

OFFICE OF THE COUNTY EXECUTIVE

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Edwin J. Day
Rockland County Executive

September 20, 2019

To: All Commissioners and Department Heads

From: Ed Day, County Executive

Re: Executive Order 2019-02: Amendment of Executive Order No. 2016-01 –
Anti-Discrimination and Equal Employment Opportunity Policy.

Purpose of Order

These County's Anti-Discrimination and Equal Employment Opportunity Policy establishes the policies and procedures pertaining to the prohibition of discrimination and harassment based upon a person's real or perceived membership in a protected class; the complaint and investigation process; protections against retaliation for participating in an investigation; reasonable accommodations the County will provide for qualified individuals with a disability, persons with sincerely-held religious beliefs and practices, nursing mothers and victims of domestic violence for the County of Rockland. These procedures provide guidelines for County Associates.

The County's Anti-Discrimination and Equal Employment Opportunity Policy meets and in some instances, exceeds the protections afforded by federal, and state law and regulations.

Implementation of Executive Order

I. Implementation of the program.

- A. The most recent version of the County's Anti-Discrimination and Equal Employment Opportunity Policy is on file with the Office of the County Executive. In addition,
1. the most recently filed policy is incorporated into this Executive Order by reference;
 2. the latest policy shall be on file, in hardcopy, in each department and available to any employee of the department upon request; and
 3. the latest policy shall be posted on the County's website.

- B. All Department heads, supervisors and managers and other employees, shall be provided with a copy of the Anti-Discrimination and Equal Employment Opportunity Policy and give written acknowledgement that they have received and reviewed them. That written acknowledgement shall be kept on file by the agency for which the employee is working.

II Program re-evaluation and renewal

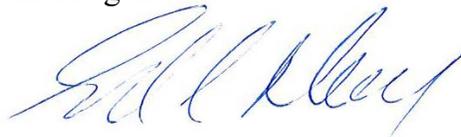
- A. This policy shall be re-evaluated by December 31, 2023, and every four years thereafter. This does not preclude the amendment of the Anti-Discrimination and Equal Employment Opportunity Policy at any time. All amendments must be approved in writing by the County Executive. Re-evaluation shall be conducted by the Department of Personnel.
- B. Any officer or employee who is found to have violated this policy may be subject to discipline, in accordance with the County's labor agreements where required, including but not limited to penalties of censure, suspension, or termination.

III Scope of this Executive Order

As a result of the statutory responsibility of the County Executive as the ultimate employer of each employee serving the Executive Branch of the County's government, this procedure applies to within the Executive Branch of government.

Elected officials and agencies that are not within the executive branch of the County government are free to, and encouraged to, adopt this policy.

These non-executive branch agencies are welcome to use the resources of the executive branch to implement the Anti-Discrimination and Equal Employment Opportunity Policy, if it is adopted by those agencies.



Edwin J. Day
COUNTY EXECUTIVE

Attachment(s)

cc: Laurence O. Toole, Clerk to Legislature

**DEPARTMENT OF PERSONNEL
OFFICE OF EMPLOYEE RIGHTS AND RELATIONS**
50 Sanatorium Road, Building A
Pomona, New York 10970
Phone: (845) 364-3742/3744 Fax: (845) 364-3738

**ANTI-DISCRIMINATION
AND
EQUAL EMPLOYMENT
OPPORTUNITY
EXECUTIVE ORDER
NO. 2019-02**

**EDWIN J. DAY
County Executive**

**COUNTY OF ROCKLAND
ANTI-DISCRIMINATION
AND
EQUAL EMPLOYMENT OPPORTUNITY EXECUTIVE ORDER 2019-02**

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EXECUTIVE ORDER 2019-02

The County of Rockland's Anti-Discrimination and Equal Employment Opportunity Executive Order covers all policies and procedures pertaining to the prohibition of discrimination and harassment based upon a person's real or perceived membership in a protected class; the complaint and investigation process; protections against retaliation for participating in an investigation; reasonable accommodations the County will provide for qualified individuals with a disability, persons with sincerely-held religious beliefs and practices, nursing mothers and victims of domestic violence, natural hair or hairstyles; as well as, Equal Employment Opportunity programs that the County implements.

This Executive Order supersedes and reaffirms the County of Rockland's Anti-Discrimination Policy and Equal Employment Opportunity Statement, Plan & Procedure (Executive Order No. 2016-01, No. 2014- 05, Executive Order No. 2011-3, Executive Order No. 2004-4, and Executive Order No. 1999-7).

I. STATEMENT OF EXECUTIVE ORDER ("EXECUTIVE ORDER")

1. The County of Rockland is an equal opportunity employer committed to compliance with federal, state and local laws prohibiting employment discrimination. The County of Rockland:
 - a. Provides equal employment opportunity to all individuals in hiring, discharge, compensation and all other terms, conditions and privileges of employment including, but not limited to: recruitment, advertisement, application, examination, testing, work assignments, working conditions, benefits, evaluations, advancement, promotion, training, medical examination, leave request and approval, layoff/recall, transfers, discipline, termination and working conditions, without discrimination on the basis of an individual's age, alienage/citizenship/national origin, color/race, creed/religion, disability, familial status, gender/sex, gender identity or expression, sexual orientation, marital status, military status, predisposing genetic characteristics, pregnancy, prior non-job related record of conviction, status as a nursing mother, status as a victim of domestic violence, natural hair or hairstyles or other legally protected status;
 - b. Recognizes that any act of discrimination, sexual harassment, harassment or retaliation undermines the integrity of the employment relationship and is detrimental to a positive, productive work environment;
 - c. Prohibits all acts of discrimination, sexual harassment, harassment and retaliation against any County Associate based on real or perceived membership in a protected class;
 - d. Protects all County Associates against discrimination, sexual harassment, harassment or retaliation, and remedies violations of the Executive Order through viable and effective procedures;
 - e. Provides qualified individuals with disabilities an equal opportunity to participate in and receive benefits; services; programs and activities. Reasonable accommodations will be provided as necessary, including, but not limited, to accommodations during the pre-employment and examination processes and throughout the employment relationship;
 - f. Provides reasonable accommodation to qualified individuals for religious practices and observances;
 - g. Provides reasonable accommodation to qualified individuals with status as victims of domestic violence;

- h. Provides reasonable accommodation to qualified individuals with pregnancy-related conditions;
 - i. Provides reasonable accommodation to qualified individuals who are nursing mothers; and
 - j. Conducts annual training sessions for all County Employees regarding the Executive Order to promote awareness of discrimination, sexual harassment, harassment and retaliation, and to detail the Executive Order's remedial procedures so that employees can identify it, prevent it, and report any violations they may witness.
2. This Executive Order applies to all County officers, department heads, managers, supervisors, applicants, board, commission, council, or committee members, contractors, vendors, volunteers, applicants and other categories of individuals employed by the County of Rockland. This Executive Order also applies to non-County employees in the workplace such as contractors, subcontractors, vendors, consultants or other persons providing services pursuant to a contract in the workplace or also is an employee of such contractor, subcontractor, vendor, consultant or other person providing services pursuant to a contract in the workplace. Additionally, this Executive Order applies to all County Associates and may apply to non-County Associates. **(See definition of County Associate in Appendix I Section B)**
 3. An individual found to have engaged in discriminatory conduct or practices, sexual harassment, harassment, retaliation or other inappropriate behavior prohibited by this Executive Order, will be subject to disciplinary action in accordance with the provisions of a negotiated labor agreement or state law as may be appropriate.
 4. The failure of a manager or supervisor to report allegations, act appropriately upon them, or discharge their duty to discuss this Executive Order and discourage violations will be subject to disciplinary action in accordance with the provisions of a negotiated labor agreement or state law as may be appropriate.
 5. Based upon the seriousness of the violation of the Executive Order, discipline may include a written reprimand, suspension without pay, demotion, transfer, fine, termination and any other measure(s) calculated to eliminate illegal or inappropriate behavior. In addition to implementing such disciplinary action, the County shall take such steps as may be necessary to address the impact that any unlawful misconduct has had or continues to have upon the complainant.
 6. The County Executive has overall authority and responsibility for the coordination, implementation and enforcement of this Executive Order. The County Executive delegates to the Commissioner of Personnel, who oversees the Office of Employee Rights and Relations ("Office of Employee Rights"), which holds the responsibility for coordinating, implementing and enforcing this Executive Order, and for ensuring compliance with all federal, state and local laws and/or regulations, pertaining to equal employment opportunity, whether expressed by legislative act or executive order. Department Heads have the general responsibility for ensuring that the Executive Order is fully implemented within their departments.
 7. When evaluating whether there is a violation of this Executive Order, the Office of Employee Rights shall apply the objective standard of a "reasonable person" under the circumstances.
 8. The County Executive reserves the right to interpret, change, modify, or eliminate any provision contained within this Executive Order. In addition, this Executive Order is subject to change due to an intervening or superseding change in federal, state or local law and/or regulation regarding equal employment opportunity.

