

**BOARD OF SUPERVISORS
COUNTY OF SIERRA
STATE OF CALIFORNIA**

RESOLUTION NO. 2016-031

Sierra County Equal Employment Opportunity and Non-Discrimination Policy

THE BOARD OF SUPERVISORS OF THE COUNTY OF SIERRA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the County's current Policy required updates to comply with new regulatory requirements, which regulations were effective April 1, 2016, and,

WHEREAS, the attached Equal Opportunity and Non-Discrimination Policy complies with the new regulations,

NOW, THEREFORE, BE IT RESOLVED that the Sierra County Board of Supervisors adopts the attached Equal Employment Opportunity and Non-Discrimination Policy.

ADOPTED by the Board of Supervisors of the County of Sierra on the 5th day of April, 2016, by the following vote:

AYES: Supervisors Huebner, Roen, Beard, Schlefstein, Adams
NOES: None
ABSTAIN: None
ABSENT: None

COUNTY OF SIERRA



Lee Adams, Chairperson
Board of Supervisors

ATTEST



Heather Foster
Clerk of the Board

APPROVED AS TO FORM:



Christian M. Curtis
Deputy County Counsel

Discrimination, Harassment, and Retaliation Prevention

As further described below, Sierra County policy and the law prohibit discrimination and harassment based on an individual's race, ancestry, religion or religious creed (including religious dress and grooming practices), color, age (40 and over), sex, gender, sexual orientation, gender identity or expression, genetic information, national origin (including language use restrictions), marital status, medical condition (including cancer and genetic characteristics), physical or mental disability (including HIV and AIDS), military or veteran status, pregnancy, childbirth, breastfeeding and related medical conditions, denial of Family and Medical Care leave, or any other classification protected by federal, state, or local laws, regulations, or ordinances. Our policy and the law prohibit coworkers, third parties, supervisors, and managers from engaging in such conduct.

Equal Employment Opportunity/Anti-Discrimination

Sierra County is an equal opportunity employer. We enthusiastically accept our responsibility to make employment decisions without regard to any of the categories listed above. Our management is dedicated to ensuring the fulfillment of this policy with respect to hiring, placement, promotion, transfer, demotion, layoff, termination, recruitment advertising, pay, and other forms of compensation, training, and general treatment during employment.

We also recognize and support our obligation to reasonably accommodate employees with disabilities or religious beliefs or practices who are able to perform the essential functions of their positions, with or without reasonable accommodation. The County will provide reasonable accommodation to any such employee, unless doing so would impose an undue hardship on the County. If you believe you need a reasonable accommodation, please discuss the matter with your immediate supervisor, department manager, or the Personnel Manager.

No Harassment

Sierra County does not tolerate harassment of our job applicants, contractors, volunteers, interns, employees, or any other professional contact by another employee, vendor, customer, or any third party based on any of the protected bases identified above. The County has zero tolerance for harassment and is committed to a workplace free of any harassment.

Harassment Defined. "Harassment" as used in this policy includes disrespectful or unprofessional conduct based on any of the protected characteristics listed above. Harassment can be verbal (such as slurs, jokes, insults, epithets, gestures, or teasing), graphic (such as offensive posters, symbols, cartoons, drawings, computer displays, or emails) or physical conduct (such as physically threatening another person, blocking someone's way, etc.). Such conduct violates this policy, even if it is not unlawful. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a professional and respectful manner.

Sexual Harassment Defined. "Sexual harassment" as used in this policy may include all of the above actions, as well as other unwelcome sex-based conduct (even if not motivated by sexual desire), such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature.

Prohibited Conduct. Examples of conduct that violates this policy include:

- Unwelcome sexual advances, flirtations, advances, leering, whistling, touching, pinching, assault, blocking normal movement
- Requests for sexual favors or demands for sexual favors in exchange for favorable treatment
- Obscene or vulgar gestures or comments based on any protected characteristic
- Derogatory cartoons, posters, or drawings based on any protected characteristic
- Uninvited touching of a sexual nature
- Conduct or comments consistently targeted at only one gender, even if the content is not sexual
- Teasing or other similar conduct directed toward a person because of any protected characteristic

All such conduct is unacceptable in the workplace and in any work-related settings, such as business trips and business-related social functions, regardless of who is engaging in the conduct.

Reporting Complaints

If you believe someone has violated this policy, please bring the matter to the attention of your department manager or the Personnel Director, orally or in writing. If you make a complaint under this policy and do not receive a satisfactory response within five (5) business days, please contact the Personnel Director or Auditor/Risk Manager immediately.

Any supervisor who learns of any potential misconduct related to this policy must immediately report the matter to Personnel Director, so the County can try to resolve the claim internally.

As further described below, when an employee or other individual brings a complaint under this policy, Sierra County's complaint process ensures such complaints receive:

- Sierra County's designation of confidentiality, to the extent possible;
- A timely response;
- An impartial and timely investigation by qualified personnel;
- Documentation and tracking for reasonable progress;
- Appropriate options for remedial actions and resolutions; and
- Timely closure.

When the County receives allegations of potential misconduct related to this policy, it will conduct a fair, timely, impartial, and thorough investigation, commensurate with the circumstances. The investigation will provide all parties appropriate due process and reach reasonable conclusions based on the evidence collected. To the extent possible, the County will endeavor to keep the reporting employee's concerns and the investigation confidential. Of course, Sierra County cannot promise complete confidentiality because there are circumstances in which it may need to speak with others about the complaint or investigation (for example, witnesses you identify). All employees are expected to fully cooperate with County-initiated investigations. This includes, but

is not limited to, maintaining an appropriate level of discretion regarding the investigation and disclosing any and all information that may be pertinent to the investigation. Upon completion of the investigation, if misconduct that violates this policy is found, the County will take appropriate remedial measures and preventive action.

Sierra County hopes you will take advantage of this complaint process so we can take steps to address and resolve your concerns. However, you may also bring your complaints to the California Department of Fair Employment and Housing or the Equal Employment Opportunity Commission. You can find contact information for these agencies in the phone book or on the Internet.

No Retaliation

Sierra County prohibits retaliation for reporting perceived violations of this policy, requesting a reasonable accommodation, or participating in the investigation of a complaint. If you believe someone has violated this policy against retaliation, please notify the County immediately as provided in "Reporting Complaints" above.