

## **2.1 EEO & AFFIRMATIVE ACTION**

The following plan for providing equal employment opportunity is hereby approved by the Executive Committee for the use of the Executive Director in the administration of personnel activities for all employees of AVCOG.

### **I. Equal Employment Opportunity Policy**

- A. The Executive Committee reaffirms its desire that AVCOG employ without discrimination on the basis of race, color, religion, sex, national origin, or age, the best qualified persons who are available at the salary levels established for positions authorized within AVCOG.
- B. The Executive Committee recognizes AVCOG's obligation to comply with the provisions of the Equal Employment Opportunity Act of 1972 (P.L. 92-261), amending Title VII of the Civil Rights Act of 1964 (42 U.S. C.A. 2000e et. seq.); and the Maine Human Rights Act of 1972 (5 M.R.S.A. 4571), as amended, which prohibits such discrimination in employment.
- C. The Executive Committee further recognizes AVCOG's obligation to comply with the provisions of Title VI of the Civil Rights Act of 1964 (P.L. 88-352); and the Regulations of the Department of Housing and Urban Development (24 CFR Part I, Housing Act of 1954 (40 U.S.C. 461), which prohibits discrimination on the basis of race, color, or natural origin with respect to the enjoyment of such assistance.
- D. Therefore, the Executive Committee desires that AVCOG take such affirmative action as is necessary to enforce and promote the policy of equal employment opportunity by implementing a continuing program which will:
  1. Prevent any unlawful discrimination in advertising, recruitment, hiring, layoff, termination, upgrading, demotion, transfer, compensation, or other terms, conditions, or privileges of employment by AVCOG;
  2. Determine whether any qualified applicants or employees are being subjected to unlawful discrimination because of race, color, religion, sex, national origin, or age, and provide for appropriate corrective action;
  3. Identify and correct those techniques and procedures which have or may have an adverse effect upon the employment opportunities or status of such applicants or employees; and
  4. Achieve the fullest and most effective utilization of skills which may be identified and developed among all AVCOG employees.

## **II. Dissemination of Equal Employment Opportunity Policy**

- A. To insure this policy is understood by all current and potential employees of AVCOG and to announce the Executive Committee's full commitment to equal employment opportunity, this policy should be given the widest possible exposure.
- B. Internal Dissemination:
  - 1. The Executive Director will issue a written statement to all personnel reaffirming this policy and announcing a personal commitment to its enforcement.
  - 2. Notice of this policy will be posted in a conspicuous place in AVCOG.
  - 3. To insure compliance with this policy, copies of the Affirmative Action Program for Equal Employment Opportunity will be issued to all personnel in charge of the screening, selection, hiring and promotion of applicants or employees.
  - 4. Specific implications of this policy will be discussed periodically through monthly staff meetings.
- C. External Dissemination:
  - 1. All private consulting firms, and any other parties with whom the AVCOG forms a contractual agreement, will be given notice of this policy with respect to any contracts involving federal financial assistance.
  - 2. Notice of this policy will be sent to any college or university placement services, to local chapters of minority and women's organizations, and to all other public and private employment agencies who may desire information on available job openings with AVCOG.
  - 3. All advertisements for job openings not filled in-house will continue to be placed in a local newspaper of general circulation with the statement, "An Equal Opportunity Employer" included in such advertisements.

## **III. Responsibility For Implementation**

- A. The Executive Director holds primary responsibility for the operation and success of the affirmative action program. This responsibility may be delegated to another staff person to act as the Equal Employment Opportunity Officer.
- B. The Equal Employment Opportunity Officer's responsibilities will include, but not be limited to the following:
  - 1. Managing the organization, implementation, and all continuing aspects of the affirmative action program, and acting as liaison between AVCOG and the regional

communities.

2. Dissemination of current E.E.O. policy information and guidelines, and interpretation of state and federal requirements as they may apply to AVCOG personnel.
3. Identifying and correcting problem areas in the application of E.E.O. guidelines to specific employment practices of AVCOG.
4. Maintenance of records, reports, and documents relating to recruitment, hiring, interviews, disciplinary action, promotion, transfer, termination, and other transactions in order to comply with state and federal record keeping requirements, and to monitor E.E.O. compliance within AVCOG.
5. Initiating remedial action to improve the effectiveness of the program or to correct any unlawful employment practices which may be brought to notice while monitoring compliance or handling employee grievances.
6. Audit and evaluation of the affirmative action program's overall effectiveness in terms of improved utilization of minorities and women where necessary in specific functions, job categories, or pay ranges.
7. Reporting to the Executive Director when necessary any findings and recommendations for enforcing compliance with the program, and to aid the Executive Director in advising the Executive Committee of needed changes in personnel policy.

