

MEDINA COUNTY  
EQUAL EMPLOYMENT OPPORTUNITY PLAN

Plan Read and Approved by  
Commissioners' Court

*Chris Schuchart*

Chris Schuchart  
County Judge

*January 16, 2020*

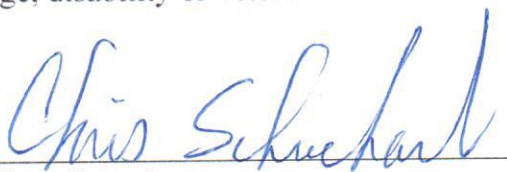
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## MEDINA COUNTY EQUAL EMPLOYMENT OPPORTUNITY POLICY

It has been and will continue to be the policy of Medina County to be an equal opportunity employer. The objective of this policy is to recruit, hire, train and promote persons in all job classifications without regard to race, color, religion, sex, national origin, age, handicap or veterans' status. All such decisions are made by utilizing objective standards based on the individual's qualifications as they relate to the particular job vacancy and to the furtherance of equal employment opportunity.

All other personnel decisions such as compensation, benefits, transfers, layoffs, returns from layoff, company sponsored training, education, tuition assistance, social and recreation programs will be administered without regard to race, religion, color, sex, national origin, age, disability or veterans' status.



Chris Schuchart  
Medina County Judge

# RESPONSIBILITY FOR IMPLEMENTATION OF EQUAL EMPLOYMENT OPPORTUNITY POLICY

## MEDINA COUNTY COMMISSIONERS'S COURT

Medina County Commissioners' Court has the overall responsibility for implementation of the equal employment opportunity policy. Elected and appointed officials will be held responsible for initiating, administering and controlling activities within their area of responsibility in order to ensure full implementation of the policy by:

- Recognizing and supporting the mission of diversity and inclusion initiatives, efforts and programs;
- Providing support, resources, and budgetary assistance to County departments;
- Encourage and communicate County equal employment opportunity initiatives and information to employees and the general public; and,
- Reviewing the equal employment opportunity practices and procedures.

## HUMAN RESOURCE DIRECTOR

The Human Resources Director is responsible for the general administration of the Plan and will review all personnel policies, employment practices and procedures, and make recommendations on steps to ensure equal employment opportunity

## RESPONSIBILITIES OF DEPARTMENT HEADS

Department Heads will adhere to the County's equal employment opportunity plan and are responsible for achieving progress toward the goals and objectives of the Plan in their departments. Specifically, the department heads will:

- Ensure that all employment decisions, including interviews, offer of employment and compensation commitments, assignments, training, development of job related knowledge and skills, evaluation and employee relations are consistent with the County's personnel practices and equal employment opportunity principles.

## MANAGERS AND SUPERVISORS

County Managers and Supervisors are responsible for the following:

- Supporting and implementing the County's diversity and inclusion mission, goals, and initiatives;
- Ensuring that all staff understand and work within County policies and procedures and

relevant laws dealing with equal employment opportunities programs and policies and;

- Initiating steps to foster and maintain a work climate that is conducive to achieving equal employment opportunities and a workplace free from discrimination and harassment.

## **RESPONSIBILITIES OF EMPLOYEES**

County employees are responsible for supporting a work climate that is conducive to achieving equal employment opportunities and that is free of any form of discrimination or harassment.

## **OBJECTIVES AND ACCOMPLISHMENTS**

The long-range objective of Medina County is to achieve a well-balanced work force representative of the community as closely as possible and reaffirm the County's commitment to equal employment opportunity and diversity and inclusion in its employment practices and program operations. Hiring in the future is anticipated primarily to be associated with replacement of employees plus some limited County promotions. A small number of employees may be added by new positions through the annual budget process. The County will continue to stress the equal employment opportunity policy and to promote a bias-free process in County activities.

## **DISSEMINATION POLICY INTERNAL DISSEMINATION**

Medina County's policy on Equal Employment Opportunity has been and will continue to be publicized internally by:

1. Including the policy in the Medina County Personnel Policy Manual, on our job boards/job applications and postings for open job opportunities.
2. Publicizing the policy in County publications.
3. Meeting with Department Heads to discuss the policy and explain individual employee responsibilities.
4. Discussing the policy thoroughly in both employee orientation and management training programs.

