



MANUAL

FOR

EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION PLAN

**OZARK ACTION, INC.
710 E. MAIN ST.
WEST PLAINS, MO 65775**

“AN EQUAL OPPORTUNITY EMPLOYER”

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Information Page

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It is the policy of Ozark Action, Inc. to prohibit any form of discrimination because of sex, race, religion, color, national origin, disability, political affiliation, age, or beliefs. Therefore, no person shall, on the grounds of race, color, religion, sex, age, national origin, political affiliation, belief, or disability be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination under any program or activity operated directly or indirectly by the agency.

To ensure the furtherance of this policy, the Ozark Action, Inc. Governing Board assumes full responsibility for the implementation of the policy. To implement the policy, the Governing Board has created an Equal Opportunity Committee which fairly reflects the sector composition of the Board. This committee has oversight responsibility of the Equal Opportunity Program and the Affirmative Action Program and Plan and reports directly to the Governing Board on a regular basis. The Governing Board has created the position of Equal Opportunity Officer, who reports to the board on a regular basis, and provides staff services to the Equal Opportunity Committee. The Equal Opportunity Officer is a senior staff member of the agency and has the duties and responsibilities as found in the Equal Opportunity Officer's job description. The Executive Director of the agency is administratively responsible for the Equal Opportunity and Affirmative Action Plan and Program, as the Executive Director is administratively responsible to the Governing Board for all other managerial duties of the agency.

To provide redress for those who feel that they have been caused to endure discrimination or prejudice within the agency because of race, color, religion, sex, age, national origin, political affiliation, belief, or disability, the Governing Board hereby creates a Discrimination Complaint Process, which shall guarantee the confidentiality of the complainant and all parties related thereto. The Governing Board shall establish policies in all matters wherein probable cause is established, and the offending parties shall be caused to endure the appropriate disciplinary action when the respondent may use the agency's grievance procedures to seek redress.

It is the policy of Ozark Action, Inc. to prohibit intimidation, or acts which are construed to threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege because the individual has made a complaint, testified, assisted, or participated in any manner in any investigation, inquiry, proceeding or hearing related to a complaint of discrimination.

It is the policy of Ozark Action, Inc. to comply with the Civil Rights and Equal Opportunity requirements of the CSBG designee. To that end, Ozark Action, Inc. will annually evaluate in writing the implementation of the Affirmative Action Plan and Program as well as the Equal Opportunity Policy.

President of the Board
Ozark Action, Inc.

Complaint Process

PURPOSE--To set forth agency procedures for receiving and conducting an inquiry of Informal Discrimination Complaints.

A. Complaint

Any employee or applicant for employment, or an applicant or eligible program recipient who believes that he/she has been discriminated against because of race, color, creed, sex, national origin, age, disability, or because of his/her political or religious opinions or affiliation may file an informal complaint of discrimination with the Equal Opportunity Officer (EOO) or an Assistant Equal Opportunity Officer (AEOO) of the agency. (Hereinafter all references made to the Equal Opportunity Officer or EOO shall also mean the Assistant Equal Opportunity Officer.) The informal complaint may be filed by a representative of this person with his/her written consent.

B. Intimidation

It will be against the policy of the agency for anyone to intimidate, retaliate, threaten, coerce, or discriminate against any individual because he/she has made a complaint, testified, assisted, or participated in any manner in any investigation, proceeding or hearing under this part.

C. Complaint Procedure

- (1) A written complaint may be filed within 180 calendar days of the alleged occurrence. It is recommended, however, that whenever possible the complaint be submitted to the EOO as soon as possible after the alleged violation has occurred. This will facilitate prompt resolution of the issues and enhance availability of witnesses and required documentation.
- (2) Upon consultation with the EOO, the complainant will be advised of his/her rights. The EOO shall inform the complainant of the right to file a formal complaint with appropriate Federal, State, and local Civil Rights agencies. However, the complainant will be encouraged to attempt to resolve the alleged violation informally within the agency. The EOO shall, if requested by the complainant; assist in discussing the complaint with any party involved and could take other steps, which may assist in the resolution of the complaint.
- (3) If upon conferring with the EOO, this conference does not result in positive action to the satisfaction of the complainant, the following will take place:

D. Informal Complaint Procedure

- (1) Upon written complaint, the EOO shall have 21 calendar days to attempt to completely resolve the complaint.
- (2) Upon completion of attempts to resolve the complaint, a report will be prepared, setting out a summary of the complaint, the preliminary inquiry and the disposition of the complaint, indicating the basis for that disposition. Copies of the report shall be given to the Board. A complete report shall be given to the complainant and forwarded to the appropriate agency having jurisdiction to receive and process complaints. A report will be forwarded within 21 calendar days of the filing of a complaint, regardless of the disposition of the complaint.

