

Polk County

Board of County Commissioners

Equal Employment

Opportunity Program

Update

Effective June 2006 - June 2009



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SECTION I

INTRODUCTION

OBJECTIVE

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INTRODUCTION

The Polk County Board of County Commissioners (BoCC) is an equal opportunity, affirmative action employer. The BoCC has established this Equal Opportunity/Affirmative Action (EEO/AA) Plan (effective June 30, 2006 - June 30, 2009) as a method of documenting and formulating the organization's commitment to equal employment opportunity for all people without regards to race, religion, color, age, sex, national origin, disability or marital status. This EEO/AA plan provides a yardstick for measuring the organization's effectiveness. It is an integral element of the BoCC's management system and precludes preferential treatment, quota systems, or reduction in job-related qualifications solely to increase minority or female representation.

The EEO/AA Plan is the operation of a personnel management system which ensures an environment that will provide, to the maximum extent possible, equal placement, training, promotion and salary opportunities to all segments of the BoCC's organization. All aspects of the organization's personnel program shall be administered without regard to race, color, religion, creed, sex, national origin, age, disability (except where sex, age, or physical requirements constitute a documented bona fide occupational qualification), or any other non-merit factor. This EEO/AA plan examines the Board of County Commissioners' current work force by EEO job category, analyses the extent of utilization of minorities and females, presents reasonable goals to overcome any underutilization, and establishes measurable objectives to meet those goals.

Equal Employment Opportunity and Affirmative Action in state and local government have been mandated, defined, regulated, or directed by numerous legal decrees such as statutes, regulations, guidelines and executive orders which include:

Section 1 of the Fourteenth Amendment of the U.S. Constitution

Title VII of the civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972

Standards for a Merit System of Personnel Administration 45 CFR 70

Executive Order 11246, as amended by executive Order 11375

Revised Order #4, 41 CFR 60-2.10

Rehabilitation Act of 1973, P.L. 93-112

Age Discrimination Employment Act of 1967, P.L. 90-202

Americans With Disabilities Act of 1990

Civil Rights Act of 1991

Equal Pay Act of 1963

GOAL & OBJECTIVE

The equal employment opportunity goal of the Polk County Board of County Commissioners is to achieve and maintain a member profile, with respect to race and sex, that is an appropriate reflection of Polk County's population and available workforce. With this goal, the BoCC is striving for full utilization of minorities and females at all levels of management and non-management positions. The primary and long term objective is to ensure non-discrimination in employment based on race, color, religion, creed, national origin, sex, age, marital status, or disability and to have a workforce that is representative of the local population. As set out in Section VI of this plan, Goals for Utilization, the BoCC has set forth long range goals to accomplish in a two to five year period.

The BoCC shall expend all reasonable efforts to establish a diverse workforce profile in all job categories, including the Officials/Administrators category. This category consists of the organization's top management positions such as, the County Manager and his/her assistants, Department and Division Directors, and Managers. The Board's efforts to reach its stated goals and objectives include continuous review, monitoring and reporting of its progress through the EEO/AA Plan. The BoCC continues to examine the number of females and minorities employed and promoted in each job category to compare its workforce profile to that of the local population.

NOTE: All Polk County Board of Commissioners statistics in this EEO Plan are as of June 30, 2004

CURRENT REPORTING ANALYSIS

Since the last update to the Equal Employment Opportunity Program Plan, dated June, 2002, the BoCC increased the number of women in the Officials/Administrators category. Specifically, the BoCC increased the number of female department directors from 0 to 2 and the number female division directors from 7 to 9. The percentage employees in the BoCC workforce is as follows:

	NUMBER	PERCENTAGE
Black Employees	298	13.93
White Employees	1738	81.21
Hispanic Employees	75	3.50
Asian	28	1.31
Indian	1	.05
Male Employees	1261	58.90
Female Employees	879	41.07
Minority Employees	402	18.79
Women and Minorities	1037	48.46

The number of Black employees in the BoCC's current workforce is 13.93% representing 298 employees. This is reflective of the Polk County MSA based on the 2000 Census data of Black or African American persons which is 13.5%. The BoCC's minority employee population is 18.79% while the white population is 81.21%. The number of women employees is 879 or 41.07% which is below the Polk County population percentage of 50.9%.

In order to stay current with State and Federal laws, the BoCC's Employee Handbook was revised during this reporting period. Each BoCC employee was issued a revised copy of the Employee Handbook. The BoCC also conducted a number of mandatory Diversity Awareness Workshop for all County employees who missed the workshop or were hired since the last reporting period. The workshop again emphasized recognizing, respecting, and valuing differences to be successful in a diverse workplace, as well as reiterated the BoCC's anti-discrimination and harassment policy.

This plan update seeks to analyze and provide data about this unit of local government for the period July 1, 2002 - June 30, 2004, regarding the Board of County Commissioners' workforce. The plan addresses the successes, as well as any stagnation and needs realized. It also shows whether the goals set out in the last report were accomplished, and discusses the factors that may have helped us attain our goals, or that may have inhibited our ability to meet the desired goals. Further, this plan will help us establish new goals and methods for achievement, as well as assist our managers in making employment decisions. This plan represents an undertaking that is a "self analysis," which will prompt revisions and further development of the Equal Employment Opportunity Program as necessary.



Board of County Commissioners - Polk County Florida

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About Polk County

Location



Polk County is strategically located in the center of the Florida peninsula, about equal distance from the east and west coast and half way between the Georgia Florida border and the Southern tip of the peninsula. Polk lies on the Interstate corridor, 25 miles east of Tampa and 35 miles southwest of Orlando . As the geographic center of Florida , it is estimated that more than 7.5 million people reside within a 100 mile radius of Polk County . This is one of the largest concentrations of population in the southeast.

History

Polk County became Florida 's 39th county in 1860, when the State of Florida divided Hillsborough County into eastern and western halves. The eastern half was named Polk, in honor of the 11th President of the United States , James Knox Polk. Following the Civil War, the commission established the county seat on 120 acres donated in the central part of the county. Bartow, the county seat, was named after Francis S. Bartow, a confederate Colonel from Georgia who was the first confederate officer to die in battle during the first battle of the Civil War. Col. Bartow was buried in Savannah , GA with military honors, and promoted posthumously to the rank of brigadier general. Fort Blount , as Bartow was then known, is a move to honor one of the first fallen heroes of the Confederacy, was one of several towns in counties in the South that changed their name to Bartow. The first courthouse in Bartow was constructed in 1867. It was replaced twice, in 1884 and in 1908. As the third courthouse to stand on the site, the present structure houses the Polk County Historical Museum and Genealogical Library.

Size

Polk County is larger than the state of Rhode Island and equal in size to Delaware . The total area of the county is approximately 2,010 square miles which makes it the fourth largest county in Florida , exceeded only by Dade, Palm Beach , and Collier counties. Polk County has 554 natural freshwater lakes which occupy approximately 135 square miles, or over seven percent the total area of the county. The total land area of Polk County is approximately 1,875 square miles.

Population

Polk County 's total population estimate for 2003 was 511,929 (an increase of 5.8 percent from the 2000 U.S. Census count of 483,924). Polk ranks as the eighth most populous of Florida 's 67 counties. This represents a little over three percent of the state's entire population. Polk 's total population is expected to grow to an estimated 550,000 by 2010. In terms of numeric population change between 2000 - 2003, Polk ranked 12th in the state but ranked 33rd over this same period for percent of change. From 1990 to 2003, Polk County 's total population increased an average of 9,335 persons per year or an average annual growth rate of 1.93 percent. Approximately 61.8 percent of Polk County 's total population resides in the unincorporated area of the county. The other 38 percent of the population live in Polk County 's 17 cities. Polk County 's largest city is Lakeland , with a 2003 population of 88,741, followed by Winter Haven with a population of 26,867. Other municipalities include: Auburndale, Bartow, Davenport , Dundee, Eagle Lake , Fort Meade , Frostproof, Haines City , Highland Park , Hill Heights, Lake Alfred , Lake Hamilton , Lake Wales , Mulberry, and Polk City .

