#### CITY OF RACINE AFFIRMATIVE ACTION PLAN



## City of Racine Human Resources/ Affirmative Action Department

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## City of Racine Affirmative Action Plan City Hall

730 Washington Avenue, Room 204 (262) 636-9589 Plan for 2013

#### **POLICY STATEMENT**

It is the policy of the City of Racine not to discriminate against any employee or any applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability, sexual orientation or national origin. This policy includes, but is not limited to, the following: recruitment and employment, promotion, demotion, transfer, compensation, selection for training including apprenticeship, layoff and termination. Except with respect to sexual orientation, the City further agrees to take affirmative action to ensure equal employment opportunities.

All personnel who are responsible for hiring and promoting employees and for the development and implementation of programs or activities are required to support this program. They shall provide leadership in implementing affirmative action goals and initiatives.

The City of Racine shall comply with §62.27 Rac. Ord., s. 16.765, Wis. Stats., state regulations and federal laws relating to equal employment opportunities and affirmative action. The City shall continue to work cooperatively with internal government and community organizations to take affirmative action to ensure equal employment and advancement opportunities.

### **THE PREFACE**

This plan, which is effective upon its adoption, is to be reviewed and updated yearly.

#### THE INTRODUCTION

The City of Racine's Departments that are evaluated by this report include:

- 1. Community Development
- 2. Finance and General Administration
- 3. Fire Protection
- 4. Health
- 5. Housing
- 6. Natural Resources/ Parks/ Recreation
- 7. Police Protection
- 8. Sanitation and Sewage
- 9. Streets and Highways
- 10. Utilities and Transportation

## **AFFIRMATION OF POLICY**

The City of Racine is committed to equal employment opportunity to include but not limited to testing, interviews, hiring or termination decisions, reasonable accommodation, training, transfer, promotion, demotion, reclassification or reallocation. Any employee who feels they have been adversely affected based on their membership in any protected group, or if he or she feels the treatment they received was different from others they may file a complaint with the Human Resources Affirmative Action Office.

## **DISSEMINATION OF POLICY**

This policy will be accessible to all employees, and its existence will be displayed prominently at the place of employment. All supervisors are responsible for knowing of its existence and substance, and of their responsibility for its implementation. The Human Resources Affirmative Action Officer will be available to answer all questions about the policy, or its implementation.

To communicate the policy outside the agency, the policy statement will be made available to the following:

- Labor organizations
- Employee associations

- Schools, community agencies, Jobs and Benefits offices, and similar organizations
- Job applicants
- Area minority groups and women's organizations
- Vocational rehabilitation agencies
- Employable older workers groups

In addition, an "Equal Employment Opportunity/Affirmative Action Employer" statement will be included in all job opportunity announcements and employment.

#### **AA PLAN**

#### **OUTREACH AND RECRUITMENT**

The City of Racine is committed to engaging in outreach programs in order to find qualified, female or minority persons while recruiting, interviewing, hiring, training and evaluating individuals so that each person has an equal opportunity and to give all the expectation of fairness and equality in the hiring process.

The City of Racine's plans include:

- 1. A minority outreach plan that places a premium on recruiting, hiring, placing, training and promoting qualified individuals while applying established non-discriminatory qualification standards and selection criteria.
  - a. Assess the potential openings within the City that are created by retirements or possibly expansion or change in responsibilities that may create openings.
  - b. Implement a job readiness program that includes community outreach efforts to give potential minority or female hires the opportunity to obtain necessary certifications or skills that make them competitive candidates.
- 2. Taking positive steps to attract hire and retain qualified individuals.
- 3. Basing all employment decisions (hiring, promotion, evaluations, etc.) upon each person's performance or the goals that have been set for a department.
- 4. Complying with all federal and state laws concerning the employment of minority and female employees and all applicable Wisconsin laws.

- 5. Investigating and taking appropriate action concerning complaints of discrimination made any job applicants and employees, complaints of a failure to make reasonable job accommodations, or any other complaints that, if true, violate the spirit of this policy or any relevant law.
- 6. Cooperating with governmental agencies investigating complaints of discrimination filed by individuals and/or work groups.
- 7. Removing barriers to employment, whether physical, social or arising from misconceptions, concerning persons' abilities.

#### IMPLEMENTATION MECHANISM

Human Resources/ Affirmative Action will:

Inform each department head or hiring manager of the existence of goals in the job category at the time that a requisition is approved for recruitment.

