

**County of San Mateo**

**EQUAL**

**EMPLOYMENT**

**OPPORTUNITY**

**PLAN**

**2018-2021**



**COUNTY OF SAN MATEO  
EQUAL EMPLOYMENT OPPORTUNITY PLAN**

for a

Four Year Period Ending on December 31, 2021  
adopted on December 12, 2017

by

**BOARD OF SUPERVISORS  
COUNTY OF SAN MATEO**

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Dave Pine  
1<sup>st</sup> District  
Supervisor and Vice-President

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Don Horsley  
3<sup>rd</sup> District  
Supervisor and President

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Supervisor

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Supervisor

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**I. PURPOSE**

## Section I-A: PURPOSE

The Equal Employment Opportunity (EEO) Advisory Committee for the County of San Mateo is pleased to present this Equal Employment Opportunity Plan and Report. This document is intended as an informational resource, providing a countywide overview and report of programs, initiatives, and plans aimed at promoting diversity and inclusion and ensuring equal employment opportunity.

The 2018-2021 Equal Employment Opportunity Plan is a combined four-year plan and report. It details the progress made during the past four years (2014-2017) and outlines recommended objectives for the next four years (2018-2021). This document is intended to reinforce equal employment opportunities throughout every level of the County as an organization with emphasis on hiring, promotions, retention, inclusion, and career development opportunities.

The purpose of the Equal Employment Opportunity Plan is to:

**Reaffirm** the County's commitment to equal employment opportunity and diversity and inclusion in its employment practices, program operations, and service delivery systems.

**Outline** goals and action steps to:

- Attract and retain a diverse workforce that is reflective of the community;
- Increase inclusion among employees of differing identities and backgrounds to promote a welcoming and productive workforce that responds to the needs of a diverse community;
- Promote a work environment that is free from all forms of discrimination and harassment, including unfair treatment based on sex, pregnancy, childbirth or related medical conditions, race, veteran status, religion, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, gender (including gender identity and gender expression), sexual orientation, use of family medical leave, genetic testing, or any other basis protected by federal or state law;
- Provide opportunities for career development and advancement for all employees, and identify barriers and challenges to diversity and inclusion and remove them or develop solutions, and;
- Increase the pool of qualified, diverse applicants, particularly for job categories or areas that are underrepresented.

**Recognize** that the success of the County's equal employment opportunity and diversity and inclusion programs depends on County leadership support, along with a commitment from department heads, managers, supervisors, and employees to advance these goals.

**Committee Members:**

Co-Chair	<b>Natasha Bourbonnais</b> , Human Services Agency
Co-Chair	<b>Rochelle Kiner</b> , Public Works Department
Member	<b>Jei Africa</b> , Health Department
Member	<b>Yvonne Alvidrez</b> , Human Resources Department
Member	<b>Gladys Balmas</b> , Aging and Adult Services
Member	<b>Michael Bolander</b> , County Manager’s Office
Member	<b>Kathryn Chao</b> , Probation
Member	<b>Leilani Chua</b> , Correctional Health
Member	<b>Christina Corpus</b> , Sheriff’s Office
Member	<b>Mark Duri</b> , Sheriff’s Office
Member	<b>Angela Gonzales</b> , SMMC
Member	<b>Melody Lee</b> , Controller’s Office
Member	<b>Gina Luiz</b> , Treasurer – Tax Collector – Revenue Services

**Liaisons:**

- Janine Keller**, ADA Manager
- Honora Miller**, Commission on the Status of Women
- Craig McCulloh**, Commission on Disabilities

**Comments and suggestions regarding this plan are welcomed and should be directed to:**

Equal Employment Opportunity Manager  
Human Resources Department  
455 County Center, 5<sup>th</sup> Floor  
Redwood City, CA 94063-1663  
(650) 363-4340  
e-mail: [mpark@smcgov.org](mailto:mpark@smcgov.org)

This plan is available for download at <https://hr.smcgov.org/eeo-plan>.

It is our hope that the 2018-2021 Equal Opportunity Employment Plan reaffirms the County of San Mateo’s commitment to the principles and philosophy of equal employment opportunity and reinforces the need for efforts to ensure that our County workforce is best able to serve the needs of our diverse community.

**Section I-B: RESPONSIBILITIES**

To assure support and success of this Equal Employment Opportunity Plan and to meet the established objectives, the Board of Supervisors has assigned specific responsibilities to the following officials:

**1. BOARD OF SUPERVISORS**

The Board of Supervisors actively supports equal employment opportunity and diversity through:

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

**2. COUNTY MANAGER**

The County Manager is responsible for providing executive leadership and oversight to ensure that department heads take action as necessary to achieve and implement the Plan’s goals and objectives.

**3. HUMAN RESOURCES DIRECTOR**

The Human Resources Director, in implementing the provisions of the Civil Service Rules, Ordinance Code, and Resolutions pertaining to the County's Human Resources Programs, 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.

**4. 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:

- Participate with the Equal Employment Opportunity manager in identifying challenges and obstacles and working with departmental managers and staff to address problem areas, and;
- Ensure that all employment decisions, including interviews, offers 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.

**5. EQUAL EMPLOYMENT OPPORTUNITY MANAGER**

The Equal Employment Opportunity manager is responsible for:

- Responding to the needs of an increasingly diverse workforce, by partnering with management, department heads, and employees to develop and implement policies and practices that foster an inclusive and productive workplace;
- Assisting management and department heads in identifying and resolving problem areas related to the County’s Equal Employment Opportunity Policy and Plan;
- Monitoring the effectiveness of the County's Equal Employment Opportunity Plan, as well as individual departmental efforts, through statistical and other means;
- Collaborating with stakeholders to identify areas that may require special attention or remedial action;
- Acting as a technical resource in the area of equal employment opportunity programs and policies;
- Maintaining and updating the County’s Equal Employment Opportunity Policy and Equal Employment Opportunity Plan;
- Investigating and working to resolve complaints of alleged discrimination or harassment;
- Conducting and evaluating training activities related to equal employment opportunity programs and non-discrimination policies, including developing and offering trainings for supervisors and managers, and customized trainings to respond to particularized needs, and;
- Providing technical assistance to the Equal Employment Opportunity Advisory Committee regarding policies, procedures, and resources available.

**6. 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 opportunity 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.

**7. COUNTY 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.



**8. EQUAL EMPLOYMENT OPPORTUNITY ADVISORY COMMITTEE**

Department heads appoint members of the Equal Employment Opportunity Advisory Committee to function as a County resource group on equal employment opportunity matters, initiatives, and programs. The Committee advises and recommends courses of action in regard to the equal employment opportunity plan, and diversity and inclusion initiatives, efforts, and programs. The Committee will:

- Serve as a committee to review, learn, collaborate, and share best practices and recommendations on equal opportunity and diversity and inclusion matters, programs, policies, and initiatives;
- Be familiar with the County's employment policies and procedures, resources, trainings, and relevant laws pertaining to equal employment opportunity matters;
- Identify and assess department priorities, challenges, obstacles, goals, and initiatives aimed at fostering diversity and inclusion and equal opportunity, and;
- Develop solutions and best practices to address and improve policies, practices, and challenges.

<b>II. POLICIES</b>
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**Section II-A: POLICY ON EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Supervisors of the County of San Mateo takes this opportunity to express its philosophy that an essential component of excellence in County government is the diversity of its community. As a result of our long-standing commitment to equal employment opportunity, the County of San Mateo has become a model of diversity among public sector entities.

We recognize, welcome, and appreciate our diverse and multi-cultural workforce. Our diversity allows us to respond to the needs of our customers in a more effective and culturally sensitive manner and provides a reflection of the community we serve.

Through adoption and dissemination of this policy to employees, the Board of Supervisors commits the County and all employees to an inclusive, results-oriented, equal employment opportunity environment aimed at a diverse workforce free of illegal discrimination and harassment.

**Section II-B: POLICY ON LANGUAGE DIVERSITY**

While the County recognizes English as the primary language of the workplace and encourages its mastery, it also acknowledges the fact that other languages are both necessary and welcome in providing the best service possible to the residents of our County. For employees for whom English is a second language, the County affirms the right to speak another language freely without threat of discrimination or reprisal. It is important, however, that the right to speak a language other than English is not used as a tool to exclude or demean co-workers.

**Section II-C: POLICY ON DISCRIMINATION**

The Board of Supervisors hereby restates its commitment to ensuring that no employee or applicant shall be discriminated against based on sex, pregnancy, childbirth or related medical conditions, race, veteran status, religion, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, gender (including gender identity and gender expression), sexual orientation, use of family medical leave, genetic testing, or any other basis protected by federal or state law. This policy shall apply to all employment practices.

The County will take proactive measures toward eliminating artificial barriers to employment and achieving equal opportunity through its continued implementation and coordination of the County's Equal Employment Opportunity Plan, diversity and inclusion initiative, and through its review and evaluation of hiring and recruitment policies and procedures.

It is the policy of the Board of Supervisors that equal employment opportunity is consistent with the basic merit system principle that all persons are afforded equal access to positions in public service based on their knowledge, skills, and ability to do the job. Hiring will be made solely on the basis of job-related criteria, and all employment decisions will be made on the basis of merit, in conformity with these principles of equal opportunity.

The County considers violation of this policy, on the basis of any EEO-protected categories, to constitute misconduct that undermines the integrity of the employment relationship. Corrective action up to and including dismissal shall be taken against individuals who violate any provision of this policy.

## **Section II-D: POLICY ON HARASSMENT**

It is the policy of the County of San Mateo to maintain an environment free from illegal harassment in the workplace. The County will not tolerate any action that illegally harasses, disrupts, or interferes with another's work performance, or creates an intimidating, offensive, or hostile work environment. The County of San Mateo encourages its employees and contractors to respect the differences of others. All are expected to act in a responsible, professional manner and to contribute to a productive work environment that is free from harassing or disruptive activity. All can expect to work in an environment free from harassing behaviors.

