



City of Smithville Equal Employment Opportunity Program

28 C.F.R. § 42.304

Updated and Approved by Council 4-14-2025

A. Introduction.

1. The City of Smithville (the "**City**") practices equal opportunity with respect to all activities concerning its employees.
2. In addition to the City's existing equal opportunity policies and activities, the City adopts this Equal Employment Opportunity Program (this "**Program**") as authorized by 28 C.F.R. § 42.304.

B. Existing Employment Policies and Practices.

1. Equal Employment Policy.
 - a. It is the policy of the City of Smithville to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color or national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training.
 - b. The City shall not discriminate against any person in job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, pay, discipline, or any other aspect of employment based upon race, age, religion, color, national origin, gender, disability, or political affiliation or belief. Personnel decisions shall be made on the basis of occupational qualifications and job-related factors, including, without limitations, knowledge, education, experience, and ability to perform the duties of the job involved.
 - c. The City will take active steps to see that applicants are employed, and that while employed, employees are treated without discrimination based upon race, age, religion, color, national origin, gender, disability, veteran status, or political affiliation or belief.
2. Personnel Policy. The City's additional employment practices are set forth in the Personnel Policy Manual, or other document performing a similar function, attached (the "**Personnel Policy**"). The Human Resources Director and the City Manager are authorized to replace the Personnel Policy with any revised, restated, or otherwise modified version of the Personnel Policy.
3. Analysis of Existing Employment Policies. The City's existing employment policies, procedures, and practices as they relate to employment of minorities and women comply with the tenets of

equal opportunity. Analysis under this Program indicates that:

- a. The City will continue to provide employment opportunity to all qualified persons, and to continue to recruit, hire, train, promote, and compensate persons in all jobs without regard to race, color, religion, sex, or national origin.
- b. The City identifies and analyzes areas of its employment process to further the principles of equal employment opportunity.
- c. Discrimination has no bearing on day-to-day operation and there are no artificial barriers or restrictive seniority provisions that result in overt or inadvertent discrimination.
- d. The City prevents discriminatory practices by individuals and organizations working with the City by informing them of the City's EEO responsibilities.
- e. The City ensures that sex discrimination has no bearing on employment through the following practices:
 - (1) Employment advertising does not express a sex preference and, if printed, does not appear in sex-segregated columns. Further, employees of both sexes are recruited for all jobs with the City.
 - (2) The City's Personnel Policy and employment application forms expressly state there will be no discrimination on account of sex.
 - (3) The City does not make any distinction based upon sex with regard to employment opportunities, wages, hours or other terms and conditions of employment.
 - (4) The City does 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.
 - (5) Women who require time away from work for childbearing are not penalized. The City's maternity policy fully complies with the 1978 Pregnancy Amendment to Title VII of the Civil Rights Act of 1964 and the Family and Medical Leave Act.
 - (6) Appropriate physical facilities are provided to both sexes.
 - (7) Wage schedules are not related to or based upon sex and conform to the Equal Pay Act.

4. Program Improvements. The City conducts on-going reviews of its Equal Employment Opportunity practices to identify areas for improvement. At this time, the City's Equal Employment Opportunity practices comply with the tenets of equal employment. To ensure that the City's Equal Employment Opportunity practices continue to comply, the City will take the following measures:

- a. Conduct a thorough analysis of the ethnicity and gender with regard to position, compensation, promotion, selection and other policies and practices of the City periodically to ensure that no statistical discrimination exists for affected classes among

the City's work force.

- b. The City will review personnel actions and collect data periodically to review all disciplinary actions taken to ensure that discrimination is not evident.
 - c. Position descriptions will be reviewed periodically to ensure that job-related requirements are not discriminatory and where specific selection procedures for jobs are used, they are job-related.
5. Minority Recruitment. The City will continue to maintain a diverse workforce in keeping with the tenets of equal employment. To further this goal, the City will ensure that employment opportunities offered by the City are advertised through media and in locations identified by the City as likely to increase awareness of opportunities among potential minority applicants.

C. Dissemination of Program. The City's equal employment opportunity policy is included in the City's Personnel Manual, which is distributed to all employees and is available to the general public. EEO posters have been placed, and will remain, in conspicuous locations. EEO messaging is, and will continue to be, included in all employment applications.

D. Implementation and Compliance.

1. The Human Resources Director is designated as the City employee charged with implementation of and compliance with the EEO Program.
2. The responsibilities of the Human Resources Director regarding the EEO Program include, but are not limited to, the following:
 - a. Developing, modifying, and maintaining effective policies and procedures.
 - b. Evaluating EEO progress and developing alternative approaches where necessary, including establishing goals and timetables that are reasonable, attainable, and consistent with the City's equal employment commitment.
 - c. Continually educate management regarding equal employment opportunity.
 - d. Resolve EEO-related charges or complaints.
 - e. Regularly discuss activities with local managers, supervisors, and employees to ensure that the City's policies are being implemented.
 - f. Selectively review the qualifications of employees who are transferred or promoted to ensure that minorities and women are being given full opportunity with respect to such personnel actions.
 - g. Assist supervisors in taking action to prevent harassment of any employees because of their race, color, sex, religion, national origin, age, or disability.