II. APPENDICES (DEFINITIONS, PROCEDURES, AND FORMS)

1. This Executive Order includes the **APPENDIX I** which details:
 - a. the definitions of, and definitions related to, Discrimination, Harassment, and Retaliation;
 - b. the definitions of, and definitions related to, Sexual Harassment;
 - c. the provisions detailing the protections the County provides against these violations of the Executive Order;
 - d. the Manager's Duty to Report any Equal Employment Opportunity concerns or complaints to the appropriate parties, and their special duty to maintain a safe workplace, free of Discrimination, Sexual Harassment, Harassment and Retaliation; and
 - e. a detailed explanation of the Complaint and Investigative Procedure employed by the Office of Employee Rights to determine if there has been a violation of this Executive Order.
2. This Executive Order also includes an **APPENDIX II** related to Reasonable Accommodations which the County will provide to Qualified Individuals with a Disability under this Executive Order, which details:
 - a. The definitions of, and definitions related to "disability" and to "Qualified Individual", under the Americans with Disabilities Act and subsequently adopted amendments and regulations; and
 - b. A description of the interactive process used to determine if an accommodation is available and how best to reasonably accommodate a Qualified Individual's request including a step-by-step guide for Qualified Individuals with a Disability, managers and departments;
3. This Executive Order also includes an **APPENDIX III** related to Reasonable Accommodations that the County will provide to Employees/Applicants for sincerely-held religious practices and observances, which details the guidelines by which the County will provide Reasonable Accommodations to qualified individuals for religious practices and observances.
4. This Executive Order also includes an **APPENDIX IV** related to Reasonable Accommodations that the County will provide to Employees who are nursing mothers, which details the guidelines by which the County will provide Reasonable Accommodations to an employee who is a nursing mother.
5. This Executive Order also includes an **APPENDIX V** related to Reasonable Accommodations that the County will provide to Employees who are victims of domestic violence, which details the definition of a "Victim of Domestic Violence."
6. This Executive Order also includes an **APPENDIX VI** related to Equal Employment Opportunity Programs that the County will engage in on an ongoing basis, which includes:
 - a. Recruitment;
 - b. Selection, Appointment and Assignment;
 - c. Other Managerial Action; and
 - d. Annual Equal Employment Opportunity Training for Managerial and non-Managerial employees.

7. This Executive Order also includes an **APPENDIX VII**, which sets forth complaint forms for discrimination, harassment, and retaliation as well as forms related to requests for reasonable accommodations.

Anyone who has questions or wishes to raise concerns about this Executive Order or procedures should contact:

County of Rockland
Department of Personnel
Office of Employee Rights and Relations
50 Sanatorium Road, Building A
Pomona, New York, 10970
Or via Telephone at (845) 364-3742/3744

THIS EXECUTIVE ORDER SHALL TAKE EFFECT THIS DAY OF SEPTEMBER 2019.

EDWIN J. DAY
County Executive

**DEPARTMENT OF PERSONNEL
OFFICE OF EMPLOYEE RIGHTS AND RELATIONS**

50 Sanatorium Road, Building A
Pomona, New York 10970
Phone: (845) 364-3742/4 Fax: (845) 364-3738

Lori Gruebel
Commissioner

APPENDIX I

PROTECTIONS AGAINST DISCRIMINATION, SEXUAL HARASSMENT, HARASSMENT, AND RETALIATION

APPENDIX I: PROTECTIONS AGAINST DISCRIMINATION, SEXUAL HARASSMENT, HARASSMENT, AND RETALIATION

Section A. Protections

1. The County of Rockland:
 - a. Bases employment decisions upon merit, fitness and equality of opportunity;
 - b. Prohibits any act of unlawful discrimination, sexual harassment, harassment or retaliation in the workplace; and
 - c. Expects all County Associates to treat each other and our consumers with courtesy, dignity and respect; and not engage in conduct which is prohibited by this Executive Order or is otherwise unlawful.

Section B. Definitions

1. **County Associate** – Any officer, department head, manager, supervisor or other employee of the County. It also includes non-employees, such as applicants; board, commission, council or committee members; volunteers; contractors; vendors; suppliers and other categories of individuals controlled to some extent but not employed by the County of Rockland.
2. **Protected Class** – A group of individuals whose actual or perceived membership in a certain class, as enumerated herein, is protected from discrimination by federal, state or local law and/or regulation: age, alienage/, citizenship/national origin, color/race, creed/religion, disability, familial status gender/sex, gender identity or expression, sexual orientation, marital status, military status, national origin, predisposing genetic characteristics, pregnancy, prior non-job-related record of conviction, race, religion, sexual orientation, status as a nursing mother, status as a victim of domestic violence, natural hair or hairstyles, or other legally protected status.
3. **Familial Status** - refers to any person who: is pregnant, has a child under the age of 18; has legal custody of any person under the age of 18; has a person under the age of 18 residing in the home of the designee of the parents; or who is in the process of securing legal custody of any individual who has not attained the age of eighteen years.
4. **Gender Identity or Expression** – a person’s actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related characteristic regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender.
5. **Pre-Disposing Genetic Characteristics** – Information about an individual’s genetic tests, the genetic tests of family members of such individual, or the manifestation of a disease or disorder in family members of such individual. The term includes any request for a receipt of genetic services (tests, counseling, or participation in clinical research by an individual or their family member), but excludes information about the sex or age of any individual.
6. **Discrimination** – The unequal treatment of persons based upon an individual’s actual or perceived membership in a protected class.

Prohibited types of discrimination include, but are not limited to:

- a. Discrimination in hiring, testing, work assignments, working conditions, compensation, benefits, evaluation, advancement, promotion, training, medical examination, leave request and approval, layoff/recall, transfers, discipline, termination, and any other term, condition or privilege of employment;
 - b. Policies or programs that have a disparate impact on a protected class, unless the policy or program is justified by a legitimate business interest;
 - c. Failure to provide a reasonable accommodation for an employee, applicant, or another qualified individual:
 - i. With a disability who can perform all the essential job functions of his/her position, including an individual with a pregnancy-related condition, and an individual who requires use of a service animal;
 - ii. For sincerely held religious observation or practice;
 - iii. Or for an employee with status as either:
 1. A victim of domestic violence; or
 2. A nursing mother.
7. **Harassment** – An action or actions directed at another individual based upon either his/her actual or perceived membership in a protected class, which causes emotional distress in such an individual and serves no legitimate purpose. It includes, but is not limited to: words, gestures, and/or actions including intimidation, ridicule or insults that based upon all the circumstances offends an individual of reasonable sensibilities. Harassment is an unlawful discriminatory practice when it rises above petty slights or trivial inconveniences and subjects an individual to inferior terms, conditions or privileges of employment because of an individual’s membership in one or more protected class.
8. **Retaliation** – Adverse action threatened or taken because an individual has engaged, in good faith, in a “protected activity”. The adverse action must affect a term, right, condition or privilege of employment and potentially deter a reasonable individual from engaging in protected activity. Examples of protected activities include, but are not limited to: filing a discrimination, sexual harassment, harassment or retaliation complaint; requesting a reasonable accommodation; participating in or otherwise cooperating in the investigation of discrimination, sexual harassment, harassment or retaliation complaint; encouraging or assisting another individual to pursue his/her rights under law or this Executive Order; and opposing a policy or practice believed to constitute unlawful discrimination, sexual harassment, harassment or retaliation.
9. **Complainant** – An individual who makes an allegation or files a complaint of discrimination, sexual harassment, harassment or retaliation.
10. **Respondent** – An individual against whom another makes an allegation or complaint of discrimination, sexual harassment, harassment or retaliation.
11. **Workplace** – An office or other work-related setting, including, but not limited to: work related social functions and events held both on and off County premises; business related meetings whether on or off County property; approved business-related travel; or any worksite during times when an employee or other County Associate is working for or representing the County.

Section C. Harassment

1. Harassment consists of unwelcome words, gestures, and/or actions which tend to reasonably offend an individual based upon the individual's actual or perceived membership in a protected class whether or not such harassment is so severe and/or pervasive under precedent applied to harassment claims so as to have the purpose or effect of unreasonably interfering with an affected individual's work performance or creating an intimidating, hostile or offensive work environment.
2. Harassment manifests itself in several ways including, but not limited to verbal, non-verbal or physical actions, e.g., jokes, epithets, slurs, threatening, intimidating or hostile acts, written or graphic material, offensive e-mails, demeaning or perceived insulting comments, or other offensive verbal language related to an individual's protected class.
3. Harassment can occur between individuals of the same protected classes or different protected classes.
4. Harassment can occur outside the workplace, in person, via phone, or electronically via text messages, instant messaging service, email or other social media. Social media includes, but is not limited to: all means of communicating or posting of information on the internet or mobile telephone networks or devices. It includes an employee's own, or someone else's, blog, personal website, social networking bulletin boards, chat rooms, content-sharing services, and podcasts. Examples include, but are not limited to: Facebook, Twitter, YouTube, Snap Chat, Instagram, Linked In, etc.
5. Harassment can involve situations in which a third party is offended by the interaction, conduct or communications between others.
6. Harassment may be overt or subtle. However, behavior or occasional compliments of a socially acceptable nature or petty slights or trivial inconveniences made to a reasonable victim with the same protected characteristic, are not indicative of harassment.
7. The County's prohibition of harassment based upon a person's membership in a protected class is more stringent than what is prohibited by federal law and/or regulation. For example, harassment that may not be severe and/or pervasive enough to create a hostile work environment under federal law is expressly prohibited by this Executive Order.

Section D. Sexual Harassment

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes, but is not limited to: harassment based on sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment consists of unwelcome sexual advances; requests for sexual favors; sexual demands or other verbal, non-verbal or physical conduct of a sexual nature, when submission to or rejection of the conduct is used explicitly or implicitly as a basis for an employment decision, term, condition or privilege of employment affecting the person submitting to or rejecting the conduct. The conduct constitutes sexual harassment pursuant to this Executive Order, whether or not such harassment is so severe and/or pervasive so as to have the purpose or effect of unreasonably interfering with the affected person's work performance or otherwise creating an intimidating, hostile or offensive work environment under precedent applied to sexual harassment claims.