This policy unequivocally extends to all forms of harassment based on the criteria set forth in 'Section II. Discrimination.' The County considers harassment on the basis of any of these categories to constitute misconduct that undermines the integrity of the employment relationship. Protection against harassment covers all employees, applicants, and independent contractors (as defined by the California Fair Employment and Housing Act). Corrective action, up to and including dismissal, shall be taken against individuals who violate this policy.

Harassment is severe or pervasive conduct that unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment based on any of the foregoing EEO-protected categories.

Harassing behavior includes, but is not limited to:

- Verbal conduct, such as epithets, derogatory or insulting comments, taunting, heckling, slurs, jokes, stories, disparaging terms, or unwanted sexual advances or comments;
- Physical conduct, such as impeding or blocking movement, gestures, physical interference with normal work movement, unwelcome touching, or assault;
- Visual conduct, such as derogatory or sexually oriented posters, photographs, letters or other writings, e-mail, cartoons, graffiti, or drawings; or
- Nonverbal conduct, such as staring, leering, winks, or other gestures

In addition to the above, sexual harassment shall include unwelcome, unwanted sexual advances or overtures, requests for sexual favors, and other verbal, physical, or body language of a sexual nature. The actions above will be considered sexual harassment when:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
2. Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting that individual, or;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

## **Section II-E: POLICY ON RETALIATION**

Retaliation is defined as unlawful punishment or adverse action against an employee because that employee reported unlawful discriminatory conduct, participated in an investigation of discrimination, or engaged in other protected conduct. The most obvious types of retaliation include denial of

promotion, refusal to hire, denial of job benefits, demotion, suspension and discharge. Other types of retaliation may include threats, reprimands, or negative evaluations. The source of retaliation may be from a manager or supervisor toward an employee, or from one employee or group of employees toward another employee.

The County does not tolerate any acts of retaliation. County employees are prohibited from retaliating against the efforts of any employee or applicant in reporting any violation of this Equal Employment Opportunity Policy. Corrective action, up to and including dismissal, shall be taken against individuals in violation of any provision of this policy.

## **Section II-F: REASONABLE ACCOMMODATIONS**

The Americans with Disabilities Act (ADA) and California's Fair Employment and Housing Act (FEHA) prohibit employment discrimination on the basis of a disability. It is the policy of the County that no qualified applicant or employee with a disability shall be excluded from participation, be denied the benefits, or be subjected to discrimination because of their disability. The County is committed to provide reasonable accommodations to qualified individuals with disabilities if it does not result in an undue hardship on the operations of the County. The ADA Manager in Human Resources can assist applicants, employees and departments in providing accommodations. The ADA Manager can be contacted at: (650) 363-4738.

## **Section II-G: POLICY ON RESPONSIBILITIES**

All County employees (including managers and supervisors) have the responsibility to:

- Understand and abide by the County's Equal Employment Opportunity Policy, and comply with its terms.
- Respect the differences of others.
- Contribute to a harassment-free environment by acting and behaving in an appropriate, respectful, and professional manner.
- Immediately report any violations of this policy that they personally observe, or have knowledge of.
- Cooperate completely in any investigation of violations of this policy.

All Managers and Supervisors have additional responsibility to be proactive and:

- Foster a work environment free of discrimination and harassment.
- Eliminate personal biases based on EEO protected classifications from employment decisions and practices.
- Ensure employment, performance or conduct decisions and practices are based on a consistent set of criteria that is applied equally to all employees and not based on non-job-related factors.
- Ensure that tradition and stereotypes do not create barriers to advancement of persons historically excluded from middle and upper management positions.
- Set a positive example.
- Keep consistent documentation on all employees.
- Take each complaint concerning violations of this policy seriously. Failure to report an incident of harassing or discriminatory conduct is itself a violation of this policy.

- Ensure that all employees are aware of this policy and the procedures for communicating a complaint.
- Collaborate with the EEO Division in assisting in or conducting investigations of potential violations of this policy.
- Take corrective action whenever an investigation results in a finding that this policy has been violated.
- Make a referral to the County's Employee Assistance Program where appropriate.
- Prohibit retaliation against an employee or applicant who has complained of a violation of this policy, or who has participated in an investigation of complaints.
- Maintain a record of both informal and formal complaints and resolutions.
- Respect confidentiality to the greatest extent possible by only sharing information regarding complaints and investigations with those who have a "need to know."

## **Section II-H: COMPLAINT RESOLUTION PROCEDURES**

### **1. County Complaint Procedures**

Employees and applicants are encouraged to attempt resolution of complaints as quickly as possible at the lowest and least formal level. However, if deemed inappropriate in the judgment of the individual, then the individual is encouraged to pursue resolution at a higher level. The most important consideration should be resolution of the issue in a prompt and fair manner. The County of San Mateo recognizes four (4) internal reporting procedures:

#### **a. Resolution within the Department**

An employee can discuss the complaint/issue and seek a remedy with the employee's immediate supervisor. If the complaint/issue is not resolved, or the behavior of the employee's supervisor is an issue, the employee is encouraged to pursue resolution through discussion with the next higher-level manager up to the department director.

#### **b. Filing an Internal Complaint**

Any employee or applicant ("Complainant") for employment may file an internal complaint with the County's Equal Employment Opportunity Manager in the Human Resources Department:

**EEO Manager  
HRD 121  
455 County Center, 5th Floor  
Redwood City, California, 94063-1663  
(650) 363-4340**

To be timely, a Complainant must submit or report the complaint no later than one year after the alleged discriminatory act/ violation took place or the Complainant should have first become aware of the alleged discriminatory act/ violation.

The EEO Manager, or designee, shall take all timely complaints seriously and investigate with due diligence. Confidentiality shall be maintained to the greatest extent possible, recognizing the rights of the complainant, the accused, and all third party witnesses. No Complainant shall be subjected to intimidation, coercion, or retaliation of any kind as a

result of filing a complaint pursuant to this policy or as a result of being a witness in an investigation.

**c. Filing a Grievance**

Employees covered by a Memorandum of Understanding (MOU) have the right to file a grievance for violation of a provision contained in that MOU. Each MOU prescribes timeframes within which grievances must be filed to be considered timely and outlines the process. The grievance must state the provision of the MOU that is alleged to have been violated.

**d. Filing an Appeal**

An employee or applicant can file for a hearing with the Civil Service Commission on items covered by the Civil Service Rules by submitting a written petition to the Human Resources Director identifying the section of the Civil Service Rules that is alleged to have been violated. If an employee files an appeal with the Commission on a specific item the employee is precluded from also filing a grievance or an internal County administrative discrimination complaint on that item.

**2. External Agencies**

In addition to the above, or in place of the above procedure, employees and applicants have the option of filing a complaint with either, or both, the state and federal external compliance agencies. The address and phone numbers for each agency are listed below:

California Department of Fair Employment and Housing  
State Headquarters

2218 Kausen Drive, Suite 100

Elk Grove, CA 95758

(800) 884-1684

(800) 700-2320 (TTY)

[www.dfeh.ca.gov](http://www.dfeh.ca.gov)

United States Equal Employment Opportunity Commission  
San Francisco District Office

450 Golden Gate Avenue

5 West, PO Box 36025

San Francisco, CA 94102-3661

(800) 669-4000

VP: (510) 735-8909

[www.eeoc.gov](http://www.eeoc.gov)

**3. Guidelines for Resolution of Discrimination or Harassment Issues**

Guidelines and complaint resolution procedures have been developed for the purpose of providing assistance to employees, applicants for employment or services, and

supervisors/managers, to help successfully resolve problems or concerns regarding possible harassment and/or discrimination, or otherwise related to the County's EEO Policy. Any party may contact the County's Equal Employment Opportunity Manager for assistance and/or advice.

**(A) Employees**

Employees seeking resolution of any alleged act of discrimination or harassment using County complaint procedures should:

- Notify your supervisor, manager, human resources, or the County's EEO Manager immediately after the alleged incident(s) of discrimination/ harassment occurs.
- Ask your supervisor, manager, human resources, or the EEO Manager to explain the different options available to you.
- Provide documentation and names of witnesses.
- Clearly state the alleged act(s) in question and any remedy sought.

**(B) Supervisors or Managers**

Supervisors and managers are held to a higher level of responsibility, and have a duty to be aware of the day-to-day functioning of the unit, and the conduct of staff members. Supervisors and managers must take proactive measures to prevent or stop all forms of harassing behavior. When an employee chooses to approach a supervisor or manager with a concern of discrimination or harassment, the supervisor or manager should:

- Listen objectively to the concerns and to the remedy being sought by the employee, allowing the employee to fully express these concerns.
- Determine what the specific issues are, and gather factual information about date, time, place, potential witnesses, and documentation or written records related to the concern.
- Advise the employee of any limitations on confidentiality. Do not guarantee total confidentiality, as such confidentiality may not be appropriate or possible based on the particulars of the concern.
- Assure employees that retaliation is prohibited.
- Document the allegation, investigation conducted, and actions taken.
- Contact the EEO Manager for guidance and advice, including the options that might be available to resolve the incident.
- Handle all allegations in a confidential manner and share information only on a need-to-know basis.
- Determine if a referral to the Employee Assistance program is necessary or if any other referral can be made.

**(C) Applicants for Employment**

Any applicant(s) for employment who believe that they may have been discriminated against should contact the Human Resources Department.



**(D) Applicants for Services**

Any applicant(s) for service who feel they have been discriminated against shall be provided with appropriate information by the department involved, regarding the procedure to pursue the concern(s) with the respective department.

**(E) Respondents**

Once an allegation of discrimination has been filed, and an investigation is initiated with the potential for adverse findings, the respondent has the right to:

- An investigation that is thorough, objective and timely.
- Notification of the nature of the allegations.
- Respond to and rebut the allegations.
- Provide documents and witnesses to support the Respondent’s perspective.
- Be advised that information will be handled as confidentially as possible, but complete confidentiality is not promised or guaranteed.

