



EQUAL EMPLOYMENT OPPORTUNITY (EEO) AND DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAMS

The purpose of this policy is to establish an equal employment opportunity program for employees and contractors.

Federal regulations require the adoption of an Equal Employment Opportunity (EEO) Program as a condition of receipt of federal funds. The SANDAG administrative manuals, policies, and procedures mandate equal employment opportunities in recruitment, hiring, and employment for applicants to, and employees of, SANDAG. SANDAG also has separate written policies which forbid discrimination and provide grievance procedures for employees and visitors to SANDAG who believe they have been a victim of discrimination. In addition, SANDAG incorporates an EEO requirement and Disadvantaged Business Enterprise (DBE) requirements in its contracts with third parties.

1. EEO and DBE Programs

- 1.1 It is the policy of SANDAG to actively recruit, hire, train, promote, and make all other employment decisions for all applicants and employees in accordance with Title VII of the Civil Rights Act of 1964, as amended. SANDAG will ensure that procedures for recruiting, selecting, hiring, promoting, training, termination, compensation, benefits, as well as decisions regarding terms and conditions of employment do not adversely affect the employment of persons protected by Title VII and, in addition, that all SANDAG hiring and promoting criteria, requirements, and tests are job-related. SANDAG will adhere to the affirmative action provisions of Executive Order 11246, the Office of Federal Contract Compliance Programs (OFCCP), the Equal Employment Opportunity Commission (EEOC) Guidelines, and all other applicable standards to the extent required by applicable law.
- 1.2 It is SANDAG policy to assure that discrimination based on race, color, religious creed (including religious dress and grooming practices), national origin, ancestry, age, gender (including gender identity and gender expression), sex (including pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), medical condition (including AIDS/HIV, history of cancer), disability (including mental or physical), genetic information, sexual orientation, marital status, military or veteran's status, or any other category protected under federal or state law does not occur in relationships that may exist between SANDAG and any employee or applicant for employment. Such relationships include, but are not limited to, recruitment, selection, hiring, promotion, compensation, benefits, terminations, transfers, layoffs, recalls, or SANDAG-sponsored training, education, or social and recreational programs.
- 1.3 It is SANDAG policy to require the contractors and consultants that it contracts with to have EEO policies in place that forbid discrimination in violation of Title VII.

- 1.4 SANDAG maintains a DBE Program as required by the Federal Transit Administration and Federal Highway Administration that sets forth a triennial goal for participation by DBEs. The Director of Administration shall serve as the Disadvantaged Business Enterprise Liaison Officer.
- 1.5 Responsibility for implementation of the EEO Program is assigned to the Director of Administration. All management personnel within SANDAG are expected to support and implement this EEO Program in performance of their job duties and responsibilities. Any employee or applicant who feels they have been discriminated against, has a right to file a complaint under SANDAG policies.
- 1.6 When developing and implementing its employment and contracting policies, SANDAG will base its decisions solely on the individual's qualifications and merit, the evaluation criteria in the solicitation, and the feasibility of any necessary accommodations.

2. Procedures

- 2.1 The Director of Administration will review employment statistics to determine whether there is a need to set goals for any under-represented groups and then recommend goals to the Executive Director if necessary.
- 2.2 The Executive Director will approve or disapprove the Director of Administration's recommendation(s) at his/her discretion.
- 2.3 The Director of Administration will maintain current contact lists of community resource organizations, community leaders, media sources, and colleges/vocational schools for the use of SANDAG staff in recruiting for employees, consultants, and contractors.
- 2.4 The Director of Administration will communicate the EEO and DBE Programs to all employees.
- 2.5 SANDAG staff will solicit community involvement by under-represented groups on issues of importance to the region that fall within its jurisdiction.
- 2.6 All SANDAG requests for proposals, requests for qualifications, and invitations for bids with federal funding will contain language encouraging participation by DBE consultants, contractors, and subcontractors.
- 2.7 Consultants and contractors awarded contracts with DBE Program goals will be required to submit a DBE Final Utilization Report with their final invoice.
- 2.8 A report on DBE Program results will be provided to the Board of Directors on an annual basis.
- 2.9 The Director of Administration will maintain records on recruitment efforts, new employees, promotional opportunities, and employee separations which document whether the affected individuals are in a class protected by Title VII.

- 2.10 The Board of Directors will review an EEO report prepared by the Director of Administration on an annual basis. The report will include employment results and a review of EEO Program goals for the upcoming year.
- 2.11 This EEO Program will be posted in employee breakrooms and will be incorporated into the SANDAG employee website.
- 2.12 All employment ads and job postings will contain a reference that SANDAG is an equal employment opportunity employer.
- 2.13 Required federal and state posters concerning EEO will be displayed in employee breakrooms.
- 2.14 All successful consultants and contractors will be notified of their obligations under the EEO and DBE Programs in their contracts with SANDAG.

Adopted June 2003

Amended November 2004

Amended December 2006

Amended December 2008

Amended November 2010

Amended February 2012

Amended January 2017

Amended February 2018