

# **Scottsboro Electric Power Board**

**Equal Employment Opportunity**

**FCC Compliance Manual**

## **Introduction**

The following document is to be used when you are in the process of hiring, promoting, or terminating an employee. Please be aware that these guidelines have been prepared in order to comply with FCC regulation.

A significant part of any of the above listed procedures is accurate and complete documentation. This manual contains guidelines and forms that must be used during any relevant situation. Please remember that collecting this information is an FCC requirement and part of the official FCC records which you will be required to present when you are audited. It is imperative that in every single case, at every single interview, you obtain an EEO Data Collection Sheet. (If the interviewee refuses to complete one, then you must complete one for him or her to the best of your ability and so indicate on the sheet and sign it.)

We encourage internal promotion, although there is no legal requirement to interview in-house applicants first. We recommend that you always provide the opportunity for an interview to interested current employees before you see applicants from outside the company. We must have a signed application and an EEO Data Collection Sheet from every person **interviewed** except current employees.

The most fundamental requirement of this Equal Employment Opportunity program is to obtain a flow of job applicants that reasonably reflects the makeup of the local community. In other words, if the community is 10% minority, the pool of qualified applicants for most positions should be at least 5% or hopefully close to 10% minority. Our expectation is that, if the applicant pool has a reasonable proportion of qualified applicants from each EEO classification in the community, over time our workforce will also reasonably reflect the makeup of the community. This is the focus of the FCC's enforcement program, and is the reason for our requirement that we use extreme care and comply with all EEO guidelines in the hiring process.

It is important that you read this manual before you begin the interview, promotion, disciplinary or termination process. The guidelines that are laid out are very specific, consequently, you should be absolutely positive that the steps contained in this manual are taken each time you hire or promote a position.

Please remember that your cooperation with this is imperative for the success with this EEO program and in an audit by the FCC is the responsibility of each one of us.

## **Section 1**

### **EQUAL EMPLOYMENT OPPORTUNITY**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at SEPB will be based on merit, qualifications and abilities. SEPB does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

SEPB will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Office Manager. Employees can raise concerns and make reports without fear or reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## **SEXUAL AND OTHER UNLAWFUL HARRASSMENT**

SEPB is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes or comments based on an individual's sex, race, ethnicity, age, religion or any other legally protected characteristic will not be tolerated. An example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Manager or any other member of management. Employees can raise concerns and make reports without fear or reprisal.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the Manager or Office Manager or any member of management who will handle the matter in a timely and confidential manner.

Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

## **How to Hire and Promote:**

1. Fill out a job availability notice (app. 5.1)  
Post the notice on the bulletin board and inform the administrative assistant of the notice.
2. Begin a hire promotion folder  
This will be the official documentation folder to support the hire. You are required to have a separate file folder for each hire and promotion. The two forms you will need immediately are the EEO Hiring/Promotion Checklist (App.5.2) and the Applicant Tally Sheet (App. 5.4). A copy of the Job Availability Notice should also be filed in the folder.
3. Complete EEO Hiring/Promotion Checklist  
By following the points on this form, you will cover all the elements and procedures necessary to hire in compliance with the FCC guidelines.

NOTE: You are not required to disclose the opening outside the Company if a current employee applies and is qualified for the position. You may promote/move that employee into the position and then cease the hiring process. Remember to then post the position from which the employee moved.

NOTE: You may only convert a temporary employee to a regular status after posting the opening and evaluating any other internal applicant(s) and completing your regular outreach process. If, after that process, the temporary employee is in fact the best match for the position, then you may convert the employee to a regular status.

4. Assess Applications  
If you are unable to promote from within the Company, you should interview between six and twelve applicants for any opening. If you do not have that number of applicants, you must make another attempt to attract applicants (another newspaper ad, another mailing, another call to the local employment service office).
5. Interview  
Please refer to Section 2, Tips for Conducting Legally Acceptable Interviews. If you have qualified applicants from within the Company, you may first see just those applicant(s) and not disclose the opening to outside sources. Every person interviewed, (except current employees) must submit an application or resume and an EEO Data Collection Sheet (App. 5.3). You may wish to use some of the Sample Interview questions to ensure that all interviewees are asked the same questions, thus evaluated on a fair and equal basis. You are by no means limited or mandated to use these questions. They are included here only as a suggestion. Please make sure that you describe all aspects of the job completely and accurately during the interview