Once an allegation of discrimination has been filed, the respondent has a duty to:

- Meet and cooperate with the investigator and answer all questions honestly and fully.
- Be forthcoming with information and not be deceitful in any way.
- Keep information confidential during the pendency of the investigation as needed to protect the integrity of the investigation or for other reasons necessary to conduct a fair and thorough review.
- Not retaliate against individuals who participated in, or that are suspected of participating in, the investigation.

**III. EQUAL EMPLOYMENT FOR  
PERSONS WITH DISABILITIES**

## **Section III-A: PURPOSE**

The County of San Mateo is committed to providing equal employment opportunities to persons with disabilities. The County of San Mateo does not and will not discriminate against any applicant or employee because of physical or mental disability in regard to any position for which the applicant or employee is qualified. This commitment shall include, but not be limited to, hiring, promotion, work-out-of-class, training, demotion or transfer, recruitment, recruitment advertising, layoff or termination, and rates of pay and other forms of compensation. Decisions related to personnel policies and practices shall be made on the basis of an individual's capacity to perform a particular job and the feasibility of any necessary job accommodation. The County of San Mateo will make every effort to provide reasonable accommodations to any physical and mental limitations of individuals with disabilities in accordance with the federal Americans with Disabilities Act (ADA) and the California Fair Employment and Housing Act (FEHA).

## **Section III-B: REASONABLE ACCOMMODATIONS**

The County of San Mateo is committed to providing reasonable accommodations to applicants and employees with disabilities.

### **I. WHO IS PROTECTED**

The law covers qualified applicants and employees with legally qualifying disabilities. A qualified individual is defined as an individual with a legally qualifying disability who meets the skill, experience, education and other job-related requirements of a position held or sought, and who, with or without reasonable accommodation, can perform the essential functions of the job.

A person with a **legally qualifying** disability is an individual who:

- ◆ has a legally qualifying physical or mental disability that limits a major life activity; or
- ◆ has a record of such a legally qualifying disability, which is known to the employer; or
- ◆ is regarded as having a legally qualifying disability.

Major life activities include seeing, hearing, breathing, walking, speaking, learning, working, caring for oneself, performing manual tasks, lifting, and other physical, mental and social activities.

### **II. WHAT IS A REASONABLE ACCOMMODATION?**

A reasonable accommodation is a modification or adjustment to a job, employment practice, or work environment that enables a qualified individual with a disability to perform the essential functions of the position and to have an equal employment opportunity. Each request is considered on a case-by-case basis, so that one accommodation may be offered at a particular job, but may not be available at a different job or location. Accommodation requests must be reasonable and should not pose an undue hardship. Undue hardships are also determined on a case-by-case basis, and could include anything that is unduly costly, extensive, disruptive, or fundamentally alters the nature or operation of business.

### **III. RIGHTS AND RESPONSIBILITIES UNDER THE LAW**

#### **A. Applicants**

- ◆ The County of San Mateo will provide equal employment opportunity for qualified applicants with disabilities to enable them to participate in the job application process and to be considered for a job.
- ◆ Reasonable accommodations will be provided, as needed, to ensure that individuals with disabilities have equal opportunity in the application and selection process, unless to do so would be an undue hardship or pose a direct threat to the health and safety of self or others.
- ◆ The County of San Mateo is not required to accommodate individuals who are not otherwise qualified for the position that they seek.

#### **B. Employees**

- ◆ The law prohibits discrimination in all employment practices, including, but not limited to, promotion, transfer, termination, compensation, job assignments, leaves of absence, benefits, training activities, and any other terms, conditions, or privileges of employment.
- ◆ The County of San Mateo will provide reasonable accommodations to qualified employees with disabilities, unless to do so would be an undue hardship or pose a direct threat to the health and/or safety of the employee or others.
- ◆ The process of determining whether an accommodation can be made requires an interactive process where the employee, the supervisor/manager and the employee's health care provider actively work with the County's ADA Manager.

#### **C. Medical Examinations and Inquiries**

- ◆ The County of San Mateo may ask a job applicant or employee about the applicant's or employee's ability to perform job-related functions and may respond to an applicant's or employee's request for reasonable accommodation.
- ◆ Once a conditional offer of employment has been made, the County of San Mateo may require a medical examination, provided that the examination is consistent with business necessity.
- ◆ The County of San Mateo may require medical documentation to evaluate a request for reasonable accommodation by an employee or an applicant.
- ◆ The County of San Mateo may send an employee to see a health care professional of the County's choice when insufficient documentation is provided.
- ◆ Tests to detect illegal use of drugs are permitted under the law and are not subject to the above restrictions.

#### **D. Confidentiality**

Medical-related information shall be kept confidential. Supervisors, safety personnel, compliance officers, or other individuals who have a need to know, may be informed only of necessary work restrictions or duties, or if the disability may require emergency treatment.

## **IV. HOW TO REQUEST A REASONABLE ACCOMMODATION**

In general, it is the responsibility of the individual with a disability to inform the County of San Mateo that an accommodation is needed. An employee may be represented in this process by their union, attorney, or another appropriate individual designated by the employee.

### **A. Applicants**

- ◆ Request a reasonable accommodation in the application and selection process by contacting the recruiting analyst (at the number or address on the job announcement) as soon as you are aware that an accommodation will be needed.
- ◆ The County of San Mateo may require medical documentation to evaluate a request for reasonable accommodation.
- ◆ Once a conditional offer of employment has been made, the County of San Mateo may require a medical examination provided that the examination is job-related and consistent with business necessity.

### **B. Employees**

- ◆ Request a reasonable accommodation by notifying the manager, supervisor, department head or ADA Manager at 363-4738. Such requests may be made verbally or in writing by the employee or representative. The employee will be provided with information on the process and the necessary information to be provided by the employee and the employee's doctor or health care provider.
- ◆ When the necessary information is received the ADA Manager will review to determine if the employee is a qualified individual with a permanent disability, and if so, whether an accommodation is appropriate. The Manager will confer with the employee's supervisor or may contact the employee's health care provider to review the requested accommodation or other alternatives. The Manager will also contact the employee to discuss the requested accommodation or alternatives.
- ◆ This process will be completed as quickly as possible. However, if the information provided is incomplete or unclear, the process may be delayed. The employee who is requesting reasonable accommodation should make sure that forms are completed accurately and returned as soon as possible.
- ◆ The ADA Manager will review the recommended action with the department head or representative, and will notify the employee of the department's decision. If the request is not approved, the employee will be informed of other options that could be explored.
- ◆ The County of San Mateo may ask the employee about the employee's ability to perform job-related functions and will respond to a request for reasonable accommodation.
- ◆ The County of San Mateo may require medical documentation to evaluate a request for reasonable accommodation by an employee and may send an employee to see a health care professional of the County's choice when insufficient documentation is provided.

Tests to detect illegal use of drugs are permitted under the law and are not subject to the above restrictions.

## **V. APPEAL AND COMPLAINT PROCEDURE**

An employee or applicant who has a concern about the handling of, or decision about, reasonable accommodation should contact the employee or applicant’s supervisor or manager and the County’s ADA Manager to discuss and attempt to resolve the concern. If the employee or applicant is unable to resolve the concern, the employee or applicant may appeal a department’s interpretation or implementation of the reasonable accommodation decision or process as follows:

### **A. EEO Manager**

HRD 121 or  
455 County Center, 5<sup>th</sup> floor  
Redwood City, CA 94063-1663  
(650) 363-4340

The EEO Manager, or designee, shall receive all complaints and review or investigate as appropriate. Confidentiality shall be maintained at all times to the greatest extent possible, although complete confidentiality cannot be guaranteed depending on the review or investigation needed.

No employee shall be subjected to intimidation, coercion, or retaliation of any kind as a result of filing a complaint pursuant to this policy or as a result of being a witness in an investigation.

### **B. Filing a Grievance**

Employees covered by a Memorandum of Understanding (MOU) have the right to file a grievance for violation of the union agreement within the time frames set in the applicable MOU. Employees may seek the assistance of their respective union representative. The grievance procedure is outlined in each respective MOU.

### **C. Filing an Appeal**

An employee can file for a hearing with the Civil Service Commission on items covered by the Civil Service Rules by submitting a written petition to the Human Resources Department Director that identifies the violation of the Civil Services Rules and specify discrimination as the reason. If an employee files a petition for hearing with the Commission on a specific item the employee is precluded from also filing a grievance or an internal County administrative discrimination complaint on that item.

### **D. External Agencies**

In addition to the above, employees and applicants have the option of filing a complaint with either, or both, of the state and federal external compliance agencies. The address and phone number(s) for each agency is listed below:

California Department of Fair Employment and Housing  
State Headquarters  
2218 Kausen Drive, Suite 100  
Elk Grove, CA 95758  
(800) 884-1684  
(800) 700-2320 (TTY)  
[www.dfeh.ca.gov](http://www.dfeh.ca.gov)

United States Equal Employment Opportunity Commission

San Francisco District Office

450 Golden Gate Avenue

5 West, PO Box 36025

San Francisco, CA 94102-3661

(800) 669-4000

VP: (510) 735-8909

[www.eeoc.gov](http://www.eeoc.gov)

