

# **Town of Georgetown, Massachusetts Equal Employment Opportunity Policy And Affirmative Action Plan**

## **I. POLICY STATEMENT**

The Town of Georgetown, recognizing the right of an individual to work and to advance on the basis of merit, ability and potential without regard to race, gender, color, mental or physical limitation, religious creed, national origin or ancestry, age, veteran status, sexual orientation, marital status or maiden name, or political affiliation, resolves to take Affirmative Action measures to ensure equal opportunity in the areas of hiring, promotion, demotion, transfer, recruitment, layoff, termination, rate of compensation, in-service or apprenticeship training programs, and all terms and conditions of employment.

Nondiscrimination and equal opportunity are the policy of the Town of Georgetown in all of its programs and activities. To that end, all Town of Georgetown employees shall rigorously take affirmative steps to ensure equality of opportunity in the internal affairs of all agencies, as well as in their relations with the public, including those persons and organizations doing business with any agency of the Town of Georgetown. Each agency, in discharging its statutory responsibilities, shall consider the likely effects that its decisions, programs and activities shall have in meeting the goal of equality of opportunity.

Affirmative action requires more than vigilance in the elimination of discriminatory barriers on the grounds of race, gender, color, mental or physical limitation, religious creed, national origin or ancestry, age, veteran status, sexual orientation, marital status or maiden name, or political affiliation. It must also entail positive and aggressive measures to ensure equal opportunity in internal personnel practices and in those programs which can affect persons outside of town government. This affirmative action shall include efforts necessary to remedy the effects of present and past discriminatory patterns and any action necessary to guarantee equal opportunity for all people.

The Town of Georgetown will meet its legal, moral, social and economic responsibilities for equal employment opportunity/affirmative action as authorized and required by all pertinent state and federal legislation, executive orders and rules and regulations, including the following:

- Titles VI and VII of the Civil Rights Act of 1964 (42 USC s20002 et seq.)
- The Age Discrimination in Employment ACT of 1967 (29 USC s62 et. Seq.)
- The Age Discrimination Act of 1975
- The Civil Rights Act of 1991
- The Americans with Disabilities Act of 1992
- Sections 503 and 504 of the Rehabilitation Act of 1973 (29 USC s794), and the regulations promulgated pursuant thereto (45 CFR Part 84)

## **II. DISSEMINATION OF POLICY**

The Town of Georgetown recognizes the importance of communicating its EEO policies and procedures to employees and prospective employees. To ensure the dissemination of these policies, the Town has taken, or will take, the following action:

### **A. Internal Dissemination**

1. Written communication from the Affirmative Action officer reemphasizing the Town's commitment to Equal Employment Opportunity and Affirmative Action is posted throughout Town buildings.
2. A copy of the Town's Affirmative Action Policy Statement shall be provided upon request to all job applicants.
3. Hold meetings with department managers to discuss EEO programs.
4. Report progress of the Affirmative Action Program annually.

### **B. External Dissemination**

1. Inform recruitment sources of the Town of Georgetown's Equal Employment Opportunity Policy.
2. Work with local community agencies to assure that females and minorities are aware of openings and are submitting applications.

**Town of Georgetown, Massachusetts  
Equal Employment Opportunity Policy  
And  
Affirmative Action Plan**

3. Distribute job posting bulletins listing all current openings, job duties, qualifications and general information to community organizations serving minority and female applicants.
4. Include an Equal Opportunity/Affirmative Action clause in all employment advertisements.

**III. Responsibility for Implementation**

**A. EEO Administrator**

The Town Administrator shall be the EEO Administrator. In this capacity, he/she is responsible for the following:

1. Developing policy statements, affirmative action programs and both internal and external communication programs.
2. Ensuring the consistency and completeness of the Town of Georgetown's Affirmative Action Plan with federal, state and local agencies' rules and regulations.
3. Assisting department managers in collecting and analyzing employment data identifying problem areas, and developing programs to address any problem areas.
4. Designing, implementing and monitoring internal audit and reporting systems to measure program effectiveness, and to determine where progress has been made and where further action is needed.
5. Serving as a liaison between the Town of Georgetown government regulatory agencies, minority and women's organizations, and other community groups serving women and minorities.
6. Ensuring that current legal information affecting affirmative action is disseminated to appropriate personnel.

**B. Managers and Supervisors**

Department managers have the ultimate responsibility for decisions affecting progress toward removing barriers to equal employment opportunities. Their responsibilities include:

1. Assisting in identifying problem areas.
2. Reviewing qualifications of all employees to ensure that minorities and women are given full opportunity for transfers and promotions.
3. Taking action to prevent harassment of all employees.
4. Conducting and supporting career counseling for all staff members.
5. Ensuring that posters and notices concerning EEO/AA are properly displayed.
6. Ensuring that minority and female employees are afforded full employment opportunities and are encouraged to participate in all Town-sponsored educational, training, and social activities.
7. Ensuring that their department fully complies with the spirit and policies of the Affirmative Action Program.

