

Board of County Commissioners

Leon County, Florida

Policy No. 18-1

Title: Nondiscrimination Policy

Date Adopted: September 4, 2018

Effective Date: September 4, 2018

Reference: Section 504 of the Rehabilitation Act of 1973 (504), Americans with Disabilities Act of 1990 (ADA), as amended, Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Florida Civil Rights Act of 1992, the Fair Housing Act, and the Genetic Information Nondiscrimination Act of 2008 (GINA)

Policy Superseded: Policy No. 03-04, Americans with Disabilities Act Accessibility Policy/Section 504, adopted January 27, 2015

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that a Policy 03-04, “Americans with Disabilities Act Accessibility Policy / Section 504” revised January 27, 2015 is hereby repealed and superseded, and a new policy is hereby adopted, to wit:

I. Purpose.

The purpose of the Leon County ADA/504 and Title VI/Nondiscrimination Policy is to establish and implement procedures that comply with Section 504 of the Rehabilitation Act of 1973 (504), Americans with Disabilities Act of 1990 (ADA), as amended, Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Florida Civil Rights Act of 1992, the Fair Housing Act, and the Genetic Information Nondiscrimination Act of 2008 (GINA) and other related federal, state and local nondiscrimination authorities. These procedures have been adopted to conform to Federal Highway Administration (FHWA) regulations, Florida Department of Transportation (FDOT) and Florida Department of Economic Opportunity (DEO) guidelines.

II. Policy Statement.

Leon County values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the County believes that the best public policy and governmental services result from careful consideration of the needs of all its communities and when those communities are involved in the public policy and governmental services decision-making process. Thus, pursuant to Section 504 of the Rehabilitation Act of 1973 (504), Americans with Disabilities Act of 1990 (ADA), as amended, Title VI of the Civil Rights Act of 1964, the Civil Rights

Restoration Act of 1987, Florida Civil Rights Act of 1992, the Fair Housing Act, and the Genetic Information Nondiscrimination Act of 2008 (GINA) and related federal, state and local nondiscrimination authorities, the County does not tolerate discrimination in any of its programs, services or activities. The County will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, religion, sex, sexual orientation, national origin, age, disability, ancestry, marital status, pregnancy, familial status, income status, gender, gender identity or expression, or genetic information.

In addition, the County will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The County encourages the public to report any facility, program, service or activity that appears inaccessible to the disabled. Furthermore, the County will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities (Appendix A). Revisions to appendices do not require Board approval so long as such changes are consistent with the Policy.

III. Definitions.

- A. *Accessibility.* As it pertains to County facilities, programs, and services, the ability to gain physical access to County buildings, sidewalks, parking, public telephones, parks, and other various programs and services.
- B. *Accessibility Process.* An organized procedural system that is documented, maintained, and in place to answer public questions and address complaints pertaining to the accessibility of County facilities, programs, and services.
- C. *Discrimination.* Refers to the intentional or unintentional and unlawful, unfair, or unequal treatment of an individual or group based on certain characteristics including race, color, religion, sex, sexual orientation, national origin, age, disability, ancestry, marital status, pregnancy, familial status, gender, gender identity or expression, or genetic information.
- D. *Individuals with disabilities.* Individuals with disabilities are defined as persons with a physical or mental impairment which substantially limits one or more major life activities. People who have a history of, or who are regarded as having a physical or mental impairment that substantially limits one or more major life activities, are also covered. Major life activities include caring for one's self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, and learning.

For purposes of *employment*, qualified individuals with disabilities are persons who, with reasonable accommodation, can perform the essential functions of the job for which they have applied or have been hired to perform.

- E. *Title VI/Nondiscrimination Coordinator.* Employee designated by the County

Administrator with the responsibility for initiating, monitoring, and ensuring the County's compliance with Title VI requirements.

- F. *Section 504 / ADA Designated Coordinator.* Employee designated by the County Administrator with the responsibility of facilitating and coordinating all ADA issues, including but not limited to access to Leon County facilities, programs, services or activities, requests for reasonable accommodation, charge receipt and investigation of complaints or concerns for Leon County.
- G. *Reasonable Accommodation.* Means an employer is required to take reasonable steps to accommodate qualified individuals with disabilities to perform essential job functions unless it would cause the employer undue hardship.