1. Sexual harassment can occur between individuals of the same or different sexes.
2. Harassment based upon a person's gender identity may also be considered sexual harassment.
3. Sexual harassment can occur outside the workplace, in person, via phone, or electronically via text messages, instant messaging service, email or other social media. Social media includes, but is not limited to, all means of communicating or posting of information on the internet or mobile telephone networks or devices. It includes an employee's own, or someone else's blog, personal website, social networking bulletin boards, chat rooms, content-sharing services, and podcasts. Examples include, but are not limited to: Facebook, Twitter, YouTube, Snap Chat, Instagram, Linked In, etc.
4. Sexual harassment can involve situations in which a third party is offended by the interaction, conduct or communications between others.
5. Sexual harassment may manifest itself in several ways including, but not limited to:
 - a. **Verbal Harassment** – humiliating or intimidating verbal language related to a person's actual or perceived sex, including sexual innuendos; sexual advances; slurs; profanity; suggestive, derogatory, lewd, demeaning or insulting comments or sounds or epithets; lewd whistling or other inappropriate noises; jokes of a sexual nature; sexual propositions or threats; sexual advances that are unwelcome or any demand for sexual favors;
 - b. **Non-verbal Harassment**– humiliating or intimidating writings or documents showing or displaying pornographic or sexually suggestive or explicit objects or pictures; graphic commentaries; leering or obscene gestures; demeaning, insulting, intimidating or sexually suggestive written, recorded or electronically transmitted messages; physical violations (without touching) of an individual's personal space;
 - c. **Physical Harassment** – any physical contact and/or gesture, which is unwelcome including sexual flirtations, touching, petting, kissing, hugging, pinching, or brushing up against an individual's body, or any other inappropriate contact.
6. Sexual harassment may be overt or subtle. However, behavior or occasional compliments of a socially acceptable nature, or petty slights or trivial annoyances, made to a reasonable victim are not indicative of sexual harassment.
7. The County's prohibition of inappropriate sexual conduct is more stringent than what is prohibited by federal law and/or regulation. Sexual conduct, welcome or unwelcome, that may not be severe and/or pervasive enough to create an intimidating hostile or offensive work environment under federal law is expressly prohibited by this Executive Order. It includes, but is not limited to: words, gestures, and/or actions including intimidation, ridicule or insults that based upon all the circumstances offends an individual of reasonable sensibilities.
8. Although not required, a complaint may be strengthened if the respondent persisted with potentially harassing behavior after being advised that the conduct was unwelcome.
9. Sex Stereotyping. When conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of that sex should act or look.
10. Sexual Favoritism. When employment opportunities, privileges or benefits are granted because of an individual's consensual submission to the sexual advances or requests for sexual favors of a manager, this manager may be held to have sexually discriminated against others who are or were qualified for but were denied said employment opportunities, privileges or benefits of employment.

- a. Isolated incidents of minor preferential treatment by a manager based upon consensual relationships may also subject the offending employee to discipline but do not constitute sexual harassment.
- b. However, more significant and pervasive favoritism constitutes prohibited conduct under this Executive Order where there is the creation or potential for the creation of an intimidating, hostile or offensive work environment.

Section E. Protection Against Retaliation

1. The County of Rockland expressly prohibits retaliation or threatened retaliation against any individual who, in good faith, participates in a “protected activity.”
2. Examples of protected activities include, but are not limited to:
 - a. Filing a discrimination, sexual harassment, harassment or retaliation complaint;
 - b. Participating in or otherwise cooperating in the investigation of a discrimination, sexual harassment, harassment and/or retaliation complaint;
 - c. Encouraging or assisting another individual to pursue his/her rights under law or this Executive Order;
 - d. Opposing a policy or practice believed to constitute discrimination, sexual harassment, harassment or retaliation; and/or
 - e. Requesting a reasonable accommodation.
3. Retaliation is defined as an adverse action threatened or taken because an employee or other County Associate has, in good faith, engaged in a protected activity. The adverse action must affect a term, right, condition or privilege of employment and potentially deter a reasonable individual from engaging in protected activities.

Examples of such adverse action include, but are not limited to:

- a. Refusal to hire, denial of increment, promotion or termination; or
 - b. Assignment of less desirable shifts, duties, or worksites; denial of training opportunities, increased supervision or surveillance; or
 - c. Unjustified negative evaluations or references, threats, intimidation, coercion, sexual harassment or harassment.
4. Examples of adverse action, which are not considered to be retaliation, include petty slights, justified negative evaluations or references, and progressive discipline based upon just cause.

5. County Associates are not excused from continuing to perform their job duties or follow workplace rules because they have reported or filed a complaint or assisted in an investigation.
6. The County of Rockland views retaliation or the threat of retaliation as a serious offense that impedes the County's commitment to a workplace free of discrimination, sexual harassment, harassment and retaliation.

Therefore, any employee who engages in or threatens retaliation *that would deter a reasonable individual* from engaging in protected activities, will be subject to formal discipline in accordance with the provisions of a negotiated labor agreement or state law as may be appropriate.

In such proceedings, the County will seek demotion, resignation, termination or other penalty from the offending employee as may be appropriate.

With respect to contractors, vendors, volunteers, other non-employees and County Associates who engage in or threaten retaliation, the County will take such action as may be appropriate under the contract or applicable law to appropriately punish and remediate the retaliation. Failure of a contractor or vendor to cooperate with the County with respect to the obligations set forth in this Executive Order may result in cancellation of a contract, if applicable.

Section F. County Associates' Duty to Report and Managers' Duty to Report and/or Take Action

1. County Associates' Duty to Report

All officers, department heads, managers, supervisors and County Associates must comply with this Executive Order and take appropriate measures to ensure that discrimination, sexual harassment, harassment or retaliation do not occur. When discrimination, sexual harassment, harassment or retaliation is suspected, employees and non-employees must immediately report them to an officer, manager, supervisor, department Head or the Office of Employee Rights.

2. Managers' Duty to Report and/or Take Action

- a. All department heads, managers and supervisory personnel must take immediate and, if authorized, appropriate interim corrective action when allegations of discrimination, sexual harassment, harassment or retaliation come to their attention in order to ensure compliance with this Executive Order. If a department head, manager or supervisor is not authorized to take corrective action, the matter should be referred to an individual having such authority.

In addition, each department head, manager or supervisor has a special duty to maintain the workplace free of discrimination, sexual harassment, harassment or retaliation. This duty includes discussing the policy with subordinates and other employees or non-employees and assuring them that they are not to tolerate insulting, degrading or exploitive discrimination, sexual harassment, harassment or retaliation in the workplace.

- b. Once a department head, manager or supervisor becomes aware of an allegation of discrimination, sexual harassment, harassment, retaliation, or a violation of this Executive Order, the department head, manager or supervisor must report the allegations and interim correction to the Office of Employee Rights as soon as possible.

- c. The department head, manager or supervisor should also, where appropriate, obtain witness statements related to an allegation or complaint concerning an incident as soon as possible and forward any statements to the Office of Employee Rights.

However, no department head, manager or supervisor is authorized to investigate alleged violations of this Executive Order beyond the compiling of witness statements. Employees should be advised that they do not have a right to refuse to provide their department head, manager or supervisor with a written statement concerning any matters relevant to their employment. Failure to do so may be considered an act of insubordination, which may result in formal disciplinary action.

- d. When requested, department heads, supervisors and managers must participate, facilitate and cooperate with all investigations conducted by the Office of Employee Rights. Any department head, supervisor or manager who fails to discharge these duties may be subject to formal disciplinary action.

Section G. Complaint and Investigation Process

County Associates or non-County Associates who believe that they have been or are being discriminated against, harassed, or retaliated against by a County Associate; have not been or are not being granted reasonable accommodations; or who wish to inquire about an issue or matter relating to this Executive Order, should contact the Office of Employee Rights and Relations for consultation, assistance, information and/or referral.

The Office of Employee Rights uses the following process for handling complaints and investigations:

1. Initial Meeting with the Office of Employee Rights and Relations

- a. Employees, applicants and County Associates have the right to meet privately with a representative from the Office of Employee Rights at their convenience.

Should an employee wish to speak with a representative during their work hours, he/she should request and obtain the permission of their department head, manager or supervisor before leaving their posts.

- b. In making a request to meet with the Office of Employee Rights, an employee is not required to disclose the purpose of the meeting. Department heads, managers and supervisors cannot deny an employee's request to meet with representatives of the Office of Employee Rights during work hours and should allow an employee to do so at the earliest practicable time consistent with the legitimate business needs of their departments/units.
- c. The employee may request that arrangements be made with the Office of Employee Rights to hold the meeting before or after work hours, or during the employee's lunch period.
- d. During the initial meeting, a representative from the Office of Employee Rights will review the County's EEO complaint and investigation process with the employee; advise the employee of his/her rights; and discuss whether the issue raised is appropriate for an EEO investigation, an alternative resolution approach, or if it is a concern that does not fall within this Executive Order.

- e. If the employee's concerns do not fall within this Executive Order, the Office of Employee Rights will advise the employee of any other internal agencies, e.g., respective department head, department's personnel office, Rockland County Department of Personnel, appropriate union or other appropriate outside agencies, that may be more suited to handle these matters.
- f. Complaints filed under this Executive Order should be submitted in writing. However, the Office of Employee Rights recognizes that it may be necessary to investigate an allegation of discrimination, sexual harassment, harassment or retaliation even if the individual who has been victimized or is directly impacted by the conduct, or if the individual reporting the conduct chooses not to file a complaint or refuses to otherwise participate or cooperate in the investigation process.

The complainant, however, is required to further cooperate with the investigation if the Office of Employee Rights deems it necessary.

2. Confidentiality

Pursuant to state and federal civil rights laws and regulations, confidentiality of human rights matters, such as complaints under this Executive Order, is on a "need-to-know" basis. "Need-to-know" means that information obtained from an individual who seeks assistance or provides information as a witness will not be disclosed to other personnel except as necessary to investigate and/or resolve the complaint or inquiry.

All human rights matters will be handled under the supervision of the Commissioner of Personnel in consultation with the Department of Law, where appropriate.

