AFFIRMATIVE ACTION PLAN

FOR THE

MOBILE COUNTY HEALTH DEPARTMENT

September 18, 2014

INTRODUCTION

The Mobile County Health Department (MCHD) through its administrative agency the Mobile County Board of Health, is committed to providing a work environment which prohibits employment discrimination and provides opportunities for all employees on a non-discriminatory basis.

The Mobile County Health Officer is committed to periodic reviews of agency employment activity in hiring and promoting employees to ensure compliance with this Affirmative Action Plan, hereinafter referred to as the "AAP".

This AAP will serve as a guideline for managers and supervisors to ensure that employees and job applicants are treated fairly and equitably without discrimination.

STATEMENT OF POLICY

It has been and will continue to be the policy of the MCHD to ensure that applicants and employees are treated equitably without regard to their race, color, religion, national origin, citizenship, age (40 and over), sex (includes pregnancy, childbirth and related medical conditions), genetics, physical or mental disability or military obligations in all employment actions. This policy of non-discrimination applies, and is not limited to all terms and conditions of employment including recruitment, hiring, promotion, demotion, or transfer; layoff or termination; rates of pay or other forms of compensation or benefits; selection for training; disciplinary actions and all other terms and conditions of employment. It has been and will continue to be the policy of the MCHD to ensure that applicants and employees are afforded protection from retaliation against a person who files a charge of discrimination, participates in a discrimination proceeding or otherwise opposes an unlawful employment practice.

Managers and supervisors will be held responsible for compliance with equal employment opportunity efforts and results. Progress will be reviewed periodically and recommendations will be made in areas deemed necessary.

SCOPE OF THE AFFIRMATIVE ACTION PLAN

The Mobile County Health Department is governed by the Laws and Rules of the Personnel Board for Mobile County, Alabama with respect to all personnel actions involving classified employees and applicants for employment. Rule 1.1 states the Personnel Board policy on Equal Employment Opportunity.

In addition, the content of this AAP is interrelated with and partially determined by the policies and regulations of the Alabama State Personnel Department. This AAP provides for compliance with the following Federal laws:

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, gender, religion, color, or national origin by a recipient of federal assistance even if receipt of monies is only part of the program budget.

Title VII of the Civil Rights Act of 1964 prohibits discrimination in employment based on race, sex, religion, color, or national origin. The Equal Employment Act of 1972 amends Title VII to extend the anti-discrimination provision to state and local governments with 15 or more employees. The Civil Rights Act of 1991 provides for a jury trial and compensatory and punitive damages in cases involving allegations of intentional discrimination. The Pregnancy Discrimination Act amends the sex discrimination section of Title VII providing equal opportunity to pregnant women.

The Age Discrimination in Employment Act of 1967, as amended, prohibits discrimination against individuals 40 years of age or older. The 1974 amendment makes it applicable to state and local governments with 20 or more employees.

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination in employment against the handicapped.

The Americans with Disabilities Act of 1990 is covered under:

Title II - No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity or be subjected to discrimination by any such entity.

Title III - No individual with a disability shall be denied access to any service or place of commerce or entertainment enjoyed by the general public.

The Vietnam Era Veterans Readjustment Assistance Act 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans {within three years of discharge or release from active duty}, other protected veterans {veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized}, and Armed Forces service medal veterans {veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded}.

The Genetic Information Non-Discrimination Act (GINA) of 2008 is covered under:

Title II - Under Title II of GINA, it is illegal to discriminate against employees or applicants because of genetic information. Title II of GINA prohibits the use of genetic information in making employment decisions, restricts employers and other entities covered by Title II (employment agencies, labor organizations and joint labor-management training and apprenticeship programs - referred to as "covered entities") from requesting, requiring or purchasing genetic information, and strictly limits the disclosure of genetic information.

ADMINISTRATION OF THE AAP

The Mobile County Health Officer, as chief executive officer of the MCHD, is responsible for the implementation of policies and has the overall responsibility for administration of the AAP.