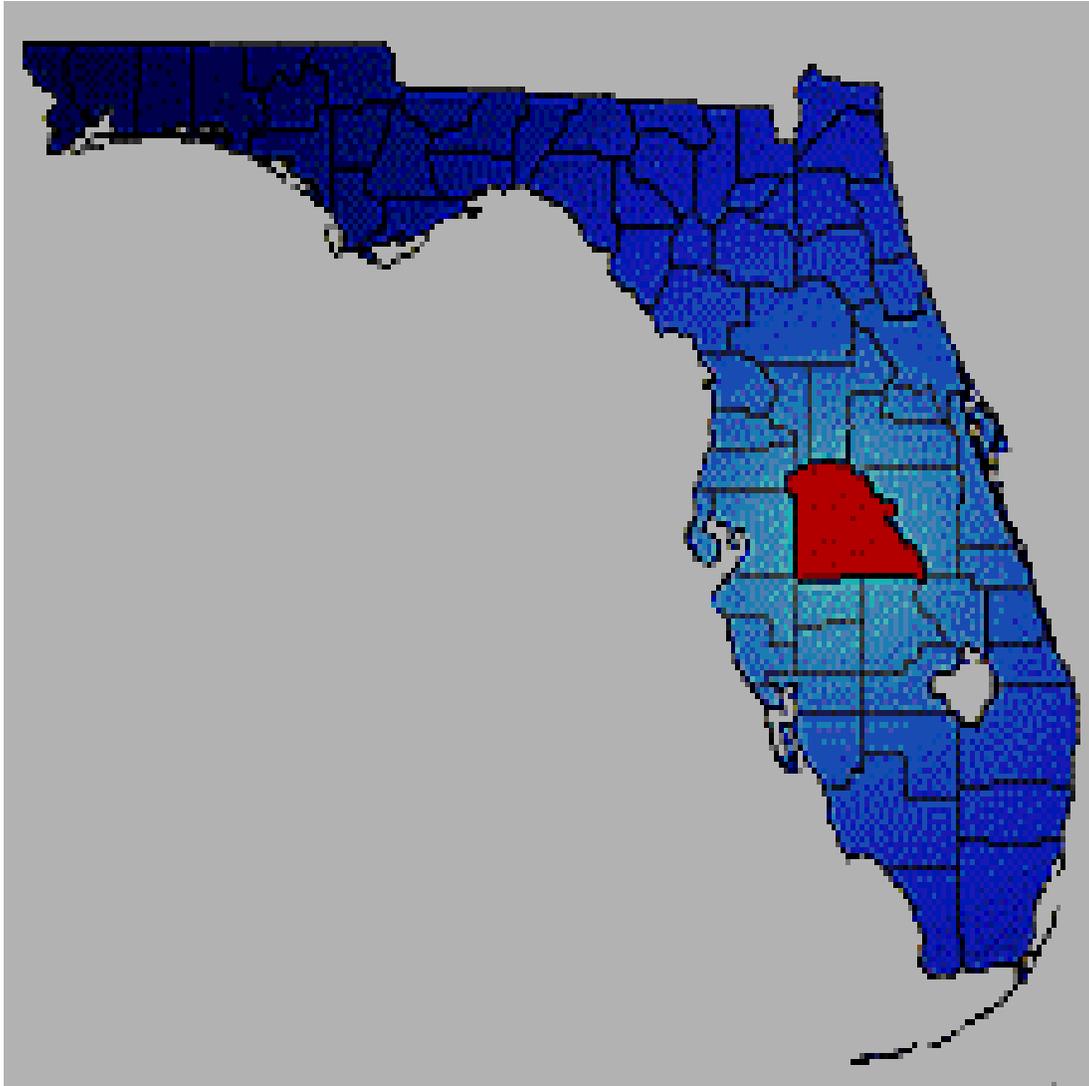
The median age of Polk's population in 2001, was estimated to be 38.6 years old with 18.45 percent of the total population 65 years old or older. Persons under the age of eighteen represented 24.3 percent of the County's total population. There were approximately 83,801 students enrolled in Polk County 's public schools (kindergarten through 12th grade) for the 2003-2004 school year. Another 7,500 students attend private schools.

For more information on Polk County 's population and demographic data, go to: <http://www.cfdc.org/content/profile/main.asp?section=profile>

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Date: 02-04-2005

Demographic Profile: Polk County, Florida



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- Population of Municipalities
- Population By Age
- Population By Race
- Hispanic Population
- Population By Sex

Page Two:

- Average Annual Labor Force
- Average Annual Employment
- Average Annual Unemployment
- Average Annual Unemployment Rate

Page Three

- Location Data
- Maps

Year	Population: Polk County
1960	195,139
1970	228,515
1980	321,652
1990	405,382
2000	483,924
2002	502,385
2004e	528,389
2010p	567,071
2020p	644,451

Between 1990 and 2000, the population of Polk County increased by 78,542. This ranked Polk at 75th highest out of 3,141 counties nationwide over this period. (Source: U.S. Census)

Municipality	1990	2000	2004e
Auburndale	8,858	11,032	11,928
Bartow	14,716	15,340	15,709
Davenport	1,529	1,924	2,248
Dundee	2,335	2,912	2,986
Eagle Lake	1,758	2,496	2,511
Fort Meade	4,993	5,691	5,828
Frostproof	2,875	2,975	2,978
Haines City	11,683	13,174	14,771
Highland Park	155	244	251
Hillcrest Heights	221	266	266
Lakeland	70,576	78,452	89,731
Lake Alfred	3,622	3,890	4,004
Lake Hamilton	1,128	1,304	1,379
Lake Wales	9,670	10,194	12,433
Mulberry	2,988	3,230	3,402
Polk City	1,439	1,516	1,720
Winter Haven	24,725	26,487	27,885

There are 17 municipalities in Polk County and Lakeland is the largest with a population currently estimated at 88,741. The population in the unincorporated areas is presently estimated at 328,359. (Source: U.S. Census Bureau and University of Florida's Bureau of Economic & Business Research)

Population By Age	1990	2000	Change
Under 5 Years	28,219	31,186	2,967
5 to 9	27,840	33,184	5,344
10 to 14	25,658	33,853	8,195
15 to 19	27,194	32,604	5,410
20 to 24	25,930	27,308	1,378
25 to 34	59,751	59,336	(415)
35 to 44	53,154	68,693	15,439
45 to 54	40,661	59,479	18,818
55 to 59	18,957	25,474	6,517
60 to 64	22,775	24,169	1,394
65 to 74	45,692	48,122	2,430
75 to 84	23,684	31,564	7,880
85 Years And Over	5,867	9,052	3,185

Population growth between 1990 and 2000 was primarily fueled by people in the age range of 35 to 54, which accounted for 43.6% of the entire increase over this period. (Source: U.S. Census)

Population By Race	1990	2000
White	342,316	385,099
Black	54,318	65,545
Other	8,748	33,280
Hispanic Population	15,192	45,933

Between 1990 and 2000 the number of people of Hispanic origin tripled, increasing from approximately 4% of the population to 9.5%. (Source: U.S. Census Bureau)

Population By Sex	1990	2000
Male	196,315	237,366
Female	209,067	246,558

Year	Average Annual Labor Force
1990	200,241
1991	196,715
1992	194,713
1993	195,775
1994	195,862
1995	193,842
1996	195,064
1997	196,579
1998	198,134
1999	200,412
2000	212,436
2001	219,551
2002	219,513
2003	218,347

Year	Average Annual Unemployment
1990	19,766
1991	19,012
1992	21,153
1993	19,039
1994	17,035
1995	14,166
1996	12,941
1997	12,560
1998	10,828
1999	9,699
2000	10,117
2001	13,412
2002	13,230
2003	13,208

The labor force and total employment in Polk County exhibited accelerated growth from 1995 to 2002 with numbers being revised significantly higher in recent years with data available from the U.S. Census. (Source: Florida Agency For Workforce Innovation)

The number of unemployed workers and unemployment rates has fallen considerably in recent years, a trend attributable to the continuing diversification of the employment base in the local economy. (Source: Florida Agency For Workforce Innovation)

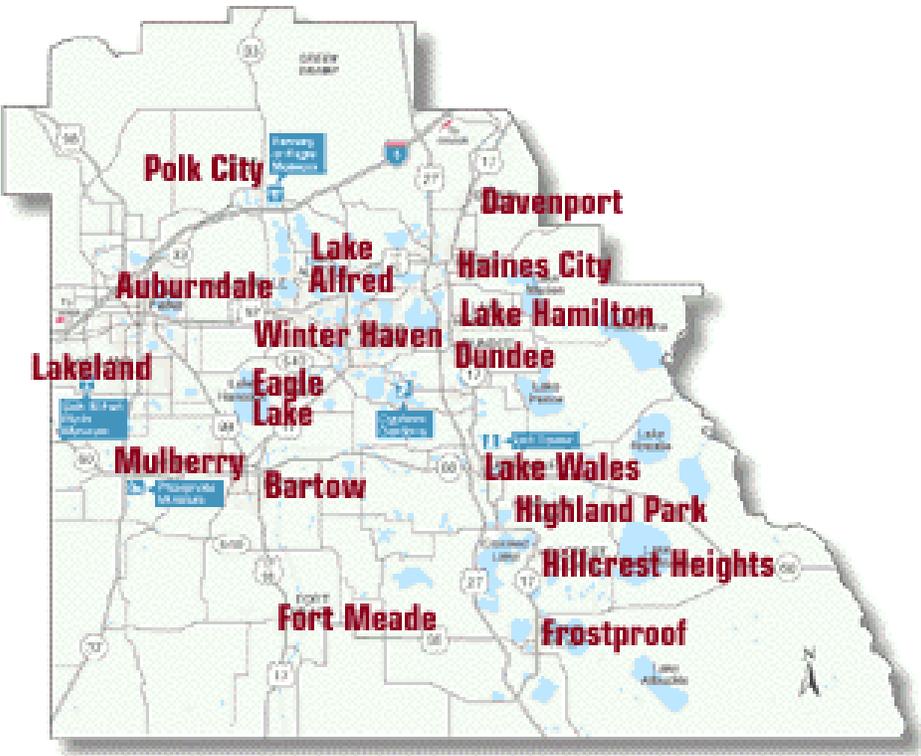
Year	Average Annual Employment
1990	180,475
1991	177,703
1992	173,560
1993	176,736
1994	178,827
1995	179,676
1996	182,123
1997	184,019
1998	187,306
1999	190,713
2000	202,319
2001	206,139
2002	206,285
2003	205,140

Year	Average Annual Unemployment Rate
1990	9.9%
1991	9.7%
1992	10.9%
1993	9.7%
1994	8.7%
1995	7.3%
1996	6.6%
1997	6.4%
1998	5.5%
1999	4.8%
2000	4.8%
2001	6.1%
2002	6.0%
2003	6.0%

Location	Distance From Polk County (Miles)
Tampa	52
Orlando	47
Fort Myers	109
Jacksonville	186
Miami	231
Tallahassee	294
Other Major Cities	
Atlanta	459
Boston	1,346
Chicago	1,211
Cincinnati	925
Cleveland	1,083
Dallas	1,110
Denver	1,859
Detroit	1,209
Indianapolis	992
Louisville	879
Memphis	816
New York	1,130
Philadelphia	1,042
Washington	897



Source: Rand McNally



SECTION II

EO POLICY

DISABILITY POLICY

REAFFIRMATION OF POLICY

DISSEMINATION OF POLICY

EQUAL EMPLOYMENT OPPORTUNITY

The Board of County Commissioners is an Equal Opportunity/Affirmative Action Employer and does not discriminate in admission or access to, or treatment, or employment in its programs and activities. It is the policy of the Board to afford equal opportunity to all persons regardless of race, color, religion, age, sex, national origin, disability or marital status and to promote full realization of equal employment through a positive continuing program. The County will take affirmative action to:

Recruit, hire and promote all job classifications without regard to race, color, religion, age, sex, national origin, disability or marital status. Any employment decision will be made so as to further the equal opportunity principles.

