

Sample EEO Compliance Statement and Plan

A. Introduction

1. The Employer desires to practice equal opportunity with respect to all activities concerning its employees.
 - a. Management has promulgated these guidelines on a strictly voluntary basis.
 - b. The existence of these guidelines however should not be construed as an admission either in whole or in part that the Employer has engaged in any activity whereby minorities or women have been or are presently being underutilized, concentrated or discriminated against in any way in violation of federal, state or local fair employment practice laws.
2. In developing and implementing this policy, Employer has been guided by its established pre-existing policy of providing equal employment opportunity.
 - a. All targets which the Employer has established shall not be considered rigid, inflexible quotas but rather reasonable objectives to be achieved in good faith.
 - b. The use of goals and timetables by the Employer shall not discriminate against an individual or group of individuals with respect to any employment opportunity for which he, she or they are qualified on the grounds that he, she or they are not the beneficiaries of affirmative action themselves since the Employer does not sanction the discriminatory treatment of any person.

B. EEO Policy Statement.

1. It is the policy of the Employer not to make any adverse employment decisions against minorities or women with respect to recruitment, hiring, training, promotion and other terms and conditions of employment, provided the individual is qualified to perform the work available.
2. It is the policy to the Employer to comply voluntarily with the concepts and practices of affirmative action.
3. An officer of the Employer will review, supervise and evaluate the Company's affirmative action program and will monitor that program and make reports periodically and on an on-going basis to management.
4. Employment decisions shall be made after considering the principles of equal employment opportunity (EEO).
5. Promotion decisions shall be consistent with the principle of EEO; qualifications for promotion shall consist of merit and ability.
6. All personnel actions and programs including but not limited to compensation, benefits, transfers, layoffs, recalls, company-sponsored training, education, tuition assistance and social and recreational programs will be administered in a nondiscriminatory manner with respect to minorities and women, provided the individual is qualified to perform the work available.

C. Reaffirmation of EEO Policy Statement.

1. The Employer:
 - a. Shall continue to provide equal employment opportunity to all qualified persons, and to continue to recruit, hire, train, promote and compensate persons in all jobs without regard to race, color, religion, sex or national origin.
 - b. Identify and analyze areas of its employment process so as to further the principles of equal employment opportunity.
 - c. Employment decisions in all areas will be made on the basis of furthering the objective of equal employment.
 - d. The recruitment, testing and hiring of all personnel will be without discrimination against any individual with regard to race, color, religion, sex, or national origin. Attempts will be made to contact known sources of minority and women potential applicants so as to maximize the participation of such applicants.
 - e. Individuals will be upgraded and promoted on the basis of their abilities, skills and experience.

f. Minority and women employees who are qualified, as well as those who are qualifiable through training will be considered for promotion.

g. Promotions will be based on valid occupational qualifications.

h. Management will attempt to effectuate transfers of minority and women employees whenever such transfers will increase the likelihood of greater job opportunity in areas where minority and female employees may have been or may now be underutilized.

i. If layoffs occur, they will be based on nondiscriminatory policies.

j. Personnel decisions affecting employees in areas such as compensation, benefits, transfers, layoffs, returns from layoff, Company-sponsored training, education, tuition assistance and social and recreational programs will be made and implemented without regard to race, color, religion, sex or national origin.

k. The Employer will periodically review personnel actions and collect data on a continuing basis to review all actions taken.

l. All employee benefits will be administered consistent with federal law.

m. Steps will be taken so that personnel and management are fully apprised of the Company's EEO policy which will be discussed and reviewed in supervisory and management meetings.

n. Periodic reviews will be conducted to insure the effectiveness of these goals.

o. EEO posters will be and remain placed in conspicuous locations.

p. New employees will be apprised of the Employer's equal opportunity policy at employee orientation and management training programs.

q. The EEO policy will be included in the Employee Handbook. Copies of the Employee Handbook will be distributed to all current employees and to new employees when they are hired and publicized in other printed materials where appropriate.

r. Special meetings will be conducted when appropriate and the Employer's EEO policy will be discussed in management training programs.

s. Periodic meetings may be held to re-emphasize to management and employees the Employers' commitment to EEO.

