.** The complainant shall meet and discuss any alleged violation of this policy with the County EEO Officer within 30 days following the filing of the complaint in an effort to resolve the problem in an informal manner. The EEO Officer shall respond orally to the complainant no later than seven days after this initial discussion. Every effort will be made to resolve a problem at Step 1.

**Step 2.** If the EEO Coordinator's decision does not resolve the complaint, the complainant may, within 10 days following the date of the answer in Step 2, forward the written complaint to the Black Hawk County Board of Supervisors. The Chair of the Board of Supervisors (or his/her designee) shall arrange to meet within 30 days following receipt of the complaint with the complainant and all interested parties. Within 10 days following this meeting, the Chair of the Board of Supervisors (or his/her designee) shall issue a written decision.

**201.11** A complete copy of this policy shall be maintained in the Black Hawk County Policy Manual. This manual can be found on the County's website, and a hard copy is available in all departments, including the Human Resources Department.

# **BLACK HAWK COUNTY EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION**

## **ADMINISTRATIVE ACTION PLAN FOR CALENDAR YEARS 2020 AND 2021**

**1. Relevant Labor Market Analysis:** For the purpose of administering this action plan, the relevant labor market for all occupational categories shall be the 2010 U.S Census Bureau's report for the State of Iowa and for Black Hawk County, however, this plan should be updated after the results of the 2020 Census are published.

**2. Definition of Underutilized Ethnic Group:** An underutilized ethnic group is defined as an identified group of employees existing in an ethnic category in which the representation of minorities or females in the County workforce is significantly skewed from either State or County-wide norms.

**3. Analysis:** While in comparison to the State of Iowa as a whole, Black Hawk County's general population base has a significantly lower number of Whites (91.3% statewide versus 85.6% in Black Hawk County). As an employer, Black Hawk County's employment of Whites was 87.6%, slightly above the local population base of 85.6%, for the FY19 EEO reporting period. Black Hawk County saw a significant decrease in the overall size of our workforce over the past year due to the sale of our county home at the end of 2018, and the restructuring of our local health department over the past two years. While all categories were impacted, the largest impact was on those employed as paraprofessionals.

For the FY19 EEO reporting period, the most significant area where the County, as an employer, deviated from the State of Iowa and the local population ratios was in the percentage of Blacks employed by the County. Blacks comprised 2.9% of the State's population and 8.9% of Black Hawk County's population. And overall, 12.4% of county employees were minorities; 10.7% were Black.

While Black Hawk County employed a higher percentage of Blacks in relationship to the County's overall population ratio for the FY19 EEO reporting period, the other ethnic groups (Hispanic, Asian, and Hawaiian/Pacific Islander) were correspondently underrepresented. At the end of calendar year 2019, a review of EEO/AA data of the County's current workforce in terms of job classifications defined by the EEOC yielded specific areas for improvement. Attention needs to be given to departments with jobs classified as Skilled Craft Workers, Professionals, and Protective Services, to increase minority representation. While 61.53% of the County's workforce is comprised of women, attention should be given to the Skilled Craft Workers occupation group to increase female representation.

**4. Review of Processes and Goals for 2020-2021:** As noted in the analysis section, over the past two years the Black Hawk County Health Department has undertaken a significant restructuring process. This resulted in the management of several programs being transitioned from the Health Department to other community partners so that the department could better utilize their role in public health for the community. Therefore, the Health Department is currently in the process of rebuilding their organizational structure and programs to achieve those goals. And, on December 31, 2018 the county's County View Care Facility was sold to a private company; Black Hawk County was one of only 2 counties left in the state to maintain a nursing home type facility. While it was a difficult decision for the county to make, the county's ability to sustain the facility was a major factor in the decision. County View Care Facility was purchased by a private sector company and is still operational today. Due to the reduction in the overall workforce, Human Resources has been able to take a much more active role in the



recruitment and selection processes for vacancies across all departments to help ensure equal opportunity practices are carried out among all personnel actions.

