



**State of Oklahoma**  
**Human Capital Management Division**  
**Office of Management and Enterprise Services**  
**Policies and Procedures**  
**EEO and Non-Discrimination**

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<b>Effective Date of Policy: 10/01/2012</b>	<b>Next Scheduled Review: 11/01/2016</b>
<b>Prior Policy:</b>	<b>Policy Number: HCM-11</b>
<b>Last Reviewed: 11/01/2014</b>	<b>Replaces Policy Number:</b>
<b>Date Policy Last Revised: 11/01/2014</b>	
<b>Approved: Lucinda Meltabarger</b>	<b>Approval Date: 09/01/2012</b>

**Reference:** Title VII of the Civil Rights Act of 1991, Americans with Disabilities Act of 1990, Executive Order 11246, 74 O.S. § 840-2.1, 74 O.S. § 840-2.9, 74 O.S. § 954, Merit Rule 260:25-3-1, Merit Protection Commission Rules 455: 10-3-5, et seq., Section 504, Rehabilitation Act of 1973

**Policy**

The Office of Management and Enterprise Services (OMES) is an equal opportunity employer. It is the policy of the OMES to prohibit unlawful discrimination and harassment of any type and to provide equal employment opportunities to employees and applicants, without regard to political or religious opinion or affiliation, race, color, sex, national origin, ancestry, age, disability, genetic information, veteran status, or any other reason prohibited by law. It is the policy of OMES to provide equal opportunity in employment, advancement and other conditions of employment to all qualified applicants and employees. It is the intent of OMES to fully comply with all applicable state and federal equal opportunity and "non-discrimination" laws and regulations.

The principles of equal employment opportunity and anti-discrimination apply to all aspects of the employment practices and personnel actions throughout the OMES, including but not limited to recruiting, hiring, promotions, demotions, separations, reductions in force (RIF), recall, compensation, benefits, application of policies, training, working conditions and all other terms and conditions of employment.

The policies and principles of equal employment opportunity also apply to the selection and treatment of independent contractors, personnel working on the OMES premises who are employed by temporary agencies and any other persons or firms doing business for or with the OMES.

Harassment is a form of discrimination and violates this policy. Additionally, the OMES forbids retaliation against any individual who engages in protected activities (i.e., files a charge of discrimination, reports harassment, or who assists, testifies or participates in an equal employment proceeding).

Violations of this policy, regardless of whether or not an actual law has been violated, will not be tolerated. The OMES will investigate every issue that is brought to its attention in this area and will take appropriate disciplinary action, up to and including termination.

### **Definitions**

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of that person's race, sex, religion, color, age, religion, national origin, disability or protected activity.

Harassment does one or more of the following:

1. has the purpose or effect of creating an intimidating, hostile, or offensive working environment
2. has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. adversely affects an individual's employment opportunities.

### **Implementation Responsibility of Leadership**

It is the responsibility of supervisors, managers and department heads to: inform employees under their direction or supervision of the discrimination policy and notify Human Resources when they receive complaints of discrimination, and implement corrective actions that are imposed as a result of findings of discriminatory conduct.

### **Responsibility of Human Resources**

Assist employees in understanding what discrimination is and is not, and to make clear that discrimination is illegal under federal and state law and will not be tolerated by OMES. This information shall be communicated in new employee orientation and included in HR training.

Display posters regarding equal employment opportunity in areas highly visible to employees.

Include the statement "An Equal Opportunity Employer" in all job postings,

Investigate and take action regarding complaints of discrimination.

**Reporting** - Any alleged violation of this policy should be reported promptly to a supervisor, a manager or Human Resources. Applicants may contact Human Resources at:

Office of Management and Enterprise Services

ATTN: Human Resources

2101 N Lincoln Blvd., Suite G-80 Oklahoma City, OK 73105

(405) 521-2177

### **Complaint and Investigation Procedure**

The OMES Human Resources Department is charged with responsibility to accept and process discrimination complaints. Reports and complaints of discrimination shall be investigated in accordance with the Complaint and investigation Process policy.

Efforts to resolve complaints and reports, through informal intervention or investigation will be undertaken impartially and in as prompt and confidential manner as possible.

### **Protection from retaliation**

Federal and state law and this policy prohibit any form of retaliation against a person who complains about discrimination. Individuals who give information about a complaint or participate in an investigation are also protected from workplace reprisals.

### **Disciplinary Action**

Any employee who violates this policy by engaging in conduct that constitutes discrimination or retaliation shall be subject to disciplinary action up to and including termination. Such behavior shall constitute misconduct. Disciplinary measures may also be imposed upon:

1. anyone in a supervisory or management capacity who had knowledge of discriminatory conduct and failed to take corrective action.
2. anyone who interferes with the resolution of a complaint by threats, intimidation or retaliation or reprisal.
3. anyone who files a frivolous complaint or one that is initiated in bad faith.