AFFIRMATIVE ACTION PROGRAM
FOR
THE DISABLED VETERANS
AND VETERANS OF THE VIETNAM ERA

City: The City of McCall
EEO Officer: Cindy Blackman, Personnel Director
Plan Date: July 8, 2010
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SECTION I
INTRODUCTION

The City of McCall has developed this Affirmative Action Plan as one of several tools to implement our affirmative action policies effectively. However, the form, language and analysis of the plan necessarily complies with the requirements of 41 CFR 6-2.1, et seq. (Revised Order No. 4), and other regulations established pursuant to the provisions of Executive Order 11246, the Civil Rights Acts of 1964 & 1991, the Age Discrimination Act of 1975, the Vietnam Era Veterans Readjustment Act of 1974, the Rehabilitation Act of 1973 as amended by the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990, the Immigration Reform and Control Act of 1986, the Family and Medical Leave Act of 1993, the Uniform Guidelines on Employee Selection Procedures of 1978, the Fair Labor Standards Act of 1936, the Equal Pay Act of 1986, and all other civil rights related laws and regulations that has or may be enacted, as amended. Accordingly, terminology such as "problem areas" and "utilization analysis," appearing in this Affirmative Action Plan is that which our organization is required to use by these regulations. The criteria used in relation to these terms are those specified by the Government. These terms have no independent legal or factual significance whatsoever. Although The City of McCall has used this terminology and methodology in connection with this Affirmative Action Plan and our affirmative action policies, such usage does not necessarily signify that our organization agrees that these terms are properly applied to any particular factual situation.

Information regarding identifiable individuals is private and confidentially maintained. Everyone who has official access to confidential data will exercise every precaution to protect this information.

SECTION II
EQUAL EMPLOYMENT OPPORTUNITY POLICY
41 C.F.R. Section 60-741.44(a); 60-250.4

It is the policy at The City of McCall to provide equal employment and advancement opportunities to all qualified individuals. To achieve this goal, The City of McCall is dedicated to taking affirmative action to employ and advance in employment, qualified disabled persons, disabled veterans, and veterans of the Vietnam Era, in compliance with Section 503 of the Rehabilitation Act of 1973 and Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974. The City of McCall is committed to take voluntary, positive action in providing affirmative action and equal employment opportunity to disabled persons, disabled veterans, and veterans of the Vietnam Era. All personnel actions, including recruitment, hiring, training, and promoting persons in all job titles, will be administered without regard to disability or Vietnam Era veteran status, and all employment decisions are based solely on valid job requirements. In addition, employees and applicants are protected from harassment, threats, coercion, intimidation, interference or discrimination for:

1. Filing a complaint;

2. Assisting or participating in an investigation, compliance review, hearing, or any other activity under Section 503 of the Rehabilitation Act of 1973, Section 402 of the Vietnam
Era Veterans Readjustment Assistance Act of 1974 or any other law requiring equal opportunity for disabled persons and veterans of the Vietnam Era;

3. Opposing any practice made unlawful by the Act or any other law requiring equal opportunity for disabled persons or veterans of the Vietnam Era; or

4. Exercising any other right protected by these Acts or the implementing regulations.

This EEO policy has the full support of The City of McCall’s President, who has assigned responsibility for its implementation to Cindy Blackman, Personnel Director and EEO Officer. The City of McCall has designed and implemented an audit and reporting system to monitor and maintain its compliance with the Acts.

The City of McCall’s goal is the utilization of qualified disabled persons and covered veterans in as many levels of position classifications as practicable. Equal Employment Opportunity for all employees will best be achieved by combining this Veterans and disabled Affirmative Action Plan with our general Affirmative Action Program. As provided in United States Code 38 USC 2012 and Code of Federal Regulations 60-250.5, the required policies, practices, and procedures are integrated into this Affirmative Action Program.

A copy of The City of McCall Equal Employment Opportunity statement is posted which reaffirms our commitment to qualified disabled individuals and covered veterans. This program is available for review upon request by any applicant or employee by contacting the EEO Officer during regular business hours.

SECTION III
APPLICABILITY OF THE AFFIRMATIVE ACTION PROGRAM
41 C.F.R. Section 60-741.42; 60-250.5

All employees and applicants will be invited to identify themselves as disabled, disabled veterans, or veterans of the Vietnam Era, after a job offer has been made but before the employee or applicant begins work, in order to participate in The City of McCall Affirmative Action Program. The employee or applicant may be asked to self-identify prior to a job offer if:

1. The invitation is made to actually undertake affirmative action for the as disabled, disabled veterans, or veterans of the Vietnam Era at the pre-offer stage, or

2. The invitation is made pursuant to federal, state, or local law requiring affirmative action for disabled, disabled veterans, or veterans of the Vietnam Era.