## **EXTERNAL DISSEMINATION**

Medina County's policy on equal employment opportunity has been and will continue to be explained to outside sources through the following methods:

Communicating to prospective employees the existence of the County's equal employment opportunity plan and making available such elements of the plan as will enable such prospective employees to know of and avail themselves of its benefits.

A copy of our approved EEO Utilization report will be posted on the County website and hard copies will be printed and available in the Human Resources Office.

### **UTILIZATION ANALYSIS WORK FORCE ANALYSIS**

Attached is the December 19, 2019 active employee list (excluding all elected officials) listing all job titles in Medina County. The job titles are as they appear in payroll records, ranked from the highest paid to the lowest paid within each department or other organizational unit. For each job title, the total number of male and female incumbents in each of the following minority groups are given: White, African-American, Hispanics, American Indian/Alaskan natives and Asians/Pacific Islanders.

### **AVAILABILITY DETERMINATION**

All job groups within Medina County have been examined to determine whether minorities and women are being under-utilized in comparison to their availability.

In determining whether there is an under-utilization for women and minorities, certain factors have been considered. Special attention is given to minority groups that comprise a significant portion of the labor area population.

The following factors are considered in determining minority availability.

1. The minority population of the Medina County labor area.
2. The size of the minority employment force in the Medina County area.
3. The percentage of the minority work force as compared with the total work force in the immediate labor area.
4. The availability of minorities having requisite skills in the immediate labor area.
5. The availability of minorities having requisite skills in an area in which the County can reasonably recruit.
6. The existence of training institutions capable of training persons in the requisite skills.

The following factors are to be considered in determining availability of female employees.

1. The size of the female unemployment force in the Medina County labor area.
2. The percentage of the female work force as compared with the total work force in the immediate labor area.
3. The availability of women having requisite skills in an area in which the County can reasonably recruit.
4. The availability of women seeking employment that the County can reasonably recruit.
5. The availability of promotable and transferable female employees of the County.
6. The existence of training institutions capable of training persons in the requisite skills.

## ESTABLISHMENT OF GOALS AND TIMETABLES

In the establishment of goals and timetables, Medina County has given consideration to all of the factors set forth. The personnel staff, department heads, elected officials, and other managers have been involved in the goal setting process.

Goals are not created as rigid and inflexible quotas which must be met, but as targets deemed reasonably attainable by means of applying good faith efforts to make all aspects of the entire equal employment opportunity plan work. In establishing timetables, Medina County has considered the anticipated expansion, contraction and turnover of, or in, the work force.

Goals, timetables and equal employment opportunity action commitments have been designed to correct identifiable deficiencies and underutilization in as short a time as reasonably possible.

## IDENTIFICATION OF PROBLEM AREAS AND CORRECTIVE ACTION

Medina County has analyzed the following factors in identifying the extent to which problem areas may exist in meeting its equal employment opportunity obligations:

1. Composition of the work force by minority group and sex.
2. Composition of applicant flow by minority group and sex.
3. The total selection process including position descriptions, position titles, worker specifications, application forms, interview procedures, referral procedures, final selection process, and similar factors.
4. Transfer and promotion practices.
5. Work force attitudes.
6. Technical phases of compliance, such as posters, retention of applications, notification to subcontractors, and etc.

Medina County has considered whether any of the following circumstances exist and, if so, correction as described is being taken:

1. **Whether there is an underutilization of minorities and women in specific job groups.**  
To the extent indicated underutilization of minorities and women exists in certain job groups, such underutilization will be corrected in as short a period as reasonable possible.
2. **Whether promotions/transfers of minority or female employees are occurring at a lesser rate than that of non-minority or male employees.**  
This circumstance will be addressed to the extent appropriate under the terms of the equal employment opportunity plan consistent with Medina County's policy to promote from within wherever possible and whenever such policy does not conflict with achieving the goals of the equal employment opportunity plan. Internal job posting is utilized for most exempt and non-exempt positions.
3. **Whether the selection process eliminates a significantly higher percentage of minorities**

**and women or non-minorities.**

The Medina County equal employment opportunity plan will be followed in the selection process with special emphasis given to the selection and promotion of qualified minorities and females.

