

### **What are the consequences of retaliation?**

Retaliation against an employee or job applicant for reporting an allegation of discrimination or for participating in the Civil Service Rule 20 process, even if he or she is just a witness, is prohibited and corrective action up to, and including termination, shall be taken against any individual in violation of the County's policies.

### **What does the County do to prevent discrimination?**

The County is committed to preventing discrimination by ensuring that all employees are aware of the County's EEO Policies and Civil Service Rule 20 and by encouraging working environments that appreciate and respect differences among persons through regular discrimination and diversity trainings.

In an effort to strengthen and promote its Equal Employment Opportunity objectives, the County provides mandatory training for supervisors and managers through the HR Leadership Academy Training Series: Equal Employment Opportunity Discrimination And Harassment Laws And Prevention. Through New Employee Orientations, the County provides training to new employees on EEO laws, the County's EEO policies and rights and responsibilities under each. In addition, the County also provides mandatory training in Diversity And Cultural Understanding and Sexual Harassment Awareness and Prevention.

### **Is there an external complaint process?**

**Yes.** An employee may contact an external governmental agency, such as the California Department of Fair Employment and Housing (DFEH) at (800) 884-1684, or the Federal Equal Employment Opportunity Commission

(EEOC) at (800) 669-4000, any time before, during, or after the Civil Service Rule 20 process.

### **What information is available on the County EEO Office website:**

The following information can be obtained through the County EEO Office Web site at: <http://www.sjgov.org/eeo/> or by contacting the County EEO Office at (209) 468-3374:

- County Harassment-Free Work Environment Policy
- County Equal Employment Opportunity (EEO) Policy
- County Civil Service Rule 20
- County listing of Department EEO Coordinators
- County (Formal Process) Discrimination Complaint Form
- Civil Service Commission Request For Appeal Form



San Joaquin County  
Human Resources Division  
Equal Employment Opportunity Office  
44 North San Joaquin Street, Suite 330  
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**SAN JOAQUIN  
COUNTY**



**Workplace  
Diversity**

**And**

**Employment  
Discrimination  
Prevention**

**What You  
Need To Know**

## **Workplace Diversity, Equal Employment Opportunity and Affirmative Action ... are they the same?**

**No.**

### *What Are The Differences?*

#### **Workplace Diversity...**

is about understanding the individual differences in the people we work with that arise from a broad range of backgrounds and lifestyles, and recognizing the value of using those different perspectives to enhance the quality and outcomes of work. Diversity includes all the dimensions that shape our life experiences, such as age, ethnicity, gender, disability, language, religious beliefs, life stages, education, career responsibilities, sexual orientation, personality and marital status.

#### **Equal Employment Opportunity...**

is about making sure that workplaces are free from all forms of unlawful discrimination and harassment, and compliance with applicable federal and state laws, regulations and policies which prohibit discrimination in employment based on various protected classes.

#### **Affirmative Action...**

was initiated to remedy past discriminatory practices and unequal treatment of women and ethnic minorities in employment practices and requires that active measures are taken to level the playing field by giving special consideration in employment, education and contracting decisions to these groups. Equal Employment Opportunity and Affirmative Action are government initiated and enforced while diversity is voluntary. The County does not utilize Affirmative Action in its employment practices and procedures.

#### **Is the County's equal opportunity efforts based on quotas or preferences?**

**No.** Quotas are specifically prohibited by the 1964 Civil Rights Act, and The United States Supreme Court held that quotas violate the Equal Protection Clause of the 14th Amendment. The County does not permit the use of preferences or quotas, but employs the use of voluntary good-faith efforts (goals) to create access and opportunity in employment for all.

#### **What is employment discrimination?**

Discrimination means being treated differently or unfairly than similar employees or job applicants because of an individual's membership or association in a protected class. In general, there are two types of discrimination: (1) **"Disparate Treatment"** - Intentionally treating a person in a protected class differently from other employees. (2) **"Disparate Impact"** - Usually unintentional, and occurs when an employment practice, decision, or policy disproportionately excludes members of a protected group.

#### **What are the protected classes/categories?**

Discrimination is illegal and against Federal and State laws and County policy, when the different or unfair treatment is based on one or more of the following protected classes:

- Age
- Ancestry
- Color
- Creed
- Gender
- Gender expression
- Gender identity
- Genetic information
- Martial Status
- Medical Condition (Cancer or Genetic Characteristics)
- National Origin
- Physical or Mental Disability
- Political Affiliation or Belief
- Pregnancy
- Race

- Religion
- Sex (Includes Sexual Harassment)
- Sexual Orientation

#### **What are the responsibilities of employees and the County?**

An employee who believes he or she has been discriminated against is strongly encouraged to immediately report the conduct to the appropriate supervisor, manager, Department EEO Coordinator, Department Head, or the County EEO Office.

It is an employee's right to raise the issue of discrimination. Managers and supervisors shall ensure that employees in their areas of responsibility are informed of their rights to a nondiscriminatory work environment, and of the appropriate steps to take if they believe that these rights have been violated. Any member of County management or supervisory personnel who receives a report involving potential discrimination is responsible for recording adequate information for conducting an inquiry and making immediate contact with the appropriate Department EEO Coordinator or County EEO Office. Complaints of discrimination from employees shall be processed in accordance with Civil Service Rule 20.

#### **What is the County's internal complaint process?**

San Joaquin County's internal process for resolving and investigating complaints of employment discrimination is outlined in Civil Service Rule 20.

An employee who believes that he or she has been discriminated against shall report the conduct to the Department EEO Coordinator within 60 days of the alleged discriminatory act. Job applicants report allegations of discrimination directly to the County EEO Office within 60 days of the alleged discriminatory act.