

County of Cumberland Board of Commissioners	Policy Number: 1.01	Pages: Page 1 of 4
Chapter: Appointment of Personnel	Effective Date: February 28, 2023 Supersedes Policy Dated 10/1/2015	
Subject: Equal Employment Opportunity/Affirmative Action		

I. Policy

Cumberland County Government shall provide equal employment opportunity regardless of race, creed, color, national origin, nationality, ancestry, sex/gender (including pregnancy), affectional or sexual orientation, gender identity or expression, age, marital status, civil union status, domestic partnership status, familial status, religion, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability, except where a particular qualification is specifically permitted and is essential to successful job performance. Sexual harassment is a form of prohibited gender discrimination that will not be tolerated. County Government shall follow the Civil Rights Act of 1964, as amended, the NJ Law Against Discrimination (NJSA 10:5-1 et seq.), the Americans with Disabilities Act (P.L. 101335; 42 U.S.C. 12101 et seq.) , N.J.A.C. Chapter 7 and any other related federal, state, or local regulations.

It is the policy of the County of Cumberland to establish, administer, and enforce practices in accordance with the laws which will achieve a working environment where discrimination shall not be tolerated or condoned.

II. Definitions

- A. Equal Employment Opportunity: Policies, procedures, and programs for recruitment, employment, training, promotion, and retention of minorities, women, and persons with disabilities.
- B. Persons with disabilities: Any person who has a physical disability, infirmity, malformation, or disfigurement which is caused by bodily injury, birth defect, or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a service or guide dog, wheelchair, or other remedial appliance or device, or any mental, psychological, or developmental disability resulting from anatomical, psychological, physiological, or neurological conditions which prevents the normal exercise of any bodily or mental functions or is demonstrable, medically or psychologically, by accepted clinical or laboratory diagnostic techniques. Disability shall also mean AIDS or HIV infection.

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III. Procedure

This policy and procedure shall apply to all County Officials and employees. Non-compliance with these policies/procedures by any County Official or employee may result in disciplinary action ranging in severity from counseling to termination of employment.

A. The Board of County Commissioners and the Administrative Team of Cumberland County are responsible for maintaining and executing this policy and procedure designed to promote Equal Employment Opportunity in all aspects of County operations.

1. Assure that every Department Head, Division Head, supervisor, and employee is made aware that furthering this policy is an integral part of their job responsibility and that they will be evaluated upon the effectiveness of their performance in this area.
2. Provide sufficient resources to administer this policy in an efficient, effective, and positive manner including, but not limited to, on-going training.
3. Assure that all employees in the County are informed of this Policy and enlist their cooperation.
4. Engage in activity and professional conduct consistent with this Policy.

A. Affirmation Action Plan: The County of Cumberland shall maintain an Affirmative Action Plan outlining the steps the County has taken and will take to ensure equal employment opportunity. The goals shall be to assist in the employment of minorities, women, and handicapped persons at all levels of county government.

B. Affirmative Action Officer: The Cumberland County Board of County Commissioners shall appoint by resolution an Affirmative Action Officer and alternate, who shall serve at the pleasure of the Board. The Affirmative Action Officer shall:

1. Provide guidance and guidelines to Department Heads in Equal Employment Opportunity matters.
2. Maintain an ongoing review of all aspects of the personnel system to detect any impediments to the implementation of the Policy and related plans and make recommendations for eliminating any impediments discovered.
3. Participate in recruitment to advance the goals of the Policy.
4. Procure training as necessary to advance the goals of this Policy.
5. Serve as liaison between the County and Federal regulatory agencies, disabled, minority, and women's groups and other organizations concerned with the advancement of Equal Employment Opportunity.

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6. Maintain a complaint system to assure that allegations of discrimination will receive prompt, fair, and impartial consideration and disposition, with recommendations for corrective action as appropriate.
 7. Report to the County Administrator, Board of County Commissioners, and County Counsel on all actions and programs relative to the implementation of nondiscrimination and Affirmative Action in County employment.
 8. Ensure compliance with job posting requirements.
- C. ADA Coordinator: The Cumberland County Board of County Commissioners shall appoint by resolution an ADA Coordinator and alternate, who shall serve at the pleasure of the Board. The ADA Coordinator shall:
1. Coordinate compliance efforts.
 2. Consider disability accommodation requests.
 3. Inform appropriate employees of the accommodation decisions.
 4. Establish grievance procedures to resolve complaints of disability discrimination.
- D. Disability Accommodation Request:
1. Each department shall name an ADA Representative, who shall serve as the first point of contact for accommodation requests. If there is a conflict, the request may be made directly to the ADA Coordinator or alternate.
 2. Qualified individuals with disabilities may make requests for reasonable accommodations to the department representative who shall communicate with the ADA Coordinator. On receipt of an accommodation request, the ADA Coordinator, if necessary, will meet with the individual making the request to discuss and identify the precise limitations of job functions resulting from the disability and the potential accommodations the County may make to help overcome those limitations.
 3. The County will determine the feasibility of the requested accommodations, considering various factors, including, but not limited to, the nature and cost of the accommodations, overall financial resources, and the accommodation's impact on the operation of the County, including its impact on the ability of other employees to perform their duties.
 4. The County will inform the employee of its decision on the accommodation request and when the appropriate steps for making the accommodation will be taken. The County shall provide work-related equipment or devices as an accommodation, absent undue hardship.
- E. Federal Transportation Association
1. The Cumberland Area Transportation System (CATS) is funded and regulated by the Federal Transportation Association (FTA). In addition to compliance with the

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foregoing Equal Employment Opportunity/Affirmative Action requirements, CATS is required to adhere to and comply with the requirements and mandates of the FTA pursuant to Title VI requirements. These requirements are attached as Addendum A to this policy.