

Oregon State Library Policy	
Affirmative Action and Equal Employment Opportunity	
Approved by: Jim Scheppke, State Librarian	Date: 8/1/10

Policy Statement: Oregon State Library (OSL) is committed to achieving equal employment opportunity and affirmative action objectives that will facilitate recruitment, employment and advancement of a diverse workplace. In administering its programs, the Oregon State Library will not discriminate against any person who seeks employment or is a current or potential user of State Library services based on race, color, religion, sex, sexual orientation, national origin, marital status, age, disability or any other protected class as defined by federal and state law.

Authority: ORS 243.305, ORS 659A, OAR 105-040-0001
Executive Orders: 05-01 and 08-18

Applicability: All employees, volunteers, and Oregon State Library Board of Trustees

Attachments: OSL Procedures for Reporting Inappropriate Behavior in the Workplace

Definitions:

Affirmative Action (AA): a method of eliminating the effects of past and present discrimination, intended or unintended, on the basis of race, color, religion, sex, sexual orientation, national origin, marital status, age, disability or any other protected class as defined by federal and state law.

Affirmative Action Plan (AAP): a strategic plan that describes the steps an agency will take to provide equal opportunity within its workforce.

Equal Employment Opportunity (EEO): the opportunity to obtain employment without discrimination based race, color, religion, sex, sexual orientation, national origin, marital status, age, disability or any other protected class as defined by federal and state law.

Equal Employment Opportunity Commission (EEOC): is the federal agency responsible for promoting and enforcing federal equal employment laws that make it illegal to discriminate against a job applicant or employee.

Policy:

The State Library Board of Trustees and management supports the spirit and the letter of equal employment opportunity laws, rules and regulations and affirmative action concepts and the right of all persons to work and advance on the basis of merit, ability, and potential.

As part of their performance evaluation, the State Librarian and managers will be evaluated, in part, on their efforts and accomplishments in promoting the respectful workplace, affirmative action and equal employment opportunity goals and objectives of the agency. Agency Teams are accountable to promote a respectful workplace, which honors diversity and promotes understanding and success for all employees.

The State Library remains committed to maintaining a team-based organization of inclusion with a positive work environment through on-going and equitable employee and team training and development opportunities.

As an equal opportunity employer, the State Library strives to eliminate the effects of past and present discrimination, intended or unintended, which are evident by analysis of present employment patterns and practices.

The State Library will assertively seek to attract qualified applicants from diverse backgrounds to improve the hiring opportunities of underrepresented persons. The best suited candidate selected for the position is the individual who meets the minimum qualifications of the position and best serves the need of the agency at the time the selection decision is made. It may not be the person with the highest score, the most experience, or the best education.

The State Library will continue its adherence to established nondiscrimination and affirmative action precepts in screening and selecting contractors and appointing advisory committee members.

The State Library will not discriminate or tolerate discrimination, against any employee because they are a member of, apply to be a member of, perform, has performed, applied to perform or have an obligation to perform service in a uniformed service.

An individual, who believes they were denied employment with the State Library based on any of the aforementioned discriminatory factors, may request a review of the decision by contacting the State Library's Affirmative Action Representative at (503) 378-3635.

An employee or volunteer who feels they have been harassed or discriminated against are encouraged to bring such behavior to the attention of agency management or the Affirmative Action Representative as outlined in the Oregon State Library Procedures for Reporting Inappropriate Behavior in the Workplace (Attachment A).

If the concern is not resolved to the satisfaction of the individual, they may contact the Governor's Affirmative Action Office (GAAO) Director at (503) 378-3544 or the Oregon Bureau of Labor and Industries (BOLI) in Salem at (503) 731-4075 ext 1 or in Portland at (971) 673-0761.

The State Library shall maintain a current copy of the Affirmative Action and Equal Employment Opportunity policy and Affirmative Action Plan on its website at: www.oregon.gov/OSL to make it available for staff and volunteers to review, as well as to organizations served by the State Library.

