

COUNTY OF SAN LUIS OBISPO
AFFIRMATIVE ACTION PLAN

Adopted on November 6, 1990

by the

San Luis Obispo County

Board of Supervisors

EVELYN DELANY, Chairperson
Third District

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First District

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I. General Objectives of the County Affirmative Action Plan:

The objective of the County's Nondiscrimination Program is, whenever possible, to actively recruit and include for consideration for employment members of minority groups, females, and the physically handicapped. All decisions on employment and promotions must be made solely on the individual's qualifications (merit) and bona fide occupational qualifications for the job in question, and the feasibility of any necessary job accommodations.

POLICY:

The San Luis Obispo County Board of Supervisors, recognizing the need for equal employment opportunity and reaffirming its commitment to the concept of equal employment opportunity, hereby proclaims the following:

The County of San Luis Obispo is an equal opportunity employer and is committed to an active Nondiscrimination Program. It is the stated policy of the County of San Luis Obispo that all employees, and applicants, shall receive equal consideration and treatment. All recruitment, hiring, placements, transfers, and promotions will be on the basis of qualifications of the individual for the positions being filled regardless of race, color, religion, ancestry, national origin, age (over 40 years), sex, marital status, medical condition (cured of rehabilitated cancer), or physical handicap (including AIDS). All other personnel actions such as compensation, benefits, layoffs, returns from layoffs, terminations, training, and social and recreational programs are also administered regardless of race, color, religion, ancestry, national origin, age (over 40 years), sex, marital status, medical condition (cancer related), or physical handicap (including AIDS).

II. RESPONSIBILITIES FOR IMPLEMENTATION

- A. **Board of Supervisors:** The ultimate responsibility for the Affirmative Action Plan lies with the San Luis Obispo County Board of Supervisors.
- B. **County Administrator:** The County Administrator will act as the County's Affirmative Action Officer responsible for the overall implementation of the County's Affirmative Action Plan and will direct the activities of the Affirmative Action Coordinator.

In addition, the County Administrator shall preside over an Affirmative Action Committee composed of the County Affirmative Action Coordinator, representatives from the Personnel Department, County Counsel, Department of Technical Services, and Department Heads. The responsibilities of the Affirmative Action Committee will be, but will not be limited to:

1. Review and monitor the progress and implementation of this Plan and report any compliance deficiencies thereof to the Board of Supervisors semi-annually.
2. Formulate steps to resolve any affirmative action problems and, when necessary, make recommendations to the Board of Supervisors.

- C. **County Affirmative Action Coordinator:** The County Affirmative Action Coordinator will serve as the focal point for all Affirmative Action Programs and will have the responsibility to:
1. Serve on the Affirmative Action Committee.
 2. Ensure that contracts awarded by the County indicate, where required by law, that the Contractor is an Equal Opportunity/Affirmative Action Employer.
 3. Coordinate the efforts of each departmental Affirmative Action representative to reach goals and eliminate discriminatory employment practices and conditions.
 4. Report to the County Administrator on a regular basis on progress in meeting Affirmative Action goals and provide recommendations to eliminate discriminatory employment practices and conditions.
 5. Investigate any complaints alleging discrimination in the delivery of County services because of age, race, religious creed, sex, color, national origin, marital status, ancestry, physical handicap or medical condition.
 6. Develop policy statements and internal and external communication techniques.
 7. Identify problem areas within the workforce and to assist management in arriving at solutions to any problems.
 8. Design and implement an annual audit and reporting system of all components of the Nondiscrimination Program that will:
 9. Measure the effectiveness of the program.
 10. Indicate any need for remedial action.
 11. Serve as liaison between the County and minority organizations, women's organizations and community action groups concerned with employment opportunities for minorities and women.
 12. Keep management and supervisors informed of the latest developments in the equal employment area.
 13. Inform employees of available opportunities for advancement.
 14. Assist in maintaining open lines of communication throughout the workforce.
 15. Inform management of changes which may affect the Nondiscrimination Program, and revise the program as necessary.
 16. Periodically audit the County's orientation program, and its hiring, promotion, and termination practices.

