



EQUITY REVIEW COMMITTEE AGENDA

May 12, 2022 2:00 p.m.

Public Web Access: <https://piercecountywa.zoom.us/j/93790034675>

or Call In: (253) 215-8782 Webinar ID: 937 9003 4675

1. Brief Introductions
2. Adoption of Agenda
3. Reviewing and Adopting the Operating Guidelines of the ERC
4. Discussion of Executive's DEI policy
5. Other Business
 - a. Civilian Review Board Recommendation
 - b. Youth membership on ERC
 - c. Other business



R2021-109 EQUITY REVIEW COMMITTEE OPERATING GUIDELINES

1. Values

- a. All committee members agree to act in good faith.
- b. Committee members agree to respect and appreciate different opinions.
- c. Committee members agree that the diversity of Pierce County's residents is a strength.
- d. Committee members agree that all residents of Pierce County should be treated equally under law.
- e. Committee members welcome difficult discussions and agree to engage in these discussions respectfully with a "growth mindset."

2. Working Together Toward a Valuable Outcome

- a. Committee members agree to review presented materials between regularly scheduled meetings as necessary.
- b. Committee members will come to meetings prepared.
- c. The Committee is committed to setting realistic expectations and achievable outcomes.
- d. The Committee is committed to relying on objective facts and data-supported decisions.
- e. Committee members should be prepared to question pre-existing assumptions and biases. This includes biases we are aware of and preconceived opinions or viewpoints, based solely on life experience or lack of experience with people of other backgrounds, that we may be unaware of.

3. Ground Rules

- a. Please avoid using blaming or accusatory statements in addressing other members of the Equity Review Committee and/or Pierce County staff.
- b. Please limit statements and or questions to two minutes given the size of the committee. All voices are important and should have a chance to be heard on each objective considered by the Committee and its final work product.
- c. Written comments will also be accepted and shared with the group, if requested.
- d. The Equity Review Committee meetings will be held through Zoom with technical support by County staff.
- e. During online meetings, please wait to be recognized by the facilitator, Judge Cuthbertson, by raising your hand, which will be visible on screen.
- f. All meetings of the Equity Review Committee will be recorded and posted on the Equity Review Committee's website.
- g. Be patient and understanding as we undertake this important work of improving the quality of life for every community within Pierce County.

4. Public Attendance and Comment

- a. Meetings will be held using Zoom, and committee members will be provided participation access codes unique to them. Zoom access for public attendance will be provided by using web or call-in systems.
- b. Agendas and materials will be posted for each meeting.
- c. The Facilitator will determine when oral public comments will be accepted. When allowed, members of the public will have two minutes to address the area of review discussed during the day's meeting.
- d. Written comments will always be accepted by emailing ercommittee@piercecounitywa.gov. Copies will be provided to all committee members.

5. Purpose

- a. Monitor and review the continuing data analysis conducted by the Executive's Criminal Justice Workgroup (Resolution No. R2021-109).
- b. Provide recommendations on moving the County to a more culturally competent organization (Resolution No. R2021-109).
- c. Review Executive's recommended countywide equity index (Resolution No. R2021-108s).
- d. Review Executive's recommended equity note (Resolution No. R2021-108s).
- e. Review Executive's recommended county DEI policy (Resolution No. R2021-109).
- f. Review Executive's recommended assessment tools for promoting cultural competency in county operations (Resolution No. R2021-109).

After completing its reviews and tasks, the Equity Review Committee must make recommendations to the Council's Committee of the Whole on a periodic basis, but no later than October 3, 2022.

CHAPTER 3.18
DIVERSITY, EQUITY, AND INCLUSION

Sections:

3.18.010	Policy
3.18.020	Responsibilities
3.18.030	Noncompliance

3.18.010 Policy.

Pierce County is committed to serving and working toward a community that welcomes differences and is inclusive.

- A. Pierce County embraces diversity in all facets including, but not limited to, age, ethnicity, gender, gender identity or expression, language differences, nationality or national origin, family or marital status, physical, mental and developmental abilities, race, religion or belief, sexual orientation, skin color, social or economic class, education, work and behavioral style, political affiliation, military service, caste, and other characteristics that make employees and community members unique.
- B. Pierce County strives for fair systems that advance opportunity and justice for all.
- C. Pierce County values individual and group differences. Pierce County seeks to be a place where everyone feels welcomed, respected, supported, valued, and empowered to fully participate.
- D. Pierce County reaffirms its commitment to equal employment opportunity and a workplace free from discrimination, as outlined in PCC 3.16 and other relevant laws and policies.

3.18.020 Responsibilities.

This policy applies to all employees, volunteers, agents, contractors, departments, and offices of Pierce County.

