



# Oklahoma Conservation Commission

## District Directors' Responsibilities:

### A 10-Minute Guide Series

This is one in a continuing series of informational/discussion topics designed to help conservation district directors become more informed and knowledgeable about their responsibilities. It is suggested that board members review these guides before a board meeting, and then have a ten minute discussion on them at a meeting.

#### *Guide No. 9 - Equal Opportunity*

Equal opportunity is the law. It is also the foundation of building an effective staff team to deliver conservation district programs and services. If employees feel that an atmosphere of fairness does not prevail in a district office, morale will suffer and so will performance.

#### **Equal Opportunity Does Not Stop With Employees**

Equal opportunity extends to everyone the district serves: district directors, agency and government partners, and the customers who receive a district's technical, financial, or educational assistance.

Equal opportunity starts with policies against discrimination, harassment, and retaliation. It also addresses whistleblower complaints and reasonable accommodation under the Americans with Disabilities Act.

*However, it transcends these specific issues to fully and completely embrace the idea of fairness in all district programs and activities.*

#### **Legal Protection to Specific Groups**

Equal opportunity provides legal protection to specific groups of individuals. For conservation districts there are thirteen classes of individuals that are protected.

If members of a protected class are treated unequally or unfairly, legal action is likely and significant monetary damage awards are possible. Districts need to protect themselves from the legal liability stemming from discrimination, harassment, or retaliation involving protected classes.

To do this, it is necessary to recognize the protected classes, but never ever ask about or consider those characteristics in decision making.

#### **Protected Classes:**

1. Age (>39 years old)
2. Color
3. Disability
4. Gender
5. Marital Status
6. National Origin
7. Political Affiliation
8. Pregnancy
9. Race
10. Religion
11. Veterans - disabled and Vietnam-Era
12. Worker Compensation claimants
13. Whistleblowers (local government employees reporting improper government action or unsafe working conditions).

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### **Employee Discrimination**

There is no place for discrimination in conservation districts. No person shall be appointed, demoted, dismissed from a position, or in any way favored or discriminated against with respect to employment because of political or religious opinions or affiliations, race, creed, gender, color, age, national origin or handicap.

### **Employee Grievances**

Grievances are complaints from employees charging that their employment has been directly and adversely affected by unfair treatment, unsafe working conditions, or erroneous or arbitrary interpretation or application of policies or procedures or the law.

### **Conservation Districts Should Have a Written Grievance Policy**

A written grievance policy is at the heart of the implementation of equal opportunity. It should be the policy of districts that employees be treated fairly and equitably in all respects and that employees who feel they have not been treated fairly have the right to present their grievances.

The policy should describe a single process to address any complaint. It must include step-by-step directions about who to talk to and where to go next if unsatisfied, and include several options to start the process.

The policy must also obligate district directors and managers to take any grievance seriously and find resolution to it in a timely manner.

### **Formal and Informal Grievances**

Whenever possible, grievances should be resolved informally. Every effort should be made by the employee and their supervisor to come to an agreeable resolution of the grievance in a reasonable period of time (2 weeks). If the employee is supervised by the district board, then the employee should work with the board chairperson to resolve the grievance.

Unsuccessful attempts at an informal resolution of a complaint should be followed by a formal grievance. The employee should prepare a written statement which states the grievance, describes all remedial action being sought, and provides all information available to support the complaint.

If an employee wishes to file a formal grievance with the board, they must first request the discussion item be placed on the district board meeting agenda as part of an executive session.

The board must attempt to resolve the grievance fairly and equitably to the employee and to the district. District boards are encouraged to contact the Oklahoma Conservation Commission prior to a meeting with an employee to discuss a grievance.

The decision made by the board of directors is final. There is no appeal process through the Oklahoma Conservation Commission.

### **Oklahoma Conservation Commission's EEO Policy**

It is the policy of the Oklahoma Conservation Commission that there be no discrimination on any personnel action on the basis of political or religious opinion or affiliation, race, creed, color, gender, age, national origin, or by reason of physical handicap, so long as the physical handicap does not render the employee unable to do the work for which employed. This agency will not tolerate any form of unlawful discrimination to which this policy applies.

### **Other Resources on the Subject:**

Chapter 6 of the Conservation District Handbook.