6. Complete Applicant Tally Sheet(App. 5.4)

Prior to making the offer of the position you must complete an Applicant Tally Sheet to ensure that you have a balanced applicant pool (check with your General Manager or Office Manager). An EEO Data Collection Sheet must be given to interviewed applicants and *only to interviewed applicants at the time of the interview*. If the applicant refuses to fill it out, then the interviewer should ask the applicant how s/he heard about the opening and note the answer on the EEO Data Collection Sheet. The person conducting the interview should then fill out the EEO section to the best of their ability and so indicate on that sheet by checking the box by #6 (I prefer not to supply this information) and sign and date it. Only interviewed candidates qualify to be listed as applicants. Resumes and/or applications alone do not constitute an applicant.

7. Offering the Position

After the application deadline has expired and you have verified the references, you may offer the position to the applicant you have determined to be the best match for the position.

8. Filing folder in EEO files in preparation for audit.

## SECTION 2

### TIPS FOR CONDUCTING LEGALLY ACCEPTABLE INTERVIEWS

#### 1. Interviewing Rules for EEO Compliance

- The hiring decision is based upon job related criteria only.
- Selection is based upon the concept that an applicant is not “good” or “bad” per se, but qualified or unqualified for a given position.
- Good selection matches the current interests and skills of the applicant with the present interests and needs of the Company.
- Fair practices allow internal candidates or external applicants an opportunity to speak for themselves rather than having someone make assumptions for/about them. For instance, blanket assumptions such as . . . “Women with children cannot work overtime” or “A person with a degree will not be happy working in an entry level position.” . . . should not be used to categorically eliminate people from consideration. Different people have different circumstances and needs, so qualified applicants should be allowed the opportunity to respond to questions or concerns that pertain to them.

#### 2. Interview Goals

A good selection interview is a conversation with following goals:

- To predict how an applicant will perform in the position under consideration.
- To gather information for the selection of a new hire, and the justification and documentation of the hiring decision.
- To provide the applicant with a realistic picture of the job.
- To leave applicant with the feeling that he/she had an equal opportunity to present him/herself.
- To create a good image of the company.

#### 3. Interviewing Preparation

To prepare for the interview, the following factors must be considered. The job specifications and requirements.

1. Determine the duties and tasks to be performed.
2. Determine the skills, education and experience needed to perform the duties and tasks.
3. Define the conditions of the position such as pay, hours, overtime requirements, training provided, travel, etc.
4. Prepare a job description with this information, for use in the selection process.

#### 4. Screening Methods

Federal laws require that screening methods be applied fairly and consistently for all candidates and that screening criteria be directly related to the job. To ensure that you follow legally acceptable methods, here are some do's and don'ts:

##### DO

1. Have a consistent procedure for accepting and reviewing resumes and applicants.
2. Evaluate applications and resumes according to the specified requirements for the job.
3. Have a consistent process for screening and interviewing candidates, even those you know.
4. Utilize validated pre-employment tests only to assess job related skills.
5. Use same interview format and basic set of questions for all applicants, asking additional probing questions as needed.
6. Have consistent, uninterrupted environment for interviewing all applicants.
7. Record the interview impressions for all applicants immediately following the interviews, using a standard evaluation form or checklist.

##### DON'T

- Don't treat referrals or personal friends differently than other applicants.
- Don't screen out applicants without having a job related reason.
- Don't let your previous knowledge of a person or your personal bias for/against a candidate change the interview process.
- Don't use pre-employment tests, unless they have been validated to ensure they don't have an adverse impact on protected classes.
- Don't interview women or minority applicants differently than other applicants. Don't ask questions that aren't job related.
- Don't allow the interview setting or interruptions to adversely impact one interview differently than another.
- Don't allow the passage of time or the interviewing sequence influence or change your perception of the applicants.

This is an example of an annual notification letter to be sent to all outreach sources.( 5.6)  
This action satisfies the requirement listed as section 634 subsection (c) (3) of the cable act.

Date

Contact Person  
Outreach Source  
Address  
City, State Zip

RE: Recruitment of Minority Female Applicants

Scottsboro Electric Power Board is an Equal Opportunity Employer. It is our policy to provide equal employment opportunities to all qualified individuals without regard to race, color, religion, national origin, age, sex, marital status or non-disqualifying physical or mental disability.

