

FRAMINGHAM HOUSING AUTHORITY

EQUAL EMPLOYMENT OPPORTUNITY  
POLICY

and

AFFIRMATIVE ACTION PLAN

I. STATEMENT OF POLICY

It is the policy of the Framingham Housing Authority to prohibit discrimination in employment based on race, color, religion, national origin, sex, language, presence of children, sexual orientation, political beliefs or affiliations, military service, age or handicap with regard to all matters within its jurisdiction. This policy is intended to comply with state and federal law designed to promote equal employment opportunity and to remedy the effects of any past or present discrimination through affirmative action.

The Framingham Housing Authority will not discriminate against employee or applicants for employment in the terms, conditions or privileges of employment, including but not limited to:

- recruitment, advertising, and processing applications for employment
- hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, injury or illness, and rehiring
- rates of pay or any other form of compensation and changes in compensation
- job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists
- leaves of absence, sick leave or any other leave
- fringe benefits
- selection and financial support for training, professional meetings, conferences and related activities
- employer sponsored activities, including social or recreational programs.

The Framingham Housing Authority will make reasonable accommodation for (the known physical or mental limitations of an otherwise qualified applicant or employee with handicaps unless the necessary accommodation would impose an undue hardship on the operation of its programs.

While carrying out this Policy for Equal Opportunity Employment, the Framingham Housing Authority shall continue its policy for tenant reference in hiring.

Residency within the Town of Framingham will not be a prerequisite for employment by the Framingham Housing Authority.

The Framingham Housing Authority will ensure that nothing contained in its collective bargaining agreements will interfere with its ability to promote equal opportunity and affirmative action consistent with this Policy and will make efforts to renegotiate any provision in a collective bargaining agreement which conflicts with this Policy.

The Framingham Housing Authority shall ensure that its contractors will not engage in discrimination prohibited by this Policy and will take affirmative steps to utilize minority and women businesses in contracts for goods, services, construction and maintenance.

## II. EQUAL OPPORTUNITY OFFICER

The Executive Director is designated as the Equal Opportunity Officer and, as such, shall direct and monitor the Framingham Housing Authority's implementation of this Policy and coordinate efforts to comply with state and federal law. The Executive Director, as Equal Opportunity Officer, will have the following duties:

- establishment of goals and objectives
- periodic review of hiring and promotion patterns to ensure that goals and objectives are met
- review of the qualifications of all employees to ensure that employees protected by this Policy are given full opportunities for transfers and promotions. Special and continuing attention shall be given to all employees protected by this Policy by a systematic review of employment status in order to maximize their employment opportunities
- periodic review of job descriptions and personnel policies to ensure that they contain no artificial barriers or non-job related elements which might screen out members of groups protected by this Policy
- coordination and supervision of the activities involved in monitoring and reporting on equal employment opportunity activities

- notification of all third party contractors of obligations with respect to equal employment opportunity
- serving as the recipient of all complaints from all sources including monitoring agencies of the state or federal government
- receiving, reviewing, and submitting all required equal opportunity reports.

### III. IMPLEMENTATION

#### A. Establishment of Goals and objectives

On an annual basis the Equal Opportunity Officer shall conduct a utilization analysis of the Framingham Housing Authority's work force, consisting of a breakdown of the representation and utilization of minority, female, Vietnam-era veteran and handicapped personnel in each of the following categories for each department:

- maintenance and service
- clerical
- managerial, technical and professional

The Equal Opportunity officer shall determine that where the percentage of minorities, females, Vietnam-era veterans and handicapped personnel in any job category does not reflect the percentage of members of these groups in the population of the Town of Framingham or the Standard Metropolitan Statistical Area, whichever percentage is greater, there is an underutilization in the job category. If an underutilization is determined, the Equal Opportunity Officer will establish goals for improving the utilization of minorities, women, Vietnam-era veterans and handicapped individuals in each category for which the underutilization has been determined.

