



Good Neighbors

San Diego
Housing Commission

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REPORT

DATE: For the Agenda of March 23, 2001 **Item 107**

REPORT NO.: HCR01-004

SUBJECT: Revised Equal Employment Opportunity Policy (Citywide)

SUMMARY:

Issue: Should the Housing Commission accept the revised Equal Employment Opportunity Policy (Attachment A) that incorporates additional fair employment laws, regulations and procedures and reflects the changes adopted by the City of San Diego in its revised Equal Employment Opportunity Policy (Attachment B)?

Recommendation: That the Housing Commission accept the revised Equal Employment Opportunity Policy and authorize the Chief Executive Officer to promulgate Administrative Regulations, if deemed necessary, to facilitate policy implementation.

Fiscal Impact: None with this action.

Future Action: If approved, this item will be presented to the Housing Authority for consideration at its next available meeting.

BACKGROUND

The Equal Employment Opportunity Plan implements the San Diego Housing Commission's commitment to the principles of equal opportunity in all aspects of the employment process. The Commission complies with all applicable federal, state and local equal employment laws and regulations.

Title VII of the Civil Rights Act of 1964 (Title VII) and the Americans with Disabilities Act (ADA) cover all private employers, state and local governments, and education institutions that employ 15 or more individuals.

Under Title VII, the ADA, and the Age Discrimination in Employment Act, it is illegal to discriminate in any aspect of employment, including: hiring and firing; compensation, assignment, or classification of employees; transfer, promotion, layoff, or recall; job advertisements; recruitment; testing; use of company facilities; training and apprenticeship programs; fringe benefits; pay, retirement plans, and disability leave; or other terms and

conditions of employment. Discriminatory practices under the above laws also include: harassment on the basis of race, color, religion, sex, national origin, disability, or age, retaliation against an individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory practices; employment decisions; and denying employment opportunities.

The State of California Fair Employment & Housing Act (FEHA) prohibits discrimination in all aspects of employment including hiring, termination, and terms and conditions. FEHA provides protection from harassment or discrimination in employment because of: age (40 and over), ancestry, color, creed, denial of family and medical care leave, disability (mental and physical) including HIV and AIDS, marital status, medical condition (cancer and genetic characteristics), national origin, race, religion, sex and sexual orientation.

DISCUSSION

Since the adoption of the Commission's Equal Employment Opportunity Plan (PO105.000, Attachment C), significant progress has been made towards realizing the goal of equal employment opportunity. The Commission has, in most cases, achieved its interim and long-term goals. Interim goals are based on San Diego County labor work force availability figures. United States Census figures are used as a basis for determining long-term equal employment opportunity goals. The Commission's work force mirrors the population of women and minorities with requisite skills, based on job-related criteria, in the labor force of the County of San Diego.

As a result of various case law and passage of the California Civil Rights Initiative (State Proposition 209), specific numerical goals based on gender and ethnicity are not included in the proposed revised policy. Staff continues to use various outreach and retention strategies to ensure the diversity of our workforce. These strategies are race and gender neutral and comply with all federal, state and local laws.

The Commission's employment practices provide that all individuals be recruited, hired, assigned, advanced, compensated, and retained on the basis of their qualifications and performance, and treated equally in these and all other respects without regard to race, color, religion, sex, age, marital status, national origin, physical disability, sexual orientation, or veteran status. The Commission, as a part of its mission, is an Equal Opportunity employer in compliance with applicable federal, state and local laws and regulations.

The proposed Equal Employment Opportunity Policy revision will provide improved oversight with the implementation of an employment discrimination complaint process, and will facilitate continued coordination of federal, state and local equal employment opportunity regulations, practices and policies. In addition the revised document would incorporate into the proposed policy language ensuring that every employee enjoys a work place free of harassment. Currently the Agency's policy statements regarding work place harassment are included in an Administrative Regulation and not reflected in a Board approved policy.

The intent of this proposed revised policy is to clarify and simplify the Agency's Equal Employment Opportunity Policy. The Commission maintains its full commitment to workforce diversity. This will continue to be accomplished by ongoing staff training, monitoring of human resource management and periodic workforce diversity reports. If approved, the proposed policy will supersede the Agency's existing Equal Employment Opportunity Plan (PO105.000).

Respectfully submitted,

Steven Mikelman
Director of Operations

**Signature on File
With Original Document**

Approved by,

Elizabeth C. Morris
Chief Executive Officer

Attachments: A- Equal Employment Opportunity Policy (Proposed)
B- City of San Diego Revised Equal Employment Opportunity Policy
C- Equal Employment Opportunity Plan (PO105.000)