IV. Applicable Laws.

- A. *Americans with Disabilities Act of 1990 (ADA).* This law makes it illegal to discriminate against a qualified person with a disability in the private sector and in state and local governments. The law also requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless doing so would impose an undue hardship on the operation of the employer's business. Title II of the ADA requires government entities to ensure accessibility to its facilities, programs, services and activities.
- B. *Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA).* This law prohibits employment discrimination based on genetic information about an applicant, employee, or former employee.
- C. *Section 504 of the Rehabilitation Act of 1973 (504).* Section 504 is a civil rights law that prohibits discrimination against individuals with disabilities. It provides that no qualified individual with a disability in the United States, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
- D. *Title VI of the Civil Rights Act of 1964 (Title VI).* This law states that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Subsequent legislation clarified the protections under Title VI to prohibit discrimination based on gender, disability and age.
- E. *The Civil Rights Restoration Act of 1987.* Established that Title VI applies to all programs and activities of federal-aid recipients, sub-recipients and contractors whether those programs and activities are federally funded or not.

V. Limited English Proficiency (LEP) Guidance

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from federal agencies require federal-aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. The County has established an LEP plan (Appendix B).

VI. Public Involvement

In order to plan for efficient, effective, safe, equitable and reliable government services, the County must have the input of its public. The County spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community.

Any person may attend any County Commission meeting and speak during the Hearing of the Public portion of the agenda concerning a matter of County business of concern to the person. County Commission meetings are generally held the second and fourth Tuesdays of each month at 3:00 p.m., with Public Hearings beginning at 6:00 p.m. The location is the Leon County Courthouse, 301 S. Monroe Street. Persons should check the County's website, www.LeonCountyFL.gov for any changes to meeting dates, times and location. Meeting locations are accessible to those with disabilities.

VII. Data Collection

Federal regulations require federal-aid recipients to collect racial, ethnic and other similar demographic data on beneficiaries of or those affected by government programs, services and activities. The County accomplishes this through the use of census data and American Community Survey reports and other methods. From time to time, the County may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the County with improving its targeted outreach and measures of effectiveness. Self-identification of personal data to the County will always be voluntary and anonymous. Moreover, the County will not release or otherwise use this data in any manner inconsistent with the federal regulations.

VIII. Complaint Procedures.

A. *Non-County Employees.* The County has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. The formal written complaint procedure and form is discussed at length in Appendix C. Any person who believes that he or she has been subjected to discrimination based upon race, color, religion, sex, sexual orientation, national origin, age, disability, ancestry, marital status, pregnancy, familial status, gender, gender identity or expression, or genetic information, in

any of the County's programs, services or activities may file a complaint with the Designated ADA or Title VI/Nondiscrimination Coordinator.

- B. *County Employees.* The County has established procedures for employees and/or applicants for employment to request reasonable accommodations and file complaints of discrimination. The request for accommodation shall be in writing using the County' Employee Accommodation Request Form (Appendix D). Requests should be submitted in accordance with the Leon County Equal Employment Opportunity policy.

Any employee and/or applicant for employment with the County may file a complaint of discrimination/harassment with the County. Complaints shall be filed with the Employee Relations Manager in the Human Resources Division. Any complaints alleging a violation of nondiscrimination authorities should be reported immediately. The formal written complaint procedure is discussed at length in the Leon County Equal Employment Opportunity policy (Appendix E).

- C. *Retaliation.* The County respects the right of the public, County employees and applicants for employment to exercise their rights under nondiscrimination authorities. The County will not retaliate against anyone for filing a complaint of discrimination or for participating in a complaint investigation.



ACCOMODATION REQUEST FORM

Leon County does not discriminate on the basis of disability in admission to, or operation of its programs, services, activities or facilities. This form may be used by individuals with disabilities and/or their companions seeking access to a County facility, program, service or activity.

ACCOMODATION REQUEST INFORMATION

Name: _____ Telephone (or TTY): _____

Address: _____ Date: _____

The program or facility to which I am requesting access is located at:

I am requesting the following accommodation(s):

- Wheelchair Access
- Sign Language Interpretation
- Written Material in Alternate Format (Large Print, Computer Disc)
- Written Material in Braille
- Reader
- Modification of Policy Procedures
- Other

Please provide any other details or information necessary to process this request.

