

CITY OF LAKE QUIVIRA KANSAS
EQUAL OPPORTUNITY AND EMPLOYMENT STATEMENT

PURPOSE

This policy statement outlines the City of Lake Quivira Equal Employment Opportunity and Nondiscrimination policies and procedures.

The City of Lake Quivira is an equal opportunity employer and prohibits discriminatory employment actions against, and treatment of, City employees and applicants for employment based on actual or perceived ancestry, race, color, religion, sex, age, national origin, disability, low income, or any other basis prohibited by Kansas State or federal law. Those practices and acts are prohibited.

GENERAL POLICY

Decisions and practices based on an individual's protected status (e.g., race, religion, age, and the other categories listed above) that unlawfully affect employment or the compensation, terms, conditions, or privileges of an individual's employment or potential employment with the City of Lake Quivira are prohibited by this Policy.

This includes unlawful decisions, actions, and practices that occur in the course of recruitment, testing, hiring, work assignments, salary and benefits, working conditions, performance evaluations, promotions, training opportunities, career development and advancement, transfers, discipline, discharge, or any other application or selection process relating to employment.

The Policy also prohibits sexual harassment (i.e., conduct or language of a sexual nature) and harassment based on gender or any other protected characteristic (such as race, religion, disability, or sexual orientation). Forms of harassment may include, but are not limited to, the use of vulgar language, abusive acts or language, hostility, physical aggression, intimidation, or unequal treatment.

The Policy prohibits conduct which unreasonably interferes with an employee's job performance or creates an intimidating, hostile, or offensive working environment, or creates an abusive working environment based on any protected characteristic.

Harassment and/or retaliation against a person who opposes or complains about prohibited conduct or participates in any way in the complaint, investigation, or reasonable accommodation processes are strictly prohibited.

The Policy also prohibits the denial of reasonable accommodations for disabilities; pregnancy, childbirth, and related medical conditions; religious beliefs, observances, and practices; or for victims of domestic violence, sex offenses, or stalking that do not create an undue hardship.

Some offensive acts or remarks may violate this Policy even if they are not so severe that they violate federal, state, or local discrimination laws. The City and its agencies may discipline conduct that violates this Policy even if the conduct does not violate a law prohibiting discrimination.

The Policy also prohibits any City employee from aiding, abetting, inciting, compelling, or coercing any person present in a City facility, whether or not that person is an employee of the City, from engaging in any conduct prohibited by this Policy, including, but not limited to, conduct that creates a hostile work environment based on any protected characteristic.

A. EMPLOYMENT

It is the policy of the City of Lake Quivira to provide equal opportunity for all applicants and employees in employment practices and advancement, and to administer its employment practices without regard to ancestry, race, color, religion, sex, age, national origin, disability, low income, or any other basis prohibited by Kansas State or federal law. This policy will prevail throughout every aspect of employment practices, but is not limited to recruitment, employment, promotion, demotion, transfer, reduction-in-force, termination, compensation, benefits and training. Any deliberate attempt to impede or to circumvent this policy shall be grounds for disciplinary action, including suspension, demotion, or dismissal. Policies and procedures shall include but not be limited to the following actions:

1. Recruit, hire and promote in all job classifications without regard to ancestry, race, color, religion, sex, age, national origin, disability, low income, or any other basis prohibited by state or federal law except where age is a bona fide occupational qualification.
2. Base all decisions for hiring or promotions solely upon each individual's qualifications for the position to be filled.

3. Administer all other personnel actions such as compensation, benefits, transfers, reduction-in-force, return from, reductions-in-force city sponsored training, education, tuition assistance, social and recreation programs, without regard to ancestry, race, color, religion, sex, age, national origin, disability, low income, or any other basis prohibited by state or federal law.
4. Make known that equal employment opportunities are available on the basis of individual merit and to actively encourage all persons to seek employment and to strive for advancement on this basis.
5. Include information in all job postings that the City of Lake Quivira is an Equal Opportunity Employer Screen all applicants on a competitive basis without regard to ancestry, race, color, religion, sex, age, national origin, disability, low income, or any other basis prohibited by state or federal law.
6. Maintain the Equal Employment Opportunity plan and procedures as set forth in this policy and in the Administrative Code.
7. Comply with provisions of Veteran's preference in Appointments and Employment, Kansas Statutes Annotated, 73-201.

B. FACILITIES AND SERVICES

1. Public buildings and facilities shall be accessible to individuals with disabilities.
2. All services and activities provided by the City shall be administered without regard to ancestry, race, color, religion, sex, age, national origin, disability, low income, or any other basis prohibited by state or federal law.
3. Any established and proven act of discrimination by an employee or agent of the City of Lake Quivira regarding facilities and services shall be grounds for disciplinary action, including dismissal. Such disciplinary action shall be in addition to any penalties imposed through due process of law.

C. HOUSING

The City of Lake Quivira will provide equality in relocation, condemnation, and replacement housing.