Ensure that all personnel actions and benefits will be administered in a nondiscriminatory basis.

Discrimination based on race, color, religion, age, sex, national origin, disability, marital status or political affiliation is unlawful and will not be tolerated by the Polk County Board of County Commissioners. The Polk County Board of County Commissioners is committed to investigating and eradicating any form of discrimination, sexual harassment or work place harassment. If you have questions or concerns regarding equal employment opportunity issues, you are encouraged to contact the Equal Opportunity Administrator at 534-6075. The Equal Opportunity Office is located on the fourth floor of the County Administration Building, Bartow.

DISABILITY POLICY STATEMENT

Polk County government is committed to a policy of nondiscrimination on the basis of disability in its employment practices, provision of public services, and access to governmental facilities. Qualified disabled individuals will be considered to fill vacant County positions. Polk County agrees to take affirmative action in an effort to employ, promote, train and otherwise reasonably accommodate, when appropriate, disabled persons in County service. All levels of administration and supervision will actively participate in the implementation of this policy.

Kandis Baker-Buford
Equal Opportunity Administrator

Charles J. Fairchild
Equal Opportunity Specialist



Post Office Box 9005
Drawer CA 05
330 West Church Street
Bartow, Florida, 33831
Telephone (863) 534-5901
Fax (863) 534-7626

Board of County Commissioners

June 30, 2006

TO: All Polk County BoCC Employees

SUBJECT: Reaffirmation of the Equal Employment Opportunity Plan and Policy

Please be advised that by signing this memo, I am reaffirming Polk County's Equal Employment Opportunity Plan and Policy, and directing the management of all departments to work continually toward improving recruitment, employment, resource development, and promotional opportunities for minority and female employees.

Your cooperation and support of the Equal Employment Opportunity Program efforts are essential in assuring fair and equal opportunity in all operating units. I hereby direct Management to continue to take proactive measures that include, but are not limited to the following:

- A. Recruit, hire, train, and promote in all job positions, without regard to race, color, religion, sex, national origin, age, disability, or status as a veteran of the Vietnam Era.
- B. Base decisions regarding employment in a fair, consistent and equitable manner so as to further the principle of equal employment opportunity.
- C. Insure that promotion decisions are in accord with principles of equal employment opportunity and impose only valid requirements for promotional opportunities.
- D. Ensure that all personnel actions concerned with compensation, benefits, transfers, layoffs, return from lay-off, County sponsored training, education, social and recreation programs, will be administered without regard to race, color, religion, age, sex, national origin, or marital status. These actions will also be administered without regard to the employee being disabled, or a veteran of the Vietnam Era.

II-2

J:\Shared Files\20062008 EEO Stats\Section III Reaffirmation of Policy.doc

Equal Opportunity Employer
Taking Pride in Equality and Diversity

The work performance of all levels of supervision shall be evaluated on the basis of their equal employment opportunity efforts and results, as well as other criteria. This Equal Opportunity Plan is effective June 30, 2004 - June 30, 2006.

Mrs. Kandis Baker-Buford, Equal Opportunity Administrator, has the responsibility of monitoring and implementing the County's Equal Opportunity Programs. She will report to me on the efforts and results of the program, including assessment of management 's cooperation.

A handwritten signature in black ink, appearing to read "Michael Herr", is written over a horizontal line.

Michael Herr, County Manager

SECTION II

DISSEMINATION OF EQUAL EMPLOYMENT OPPORTUNITY PLAN AND POLICY

A. Internal Dissemination of EEO Plan and Policy

The Polk County Board of County Commissioners disseminates its Equal Employment Opportunity Plan and Policy on non-discrimination and equal employment opportunity to all employees as follows:

1. The Equal Employment Opportunity Policy statement and other required documents are posted in the Personnel Office and on the main bulletin boards throughout the organization.
2. The Equal Employment Opportunity Plan and Policy is applied in all standard practice and contained in policy manuals, as well as the Employee Handbook.
3. Annually, the local Policy is disseminated to all employees through periodic bulletins, training seminars, or payroll inserts.
4. The Equal Employment Opportunity Program is reviewed at least annually with all levels of supervision within our operations and quarterly with our Department and Division Directors.
5. All new employees are advised of the Equal Employment Opportunity Plan and Policy as part of their orientation, at which time they receive a copy of the Policy and are informed that the Plan is available in the Equal Opportunity Office located in Room 423, 4th floor of the Polk County Neil Combee Administration Building, 330 West Church Street, Bartow, Florida.
6. Bargaining unit representatives are informed of our Plan and Policy on equal employment, as well as the programs and services provided to ensure equal opportunity.
7. We have negotiated a non-discrimination clause as part of our labor agreement. This clause, in accordance with company policy, binds our operating divisions and the union to apply all provisions of the labor agreement to all covered employees without regard to their race, sex, religion, color, national origin, disability, age, or to their status as veterans of the Vietnam Era.
8. All programs and facilities are applied and made available on a non-discriminatory basis.

9. All training and educational assistance permitted by County Policy is made available without discrimination. Minorities and others seeking position upgrades or employment in jobs requiring outside training will be encouraged to avail themselves of this training when available.
10. The name of the Equal Employment Opportunity Administrator and her location and telephone number is listed on the BoCC's organization chart which is posted in several locations to insure communication to all employees and applicants.

B. External Dissemination of EEO Plan and Policy.

We have taken the following actions during the program year to ensure effective external dissemination of the organization's Equal Employment Opportunity Plan and Policy:

1. All active recruiting sources have been advised in writing of our EEO Plan, via the EEO Policy and we solicit continued cooperation in referring applicants on a non-discriminatory basis. We maintain a list of recruiting sources we use or plan to use.
2. All external recruiting sources such as newspapers, radio, professional journals, etc., list the fact that we are an Equal Employment Opportunity employer.
3. When recruiting outside of Polk County we convey that we are an Equal Employment Opportunity employer in all of our literature and presentations and we have an EEO Plan in place.
4. We now list our policy on the website at www.polk-county.net, and will be adding the EEO Plan to the website this year.

SECTION III

RESPONSIBILITY FOR PROGRAM IMPLEMENTATION

SECTION III

RESPONSIBILITY FOR PROGRAM IMPLEMENTATION

Ultimate accountability for compliance rests with the County Manager, however each department and division Director is held accountable for monitoring and managing compliance throughout their department and division. The Equal Opportunity Administrator is responsible for the County's overall Equal Employment Opportunity Program coordination and implementation

- A. The responsibilities of the Equal Opportunity Administrator includes, but is not limited to, the following:
1. Monitoring personnel policies, practices, and procedures affecting record keeping to ensure proper and consistent documentation.
 2. Assisting administration, directors and line management in arriving at solutions to problems regarding employees and management.
 3. Implementing audit and reporting systems that will:
 - a. Measure effectiveness of the organization's program(s).
 - b. Indicate need for remedial action.
 - c. Determine the degree to which the organization's goals and objectives have been attained.
 4. Serving as liaison between the organization and enforcement agencies.
 5. Serving as liaison between the Polk County BoCC organization and minority organizations, female organizations and community action groups concerned with employment opportunities of minorities and females.
 6. Assisting in the identification of problem areas and establishment of the organization's goals and objectives.
 7. Conducting regular discussions with administration, directors, managers, and employees to be certain that the organization's policies are being followed.
 8. Reviewing the qualifications of all employees, as necessary, to insure that minorities, females, persons with disabilities, and veterans of Vietnam Era are given full opportunities for transfers and promotions.
 9. Providing career counseling for all employees as requested.

10. Conducting periodic audits to insure that the organization is in compliance in areas such as:
 - a. Posters are properly displayed.
 - b. All County BoCC facilities maintained for the use and benefit of its employees are in fact desegregated, both in policy and use. Where the organization provides facilities, such as locker rooms and restrooms, they must be comparable for both sexes.
 - c. Minority, female, persons with disabilities and veteran employees are afforded full opportunity and are encouraged to participate in all facility sponsored educational training, recreational, and social activities.

- B. The responsibility of department and division heads is to promote equal opportunity and provide support to our managers and supervisors in order to ensure successful implementation of the Equal Opportunity Program. This responsibility includes, but is not limited to, the following:
 1. Analysis of work force by department, division, and section.
 2. Internal dissemination of articles, information, and discussions with managers, supervisors, and employees regarding equal employment opportunity issues and subjects.
 3. Department heads must participate in the development of department goals and timetables regarding equal opportunity.
 4. Inventory the skills of females, minorities, persons with disabilities, and veterans in the organization's work force to ensure they receive the necessary training.
 5. Understand that equal opportunity efforts and results are included as part of work performance evaluations.