PLEASE RETURN THIS FORM TO:

Designated ADA and Title VI/Nondiscrimination Coordinator
Maggie Theriot, Director of the Office of Resource Stewardship
1907 S. Monroe St.
Tallahassee, FL 32301
(850) 606-5000
TheriotM@leoncountyfl.gov



Leon County

LIMITED ENGLISH PROFICIENCY PLAN

September, 2018



LIMITED ENGLISH PROFICIENCY (LEP) PLAN

I. BACKGROUND

The Limited English Proficiency (LEP) Plan is required by Executive Order 13166, *Improving Access to Service for Persons with LEP*, signed on August 11, 2000. It requires federal agencies and ultimately recipients of federal-aid to ensure accessibility to programs and services for eligible persons who have limited proficiency in the English language. In addition, LEP services are an important component of compliance with Title VI of the Civil Rights Acts of 1964, which prohibits discrimination based on race, color or national origin.

Who has Limited English Proficiency?

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or “LEP.” The U.S. Census Bureau does not define limited English proficiency or non-limited English proficient populations. The Census American Community Survey (ACCS) data is reported based on categories of English-speaking ability: very well, and less than very well.

Determining the Need of Limited English Proficiency

As a recipient of federal-aid, Leon County must take reasonable steps to ensure meaningful access to the information and services it provides. To do, the County must consider the following four factors:

- **Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by Leon County’s programs, services or activities.**
- **Factor 2: The frequency with which LEP individuals come in contact with these programs, services or activities.**
- **Factor 3: The nature and importance or the program, service, or activity to people’s lives.**
- **Factor 4: The resources available and the overall cost to the County.**

Federal guidance gives recipients of federal-aid substantial flexibility in determining what language assistance is appropriate based on the local assessment of the four factors. Below is Leon County’s analysis of the four factors.

II. LIMITED ENGLISH PROFICIENCY SELF ASSESSMENT FOR LEON COUNTY

Leon County has assessed its programs and services using the following four-factor analysis.

Factor 1: the number or proportion of LEP persons eligible to be served or likely to be encountered by Leon County’s programs, services or activities.

Leon County conducts regular Board meetings and advisory committee meetings throughout the year. Additionally there will be public hearings and outreach programs conducted. Although the County Board meetings and advisory committee meetings are open to the public, the primary source of contact with citizens is through the webpage and through community outreach and education events. Therefore, it stands to reason that the most likely encounter avenue with LEP individuals would be through education and outreach events in the community, and on the Leon County webpage.

The County considered Data from Census Table B16001: *Language Spoken at Home By Ability to Speak English for the Populations 5 Years and Over*, from the U.S. Census Bureau 2009-2013 American Community Survey 5-Year Estimates. It identified the top four languages in which people speak English “less than very well” .

The table below reflects the number and percent of LEP persons 5 years and over, in total and by language in Leon County. (LEP Person: Person that speaks English “less than very well”.)

Table 1: The Top Four Languages Spoken at Home in Leon County by LEP Persons (US Census Bureau’s 2009-2013 American Community Survey)										
Population 5 years and older	Number of LEP Persons	Percentage of LEP Persons	LEP Persons who speak Spanish		LEP Persons who speak French Creole		LEP Persons who speak Portuguese		LEP Persons who speak French (including Patois, Cajun)	
Total	Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
263,489	25,396	9.64%	2,386	.91%	739	.28%	662	0.25%	330	0.13%

The table suggests that among LEP persons within the Leon County area, only .91% speak Spanish at home, making this the most significant LEP language group as a percentage of population.

Results from Factor 1 Analysis: Although the percentage of LEP persons in Leon County is not significant enough to trigger a responsibility to provide services in languages other than English, Leon County is committed to the principles of nondiscrimination and inclusion.

Factor 2: The frequency with which LEP individuals come in contact with County programs, services or activities.

The four-factor analysis identified Spanish as the most significant language spoken by the LEP population in Leon County. The size of the LEP population in this region is relatively small. However, to date, no requests for language assistance services have been made by LEP individuals or groups with the exception of Emergency Medical Services (Ambulance) as addressed in Factor 3 below. The County will continue to monitor the requests for language assistance.

Results from Factor 2 Analysis: Based on this information, it is unlikely that Leon County staff will come into contact with LEP populations.

Factor 3: The nature and importance of the program, service, or activity to people's lives.

The largest concentration of LEP individuals in Leon County is Spanish. In terms of importance, Leon County provides EMS ambulance services to all County residents. Leon County through its Emergency Medical Services could encounter LEP individuals at any time. Should EMS provide service to an LEP individual specific detailed procedures are in place that guide the support. For callers requesting emergency medical service the Leon County Division of Emergency Management has subscribed to the Language Line service for use with non-English patients. For patients interacting with paramedics Kwikpoint® Visual Language Translator cards are aboard all ambulances. For non-English speakers a copy of the Notice of Privacy Practices has been translated into Spanish by the International Translation Center of Florida.