Black Hawk County utilizes an online program, CivicHR, which was implemented in 2015 to support recruitment and selection processes. The program offers an applicant tracking module that allows us to accept online applications, review applicant data and screen candidates. As part of the online application, candidates are given the opportunity to self-identify race and gender prior to submitting their completed application. All voluntary self-identification information provided by candidates is utilized only for EEO/AA efforts and is maintained in a confidential manner by the Human Resources Department. Job descriptions, advertisements, application forms and supplemental documents, internal reports, referral efforts and selection procedures are continuously monitored and reviewed by the Human Resources Department. A new manager orientation program was implemented in 2019 that included training on selection procedures and hiring practices to build awareness and compliance with the county's EEO/AA Plan; all hiring managers are supported by Human Resources through the recruitment, selection and hiring processes. During new hire orientation, employees receive training on how to bid on internal positions as well as apply for promotional opportunities. Employees are encouraged to contact Human Resources to receive assistance whenever there are job openings available.

Throughout the year, notices of job openings were distributed to multiple ethnic-sponsored minority groups and asked to be shared with the populations they serve in a partnership effort to reach minority applicants. The Human Resources Department reached out to individuals listed as the point-of-contact for these ethnic-sponsored minority groups to verify or update their contact information, and as a result a few new groups were discovered and added in the process. Job notices are also sent to various agencies to help reach veterans and persons with disabilities. When applicants visit the county's employment webpage, they are prompted to sign up for job alerts to receive notification of when a new job is posted and can accept applications. An on-site kiosk is available for the public to use and will work with applicants to provide accommodation when necessary; however, this kiosk has often been fraught with technical difficulties and it may be removed if these problems persist. Job descriptions are reviewed and updated as necessary prior to advertising/posting to ensure they accurately reflect the job duties and requirements.

The Human Resources Department seeks opportunities with various community agencies, educational institutions and partners to improve our recruitment, selection, hiring and promoting practices. This allows for increased understanding of the current workforce pool and an awareness of obstacles the available workforce experiences to securing employment at Black Hawk County and the greater Cedar Valley community. Examples of this effort include: becoming a partner with Grow Cedar Valley's Economic Inclusion program, participating in Iowa Workforce Development panels, attending events sponsored by Iowa Vocational Rehabilitation Services, and presenting job information with individuals enrolled in Heavy Equipment Operator Training at Hawkeye Community College.

Black Hawk County believes in the principles and practice of equal employment opportunity. Our intent is to ensure that personnel actions are administered in compliance with those laws and in conformance with our policies. Any goals established herein are not intended as rigid, inflexible quotas that must be met, but rather as targets reasonably attainable by applying every good faith effort in implementing this plan. Black Hawk County will act in good faith to affirmatively recruit minorities as opportunities occur when and where underutilization exists. Our goal for 2020 and 2021 is to undertake reasonable efforts to ensure increased placement of minorities in the following categories: Skilled Craft Workers, Service Maintenance, Protective Services, and Professionals.

**4. Actions Designed to Attract Underutilized Groups:** The following efforts will be promoted by the EEO Coordinator and Black Hawk County Human Resources Department to:

- Review and maintain the applicant flow data required to keep under the EEO regulations for all vacancies in the last fiscal year. Emphasis will be focused on all departments, and especially those that have a significant deviation from local Black Hawk County population ratios in order to determine whether any step in the selection process for these positions may have had a significant impact on screening out underutilized ethnic group applicants.
- Review job descriptions prior to advertising/posting to ensure they accurately reflect the job functions and requirements.
- Conduct workforce analysis on particular County departments, offices, or positions that represent significant underutilization of ethnic groups. The workforce analysis may include interviews with both current and former employees. Based on the results of the analysis, as well as other data collected, the EEO Coordinator or their designee will meet with hiring managers to review their interview and selection processes and recommend corrective action if needed.
- Look for and identify resources for attracting underutilized ethnic groups. Such resources shall include appropriate direct listings toward ethnic-sponsored groups at the University of Northern Iowa, Hawkeye Community College, Wartburg College, local fraternal and service organizations with ethnic group affiliation, and list all external openings with Work Force Development.
- Enroll ethnic-sponsored groups in the automatic job alerts system. Provide training for groups on how to use Black Hawk County's on-line application system so that they can also share the information with those that they serve. Ask groups to partner with us to encourage individuals to sign up for job alerts and apply for positions they are interested in.
- Partner with local newspapers and /or other news media to develop news articles and stories highlighting Black Hawk County's commitment to searching out underutilized ethnic groups.
- In compliance with the Black Hawk County social media policy, continue to identify appropriate social media resources, and thereafter employ said resources to target underutilized ethnic groups and to increase awareness and opportunities of employment with the County.
- Identify appropriate positions within the County where a trainee period could provide opportunity for a less experienced underutilized ethnic applicant to be competitive in the selection process.