**IV. Execution of Affirmative Action Programs**

The following programs have been designed to meet the Town of Georgetown's affirmative action goals:

1. A list of community employment agencies providing referral services to women and minorities will be developed.
2. The employment opportunities shall be advertised in area newspapers whose readership includes the local community. All recruitment advertisements will continue to state "Equal Opportunity Affirmative Action."

**V. Internal Audit and Reporting System**

To assure that the Town of Georgetown's Affirmative Action Program is fully implemented and is progressing toward accomplishing its goal of providing equal opportunity, the following internal audit system has been established:

1. All employment activities are monitored including, but not limited to, the following:

**Town of Georgetown, Massachusetts  
Equal Employment Opportunity Policy  
And  
Affirmative Action Plan**

- Applicant Flow
- Transfers/Promotions
- Salary Actions
- Terminations
- In-House Bidding

2. Detailed data on the above-listed areas is compiled by department managers annually and is submitted to the EEO/AA Officer for review.

3. Staff meetings are held by the EEO/AA Officer to update department heads on affirmative action issues and to identify and resolve problem areas.

4. A summary of key activities and accomplishments in implementing the affirmative action plan is submitted to the Selectmen annually.

**VI. Support of Community Action Programs**

The Town of Georgetown actively seeks to support community action programs designed to improve job skills and/or employment opportunities for all protected classes.

**VII. Compliance with Sex Discrimination Guidelines**

The Town of Georgetown seeks to comply with all state and federal laws regarding nondiscrimination. The Town reaffirms its commitment to give attention to the special following concerns associated with equal treatment on the basis of gender:

**A. Recruitment**

Applicants from both genders will be sought for all vacancies unless gender is a bona fide occupational qualification.

**B. Personnel Policies and Practices**

The Town of Georgetown ensures that women are treated equally with men in all aspects of employment. All written personnel policies and job practices related to opportunities, pay rates, hours or other working conditions will state that no employee will be discriminated against based on gender. Similarly, no distinction will be made between married and unmarried persons of one gender that is not also made for the opposite gender; or differences in mandatory or optional retirement age based on gender.

**C. Seniority**

No seniority list or system will be maintained based solely on gender.

**D. Compensation and Promotion**

All employees will be paid and promoted on the basis of the job-related skill, effort and responsibility required as well as the working conditions, competitive market forces and performance factors. Gender will not be considered in pay and promotion decisions.

**E. Pregnancy and Related Medical Conditions**

The Town of Georgetown will not discriminate against employees on the basis of pregnancy or related medical condition.

**VIII. Harassment: Sexual, Racial, Religious, Age**

Harassment of any kind is not productive and does not belong in a work setting. Any individual who is subjected to verbal or non-verbal abuse relating to gender, race, religion or age or who experiences sexually-orientated physical touching is expected to report it immediately to his or her supervisor or the Personnel Officer. Any individual who is aware of such verbally or physically abusive conditions should report such activity to his or her supervisor immediately.

**XI. Consideration of Minorities and Females Not In the Workforce**

**Town of Georgetown, Massachusetts  
Equal Employment Opportunity Policy  
And  
Affirmative Action Plan**

The Town of Georgetown will consider, for employment, qualified women and minorities not currently in the workforce who can be recruited through affirmative action efforts.

**X. Affirmative Action Plan for the Disabled**

**A. General**

The Town of Georgetown supports community programs designed to provide employment opportunities for the disabled. Recognizing that disabled individuals are a valuable human resource, the Town of Georgetown has formalized its support of these programs by implementing an affirmative action plan for the employment and advancement of qualified disabled individuals.

**B. Definition of Disabled Applicants and Employees**

The law defines "Disabled Individual" as any person who (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) has a record of such impairment, or (3) is regarded as having such an impairment. For purposes of this section, a disabled individual is "substantially limited" if he or she is likely to experience difficulty in securing retaining or advancing in employment because of a disability.

**C. Consideration of Qualifications**

All applicants applying for employment with the Town of Georgetown are invited to voluntarily identify themselves as disabled and indicate any reasonable accommodation that may be made to enable them to perform a job that they would not otherwise be able to do. If a disabled applicant or employee is not selected for employment, promotion or training, the reason for the non-selection is documented and maintained in the personnel file, or with the application. Whenever an accommodation is made for the hire, promotion or training of a disabled individual, a description of the accommodation is documented and kept with the personnel file, or with the application.