E. Formal Complaint Procedure

If the result of the procedures outlined in the Informal Complaint Procedure are unsatisfactory to the complainant, the complainant may file a formal complaint with the appropriate agency(ies) having jurisdiction to receive and process complaints. The EOO and/or the complainant may request the assistance of the CSBG designate.

- F.** Reference to Tab 6 in Employee Resource Manual for more information concerning Employee Grievance and Adverse Action Appeal Procedures and Forms and Complaint and Grievance Procedures for Clients, Volunteers, Participants, Families and Owners. (5/19/2015)

The Roles and Responsibilities of Staff

PURPOSE--To set forth agency policy outlining the roles and responsibilities of agency staff in achieving positive action toward the Equal Opportunity Policy (EOP) and Affirmative Action Plan (AAP).

A. Equal Opportunity Officer Roles and Responsibilities

Ozark Action, Inc. will have an Equal Opportunity Officer (EOO). The EOO will be responsible to direct the implementation of the agency's EOP and ensure that all provisions of the related Federal, State Statutory Laws, Executive Orders and Regulations are adhered to.

The EOO will maintain records and documents of all EOP proceedings and all cases of discrimination within his/her jurisdiction.

The EOO shall be responsible and report directly to the Board (see Appendix A Organization Chart) with the responsibility for the Civil Rights program. The EOO shall not be the Executive Director, nor any other Director of the agency.

The EOO will have the authority to carry out the following activities:

- (1) Receive and attempt to resolve complaints of discrimination.
- (2) Provide aggrieved persons with information and advice on Equal Opportunity Procedures including local, State and Federal redress procedures; and notification of the filing deadlines for complaints; and assist, if requested by a complainant, in preparing a formal complaint.
- (3) Take other steps, which may assist in the resolution of a problem, prior to filing a formal complaint.
- (4) Provide staff leadership in the development, implementation, and evaluation of the agency's Affirmative Action Plan (AAP).

The EOO shall be free from restraint, interference, coercion, or reprisal in connection with the performance of his/her duties under this section.

B. Personnel Policies and Procedures Relationships

Ozark Action, Inc., through its personnel policies and practices, has always made an effort to comply with the Civil Rights Act and any appropriate Federal and State Regulations that necessitate compliance. These policies are open for review and evaluation by the Equal Opportunity Committee (EOC) and any other interested party.

The Executive Director, or designee, is responsible for providing staff support, assistance, and advice to management, the EOC, EOO, and other program officers in all program activities as defined by the EOP and personnel policies and will have the following responsibilities:

- (1) Providing counsel, guidance, and support on internal reviews of organizations, structure and systems in connection with Employment Opportunity (EO) activities.
- (2) Monitoring, assessing, and making recommendations on all personnel program areas to assure that policy; procedure, requirements, criteria selections, etc. are consistent with EOP and AAP objectives.
- (3) Providing special support and assistance in such related program areas as training, employee counseling, employee utilization, participation in economic opportunity programs, and utilization of personnel program data and statistics.
- (4) Working closely with managers in the development and follow through of positive action.
- (5) Keeping management and the EOO informed on personnel program changes, situations, or problems, which have a bearing on the EOP and for which AAP oriented action should be taken.

C. Program Roles and Responsibilities

Primary responsibility for the success of the EOP rests with Ozark Action, Inc. management. Agency directors are responsible for carrying out their program roles as defined by agency policy and the AAP.

D. Management Roles and Responsibilities

Management must correct irregular practices which constitute discriminating acts or have the effect of discriminating acts. All instances of supervisory favoritism and unequal treatment demands must be eliminated. Management is responsible for informing subordinate employees of policies, for carrying out the EOP and AAP and for ordering corrective measures. When an employee of the agency has engaged in a discriminatory act, disciplinary action as warranted by the circumstances shall be taken.

The procedure for disciplinary action is outlined in Section VII of the personnel policies.

E. Roles of All Agency Employees

It will be the responsibility of all employees to conduct themselves in a way that promotes positive action toward the EOP and AAP. Implementation of this mandate shall be a major factor in each employee's performance evaluation.

Employees that fail to adhere to the EOP and AAP are subject to immediate disciplinary action as stated in the personnel policies.