**4. Whether applications and related pre-employment forms are in compliance with federal legislation.**

All applications and related pre-employment forms have been reviewed for current compliance with federal legislation and will be updated as changes in such requirements occur.

**5. Whether position descriptions accurately reflect actual functions and duties.**

Position descriptions will be reviewed under the terms of the equal employment opportunity plan and modified to the extent necessary to reflect actual functions in job duties.

**6. Whether selection procedures require modification.**

Selection procedures will be reviewed to insure compliance with this policy.

**7. Whether the ratio of minorities being referred for consideration for hiring/promotion indicates a significantly higher percentage are being rejected as compared to non-minorities.**

The referral ratios and hiring ratios of minority and female applicants will be carefully monitored.

**8. Whether supervisors and employees support the County's hiring/promotion policy.**

Supervisors and employees will be informed of the County's equal employment opportunity Policy.

## **INTERNAL AUDITING AND REPORTING PROGRAMS**

Procedures will be established and implemented for internal auditing and reporting of the County's Equal Employment Opportunity Plan. Medina County will review this system on a regular basis (at least bi-annually). The reporting and auditing system will include:

1. Maintaining accurate and up-to-date records on all applicants, hires, promotions, transfers, and terminations by race and sex.
2. Reviewing all promotions, transfers, and terminations to be certain all employees are treated on a fair and equitable basis.
3. Reviewing all selection, promotional and training procedures to be certain that they are non-discriminatory.
4. Informing, on a regular basis, Commissioners' Court of the effectiveness of the policy and recommendations for improvements, if necessary.

## **COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES**

It has been and continues to be the policy of Medina County not to discriminate on the basis of sex, and to this end, the following will continue to be the policy for the county:

### **Recruitment and Advertisement Policy**

1. Medina County actively recruits both men and women for all jobs. Referral sources are informed that Medina County has no specific sex preference and seeks only qualified applicants without regard to race, color, religion, sex, national origin, age, pregnancy, disability, genetic information, sexual orientation, gender identity or any other protected classes.
2. Advertisements for positions are followed by " Equal Opportunity Employer ".

### **Current Employee Policy**

1. All written personnel policies clearly stipulate that all policies and practices apply to every employee on an equal opportunity basis regardless of sex.
2. All employees have an equal opportunity to apply for any position they are qualified for.
3. No distinction is made between the sexes in regard to equal opportunity, wages, hours, or other conditions of employment
4. There is no distinction between the employment treatment of a woman or a man on the basis of marital status.
5. Medina County provides appropriate and equal physical facilities to both male and female employees.
6. Medina County adheres to the Federal guidelines on employment
7. Females are not penalized in their employment because of time spent away on account of childbearing. The leave policy includes provisions for maternity leave. Seniority, position and other benefits are retained when the employee returns.
8. Disabilities created or contributed to by pregnancy, childbearing or related medical conditions are considered to be the same as disabilities caused or contributed to by other medical conditions under the County's health insurance plan.
9. No distinction is made between men and women as to retirement age for any particular job.

### **Sexual Harassment Policy**

It is the policy of Medina County to prohibit unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature which interferes with employee performance, creates an intimidating, hostile, or offensive work environment, or which affects conditions of employment or employment decisions.



## **COMPLIANCE WITH RELIGION OR NATIONAL ORIGIN GUIDELINES**

### **Equal Employment Policy**

Medina County ensures that all applicants and employees are not discriminated against on the basis of religion or national origin by reviewing its employment practices in order to ensure that members of the various religions and/or ethnic groups are receiving fair consideration for job opportunities.

Medina County utilizes the following practices and policies to ensure non-discrimination based on religion or national origin:

1. Supervisors, and employees are informed of the County's commitment to provide equal employment opportunity without regard to religion or national origin.
2. Medina County has developed internal procedures to ensure implementation of equal employment opportunity without regard to religion or national origin.
3. Recruitment sources are used to provide equal employment opportunity to all persons, without regard to religion or national origin.
4. The employment records are reviewed to determine the availability of promotable members of various religious or ethnic groups.