Results from Factor 3 Analysis: Based on the services provided by Leon County, EMS ambulance service is deemed the most important. Adequate procedures are in place to ensure service to LEP individuals.

Factor 4: The resources available and the overall cost to Leon County.

Although there is a very low percentage of LEP individuals in Leon County, the County will strive to offer the following measures:

1. The Leon County staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate LEP persons:
 - Local interpreters for Spanish language will be provided within a reasonable time period through partnership with the Florida State University Department of Modern Languages & Linguistics.
 - Language interpretation may also be accessed for all other languages through a telephone interpretation service such as the *Language Line* and *Florida Relay 7-1-1*.

Results from Factor 4 Analysis: Although the percentage of LEP persons in Leon County is not significant enough to trigger a responsibility to provide services in languages other than English, Leon County is committed to the principles of Title VI and will provide, with reasonable notice, interpreter and translation services upon request.



ADA and Title VI/Nondiscrimination Grievance Procedures

Grievance Procedure for County Services, Programs, Activities or Facilities

Leon County established the following internal procedure to ensure the prompt and equitable resolution of complaints alleging discrimination by anyone on the grounds of race, color, religion, sex, sexual orientation, national origin, age, disability, ancestry, marital status, pregnancy, familial status, income status, gender, gender identity or expression, or genetic information in the provision of facilities, services, programs, or activities by the County. This grievance procedure is adopted pursuant to the regulations implementing Section 504 of the Rehabilitation Act of 1973 (504), Americans with Disabilities Act of 1990 (ADA), as amended, Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Florida Civil Rights Act of 1992, the Fair Housing Act, and the Genetic Information Nondiscrimination Act of 2008 (GINA). These procedures have been adopted to conform to Federal Highway Administration (FHWA) regulations, Florida Department of Transportation (FDOT) and Florida Department of Economic Opportunity (DEO) guidelines.

Any complaints relating to County employment practices should be directed to Human Resources in accordance with the Leon County Equal Employment Opportunity [Policy](#).

Complaints related to County facilities, services, programs or activities should be addressed to:

Designated ADA and Title VI/Nondiscrimination Coordinator

Maggie Theriot, Director of the Office of Resource Stewardship
1907 S. Monroe St.
(850) 606-5000

TheriotM@leoncountyfl.gov
7-1-1 (TDD & Voice), via Florida Relay Service

GRIEVANCE PROCEDURE

1. All complaints shall include:

Name, address and contact number of the person(s) making the complaint;

Names, addresses and contact numbers of witnesses;

A narrative or statement describing the alleged violation, including date and time of the alleged violation and county program or facility where the alleged violation occurred;

A narrative or statement identifying the recommended corrective actions to solve the alleged violation(s); and

Any other documentation that may provide an additional explanation or identification of the alleged violation.

2. All complaints shall be filed no later than ninety (90) days from the date of the alleged discrimination, unless the time for filing is extended by the designee upon a showing of good cause.
3. Within fifteen (15) calendar days after receipt of the complaint, the Designated ADA and Title VI/Nondiscrimination Coordinator or designee will meet with the complainant to discuss the complaint and possible resolution. If appropriate, the County will also provide a copy of the complaint to federal or state partners.
4. Within thirty (30) calendar days of the meeting, the Designated ADA and Title VI/Nondiscrimination Coordinator or designee will complete an investigation/review of the allegations and respond in writing to the person(s) who filed the complaint. Where appropriate, the written response will be in a format accessible to the person(s) who filed the complaint. The response will explain the position of the County and offer options for substantive resolution of the complaint.
5. The person(s) who filed the complaint may appeal the written response if it does not satisfactorily resolve the issue. Appeals must be submitted in writing, or where appropriate, in a format accessible to the person(s) who filed the complaint, within fifteen (15) calendar days after receipt of written response to the Designated ADA and Title VI/Nondiscrimination Coordinator or designees.
6. Within fifteen (15) calendar days after receipt of the appeal, the Designated ADA and Title VI/Nondiscrimination Coordinator or designee will meet with complainant to discuss the appeal and possible resolutions.
7. Within fifteen (15) calendar days after the meeting, the Designated ADA and Title VI/Nondiscrimination Coordinator or designee will respond in writing, and where appropriate, in a format accessible to the person(s) who filed the complaint, with a final resolution.

