



OPERATING POLICIES

O.P. NUMBER	TITLE	ISSUE DATE	REVISION DATE
H-07	Equal Employment Opportunity	4/29/98	11/5/12

SUMMARY

The Metropolitan Water District of Southern California maintains:

- Nondiscriminatory employment practices;
- An equal employment opportunity (EEO) program.

The Metropolitan Water District of Southern California:

- Will not tolerate discrimination against an employee or applicant based on a legally protected characteristic, or harassment of an employee, applicant, or contractor based on a legally protected characteristic;
- Will take action to prevent and eliminate such conduct, as required by law.

SUPERSESSON

This Operating Policy supersedes Operating Policy H-07 dated April 29, 1998 and revised September 25, 2001, June 2, 2005 and April 29, 2010.

AUTHORITY

The Metropolitan Water District maintains an equal employment opportunity policy as authorized by federal, state, and local law. The General Manager delegates authority for administering and enforcing Metropolitan’s Equal Employment Opportunity Program to the Chief Administrative Officer and the Human Resources Group Manager.

DEFINITIONS

The definitions for equal employment opportunity and related terms are contained in Administrative Code Sections 6300 and 6305, as revised, and may be obtained from the Equal Employment Opportunity Manager.

POLICIES

1. Metropolitan requires a work environment free of discrimination or harassment on the basis of race, sex (gender or pregnancy), creed, national origin, color, disability (physical or mental), protected veteran status, religion, age (40 and above), medical condition, genetic information, marital status, ancestry, sexual orientation, gender identity or expression, or other characteristic protected by law.
2. Metropolitan does not and will not tolerate discrimination against any applicant or employee in opportunities, terms, conditions, or privileges of employment on the basis of any characteristic protected by law, which are listed above. Metropolitan also does not and will not tolerate harassment of any applicant, employee, or contractor on the basis of any characteristic protected by law. Such discrimination and harassment is prohibited by this policy.



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3. Discrimination of an applicant or employee, and harassment of an applicant, employee, or contractor, based on a legally protected characteristic is also prohibited by state and federal law. In addition, state and federal law prohibit retaliation against a person for filing a complaint, assisting or participating in an investigation or proceeding, or opposing discrimination or harassment based on a legally protected characteristic.
4. Engaging in discrimination or harassment in violation of this policy is conduct subject to disciplinary action, up to and including dismissal.
5. All complaints of discrimination or harassment based on a legally protected characteristic are taken seriously, investigated promptly as appropriate, and appropriate action is taken against individuals found to have engaged in such discrimination or harassment. Metropolitan has established and maintains an internal complaint procedure for processing alleged violations of the EEO Policy.
6. The prohibition against discrimination and harassment based on a legally protected characteristic applies to all transactions of Metropolitan’s business, whether at a Metropolitan-operated facility or external site.
7. If an employee or applicant believes that he or she has been subjected to discrimination based on a legally protected characteristic by any Metropolitan employee or representative; or if an employee, applicant, or contractor believes that he or she has been subjected to harassment based on a legally protected characteristic by any Metropolitan employee, consultant or other contractor, vendor, client, or other business contact; the individual should immediately report the incident directly to: (1) the EEO Investigations Staff or the Employee Relations Section Manager, who are responsible for receiving and processing such reports for Metropolitan; (2) the Ethics Office, who is responsible for receiving and processing reports regarding alleged director misconduct; or, (3) to another manager or supervisor, including but not limited to, the HR Group Manager, another Group Manager, or the Ethics Officer.



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8. Metropolitan does not retaliate, nor tolerate retaliation, against employees, applicants, or contractors who, in good faith, make a complaint of discrimination or harassment based on a legally protected characteristic, assist or participate in a related investigation or proceeding, or oppose discrimination or harassment based on a legally protected characteristic. Such retaliation is prohibited by this policy. Any act of such retaliation should be reported immediately to: (1) the EEO Investigations Staff or the Employee Relations Section Manager, who are responsible for receiving and processing such reports for Metropolitan; (2) the Ethics Office, who is responsible for receiving and processing reports regarding alleged director misconduct; or, (3) to another manager or supervisor, including but not limited to, the HR Group Manager, another Group Manager, or the Ethics Officer. Reports will be investigated as appropriate and, where appropriate, corrective action will be taken. Any person who engages in such retaliation is subject to disciplinary action, up to and including dismissal.

9. Complaints made frivolously, in bad faith or without factual basis may be actionable by the respondent. Such complaints may result in disciplinary action, up to and including dismissal.

10. Metropolitan employees will receive a copy of this policy during new employee orientation and review it as part of their mandatory unlawful workplace harassment training.

