

## Diversity and Inclusion

<b>Objective:</b>	To create a workplace environment that is inclusive, and to recruit, retain, and support a workforce that reflects and supports the diversity of our community.	<b>Policy/Procedure Number:</b>	01-43
<b>Reference: <i>(All Applicable Federal, State and Local Laws)</i></b>	Tompkins County Charter and Code § 92 Antidiscrimination; Tompkins County Code of Ethics; Administrative Policies 08-29 (Standards of Conduct) 11-36.1 (Affirmative Action); 11-36.2 (Affirmative Action); 11-39 (Commitment to Serving the Public without Discrimination); 02-13 (Disciplinary Action); 11-45 (Whistleblower & False Claims Acts); 02-43 (Discrimination and Harassment Prevention)	<b>Effective Date:</b>	December 3, 2013
<b>Legislative Policy Statement:</b>	<p>The Tompkins County Legislature believes that a diverse and inclusive workforce provides internal and external advantages. Internally, cultivating an inclusive culture enhances employee potential and encourages a variety of perspectives that ultimately drives creativity and innovation. Externally, a diverse workforce increases the County's ability to serve the entire community.</p> <p>The Tompkins County legislature is committed to creating and sustaining a diverse, fully inclusive, and flexible workplace environment that continually strengthens the organization, and demonstrates this commitment by:</p> <ul style="list-style-type: none"> <li>▪ Fostering a workforce ethic that embraces diversity and makes it the norm for all interactions, including delivery of services to the public;</li> <li>▪ Implementing recruitment and retention policies and practices that ensure a diverse workforce;</li> <li>▪ Promoting an awareness and understanding of diversity and inclusion through purposeful education and development;</li> <li>▪ Forbidding retaliation and/or taking disciplinary action against all expressions of discrimination, bias, harassment, or negative stereotyping toward any person or group (Policy 02-13; 02-43; 11-45)</li> <li>▪ Developing opportunities to draw upon the diverse skills, abilities, knowledge, and perspectives of all employees/volunteers; and</li> <li>▪ Requiring County departments to seek out and learn from the different perspectives and values that characterize diverse employees/volunteers and clients to ensure fair treatment of and equal opportunity and access for everyone.</li> </ul>	<b>Modified Date (s):</b>	May 7, 2019
		<b>Resolution No.:</b>	2013-203; 126-2006; 2019-100
		<b>Next Scheduled Review:</b>	May 2024

To meet these expectations, Tompkins County government must commit the necessary resources to:

- Assess organizational culture routinely and consistently, utilizing best practices in regard to valuing diversity and inclusion;
- Involve managers, supervisors, union leaders, employees/volunteers, and community members in the ongoing development, implementation, and evaluation of initiatives and activities to ensure a diverse and inclusive workplace, while complying with merit principles and applicable Local, State, and Federal laws;
- Provide routine and comprehensive workforce development programming at all levels of the organization, including education, mentoring, coaching, and staff recognition;
- Establish a recruitment and retention system that respects the rights and dignity of all persons, and is monitored routinely, with each level of recruiting, hiring, transfer, and promotion reviewed and improved upon when necessary; and

- Enforce existing recruitment, retention and promotion policies created to assure a diverse workforce.

## I. Definitions:

**Civil Service** - 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."

**Culture** - The characteristics defined by customs, belief systems, values, language, religion, social habits and institutions, arts, and achievements of a particular nation, people, or other social group.

**Discrimination** - The unjust or prejudicial treatment of a person or group because of appearance, race, ethnicity, national origin, age, gender, sexual orientation, gender identity or expression, marital status, religion, ex-offender status, life-threatening illness, or disability.

**Diversity** - Individual attributes that include, but are not limited to, national origin, language, race, color, disability, ethnicity, gender, age, religion, sexual orientation, gender identity and expression, socio-economic status, veteran status, and family structures. Diversity also encompasses differences among people concerning where they are from and where they have lived, and their differences of thought and life experiences.

**Employees** - All persons filling positions of any rank within County government, including elected or appointed officials, paid staff, and members of any administrative board, commission, or agency of that government.

**Equal Opportunity** - The offering of employment, pay, or promotion equally to all, without discrimination.

**Flexible Work Arrangements** - Alternative arrangements or schedules from the traditional working day and week (for example, flex time, part-time options, telecommuting, or compressed work weeks).

**Harassment** - Unwelcomed, unwanted, and uninvited conduct that demeans, threatens or offends. Harassing behavior may include, but is not limited to, epithets, derogatory comments or slurs and lewd propositions, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

**Inclusion** - Fully and respectfully involving all employees/volunteers in the activities and life of the organization, including configuring opportunity, interaction, communication, information, and decision-making to utilize the potential of employee/volunteer diversity.

**Organizational Culture** - Shared attitudes, beliefs, customs, and written and unwritten rules that have been developed over time and are considered valid, and is usually demonstrated by (1) the ways the organization conducts its business and treats its employees/volunteers, customers, and the wider community, (2) the extent to which freedom is allowed in decision making, developing new ideas and personal expression, (3) how power and information flow through the organizational hierarchy, and (4) how committed employees/volunteers are towards collective objectives.

**Retaliation** - Disciplinary or other adverse personnel action relating to the terms and conditions of employment taken against the employee/volunteer, or relative of the employee/volunteer, because the employee/volunteer has made a good-faith report or complaint.

## II. Policy:

- A. Tompkins County government, including all departments, cabinets, hiring committees, and appointed advisory groups, should be as diverse as possible and

Tompkins County government, including all departments, cabinets, hiring committees, and appointed advisory groups, should be as diverse as possible and

- Each employee/volunteer and appointee is valued for their uniqueness and is treated with respect;
- Each employee/volunteer has equal opportunity and access to reach his or her full potential in pursuit of organization objectives and goals; and
- Employees/volunteers understand and appreciate the heritage and culture of many different groups of people and are equipped to provide culturally competent services to customers and customer groups.

