

City of St. Paul Equal Employment Opportunity/ Affirmative Action Plan

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**Prepared by Angela Nalezny
Director of Human Resources**

INTRODUCTION

As a local governmental entity and municipality, the City of Saint Paul is exempt from the certification process of the Minnesota Department of Human Rights as well as federal jurisdiction. The City recognizes this exemption and because of its commitment to Equal Employment Opportunity for all applicants and employees, the City has voluntarily undertaken an Affirmative Action Plan to provide Equal Employment Opportunity in all aspects of the employment process. The Affirmative Action Plan carefully assesses the composition of the City's workforce by gender and race for potential under-representations considering the available pool of qualified persons for the City's jobs in the applicable labor force. In any instance where a potential under-representation appears, the City has set a placement goal and is committed to undertake positive outreach and recruitment, which is designed, over time, to result in a workforce that reflects the gender and racial composition of the labor market.

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CITY OF SAINT PAUL EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION POLICY STATEMENT

This statement is to affirm the City of Saint Paul's policy to provide Equal Employment Opportunity to all employees and applicants for employment in accordance with all applicable Equal Employment Opportunity and Affirmative Action laws, directives and regulations of Federal, State and Local governing bodies or agencies thereof, specifically including Section 183.04 of the Saint Paul Legislative Code (Human Rights Ordinance) and the Rules Governing Affirmative Requirements in Employment.

The City of Saint Paul will not discriminate against or harass any employee or applicant for employment because of race, creed, religion, gender, sexual or affectional orientation, color, national origin, ancestry, familial status, age, disability, marital status, membership on a civil rights commission, or status with regard to public assistance.

The City of Saint Paul will take affirmative action to ensure that all employment practices are free of such discrimination. Such employment practices include, but are not limited to, the following: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, selection, layoff, recall from layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

The City of Saint Paul will take affirmative action to contract with small businesses and businesses owned and controlled by women, people of color and persons with a disability. The City of Saint Paul fully supports incorporation of non-discrimination and Affirmative Action rules and regulations into contracts.

The City of Saint Paul will commit the necessary time and resources, both financial and human, to achieve the goals of Equal Employment and Affirmative Action.

The City of Saint Paul will evaluate the performance of its management and supervisory personnel on the basis of their involvement in achieving these Affirmative Action objectives as well as other established criteria. Any employee of the City or subcontractors of the City who do not comply with the Equal Employment Opportunity Policies and Procedures set forth in this Statement and plan will be subject to disciplinary action. Any subcontractor not complying with all applicable Equal Employment Opportunity/Affirmative Action laws, directives and regulations of the Federal, State and Local governing bodies or agencies thereof, specifically including Section 183.04 of the Saint Paul Legislative Code and the Rules Governing Affirmative Requirements in Employment will be subject to appropriate legal sanctions.

Mayor Christopher B. Coleman has appointed Angela Nalezny, Human Resources Director, and Jessica Kingston, Human Rights and Equal Economic Opportunities Director, to manage the Equal Employment Opportunity Programs of each respective department and function. They will be given the necessary top management support and staffing to fulfill their job duties. The Mayor of the City of Saint Paul will receive and review reports on the progress of the program.

If any employee or applicant for employment for the City of Saint Paul believes he/she has been discriminated against, they may contact Angela Nalezny, Human Resources Director, 200 City Hall Annex, Saint Paul, MN 55102 at (651) 266-6500, or the Equal Employment Opportunity Commission at (612) 335-4040 or the Minnesota Department of Human Rights at (651) 296-5663. The City of Saint Paul will not tolerate retaliation or intimidation directed toward anyone who makes a complaint.

Christopher B. Coleman, Mayor
Signed and dated document on the City's website

RESPONSIBILITIES OF THE HUMAN RESOURCES DIRECTOR

The Director of Human Resources has responsibility for the following.

- Directs the staff of the Office of Human Resources. Functions include labor relations, employee benefits, workers compensation, safety, risk management including property and tort claims, affirmative action, recruitment and selection, payroll, organizational and employee development, classification and compensation.
- Develops and administers a broad program of public personnel administration which includes defining standards and principles of operation to achieve a coordinated and consistent approach to how employees are recruited, tested, selected, compensated, promoted, disciplined and developed.
- Plans and directs a continuing program of study and research for the purpose of developing better human resources techniques, procedures and methods.
- Consults with and advises the Mayor, the City Council, and department and division heads on human resource matters.
- Develops a consulting and joint planning relationship with the management staff of each operating department for the purposes of achieving effective workforce planning and consistent application of the human resources system through the organization.
- Advises and counsels employees regarding their rights and responsibilities.

