

AFFIRMATIVE ACTION PLAN

CITY OF WEST ALLIS

7525 WEST GREENFIELD AVENUE
WEST ALLIS, WISCONSIN 53214

PERSONNEL DIVISION
2004 SUGGESTED REVISIONS

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SECTION I INTRODUCTION

The West Allis Municipal Government has established its Equal Employment/Affirmative Action Program in accordance with the intent of the rules, regulations, and guidelines, of the various federal, state and local laws and agencies having oversight in the equal employment opportunity area.

This written Affirmative Action Plan provides further assurances for the implementation of the City's policy on Equal Employment Opportunity (E.E.O.), the goal of which is equal opportunity for any individual regardless of race, color, religion, national origin, sex, marital or veterans status, age, disability, or any other legally protected status to the terms, conditions, and benefits of employment. The plan also implements the City's policy to provide motivation and employment opportunities to members of minority groups and women.

SECTION II REAFFIRMATION OF AFFIRMATIVE ACTION POLICY

To show its commitment to equal employment, the City of West Allis on May 20, 1975 passed an Affirmative Action Resolution #18340 (as revised on 6-21-94, Resolution #24373 and again revised on _____, 2005, Resolution # _____), which reads as follows:

AFFIRMATIVE ACTION POLICY

I. General Policy

The Common Council, as the duly elected legislative authority, and the Mayor, as the duly elected executive authority, of the City of West Allis, Wisconsin do hereby reaffirm, endorse, support and are committed to the concept of equal opportunity employment as defined and/or implied under Title VII of the Civil Rights Act of 1964 and the Equal Employment Opportunity Act of 1972. Equal employment opportunity will be assured in the municipal personnel systems and affirmative action provided in their administration. Discrimination against any person in recruitment, examination, appointment, training, promotion,

retention, separation, discipline, or any other aspect of personnel administration because of political or religious opinions or affiliations, or because of race, national origin, or other non-merit factors is prohibited. Discrimination on the basis of age or sex or physical disability is prohibited except where specific age, sex, or physical requirements constitute bona fide occupational qualifications necessary to proper and efficient administration and/or job performance.

The Common Council, therefore, directs that Civil Service Commission rules, Police and Fire Commission rules and regulations, departmental rules, labor agreements, and pertinent city ordinances be reviewed and where necessary amended to comply with the provisions of the Equal Employment Opportunity Act of 1972.

II. Organization and Direction

Responsibility and authority for the development and implementation of the City Affirmative Action Policy is hereby assigned to a person who shall be known as the Affirmative Action Officer (AAO) who shall be directly responsible for implementation of this policy under the auspices of the Mayor and Common Council, shall have the authority to request cooperation from all City Departments and shall oversee said Departments' implementation of this policy and shall have full access to all City Departmental policies and procedures, rules and regulations, including personnel files, documents, background investigation reports, and such other information as may be necessary to achieve full and faithful compliance with applicable Equal Employment Opportunity Laws and Regulations and for the development and implementation of a written Affirmative Action Program. The Personnel Manager is hereby designated as Affirmative Action Officer.

III. Conclusion and Goal

This policy does not require the hiring or promotion of unqualified persons nor does it require that qualified employees be terminated to create jobs for the unqualified. It is an effort to ensure that the West Allis municipal personnel systems do not discriminate against individuals on the basis of race, color, national origin, religion, age, marital or veteran's status, disability, sex, or any other legally protected status."

By the passage of this policy resolution, the Mayor and Common Council have indicated that the City of West Allis has a special responsibility to adhere not only to the letter of the law but also its spirit to assure fair participation in the City Government work force by members of protected and/or other underrepresented segments of the local area population. To ensure this policy, the City hereby adopts this affirmative action program, which sets forth specific procedures covering all phases of the City's employment policies and practices to advance the objectives of equal employment opportunity.

As a public employer, the City will continue to recruit, hire, and promote into all job classifications without regard to race, color, national origin, religion, age, marital or veteran's status, disability, sex, or any other legally protected status; and will continue to remove whatever discriminatory practices and vestiges may be found to exist. The goal is to provide a merit system where each employee is respected as an individual recognizing his or her aspirations, capabilities, and needs. All employees must be accorded fair treatment and equal opportunity, through the adoption of appropriate policies, to rise to as high a level of responsibility as their talents and diligence will take them.