We are particularly interested in attracting qualified minority and female applicants and are hopeful that you will assist us in our search. We would also appreciate any suggestions you may have of additional sources for minority and female applicants. We will (continue to) notify you as job openings occur.

We are also interested in doing business with minority and female business owners. We would appreciate any assistance with sources for minority and female businesses.

Thank you for your help and please do not hesitate to call me if you have any questions about our company and EEO policy.

Sincerely yours,

James B. Sandlin  
Manager

## 5. Developing Questions for the Interview

To ensure that you obtain all necessary information about a candidate's qualifications and to ensure fairness and consistency during the interview, a questionnaire should be developed prior to conducting interviews. Remember that interview questions must always refer to job-related criteria in order to be considered legal. Some job-related criteria, however, deals with sensitive areas, such as child care or pay issues. While it is legal to ask about these sensitive areas if they pertain to the performance of the job, you must be careful in the formulation of the interview questions so that they clearly relate to the job in consideration.

## 6. Don'ts for Asking Interview Questions

Questions which do not refer to job-related criteria and are illegal to ask in an employment interview include the following areas:

- \* Date of Birth
- \* Marital Status
- \* Arrest record
- \* Age
- \* Gender
- \* Sexual Preference
- \* Religious or political affiliation
- \* Relationships with others outside of the work environment
- \* Economic status
- \* Maiden name/previous married name
- \* Information about a spouse
- \* National Origin
- \* Weight or Height
- \* Birthplace(of applicant,spouse,etc)
- \* Religion
- \* Garnishment of wages
- \* Additional income the applicant may be receiving

It should be kept in mind that each of the above is the type of information necessary for personnel records and employee benefits once the individual is employed. However, remember that the information obtained after employment and, therefore, cannot have a bearing on the hiring decisions.

## 7. Questions in Sensitive Areas

AREA	ILLEGAL	LEGAL
Pay	<p>Don't ask if the applicant can afford to live off the pay for the job.</p> <p>OR</p> <p>If the applicant will have to supplement the pay with a job outside of this job</p>	<p>After explaining the pay and the job, ask if it is acceptable.</p>
Hours	<p>Don't ask how the husband/wife or children would feel about the applicant working the hours required for the job.</p> <p>OR</p> <p>If the applicant is physically capable of working the hours.</p>	<p>After explaining the hours required for the job, ask if the applicant can work those hours.</p>
Overtime	<p>Don't ask if the husband/wife or children would interfere with the applicant working overtime.</p>	<p>After explaining overtime requirements, ask if the applicant can work the overtime hours.</p>
Citizenship	<p>Don't ask whether an applicant is a naturalized or a native-born citizen of the US</p> <p>OR</p> <p>Whether the applicant's parents or spouse are naturalized or native born citizens of the US</p>	<p>If the applicant is a citizen of the US. If the applicant is not a US citizen, if he or she has the legal rights to remain permanently in the U.S.</p>
Child Care	<p>Don't ask if child care has been arranged for children.</p> <p>OR</p> <p>If the applicant is the primary caretaker for the children.</p>	<p>After explaining the requirements ask if the applicant can work the required hours and overtime.</p>
Travel	<p>How the husband/wife or children would feel about the applicant traveling and being away from home.</p>	<p>After explaining the travel requirements of the job, ask if they are acceptable.</p>