3. Representation

- a. Complainants may bring a support person of their choice to attend the part of the initial meeting where the Office of Employee Rights representative reviews the Executive Order, complaint and investigation process and rights.

The support person will be asked to leave the meeting room before the commencement of any discussion of the substantive allegations of discrimination, sexual harassment, harassment or retaliation. To the extent practicable, the complainant should notify the Office of Employee Rights in advance if they intend to have a support person present during the initial meeting.

- b. No complainant or witness shall have any right to representation throughout the investigation process unless that individual is also an employee who is the potential subject of a formal disciplinary action and either a statute or negotiated labor agreement grants a right of representation.

That employee and his/her union will be given notice of any meeting by the Office of Employee Rights and shall be afforded the right to representation consistent with provisions of a negotiated labor agreement or state law, as applicable.

- c. This Executive Order is not intended to create any right of representation. Rights to representation will be honored where the same are consistent with or required by statute or negotiated labor agreement.

4. The Complaint

- a. An individual may file a written complaint of discrimination, sexual harassment, harassment or retaliation at any time with any department head, supervisor, manager or the Office of Employee Rights. (See *Complaint Form* below.)
- b. Where an individual chooses not to file a complaint, The Office of Employee Rights reserves the right to determine that another form of communication (e.g., telephone call, letter) should be handled as a formal complaint.
- c. The Office of Employee Rights will provide reasonable accommodations to qualified individuals with disabilities throughout the entire complaint and investigation process.

5. The Investigation

- a. The Office of Employee Rights will investigate a complaint upon receipt or as soon thereafter as practicable.
- b. All investigations will be conducted in a full, fair and impartial manner.
- c. The Office of Employee Rights will communicate with a complainant throughout the process, including keeping him/her informed of the progress of the investigation, to the extent that such communication does not impede the investigation or resolution process.
- d. The Office of Employee Rights representative will meet with the person named as a respondent to inform and discuss the allegations with him/her and to formally question him/her regarding the allegations. Written notice of the meeting, together with any notice of rights to representation, will be given to the respondent.
- e. The respondent shall receive a written copy of the complaint. The respondent shall have the opportunity to respond to the complaint in writing within ten (10) business days. The respondent will also be afforded a reasonable opportunity to provide the names of any witnesses or other relevant information which he/she would like to be considered during the investigation.
- f. An investigation normally involves conferring with the parties involved and witnesses, if any, as well as examination of the facts as gathered and a review of the conduct including the context in which the incident or incidents occurred.
- g. The nature and extent of the investigation will depend upon the circumstances of the case and may include, but are not limited to:
 - i. Interviewing and obtaining written statements from witnesses (may require a directive from a department head, supervisor or manager where the witness is reluctant to participate);
 - ii. Examining submitted physical evidence (including, but not limited to, written materials, visual materials, County IT devices, voice/text/email messages, etc.);
 - iii. Review of personnel records or other documentary evidence;
 - iv. Review of administrative policies, processes, etc.; and
 - v. Investigation of other allegations or violations that may be discovered during the course of investigating the original complaint.

- h. The Office of Employee Rights will keep the County Executive's Office and the Department of Law informed of the progress of all investigations.
- i. In the event a complainant desires an alternative resolution to an investigation, the Office of Employee Rights, under the guidance of the Commissioner of Personnel, will evaluate whether said request is viable and appropriate. If so, the Office of Employee Rights will facilitate the alternative resolution and develop an action plan.

If the parties agree to a resolution of the allegation or complaint and the proposed action plan has received the necessary approvals, the Office of Employee Rights shall prepare a written document confirming the resolution of the allegation or complaint to the satisfaction of the parties and the matter is deemed closed. All parties will sign the resolution document.

NOTE: The Notice of Resolution does not preclude a department head from taking further action(s) such as additional training or other counseling, to aid in resolving the complaint.

6. Findings and Recommendations

- a. The Office of Employee Rights will endeavor to issue its findings of fact and recommendations within sixty (60) calendar days from the receipt of the complaint.
- b. If it is *more likely than not* that the respondent has violated the Executive Order as related to the allegations, or through information gathered during the course of the investigation that may not be related to the original allegations, the Office of Employee Rights, in consultation with the Department of Law, shall advise the department head, complainant, and the respondent in writing.
- c. Based upon the circumstances of the case, the conclusion may include recommendations to the department head that actions should be taken to: (1) immediately stop the discrimination, sexual harassment, harassment or retaliation; (2) to the extent practicable, address the impact the unlawful conduct is having, or has had, on the complainant; and (3) prevent recurrence of the conduct. The recommended actions may include, but not be limited to:
 - i. Conciliation;
 - ii. Reasonable accommodation;
 - iii. Conflict resolution;
 - iv. Proactive educational remedy;
 - v. Administrative Executive Order changes; and/or
 - vi. Informal or formal disciplinary action.
- d. The Office of Employee Rights will not advise the complainant or respondent of any recommendations made to the department head. The department head should meet with both the complainant and respondent to advise and discuss the final resolution of the complaint.
- e. If it is *more likely than not* that the respondent has not violated the Executive Order as related to the allegations, the Office of Employee Rights, shall inform the department head, complainant and respondent in writing.
- f. Based upon the circumstances of the case, the conclusion may include recommended actions intended to prevent incidents of potential discrimination, sexual harassment, harassment or retaliation from occurring in the future. These recommended actions may include, but not be limited to, training, coaching, and/or remedial action.

- g. The department head shall determine, after receiving the recommendations from the Office of Employee Rights, what, if any, action will be taken.
- h. The Office of Employee Rights will inform the County Executive's Office and the Department of Law of its recommendations and the department head will inform the County Executive's Office of any actions taken with respect to the recommendations.

7. Withdrawing A Complaint

- a. The complainant may withdraw a complaint at any time, in writing.
- b. The Office of Employee Rights will determine if, based upon the type and severity of an allegation, further investigation is warranted and/or whether the evidence gathered requires the department head to take immediate corrective action to prevent or eliminate an unlawful or inappropriate situation.

8. Deliberately False Accusations or Information

The County of Rockland recognizes that false accusations of discrimination, sexual harassment, harassment or retaliation can have serious adverse effects on innocent individuals. The County trusts that all employees and County Associates will act responsibly, and not in bad faith, to maintain a working environment free of discrimination, harassment, sexual harassment and retaliation.

Knowingly making false accusations or false information provided in bad faith during an investigation will be considered grounds for disciplinary action up to and including dismissal.

9. Non-Waiver of Other Rights

Nothing in this Executive Order should be construed as limiting an individual's right to file a complaint with the New York State Division of Human Rights or the United States Equal Employment Opportunity Commission or to take any legal action, which he or she may deem advisable.

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APPENDIX II

REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

APPENDIX II: REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

The County of Rockland is committed to provide Equal Employment Opportunity to Qualified Individuals with Disabilities. In so doing, the County has designed an interactive process by which a Qualified Individual with a Disability may seek a Reasonable Accommodation for said disability as defined by federal and state law.

The County of Rockland is committed to compliance with the Americans with Disabilities Act and subsequently adopted amendments and regulations, as well as New York State law. The County of Rockland also complies with the Health Information Portability Accountability Act of 1996 (“HIPAA”).

The County of Rockland will not tolerate discrimination, sexual harassment, harassment or retaliation against an individual based upon an actual or perceived disability, record of impairment or relationship with a person with a disability (including, but not limited to: blood relationships and cooperative or supportive relationships at work or home).

The County of Rockland will provide reasonable accommodations to qualified employees with disabilities in order to enable such persons to perform all the essential functions of their jobs and to enjoy the equal benefits, rights and privileges of employment.

The County of Rockland will provide reasonable accommodations to qualified employees with pregnancy-related conditions that inhibit the exercise of a normal bodily function that does not prevent the employee-complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held. For the purposes of this Executive Order, persons with pregnancy-related conditions shall be treated the same as persons with temporary disabilities.

The County of Rockland will provide reasonable accommodations to qualified employees with gender dysphoria, a recognized medical condition that impairs major life activities.

The County of Rockland will make reasonable accommodations to qualified applicants with disabilities in order to provide them with equal access to the application, interview, testing, and hiring process.

Every department head shall designate an Americans with Disability Act officer (“ADA officer”) within their department. The ADA officer shall be responsible for working with the Office of Employee Rights in order to ensure effective communication between applicants, employees and department personnel at every stage of the reasonable accommodation process and to provide such other assistance as is requested throughout the reasonable accommodation process.

The reasonable accommodation process for individuals with disabilities should always be flexible and interactive, involving both the department and the applicant or employee requesting such accommodation. The Office of Employee Rights will be involved in order to facilitate coordination and cooperation throughout the process of requesting a reasonable accommodation.

Information with respect to a reasonable accommodation due to disability shall be kept confidential. Information will not be disclosed to other personnel except as necessary to investigate and determine the reasonable accommodation request (“need to know” basis for disclosure). Each department will maintain, in separate confidential files, all documentation and information concerning the disability, medical condition or health/medical history of an applicant or employee requesting a reasonable accommodation.

Attached is a series of guidelines; definition of disability as enumerated in federal law; a description of the County’s interactive Request for Reasonable Accommodations process; and the required forms to be completed by the:

- Individual seeking an accommodation;
- Individual’s medical provider; and
- Department head or ADA officer who determines the feasibility of the accommodation requested and declares the County’s final determination.

Also attached is a worksheet designed to help guide the individual, the individual’s department head, department ADA officer, and the Office of Employee Rights and Relations to reach an acceptable Reasonable Accommodation for the Qualified Individual with a Disability that is acceptable to all parties and compliant with federal and state laws.

