



CITY OF MADISON
CIVIL RIGHTS

Civil Rights and Diversity

November 18, 2010



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City of Madison
Department of Civil Rights

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Training Objectives

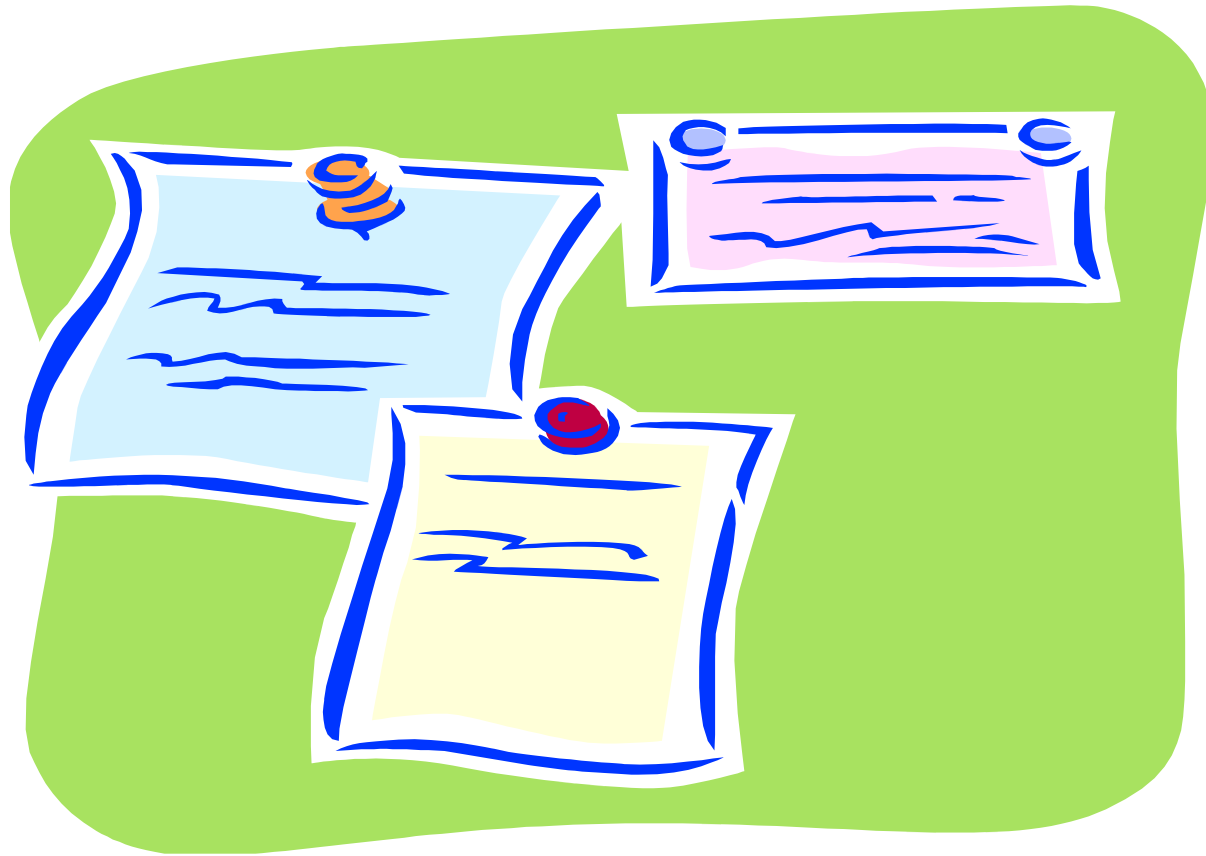
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Training Objectives

- Learn about the Department of Civil Rights.
- Define basic terms regarding Civil Rights and Diversity.
- Find out what your responsibility as a supervisor is regarding these topics.
- Be able to recognize discriminatory employment practices in case examples.
- Learn how Civil Rights laws can help to foster a diverse environment.



