

AFFIRMATIVE ACTION

Effective: June 17, 1997

01-36

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Utilization of Women and Minorities

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Offered by Mrs. Call, seconded by Mr. Proto.

WHEREAS, the Tompkins County Board of Representatives adopted the Tompkins County Affirmative Action Plan on June 11, 1985 by Resolution No. 176, and

WHEREAS, the Chairman of the Board, the Chairman of the Human Services Committee, and the Affirmative Action Officer were directed to work toward the appointment of a committee to provide guidance to the County in the area of Affirmative Action and report to the Board concerning the charge and structure of this committee in September of 1985, now therefore be it

RESOLVED, on recommendation of the Human Services Committee, That a Community Affirmative Action Committee be established, said Committee to consist of five voting members and the Affirmative Action Officer as a nonvoting ex-officio sixth member, with one of the five voting members to be selected by the Human Rights Commission from among its membership one of the five voting members to be a member of the Tompkins County Board of Representatives, nominated by the Chairman of the Board and appointed by the Board of Representatives through the normal appointment process; and the remaining three voting members to be citizens-at-large, members of the protected classes, one of whom should be a County employee who is from a level other than management, all three to be appointed by the Tompkins County Board of Representatives,

RESOLVED, further, That the term of appointment for the member of the Human Rights Commission and the member of the Board of Representatives shall each be for one year and that the term of appointment for the three at-large members shall be for three years each, with the initial appointments being one, two, and three years so that there will thereafter be one three-year appointment of a citizen at-large expiring each year,

RESOLVED, further, That the responsibility of the Community Affirmative Action Committee is to assist the County in achieving equity in employment opportunity and in fulfilling other planned objectives as outlined in the Tompkins County Affirmative Action Plan,

RESOLVED, further, That in fulfilling this responsibility, the Community Affirmative Action Committee shall serve in an advisory capacity to the Tompkins County Affirmative Action Officer and to the Tompkins County Board of Representatives.

cc: County Attorney
County Administrator

STATE OF NEW YORK)
) ss:
COUNTY OF TOMPKINS)

I hereby certify that the foregoing is a true and correct transcript of a resolution adopted by the Tompkins County Board of Representatives on the 17th day of September 1985.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Board at Ithaca, New York, this 18th day of September, 1985.



, Clerk
County Board of Representatives

II. VISION AND MISSION STATEMENTS

A. RESOLUTION NO. 11 - ADOPTING VISION, MISSION AND GOALS FOR TOMPKINS COUNTY

The relevant portion of Resolution No. 11 adopted January 21, 1997 by the County Board of Representatives and which applies to this document follows:

Physical & Social Well-Being

Goals:

Include all groups more fully in all aspects of the life of the community.

Suggested Success Indicators:

- Demographic profile of county employees mirrors that of the community
- Decrease in documented bias cases
- Elected and advisory boards reflect the community
- Increase in voting rates among under-represented groups

B. COMMUNITY AFFIRMATIVE ACTION COMMITTEE

The Community Affirmative Action Committee adopted its vision for Tompkins County as an employer and its mission statement as a Committee in 1996, consistent with the relevant portion(s) of the Tompkins County vision, mission and goals adopted in January 1997 by the County Board of Representatives.

Vision:

Tompkins County will be seen as a place where any resident will be welcomed to live and prosper. Tompkins County government, as an employer, shall represent the diverse population of the county and strive to be inclusive without regard to race, color, national origin, ethnicity, sex/gender, sexual orientation, marital status, age, disability, status as a special disabled veteran or Vietnam era veteran, or status as an ex-offender. Tompkins County government shall be a place where individuals may seek employment opportunities, advancement and career opportunities and its work force will include and represent the diverse population of the county.

Mission:

The Tompkins County Community Affirmative Action Committee works for policies, procedures and practices to be adopted and enforced by county government, as an employer, that will result in the recruitment, civil service reachability, and retention in the employment of affirmative action protected class groups -- women, minorities, persons with disabilities, and covered veterans.

III. BOARD'S AFFIRMATIVE ACTION/EQUAL OPPORTUNITY POLICY STATEMENT

It is the policy of the Tompkins County Board of Representatives (hereinafter the Board) to foster and promote equal employment opportunity to all persons without regard to race, color, ethnicity, national origin, sex/gender, sexual orientation, religion, creed, age, marital status, disability (including HIV infection and AIDS), ex-offender status or Vietnam Era or special disabled veteran status. Additionally, the Americans with

Disabilities Act of 1990 specifically prohibits discrimination against individuals associated with persons with disabilities. The members of the Tompkins County Board of Representatives are individually committed to assuring that Tompkins County government agencies and departments will act affirmatively to develop avenues of entry and mobility for minorities, women, individuals having disabilities, and covered veterans through the following activities:

- Identification of the under-utilization of minorities and women in County job categories for the purpose of taking affirmative action to reach parity with their representation in the County's immediate and reasonable labor market areas.
- Development and implementation of results-oriented programmatic approaches to address identified problem areas and the elimination of all discriminatory employment practices, procedures, policies and consequences.
- Development and implementation of personnel practices, policies and career ladders to assist and encourage the availability and opportunity for upward mobility of employees.
- Development and implementation of mechanisms for the immediate and appropriate resolution of problems of alleged harassment and other forms of discrimination consistent with our procedures for handling such problems and with all relevant and applicable legal statutes and regulations.

Adoption of Affirmative Action Programs to address the utilization of women and minorities and the representation of persons with disabilities and covered veterans in the County's workforce.

The Board establishes affirmative action and equal employment opportunity as immediate and necessary governmental objectives. We pledge Tompkins County government to affirmatively provide services and programs in a fair and impartial manner. Furthermore, we recognize the hiring difficulties experienced by persons with disabilities and by many older persons, and we set program goals for action to overcome the present effects of past discrimination, if any, to achieve the full and fair utilization of such persons in the County's workforce.

Affirmative Action means positive action undertaken with conviction and effort to overcome the present effects of past practices, policies or barriers to equal employment opportunity and to achieve the full and fair participation of women, African Americans (Blacks), Hispanic Americans (Latina/os), Asian Americans, American Indians and any other protected groups found to be under-utilized in the County's workforce or affected by County policies, procedures or practices having an adverse impact. Equal Employment Opportunity means employment of individuals without consideration of race, color, ethnicity, national origin, religion, creed, age, sex/gender, marital status, sexual orientation, disability (including persons associated with individuals with disabilities and HIV Infection and AIDS), ex-offender status or status as a Vietnam era or special disabled Veteran.

To effectuate this policy, we have authorized the development and results-oriented implementation programs which conform with all the relevant Federal and State non-discrimination and affirmative action regulations and their amendments which pertain to the legal basis for affirmative action and equal opportunity, including but not limited to: the Thirteenth, Fourteenth, Fifteenth and Nineteenth Amendments to the U.S. Constitution, the Equal Pay Act of 1963, the Civil Rights Act of 1964, the Age Discrimination Act of 1967, the Age Discrimination in Employment Act of 1975, the Rehabilitation Act of 1973, the Vietnam Era Veteran's

Readjustment Act of 1974, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, New York State Human Rights Law, the New York State Constitution and the Tompkins County Local Law of 1991 (sexual orientation). The policy applies equally to all classes of positions in Tompkins County government and all types of appointments in Tompkins County government. It governs all of Tompkins County government's employment policies, practices and actions, including but not necessarily limited to: recruitment, civil service examination administration, hiring, transfer, promotion, demotion, training, compensation, separations from employment (e.g., layoffs, terminations), disciplinary action and other terms, conditions, benefits and privileges of employment. Reasonable accommodations will be made for individuals having disabilities cognizable under the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 and for the religious practices of individuals consistent with the U.S. Equal Employment Opportunities Commission (EEOC) Guidelines Prohibiting Discrimination on the Basis of Religion and National Origin. Additionally, employees of Tompkins County government must be provided with a work environment which is free from harassment and other forms of discrimination.

