




King County

Administrative Policies and Procedures

**General Administrative
Policies & Procedures**

<small>Title</small> King County Employee-Based EEO/AA Advisory Committee	<small>Document Code No.</small> PER 22-5-2 (AEP)
<small>Department/Issuing Agency</small> Department of Executive Services	<small>Effective Date.</small> January 6, 2014
<small>Approved</small> 	

SUBJECT TITLE: King County Employee-Based EEO/AA Advisory Committee

1.1 Supersedes and Replaces PER 22-5-1 (AEP) Establishing a King County-Based EEO/AA Advisory Committee dated June 10, 2004

2.0 PURPOSE:

2.1 An employee-based committee serves in an advisory capacity to the Executive in developing and reviewing strategies, systems, policies and guidelines to implement and enhance the Equal Employment Opportunity and Affirmative Action (EEO/AA) Plans in the King County Executive Branch.

2.2 To clarify the roles and relationship of the Committee to the Executive, his/her designated Liaison, Human Resources Division (HRD) and County departments/divisions in maintaining an effective AA plan of employment.

3.0 ORGANIZATIONS AFFECTED:

All King County Executive Branch departments, divisions, offices, and agencies.

4.0 REFERENCES:

4.1 King County Code 3.12.180(B) "Equality of county employment – reporting requirements"

4.2 King County Ordinances adopting the current EEO/AA Plan.

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4.3 King County Code Chapter 12.18 "Fair Employment Practices"

4.4 Executive Policy PER 22 -3-3 (AEP) "NonDiscrimination and Anti-Harassment Policy and Procedures" or successor policy

4.5 Executive Policy LES 7-1 (AEP) "Boards and Commissions - Annual Reporting and Appointments" or successor policy

4.6 King County, Washington, Ordinance No. 2010-0484 (February 1, 2011), Equity and Social Justice.

5.0 DEFINITIONS:

5.1 "Employee-Based EEO/AA Advisory Committee" (hereinafter referred to as the "Committee") means a committee of employees from the King County Executive Branch departments. Each department will have one representative per 1,000 regular employees to the Committee who are appointed to the Committee for up to three years, beginning on January 1. When necessary, terms of service may be adjusted by the Committee Administrator to allow for the smooth functioning of the Committee.

5.2 "Equal Employment Opportunity" (EEO) means to conduct all employment related actions in such a fashion as to not limit, segregate, or classify any employee in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his or her status as an employee, because of such individual's:

- Race
- Color
- National origin
- Creed
- Religious affiliation or religion
- Sex or gender
- Sexual orientation
- Gender identity or expression
- Marital status
- Disability
- Age (except by minimum age and retirement provisions)
- Ancestry
- Honorably discharged veteran or military status

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Employment related actions include, but are not limited to recruitment, application, testing, selection, hiring, orientation, probationary review, compensation and benefits, supervision, provisional assignment, special duty assignment, lead assignment, training, tuition reimbursement, promotion, transfer, discipline, demotion, termination, lay off, recall, re-employment and any other terms and conditions of employment. Benefits include but are not limited to health care coverage, wellness, pension, disability, life insurance, investment plans, and dependent care programs.

5.3 "Affirmative Action Programs" (AA) means employment programs either entered into voluntarily by an employer and/or required by federal and state statutes and regulations designed to remedy discriminatory practices in hiring women and minorities, *e.g.*, positive steps designed to eliminate existing and continuing discrimination, to remedy lingering effects of past discrimination, and to create systems and procedures to prevent future discrimination; commonly based on the availability of qualified women and minority groups in the area from which the employer could reasonably recruit.

5.4 "Discrimination" means any act or failure to act (whether by itself or as a part of a practice), the effect of which is to adversely affect or adversely differentiate against individual applicants or employees or groups of applicants or employees, because of a protected status.

5.4.1 "Harassment" is a form of discrimination which occurs when an employee is (a) member of a protected class; (b) subject to unwelcome verbal or physical conduct; (c) the conduct is because of the employee's protected status; (d) the conduct is so severe or pervasive so as to alter the terms or conditions of employment; *and* (e) county management know or should have known of the conduct.