SECTION A. Definitions

1. **Disability** – A physical or mental impairment that substantially limits one or more major life activities; or a record of such impairment; or being regarded as having such impairment.
 - a. **Major Life Activity** includes, but is not limited to: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, sitting, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, interactions with others, communicating, working, and/or the operation of a major bodily function.
 - b. **Major Bodily Function** includes, but is not limited to: functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
 - i. Impairments may be permanent or temporary, but not transitory and minor. A transitory impairment has an actual or expected duration of six months or less;
 - ii. Impairments may be episodic or in remission provided it would substantially limit a major life activity when active;
 - iii. The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures, with the exception that the ameliorative effects of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.
2. **Substantially limits** – An impairment that prohibits or significantly restricts an individual’s ability to perform a major life activity as compared to the ability of the average person in the general population to perform the same activity.

3. **Reasonable Accommodation** – Any modifications or adjustments made to policies, practices or procedure in a job or work environment that enables a qualified employee with a disability to perform the essential functions of their job on a full-time basis, or to apply for a job position, or to enjoy the benefits and privileges of employment that are equal to those enjoyed by similarly situated employees without disabilities which does not fundamentally alter the nature of goods, services, facilities, privileges, advantages or accommodations involved.
4. **Qualified Individual with a Disability** – An applicant or employee who satisfies the requisite skill, experience, education and other job-related requirements of a position and who, with reasonable accommodation (if needed), or without accommodation (if none is needed), can perform all essential functions of that position on a full-time basis.
5. **Gender Dysphoria** – A recognized medical condition related to an individual having a gender identity different from the sex assigned to him or her at birth.
6. **Pregnancy-Related Condition** – A medical condition related to pregnancy or childbirth that inhibits the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques
7. **Essential Functions** – Duties that are fundamental to a position including, among others: those for which the position exists; those that only a limited number of employees are available to perform; those that the function of the job is so highly specialized that it must be held by an employee selected for the ability to perform that function; or those that cannot be delegated.

The essentiality of a function is determined by considering factors such as: the County’s judgment; written job specifications, if any; the amount and/or proportion of time spent performing the function; the consequences of not requiring a function; the terms of a collective bargaining agreement; the work experience of people who have performed the job in the past; the work experience of incumbents; the nature of the work operation and its organizational structure.

8. **Undue Hardship** – An action that requires significant difficulty or expense in relation to the size of the County, the resources available, and the nature of the County’s operations. More specifically, an undue hardship is an action that is excessively difficult, costly, extensive, substantial, or disruptive, or an accommodation which would fundamentally alter the nature or operation of the County’s business.

SECTION B. Interactive Process for Reasonable Accommodation

1. The Request

- a. Any County Associate may request a Reasonable Accommodation for a Disability from their supervisor, manager or department head.
- b. The County Associate must be provided, or referred to, this Reasonable Accommodations section of the County’s EEO Executive Order.
- c. The Supervisor must be cognizant that the County Associate is not required to use the words “Reasonable Accommodation,” and may not be aware that a verbal request for an accommodation will require a formalized process.

In this situation, the Supervisor must inform the County Associate that he/she is requesting a Reasonable Accommodation for a Disability, and that this request process is mandatory in order to grant the requested accommodation.

- d. The Supervisor must notify the department's ADA officer that a County Associate has proffered a Request for a Reasonable Accommodation. The department ADA officer will notify the Office of Employee Rights.
- e. The County Associate must complete the "Request Form for Reasonable Accommodation for Qualified Individuals with a Disabilities" detailing:
 - i. The nature of the disability;
 - ii. The major life activity that the disability substantially limits;
 - iii. The essential job function for which the accommodation is being requested; and
 - iv. The duration of time that the accommodation may be required.
- f. The Department of Personnel will provide the employee and ADA officer with his/her official job description, which details the essential job functions of the position, along with the "Medical Provider Inquiry Form in Response to an Accommodation Request."
- g. The County Associate must have his/her medical provider complete the "Medical Provider Inquiry Form in Response to an Accommodation Request," which requires the medical provider to disclose:
 - i. If the employee has a mental or physical impairment;
 - ii. The impairment;
 - iii. The duration of time that the County Associate will have this impairment;
 - iv. If the impairment substantially limits a major life activity and what activities are substantially limited due to the impairment;
 - v. If the impairment substantially limits a major bodily function and what bodily function(s) are affected by the impairment; and
 - vi. Recommendations for the reasonable accommodation that the medical provider deems necessary for the employee to perform his/her essential job functions.
- h. If necessary, the department head may require, after consultation with the Office of Employee Rights, the County Associate to provide more information from a medical provider as it deems necessary pertaining to the specificity of the accommodation requested. This should not be construed as a denial of the accommodation.

3. The Evaluation

- a. The department head (or the department's designated ADA officer), in consultation with the Office of Employee Rights, will determine if the County Associate's condition qualifies as a Disability as defined by federal law and will consult with the Department of Personnel to determine the County Associate's essential job functions.

- b. Once the individual's essential job functions are determined, the Office of Employee Rights will consult with the individual, the individual's supervisor and the department as to whether these job functions can be performed with a prescribed reasonable accommodation, or if they can be performed without a reasonable accommodation:
 - i. If the employee can perform his/her essential job functions without the aid of a reasonable accommodation, then the process will end.
 - ii. If the employee cannot perform his/her essential job functions with the aid of a reasonable accommodation, then the process will end.
 - iii. If the employee can perform his/her essential job functions with the aid of a reasonable accommodation, then the process will continue.
- c. An accommodation must not be unduly extensive, substantial, disruptive or fundamentally alter the nature or operation of the business. If the employee can perform his/her essential job functions with the aid of a reasonable accommodation, the Office of Employee Rights, in consultation with the department head (or ADA officer), the supervisor and the employee, will evaluate options regarding the accommodation to determine what best suits all parties.
- d. Although not required, and not binding, the employee, his/her supervisor, the department's ADA officer, and the Office of Employee Rights may meet to discuss possible accommodations that could be arranged so that the employee can perform his/her essential job functions. The County has provided a worksheet that can be helpful in this optional process.

4. The Determination

- a. The department head, in consultation with the Office of Employee Rights, will finally determine if the accommodation requested is feasible and if it imposes an undue hardship upon the County. The County will endeavor to make this determination within thirty (30) calendar days from the date of the submitted request.
- b. If the Reasonable Accommodation requested is feasible and does not impose an undue hardship, the County will arrange for it to be granted to the individual.
- c. If the Reasonable Accommodation requested imposes an undue hardship upon the County, then the County will deny it.
- d. If the individual disagrees with the denial, he/she will have fifteen (15) calendar days from the date of denial to appeal the department head's decision to the Office of the County Executive.
 - i. Within thirty (30) calendar days of the receipt of the appeal, the County Executive's designee shall:
 - 1. Obtain and review all documentation including the review of the essential job functions, job-related limitations of the applicant or employee and possible accommodations relating to the request for a reasonable accommodation request and process;
 - 2. Meet with the applicant or employee and the department ADA officer;
 - 3. Consult with the Department of Law and the Office of Employee Rights; and
 - 4. Issue a written determination of the appeal.

5. Post Accommodation Follow-Up Evaluations

- a. The department head (or Designated ADA officer), the Office of Employee Rights, the employee and the employee's supervisor shall meet within sixty (60) days of the installation/implementation of the Reasonable Accommodation.
- b. During this meeting, all parties will discuss the effectiveness of the Reasonable Accommodation in allowing the employee to perform his/her essential job functions.
 - i. If the accommodation has been effective, then the parties will resolve to meet again within a reasonable time period for further evaluation.
 - ii. If the accommodation provided has not been effective in allowing the employee to perform his/her essential job functions, then the parties will re-visit the Reasonable Accommodations process, during which the needs of the individual will be re-evaluated either for:
 1. a modification of the accommodation that had been granted that will allow the employee to perform his/her essential job functions; or
 2. an alternative accommodation that will allow the employee to perform his/her essential job functions

SECTION C. Service Animal Policy Statement

The County of Rockland prohibits discrimination against qualified individuals with disabilities, including those who require the assistance of a service animal. In accordance with federal, state and local law, the County of Rockland will accommodate qualified individuals with disabilities who require the assistance of a qualified service animal.

1. Definition – A **“service animal”** is any dog, or miniature horse as defined in the Americans with Disabilities Act, individually trained to aid a person with a disability including, but not limited to: guiding individuals with vision impairment, alerting individuals with hearing impairment to sounds, pulling a wheelchair, or retrieving items for persons with mobility impairments or assisting persons with balance impairments. Service animals are not pets.

The County will provide qualified employees with disabilities who use a service animal with a reasonable accommodation to enable such individuals to perform their essential job functions. Service animals do not have to be licensed or certified by a state or local government.

2. Responsibilities of the Owner/Handler:
 - a. A service animal must be on a leash at all times. It should never be permitted to wander off leash;
 - b. An owner or handler is responsible for the care and supervision of the service animal and must be in full control of the service animal at all times; and
 - c. A service animal must be as unobtrusive as possible and may not be placed in a location that impedes access to or from any location

- d. A service animal may be excluded from County property if the animal demonstrates behavior that is deemed to be a direct threat to the health and safety of others or disrupts County activities or functions, and the threat to health or safety cannot be mitigated or eliminated by providing a modification to policies or practices
- e. A service animal must be housebroken. Owners or handlers are responsible to clean up after and properly dispose of service animal's waste. The County may provide employees with a reasonable accommodation to assist the employee with handling this responsibility
- f. An owner or handler is responsible for assuring that the service animal is at all times in compliance with all requirements associated with licensing, vaccinations, and applicable health and safety regulations.

Disabled employees requiring a service animal should use the Request Form for Reasonable Accommodation for Qualified Individuals with Disabilities to make such a request. The department head has the right to request documentation or demonstration of the need for the service animal, that the service animal is fully trained in service or on the tasks for the benefit of the Individual with a Qualified Disability, and capable of functioning in the workplace (i.e. will not disrupt the workplace). The department head must grant the employee's request to use a service animal while at work unless doing so would create an undue hardship to the County.