The County's Affirmative Action Officer is located at 125 East Court Street, Ithaca, NY 14850 and can be contacted by telephone at (607) 274-5526 or by e-mail address:

anita_fitpatrick@einstein.co.tompkins.ny.us

Any person interested in reviewing the content of the County's Affirmative Action Programs may contact the Affirmative Action Officer for more information during regular County office hours.

IV. COMMUNICATION OF THE COUNTY'S AFFIRMATIVE ACTION PROGRAMS

Copies of the Tompkins County Affirmative Action Programs (Board policy statement and summary of program objectives) will be posted and distributed at least annually to all members of the Board, all Tompkins County department heads, and other County Officials as appropriate. In addition, notification that these Programs have been revised will be sent by the County's Affirmative Action Officer to the entire Tompkins County Personnel Department mailing list/recruitment resources (see Appendices A and B) indicating that a copy of these Programs will be made available for public inspection in the County Personnel Office. Also, this public document will be available to any job applicant or any interested Tompkins County resident who desires to stop by the Tompkins County Personnel Office and read it. The public availability of these Affirmative Action Programs is the official policy of Tompkins County.

Copies of the Board's Affirmative Action Policy will be widely distributed giving information about where full copies of the County's Affirmative Action Programs are available. The Board's Policy will also be included on the Tompkins County Web page.

As fully delineated elsewhere in this document, the Affirmative Action Officer, among other things, shall have the responsibility for developing and implementing external and internal communication procedures to assure understanding, support and compliance. The Affirmation Action Officer and the Chair of the Board will work together, when necessary, to insure that these Programs continue to be communicated. As delineated under the

Responsibility for Implementation Section, formal responsibility for implementation of Tompkins County Affirmative Action Programs are assigned to the Affirmative Action Officer but all County management personnel must share in this responsibility and assist the County in fulfilling the objectives of equal employment opportunity. By distributing copies of these programs to all Tompkins County department heads and establishing internal communications procedures, all management personnel are responsible for the achievement of equal opportunity in Tompkins County government.

A. PUBLICATION OF THE BOARD'S AFFIRMATIVE ACTION/EQUAL OPPORTUNITY POLICY AND THE COUNTY'S AFFIRMATIVE ACTION PROGRAMS

It is important to issue and execute a Board Policy and Programs of Equal Opportunity/Affirmative Action, but unless appointed officials, program managers as well as present and prospective employees and program beneficiaries are aware of the policy, it may as well not exist.

1. Internal Communications

All County employees are hereby notified of the right to a reasonable period of review and comment upon the County's Affirmative Action Programs. All comments shall be addressed to the Affirmative Action Officer located at 125 East Court Street, Ithaca, NY 14850. The Affirmative Action Officer shall maintain copies of all affirmative action related internal communications and comments received and note the date such statements were received.

From January to February has been designated as the review and comment period for the Affirmative Action Programs, which incorporates affirmative action and equal opportunity activities that have occurred between July 1, 1997 and June 30, 1998. A summary of any comments from County employees also will be incorporated into each Affirmative Action Program document.

- (a) The County's Affirmative Action Programs are provided to County department heads, who are expected to become familiar with their contents and know their responsibilities contained within. Department heads are expected further to make these Programs available to managers and supervisors, including apprising them of their responsibilities contained within. (For more information on responsibilities for implementation, refer to that section of this document.) Employees may contact either their respective department head or the Affirmative Action Officer to review a copy of the Affirmative Action Program documents.
- (b) Periodically informing all current and prospective employees of the County's commitment to engage in affirmative action to address the under-utilization of women and minorities in the County's workforce and increase the employment opportunities for qualified minorities and women, as experienced and evidenced by other racial and gender groups.
- (c) *EEO Is the Law* Posters are on display as required by Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination Act, Section 503 of the Rehabilitation Act, Americans with Disabilities Act and New York State Human Rights Law.

The County disseminates and implements the Board's Affirmative Action/Equal Opportunity Policy internally by means which include, but may not be limited to the additional following actions:

- By incorporation into the County's Personnel Policy Manual.
- By publication in the official County publications.
- By special meetings with department heads, managers, supervisors, and other employees to explain the Board's intent and individual responsibility for the effective policy implementation, making clear the Board's position and commitment in support of affirmative action program efforts.

To further the County's affirmative action efforts, the County will engage in, but not be limited to, the following additional efforts:

- By publication of articles covering progress reports, promotions, etc. of minorities and women in County publications.
- By featuring minorities and women in employee handbooks or similar publications for employees.

2. External Communications

The Board and the County are on public record as being an "An Equal Opportunity/Affirmative Action Employer." Consistent with this posture, the Board's Affirmative Action Policy and notices of job availability shall be sent regularly by the Affirmative Action Officer to recruiting sources and organizations which are capable of referring qualified applicants for employment. These organizations and resources are invited to review and comment upon the County's Affirmative Action Programs during the same comment and review period as established for County employees.

Except in cases of a bonafide occupational qualification or need, employment advertising shall omit reference to age or sex/gender and shall clearly convey the desire of the County to employ members of protected classes. A bonafide occupational qualification means a job qualification based upon race, color, ethnicity, national origin, religion, creed, age, sex/gender, marital status, disability, ex-offender status or status as a veteran such that no member of a protected class excluded is capable of performing the tasks required by the job.

Notification to job applicants of the Board's Affirmative Action Policy is achieved through examination announcements which contain the phrase "Tompkins County is an Affirmative Action/Equal Employment Opportunity Employer."

The Board's Affirmative Action/Equal Opportunity Policy and the County's Affirmative Action Programs are available to the news media, television, radio and newspaper.

Contractors and Suppliers

All bidders, contractors, subcontractors and suppliers of materials shall be notified in its procurement contracts of the Board's Affirmative Action Policy. Such notice shall include a statement that the County will not knowingly do business with any bidder, contractor, subcontractor or supplier of materials who

discriminates against persons on the basis of their race, color, ethnicity, national origin, sex/gender, sexual orientation, marital status, age, religion, creed, disability, ex-offender status or status as a veteran.

The participation of minority/women/disabled/disadvantaged business enterprises shall be encouraged to do business with the County.

V. RESPONSIBILITIES FOR POLICY/PROGRAM IMPLEMENTATION

Continuing realization of Board's Affirmative Action/Equal Opportunity Policy through the County's Affirmative Action Programs is undertaken in the following manner. In addition, no employee shall be coerced, intimidated or retaliated against by the County or any person for performing any of the duties recited under this or any other section of this document.

The Board has the ultimate responsibility for promoting and enforcing affirmative action which shall account for the success or failure of the County's Affirmative Action Programs. To assist the Board in overall responsibility a Tompkins County Affirmative Action Officer will be appointed by the Board, with the responsibility for the day-to-day implementation of this program and its policies as outlined in the Programs. The Board has directed that these Programs be available for public inspection in the Tompkins County Personnel Department and other locations as listed in the External Communication section of this document. The Board Chair will ensure that the Personnel Office is provided with the all agency resources necessary for the execution of program responsibilities.

In support of the Board's Affirmative Action/Equal Opportunity Policy, the County Board of Representatives affirms its support of Affirmative Action/Equal Employment Opportunity programs and its right to take appropriate action if it or other duly constituted authority should determine that applicable federal, state and local equal employment opportunity laws and regulations have been violated, or that the effect or intent of the Board's Policy has been willfully or habitually abrogated.

