



## PERSONNEL POLICY

**SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY AND PREJUDICIAL ACTS**

DATE: January 1, 2017

Number: 103-16

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### **I. Statement of Policy**

Fulton County is an equal opportunity employer and is committed to the principles of non-discrimination and equality of employment opportunities. In accordance with applicable law, Fulton County prohibits and will not tolerate discrimination, harassment or retaliation against any applicant or employee based on any legally-recognized basis, including, but not limited to: race, color, religion, sex, pregnancy (including childbirth, lactation or related medical conditions), sexual orientation, gender identity or expression, age (40 and over), national origin or ancestry, physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed service-member status, hair texture and protective and cultural hairstyles (as set forth in the Fulton County Crown Act, Code Section 38-39 *et seq.*), or any other consideration protected by federal, state or local law. Such prohibition includes but is not limited to Georgia law's prohibition against discrimination of employees and applicants for employment based on age (40-70) and disability, and against wage differentials based on sex.

Fulton County's commitment to equal opportunity employment applies to all persons involved in County operations and prohibits unlawful discrimination, harassment or retaliation by any employee, including supervisors and co-workers.

In addition, any acts or threats of violence, property damage, harassment, intimidation or other acts designed to infringe upon employees' rights as described by federal anti-discrimination laws or Fulton County Personnel Policies will not be tolerated. This policy is designed to strictly prohibit all discrimination and harassment, including sexual harassment, by or against supervisory officials, employees, non-employees, as well as clients and customers.

Please note that employees may be found to be in violation of this policy even if their conduct does not rise to the level of legally cognizable discrimination, harassment, or retaliation.

These policies do not create a contract of employment. Employment for non-classified employees remains "at will".

## **II. Applicability**

This policy applies to all Fulton County employees, department heads and elected or appointed officials hired by Fulton County and paid by the Fulton County Finance Department (Payroll Division), including part-time, non-permanent employees, interns and contractors doing business with Fulton County. Additionally, this policy also protects citizens doing business with Fulton County.

Any employee or other covered individual who believes he or she may have been subjected to discrimination, harassment or retaliation in violation of this Policy, may file an Internal Discrimination Complaint with the Department of Diversity and Civil Rights Compliance ("DCRC"), as set forth in the Discrimination Complaint Procedure.

## **III. Prohibition Against Retaliation**

Fulton County strictly prohibits retaliation against: 1) any individual working for Fulton County as an employee or in a similar capacity, or individual who opposes any act or practice they perceive to violate this policy; and 2) any individual working for Fulton County as an employee or in a similar capacity who has made a charge, testified, cooperated, assisted or participated (in any manner) in any EEO-related investigation, proceeding or hearing. Retaliation is a separate violation, distinct from the initial, underlying discrimination allegation. Individuals found to have engaged in retaliation will be subject to discipline without regard to whether there has been a finding of cause in the underlying, initial harassment complaint. Any employee who feels they have been subjected to retaliation should contact the DCRC or the EEOC immediately.

Nothing in this provision shall be interpreted to prohibit Fulton County from taking appropriate corrective or remedial action against any individual who it determines has engaged in or facilitated sexual harassment.

## **IV. Establishment and Implementation of Procedure**

The County Manager, in consultation with the Chief Human Resources Officer and the County Attorney, is authorized to establish and modify, as needed, a procedure for implementing this policy.