

**Nassau County Industrial Development Agency**

**Equal Employment Opportunity Policy**

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## **EEO Contact List**

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# Equal Employment Opportunity Policy

Nassau County Industrial Development Agency  
1550 Franklin Avenue, Suite 235  
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## 1. Workforce Environment Statement

### **An Equal Opportunity Employer**

The Nassau County Industrial Development Agency (the “Agency”) is committed to a policy of equal opportunity and does not discriminate against employees or applicants for employment on the basis of age, gender, gender identity, sex, sexual orientation, race, color, creed, religion, ethnicity, national origin, citizenship, disability, pregnancy, marital status, domestic violence victim status, familial status, military status, veteran status, genetic information, genetic predisposition or carrier status, or any other characteristic or criteria protected under federal, state, and local laws, regulations, or ordinances. This equal employment opportunity policy (this “Policy”) shall apply to all members, officers and employees, part-time, full time, temporary or seasonal and to all other terms and conditions of employment with the Agency.

The Agency has a firm commitment to a zero tolerance policy in the workplace with regard to any forms of illegal discrimination or harassment. It is our goal to provide a workplace where diversity and equality are embraced. In fact, we view this goal as a key to our success. We must make every reasonable effort to ensure that all employment related decisions are based on non-discriminatory factors like performance, commitment, position requirements, and other job related criteria.

The Agency actively seeks to employ and advance qualified individuals, regardless of age, gender, gender identity, sex, sexual orientation, race, color, creed, religion, ethnicity, national origin, citizenship, disability, pregnancy, marital status, domestic violence victim status, familial status, military status, veteran status, genetic information, genetic predisposition or carrier status, or any other characteristic or criteria protected under federal, state, and local laws, regulations, or ordinances.

### **Sexual and Other Forms of Harassment**

The Agency has adopted an explicit prohibition with respect to sexual and other forms of harassment that create a hostile work environment. Sexual and other harassment are forms of misconduct that undermine the employment relationship. No employee, either male or female, should be subjected, verbally or physically, to unsolicited and unwelcome sexual overtures or other harassing conduct.

While it is not easy to define precisely, harassment refers to behavior that is not welcome, that is personally offensive, that debilitates morale, and therefore interferes with work effectiveness. As part of its continuing Equal Employment Opportunity efforts and pursuant to guidelines on

sex discrimination issued by the EEOC, the Agency fully supports federal, state, local and laws that protect and safeguard the rights and opportunities of all people who seek, obtain and hold employment without subjugation to sexual or other harassment or discrimination in the workplace.

Behavior that amounts to sexual or other harassment may result in disciplinary action, up to and including dismissal and, where appropriate, referral to the applicable authorities. The Agency expects that all of its employees as well as members, officers, volunteers, contractors, and other non-employees will treat each other and our customers and applicants with courtesy, dignity and respect. Just as we do not tolerate violations of other laws in our workplace, we do not tolerate violations of the laws prohibiting harassment and expect all employees to immediately report any such incidents that they may experience or observe.

### **Definition**

The Agency has adopted, and its zero tolerance policy is based on, the definition of sexual harassment set forth by the Equal Employment Opportunity Commission (“EEOC”). This Policy prohibits any form of sexual harassment, including, but not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, or
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual, or
- such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment, or
- in third party situations, one individual is offended by the sexual interaction, conduct or communications between others.

### **Retaliation**

Any member, officer or employee of the Agency has a legal right, at any time, to raise the issue of discrimination or harassment without fear of reprisal.

### **Reasonable Accommodation for Religious Observance/Beliefs**

Employee leave requests for religious observance shall be granted, including days off for religious observance, unless doing so would create an undue hardship on the Agency, such as an obstruction to the proper operation of the Agency’s functions.

### **Reasonable Accommodation for Disability**

The Agency will not discriminate against people with disabilities in regard to any employment practices or terms, conditions, and privileges of employment. The Agency, in accordance with this Policy and applicable law, will make reasonable accommodations to otherwise qualified employment applicants and employees with disabilities to enable them to perform the essential functions of their jobs and to enjoy the equal benefits and privileges of employment, unless providing such accommodation would impose an undue hardship on the proper operations of the Agency's functions.

## **2. Organizational Outline**

### **a. *Chair***

The Chair of the Agency shall have ultimate authority to ensure achievement of the objectives set forth in this Policy and enforce federal, state, and local equal employment opportunity laws within the Agency.