The Roles and Responsibilities of the Board and Committees

PURPOSE--To set forth agency posture outlining the roles and responsibilities of the agency board and committees in achieving positive action toward the EOP and AAP.

A. The Board

The Board is responsible for: determination, subject to funding source regulations and policies, of major personnel, fiscal, and program policies; determinations of overall plans and priorities, final approval of all program proposals and budgets and enforcement of compliance with all contracts.

The Board provides the Executive Director the responsibility and authority to implement, through administrative procedures, the Equal Opportunity Policy.

The Board ensures that appropriate policies provide protection and redress for those who have alleged discrimination and provide for the exoneration of those found innocent of charges of discrimination.

The Board ensures that the grantee's personnel policies are free of any discriminatory practices or procedures. Any and all disparity found with the operation of the grantee is removed by Affirmative Action and shall ensure that all personnel actions of the contractor meet the requirements of the law.

The Board ensures that all individuals eligible to receive the benefits of the agency programs, directly or indirectly, shall have an equal opportunity to do so. Any and all disparity found in the opportunities offered to the constituency within the geographical area of services of the Board will be corrected through the development of adequate policies, which will be implemented by the staff. Within this frame of reference, the Board establishes and requires meaningful, measurable criteria in equal opportunity practices.

The Board ensures that no recipient or other person shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Section 601, Title VII of the Civil Rights Act, or because he/she has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing. The identity of complainants shall be kept confidential, except to the extent necessary to carry out the purposes of this part, including the conduct of any investigation, hearing, or judicial proceeding arising there under.

The final approval, decision, authority, and responsibility for the implementation of the EOP and AAP and program shall be that of the Board, to ensure equal opportunities for all.

The Board requires an annual evaluation of effectiveness of the EOP and AAP.

The Board shall provide the necessary resources for the EOP and AAP development, implementation, and evaluation.

B. Equal Opportunity Committee

The EOC is responsible to provide the Board with progress reports on an annual basis of the monitoring and evaluation of the agency's effort to implement the EOP and AAP.

The EOC will develop and recommend to the Board specific goals and objectives that will eliminate disparate effects.

The EOC will receive staff assistance from the EOO in performing a self-evaluation of the EOP and AAP.

The EOC will reflect the composition of the Board in regard to representation of the public, private and low-income sectors.

C. Committees, and Policy Advisory Boards

All committees and policy advisory boards are charged to demonstrate an awareness and concern, and take positive action to eliminate discrimination, and adverse effect in agency operations under its advisory capacity. These committees shall provide positive leadership in equal opportunity whenever ideas, programs, and activities are discussed that involves human beings.

Publicizing the Equal Opportunity Policy and Affirmative Action Plan and Program

PURPOSE--To set forth procedures for publicizing the Ozark Action, Inc. Equal Opportunity Policy and Affirmative Action Plan and Program.

A. Internal Dissemination

Maximum effort will be expended to ensure that all employees are made aware of policies pertaining to the EOP and AAP.

- (1) The personnel policies will include a section reaffirming support for Affirmative Action for all individuals covered under the Civil Rights Act.
- (2) Posters on Equal Opportunity will appear at appropriate locations outlining the agency's equal opportunity policy.
- (3) Employment application forms will clearly indicate that the agency is an Equal Opportunity Employer.
- (4) Each new employee will be orientated on the agency's policy during their initial orientation period.

B. External Dissemination

- (1) All advertisements for employment will contain an Equal Opportunity Clause.
- (2) All recruiting sources will be informed in writing about our EOP and AAP in filling job vacancies.
- (3) Continuing contact will be made with local organizations representing minorities, females and low-income groups to ensure their awareness of our policies.
- (4) Posters on Equal Opportunity will be clearly display in all program sites near the entrance, that Ozark Action, Inc. operates an Equal Opportunity Program.
- (5) On all advertisements, and other communication through the mass media, Ozark Action, Inc. will advertise that it is an Equal Opportunity Employer (EOE) and/or operates and EOP, whichever is appropriate.

C. Listing Job Openings

All recruitment of employees will be conducted in the manner as outlined in the personnel policy. When recruiting employees outside the agency, announcements of job openings will be at the minimum be listed with the following, if applicable:

- (1) Notification to staff; Notification to OAI locations (email, fax, or regular mail)
- (2) Central Office Bulletin Boards
- (3) Community Outreach Offices Bulletin Boards
- (4) Head Start Centers Bulletin Boards
- (5) Missouri Job Center
- (6) OCDC rental properties/offices
- (7) Area Newspapers; if applicable
- (8) Colleges; if applicable
- (9) Social Media; if applicable.

