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**AUHR 2.01    EQUAL EMPLOYMENT OPPORTUNITY (EEO)/AFFIRMATIVE ACTION**

**Purpose**

The City Auditor's Office is an equal employment opportunity employer and is committed to an active affirmative action and diversity program. The Auditor's Office will continue to recruit, hire, train, and promote into all job levels without regard to race, religion, gender, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, source of income, or Vietnam era veterans status. It is the policy of the City to ensure:

- Equal opportunity to all employees and candidates;
- Employees be selected and promoted based on merit and without discrimination;
- Reasonable accommodations are provided to qualified employees and applicants that require them.

The Auditor and all employees of the Auditor's Office, management and supervisory staff in particular, shall ensure that the intent and the stated requirements of this rule are implemented in all employee relations and personnel practices. It is the responsibility of every employee to ensure that the work environment is free of any practice of discrimination or harassment. The City Auditor, in consultation with the City Affirmative Action Officer, is responsible for implementation of the affirmative action program in the Auditor's Office.

Additionally, contractors doing business with the City Auditor's Office are required to assure that equal employment opportunity be offered by their organization(s), and that they comply with appropriate sections of this policy and with applicable state and federal regulations. The provisions for external affirmative action measures are contained in City Code.

**Accommodations**

Any accommodations made in accordance with the American Disabilities Act must be in writing.

**Special Provisions Relative to Age**

Equal employment opportunity as to age applies to persons who are age 18 or older. State law forbids employment discrimination on the basis of age. It is unlawful to fail or refuse to hire or to discharge an individual or otherwise

discriminate against any individual with respect to their compensation, terms, conditions, or privileges of employment, because of such individual's age.

### **Special Provisions Relative to Disability**

Equal employment opportunity for persons with disabling conditions includes making a reasonable accommodation to known disabilities of a qualified disabled applicant or employee who would be able to perform the essential duties of the job if such accommodation is made.

### **Bona Fide Occupational Qualifications**

Age, gender or physical requirements may be considered if they constitute a bona fide occupational qualification necessary for performance of the essential duties of the job.

Physical capacity requirements relating to minimum standards for employment may be a reasonable selection factor. However, such standards must be reasonably necessary for the specific work to be performed and uniformly applied to all applicants for the particular job category, regardless of age or sex.

### **Complaint Procedure**

The City Auditor's Office has an internal complaint procedure designed to address and resolve complaints of discrimination, including retaliation and harassment. See the Administrative Rule on **Prohibition Against Workplace Harassment, Discrimination and Retaliation**. The Auditor's Office will take appropriate action to prevent discrimination, including retaliation and harassment, and to ensure that the rights of employees who file complaints are respected, whether the complaint is filed through the internal complaint procedure, a grievance, or with a local, state, or federal agency, or court.

### **Contact Information**

Any person having questions about this rule or the Auditor's Office Diversity Development/Affirmative Action plan should contact the City Auditor or Management Services.

### **References**

41 CFR §60-1.4; §60-2.13(a); §60-2.20; City Code Chapter 23

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## Human Resources Rule Information and History

Questions about this administrative rule may be directed to the [Management Services Division](#) of the Auditor's Office.

Adopted by the City Auditor December 11, 2017.

Adapted from City of Portland Human Resources Administrative Rule 2.01 Equal Employment Opportunity (EEO)/Affirmative Action.

Adopted by Council March 6, 2002, Ordinance No. 176302.

Last revised December 4, 2013.