

Policy and Procedure
BUNCOMBE COUNTY HEALTH AND HUMAN SERVICES/DEPARTMENT OF HEALTH

Title: Non-Discrimination	Policy #: 1001.56B	Revision #: 6
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Category & Subcategory:	Administrative Policy and Procedure	Original Effective Date:	6/26/12	This Revision Effective Date:	6/2022
Persons Affected	Buncombe County Health and Human Services Health Division workforce				
Approval By/ Date	 Health Director	06.08.2022 Date	_____ Chair, HHS Board	_____ Date	

1.0 Revision History	Date of Revision	Summary of Changes	Section
	7/2014	<ul style="list-style-type: none"> • Added additional protected classes • Broadened Legal Authority 	<ul style="list-style-type: none"> • 2.0 • 7.0
	2/2017	<ul style="list-style-type: none"> • Changed agency name to Buncombe County Health and Human Services Department of Health (BCHHS-DH) • Transferred policy to new template • 	<ul style="list-style-type: none"> • Throughout • Entire document •
	10/31/17	<ul style="list-style-type: none"> • Archive Policy. Include in the Workforce Development Plan and Policy 	<ul style="list-style-type: none"> • Archived Policy
	3/1/19	<ul style="list-style-type: none"> • Policy was reinstated and edited for clarity • Removed HHS Board signature • Added Workforce definition • Clarified Responsibilities • Added annual training • Updated Legal Authority/Guidance 	<ul style="list-style-type: none"> • Entire policy • Grid • 4.0 • 5.0 • 6.3 • 7.0
	12/2021	<ul style="list-style-type: none"> • Updated definition of Workforce • Change referenced from HHS HR to Buncombe County Human Resources 	<ul style="list-style-type: none"> • 4.0 • 6.2
	6/2022	<ul style="list-style-type: none"> • Converted to Board Policy • Added HHS Board signature • Number change from 1000.56B to 1001.56B • Updated Legal Authority/Guidance 	<ul style="list-style-type: none"> • Header • Header • Header • 7.10,7.12

2.0 Purpose

Public agencies must observe governmental regulations which protect individuals, classes and populations, such as age, race, sex, national origin, color, religion, marital status, veteran status, genetic information, sexual orientation, gender identity, political beliefs and disability or any other legally protected class from discrimination in the workplace. The purpose of the non-discrimination policy of Buncombe County Health and Human Services Department of Health (BCHHS-DH) is to prevent discriminatory actions in accordance with local, state, and federal mandates.

3.0 Policy

It is the policy of BCHHS-DH to comply with non-discriminatory practice requirements.

4.0 Definitions

- 4.1 **Discrimination:** Unjust or prejudicial treatment or consideration of different categories of people or things, based on the group, class, or category to which that person or thing belongs rather than individual merit.
- 4.2 **Workforce:** Employees, volunteers, contract staff, and other persons whose conduct, in the performance of work for Buncombe County, is managed by Buncombe County. The County’s management of these persons may include training and development, direction of work activities, provision of resources, and policy oversight.

5.0 Responsibilities

- 5.1 The Health Director is responsible to ensure that non-discriminatory practices are followed as required. Responsibility is delegated through management and other personnel.
- 5.2 Supervisory staff is responsible to ensure training or support as needed that will enable staff to comply with this policy.
- 5.3 Workforce members are responsible for complying with non-discriminatory practices and regulations.

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6.0 Procedure

- 6.1 BCHHS-DH will provide services to clients as required per program eligibility guidance and ensure awareness of eligibility for programs by posting information as required.
- 6.2 BCHHS-DH will comply with Fair Labor Laws as required by the Equal Employment Opportunity Act, including recruitment and selection. Notices regarding the Fair Labor Standards Act will be posted by Buncombe County Human Resources.
- 6.3 All employees will receive training specific to laws and requirements which mandate non-discrimination practices in public agencies upon hire and annually thereafter.

7.0 Legal Authority/Guidance

- 7.1 North Carolina Department of Public Health Contract Agreement Addenda
- 7.2 Equal Opportunity Employment Commission Laws, Regulation, Guidance and MOUs; www.eeoc.gov
- 7.3 Title VII - 42 U.S. Section 2000e. The part of the Civil Rights Act of 1964 that prohibits employment discrimination based on race, color, religion, sex and national origin. Amended by the Pregnancy Discrimination Act.
- 7.4 Title I of the Americans with Disabilities Act of 1990
- 7.5 The Equal Pay Act of 1963
- 7.6 Section 501 and 505 of the Rehabilitation Act of 1973
- 7.7 Title II of the Genetic Information Nondiscrimination Act of 2008
- 7.8 The Age Discrimination Act of 1967
- 7.9 All provisions required by the implementing regulations of the Department of Agriculture; Department of Justice Enforcement Guidelines, 7 CFR Part 15 and FNS Directives and Guidelines
- 7.10 Culturally and Linguistically Appropriate Services Standards (CLAS)
<https://thinkculturalhealth.hhs.gov/clas/standards>
- 7.11 Buncombe County Personnel Ordinance, Equal Employment Opportunity Policy
- 7.12 BCHHS-DH Cultural Competency Policy (1001.84), Observing Public Health Laws and Regulations Policy (1001.56), Workforce Development Policy (1001.31) and Hiring and Recruitment Policy (1000.34)
- 7.13 Title VII of the Civil Rights Act