

<p>Commonwealth of Pennsylvania</p>  <p>Pennsylvania Board of Probation and Parole</p>	<p>Volume III Chapter 2</p> <p>Procedure 2.04.01</p>	<p>Dates Revised & Replaced: 01/16/01; 8/19/13</p>
<p>Chapter Title ADMINISTRATIVE SERVICES</p>		<p>Date of Issue 6/05/14</p>
<p>Subject HUMAN RESOURCES: EQUAL EMPLOYMENT OPPORTUNITY - COMPLAINT PROCEDURES</p>		<p>Effective Date 6/19/14 PUBLIC</p>

I. AUTHORITY

The chairman of the board is granted the authority to “[d]irect the operations, management and administration of the board” and to “[p]erform all the duties and functions of chairperson, including organizing, staffing, controlling, directing and administering the work of the staff.” 61 Pa.C.S. § 6112 (a)(1) & (a)(4).

II. PURPOSE

- A. No employee of the board shall discriminate against any other employee or applicant for employment because of race, color, religious creed, ancestry, age, sex, sexual orientation, gender identity or expression, national origin, AIDS or HIV status, disability or union membership.
- B. The board shall ensure fair and equal employment practices and opportunities for all of its employees and applicants for employment
- C. Sexual harassment or harassment based on any of the protected classes listed in paragraph “A,” is prohibited.

III. APPLICABILITY

This procedure is applicable to all employees of the board and to all applicants for employment to the board.

IV. DEFINITIONS*

Equal Employment Opportunity: A system of employment practices within an employing organization under which individuals are not excluded from any participation, advancement, or benefits because of their actual or perceived membership in a protected class.

It is an employment system in which neither intentional nor unintentional discrimination exists. This includes, but is not limited to recruitment, selection, appointment, promotion, training, delegation, discipline, and separation.

**For a complete list or EEO related definitions, please refer the management directive listed under the procedure section.*

V. POLICY

It shall be the policy of the board to comply with all federal and state laws and regulations, executive orders, management directives (MD), and agency policies regarding Equal Employment Opportunities.

VI. PROCEDURE

[MD 410.10 Amended, December 2, 2012, Guidelines for Investigating and Resolving Internal Discrimination Complaints](#) establishes policy, responsibilities, and procedures for submitting, investigating and resolving complaints of discrimination, including sexual harassment.

VII. SUSPENSION DURING AN EMERGENCY

In the event of a national or Pennsylvania Emergency Management Agency (PEMA) declared state of emergency or crisis disrupting normal commonwealth operations, the chairman or designee may suspend any provision or section of this policy for a specified period of time.

VIII. RELEASE OF INFORMATION AND DISTRIBUTION OF PROCEDURE

- A. This procedure does not contain information that impacts the security of board staff or parolees and may therefore be released to the public.
- B. This procedure is to be distributed to all board staff.

IX. CROSS REFERENCES

- A. Federal Laws
 - 1. Age Discrimination Act of 1967
 - 2. Americans With Disabilities Act of 1990
 - 3. Americans with Disabilities Act Amendments Act of 2008
 - 4. Civil Rights Act of 1964, Title VII
 - 5. Civil Rights Restoration Act of 1987, enacted March 22, 1988
 - 6. Civil Rights Act of 1991
 - 7. Equal Employment Opportunity Act of 1972
 - 8. Equal Pay Act of 1963
 - 9. Rehabilitation Act of 1973
- B. State Laws
 - 1. Pennsylvania Human Relations Act of 1955, as amended
- C. Commonwealth Policies
 - 1. [MD 202.25, Amended, Disability Related Employment Policy](#)
 - 2. **MD 505.30, Prohibition of Sexual Harassment in Commonwealth Work Settings**
 - 3. [Executive Order 2003-10, Equal Employment Opportunity](#)
 - 4. [Executive Order 2002-5, Disability Related Policy](#)
 - 5. **Executive Order 2002-4, Prohibition of Sexual Harassment in the Commonwealth**

D. Agency Policies

1. PA Board of Probation and Parole, Equal Employment Opportunity Policy Statement
2. PA Board of Probation and Parole, Policy on the Prohibition of Sexual Harassment in the Workplace
3. PA Board of Probation and Parole, Policy on Anti-Harassment in the Workplace
4. PA Board of Probation and Parole, Disability Related Employment Policy: Reasonable Accommodation Procedures for the Agency