11. Metropolitan maintains an affirmative action plan and nondiscrimination program in accordance with applicable law.

RESPONSIBILITIES

- It is the responsibility of every **District manager** and **supervisor** to:
- Provide employees under his or her direct supervision, applicants, and contractors with a discrimination and harassment-free work environment, which includes not engaging in, condoning or tolerating behavior that could reasonably be considered a violation of this policy and monitoring the work environment of employees for conduct that could violate this policy.
 - Enforce the District's EEO Policy and inform employees under his or her direct supervision of the District's EEO Policy, and their right to recourse for activities that may violate the policy.



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- Create an environment where employees, applicants, and contractors do not feel intimidated and/or prevented from reporting an incident in violation of this policy.
- Immediately report any conduct that may reasonably violate this policy, or any such allegation to the EEO Investigations Staff. (If appropriate, such conduct may also be reported outside of the Human Resources Group, to the Legal Department and/or Ethics Officer.)
- Cooperate in an investigation related to any complaint of a violation of this policy. Managers and supervisors are prohibited from discussing the complaint outside of the investigative process, unless this is done in connection with performing the manager’s or supervisor’s job duties, required or permitted by law, or authorized by the Legal Department or other appropriate authority. Failure to cooperate or deliberately providing false or misleading information during an investigation, or discussing the complaint outside the investigative process, may be grounds for disciplinary action, up to and including dismissal.
- Not engage in, condone or tolerate behavior that could reasonably constitute retaliation of an employee, applicant, or contractor for alleging or opposing discrimination or harassment based on a legally protected characteristic, or participating in a related investigation or proceeding.
- Successfully and timely complete unlawful workplace harassment prevention training as mandated and ensure that employees under his or her direct supervision timely and successfully complete such training.

It is the responsibility of **every District employee**, including supervisors and managers, to:

- Be familiar with and understand Metropolitan’s EEO policy on maintaining a discrimination and harassment-free work environment, including the procedures for reporting violations of that policy.
- Act in a manner that does not discriminate against or harass other employees, applicants, or contractors based on a legally protected characteristic, or engage in behavior that could reasonably be considered a violation of this policy.
- Understand that a violation of the EEO Policy can result in disciplinary action, up to and including dismissal; and that California law allows an employee to sue another employee for harassment based on a legally protected characteristic.



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- Cooperate in an investigation related to any complaint of a violation of this policy. Employees are prohibited from discussing the complaint outside of the investigation process, unless required or permitted by law, or authorized by the Legal Department or other appropriate authority. Failure to cooperate or deliberately providing false or misleading information during an investigation, or discussing the complaint outside of the investigative process, may be grounds for disciplinary action, up to and including dismissal.
- Understand and comply with the objectives of Metropolitan's nondiscrimination policies while performing day-to-day job duties and representing Metropolitan in business transactions.
- Not engage in behavior that could reasonably constitute retaliation of an employee, applicant, or contractor for alleging or opposing discrimination or harassment based on a legally protected characteristic, or participating in a related investigation or proceeding.
- Successfully and timely complete unlawful workplace harassment prevention training as mandated.

It is the responsibility of the **Employee Relations Section Manager** to:

- Supervise the activities of the EEO Investigations Staff.
- Enforce an EEO Policy which prohibits discrimination and harassment based on a legally protected characteristic.
- Maintain an internal complaint procedure for processing and investigating alleged violations of the EEO Policy.
- Receive and process internal complaints alleging a violation of this policy, and ensure that complaints are investigated as appropriate, promptly, thoroughly and impartially.
- Ensure that Metropolitan takes immediate and appropriate corrective action when it is determined that a violation of this policy has occurred.

It is the responsibility of the **Ethics Office** to:

- Coordinate with the EEO Investigations Staff or the Employee Relations Section Manager concerning allegations and complaints of discrimination or harassment received by the Ethics Office, including immediately reporting any conduct that may reasonably violate this policy to the EEO Investigations Staff or Employee Relations Section Manager. (If appropriate, such conduct may be reported outside of the Human Resources Group to the Legal Department.)



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RESPONSIBILITIES (continued)

It is the responsibility of the **Equal Employment Opportunity Manager** to:

- Establish and maintain an EEO Policy which prohibits discrimination and harassment based on a legally protected characteristic.
- Provide unlawful workplace harassment training to all employees.
- With the Legal Department and in compliance with the Administrative Code, receive and respond to EEO related charges filed with state or federal agencies.
- Establish and maintain an affirmative action plan and nondiscrimination program in accordance with applicable law.

REFERENCES

- [Administrative Code Sections 6219, 6300—6305, 7111](#)
- Operating Policy [H-03](#) and [H-13](#)
- Affirmative Action Plan for Covered Veterans and Persons with Disabilities
- Equal Employment Opportunity Policy Statement
- Nondiscrimination Program
- Applicable executive orders, federal, state, and local laws, statutes, and regulations
- [Discrimination Complaint Procedures](#)
- Applicable Metropolitan Board directives and policies
- Memoranda of Understanding

APPROVAL

Original signed by Jeffrey Kightlinger
Jeffrey Kightlinger, General Manager

11/05/12
Date