A. Disabled Definitions:

The Rehabilitation Act of 1973, as amended, defines a "disabled individual" as any person who has a physical or mental impairment which substantially limits one or more of such person's major life activities, has a record of such impairment, or is regarded as having such an impairment.
"Major Life Activities" may be considered to include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

The phrase "substantially limits" means unable to perform a major life activity that the average person in the general population can perform, or significantly restricted as to the condition, manner, or duration under which an individual can perform a particular major life activity also as compared to the average person.

"Has a record of such an impairment" means that an individual may be completely recovered from a previous physical or mental impairment. It is included because the attitude of employers, supervisors, and co-workers toward that previous impairment may result in an individual's experiencing difficulty in securing, retaining, or advancing in employment. The mentally restored and those who have had heart attacks or cancer often experience such difficulty. Also, this part of the definition would include individuals who may have been erroneously classified and may experience discrimination based on this misclassification. This group may include persons such as those who have been misclassified as mentally retarded or mentally restored.

"Is regarded as having such an impairment" refers to those individuals who are perceived as having a disability, whether an impairment exists or not, but who, because of attitudes or for any other reason, are regarded as disabled by employers or supervisors who have an effect on the individual's securing, retaining, or advancing in employment.

"Qualified disabled individuals" means a disabled individual who is capable of performing a particular job, with reasonable accommodation to his or her disability.

B. Veteran Definitions:

"Disabled veteran" means a veteran who is entitled to compensation under laws administered by the Veterans Administration for disability rated at 30 percent or more, or a person who was discharged or released from active duty because of a service connected disability.

"Veteran of the Vietnam Era" means a person who served active duty for more than 180 days, any part of which occurring between August 5, 1964 and May 7, 1975, and was not discharged or released dishonorably or was discharged or released for a service connected disability.

"Disabled veteran" means a veteran who is entitled to compensation under the laws administered by the Veterans' Administration for a disability rated at 30 percent or more, or a person who was discharged or released from active duty because of a service related disability.

“Qualified disabled veteran” means a disabled veteran who is capable of performing a particular job, with or without reasonable accommodation.

SECTION IV
DISSEMINATION OF POLICY
41 C.F.R. Section 60-741.44(f)-(g), 60-250.6(f)-(g)

Affirmative Action – Veterans
July 8, 2010
Internal Dissemination

In order to facilitate the successful implementation of the plan, the following internal measures will be taken:

1. The City of McCall Notices. The EEO policy statement will be posted on the employee bulletin board in a manner and place in that ensure individuals with disabilities are informed of its contents. This notice will state the name of the EEO Officer, the support of top-level management toward this policy, and to whom questions, comments, or complaints should be directed. A statement that employees are protected from coercion, intimidation, interference or discrimination for filing a complaint or assisting in an investigation under the Acts will be included. All required state and federal EEO notices are also posted on bulletin boards.

2. Meetings. The City of McCall’s commitment, top level support, and specific implementation of the plan is discussed periodically with management personnel. Periodic meetings may also be held with all employees to discuss The City of McCall’s commitment to this policy and the responsibilities individual employees.

3. Notice of Affirmative Action Plan. The City of McCall affirmative action plan is available in the office of the EEO Officer for employee review.

4. Training Programs. Educational and training programs may be offered to employees to assist in their personal development, as well as to increase skills and ability to perform the job. The City will continue to ensure that all employees have the opportunity to participate in such programs without regard to disabled, or veteran’s status.

5. City publications. This policy and articles on accomplishments of disabled workers may be publicized in any City newspapers, magazines, annual reports, or other publications. This policy will also be included in any employee handbook or policy manual.

6. Union Contracts. A non-discrimination clause will be included in any union contracts and any such contract will be reviewed to insure they are non-discriminatory.

7. Training Programs. Educational and training programs may be offered to employees to assist in their personal development as well as to increase their skills and ability to perform on the job. The City of McCall will continue to ensure that all employees have the opportunity to participate in such programs without regard to disabled or veteran status.

SECTION V
OUTREACH AND POSITIVE RECRUITMENT

The City of McCall will review its employment practices to assure that its personnel programs are consistent with its Affirmative Action Program for disabled individuals and covered veterans.
Based on this review, The City of McCall may undertake some or all of the following outreach and positive recruitment activities:

1. The City of McCall will notify all applicants of the EEO policy and invite them to self-identify after an offer of employment but before the person begins work. Application forms state The City of McCall commitment to equal employment opportunity. Notices to recruitment sources and all employment advertisements state this EEO policy.