SECTION III COMMUNICATION OF POLICY

The primary objective of the communication aspect of the plan is to ensure awareness and understanding of the program, which is a crucial factor in determining the eventual success of efforts toward achievement of the goal of equal employment opportunity.

A. Internal Dissemination

The City's equal employment opportunity policy will be disseminated internally as follows:

1. It will be included in the City's personnel policy manual and employee handbook when these documents are written; copies of the handbook shall be distributed to all current employees and to new employees upon hiring.
2. It will be publicized in the City's newsletter, annual report, and other appropriate media, if any.

3. Special meetings will be conducted with managerial and supervisory personnel for the purpose of explaining the intent of the policy and individual responsibility for its effective implementation.
4. The City's equal employment opportunity policy will be thoroughly explained in both employee orientation and management training programs.
5. Meetings will be held with union officials to inform them of the City's equal employment opportunity policy, and to request their cooperation in its effective implementation, particularly in regard to the inclusion of nondiscriminatory clauses in all collective bargaining agreements and the review of all contractual provisions to ensure that they are non-discriminatory. In the event any such contractual provisions are determined to be discriminatory upon such review, the City shall endeavor to modify or delete the offending clauses with the cooperation of the union involved.
6. The City will post its equal employment opportunity policy on City bulletin boards, the City's intranet and the City's website.
7. All employees will be informed of the existence of the City's affirmative action program and be provided access to such elements of the program as will enable them to know of and avail themselves of its benefits.

B. External Dissemination

The City's equal employment opportunity policy will be disseminated externally as follows:

1. All recruiting sources will be informed of the policy and urged to refer minorities and females for all positions listed.
2. The City will work cooperatively with and seek the assistance of appropriate minority groups and agencies, government agencies, educational institutions, civic organizations and study groups for the referral of qualified minority and female applicants.

3. The City will notify target group organizations, agencies, and institutions of specific job openings as they occur.
4. When the City advertises in newspapers, magazines, and other recruitment media, the advertisement will include the E.E.O. tag line -- "An Equal Employment Opportunity Employer."
5. Prospective employees will be informed of the existence of the City's affirmative action program and be provided access to such elements of the program as will enable them to know of and avail themselves of its benefits.
6. In the event employees are pictured in help wanted advertising or other City publicity, both minority and non-minority men and women will be shown.

SECTION IV ASSIGNMENT OF AFFIRMATIVE ACTION RESPONSIBILITIES

Responsibility and authority for the development, execution, coordination, and monitoring of the affirmative action program is assigned to the City's Personnel Manager who is hereby designated Affirmative Action Officer and who will be assisted in its administration by all managerial and supervisory personnel. The AAO shall consult with and seek the advice and assistance of the City Attorney in the enforcement of this policy. The City Attorney shall provide appropriate staff to assist the AAO in the administration and enforcement of this policy.

A. Affirmative Action Officer Responsibilities

The responsibilities of the Affirmative Action Officer shall include but are not limited to the following:

1. Developing policy statements, affirmative action programs, internal and external communication techniques.
2. Identifying problem areas.
3. Assisting line management in arriving at solutions to problems.

4. Designing and implementing programs designed to assist in meeting affirmative action goals within the approved budget.
5. Designing and implementing audit and reporting systems that will:
 - (i) Measure the effectiveness of the City's programs.
 - (ii) Indicate need for remedial action.
 - (iii) Determine the degree to which the City's goals and objectives are being attained.
6. Serving as liaison between the City and minority organizations, women's organizations, and community action groups concerned with employment opportunities of minorities and women.
7. Conducting periodic auditing of hiring and promotion patterns to aid in the attainment of goals and objectives.
8. Holding periodic meetings with supervisors and employees to emphasize the City's equal employment opportunity/affirmative action commitment, reinforce the dedication of each employee to the objective of equal employment opportunity, and inform employees of the progress made toward attaining this objective.
9. Informing management of the latest developments in the entire equal opportunity area.
10. Informing supervisory personnel that one factor in the evaluation of their work performance is their equal employment opportunity efforts and success in furthering the City policy.
11. Preparing an annual report to be submitted directly to the Mayor and Common Council, with copies to the Police & Fire Commission and Library Board, on developments during the year and providing any updates on progress toward meeting the City's affirmative action goals as outlined in section X.
12. Reviewing and providing a report directly to the Mayor and Common Council of all proposed reorganizations,

layoffs, and other changes to the structure or make-up of City staff. The Report shall contain the change and its effect, if any, on the City's affirmative action goals. The Common Council shall consider this report prior to making said changes. The AAO may also, but is not required to, submit a report whenever job qualifications are changed and, in the opinion of the AAO, impact the City's affirmative action goals.

