

4.1.3 – Equal Employment Opportunity

ARTICLE IV. - EQUAL EMPLOYMENT OPPORTUNITY

Sec. 54-111. - Statement of policy.

The policy of the city is to foster, maintain and promote equal employment opportunity. The city shall hire and promote employees on the basis of applicants' qualifications and without regard to age, sex, race, color, religion, national origin, political affiliation, sexual orientation or disability as defined by the Americans with Disabilities Act. Applicants with mental or physical disabilities shall be given equal consideration as other applicants for positions in which their actual disability does not represent an unreasonable barrier to satisfactory performance of duties.

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, amended § 54-111 to read as set out herein. Former § 54-111 pertained to general policy and was derived from Ord. No. 1994-43, art. IV, § 1, adopted July 26, 1994.

Sec. 54-112. - Policy review.

All personnel responsible for recruitment and employment shall continue to regularly monitor and review relevant practices to assure that equal employment opportunity, based on reasonable performance-related job requirements, is being actively observed, to the end that no employee or applicant for employment shall suffer discrimination because of age, sex, race, color, religion, national origin, political affiliation, sexual orientation or disability as defined by the Americans with Disabilities Act. Notices with regard to equal employment matters shall be posted in conspicuous places on city premises where notices are customarily posted.

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, amended § 54-112 to read as set out herein. Former § 54-112 pertained to implementation of policy and was derived from Ord. No. 1994-43, art. IV, § 2, adopted July 26, 1994.

Sec. 54-113. - Reserved.

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, repealed § 54-113 in its entirety. Former § 54-113 pertained to authority to prescribe additional policies and procedures and was derived from Ord. No. 1994-43, art. IV, § 12, adopted June 26, 1994.

Sec. 54-114. - Recruitment sources.

All recruitment sources shall be advised periodically of the city's equal employment opportunity policy. The city shall include among its recruitment sources organizations and media which are utilized by and are available to minority group applicants. Information about job openings, employment qualifications and hiring practices shall be provided to all recruitment sources.

(Ord. No. 1994-43, art. IV, § 3, 7-26-94; Ord. No. 2012-178, § 1, 11-27-12)

Sec. 54-115. - Job advertisements.

4.1.3 – Equal Employment Opportunity

Employment advertisements shall contain assurances of equal employment opportunity and shall comply with federal and state statutes regarding non-discrimination in employment matters.

(Ord. No. 1994-43, art. IV, § 4, 7-26-94; Ord. No. 2012-178, § 1, 11-27-12)

Sec. 54-116. - Employment applications (and interest cards).

All persons interested in employment with the city shall be given the opportunity to apply for positions when they are vacant and the city is actively recruiting. When the city is not recruiting or there are no open positions, persons may file an interest card with the human resources department. The human resources department shall issue additional instructional guidelines regarding applications and interest cards as well as be the official recipient of these documents.

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, amended § 54-116 to read as set out herein. Former § 54-116 pertained to employment applications generally; interest cards and was derived from Ord. No. 1994-43, art. IV, § 5, adopted July 26, 1994 and Ord. No. 1997-42, § 1, adopted August 26, 1997.

Sec. 54-117. - Retainment of applications.

- (a) Applications shall be kept in a reserve file for a period of three years in accordance with equal employment opportunity commission guidelines.
- (b) To the extent that it is practical, reference to these files shall be made periodically in connection with the city's employment requirements to insure that equal consideration is given to all applicants.

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, amended § 54-117 to read as set out herein. Former § 54-117 pertained to preservation of employment applications and was derived from Ord. No. 1994-43, art. IV, § 6, adopted July 26, 1994.

Sec. 54-118. - Qualifications and testing.

- (a) The city's policy includes the responsibility for insuring that hiring qualifications for both entry level and promotional level jobs are fair and shall continue to be fairly administered. Qualifications shall be reviewed periodically to assure that requirements conform to the actual job performance requirements and to changing situations.
- (b) In keeping with both these responsibilities, the city may hire applicants who may not be fully qualified for a particular job, provided that the deficiency can be eliminated through orientation and on-the-job training.
- (c) Tests administered by the city or by the state employment security commission for the city shall be only those that will measure the skills actually required for the job. Tests shall conform to applicable legal regulations and shall be appropriately validated.
- (d) All tests given to applicants shall be administered and evaluated by the human resources department, or by the employment security commission personnel who are fully acquainted with the city's policy on equal employment opportunity.

4.1.3 – Equal Employment Opportunity

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, amended § 54-118 to read as set out herein. Former § 54-118 pertained to qualifications and testing of applicants for employment and was derived from Ord. No. 1994-43, art. IV, § 7, adopted July 26, 1994 and Ord. No. 1997-42, § 1, adopted August 26, 1997.

Sec. 54-119. - Compensation.

The policy of the city is to pay compensation which is competitive with local rates for the work performed so that compensation does not create a barrier to the recruitment of protected group applicants. Opportunities for performing overtime work or otherwise increasing compensation will be distributed as equally as practicable among employees in the same job class, department and shift, regardless of age, sex, race, color, religion, national origin, political affiliation, sexual orientation or disability as defined by the Americans with Disabilities Act. It is the policy of the city to pay all employees equally, based upon job classification, experience and ability.

(Ord. No. 2012-178, § 1, 11-27-12)

Editor's note— Ord. No. 2012-178, § 1, adopted November 27, 2012, amended § 54-119 to read as set out herein. Former § 54-119 pertained to compensation policy and was derived from Ord. No. 1994-43, art. IV, § 8, adopted July 26, 1994.

Sec. 54-120. - Equal employment notices.

Notices with regard to equal employment matters shall be posted in conspicuous places on city premises in places where notices are customarily posted.

(Ord. No. 1994-43, art. IV, § 9, 7-26-94; Ord. No. 2012-178, § 1, 11-27-12)

Sec. 54-121. - Promotion and employment development.

- (a) Employees will be provided every reasonable means to succeed on their jobs and will be given opportunities to prepare themselves for full use of their talents and potential. On-the-job training will be provided to prepare employees to meet the full requirements of their new jobs, and special programs developed to meet specialized training needs.
- (b) Candidates for promotion shall be chosen on the basis of existing job openings, on their qualifications and on their work records without regard to age, sex, race, color, religion, national origin, political affiliation or disability as defined by the Americans with Disability Act. Performance evaluations and work records for all personnel shall be carefully examined when openings for positions in higher classifications occur.

(Ord. No. 1994-43, art. IV, § 10, 7-26-94; Ord. No. 2012-178, § 1, 11-27-12)

Sec. 54-122. - Records and reports.

- (a) The human resources director will maintain up-to-date records which reflect the city's efforts in equal opportunity employment. Such records will include data necessary to accomplish required reports under the provisions of the Equal Opportunity Act of 1972.

4.1.3 – Equal Employment Opportunity

(b) The EEO-4 report shall provide a basis for an analysis of the status of actual equal employment opportunity with the city and for an evaluation of progress made in this regard.

(Ord. No. 1994-43, art. IV, § 11, 7-26-94; Ord. No. 1997-42, § 2, 8-26-97; Ord. No. 2012-178, § 1, 11-27-12)

Sec. 54-123. - Promulgation of policy.

The city manager shall have the right to promulgate additional equal employment opportunity and affirmative action policies and steps in order to carry out the city's commitment to equal employment opportunity.

(Ord. No. 2012-178, § 1, 11-27-12)

Secs. 54-124—54-150. - Reserved.