SECTION IV

WORKFORCE ANALYSIS

SUPPORT DOCUMENTS

- EEO Statistical Summary
- Utilization Analysis
- POLK COUNTY WORKFORCE
- MSA Utilization comparison (Based on 2000 Census)

SECTION IV

WORK FORCE ANALYSIS

As of June 30, 2006, the Polk County Board of County Commissioners (BoCC) has a total of 2145 employees. This figure represents an increase of 5 employees since the last update to the EEO/Affirmative Action Report. During this reporting period, the total number of females and minorities employed with the Polk County BoCC increased since the 2004 update, with females remaining at 41.07% and minorities going from 18.79% to 20.47%.

The current analysis of the BoCC's work force confirms the traditional fact that white males represent a majority at 1264 or 58.93% of the workforce compared with 881 or 41.07% during this period. However, it should be noted that the total number of females employed with the County has increased since the last update from 879 to 881 which remains at 41.07%. During this reporting period, the County succeeded in increasing the total number of minority employees, from 402 to 439. The Hispanic origin reflected an increase in employment with the BoCC during this reporting period from 75 to 96 employees.

A more complete depiction of the dichotomy of the existing work force is available in this section and is provided as a validation to the above analysis.

SUPPORT DOCUMENTATION

Polk County Workforce

As of June 30, 2004

Report Run Date March 3, 2005

E. E. O. STATISTICAL SUMMARY: ALL EMPLOYEES

TOTAL EMPLOYEES 2145

M A L E			F E M A L E			M I N O R I T I E S		
#	%		#	%		#	%	
WHITE	1108	51.66	WHITE	635	29.60			
BLACK	99	4.62	BLACK	199	9.28	BLACK	298	13.89
HISPANIC	41	1.91	HISPANIC	34	1.59	OTHER	104	4.85
ASIAN	17	0.79	ASIAN	11	0.51			
AM. INDIAN	1	0.05	AM. INDIAN		0.00			

	W/M	B/M	H/M	A/M	I/M	W/F	B/F	H/F	A/F	I/F
ADMINISTRATION	39	4			1	12	2	2		
%	65.00	6.67	0.00	0.00	1.67	20.00	3.33	3.33	0.00	0.00
ADM. SUPPORT	58	14	8	2		275	96	12	1	
%	12.45	3.00	1.72	0.43	0.00	59.01	20.60	2.58	0.21	0.00
PROT SVS SWORN	186	2	6			9		1		
%	91.18	0.98	2.94	0.00	0.00	4.41	0.00	0.49	0.00	0.00
SERVICE / MAINT.	125	32	10	1		67	55	11	1	
%	41.39	10.60	3.31	0.33	0.00	21.19	18.21	3.64	0.33	0.00
PROT NON-SWORN	7		1			14			1	
%	30.43	0.00	4.35	0.00	0.00	60.87	0.00	0.00	4.35	0.00
PROFESSIONAL	119	8	2	9		75	20	5	3	
%	49.38	3.32	0.83	3.73	0.00	31.12	8.30	2.07	1.24	0.00
SKILLED CRAFT	297	22	7	4		26			1	
%	83.19	6.16	1.96	1.12	0.00	7.28	0.00	0.00	0.28	0.00
TECHNICAL	272	17	7	1		157	26	3	4	
%	55.85	3.49	1.44	0.21	0.00	32.24	5.34	0.62	0.82	0.00
NO EEO CATEGORY	5									
%	100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTALS	+ 1108		99	41	17	1	635	199	34	11

POLK COUNTY BOARD OF COUNTY COMMISSIONERS WORKFORCE AS OF 06.30.2004

Job Category		MALE							FEMALE					
		Grand Total	Total	B	W	H	A	I	Total	B	W	H	A	I
Officials/Administrators	#	60	44	4	39	0	0	1	16	2	12	2	0	0
	%	100	73.34	6.67	65.00	0.00	0.00	1.67	26.66	3.33	20.00	3.33	0.00	0.00
Professionals	#	241	138	8	119	2	9	0	103	20	75	5	3	0
	%	100	57.26	3.32	49.38	0.83	3.73	0.00	42.73	8.30	31.12	2.07	1.24	0.00
Technicians	#	487	297	17	272	7	1	0	190	26	157	3	4	0
	%	100	60.99	3.49	55.85	1.44	0.21	0.00	39.02	5.34	32.24	0.62	0.82	0.00
Protective Services-Sworn	#	204	194	2	186	6	0	0	10	0	9	1	0	0
	%	100	95.10	0.98	91.18	2.94	0.00	0.00	4.90	0.00	4.41	0.49	0.00	0.00
Protective Services-Non Sworn	#	23	8	0	7	1	0	0	15	0	14	0	1	0
	%	100	34.78	0.00	30.43	4.35	0.00	0.00	65.22	0.00	60.87	0.00	4.35	0.00
Office/Clerical	#	466	82	14	58	8	2	0	384	96	275	12	1	0
	%	100	17.60	3.00	12.45	1.72	0.43	0.00	82.40	20.60	59.01	2.58	0.21	0.00
Skilled Craft	#	357	330	22	297	7	4	0	27	0	26	0	1	0
	%	100	92.43	6.16	83.19	1.96	1.12	0.00	7.56	0.00	7.28	0.00	0.28	0.00
Service/Maintenance	#	302	168	32	125	10	1	0	134	55	67	11	1	0
	%	100	55.63	10.60	41.39	3.31	0.33	0.00	44.37	18.21	22.19	3.64	0.33	0.00
KEY														
B-Black non-Hispanic														
W-White non-Hispanic														
H-Hispanic														
A-Asian/Pacific Islander non-Hispanic														
I-American Indian/Alaskan Native non-Hispanic														

POLK COUNTY BOARD OF COUNTY COMMISSIONERS - UTILIZATION ANALYSIS AS OF 06.30.2004

Total Employees 2140 Job Category CLS=Comm. Labor Stats.	Total Male	B	W	H	A	I	Total Female	B	W	H	A	I
OFFICIALS/ADMINISTRATORS												
*CLS%	60.80	2.40	53.50	3.20	0.80	0.20	39.20	3.10	33.50	1.90	0.50	0.00
**Workforce%	73.34	<u>6.67</u>	<u>65.00</u>	<u>0.00</u>	<u>0.00</u>	<u>1.67</u>	26.66	<u>3.33</u>	<u>20.00</u>	<u>3.33</u>	<u>0.00</u>	<u>0.00</u>
Utilization %	12.54	4.27	11.50	-1.10	-0.80	1.47	-12.54	0.23	-13.50	1.43	-0.50	0.00
PROFESSIONALS												
CLS%	40.30	2.30	34.00	2.30	1.30	0.20	59.70	6.50	48.90	2.40	1.10	0.20
Workforce%	57.26	<u>3.32</u>	<u>49.38</u>	<u>0.83</u>	<u>3.73</u>	<u>0.00</u>	42.73	<u>8.30</u>	<u>31.12</u>	<u>2.07</u>	<u>1.24</u>	<u>0.00</u>
Utilization %	16.96	1.02	15.38	-1.47	2.43	-0.20	-16.97	1.80	-17.78	-0.33	0.14	-0.20
TECHNICIANS												
CLS%	38.30	2.10	32.70	2.20	0.80	0.40	61.60	7.10	48.90	4.10	0.70	0.10
Workforce%	60.99	<u>3.49</u>	<u>55.85</u>	<u>1.44</u>	<u>0.21</u>	<u>0.00</u>	39.02	<u>5.34</u>	<u>32.24</u>	<u>0.62</u>	<u>0.82</u>	<u>0.00</u>
Utilization %	22.69	1.39	23.15	-0.76	-0.59	-0.40	-22.58	-1.76	-16.66	-3.48	0.12	-0.10
PROTECTIVE SERVICES SWORN												
CLS%	79.40	6.40	68.10	4.20	0.20	0.00	20.50	4.10	15.10	0.70	0.20	0.10
Workforce%	95.10	<u>0.98</u>	<u>91.18</u>	<u>2.94</u>	<u>0.00</u>	<u>0.00</u>	4.90	<u>0.00</u>	<u>4.41</u>	<u>0.49</u>	<u>0.00</u>	<u>0.00</u>
Utilization %	15.70	-5.42	23.08	-1.26	-0.20	0.00	-15.60	-4.10	-10.69	-0.21	-0.20	-0.10
PROTECTIVE SERVICES NON-SWORN												
CLS%	70.00	1.50	64.80	3.70	0.00	0.00	29.60	11.10	18.50	0.00	0.00	0.00
Workforce%	34.78	<u>0.00</u>	<u>30.43</u>	<u>4.35</u>	<u>0.00</u>	<u>0.00</u>	65.22	<u>0.00</u>	<u>60.87</u>	<u>0.00</u>	<u>4.35</u>	<u>0.00</u>
Utilization %	-35.22	-1.50	-34.37	0.65	0.00	0.00	35.62	-11.10	42.37	0.00	4.35	0.00
OFFICE/CLERICAL												
CLS%	29.00	2.80	23.40	2.00	0.40	0.10	71.00	8.00	56.90	4.20	8.00	0.20
Workforce%	17.60	<u>3.00</u>	<u>12.45</u>	<u>1.72</u>	<u>0.43</u>	<u>0.00</u>	82.40	<u>20.60</u>	<u>59.01</u>	<u>2.58</u>	<u>0.21</u>	<u>0.00</u>
Utilization %	-11.40	0.20	-10.95	-0.28	0.03	-0.10	11.40	12.60	2.11	-1.62	-7.79	-0.20
SKILLED CRAFT												
CLS%	94.70	7.30	74.50	10.40	0.50	0.40	5.30	0.50	4.10	0.40	0.20	0.00
Workforce%	92.43	<u>6.16</u>	<u>83.19</u>	<u>1.96</u>	<u>1.12</u>	<u>0.00</u>	7.56	<u>0.00</u>	<u>7.28</u>	<u>0.00</u>	<u>0.28</u>	<u>0.00</u>
Utilization %	-2.27	-1.14	8.69	-8.44	0.62	-0.40	2.26	-0.50	3.18	-0.40	0.08	0.00
SERVICE/MAINTENANCE												
CLS%	60.60	9.60	38.70	10.30	0.60	0.20	39.40	7.90	25.20	4.70	0.50	0.20
Workforce%	55.63	<u>10.60</u>	<u>41.39</u>	<u>3.31</u>	<u>0.33</u>	<u>0.00</u>	44.37	<u>18.21</u>	<u>22.19</u>	<u>3.64</u>	<u>0.33</u>	<u>0.00</u>
Utilization %	-4.97	1.00	2.69	-6.99	-0.27	-0.20	4.97	10.31	-3.01	-1.06	-0.17	-0.20

