



# **EQUAL OPPORTUNITY POLICY**

**Effective May 15, 2009**

Revised and updated January 1, 2021

**CENTRAL MISSISSIPPI PLANNING AND  
DEVELOPMENT DISTRICT**



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**EQUAL OPPORTUNITY POLICY  
FOR  
CENTRAL MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT**

**INTRODUCTION**

Central Mississippi Planning and Development District (CMPDD) was created as a nonprofit corporation in 1968, as a result of the passage of the Economic Development Act of 1965. In 1971, the District boundaries were established by Executive Order Number 81, signed by Governor John Bell Williams. CMPDD serves Copiah, Hinds, Madison, Rankin, Simpson, Warren and Yazoo counties and thirty-four (34) municipalities.

By matching local dollars with federal grants, CMPDD is able to provide local governments with a common resource pool of professional staff who are available to assist the local governments in a variety of ways. Grantsmanship, planning, and technical assistance management are provided to the local units of government.

The District operates numerous programs that permeate many segments of local communities and provides direct services to a diverse cohort of clientele. The programs it operates require the involvement of citizens from all levels of society. Also, there are mandated periodic reviews of its programs involving funding agencies and stakeholders. Extensive community involvement and periodic reviews are in addition to the District's policies that provide employees and clients ample opportunities to register discrimination complaints. History attests to the fact that there has not been any form of discrimination regarding its employees nor its clientele.

**POLICY STATEMENT AND AUTHORITIES**

**CMPDD Policy Statement**

It is a fundamental policy of CMPDD to provide equal opportunity to all its employees and applicants for employment, and to assure that there shall be absolutely no discrimination against any person on the grounds of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, genetic information, veteran status, or any other basis of discrimination made unlawful by applicable state or federal law. This obligation extends to all areas of employment, including, but not limited to, recruitment, selection, appointment, placement, promotion and transfer, compensation, disciplinary measures and terminations, benefits, layoffs and downgrading, and other personnel actions.

The importance of fulfilling this policy is given priority and consideration in the day-to-day operations of CMPDD.

**Authorities**

CMPDD's activities ensures nondiscrimination and equal employment opportunity as required by Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Act of 1972, the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, and the Americans with Disabilities Act of 1994.

**ORGANIZATION**

CMPDD's Chief Executive Officer (CEO) is responsible for ensuring implementation of the agency's Equal Opportunity Policy. The CEO, along with each division head, will disseminate and communicate the District's policy of equal opportunity.

## **EO Coordinator**

The Equal Opportunity (EO) Coordinator, under supervision of the Chief Executive Officer, is responsible for coordinating the overall administration of the Equal Opportunity Policy. The EO Coordinator will conduct periodic reviews of CMPDD's personnel actions and procedures to ensure that the policy of equal opportunity is being adhered to and carried out.

The EO Coordinator's responsibility is to recognize and assess any pattern of problems developing and to apply high priority to correct deficiencies. They will keep management and supervisory staff alert to the Equal Employment Policy and changes therein. The EO Coordinator will also post the District's Equal Opportunity Policy Statement on a conspicuous bulletin board in the District Office.

## **ADMINISTRATION**

### **Recruitment**

CMPDD utilizes two methods for filling job vacancies: in-house recruitment and outside recruitment. Any time a vacancy occurs, or a new position is available, an in-house memorandum will be posted on the CMPDD bulletin board located in the main office for 5 days. Vacancies will also be posted on the company website, flowing to appropriate job sites. Employees who apply and meet position qualifications will be interviewed and given first consideration. The Chief Executive Officer will ensure compliance with the Equal Employment Policy in hiring decisions.

In all instances, CMPDD will identify itself as an equal opportunity employer.

All key supervisory and administrative personnel have been instructed in the non-discriminatory policy of CMPDD.

In all recruiting efforts, clearly written job descriptions and announcements of vacancies are provided to recruitment sources. Such information is provided without regard to race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, genetic information, veteran status, or any other basis of discrimination made unlawful by applicable state or federal law.

### **Selection, Appointment, and Placement**

CMPDD evaluates all applicants only based on job-related criteria which predict the likelihood of satisfactory job performance.

All applicants for employment with CMPDD are interviewed for various jobs for which they are qualified, based upon questions structured around job classification and performance on the job, without regard to race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, genetic information, veteran status, or any other basis of discrimination made unlawful by applicable state or federal law.