PARKING LOT





CASE EXAMPLES



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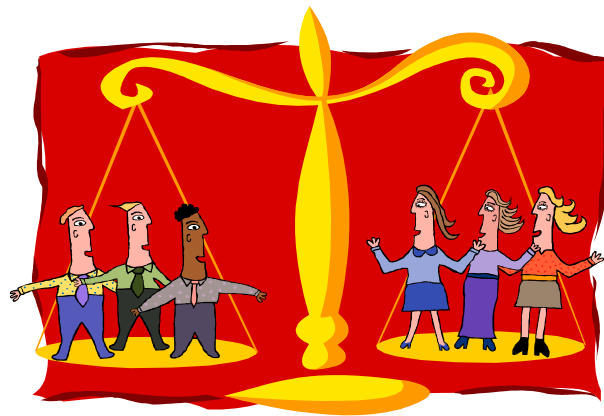


DEPARTMENT OF CIVIL RIGHTS



Department of Civil Rights

- Affirmative Action Division
- Disability Rights and Services Program
- Equal Opportunities Division



Affirmative Action Division

- Contract Compliance Program
- EEO/AA Service Delivery and Compliance Program
 - Internal City of Madison discrimination complaints
 - AASPIRE Program



Affirmative Action Division

- Women's Issues Committee
- Minority Affairs Committee



Disability Rights and Services Program

- Provides:
 - Evaluation and monitoring
 - Information and referral
- Collaborates with:
 - City Department heads
 - Affirmative Action Specialist



Equal Opportunities Division

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- Enforces MGO 39.03
 - Employment
 - Housing
 - Public Accommodations
- Recent updates (handout)
- Provides Community Education and Outreach
- Investigates Discrimination Complaints



Commissions and Committees

- Equal Opportunities Commission
 - EOC Employment Subcommittee
- Affirmative Action Commission
- Commission on People with Disabilities
- Reverend Dr. Martin Luther King Jr. Humanitarian Award Committee





DEFINITIONS



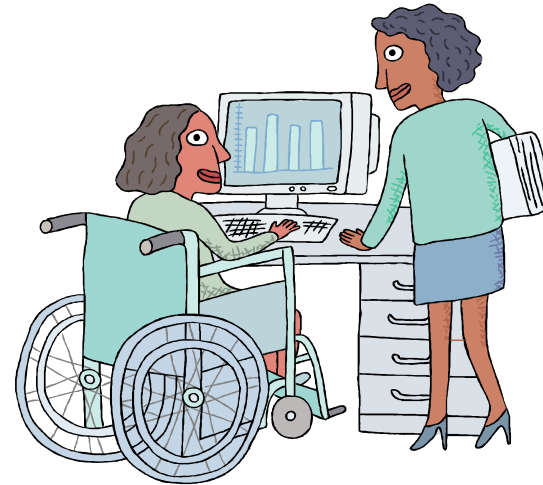
Protected Class

- Protected classes are groups protected by the law against discrimination.
- Some examples are:



Protected Class

- Protected classes are groups protected by the law against discrimination.
- Some examples are:
 - Race
 - Disability
 - Age
 - Gender



Discrimination

- When an individual is treated differently and suffers an adverse action (negative consequence) because of their membership in a protected class.



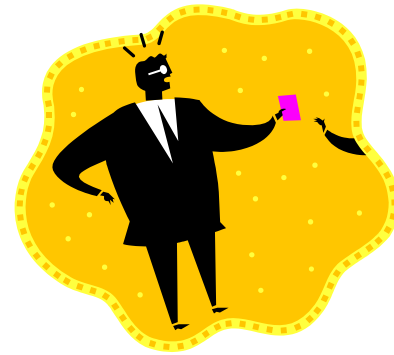
Adverse Action

- Some examples of Adverse Action are:



Adverse Action

- Some examples of Adverse Action are:
 - Failure to hire
 - Harassment
 - Suspension
 - Lack of promotion or raise
 - Termination of employment



Harassment

- Unwelcome conduct based on your protected class (race, color, sex, etc.) that is a condition of employment and/or is so severe or persistent that a reasonable person would find the environment intimidating, hostile, or abusive.