**IV. WORKFORCE ANALYSIS**

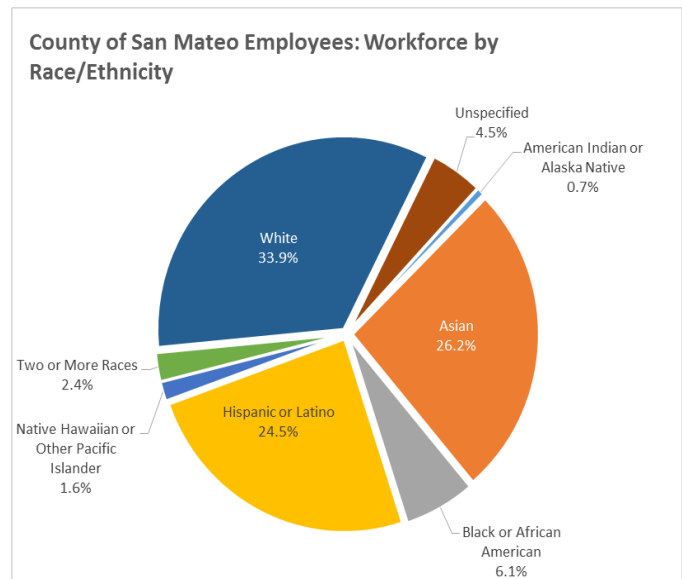
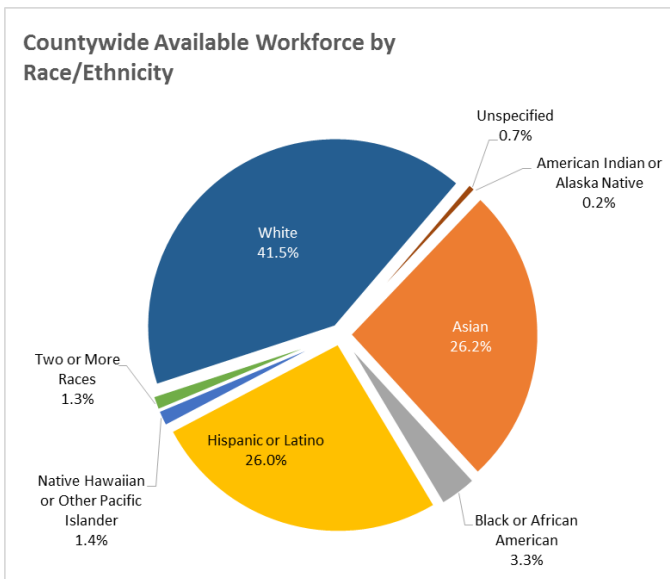


**Section III: WORKFORCE ANALYSIS**

The following series of data represent an analysis of the ethnicity and gender of the County’s workforce in 2017 in comparison to the current workforce that is available Countywide. This section also identifies over- and under-represented groups by job category.

Summary:

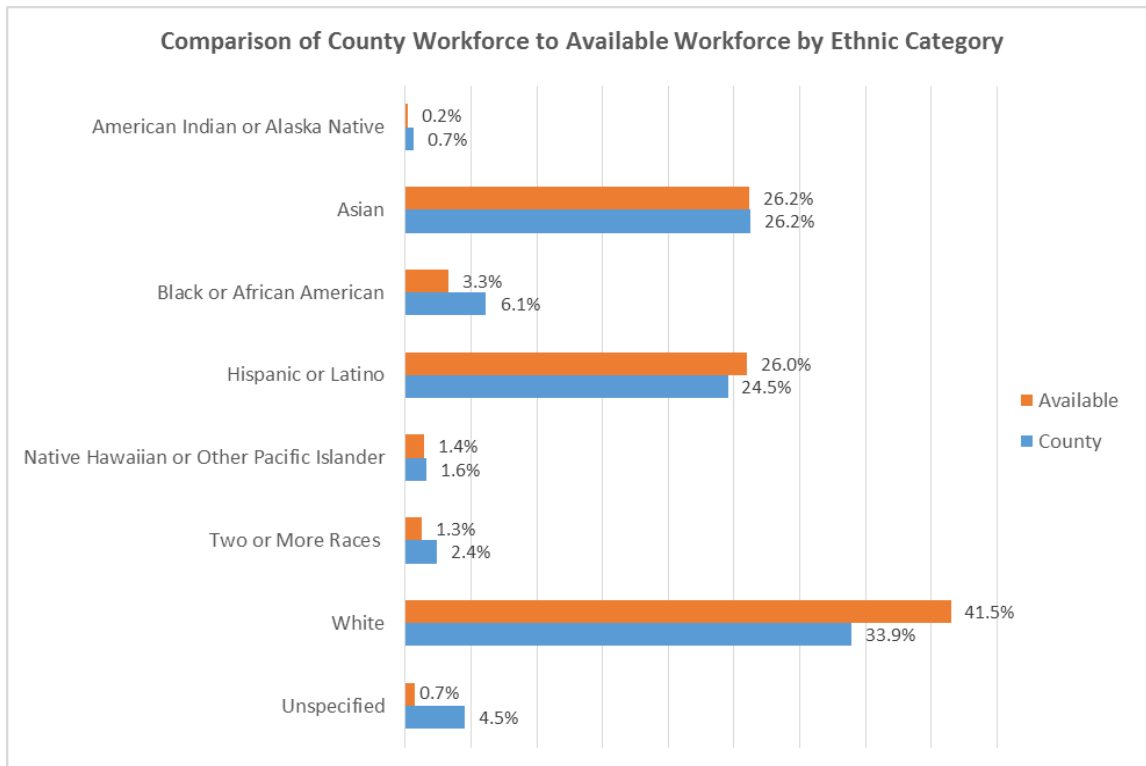
- In 2017, the County of San Mateo’s non-white workforce comprises 61.6% of the total workforce, with Asian (26.2%) and Hispanic or Latino (24.5%) employees having the highest representation among non-white staff members. White staff members represent 33.9% of the County’s total workforce. 4.5% of County employees are of unspecified race/ethnicity.
- County of San Mateo employee representation is roughly equal to or exceeds the available workforce for the following employee groups: American Indian or Alaskan Native, Asian, Black American or African American, Native Hawaiian or Other Pacific Islander, Two or More Races, and Female.
- County of San Mateo employee representation is below the available workforce for the following employee groups: Hispanic or Latino, White, and Male.



\* Data Source: 2017 EEO Utilization Report (Community Labor Statistics)

**COMPARISON OF COUNTY WORKFORCE BY ETHNICITY**

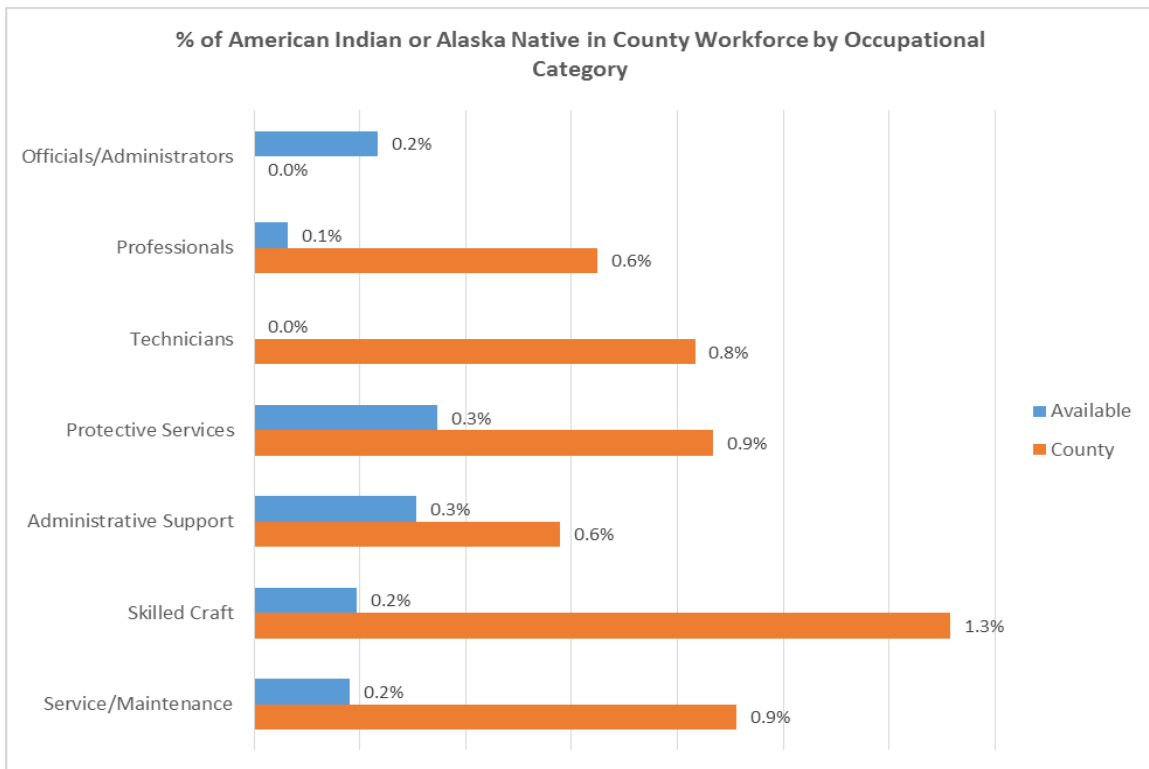
- Consistent with federal reporting requirements, the County has added two new EEO categories in 2017: Two or More Races and Native Hawaiian or Pacific Islander. Combined, these comprise 4% of the County’s workforce, exceeding the available workforce for the combined categories by 1.5%.