All job placements, regarding position and place of work, are assigned to applicants on a non-discriminatory basis.

### **Promotion and Transfer**

CMPDD assures that all decisions regarding promotions are made in accordance with the policy on Equal Employment Opportunity. Likewise, all decisions regarding transfers are made and administered without regard to race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national

origin, age, disability, genetic information, veteran status, or any other basis of discrimination made unlawful by applicable state or federal law.

### **Compensation**

The rates of pay for all new employees will be based on skill level, experience, and the nature of work to be assigned. Criteria considered in the upgrading of personnel will continue to be, first, demonstrated job performance and secondly, education and/or ability.

CMPDD will continue to pay each employee a wage commensurate with the degree of job responsibility and the quality of work without regard to race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, genetic information, veteran status, or any other basis of discrimination made unlawful by applicable state or federal law.

### **Disciplinary Measures and Terminations**

CMPDD commits itself to the policy that under no circumstances will an employee's race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, genetic information, veteran status, or any other basis of discrimination made unlawful by applicable state or federal law cause or influence his/her being reprimanded, disciplined, or fired.

For any alleged violation of policy, CMPDD will utilize all the appropriate resources to thoroughly investigate all aspects of the situation. CMPDD will assure that underlying prejudices do not influence a decision regarding the employee's conduct and subsequent action. A formal grievance procedure is available to all employees on a non-discriminatory basis. Decisions rendered through this process are likewise made without regard to race, color, religion, sex, national origin, age, disability, genetic information, or other discriminatory factors. CMPDD retains written documentation of personnel transactions for three years.

### **Benefits**

CMPDD assures that all awards and other benefits are made available to all its employees on a nondiscriminatory basis.

### **Layoffs and Downgrading**

CMPDD will ensure that layoffs, downgrading, and recalls from layoffs are made without regard to race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, genetic information, veteran status, or any other basis of discrimination made unlawful by applicable state or federal law.

### **Facilities**

District facilities will not be segregated, and the same policy will be observed with respect to any employee programs or activities which are sponsored or supported by CMPDD.

## **RESOLUTION OF COMPLAINTS**

Any individual may exercise their right to file a complaint with CMPDD if that person believes that they have been subjected to unequal treatment or discrimination on the grounds of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, genetic information, veteran status, or any other basis of discrimination made unlawful by applicable state or federal law. CMPDD will make a concerted effort to resolve complaints informally at the lowest level, using the agency's Procedures for Discrimination Complaint (see Appendix 1).

## PROGRAM RESPONSIBILITIES

In order to accomplish goals of CMPDD, the District receives federal, state and local funds to carry out a work program. The work program principally consists of comprehensive regional and community planning, assisting communities with receiving federal grants to carry out these plans, and various forms of technical assistance to local governments in improving the management and administrative capabilities of local officials.

Each program function will adhere to CMPDD's Equal Opportunity Policy in the operation of its program. In addition, each federal grantor agency and/or state agency may impose stricter guidelines to achieve specific program goals and objectives. In such case, the program will adhere to each federal grantor agency or state agency guidelines. Following is a list of CMPDD programs, federal grantor agencies and state level funding sources:

<b>Programs</b>	<b>Federal Grantor Agency</b>	<b>State Agency</b>
Planning	Department of Commerce/EDA	N/A
Aging	Health and Human Services	MS Dept. of Human Services
Transportation	Department of Transportation	MS Dept. of Transportation
Workforce Training	Department of Labor	MS Dept. of Employment Security
Revolving Loan Fund	Department of Commerce/EDA	N/A
CMDC	Department of Commerce/SBA	N/A
State Revolving Loans	N/A	MS Development Authority
Medicaid Waiver	Centers for Medicare & Medicaid Services (CMS)	MS Division of Medicaid

## **APPENDICIES**

### **Appendix 1 - Nondiscrimination Complaint Procedures**

#### **Procedures for Discrimination Complaint**

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Act of 1972, the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967 and the Americans with Disabilities Act, 1994.

Any individual may exercise their right to file a complaint with CMPDD if that person believes that they or any other program beneficiaries have been subjected to unequal treatment or discrimination in their employment or receipt of benefits/services or on the grounds of race, color, religion, sex, national origin, age, disability, genetic information, or other discriminatory factors.