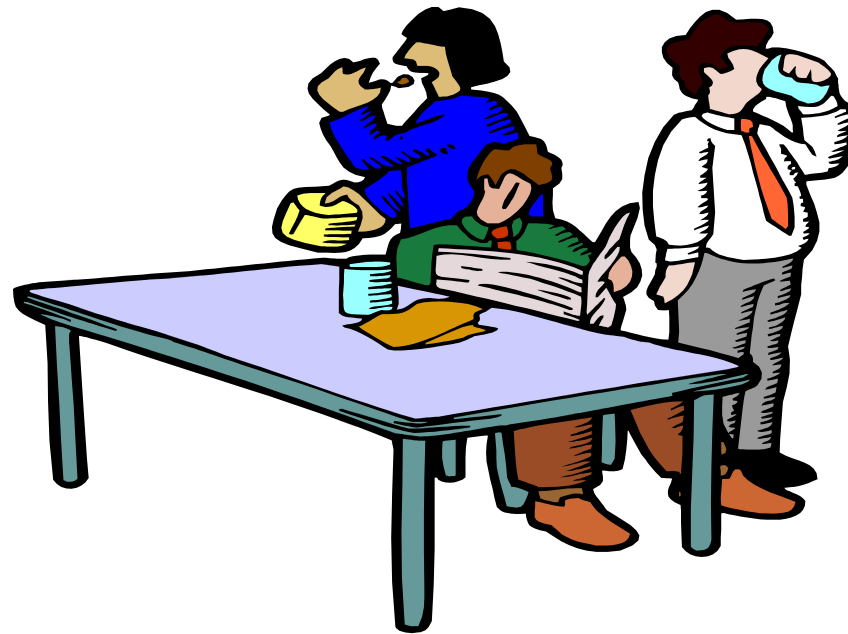
Maria

Maria, a Latina, just began working as an administrative assistant for a County Department. On Maria's first day, one of the other staff members, who is White, is rude to her. Since then, this staff member has attached negative jokes or cartoons about Latinos to the documents he leaves with Maria.



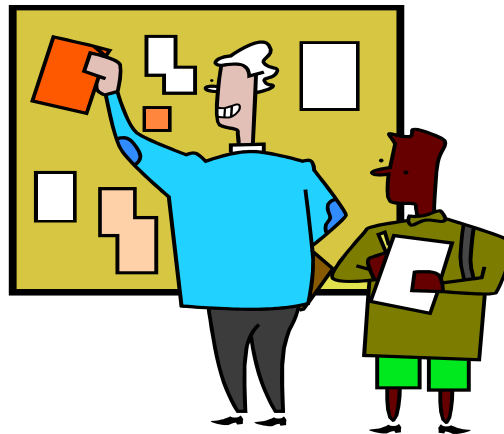
Harassment

- Petty slights, annoyances, and isolated incidents often do not rise to the level of being illegal.



Harassment

- Offensive conduct may include, but is not limited to: offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.





Harassment

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- City of Madison:
 - Administrative Procedure Memoranda (APM) 3-5
 - PowerPoint presentation:
 - www.cityofmadison.com/dcr
- Dane County:
 - Training provided by Employee Relations/Equal Opportunity
 - Business cards available

Retaliation

- An action or behavior directed at an individual because they complained about or filed a complaint of discrimination or helped with a discrimination investigation or lawsuit.



James

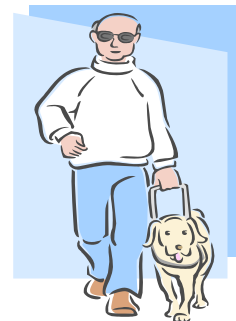
James went to the US Federal Agency EEOC to file a complaint against Mary, the manager of the department where he worked as a temp last year. As part of its investigation, the EEOC spoke to Patrick, who worked with James. After the EEOC determined that Mary did not discriminate against James, Mary called James and Patrick and yelled at them for talking to the EEOC. Mary told both James and Patrick that they cannot use her as a reference, even though she always provided references for temporary workers.