### **b. *Director of Equal Employment Opportunity***

The EEO Director shall be responsible for the administration of this Policy and related plans and programs. Unless otherwise designated by the members of the Agency, the Chairman of the Governance Committee shall be the EEO Director. If the position of Chairman of the Governance Committee is vacant, the Chairman of the Agency shall be the EEO Director until a Chairman of the Governance Committee is appointed.

## **3. Complaint and Investigative Procedure and Complaint Form**

See Appendix A for the Complaint and Investigation Procedure.

See Appendix B for the Agency Complaint Form

## **4. Successful Implementation of Agency Policy**

### **Dissemination**

New members, officers and employees will receive a copy of this Policy and will be requested to read this Policy and sign a receipt acknowledging that they are aware of the standards of behavior expected. A copy of this Policy shall be distributed periodically to each member, officer and employee. The EEO Director shall post this Policy in each facility. Complaint forms may be obtained by contacting the EEO Director.

## **Appendix A**

## Appendix A

### COMPLAINT AND INVESTIGATION PROCEDURE: DISCRIMINATION; HARASSMENT/SEXUAL HARASSMENT

#### **§1. Reporting**

##### **a. Initial Complaint.**

(i) An employee may file a complaint with the EEO Director, or, in the event that the employee feels it is inappropriate to address the complaint to the EEO Director, with the Chair if s/he believes that s/he has been the victim of sexual or other harassment or has been discriminated against by a member, manager, officer, supervisor, another employee or an independent contractor working for the Agency because of actual or perceived: age, gender, gender identity, sex, sexual orientation, race, color, creed, religion, ethnicity, national origin, citizenship, disability, pregnancy, marital status, domestic violence victim status, familial status, military status, veteran status, genetic information, genetic predisposition or carrier status, or any other characteristic or criteria protected under federal, state, and local laws, regulations, or ordinances. Employees will not be retaliated against for consulting about sexual or other harassment or a suspicion of discrimination or for filing a complaint or cooperating in an investigation.

(ii) A complaint may be made orally, by letter, or on a complaint form (Appendix B). However, employees are encouraged to file all complaints in writing.

(iii) The EEO Director will assist the person in determining whether the issue s/he has raised is appropriate for resolution through the complaint process.

(iv) A record shall be-maintained by the EEO Director of every complaint initiated. Such record shall include, but not be limited to: the date, time and manner in which the complaint was initiated; the date and time of the first meeting with the person complaining of discrimination, sexual or other harassment; a brief description of the complaint; and a description of the action agreed upon to attempt to resolve the issue. The EEO Director shall file a report containing such information, as the Chair shall require, immediately upon conclusion of the initial interview with a complainant.

- The EEO Director shall complete the investigation and make a determination on the complaint no later than ninety (90) days from the filing of a complaint.
- Nothing shall prevent the complainant or the EEO Director from determining at any time before such ninety (90) day period has expired that the attempt to resolve the issue is not succeeding and that the complaint should be forwarded for further investigation to the Chair.

(v) Employees have the right to meet privately with the EEO Director during working hours. However, the employee should obtain prior approval for leaving his/her work assignment. Reasonable leave requests to meet with respect to an EEO complaint shall

not be denied, and the employee need not disclose details of the purpose of the meeting. Managers and supervisors shall allow employees to meet regarding EEO matters at the earliest practicable time consistent with the operational needs of the Agency.

**b. Privacy and Confidentiality.**

(i) The EEO Director shall arrange to meet with the person complaining of discrimination, sexual or other harassment in a time, place and manner that will ensure confidentiality, to the extent provided by applicable law.

(ii) The EEO Director shall treat complaints and other information provided by employees confidentially and shall not discuss any information obtained from a person who seeks his/her assistance with other personnel, except as may be necessary to conduct an investigation and/or resolve a complaint. It should be noted, however, that subsequent developments in an investigation, or litigation, may require disclosure.

**c. Withdrawing a Complaint**

A complaint of discrimination or sexual or other harassment maybe withdrawn at any time by the person who filed the complaint. Prior to making any determination to end an investigation where a complaint has been withdrawn, the EEO Director shall assess whether evidence has been found that requires the Agency to take corrective action and shall document such assessment and notify all the parties to the complaint and the EEO Director. The decision to proceed with corrective action shall remain exclusively with the Chair.

**d. Other Places to File a Complaint**

Any person who believes that s/he has experienced discrimination has a right to file a formal complaint with any federal, state or local agency having jurisdiction, some of which are listed below. A person does not give up this right when s/he files a complaint with the EEO Director. The following federal, state and local agencies investigate discrimination, harassment, sexual harassment matters and enforce laws applicable laws.