**D. Physical and Mental Requirements**

Job requirements are reviewed and updated periodically to ensure that they are realistic and do not contain unnecessary qualifications which serve to screen out disabled individuals.

**E. Accommodations to Physical and Mental Limitations of Employees**

The Town of Georgetown will try to reasonably accommodate the physical and mental limitations of qualified, disabled applicants or employees so as to ensure that each one is afforded equal opportunity for employment and advancement. In determining the degree of accommodations that may be reasonably undertaken, business necessity and expenses will be considered with such other related factors as: efficiency, health and safety, the essential functions of each specific job. Each decision regarding accommodations will be determined on an individual basis.

**F. Dissemination**

(See Affirmative Action Plan for Minorities/Women)

**G. Responsibility for Implementation**

(See Affirmative Action Plan for Minorities/Women)

**H. Development and Execution of Affirmative Action Programs**

At least annually, all aspects of selection, training and promotion are reviewed to ensure freedom from stereotyping disabled persons that limits their access to jobs for which they are qualified. Disabled employees are encouraged to participate in community-sponsored programs designed to provide career-related information.

**XI. Description of the Employment System**

**Town of Georgetown, Massachusetts  
Equal Employment Opportunity Policy  
And  
Affirmative Action Plan**

The intent of the employment system is to promote the following objectives in the following order of priority:

1. To insure efficient operation by attracting, hiring and retaining the most qualified employees.
2. To provide upward mobility to all employees in the system.
3. To aggressively advance the progress of the Town's affirmative action objectives.
4. To provide employment opportunities to all applicants.

To this end the following employment system has been established in order to increase and monitor activities associated with the above goals:

**A. Vacancies**

Notice of Vacancy to Affirmative Action Officer: Whenever a position is vacated, the supervisor shall notify the Affirmative Action Officer of the vacancy regardless of whether the position is to be filled. If the termination is due to voluntary resignation, a copy of the employee's resignation shall be forwarded to the Affirmative Action Officer.

Request to Post/Advertise Vacancy: All requests for posting and/or advertising vacancies shall be directed to the Town Administrator. Every posting and advertisement shall contain the following wording:

The Town of Georgetown is an Equal Opportunity/Affirmative Action Employer.  
Applications from Women and Minorities are encouraged.

The EEO/AA Officer shall approve all postings/advertisements prior to their release. A copy of same shall be retained by the EEO/AA Officer for use as a source of data for the "Hiring" section of the quarterly report to the Massachusetts Commission Against Discrimination.

**B. Job Descriptions**

A current job description shall be attached to each request for posting/advertising. Any time a new job description is created or an existing one is modified, the Affirmative Action Officer shall review and approve the description prior to its submission to the Personnel Board or other applicable authority for acceptance. The EEO/AA Officer shall be responsible to ensure the job description is consistent with the Town's affirmative action plan, including assurance that all stated hiring requirements are consistent with the performance requirements of the position and do not pose any undo restrictions that may prevent women and minorities from applying or being hired for the position.

**C. Interview Process**

Responsibility: The party responsible for interviewing and recommending candidates for employment is expected to exercise professional judgment in selecting the most qualified individual for the position under consideration.

**D. Contacting Potential Qualified Applicants**

The party responsible for interviewing shall attempt to contact and interview all individuals identified by the Affirmative Action Officer as potential qualified affirmative action applicants. The person interviewing shall DOCUMENT all contacts and attempted contacts on the list provided by the EEO/AA Officer. The list shall be returned to the Affirmative Action Officer at the time a hiring recommendation is made.

**E. Employment Application**

**Town of Georgetown, Massachusetts  
Equal Employment Opportunity Policy  
And  
Affirmative Action Plan**

EVERY APPLICANT FOR A POSITION MUST COMPLETE AN EMPLOYMENT APPLICATION FORM. Previous applications which are less than three (3) months old may be used, but should be reviewed for completeness and accuracy.

**F. Data Sheet**

An affirmative action data sheet shall be made available to each job applicant. This form may be voluntarily completed by the applicant.

**G. Evaluation and Assessment Tools**

Every effort shall be made to base the selection based on objective criteria. In the event some form of measurement or evaluation tool is used, the tool must be approved by the Affirmative Action Officer prior to its use. The EEO/AA Officer's role is to ensure that the use and content of evaluation instruments is consistent with the performance requirements of the position, and do not pose any undo restrictions that may prevent women and minorities from applying or being hired for the position. Any such tool used for one candidate must be equally applied for all candidates.

**H. Information Provided to Applicants**

At the time of the interview, every interviewee shall be provided with a copy of the job description for the position he or she is seeking, a summary of the Town's employment system and the EEO grievance procedure.

