

**VILLAGE OF OLYMPIA FIELDS
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 2020-01

**AN ORDINANCE ADOPTING AN EQUAL EMPLOYMENT/NONDISCRIMINATION
POLICY FOR AGENTS AND INDEPENDENT CONTRACTORS HIRED BY THE
VILLAGE OF OLYMPIA FIELDS**

**ADOPTED BY THE VILLAGE PRESIDENT
AND BOARD OF TRUSTEES OF THE
VILLAGE OF OLYMPIA FIELDS, COOK
COUNTY, ILLINOIS, THIS 13th DAY OF
JANUARY, 2020.**

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Olympia Fields, Cook
County, Illinois this 13th
day of January, 2020.**

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WHEREAS, the Village of Olympia Fields previously adopted a revised Personnel Manual; and

WHEREAS, an “Equal Employment/Nondiscrimination Policy” for employees of the Village was incorporated into the revised Personnel Manual; and

WHEREAS, in order to be in compliance of existing revised and amended federal and State laws and newly enacted federal and state laws regulating employment, it has been determined by the corporate authorities of the Village of Olympia Fields that the Village should adopt a Equal Employment/Nondiscrimination Policy applicable to agents and independent contractors hired by the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OLYMPIA FIELDS, COOK COUNTY, ILLINOIS, as follows:

SECTION 1: Adoption. The “Equal Employment/Nondiscrimination Policy for Agents and Independent Contractors Hired by the Village of Olympia Fields”, attached hereto and made a part hereof, is hereby adopted.

SECTION 2: Effective Date. This Ordinance shall be in full force and effect as of upon

its passage, approval, and publication as required by law.

THIS ORDINANCE IS ADOPTED AND APPROVED BY THE PRESIDENT AND THE VILLAGE BOARD OF THE VILLAGE OF OLYMPIA FIELDS THIS 13th DAY OF JANUARY, 2020.

First reading waived.

Passed on second reading this 13th day of January, 2020.

VILLAGE CLERK

Roll Call Vote:

Voting in Favor: _____

Voting Against: _____

Not Voting: _____

APPROVED this 13th day of January, 2020.

VILLAGE PRESIDENT

PUBLISHED in pamphlet form this 13th day of January, 2020.

VILLAGE CLERK

**EQUAL EMPLOYMENT/NONDISCRIMINATION POLICY
FOR AGENTS AND INDEPENDENT CONTRACTORS
HIRED BY THE VILLAGE OF OLYMPIA FIELDS**

I. Purpose

It is the policy of the Village to afford equal employment opportunity in all personnel practices to all agents and independent contractors. There shall be no discrimination based on race, color, religion, sex, sexual orientation, marital status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, military status, or an unfavorable discharge from military service. This policy shall apply to all agents and independent contractors, including sub-contractors, hired by the Village of Olympia Fields.

II. Definitions

For the purposes of this Policy, the term "minority" shall mean American Indians, Asians, Blacks or Hispanics, or to such protected classes as youth, elderly, women or persons with disabilities.

III. Adoption of Federal and State Statutes, Rules and Regulations

The Village of Olympia Fields hereby declares to uphold, defend, enforce and advocate for all laws related to Equal Employment Opportunity and shall comply with all existing federal, state and local nondiscrimination statutes, rules, regulations, and guidelines as they pertain to employment by the Village, including, but not limited to the following:

- A. Title VI of the Civil Rights Act of 1964, and as amended from time to time, which prohibits discrimination in the participation in or benefits of programs or activities receiving federal financial assistance on the basis of race, color or national origin.
- B. Title VII of the Civil Rights Act of 1964, and as amended from time to time, which prohibits discrimination because of race, color, religion, sex or national origin in all employment practices, including hiring, firing, promotions, compensation, and other terms, privileges and conditions of employment.
- C. The Equal Pay Act of 1963, and as amended from time to time, which covers all employees who are covered by the Fair Labor Standards Act. The Act forbids pay differentials on the basis of sex.
- D. The Age Discrimination Act of 1967, and as amended from time to time, which prohibits discrimination because of age against anyone between the ages of 40 and 65.
- E. Federal Executive Order 11246, which requires every contract with federal

financial assistance to contain a clause against discrimination because of race, color, religion, sex or national origin.

