

KANSAS DEPARTMENT OF CORRECTIONS

	INTERNAL MANAGEMENT POLICY AND PROCEDURE	SECTION NUMBER 02-123D	PAGE NUMBER 1 of 3								
	SUBJECT: HUMAN RESOURCES: Equal Employment Opportunity Representatives										
Approved By: <div style="text-align: right;">Secretary of Corrections</div>		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Original Date Issued:</td> <td style="text-align: right;">04-29-15</td> </tr> <tr> <td>Replaces Version Issued:</td> <td style="text-align: right;">N/A</td> </tr> <tr> <td colspan="2">CURRENT VERSION EFFECTIVE:</td> </tr> <tr> <td></td> <td style="text-align: right;">04-29-15</td> </tr> </table>		Original Date Issued:	04-29-15	Replaces Version Issued:	N/A	CURRENT VERSION EFFECTIVE:			04-29-15
Original Date Issued:	04-29-15										
Replaces Version Issued:	N/A										
CURRENT VERSION EFFECTIVE:											
	04-29-15										

APPLICABILITY:	<input type="checkbox"/> ADULT Operations Only	<input type="checkbox"/> JUVENILE Operations Only	<input checked="" type="checkbox"/> DEPARTMENT-WIDE
-----------------------	---	--	--

POLICY STATEMENT

EEO Representatives shall assist the Manager of EEO/AA and appointing authorities in the administration of the Department's Equal Employment Opportunity and Affirmative Action Programs.

DEFINITIONS

Appointing Authority: As defined in IMPP 02-109D, any person or group of persons empowered by the constitution, by statute, or by lawfully delegated authority to make appointments to positions in the State service pursuant to K.A.R. 1-2-9. Anytime this term is used in this IMPP, it can be read as referring to the "appointing authority or designee."

Manager of EEO/AA: The staff member assigned to the Central Office Human Resources Division who is responsible for the administration of the Department's Equal Employment Opportunity and Affirmative Action Programs.

PROCEDURES

I. Responsibilities, Purpose, and Workload Accountability of EEO Representatives

- A. EEO Representatives shall assist appointing authorities and the Manager of EEO/AA by:
 - 1. Ensuring that the Department's EEO Discrimination Complaint Resolution Policy (IMPP 02-101) is utilized appropriately in areas specified by the policy as responsibilities of the EEO Representative.
 - a. Assist employees by providing EEO counseling and by providing information and/or forms necessary to implement the complaint procedures.
 - b. Conduct EEO discrimination investigations as an objective fact finder.
 - c. Provide appointing authorities and the Manager of EEO/AA with required documents, information, and reports.
 - 2. Monitoring EEO activities.
 - a. Provide assistance and consultation to appointing authorities in identifying current and potential EEO discrimination problems within their respective areas of responsibility.

3. Observation and review of interview procedures.
 - a. Periodically observe interview teams, ensuring questions are in compliance with EEO regulations, and are addressed in a professional and unbiased manner.
- B. EEO Representatives throughout the Department shall provide needed support to the Manager of EEO/AA.
 1. Administrative responsibility for program efforts shall rest with the Manager of EEO/AA.
 2. EEO Representatives shall perform their duties under the direction of the Manager of EEO/AA.
- C. Each appointing authority shall ensure that EEO Representatives are relieved of their regular duties in direct proportion to the amount of time required for them to fulfill EEO responsibilities.
 1. The EEO Representative shall contact his or her supervisor to furnish the dates and times needed to be relieved of regular duties in order to fulfill EEO responsibilities.

II. Number of EEO Representatives

- A. A minimum of two (2) EEO Representatives, one male and one female, shall be appointed for each facility having less than two hundred (200) employees.
- B. A minimum of three (3) EEO Representatives (at least one male and one female) from different departments shall be appointed for each facility having two hundred (200) or more employees.
- C. Employees of Kansas Correctional Industries:
 1. Shall be included in the employee count of the assigned facility;
 2. May be appointed to serve as an EEO representative as outlined in Section II.A. and B. above; and,
 3. Shall be represented by the facility's EEO representatives according to the provisions of this IMPP.
- D. A minimum of two (2) EEO Representatives, one male and one female, shall be appointed to Parole Services. At the discretion of the Deputy Secretary of Community and Field services, EEO representatives may be appointed to each parole region.
- E. The Central Office shall appoint one (1) EEO Representative, either male or female.

III. Appointment Process for EEO Representatives

- A. The appointing authority shall post an announcement inviting all interested management, professional, or supervisory level staff employed by the facility/office to apply for the position of EEO Representative by submitting their name to a designated contact person. At the discretion of the appointing authority, other staff may apply as long as at least one (1) of the EEO Representatives is at the management, professional, or supervisory level.
 1. The human resources and Enforcement Apprehensions and Investigation (EAI) staff may be trained but shall not be used to investigate unless an exception is approved by the Human Resources Director or the EEO Manager.
 2. The announcement of the position shall be made within ten (10) working days after it becomes vacant.
- B. The appointing authority and the human resources manager shall interview interested employees and may actively recruit qualified volunteers to work in the role as EEO Representatives.

1. Prior to the selection announcement, the decision and justification shall be provided to the Manager of EEO/AA.
2. The appointment shall be based on the following criteria:
 - a. Conviction of the need for equal employment practices;
 - b. Ability to recognize and analyze discriminatory practices and procedures;
 - c. Ability to formulate and promote equitable solutions to problems;
 - d. Capability of working harmoniously and effectively with facility/office and Department staff and representatives from enforcement agencies; and,
 - e. Ability to handle sensitive situations with tact and confidentiality.
- C. The appointing authority shall provide written notice to the Manager of EEO/AA of the name, classification, and work telephone number of the employee appointed as EEO Representative.
 1. The name and location of the EEO Representative shall be posted on the official bulletin board(s) of each facility/office for employee information.
- D. EEO Representatives may serve in this capacity until he or she withdraws from the position and either the appointing authority or the Manager of EEO/AA may remove an EEO Representative from the approved list for just cause.

IV. Training of EEO Representatives

- A. It shall be the responsibility of the Manager of EEO/AA to ensure that EEO Representatives receive training in all areas necessary for the successful performance of assigned responsibilities.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REPORTS REQUIRED

None.

REFERENCES

K.A.R. 1-2-9
IMPP 02-101, 02-109D
KDOC Affirmative Action Plan

ATTACHMENTS

None.