

Chapter 101 -- Affirmative Action

101.010. Policy. It is the policy of the City of Moscow Mills to vigorously promote the objectives of public policy as set forth in the Equal Employment Act of 1972 (42 U.S.C. 2000e et seq.) and Presidential Executive Order 11246. To implement this policy the City does hereby adopt this Affirmative Action Plan. The goal of this plan is to insure that equal employment opportunity becomes a fact rather than a promise. The mayor is directed to take personal leadership of this important program. Each department head and each employee of the City is directed to report regularly to the board of aldermen as part of the standard reporting procedure (including annual reports, staff meetings, etc.) on the progress being made in the City under this plan.

1. The purpose of this program is to set out specific steps to be taken by the City of Moscow Mills to insure that none of its personnel policies or practices discriminate against any individual on the basis of race, color, religion, sex, age, marital status and national origin or physical disability unless based upon a bona fide occupational qualification. Further, it specifies the opportunities of minorities and women.

2. The mayor of Moscow Mills is given direct responsibility for implementing this affirmative action program. However, every employee is responsible for the ultimate success of the program. Performance on the affirmative action program will be vigorously audited and evaluated each fiscal year.

101.020. Communication of the plan, internal communications. The mayor is directed to undertake the following steps to insure that the affirmative action plan and its purposes are communicated to each employee of the City as follows:

1. A letter shall be sent to all employees regarding the affirmative action plan and explaining the purpose of such plan.

2. A specific meeting of employees shall be held to discuss the program and to answer any questions.

3. A written memorandum shall be sent to all supervisors informing them of their general responsibilities regarding the affirmative action program.

4. Special meetings shall be held quarterly with supervisory personnel to discuss progress and problems relative to the program.

5. Requires equal employment opportunity posters and employer policy statements along with periodic notices regarding the program to be posted in places where employees normally expect to find such notices.

6. Summary reports on affirmative action performance shall be annually distributed to all employees.

7. Every employee shall be informed of the administrators to whom questions can be directed and whose counsel may be sought regarding the program.

8. Every employee shall be personally informed of the existence and operation of the internal grievance procedures set up under this plan for handling complaints of discrimination.

101.030. Communication of the plan, external communications. The mayor is directed to implement the following:

1. All employment advertisements shall contain the words "an equal opportunity affirmative action employer".

2. Employment application forms shall contain the following clause: "The City of Moscow Mills is an equal opportunity employer and shall not discriminate against an employee or applicant for employment because of race, color, religion, sex, age, marital status, national origin or physical disability unless based upon a bona fide occupational qualification. If you believe you have been discriminated against, you should notify the City's Equal Employment Officer, Mr. or Ms. _____, the Equal Employment Opportunity Commission of the City or the Missouri Commission on Human Rights."

3. A notification letter shall be sent to employment sources and minority organizations informing them of our affirmative action policy and asking for their active cooperation. The letter shall also state that the sources shall be promptly informed of all job openings.

4. A notification letter shall be sent to all vendors, suppliers and supply contractors with whom we do business informing them of our affirmative action commitment and soliciting their cooperation.

5. A notification letter concerning our affirmative action policy shall be sent to unions and employee associations with whom we deal asking for their active cooperation.

6. A letter shall be sent to minority contractors when construction is contemplated soliciting their bids or involvement in work.

101.040. Management responsibility, general. The mayor is directed to insure that the following are carried out:

1. The actions of every employee are important to achieving the City's affirmative action plan's objectives. Disciplinary action shall be taken against anyone found to be deliberately obstructing implementation of the plan.

2. Every supervisor is critically important to the plan's success. Performance in meeting affirmative action objectives shall be carefully included in all future performance reviews. Future promotability and merit increases shall be dependent upon affirmative action results as any other important duties assigned to supervisory personnel.

101.050. Management responsibility--appointment of EEO officer. The mayor of the City of Moscow Mills shall, with approval of the board of aldermen, appoint an EEO officer who shall have responsibility for developing procedures to implement this affirmative action plan and to audit and evaluate the success of these procedures.

1. The duties of an EEO officer are:

a. To annually review and revise the affirmative action plans with the assistance of top officials in the City.

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- b. To annually audit and evaluate the affirmative action plan and prepare reports concerning the performance of the City, its subunits, and its management personnel regarding the affirmative action program.
 - c. To set up goals, timetables, and procedures for implementing the review and redesign of current personnel practices and correcting current under-utilization of women and minorities.
 - d. To assist and to counsel all managers regarding their affirmative action responsibilities.
 - e. Counsel minority and women employees on career planning and other employment matters.
 - f. To assist and to counsel supervisors responsible for women and minority employees, especially in regard to the induction of new employees.
 - g. To maintain a liaison with the Equal Employment Opportunity Commission, the Missouri Commission on Human Rights, and other government compliance agencies.
 - h. To maintain a liaison with all community organizations with an interest in affirmative action.
 - i. To be responsible for investigating and resolving allegations of discrimination against the City.
2. The heads of various subunits within the City shall be responsible for:
 - a. Analyzing their work force relative to utilization of minorities and women.
 - b. Setting goals and timetables for bringing their unit into compliance with the overall affirmative action program.
 - c. Promoting actively a positive climate in his or her subunit concerning affirmative action.
 - d. Counseling and giving special help to women and minority employees, particularly regarding promotional opportunities within his subunit or in other units of the City.