D. PURCHASING AND CONTRACTS

1. Efforts will be made to encourage participation of minority and women-owned businesses in all aspects of contracting and purchasing.
2. Opportunities to bid on City projects and services will be published in the official City newspaper designated by Resolution. When required by State or Federal law, opportunities to bid on City projects and services will be published in one qualified minority newspaper to be determined by the City Clerk or his/her designee based on the lowest cost to advertise.
3. Purchase agreements and contract agreements shall be awarded without regard to ancestry, race, color, religion, sex, age, national origin, disability, low income, or any other basis prohibited by state or federal law.
4. All contractors who have been awarded contracts shall carry out the project following nondiscriminatory policies and procedures.

PROCEDURE

A. EMPLOYMENT

1. The Equal Employment Opportunity Officer in the City of Lake Quivira is the Current Acting Council President. Responsibilities and duties of the Equal Employment Opportunity Officer are to coordinate efforts to advise and assist staff in implementing the aforementioned Civil Rights Acts and to serve as ombudsman for any complaints; specifically, this official is responsible for:
 - (a) Reviewing all policies related to Equal Opportunity in order to guarantee effective implementation of the laws;
 - (b) Handling complaints and grievances in accordance with this policy;
 - (c) Encouraging minority employees to increase their skills and job potential through participating in training and educational programs;
 - (d) Posting in conspicuous places, notices and other information identifying that the City of Lake Quivira is an Equal Opportunity Employer.
2. This Policy Statement does not prohibit the rights of any City employee to file a discrimination grievance(s) with the Kansas Human Rights Commission and/or the local Equal Employment Opportunity Commission
3. If there is an employment discrimination concern with the City of Lake Quivira, the employee should follow the procedures identified by the Current Acting Council President or as set forth in the Employee Personnel Manual.

B. FACILITIES AND SERVICES

1. The Americans with Disabilities Act and Policy Statement of the City of Lake Quivira establish procedures for complying with non-discrimination practices regarding access to public buildings and facilities for individuals who are disabled.
2. An effort shall be made to perform periodic studies to determine the total population, average income, age, gender and ethnic composition of the City. This information is necessary to ensure that roads, facilities, and services are equally maintained in all neighborhoods.

C. HOUSING

1. Relocation assistance or treatment shall be provided in the same or similar manner to all community members.
2. Payments or property valuations for similar property shall be equitable.
3. Replacement housing shall be comparable to property being replaced.
4. Equitable consideration will be given to property values and tax base.
5. Health and environmental impacts should not disproportionately affect one neighborhood.
6. An effort shall be made to encourage members of the community to participate in the planning and development of City projects.

D. PURCHASING AND CONTRACTS

1. Contracts shall include language when required by the Kansas Acts Against Discrimination, that indicates the City's requirements, such as the following statement:
 - (a) "During the performance of this contract or any subcontract resulting there from, the Contractor, all subcontractors and vendors shall observe the provisions of the Kansas Acts Against Discrimination (K.S.A. 44-1001, et seq.) and Title VII of the Civil Rights Act of 1964 as amended and shall not discriminate because of ancestry, race, color, religion, sex, age, national origin, disability, or low income. In all solicitations or advertisements for employees the Contractor, all subcontractors and vendors shall include the phrase "equal

opportunity employer” or a similar phrase to be approved by the State Civil Rights Commission.

- (b) If the Contractor, a subcontractor or vendor is found guilty of a violation of the Kansas Acts Against Discrimination under a decision or order of the State Civil Rights Commission which has become final, the Contractor, subcontractor or vendor shall be deemed to have breached this contract and it may be terminated or suspended, in whole or in part by the City.”
- (c) The contractor shall not discriminate against any employee or applicant for employment based on ancestry, race, color, religion, sex, age, national origin, disability, or low income. The contractor will be an Equal Opportunity Employer and ensure fair and nondiscriminatory treatment in employment, layoffs, recruitment, compensation, and training. Notices of such policies shall be posted in conspicuous places available to employees and applicants for employment.

2. The following shall apply to contracts let by the City of Lake Quivira:

- (a) The City of Lake Quivira shall keep a record of bid proposals for contracts.
- (b) Non-compliance with the equal employment opportunity and non-discriminatory clauses of any contract is cause for termination or suspension of the contract or any sub-contract in which there is non-compliance.
- (c) These requirements shall be covered in a pre-construction conference, which shall include representatives of the City of Lake Quivira, the contractor, and the sub-contractors. The status of the contractor as an Equal Opportunity Employer shall be reviewed as it relates to the work force involved in the contract.

E. GRIEVANCE PROCEDURE

It is the right of every individual who feels aggrieved through discrimination on the basis of ancestry, race, color, religion, sex, age, national origin, disability, low income, or any other basis prohibited by state or federal law, to file a grievance and complaint.

Wayne Hidalgo, Mayor

Diane Newton, City Clerk

Effective Date: _____

Revision Date: _____