



Policy # DHHS-04-04

Issue Date: 07/01/04

Revised Date: 10/12/12

I. SUBJECT

Equal Employment Opportunity/Affirmative Action Policy Statement

II. POLICY STATEMENT

The Maine Department of Health and Human Services (DHHS) shall follow both the spirit and the letter of the law as it continues to pursue a policy of non-discrimination in all employment actions, practices, procedures, and conditions of employment.

III. RATIONALE

Historically, DHHS has adhered to a policy of equal employment opportunity and affirmative action. I earnestly reaffirm this policy and advocate a meaningful, results oriented program designed to assist us in the achievement of a high quality and diverse workforce.

IV. PROCEDURE STATEMENT

1. Recruitment, testing, selection, and promotion will be administered without regard to race or color, sex, sexual orientation, physical or mental disability, genetic information, religion, age, ancestry or national origin, marital status, whistleblower activity or previous assertion of a claim or right under the Maine Workers' Compensation Act unless a bonafide occupational qualification exists. Occupational qualifications shall be bonafide job requirements.
2. Further, personnel actions and conditions of employment, such as compensation, benefits, layoffs, releases, job assignments, employee development opportunities and discipline shall be administered with the same absence of bias as above, except where based on a bonafide occupational qualification, or where consideration of clients' right to privacy, the security within an institution or the safety of clients, employees, or the general public are considered paramount.
3. Employment decisions will be based on the principles of equal employment opportunity and affirmative action. In making assignments, the gender of the employee/applicant shall be given consideration only relative to the privacy interest of the client(s), or where clinically indicated. Such gender-based assignments will be narrowly construed and in strict adherence to established Departmental procedure.

4. Reasonable accommodations will be made for any qualified individual, applicant or employee, in accordance with the provisions of the Maine Human Rights Act and the Americans with Disabilities Act.
5. Managers and supervisors are responsible for awareness of and response to potential discriminatory situations. Employees are required to cooperate fully with the investigation and/or resolution of any discrimination complaint.
6. Managers and supervisors are required to actively prevent and correct retaliation and harassment toward any employee who has been involved in the filing, investigation, or resolution of a discrimination claim.
7. The Department will address and attempt to resolve employee complaints regarding discrimination and harassment as expeditiously as possible. Supervisors and managers are required to contact the Department EEO Coordinator(s) if they receive a complaint or become aware of any such conduct occurring through personal observation or information from another party.
8. This policy shall not be construed to prohibit any employment action or policy which is required by federal law, rule or executive order.

The responsibility for the implementation, monitoring, and recordkeeping of the equal employment opportunity/affirmative action program is given to the Department's Equal Employment Opportunity Coordinators. Their responsibilities will include providing technical assistance to departmental staff in EEO matters, identifying actual or potential discrimination, and assisting management to affect appropriate and satisfactory resolutions. For questions or technical assistance, contact one of the EEO Coordinators at: 287-4289 (V), or 287-3488 (V), Maine Relay 711 (TTY).

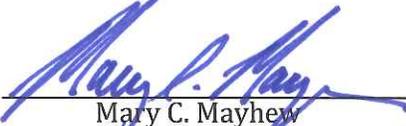
The State EEO Coordinator in the Bureau of Human Resources is also available as a resource to any state employee or supervisor, and may be reached at 287-4651 (V), Maine Relay 711 (TTY).

I sincerely appreciate the continued cooperation and support of all employees and supervisors in making the Department a positive example for other employers in the State.

V. DISTRIBUTION

All Staff via e-mail and posting on the DHHS Intranet.

October 12, 2012
Revised Date



Mary C. Mayhew
Commissioner