

**BOARD OF INGHAM COUNTY  
ROAD COMMISSIONERS**

**BOARD POLICY**

**EFFECTIVE DATE: Immediate**

**POLICY #BP-275**

**SUPERSEDES BP# All Previous**

**RESOLUTION #178-04**

**SUBJECT: TITLE VI – EEO POLICY AND PLAN**

**ADOPTED BY THE BOARD OF INGHAM COUNTY ROAD COMMISSIONERS ON OCTOBER 4, 2004**

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SEE ATTACHED.

**BOARD OF COUNTY ROAD COMMISSIONERS  
FOR THE COUNTY OF INGHAM**

**EQUAL OPPORTUNITY EMPLOYMENT PLAN**

It is the policy of the Board of County Road Commissioners of the County of Ingham ("Board") to provide equal opportunity in its employment on the basis of merit and fitness, and without discrimination regardless of race, color, religion, sex, sexual orientation, national origin, handicap, height, weight, marital status, age or political affiliation (except where age, sex, height, weight, or lack of handicap constitutes a bona fide occupational qualification). The Board shall pursue an aggressive recruitment and personnel development program in order to maintain a highly qualified work force.

The Board does hereby reaffirm its policy to ensure equal opportunity in employment for all persons and to provide, to the maximum extent possible, the same employment, placement, hiring, promotion and salary opportunities and to promote equal opportunity employment through a continuing action plan to be an integral part of the total personnel management program. It is the goal of the Board to employ a work force meeting the Federal Highway Administration employment goals for minorities, women and handicappers. The Board shall pursue a program of recruitment, hiring and promotions from a pool of highly qualified employees and applicants, and may consider additional targeted training projects based on available resources.

Therefore, the Board as evidence of its intent to comply with the basic policies and procedures necessary for effective uniform enforcement of equal opportunity standards hereby adopts this voluntary Equal Opportunity Employment Plan.

This Plan requires the Ingham County Road Commission in all segments of its personnel, to ensure that all personnel related decisions are based upon the individual's ability to meet the requirements of the job, and that the Board shall monitor and eliminate any obstruction that interferes with equal opportunity in all segments of the personnel program. The Plan precludes quotas. The goals should not be construed as quotas which must be met, nor ceilings that will prevent the hiring or promotion of the most qualified people. Therefore, the Board shall hire and promote persons most qualified regardless of race, color, religion, sex, sexual orientation, national origin, handicap, height, weight, marital status, age, or political affiliation (except where age, sex, height, weight, or lack of handicap constitutes a bona fide occupational qualification), in order to meet the labor force demands of the Board.

However, nothing contained herein shall limit the Board in adopting, maintaining and enforcing anti-nepotism policies as it deems appropriate and in the best interest of the Ingham County Road Commission.

## HIRING PROCESS.

The interview and selection process shall ensure that this Plan is adhered to and no person is denied employment opportunities because of their race, color, religion, sex, sexual orientation, national origin, handicap, height, weight, marital status, age, or political affiliation (except where age, sex, or lack of handicap constitutes a bona fide occupational qualification).

The Road Commission shall implement a program of recruitment of qualified minority and female applicants. The Road Commission shall notify entities which have access to minority and/or female applicants of job openings within the Ingham County Road Commission. Notification will also be given to the Ingham County Personnel Department. A record shall be maintained of contacts with said entities and reported to the Board on an annual basis.

A bi-weekly listing of open positions shall be transmitted to the Ingham County Personnel Department, and shall be transmitted to agencies specializing in the recruitment of minorities and females by the Ingham County Personnel Department. The job listing shall be displayed in County Buildings and local United States Post Offices, and shall be available at the Ingham County Personnel Office in Lansing; the Michigan Employment Security Commission in Lansing; and the Placement Offices of Michigan State University. Lansing Community College and other local agencies such as community and ethnic organizations, Michigan State University and federally or state funded employment and training programs.

