

RESOLUTION NO. R 2335

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND DECLARING ITS POLICY OF EQUAL EMPLOYMENT OPPORTUNITY AND ESTABLISHING FOR THE CITY OF KIRKLAND AN AFFIRMATIVE ACTION PROGRAM.

The City Council of the City of Kirkland declares:

WHEREAS, it is the policy of the City of Kirkland to promote and afford equal treatment and services to all citizens and assure equal employment opportunity based on ability and fitness to all persons regardless of race, creed, color, national origin, sex, physical handicap, age or martial status,

WHEREAS, in recognition of its obligation to provide community leadership to overcome possible past circumstances that may have either barred, not encouraged, or discouraged representative minority and female employment and in recognition of the need to initiate a program of affirmative action designed to assure that the spirit and intent of this policy is realized,

NOW, THEREFORE, The City Council of the City of Kirkland, Washington, resolves as follows:

Section I. The term "minority" as used herein shall include, but not be limited to, those identified as Blacks, Spanish Americans, Asian, and American Indians. The spirit of the Equal Opportunity policy includes such persons as the physically handicapped and those over the age of forty years though the emphasis is on minorities and females.

The purpose of the Affirmative Action Program are to:

- (1) Establish employment practices that will lead to and maintain a minority composition of employees of the City of Kirkland that will reflect that of the community;
- (2) Achieve and maintain a full and equitable utilization of minority, handicapped and female employees at all levels;
- (3) Promote an atmosphere of fair treatment and non-discrimination within the City government; and
- (4) Provide compliance with the State and Federal equal opportunity requirements and regulations.

This policy shall be made known to all employees, contractors subcontractors, and suppliers through distribution of bulletins,

letters, personal contacts, and conferences and orientation sessions. Signed acknowledgments pledging cooperation shall be required of all department heads and supervising personnel in the City and, where appropriate, of all contractors, subcontractors, and suppliers engaged in City-administered projects.

Section II. Program Responsibility. To assure that the Equal Opportunity Policy and the provisions of the Affirmative Action program are carried out, the City Manager shall appoint or designate an Equal Opportunity Officer who shall be the focal point for the City's equal opportunity efforts, shall advise and assist staff and management personnel in all matters regarding implementation of and compliance with the Affirmative Action Plan, and shall be responsible for the successful execution of the program, utilizing the assistance of the appropriate state and community agencies and maintaining close liaison with the City Manager and City Council. This office will have responsibility to:

- (1) Initiate, coordinate, and evaluate the City's plans and programs, designed to ensure that all current and prospective employees receive the benefits of equal employment opportunities.
- (2) Evaluate the Equal Opportunity plans and programs of the City to ensure compliance with the Affirmative Action Policy.
- (3) Coordinate the attention given to Equal Employment Opportunity throughout the City.
- (4) Periodically audit the practices of the City and recommend improvements in the Affirmative Action Policy to the City Manager's Office.
- (5) Ensure that all members of management within the City are fully aware of and in compliance with the intent of the Affirmative Action Policy pertaining to equal employment opportunity.
- (6) Provide continuing communications of the Affirmative Action Policy to management, employees, applicants for employment and outside organizations performing services for the City.

Section III. Employment Practices. The City of Kirkland shall undertake the following actions to assure equal employment opportunities and to achieve appropriate representation in the City's work force.

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- (1) Review all position qualifications and job descriptions to ensure requirements are relevant to the tasks to be performed. Revise as necessary by deleting requirements not reasonably related to the tasks to be performed, to facilitate hiring of minorities and women who otherwise might not be considered.
- (2) Assure that pay and fringe benefits depend upon job responsibility and, along with overtime work, are administered on a nondiscriminatory basis.
- (3) Inform and provide guidance to staff and management personnel who make hiring decisions so that all applications, including those of minorities and women, are considered without discrimination and all applicants are given equal opportunity regardless of race, creed, color, national origin, sex, physical handicap, age, or marital status. Primary consideration shall be given minorities, women, and other definable groups at any time the City's work force does not fairly reflect the membership of these groups residing within the City of Kirkland employment area.
- (4) Provide orientation for all new employees, specifically emphasizing how the City assures equal opportunity and the significance of the Affirmative Action Program. Encourage all employees, specifically minorities, to avail themselves of services rendered.
- (5) Provide periodic training and information seminars for managers and supervisors in the objectives of equal opportunity employment.
- (6) Accomplish recruiting in such a manner as to inform the greatest possible number of minorities and women in the Kirkland area of employment and to make known that such applicants are sought. With regard to minorities, a description of each position shall be:
 - (a) Advertised in area news media, daily and/or weekly editions.
 - (b) Circulated to current staff and present employees who shall be encouraged to refer minority applicants.