Assurances Required of Delegate Agencies, Contractors, Vendors and Suppliers of Service

PURPOSE--To set forth policies and procedures for purchase or lease of goods and/or services, and delegation of activities to other organizations.

A. General

Ozark Action, Inc. will only purchase or lease goods and/or services, or delegate activities to organizations that are Equal Opportunity Employers. This policy is consistent with Federal and State regulations and other appropriate funding sources.

The policy states that no employer shall discriminate because of race, color, sex, national origin, age, disability, or because of his/her political or religious opinions or affiliations.

B. Definitions

- (1) Delegate Agencies – Any organization listed on a grant application that Ozark Action, Inc. formally contracts with to provide services for the completion of agency objectives.
- (2) Contractors – Any organization that Ozark Action, Inc. has a formal written contract with for the purchase or lease of goods and/or services with over the counter.
- (3) Vendors – Any organization that Ozark Action, Inc. purchases goods and/or services with over the counter.
- (4) Suppliers of Services – Services provided to Ozark Action, Inc. for which payment is made, that does not include any of the above.

C. Compliance Procedures

To comply with this policy, all Delegate Agencies, Contractors, Vendors and Suppliers of Services from whom Ozark Action, Inc. purchases or leases goods and/or services must complete a certification form. This form is a certification of Equal Employment Opportunity Requirements and non-segregated facilities which we are obligated by the Civil Rights Act and Executive Order 11246, as amended, and regulations and order to issue and to obtain from suppliers. The certification must be in writing and received within 90 days after initial purchase that they are Equal Opportunity Employers before any additional purchases or leases can be made. In addition to the above information, the agency advises potential suppliers/vendors of our policy of non-discrimination which includes but not limited to the follow: individuals with disabilities, Veterans (Disabled & Vietnam Era), and our

commitment to comply with the requirements of the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended, 38USC 4212, and Section 503 of the Rehabilitations Act of 1973, as amended as well as any Federal, State or Local laws that apply.

When a purchase or lease is made, the Ozark Action, Inc. Corporate Services Department will request a letter of compliance to this policy within 90 days of initial purchase of goods or services.

If compliance is not forthcoming, Ozark Action, Inc. will not purchase or lease goods and/or services from this organization.

If a purchase or lease and/or payment has already been made without the Corporate Services Departments, the program directors will be given instructions that no more purchases can be made unless the organization is willing to comply with this request.

D. Exemptions

Exemptions from this policy will apply only in the following cases:

- (1) Missouri State Statutes, Chapter 296.01 exempts any person employing five (5) or less persons, and corporations and associations owned and operated by religious or sectarian groups, and
- (2) One-time purchases under \$20.00.

AFFIRMATIVE ACTION PLAN

PROBLEM: Attention to maintenance and evaluation of current continuing EEO/AAP efforts.

GOAL: To continue maintenance of EEO/AAP effort activities and assurance of Equal Opportunity Evaluation.

OBJECTIVE: To define maintenance of effort activities, indicating the responsibility and providing a timetable for each.

<u>ACTIVITY</u>	<u>RESPONSIBILITY</u>	<u>COMPLETION DATE</u>	<u>ANTICIPATED RESULTS</u>
Conduct annual review of Council composition participants, and staff compared with general poverty population Statistics.	EEO Officer Exec. Director EEO Committee	Annually	Board will encourage voluntary regard by selecting groups to OAI's Affirmative Action Plan.
Review program operation methods, including but not limited to recruitment and selection process of services.	EEO Officer Exec. Director EEO Committee	Annually	Board will ensure staff management of agency to correct disparity in delivery of service.
Reviews the Affirmative Action Plan.	EEO Officer Exec. Director EEO Committee	Annually	Review may be used to formulate a new AAP.
Solicit a written statement of Equal Opportunity from all new vendors, contractors, and patronize only those providing an affirmative response.	EEO Officer Exec. Director EEO Committee	90 days after initial purchase of goods or services	Compliance with OAI Equal Opportunity Policy and federal laws.
Include "An Equal Opportunity Employer" phrase on all Corporation stationery, and in all advertising, etc.	All Personnel	In each instance as it occurs.	Overt statement of of position.
Regular distribution to Board of Directors and all employees of materials describing activities.	EEO Officer	Annually	All segments of Ozark Action, Inc. Informed of activities.

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