**Nassau County Human Rights Commission**

240 Old Country Road, 6th floor  
Mineola, NY 11501  
Telephone No. (516) 571-3662

**New York State Division of Human Rights**

One Fordham Plaza, 4th Floor  
Bronx, New York 10458  
Telephone No. (718) 741-8400

**New York State Division of Human Rights**

175 Fulton Avenue, Suite 404



Hempstead, New York 11550  
Telephone No. (516) 538-1360

**U.S. Equal Employment Opportunity Commission**

131 M Street, NE  
Washington, D.C. 20507  
Telephone No. (202) 663-4900

**New York District Office**

33 Whitehall Street, 5th floor  
New York, NY 10004  
Telephone No. 1(800) 669-4000

In addition to the above, a person with a complaint alleging discrimination based on disability may file with the **United States Department Of Justice**, Constitution Avenue & Tenth St. NW., Washington, D.C. 20530; (202) 514-0301 (Voice); (202) 514-0381 (TTY); (202) 514-0383.

**§2. Investigation of Complaints.**

- a.** The EEO Director shall conduct an investigation of every complaint received by or forwarded to him/her. Upon receipt of a complaint alleging that an employee has engaged, or is engaging, in unlawful discriminatory conduct or harassment, the EEO Director shall notify the Chair.
  
- b.** The EEO Director shall conduct a prompt, thorough and fair investigation of the allegations in the complaint, including, as appropriate, interviews of the parties involved and any relevant or necessary witnesses, review of any relevant available records and such other actions as s/he determines necessary. A person who has been named as the respondent in the complaint shall receive a copy of the complaint and shall have the opportunity to respond in writing or in person, or both. Such respondent, and all witnesses identified by the investigator as relevant, shall have the obligation to cooperation in the investigation.
  
- c.** The EEO Director shall make a confidential written report of the investigation to the Chair. The Chair shall review the report and take such corrective action, as s/he deems appropriate and report such action to the Agency's members.
  
- d.** Corrective action may include measures necessary to address the impact that any conduct in violation of the law or of Agency policy has had on the complainant and others in the workplace. Corrective action may also include disciplinary measures such as formal reprimand, suspension, probation, transfer, demotion, fine or termination. Corrective action may include referral to the appropriate authorities. Disciplinary measures shall be taken in accordance with any applicable provisions of law, rules and regulations, and collective bargaining agreements, if applicable. Documentation of any corrective action taken to resolve an EEO complaint shall be placed in the file regarding such complaint.

- e. All parties shall be advised in writing of the outcome of the complaint.

## **Appendix B**

**Appendix B**

Nassau County Industrial Development Agency (“IDA”) EEO Complaint Form  
(Please Print & Use Ink)

Name: \_\_\_\_\_

Address \_\_\_\_\_

Position Title: \_\_\_\_\_ Department: \_\_\_\_\_

Phone: Business ( ) \_\_\_\_\_ Home ( ) \_\_\_\_\_

I prefer to be contacted at: \_\_\_Home \_\_\_Work \_\_\_Days \_\_\_time

Person to contact if I cannot be reached: \_\_\_\_\_  
Name Phone

1. Describe the incident(s) or situation(s) that you believe were harassment or discrimination.
2. On what basis do you feel you were discriminated or harassed?
3. Please give the date of occurrence. If this is an incident of ongoing discrimination or harassment, please identify the time period: mm/dd/yy
4. Have you ever reported this or any other incident to the IDA? Yes No  
If yes, when and to whom was the report made? what, if any, action has been taken by the IDA?
5. If there are witnesses to the discrimination/harassment who may be able to help in the investigation, please list names, job title and phone number (if possible).

6. What action do you request the IDA take?

7. Have you filed a grievance regarding this matter?  Yes  No  
(Filing this complaint does not preclude you from filing elsewhere)  
(If yes, answer the following)

a. Date grievance was filed?

b. Name of representative organization

c. Do you have an attorney?  Yes  No

d. Have you filed a complaint on this matter with any other agency? If so, please specify:

Equal Employment Opportunity Commission, date complaint file

Fair Employment Practices Commission, date complaint filed

New York State Human Rights Commission, date complaint filed

Other date complaint filed

Other:

I understand that the EEO Director will gather all information to investigate my complaint.

\_\_\_\_\_  
Signature of Complaint

\_\_\_\_\_  
Date

**Office Use Only:**

Complaint Received by \_\_\_\_\_ Complaint # \_\_\_\_\_

Date and Time Complaint Received \_\_\_\_\_

Date and Time Reported to EEO Director \_\_\_\_\_