

JACKSONVILLE POLICE DEPARTMENT

Policy: 6-1
Effective: 01-01-09
Revised: 01-13-21

EQUAL EMPLOYMENT OPPORTUNITY

PURPOSE: To establish and define the policy for this Department concerning fair employment practices and to ensure equal employment opportunities, free from harassment or discrimination, to all employees and applicants for employment.

POLICY: This Department and the City of Jacksonville are committed to complying with all laws, both state and federal, pertaining to equal employment opportunity and discrimination or harassment of any type in the workplace.

DEFINITIONS:

- I. **DISABILITY:** with respect to an individual;
 - A. A physical or mental impairment that substantially limits one (1) or more of the major life activities of such individual;
 - B. A record of such impairment; or
 - C. Being regarded as having such impairment. (42 USC 12102 - Section 3.2)
- II. **DIRECT THREAT:** A significant risk to the health or safety of others that cannot be eliminated by reasonable accommodations. (42 USC 12111 - Section 101.3)
- III. **QUALIFIED INDIVIDUAL WITH A DISABILITY:** An individual with a disability who, with or without reasonable accommodations, can perform the essential functions of the employment position that such individual holds or desires. (42 USC 12111 Section 101.8)
- IV. **QUALIFICATION STANDARDS:** May include a requirement that an individual shall not pose a threat to the health or safety of other individuals in the Department. (42 USC 12113 Section 103 .b)
- V. **REASONABLE ACCOMMODATION:** may include:
 - A. Making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and,
 - B. Job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities. (42 USC 12111 - Section 101.9)

PROCEDURES:

- I. **EQUAL EMPLOYMENT**
 - A. It shall be the policy of this Department to base all employment decisions on principles of equal opportunity. This Department will not discriminate against any employee or applicant for employment on the basis of the following:

1. Race;
 2. Color;
 3. Religion;
 4. Sex;
 5. National Origin;
 6. Disability;
 7. Age;
 8. Veteran status;
 9. Sexual Orientation; and
 10. Marital Status
- B. Employment opportunities will not be distinguished on the basis of age, national origin, or disability/handicap, except for the position of police officer as authorized by A.C.A. §12-9-101 et. seq., which establishes the following minimum requirements for such position:
1. Requires that an individual be at least twenty-one (21) years of age before being eligible for the position of police officer;
 2. Requires that an individual, to be eligible for the position of police officer, must be a citizen of the United States, whether obtained naturally through birth or other legal means; and
 3. Requires that an individual be physically and mentally capable of performing the duties of a police officer. An applicant must successfully complete physical and mental examinations and assessments performed by qualified professionals licensed to practice in their respective fields.
- C. This Department will take affirmative action to recruit, hire, reassign, compensate, train, promote, and to advance in employment minorities, women, qualified individuals with disabilities, and veterans. This Department is committed to making sustained, diligent efforts to identify and consider such individuals for employment and for opportunities arising during employment.
- D. Harassment, in any form, against any employee of this Department or applicant for employment is unacceptable and will not be tolerated.
- E. All employees must respect civil rights laws and refrain from discriminatory actions. It is everyone's responsibility to perform official duties in a way that maintains and fosters a non-hostile work environment free from discrimination.
- F. Discriminatory actions or conduct may include remarks and jokes regarding race, color, religion, sex, national origin, age, physical/mental ability, marital status, sexual orientation, etc.
- G. This Department prohibits any retaliatory action against an employee for opposing a practice which he believes to be discriminatory. This includes the filing of an internal complaint or the filing of a complaint with a state or federal civil rights enforcement agency. The Chief of Police, or his designee, will be responsible for ensuring that employees are trained on equal employment opportunity and discrimination/harassment issues. He will also be responsible for ensuring that employees at all levels carry out the intent of this equal employment policy and take appropriate measures to correct any discrimination which might occur.
- H. All employees are expected to abide by the procedures as outlined within this policy and as outlined in the City of Jacksonville's Personnel Policy Manual.

II. APPLICANTS/EMPLOYEES WITH DISABILITIES

This Department fully supports the Americans with Disabilities Act, (ADA), and will respond to reasonable requests for job accommodations.

- A. Qualified Individual with a Disability: The Chief of Police, or his designee, shall determine what functions of a job are essential and prepare a written description of the job to be performed before advertising or interviewing applicants for the job; this description shall be