The duties of the Director of Human Resources pertaining specifically to the EEO/AA Plan include:

- Develop and update the City's EEO/AA Plan in a manner consistent with the City's policies and establish affirmative action placement goals and objectives.
- Implement affirmative action, diversity, racial equity, and workplace conduct programming including internal and external dissemination of the City's policies and plans.
- Recruitment of women, persons of color and individuals with disabilities.
- Train and orient supervisors and managers to inform them of their responsibilities pursuant to the EEO/AA Plan and City of Saint Paul policies.
- Ensure that managers and supervisors understand it is their responsibility to take action to prevent the harassment of protected class employees and applicants for employment.
- Ensure all employees are provided equal opportunity as it relates to city-sponsored training programs, benefit plans, pay and other working conditions without regard to race, creed, religion, gender, sexual or affectional orientation, color, national origin, ancestry, familial status, age, disability, marital status, membership on a civil rights commission or status with regard to public assistance.
- Receive and coordinate attempts to resolve Equal Employment Opportunity complaints.
- Monitor and measure the City's progress toward meeting its placement goals and report results to management.
- Hold regular discussions with directors, managers, supervisors and employees to ensure City's equal opportunity policies are being followed.
- Periodically audit recruitment, employment testing, hiring, promotions and other internal movement, and terminations. Identify problem areas and recommend solutions to the problems.

RESPONSIBILITIES OF DEPARTMENT DIRECTORS

It is the responsibility of department directors to implement the provisions of the Affirmative Action Plan and their department racial equity work plan within their area(s) of responsibility, ensuring progress toward achieving the City's objectives. All Department Directors are accountable for the following:

- Regularly discussing with managers and supervisors the importance of and the progress toward achieving the department's Affirmative Action Plan objectives, Equal Employment Opportunity policies, and the necessity of supervisory support for effective implementation.
- Reviewing employee diversity within supervisory groups to ensure that people of color, women, persons with disabilities, and members of other protected groups are provided full opportunities for training, promotions, assignments and career counseling to address underutilization where it exists.
- Reviewing departmental hiring and placement goals on a regular basis.

RESPONSIBILITIES OF MANAGERS AND SUPERVISORS

Managers and supervisors are also responsible for implementing the Affirmative Action Plan within their area(s) of accountability. Specifically, each manager and supervisor is responsible for:

- Ensuring that all non-management employees understand the City's commitment to Equal Employment Opportunity, affirmative action, and racial equity.
- Preventing any form of workplace harassment toward employees, applicants, or customers/clients.
- Assisting employees in realizing their full potential with the City by ensuring a work environment free from discrimination.

RESPONSIBILITIES OF CITY EMPLOYEES

Employees are responsible for supporting a work environment that is conducive to achieving the City's Affirmative Action Plan goals and objectives racial equity and inclusion.

DISSEMINATION OF AFFIRMATIVE ACTION POLICIES AND PROGRAM

The EEO/AA Plan will be disseminated as outlined below:

1. Internal Dissemination
 - A. The EEO/AA Policy Statement will be posted on the City's website.
 - B. All executive personnel will be furnished a copy of the EEO/AA Policy and Plan and supporting documentation regarding their department.
 - C. Include non-discrimination clauses in all union agreements, and review all contractual provisions to ensure that they are non-discriminatory.

2. External Dissemination

- A. We will include this statement on the website on the Employment page: “The City of Saint Paul values a workforce that reflects the community. The City of Saint Paul is an Equal Opportunity Affirmative Action Employer. Therefore we encourage applications from all individuals including persons with disabilities, persons of color, LGBT, and women.”
- B. We will include this statement on job announcements: “The City of Saint Paul is an equal opportunity/affirmative action employer. Women, persons of color, members of the LGBT community, and individuals with disabilities are strongly encouraged to apply.”
- C. We will request that recruitment sources, including groups such as subcontractors, employment agencies, labor unions, community action agencies, community leaders, schools, colleges, churches or missions frequented by protected class persons, organizations of protected class persons, and the news media, help us actively recruit a diverse set of applicants to assist us in achieving a representative workforce.
- D. We will include the statement “An Affirmative Action Equal Opportunity Employer” in the footer of the City letterhead and in advertisements recruiting employees and contractors, including temporary and seasonal employees.
- E. Ensure racial and gender diversity when pictures are featured on the website, in recruitment documents, or similar employment-related publications.
- F. Maintain a utilization report on the Human Resources’ web page that is updated quarterly. The current city utilization reports are included as Appendix A.