Conviction	<p>Don't ask if the applicant has an arrest or conviction record.</p> <p style="text-align: center;">OR</p> <p>Any questions which inquires about convictions unless the conviction is related to the job for which the applicant has applied.</p>	<p>Questions which deal with convictions for specific crimes related to the job. (i.e., Have you been been convicted of a crime related to embezzlement for a job related to handling money.)</p>
Religious	<p>Don't ask if religious practices would preclude applicant from working on Saturdays and/or Sundays or performing any part of the job.</p>	<p>After explaining the requirements of the job, ask if they are acceptable (note: If the applicant responds that religious beliefs preclude any of the job requirements, it is illegal to refuse to hire the applicant on these grounds unless the company can show that it would cause undue hardships in the operation of the business.</p>
Physical Disability	<p>Don't ask the status of the applicant's health.</p> <p style="text-align: center;">OR</p> <p>If the applicant has any physical disabilities.</p> <p style="text-align: center;">OR</p> <p>If the applicant has ever had any of the following illnesses (followed by a list of ailments, disabilities, etc.)</p>	<p>After explaining the jobs physical requirements, ask if the applicant can meet the physical requirements of the job.</p>
Pregnancy	<p>Don't ask if the applicant is pregnant.</p> <p style="text-align: center;">OR</p> <p>If the applicant is planning to have children.</p>	<p>After explaining the requirements of the job, ask if there is anything that would interfere with her meeting the requirements.</p>
Language	<p>Don't ask the applicant's native tongue.</p> <p style="text-align: center;">OR</p> <p>How the applicant acquired the ability to read, write or speak a foreign language.</p>	<p>Which languages the applicant speaks and writes fluently, if being bi-lingual is applicable to the job.</p>

## 8. Interviewing Protected Classes of Minority Groups

The objective of an employment interview is to find out as much as you can about an applicant to match an applicant's qualifications with the job requirements. In some cases, as with interviewing special groups, an attitude of social uneasiness is a factor which needs to be addressed. It is important that interviewers consider disabled, women, minority and homosexual applicants exactly the same way they consider any applicant. Always look at any applicant as a person with strengths and weaknesses, abilities and disabilities and gather information during the interview process to assess job-related skills and qualifications.

When interviewing disabled applicants, keep in mind that federal law requires that companies make "reasonable accommodations" to hire disabled people. Therefore, once you have established that a disabled applicant can do the work with reasonable modifications to the work assignments or equipment, that person should be given an equal opportunity to be hired.

The following contains a checklist of Do's and Don'ts for conducting employment interviews with special groups:

Group	Don'ts	Do's
Women Applicants	Don't phrase questions for female applicants different than for male applicants	Approach the interview in a positive manner asking the same questions you would ask a man applying for the same job.
	Don't ask about child care or travel problems (see sensitive area).	Put the woman at ease and not on the defensive.
	Don't continually compliment a woman on her clothes or appearance.	Treat a woman as you would a man interviewing for the same job.
	Don't make unnecessary references to gender related issues.	
Homosexual Applicants	Don't cut an interview short because you think the applicant is homosexual.	Give the applicant the same time and opportunity to show how he/she can do the job that you would give any applicant.

<p>Minority Applicants Don't use pointed references to stereotypical subjects.</p>	<p>Ask the same questions of a minority applicant that you would of a non-minority applicant.</p>
<p>Don't make reference to personal issues.</p>	<p>Put the applicant at ease and proceed with the interview in a businesslike manner that you would use when interviewing someone of your own sex and color.</p>
<p>Don't make reference to the applicants appearance.</p>	<p>Maintain a comfortable atmosphere.</p>
<p>Don't use patronizing behavior.</p>	
<p>Don't make unnecessary references to race related issues.</p>	
<p>Disabled Applicants Don't presume the disabled applicant is fragile or sensitive.</p>	<p>Maintain eye contact when addressing the applicant.</p>
<p>Avoid telling the applicant you admire their courage.</p>	<p>Ask the applicant how you should act or communicate if in doubt.</p>
<p>Avoid being overly sympathetic.</p>	<p>Acknowledge the disability.</p>
<p>Don't avoid humorous situations necessary to make an informed hiring decision.</p>	<p>Find out what the applicant can and cannot do to obtain an understanding of the restrictions or limitations.</p>
<p>Don't avoid asking the questions necessary to make an informed decision.</p>	<p>Determine what reasonable accommodation would be needed if the person is hired.</p>
<p>Don't make assumptions about the applicants abilities, disabilities and individual conditions.</p>	<p>Check with a deaf applicant to see if you are speaking clearly and slowly enough for him/her to read your lips.</p>
<p>Don't say "I don't see how you can do this job."</p>	<p>Do say "these are the tasks of the job. How will you complete each task ?"</p>

## **Americans with Disabilities Act (ADA) Overview**

### **Title I – Employment Discrimination:** Effective date – July 26, 1992

The purpose of the ADA is to provide a comprehensive national mandate for the elimination of discrimination against individuals with disabilities.

The ADA requires employers to hire workers with disabilities if, absent the disability, the worker is otherwise the best qualified for the job.