t. Equal employment opportunity policy will be posted on bulletin boards (in English and Spanish, where appropriate) and will continue to be displayed in the future.

u. When employees are featured in advertising, employee handbooks, or similar publications, both minority and non-minority men and women will appear in the pictures.

v. Employees are encouraged to bring questions, comments or complaints with respect to the Company's EEO/affirmative action policy, or the implementation and administration of that policy, to the Human Resources Department.

w. Management has communicated and will continue to publicize that it does not tolerate or permit harassment of any employee because of race, color, religion, sex or national origin.

x. All recruitment sources will be reminded of the Employer's commitment to EEO and affirmative action. All applicants will be treated without regard to race, color, religion, sex or national origin. Recruitment sources will

be advised that the Employer actively seeks qualified women and minorities for employment.

y. Equal Opportunity Clauses shall be incorporated in all purchase orders, leases, contracts, etc. where practical.

z. When the Employer advertises in newspapers for prospective employees, the advertisement includes the EEO solicitation: "We are an Equal Opportunity Employer."

aa. No advertisements in newspapers will be placed in sex-segregated "Help Wanted" columns.

bb. Written notification of our EEO policy will be sent to all subcontractors, vendors and suppliers, and they will be requested to take appropriate action.

2. Actions by supervisory personnel inconsistent with this policy will not be tolerated and may lead to discharge.

3.

a. _____ (name) has been appointed Director of Equal Employment Opportunity Programs and has the primary management responsibility for ensuring full compliance with this policy.

b. _____'s (name) appointment been communicated to all management employees, and well as to the appropriate employees and his identity shall appear on all internal and external communications on the Company's equal opportunity programs.

c. The responsibilities of the Program Director include but are not necessarily limited to the following:

(i) Developing, modifying and maintaining effective policies and procedures.

(ii) Evaluating EEO progress and developing alternative approaches where necessary, including establishing goals and timetables that are reasonable, attainable and consistent with the Employer's affirmative action commitment.

(iii) Designing and implementing audit and reporting systems which will permit continuous monitoring of EEO progress and provide management with requisite data in that regard. Such systems will be used to:

(a) Measure the plan's effectiveness.

(b) Determine the degree to which the Employer's objectives and goals have been achieved.

(c) Indicate any need for additional action.

(iv) Serving as our representative in dealings with federal, state or local enforcement agencies.

(v) Serve as a liaison with minority organizations, women's organizations and community action groups concerned with the employment opportunities of minorities and women.

(vi) Continually educate management in the area of equal employment opportunity.

(vii) Resolve EEO-related charges or complaints.

(viii) Periodically audit training programs and hiring and promotion patterns so that any impediments to achieving the goals and timetables are removed.

(ix) Regularly discuss policies with local managers, supervisors and other employees, where

appropriate, to ensure that the Company's policies are being implemented.

(x) Selectively review the qualifications of employees who are transferred or promoted to ensure that minorities and women are being given full opportunity with respect to such personnel actions.

(xi) Communicate with local supervisors and other local management employees to apprise them of the fact that their work performance is being evaluated in part on the basis of their EEO performance.

(xii) Assist supervisors in taking action to prevent harassment of any employees either because of their placement though affirmative action efforts or because of their race, color, sex, religion or national origin.

D. Identification of potential problem areas.

1. Particular attention should be paid to employee training and to those categories where minority groups and women may be underutilized.
2. Hiring statistics should reveal no adverse impact regarding minorities and females.
3. The selection process, including position descriptions, job titles, application forms, interview procedures, the use and administration of tests, referral procedures, and final selection process, training, transfers and promotions should be analyzed to ensure that such personnel practices are being uniformly applied without regard to race, color, religion, sex or national origin and that none of the selection procedures has an adverse impact on minorities or women, statistically or otherwise.
4. Employer's transfer and training experience reflects no adverse impact on minorities or women and all physical facilities, sponsored recreation and social events, and special programs, including educational assistance, are applied and made available on a nondiscriminatory basis.