**B.** Tompkins County government shall demonstrate organizational commitment by:

1. Establishing a Workforce Diversity and Inclusion Committee (WDIC) to guide, inform, and monitor the County's diversity and inclusion efforts. WDIC shall strive to meet monthly to review existing diversity and inclusion policies and practice, recommend new initiatives or changes to existing ones, assist with implementation as needed and where appropriate, and advise the Legislature to further the County's commitment to diversity and inclusion. WDIC shall report to the Legislative committee responsible for the Human Resource function.
2. Publishing an explicit values statement specific to diversity and inclusion that defines respect, dignity and a code of ethical conduct for all employees/volunteers and forms a system of accountability to ensure that all employees/volunteers uphold these values and codes in the workplace and when dealing with external customers, clients, and other stakeholders.
3. Developing policies, procedures, guidelines, and tools to support recruitment and retention of a demographically diverse workforce that reflects the multi-cultural community that it serves.
4. Utilizing deliberate and sustainable strategies of inclusion and equal access when developing, modifying, and implementing directives, policies, programs, or services.
5. Administering a Climate Survey every three (3) to five (5) years that incorporates evidence-based industry standards to assess work-life climate, professional development and advancement, and equity and inclusion. Climate survey results will be used to inform policy, practice, and the allocation of resources to ensure that all employees/volunteers are treated with respect and are afforded the opportunity to rise to their full potential.
6. Providing a mandatory ongoing learning and development program through formal and informal education that addresses issues of diversity, inclusion, and nondiscrimination.
7. Ensuring all County employees/volunteers are aware that no officer or employee/volunteer of the County shall take retaliatory action against an employee/volunteer because the employee/volunteer makes a diversity-related complaint or report concerning an alleged or potential violation of any law, rule, or regulation. Such retaliatory actions include, but are not limited to, discharge, discipline, personal attacks, harassment, intimidation, or change in job, salary, or responsibilities.
8. Providing flexible work arrangements, where deemed feasible without adversely impacting the functions and operations of the department as determined by the

department head and in consultation with the Human Resources Commissioner, that are equitable and that support the work-life balance of employees.

9. Establishing a formal, organization-wide Performance Review system that supports professional growth, informs organizational achievement, and includes criteria applicable across all employment levels for demonstrating inclusion, welcoming of diverse perspectives, and personal accountability. Performance assessment standards shall be equitable, measurable, and understandable to all. Employee performance trends shall be reported annually to WDIC.
10. Establishing a system to recognize and acknowledge the diverse contributions of employees at all levels of responsibility and reporting these activities annually to WDIC.
11. Developing a set of routine metrics for measuring and monitoring the impact and effectiveness of County diversity and inclusion strategies in a comprehensive way that clearly displays results and informs performance. This information shall be reported to WDIC annually.
12. Utilizing partner organizations, vendors, and contractors that have inclusive diversity policies and processes.

**III. Procedure:**

- A. The County Administrator shall be responsible for ensuring that County operations fully embrace diversity and inclusion policy expectations. The County Administrator, in consultation with WDIC, shall assess annually each Department's approach to incorporating the County's diversity and inclusion expectations as outlined in Section II B., items 1-12 of this policy.
- B. The County Administrator, in consultation with WDIC, shall on an annual basis recognize Departments that achieve their annual diversity goals. Further, the County Administrator, in consultation with WDIC, will work with Departments that demonstrate need of improvement or that request such assistance.
- C. The County Administrator, in consultation with WDIC, shall establish and lead an ongoing diversity and inclusion learning and development program that include both mandatory and voluntary education opportunities for all levels of the County organization.
- D. The County Administrator, in consultation with WDIC, shall develop a set of routine metrics for measuring and monitoring the impact and effectiveness of County diversity and inclusion strategies.
- E. The Commissioner of Human Resources, in consultation with WDIC, shall track the interviewing, hiring, transfer, promotion and discharge of all personnel in order to ensure the achievement and maintenance of diversity metrics that help guide diversity within the Tompkins County workforce.
- F. The County, in consultation with County Administration and the Commissioner of Human Resources, shall develop, lead, and maintain a formal, organization-wide Employee Performance Review System that is in alignment with and supports organizational diversity and inclusion expectations, and that assesses the quality, quantity, timeliness, and effectiveness against a set of established performance standards.
- G. The Commissioner of Human Resources, in consultation with the County Compliance Officer or their designee, will monitor complaints and ensure the County's no tolerance policy is upheld regarding discrimination, bias, harassment, negative stereotyping, or retaliation toward any person or group.

1. Any employee/volunteer who believes that they have been unlawfully discriminated against, harassed, or retaliated against by Tompkins County, by any County Department or by any County employee/volunteer, should notify Human Resources or the County Compliance Officer of the alleged discrimination, harassment, or retaliation. The Commissioner of Human Resources, in consultation with the County Compliance Officer or their designee, will attempt to resolve informally the concern of discrimination or harassment.

Any employee/volunteer may also, if they prefer, contact the State Division of Human Rights or the Equal Employment Opportunity Commission to make a formal complaint of unlawful discrimination or harassment.

**Note:** Additional information regarding Tompkins County's complaint procedure can be found on the Human Resources page of the Tompkins County website.

2. After a thorough investigation, if discrimination, harassment, or retaliation is found, disciplinary action will be taken as outlined by Civil Service law or the appropriate collective bargaining agreement, or if any act of discrimination or bias by any individual is so egregious, there exists the potential for possible law enforcement involvement and/or action.