All Pierce County employees are responsible for always treating others with dignity and respect. Everyone is expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all County events.

- A. Employee Responsibilities
 - 1. Implement this policy and related diversity, equity, and inclusion principles in their day-to-day work and their interactions with colleagues, partners, and members of the public.
 - i. Employees are strongly encouraged to utilize the strategies and tools provided through the County's diversity, equity, and inclusion program managed by Human Resources.
 - 2. Participate in Human Resources training opportunities with supervisory approval.

Report to their supervisor or senior management any observed instances of apparent discriminatory treatment in accordance with PCC 3.16.

B. Additional Manager/Supervisor Responsibilities:

1. Ensure all employment-related decisions are free from discrimination.
2. Foster an environment within their teams that supports diversity, equity, and inclusion.
3. Recognize behavior inconsistent with this policy, other policies, or applicable laws.
4. Take appropriate action and elevate to management or Human Resources as warranted.

C. Human Resources Responsibilities:

1. Develop and implement a diversity, equity, and inclusion program that includes but is not limited to
 - i. periodic employee training opportunities;
 - ii. recruitment strategies designed to promote employee diversity; and
 - iii. an analytical framework to promote consideration of equity in a variety of decision-making contexts not covered by the “equity note” framework
2. Update the administrative guidelines for career service as necessary to ensure advancement of diversity, equity, and inclusion.
3. Develop procedures to support this policy.

3.18.030 Noncompliance.

Employees who do not comply with this policy and/or are found to have engaged in inappropriate conduct may be subject to disciplinary action, up to and including termination of employment.

3.16.010 Equal Employment Opportunity Policy.

- A. It is the policy of Pierce County that no person shall be subjected to employment discrimination because of race, creed, religion, color, national origin, sex, sexual orientation, marital status, age, disability, veteran's status, the presence of any sensory, mental, or physical disability, or the use of a trained guide dog or service animal by a disabled person. No individual shall be subjected to retaliation because they have exercised a right protected under the law such as complaining about discrimination or harassment or assisting with or participating in the resolution or investigation of such a complaint in the workplace. Any form of retaliation against a person who participates in a complaint or investigation is specifically prohibited, will not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment. Pierce County reaffirms its policy of equal employment opportunity regardless of race, creed, religion, color, nation origin, sex, sexual orientation, marital status, age, physical, mental or sensory disability or veteran's status. Pierce County is committed to maintaining an environment free from discrimination, harassment and intimidation based on any status protected herein.

This policy applies to all levels and departments of County government including elected and appointed officials. Pierce County Appointing Authorities shall reasonably accommodate the needs of qualified applicants and employees in compliance with the provisions of the Americans with Disabilities Act of 1991, Chapter 49.60 RCW, and other applicable laws. The Human Resources Director shall ensure that disabled persons have reasonable access to all employment processes and shall provide for interpreters (sign language), readers, or alternate testing methods, in order to remove barriers to the employment of qualified disabled persons who otherwise meet the requirements of the classification sought.

- B. Employees and officials will be held individually accountable for complying with the provisions of this Chapter. Violations will not be tolerated and are subject to disciplinary action up to and including termination of employment.
- C. All elected and appointed officials must comply with this EEO Policy and are subject to appropriate disciplinary or corrective action for non-compliance. All elected and appointed officials must participate in and fully cooperate with any investigation of EEO complaints or charges of discrimination or retaliation.

3.16.030 Prohibition of Discrimination and Harassment.

Pierce County's policy is to maintain a work environment that is free from discrimination, harassment and intimidation based on a status protected by the Equal Opportunity Policy. No employee shall be subjected to discrimination or harassment based on their sex, sexual orientation, marital status, race, age, disability, national origin, religion, or other status protected by law.

- A. Harassment Defined. Harassment is a deliberate or repeated behavior that is objectively offensive to a reasonable person which is motivated by an inappropriate and often malicious point of view embracing offensive sexual, racial, gender-based, national origin, religious, age-based or other class associated stereotypes and perceptions of social behaviors.

Harassment can be verbal, non-verbal or physical. It is not necessary that individuals intend their conduct to be harassing or act with a malicious or mean-spirited motive.

Any behavior in the work place that is based on an individual's or a group's membership in a protected class may be interpreted negatively. Such impermissible conduct could include, but is not limited to, sexual, racial or ethnic jokes, mocking an accent or manner of speech, denigrating an individual because of membership in or affiliation with a protected class, displaying cartoons or literature embracing racially, sexually, or ethnically offensive clichés, or outright threat that a job or a job benefit would be denied because of membership in or affiliation with a protected class.