*2000 Census Data

** Workforce % as of June 30, 2004

H:\20042005 EEO Stats\2004 EEO Utilization based on 2000 Census Page IV-4

POLK COUNTY BOARD OF COUNTY COMMISSIONERS

Bartow, Florida

MSA UTILIZATION COMPARISON

Utilization Based on 2000 Census

Job Category	MALE							FEMALE							BOTH
	Total	B	W	H	A	I	Total	B	W	H	A	I			
Officials/Administrators	#	15870	630	13975	835	220	55	10230	815	8740	490	125	10	26105	
	%	60.80	2.40	53.50	3.20	0.80	0.20	39.20	3.10	33.50	1.90	0.50	0.00	100	
Professionals	#	11600	670	9780	675	360	45	17195	1885	14080	690	315	60	28790	
	%	40.30	2.30	34.00	2.30	1.30	0.20	59.70	6.50	48.90	2.40	1.10	0.20	100	
Technicians	#	2089	115	1785	120	45	20	3363	390	2665	225	40	4	5455	
	%	38.30	2.10	32.70	2.20	0.80	0.40	61.60	7.10	48.90	4.10	0.70	0.10	100	
Protective Services-Sworn	#	3493	280	2995	185	10	0	903	180	665	30	10	4	4400	
	%	79.40	6.40	68.10	4.20	0.20	0.00	20.50	4.10	15.10	0.70	0.20	0.10	100	
Protective Services-Non Sworn	#	189	4	175	10	0	0	80	30	50	0	0	0	270	
	%	70.00	1.50	64.80	3.70	0.00	0.00	29.60	11.10	18.50	0.00	0.00	0.00	100	
Office/Clerical	#	15879	1510	12835	1100	235	30	38910	4400	31190	2300	455	135	54790	
	%	29.00	2.80	23.40	2.00	0.40	0.10	71.00	8.00	56.90	4.20	0.80	0.20	100	
Skilled Craft	#	24005	1860	18890	2635	120	105	1344	125	1040	110	45	10	25355	
	%	94.70	7.30	74.50	10.40	0.50	0.40	5.30	0.50	4.10	0.40	0.20	0.00	100	
Service/Maintenance	#	43835	6980	28035	7470	405	155	28510	5720	18255	3385	370	135	72355	
	%	60.60	9.60	38.70	10.30	0.60	0.20	39.40	7.90	25.20	4.70	0.50	0.20	100	

KEY

B - Black non-Hispanic

W - White non Hispanic

H- Hispanic

A - Asian/Pacific Islander non-Hispanic

I - American Indian/Alakan Native non-Hispanic

Polk County (Lakeland-Winter Haven, Florida) Metropolitan Statistical Area (MSA)

*May not equal actual number due to citizens listing 2+ races or 100% due to rounding and the listing of 2+ races

SECTION V

IDENTIFICATION OF PROBLEM AREAS

UNDER (-) UTILIZATION CHART

UTILIZATION & IMPROVEMENT STRATEGIES

SECTION V

IDENTIFICATION OF PROBLEM AREAS

The County continued to make improvement with increasing minority and female employment during this reporting period. The County continues to expend efforts seeking to hire and retain a significant number of qualified minority and female employees representative of the local population. A review of the under utilization analysis found in this section highlights and sets forth the deficiencies by negative utilization figures. Despite our efforts and noticeable improvement, these areas pinpoint those categories where we must yet expend additional efforts to increase minority and female employment. However, during this reporting period, the County has continued to be much more aggressive in recruiting for the more competitive and non-traditional, hard to fill positions.

As in previous years, the fact that we must compete with Orlando and Tampa for good employees, more often than not, creates a negative experience when attempting to fill some of the more critically deficient positions, such as Public Safety positions. During this reporting period, the categories of Protective Services Sworn and Protective Services Non-Sworn have been redefined and/or created, while the former category of Paraprofessional has been deleted in accordance with the 2000 Census data. Thus, it is impossible to compare these categories to the previous years reporting analysis, but rather the analysis is limited to the BoCC's workforce in comparison to the Polk County population, MSA, provided by the 2000 Census.

The following three sections will more clearly set forth the strategies and/or goals we think necessary to continuously improve utilization in the employment of females and minorities.

POLK COUNTY BOARD OF COUNTY COMMISSIONERS (-) UTILIZATION ANALYSIS AS OF 06.30.2004

Total Employees 2140 Job Category CLS=Comm. Labor Stats.	Total Male	B	W	H	A	I	Total Female	B	W	H	A	I
OFFICIALS/ADMINISTRATORS Utilization %	12.54	4.27	11.50	-1.10	-0.80	1.47	-12.54	0.23	-13.50	1.43	-0.50	0.00
PROFESSIONALS Utilization %	16.96	1.02	15.38	-1.47	2.43	-0.20	-16.97	1.80	-17.78	-0.33	0.14	-0.20
TECHNICIANS Utilization %	22.69	1.39	23.15	-0.76	-0.59	-0.40	-22.58	-1.76	-16.66	-3.48	0.12	-0.10
PROTECTIVE SERVICES SWORN Utilization %	15.70	-5.42	23.08	-1.26	-0.20	0.00	-15.60	-4.10	-10.69	-0.21	-0.20	-0.10
PROTECTIVE SERVICES NON-SWORN Utilization %	-35.22	-1.50	-34.37	0.65	0.00	0.00	35.62	-11.10	42.37	0.00	4.35	0.00
OFFICE/CLERICAL Utilization %	-1.70	1.40	-4.45	1.22	0.33	-0.10	1.80	14.30	-12.99	0.68	0.11	-0.20
SKILLED CRAFT Utilization %	0.23	-0.44	0.99	-0.44	0.82	-0.40	-0.14	-0.90	0.78	-0.20	0.18	0.00
SERVICE/MAINTENANCE Utilization %	-21.07	-3.10	-16.71	-0.09	-0.07	-1.00	21.17	13.51	5.29	2.14	0.33	0.00

Workforce % as of June 30, 2004

H:\20042005 EEO Stats\2004 EEO Under-Utilization based on 2000 Census Page V-2

Section V

UTILIZATION AND IMPROVEMENT STRATEGIES

The following section provides an outline of the utilization results for the Polk County Board of County Commissioners' workforce and is merely a strategic plan for improvement; it is not intended to be perceived as one of preference. To improve in those areas where the County has traditionally been unsuccessful in employing the number of female and minority persons available in the Polk County labor force population, according to the 2000 census information, we have established what we consider to be a reasonable goal (increase in percent) that is obtainable through our Equal Employment Opportunity Program.

As of June 30, 2004 (the end of this reporting period), the Polk County Board of County Commissioners had a total personnel count of 2140. The following information represents the distribution of employees by job category, the BoCC's utilization and strategy for improvement in those categories where employment percentages are deficient. As indicated in the last report, these strategies are predicted to be attainable within a five year period, with this reporting period being the second year of the BoCC's efforts to attain the goals.

Category 1 - Officials & Administrators According to the 2000 Census, Polk County's MSA minority availability in this category is 12.18%. The BoCC met and exceeded utilization with 15% minority personnel in this category. However, the BoCC was again unsuccessful in utilizing the number of available females in this category with 26.66% compared to the Polk County of 39.20%. The strategy is to take affirmative action to recruit and retain female employees in this category to meet utilization and have a workforce that mirrors the labor force population of Polk County's MSA.

Category 2 - Professionals Again, the BoCC met utilization of the available minority persons in this category with 19.50% compared with an availability of 16.32% in the Polk County MSA, according to the 2000 census. The BoCC's number and percentage of female employees in this category decreased since the last report. Our percent of females utilized is 42.73% compared to the ratio in the Polk County MSA of 59.70%. Our strategy is to identify and hire qualified females, as well as continue to retain the current female employees, in this category to equal the ratio of such members of the Polk County's MSA population.

Category 3 - Technicians The County did not succeed in utilizing the available minority workforce for this category with 11.91% compared to Polk County's MSA availability of 17.59%. We experienced a slight increase in percentage of females utilized in this category since the last report, up from 36.75% to 39.02%, yet the number of females available in Polk County's MSA of 61.60% was not fully utilized. The County's strategy is to initiate contact with local vocational schools and improve general recruitment efforts to target female personnel in this category to achieve fair representation of the local population.