17. Review the qualifications of minority and women employees to ensure that they are given full opportunities for transfers and promotions.
18. Ensure that EEO posters are properly displayed, and that minorities and women are urged to participate in County sponsored activities.
19. Ensure that supervisors understand that their responsibilities include carrying out County's commitment to equal employment opportunity.
20. Assume any contingent responsibilities necessary to ensure effective implementation of the County's Nondiscrimination Program.

D. **Civil Service Commission:** The San Luis Obispo County Civil Service Commission with its authority shall, in accordance with Civil Service Rules 4 and 16, hear grievances or complaints alleging discrimination in any employment practice, procedure, or policy because of age (over 40 years), race, religious creed, sex, color, national origin, marital status, ancestry, physical handicap (including AIDS) or medical condition (cured of rehabilitated cancer).

E. Personnel Department: The Personnel Director will ensure that all personnel selection practices are job-related and in compliance with existing State of California Fair Employment Practice laws, federal executive orders, Merit Systems Standards, or any other relevant state and federal statutes and regulations. A planned and systematic analysis of reviewing applicant flow data will be established in order to ascertain that selection practices have the least possible adverse effect on protected group individuals. In addition:

1. The Personnel Department will provide assistance and guidelines to all County departments so that Affirmative Action program objectives can be achieved.
2. The Personnel Department will disseminate information that will keep employees and the public aware of the latest developments in the area of equal employment opportunity.
3. The Personnel Department will assist in investigating complaints where discrimination in the County's employment practices or procedures is alleged.
4. The Personnel Department will provide reports that show present and future program needs and effectiveness.
5. The Personnel Department will analyze testing procedures and all other aspects of the recruitment and selection process to eliminate non-job related factors.
6. The Personnel Department will recommend, through the Affirmative Action Coordinator to the Affirmative Action Officer, appropriate policy and rule changes to the County Affirmative Action Committee and Civil Service Commission.
7. The Personnel Department will maintain an aggressive recruitment program to ensure the availability of protected group individuals for selection and placement.

8. A member of the Personnel Department shall be designated the Affirmative Action Coordinator subject to the approval of the County Administrator.
- F. **Department of Technical Services:** The Department of Technical Services will prepare relevant statistical information, on a regular basis, to be reviewed and analyzed by the Affirmative Action Coordinator. The information required includes, but is not limited to:
1. Quarterly reports containing current goals and ethnic and sex utilization by classification, EEO job classification category, employment status, and salary level. Also, a report of all new hires by race, sex and age within each department and the permanent County work force.
 2. An annual ethnic survey (EEO4 Report).
 3. In addition, the Department of Technical Services shall amend the County's payroll system to make possible the collection of any other information relevant to the carrying out of the County's Affirmative Action Plan.
- G. **All Department Heads:** All County Department Heads shall have the following duties and responsibilities:
1. Pledge themselves to the objectives of this Affirmative Action Plan.
 2. Implement the Affirmative Action Program within their department.
 3. Appoint an employee from their department to work with the County Affirmative Action Committee in implementing the Affirmative Action Program within the department. The responsibilities of each Affirmative Action representative are to:
 - a) Remain abreast of new laws, guidelines, regulations and programs related to Affirmative Action by participating in training programs.
 - b) Keep top-level management and supervisors within the department aware of progress and performance towards meeting the goals and timetables stipulated in the Affirmative Action Plan.
 - c) Assist in the investigation and resolution of discrimination complaints filed against their department.
 - d) Provide counseling, advice and guidance to individuals and groups within their department in matters related to Affirmative Action.
 - e) Provide information to the Affirmative Action Committee.
 4. Develop and implement training and promotional programs within the department that will allow for the upward mobility of protected groups.
 5. Familiarize and make available upon request the contents of the approved Affirmative Action Plan to all departmental employees.
 6. Perform responsibilities delegated by the County Administrator and Affirmative Action Committee.

The department head's Affirmative Action commitment and progress toward the County's Affirmative Action goals, as defined by this plan, will be a factor in the manager's yearly Performance Evaluation.