B. Prohibition of Sexual harassment/Inappropriate Behavior of a Sexual Nature. It is the policy of Pierce County that no employee, co-worker, supervisor, manager, citizen, vendor, client, customer, or other person frequenting County facilities shall sexually harass or engage in inappropriate behavior of a sexual nature toward any County employee. Sexual harassment is unlawful where the conduct:

1. is unwelcome; and
2. is because of sex or gender; and Page 53 Back to Top
3. unreasonably interferes with an employee's work performance; or
4. creates an intimidating, hostile or offensive working environment.

"Sexual Harassment" is deliberate or repeated behavior of a sexual nature or based on gender, which is unwelcome and which unreasonably interferes with an employee's work performance. It can be verbal, nonverbal, or physical, and may include behaviors or combinations of behaviors such as unwanted sexual comments or advances, suggestive looks or leers, pats, squeezes, repeatedly brushing against another's body, jokes of a sexual nature, sexual epithets, nude or suggestive pictures, calendars, or materials displayed in the workplace, or threats or suggestions that a job or job benefit is dependent upon submission to or tolerance of such behavior.

"Inappropriate Behavior of a Sexual Nature" is behavior that, while not amounting to sexual harassment, has a sexual component and, in the judgment of the County, is unacceptable and has the potential to lower morale and productivity. Occasional compliments of a socially acceptable nature and conduct or actions that arise out of a personal or social relationship and do not have a discriminatory effect on employment may not be viewed as inappropriate behavior of a sexual nature.

Employees are cautioned that any type of sexual or gender-based behavior in the work place may be interpreted negatively. Sexual behaviors include flirting, courting, unwelcome sexual advances, offensive comments, jokes, obscene or lewd suggestions, inappropriate touching, or sexual joking or innuendo. Employees are expected to refrain from all behaviors which, although not ill-intentioned, may be interpreted as sexual in nature.

C. Notice of Discrimination/Harassment. If employees believe that they are being subjected to or have witnessed discriminatory treatment or harassment they should unequivocally advise those individuals engaged in the offensive behavior that their behavior is regarded as being offensive and to stop. Additionally, persons who feel they have been a victim of or witnessed

discrimination or harassment in any manner must follow the Employee Responsibilities set forth in Section 3.16.70 of this Chapter.

- D. Remedial Action: Differential treatment or harassment of fellow employees, members of the public or other employees of Pierce County will not be tolerated where such discrimination or harassment is because of the individual's protected status. All employees are required to comply with the provisions of the Equal Employment Opportunity Policy as set forth in this Chapter. Discrimination and harassment are serious matters and employees engaging in conduct determined by the County to be in violation of this policy will be subject to severe discipline up to and including termination.

3.16.070 Employee Responsibilities.

Employees who believe they have received or witnessed treatment in violation of this Chapter must immediately notify their supervisor, manager, department director, Pierce County EEO/ADA Specialist, or the Pierce County Human Resources Director of the alleged action. It is the employee's option to decide the individual to whom the action will be reported. While written reports are encouraged, it is not required that complaints be made in writing. All complaints of improper treatment must be made as soon as possible, but in any case not more than 180 calendar days from the date of the incident in order to be investigated under this Chapter. However, the County may take appropriate remedial action even when complaints are not brought within this time period.

As an employee, you must take action to report if you believe you have been subject to discrimination or harassment. Your report is the best and often the only notice to the County that corrective action may be necessary.

3.16.080 Investigation and Resolution of Complaints.

Any person who is notified of alleged treatment in violation of this Chapter shall immediately contact the County's EEO/ADA Specialist or the Human Resources Director. An investigation by the EEO/ADA Specialist or other person designated by the Human Resources Director shall be promptly conducted. The County will seek to protect all persons who participate in the investigation from retaliation, false accusations, or future improper treatment and, where indicated, will take reasonably prompt and effective remedial measures.

- A. Duty to Participate. All employees, including the complainant, co-workers, potential witnesses, and others must participate in, and cooperate fully in the investigation of complaints. Failure to do so may result in disciplinary action.
- B. . Complaints of violation of this Chapter shall not be subject to the appeal or grievance procedures of Chapters 3.40 or 3.48 PCC and the Administrative Guidelines.

3.16.090 Retaliation Prohibited.

Retaliation is an adverse employment action, taken against an individual because they have exercised a right protected under the law such as complaining about discrimination or harassment or assisting with or participating in the resolution or investigation of such a complaint in the workplace. Any form of retaliation against a person who participates in a complaint or investigation is specifically prohibited, will

not be tolerated, and will be subject to severe disciplinary action up to and including termination of employment.