Such conduct can take many forms and may include epithets, slurs, and negative stereotyping; threatening, intimidating or hostile acts; or written or graphic materials that denigrate or show hostility or aversion that is placed on walls, bulletin boards, electronic bulletin boards, e-mail or otherwise place or circulated in the workplace; when such actions or materials are related to or directed at an employee or group of employees because of a protected status.

5.4.1.1 "Hostile Work Environment" harassment occurs when an employee or group of employees is subject to unwelcome verbal or physical conduct in the workplace in the form of discriminatory harassment based upon a protected status.

In addition, it must be severe and pervasive so as to alter the terms or conditions of employment.

5.4.1.2 "Sexual Harassment" is also a form of discrimination and occurs when an employee or group of employees is subject to unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. It may include opposite sex, same sex, sexual orientation, or gender identity and expression harassment where the conduct is motivated by gender. The two general types of sexual harassment are (a) "quid pro quo" harassment and (b) "hostile work environment" harassment.

- "Quid Pro Quo" sexual harassment occurs when an employee or group of employees is subject to unwelcome conduct when submission to such conduct is made either explicitly or implicitly a term or condition of employment; or submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual. Examples include but are not limited to the expectation of a promotion or special treatment in exchange for sexual favors.
- "Hostile Work Environment" sexual harassment occurs when an employee or group of employees is subject to unwelcome conduct of a sexual nature that is so severe or pervasive that it alters the conditions of the work environment. Examples include but are not limited to: sexually inappropriate comments, unwelcome touching, posting sexually suggestive materials in a locker.

6.0 POLICIES:

6.1 The King County Executive supports the establishment of the Committee and will aggressively implement an AA plan as described in KCC 3.12.180.

6.2 The Committee shall follow policies/procedures regarding King County Boards & Commissions specified in Executive Policy LES 7-1 (AEP) or its successor policy and adopt internal operating guidelines necessary to carry out its purpose.

6.3 The Committee serves in an advisory capacity to the Executive:

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6.3.1 Reviewing and making recommendations regarding EEO and AA strategies, systems, policies and guidelines;

6.3.2 Reviewing the EEO/AA Plan and updates with HRD, and making recommendations regarding its adoption to the King County Executive; and

6.3.3 Reviewing semi-annual and annual AA progress reports and advising the County Executive accordingly.

6.4 The Committee shall present to the County Executive or his designated Liaison to the Committee its EEO and/or AA concerns.

6.5 The Committee shall refer employees with complaints of discrimination to the complaint process identified in the Executive Policy on Nondiscrimination or successor policy. The Committee member with knowledge of the complaint must notify the HRD Director or his/her designee.

6.6 All departments shall allow each employee representative to attend meetings and provide the necessary resources to carry out the Committee's responsibilities.

7.0 PROCEDURES:

Committee Staffing

7.1 The Department of Executive Services Director shall provide a representative to act as Committee Administrator. The representative will provide staff support in scheduling meetings, preparing agenda and minutes, facilitating time release for members to attend meetings, recruiting, and facilitating meetings as needed, obtaining necessary and available resources for Committee work and providing guidance as to County communication protocols.

Membership and Recruitment

7.2 To be qualified to serve on the Committee an employee must:

7.2.1 be career service in a non-management position;

7.2.2 be in good standing;

7.2.3 not be a newly-hired employee serving his or her initial probation;

7.2.4 be able to commit to eight hours per month to perform Committee work; and

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7.2.5 be able to serve up to a three-year term.

7.3 Once selected, members must meet Committee requirements, as well as Board and Commission service requirements.

7.4 During May of each year, the Committee shall begin nominations of officers; the selection of officers will be in June at which time the Committee shall select a Chair and other officers. Said persons shall serve a one year term commencing July 1st, and ending June 30. Each may serve up to two consecutive terms.