**I. Selection and Hiring**

EEO/AA Officer Review of Recommendation: Once a selection has been made, the following information must be submitted to the EEO/AA Officer prior to the appointment being made:

1. All Data Sheets (Included with Employment Application Form)
2. A listing of potential qualified Affirmative Action applicants with documentation of all contacts made and attempted;
3. The selected candidate's name along with supporting information.

Failure to submit any of the above material shall result in the recommendation being returned to the sender. Should there be a question, issue, or concern on the part of the EEO/AA Officer, the sender will be notified.

**J. Appointment**

Upon approval of the selection, the EEO/AA Officer shall sign off on the Characteristic Summary Sheet and forward the information to the Appointing Authority. If the selection is not approved by the Affirmative Action Officer, the Appointing Authority shall be notified of the rejection and the reason why candidates are being rejected.

**XII. Affirmative Action Grievance Procedure**

The Town of Georgetown has established the following procedure specifically to address resolution of grievances resulting from action prohibited by the Town's Affirmative Action/Equal Opportunity Policy. The use of this procedure does not preclude separate or concurrent action by a grievant from utilizing other remedies available, including those established by collective bargaining agreements, the Town of Georgetown's Personnel Bylaw, the Massachusetts Commission Against Discrimination or the Equal Employment Opportunity Commission.

**A. Application**

This procedure applies to all alleged grievances in employment where it is alleged that differential treatment was evidenced on the basis of race, gender, color, mental or physical limitation, religious creed, national origin or ancestry, age, veteran status, sexual orientation, marital status or maiden name, or political affiliation.

**B. Eligibility**

**Town of Georgetown, Massachusetts  
Equal Employment Opportunity Policy  
And  
Affirmative Action Plan**

All applicants for employment and employees of the Town of Georgetown who allege violation of the Affirmative Action Plan may submit a grievance under this procedure.

**C. Coverage**

Where a dispute exists as to whether a particular matter is subject to this procedure, the Town reserves the right to make final judgment on such question through its Affirmative Action Officer. In general, this procedure shall not apply where the appealing party is not involved or where issues of discrimination or harassment are not involved.

**D. Grievance Procedure**

1. The aggrieved party should first discuss the grievance concerning the alleged violation of the Affirmative Action Plan within ten (10) days of the alleged violation with his or her immediate supervisor, who shall attempt to resolve same.

2. If the grievance is unresolved after ten (10) days of first notification, the aggrieved party may discuss same with his or her department head or appointing authority, who shall attempt to resolve same within the next ten (10) days.

3. If circumstances prevent (1) or (2), or if it remains unresolved, the aggrieved party may discuss the grievance with the Town of Georgetown Personnel Board.

4. If there is determined to be a violation of the Affirmative Action Plan, the EEO/AA Officer will cause a review of the grievance and resolve same through enforcement of the Affirmative Action Plan or other available means, within fifteen (15) working days of notification in (3) above.

5. If the grievance involves a question of judgment or opinion not covered by personnel policies, the EEO/AA Officer may counsel with the employee or applicant, the supervisor and/or department head, or appointing authority to resolve the grievance, if possible.

6. Retaliatory action of any kind taken by an employee of the Town against another employee or applicant as a result of that person's seeking redress under these procedures, cooperating in an investigation, or otherwise participating in any proceeding under these procedures is prohibited and shall be regarded as a separate and distinct grievable matter under these procedures.

7. The Affirmative Action Officer shall be granted the authority to carry out the following activities under the direction of the Board of Selectmen:

- a. To receive and attempt to resolve grievances on an informal basis.
- b. To provide aggrieved persons with information on equal opportunity procedures including local, state and federal redress procedures.
- c. To make every effort to resolve the problem informally. To this end, the EEO/AA Officer may assist in the resolution of the problem. The aggrieved person has the right to be accompanied, represented and advised by a representative or attorney of their choice. If the aggrieved person and/or their representative are an employee of the Town, they shall be given a reasonable amount of time during the work day to prepare and present a request for resolution of the grievance.

An aggrieved party may also contact either the MCAD or the EEOC.

**Town of Georgetown, Massachusetts  
Equal Employment Opportunity Policy  
And  
Affirmative Action Plan**

Massachusetts Commission Against  
Discrimination (MCAD)  
One Ashburton Place - Room 601  
Boston, MA 02108  
Phone: 617-994-6000  
TTY: 617-994-6196

Equal Employment Opportunity Commission  
(EEOC)  
One Congress Street, Suite 1001  
Boston, MA 02114  
Phone 800-669-4000  
TTY: 800-669-6820

The Town of Georgetown EEO/AA Officer can be reached at the following location:  
Town Administrator's/Selectmen's Office  
Town Hall  
1 Library Street  
Georgetown, MA 01833  
978-352-5755