#### B. Achieving the Goals

Where the Equal Opportunity Officer has determined that the Framingham Housing Authority has not reached a goal for hiring which has been established pursuant to paragraph III A above, then between equally qualified applicants, preference shall be given in the following order:

- first, affirmative action candidates who are tenants

- second, affirmative action candidates who are not tenants
- third, -tenants who are not affirmative action candidates

#### C. Recruitment Procedures

The Equal Opportunity Officer will keep a list of recruitment sources used during the previous fiscal year. These recruitment sources will include:

- contacting minority, handicapped, womens and Vietnam veterans organizations
- publishing in newspapers of regional and local circulation
- utilizing media sources which will reach minorities, women, Vietnam-era veterans and handicapped people
- posting job opportunities at the Framingham Housing Authority's Administration Building, Management offices and Tenant Association offices
- sending notices of job opportunities to the Division of Personnel Administration and to the Executive Office of Communities and Development.

All recruitment materials will include the phrase "An Equal Opportunity Affirmative Action Employer." Job positions will be kept open for an amount of time reasonably calculated to allow affirmative action candidates to apply. The Authority shall interview at least three qualified applicants, if available, and will make every effort to include affirmative action candidates among those interviewed.

#### D. Hiring and Promotion Practices

The Framingham Housing Authority will not use any employment test or selection criteria that tends to screen out members of groups protected by this Policy. Any tests given will be designed to reflect only the job applicants skills, aptitude or education in order to assess the applicant's qualification for the position. Pre-employment inquiries or examinations regarding physical or mental condition will only be conducted to determine an applicant's ability to perform job related functions, and will only be required of one applicant if required of all entering employees in the job category.

#### IV. GRIEVANCES

##### A. Grievance Procedures

Any employee who believes that he/she has been discriminated against by the Framingham Housing Authority in violation of this Policy may file a written grievance with the Executive Director, clearly setting forth the employee's allegation and the remedy sought. The Executive Director will schedule a meeting with the employee and attempt to reach an informal resolution of the matter. If an informal resolution cannot be reached, the Executive Director will convene a hearing at which the employee will have the right to speak, to present witnesses and documentary evidence, and to question any witnesses or documentary evidence against him/her. Within ten (10) days after the hearing, the Executive Director will inform the employee in writing of his decision.

##### B. Notice

The Framingham Housing Authority shall post, in a conspicuous place in the Administration Building, a notice stating that any individual who believes that he/she has been denied employment, discharged or discriminated against in compensation or in the terms, conditions or privileges of employment, on the basis of race, color, religion, national origin, sex, sexual orientation, military service, language, presence of children, political beliefs or affiliations, age or ancestry, has the right to file a complaint with the Massachusetts Commission Against Discrimination.

#### V. CONTRACTS

##### A. Contracts for Goods and Services

The Framingham Housing Authority shall take affirmative action to notify and utilize minority and women owned businesses whenever it intends to contract for goods or services. The Authority will obtain and update a list of minority and women owned businesses from the State Office of Minority and Women Business Assistance and make use of the list as a recruitment source.

Whenever the Framingham Housing Authority is required to advertise for bids for such goods or services, it will send a copy of the advertisement to the State Office of Minority Business Assistance and to the Executive Office of Communities and Development.

##### B. Construction Contracts

All Framingham Housing Authority contracts for the design, construction, renovation or modernization of buildings shall contain a provision prohibiting discriminatory practices by the contractor as defined by state or federal law.

All Framingham Housing Authority construction contracts will also contain such other provisions for ensuring that a minimum percentage of the contract amount be reserved for minority or women owned businesses as required by the Executive Office of Communities and Development and the U.S. Department of Housing and Urban Development.

#### VI. RECORDKEEPING AND REPORTING

The Framingham Housing Authority may invite applicants for employment and employees to indicate whether they are minorities, women, Vietnam-era Veterans, or handicapped persons, if it states clearly that the information requested is for use solely in connection with its affirmative action efforts, will be kept confidential, and is being requested on a completely voluntary basis.

The Equal Opportunity Officer will keep records of:

- the utilization analysis conducted under paragraph III A above
- the total number of employees hired each f fiscal year including a breakdown of the number of minorities, women, Vietnam-era veterans, and handicapped individuals hired
- a list of recruitment sources utilized during the year the goals established to remedy the underutilization.

The Equal Opportunity Officer will prepare and submit to the responsible state or federal officials such records and annual or other reports as they may require to ascertain compliance with state and federal anti-discrimination laws.