Notices of openings may be placed in local newspapers including local ethnic or minority publications, and out-of-town papers when deemed necessary.

Information on current job openings shall be available 24-hours a day via a telephone recording known as the "Ingham County Jobs Hotline", Telephone Number Area Code (517) 485-1282.

## DEVELOPMENT AND TRAINING.

The Board may provide opportunities for training to entry level positions and career ladders to current employees by continuing its policy of reimbursing the cost of tuition and related expenses for employees who pursue further education and training on their own time; and by encouraging and allowing employees to participate in seminars, workshops and the like at Board expense based upon available resources allocated by the Board for these purposes.

## SELECTION.

Subject to the prior utilization of the in-house job posting process established pursuant to collective bargaining agreement, the following Personnel Selection Process is established to seek candidates not presently employed by the Road Commission. This process may be altered from time-to-time by the Board, in its discretion.

1. Step 1 - Ingham County Personnel Office is informed that a vacancy exists. Forms must be received by the Personnel Office by Thursday noon for any job to be posted the following two (2) weeks.
2. Position included on job vacancy list and the list is mailed out.
3. Posting - Applications are received at the Road Commission until 4:00 P.M. on the day set. Applications postmarked on or before the day set are also received and accepted.
4. All applications are reviewed, unqualified applicants are eliminated, and among the qualified applicants, some are contacted for an interview at the Road Commission office.
5. A staff recommendation is made to the Board; the Board makes the final employment decision.

## PROMOTION.

The Board will continue to encourage present employees to apply for open positions as they occur to provide upward mobility and still maintain an opportunity for any interested person to gain employment with the Board of County Road Commissioners of the County of Ingham.

## COMPENSATION.

All Road Commission positions have formally established compensation ranges. Persons hired normally begin at the starting compensation level applicable. In unusual cases, the Board may start an employee above the beginning compensation level, subject to the limitations of any applicable collective bargaining agreement.

## DISSEMINATION OF PROGRAM.

All advertisements for open positions shall continue to state that the Board of County Road Commissioners of the County of Ingham is an Equal Opportunity Employer as required by Michigan Law. Meetings of the Road Commission Board are open to the public pursuant to the Open Meetings Act and provide an opportunity for limited public comment.

The Road Commission Board has established, and shall continue to maintain through the Ingham County Personnel Office, and independently, an open line of communication with agencies throughout the County of Ingham which provide minority and/or female applicants for open positions.

## PROCEDURE FOR PROCESSING COMPLAINTS.

If an applicant for employment feels that he/she has not been treated fairly in the hiring process, he/she has the right to contact the Managing Director or Secretary to the Board at 301 Bush Street, Mason, Michigan 48854.

- A. Complaints By Persons Subject To Collective Bargaining Agreement. The collective bargaining agreement has appropriate grievance procedures to process a complaint for those current employees subject to the agreement.
- B. Complaints By Persons Not Subject To Collective Bargaining Agreement. The Managing Director and Secretary are available to meet with, evaluate and make recommendations to the Board with respect to any complaints by prospective applicants and/or employees regarding discrimination, and these complaints are to be reported to the Board.

All previous policies on Equal Opportunity Employment are hereby superseded and rescinded by this policy.

## VENDOR COMPLIANCE.

It is the policy of the Board that all vendors who provide goods and services to the Ingham County Road Commission by contract, shall, as a condition of providing goods and services, adhere to all Federal, State and local laws, ordinances, rules and regulations and policies, if applicable, prohibiting discrimination in regard to persons to be served and employees and applicants for employment including, but not limited to, the following:

- The Elliott-Larsen Civil Rights Act, 1976 PA 453, as amended.
- The Persons with Disabilities Civil Rights Act, 1976 PA 220, as amended.
- Section 504 of the Federal Rehabilitation Act of 1973, PL 93-112, 87 Stat 355, as amended, and rules adopted thereunder.
- The Americans with Disabilities Act of 1990, PL 101-336, 104 Stat 327 (42 USCA § 12101 et seq.), as amended and regulations promulgated thereunder.