E. Remedial action.

1. Where underutilization in any job group exists, goals and timetables have been established.
2. Application forms and related pre-employment inquiry forms have been drafted in compliance with applicable federal, state and local EEO laws.
3. Position descriptions are reviewed periodically and properly identify job-related requirements.
4. Where specific selection procedures for jobs are used, they are job-related.
5. Minorities and women are not excluded from any Company-sponsored activities or programs, and such programs are fully integrated.
6. No de facto segregation exists at the Company.
7. No artificial barriers or restrictive seniority provisions that result in overt or inadvertent discrimination exist at the Company.
8. Transportation, both public and private, is not a problem with respect to minority employment.
9. Subcontractors and suppliers the Employer uses have been advised of their EEO responsibilities.
10. Purchase orders contain the required Equal Opportunity Clause.
11. EEO posters provided by the federal government are prominently displayed in appropriate places at the Company.
12. A thorough analysis of the compensation, promotion, selection and other policies and practices of the Company indicates that no affected class exists among the Company's work force.
13. Job descriptions are periodically reviewed and revised to ensure that they are job-related and consistent for the same job from one department or unit to another.
14. Worker specifications are reviewed to ensure that they are job-related and do not screen out minorities or women.
15. With respect to sex discrimination:

a. Employment advertising does not express a sex preference and, if printed, does not appear in sex-segregated columns. Further, employees of both sexes are recruited for all jobs with Employer.

b. Our personnel policy manual and employment application forms expressly state there will be no discrimination on account of sex.

c. We recruit employees of both sexes for all positions, except where sex is a bona fide occupation qualification.

d. We do not rely upon a state "protective" law to deny women employees the right to any job they are qualified to perform.

e. We offer employees of both sexes an equal opportunity for any jobs they are qualified to perform, except when sex is a bona fide occupation qualification.

f. We do not make any distinction based upon sex with regard to employment opportunities, wages, hours or other terms and conditions of employment.

g. We do not make any distinction between married and unmarried persons of one sex that is not made between married and unmarried persons of the other sex.

h. We do not deny employment to women with young children and provide a day-care service for children of employees.

i. The Employer does not terminate employees of one sex in a particular job group when they reach a certain age, unless the same rule applies to members of the other sex.

j. Appropriate physical facilities to both sexes are provided.

k. Women who require time away from work for childbearing are not penalized.

l. The Employer's maternity policy fully complies with the 1978 Pregnancy Amendment to Title VII of the Civil Rights Act of 1964 and the Family and Medical Leave Act.

m. The wage schedules are not related to or based upon sex and conform to the Equal Pay Act.

n. The Employer does not discriminatorily restrict one sex to certain job groups or job classifications.

(i) Women are encouraged to apply for all positions in the Company for which they are qualified and to apply for all training programs which can facilitate their promotability.

(ii) We encourage minority and women employees to participate in community problems and support programs developed by organizations such as the National Alliance of Business, the Urban Coalition, and others concerned with improving the employment opportunities of minorities and women.

16. With respect to national origin discrimination:

a. The Employer is committed to providing and ensuring equal employment opportunity to all applicants and employees without regard to their religion or national origin.

b. This policy is general in nature, while placing particular emphasis on persons of Eastern, Middle and Southern European ancestry, such as Jews, Catholics, Italians, Greeks and Slavs.

17. Periodically the Employer shall review its practices to determine whether members of various religious and ethnic groups are receiving unfair consideration of job opportunities.

CONCLUSION

A. It is our policy not to discriminate against minorities or women with respect to recruitment, hiring, training, promotion and other terms and conditions of employment, provided the individual is qualified to perform the work available.

B. It is our policy to comply voluntarily with the concepts and practices of affirmative action.

C. An executive has been designated to administer the Company's affirmative action program and will monitor that program and make reports to senior management on a periodic and continuing basis.

D. All employment decisions shall be consistent with the principle of EEO.

E. All promotion decisions shall be consistent with the principle of EEO, and only valid qualifications will be required for promotion.

F. All other personnel actions or programs such as compensation, benefits, transfers, layoffs, recalls, company-sponsored training, education, tuition assistance and social and recreational programs will be administered in a nondiscriminatory manner with respect to minorities and women, provided the individual is qualified to perform the work available.

G. The use of goals and timetables in this written statement is not intended, nor is the effect of such goals and timetables intended, to discriminate against an individual or group of individuals with respect to any employment opportunity for which he, she or they are qualified on the basis that he, she or they are not the beneficiaries of affirmative action themselves.