Make a special effort to reach recruitment sources<sup>i</sup> that may have access to qualified minorities and women and document our activities. Review selection data more frequently to evaluate participation rates for minorities and women; update the program annually and review our progress in meeting the placement goals that we have established.

Provide training to managers and supervisors to assure that they are aware of their responsibility to make fair decisions.

#### RESPONSIBILITY FOR IMPLEMENTATION

It is the responsibility of the Human Resources Affirmative Action Officer to meet with each department head and to assist in the development of individual plans for each agency. Implementation of the plan is the responsibility of each department. Each plan is to be reviewed on a yearly basis to monitor progress.

#### **UTILIZATION ANALYSIS**

The Affirmative Action Plan for the city of Racine began with an analysis of the workforce. The results of this analysis are available in Human Resources; a summary chart is below. Areas of under represented and under utilized groups have been identified and work with the City departments has begun.

**Underrepresentation** refers to the state of having a smaller percentage of an EEO group in an EEO job category than would reasonably be expected by their availability. The

narrative description of the utilization analysis is very important. A good narrative description clarifies the affirmative action planning process and the results of past efforts.

**Underutilization** is an area that is also being investigated to bring the City into compliance Underutilization indicates a situation in which members of an EEO group are underemployed, i.e., working in jobs for which they are overqualified.

When this distinction is made, Underrepresentation requires increased effort in the areas of recruitment and retention; underutilization requires career counseling and stronger internal promotion procedures. Both of these areas are goals of the Human Resources Affirmative Action Office.

	Am. Indian Male	Asian Female	Asian Male	Black Female	Black Male	White Female	White Male	Hispanic Female	Hispanic Male	Total
City Assessor	0	0	0	0	1	3	1	0	0	5
City Development	0	0	0	2	0	5	17	1	0	25
DPW/Streets and Highways	0	0	0	1	27	6	73	1	13	123
Finance	0	0	0		0	10	2	3	0	15
Fire	1	0	1	1	9	8	111	0	10	141
Health	0	0	0	2	0	16	6	0	0	24
Human Resources	0	0	0	1	1	4	0	0		6
Information Systems	0	0	0	0	1	4	4	0	0	9
Library	0	1	0	1	2	14	7	1	0	26
Mayor's/City Attorney Office	0	1	0	0	0	5	3	1	0	10
Municipal Justice	0	0	0	0	0	3		0	0	3
Parks	0	0	0	1	3	5	20	1	4	34
Police	1	0	1	6	10	42	143	6	10	219
Water	0	0	0		8	13	67	3	5	96
Total	2	2	2	15	62	138	454	17	44	736

Review our selection process to determine if we need to modify any aspects of the process that may be a deterrent to our having a work force that is fully representative of qualified minorities and women.

Snap shot of current staffing levels

#### 2/23/18

Breakdown of City of Racine Workforce (1):

Currently (2):

White Male	61.6%
Female	23.3%
Minority African American	10.4%
Hispanic	8.2%
Asian	0.5%
Native American	0.2%

Hiring: January 1, 2017 – December 31, 2017

B – White Male C – Black Male D – Hispanic Male	15 2 4
E – Asian Male	0
F – Native American	0
G – White Female	7
H – Black Female	2
I – Hispanic Female	1

29% Minority 32% Female

(1) Full time employees only

<sup>(2)</sup> Adds up to more than 100% because gender and minority status normally appear in 2 areas.

## CITY OF RACINE ANTI-HARASSMENT POLICY



City of Racine Human Resources/ Affirmative Action Department

#### THE ANTI-HARASSMENT POLICY

Harassment can have a devastating effect in the workplace. The effects of sexual and other types of harassment can range from loss of worker productivity to monetary losses to the agency, supervisor, and possibly to the person accused of the act.

Every employee has the right to a workplace free of harassment. A comprehensive harassment policy has been developed that will address and deal with sexual and other harassment.

Each individual has the right to work in a professional atmosphere which promotes equal opportunities and prohibits discriminatory practices, including sexual harassment. The city Of Racine is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes or comments based on an individual's sex, race, ethnicity, age, religion, sexual orientation or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person undermines the integrity of the employment relationship and is strictly prohibited. For example:

- Verbal: sexual innuendoes, suggestive or insulting comments or sounds, jokes
  teasing of a sexual nature, sexual propositions or threats, continuing to express
  personal interest after being informed the interest is unwelcome.
- Visual: sexually suggestive objects, pictures, or letters; leering, whistling, or obscene gestures;
- iii. Physical: unwanted physical contact, including touching, pinching, brushing the body, impeding or blocking movement, sexual intercourse or assault.