*\*Numbers expressed as percentages*

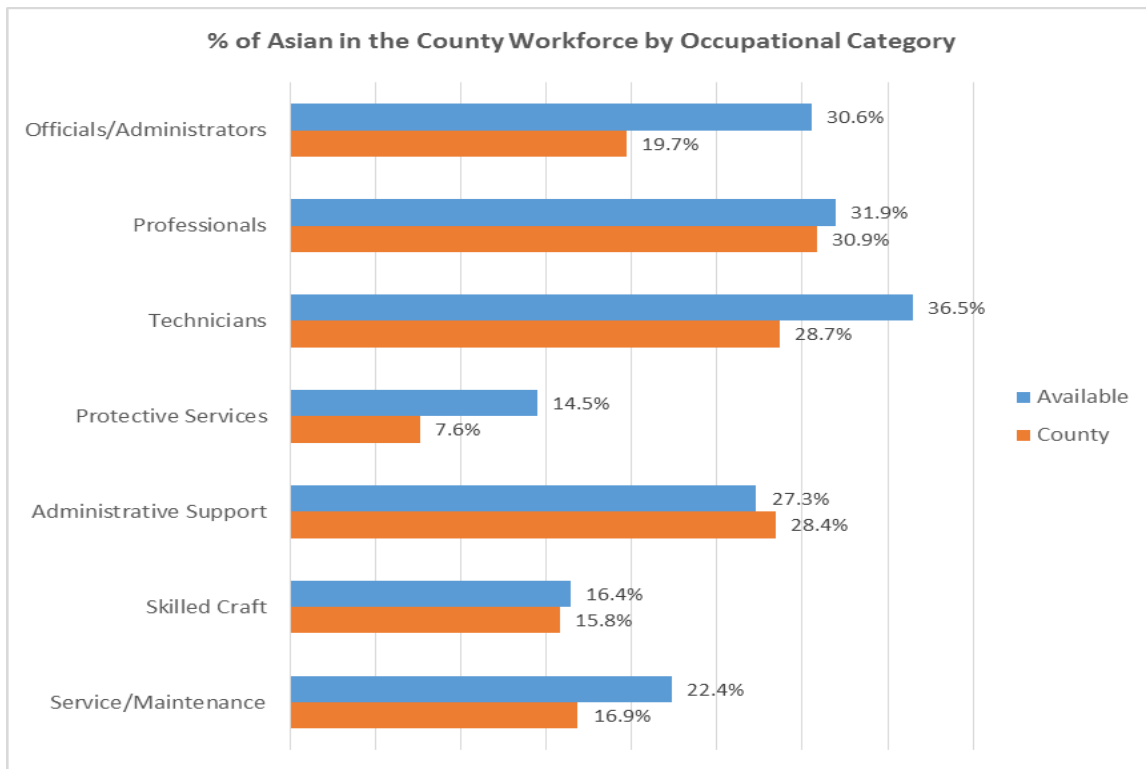
**SUMMARY OF AMERICAN INDIAN OR ALASKA NATIVE WORKFORCE**

- Represents 0.7% of the County’s workforce, and 0.2% of the available workforce.
- Representation in the County workforce exceeds the available workforce by 0.5%, and is roughly equal to or exceeds the available workforce in six of the seven occupational categories:
  - o Professionals (0.6%)
  - o Technicians (0.8%)
  - o Protective Services (0.9%)
  - o Administrative Support (0.5%)
  - o Skilled Craft by (1.0%)
  - o Service Maintenance by (0.8%)
- Not represented in the Official/Administrators category both in the County workforce.



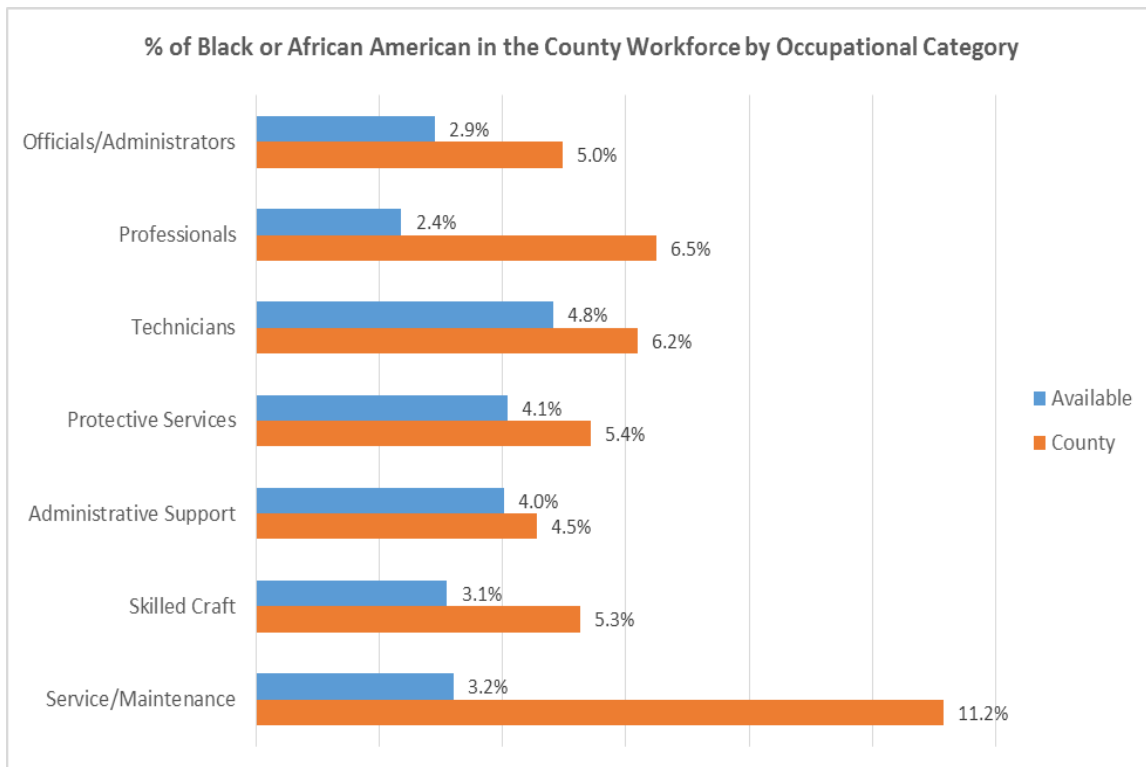
**SUMMARY OF ASIAN WORKFORCE**

- Current representation is 26.2% of the County’s workforce, and 26.2% of the available workforce.
- Under-represented in five of the seven occupational categories:
  - Officials/Administrators (-10.9%)
  - Technicians (-7.8%)
  - Service/Maintenance (-5.5%)
  - Protective Services (-6.9%)
- Current representation is roughly equal to or exceeds available workforce in two occupational categories:
  - Professionals (-1.0%)
  - Administrative Support (1.1%)
  - Skilled Craft (0.6%)



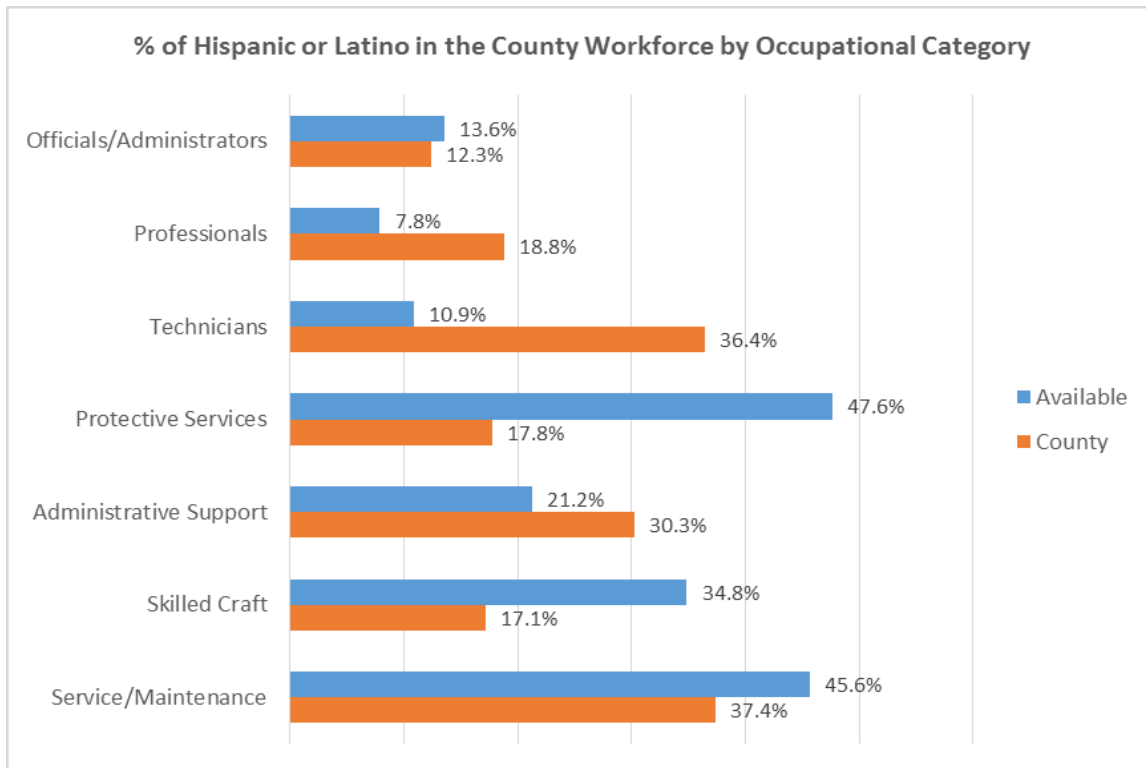
**SUMMARY OF BLACK OR AFRICAN AMERICAN WORKFORCE**

- Represents 6.1% of the County’s workforce, and 3.3% of the available workforce.
- Current representation is roughly equal to or exceeds available workforce in all occupational categories:
  - o Officials/Administrators (2.1%)
  - o Professionals (4.1%)
  - o Technicians (1.4%)
  - o Protective Services (1.3%)
  - o Administrative Support (0.5%)
  - o Skilled Craft (2.2%)
  - o Service Maintenance (8%)