The Community Affirmative Action Committee is responsible for reviewing and updating the County's Affirmative Action Programs, as well as for advising the Affirmative Action Officer and the Board on matters relating to Affirmative Action/Equal Employment Opportunities. Keeping updated on Affirmative Action/Equal Employment Opportunities issues, including harassment and other forms of discrimination will be a regular part of the Committee's agenda. The Committee also may engage in or coordinate action-oriented programs designed to eliminate identified problems and further designed to attain established goals and objectives of the County's Affirmative Action Programs. The Committee also may collaborate with the City of Ithaca's Affirmative Action Advisory Committee. As a matter of course, the Committee shall issue a report of its activities which will include, at a minimum, a review of each County department with respect to its implementation of the Board's Affirmative Action Policy and the County's Affirmative Action Programs. The present Committee consists of one County Board liaison (Caucasian female), one member of the Tompkins County Human Rights Commission (African-American female), one County employee (African-American male and Committee chair), and two community members at-large (both of whom are Caucasian females). Copies of all Committee meeting minutes, recommendations made to the Affirmative Action Officer, including whether the recommendations were accepted or rejected by the County, shall be likewise retained.

The Affirmative Action Officer coordinates the County's Affirmative Action Programs for the County of Tompkins. The Affirmative Action Officer reports directly to the Board on matters relating to the County's

affirmative action implementation activities. The Affirmative Action Officer develops and coordinates the Equal Opportunity Program of Tompkins County government as an employer and as a municipal civil service commission; as well as monitoring and reporting to the state and federal government agencies on the progress of these Programs. The Affirmative Action Officer's duties include, but are not limited to:

- Scheduling regular meetings with department heads that emphasize the following: (1) human relations and inter-group relations, (2) non-discriminatory employment practices, (3) the legal authority for affirmative action and the Board's commitment to Affirmative Action and Equal Opportunity, (4) review of the Affirmative Action Programs and identification of obstacles in meeting the goals of the plan. Where possible, the Board Chair may attend at least one of these meetings during the annual reporting period prescribed in this document to communicate the Board's commitment to and expectations under the Board's Affirmative Action Policy and the County's Affirmative Action Programs.
- Determining the causes of adverse impact where it is shown to exist in the County's job categories.
- Developing programmatic initiatives, in conjunction with the Affirmative Action Committee, to aggressively address the identified under-utilization of minorities and women in the County's workforce.
- Developing new or revise programs or procedures to eliminate problems or barriers in such areas as recruitment, job qualifications, job interview standards and techniques, job progressions and upward mobility, and other employment and personnel procedures and programs which might adversely impact minorities and women.
- Developing and implementing Affirmative Action/Equal Employment Opportunities training programs for County officials, with emphasis on skill building and their agency role, including training on addressing problems of harassment and other forms of discrimination in the work place. The Affirmative Action Officer should consult with the County Training Coordinator and the Executive Director of the Tompkins County Human Rights Commission for coordinated implementation of this responsibility.
- Developing and monitoring internal auditing and reporting systems to measure the status and progress of the County's Affirmative Action/Equal Employment Opportunities program towards goal achievement and elimination of identified problem areas.
- Researching and studying the statistical composition of the recruiting areas and the County workforce provided through the New York State Department of Labor, the U.S. Census Bureau and other sources used to establish labor market composition for purposes of conducting utilization analysis which, along with the County's current workforce, form the basis for the establishment of numerical goals to address the under-utilization of women and minorities.
- Keeping updated on new and amended requirements of federal, state and local civil/human rights and Affirmative Action/Equal Employment Opportunities laws and regulations, as well as relevant court cases which may affect the Board's Affirmative Action Policy and County's Programs. The Affirmative Action Officer should consult with the Director of the Tompkins County Human Rights Commission and the County Attorney for guidance, advice and interpretation, when necessary, to carry out this responsibility.
- Assisting department heads and other appointing authorities in any manner necessary to further the

County's Affirmative Action Programs. This responsibility includes, but is not limited to, recruiting for job openings, administering training programs and assisting in the creation of job ladders to promote upward mobility.

- Acting upon the advice provided by the Community Affirmative Action Committee in its advisory role to the Affirmative Action Officer, with such advice and recommendations being summarized in an annual report of the Committee.
- Prepare an Annual (or Semi-Annual) Report for presentation to the Tompkins County Board of Representatives based on County employment on (or about) July 1 of every year. This annual (or semi-annual) report shall include updated County Work Force Analysis and Availability/Utilization Analysis, a description of positions which were filled during the year and any other information which is relevant to the establishment and fulfillment of the Affirmative Action Program goals and timetables.
- Resolving informal concerns of County employees with respect to Affirmative Action/Equal Employment Opportunities matters.

The County Training Coordinator is responsible for conducting programs with the Affirmative Action Officer and the Director of the Tompkins County Human Rights Commission, as appropriate, designed to educate department heads, managers, supervisors and other employees on Affirmative Action/Equal Employment Opportunities issues and their responsibilities for assuring that the County's policies, procedures and practices are fair and equitable and that County work places are free from harassment and other forms of discrimination. The County Training Coordinator shall make a report to the Affirmative Action Officer and the Affirmative Action Committee on his/her training activities in this area, listing all the Affirmative Action/Equal Employment Opportunity programs conducted for employees and applicants during the reporting period of the document.

The Director of the Tompkins County Human Rights Commission is responsible for working with the Affirmative Action Officer and the County Training Coordinator in conducting training programs around Affirmative Action/Equal Employment Opportunity issues, including harassment and other forms of discrimination, and in advising on matters related to the New York State and Tompkins County Human Rights Laws. In addition, the Director and his/her designees are responsible for accepting and processing formal complaints of harassment and other forms of discrimination.

Each County department head is responsible for taking positive action to ensure that the Board's Affirmative Action/Equal Opportunity Policy and the County's Affirmative Action Programs and objectives are successfully implemented within his/her department. An administrative staff member within each department is designated as an Affirmative Action contact person to assist the department head by working with the Affirmative Action Officer to ensure each department's compliance with federal and state statutes, regulations, the Board's Policy and the County's Affirmative Action Programs. Department heads are responsible for submitting a quarterly report to the Affirmative Action Officer which forms part of the content of the Affirmative Action Officer's Annual Report to the County Board of Representatives. Moreover, all County department heads, managers, supervisors must take consistently diligent efforts to implement this policy in daily program and employment decisions.

Department heads, managers, and supervisors shall be evaluated for their performance in implementing the Board's Affirmative Action Policy and the County's Affirmative Action Programs and on the basis of their equal employment opportunity efforts and results, as well as other criteria.

Department heads, managers, and supervisors are responsible for taking immediate, reasonable and appropriate steps to prevent harassment of employees either placed, or perceived to be placed, through the affirmative action efforts outlined in the County's Affirmative Action Programs. Failure to do so may result in disciplinary action for violating the Board's Affirmative Action/Equal Opportunity Policy.

VI. OUTREACH AND RECRUITMENT

Outreach and recruitment is the heart of the County's effort to ensure Equal Employment Opportunity for all. In all outreach and recruitment contacts, emphasis is to be placed on Tompkins County's policy of hiring applicants based on merit, and our interest in the referrals of minorities and women as candidates for all jobs.

The County shall initiate and undertake aggressive, positive relationship-building activities to ensure that affirmative action is more than a paper commitment. Consistent with that effort, face-to-face discussion designed to cement ongoing relationships and develop additional recruiting sources shall ordinarily be required. Honest and persistent efforts to cultivate a successful outreach recruitment program will require the County to maintain frequent contact with protected class members and resource agencies serving protected class members.

The Tompkins County Personnel Department has the responsibility for outreach and recruitment within the community. A report of the County's outreach and recruitment efforts will be made by the Affirmative Action Officer to the Affirmative Action Committee on an annual basis.

Federal affirmative action requirements incorporated within the County's Affirmative Action Programs require recruitment from a variety of organizations, associations, and other sources including those serving minorities and women. A list of County recruitment sources which constitutes its mailing list for job announcements is contained in Section B of the Appendices. In addition, the County maintains a website which any individual interested in information about the County, including job announcements, may access the County's web site at <http://www.co.tompkins.ny.us>.