101.60. Recruitment of personnel. All recruiting announcements will contain the following statement: "The City of Moscow Mills is an affirmative action equal opportunity employer and will not discriminate in any of its employment practices on the basis of race, color, creed, sex, age, marital status, national origin or physical disability unless based upon a bona fide occupational qualification".

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1. All pertinent sources of minorities and women shall be contacted by letter and, where feasible, personal visit regarding job opportunities.
2. Interest in employment opportunities in the City shall be stimulated by our participation in appropriate activities in the local area. Visits shall be made to area educational institutions, especially those with large minority populations.
3. Recruitment trips outside the local area shall be made to solicit applications from minorities and women. This will be particularly true in the case of recruiting any professional or managerial people.
4. Efforts to hire minority and women employees for part-time and summer positions shall be made to encourage their interest in full-time employment opportunities with the City.

101.070. Job analysis and restructuring. The City EEO officer shall prepare for each employee in the City a job description describing the job content and the minimum level of competence needed for each employee in the City.

1. Job descriptions shall be reviewed and revised where appropriate on a schedule so as to assure reflection of current work behaviors.
2. Job specifications shall be reviewed to assure they are related to job content and are set at the minimum level needed for entrance into the job.
3. Trainee positions shall be created to facilitate movement of minorities and women into various job classes.
4. Career ladders and logical lines of progression within and between job classes shall be identified to facilitate the training and promotion of minorities and women.
5. Where feasible, jobs shall be restructured to provide easier access by minorities and women. Such jobs shall be made part of a career ladder so that they communicate to the employee the potential for advancement.

101.080. Employee selection process. All employees shall be selected on the basis of merit. The City shall endeavor to obtain objective results to demonstrate the merits of the various applicants for any City position. Where written or performance tests are undertaken, they shall be related to the job description and duties required of an employee.

1. All tests and other selection criteria shall be validated according to generally accepted professional standards as specified in federal guidelines on selection.

2. Where appropriate, tests other than paper and pencil varieties shall be used. Experimentation with performance testing will be undertaken.
3. Overall written tests shall be de-emphasized. Written tests shall be used as only one of many factors in the selection decision.
4. Pretest counseling and preparation sessions shall be offered and minority and women candidates shall be encouraged to attend.
5. Retesting shall be permitted as soon as candidates can show reasonable effort to prepare themselves for such a retest.
6. Open competitive exams shall be scheduled as often as practical.
7. Application blanks and employer records shall be reviewed and revised to insure all questions not related to job performance or which operate to the detriment of minorities and women are eliminated.
8. Other selection criteria such as physical or education requirements shall be reviewed and revised to insure job relatedness. Specifically this includes, but is not limited to, height and weight requirements, educational degrees, years of work experience, etc.
9. All criteria used in selection shall be the minimum necessary for the job or job class for which the individual is hired. Only where promotion to higher jobs or job classes is expected within a reasonable period of time shall criteria for the higher job be used, and then only when it is unfeasible for us through training programs to prepare the individual for promotion in that time period.
10. Job interviews and/or oral boards shall be carefully structured. To insure uniformity a standard interview form shall be used. Action taken as a result of the interviews shall be specifically recorded on this form and focused on job related factors only.
11. All interviewers shall be carefully selected and instructed. Where possible minority or women interviewers shall be utilized.
12. Required EEO notices along with information regarding our affirmative action plan shall be conspicuously displayed in all offices where tests and interviews are conducted. In addition, an EEO clause such as those referred to above, shall be included on all application blanks and employee records.

101.90. Promotion, job assignment and termination. Selection for promotion shall conform to all the practices outlined in the preceding Section.

1. Special counseling and career planning shall be given to all minority and women employees to stimulate their interest in promotional opportunities.
2. Where feasible, training shall be set up to enhance promotability of minorities and women. A tuition refund program shall be established to facilitate women and minorities receiving required education training.
3. If separate promotional or seniority lists for male and female employees exist, either formally or informally, they shall be abolished. No applicant shall be denied a promotion or job assignment on the basis of sex or any other prohibited criteria. Applicants shall be given a trial on the job to prove their capability if they are otherwise eligible for the promotion or assignment. The same policy shall be adhered to in layoff and recall decisions.
4. Records shall be kept indicating the movement of minorities and women within the City relative to promotion, job assignment, layoff, and recall. In every instance written explanations for rejection of minorities and women shall be required and systematically recorded.
5. Employees shall be terminated only for just cause or their own volition. An exit interview will be conducted in the case of voluntary resignations of minorities and women to see if any factors under our control are responsible. A written record of any such factors disclosed shall be made.

101.100. Training. Whenever the City sponsors any training activity, special attention and consideration shall be given to securing the participation of minorities and women.