B. Line Personnel Responsibilities

The responsibilities of line personnel (managers and supervisors) shall include but are not limited to the following:

1. Notify the AAO of plans to reorganize, restructure, reclassify, or otherwise modify positions or job qualifications to enable the AAO to examine and evaluate the proposal in relation to the goals of this policy.
2. Assistance in the identification of problem areas and establishment of unit goals and objectives.
3. Periodic audit of training programs, hiring and promotion patterns to remove impediments to the attainment of goals and objectives.
4. Rating supervisory employees in part upon their efforts and success in furthering the goal of equal employment opportunity, and informing supervisory employees of this practice.
5. Periodic discussions with managers, supervisors, and employees to emphasize the City's commitment to the policy of equal employment opportunity, to reinforce the dedication of each employee to its attainment.
6. Review the qualifications of all employees to ensure that minorities and women are given full opportunities for transfers, promotions, and training.
7. Providing career counseling and/or referral, where appropriate.

8. Encouraging the application and qualification of individuals in affected and/or under-represented segments of the local area population for available job openings.
9. Conducting periodic audits to ensure that the City is in compliance in such areas as:
 - (i) Proper display of posters
 - (ii) Desegregation of all facilities, which the City maintains for the use and benefit of its employees.
 - (iii) Maintenance of comparable locker rooms and rest rooms for both sexes.
 - (iv) Providing a full opportunity and encouraging all minority and female employees to participate in all City sponsored educational, training, recreational, and social activities.
10. It shall be the responsibility of supervisors to take actions to prevent the harassment of employees placed through affirmative action efforts.

SECTION V CITY OF WEST ALLIS PERSONNEL/MERIT SYSTEMS DEFINED

Municipal personnel administration in the City of West Allis operates in conjunction with two merit systems which establish regulations providing for the appointment, advancement, and retention of employees on the basis of merit and fitness to be ascertained in most cases by competitive examination without regard to sex, marital or veteran's status, race, religion, national origin, age, disability, or any other legally protected status. Provision has also been made in these regulations for appeal to either the Civil Service Commission or the Board of Police and Fire Commissioners, whichever has jurisdiction, by any applicant or employee who believes that the intent of the merit system or its regulations have been violated.

Each of the merit systems is overseen by five citizens of the City of West Allis who are appointed by the Mayor and confirmed by the Common Council for definite terms of office. The Civil Service Commission has jurisdiction over general city personnel matters while the Board of Police and Fire

Commissioners has jurisdiction over the protective services namely police and fire personnel matters. The existing policies and regulations that have been adopted by the two merit systems include the classification of positions; minimum qualifications and methods of selection for any such positions; promotions; transfers; causes and methods of removal from such positions including demotions, layoffs, and dismissals; annual sick and other leave; compensation and awards; resignations; work schedules; disciplinary actions including suspensions and within grade reductions; and, procedures for resolving major complaints and grievances. Additionally, the City negotiates with six certified labor organizations on matters of wages, hours, and working conditions as prescribed by law (Wisconsin Employment Relations Commission).

SECTION VI EMPLOYMENT POLICIES AND PRACTICES

The City will make every effort to assure that its employment policies and practices meet the objectives of equal employment opportunity.

A. Recruitment

The City will undertake a program of affirmative recruitment for any population group in all occupational categories in which they are found to have been underutilized. Such expanded program of recruitment will be aimed at the elimination and prevention of arbitrary and/or inadvertent discriminatory practices or results, which relate to employment or access to promotion within the City of West Allis Government service. The affirmative recruitment program will include but not be limited to:

1. All vacancy announcements, recruiting materials and advertising will include the statement "An Equal Employment Opportunity Employer."
2. Any discriminatory or unnecessary restrictions on age, sex, physical characteristics, education and experience will be eliminated from recruiting announcements, and only bona-fide requirements will be specified.
3. Mailing lists with target group organizations will be established and maintained by the AAO. These contacts will have the objective of reaching members

of affected and/or other under-represented groups in the surrounding area.