Category 4 - Protective Services - Sworn This category has been changed by the U. S. Census Bureau since the last reporting period, therefore it is impossible to compare our current status with the previous reporting period status. We were again unable to meet utilization in this category in comparison to the Polk County MSA labor force.

The BoCC is well below the Polk County MSA average of 15.90% minority availability with a utilization of only 4.41%. The percentage of females used in this category by the BoCC was 4.90% compared with the Polk County MSA availability of 20.50%. The BoCC will continue to do more recruiting in local high schools and colleges to increase minority and female County personnel significantly enough to fully utilize the available workforce.

Category 5 - Protective Services Non-Sworn This too, is a newly created category by the Census bureau, and thus, it is impossible to compare it to the previous reporting period. Compared with the Polk County MSA average of 16.36% availability of minorities, the BoCC's rate of utilization was 8.70%. However, the BoCC's use of females in this category is 65.22% which is positive compared to the Polk County MSA average usage of 29.6%. The strategy is to offer on-the-job training and other incentives to increase minority personnel to a percentage that is more closely reflective of the local labor force.

Category 6 - Office / Clerical Minorities and females are fully utilized in this category with 28.54% minorities compared to the local population availability at 18.55%. The BoCC employed 82.40% females compared with the Polk County MSA average of 71.00%. The strategy is to promote from within and offer incentives to retain qualified minorities and females to continue to meet utilization.

Category 7 - Skilled Craft Minorities in this category were not fully utilized during this reporting period. The BoCC employed 9.52% minorities compared with the Polk County MSA average of 19.76%. However, the County employed 7.56% females which compares very favorably with the Polk County MSA average of 5.30%. The County's strategy is to target vocational schools and recruit qualified minorities to achieve a workforce that is more representative of the Polk County's MSA population.

Category 8 - Service / Maintenance The County has again met and exceeded the percentage of minority and female utilization in this category. However, the strategy is to continue to hire and retain qualified minorities and females to mirror the local population.

A comparison of Polk County's MSA available work force to the BoCC's utilization of females and minorities shows we succeeded in meeting minority utilization in five of the eight categories. The categories lacking in minority utilization are the two newly changed categories of Protective Services Sworn and Protective Services Non-Sworn, as well as the Skilled Craft category. The County's female workforce is underutilized in four categories, which is an improvement over last years underutilization in six categories. However, during this reporting period, the County increased the number of female personnel in all categories previously under-utilized, not considering Protective Services Sworn and Protective Services Non-Sworn categories which can not be compared to the last reporting period.

The County will continue its efforts to increase the percentage of female and minority employees in all the categories where they are not adequately represented. We continue to improve our recruitment efforts by utilizing the Internet for job postings, attending more college fairs and job fairs, including historically black colleges, and career day programs. These improved recruitment efforts should help the County increase its minority and female employment.

SECTION VI

GOALS FOR UTILIZATION

- A. Strategies
- B. Dissemination

SECTION VI

POLK COUNTY BOARD OF COUNTY COMMISSIONERS Bartow, Florida

In the last report, we set forth long range goals (two to five year period) intended to show how Polk County planned to achieve utilization in the categories that are not representative of the local population. The following statistical information is intended to show the goals for utilization set forth in the last report (Section V & VI), provide a status report of those met or unmet goals during this reporting period, and present the goals for the next reporting period. Again, the County will continue its efforts to achieve and maintain utilization in all categories that is representative of the local population.

<u>GOALS This Period</u> 7/1/02-06/30/04	<u>GOAL Status</u> 7/1/03-06/30/04	<u>GOALS for Next Period</u>
<u>Officials/Administrators</u>		
Females - Increase to full utilization	Goal Unmet	Increase to full utilization
Minorities - Maintain full utilization	Increased by 1 position Goal Achieved	Maintain full utilization
<u>Professionals</u>		
Females - Increase to full utilization	Goal Unmet	Increase to full utilization
Minorities - Maintain full utilization	Decreased by 13 positions Goal Achieved	Maintain full utilization
<u>Technicians</u>		
Females - Increase to full utilization	Goal Unmet	Increase to full utilization
Minorities - Maintain full utilization	Increased by 36 positions Goal Unmet	Increase to full utilization
<u>Protective Services - Sworn</u>		
Females - N/A New Category	N/A	Increase to full utilization
Minorities - N/A New Category	N/A	Increase to full utilization
<u>Protective Services - Non Sworn</u>		
Females - N/A New Category	N/A	Maintain full utilization
Minorities - N/A New Category	N/A	Increase to full utilization
<u>Office/Clerical</u>		
Females - Maintain full utilization	Goal Achieved	Maintain full utilization
Minorities - Maintain full utilization	Goal Achieved	Maintain full utilization
<u>Skilled Craft</u>		
Females - Increase to full utilization	Goal Achieved	Maintain full utilization
Minorities - Increase to full utilization	Goal Unmet	Increase to full utilization
<u>Service Maintenance</u>		
Females - Maintain full utilization	Goal Achieved	Maintain full utilization
Minorities - Maintain full utilization	Goal Achieved	Maintain full utilization

STRATEGIES:

The BoCC will continue to increase its recruitment efforts, actively seeking to attract more female and minorities. In addition to recruitment, we will also continue to evaluate, and modify as necessary our practices regarding internal promotions to ensure that all persons receive equal opportunity in the hiring and promotion process, as well as receive benefits and personnel actions without regards to race, color, religion, age, sex, national origin, or any other reason prohibited by law. The County will continue to conduct diversity/sensitivity training classes for all its employees. The County Manager has directed management staff to increase all efforts to achieve and maintain utilization of Minorities and Females in all categories.

DISSEMINATION:

The Plan, as presented herein, is officially housed in the Equal Opportunity Office, located at the Neil Combee Administration Building, 330 West Church Street - 4th Floor/Room 420 Bartow, Florida. As stated in Section III of this plan, the Equal Opportunity Administrator, Kandis Baker-Buford, is the employee designated to implement the Equal Opportunity Program for Polk County BoCC. The Plan is available for review by any person desiring to do so by visiting the office or by requesting a copy from the above-named office. A memorandum detailing this availability will again be placed on bulletin boards throughout the County, and the Declaration that the County is an Equal Opportunity employer is made a part of all the BoCC's job postings, newspaper advertisements, and stationery. Additionally, we convey the message that we are an equal opportunity employer during all recruitment events and we actively recruit females and minorities. We also convey the message that the BoCC is an equal opportunity employer and promotes workplace diversity.

SUPPORT DOCUMENTATION

(Section I)

5.02 EQUAL EMPLOYMENT OPPORTUNITY

The Board of County Commissioners is an Equal Opportunity/Affirmative Action Employer and does not discriminate in admission or access to, or treatment, or employment in its programs and activities. It is the policy of the Board to afford equal opportunity to all persons regardless of race, color, religion, age, sex, national origin, disability or marital status and to promote full realization of equal employment through a positive continuing program. The County will take affirmative action to:

Recruit, hire and promote all job classifications without regard to race, color, religion, age, sex, national origin, disability or marital status. Any employment decision will be made so as to further the equal opportunity principles.

Ensure that all personnel actions and benefits will be administered in a nondiscriminatory basis.

Discrimination based on race, color, religion, age, sex, national origin, disability, marital status or political affiliation is unlawful and will not be tolerated by the Polk County Board of County Commissioners. The Polk County Board of County Commissioners is committed to investigating and eradicating any form of discrimination, sexual harassment or work place harassment. If you have questions or concerns regarding equal employment opportunity issues, you are encouraged to contact the Equal Opportunity Administrator at 534-6075. The Equal Opportunity Office is located on the fourth floor of the County Administration Building, Bartow.

5.03 VETERANS PREFERENCE

In compliance with Florida State Statute 295, Polk County affords Veterans preference in employment.

5.04 DISABILITY POLICY STATEMENT

Polk County government is committed to a policy of nondiscrimination on the basis of disability in its employment practices, provision of public services, and access to governmental facilities. Qualified disabled individuals will be considered to fill vacant County positions. Polk County agrees to take affirmative action in an effort to employ, promote, train and otherwise reasonably accommodate, when appropriate, disabled persons in County service. All levels of administration and supervision will actively participate in the implementation of this policy.

5.05 DISCRIMINATION POLICY, COMPLAINTS AND APPEALS:

POLICY

In compliance with Title VII of the Civil Rights Act of 1964, and State law, the Polk County Board of County Commissioners prohibits employment discrimination on the basis of race, color, religion, sex, age, national origin, political affiliation or belief, marital status, or disability. Harassment based on race, color, religion, sex, age, national origin, disability, marital status or

political affiliation is against the law and will not be tolerated by the Polk County Board of County Commissioners.

It is also unlawful and a violation of County Policy to retaliate or take reprisal in any way against anyone who has articulated a concern or complaint about discrimination, whether the retaliation is against the individual subjected to the discrimination or against the individual raising the concern.

The Polk County Equal Opportunity Administrator or designated representative shall investigate all charges filed by applicants or employees who allege that they have been denied equal employment opportunities or services based on race, color, religion, sex, age, national origin, political affiliation or belief, marital status, disability or any other reason prohibited by law. All charges initiated by County employees or prospective employees, or charges initiated by the customers doing business with Polk County BoCC will be submitted to the Equal Employment Opportunity Administrator located on the fourth floor of the County Administration Building. Other county Constitutional Offices who have elected to be covered by, and participate in this process will also have charges investigated in accordance with this policy. The investigation and the ultimate disposition of each such complaint will be in accordance with the procedures contained herein. The Polk County Board of County Commissioners is committed to vigorously enforcing its Discrimination and Retaliation policy at all levels within the County.