Other activities related to outreach and recruitment include, but may not be limited to, the following:

1. Outreach, recruitment and selection procedures are continuously reviewed and analyzed to identify and remove artificial barriers and discriminatory effects.
2. Records of all employment outreach and recruitment activities conducted by County department heads, managers, and supervisors must be kept and submitted to the Affirmative Action Officer as part of each department's Quarterly Affirmative Action Report. The quarterly report shall be submitted to the Affirmative Action Officer at the end of the following months: March, June, September, and December. The actual form and substance of this quarterly report will be decided upon by the Affirmative Action Officer and the Community Affirmative Action Committee.
3. "Word of mouth" or "walk-ins" is not to be the primary. This type of "closed recruitment" has been shown to perpetuate the present composition of one's workforce in various job categories. Where minorities and women are not well represented at all levels of County government, reliance on such recruitment procedures has been ruled by the New York court to be an unlawful discriminatory practice (State Div. Of Human Rights V. Kilian 35 NY 2d 201 (1974)).
4. County civil service examination announcements are mailed to agencies and organizations serving minorities and women.

5. Outreach and recruitment is required for positions without a Civil Service eligible lists.
6. Participation in such recruitment activities as Career Days, Job Fairs, etc. is encouraged and supported.
7. All persons involved in outreach and recruitment are to be trained on Affirmative Action/Equal Employment Opportunities issues and must adhere to the Board's Affirmative Action/Equal Opportunity Policy and must use objective job-related selection standards, to act in a non-discriminatory manner assuring equal opportunity is afforded to all actual and potential job applicants, and to actively support Tompkins County's Affirmative Action Programs.
8. Review employment records to determine (i) the availability of promotable and transferable qualified minorities and women presently employed and (ii) whether their present and potential skills are being fully utilized or developed.
9. County position and/or examination announcements are to be readable and understandable to all. Application completion assistance is to be provided, when necessary, to assure the inclusion of minorities and women.
10. All County job advertisements and position announcements must include the phrase "*Tompkins County – An Equal Opportunity/Affirmative Action Employer.*"
11. The Affirmative Action Officer is available to assist department heads and other appointing officers in any of these outreach and recruitment procedures.

A. SELECTION PROCESS

Assuring Affirmative Action/Equal Employment Opportunities is critical during the selection process. Affirmative action is taken to ensure fair, equitable, lawful and job-related hiring standards and procedures, Equal Opportunity may not automatically result. Therefore, the following activities will occur, at a minimum, to ensure that the selection process comports with the Board's Affirmative Action/Equal Opportunity Policy:

1. Selection procedures are to be reviewed on an ongoing basis, to eliminate any artificial barriers which may inhibit the employment and upward mobility of minorities and women.
2. All County job application forms, job interview questions, and other selection criteria shall be job related, non-discriminatory and in compliance with the New York State Division of Human Rights Ruling on Pre-Employment Inquiries. (See March/April 1979 issue of the EEO Journal)
3. All pre-employment questions shall be job-related and consistent with business necessity to measure job performance. Pre-employment information must be obtained in a non-discriminatory manner. For example, generally there cannot be different interview, application or test questions for different candidate groups, e.g., disabled /non-disabled, women/men, minorities/non-minorities are prohibited and violate the Board's Affirmative Action/Equal Opportunity Policy.
4. The County job application form is frequently reviewed and revised, as necessary, to ensure that information requested is job-related consistent with business necessity.
5. County job descriptions are written to eliminate all non-essential and unreasonable education and experience requirements. No minimum qualifications are set for employment in Tompkins County jobs

without first a study of the job duties and responsibilities by the Commissioner of Personnel, who is also the Affirmative Action Officer. The County Personnel staff is trained in job classification and the establishment of education and experience qualifications. An important principle followed is that minimum qualifications are set to ensure that minimum competencies, skills and abilities to perform the duties and responsibilities of the job, thus safeguarding against artificial barriers to the employment of minorities and women.

6. All County civil service tests are written by and validated to be job-related by the New York State Department of Civil Service in accordance with requirements of the Uniform Federal Guidelines on Employee Selection Procedures.
7. All persons involved in job interviewing and selection are to use objective, job-related selection standards and to support the Tompkins County Affirmative Action Program.
8. Department heads, departmental Affirmative Action contacts and other staff have been and will continue to be trained and assisted by the Affirmative Action Officer in proper non-discriminatory selection and pre-employment procedures.

VII. SUMMARY ANALYSIS OF THE COUNTY'S WORKFORCE, AVAILABILITY OF WOMEN AND MINORITIES, AND UTILIZATION

The primary goal of the County's Affirmative Action Programs is to ensure equality of employment opportunity to all people without regard to race, ethnicity, creed, color, national origin, sex/gender, religion, creed, age, disability, marital status or arrest record. In order to achieve and maintain this end, the Affirmative Action Officer reviews all personnel policies, practices and procedures in order to correct any deficiencies in the employment system which may have an adverse impact in achieving equal employment opportunity for all employees and applicants. Each County department within the County shall be evaluated in order to develop and implement affirmative steps to meet and overcome any artificial barriers and obstacles to the full utilization of women and minorities in the County's workforce.

A. Eight Factor Analysis

In calculating the availability of minorities and women to determine whether or not under-utilization of minorities and women exists in any occupational category or job title of 25 or more, an Eight Factor Analysis shall be conducted which looks at the following information and data sources:

- (1) the minority and women population within the labor market area;
- (2) the size of the minority and women unemployment force in the labor market area;
- (3) the percentage of minorities and women in the workforce as compared with the total workforce in the immediate labor market area;
- (4) the general availability of minorities and women having requisite skills in the immediate labor market area (i.e., immediate recruiting area);
- (5) the availability of minorities and women having requisite skills in an area in which the County can reasonably recruit (i.e., reasonable recruiting area);
- (6) the availability of promotable and transferable minorities and women within the County's workforce;
- (7) the existence of training institutions capable of training persons in the requisite skills; and
- (8) the degree of training which the County is reasonably able to undertake as a means of making all job classifications available to minorities and women.

B. Immediate and Reasonable Labor Market Areas (Factors 4 and 5)

Two recruiting areas are considered for purposes of conducting a meaningful utilization analysis. The first recruiting area consists of Tompkins County (the immediate recruiting area - Factor 4) and the second consists of six counties contiguous to Tompkins County (the reasonable recruiting area - Factor 5). They are the counties of Tioga, Schuyler, Chemung, Seneca, Cayuga and Cortland. This reasonable recruiting area is considered since the Civil Service Rules for Tompkins County require residence in this seven county area for County employment (Rule VI).

The County may engage in recruitment beyond these two recruiting areas for higher level positions, i.e. conduct a statewide or national search. Now that the County is on-line with the Internet, anyone having access to a computer and the Internet may discover the position vacancies within the County and apply accordingly.

C. Required Data and Statistical Analyses For Utilization and Goal Setting

1. Job Title Study and Occupational Category Study

The County shall prepare a job title and occupational category study in the following manner:

- (a) Job Title Study. Each department, position and position classification created by County Board or established by statute shall be arranged into lines of progression that depict the order of jobs through which an employee may ordinarily advance. Job titles without promotional opportunity shall be listed separately. Unclassified titles shall be so identified.
- (b) Occupational Category Study. Each department, position and position classification listed in the job title study shall be placed in an occupational category with other departments, positions or position classifications having similar job content, compensation schedules and opportunity. Titles within an occupational category shall be ranked from the highest to the lowest compensation schedule. The salary range for each position and position classification shall be noted.

Both the job title study and the occupational category study shall be revised accordingly to reflect any changes in job titles (e.g., deletions and additions) and restructuring of departments.

2. Workforce Analysis

The County shall prepare a workforce analysis. This analysis shall be a report of the racial and sexual composition of its full-time employees for each department, position and position classification identified in the organizational analysis. A separate analysis shall be performed for part-time and other employees (i.e., temporary hires). The workforce analysis, at a minimum, shall inventory the:

- (a) total County workforce by occupational category;
- (b) total County workforce by department, position(s) and position classification(s) within each occupational category.