### **Accommodations to Religious Observance and Practice**

Medina County accommodates the religious observance and practices of employees or applicants unless such accommodation creates undue hardship on the County. The extent of the County's obligation is determined by an analysis of business necessity, financial costs and expenses, and resulting personnel problems.

### **Non-Discrimination**

Medina County does not discriminate against any qualified employee or applicant because of race, color, religion, sex, or national origin in implementing its EEO policy regarding non-discrimination on the basis of religion or national origin.

## **AGE DISCRIMINATION GUIDELINES**

Medina County will not discharge or refuse to hire any individual or otherwise discriminate against any individual over the age of 40 with respect to compensation, terms, conditions, or privileges of employment because of such individual's age. Medina County will also not limit or classify its employees in any way which would deprive them of employment opportunities or otherwise adversely affect their status because of their age over 40.

## **CONSIDERATION OF MINORITIES AND WOMEN NOT CURRENTLY IN THE WORK FORCE**

Medina County considers, and will continue to consider, to employ minorities and women having the requisite skills even though those persons may not currently be in the work force.

## **PHYSICAL AND MENTAL QUALIFICATIONS FOR DISABLED INDIVIDUALS AND DISABLED VETERANS AND VETERANS OF THE VIETNAM ERA**

Medina County will review physical or mental job qualification requirements to ensure that, to the extent qualifications requirements tend to screen out qualified handicapped or disabled individuals, they are job related and are consistent with the business necessity and the safe performance of the job.

Whenever Medina County applies physical or mental job qualifications requirements in the selection of applicants or employees for employment or other change in employment status such as promotion, demotion, or training to the extent that qualifications requirements tend to screen out qualified handicapped or disabled individuals, the requirements shall be related to the specific job or jobs for which the individual is being considered and shall be consistent with business necessity and the safe performance of the job.

When Medina County conducts a comprehensive medical examination prior to employment, the results of such an examination shall be used only for purposes of complying with the statute.

Whenever Medina County inquires into an applicant's or employee's physical or mental condition or conducts a medical examination prior to employment or change in employment status, information obtained in response to such inquiries or examination are kept confidential except that:

1. Supervisors and managers may be informed regarding restrictions on the work or duties of handicapped or disabled individuals and regarding accommodations; and
2. First aid and safety personnel may be informed, where and to the extent appropriate, if the condition might require emergency treatment; and

## **ACCOMMODATIONS TO PHYSICAL AND MENTAL LIMITATIONS**

Medina County will make reasonable accommodation to the physical and mental limitations of a disabled individual unless such accommodation would impose an undue hardship. In determining the extent of such hardship the following factors among others may be considered: (1) business necessity and (2) financial costs and expenses.

## **COMPENSATION**

In offering employment or promotions to disabled individuals, Medina County does not reduce the amount of compensation offered because of any disability income, pension or other benefit the applicant or employee receives from any other source.

## **SUPPORT OF ACTION ORIENTED PROGRAMS**

Medina County continues its active involvement in community relations and community programs in some of the following ways:

- a. Commissioners' Court members and Elected Officials support the local Vocational Guidance Institutes and Job Training Participation Act Programs (JTPA) or current like programs in Medina County.
- b. Commissioners' Court members and Elected Officials will offer support to local high schools and high school administrators in developing programs that aid all students to compete on a more equitable basis for jobs.

## **ANALYSIS OF PRECEDING YEAR**

In making its analysis of the preceding years' experience, Medina County has examined the following specific areas:

1. Analysis of goal accomplishments
2. Analysis of applicant flow
3. Analysis of external hires
4. Analysis of employee training programs
5. Analysis of promotions and transfers
6. Analysis of terminations

## **GOAL ACCOMPLISHMENTS**

The long-range objective of Medina County is to achieve a well-balanced work force representative of the community as closely as possible. Hiring in the future is anticipated primarily to be associated with replacement of employees plus some limited county promotions. A small number of employees have been added by new positions through the annual budget process. The County continues to stress Equal Employment Opportunity and to promote a bias-free process in county activities.

The occupational category, Administrative, has 50 or more employees and thus potentially has the best opportunity for change. Regardless, county officials will be advised of the work force representation during the selection process regarding under-representation relative to a balanced work force. The county's status will be reviewed with Commissioners' Court bi-annually.