4. All job announcements for entry and promotional opportunities will be posted on the Personnel Office Bulletin Board, City Hall Lobby Bulletin Board, and the Employee Lounge Bulletin Board. Additionally, such announcements will be posted on bulletin boards located at the Public Library, Police Department, Fire Department, Health Department, Senior Center and Public Works Department. Such announcements shall also be posted on both the City's intranet and website.
5. City application forms will contain only job related questions that meet the criteria established by the Equal Employment Opportunities Commission. The application form will contain a detachable supplementary information sheet, which will be used to monitor the flow of minority group members and women through the application and selection process.
6. All applicants upon initial application will be informed of the nature of the selection process and their chances of gaining employment.

B. Selection and Placement

Selection, placement, and transfer activities at all levels will be monitored by the AAO to assure that full consideration as required by City policy, has been given to all qualified members of affected and under-represented groups as well as females. The City will continue to review the total selection process including applicant flow, position descriptions, position specifications, position titles, personnel forms, interview procedures and similar factors in an effort to discover and correct any problem areas which hinder the achievement of the goal of equal employment opportunity. Specifically:

1. All selection devices will be subjected to continuing reliability and validation analysis either by the staff or an outside agency, when possible, to assure their relevance to classes of positions for which they are used.

2. Every possible effort will be made to use tests, which are based on job related factors.
3. Tests will be structured to determine minimum performance levels of job applicants.
4. Training will be provided in bias free interviewing techniques for all employees who conduct employment selection interviews.
5. Oral examination boards and qualifications rating panels will be instructed to direct all inquiries and questions to job related issues only.
6. Qualified women, minority, older and disabled individuals will be included on oral examining boards and qualifications rating panels.
7. Care will be exercised to ensure that qualifications for positions reflect the needs of the job and do not stand as a barrier to attainment of affirmative action goals.
8. Persons with delegated job appointing authority will be required to certify that selection decisions were based solely on job related factors when certificates of eligibles are returned to the personnel office.
9. A record of reasons why certified job applicants were rejected will be maintained.

C. Training and Development

In order to enable employees to continue their personal development and in turn become increasingly more valuable to the City government, it is City policy to encourage employees to improve their educational and skill qualifications for advancement. This objective is accomplished in part through training and development programs developed by the Personnel Office in cooperation with operating departments. The programs cover general and specialized fields; that is, supervisory courses, employment workshops, skills training, and management seminars. Occasionally, in service training is provided during an employee's regular workday at City expense on City premises.

The Personnel Office administers the City's Employee Tuition Reimbursement Program which provides financial assistance to employees taking job related courses, workshops, and seminars on their own time at local educational institutions. The assistance, within limitations of a maximum specified sum for each participating employee, covers all or part of tuition and fees.

In addition to its in-service training and tuition reimbursement program, the City may grant professional improvement leave to an employee to attend a conference, seminar, or institute during working hours. Such leave may be with full pay or without pay depending on the degree of expected benefit to the City.

The Personnel Office maintains a trained career counselor on its staff to assist employees and supervisors requesting assistance with career and educational planning. This counselor maintains an inventory of catalogs from local educational institutions for employee reference. Assistance is also provided in the development of career ladders identifying the appropriate training and experience necessary for each step upward.

All employees are encouraged to utilize the above services and benefits as the need or their interest dictates.

D. Layoffs, Terminations, and Downgrading

Layoffs, terminations, downgradings, and recalls from layoffs are made in accordance with merit systems regulations and the provisions of labor agreements which the City negotiates with its certified unions and are made without regard to sex, marital or veterans status, race, religion, national origin, age, disability, or any other legally protected status.

E. Employee Benefits and Compensation

There will be no disparity in compensation and benefits received by affected and under-represented members of the work force and other employees for performing equal duties, and opportunities for performing overtime work or otherwise earning increased compensation or benefits will be afforded

without discrimination to all employees. No disparity as to compensation and benefits received by male or female employees is sanctioned.