3. Availability Analysis

As a preparatory step in determining whether women and minorities are fully and fairly utilized in the County's workforce, the County shall conduct, at a minimum, an analysis by occupational category to

determine the availability base of minorities and women for employment. A separate availability analysis shall be conducted for any position classification within an occupational category employing a significant number of persons. Ordinarily, a position classification with twenty-five (25) or more employees will require a separate analysis. A separate analysis may be performed for any job title requiring unique skills, abilities or educational qualifications. The availability analysis shall:

- (a) examine the job content of each department, position and position classification within an occupational category or, where appropriate, the job content of a position classification;
- (b) identify a relevant labor market area; and
- (c) match each position and position classification within an occupational category or, where appropriate, a position classification, with the most nearly parallel job title contained in the data source consulted.

VIII. Relationship of Civil Service to Affirmative Action

As a public/government employer, Tompkins County must comply with New York State Civil Service Law and the Civil Service Rules for Tompkins County. This body of Law and Rules operates as the statutory basis for all public employment policies. An understanding of the impact of Civil Service Law and the Local Rules on the hiring procedure is therefore necessary before an Affirmative Action Program that addresses the under-utilization of minorities and women within certain County job categories may be implemented.

The Constitution of the State of New York (Article V, Section 6) mandates that “appointments and promotions in the civil service of the State and all of the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, as far as practicable, by examination which, as far as practicable, shall be competitive.” State Civil Service Law and the local civil service rules are the legislated means by which public employers shall carry out the constitutional mandate of employment based on the principle of “merit and fitness”. In its interpretation of the requirement of “competitive examination wherever practicable”, Civil Service Law establishes four jurisdictional classes of positions: Competitive, Non-Competitive, Exempt and Labor.

The competitive class consists of those positions for which competitive examination has been deemed practicable. Positions in this class are filled by making a permanent appointment from among the top three candidates appearing on an eligible list as the result of competitive examination. Positions in the other three classes do not require competitive examination but department heads must still follow the principle of “merit and fitness” when filling vacancies.

There are three key steps in the process of hiring an employee that have a major impact on the equal employment opportunities that Tompkins County is able to provide. The first is the setting of minimum qualifications that do not adversely impact on any of the protected classes. The responsibility for this step rests with the Personnel Department and has been an active concern of this Department for many years.

The second key step is the recruitment effort. The Personnel Department recognizes the need for adequate advertisement of Tompkins County's vacancies and examinations and the need to notify the public about how the system works. In recent years a standardized, comprehensive list of vacancies (“Tompkins County's Current Vacancy List”--see Appendix C) and a mailing list serving more members of the protected classes (see Appendix B) has been created. Application forms, job descriptions, examination announcements, public information sessions and an equal opportunity to apply for advertised examinations and/or vacancies are made readily available to the public.

One-on-one civil service information sessions (not career counseling) are provided on a walk-in basis or over the telephone. Public informational sessions are provided to groups as requested. In addition to newspaper advertisements, direct mailing and public posting of paper announcements, the current vacancy list and all examination announcements are also available on the World Wide Web at <http://www.co.tompkins.ny.us>. Free public access to the internet is currently provided by the Tompkins County Public Library.

Tompkins County's efforts in creating job descriptions containing appropriate minimum qualifications and recruitment are similar to the steps that any employer, public or private, would take and are not impacted upon by Civil Service Law and Rules.

The third key step in the hiring process is the actual selection of the candidate to be hired. For positions in the exempt, non-competitive and labor classes, the impact of Civil Service Law and Rules is minimal. Department heads may select any candidate referred by the Personnel Department.

For competitive class positions, however, Appointing Authorities are limited to using an appropriate eligible list to make an appointment from among the top three persons who are willing to accept such appointment. This "Rule of Three" is specified by civil service law Section 61. Correspondingly, this law also says that anyone equal to, but beyond the number three position on the list, is also considered number three for the purpose of making a permanent appointment. This section of law is significant in light of the State's new "Band Scoring" reform.

The traditional point-by-point scoring system is being phased out and will be replaced entirely by the use of band scoring for all civil service examinations. Band scoring simply means that the point-by-point scores of a group can be considered functionally equivalent within an appropriate band. This came about because Governor Pataki recognized that "no test can measure a candidate's true score with perfect confidence and no test can assess all the abilities relevant to a given job."

As a result, band scoring has the **potential** to provide an appointing authority with more than three candidates who are "among the top three" by providing more candidates who are equal to but beyond the number three position on the list. This should provide a little more flexibility in the hiring employees without violating the wording and intent of the State Constitution. However, even with such progressive changes as band scoring and with no adverse impact from the setting of the minimum qualifications or from the recruitment effort, the County may still be prevented from hiring members of the protected classes by virtue of the rule of three. Here, therefore, is the one place where Civil Service Law and Rules may directly impact on the equal employment opportunity practices of the County.

Although there may be five or ten or even one hundred people who are on the eligible list and therefore qualified for appointment by virtue of having passed the Civil Service exam, the department head is limited at any given time to choosing one candidate from among the top three. The same recruitment effort for a position in one of the other three classes could potentially, in contrast, provide a department head with five, ten or even one hundred candidates from which to choose.

In summary, the Civil Service Law and Local Rules have essentially no impact on the County's Affirmative Action efforts in the Non-Competitive, Exempt or Labor classes. The responsibility to recruit candidates from three protected classes lies with the Personnel Department and the responsibility to hire in accordance with the intent and goals of this Program lies with the department heads making the appointments. For competitive class positions, however, there may be occasions where affirmative action efforts in hiring to address under-utilization will be hampered or prevented by the rule of three for appointment from Eligible Lists, despite effective recruitment of minorities and women and an intent to hire in accordance with the Programs.

IX. PROGRAM GOALS AND TIMETABLES

A. Hiring/Promotion Goals and Timetables

Tompkins County continues to move forward with regard to Affirmative Action and correcting the identified under-utilization of minorities and women in County job categories and departments. For each instance of under-utilization identified in the utilization analysis, separate hiring or promotion goals, as appropriate, shall be set to address under-utilization and increase the representation of minorities and women in the County's workforce. Ordinarily, a hiring goal shall be set for job titles filled through original appointment, and a promotion goal shall be set for job titles filled through promotional appointment. The objective of such goals (i.e., equal opportunity through affirmative action) shall be to attain parity with the availability base for such persons in the relevant labor market area identified by the County. Goals to reach parity shall be established within timetables designated as long- or short-term.

Factors to be considered in the establishment of hiring/promotional goals include, but may not be limited to, the following:

- the number of actual vacancies within the occupational category or job title
- the number of projected vacancies, derived from employee attrition rates
- the number of anticipated hires/promotions
- the number of actual hires/promotions
- the probable success of program goals in enhancing the availability of women and minorities for employment

The goals and timetables developed by the County should be attainable in terms of the County's analysis of deficiencies as described in the utilization analysis pertaining to the representation of women and minorities in the County's workforce. Thus, in establishing the size of the County's goals and the length of its timetables for achieving its goals (short-term within one year or long-term), the County must consider the results which could reasonably be expected from its good faith efforts to make the County's Affirmative Action Programs work. In determining levels of goals, the County will consider at a minimum the availability and utilization analysis contained within this document and updated annually. In addition, the Affirmative Action Officer will involve department heads in the goal setting process.

Goals, timetables and affirmative action commitments must be designed to correct any identifiable deficiencies. The County's goals should be significant, measurable and attainable. Where deficiencies exist and where numbers or percentages are relevant in developing corrective action, the County shall establish and set forth specific goals and timetables separately for minorities and women. Goals should be specific for planned results, with timetables for completion. In doing so, however, goals may not be rigid and inflexible quotas which must be met, but must be targets reasonably attainable by means of applying every good fair effort to make all aspects of the entire Affirmative Action Programs work.