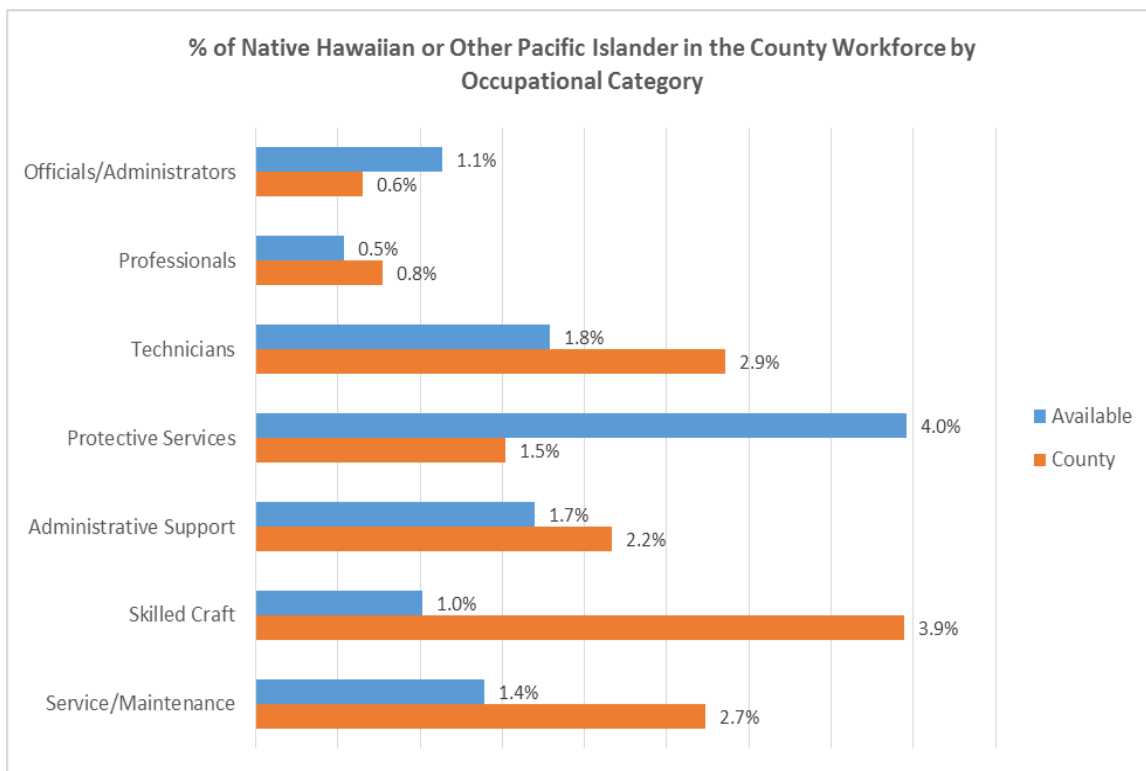
**SUMMARY OF HISPANIC OR LATINO  
WORKFORCE**

- Represents 24.5% of the County’s workforce, and 26% of the available workforce.
- Under-represented in three of the seven occupational categories:
  - o Protective Services (-29.8%)
  - o Skilled Craft by (-17.7%)
  - o Service Maintenance (-8.2%)
- Current representation is roughly equal to or exceeds available workforce in four occupational categories:
  - o Officials/Administrators (-1.3%)
  - o Professionals (11%)
  - o Technicians (25.5%)
  - o Administrative Support (9.1%)



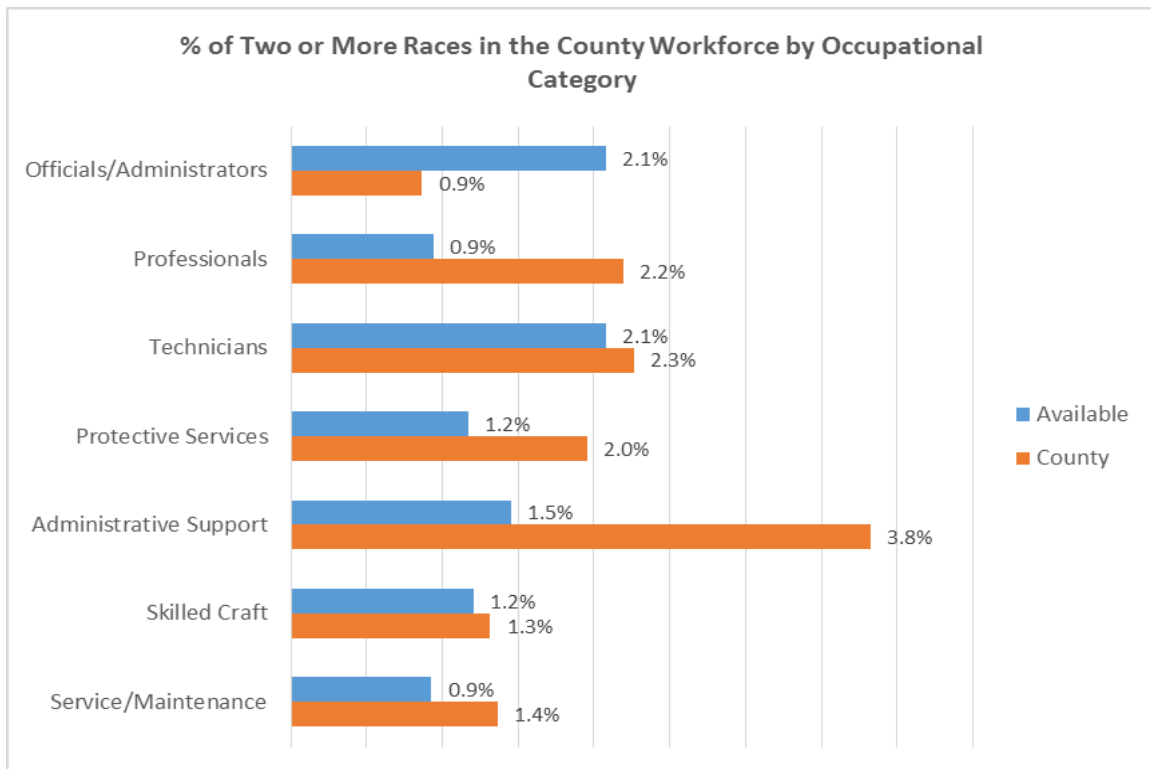
**SUMMARY OF NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER WORKFORCE**

- Represents 1.6% of the County’s workforce, and 1.4% of the available workforce.
- Under-represented in one of the seven occupational categories:
  - o Protective Services (-2.5%)
- Current representation is roughly equal to or exceeds available workforce in five occupational categories:
  - o Official/Administrators (-0.5%)
  - o Professionals (0.3%)
  - o Technicians (1.1%)
  - o Administrative Support (0.5%)
  - o Skilled Craft (2.9%)
  - o Service Maintenance (1.3%)
- Previously reported as part of the Asian category.



**SUMMARY OF TWO OR MORE RACES  
WORKFORCE**

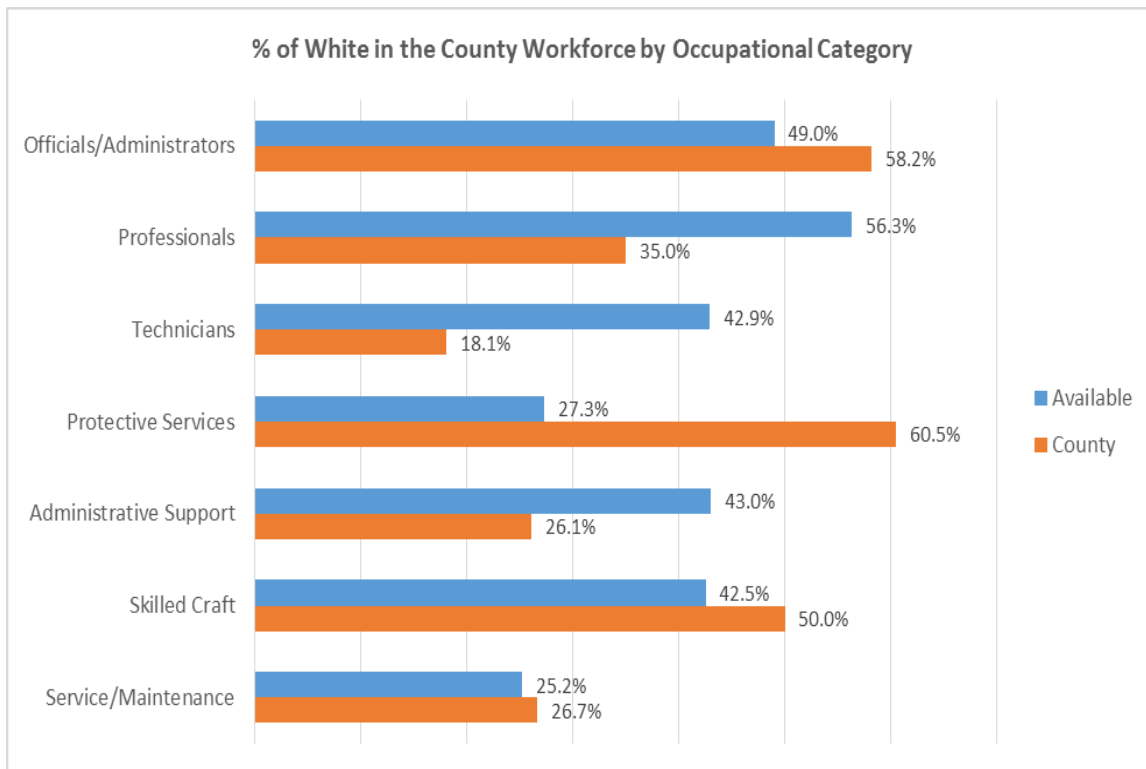
- Represents 2.4% of the County’s workforce, and 1.3% of the available workforce.
- Representation in the County workforce exceeds the available workforce by 1.3%.
- Current representation is roughly equal to or exceeds available workforce in all occupational categories:
  - o Official/Administrators (-1.2%)
  - o Professionals (1.3%)
  - o Technicians (0.2%)
  - o Protective Services (0.8%)
  - o Administrative Support (2.3%)
  - o Skilled Craft (0.1%)
  - o Service Maintenance (0.5%)
- Introduced as a reporting category in 2015.