It is the policy of the Board that all vendors shall, as a condition of providing goods and services, as required by law and/or the Road Commission's Equal Opportunity Employment/Nondiscrimination Policy, not discriminate against persons to be served or an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, sexual orientation, disability that is unrelated to the individual's ability to perform the duties of a particular job or position, height, weight, marital status or political affiliation.

Vendors registering to provide goods and services to the Road Commission under contract shall certify to their knowledge of the Road Commission's policy and of their agreement to comply and shall disclose any conclusive findings of violations of federal, state or local equal opportunity statutes, ordinances, rules/regulations or policies within the past three years.

Notice of the requirements of this policy shall be included in all formal Request for Proposals or Bids issued by the Road Commission for goods and services, that for statistical purposes only Road Commission vendors responding to formal requests for proposals or bids should provide statistical information regarding their workforce diversity and the vendors shall certify their knowledge of the County's policy and disclose any conclusive findings of violations of federal, state or local equal opportunity statutes, ordinances, rules/regulations, or policies within the past three years.

All purchase orders issued for goods and services shall contain notice of the requirements of this policy and shall state that acceptance of the purchase order by the vendor shall constitute agreement to comply with the policy.

The Ingham County Road Commission shall request current vendors and those who wish to be included in the Road Commission's vendors list on a voluntary basis, to indicate if they are more than 50 percent minority, women, handicapper or veteran owned. The minority classification shall be those of the 2000 U.S. Census of Population, Black, Hispanic, Native American or Asian Pacific Islander.

Where there has been a conclusive finding that a vendor has violated federal, state or local equal opportunity statutes, ordinances, rules/regulations, or policies, that vendor shall be barred from providing goods and services to the Ingham County Road Commission for five years from the date that a determination of the violation has been made in accordance with applicable statutes, ordinances, rules/regulations or policies or from the date that such determination becomes known, unless a specific exemption is granted by the Board of Road Commissioners.

Violation of federal, state or local equal opportunity statutes, ordinances, rules/ regulations or policies during the course of time during which the vendor is providing goods or services to the Road Commission shall be regarded as a material breach of any contract between the Road Commission and the vendor and the Road Commission may terminate such contract effective as of the date of delivery of written notification to the vendor.

Any employee of a vendor providing goods and services by contract to the Road Commission, or any employee of a subcontractor of a vendor providing goods and services to the Road Commission by contract, or any bona fide organization representing such employees may file a written complaint with the Board or its designated agent, if any, challenging the compliance by a vendor with the terms of this policy, the Board, or its designated agent, shall then conduct an investigation to determine whether the policy has been violated.

A vendor found to have retaliated in violation of a federal or state law against an employee for filing a claim of violation of federal, state or local equal opportunity statutes, ordinances, rules/regulations or policies shall be ineligible to provide any goods or services to the Road Commission for a period of five years from the date of such finding.

The provisions of this policy shall apply to any goods and services obtained by any Road Commission department by contract where the Board provides funds for such goods and services.

The Managing Director, or his/her designee, shall be responsible for monitoring implementation of, and compliance with, the provisions of this policy where the goods and services are provided through the authorization of the Board of Ingham County Road Commissioners.

In the event that certain goods and services must be purchased in order to allow the ongoing operation of the Ingham County Road Commission, but the agreement to comply with this policy cannot be obtained in a timely manner, then the Managing Director, or his/her designee, is authorized to proceed with the necessary purchase; provided, however, that if agreement to comply with the policy is not forthcoming within a reasonable time, then additional goods and services shall not be obtained, and the vendor shall be prohibited from providing goods and services to the Road Commission, for five years unless specific authorization is given by the Board of Ingham County Road Commissioners.