- (c) Distributed to minority and human relations organizations, requesting the referral of qualified minority applicants. An up-to-date listing of these organizations and their spokespersons shall be maintained by the E.E.O. Officer. All employment notifications shall include the "Equal Opportunity Employer" statement and date of publication, and shall be published at least ten (10) days prior to cutoff date for receiving applications.

Section IV. Employment Development. The hiring of minorities and women on a fair and equitable basis is only the first step in according equal employment opportunity. Skill development, promotions, and equal nondiscriminatory on-the-job treatment are of equal importance to both the individual and to the City. The following actions shall be undertaken to achieve employee job satisfaction and fair treatment and to more successfully utilize women and minority persons in the work force:

- (1) Assure that there shall be no discrimination by reason of race, color, creed, sex, age, physical handicap, or marital status with regard to upgrading, promotions, transfers, demotions, layoff and terminations of employees. Any action that might adversely affect any of the above shall be brought to the attention of the Equal Opportunity Officer. Employee grievances arising from such action shall receive immediate attention in accordance with Section VI.
- (2) Develop a skill inventory for employees that can be used to identify supervisory and managerial position potential. This shall be accomplished by:
 - (a) Obtaining from employees written statements as to their desires, skills and interests in higher paid positions.
 - (b) Periodically reviewing and analyzing employee development progress and readiness to assume higher position.
 - (c) Identifying specific positions for which employees qualify and assuring that requests for interdepartmental transfers and promotions are considered without discrimination.
- (3) Actively encourage employees to increase their skills and job potential through training and educational opportunities. Offer guidance and counseling in developing programs tailored to individual aptitudes

and desires, taking full advantage of programs offered by the State Department of Employment Security and Manpower Development Programs.

Section V. Liaison and Coordination. Today there exist many organizations that have become vitally aware of the needs of minorities, women, the physically handicapped and those over the age of forty years whose talents can and should be utilized so that these persons may become valuable in achieving the goals of the Equal Opportunity Program. The City of Kirkland, through its Equal Opportunity Officer, shall maintain constant contact and coordination with such organizations regarding the various aspects of the Affirmative Action Program. In addition to those already identified with respect to recruiting, hiring, and employee development, working relationships shall be maintained with the various civic, labor and minority organizations in the Greater Kirkland area.

The City also recognized its responsibilities to comply with and assure that equal opportunity and nondiscrimination policies of State and Federal agencies with which it conducts business are carried out. Specifically, the City of Kirkland shall:

- (1) Be responsible for reporting to the appropriate agencies any complaints received from any employee of, or applicants for employment with, any City of Kirkland contractor or subcontractor, subject to Executive Order 11246.
- (2) Cooperate in special compliance reviews or in investigations as requested.
- (3) Carry out sanctions against a contractor(s) or a subcontractor(s) as required.
- (4) Assure itself and the agency, as part of the grant application process, that the general or prime contractors will not have submitted prepackaged bids that deny open bidding to minority or any other subcontractors.
- (5) Furnish information as required, maintaining an affirmative action file detailing its efforts, with dates, to meet its commitments under Execution Order 11246.

All data and documentation generated as a result of this Affirmative Action Program shall be made available to any Federal or State agency for its review upon request.

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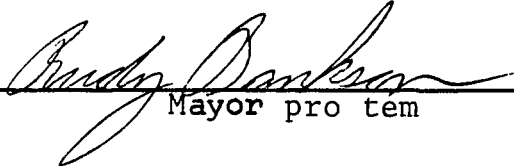
Section VI. Grievance Procedures. The success of the Affirmative Action Program depends entirely on the attitudes of the community and the employees. The opinions as to what constitutes fair and equal opportunity and treatment will differ greatly; therefore, the following specific steps should be taken to maintain the best employee-supervision and City-Community relationships:

- (1) The employee shall bring her/his grievance to the immediate attention of her/his supervisor or department head who, in turn, will investigate as necessary to determine the cause of the complaint and work with the employee to arrive at an equitable solution. Every effort will be made to resolve the problem at this level.
- (2) At the option of either party, the Equal Opportunity Officer may be called upon to conduct additional investigation and may interview both parties as necessary and recommend appropriate corrective action and settlement conditions.
- (3) In the event mutual agreement cannot be reached and binding resolution is required by the City administration, signed statements detailing the grievance and specific investigative action shall be obtained by the Equal Opportunity Officer from the employee and her/his supervisor. The officer may draw upon all resources available, both internally and those external to the City, to arrive at recommended corrective action and settlement conditions. The Equal Opportunity Officer shall forward these statements along with a personal investigation report and recommendations to the City Manager's Office for resolution.
- (4) The City Manager may elect, as deemed necessary and as circumstances dictate, to refer the grievance to a special arbitration committee. Such committee shall be selected from among the City employees and shall consist of an equal number of management and staff personnel. The Equal Opportunity Officer and those directly involved in the grievance shall not be voting members of the committee. Proceedings of the committee shall be documented, and its decisions shall be final and binding, subject to review only by the State Human Rights Commission or through the judicial system. All reports, decisions, and other documentation generated by the grievance procedure shall be maintained by the Equal Opportunity Officer as a matter of permanent record.