- F. Section 504 of the Rehabilitation Act of 1973 and U.S. DOL Implementing Regulations at 29 CFR 32, and as amended from time to time, which prohibits any discrimination based on disability.
- G. Section 188 of Workforce Investment Act of 1988 ("WIA") and the U.S. DOL Regulations at 29 CFR Parts 31 and 32, and as amended from time to time, which provides that no person in the United States shall be excluded from participation in, be denied the benefits of, or be subject to discrimination on the basis of race, color or national origin, under any program or activity receiving federal financial assistance from the U.S. Department of Labor.
- H. Article I, Sections 17-19 of the Illinois Constitution which prohibits discrimination based on race, color, creed, national ancestry, disability and sex in the hiring and promotion practices of any employer.
- I. The Americans with Disabilities Act of 1990 ("ADA"), and as amended from time to time, which prohibits discrimination against individuals with disabilities on the basis of their disabilities.
- J. Illinois Human Rights Act (775 ILCS 5), and as amended from time to time, which prohibits discrimination based on race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation or unfavorable discharge from military service in connection with employment, real estate transactions, access to financial credit and the availability of public accommodations.

III. Nondiscrimination Policy

A. Nondiscrimination Employment Practices

1. The Village will not discriminate in the recruitment, advertising, employment, placement, layoff or termination, rate of pay or other forms of compensation and use of facilities in regard to agents and independent contractors.
2. The Village will actively provide nondiscriminatory outreach, selection and service to all individuals.
3. The Village will make efforts to hire minority individuals for all job categories so that minority employment in hiring agents and independent contractors will represent a proportionate share of minority populations in the Village as well as the surrounding areas.

4. The Village will provide accommodations to the best of its ability for agents and independent contractors with disabilities, contingent on budget and structural limitations.
5. The Village prohibits the use of federal and state funds for political activity.
6. All Village agents and independent contractors are expected to adhere to this Policy and to work actively for its implementation both internally and in carrying out Village program activities.

B. Third Party Contracts

The Village will not contract with other agencies, banks, business, vendors, *etc.*, who practice or establish a pattern of discrimination based on race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, or unfavorable discharge from military.

C. Equal Employment Opportunity/Affirmative Action ("EEO/AA") Requirements for Construction Contracts

The Village will incorporate into any contract for construction work, or modification thereof, subject to the relevant federal, state and local rules and regulations, which is paid in whole or in part with the aid of such financial assistance, the following "Equal Employment Opportunity Clause":

In the event of the contractor's non-compliance with the provisions of this Equal Employment Opportunity Clause, the contractor may be declared ineligible for future contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations, and the contract may be cancelled or voided in whole or in part, and other sanctions or penalties may be imposed or remedies invoked as provided by statute or regulation. During the performance of this contract, the contractor agrees as follows:

1. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, marital status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, military status or an unfavorable discharge from military service; and further, that he or she will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any underutilization.
2. If the contractor hires additional employees in order to perform this contract or any portion of this contract, the contractor will determine the availability

of minorities and women in the areas from which the contractor may reasonably recruit and the contractor will hire for each job classification for which employees are hired in a way that minorities and women are not underutilized.

3. In all solicitations or advertisements for employees placed by the contractor or on the contractor's behalf, the contractor will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, sexual orientation, marital status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, military status, or an unfavorable discharge from military service.
4. The contractor will send to each labor organization or representative of workers with which the contractor has or is bound by a collective bargaining or other agreement or understanding, a notice advising the labor organization or representative of the contractor's obligations under this Equal Opportunity Clause. If any labor organization or representative fails or refuses to cooperate with the contractor in its efforts to comply with this Equal Opportunity Clause, the contractor will promptly notify the Village and will recruit employees from other sources when necessary to fulfil its obligations under the contract.
5. The contractor will submit reports as required by the Illinois Department of Commerce and Economic Opportunity ("Department") and the Village, furnish all relevant information as may from time to time be requested by the Village, and in all respects comply with this Equal Opportunity Clause.
6. The contractor will permit access to all relevant books, records, accounts and work sites by personnel of the Village and the Department for purposes of investigation to ascertain compliance with this Equal Opportunity Clause.
7. The contractor will include verbatim or by reference the provisions, the provisions of this clause in every subcontract awarded under which any portion of the contract obligations are undertaken or assumed, so that the provisions will be binding upon the subcontractor. In the same manner as with other provisions of this contract, the contractor will be liable for compliance with applicable provisions of this clause by subcontractors and will promptly notify the Village and the Department in the event any subcontractor fails or refuses to comply with the provisions. In addition, the contractor will not utilize any subcontractor declared by the Illinois Human Rights Commission to be ineligible for contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations.

D. Enforcement

The Village Administrator is hereby designated to carry out the EEO/AA plan set forth herein.