
	GAITHERSBURG POLICE DEPARTMENT			
	Equal Employment Opportunity			
	GENERAL ORDER	301.1		Related CALEA Standards:
	Effective Date	07/01/2022		26.1.3, 31.3.1
Authorized by: Mark P. Sroka CHIEF OF POLICE		SIGNATURE	DATE 06/02/2022	

1. PURPOSE

The purpose of this directive is to ensure fairness and equality in all personnel matters involving current and prospective employees. This directive also serves as a means to ensure compliance with applicable provisions of the City of Gaithersburg’s Discrimination and Harassment Policy, Gaithersburg City Code, the [Americans with Disabilities Act \(ADA\)](#) and [Title VII of the Civil Rights Act of 1964](#) and as amended by the [Equal Employment Opportunity Act of 1972](#).

2. POLICY

2.1. The Department strives to maintain a workplace that promotes equal employment and advancement opportunities, respects employees as individuals and fosters an atmosphere of teamwork and mutual trust.

2.2. In accordance with [Chapter 17, Section 6, of the Gaithersburg City Code \(Equal Employment Opportunity\)](#), the Department ensures that “all personnel actions shall be based on merit and ability and no person shall be discriminated against on the basis of race, color, sex, sexual orientation, gender identity, ancestry, age, religion, national origin, marital or parental status, disability or serious medical condition in practices involving recruitment, selection, training, promotions, transfers, disciplinary action and other terms and conditions of employment.”

3. DEFINITIONS

3.1. Qualified applicant with a disability: Within the context of this directive, the term “qualified applicant with a disability” refers to a person who satisfies the requisite skill, experience, education and other job related requirements of the position such individual holds or desires and, with or without reasonable accommodation, can perform the essential job functions of the position.

3.2. Accessible locations: Within the context of this directive, the term “accessible locations” refers to facilities that comply with ADA requirements regarding public access and accommodation and are accessible to various forms of public transportation.

3.3. Discrimination: Within the context of this directive, the term “discrimination” refers to any practices or procedures that limit or adversely affect employment opportunities on the basis of race, religion, sex, sexual orientation, gender

identity, color, ancestry, serious medical condition, national origin, age, disability, marital or parental status, political opinions or affiliations, or lawful employee organization activities.

4. PROCEDURE

4.1. General Conduct

- 4.1.1. The Department does not support or condone any action designed or intended to intimidate, retaliate, harass or discriminate against any employee who has exercised protective rights in opposing practices that are unlawful under the Civil Rights Act, or has participated in any civil rights investigation, proceeding, hearing or lawsuit.
- 4.1.2. The Department strives to maintain a workplace that promotes equal employment and advancement opportunities, respects employees as individuals and fosters an atmosphere of teamwork and mutual trust.
- 4.1.3. All employees are responsible for ensuring fairness in the workplace by reporting violations of policy.

4.2. Recruitment and Selection

- 4.2.1. The Department demonstrates its commitment to being an Equal Opportunity Employer by explicit statement on all employment applications, recruitment literature and job vacancy announcements.
- 4.2.2. Department publications used for recruitment purposes provide visual depictions of our diversity and commitment to equal employment opportunity, by including women and minority members engaged in law enforcement activities.
- 4.2.3. The Department complies with the Americans with Disabilities Act by providing reasonable accommodations, when and where necessary.
- 4.2.4. The Department will ensure that communication with applicants with disabilities is as effective as communication with others.
- 4.2.5. The Department's job vacancy announcements will not use qualification standards that screen out, or tend to screen out, individuals with disabilities, or a class of individuals with disabilities, on the basis of such disability.
- 4.2.6. The Department will ensure that written tests and interviews, administered as part of the recruitment, selection and promotional processes, are conducted in accessible locations.

4.3. Reporting

- 4.3.1. Employees who feel they have been subjected to any form of discrimination, have witnessed discrimination or have knowledge of discrimination in the workplace should immediately report the situation to a supervisor.
- 4.3.2. Any supervisor receiving such a complaint will immediately submit a written report to the Chief of Police, via chain of command.
- 4.3.3. All employees that have filed a complaint of discrimination will be protected from harassment and retaliation. If immediate intervention is warranted to protect the rights of an employee, the supervisor shall take immediate action.

4.4. Complaints

- 4.4.1. All complaints of discrimination or sexual harassment will be promptly and carefully investigated.
- 4.4.2. Employee complaints alleging discrimination should be handled in accordance with the provisions of the grievance procedure as outlined in the City's Personnel Rules and Regulations Manual.