2. Recruitment programs will be established with the State Job Services and other recruiting sources for disabled individuals and covered veterans to provide assistance in locating qualified applicants, where applicable and feasible. All employment openings (except executive and top management, positions that will be filled from within, and positions lasting three days or less) will be listed at the appropriate state employment services office. Plant tours may be conducted with representatives from recruiting sources to explain current and future job openings, position descriptions, worker specifications, and the selection process. Follow-up with these resources and feedback on disposition of applicants should be conducted when appropriate.

3. All advertisements seeking applicants for employment will identify The City of McCall as an "equal opportunity employer."

4. The City of McCall will incorporate the Equal Opportunity Clause regarding disabled individuals, disabled veterans and Vietnam Era veterans in its purchase orders, leases and contracts as required by law, executive order and regulation. All suppliers and subcontractors will be requested to comply with their affirmative action requirements.

5. The City of McCall will develop internal communication of these outreach efforts in a manner that fosters understanding, acceptance, and support among executive management, supervisors, and all other employees.

6. Meaningful contacts will be established with disabled individuals and veteran’s service organizations for such purposes as advise, technical assistance, and referral of potential employees. Such assistance may consist of advice concerning proper placement, recruitment, training, and reasonable accommodation.

7. Written notification of this policy to all subcontractors, vendors, and suppliers, requesting appropriate action on their part.

8. Recruitment programs established with schools will incorporate efforts to reach students with disabilities. Efforts may be made to participate in work-study programs with rehabilitation facilities and schools specializing in training or educating individuals with disabilities.

9. Efforts will be make to include individuals with disabilities when employees are pictured in consumer, promotional or help wanted advertisements.
10. Good faith efforts will be made to consider covered veterans and applicants with known disabilities for all available positions for which they may be qualified, to the extent practicable, when the position they apply for is unavailable.

SECTION VI
AFFIRMATIVE ACTION PRACTICES AND PROCEDURES
41 C.F.R. Section 60-741.44(b); 60-250.6(b)

Proper Consideration of Qualifications

The City of McCall will periodically review its employment procedures to assure careful, thorough and systematic consideration of the job qualifications of known disabled individuals and covered veteran applicants for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available. This review shall also ensure that personnel procedures do not stereotype disabled persons or veterans of the Vietnam Era in a manner which limits their access to all jobs for which they are qualified.

To facilitate compliance with this requirement, the following procedures have been implemented:

1. The application or personnel form of each known applicant with a disability or each know Vietnam Era veteran should be annotated to identify each vacancy for which the applicant was considered;

2. The application or personnel form of each known applicant with a disability or each know Vietnam Era veteran should include the identification of each promotion and training program for which that employee was considered;

3. When an employee or applicant with a known disability or a Vietnam Era veteran status, is rejected for employment, promotion, or training, a statement of the reason should be appended to the personnel file along with a description of any reasonable accommodation considered. If practicable, a statement comparing the qualifications of the rejected employee or applicant and the person selected should be included; and

4. When an employee or applicant is selected for hire, promotion, or training, and reasonable accommodation has been undertaken to enable the selection of an employee or applicant with a disability or Vietnam Era veteran status, the applicant form or personnel record should contain a description of the reasonable accommodation.

Physical and Mental Qualifications

41 C.F.R. Section 60-741.44(c); 60-250.6(c)

At least annually, The City of McCall will review all physical and mental job qualification requirements with line management and supervisors to ensure that, to the extent qualification requirements tend to screen out qualified disabled individuals or disabled Veterans, they are job-related and consistent with business necessity and the safe performance of the job.
To the extent that physical or mental job qualification requirements tend to screen out qualified disabled individuals or disabled veterans in the selection of employees or applicants for employment or other changes in employment status such as promotion or training, The City of McCall assures that the requirements are related to the specific job(s) for which the individual is being considered and are consistent with business necessity and the safe performance of the job.

Information obtained from applicants/employees concerning a physical or mental condition is kept confidential and maintained on separate forms and in separate files, except that: (a) Supervisors and managers may be informed regarding accommodations or restrictions on work or duties; (b) First aid and safety personnel may be informed when, and to the extent, appropriate, if the condition might require emergency treatment; and (c) Government officials investigating compliance with the EEO laws will be informed. All physical or mental job qualifications will be reviewed and updated annually.

**Reasonable Accommodation**

41 C.F.R. Section 60-741.44(d), 60-250.6(d)

The City of McCall makes reasonable accommodations to the physical and mental limitations of employees or applicants to the extent that such accommodation does not impose an undue hardship on the conduct of its business. When an employee with a known disability is having significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, the employee will be notified of the performance problem and asked if the problem is related to the disability. If the employee indicates the performance problems are related to his or her disability, the employee will be asked if reasonable accommodation is needed.