Disability

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- Requesting Accommodations
 - City of Madison: Accommodation Specialist
 - Sherry Severson: 267-1156
 - Sseverson@cityofmadison.com
 - Dane County: ADA Coordinator
 - Richard Johnson: 267-1520
 - Johnson.richard@co.dane.wi.us
- Service Animals





Jaime

Jaime, a clerk typist, requests adaptive equipment for the computer screen because of his visual impairment. Katie, Jamie's manager, orders the items Jamie requests. Later that week, while chatting with one of Jaime's co-workers, Katie mentions that she had to order him special equipment because he has trouble seeing the screen. The co-worker is surprised and says that she didn't know Jaime was "blind as a bat." The next day, Jaime's co-workers call him Batman and flap their arms and squint when they see him. When Jaime tells Katie, she immediately corrects the problem and his co-workers make no further comments about his visual impairment.



Internal vs. External Complaints

- Internal Complaints
 - Human Resources or Upper Management
 - City of Madison: Affirmative Action Division
 - <http://www.cityofmadison.com/dcr/EmployeeNet/prohibitedHarass.cfm>
 - Dane County: Office of Equal Opportunity
 - <http://www.countyofdane.com/oeo/>
 - Form on DCINet to fill out



Internal vs. External Complaints

- External Complaints
 - City of Madison Department of Civil Rights (MEOD)
 - State of Wisconsin Equal Rights Division (ERD)
 - United States Equal Employment Opportunity Commission (EEOC)

☺ BREAK ☺





SUPERVISOR RESPONSIBILITIES



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Supervisor Responsibilities

- Fair employment practices
 - Breaks
 - Assignment
 - Promotions
 - Discipline
 - Layoffs
 - Hiring/Firing





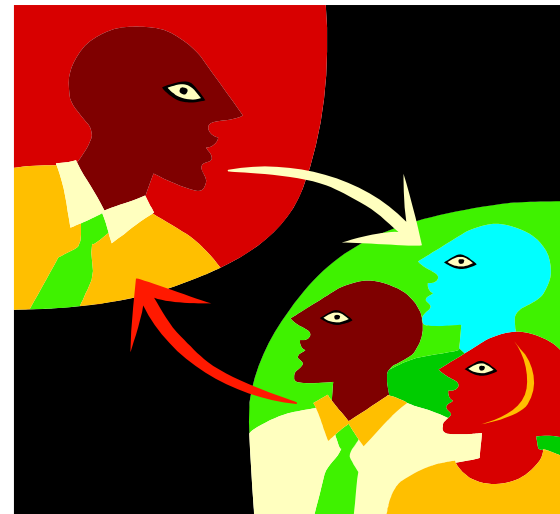
Case 1

You are a new supervisor assigned to Parks. You notice that some areas of the City have mostly a Hispanic population; others have mostly a Black population and others a mostly Asian population. When problems occur in a particular area, you assign a Hispanic worker to Hispanic areas, a Black worker Black areas and an Asian worker to Asian areas. You never reverse your practice, even when requested.

- Can this be considered a discriminatory practice?

Supervisor Responsibilities

- Accountability
 - Witnessing Harassment or Discrimination
 - What to do if an employee comes to you to complain about Harassment or Discrimination
 - Retaliation is illegal





Case 2

Katrina and Brian work as Customer Service Clerks in the Engineering department. Katrina is white and Brian is black. Brian has noticed that when some customers come in, Katrina will not let him provide them with service. Even if she is busy, she will stop what she is doing and come to the front to take over. You are the supervisor. You and Brian have overheard some of these customers talking to Katrina about how they “are not racist, but they are glad they don’t have to deal with the ‘African American guy’ because he may not know as much as she does.”

- Now that you are aware of what is going on, (and Brian also knows) how do you handle it?