III. AFFIRMATIVE ACTION – COMPLIANCE WITH EEOC, OFCC, DFEH GUIDELINES

A. Recruitment:

1. Sources of Recruitment:

- a. The Personnel Department will actively utilize community agencies representing protected groups to recruit for County positions.
- b. Job announcement and recruitment efforts will attempt to include every active and effective community organization concerned with employment, including but not limited to those listed in Exhibit A.
- c. The Personnel Department will utilize recruitment sources which support the principles of Affirmative Action.
- d. The County will incorporate innovative advertisement and recruitment such as Job-Hotline phone line whenever feasible.
- e. The following sources will be fully utilized on a routine basis:
 - (1) The State Employment Development Department (EDD)
 - (2) Local newspapers such as the Telegram-Tribune, the Five-Cities Times Press Recorder, the Paso Robles Daily Press, the Morro Bay Sun Bulletin and the Atascadero News.

2. Recruitment Methods: All recruitment methods and forms, including but not limited to application forms, job announcements and advertisements, will be validated to ensure job-relatedness.

B. Examinations: The Personnel Department shall continue to validate each step in the total selection process to assure job-relatedness; including interviewing procedures, test administration, test validity, referral procedures and the final selection process to strengthen job-relatedness and validity and to aid in equal employment opportunity goals and objectives. No examination will be administered without prior analysis of the duties and responsibilities of the position and the establishment of job related qualifications, testing requirements and procedures.

1. Classification:

- a. The Classification Division, as directed by the County Board of Supervisors in the 1975 Affirmative Action Plan, will conduct classification studies of all County positions on a five-year cycle.
- b. Duties, responsibilities and tasks performed in each classification are to be evaluated to determine the knowledge, skills and abilities required for entry into the class. Finite educational requirements will continually be modified to allow for job-related experience unless where specifically required by law.
- c. Career ladders and lattices will be created, strengthened and more clearly defined to allow for the upward mobility of protected group individuals.
- d. Job titles will be job-related and reviewed to change any reference to gender.
- e. Minimum qualifications will be established to reflect “minimum qualifications” and not “desirable qualifications” for the job.
- f. Information gained in classification job analyses will be made available for use in selection processes.

2. Written Tests:

- a. Written examinations administered by the County will be given only after a careful job analysis study indicated the test is job-related and valid. Pass points for written examinations should be set to minimize adverse impact on protected group candidates.
- b. All written examinations which are purchased or rented from a professional or commercial firm shall be validated for the classification for which it will be used.

3. Oral Interviews:

- a. Oral interviews will be structured according to job elements developed during the job analysis and will be limited to skills, knowledge and abilities necessary for the classification.
- b. All County oral boards will receive an orientation by the Personnel Department which will inform the oral board of its responsibilities to Affirmative Action.
- c. Each oral board member shall submit written reasons for the failure of each interviewee. Such reasons shall be reviewed for sufficiency by the Personnel Analyst in charge of the recruitment.

- d. In order to diminish the possibility of discrimination in County oral boards, each oral board convened by the Personnel Department should include, wherever possible, at least one (1) protected group representative.
 - e. Any oral board rater not in compliance with the Personnel interviewing procedures will not be allowed to participate in future oral boards until proper training is again received and understood.
4. Training:
- a. The County will develop training programs aimed at facilitating the upward mobility of protected group individuals.
 - b. Optimum effort will be made to provide in-house training to the County workforce. This effort will be accompanied by a like effort in communicating Affirmative Action training programs available to employees, the value and intent of those programs and their relevance to those from protected groups.
 - c. The Personnel Department will provide counseling to employees on promotional opportunities; encouraging protected group employees to participate in career progression and development activities.
 - d. The County will take positive steps in encouraging protected group individuals to utilize training that would upgrade their qualifications and make them available to compete for higher job classifications.
 - e. Departments will develop on-the-job training programs to assist protected group individuals develop to their capacity.
 - f. The County will develop linkage(s) with federally or state funded agencies in which jointly designed training programs will be utilized to enable individuals to gain employment with the County.
 - g. All County sponsored or funded training shall be made available to employees without regard to their age (over 40 years), race, religious creed, sex, color, national origin, marital status, ancestry, physical handicap (including AIDS) or medical condition (cured of rehabilitated cancer).
- C. Maternity Leave: Maternity or maternity-related requests will be treated as other temporary disability or leave of absence. Determination of appropriate work return and leave dates will be left to the discretion of the employee and her physician. Upon return to work, such female employee will be reinstated to her original job, or to a position of like pay and status, without loss or penalty.
- D. Employment of Persons with Arrest or Conviction Records: It is a fact that persons of minority and disadvantaged backgrounds have a higher rate of arrest,