ADA prohibits employers from discriminating against qualified individuals with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

Under ADA an individual is classified as disabled if he/she:

- has a physical or mental impairment, and the impairment substantially limits one or more of the individual's major activities in life;
- has a record or history of such an impairment; or
- is perceived as such an impairment.

Under ADA, a qualified individual with a disability is one who, with or without reasonable accommodation can perform the essential functions of the job.

EEOC regards "reasonable accommodation" as any change in a job, a work environment or an application process that enables a qualified person with a disability to enjoy equal employment opportunities. Such changes include:

- accommodations to ensure equal opportunity in the job application process
- changes to enable disabled employees to perform essential job functions
- changes to allow disabled employees to enjoy the same benefits and privileges as other workers.

ADA provides one exception: an employer need not make reasonable accommodation if that action would impose "undue hardship" on the company.

The hardship could pertain to financial expense, or it could refer to a disruption or a fundamental change in the nature or operation of the business.

**EEO HIRING/PROMOTION CHECKLIST**

**5.2**

Date: \_\_\_\_\_ Job Title: \_\_\_\_\_

New Position: \_\_\_\_\_ or Replacement for: \_\_\_\_\_

Date

Job Availability Notice given to Manager \_\_\_\_\_

Job Availability Notice posted on bulletin board \_\_\_\_\_

Job Availability Notice posted in customer/visitor area: \_\_\_\_\_

EEO outreach mailing sent: \_\_\_\_\_

Newspaper ad(s) including an EEO statement: \_\_\_\_\_

Total Applicants interviewed/EEO Data Sheets: \_\_\_\_\_

EEO Totals from Applicant Tally Sheet(s):  
\_\_\_\_\_

Person (circle one) Hired/Promoted: \_\_\_\_\_

Start Date: \_\_\_\_\_

Attachments:

- \_\_\_\_\_ Job Availability Notice
- \_\_\_\_\_ Copies of EEO Outreach mailing letters sent
- \_\_\_\_\_ Newspaper, etc. tear sheets
- \_\_\_\_\_ Applicant Tally Sheet(s) with corresponding EEO Data Collection Sheets

\_\_\_\_\_  
Manager's Signature

\_\_\_\_\_  
Date

We are required to collect the following information in order to comply with our responsibility under federal laws relating to equal opportunity. You are not required to provide this information, and we will process your application even if you choose not to provide it. If you choose not to provide it, please check the box at the bottom of the page. If you do provide this information, please be assured that it will not be used in processing your application or in this or any subsequent employment decision.

PLEASE DO NOT WRITE YOUR NAME ON THIS PAGE.

1. Position for which you are applying: \_\_\_\_\_

2. Date of application: \_\_\_\_\_

3. Please check any of the items below that apply to you:

- Female \_\_\_\_\_
- Black \_\_\_\_\_
- Hispanic \_\_\_\_\_
- Asian/Pacific Island \_\_\_\_\_
- American Indian \_\_\_\_\_
- Alaskan Native \_\_\_\_\_

4. Zip Code from your home address \_\_\_\_\_

5. How did you hear about the position ? Please be specific.  
\_\_\_\_\_  
\_\_\_\_\_

6. I prefer not to supply this information. \_\_\_\_\_

**APPLICANT TALLY SHEET**

**5.4**

Job Title: \_\_\_\_\_ FCC ID # \_\_\_\_\_

List the referral source (answer to question #5 of the EEO Data Collection Sheet) of all interviewed applicants. List the specific name of the newspaper, agency or other outreach source. (Do not list applicant's name) Attach all EEO Data Sheets. To record internal applicants (current employees), list the referral as INTERNAL and the employee's name. EEO Data Sheets are not required from internal applicants.

	Referral Source	EEO
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____

Totals: \_\_\_\_\_  
           b      c      d      e      f      g      h      i      j      k

EEO Classifications	Male	Female
White	b	g
Black	c	h
Hispanic	d	i
Asian or Pacific Island	e	j
American Indian	f	k

THIS IS AN EXAMPLE OF THE COVER LETTER FOR ALL JOB  
AVAILABILITY NOTICE OUTREACH MAILINGS.

