

NIAGARA COUNTY

RACIAL AND ETHNIC

DISCRIMINATION

POLICY

HANDBOOK

FROM: Human Resources and Administration DATE: 3/17/98 RESOLUTION # HR-011-98

Committees

APPROVED

NIAGARA CO. ATTORNEY

By: 

COMMITTEE ACTION

HR - 3/9/98

LEGISLATIVE ACTION

Approved: Ayes Abs. Noes 0

Rejected: Ayes Abs. Noes

Referred:

RACIAL AND ETHNIC DISCRIMINATION POLICY

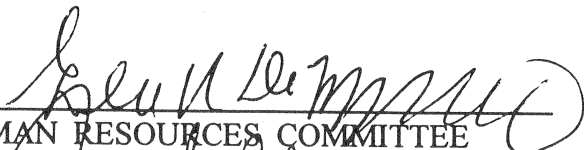
WHEREAS, the Niagara County Legislature supports a policy of a working environment for all Niagara County employees free from racial and ethnic discrimination, and

WHEREAS, the Niagara County Legislature has determined that the best method for implementing its policy of a working environment free from racial and ethnic discrimination is to adopt and promulgate a racial and ethnic discrimination policy and complaint process, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby adopt the Racial and Ethnic Discrimination Policy and complaint process attached hereto as the policy of Niagara County with respect to racial and ethnic discrimination in the workplace, and be it further

RESOLVED, that the Niagara County Legislature does hereby direct the Niagara County Human Resources Department to promulgate this policy throughout the County workforce by appropriate postings in County buildings and instruction to all County personnel, and be it further

RESOLVED, that each new employee of Niagara County upon interview by the Human Resources Department, be given a copy of said policy and be instructed as to its meaning and significance.


HUMAN RESOURCES COMMITTEE


ADMINISTRATION COMMITTEE

RACIAL AND ETHNIC DISCRIMINATION POLICY

AND COMPLAINT PROCESS

The purpose of this document is to familiarize supervisors and employees with Niagara County's policy on racial and ethnic discrimination and the internal process that exists for the investigation and resolution of racial and/or ethnic discrimination complaints.

RACIAL DISCRIMINATION POLICY

I. POLICY STATEMENT

A. It is the policy of Niagara County to maintain a workplace and a work environment that is free of racial and/or ethnic discrimination.

B. Racial and/or ethnic discrimination of employees by managers, supervisors, co-workers or agents is prohibited by County policy, is against the law, and will result in disciplinary action against any offender, up to and including dismissal.

II. DEFINITION OF RACIAL AND/OR ETHNIC DISCRIMINATION

A. Racial and/or ethnic discrimination in the work place may take several forms. It includes inappropriate, or intimidating verbal or written comments, as well as physical conduct that may be related to an individual's race or ethnicity.

B. Conduct is considered related to employment when:

(1.) an unfair distinction in treatment shows favoritism or disparate treatment to people of a particular race or ethnicity.

(2.) race or ethnicity is used as the basis for making decisions affecting work assignments, workplace environment, privileges, advancement or any other condition of employment.

(3.) it has the purpose, or effect, of unreasonably interfering with an individuals work performance or creating an intimidating, hostile, or offensive work environment.

C. This conduct includes but is not limited to:

(1.) people of a particular race or ethnicity unfairly given job assignments, vacation schedules, lunch hours, or over time opportunities, based on race or ethnicity.

(2.) offensive or unwelcome racial or ethnic slurs, epitaphs, pictures or notices delivered verbally or posted in written form in the work place in any manner.

III. EMPLOYEE RESPONSIBILITIES

A. All employees have an obligation to assist the County in maintaining a work environment free from racial and/or ethnic discrimination -one in which all employees can work comfortably and productively. Therefore, employees are not only responsible for refraining from racially or ethnically discriminatory conduct, but are also responsible for promptly reporting incidents of racial or ethnic discrimination to which they are subjected, that they witness, or of which they become aware.

B. Employees who witness an incident of racial or ethnic discrimination, or who believe they are being racially or ethnically discriminated against, should report the incident to their supervisor, if appropriate, or to the Human Resources Office.

C. The County will hold employees accountable for any acts of racial or ethnic discrimination, and will impose appropriate discipline - up to and including termination.

IV. SUPERVISOR/MANAGER RESPONSIBILITIES

A. Supervisory and management personnel have the following responsibilities :

(1.) to comply with the County's policy on racial or ethnic discrimination and support it both in and out of the workplace.

(2.) when appropriate, to promptly and thoroughly conduct investigations of any reported allegation of racial or ethnic discrimination.

(3.) to assist in and cooperate with investigations of allegations of racial or ethnic discrimination by other County personnel.

(4.) to insure subordinates are aware of this policy through training or orientation sessions.

(5.) to implement appropriate corrective and/or disciplinary action when allegations are substantiated.

B. Supervisors and management personnel will be held accountable: The County will hold any manager to whom an instance of racial or ethnic discrimination has been reported fully accountable if he or she fails to take appropriate action, including filing a prompt and complete report of the matter to a higher level of management and to the Human Resources Department.

V. PREVENTIVE ACTION

A. In the long run, preventive measures are the best way of eliminating problems of racial or ethnic discrimination. In this regard supervisors and managers are responsible for :

- (1.) knowing the County's policy on racial discrimination
- (2.) knowing the procedure for handling complaints
- (3.) sensitizing employees to the issue of racial or ethnic discrimination
- (4.) expressing strong personal disapproval of racial or ethnic discrimination or conduct which may be construed as racial or ethnic discrimination
- (5.) raising employee awareness through training, staff meetings, discussions, and departmental programs

B. Management obligations:

- (1.) never ignore a complaint
- (2.) act promptly
- (3.) investigate thoroughly and objectively with Human Resources Department representatives.
- (4.) be fair and consistent in treatment

C. Managers and supervisors must also inform employees of their right to raise the subject of discrimination, as well as:

- (1.) advise employees that the County wants them to contact supervision or the Human Resources Office representative, if appropriate, about any racial or ethnic discrimination problem

(2.) reassure employees that any investigation of a complaint will be conducted with due regard for the privacy interests of all involved

(3.) reassure employees that there will be no retaliation against anyone who raises a complaint in good faith

VI. INFORMAL COMPLAINT PROCESS

A. The County maintains an informal EEO complaint process to investigate and resolve employee complaints.

B. Any employee who believes he or she is being discriminated against because of race or ethnicity, should take the following action :

(1.) don't ignore the situation - but consider carefully whether the conduct is racial or ethnic discrimination

(2.) if you feel uncomfortable over someone else's behavior, tell them so

(3.) if you find your work environment oppressive because of conduct of a discriminatory nature - whether by supervisors or co-workers directly request that the conduct cease and report the incident

(4.) if the conduct continues, inform supervision, or a representative of the Human Resources Department

(5.) if the discrimination is coming from your immediate supervisor, the complaint may be registered with the next level of supervision, and a representative of the Human Resources Department

VII. COMPLAINT INVESTIGATION

Any complaint of racial or ethnic discrimination will be promptly and thoroughly investigated by an appropriate member of supervision, or the Human Resources Director, to verify whether a violation of law and the County's policy has occurred. Where the allegations are verified, prompt and appropriate corrective action and disciplinary measures, up to and including dismissal, will be implemented.