Examples of conduct that would be considered harassment or related retaliation are set forth in the Statement of Prohibited Conduct, which is found at the end of this section.

COMPLAINT PROCEDURE

- A. Filing a Formal Complaint: Complaints of discrimination against the Polk County Board of County Commissions must be forwarded, in writing, to the Equal Opportunity Administrator or designated representative within 30 calendar days following the alleged discrimination. An Equal Opportunity Intake Form, located in the EO Office, should be used to make such a complaint. All complaints must include the following items of information:
1. Name of the charging party, work location, and telephone number.
 2. The basis for the alleged discrimination, e.g., race, color, sex, age, religion, national origin, marital status, political affiliation or belief, physical handicap or any other reason prohibited by law.
 3. A short statement of the actions and circumstances which caused the act or acts of discrimination to occur. Indicate date, time and place.
 4. Name, title, and office/division of the individual(s) responsible for the alleged act(s) of discrimination.
 5. List any witnesses or persons having knowledge of the event(s).
- A. Agency Investigation: Within 10 working days of receipt of a complaint of discrimination, the Equal Opportunity Administrator shall give written notification to the Complainant, acknowledging receipt of the complaint and describing the steps

that will be taken by the EO Office to resolve the complaint.

- C. Fact-Finding Meeting: At the discretion of the EO Administrator, a fact-finding meeting may be conducted with the complainant and the respondent to determine if the alleged discriminatory action can be resolved between the parties prior to an investigation. The EO Administrator may require the responding department or division to answer to the charge of discrimination in writing to the EO Office within 10 days from the EO Administrator's request for a response.
- D. Investigation Report: The Equal Opportunity Administrator or designated representative shall prepare a final report, within 45 days following the filing of the complaint, describing the findings and conclusions reached in the investigation and the proposed recommendations for resolving the matter. An extension of time may be granted by the County Manager. Notification of such extension shall be provided to the Complainant. A copy of the final report together with all supporting documentation, if applicable, shall be provided to the Complainant within 15 days following the report's completion.
- E. Appeal Rights: If the Complainant is not satisfied with the action plan or resolution of the complaint, the Complainant may appeal the disposition of the complaint to the Employee Relations Council (ERC). Requests to appeal to the Employee Relations Council must be made in writing and directed to the Equal Opportunity Office within 21 calendar days of the receipt of the Equal Opportunity Administrator's final report of investigation. See Handbook Section 13.05 PROCEDURAL RULES FOR APPEALS TO THE EMPLOYEE RELATIONS COUNCIL. The Complainant's decision to file an internal administrative complaint is not intended to inhibit the Complainant's right to file a consecutive or concurrent complaint with the Federal Equal Employment Opportunity Commission and/or the Florida Commission on Human Relations.
- F. Confidentiality: With the cooperation of the concerned employee(s), the investigation will be carried out with respect for the confidences and sensitivity of all persons involved. However, as with most county generated information, the final report and all supporting documentation is a matter of public record.

Where complaints of discrimination or harassment are substantiated, appropriate action will be taken. Appropriate action may range from counseling to termination.

STATEMENT OF PROHIBITED CONDUCT

The Polk County Board of County Commissioners considers the following conduct to represent some of the types of acts which violate Polk County's Discrimination and Harassment Policy, but is not to be construed as an all inclusive list of prohibited acts:

- A. Excluding individuals from an employment opportunity on any basis prohibited by law, including refusal to hire or promote.

- B. Gestures, noises, remarks, jokes, profanity, or derogatory comments about a person's race, color, sex, age, religion, or national origin directed at or made in the presence of any employee, customer, or client.
- C. Disciplining, changing work assignments of, providing inaccurate work information to, or refusing to cooperate or discuss work-related matters with any employee because of their race, color, sex, age, religion, national origin, political affiliation or belief, marital status or because they have complained about or resisted harassment, discrimination, or retaliation.
- D. Intentionally making performance of an individual's job more difficult because of the individual's race, color, sex, age, religion, national origin, political affiliation or belief, marital status or disability.
- E. Displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are discriminatory, demeaning or bringing into the work environment or possessing any such material to read, display or view at work.
- F. Implementing practices that cause similarly situated individuals of a different race, sex, religion, age, national origin, political affiliation or belief, marital status, or who are disabled to be accorded different treatment in the context of a similar employment situation.
- G. Subjecting, or threats of subjecting, an employee to termination, demotion, or unfair treatment if, or because, they complain about or resist harassment, discrimination, or retaliation.
- H. Intentionally pressuring, falsely denying, lying about or otherwise engaging in deception in order to cover up or attempt to cover up misconduct or actions described in any item above.
- I. Refusing to cooperate in the conduct of an EO investigation.
- J. Intentionally making a false statement intended to misrepresent or impede discovery of the truth or actual facts or circumstances.

All conduct or actions described above are grounds for disciplinary action, up to and including termination. If you have questions or concerns regarding discrimination or harassment matters, please contact the Equal Opportunity Administrator at 534-6075.

10.11 SEXUAL HARASSMENT POLICY

Sexual harassment is another form of sex discrimination prohibited by Title VII of the Civil Rights Act of 1964, and is thus prohibited by the Polk County Board of County Commissioners. Sexual harassment, as in the case of harassment based on age, race, color, religion, disability, national origin, or marital status, is against the law and will not be tolerated by the Polk County Board of County Commissioners.

Sexual harassment consists of unwelcome sexual advances, request for sexual favors or other verbal or physical acts of a sexual or sex-based nature where (1) submission to the advances is a term or condition of employment, or (2) submission to, or rejection of, the advances is used as the basis for making business decisions, or (3) such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

It is also unlawful and a violation of County policy to retaliate or take reprisal in any way against anyone who has articulated a concern about sexual harassment or discrimination, whether that concern relates to harassment or discrimination against the individual raising the concern or against another individual.

Examples of conduct that would be considered sexual harassment or related retaliation are set forth in the statement of Prohibited Conduct.

Any employee who believes he or she has been the subject of sexual harassment should report the incident immediately to their immediate supervisor, the Equal Opportunity Administrator, or an Assistant County Attorney. Complaints against the Chairman of the Polk County Board of County Commissioners should be immediately reported to the County Attorney. The County Attorney will notify the vice-Chairman of the Board of County Commissioners and retain outside counsel, who will direct an investigation of the complaint. If the complaint is against a County Commissioner, it should be immediately reported to the County Attorney. The County Attorney will notify the Chairman of the Board of County Commissioners and retain outside counsel, who will direct an investigation of the complaint. If the complaint is against the County Manager the employee should report the incident immediately to the County Attorney. The County Attorney will notify the Chairman of the Board of the County Commissioners and retain outside counsel, who will direct an investigation of the complaint. Complaints against the Equal Opportunity Administrator should be immediately reported to the County Manager. Complaints against the County Attorney should be immediately reported to the Equal Opportunity Administrator. The Equal Opportunity Administrator will notify the Chairman of the Board of County Commissioners. The outside counsel may be retained to investigate the complaint. Complaints against Assistant County Attorneys should be immediately reported to the County Attorney.

With the cooperation of the concerned employee, the investigation will be carried out with respect for the confidences and sensitivity of all persons involved. The concerned employee will be afforded protection from retaliation. The results of any investigation of alleged harassment shall be promptly communicated to the employee. Where charges of sexual harassment are substantiated, appropriate action will be taken. Appropriate action may range from counseling to termination.

Polk County recognizes that false accusations of sexual harassment can have a serious effect on innocent men and women and that absolute guilt or innocence may be difficult to prove. However, individuals determined to have made false accusations of sexual harassment will be subject to appropriate disciplinary action.

Sexual harassment is unlawful and such prohibited conduct exposes not only Polk County, but the individuals involved in such conduct, to liability under the law. Employees at all times shall treat other employees and outside parties, i.e., the public customers, guests, visitors, vendors, etc., respectfully, with dignity, and in a manner so as not to offend their sensibilities. Accordingly, Polk County Board of County Commissioners is committed to vigorously enforcing its Sexual Harassment Policy at all levels within the County.

STATEMENT OF PROHIBITED CONDUCT

The Polk County Board of County Commissioners considers the following conduct to represent some of the types of acts which violate Polk County's Sexual Harassment Policy.

- A. Unwanted physical contact of sexual nature, such as:
 - 1. Intentional physical conduct which is sexual in nature, such as touching, pinching, patting grabbing, brushing against another employee's body, or poking another employee's body.

- B. Unwanted sexual advances, propositions, or other sexual comments, such as:
 - 1. Sexually-oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any employee who indicates or has indicated in any way that such conduct in his or her presence is unwelcome;
 - 2. Preferential treatment or promise of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward; and
 - 3. Subjecting, or threats of subjecting, any employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex.

- C. Sexual harassment or discriminatory displays or publications anywhere in Polk County's work place by employee's such as:
 - 1. Displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic, or bringing into the work environment or possessing any such material to read, display or view at work.

- D. Retaliation for sexual harassment complaints, such as:

1. Disciplining, changing work assignments of, providing inaccurate work information to, or refusing to cooperate or discuss work-related matters with, any employee because that employee has complained about or resisted harassment, discrimination or retaliation;
2. Intentionally pressuring, falsely denying, lying about or otherwise covering up or attempting to cover up conduct such as the described in any item above; and

The above is not to be construed as an all inclusive list of prohibited acts under the Polk County Board of County Commissioners Sexual Harassment Policy.