1. Where jobs can be learned in a short period of time, formal on-the-job training programs shall be instituted to facilitate the movement of women and minority candidates into these positions with minimum qualifications.
2. Where formal training is necessary to qualify an individual for a job, in-house training programs shall be established whenever feasible.
3. Where formal educational training is required, minority and women candidates shall be encouraged to get such training through the establishment of a tuition refund program.
4. Work schedules of minorities and women employees shall be adjusted to permit the participation in training programs.

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5. Records shall be maintained as to the numbers and percentages of minorities and women applying for and participating in all training programs.

6. Supervisory training programs shall be conducted. The objective shall be to improve supervisory skills relative to working with women and minority employees.

7. Individual counseling of supervisors by the EEO officer shall occur on a regular schedule, particularly for those supervisors responsible for on-the-job training of minorities and women.

8. Where lack of resources restrict training opportunities that we can offer, we shall seek the cooperation of other employers in requesting local educational institutions to set up training programs so as to increase the numbers of qualified women and minorities in the labor force.

101.110. Compensation. All employees shall be compensated on the basis of equal pay for equal work.

1. Pay rates shall be reviewed particularly in light of the results of the job analysis, reclassification and redesign efforts described above.

2. Pay rates shall be equalized where jobs require substantially equal skill, effort and responsibility.

3. All fringe benefit programs shall be reviewed and revised where necessary to assure that they are equally available to every employee. Particular attention shall be paid to the availability of fringe benefits to female employees, especially in areas such as disability leave for childbirth, retirement systems and insurance programs.

4. Working conditions shall be reviewed to insure that for each job or job classification substantially similar conditions prevail. Specifically, this will include review of work schedules, opportunities for overtime work, scheduling of vacation and other similar items.

101.120. Facilities. The facilities available to employees shall be examined to ascertain if they, in any way, discriminate on the basis of race, color, creed, sex, or national origin and so forth. Appropriate steps shall be taken to correct any inequities including "de facto" discrimination.

101.130. Grievance procedures. An internal grievance procedure shall be set up by the EEO officer to process complaints of alleged discrimination. The first step of this process shall be arbitration by a neutral third party. Employees are encouraged to informally seek the advice and counsel of the EEO officer when they suspect they may have been treated in a discriminatory fashion. The availability and operation of the internal grievance process shall be widely publicized, posted in conspicuous places and described in any communications to employees.

101.140. Work force and labor market analysis. The City of Moscow Mills shall conduct a census of its employees by job class and subunit to assess current utilization patterns for women and minorities. As part of this survey the City shall also seek to identify currently promotable or transferable minority and women employees.

1. The City shall make a study of its future manpower needs based on expected rates of attrition and employment growth projections.
2. The City shall conduct a study of relevant labor markets to determine the availability of minorities and women with skills and qualifications particularly as they relate to our manpower needs.
3. The City shall study the training capabilities of area education institutions and craft unions as first steps toward increasing the availability of qualified women and minorities.

101.150. Goals and timetables. It is the firm commitment of the City of Moscow Mills to correct current under-utilization of women and minorities with all deliberate speed. Based on our analysis we believe it will take a minimum of _____ years to reach this objective. The overall goal is to correct _____ percent of the imbalance each year.

1. Each year the mayor shall concentrate efforts on the job classifications and subunits where the imbalance and/or greatest potential for employment opportunities of minorities and women exist.
2. Every subunit in the City shall annually be required to analyze its work force and to set goals for the employment of women and minorities. They shall also be required to identify specific steps they are taking to improve the promotability of current minority and women employees and to identify any women and minorities who are ready for possible promotion in other areas of the City.
3. Every year goals and timetables shall be set to correct imbalances that exist by job classifications. These goals and timetables shall be reflected in the action plans of subunits.
4. Specific annual goals and timetables shall be made for review and revision of current personnel practices and procedures. Responsibilities for accomplishing these goals shall be delegated to appropriate subunits or managers.
5. The EEO officer shall be responsible for insuring that these steps are carried out. He shall annually identify affirmative action priorities and communicate these to all line managers. He shall also assist the head of each subunit in setting annual goals and timetables.

101.160. Audit and evaluations. The EEO officer shall continually monitor progress being made in meeting the objectives of this plan. Where appropriate,

periodic revisions in the annual affirmative action plan shall be made.

1. Each year the EEO officer shall prepare an annual report assessing the performance of the City and its subunits regarding the plan. This report shall include the comprehensive accounting on each action item contained in the plan. A summary of the report shall be distributed to all employees.
2. The comprehensive report shall become the agenda for a meeting of top level management. Out of this meeting recommendations shall be made concerning the following years of affirmative action effort.
3. Based on these recommendations and in light of previous experience, the EEO officer shall revise the plan, zeroing in on areas where the greatest deficiencies still remain.
4. The EEO officer shall assist the mayor in formulating a new EEO policy statement each year.
5. The City shall prepare and submit reports to the Equal Employment Opportunity Commission, the Missouri Commission on Human Rights, and to all other appropriate governmental agencies having responsibility for our affirmative action performance.

Adopted by Ordinance 6/14/93.