The City of McCall building planning includes reasonable accommodation to the special needs of disabled individuals and disabled veterans including access to the building, utilization of rest room facilities, and mobility requirements within the building and parking locations.

**Harassment**

41 C.F.R. Section 60-741.44(e)

The City of McCall will develop and maintain procedures to ensure that its employees with disabilities are not harassed because of disability.

**Compensation**

41 C.F.R. Section 60-741.21(i), 60-250.6(e)

In offering employment or promotions to disabled individuals or covered veterans' The City of McCall does not reduce the amount of compensation offered because of any disability income, pension, or other benefit the applicant or employee receives from other sources.

**SECTION VII**

RESPONSIBILITY FOR IMPLEMENTATION

41 C.F.R. Section 60-741.6(h); 60-250.6(h)
Cindy Blackman, Personnel Director has been designated to direct the activities of the Affirmative Action Program. The Personnel Director has the full support of the City President in carrying out The City of McCall Affirmative Action Policy. The Personnel Director will be responsible for:

1. Developing policy statements, affirmative action programs, and internal and external communication to include discussions with managers, supervisors and employees to ensure the policies are followed.

2. Advise managers and supervisors that their work performance is evaluated, in part, on the basis of their affirmative action efforts.

3. Identify and discuss any problem areas with management, and develop solutions.

4. Serve as a liaison between The City of McCall and community groups, governmental agencies and vocational rehabilitation organizations.

5. Maintain an audit and reporting system to monitor the progress of the Affirmative Action Program.

6. Inform management of the latest developments in the affirmative action and equal employment opportunity area.

7. Serve as a liaison between The City of McCall and organizations for disabled persons and covered veterans.

8. Assist in career counseling for disabled and covered veteran employees.

9. Ensure that the policy statement and required posters are posted on bulletin boards.

10. Ensure that employees placed through these policies are not harassed.

SECTION VIII
PLAN OF ACTION
41 C.F.R. Section 60-741.44(b), (h), & (j); 60-250.6(i)

The City of McCall Affirmative Action Program is a result oriented plan designed to enhance the opportunities of qualified disabled persons and covered veterans. The City of McCall realizes that the success of this Plan will be largely the result of the "good faith efforts" explained in this section. Management fully supports the implementation of this Plan.

All personnel involved in the recruitment, screening, selection, promotion, discipline, and related processes shall be trained to ensure the commitments to this program are implemented.
Personnel procedures will provide for the careful, thorough, and systematic consideration of the job qualifications of applicants and employees with known disabilities and covered veterans for job vacancies filled either by hiring or promotion, and for all training opportunities. These procedures will not stereotype disabled individuals or covered veterans in a manner than limits access to job for which they are qualified. Periodic review of these procedures will be conducted and modifications made to ensure these obligations are carried out.

**RECRUITMENT**

The City of McCall considers qualified disabled persons and covered veterans for employment. The City of McCall will contact the State Job Service to list all employment openings (except executive and top management, positions that will be filled from within, and positions lasting three days or less). As necessary and when appropriate, The City of McCall will contact local, state, and federal employment referral sources and specialized placement agencies that have offices in the local area.

**SELECTION**

The application and self-identification forms are in compliance with state and federal agency regulations and guidelines. Self-identification forms are maintained in an affirmative action file to ensure that:

1. Qualified disabled persons and covered veterans are applying for positions,
2. Disabled and veteran applicants are receiving equal opportunities for employment. Any testing used in the selection process is related to the performance of the job in question.

All physical and mental job requirements are reviewed and made available to members of management involved in the recruitment, screening, selection, and promotion process, to ensure that they are job related and do not screen out qualified disabled persons or disabled veterans, and that reasonable accommodations are made.

**PROMOTIONS**

Records of employees, including those covered veterans and disabled individuals, are reviewed to assure that qualified individuals are given consideration when opportunities for promotions or transfers occur. When additional training or experience would assist in advancement, management counsels employees.

**TRAINING**

Disabled and covered veteran employees are given equal access to all training programs, whether in house or offered outside. Any educational tuition reimbursement program will be available to all employees who desire to further their employment opportunities by continuing their education.
FACILITIES

When designing new facilities or remodeling old, special consideration will be given to the removal of architectural barriers to the disabled, whenever economically and physically practicable.

SUBCONTRACTS

An equal employment opportunity clause will be included in each covered contract or subcontract. The clause may be incorporated by reference.


Approved:

By____________________________________
Donald C. Bailey, Mayor

Attest:

By____________________________________
BessieJo Wagner, City Clerk