


Category:	Agency Policies	<p align="center">INCA Community Services Agency Policy</p> 
Sub Category:	Affirmative Action	
Effective Date:		
Revised/Reviewed Date:	10/16, 10/20, 10/21, 10/22, 10/23,10/24	
Forms:	Discrimination Complaint Form	
Responsible: EOO Officer, Management		

Equal Opportunity Policy

Purpose/Introduction

The Civil rights laws of 1964 have been enacted to assure equality of opportunity, and this agency shall strive to meet the requirements of these laws to the extent that equal opportunity for all people is a reality.

Policy

INCA Community Services, Inc. is an equal opportunity employer and service provider and prohibits discrimination and harassment of any type and affords equal employment opportunities and services to employees, applicants, participants, customers, and clients without regard to race, color, religion, sex, national origin, age, disability or genetic information.

INCA conforms to the spirit as well as to the letter of all applicable laws and regulations. Violations of this policy, regardless of whether an actual law has been violated, will not be tolerated. INCA will promptly, thoroughly and fairly investigate every issue that is brought to its attention in this area and will take disciplinary action, when appropriate, up to and including termination of employment.

Procedures

INCA administers our equal opportunity policy fairly and consistently by:

- Posting all required notices regarding employee rights under EEO laws in areas highly visible to employees in all the central county offices.
- Advertising for job openings with the statement "An Equal Opportunity Employer."
- Advertising services with the statement "Equal Opportunity Service Provider."
- The website will indicate Equal Opportunity Service Provider and Employer throughout.
- A yearly legal notice will be run in all four counties stating INCA Community Services, Inc. will give all minority businesses opportunity for all of our programs contracts (DBE and WBE).
- Forbidding retaliation against any individual who files a charge of discrimination, opposes a practice believed to be unlawful discrimination, reports harassment, or assists, testifies or participates in an EEO agency proceeding.
- Requires employees to report to a member of management, the Human Resource Director or the EEO Officer any apparent discrimination or harassment.

- Promptly notifies the EEO Officer or Human Resource Director of all incidents or reports of discrimination or harassment and takes other appropriate measures to resolve the situation.

INCA encourages employees and persons receiving services to report all incidents of harassment including sexual harassment to a member of management, the Human Resource Director, or the EEO Officer. INCA conducts harassment prevention training for all employees, and maintains and enforces a separate policy on harassment prevention, complaint procedures and penalties for violations under the **Sexual Harassment and Sexual Misconduct Policy**. Designated members investigate all complaints of harassment promptly and fairly, and, when appropriate, takes immediate corrective action to stop the harassment and prevent it from recurring.

Guidelines

The policy of equal employment opportunity (EEO) and anti-discrimination applies to all aspects of the relationship between INCA and its employees, applicants, participants, customers, and clients including:

- Recruitment.
- Employment.
- Promotion.
- Transfer.
- Training.
- Working conditions.
- Wages and salary administration.
- Employee benefits and application of policies.
- All services provided by the agency.

The policies and principles of equal opportunity also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with INCA.

For more information please review the Equal Opportunity and Affirmative Action Plan where explicit detail can be found for the guidelines of filing grievances and abiding by the local, state, and federal laws regarding discrimination.

Procedures for Filing a Complaint

Prior to filing a written complaint, employees are encouraged to visit with the Program Director or designated manager, as applicable, and reasonable effort should be made by the agency at this level to resolve the problem or complaint.

- The Complainant submits a written complaint to the Program Director using the Discrimination Complaint Form.
- If the complaint is against the supervisor or Program Director the complaint should be submitted to the Equal Employment Opportunity Officer or the Human Resource Director.
- Within two days of receiving the complaint the EEO Officer will send a copy to the Executive Director.
- The EEO Officer will advise the complainant of his or her rights under the Equal Opportunity Act.
- The Program Director or assigned manager and the EEO Officer will conduct a complete and impartial investigation within 10 days of receiving the complaint.
- The Program Director or assigned manager will ask the Respondent to (a) confirm or deny

facts; (b) indicate acceptance or rejection of the Complainants requested action, and (c) outline alternatives.

- Within 5 days after completing the investigation, the applicable Program Director or assigned manager and the EEO Officer will issue a written decision to the Complainant and Respondent.

Appeal

- If the Complainant or Respondent is not satisfied with the decision, he or she must notify the applicable Program Director or assigned manager within 5 days and request, in writing, an appeal to the Executive Director.
- Within 5 days of receiving the appeal, the applicable Program Director or assigned manager and EEO Officer will refer the appeal and the evidentiary record to the Executive Director.
- A hearing will be scheduled by the EEO Officer with the Complainant, Respondent, and Program Director or assigned manager within 10 days of receiving the appeal.
- The Executive Director will act as an intermediate level of appeal by reviewing the principal and designee decision and the oral and written evidence presented.
- Within 5 days of the hearing the Executive Director will issue a final decision in writing to the parties involved.

Second Appeal

- If the Complainant or Respondent is not satisfied with the decision of the Executive Director, he or she must notify the EEO Officer within 5 days and request an appeal to INCA Board of Directors Human Rights Committee.
- The written appeal shall contain a specific statement explaining the basis for the appeal.
- The EEO Officer will notify the Human Rights Committee, in writing, within 5 days after receiving the appeal.
- The EEO Officer will arrange for a hearing concerning the appeal within 10 days from the date of notification to the Human Rights Committee.
- The Human Rights Committee will act as an appellate body by reviewing the decision and the oral and written evidence and making a decision.
- The Human Rights Committee may ask for oral or written evidence from the parties and any other individual it deems relevant.
- The EEO Officer will make arrangements to audiotape any oral evidence presented.
- Within 5 days of the hearing

Documentation Required

- Discrimination Complaint Form
- Any written correspondence, photos, or other documentation
- Written reports upon completion of investigation

Definitions

Discrimination Complaint: A written complaint alleging any action, policy, procedure or practice that discriminates on the basis of race, color, national origin, sex, religion, age or disability. Person filing a written complaint with the agency should be within ten (10) days of act wherein complaint originates.

Complainant: Any person in the employment of this agency or person seeking admission to employment who submits a complaint alleging discrimination because of age, sex, race, color, religion, national origin, physical impairment, or political affiliation.

Respondent: The person alleged to be responsible for the alleged discrimination contained in the complaint. The term may be used to designate persons with the responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.

Equal Opportunity Officer: The Equal Opportunity Officer shall work with the Complainant, Respondent, applicable Program Director, Executive Director, and the Board of Director's Human Rights throughout the investigation process to insure a prompt, fair, and impartial processing of formal and informal complaints of discrimination.

Day: Day means a working day when the agency's main administrative offices are open. The calculation of days in complaint processing shall exclude Saturdays, Sundays and legal holidays.

EEO: Equal Employment Opportunity

Dissemination of Policy

The policy will be made available to all employees through the agency's website. The agency will educate and train employees and supervisors regarding the policy and any conduct that could constitute a violation of the policy.