In establishing timetables to meet stated goals and commitments, at a minimum, the County will consider the anticipated expansion, contraction and turnover of and in the workforce.

Support data for the required analysis and program shall be compiled and maintained as part of the County's Affirmative Action Programs. This data will include, but may not be limited to, progression line charts, seniority rosters, applicant flow data, and applicant rejection ratios indicating minority and sex/gender status of applicants.

Careful analysis of the County's utilization of women and minorities has revealed some departments and some job categories in which minorities and/or women have been underutilized. In many of these cases, the positions involved were competitive class positions. As mentioned in the overall analysis, the steps necessary to correct this lie in the recruitment of applicants from the protected classes. The necessity for this additional recruitment effort has been a concern of the Personnel Department for several years and no less than ten community organizations whose constituency is primarily in the protected classes have been added to the mailing list in the last three years alone in response to this need. Due to the time factor involved in the exam process and the small turnover rate in many positions the impact of the addition of these community organizations has not been appreciably felt but the positive direction has been established. The Tompkins County Personnel Department will continue in the future to solicit organizations to add to our mailing list in the hopes of improving our utilization of protected classes.

In a few cases the under-utilization has occurred in positions which are not in the competitive class but which require specialized skills and experience. The unavailability of trained or otherwise qualified minority or female applicants for these categories of positions is a problem that is bigger than Tompkins County government and steps to make training available for these positions would require the cooperation of either many employers in Tompkins County or of State/Federal programs. While Tompkins County has no current plans to initiate training programs to correct this under-utilization, the possibility of the County's involvement in training programs will continue to be explored.

There are, however, a couple of departments whose under-utilization of the protected classes is a problem that must be corrected. Discussion with the heads of those departments has already been undertaken with the intention of working out the means to improve the utilization in those departments.

B. Programmatic Objectives

Tompkins County has every intention of providing opportunity for all County residents to obtain employment commensurate with their skill training and abilities regardless of race, color, ethnicity, national origin, sex/gender, sexual orientation, religion, creed, age, marital status, disability, ex-offender status or status as a Vietnam Era or special disabled Veteran. In accordance with this intention, the following programmatic objectives have been established by the Community Affirmative Action Committee to be achieved during the next reporting period:

- 1) To develop a survey tool to be used to gather information on the access and availability of the County's employment opportunities to County residents, with special emphasis on women and minorities.
- 2) To develop a documentation of hire process by which department heads, managers and supervisors can provide the Affirmative Action Officer with reasons for selection and non-selection of those persons on civil service examination lists and of those persons interviewed according to Civil Service Rules.
- 3) To explore additional recruiting sources located within the County's reasonable recruiting area (i.e., within an hour north, south, east, and west of the County of Tompkins) from which the County is likely to recruit qualified applicants, with special emphasis on minorities and women.
- 4) To identify one or two specific short-term action-oriented steps to assist the Affirmative Action Officer in the implementation of his/her duties relative to affirmative action implementation.

- 5) To coordinate affirmative action implementation activities, where appropriate, between the City's Affirmative Action Advisory Committee and the County Affirmative Action Committee.

**X. FULL UTILIZATION OF SKILLS, TRAINING AND UPWARD MOBILITY
(RETENTION)**

The County will establish an upward mobility program as part of its affirmative action program efforts. Such a program shall advance, but not be limited to, the following activities available to all County employees:

- (1) insure that the racial and sex/gender composition of program participants is consistent with affirmative action/equal opportunity;
- (2) provide career counseling opportunities;
- (3) make a range of training opportunities available with training emphasis on skills building and development for upward mobility purposes;
- (4) initiate classification requests that would result in the development of career ladders and lattices to improve mobility for subprofessional positions; and
- (5) establish specific upward mobility goals and timetables separate from the goals established to address the under-utilization of women and minorities in the County's workforce.

An inclusive workplace climate free of harassment is the foundation which supports equal opportunity. Policies, procedures and practices which support such a climate must exist at all times to provide opportunities for upward mobility to all County employees. In order to identify "dead-end" jobs, as well as job categories and specific positions where minorities and women are underutilized, emphasis in position classification and in job description preparation is placed on the creation of job ladders and the elimination of "dead-end" jobs, where possible.

In many job categories/families, except where prohibited by law, the County has removed the requirement for a high school diploma, in order to eliminate another possible artificial barrier. Also, in a great many jobs, except where prohibited by law, the County has eliminated the absolute requirement for a Bachelors degree and have established work experience as an additional viable avenue to employment in these positions.

Department heads and other appointing officers also should research the creation of job ladders within their own departments or divisions, to further advance and support upward mobility. The Affirmative Action Officer is available to assist in this effort.

XI. INTERNAL AUDIT AND REPORTING SYSTEMS

The Affirmative Action Officer, in conjunction with the Affirmative Action Committee, will develop internal audit and reporting systems which are aimed at reviewing, but not limited to, the following activities:

1. To monitor civil service testing system, the race, sex/gender, age and disabilities to test applicants and test takers are collected, reported in aggregate, and analyzed by the Affirmative Action Officer.
2. To identify the number and percentage of minorities and women reported in the utilization summary to measure progress toward affirmative action goals.
3. Where statistical analysis reveal significant under-utilization remedial action to eliminate such is undertaken.
4. To ensure up-to-date program and compliance with federal, state and local laws, regulations and court decisions, the Affirmative Action Officer will review the County's Affirmative Action Programs periodically for a progress evaluation and will improve, revise, update and expand these Programs as necessary according to the current employment situation and needs of the employees.

XII. INTERNAL GRIEVANCE/COMPLAINT PROCEDURE FOR HANDLING HARASSMENT AND OTHER FORMS OF DISCRIMINATION

Any employee or applicant who believes that he/she has been unlawfully discriminated against by the County of Tompkins, by any County Department or by any County employee, should notify the Affirmative Action Officer of the alleged unlawful discrimination. The Affirmative Action Officer will attempt to resolve informally the concern of unlawful harassment or other form of discrimination. The focus of this complaint procedure is on the resolution of informal concerns/complaints of harassment and other forms of discrimination brought to the Affirmative Action Officer by County employees.

Any employee or applicant may also, if he/she prefers, contact the Tompkins County Human Rights Commission, the State Division of Human Rights or the Equal Employment Opportunity Commission to make a formal complaint of unlawful harassment and other forms of discrimination. All complaints of alleged unlawful harassment and other forms of discrimination filed with these agencies will be investigated and acted upon promptly and confidentially.

All informal concerns brought to the Affirmative Action Officer and all formal complaints brought to the Tompkins County Human Rights Commission shall be resolved in an expeditious manner to assure that legal options for filing complaints with other enforcement agencies are not foreclosed.

Time Frames

Informal concerns/complaints of harassment and other forms of discrimination will normally be reviewed and resolved within fifteen (15) working days from the point at which the employee notifies the Affirmative Action Officer, unless otherwise stated.

Confidentiality

All informal concerns/complaints of harassment and other forms of discrimination will be resolved confidentially by the Affirmative Action Officer. All persons contacted by the Affirmative Action Officer in his/her efforts to resolve the matter shall hold discussions and documents, if any, in a confidential manner. A breach of this confidentiality requirement by the County's agents (e.g., Affirmative Action Officer, Department Heads, Managers, Supervisors) will be treated as retaliation resulting in disciplinary action up to and including discharge.

Notification to Employees

All County employees will be informed of the availability of these internal grievance/complaint procedures and their right to bring their concerns of harassment and other forms of discrimination to the Affirmative Action Officer.

County employees may also exercise their legal options to file complaints with the Tompkins County Human Rights Commission, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Labor - Office of Federal Contract Compliance Programs, the Federal Highway Administration, the New York State Department of Transportation, the Wage and Hour Division of the U.S. Department of Labor and any other state, federal or local enforcement agencies.