This Grievance Procedure shall be construed to protect the substantive rights of interested persons and to assure that the County meets the spirit and guidelines of federal, state and local nondiscrimination authorities.

Note: Alternative means of filing complaints, such as personal interviews or a recording of the complaint will be made available for persons with a disability(s) upon request.

Revised September 2018

Leon County
 Maggie Theriot, Designated ADA and
 Title VI/Nondiscrimination Coordinator
 1907 S. Monroe Street
 Tallahassee, Florida 32301
 (850) 606-5000



ADA AND TITLE VI/NONDISCRIMINATION GRIEVANCE FORM

Complainant's Name		
Street Address		
City	State	ZIP Code
Telephone Number Home:	Telephone Number Cell:	
Email Address:		

Person alleged to be the victim of discrimination, if different from above:

Name		
Street Address		
City	State	ZIP Code
Relationship:		

Department or Division alleged to have engaged in discriminatory conduct:

Department or Division
Department or Division Contact (if any)
Telephone number:

Person alleged to have witnessed the discrimination, if applicable:

Name		
Street Address		
City	State	ZIP Code
Relationship:		

Basis of discrimination (check all that apply):

<input type="checkbox"/>	Race / Ethnicity / National Origin / Ancestry	<input type="checkbox"/>	Sex/Orientation / Gender / Gender identity	<input type="checkbox"/>	Marital Status / Familial Status
<input type="checkbox"/>	Color	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Genetic information
<input type="checkbox"/>	Religion	<input type="checkbox"/>	Pregnancy	<input type="checkbox"/>	
<input type="checkbox"/>	Age	<input type="checkbox"/>	Income Status	<input type="checkbox"/>	

Has a complaint been filed with any other federal, state, or local agency or with any federal or state court? Yes No

<input type="checkbox"/>	Federal Agency or Court	Contact
	Telephone Number	Email
<input type="checkbox"/>	State Agency or Court	Contact
	Telephone Number	Email
<input type="checkbox"/>	Local Agency	Contact
	Telephone Number	Email
<input type="checkbox"/>	Other Agency	Contact
	Telephone Number	Email



**Leon County
Employee/Applicant Request for Reasonable
Accommodation Form**

Initial requests for reasonable accommodations shall be submitted to the supervisor and the Employee Relations Manager in the Human Resources Division. All medical information is maintained separately from all personnel records and shall be kept confidential.

PART I – REQUESTOR’S INFORMATION.

Section 1 – Employee/Applicant Information (To be completed by requestor and returned to supervisor or Board’s designated responsible person for reasonable accommodations):

Date: _____ **Check one:** **Employee** **Applicant**
Name: _____ **Department/Division:** _____
Job Title: _____ **Work Site Location:** _____

Work Telephone #: _____ **Home Telephone #:** _____

Supervisor’s Name: _____

Section 2 – Accommodation Request:

I am requesting accommodation(s) for the following reason(s) – check relevant box(es):

- To complete the employment application process.
- To perform essential job function(s).
- To have equivalent benefits and privileges of non-disabled employees.
- To obtain evacuation assistance in a time of emergency.
- Other (provide explanation): _____

How does your disability restrict your ability to accomplish the essential functions of your job responsibilities?

What type of accommodation(s) do you believe would be effective?

The review process includes an evaluation of all relevant information. This may include an interview with you and/or your supervisor. After completion of the review, you will receive a final copy of this form from Human Resources regarding the County’s decision. If you have any questions, please the Employee Relations Coordinator at 850-606-2400.

PART II – APPROVAL(S).

Section 1 – Human Resource Approval

I have received your request for an accommodation. Approved Need more Review

Comments: _____

Employee Relations Coordinator: _____ Date: _____

Section 2 – Notification of need for additional information (To be completed by the Employee Relations Manager):

We are continuing to assess your request. To make a determination, we need the following information:

Medical documentation. Please inform your doctor of your application for an accommodation and have your doctor send us medical documentation, indicating the limitations placed on your life functions and activities. Information should be returned by the following date _____ to your supervisor or the Employee Relations Coordinator, Human Resources Division, 315 South Calhoun Street, Suite 210, Tallahassee, Florida 32301.

Other_: _____

We require no additional information from you.