OREGON STATE LIBRARY

PROCEDURES FOR REPORTING INAPPROPRIATE BEHAVIOR IN THE WORKPLACE

It is the policy of the State of Oregon to create and maintain a work environment that is respectful, professional and free from inappropriate workplace behavior under the Maintaining a Professional Workplace policy [50.010.03](#).

The following procedures should be followed by employees and volunteers who wish to bring incidents of alleged inappropriate behavior in the workplace to the attention of State Library management.

- Employees and volunteers are encouraged to bring all incidents of alleged inappropriate behavior in the workplace to the attention of their manager or any Program Manager, the Human Resources Manager, and/or the State Librarian.
- Employees and volunteers should follow the Discrimination and Harassment Free Workplace policy [50.010.01](#) for reporting alleged discrimination and harassment based on or because of a person's protected class status as defined by state and federal law.
- If the alleged inappropriate behavior does not fall under the Discrimination or Harassment Free Workplace policy, employees and volunteers should follow the procedures listed in Step 1.
- State Library management, employees, and volunteers are prohibited from retaliating against employees or volunteers who bring allegations of inappropriate conduct or cooperate with the investigation of such allegations.

Step 1

- Employees or volunteers may make a verbal or written complaint. Report the complaint to your Program Manager, the Human Resources Manager, the State Librarian or any Program Manager as soon as possible after the incident of alleged inappropriate behavior. Employees may have a union steward accompany them during regular work hours while reporting the complaint.
- Complaints should include the name of the person filing the report, the name of the complainant, the name of the person(s) alleged to have engaged in the inappropriate conduct, a specific and detailed description of the conduct the employee believes is inappropriate, including the date(s) and time(s), and a description of the remedy the employee is seeking, if any.
- If the complaint is assessed to be a discrimination or harassment complaint, the manager will assist the employee in following the appropriate complaint procedures.
- The manager receiving a complaint will immediately contact the Human Resources Manager and/or State Librarian and provide a written report of the complaint. If the alleged behavior

creates a safety, security or ethical risk for the agency, staff or volunteers, appropriate action will be taken to ensure the safety and security of the agency and personnel.

Step 2

- In collaboration with the State Librarian, the Program Manager or Human Resources Manager will investigate the alleged inappropriate behavior and report the findings of that investigation to the State Librarian. Investigations will be conducted in accordance with all applicable laws, the collective bargaining agreement, and state policies and procedures. The investigation report will document evidence regarding the alleged conduct, a conclusion regarding the conduct, and will recommend corrective action, if any.
- Management will maintain confidentiality of the person making the report and the behavior reported to the extent possible, as determined by the nature and facts of the case.
- The Program Manager and/or the Human Resources Manager will meet with the reporting employee if requested to engage in a discussion of ways to support the employee in responding to the situation.
- The Human Resources Manager and the State Librarian will ensure that prompt and appropriate corrective action occurs as warranted by the conclusion of the investigation report.

Procedural complaint resources for reporting Discrimination and Harassment include:

- Discrimination and Harassment Free Workplace Policy:
<http://www.oregon.gov/DAS/CHRO/docs/advice/p5001001.pdf>
- Discrimination complaints may also be made directly to the Governor's Director of Affirmative Action at: (503) 378-3544.
- ADA and Reasonable Accommodation in Employment Policy:
<http://www.oregon.gov/DAS/CHRO/docs/advice/p5002010.pdf>
- ADA Resource List:
http://www.oregon.gov/DAS/CHRO/docs/advice/ada_resource_list_nov_2011.pdf

Other options for filing complaints include:

- Oregon Bureau of Labor and Industries (BOLI) – (503) 378-3292
- Equal Employment Opportunity Commissions (EEOC) - (800) 669-4000
- American with Disabilities Act (ADA) – (800) 514-0301
- [DAS/SEIU COLLECTIVE BARGAINING AGREEMENT:](#)
 - ARTICLE 21—Grievance and Arbitration Procedure
 - ARTICLE 22—No Discrimination

Nothing in this procedure precludes any person from filing a formal grievance in accordance with the collective bargaining agreement, BOLI, EEOC, U.S. Department of Justice or any other law enforcement agency.