Section VII. Timetables. Specific programs that the City of Kirkland proposes to facilitate the achievement of the goals, after the approval hereof, are set forth in Attachment A, Parts I, II, and III. These programs shall also be established by the Equal Opportunity Officer.

PASSED by the Kirkland City Council in regular meeting on the 17th day of November, 1975.

SIGNED in authentication thereof on the 17th day of November, 1975.



Mayor pro tem

ATTEST:


Director of Administration & Finance
(ex officio City Clerk)

PART I
GOALS AND TIMETABLES

The total work force of the City of Kirkland as of 10-1-75 is 99 people--78 males and 21 females--of which 4 are minority. Converting these figures to percentages of the total work force, the males comprise 78.8%, females comprise 21.2%, and minorities comprise 4.0%. Minorities are included in the statistics for males.

Using the Seattle-Everett Metropolitan area as a baseline, the City of Kirkland compares as follows:

	<u>SMSA</u>	<u>City of Kirkland</u>	<u>Disparity as of 10-1-75</u>
Male	62.7%	78.8%	+15.0%
Female	37.3%	21.2%	-16.1%
Minorities	7.1%*	4.0%**	- 3.1%

*Black 2.7%, S.S.N. 1.6%, other 2.9%

**Black 2.0%, S.S.N. 1.0%, other 1.0%

Our goal is to correct the disparity in all categories of employment within the City as generally indicated below. Chart I, attachment B, shows the areas of disparity and the percentages of correction necessary. The City has an attrition rate of 6.7% a year based on an analysis of the last ten years, 1964-1975, using an average payroll of 90 employees for the same period.

These goals will be achieved in the following manner:

Year I (1976)

Provided that sufficient turnover or expansion occurs, we will strive to:

1. Correct 20% or more of the total disparity of females which exists today.
2. Correct 50% or more of the total disparity of minorities which exists today.

Year II (1977)

Provided that sufficient turnover or expansion occurs, we will strive to

1. Correct 20% or more of the total disparity of females which exists today.

2. Correct 50% or more of the total disparity of minorities which exists today.

Years III through V

Provided that sufficient turnover or expansion occurs, we will strive to correct any remaining disparities and ensure to the maximum extent feasible that parities be maintained in all categories.

These goals will be strictly supervised and documented so as to revise and update relevant data as required to promote their achievement.

PART II
ADVERTISING

The City of Kirkland has a policy that it will make the necessary notification regarding position openings on the permanent staff through public advertisement for two weeks prior to interview closure. Open positions are also registered with the Washington State employment program and any other organization that would be appropriate. All advertisements shall contain the words "The City of Kirkland is an equal opportunity employer" and indicate that minority applicants are sought; in addition, agencies serving high concentrations of minorities will be notified of all openings and asked to recommend applicants.

PART III

CONTRACTORS AND SUPPLIERS

The City's Affirmation Action Program extends to all those doing business with the City regardless of source of funds. Each supplier or contractor will be required to:

1. Become familiar with the City's Affirmative Action Program.
2. Certify that they have their own Affirmation Action Program.
3. Provide a record of intent to comply by completing the affidavit.

The affidavit and a copy of the firm's Affirmative Action Program may be provided once a year or with a specific contract. A record is kept of each firm's response and present and past performance. City records will be reviewed annually. Firms guilty of noncompliance are removed from the eligibility list, notified of this action and the cause of deficiency, and reinstated when satisfactorily demonstrating that deficiencies have been corrected.

Attachment B
Chart I

City of Kirkland
Staff Distribution by Sex and Ethnic Background 10-1-75

<u>Employee Category</u>	<u>Number of Positions</u>	<u>Sex</u>		<u>Black</u>	<u>Spanish Surname</u>	<u>Other Races</u>	
		<u>Male</u>	<u>Female</u>			<u>Caucasian</u>	
Officials/Admin.	9	9					9
Professional	15	12	3				15
Technicians	15	13	2				15
Protective Serv.	18	18		1		1	17
Para-Professional	6	3	3				6
Office/Clerical	13		13				13
Skilled Crafts	12	12			1		10
Serv./Maint.	<u>11</u>	<u>11</u>	—	<u>1</u>	—	—	<u>10</u>
Total	99	78	21	2	1	1	95
% Distribution for City of Kirkland		78.7%	21.2%	2.0%	1.0%	1.0%	96.2%
Distribution for King-Sno Metro Area		62.7%	37.3%	2.7%	1.6%	2.9%	94.3%
Variance		+16.0%	-16.1%	+ .7%	- .6%	-1.9%	+1.9%

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