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the EO Coordinator may be utilized for resolution at any stage of the process. The EO Coordinator will make every effort to pursue a resolution to the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities. The EO Coordinator will submit a written notice to the CEO of complaints and their resolution when they are resolved through informal mediation meeting(s).

#### **Procedures**

1. Any individual, group of individuals, or entity that believes they have been subjected to prohibited discrimination may file a complaint with CMPDD's EO Coordinator. A formal complaint must be filed with the EO Coordinator within five (5) business days of becoming aware of the grievable issue. CMPDD publishes brochures explaining the complaint process and contact information on the company website.
  - a. Complaint shall be in writing and signed by the complainant(s).
  - b. Include the date of the alleged act of discrimination. This is the date when the complainant(s) became aware of the alleged discrimination, or the date on which that conduct was discontinued or the latest instance of the conduct.
  - c. Present a brief description of the issues, including names and job titles of those individuals perceived as parties in the alleged act of discrimination.
2. In order to be accepted, a complaint must meet the following criteria:
  - a. The complaint must be filed with the EO Coordinator within five (5) business days of the alleged occurrence or when the alleged discrimination became known to the complainant.
  - b. The allegation(s) must involve a covered basis such as race, color, religion, sex, national origin, age, disability, genetic information, or other discriminatory factor(s) prohibited by discrimination statutes and regulations.
3. A complaint may be dismissed for the following reasons:
  - a. The complainant requests the withdrawal of the complaint.
  - b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
  - c. The complainant cannot be located after reasonable attempts.

4. Once the Chief Executive Officer, or designee, accepts the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within five calendar days by the EO Coordinator.
5. The Chief Executive Officer, or designee will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have five (5) working days from the date of CMPDD's written notification to furnish his/her response to the allegations.
6. Within 40 calendar days of the acceptance of the complaint, the EO Coordinator will prepare an investigative report for review by the agency's Chief Executive Officer. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. The report will be released when finalized.
7. The Chief Executive Officer, or designee will notify all parties involved concerning the final disposition of the alleged discrimination. If the complainant is dissatisfied with CMPDD's ruling, they may appeal its decision within three (3) business days following the receipt of the final disposition to the CMPDD Board of Directors using the same Complaint Form.
8. The Board of Directors, or its representative, is required to meet with the complainant. This meeting will be informal with the aggrieved party, the representative(s) of the Board of Directors, any resource personnel deemed appropriate by the Board of Directors, and the appropriate witness(es) present.
9. The complainant may have a representative and the appropriate witness(es) present at this meeting. The Chief Executive Officer will notify any CMPDD employees who will be a witness, to attend the meeting. The complainant is to inform the EO Coordinator the name(s) of the employee (s) who will serve as witness(es) at least three (3) business days prior to the hearing.
10. The Board of Directors will give the complainant a written response within ten (10) business days of the meeting.
11. The Board of Directors' decision is final.
12. If the grievance is not presented within the time limit as set forth above, it will be considered concluded. If a grievance is not appealed to the next step within the specified time limit or an agreed upon extension thereof, it will be considered settled based on the last response.
13. Time limits on each step may be extended by mutual written agreement of the parties involved.



## Appendix 2 - Complaint of Discrimination Information Form

### Complaint of Discrimination Form

#### Basis of Complaint (please check all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> Race/Color      | <input type="checkbox"/> Religion            |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Sex                 |
| <input type="checkbox"/> Disability      | <input type="checkbox"/> Genetic Information |
| <input type="checkbox"/> Age             | <input type="checkbox"/> Other _____         |

#### (Please print or type)

Complainant's Name: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Work Phone: \_\_\_\_\_

#### Department and/or person whom you believe has discriminated against you:

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

Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

#### Brief description of complainant's allegation (use additional sheets if necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of occurrence: \_\_\_\_\_

What remedy do you wish to obtain by filing this complaint? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**I affirm that the above information is true to the best of my knowledge, information and belief under penalty of perjury.**

Complainant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Or Authorized Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If you have any questions concerning these procedures, you may contact:

EO Coordinator  
Central Mississippi Planning and Development District  
Post Office Box 4935  
Jackson, MS 39296-4935  
Telephone: 601-981-1511

## **Appendix 3 – Notice to the Public**

### **Notice to the Public**

The following may be used in publications:

*CMPDD fully complies with Title VI and Title VII of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, see <http://www.cmpdd.org> or call 601-981-1511.*

***Or***

*CMPDD is an Equal Opportunity Employer.*