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APPENDIX III

REASONABLE ACCOMMODATIONS FOR RELIGIOUS PRACTICE OR OBSERVANCE

APPENDIX III: REASONABLE ACCOMMODATIONS FOR RELIGIOUS PRACTICE OR OBSERVANCE

The County of Rockland is committed to reasonably accommodating an employee and/or applicant who has a sincerely held religious observance or practice that may conflict with his/her working/testing conditions provided there is no undue hardship to the County.

SECTION A. Reasonable Accommodations

1. In the granting of an accommodation for religious practice or observance, an employee shall not be required to remain at his/her place of employment during any day, days, or portions thereof that the employee observes as his/her Sabbath or other holy day as a requirement of the employee's religion. This includes a reasonable amount of travel time back to his/her home.
2. Whenever practicable, in the reasonable judgment of the department head, supervisor or manager, an equivalent number of work-hours may be made up at a mutually convenient time for the County and the employee, provided that such accommodation does not violate federal or state labor laws or existing collective bargaining agreements.
3. The department head, supervisor or manager may also grant reasonable flexibility to the employee during his/her workday to utilize his/her break/lunch periods (as defined in the employee's Union Collective Bargaining Agreement) in a way that will allow the employee to meet his/her daily religious observance requirements.
4. If such an arrangement is not possible, then the amount of time absent from work will be charged to any leave with pay credits other than sick leave. If the employee does not have enough leave time accrued, the absence will be treated as leave taken without pay.
5. Employees shall not be entitled to overtime, shift differential, premium wages or other benefits for work performed if the employee is working during such hours only as an accommodation to their sincerely held religious requirements.

SECTION B. Definition

Undue Hardship – An action that is significantly expensive or difficult (including a significant interference with the safe or efficient operation of the workplace) or results in a violation of a bona fide seniority system. An undue hardship would also result where an employee or applicant is unable to perform the essential job function for his/her position.

SECTION C. Procedure

1. If the employee requires a reasonable accommodation for sincerely-held religious practice or observance, he/she must complete the attached Request Form and submit it to his/her supervisor, manager or department head.
2. The department head must consult with the employee's supervisor to evaluate the feasibility of the employee's request. The department head must respond in writing to the employee within fifteen (15) calendar days.

3. If required, the supervisor may engage with the employee to determine an alternative accommodation that allows the employee to meet his/her religious obligations without creating an undue hardship to the work operation.
4. Both the department head and/or the employee may request, at any point in the procedure, additional consultation with the Office of Employee Rights and Relations.
5. If the department head grants the employee's Reasonable Accommodation request, it should be implemented in an expeditious manner.
6. If the department head believes that a request for a Reasonable Accommodation for Religious Practice or Observance cannot be accommodated, they must first notify the Office of Employee Rights. If after consultation the request is denied, the employee has the right to appeal the decision to the Office of the County Executive within fifteen (15) calendar days of the date of denial.
 - a. Within thirty (30) calendar days of the receipt of the appeal, the County Executive's designee shall:
 - b. Obtain and review all documentation including possible accommodations relating to the request for a reasonable accommodation request and process;
 - c. Meet with the applicant or employee and the department head;
 - d. Consult with the Department of Law and the Department of Personnel; and
 - e. Issue a written determination on appeal.

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Commissioner

APPENDIX IV

REASONABLE ACCOMMODATIONS FOR NURSING MOTHERS IN THE WORKPLACE

**APPENDIX IV: REASONABLE ACCOMMODATIONS
FOR NURSING MOTHERS IN THE WORKPLACE**

1. The County of Rockland supports the rights of nursing mothers in the workplace and complies with all related New York State Human Rights and Labor Laws.
2. The County of Rockland will reasonably accommodate requests from nursing mothers to reasonable compensated and uncompensated time to allow an employee to express milk for her nursing child during each workday.
3. As part of the reasonable accommodations request, the County will provide scheduling flexibility during the workday to nursing mothers to allow them to express milk. The County will allow the nursing mother to arrange her lunch/break periods so that she may express breast milk. If the nursing mother exceeds the time of her break periods, she may use sick/other time accruals or unpaid leave.
4. Upon the request of a nursing mother, the County shall provide a room or other location, in close proximity to the employee's work area, where the employee can express milk in private. This room or other location must conform to NYS law standards.
5. The nursing mother is responsible for the proper preservation and storage of her own breast milk.
6. The County will make reasonable efforts to accommodate nursing mothers for up to three (3) years following the birth of the employee's child and shall not discriminate in any way against an employee who chooses to express breast milk in the workplace.
7. The employee shall make requests for this accommodation directly to the employee's supervisor.

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APPENDIX V

REASONABLE ACCOMMODATIONS FOR VICTIMS OF DOMESTIC VIOLENCE

**APPENDIX V: REASONABLE ACCOMMODATIONS
FOR VICTIMS OF DOMESTIC VIOLENCE**

1. The County of Rockland prohibits employment discrimination against, or harassment of, persons who are victims of domestic violence.
2. A victim of domestic violence is defined as the victim of certain enumerated family offenses¹ where the victim and the abuser are or were related by blood or marriage, have an intimate relationship,² or a child in common. The definition includes persons formerly married whether or not they reside in the same household.
3. The County of Rockland will provide a supportive environment where victims of domestic violence are able to seek assistance without fear of reproach; develop responsive policies and procedures to handle domestic violence among employees; provide assistance to employees; appropriately discipline employees who are perpetrators of abuse; offer training regarding recognition and response to domestic violence; and offer information and referrals (**See also, Executive Order 2000-4 County of Rockland Domestic Violence Executive Order and Abuse Employee Awareness and Assistance Executive Order**).
4. The County of Rockland has a Domestic Violence Executive Order that is separate and distinct from this Anti-Discrimination and Equal Employment Opportunity Executive Order, and the former is in compliance with the latter.
5. The County of Rockland shall provide reasonable accommodations for employees who are victims of domestic violence and request a reasonable accommodation.
6. Examples of reasonable accommodations to victims of domestic violence include, but are not limited to: allowing an employee to work or make up work hours through a flexible work schedule, allowing time used by the employee to be charged to leave credits, or leave without pay.
7. The County of Rockland will reasonably accommodate employees who are victims of domestic violence that require paid and/or unpaid time off from work for medical/mental health care; family or criminal court appearances, related legal appointments or actions; or the relocation of the employee's habitation.
8. Absenteeism and/or tardiness related to status as a victim of domestic violence will be tolerated so long as it does not constitute an undue hardship to the County.
 - a. Departments shall provide reasonable accommodations that do not create an undue hardship and that enable the employee to satisfy the essential job functions, provided that the employee's status as a victim of a domestic violence is known, or should have been known, by the department;
 - b. An employee making a request for reasonable accommodation under this section shall make such request to his or her manager, supervisor, department head or the Office of Employee Rights.

¹ Disorderly conduct, reckless endangerment, sexual harassment, harassment, stalking, menacing, or physical harm or the threat of harm.

² "Intimate relationship" includes but is not limited to: the nature or type of relationship, regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an "intimate relationship".

- c. In compliance with New York State Penal Law §215.14, an employee who is the victim of a domestic violence offense or has witnessed a domestic violence offense may:
 - i. Be granted leave without pay to appear as a witness, consult with the district attorney, or exercise his or her rights provided in criminal procedure law, the family court act, or the executive law, provided that the request is made prior to the date of the absence;
 - ii. The County may require proof of certification of the employee's status in addition to verification from the party who sought the employee's attendance or testimony. Such documentation must be provided to the department within a reasonable period after a request has been made.

- 9. All information, including a statement of the employee requesting a reasonable accommodation or any other documentation, record, and the fact the individual has requested or obtained a reasonable accommodation, shall be confidential, except to the extent that disclosure is requested or consented to in writing by the person with such status or is otherwise subject to disclosure required by federal, state or local law.

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APPENDIX VI

EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS

APPENDIX VI: EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS

The County of Rockland is engaged on an ongoing basis in the development and implementation of programs to ensure access to employment and advancement for qualified individuals in accordance with this Executive Order, and to eliminate any discriminatory employment practices and their consequences as they affect legally protected classes.

These programs, which may include, but are not limited to those enumerated below, will be implemented to the extent feasible based upon available County resources, time and budgetary factors.

The Office of Employee Rights and Relations will monitor and evaluate such programs on an ongoing basis.

SECTION A. Recruitment

1. A proactive recruiting program may include, but is not limited to:
 - a. Expansion of active recruitment contacts and sources to underrepresented groups, including, but not limited to: women, people of color, members of military or veterans, mature workers and qualified individuals with disabilities;
 - b. Maintenance of active contacts with community, civic, professional and multi-lingual organizations and institutions of higher learning;
 - c. Aiding individual departments, at their request, in the promulgation and/or recruitment of underrepresented classes for County of Rockland employment opportunities;
 - d. Posting and advertising of available job and promotional opportunities in a conspicuous, public and timely fashion;
 - e. Establishing ongoing contacts with guidance and vocational personnel within local school districts, colleges, and promoting services for people with disabilities, to provide information about career opportunities, counseling and information relative to employment preparation and training with the County of Rockland;
 - f. Composing and designing recruitment literature to reflect the diversity of the County's population;
 - g. Arranging for local media to broadcast public service announcements and preparing interviews or materials regarding career opportunities in local government for public dissemination;
 - h. Reviewing job descriptions and turnover rates to determine vacancy patterns in order to plan appropriate recruitment efforts; and
 - i. Reviewing methods and techniques used in interviewing job applicants.

