



POLICY TITLE: EQUAL EMPLOYMENT OPPORTUNITY		PAGE 1 OF 3
POLICY NUMBER: 3.9		
CHAPTER 3: PERSONNEL		
	STATE of MAINE DEPARTMENT OF CORRECTIONS Approved by Commissioner: 	PROFESSIONAL STANDARDS: See Section VII
EFFECTIVE DATE: May 19, 2003	LATEST REVISION: August 22, 2012	CHECK ONLY IF APA []

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A., Section 3036-A.

II. APPLICABILITY

Entire Maine Department of Corrections

III. POLICY

The Maine Department of Corrections is committed to the principles and practices of equal employment opportunity. The Department advocates meaningful programs to assist in creating and developing a diverse, high quality work force, and for a workplace where differences are respected and valued, and all employees have the support and the opportunity to realize their full potential.

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VI. PROCEDURES

Procedure A: Non-discrimination in Employment Actions

The Department of Corrections shall continue to pursue a policy of non-discrimination in all employment actions, practices, procedures and conditions of employment.

1. Employment decisions shall be based on the principles of equal employment opportunity. Recruitment, testing, selection, and promotion shall 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 bona fide occupational qualification exists.
2. Further, personnel actions and conditions of employment, such as compensation, benefits, layoffs, job assignments, employee development opportunities, and discipline shall be administered without regard to race, color, religion, sex, national origin or ancestry, age, physical or mental disability, sexual orientation, genetic information, whistleblower activity, or previous assertion of a claim or right under the Maine Workers' Compensation Act.
3. Principles of affirmative action shall apply where imbalances in the numbers of women, minorities and individuals with disabilities exist as demonstrated by the applicable EEO/AA Plan.
4. Reasonable accommodations shall be made for any otherwise 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 supervisory personnel are responsible for awareness of and response to potential discriminatory situations. Employees are required to cooperate fully with investigations and/or the resolution of any discrimination complaint. Managers and Supervisors are required to actively prevent and correct retaliation or harassment toward any employee who has been involved in the filing, investigation, or resolution of a discrimination claim.
6. The Department shall address and attempt to resolve employee complaints regarding discrimination and harassment as expeditiously as possible.
7. This policy shall not be construed to prohibit any employment action or policy which is required by federal law, rule or executive order.
8. Responsibility for the implementation, monitoring and record keeping of the equal employment opportunity and affirmative action programs is assigned to the Department of Corrections Equal Employment Opportunity Coordinator.
9. The Department of Corrections Equal Employment Opportunity Coordinator also provides guidance and technical assistance to managers, supervisors, applicants and employees in matters arising under state and federal discrimination law and policy.

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10. The State EEO Coordinator in the Bureau of Human Resources is also available as a resource to any state employee or supervisor and can be reached at (207) 287-4651, TTY users call Maine relay 711.

VII. PROFESSIONAL STANDARDS

ACA:

- ACI - 4-4053** Written policy specifies that equal employment opportunities exist for all positions. When deficiencies exist regarding the employment of minority groups and women, the institution can document the implementation of an affirmative action program that is approved by the appropriate government agency and can document annual reviews and the changes needed to keep the program current.
- ACI - 4-4054** Written policy, procedure, and practice provide a mechanism to process requests for reasonable accommodation to the known physical and/or mental impairments of a qualified individual with a disability, either an applicant or an employee. The accommodation need not be granted if it would impose an undue hardship or direct threat.
- 4-ACRS-7E-03** There is a mechanism to process requests for reasonable accommodation to the known physical and/or mental impairments of a qualified individual with a disability, either an applicant or an employee. The accommodation need not be granted if it would impose an undue hardship or direct threat.
- 4-ACRS-7E-05** Equal employment opportunities exist for all positions.
- 4-JCF-6C-02** Equal employment opportunities exist for all positions.
- 4-JCF-6D-07** There is a mechanism to process requests for reasonable accommodation for the known physical and/or mental impairments of a qualified individual with a disability, either an applicant or an employee. The accommodation need not be granted if it would impose an undue hardship or direct threat.

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