The Polk County Board of County Commissioners is committed to investigating and eradicating any form of sexual harassment. You are encouraged, if you have any questions, to contact the Equal Opportunity Administrator's Office at 534-6075.

13.02 PRE-DISCIPLINARY PROCEDURES

Relative to a proper and timely request for a pre-disciplinary conference the following procedure will be followed:

1. Within 7 calendar days of receipt of notification of disciplinary action, the employee must request a Pre-Disciplinary Conference, using the Multi-Purpose Employee Action Form, or otherwise in writing. Also, if the employee wishes to be represented by an attorney, then they must advise the Pre-Disciplinary official of their intent to do so within at least 24 hours of the scheduled conference.
2. The Deputy County Manager (or his/her designated representative) will schedule a conference with the employee to hear their side of the story. The Deputy County Manager (or his/her designated representative) will determine what action will be taken and advise the employee within 4 business days following the Pre-Disciplinary Conference.
3. Once the Deputy County Manager (or his/her designee) reaches a decision, the appropriate paperwork will be forwarded to the Personnel Division so the recommended actions may be carried through in a timely manner.

If an employee is not satisfied with the results of the Pre-Disciplinary conference, they have the right to an Appeal Hearing before the Employee Relations Council, in accordance with the Appeals Procedures (section 13.03) as outlined within this manual.

13.03 POST DISCIPLINARY APPEALS PROCEDURES:

APPEALS TO THE EMPLOYEE RELATIONS COUNCIL:

If an employee is not satisfied with the results of the Pre-Disciplinary conference, this procedure shall be used in instances where an action results in a performance improvement probation, involuntary demotion, suspension without pay or termination that has been taken affecting the employment of regular full time and regular part time employees, who have completed their initial probation and are not exempt from the appeals procedure.

If desired, the employee shall initiate an appeal by notifying the County Equal Opportunity Administrator that he/she requests a hearing before the Employee Relations Council. Appeal notices must be in writing and addressed to the County Equal Opportunity Administrator within 21 calendar days of the adverse action. An employee shall not be disciplined in any manner for filing a complaint.

NAME CLEARING HEARING:

Department Directors, Division Directors and other administrative personnel as noted within the County's Wage and Classification plan are exempt from the right of appeal. Employees who are in their initial probationary period are also exempt from the right of appeal. These employees are hired, promoted, suspended and dismissed at the pleasure of the appointing authority and therefore have no right to appeals hearings before the Employee Relations Council. However, these

individuals may have a right to a “Name Clearing Hearing”. If requested, a Name Clearing Hearing shall be held in conformance with the law. Generally, an employee may have a right to a Name Clearing Hearing if they are terminated and their dismissal is accompanied by a stigmatizing charge (made public) which might seriously damage the employee’s standing and association in the community or which impedes the employee’s opportunity for future employment. It should be noted that such Name Clearing Hearing is not intended to address the correctness of the decision to terminate the employee. It is only intended to provide the employee an opportunity to refute any stigmatizing charges and to have such testimony (or written rebuttal) made part of the public record (placed in the employee’s personnel file along with the original charges).

If desired, an employee may request a Name Clearing Hearing by notifying the County Equal Opportunity Administrator (EOA), in writing, within 21 calendar days of the adverse action. The request for such hearing shall be signed by the employee or authorized representative and shall state the employee’s current telephone number and mailing address at which the EOA should contact him/her regarding hearing information/scheduling matters.

13.04 EMPLOYEE RELATIONS COUNCIL

The Polk County Board of County Commissioners has established an Employee Relations Council for the purpose of hearing discrimination complaints and employee appeals.

The Council is composed of 5 members appointed by the Board of County Commissioners for that purpose. Each of the 5 Council members shall be entitled to 1 vote. Three members of the 5 person Council shall constitute a quorum. A majority rule situation shall apply. Each case shall be judged on its own merit.

13.05 PROCEDURAL RULES FOR APPEALS TO THE EMPLOYEE RELATIONS COUNCIL

These rules should integrate with the existing employees handbook adopted by the BOCC. Specifically, these rules shall apply when an employee has filed an appeal under 13.03 (POST DISCIPLINARY APPEALS PROCEDURE) or 5.06 (DISCRIMINATION, POLICY, COMPLAINTS AND APPEALS) of the handbook. These rules do not apply under the general grievance procedure of 13.06. This procedure shall apply both to disciplinary actions which result in a performance improvement probation, involuntary demotion, suspension without pay, or termination as well as discrimination complaints. Any contradiction between these rules and the employee handbook shall be resolved in favor of section 13.05. These rules shall apply after the pre-disciplinary process has resulted in an action adverse to the employee.

1. A written request for an appeal hearing must be received by the County Equal Opportunity Administrator within 21 calendar days of either, (1) the date of the final notice of disciplinary action (pre-disciplinary response), or (2) receipt of the County Equal Opportunity Administrator’s final investigation report regarding alleged discrimination. The twenty-one day period begins to run on the day following either (1) or (2) above. The request for an appeal hearing must state clearly and simply the reasons the employee believes said disciplinary action was not justified, or state the

specifics of any alleged discrimination, whichever applies. The request for appeal shall be signed by the employee or authorized representative and shall state the telephone and address to which a copy of the notice of hearing and other papers filed in the appeal should be mailed. The Division Director shall be considered the respondent.

2. The County Equal Opportunity Administrator shall investigate discrimination complaints and appeals to gather pertinent data to be presented to the Employee Relations Council. The basis for the appeal shall be the data presented by the County Equal Opportunity Administrator and the Multi-Purpose Employee Action form and any supporting information accompanying the form. If the hearing is for the purpose of considering a disciplinary appeal, the facts contained in the Multi-Purpose Employee Form and the violations identified therein are the only subject matter considered during the appeal hearing. Should the Division/Department Director desire to present different violations than those which appear in the Multi-Purpose Employee Action Form or a different factual basis for finding a violation of County rules, the Employee Relations Council shall remand the appeal back to the Department for further proceeding on the new factual material. Except for the requirement that the employee has had an opportunity to have a pre-disciplinary hearing, the Employee Relations Council shall not consider other aspects of the events surrounding the pre-disciplinary hearing. Nothing contained herein shall prohibit either party from introducing into the proceeding the employee's personnel file and the information contained therein, including, but not limited to, prior disciplinary actions and evaluations.
3. The County Equal Opportunity Administrator shall establish a date, time and place for the hearing of each appeal and alleged discrimination, and shall give the Complainant and the Respondent reasonable notice thereof. The hearing date shall be set within 21 calendar days of receipt of the complaint in the County Equal Opportunity office, unless an extension is agreed upon by both the Complainant and the Respondent.

The Complainant and Respondent shall have the right to be accompanied, represented and advised by counsel, or be self-represented. The Complainant will be responsible for their attorney fees. Normally, if the Complainant chooses to remain unrepresented by counsel, the Respondent will also waive its right to counsel before the Employee Relations Council. Should the Complainant or Respondent wish to be represented by counsel before the ERC, written notice of such appearance shall be given at least five days prior to the scheduled hearing. Failure to provide such notice will be deemed the Complainant's consent to a continuance of the scheduled hearing or to proceed without counsel.

4. The Complainant shall at all times keep the County Equal Opportunity Administrator informed, in writing, of his current telephone number and mailing address and it shall be the responsibility of the Complainant to inquire of the County Equal Opportunity Administrator bi-weekly as to all scheduling matters. Failure to comply with the

foregoing or failure to exercise the right of appeal at the latest date established for the notice of appeal, may constitute an abandonment of any further right to appeal the issue.

5. In the interest of efficiency, a stipulation of facts and admissibility of documents should be agreed to by both parties and submitted to the County Equal Opportunity Administrator at least three working days prior to the established hearing date.

Each party shall submit a list of potential witnesses to the County Equal Opportunity Administrator at least five working days prior to the established hearing date. No party to the proceeding has subpoena power absent order of the circuit court.

6. The County Equal Opportunity Administrator shall review the witness list submitted by the parties and determine which county employee witnesses shall be provided at County expense. The approved witnesses shall be provided at the expense of the county, including overtime cost if necessary. Those witnesses not approved by the County Equal Opportunity Administrator may appear at the hearing by taking annual leave, if necessary. Supervisors of the witnesses who have not been approved by the County Equal Opportunity Administrator but who wish to testify at the hearing may not unreasonably deny the employee/witness's request for leave. If the County Equal Opportunity Administrator declines to provide a witness at the County's expense the ERC may override, by majority vote, this decision and offer the employee/witness to appear at the hearing. Witnesses who appear by order of the ERC shall appear at County expense, including the cost of overtime.
7. The ERC shall consider the testimony of the witnesses, the documentary evidence presented to it, and the prior disciplinary actions taken against the employee. Upon the conclusion of the testimony presented at the hearing, the Employee Relations Council shall within four calendar days submit its finding and recommendation in writing to the County Manager. The ERC may issue a recommendation to sustain, reverse, or alter the discipline or issue a recommendation regarding the alleged discrimination. The recommendation regarding a disciplinary matter may only deal with the alleged violations. The ERC shall not issue recommendations regarding other issues of which it is aware.
8. The County Manager shall, within twenty-one calendar days of receipt of the ERC recommendation, issue a written order which may sustain, reverse, or alter the recommendation of the ERC. The decision of the County Manager is final and binding.