7.5 The Committee shall select candidates to recommend to the Executive for appointment through an annual recruitment process. Prior to submitting a list of candidates to the Executive for consideration for appointment to the Committee as representatives, the Committee shall forward the candidate's name(s) to the respective department directors for concurrence and support for Committee service. Department Directors may decline concurrence given legitimate business needs, and/or candidate qualifications.

7.6 In the event that the Executive does not appoint a recommended candidate the Committee will forward another name for consideration.

7.7 In between recruitments, the Committee and/ or affected department director can recommend to the Executive, the appointment of an employee to a vacant representative position.

7.8 Committee member appointments may be revoked for lack of attendance, lack of participation, failure to follow Committee rules or when an employee is no longer qualified to remain a member of the Committee. Concerns regarding Committee members should be relayed to the Committee Chair and the Committee Administrator. Concerns regarding the Committee Chair should be relayed to the Committee Administrator and the Executive Liaison.

Meetings

7.9 Committee meetings shall be held every month. As necessary and with the appropriate notice, additional meetings may be scheduled by the Committee Chair or officers. All meetings will be held for the purpose of accomplishing Committee work and providing a forum where Committee members can discuss potential EEO/AA issues and concerns that may be systemic in nature. Meetings shall be open to all County employees.

7.10 The officers in conjunction with the Committee Administrator will prepare the meeting agenda.

7.11 The Chair or designee shall facilitate Committee meetings.

7.12 Committee quorum shall constitute two-thirds (2/3) of the Committee representatives. Each representative shall be entitled to one vote. No vote shall be taken in the absence of a quorum. Consensus is encouraged. When consensus is not possible, majority vote will govern all Committee decisions.

7.13 The Committee Administrator shall attend meetings and maintain the minutes. Committee representatives are required to regularly attend meetings. If a representative does not attend two successive meetings and does not notify the Chair, the Committee shall take a vote to consider replacement of the representative.

7.14 A representative who is unable to attend the meeting shall notify the Chair and the Committee Administrator.

7.15 The Committee Administrator shall maintain the minutes, any reports and all official Committee correspondence, which will be made available to County employees and/or department directors or other interested employees upon request.

Committee Work

7.16 The Committee shall review its advisory role, previous year's work program and accomplishments, and develop their work program for the ensuing year by January.

7.17 The Committee shall accomplish its work pursuant to this policy.

7.18 Sub-committees may be established to accomplish the work program of the Committee. Examples of sub-committee work include, but are not limited to, gathering data via the Committee Administrator, conducting technical reviews and evaluations of policies, procedures and practices, which are of value to the Committee.

7.18.1 The subcommittee chair shall coordinate the efforts of the sub-committee, be responsible for completing the work plan, and present written reports to the Committee for inclusion in the mid-year and annual reports, and/or recommending a course of action, based on their work.

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7.18.2 The Committee, upon receipt of the report from the sub-committee shall determine by vote what action to take based on the findings and recommendations of the sub-committee.

7.19 The Committee shall include representation from more than one department, where possible, and designate one member to act as chair. Membership shall be determined by the following methods: volunteers or direct appointment by the Committee Chair.

7.20 The Committee Officers in conjunction with the Committee Administrator shall draft mid-year and annual reports for discussion and adoption by the full Committee. A summary of those reports report is then submitted to the County Boards and Commissions Administrator for publication.

8.0 RESPONSIBILITIES:

8.1 The Executive is responsible for appointing a designated Liaison to the Committee, and Committee representatives.

8.2 Department Directors are responsible for providing each representative employee with time and resources to carry out the Committee's responsibilities.

8.3 Department of Executive Services Director is responsible for providing the representative to act as Committee Administrator.

8.4 The Committee Administrator is responsible for providing administrative support, facilitation as needed, and guidance to the Committee pursuant to this policy.

8.5 Committee Members are responsible for taking actions as an advisory Committee to the Executive pursuant to this policy, appropriately maintaining confidentiality, and following internal King County communication protocols.

8.6 Committee Chair or designee is responsible for leading the development of the agenda, facilitating meetings, coordinating the work of the officers as a leadership team, and ensuring the Committee accomplishes its work.

9.0 APPENDICES:

None