

**EQUAL EMPLOYMENT OPPORTUNITY
AND
AMERICANS WITH DISABILITIES**

Revised: May 1998

SECTION: 1

CATEGORY: GENERAL

A. CIVIL RIGHTS ACT, TITLE VII:

Tooele City shall comply with Title VII of the Civil Rights Act of 1964, as amended, according to Public Law 92-261 approved March 24, 1972. Tooele City shall not fail or refuse to hire or to discharge any individual with respect to his or her compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, or nation origin. Tooele City shall not limit, segregate, or classify its employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his or her status as an employee because of his or her race, color, religion, sex, or national origin

B. FAIR TREATMENT:

Tooele City shall provide fair treatment of employees and applicants for employment in all aspects of personnel administration without regard to political or religious opinions or affiliations, age, race, color, religion, sex, national origin, or disability. Tooele City shall strive to ensure proper regard for individuals' privacy and constitutional rights. No job classification shall be closed to any individual because of such criteria unless it is determined that such criteria are a bonafide occupational qualification/criteria.

A. CIVIL RIGHTS ACT, TITLES VI AND VIII

Tooele City shall comply with Titles VI and VIII of the Civil Rights Act of 1964, as amended, which provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participating in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Tooele City has received any federal financial assistance.

D. EQUAL PAY:

Personnel shall be compensated on the basis of equal pay for equal work. No individual shall receive reduced compensation for equal work on the basis of race, color, religion, sex, age, national origin, or disability.

E. DISCRIMINATION:

Tooele City shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, disability, age, or veteran status.

F. FEDERAL CONTRACTS:

In employing persons to carry out a federal contract, Tooele City, when contracting with

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the United States, shall take affirmative action to employ and advance in employment qualified disabled individuals and qualified disabled veterans and veterans of the Vietnam era.

G. **AMERICANS WITH DISABILITIES ACT:**

Tooele City shall comply with the Americans with Disabilities Act of 1990 (ADA), as amended, which provides that no person with a disability shall be discriminated against in the admission or access to, or treatment or employment in its programs or activities. Reasonable accommodations shall be made to all individuals during the application process or as required to perform the essential duties of the position for which they are hired. It is the responsibility of the employee to request an accommodation from his or her supervisor or the director of human resources when needed. Tooele City shall make a reasonable accommodation to the physical or mental limitation of a qualified employee with a disability unless such accommodation imposes an undue hardship on Tooele City.

Tooele City has the right to require documentation from the employee's physician verifying the need for an accommodation. The following guidelines apply for individuals with complaints concerning Tooele City's ADA practices:

1. The director of human resources is designated as the ADA Coordinator. Information concerning the ADA and the rights provided thereunder are available from the ADA Coordinator.
2. Tooele City shall strive for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the ADA. All complaints must be submitted within 30 days after the complainant becomes aware of the alleged violation, must be submitted in writing, must contain the name and address of the person filing, must briefly address the alleged violation, and should be addressed to: Director of Human Resources 90 North Main, Tooele, Ut. 84074.
3. Investigations, as deemed necessary, shall follow the filing of a complaint. The ADA Coordinator shall conduct the investigation, and shall strive to afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by the ADA Coordinator. The ADA Coordinator will also forward a copy to the complainant either in person or via certified mail.

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4. The ADA Coordinator shall maintain the files and formal records of Tooele City relating to all complaints filed.
5. The complainant may request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration must be made within 30 days after notification of the first resolution has been forwarded to the complainant. The Mayor shall reconsider the complaint. In the event the complaint relates to the Mayor, the City Council shall reconsider the complaint.