The Director of Human Resources also serves as the agency's Equal Employment Opportunity (EEO) Officer and is responsible for the day-to-day implementation of the AAP. The Human Resources Director's duties are to:

(I) Ensure that equal opportunity employment and practices are implemented within the scope and purpose of this AAP;

(2) Serve as MCHD's liaison with the Mobile County Personnel Board and Alabama Department of Public Health, Office of Human Resources.

(3) Assist departmental administrators and supervisors in implementing the AAP within their assigned areas of responsibility;

(4) Upon request, report in writing to the Health Officer or his representative, information describing the performance of the AAP, including statistics for appointments, promotions, transfers, and terminations as well as an EEO summary recap;

(5) Obtain EEO posters for each location and require that they be posted on designated bulletin boards.

ADMINISTRATION OF THE AAP (continued)

(6) Place a copy of the AAP on the agency's intranet;

(7) Identify the need for EEO training for supervisors;

(8) Review employment practices by auditing records and policies when necessary;

(9) Provide statistical data sufficient to determine progress and/or agency objectives;

(10) Consult with internal units and external organizations and groups when requested by the Health Officer or the Director of the Personnel Board for Mobile County.

(11) Receive and investigate employees' complaints and grievances;

(12) Recommend actions to the Mobile County Health Officer.

Bureau directors and departmental directors are responsible for administering the provisions of this AAP on a daily basis.

RECRUITMENT AND CERTIFICATION

The Mobile County Personnel Board is statutorily assigned the responsibility for recruiting, testing and certifying eligible applicants. Public announcements of merit system examinations are made through distribution of job announcements and through the public media, including the Mobile County Personnel Department's Web site (www.personnelboard.org).

The policy of the MCHD is to ensure that its recruitment efforts are conducted in a non-discriminatory manner and are sensitive to the principles of equal employment laws. The MCHD is responsible for the recruitment of qualified applicants to apply for specialized jobs and recruitment will be deemed necessary when the MCHD is unable to fill vacancies due to a lack of available applicants in any specialized area.

Implementation:

The Director of Human Resources is responsible for monitoring recruitment activities. All job advertisements must be submitted to Human Resources prior to release for review and approval. Recruitment efforts at job fairs and on-campus recruitment must be coordinated and documented to Human Resources.

APPOINTMENTS

The Mobile County Personnel Board, under merit system rules and regulations, is responsible for the certification of candidates. Appointments for MCHD positions are the province of the Mobile County Health Officer and must be made on a non-discriminatory basis.

Implementation:

After applicants have been screened and examined, the Personnel Board will establish an employment register for each requested classification. When vacancies occur, a referral list is requested from the Personnel Board. When this list is provided, the eligible candidates are contacted for interviews by the Human Resources Department staff. Selection is made from the applicants on the referral list. The Human Resources Department is responsible for assisting in the recruitment through hire of non-merit (civil service) employees and will follow all laws and internal policies in this employment endeavor.

Supervisors who make hiring decisions will adhere to the MCHD's commitment to equal employment opportunity principles and conduct interviews in a non-discriminatory manner. Selection decisions are to be based solely on job-related factors.

PROMOTIONAL OPPORTUNITIES

It is the policy of MCHD to make available to all employees information regarding promotional opportunities and to fill vacancies using qualified staff who have demonstrated ability and capacity to perform at higher levels. If the probationary period has been completed, the employee is eligible to apply for promotional opportunities for the next level position in a sequence that allows for promotion. This policy, while intended to influence stability in the staff, does not exclude public announcements of positions and competitive examinations.

MCHD places responsibility on the managers and supervisors at all levels to maximize the skills and abilities of all subordinates. All eligible employees are informed of promotional examinations and are given opportunity to apply. Promotions are based on merits and capabilities of the individual without excessive consideration on seniority. The Human Resources Director is responsible for ensuring procedures are in place for the following actions.

