

# **EQUAL EMPLOYMENT OPPORTUNITY & AFFIRMATIVE ACTION**

## **Policy Number: DOR-1080-035B**

### **Effective Date**

03/01/2013

### **Last Reviewed Date**

02/28/2013

### **Scheduled Review Date**

04/01/2015

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### **Purpose**

This policy affirms the Florida Department of Revenue's (Revenue) commitment to equal opportunity and affirmative action in all aspects of employment.

### **Scope**

This is an agency-wide policy. This policy applies to all Revenue employees, including Other Personal Services (OPS) employees, contractor's employees, and applicants.

### **Policy**

Revenue is committed to equal employment opportunities for all employees and applicants without regard to an individual's age, race, sex, color, religion, national origin, marital status, handicap/disability, or genetic information.

Equal protection against discrimination will be afforded to all in recruitment, hiring, and promotional practices at Revenue. Other personnel actions such as employment, reclassification, demotion or transfer, termination, rate of pay or other forms of compensation, selection for training, or other terms and conditions of employment, will be made without regard to an individual's age, race, sex, color, religion, national origin, marital status, handicap/disability, or genetic information, and will be administered in accordance with equal employment opportunity requirements.

Revenue will take affirmative actions to prevent, eliminate or correct actual or potential disparate treatment and discriminatory practices, by providing employment opportunities to identified problem areas. The primary purposes of Revenue's affirmative action plan are to:

- implement and demonstrate our commitment to remove identified barriers;
- expand employment opportunities; and
- produce measurable results to ensure our workforce is representative of the available labor market and the community we serve.

Revenue will not discriminate on the basis of a physical or mental disability or an individual's status as a veteran with regard to any personnel activity or opportunity. Revenue will take affirmative action to employ, advance in employment, and otherwise treat qualified individuals with disabilities without discrimination in all employment practices, provided the individual is qualified, with or without reasonable accommodations, to perform the essential functions of the job.

Revenue will make reasonable accommodations to promote the employment of qualified individuals with disabilities, unless such accommodations would impose an undue hardship on the agency's business operations.

Any form of employment discrimination, including retaliation, is prohibited. No employee may be subjected to retaliation as a result of engaging in protected activity such as filing a complaint, testifying, assisting, or participating in an investigation, proceeding, or hearing with regard to discrimination, or otherwise opposing any unlawful discriminatory practice prohibited by Revenue's [Non-Discrimination Policy and Complaint Procedure](#).

## **Procedures**

### ***Roles and Responsibilities***

#### **Equal Employment Opportunity and Affirmative Action (EEO/AA) Officer:**

Revenue's Equal Employment Opportunity and Affirmative Action (EEO/AA) Officer, located in Employee Relations, Office of Workforce Management is appointed by the Executive Director. The EEO/AA Officer determines Revenue's goals, monitors compliance and provides consultation to supervisors regarding progress, deficiencies, and appropriate corrective action. These goals and Revenue's compliance are reported annually to the Department of Management Services.

Revenue is responsible for developing and implementing an affirmative action plan to eliminate or correct actual or potential disparate treatment and discriminatory practices. As required by applicable regulations, Revenue is responsible for establishing placement goals to ensure full utilization of minorities and women underrepresented in its workforce as compared to the relevant labor market. Where a placement goal is set, the agency is responsible for developing action-oriented steps to increase the recruitment and training of minorities or women, or both.

#### **Supervisors and Employees:**

Procedures regarding non-discrimination practices, as related to equal employment opportunities and affirmative action, are described in Revenue's [Non-Discrimination Policy and Complaint Procedure](#).

Supervisors placing job announcements for Revenue vacancies in publications other than People First are responsible for ensuring that the job announcement contains the statement "The State of Florida is an Equal Employment Opportunity Employer/Affirmative Action Employer".

Supervisors are responsible for contacting Employee Relations, Office of Workforce Management for assistance with reasonable accommodations.

## **Definitions**

Affirmative actions – Actions taken by an agency to achieve and promote equal employment opportunity designed to enhance outreach and recruitment for those groups in which underutilization has been identified.

Disability – A physical or mental impairment that substantially limits one or more major life activities which include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and/or working. A major life activity also includes the operation of a major bodily function, including but not limited to, function of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and/or reproductive functions.

Employee(s) – Any Department of Revenue employee, including OPS employees.

Equal employment opportunity laws – Laws that make it illegal for employers to discriminate against an employee or potential employee in certain workplaces. All individuals, including those that fall under the protected classes, have an equal opportunity for employment and advancement.

Genetic information – Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about the manifestation of a disease or disorder in an individual's family members (i.e. family medical history).

Reasonable accommodation – A reasonable accommodation is identified through an interactive process and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

Veteran – A veteran of the U.S. military, ground, naval, or air service.

## **Enforcement/Penalties for Non-Compliance**

Failure to support Revenue's equal employment opportunity and affirmative action policy and corresponding sections of Revenue's [Non-Discrimination Policy and Complaint Procedure](#) will result in corrective action(s) as described in Revenue's [Standards of Conduct](#).

## Exemptions

Not applicable.

## Waivers from Policy

Not applicable.

## Authority/References

[Section 20.05](#), Florida Statutes  
[Section 20.21](#), Florida Statutes  
[Section 110.112](#), Florida Statutes  
[Section 110.221](#), Florida Statutes  
[Section 112.044](#), Florida Statutes  
[Section 760.11](#), Florida Statutes  
[Rule 12-3.007](#), Florida Administrative Code  
[Rule 60L-33.007](#), Florida Administrative Code  
[Title VII of the Civil Rights Act of 1992](#)  
[The Equal Pay Act](#)  
[The Age Discrimination in Employment Act](#)  
[Title I of the Americans with Disabilities Act](#)  
[Americans with Disabilities Amendments Act](#)  
[The Genetic Information Nondiscrimination Act](#)  
Revenue's [Standards of Conduct](#)

## Communication and Training

Audience	Actions To Be Taken	Expected Implementation Date
All Revenue employees	News You Can Use	March 2013
All Revenue supervisors	Supervisor Edition: News You Can Use	March 2013
All Revenue supervisors and hiring coordinators	Educate supervisors and hiring coordinators to include the following statement on any non People First job announcement: " <i>The State of Florida is an Equal Employment Opportunity Employer/Affirmative Action Employer</i> " Update HIRE website	March 2013
Public	Post policy on Internet site	March 2013

## Signature

*Marshall Stranburg*

Executive Director  
*Interim*

*03/01/2013*

Date

## Policy Administrator

Director, Employee Relations  
Office of Workforce Management  
Tallahassee, Florida

## Key Agency Contact

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## Revision History

If you think this policy should be revised please complete the “*Request for Waiver of Requirements, Clarification of Exemption, or Policy Revision form*”:

<http://dorweb01/library/EXEC/strategy/RequestForWaiverOfRequirements.doc>

Origination Date	Explanation
April 1998	Employee Handbook
Last Reviewed Date	Explanation
February 2013	Revised and reformatted