Supervisor Responsibilities

- Confidentiality
 - Accommodations
 - Investigating complaints

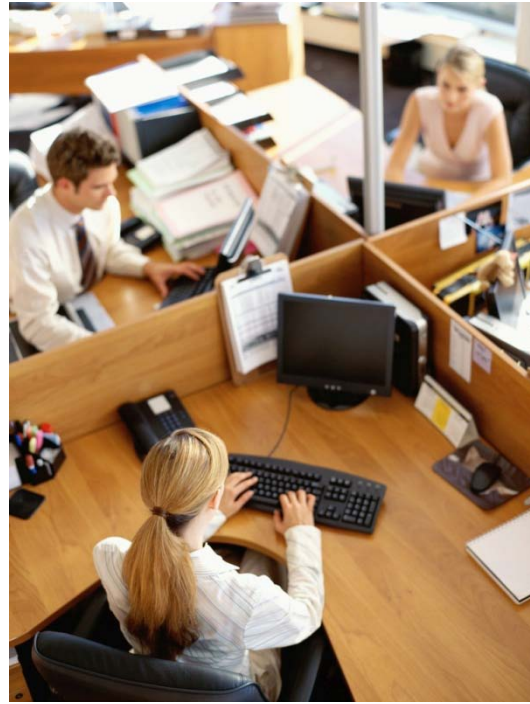




Case 3

Tim suffers from a permanent health condition. Because of his disability, he has requested, as a reasonable accommodation, that his duties be modified. As a result, Tim does not have to work overtime. Sue shares the same job with Tim. Sue has noticed that Tim never works overtime, although she does not know why. Sue wants to go on vacation, but she sees that she is scheduled for overtime which she cannot change. She asks you, the supervisor, for time off anyway, and points out that Tim has not worked overtime in the last 6 months.

- What can you say about Tim?
- Do you have a duty to accommodate Tim? How about Sue?
- What should you do about Sue's request?



SCENARIOS



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Abdul

Abdul, who is Muslim, prays throughout the day. Abdul requests that his breaks be scheduled so he can pray at the appropriate times. His supervisor refuses, remarking "We pay you to work, not to pray. Leave the religious observances for your own time."



Mike

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Mike, a supervisor for Public Health needs to hire a receptionist. He believes that having a “nice young lady” at the front will be a good idea. He completes the paperwork to request that a receptionist be hired. When he gets back all of the applications, he does not review the application of any men, or interview any men.



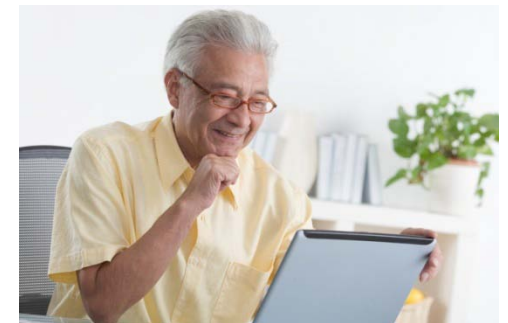
Amy

Amy has worked in her department for a year, passed probation and got two excellent performance reviews from her manager. Last week, Amy's partner stopped by the office. Since then, the manager has been watching her closely. Today, the manager fired Amy, explaining that her job performance was low. A co-worker told Amy that the manager was looking for a reason to fire Amy because the manager disapproved of her interracial relationship. Amy is White and her partner is African-American.



Bob

At the November staff meeting, Bob in Water Utility suggests that everyone participate in “Secret Santa” as a way of getting to know each other by buying little gifts that reflect your impression of the person’s personality that you pick. Some of the staff is excited, but you notice a couple are not so enthused.



