



<b>TITLE:</b>
Equal Employment Opportunity and Nondiscrimination Policy
<b>ADOPTED BY BOARD OF HARBOR COMMISSIONERS:</b>
November 24, 2014
<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.
<b>PURPOSE:</b>
The purpose of this Administrative Policy is to affirm the Oxnard Harbor District’s commitment to equal employment opportunity and nondiscrimination in the workplace.
<b>POLICY:</b>
<p>1. BACKGROUND.</p> <p>This policy is applicable to all applicants, and regular, temporary, part-time and contract 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.</p> <p>The Oxnard Harbor District is an equal opportunity employer. District policy prohibits discrimination based on actual or perceived race, religious belief (including dress or grooming practices), color, sex, pregnancy, childbirth or related medical conditions (including breast feeding), age, national origin (including possessing a driver’s license issued under Vehicle Code § 12801.9), ancestry, sexual orientation, gender identification and expression, physical or mental disability, medical condition, genetic characteristics, genetic information, family care, marital status, enrollment in any public assistance program, status as military, a veteran or qualified disabled veteran, status as an unpaid intern or volunteer or any other consideration made unlawful by federal, state or local laws.</p> <p>The Oxnard Harbor District is committed to complying with all applicable laws providing equal</p>

employment opportunities and nondiscrimination. This commitment applies to all persons involved in the operations of the District and prohibits unlawful discrimination by any employee of the District, including officers, managers and supervisors. 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.

#### A. Job Accommodations

Any otherwise qualified applicant with a disability who requires a reasonable accommodation in order to perform the essential functions of the job should contact the Chief Finance & Administrative Officer or designated representative and request such an accommodation. The Chief Finance & Administrative Officer or designated representative shall inform the CEO & Port Director of the request made by the applicant.

Any otherwise qualified employee with a disability who requires a reasonable accommodation in order to perform the essential functions of the job shall request such accommodation by contacting the employee's supervisor. That employee's supervisor shall inform the Chief Finance & Administrative Officer or designated representative of the request made by the employee under supervision. The Chief Finance & Administrative Officer or designated representative shall inform the CEO & Port Director of the employee's request.

The individual with the disability should indicate what accommodation is desired to enable the individual to perform the essential functions of the job. The District shall then implement a timely, good faith interactive process and conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform the job. The District will identify possible accommodations, if any, which will help eliminate the barriers. If the accommodation is reasonable and will not impose an undue hardship on the District, the District will make the accommodation.

#### B. Discrimination

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. 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 harassing 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 and the California Department of Fair Employment and Housing 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.

**RELATED POLICIES AND PROCEDURES:**

None.

**DEFINITIONS:**

None.