It is no defense to a claim of sexual harassment that the alleged harasser did not intend to harass.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Human Resources Affirmative Action Office.

Employees can raise concerns and make reports without fear of retaliation. Retaliation is a form of harassment or employee misconduct and is considered a violation of the City of Racine Policy for Sexual and Other Unlawful Harassment and shall be handled by the same complaint procedure established for this policy.

Any supervisor, manager or director who becomes aware of possible sexual or other unlawful harassment must promptly advise the Affirmative Action Human Resources Officer or the Human Resources Director who will assist in handling the matter in a timely and confidential manner.

Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

#### INDIVIDUALS COVERED UNDER THE POLICY

This policy covers all individuals in the workplace. The City of Racine will not tolerate, condone or allow harassment, whether engaged in by fellow employees, supervisors, or by outside clients or other non-employees who conduct business with The City. The City of Racine encourages reporting of all incidents of Quid pro Quo or Hostile Workplace harassment, regardless of who the offender may be, or of the offender's relationship to the City.

#### REPORTING A COMPLAINT

While The City of Racine encourages individuals who believe they are being harassed to firmly and promptly notify the offender that his or her behavior is unwelcome, the City also recognizes that power and status disparities between an alleged harasser and a target may make such a confrontation impossible. In the event that such informal, direct communication between individuals is either ineffective or impossible, the following steps should be followed in reporting a sexual harassment complaint.

1. **Notification of Appropriate Staff** Individuals who believe they have been subjected to sexual harassment should report the incident to the Human Resources Affirmative Action Office (262) 636-9589An individual also may choose to report the complaint to his/her supervisor. If the supervisor successfully resolves the complaint in an informal manner to the complainant's satisfaction, the supervisor must file a

- confidential report to Affirmative Action Human Resources about the complaint and resolution so that the City will be aware of any pattern of harassment by a particular individual and will also be aware of all complaints of sexual harassment on a City-wide basis. If the supervisor does not successfully resolve the complaint informally, manner, a written report must be made to the Human Resources Affirmative Action Office immediately.
- 2. Description of Misconduct An accurate record of objectionable behavior or misconduct is needed to resolve a formal complain of sexual harassment. Verbal reports of sexual harassment must be reduced to writing by either the complainant or the individual(s) designated to receive complaints, and must be signed by the complainant. Individuals, who believe that they have been or are currently being harassed, should maintain a record of objectionable conduct in order to prepare effectively and substantiate their allegations. While the City encourages individuals to keep written notes in order to accurately record offensive conduct or behavior, the employer hereby notifies all employees that, in the event that a lawsuit develops from the reported incident, the complainant's written notes might not be considered privileged or confidential information.
- 3. Timeframe for Reporting Complaint The City of Racine encourages a prompt reporting of complaints so that rapid response and appropriate action may be taken. This policy not only aids the complainant, but also helps to maintain an environment free from discrimination for all employees. Employees should also be aware of the time limits imposed by local, state and national governmental agencies for the filing of complaints of harassment or discrimination; those time limits are posted on the official notices which are prominently displayed on bulletin boards

#### INVESTIGATING THE COMPLAINT

1. **Confidentiality** Any allegation of sexual harassment brought to the attention Human Resources Affirmative Action Office will be promptly investigated. Confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances.

- 2. **Identification of Investigators** Formal complaints will be investigated by the Affirmative Action Human Rights Commission.
- 3. **Investigation Process** In pursuing the investigation, the Commission will try to take the wishes of the complainant under consideration, but will thoroughly investigate the matter, keeping the complainant informed as to the status of the investigation.

#### RESOLVING THE COMPLAINT

In order to minimize the damage to the City, the complainant and the alleged harasser to the full extent possible, the Commission will complete the investigation of a sexual harassment complaint and will communicate its findings and intended actions per Ordinance (Code 1973, § 3.40.054; Ord. No. 8-92, pt.1, 4-2-92) If the investigation finds that harassment occurred, the harasser will be subject to appropriate disciplinary procedures, as listed below. The complainant will be informed of the disciplinary action taken. If the investigation determines that no sexual harassment has occurred, this finding will be communicated to the complainant in an appropriately sensitive manner. If the investigation cannot determine whether or not sexual harassment has occurred, this finding will be communicated to the complainant and the alleged harasser, and the matter will be recorded as unresolved. Both the complainant and the alleged harasser will be informed again of the procedures set forth in this sexual harassment policy, including the appeal process contained below.