5.5

Date

Contact Person  
Outreach Source  
Address  
City, State, Zip Code

RE: Recruitment of Minority/Female Applicants

Job Title - \_\_\_\_\_

Dear

Scottsboro Electric Power Board is an Equal Opportunity Employer. It is our policy to provide equal employment opportunities to all qualified individuals without regard to race, color, religion, national origin, age, sex, sexual orientation, marital status or non-disqualifying physical or mental disability.

We are particularly interested in attracting qualified minority and female applicants and are hopeful that you will assist us in our search. We would also appreciate any suggestions you may have of additional sources of minority and female applicants.

A Job Availability Notice is enclosed regarding a current open position at our company. Please post or publish it as you see fit.

Thank you for your help and please do not hesitate to call me if you have any questions about our company, EEO policy or the position.

Sincerely yours,

James B. Sandlin  
Manager

Enc.

**JOB AVAILABILITY NOTICE**

**5.1**

Date: \_\_\_\_\_ Job Title: \_\_\_\_\_

(check one) Full Time \_\_\_ Part Time \_\_\_ Regular \_\_\_ Temp \_\_\_

JOB DESCRIPTION\*: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

REQUIRED QUALIFICATIONS AND EXPERIENCE:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

APPLICATION DEADLINE: \_\_\_\_\_

CONTACT: \_\_\_\_\_

\*The list of essential functions of the job is not exhaustive and may be supplemental as necessary.

AN EQUAL OPPORTUNITY EMPLOYER

Date Posted: \_\_\_\_\_

JOB TITLE CODES

5.7

Job Title	Code	Job Title	Code
A/P Supervisor	2	Jr. Staff Acct. II	2
Accountant	2	Lead Comp. Oper	3
Accounting Asst.	5	Lead Const. Tech	3
Accounting Mgr.	2	Lead CSR	5
Accounting Spvr.	2	Lead Dispatcher	5
Ad Salesperson	4	Lead Installer	6
Admin. Coord.	2	Lead Line Tech	3
Admin. Secy.	2	Lead Serv. Tech	6
Bench Tech	3 or 6	Lead Tech	3
Bookkeeper	5	Lead Warehouse	5
Bus./Oper. Mgr.	1	Line Tech	3
Business Mgr.	1	Maintenance Spvr.	3
Cashier	5	Mgr. Customer Svc.	1
Chief Tech	3	Mgr. Programming	2
Clerk, Gen.	5	Marketing Sales Mgr.	1
Clerk, Routine Offc.	5	Mechanic	6
Clerk, Specialized	5	Office Mgr.	1
Computer Operator	3 or 6	Plant Mgr.	1
Const. Laborer	8	Plant Spvr.	3
Const. Lineperson	3	Producer/Director	2
Const. Spvr.	3	Production Editor	6
Const. Coord.	3	Production Asst.	6
Conv. Control Clerk	5	Production Tech	3
Converter Collector	5	Programmer	3
Converter Repair	6 or 7	Public Affairs Coord.	2
Converter Screener	7	Quality Control Insp.	3 or 6
Copywriter	2	Receptionist	5
CSR	5	Region. Sales	4
CSR Spvr.	2	Region. Const. Mgr.	1
Custodian	9	Region. Dir. Eng.	1
Data Entry Oper.	5	Region. Finance Mgr.	1
Data Process. Spvr.	2	Region. Training Mgr.	2
Dir. Construction	1	Sales Mgr.	1
Dir. Sales	4	Secretary	5
Dispatch Spvr.	2	Service Spvr.	2
Dispatcher	5	Service Tech	6
Draftperson	3	Staff Accountant	2
Engineering Tech	3	Staff Engineer	2
Exec. Secy.	5	Sys. Gen. Mgr.	1
Field Inspector	7	System Engineer	3
Financial Analyst	2	Tech Director	2
Headend Tech	3	Tech. Spvr.	3
Installation Spvr.	3	Tech. Admin.	3
Installer	6 or 7	Warehouse Spvr.	3
Jr. Staff Acct. I	2	Warehouseperson	5

