Equal Employment Opportunity EEO Complaints

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Policy Statement:

A. It shall be the policy of South Central Louisiana Human Services authority (SCLHSA) that all offices under its jurisdiction reaffirm the policy for Equal Employment Opportunity (EEO) by hereby stating that no person shall, on the basis of race, color, religion, sex, sexual orientation, gender identity, age, national origin, political affiliation, disability, veteran's status or any other non-merit factor, be discriminated against in any employment practice. SCLHSA is committed to this policy because it is morally right, it is good personnel management, and it is legally required by Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, Executive Orders 11246 and JBE 16-11, the Rehabilitation Act of 1973, as amended, the Vietnam Era Veteran's Readjustment Assistance Act of 1974, the Civil Rights Act of 1991, and the Americans with Disabilities Act of 1990 (PL 101-336), Act 529 of the 2022 Regular Session of the Louisiana Legislature and Act 210 of the 2023 Regular Session of the Louisiana Legislature.

B. Medical Marijuana
   1. In accordance with Act 651 of the 2022 Regular Session of the Louisiana Legislature, no state agency shall subject an employee or prospective employee to negative employment consequences solely on a positive drug test for marijuana, marijuana components, including tetrahydrocannabinols, or marijuana metabolites if the employee or prospective employee has been clinically diagnosed as suffering from a debilitating medical condition and a licensed physician has recommended for marijuana for therapeutic use by the employee or prospective employee in accordance with R.S. 40:1046.
   2. Act 651 shall not be construed to prohibit the imposition of negative employment consequences on an employee who uses or is impaired by marijuana on the premises of the employer or during work hours.
   3. Act 651 does not apply to any employee whos principle responsibility is to operate a state vehicle, maintain a state vehicle, or supervise any employee who drives or maintains a state vehicle as their principal responsibility. In addition, Act 651 does not apply to emergency medical services, law enforcement, and firefighter services.

C. This policy is intended to apply to recruiting (both advertising and selection), hiring, promotion, demotion, transferring, training and development, education, compensation, benefits, layoff, terminations, and all other privileges, terms and conditions of employment. The Executive Director has overall responsibility for the reaffirmation of policy.

Rationale:

To ensure compliance with federal, state and local governmental regulations concerning equal employment opportunity and nondiscrimination.

Procedure:

A. Basic guidelines and methods of achieving the goals of EEO will be set forth in the Affirmative Action Plan's (AAP's). The Human Resources Department shall complete an AAP annually. All AAP's are available for review in the Human Resources Department.

B. This policy must be communicated to all employees and all levels of management. For new employees, this must be done during employee orientation sessions. For all other employees, this must be communicated by displaying the policy at all clinics sites.

C. Federal and state government nondiscrimination posters and the DHH EEO policy statement must be displayed prominently in all clinics in conspicuous locations where notices to employees and applicants are customarily placed.

D. All personnel actions, including but not limited to appointment, compensation, transfer, promotion, demotion, termination and layoff shall be administered on a nondiscriminatory basis, except where there is a bona fide occupational qualification.

E. All employee benefits will be provided without discrimination.

F. Full consideration shall be given to employing disabled persons in areas of work in which they are qualified.

G. Qualified recruiting sources of female, minority, disabled and veteran group members are to be used wherever possible to stimulate applicant flow of these protected groups.

H. References in notices, advertisements, forms and specifications relating to employment shall not indicate any preference, limitation or discrimination based on race, color, religion, national origin, political affiliation, marital status, disability, veteran status, age, sex, sexual orientation or gender identity except where there is a bona fide occupational qualification. All SCLHSA recruitment advertisements shall include the phrase "An Equal Opportunity Employer."

EEO Complaint Process:

1. Scope

The purpose of this process is to afford a uniform approach to the investigation and resolution of discrimination complaints stemming from the employment practices of SCLHSA. This procedure shall apply to all offices and its subordinate elements, its employees, and any applicant for employment. It is in no way intended to replace or supplant any other regulatory agency designed to investigate such charges. Nothing in this policy or the attendant procedures shall limit the right of a complainant to file his/her complaints with any other agency designed to operate in such a manner, e.g., Department of Civil Service, Commission on Human Rights, Equal Employment Opportunity Commission, or Federal Civil Rights Offices at the regional and national levels. This procedure is designed primarily to accommodate the internal processing of discriminatory complaints within SCLHSA.

2. Assignment of Responsibilities

While Article X of the State Constitution states that acts (charges) of discrimination can be appealed to the Civil Service Commission, primary responsibility for the investigation/resolution of EEO complaints filed internally in SCLHSA lies with the Executive Director. The Executive Director shall also be responsible for the dissemination of the complaint investigation procedure to all employees and for its implementation. The Executive

Director shall be responsible for processing charges of discrimination from complainants either directly or through the designated EEO officer, which is the Human Resources Director. Every effort should be made to resolve complaints at the lowest possible level. Supervisors are made of aware of all current EEO policies and procedures and are accountable as representatives of executive management for implementation of the SCLHSA policy on EEO.

a. Internal Filing – EEO Officers' Responsibilities
If an employee believes he/she has been discriminated against based on one or more of the factors named above, the employee is urged to initiate the complaint procedure with the designated EEO officer.

The EEO officer's responsibilities shall be as follows:

i. represent management and the complainant;
ii. assist the complainant in completing the proper form(s) or procedure(s) for filing a complaint(s); and
iii. counsel the complainant regarding his/her options to file a complaint, i.e.,
    - at the SCLHSA level,
    - with Civil Service (for charges of discrimination based on race, sex, religious beliefs or political beliefs);
    - with state and federal agencies.

The designated EEO officer has 45 calendar days from receipt of the formal complaint to investigate and issue a decision in writing to the complainant.

b. The complainant retains the right to file a complaint with agencies external to SCLHSA. The complainant must be apprised of this right at the time the complaint is filed. The complaint must be filed with the EEOC within 180 days from the date of the alleged discriminatory practice.

c. Every employee is welcome to access this confidential resource without fear of reprisal. Adverse treatment of any employee who has filed a complaint or who provided information relative to such complaint shall not be tolerated and may subject the perpetrator to disciplinary action.

Compliance Requirement:

- Equal Employment Opportunity (EEO)
- Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972,
- Executive Orders 11246 and JBE 16-11
- Rehabilitation Act of 1973, as amended, the Vietnam Era Veteran's Readjustment Assistance Act of 1974
- Civil Rights Act of 1991
- Americans with Disabilities Act of 1990 (PL 101-336).
- Act 529 of the 2022 Regular Session of the Louisiana Legislature
- Act 210 of the 2023 Regular Session of the Louisiana Legislature

Attachments:
There are no attachments for this policy.

Linkages:
There are no linkages for this policy.