Record Keeping

All records of informal complaints/grievances and dispositions thereof shall be maintained and reviewed on a regular basis by the Affirmative Action Officer to detect any patterns in the nature of the grievances. Records so retained shall be confidential except where disclosure is required by law.

The County's Affirmative Action Programs shall contain a summary of the matters alleged, the results thereof and the length of time required to resolve the informal complaint/grievance. Where informal allegations have resulted in complaints to enforcement agencies, the plan shall provide information on the number of such complaints, investigating agency, whether such matter is currently pending or the outcome thereof. All records relevant to employee grievances filed under these procedures shall be maintained by the agency for examination by the Tompkins County Human Rights Commission.

XIII. BOARD AND COUNTY POLICY PROHIBITING SEXUAL HARASSMENT

It is the policy of the Board of Representatives and Tompkins County to maintain a work environment free of unlawful discrimination for all employees. Sexual Harassment is a form of unlawful sex discrimination which, if established, violates this policy. Sexual Harassment is a violation of Section 703 (Part 1604) of Title VII of the Civil Rights Act of 1964 on the basis of gender. It is also a violation of Section 296 of the New York Executive Law (Human Rights Law) on the basis of sex/gender.

Federal and State case law has determined that unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual;

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Courts have also held employers legally liable for:

1. Sexual harassment by co-workers where the employer knew of or should have known of the conduct but failed to take immediate corrective action to prevent further conduct;
2. Sexual harassment by non-employees on the employer's premises, unless the employer proves it took immediate and corrective action; or
3. Retaliation against any person for making a sexual harassment allegation.

The County is cognizant of its exposure to legal liability for quid pro quo and hostile environment sexual harassment and seeks to protect/limit such exposure to liability by using preventive measures such as, but not limited to:

1. Expressing strong disapproval of inappropriate conduct which may be construed as sexual harassment.
2. Establishing a Board Policy Prohibiting Sexual Harassment that is posted and well publicized.
3. Showing employees how to file complaints with assurances of confidentiality, impartiality and quick/thorough resolution.
4. Making counseling available for both the alleged harasser and the victim.

Tompkins County department heads, managers, supervisors, and employees must refrain from such conduct or behavior. Allegations of sexual harassment will be investigated immediately and thoroughly. The facts when compared to the legal standard for evaluating sexual harassment claims will determine the response to each allegation. Substantiated claims of sexual harassment will be met with appropriate corrective/disciplinary action, up to and including discharge. All information gathered in the deposition of each allegation will be handled in a confidential manner.

Sexual Harassment is a form of unlawful sex discrimination and will not be tolerated in any County Department any more than harassment based upon gender, sexual orientation, ethnicity, race, color, national origin, religion, disability, and other EEO-protected categories. Any questions concerning this policy or any complaints of sexual harassment should be immediately directed to the Affirmative Action Officer, if informal, or the Tompkins County Human Rights Commission, if formal.

XIV. INNOVATIVE PROGRAMS

The development and implementation of programs are important parts of the road to affirmative action and equal opportunity. As such, the Community Affirmative Action Committee may explore and recommend the implementation of the following innovative programs:

- (1) utilization of noncompetitive positions;
- (2) summer employment programs;
- (3) youth programs;
- (4) apprenticeship or intern programs;
- (5) free civil service examination preparation for job applicants and County employees;
- (6) job sharing arrangements;
- (7) day care programs;
- (8) creation of new positions;
- (9) reassignments; or
- (10) any positive, result-oriented program designed to achieve affirmative action (i.e., the elimination of under-utilization of minorities and women)

XV. CONCLUDING STATEMENT

I, Barbara Mink, as the Chair of the County Board of Representatives, have read the Affirmative Action Programs and that the contents thereof are true and correct to the best of my knowledge and belief. I pledge the County to make every good faith effort to achieve the objectives, goals and timetables set forth in these Programs.

S/Barbara Mink, Board Chair

Date

SECTION A

To: Municipal, School District and Community Leaders

From: Anita Fitzpatrick, Affirmative Action Officer

Date: June 1997

Re: Equal Employment Opportunity

The Tompkins County Board of Representatives, at its regular meeting on June 17, 1997, passed Resolution No. 132 thereby adopting the recently revised Tompkins County Affirmative Action Programs. These Programs have been revised and expanded in order to reaffirm Tompkins County's fundamental policy of equal employment opportunity for all job applicants and County employees regardless of race, color, sex/gender, religion, age, marital status, national origin, disability, ex-offender status or Vietnam Era Veteran status. Tompkins County has endeavored to afford to all applicants and employees equal employment opportunity without discrimination. With the adoption of these Programs, however, we are going beyond merely maintaining a neutral employment policy and adopting an "Affirmative Action" position. We have copies of the Affirmative Action Programs available for your review at the Tompkins County Personnel Department. We encourage you to accept our invitation to stop by our Department at any time to read the Programs.

The Board of Representatives passed a second Affirmative Action resolution on September 17, 1985 for the purpose of establishing a Community Affirmative Action Committee. This committee will serve in an advisory capacity to me as the County Affirmative Action Officer and to the Board concerning the ongoing implementation of the Affirmative Action Programs. Three of the five voting members of this committee will be citizens at-large, members of the protected classes, who will be appointed by the Board of Representatives. If you have anyone to recommend please call the Board of Representatives at (607)274-5434.

There are employment opportunities for the handicapped persons under Section 55 of the Civil Service Law. Appointments under Section 55 can be made in any town, village or school district, as well as in County government. Anyone who would like additional information concerning this program is welcome to contact the County Personnel Department.

We in Tompkins County government look forward to improving our efforts to provide equal employment opportunity to all interested Tompkins County job seekers.

SECTION B

MAILING LIST/RECRUITMENT SOURCES

MAILING LIST RECRUITMENT SOURCES

Displaced Homemakers Center
315 N. Tioga Street
Ithaca, NY 14850

Women's Community Building
100 W. Seneca Street
Ithaca, NY 14850

Greater Ithaca Activities Center (GIAC)
318 N. Albany Street
Ithaca, NY 14850

Calvary Baptist Church
507 N. Albany Street - POB 457
Ithaca, NY 14850

Southside Community Center
305 S. Plain Street
Ithaca, NY 14850

MultiCultural Resource Center
318 N. Albany Street
Ithaca, NY 14850

Refugee Assistance Program
318 N. Albany Street
Ithaca, NY 14850

The Women's Center
Denison Parkway
Corning, NY

Area Schools and Educational Institutions

T-S-T Boces - 3
555 Warren Road
Ithaca, NY 14850

Cornell University
Office of Human Resources
20 Thornwood Drive
Ithaca, NY 14850

Cornell University
Office of Career Services
Barnes Hall
Ithaca, NY 14850

Cornell University
Office of Equal Opportunity
234 Day Hall
Ithaca, NY 14853-2801

Ithaca City School District
POB 549
400 Lake Street
Ithaca, NY 14850

Newfield Central School
247 Main Street
Newfield, NY 14867

Lansing Central School
300 Ridge Road
Lansing, NY 14882

Syracuse University Law School
Office of Career Services
E. I. White Hall, Suite 210
Syracuse, NY 13244-1030

Cornell University School of Law
Office of Career Services
Myron Taylor Hall
Ithaca, NY 14850

Ithaca College
Personnel Services
Job Hall
Ithaca, NY 14850

Trumansburg Central School
100 Whig Street
Trumansburg, NY 14886

SUNY-Cortland
Office of Career Services
B7 Van Hoesen Hall
Cortland, NY 13045

Tompkins Cortland Community College
Box 139 - 170 North Street
Dryden, NY 13053

T-S-T Boces
171 E. State Street, #150
Ithaca, NY 14850

Groton Central School
400 Peru Road
Groton, NY 13073

Dryden Central School
POB 88
Dryden, NY 13053

George Junior Republic
PO Drawer A
Freeville, NY 13068

Government Sources

City of Ithaca Civil Service
108 E. Green Street
Ithaca, NY 14850

Town of Ithaca
126 E. Seneca Street
Ithaca, NY 14850

Town of Enfield
168 Enfield Main Road
Ithaca, NY 14850

Town of Danby
1830 Danby Road
Ithaca, NY 14850

Village of Cayuga Heights
836 Hanshaw Road
Ithaca, NY 14850

Village of Lansing
2405 N. Triphammer Road
Ithaca, NY 14850

NYS Civil Service
Municipal Services Division
Local Examinations Section
State Office Building Campus
Albany, NY 12239