and subsequently, more minorities are also convicted of criminal offenses, particularly during early childhood. In recognition of this fact, each situation will be evaluated on an individual basis as determined by a job analysis or as prescribed by law.

E. Medical Standards: County pre-employment medical standards have been revised to eliminate non-job-related requirements and better recognize other pertinent federal and state regulations regarding the employment of physically handicapped individuals. In support of this policy, the County Health Officer will review the results of pre-employment examinations to ensure that no individual be denied employment unless based on proper job-related qualifications. In addition, general County medical standards regarding height, weight, cancer and heart history have been revised to eliminate non-job-related requirements. In every case, an individual will be evaluated on the physical requirements for a particular classification or job and not on a generalized basis.

1. Rehabilitation Act – Section 504, Rehabilitation Act of 1973: The County Board of Supervisors, by adopting Board Resolution 77-418 on June 27, 1977, had taken an affirmative position in providing equal opportunities for handicapped individuals. By Board Resolution 77-418, the County Administrator has been designated as the individual responsible for coordinating the County's efforts to the regulations promulgated by the Department of Health, Education and Welfare. In addition, the County will ensure that:

- a. All new facilities are barrier free and readily accessible to and usable by handicapped individuals. Programs or activities in affected facilities are made accessible to the handicapped.
- b. Programs or activities in affected facilities are made accessible to the handicapped.
- c. Handicapped persons will be hired if reasonable accommodations can be made for the individual's handicap and that handicap does not impair the ability of the applicant or employer to do the specific job.
- d. Pre-employment physical examinations and inquiries about whether or not a person is handicapped or the nature or severity of a handicap are strictly job-related and apply equally to all applicants and employees.

F. Audits:

1. This section of the Affirmative Action Plan is provided to assure the frequent assessment of the County's efforts at making Affirmative Action work. It is essential that the Plan be subjected to an on-going audit and appraisal by those in County government who administer the Plan, and, most importantly by the citizens of the County who might find meaningful employment opportunities only through an effective Affirmative Action Plan.

2. The County will maintain an “open door” policy with regard to legitimate inquiry into its successes and failures in achieving the objectives of its Affirmative Action Plan.
- G. Contract Compliance: In furtherance of the concept of Equal Employment opportunity, the County will maintain a policy in relationship with County contractors and subcontractors that supports Affirmative Action. Therefore, all purchase orders, leases, and contracts covered by, or subject to Executive Order No. 11246 (as amended) or its implementing rules and regulations will contain an appropriate equal employment opportunity clause therein (either by reference or in its entirety).

IV. PRIOR ACTIVITY AND ACCOMPLISHMENTS

Since the adoption of the County’s Affirmative Action Plan by the Board of Supervisors on June 2, 1975, numerous and significant changes have occurred. Following are brief summaries of those changes:

A. Employment:

1. In mid 1975 the County began collecting information on the ethnicity and sex of applicants for County testing. (it appears that protected group individuals are not experiencing adverse impact in the overall selection process.)
2. In the past, all individuals applying for clerical positions in the County were required to take a shorthand, typing, written, and oral examination. Now a system of employee certification is used and individuals can certify as to their education, experience, shorthand, and typing skills. Using this system, the use of oral and written examinations have been minimized, which has increased the reliability and validity of the selection process and has improved the quality of those individuals selected by insuring only job-related standards. A similar system was implemented for certain blue collar maintenance and service classifications.
3. Qualifications and examination plans have been revised. Recruitments are content valid and are based on the present job tasks of each classification.
4. An addendum was added to job applications requesting that each individual voluntarily identify his/her ethnic background and possible handicap. This information is used to make reports to evaluate test materials for the purposes of identifying those examinations which have adverse impact on protected group individuals.
5. The oral examination procedure was revised from a non-directive questioning procedure to a structured process in which job-related questions are designed in advance for each examination. This approach, called the “structured oral” was combined with the procedures for job analysis and

examination planning. These changes have significantly improved the job-relatedness and quality of the interviewing process.

6. To better comply with County fair equal employment opportunity reporting responsibilities, procedures have been developed and implemented to trace the flow of applicants through the examination process with particular emphasis being placed on determining if adverse impact is present.
7. Requirements have been established which are job-related. Most absolute college degree requirements have been eliminated. The Deputy Sheriff height, weight, and sex requirements have been eliminated.
8. Job announcements are written to employ equality between men and women; the terms "he," "his," and "him" have been eliminated.
9. The job application form has been revised and questions such as marital status, number of children, citizenship, physical requirements, and arrest records have been eliminated for lack of demonstrated job-relatedness.
10. Representatives of the Personnel Department have visited various schools, community organizations, and groups to personally inform the public of job opportunities, and to coach and advise individuals on Civil Service testing, how to apply for a job, and how to present oneself in applying for a job.
11. In 1985 the Personnel Department joined the Western Region Item bank (WRIB). This is a consortium of cities and counties in the western United States. Members contribute written examination questions which can be requested and assembled by category into any number of master examination booklets. The computerized service provided by WRIB includes extensive analysis of examination results for all agencies so that individual question validity can be determined. Access to WRIB has increased and will continue to increase the use of written examinations. Individual departments have responded favorably to the use of the written examinations and San Luis Obispo County has contributed many technical questions to the Bank.

B. Classifications:

1. The Classification Division has a goal of studying job classifications on a five year cycle.
2. Classification titles have been changed to eliminate any reference to sex.

C. Training:

1. Basic Affirmative Action training programs have been given to supervisory and management personnel to introduce them to the concepts and principles of Affirmative Action.

2. Training on Avoidance of Sex Harassment has been offered to all personnel, including supervisory and management personnel, to introduce them to the County's Policy on avoiding sex harassment and procedures on how to maintain a work environment free from such harassment.
3. The Board of Supervisors approved a half-time Personnel Analyst to administer an expanded supervisory training program. The "Supervisory Academy" consisting of nine training classes began in September 1989. Additionally, a Media Relations Training class will be offered to all employees who routinely deal with the media.

D. Organizational Strength:

Within each department a representative has been designated to assure compliance with County Affirmative Action efforts, and act as the primary liaison with the Affirmative Action Coordinator.

E. Automation Activities:

1. The automation of the Recruitment and Testing Program has been an extensive one and continues to be refined. The system can now provide immediate access to examination statistics and allow speedy computation times for test results. The Recruitment and Testing computerization continues to generate notification of examination dates, times and procedures to applicants. The department is continuing to make revisions to the automation program to allow for even more efficiency and accuracy throughout the many steps of the examination process.
2. The Clerical and Maintenance recruitment system was converted from a mainframe to a PC system. An optical scanner will allow for a much faster data entry time as well as provide for more speed in scoring and generating lists to fill vacancies for these entry-level positions. This Clerical and Service/Maintenance recruitment and testing program makes use of computerized selection devices for job classes where oral and written examinations are not accurate predictors of job success. This procedure is proving invaluable as the number of applicants increase and County resources decrease. As noted above, this system is being revised to complete operation within the Personnel Department using personal computers and an optical scanner.

F. Dependent Care:

The County has created a Dependent Care committee to advise the County in matters dealing with the formulation of Dependent Care benefits. Through these efforts the County has implemented a summer care program for school age children of County employees.