**SUMMARY OF WHITE WORKFORCE**

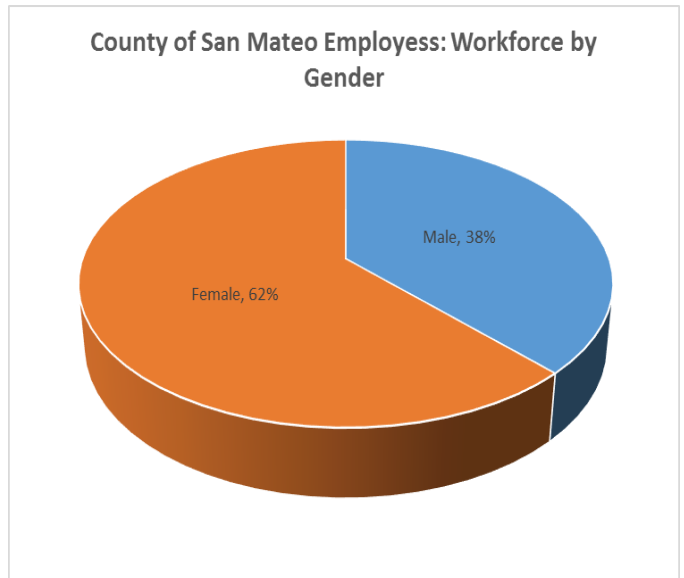
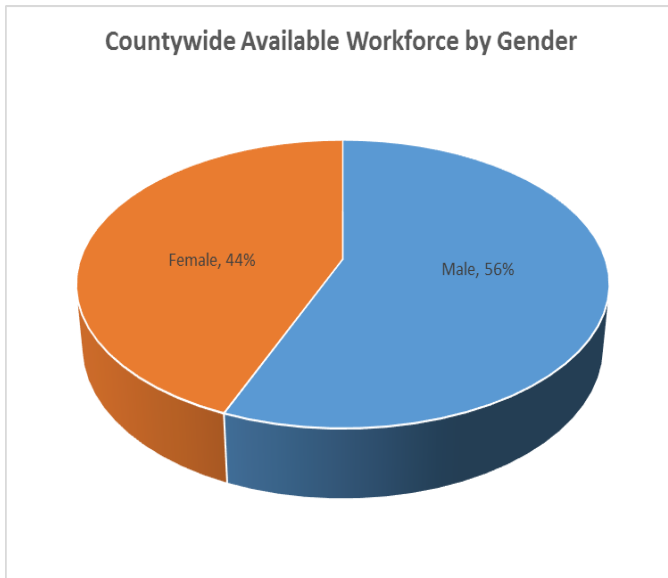
- Represents 33.9% of the County’s workforce, and 41.5% of the available workforce.
- Under-represented in three of the seven occupational categories:
  - o Professionals (-21.3%)
  - o Technicians (-24.8%)
  - o Administrative Support (-16.9%)
- Current representation is roughly equal to or exceeds available workforce in four occupational categories:
  - o Official/Administrators (9.2%)
  - o Protective Services (33.2%)
  - o Skilled Craft (7.5%)
  - o Service Maintenance (1.5%)



**COMPARISON OF COUNTY WORKFORCE TO AVAILABLE WORKFORCE BY GENDER**

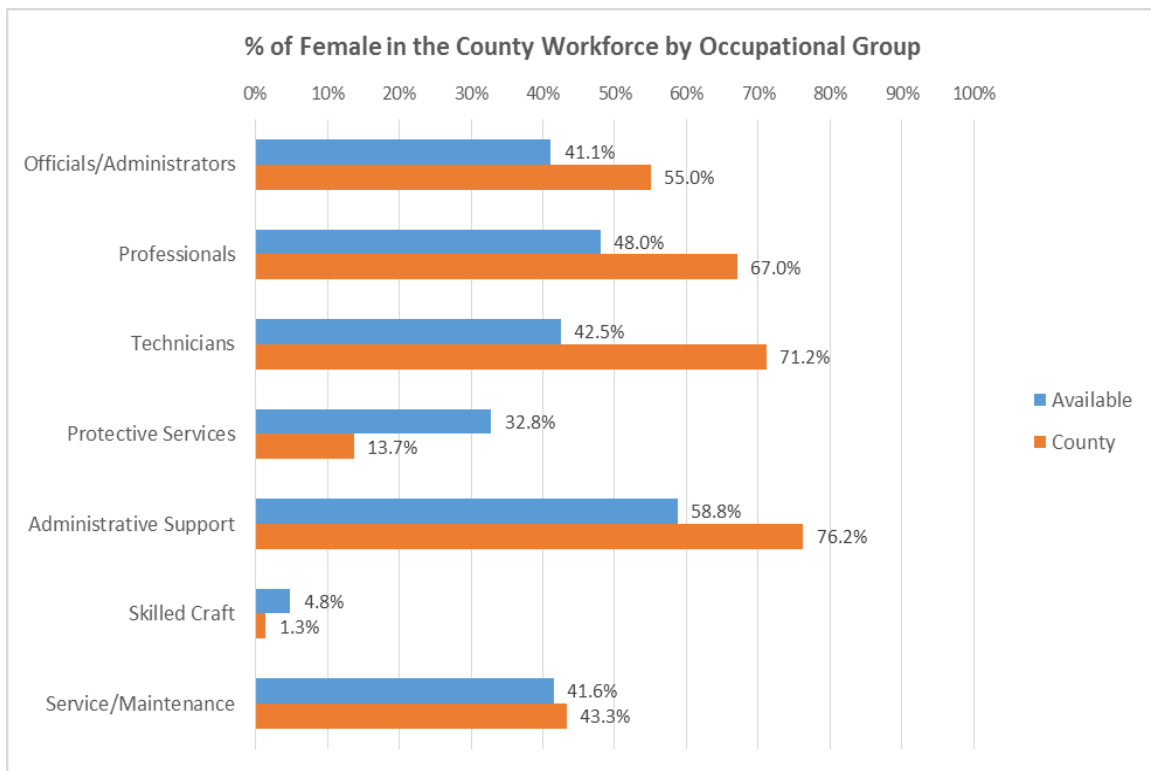
Summary:

- The County’s workforce is predominantly female, while the available workforce is predominantly male.
- Females comprise 62% of the County’s workforce and 44% of the available workforce.
- Males comprise 38% of the County’s workforce and 56% of the available workforce.



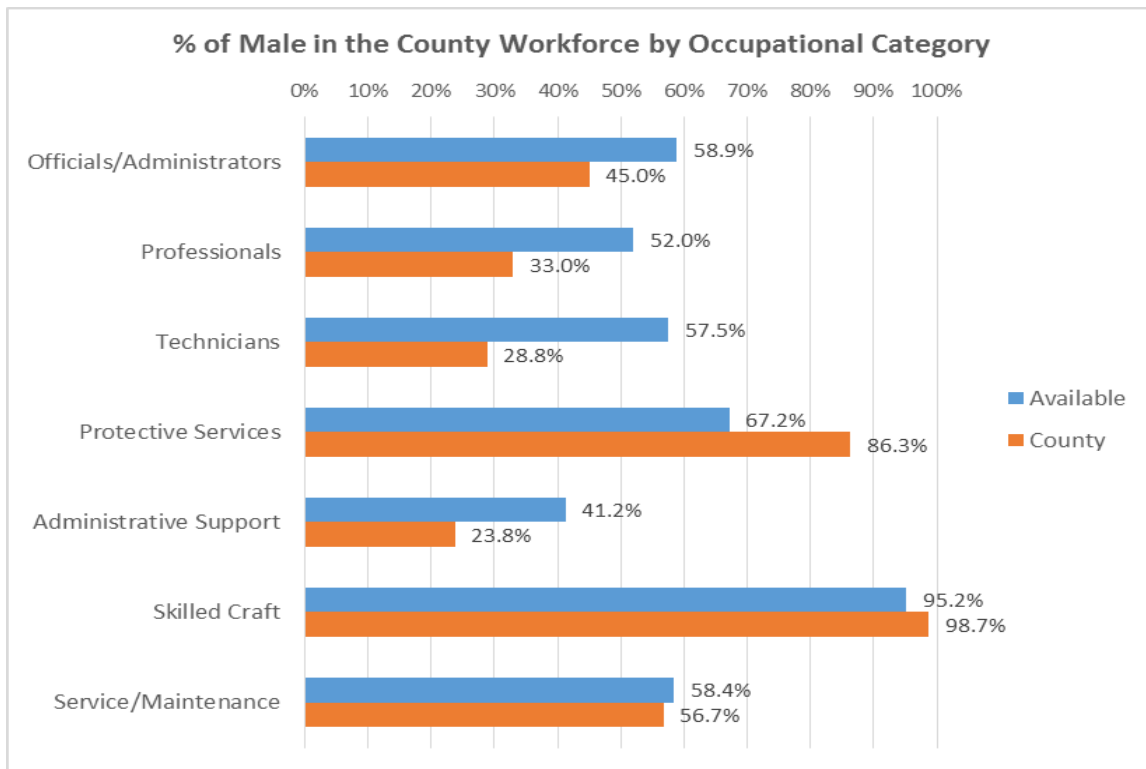
**SUMMARY OF FEMALE WORKFORCE**

- Represents 62% of the County’s total workforce, and 44% of the available workforce.
- Representation in the County workforce exceeds the available workforce by 18%.
- Under-represented in two of the seven occupational categories:
  - o Protective Services (-19%)
  - o Skilled Craft (-3.5%)
- Current representation exceeds available workforce in six occupational categories:
  - o Official/Administrators (13.9%)
  - o Professionals (19%)
  - o Technicians (28.7%)
  - o Administrative Support (17.4%)
  - o Service Maintenance (1.7%)



**SUMMARY OF MALE WORKFORCE**

- Represents 38% of the County’s total workforce and 56% of the available workforce.
- Under-represented in five of the seven occupational categories:
  - o Official/Administrators (-13.9%)
  - o Professionals (-19%)
  - o Technicians (-28.7%)
  - o Administrative Support (-17.4%)
  - o Service Maintenance (-1.7%)
- Current representation exceeds available workforce in two occupational categories:
  - o Protective Services (19.1%)
  - o Skilled Craft (3.5%)



**V. ACCOMPLISHMENTS AND  
ACTION STEPS**

## **Section V-A: 2014-2017 ACCOMPLISHMENTS**

### **1. RECRUITMENT AND SELECTION**

Continued outreach efforts to attract a diverse pool of applicants including by continually exploring methods to broaden the reach of recruitment activities, including participation in career and job fairs, expos, and community events, and targeted advertising of job opportunities to professional organizations representing women, minority, and other groups.

Expanded internship programs including Jobs for Youth to provide opportunities for community youth from a variety of backgrounds to learn about potential careers, including those in government service.

Formalized County Fellowship program, to broaden pool of qualified applicants and bolster talent pipeline with candidates of diverse backgrounds.