RECRUITMENT

We will take positive steps to ensure that the City of Saint Paul and our subcontractors recruit people of color, women and persons with a disability in order to achieve a diverse workforce in both construction and non-construction including, but not limited to the following:

- We will contact organizations and agencies who specialize and work with people of color, women and persons with a disability. When seeking to fill specific openings we will give these agencies a reasonable amount of time to locate and refer applicants prior to the closing date for receipt of applications. Application and application filing procedures will be as simple as is consistent with business requirements.
- Active recruiting programs, where applicable, will be carried out at secondary schools, community colleges, and colleges and will incorporate efforts to reach people of color, women and persons with a disability.
- We will not indicate, in help-wanted advertisements, a preference, limitation, specification, or discrimination based on gender unless gender is a bona fide occupational qualification for a particular job involved.

TRAINING PROGRAMS

- We will encourage training programs to embrace promotions and opportunities for protected class employees.
- We will encourage apprenticeship training when such a program is necessary to ensure equal opportunity for protected class employees.
- Employees of color, female employees and employees with a disability will be afforded a full opportunity and will be encouraged to participate in all City-sponsored educational training programs.
- On-the-job training programs, as well as other training and educational programs to which the City gives support or sponsorship will be regularly reviewed to ensure that people of color, women and persons with a disability are given equal opportunity to participate.

INTERNAL EEO COMPLAINT PROCEDURES

The City's workplace conduct policy and the procedures for responding to complaints of behavior in violation of the workplace conduct policy are on the City's website on the employment policies page under Human Resources.

WORK FORCE ANALYSIS

The City of Saint Paul Work Force Analysis included the following:

- Details of the departmental structure of the work force, including the job titles included in each department and the race and gender composition of the departments.
- Details of the total work force by race, gender, and job groups. The job groups have been developed by combining job titles that are similar in wage, content and promotional opportunity. The total number of employees, the total number and percentage of people of color and the total number and percentage of women are also included. Summary data for the city as a whole and for each department is included in Appendix A.
- A list of specific job titles by job category.
- A list of the EEO-4 classifications that are assigned to job titles.

AVAILABILITY ANALYSIS

The following data sources were used to calculate estimated availability:

1. Census 2010 Special EEO File (occupational skills data in the relevant labor area from the 2010 census).
2. Applicant data collected by the City of Saint Paul for the firefighter job group from the 2010 examination process.
3. Employee data that reflects anticipated internal movement and feeder pools through promotion, transfer, or training.

NOTE: The analysis reflected Section 8 of the City of Saint Paul's Civil Service Rules. This section dictates promotional preference for some employee groups; therefore the analysis uses both internal and external factors.

The analysis determined the relevant importance of each factor by job group and assigned a value weight. The value weight assigned to each factor considered for each job group equals 100%.

GOALS

Goals have been established separately for people of color and women. These goals are placement goals and are not to be regarded as inflexible quotas or set-asides which must be met. Instead, they are targets which the City believes to be reasonably attainable through the application of good faith efforts. Goals reflect a placement rate, and as the City makes progress at placing at that rate, over time the work force will reflect representation at the percent available. Goals are attached as Appendix B, entitled Availability Analysis. The goal for individuals with disabilities, at 7%, was taken from the OFCCP (Office of Federal Contract Compliance Programs) which was based upon data derived from the American Community Surveys (2006-2010).

The City's ability to meet the goals will be impacted by the changing nature of the employment market, such as the number of job openings that occur, reductions, turnover and expansions of, and in, its workforce.

PROBLEM AREAS/DEFICIENCY IDENTIFICATION AND ANALYSIS

- Placement goals for recruitment and selection have been established for job groups in which underutilization of people of color and women has been identified. Outreach, recruitment, training and internal promotional career enhancement needs to be addressed to maintain representation levels in areas where goals are not established and to improve representation in areas where goals have been established.
- Training regarding the Workplace Conduct Policy and the City of Saint Paul Racial Equity Initiative is offered to new and current employees.

INTERNAL AUDIT AND REPORTING SYSTEM

The purpose of record-keeping systems is to assess the results of past actions, identify trends, review the appropriateness of goals and objectives, review the appropriateness and relevancy of identified solutions to problems, and to consider the adequacy of the Affirmative Action Plan as a whole. Record-keeping systems also identify corrective actions and lead to follow-up through feedback to managers, supervisors, and staff, reallocation of resources, modification to plans, appropriate recognition of personal achievements, and corrective action for discriminatory acts.

Records

Records will be available by race and gender for personnel actions such as applicant flow, new hires, promotions and layoffs. Although the names of persons are not needed for the reports, a

reference to these names will be kept so it is available when a compliance review is being conducted.

Progress Reports

A written report will be prepared and forwarded to the Mayor, City Council President, Human Rights and Equal Economic Opportunities Commission and Department Directors annually. The report includes the following:

- Statistical summary by race and gender of the City's workforce overall and for each department.
- Description of the Affirmative Action efforts undertaken by the City in the past year.
- Evaluation of the ongoing efficacy of the Affirmative Action Plan.