

<b>GEORGIA DEPARTMENT OF CORRECTIONS</b> <b>Standard Operating Procedures</b>		
<b>Policy Name:</b> Equal Employment Opportunity		
<b>Policy Number:</b> 104.76	<b>Effective Date:</b> 10/26/2017	<b>Page Number:</b> 1 of 3
<b>Authority:</b> Commissioner	<b>Originating Division:</b> Administration & Finance Division (Human Resources)	<b>Access Listing:</b> Level I: All Access

**I. Introduction and Summary:**

The Georgia Department of Corrections (GDC) provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability or genetics. In addition to federal law requirements, GDC complies with applicable state and local laws governing nondiscrimination in employment in every location where the agency has a facility. This policy applies to all terms and conditions of employment, including: recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

GDC expressly prohibits any form of workplace harassment based on: race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, or veteran status. Improper interference with the ability of GDC's employees to perform their job duties may result in disciplinary actions up to and including dismissal from employment.

**II. Authority:**

- A. Civil Rights Act of 1964: 42 U.S.C.A. § 2000e et seq.;
- B. Age Discrimination in Employment Act of 1967: 29 U.S.C.A. § 623;
- C. Americans with Disability Act (ADA): 42 U.S.C. § 121.02 et seq.;
- D. O.C.G.A. §§ 34-5-3 and 34-6a-4
- E. Genetic Information Nondiscrimination Act (GINA): 42 U.S.C § 2000ff et seq.;
- F. State Personnel Board Rule: § 478-1-.03 Anti-Discrimination; and
- G. ACA Standard(s): 2-CO-1C-09, 1-CTA-1C-03, and 4-4053.

**III. Definitions:**

- A. **Essential Job Functions** - A fundamental job duty of a position, as opposed to a marginal function of that position. The reason the position exist is to perform the “essential functions” of that position.
- B. **Reasonable Accommodation** - Any modification or adjustment to a job or the work environment that will enable an employee to perform he essential functions of the

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employee's job duties. Accommodations may include specialized equipment, facility modifications, and adjustments to work schedules or job duties.

**IV. Statement of Policy and Applicable Procedures:**

Appointing Authorities will ensure that all managers whose responsibilities include recruitment, hiring and selection, compensation, retention, promotion, training and development opportunities, work assignments, performance management, discipline, reduction in force, or discharge will regularly assure that equal employment opportunities (EEO) are being afforded.

- A. The department will select employees according to the requirements of the job. Selection will be based on the ability of the individual to perform the essential functions of a job. Employment decisions will be free from consideration based on: race, color, creed, national origin, ancestry, citizenship, religion, political opinions or affiliations, age, disability, genetic information, gender, pregnancy, childbirth or related conditions, military or veteran status, sexual harassment, retaliation, or any other status protected by federal or state law/regulation.
- B. All requests for reasonable accommodations, based on an individual's religion or disability, will be forwarded to the Correctional Human Resource Management (CHRM)-Audit & Compliance section.
- C. Each facility will display the EEO Notice on the Official Bulletin Board in a conspicuous, easily accessible location(s).
- D. Managers will direct any questions concerning EEO issues to the Correctional Human Resource Management (CHRM)-Audit & Compliance Section.
- E. Retaliation. It is violation of law to retaliate against an employee who files a discrimination complaint, participates as a witness, or seeks an ADA-based (Americans with Disabilities Act) reasonable accommodation.
- F. Reporting. It is every employee's responsibility to promptly report any incident of harassment or discrimination up the chain of command.
  - 1. Reporting can also be made to the Director, Human Resources (HR), or Correctional Human Resource Management (CHRM)-Audit & Compliance Section at 478-992-5211.

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2. Such reports can initially be submitted in writing and mailed to P. O. Box 1529, Forsyth, GA 31029 to the above contacts.

G. EEO Complaint Management. Upon receiving a complaint, the department will conduct a prompt, thorough, and objective investigation of the allegations. All State employees are expected to cooperate in the process. Investigations will be conducted in a confidential manner, and all employees involved in the process are expected to refrain from discussing the matter outside of the investigation process.

1. If the investigation concludes that improper conduct has occurred, the department will take corrective actions up to and including dismissal of employment. Appropriate action will also be taken to deter any future discrimination, harassment, and/or retaliation.

V. **Attachments:**  
None

VI. **Record Retention:**  
None