

## Management Committee

Meeting date: April 25, 2018

For the Metropolitan Council meeting of May 9, 2018

**Subject:** 4-2 Affirmative Action and Equal Opportunity Policy Update

**District(s), Member(s):** All

**Policy/Legal Reference:** 4-2 Affirmative Action and Equal Opportunity

**Staff Prepared/Presented:** Aaron Koski, Acting Director, Office of Equal Opportunity 651-602-1426

**Division/Department:** Office of Equal Opportunity/Regional Administration

### Proposed Action

That the Metropolitan Council approve updates to the Affirmative Action and Equal Opportunity Policy

### Background

Policies must be presented to the Council for approval and adoption. OEO is updating Council policies regarding protected class complaints to ensure all related Council policies dealing with personnel issues are complimentary, clearly communicated and compliant with all related laws and regulations.

### Rationale

This policy governs policy 4-2-1 Discrimination, Harassment and Inappropriate Behavior. This policy has not been updated since inception in 1998.

- The policy communicates the Council's commitment to affirmative action and promotes equal opportunity in all areas of employment.
- The policy provides equal opportunity in access to public services
- The policy identifies all protected classes for which the Council's affirmative action plans and related policies are applicable.
- The policy has been updated advance of the upcoming Council-wide sexual harassment awareness and training.

### Thrive Lens Analysis

This item supports equity through ensuring the Council has policies that do not discriminate against job applicants, employees, and customers of the Twin Cities metropolitan area.

### Funding

Not applicable

### Known Support / Opposition

There is no known opposition to the policy update. The policy and associated procedural changes have been reviewed by Council stakeholders including the Office of General Counsel and Human Resources

**POLICY – AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY**

Section/Number: 4-2	Total Pages: 2
Dept. Responsible: Office of Equal Opportunity	Effective Date: 9/11/1998
Special Note: Supersedes all previous policies regarding diversity, equal opportunity and affirmative action.	Last Revision Date: 03/16/2018
	Last Review Date: 03/16/2018
	Revision No. 2

**I. Policy**

The Council's employment practices and business operations will reflect a value and respect for the diversity among its employees and customers and the residents of the Twin Cities metropolitan area. The Council will provide a respectful work environment that appreciates and promotes the contributions of all employees.

The Council will provide equal opportunity in all areas of employment including recruitment, selection, compensation, benefits, promotion, transfer, training, and other terms, conditions and privileges of employment. The Council will not discriminate when making determinations as to demotion, disciplinary action, layoff, or termination.

**II. Scope**

The Council will not discriminate against any job applicant, employee, Council member, Commission member, Council Advisory Board member, Council Task Force member, contractor, vendor, business partner, volunteer, or customer. Any of these individuals has a right to file a discrimination complaint with the Office of Equal Opportunity.

The Council will actively promote equal opportunity in employment, and, in an effort to correct historic underrepresentation of women, people of color, people with disabilities, and veterans within its work force, will implement specific affirmative action steps.

The Council will provide equal opportunity in access to public services and will not discriminate in its provision of public services against any individual on the basis of race, color, creed, religion, national origin, disability, sex, sexual orientation, or public assistance status.

Retaliation against an individual for bringing an employment or public service discrimination complaint or for cooperating in a complaint inquiry or investigation is prohibited.

**III. Purpose of policy**

- A. To articulate the Council's commitment to valuing diversity, providing equal access to public services, promoting equal opportunity in employment, and making efforts to correct historic under representation of women, people of color, people with disabilities, and veterans within its work force.
- B. To identify the protected classes covered by federal, state, and local law against employment and public service discrimination.
- C. To identify the protected classes for which the Council's employment-related affirmative action steps will be implemented.



D. To ensure these goals will be met by evaluating the progress of managers and supervisors.

#### IV. Definition

**Affirmative Action** is an active effort to promote equal opportunity in employment and to correct the historic underrepresentation of certain groups in its work force.

#### V. Confidentiality

During the complaint process, the confidentiality of the information and data received are protected by the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13.

#### VI. Background and reasons for policy

- A. The Council is dedicated to utilizing the diverse skills and insights of its employees and the public to further its organizational goals of providing equal opportunity in employment and public services.
- B. Providing equal opportunity as outlined in this policy is required by state and federal law.

#### VII. Accountability

- A. The Director of the Office of Equal Opportunity is responsible for enforcing this policy.
- B. All Council employees are expected to conduct themselves in accord with the spirit and requirements of this policy.

**Related Policies and Procedures:**

- 4-2-1 *Discrimination, Harassment, and Inappropriate Behavior Policy*
- 4-2-1a *Discrimination Complaint Investigation Procedure*
- 4-6a *Code of Ethics Procedure*
- 4-6e *Respectful Workplace Procedure*

#### Revision/Review Tracking

Date	Revision No.	Review Only – No changes
12/19/17	1	
03/16/2018	2	