



<b>TITLE:</b>
Equal Employment Opportunity and Nondiscrimination Policy
<b>ADOPTED BY BOARD OF HARBOR COMMISSIONERS:</b>
December 10, 2018
<b>EFFECTIVE DATE:</b>
This Administrative Policy is effective upon approval by the Board of Harbor Commissioners.
<b>SUPERSESION:</b>
This policy supersedes Administrative Policy # 502.1
<b>PURPOSE:</b>
The purpose of this Administrative Policy is to affirm the Oxnard Harbor District's commitment to equal employment opportunity in the workplace.
<b>POLICY:</b>
<p>1. BACKGROUND.</p> <p>This policy is applicable to all applicants, and regular, temporary, and part-time employees of the District.</p> <p>This policy does not preclude any additional policies being issued regarding Equal Employment Opportunity and nondiscrimination which are more stringent or broader in context.</p> <p>In the event of any conflict with Federal, State or local law covering this policy, any applicable law shall control.</p> <p>2. POLICY. The Oxnard Harbor District is an equal opportunity employer. District policy prohibits discrimination based on race, religion, religious creed (including religious dress and religious grooming), color, gender, sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding and related medical conditions, gender identity and gender expression, transgender status, those who are transitioning or have transitioned, and sexual stereotypes), sexual orientation, age, national origin (including possessing a driver's license issued under Vehicle Code § 12801.9), ancestry, physical or mental disability, medical condition, genetic characteristics, genetic information, family care, marital status, enrollment in any public assistance program, military or veteran status or qualified disabled veteran, domestic partner status, status as a victim of domestic violence, sexual assault or stalking, and/or any other basis protected by federal, state or local laws.</p>

The Oxnard Harbor District is committed to complying with all applicable laws providing equal employment opportunities and nondiscrimination. This policy applies to all areas of employment including, but not limited to, recruitment, hiring, training, promotion, compensation, benefits, transfer, disciplinary action, social and recreational programs, layoff, recall and termination. It is the responsibility of every manager, supervisor, and employee to conscientiously follow this policy.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the District will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result. The District shall engage in a timely, good faith interactive process to determine effective reasonable accommodations as required under Government Code Section 12940 (n) and any corresponding regulations.

As part of its commitment to make reasonable accommodations, the District also wishes to participate in a timely, good faith, interactive process with the disabled applicant or employee to determine effective reasonable accommodations, if any, that can be made in response to a request for accommodations. Applicants and employees are invited to identify reasonable accommodations that can be made to assist them to perform the essential functions of the position they seek or occupy. They should contact the Human Resources Department as soon as possible to request the opportunity to participate in a timely interactive process. By working together in good faith, the District hopes to implement any reasonable accommodations that are appropriate and consistent with its legal obligations.

Consistent with the law, the District also makes reasonable accommodations for: pregnant employees who request an accommodation for pregnancy, childbirth, or related medical conditions; for employees who are victims of domestic violence, sexual assault, or stalking; and for applicants and employees who need accommodations for their religious beliefs and practices that eliminates the conflict between the religious practice and the job requirement at issue.

If an applicant or employee believes he or she has been subjected to any form of discrimination, a written or oral complaint must be submitted to the CEO & Port Director or Chief Finance & Administrative Officer immediately. The complaint submitted by an applicant or employee should be specific and include the names of the individuals involved and the names of any witnesses. The District will immediately undertake an effective, thorough and objective investigation and attempt to resolve the complaint. If the District determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense and in light of the circumstances involved. All personnel must fully cooperate in the investigation process. No one involved with the operations of the District may discourage or prevent any discrimination victim from using our complaint procedure to report discriminatory conduct or discourage or prevent any witness from participating in the investigation. Appropriate action will also be taken to deter any future discrimination. Whatever action is taken will be made known to the applicant or employee and the District will take appropriate action to remedy any loss as a result of the discrimination. The District will not retaliate against an employee or applicant for filing a complaint and will not knowingly



permit retaliation by officers, managers, supervisors and other employees.

The District urges employees and applicants to immediately report any incidents of discrimination or retaliation so that the District can quickly and fairly resolve any complaints. The federal Equal Employment Opportunity Commission (“EEOC”) and the California Department of Fair Employment and Housing (“DFEH”) also investigate and prosecute complaints of unlawful discrimination and retaliation. If an employee or applicant thinks he or she has been the victim of discrimination or retaliation, the employee or applicant may file a complaint with the appropriate agency, which may be found on the internet. Information regarding the EEOC can be found here: <https://www.eeoc.gov/>. Information regarding the DFEH can be found here: <https://www.dfeh.ca.gov/>.

**RELATED POLICIES AND PROCEDURES:**

Policy 503.1: Anti-Harassment, Discrimination, and Retaliation

**DEFINITIONS:**

None.