Implementation:

Employees will be apprised of employment and promotional opportunities each week by the Office of Human Resources via the agency's intranet. A copy of the weekly job announcements will also be posted on the Human Resources bulletin board located at the Keeler Building 3rd floor. Employees, whose classification have a direct line of progression and do not allow for agency-wide selection, may be notified via email or telephone.

ORIENTATION AND TRAINING

Orientation:

New hires will attend an in-depth new employee orientation that welcomes new employees and provides an overview of public health and programs/services provided by the MCHD. New employees will be given an opportunity to read and ask questions regarding MCHD policies and procedures. It must be documented on the new employee orientation checklist that the employee attended the orientation.

Training:

All employees are to be given equal opportunity to attend training that will benefit them in their jobs. Employees will be surveyed periodically for special skill and interests for training that will provide qualifications for promotion to higher classifications. All will be encouraged to utilize the opportunities for self-improvement and career development as finances and scheduling may allow. Training courses offered through the Mobile County Personnel Board are advertised quarterly through in-house distribution and through the Mobile County Personnel Board's website. MCHD's Human Resources Department oversees training and orientation programs.

GRIEVANCES, COMPLAINTS AND APPEALS

It is the policy of the MCHD to have zero tolerance for any form of harassment or discrimination in the work place and to provide a productive work environment free of conduct that is disruptive, hostile, intimidating or interferes with an employee's ability to do their job. It is expected that all employees, including all supervisors and managers, will respect the feelings of fellow employees, and to treat fellow employees in a courteous manner. A healthy work environment is one where management is receptive to employee complaints and resolves them in a timely and judicious manner. Supervisors will be held responsible for encouraging such an environment.

Complaint Procedure:

Anyone who feels that he/she has not been afforded the full benefit of our Equal Employment Opportunity policy, including any employee who believes that he/she has been subjected to any form of discrimination or harassment should come forward with a complaint.

Civil Service and/or contractual employees will be required to prepare a written report with the Director of Human Resources (EEO Officer) detailing the alleged harassment or any other violation of our policy and to sign the report. To the extent practicable, the investigation will be confidential. Upon completion of the investigation, the Health Officer will be notified of the investigation in a timely manner.

GRIEVANCES, COMPLAINTS AND APPEALS (Continued)

If it is determined that a complaint is valid, prompt and appropriate action will be taken against the person or persons engaging in such conduct. MCHD prohibits retaliation of any kind against an employee who has complained of alleged harassment and will take disciplinary action against anyone who retaliates or attempts to retaliate.

Likewise, Rule XVI of Laws and Rules for the Personnel Board of Mobile County outlines the procedures to follow in filing a grievance/complaint for civil service employees. The grievances and complaints procedure provides for intermediate levels of discussions, fact-findings, conferences, appeals and informal hearings.

OTHER PERSONNEL ACTIONS

Work environments, job placements, and work assignments will be analyzed to ensure they are consistent with MCHD's AAP. This requirement falls under the direct responsibility of bureau and departmental directors.

Implementation:

Exit interviews questionnaires will be solicited from employees who separate from MCHD. As completed questionnaires are received, they are reviewed by the Director of Human Resources to determine if voluntary separations are due, in part, to failure of the AAP and to determine if management practices can be improved. The Director of Human Resources will provide to the Health Officer a report regarding exit interviews. Records of disciplinary actions including suspensions, demotions and terminations are maintained on each employee by name, sex, race, job classification, type of action and reason for the action taken. This requirement falls under the direct responsibility of the Director of Human Resources.

Revisions:

Periodic reviews may be conducted by the Director of Human Resources to determine the effect of the AAP and to identify needed changes or added requirements.

The AAP will be reviewed for completeness and effectiveness and revised as deemed necessary. Any revision to the AAP will be posted on the agency's intranet.

Individual copies will be made available to employees upon request.

Reaffirmation of Commitments:

The MCHD's Health Officer is committed to the goal of equal employment opportunity and the AAP as stated in this document and the agency's Equal Employment Opportunity/Harassment in the Workplace policy. As such, a reaffirmation of commitments will be posted on the agency's intranet and on the Human Resources bulletin board on an annual basis.