Sanctions Individuals found to have engaged in misconduct constituting sexual harassment will be severely disciplined, up to and including discharge. Appropriate sanctions will be determined by the appropriate officials. In addressing incidents of sexual harassment, the employer's response at a minimum will include reprimanding the offender and preparing a written record. Additional action may include: referral to counseling, withholding of a promotion, reassignment, temporary suspension without pay, financial penalties or termination. This policy is designed to protect all employees from harassment in any way associated with the workplace or work environment, no matter who the harasser is. Although the employer's ability to discipline a non-employee harasser may be limited by the degree of control, if any, that the employer has over the alleged harasser, any employee or partner who has been subjected to sexual harassment should file a complaint and be assured that action will be taken. Such action may include closing business with a client, reporting a

client contact to his or her employer, reporting a public official to an appropriate agency, or any other appropriate action to protect employees.

Appeal Process If any party directly involved in a sexual harassment investigation is
dissatisfied with the outcome or resolution, that individual has the right to appeal the
decision. The dissatisfied party should submit his/her written comments in a timely
manner to the Commission or to external counsel

#### MAINTAINING A WRITTEN REPORT OF THE COMPLAINT

The employer shall maintain a complete written record of each complaint and how it was investigated and resolved. Written records shall be maintained in a confidential manner in the Human Resources Affirmative Action Office. Written records will be maintained for 7 years from the date of the resolution unless new circumstances dictate that the file should be kept for a longer period of time.

#### PROTECTION AGAINST RETALIATION

Retaliation is a serious violation of this harassment policy and should be reported immediately. Any person found to have retaliated against another individual for reporting sexual harassment will be subject to the same disciplinary action provided for sexual harassment offenders (see "Resolving the Complaint" above).

#### **EEO/AA OFFICER INFORMATION**

The City of Racine Human Resources Affirmative Action Officer:

**Timothy Thompkins** 

City hall

730 Washington Avenue Room 204

**Racine, WI 53403** 

(262) 636-9589

Reports to the City Attorney/Director of Human Resources:

City Hall

730 Washington Avenue, Room 201

**Racine, WI 53403** 

(262) 636-9474

The Affirmative Action Officer has duties that include but are not limited to:

• Developing, implementing and maintaining the Human Resources Department's EEO/AA program

• Investigating employee complains and counseling supervisors and employees to resolve complaints informally and recommending the disposition of unresolved complaints to the department head

• Keeping departments' management informed of the latest developments in Affirmative Action

 Conducting studies of the EEO/AA program to determine deficiencies and to assess progress toward goals. Monitoring selection/hiring practices to ensure compliance with EEO/AA goals.

#### AFFIRMATIVE ACTION HUMAN RIGHTS COMMISSION

The Commission consists of nine members and is appointed by the mayor, subject to confirmation by the common council. Two of the members are alderman and one shall be a lawyer Per Ordinance the Commission acts in the capacity of investigator in terms of discrimination complaints and as an advisory commission to the Human Resources Affirmative Action Officer, who serves as an ex officio member.

The current Commission members are:

Ald. Raymond DeHahn

Ald. Mary Land

Ald. John Tate

Ms. Olivia Alcorta

Roy Carter

J. Mark Freeman

Atty. Adrianne Moore

Ms. Vera Burns

# DUTIES AND POWERS OF THE COMMISSION ARE DESCRIBED BY ORDINANCE.

The Commission shall have the following powers and duties:

- 1. To annually review, approve and recommend the affirmative action goals and timetables as proposed by the affirmative action officer
- 2. To advice affected and/or underrepresented groups of their rights under the affirmative action plan
- 3. To disseminate information and to attempt by means of discussion as well as other proper means to educate the people of the City to a greater understanding, appreciation and practice of equal rights and affirmative action to the end that the City will be a better place in which to live.
- 4. To adopt such rules and regulations as may be necessary to carry out the purposes and provisions of this article. Such rules and regulations shall be filed with the city clerk and a copy thereof mailed to each member of the common council.
- 5. To develop and review the contract compliance requirements of the City and to develop a policy with respect to vendors and contractors.
- 6. To make recommendations to the common council so as to bring all appropriate ordinances into conformity with the policies of this article, if necessary.
- 7. The commission shall be an advisory body to the mayor and the common council and may study and investigate problems relating to discrimination and denial of rights by reason of age, sex, race, disabled veteran's status, creed, color, national origin, disabilities, marital status, familial status, sexual orientation or economic status and shall make such recommendations to the mayor and common council as it deems necessary to eliminate problems of discrimination in the City. The commission shall receive and investigate complaints of and initiate its own investigations of any practice of discrimination against any person within the City because of age, sex, race, disabled veteran's status, creed, color, national origin, disabilities, marital status, sexual orientation, familial status or economic status.
- 8. To receive complaints alleging violation of this article arising from bona fide actions and to attempt to eliminate by means of conciliation, education or other means.