#### **IV. UTILIZATION ANALYSIS**

- A. "Under-utilization" is defined by the Office of Federal Contract Compliance as having fewer minorities or women in a particular job classification than would reasonably be expected by their availability. In making its work force analysis, the Council will consider relevant local manpower statistics, its internal work force profile, the nature and validity of its job classifications, and the amount, frequency, and location of vacancies over monthly periods. Sources for this data will be Women and Minority Manpower Statistics, published by the Maine Department of Labor; the State and Local Government Information Report (E.E.O.-4); the Maine Municipal Manpower Needs survey; and other sources.
- B. The 2000 census indicates that the non-white population of the AVCOG region is not substantial. The region is 97.5% white. There does exist however a substantial economic minority of low-income residents. AVCOG recognizes that a significant proportion of the disadvantaged are women, and that accordingly, AVCOG's top priority under the Affirmative Action Program should be to improve employment opportunities for women in AVCOG's service. *Revised 9/3/2008*

- C. Approximately 43.4% of those registered with the Maine Employment Service (April 1986) were women who may be inferred to have been unemployed, or reasonably available for recruitment. Within the three county region, the female participation rate is 42.3%. *Revised 9/3/2008*
- D. There are a number of training institutions in the area which are capable of providing the requisite skills for AVCOG employment, and data on female enrollment in such institutions as Central Maine Community College, Continuing Education Division of the University of Maine at Farmington and Augusta, the University of Southern Maine-Lewiston & Auburn, Lewiston/Auburn College, and Bates College will be gathered by AVCOG. *Revised 9/3/2008*

## **V. ACTION ORIENTED ANALYSIS**

### **A. Current Programs**

1. A document has been developed which includes the Affirmative Action program, that states the Personnel Procedures of AVCOG, describes each permanent budgeted position in terms of typical duties and qualification for appointment. This will remove artificial barriers to employment, especially educational or physical requirements, which are not demonstrable job-related.

### **B. Projected Programs**

1. Procedures must give fair notice to qualified minorities and women that AVCOG is genuinely interested in considering them for employment and must further insure that such qualified applicants will not be "screened out" due to inefficient selection techniques or because of unreasonable or artificial barriers having no job related purpose. Therefore, the AVCOG will:
  - Continuously review its job description to determine the validity of job requirements in terms of actual work performed;
  - Study all written tests so far as is practical to reasonably determine their validity and where this is not practical, emphasis on such test results will be minimized;
  - Formulate uniform procedures for making pre-employment inquiries and developing techniques for monitoring the conduct and results of interviews;
  - Where a formal regional or nationwide search is being conducted, and existing recruitment avenues may not be relied upon, minority and women's organizations will be notified of available positions with the Council;
  - Maintain contact with the Maine State Job Service and other job placement services to ensure the widest possible notice of job openings to low-income people; and

- Monitor the results of all selection procedures and determine the reasons for rejection of applicants to ensure that all individuals are properly considered and evaluated for the job.
2. Policies must effectively recognize skilled personnel at all levels and provide maximum incentives for self-improvement. In-service training must be expanded to provide for the fullest utilization of personnel. Therefore, AVCOG will:
- Review and improve on-the-job evaluation techniques to insure fair and objective consideration of candidates;
  - Maintain and enforce its policy of advertising job openings in-house before an outside search is undertaken, to provide better opportunity for advancement to current employees of AVCOG;
  - Improve and expand in-service training and institutional training opportunities for AVCOG personnel to develop and improve skills at all levels; and
  - Identify and actively encourage qualified or qualifiable minorities and women to advance into administrative, technical, and professional positions.

## **VI. EVALUATION**

- A. Where the Executive Director finds that no significant progress has been made in improving the utilization of minorities and women in selected job categories, pay ranges, or functions in spite of what may reasonably be expected by their respective qualifications and availability, the nature and extent of such deficiencies will be promptly identified and appropriate corrective action will be recommended to the Officers of the Executive Committee.
- B. The Officers of the Executive Committee will at such time act upon the Executive Director's recommendations by requiring such further action as in its judgement will best advance and enforce its policy of equal employment opportunity and may provide for the attainment of such specific numerical goals as it shall determine will represent proper utilization of minorities and women in AVCOG employment.

## **VII. GOALS AND TIMETABLE**

AVCOG, over the past four years, has successfully addressed the goals established July 29, 1988. Currently, with twenty-two employees, twenty-one professional staff, we have ten female professional staff positions

AVCOG will attempt to achieve the following stated goals within a three-year time frame:

- A. Promote three qualified present female staff to high classification levels as vacancies occur.

B. Maintain an overall staff composition of 40% or more female.

*\*Adopted by the Executive Committee June 29, 1988*

*Revised 7/92*

*Revised 9/3/2008*

## **2.2 ADA COMPLIANCE**

AVCOG welcomes applications from people with disabilities and does not discriminate against them in any way. AVCOG complies with the Americans with Disabilities Act (ADA) of 1990. For example, by...

- Considering all applicants with disabilities for employment using the same criteria as are used for the employment of persons without disabilities.
- Considering staffers with disabilities for promotions using the same criteria that are used for the promotion of staffers without disabilities.
- Taking steps to make its facilities barrier-free and accessible according to appropriate federal and state statutes.
- Making scheduling and other adjustments to reasonably accommodate staffers with disabilities.
- Educating staffers to the fact that individuals with disabilities are employed by AVCOG and should not be discriminated against.
- Posting notices explaining the provisions of ADA and staff rights under the law.