Section 3 – Accommodation(s) Granted

Description of Accommodation:

Requestor’s Acknowledgment: _____ Date: _____

Requestor’s Comments: _____

Employee Relations Coordinator: _____ Date: _____

**SECTION II
EMPLOYEE CONDUCT****11.01****2.01 Equal Employment Opportunity**

It has been the policy of the Leon County Board of County Commissioners to subscribe to the principle of Equal Employment Opportunity. This policy reaffirms the commitment and is implemented to ensure that:

In accordance with applicable local, state, and federal laws, as amended from time to time, Leon County prohibits discrimination in employment, including hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, based on an individual's protected status, including race, color, religion, sex, sexual orientation, national origin, age, disability, ancestry, marital status, pregnancy, familial status, gender, gender identity or expression, or genetic information.

Chapter 9, Code of Laws of Leon County, Florida, as amended, prohibits employment practices that discriminate on the basis of age, race, color, religion, national origin, ancestry, disability, marital status, familial status, sex, gender, gender identity or expression, or sexual orientation. The law applies to persons who have five or more employees.

Florida laws, as amended, prohibit employment practices that discriminate on the basis of race, color, religion, sex, national origin, age, handicap, or marital status (FL Stat. Sec. 760.01 (2014), which covers employers with 15 or more employees), sickle-cell trait (FL Stat. Sec. 448.075 (2014)) and knowledge or belief that the individual has taken a human immunodeficiency virus (HIV) test or the results or perceived results of such test unless the absence of HIV infection is a bona fide occupational qualification of the job in question (FL Stat. Sec. 760.50 (2014)).

Federal laws, as amended, that prohibit employment practices that discriminate include:

Title VII of the Civil Rights Act of 1964 (Title VII) - This law makes it illegal to discriminate against someone on the basis of race, color, religion, national origin, or sex. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate applicants' and employees' sincerely held religious practices, unless doing so would impose an undue hardship on the operation of the employer's business.

Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) - This law prohibits employment discrimination based on genetic information about an applicant, employee, or former employee.

SECTION II EMPLOYEE CONDUCT

11.01

The Pregnancy Discrimination Act - This law amended Title VII to make it illegal to discriminate against a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

The Equal Pay Act of 1963 (EPA) - This law makes it illegal to pay different wages to men and women if they perform equal work in the same workplace.

The Age Discrimination in Employment Act of 1967 (ADEA) - This law protects people who are 40 or older from discrimination because of age.

Title I of the Americans with Disabilities Act of 1990 (ADA) - This law makes it illegal to discriminate against a qualified person with a disability in the private sector and in state and local governments. The law also requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless doing so would impose an undue hardship on the operation of the employer's business.

Hiring of the Disabled

The following guidelines are followed by all departments of Leon County Government:

Physical standards for employment shall be fair, reasonable, and adapted to the realistic requirements of the job. These standards must reflect actual work conditions, hazards, and essential physical requirements of the job. Such standards shall not be used to eliminate Disabled persons from consideration. Reasonable accommodations will be made for the Disabled.

Employment decisions are made consistent with the principle of Equal Employment Opportunity.

All appointed officials, managerial and supervisory employees are responsible for supporting this policy and for the furtherance of the principle of Equal Employment Opportunity in all Human Resources matters.

Goals and objectives for the furtherance of the principle of Equal Employment Opportunity have been developed. These goals and objectives are periodically monitored.

The principle of Equal Employment Opportunity is applied to all other Human Resources activities including compensation, benefits, transfers, reassignments, promotions, demotions, layoffs, separations and disciplinary actions, as well as to education, training, social and recreational programs sponsored by Leon County Government.

**SECTION II
EMPLOYEE CONDUCT****11.01****2.01.1 Procedure: Equal Employment Opportunity**

All discrimination claims reported to a supervisor or any other management member shall be submitted to the Employee Relations Coordinator.

The Employee Relations Manager will work with line management to investigate all the facts of the situation.

An analysis of the facts shall be completed by the Employee Relations Manager with the results going to the Human Resources Director, the Department/Division Director, and Administration. Should a recommendation(s) for corrective action be included, with approval of the County Administrator, the Human Resources Director will work with the Department/Division Director in implementing changes, when appropriate disciplinary measures will be taken.

In all cases, a final summary of findings will be provided to all involved parties.

Claims of Discrimination may be filed directly with the Employee Relations Coordinator.