Tompkins County Economic Opportunity
Commission
301 Dates Drive
Biggs Building A
Ithaca, NY 14850

NYS Department of Labor
171 E. State Street, Room 243
Center Ithaca Building
Ithaca, NY 14850

Schuyler County Personnel
105 Ninth Street - POB 21
Watkins Glen, NY 14891

Cayuga County Civil Service
County Office Building
160 Genesee Street, 2nd floor
Auburn, NY 13021

City of Elmira/Chemung County
Civil Service Commission
POB 288
Elmira, NY 14902

Seneca County Personnel
1 DiPronio Drive
Waterloo, NY 13165

Village of Dryden
Box 447
Dryden, NY 13053

Village of Groton
108 E. Cortland Street
Groton, NY 13073

Village of Freeville
POB 288 - 5 Factory Street
Freeville, NY 13068

Town of Dryden
65 E. Main Street
Dryden, NY 13053

Town of Groton
101 Conger Blvd.
Groton, NY 13073

Village of Trumansburg
POB 718
Trumansburg, NY 14886

Town of Caroline
POB 136
Slaterville Springs, NY 14881

Town of Lansing
Box 186 - 29 Auburn Road
Lansing, NY 14882

Town of Newfield
166 Main Street
Newfield, NY 14867

Town of Ulysses
POB 721 - 10 Elm Street
Trumansburg, NY 14886

Tioga County Personnel
County Office Building
56 Main Street
Owego, NY 13827

Cortland County Personnel
60 Central Avenue - POB 5590
Cortland, NY 13045

NYS Department of Labor
99 Main Street
Cortland, NY 13045

Other Recruitment Resources

Literacy Volunteers of Tompkins County
124 W. Buffalo Street
Ithaca, NY 14850

Cayuga Medical Center
101 Dates Drive
Ithaca, NY 14850

Offender Aid and Restoration
403 N. Plain Street
Ithaca, NY 14850

Family & Childrens Services
204 N. Cayuga Street
Ithaca, NY 14850

SCLIWC-Bolton Point
1402 East Shore Drive
Ithaca, NY 14850

American Red Cross
201 W. Clinton Street
Ithaca, NY 14850

Economic Opportunity Program
318 Madison Avenue
Elmira, NY 14901-2886

Tioga Employment Center
231 Main Street
Owego, NY 13827

Ithaca Lesbian Gay Bisexual Task Force

Teen Parents Program

100 W. Seneca Street
Ithaca, NY 14850

609 W. Clinton Street
Ithaca, NY 14850

Youth Advocate Programs of Tompkins County
301 S. Geneva Street
Ithaca, NY 14850

Organizations Serving Persons with Disabilities and Veterans

NYS - VESID
244 W. Water Street
Elmira, NY 14901

SCC Transition Center
60 Central Avenue, Room 104
POB 5590
Cortland, NY 13045

Employment Service Office
NYS Office of Mental Health
109 Pine Street
Syracuse, NY 13210

Challenge Industries
402-406 E. State Street
Ithaca, NY 14850

Occupational Services of the Finger Lakes
518 W. State Street
Ithaca, NY 14850

NYS-Division of Veterans Affairs
304 Babcock Hall
Ithaca, NY 14853

Finger Lakes Independence Center
609 W. Clinton Street
Ithaca, NY 14850

Tompkins County Departments

Buildings and Grounds
Solid Waste Division
Health Department
Mental Health Department
Planning Department
Social Services Department
Probation Department
Assigned Counsel Program
Board of Elections
Comptrollers Department
County Clerk
Information Services
County Office for the Aging
Ithaca-Tompkins County Transportation
Council (ITCTC)

Highway Department
Fire and Disaster
Human Rights Commission
Motor Vehicles Bureau
Purchasing Department
Sheriff's Department
Youth Bureau
Tompkins County Public Library
Budget and Finance
County Attorney
Assessment
District Attorney
Tompkins County Airport

SECTION D

LEGAL FOUNDATIONS FOR AFFIRMATIVE ACTION

The following major statutes and orders establish the historical basis and legal foundation for the adoption and implementation of the County's Affirmative Action Programs:

Thirteenth, Fourteenth, Fifteenth and Nineteenth Amendments of the U.S. Constitution

The Civil Rights Act of 1866

The New York State Human Rights Law

The Equal Pay Act of 1963

The Civil Rights Act of 1964, as amended

Presidential Executive Orders 11246 and 11375

Revised Order No. 4

The Rehabilitation Act of 1973, as amended

The Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended

The Civil Rights Act of 1990

Americans with Disabilities Act of 1991

**TOMPKINS COUNTY APPLICATION
FOR EMPLOYMENT AND / OR EXAMINATION**

Tompkins County Personnel, 125 E. Court St., Ithaca, NY, 14850
(607) 274-5526

PLEASE TYPE OR PRINT CLEARLY.

This form should **NOT** be Faxed or E-Mailed. An original signature is required. Facsimiles are not acceptable.

EQUAL OPPORTUNITY EMPLOYER

PERSONNEL OFFICE USE ONLY PLEASE		
CONDITIONAL _____	APPROVED _____	
TRAN _____	REFS _____	MI _____
DISAPPROVED _____		

1. JOB/EXAMINATION TITLE: _____ EXAM NUMBER: _____

2. NAME AND LEGAL ADDRESS:

LAST _____ FIRST _____ MI _____

STREET _____

CITY _____ STATE _____ ZIP CODE _____

VILLAGE _____ Years and/or Months There _____ / _____

TOWN _____ Years and/or Months There _____ / _____

COUNTY _____ Years and/or Months There _____ / _____

SCHOOL DISTRICT _____ Years and/or Months There _____ / _____

MAILING ADDRESS IF DIFFERENT FROM ABOVE _____

HOME TELEPHONE _____ BUSINESS TELEPHONE _____

NOTE: You must keep your residence and telephone numbers current.

SOCIAL SECURITY NUMBER _____

3. VETERANS CREDIT (IF APPLICABLE, E.G. VETERAN): VETERAN DISABLED VETERAN

4. INDICATE YOUR ANSWER BY PLACING AN "X" IN THE APPROPRIATE SPACE. YES NO

- A. Are you an American citizen or do you have the legal right to accept employment in the US? YES NO
- B. Do you require special arrangements for examination (Saturday sabbath observer or disability)? * YES NO
- C. Do you now, or have you ever worked for any agency under Tompkins County's jurisdiction? YES NO
- D. Have you filed for an examination with Tompkins County within the last two years? YES NO
- E. Were you ever dismissed from employment for reasons other than lack of work? * YES NO
- F. Have you ever forfeited bail and posted to guarantee your appearance in court? * YES NO
- G. Have you ever been convicted of any crime (felony or misdemeanor)? * YES NO
- H. Are you an exempt volunteer firefighter? YES NO
- I. Are you presently in default on any loan made or guaranteed by the New York State Higher Education Services Corporation? * YES NO

*If yes, please use the space below to give a full explanation. A "yes" answer to E, F, G or I will not necessarily disqualify you. Each case is evaluated on an individual basis in relation to the duties and responsibilities of the position for which you have applied. You may omit parking violations.

5. Law enforcement positions and positions requiring a commercial drivers license have minimum age restrictions. If you are applying for one of these positions **OR** if you are under the age of 18, enter your date of birth here: ____/____/____

**Please contact the Tompkins County
Personnel Office for the most current form**