Alberto

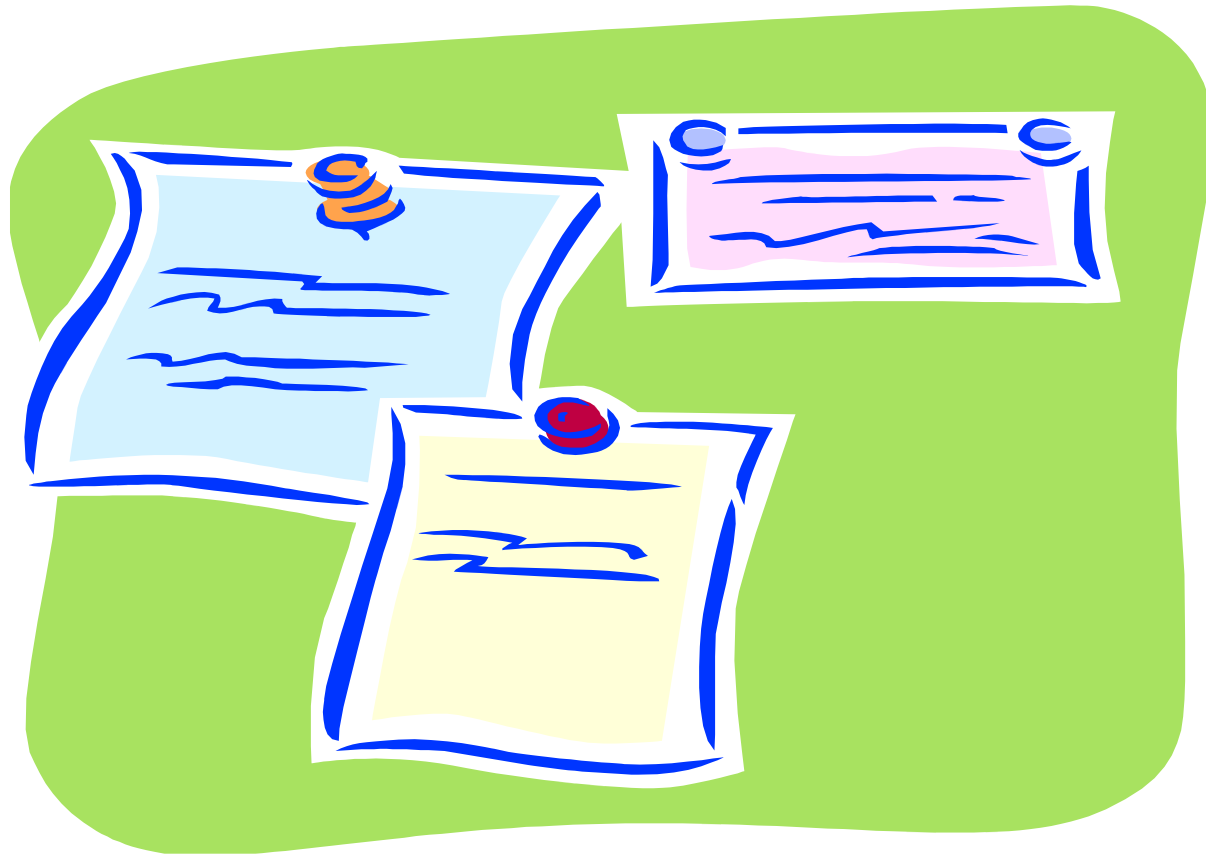
Ralph is first shift supervisor in Streets. Recently while training a new employee, Alberto, Ralph makes a statement to this effect: “Can I come over to your house for some real Mexican food?” Alberto was born in New York, and is of Dominican descent and does not eat Mexican food. Later he invites Alberto to join him for some tequila shots.



Steve

Beverly was recently promoted to shift supervisor. Prior to her promotion, she did not get along with Steve, who has worked in her department for almost 30 years. After becoming his supervisor she began leaving gag gifts like canes and walkers and making statements like “Oh, Steve, you must not have had your nap today.” Steve complains to you, as the supervisor. You meet with Beverly and assume the behavior has stopped, but you find some Depends on Steve’s desk later that week.





REVIEW PARKING LOT





Contact Information

- Madison Department of Civil Rights
 - www.cityofmadison.com/dcr
 - 608-266-4910
- Dane County Office of Equal Opportunity
 - <http://www.countyofdane.com/oeo>
 - 266-4192
- Wisconsin Equal Rights Division
 - www.dwd.wisconsin.gov/er
 - 608-266-6860
- United States Equal Employment Opportunities Commission
 - www.eeoc.gov
 - 1-800-669-4000



Contact Information

- Christie Hill, Affirmative Action Analyst
 - 267-8634
- Lucía Nuñez, Director
 - 266-5916
- Disability Rights and Services
 - 266-4910
- City of Madison Human Resources
 - 266-4615
- Dane County Human Resources/Employee Relations
 - 266-4125



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Thank you!



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