SECTION B. Selection, Appointment and Assignment

1. An appointment and assignment process that may include, but is not limited to:
 - a. Increasing employment opportunities for the individuals with disabilities by adopting specific, non-competitive positions in accordance with provisions of Section 55(a) of the Civil Service Law when appropriate for the County to do so;
 - b. Expanding access to employment in order to afford non-professional staff the opportunity for promotions into technical and professional positions;

- c. Analyzing reasons for non-selection of qualified job applicants within the enumerated classes;
- d. Reviewing job criteria and physical requirements to ensure that they are not discriminatory and that job qualifications are relevant to job performance and duties; and
- e. Conducting post-examination reviews of test questions to identify possible discriminatory impact upon enumerated classes and advising the New York State Department of Civil Service of identified items.

SECTION C. Other Personnel and Managerial Actions

- 1. Other programs or actions may include, but are not limited to:
 - a. Evaluating policies relating to the granting of leaves, the transfer of employees to other work sites, and the standard of job performance and conduct; and
 - b. Reassessing the role of the supervisor and the quality and sensitivity of supervision.

SECTION D. Equal Employment Opportunity Training

- 1. A proactive training program that may include, but is not limited to:
 - a. Providing training of department heads, supervisors, managers and other employees with supervisory responsibilities as defined by New York State law with specialized training that details the heightened obligation that managers must ensure their workplace is free of sexual harassment, harassment, discrimination and retaliation;
 - b. Providing training to non-supervisory employees to maintain awareness of Equal Employment Opportunity protections under federal and state law, and their obligation not to violate the Anti-Discrimination and Equal Employment Opportunity Executive Order.
 - c. Providing training of department heads, supervisors, managers, and employees in diversity and inclusion in the workplace, and the understanding of the impact on fellow employees and on consumers served by the County.

**DEPARTMENT OF PERSONNEL
OFFICE OF EMPLOYEE RIGHTS AND RELATIONS**
50 Sanatorium Road, Building A
Pomona, New York 10970
Phone: (845) 364-3742/3744 Fax: (845) 364-3738

Lori Gruebel
Commissioner

APPENDIX VII

COMPLAINT AND ACCOMMODATION REQUEST FORMS

APPENDIX VII: COMPLAINT AND ACCOMMODATION REQUEST FORMS

Attached are the following forms, which are also available in their respective appendices. Each form is separate. Before filling them out, please review the appropriate appendices to familiarize yourself with this Executive Order. Understanding the policy will enable you to make a clear decision regarding the filing of your complaint (or request) and will aid you in filling out the form(s) correctly.

- I. FORM FOR COMPLAINT OF DISCRIMINATION, SEXUAL HARASSMENT, HARASSMENT, AND/OR RETALIATION**
- II. REQUEST FORMS FOR REASONABLE ACCOMMODATION FOR QUALIFIED INDIVIDUALS WITH DISABILITIES**
- III. REQUEST FORM FOR REASONABLE ACCOMMODATION BASED ON RELIGIOUS PRACTICE OR OBSERVANCE**

**DEPARTMENT OF PERSONNEL
OFFICE OF EMPLOYEE RIGHTS AND RELATIONS**

50 Sanatorium Road, Building A
Pomona, New York 10970
Phone: (845) 364-3742/3744 Fax: (845) 364-3738

Lori Gruebel
Commissioner

**FORM FOR COMPLAINT OF
DISCRIMINATION, SEXUAL HARASSMENT,
HARASSMENT, AND/OR RETALIATION**

**COUNTY OF ROCKLAND
ANTI-DISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY EXECUTIVE ORDER 2019-02**

**FORM FOR COMPLAINT OF DISCRIMINATION, SEXUAL HARASSMENT, HARASSMENT,
AND/OR RETALIATION**

Name: _____

Home Address: _____

Please check your preferred method of communication:

Home Phone #: _____ Work Phone #: _____

Cell Phone #: _____

Job Title: _____ Name of Supervisor: _____

Your Department/Unit: _____ Supervisor's Job Title: _____

Are you a department head filing this complaint as a function of your duty to report allegations of EEO-related discrimination, sexual harassment, harassment or retaliation?

Yes____ No____

Are you currently an employee of the County of Rockland?

Yes____ No____

If you are not an employee of the County of Rockland, please specify if you are:

___Former Employee (If you are a former employee, what was your termination date? Or resignation, retirement or other separation date?) _____

___Contractor/Vendor _____Job Applicant

___Board/Commission or Committee Member

___Other (Specify) _____

This complaint form is provided to you in the event you believe that you are the victim of, or have witnessed, Equal Employment Opportunity-related Discrimination, Harassment Sexual Harassment, and/or Retaliation. Please complete the form if it is applicable to your concern(s).

On the following pages, please indicate the **TYPE OF COMPLAINT** and answer the related questions. Then complete the **DESCRIPTION OF COMPLAINT** section. You may provide additional documentation upon submission of the complaint if necessary.

TYPE OF COMPLAINT

Discrimination ***Sexual Harassment***

Harassment ***Retaliation****

** If you are the victim of retaliation, please see the retaliation page for additional questions.*

Are you filing this complaint because you have been the target of *Discrimination, Sexual Harassment and/or Harassment*?

Please choose the basis for your complaint:

<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Record of Conviction
<input type="checkbox"/> Alienage/Citizenship/National Origin	<input type="checkbox"/> Gender/Sex	<input type="checkbox"/> Gender Identity
<input type="checkbox"/> Veteran/Military Status	<input type="checkbox"/> Familial Status	<input type="checkbox"/> Pregnancy
<input type="checkbox"/> Marital Status	<input type="checkbox"/> Sexual Orientation	<input type="checkbox"/> Religion/Creed
<input type="checkbox"/> Genetic Information	<input type="checkbox"/> Race/Color	
<input type="checkbox"/> Nursing mother	<input type="checkbox"/> Victim of Domestic Violence	

Are you filing this complaint because your department refused to provide a Reasonable Accommodation due to your?

Please all that apply to your complaint:

Disability Pregnancy-Related Condition Status as a Nursing Mother
 Religious Observance Gender Dysphoria Status as a Victim of Domestic Violence
 Natural hair or hairstyles

Please list the person(s) whom you believe is/are engaging in Equal Employment Opportunity Discrimination/Harassment/Sexual Harassment:

_____ _____ _____
_____ _____ _____

Please describe what happened and how it is affecting you and your work. Please use additional space on the following page, or additional pages if necessary:

Date(s) when this alleged EEO-related discrimination/sexual harassment/ harassment took place:

Month Day Year Month Day Year

_____ _____ _____ _____ _____ _____

Is this Equal Employment Opportunity-related discrimination/sexual harassment/ harassment ongoing?

Yes ___ No ___

DESCRIPTION OF COMPLAINT

Description of complaint (continued). Please attach additional page if necessary.
Please remember to include specific information (e.g. dates and locations)

Please identify all individuals who witnessed and/or who have personal knowledge of the alleged conduct. Please identify, if known, what each individual witnessed or what other knowledge they may have of the alleged conduct.

To your knowledge, are there any written statements or other documents that contain information supporting your complaint? **(If “yes,” please describe and attach documentation).**

Is there any physical evidence that supports your complaint? **(If yes, please describe and attach documentation).**

If you previously notified a County department head, supervisor or other official about this matter or acts related to the complaint, please identify the individual(s) to whom you complained, the date you complained and the resolution, if any to your complaint.

If you have legal counsel and would like us to provide him/her with a copy of information being made available to you, please provide their contact information:

Equal Employment Opportunity-related Retaliation

Who do you believe is retaliating against you?

Are you filing this complaint because you have been the target of retaliation based upon a current or former Equal Employment Opportunity-related complaint that you filed?

Yes ___ No ___

Are you filing this complaint because you have been the target of retaliation based upon a current or former Equal Employment Opportunity-related investigation that you participated in as a witness?

Yes ___ No ___

Are you filing this complaint because you have been the target of retaliation because you previously raised concerns about a policy or practice that you considered to be EEO-related harassment, discrimination or retaliation?

Yes ___ No ___

Are you filing this complaint because you have been the target of retaliation because you requested a Reasonable Accommodation for a disability, sincerely held religious observance, or practice related to your status as a nursing mother or victim of domestic violence?

Yes ___ No ___

Is there another reason why you feel that you are the target of Equal Employment Opportunity-related retaliation? (Please state below)

When did the alleged retaliation take place?

Month Day Year Month Day Year

_____ _____ _____ _____ _____ _____

Is this Equal Employment Opportunity-related retaliation ongoing? Yes ___ No ___

CORRECTIVE ACTION REQUEST

What corrective action or remedy are you seeking as an outcome to this complaint?

ACKNOWLEDGMENTS

I certify that the above allegations are true to the best of my knowledge, information and belief.

I am willing to participate in the investigation of this complaint and to the extent possible provide whatever evidence the County deems relevant.

