



Equal Opportunity Policies

Number EO-1

Policy Statement

The City of Gainesville recognizes its responsibility to the citizens and employees to ensure equal opportunity and access to City services, programs, activities, and employment for all qualified persons and to work to ensure diversity in its employment, services, programs, and activities. The implementation of this Equal Opportunity Policy is intended to identify programs and strategies to bring about positive and proactive change in the workplace and work at ensuring diversity.

The City of Gainesville (hereinafter referred to as the City) has and will continue to develop policies to afford equal opportunity and access to appropriate City services, programs, and activities for all qualified persons to prohibit discrimination in employment because of race, color, religion, gender, national origin, marital status, sexual orientation, age, disability, or gender identity and to ensure the full realization of equal opportunity and diversity through a positive continuing program of equal opportunity throughout the City. The application of prohibitions of discrimination on the basis of gender identity in City employment, public accommodations, housing and credit practices, as well as in other applicable services, programs and activities of the City, shall be consistent with the applicable provisions of Chapter 8, Discrimination, of the City of Gainesville Code of Ordinances.

Equal opportunity and diversity, however, can only be achieved through committed leadership and committed administration of viable policies and procedures. It is through the development and carrying out of effective policies and procedures that the concepts of equal opportunity and diversity can become an integral part of the culture of the City organization. The City shall promote equal opportunity and diversity through nondiscriminatory practices by:

1. Recruiting, hiring, training, transferring and promoting persons in all job classifications without discrimination based upon race, color, religion, gender, national origin, sexual orientation, marital status, age, disability, or gender identity;
2. Ensuring that employment and promotion decisions are in accordance with equal employment laws, policies, and procedures; and
3. Ensuring that all personnel actions, benefits, and programs are administered without discrimination.
4. Ensuring diversity in contracting, addressing any artificial, perceived or actual barriers that may prevent vendors and firms from engaging in business opportunities with the City, and may include providing preferences and incentives in the contractor and vendor selection process to extent allowed by law and City policies.

In addition, the City will make every good faith effort to identify, recruit, and employ qualified applicants, including women and minorities. This policy does not imply that anyone can be employed who lacks the qualifications.

The City encourages employee development for the purpose of facilitating internal upward mobility through the promotion and transfer process. The City's internal training program will provide training for all employees consistent with equal employment opportunity laws, policies, and procedures. The City will also take action through the adoption of a Plan that sets goals and objectives, which address underutilization of groups within the City's work force. Underutilized job groups at a minimum will be determined by annual work force analysis. The policies, goals and objectives established by the City shall be implemented through its administrative staff.

The City shall employ a full-time Equal Opportunity Director to direct the development and implementation of a comprehensive Equal Opportunity Program, adherence to equal opportunity laws, policies, and procedures, and to develop strategies, training, and workshops to ensure diversity in contracting, employment, services, programs, and activities. This program shall apply to every Charter Officer and all employees working under the Charter Officers.

In carrying out the responsibilities related to investigations, the Equal Opportunity Director should make all reasonable efforts to ensure that investigations are supported by factual information and impartial judgment. During the investigation of complaints, the Equal Opportunity Director is neither an advocate for management nor for the complainant. The Equal Opportunity Director serves as a neutral, fact-finding 3rd party. The Equal Opportunity Director will work to ensure that Commission policies and department policies and procedures are adhered to.

It shall be the responsibility of the City's Charter Officers, managers, supervisors, and employees to assist the Equal Opportunity Director with implementation and adherence to equal opportunity laws, policies, and procedures. Nothing in the City's policies or procedures will abrogate the provisions of any collective bargaining agreement or the City's responsibility to negotiate terms and conditions of employment.

It is the hope and intent of the City to reduce the City's liability to lawsuits, litigation, and to resolve any problems, wherever possible within the City, before these problems are taken to an outside agency or agencies.

The City of Gainesville believes in equal opportunity for all persons and the prompt redress of complaints in a fair and impartial setting. It is the City's goal to foster an employment atmosphere where all people are treated equally and fairly without discrimination based upon race, gender, color, age, national origin, religion, sexual orientation, marital status, disability, or gender identity. In this environment the City Commission believes that City employees can cooperatively work together in the mutual interest of providing the highest level of public service to the citizens of Gainesville. To assist in this regard, all officers and employees of the City shall furnish to the Equal Opportunity Director any information

and records within their custody and respond to any questions regarding powers, duties, activities, organization, property and methods of business that in the Equal Opportunity Director's opinion are required to perform an investigation and requisite duties, except as prohibited by law. If such Charter Officer or employees fail to produce the aforementioned access and/or information, the Equal Opportunity Director may call upon the City Auditor to resolve the situation in whatever manner deemed appropriate. Nothing in the City's policies or procedures waive either the confidentiality of any document or any other exemption as provided by law.

To ensure that the Equal Opportunity Director stays in contact with the workforce, has another avenue for assessing the needs of the workforce, and the proper framework to ensure diversity throughout the organization, there shall be two advisory committees that shall be advisory to the Equal Opportunity Director with regards to matters relating to diversity and equal opportunity. The two committees will be comprised of one internal (Employee Diversity Advisory Committee) and one external (Citizens Diversity and Inclusion Advisory Committee).

The Citizens Diversity and Inclusion Advisory Committee shall:

- Provide guidance and recommendations to the Equal Opportunity Director as it relates to Equal Employment Opportunity (EEO), Minority Business Enterprise (MBE) program, Affirmative Action (AA), Small Business Enterprise (SBE) program, Disability programs and Diversity initiatives
- Identify and evaluate issues related to the small, minority, women and service-disabled veteran business contracting program
- Evaluate and provide assistance in implementing Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act and also advise the Equal Opportunity Department Director on accessibility and utilization as it relates to all City programs, services, activities and facilities.
- Provide advice on the Dismantling Prejudices and Biases Initiative

The Employee Diversity and Inclusion Advisory Committee shall consist of no more than thirteen (13) members serving a two (2) year term. In no event shall any member serve more than four (4) consecutive years. The Committee shall annually elect a chair and vice chair.

The Employee Diversity and Inclusion Advisory Committee Shall:

1. Relay appropriate and pertinent information, discussed in Committee meetings to co-workers.
2. Provide recommendations on Equal Employment Opportunity and Diversity issues presented to them by the Equal Opportunity Director.

3. Assess, review, and approve Diversity Workplans for all departments. The Equal Opportunity Director or designee will enforce the workplans to ensure strategies are in sync with overall goals reflecting diversity, equality and open competition.

From applications received and with input from the Equal Opportunity Director, the City Manager and Gainesville Regional Utilities (GRU) General Manager shall appoint on an annual basis members to the Employee Diversity Advisory Committee. The City Manager and/or GRU General Manager's appointments shall consist of a diverse group of at least seven (7) and no more than thirteen (13) employees under the management authority of the City Manager and/or GRU General Manager. A majority shall be non-management employees, at least one of whom has been recommended by collective bargaining representatives of employees reporting to the City Manager and/or GRU General Manager. The Employee Diversity and Inclusion Advisory Committee shall meet at least quarterly.

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