In those cases where the commission obtains compliance with this article or the commission finds that the complaint is without foundation, no public disclosure shall be made by the commission of the names of the persons named in the complaint, unless requested by the respondent.

9. To compel the attendance of witnesses and the production of all papers and records by subpoena, when necessary, for the purpose of its hearings under section 62-42. (Code 1973, § 3.40.046; Ord. No. 8-92, pt. 1, 4-20-92)

## City of Racine Human Resources/ Affirmative Action Office Racine City Hall, Room 204 730 Washington Avenue Racine, Wisconsin 53403 (262) 636-9589, Fax (262) 636-9585

## AFFIRMATIVE ACTION/HUMAN RIGHTS COMMISSION DISCRIMINATION COMPLAINT FORM

	se Number
Naı	me of Complainant:
Ad	dress:
Cit	y, State, Zip Code:
	me, Work Telephone Numbers:
110	me, work receptione realises.
Naı	ne of Respondent (Person against whom the complaint is being filed):
	dress:
	y, State, Zip Code:
	•
CO	MPLAINT AREA: (Please Check the appropriate box)
	Accessibility (please check and indicate if your complaint is a service or an employment
	problem in the "Issue" section below)
	Employment
	Eligibility
	Housing
	Services
	ue: (Check one and cite reason)  Employment
<b>-</b>	(Discharge, Harassment, Discipline, Accommodation, Hire, Promotion, Training, Retaliation, Other) Services(Accommodation, Service (treatment or refusal)
DΛ	CIC: (Cita Daggan)
ĐΑ	SIS: (Cite Reason) Age, Race, Marital Status, Religion, Sex, Sexual Orientation, Disability, Physical Accessibility, Programmatic Accessibility, Political Affiliation, Color, Creed, Ancestry/Heritage, National Origin, Veteran's Status, Arrest Record or Conviction Record)
tim wit	ase describe the action you believe to be discriminatory. Be specific about dates, es, incidents and places. Include names address and phone numbers of any nesses of any individuals involved in each of the incidents reported (additional eet(s) may be attached.

Description of the relief or satisfaction you	u feel would resolve your complaint.
STATE OF WISCONSIN)	
) COLINITY OF BACINE)	
COUNTY OF RACINE) The undersigned being first duly sworn on o	ath deposes and says that he/she is the complainant
in this action; that ne/sne has read the foregon	ng complaint and knows the contents thereof, and
that the same is true to his/her knowledge.	
Complainant	
Date	
Subscribed and sworn to before me on	
Thisday of	, 20
Notary Public, Racine County, Wisconsin	
My Commission expires on	
-	

 atistical Information u are:MaleFemale Date of birth
African-American
Asian/Pacific
Native American/Aleutian
Hispanic/Latino
White (Non-Hispanic)
Multiple Race (also check boxes which apply above)
Other (Specify)

## FOR OFFICE USE ONLY

Informal Complaint Date Received By Title Agency	Action_Taken
Actions and Individuals to be investigated	Further Action Required Yes No If yes, what action is recommended?
Findings    (Must complete within 30 days)	Written Response sent to complainant on  Signed  Print name

#### ADA COMPLAINT FORM

Date				
Problem:		Not selected for interview Not selected after interview Other		
Job Title _				
Departmen	t		-	
Comments			-	
				N
Additional	Info	ormation Attached: Yes		No
		Fill in if you would like a response		
		I would like the City to respond to my commerTelephoneLetter Other		
Name:				
Address: _				
_				
Telephone	:			
		Response Date:		

End Notes and References

i

Recruitment sources include but are not limited

NAACP of Racine 1633 Racine Street Racine, WI 53403 Beverly Hicks, President

Opportunities Industrialization Center 1020 Washington Avenue Racine, WI 53403 Claudius Adebayo, Executive Director

Racine Vocational Ministries 214 Seventh Street Racine, WI 53403 James A. Schatzman, Executive Director

Workforce Development Center 1717 Taylor Avenue Racine WI 53403 Urban League of Racine and Kenosha 718 Memorial Drive Racine, WI 53404 Yolanda Adams, Executive Director

First Choice Pre-Apprenticeship Program 1437 Marquette Street Racine WI 53404 M.A. Olatoye Baiyewu, Executive Director