Expanded STEP (Supported Internship and Employment Program) to a year-round program, providing additional opportunities for the community's foster youth to expand work-related knowledge through job-readiness training, job shadowing, employment coaching, and hands-on work experience in a County department.

Increased representation of minority employees, to better reflect the diverse community that we serve.

Used social media to enhance recruitment efforts, including Facebook, LinkedIn, and Twitter as a means to communicate promotional information to applicants and employees.

Expanded online candidate testing for employment opportunities, reducing barriers caused by need for transportation to County facilities, which may be particularly challenging for candidates with disabilities, children or other family responsibilities, or candidates of lower socio-economic status.

Continued application of recruitment-specific strategies for hard-to-fill positions focusing on health care professionals and other hard-to-fill classifications.

### **2. TRAINING AND DIVERSITY**

Continued mandatory sexual harassment training for all managers and supervisors required every two years. Training was provided in 2015 and 2017.

Added requirement that all new supervisors and managers participate in 3-hour, instructor-led, in-person training on EEO Policy and diversity/ inclusion at the County of San Mateo, within 24 months of becoming a supervisor or manager.

Provided more than 50 department-specific and other training classes, covering approximately 1,200 employees, in the areas of diversity and EEO.

Provided approximately 20 department-specific and general training classes, covering more than 400 supervisors, managers, and others, regarding the County's policy and practice in serving employees and applicants with disabilities and medical conditions.

Proactively distributed the County's EEO policy, including procedures on how to resolve a complaint, to all employees in 2014 and 2017.

Provided continuous guidance to the Training and Development Division in assessing the effectiveness of the County training programs and proposed programs, especially in the rapidly growing area of online training.

Teamed with the Employee Relations Division to provide access to trainings by the law firm of Liebert, Cassidy & Whitmore on topics including EEO basics and managing medical conditions in the workplace.

Received approval of the County's Federal EEO Plan by the U. S. Department of Justice and submitted biennial Federal EEO-4 reports in 2015 and 2017.

Added a Diversity STARS Award to existing STARS Award program, to recognize outstanding County programs that demonstrate success in fostering diversity and inclusion, enhancing services or support for underrepresented or at-risk groups or communities, increasing cultural awareness and understanding, and/or creating a welcoming, inclusive workplace or program.

Developed and began piloting a strategic initiative to reaffirm the County's commitment to diversity and inclusion as core principles, and to increase awareness and understanding of the role of implicit or unconscious bias in the workplace.

**3. CAREER DEVELOPMENT AND RETENTION**

Provided support and guidance that contributed to opportunities to retain, enhance professional skills, and prepare employees for career development or promotional advancement, including:

Continued a robust performance management system (CPMS) that links work tasks to the County vision, provides employee input for avenues of expansion of duties/exposure, and includes career development goal planning.

Encouraged departments to use work out of class opportunities, training, and promotions from within as a means to provide equal opportunities.

Encouraged departments to offer flexible schedules, Voluntary Time Off (VTO), Telecommuting, and other alternatives to maximize employees work/life balance, including child care, parental and sibling care, health recovery, education opportunities, and better commute alternatives (recognizing the high percentage of employees that live more than 30 minutes away from their county worksite).

Provided guidance and expertise in placing and/or accommodating approximately 240 employees and job applicants with disabilities and medical conditions.

**4. ENFORCEMENT OF EEO POLICY**

Reviewed, investigated, and/or provided guidance related to the County's EEO Policy in approximately 80-100 matters each year.

Provided advice and guidance regarding the County's EEO Policy and its implications for development of various departmental initiatives and policies.

Provided review of and formal responses to EEOC and DFEH charges of discrimination.

**5. SUCCESSION PLANNING**

Since 2014, the County has committed to programs that include:

- An Executive Leadership Academy to train and identify managers for promotion to Director, Assistant Director, Deputy Director, and similar positions.
- A comprehensive Supervisory Academy for front line supervisors.
- A Management Development Program, to continue the professional development of managers and help prepare employees to assume high-level leadership positions.
- The Management Talent Exchange Program (MTEP); which allows aspiring managers in local governments within San Mateo and Santa Clara counties the opportunity to develop skills and competencies, gain valuable hands-on experience, and build relationships through participation in a 3-month exchange in another government agency.
- The Public Sector Leadership Academy, which provides information to management employees about innovative concepts and practices in the public sector, with topics including public policy, employee engagement, trends, and ethics.
- A Lead Worker Academy, designed for current and future lead workers, to introduce the core responsibilities for working in a lead role, including sessions on effective communication and career growth.
- The Stepping Up and Leading Up Academy to help line employees identify and explore career goals and develop leadership, communication, and other relevant skills.



**Section V-B: 2018-2021 ACTION STEPS****1. DIVERSITY AND INCLUSION STRATEGIC INITIATIVE**

Launch and implement pilot program for Diversity and Inclusion (“D&I”) Strategic Initiative aimed at reinforcing D&I as a core County value and business goal to better serve an increasingly diverse workforce. The initiative is an opportunity for participating departments to learn, assess, set priorities, and develop D&I Action Plans to advance their diversity and inclusion efforts. This is anticipated to be a long-term multi-year initiative conducted in phases, beginning with 3 - 4 pilot departments or divisions.

The core goals and action items of the initiative include:

- Assess and learn about department workforce D&I priorities, needs, challenges, and goals
- Conduct online employee surveys and obtain input from advisory groups, leadership, and stakeholders;
- Identify challenges and barriers to D&I to address them and/or develop solutions;
- Review, revise, or develop policies and procedures that remove barriers and/or advance D&I goals;
- Attract and retain a diverse workforce that is reflective of the community;
- Promote proactive measures by assisting departments to develop and implement D&I Action Plans;
- Develop and deliver unconscious bias training for hiring managers and supervisors, and;
- Review or develop other D&I action steps and trainings to foster compliance, implementation, and advancement of D&I goals.

**2. RECRUITMENT AND SELECTION**

Conduct recruitment and outreach efforts to expand pool of qualified, diverse applicants.

Increase countywide recruitment efforts to attract a broad and diverse candidate pool for positions in all categories, by continuing to build relationships with professional organizations representing diverse underrepresented potential candidates for employment.

Departments and hiring managers should ensure that hiring panels, particularly for supervisory and management positions, are diverse including with respect to race/ethnicity and gender.

**3. CAREER DEVELOPMENT AND RETENTION**

Increase responsibility for STEP (Supported Internship and Employment Program) to explore additional ways to actively support and enhance the County career development and succession planning initiatives.

Provide management development and leadership programs with a focus on developing future leaders.

Create, sponsor and/or support educational/ diversity events, speakers, panels, and/or programs that will offer additional opportunities to employees to gain experience and knowledge about jobs and career paths.

The County remains committed to career development and succession planning efforts, with its focus on the following components:

- Professional development
- Work out-of-class assignments
- “Acting” assignments
- Temporary/provisional appointments
- Job rotation
- Short term projects
- Committee assignments
- Enhanced training opportunities
- Development experience opportunities
- Coaching and mentoring projects
- Retaining institutional knowledge
- Continuing internship programs that provide opportunities to interns from diverse economic and ethnic backgrounds
- Exploring enhanced online technology as a cost-effective way to open doors for training and educational opportunities.
- Continuation of the First Line Supervisor's Academy
- Sponsoring Career-Development Assessment Centers for employees interested in growing and preparing for promotional opportunities
- Continuing the successful Management Talent Exchange Program.

In collaboration with departments, the Human Resources Training Division will continue to offer and/or promote training and educational opportunities such as:

- Degree and certificate programs
- Customized departmental training programs
- Diversity and related trainings, including offerings related to: multiple generations in the workforce, cultural awareness and communications, conflict resolution, and inclusion issues.

Participate in the Bay Area Counties EEO Officers Group, meeting regularly to share best practices and participate in educational forums.

Continue quarterly meetings of the EEO Advisory Committee to leverage countywide experience and knowledge to solve challenges related to the County’s EEO Policy.

**VI. APPENDIX**

## EEO OCCUPATIONAL JOB CATEGORIES<sup>1</sup>

**Officials/Administrators:** Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. Includes: department heads, bureau chiefs, division chiefs, directors, deputy directors, controllers, wardens, superintendents, sheriffs, police and fire chiefs and inspectors, examiners (bank, hearing, motor vehicle, warehouse), inspectors (construction, building, safety, rent and housing, fire, A.B.C. Board, license, dairy, livestock, transportation), assessors, tax appraisers and investigators, coroners, farm managers, and kindred workers.

**Professionals:** Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Includes: personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dietitians, lawyers, systems analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, police and fire captains and lieutenants, librarians, management analysts, airplane pilots and navigators, surveyors and mapping scientists, and kindred workers.

**Technicians:** Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: computer programmers, drafters, survey and mapping technicians, licensed practical nurses, photographers, radio operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences), police and fire sergeants, inspectors (production or processing inspectors, testers and weighers), and kindred workers.

**Protective Services:** Occupations in which workers are entrusted with public safety, security and protection from destructive forces. Includes: police patrol officers firefighters, guards, deputy sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers, game and fish wardens, park rangers (except maintenance), and kindred workers.

**Administrative Support:** Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: bookkeepers, messengers, clerk-typists, stenographers, court transcribers, hearing reporters, statistical clerks, dispatchers, license distributors, payroll clerks, office machine and computer operators, telephone operators, legal assistants, sales workers, cashiers, toll collectors, and kindred workers.

**Skilled Craft:** Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the process involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairers, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, power plant operators, water and sewage treatment plant operators, and kindred workers.

**Service/Maintenance:** Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Includes: chauffeurs, laundry and dry cleaning operatives, truck drivers, bus drivers, garage laborers, custodial employees, gardeners

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<sup>1</sup> Relevant County of San Mateo Occupational Categories, based on 2017 Equal Employment Opportunity EEO-4 Instruction Booklet.

and groundskeepers, refuse collectors, construction laborers, park rangers (maintenance), farm workers (except managers), craft apprentices/trainees/helpers, and kindred workers.