SECTION VII STATEMENT ON SEX DISCRIMINATION

The City's policies and practices are designed and implemented in compliance with the Sex Discrimination Guidelines. It is the City's policy not to discriminate on the basis of sex, and to this end, subject to all other applicable laws, the City shall continue to require that:

1. No sex preference be specified in employment advertising.
2. The City personnel manuals and employment application forms set forth the policy of no discrimination with regard to sex.
3. The City recruits employees of both sexes for all positions, unless sex is a bona fide occupational qualification.
4. The City not enter into a collective bargaining agreement inconsistent with the Sex Discrimination Guidelines.
5. The City offer employees of both sexes an equal opportunity to any job that he or she is qualified to perform, unless sex is a bona fide occupational qualification.
6. The City not distinguish between the sexes in regard to employment opportunity, wages, hours, or other conditions of employment.
7. The City 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.
8. The City not terminate an employee of one sex in a particular job classification upon reaching a certain age unless the rule is applicable to members of the other sex.
9. The City not penalize women in their conditions of employment because they require time away for

childbearing. When under the City's leave policy the female employee would qualify for leave, then child-bearing will be considered a justification for granting a leave of absence to such a female employee for a reasonable period of time. The conditions applicable to her leave (other than the length thereof) and to her return to employment will be in accordance with the City's leave policy.

10. The City not specify any differences for male and female employees on the basis of sex in either mandatory or optional retirement age.
11. The City not determine seniority lines and lists based solely on sex.
12. The City's wage schedules not be related to or based on sex.
13. The City not discriminatorily restrict one sex to certain job classifications.

Additionally, the City will take affirmative action to:

1. Recruit women to apply for those positions where they have previously been excluded, if any.
2. Include women in any management training programs the City may develop.
3. Provide equal access as between men and women to all training programs and demonstrate that such access has been provided.

SECTION VIII CONTRACT COMPLIANCE PROVISIONS

Whenever the City purchases goods or procures services, qualified minority owned businesses will be contacted and afforded the opportunity to compete for such goods or services.

With respect to Federally assisted projects and contracts, all applicable Federal laws, rules, regulations, and requirements designed to ensure equal employment opportunity and prohibit discrimination will be complied with.

SECTION IX ANALYSES OF CURRENT SITUATION

In order to alleviate any under-utilization of affected and other under-represented groups, which may be found to exist, the AAO will annually undertake a labor market availability analysis, a work force analysis, analyses of accessions, and a study of problem areas. Goals and timetables will be prepared from these analyses.

SECTION X INTERNAL AUDIT AND REPORTING SYSTEM

It is recognized that an internal reporting and auditing system to continually monitor and evaluate progress in each aspect of the program is essential for a successful affirmative action plan. To this end, a detailed reporting system will be used to:

1. Measure the effectiveness of the program.
2. Indicate those areas where remedial action is needed.
3. Determine the degree to which the City's goals and objectives have been met.

The audit system will provide for, but not necessarily be limited to, the maintenance of the following records, which will constitute the source material for the preparation of quarterly progress reports.

1. Applicant Flow Log - For each position advertised, this log will show date, name of applicant, race, sex, veteran status, disability, referral source, interview date (if any), EEO-4 category applied for, and final disposition.
2. Disciplinary Actions - This record will indicate the number of disciplinary actions taken by race, sex, and national origin and the type of sanction, which was imposed.
3. Promotion and Transfer Data - This record will indicate the number of employees by race, sex, and national origin for each job category who were either promoted or transferred.
4. Termination Data - This record will indicate the number of employees by race, sex, and national origin who were terminated. Those listed will be designated as voluntary or involuntary.

5. Training Activity - This record will indicate the number of employees who apply for and are accepted to participate in the training and tuition reimbursement programs.

The Personnel Office conducts exit interviews with all exiting employees. Constructive criticism, suggested improvements, and comments on working conditions are solicited. Significant issues of an affirmative action nature will be investigated and corrective action taken if indicated.

The Affirmative Action Officer will hold meetings periodically with managers and supervisors to acquaint them with results, problems, adverse trends, or patterns obtained as a result of any of the above procedures. Additionally, departments will be provided annually with a narrative evaluation report on the status of progress in reaching goal objectives. This evaluation shall include identification of barriers or problems encountered in efforts to achieve goals as well as suggestions for better ways of accomplishing affirmative action objectives.