Signature

Date

Please submit this form to:

County of Rockland
Department of Personnel
Office of Employee Rights and Relations
50 Sanatorium Road, Building A
Pomona, NY 10970

**REQUEST FORMS FOR REASONABLE ACCOMMODATION
FOR QUALIFIED INDIVIDUALS WITH DISABILITIES**

**REQUEST FORM FOR REASONABLE ACCOMMODATION
FOR QUALIFIED INDIVIDUALS WITH DISABILITIES
(TO BE COMPLETED BY THE EMPLOYEE/APPLICANT)**

**REQUEST FORM FOR REASONABLE ACCOMMODATION
FOR QUALIFIED INDIVIDUALS WITH DISABILITIES
(TO BE COMPLETED BY THE MEDICAL PROVIDER
AND PROVIDED TO THE EMPLOYEE)**

**DETERMINATION FORM FOR REASONABLE ACCOMMODATION
FOR QUALIFIED INDIVIDUALS WITH DISABILITIES
(TO BE COMPLETED BY THE DEPARTMENT HEAD OR ASSIGNED ADA OFFICER)**

**INTERACTIVE PROCESS FOR REASONABLE ACCOMMODATIONS
EMPLOYEE / SUPERVISOR MEETING SUMMARY**

**REQUEST FORM FOR REASONABLE ACCOMMODATION
FOR QUALIFIED INDIVIDUALS WITH DISABILITIES
(TO BE COMPLETED BY THE EMPLOYEE/APPLICANT)**

PART 1:

Name: _____ Dept: _____ Unit: _____

Position Title: _____ Supervisor: _____

Full-Time Part-Time Permanent Temporary

Work Phone: _____ Home/Cell Phone: _____

Email: _____

PART 2: NATURE OF DISABILITY AND THE REQUESTED ACCOMMODATION(S)

Nature of Disability:

Is the disability temporary or chronic? _____

If the disability is temporary, what is the end date? (As Per Medical Documentation)

Essential Job Function(s) for which the accommodation(s) is/are being requested: (Please read the job specifications for your position to determine the job function)

What is/are the accommodation(s) you are requesting?

I understand that my medical provider must provide documentation to support this reasonable accommodation request.

I testify that the above information is true and correct to the best of my knowledge and agree to allow this information to be reviewed by the necessary parties to enable my accommodation.

EMPLOYEE SIGNATURE: _____ DATE SUBMITTED: _____

SUPERVISOR SIGNATURE: _____ DATE RECEIVED: _____

DATE FORWARDED: _____

DEPARTMENT HEAD
/ADA OFFICER SIGNATURE:

_____ DATE FORWARDED: _____

**DEPARTMENT OF PERSONNEL
OFFICE OF EMPLOYEE RIGHTS AND RELATIONS**

50 Sanatorium Road, Building A
Pomona, New York 10970
Phone: (845) 364-3742/3744 Fax: (845) 364-3738

Lori Gruebel
Commissioner

**MEDICAL PROVIDER FORM IN RESPONSE TO AN ACCOMMODATION REQUEST
(TO BE COMPLETED BY THE MEDICAL PROVIDER
AND PROVIDED TO THE EMPLOYEE)**

Employee Name: _____

PART 1: Questions to Determine the Employee's Specific Impairment(s)

To qualify for a Reasonable Accommodation under the Americans with Disabilities Act, an employee must have either a disability that results in an impairment that substantially limits one or more major life activities, or a record of such impairment. The Medical Provider's answers to the following questions may help determine whether the employee has such an impairment or record of this impairment.

1. Does the employee have a physical or mental impairment? Yes No

2. If yes, what is the impairment? _____

3. Is the impairment long-term or permanent? Yes No

4. If the impairment is not permanent, how long will it likely last? _____

5. Does the impairment substantially limit a major life activity? Yes No

6. If yes, what major life activity(s) is/are affected?

- | | | | |
|---|---|--|--|
| Caring for Oneself <input type="checkbox"/> | Performing Manual Tasks <input type="checkbox"/> | Seeing <input type="checkbox"/> | Hearing <input type="checkbox"/> |
| Eating <input type="checkbox"/> | Sleeping <input type="checkbox"/> | Walking <input type="checkbox"/> | Sitting <input type="checkbox"/> |
| Standing <input type="checkbox"/> | Lifting <input type="checkbox"/> | Bending <input type="checkbox"/> | Speaking <input type="checkbox"/> |
| Breathing <input type="checkbox"/> | Learning <input type="checkbox"/> | Reading <input type="checkbox"/> | Concentrating <input type="checkbox"/> |
| Thinking <input type="checkbox"/> | Interactions With Others <input type="checkbox"/> | Communicating <input type="checkbox"/> | Working <input type="checkbox"/> |

and/or the Operation of a Major Bodily Function

7. Does the impairment substantially limit the operation of a major bodily function?

Yes No

8. If yes, what bodily function(s) is/are affected?

- | | | | |
|--|---|---|--------------------------------------|
| Immune system <input type="checkbox"/> | Normal cell growth <input type="checkbox"/> | Digestive <input type="checkbox"/> | Bowel <input type="checkbox"/> |
| Bladder <input type="checkbox"/> | Neurological <input type="checkbox"/> | Brain <input type="checkbox"/> | Respiratory <input type="checkbox"/> |
| Circulatory <input type="checkbox"/> | Endocrine <input type="checkbox"/> | Reproductive Functions <input type="checkbox"/> | |

Other Please Specify _____

PART 2: Questions To Help Determine Whether An Accommodation Is Needed:

An employee with a disability is entitled to an accommodation only when the accommodation is needed because of the disability. Your answers to the following questions may help determine whether the requested accommodation is needed because of the disability:

1. What limitation is interfering with the employee's job performance?

2. What job function(s) is the employee having trouble performing because of the limitation(s)?

3. How does the employee's limitation(s) interfere with his/her ability to perform those job function(s)?

PART 3: Questions to Help Determine Effective Accommodation Options

If an employee has a disability and needs an accommodation because of the disability, the employer must provide a Reasonable Accommodation unless the accommodation poses an undue hardship to the County. Your answers to the following questions may help determine effective accommodations:

1. Do you have any suggestions regarding possible accommodations to improve job performance? If so, what are your suggestions?

2. How would your suggestions improve the employee's job performance?

3. Other comments:

PART 4: Medical Provider Information

Medical Provider Name (Print) _____

Name of Practice _____

Address _____

Telephone _____ Email _____

Medical Provider's Signature _____ Date _____

If DENIED, does the department head have a suggestion for an alternative reasonable accommodation?

Department Head or ADA officer

Signature _____ Determination Date _____

If the employee is not satisfied, then he/she has the right to appeal in writing to the Office of the County Executive within fifteen (15) calendar days of the determination date.

**County of Rockland
Office of Employee Rights and Relations**

**INTERACTIVE PROCESS FOR REASONABLE ACCOMMODATIONS
WORKSHEET EMPLOYEE / SUPERVISOR MEETING**

Employee: _____

Employee Signature: _____

Supervisor: _____

Supervisor Signature: _____

Date: _____

Employee's Limitation or Restriction	Employee's Job Function that the Limitation or Restriction Impacts	Possible Accommodation(s)

**REQUEST FORM
FOR REASONABLE ACCOMMODATION
BASED ON RELIGIOUS PRACTICE OR
OBSERVANCE**

REQUEST FORM FOR REASONABLE ACCOMMODATION BASED ON RELIGIOUS PRACTICE OR OBSERVANCE

All employees and applicants should complete the applicable items in this section.

1. Name of employee or applicant:

2. Home address: _____

3. Home phone #: _____ Work phone #: _____

Cell phone #: _____

4. Employee date of hire: _____

5. Department/Unit: _____

6. Position in which you work/applied: _____

7. Explanation of accommodation requested:

(Applicants Only)

8. Date of exam/interview for which you applied: _____

9. Which part of the employment process are you requesting a reasonable accommodation for?
[e.g. application, examination, interview, other (**please identify**)]:

Employee/Applicant signature: _____ Date: _____

DETERMINATION (to be completed by department head or designee)

The employee's Request for Reasonable Accommodation(s) has been:

APPROVED

DENIED

Department Head/Designee Signature: _____ **Date:** _____

**EQUAL EMPLOYMENT OPPORTUNITY
AWARENESS TRAINING
ACKNOWLEDGMENT FORMS**

**COUNTY OF ROCKLAND
ANTI-DISCRIMINATION
AND
EQUAL EMPLOYMENT OPPORTUNITY EXECUTIVE ORDER 2019-02**

**ACKNOWLEDGEMENT OF RECEIPT OF
TRAINING FOR NON-SUPERVISORY EMPLOYEES**

I, _____, hereby acknowledge that I have been trained on the County's Equal Employment Opportunity Executive Order. My rights and responsibilities with respect to it were explained to me. I've been informed that a copy of the Equal Employment Opportunity Executive Order is available to me on the County intranet, from my department head, and from the Office of Employee Rights and Relations.

- I understand that I have a right to file a complaint alleging illegal discrimination, sexual harassment, harassment or retaliation or other violation of this Executive Order.
- I understand that I have an obligation to report possible incidents of discrimination, sexual harassment, harassment or retaliation to my supervisor/department head/Office of Employee Rights under all circumstances.
- I understand that the procedures and the forms for filing a complaint are explained in the County's Executive Order.

I agree to abide by the Rockland County Anti-Discrimination and Equal Employment Opportunity Executive Order.

Printed Name

Signature

Job Title

Date

Department

**COUNTY OF ROCKLAND
ANTI-DISCRIMINATION
AND
EQUAL EMPLOYMENT OPPORTUNITY EXECUTIVE ORDER 2019-02**

**ACKNOWLEDGEMENT OF RECEIPT OF TRAINING FOR SUPERVISORY
AND MANAGERIAL EMPLOYEES**

I, _____, have attended the County of Rockland Equal Employment Opportunity Training Session for Managers. I hereby acknowledge that I have been trained on the County's Equal Employment Opportunity Executive Order. My rights and responsibilities under this Executive Order were explained to me. I've been informed that a copy of the Equal Employment Opportunity Executive Order is available to me on the County intranet, from my department head, and from the Office of Employee Rights and Relations. I understand:

- The prohibitions concerning sexual and other forms of unlawful discrimination, sexual harassment, harassment and retaliation; and
- The use of the internal complaint procedure set forth in the County of Rockland Anti-Discrimination and Equal Employment Opportunity Executive Order; and
- My heightened responsibilities as a manager concerning discrimination, sexual harassment, harassment and retaliation.

I agree to abide by the Rockland County Anti-Discrimination and Equal Employment Opportunity Executive Order.

Print Name

Signature

Job Title

Date

Department