**CODE #****JOB CODE DESCRIPTIONS****5.8**

- 1 Occupation requiring administrative personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct individual departments or special phases of a firm's operations. This category would include system managers and assistant managers, program directors and assistant director, office managers, budget officers, promotions managers, public affairs directors, chief engineers and those holding equivalent positions. (Officials and Managers)
- 2 Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes: accountants and auditors, editors, engineers, lawyers and labor relations specialists. This category would include persons engaged in the writing, preparation and reproduction of programming; writers or editors, producers and directors of programs, floor directors, announcers, singers, actors, music librarians and those in similar positions. (Professionals)
- 3 Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through about two years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes: computer programmers and operators, engineering aides, junior engineers and electronic technicians. The simple question regarding technicians in this category is, "Is this person qualified to complete tasks in the headend/substation unaccompanied?" Only if the answer is "yes" should the individual be listed in this category. This category would include strand mappers, audio and video engineers, camera technicians (live or film), film processors and light technicians. (Technicians)
- 4 Occupations engaging wholly or primarily in direct selling. This category would include advertising agents and cable sales personnel. (Sales Representatives)
- 5 Includes all clerical type work regardless of level of difficulty, where the activities are predominantly nonmanual though some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, cashiers, collectors of bills and accountants, messengers and clerks, office machine operators, stenographers, typists and secretaries, telephone operators and kindred workers. (Office and Clerical)
- 6 Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the process involved in their work. Exercise considerable independent judgement and usually receive and extensive period of training. Includes: hourly paid supervisors who are not members of management, mechanics and repair workers, electricians and motion picture projectionists. (Craft Workers-skilled)
- 7 Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. Includes: apprentices, operatives, truck and tractor drivers, welders, installers, line workers, splicers and trenching machine operators (Operatives-semi-skilled)
- 8 Workers in manual occupations which generally require no special training. Perform elementary duties that may be learned in a few days and require the application of little or no independent judgement. Includes: gardeners and groundskeepers, laborers performing lifting or digging, stage hands and kindred workers. (Laborers – unskilled)
- 9 Workers in both protective and nonprotective service occupations. Includes: cleaners, elevator operators, guards and watch workers, janitors and kindred workers. (Service Workers)

Note: List a person only once by job most often performed. Job titles are illustrative.

## SECTION 3

# COUNSELING INSTRUCTIONS

### 1. Counseling Form Instructions

As stated in the employee handbook "it is the established policy of this Company that any conduct which, in its view, interferes with or adversely affects employment is sufficient grounds for disciplinary action ranging from verbal warnings to immediate discharge. Depending on the conduct, discipline may be enforced by the following methods:

- verbal warning
- written warning
- suspension (optional)
- termination

When employees have on-the-job problems, it is always the Company's aim to help them solve their difficulties and get on with their jobs. Whether a problem is personal, interpersonal or related to the mechanics of a job, as long as it has had an effect on job performance it is necessary for a manager to play a role in leading an employee towards resolving his or her problem. Basically, we are trying to work out solutions to differences and help employees achieve success in their jobs.

The primary purpose of conducting a counseling session and completing a Counseling form is to facilitate improvement. The session should include thorough exposure of the problem and careful examination of promising avenues for solution.

An important part of counseling is the need to follow up. Once you and an employee agree on a plan to improve performance, it is essential that before the end of the session you schedule at least one more meeting to trace the progress (or lack of it) achieved in resolving the problem. Thus, you and the employee have a definite time frame in mind and that makes the need for improvement more defined than just leaving it hanging there.

Of course, the record created by completing the forms also fills the need to have written records of warnings in the case of terminations. Be specific so both you and the employee are clear on the plan and the next meeting date.

Please use the steps and guidelines included in this section when conducting a counseling discussion.

## 2. Discussing Unsatisfactory Performance

1. Greet employee and state the purpose of the discussion.
2. State the problem:
  - a. Ask for reason of occurrence.
  - b. Explain why it concerns you.
3. Ask open questions that require explanation when inquiring for action to solve the concern.
4. Agree on action plan to correct behaviors.
5. State the consequences if no behavior improvement occurs.
6. Set follow-up date to measure progress and give feedback.
7. Thank employee for his/her time and express confidence that behavior will improve.
8. Document conversation on behavior counseling form (or complete it ahead of time and walk the employee through it).
9. Give a copy of the Counseling Form to the employee.
10. Put a copy of the counseling form on the employees personnel records.

### 3. Counseling Guidelines

**Make your intentions clear. The employee should know at all times what the consequences will be if performance does not improve or if there is another infraction.**

- First Step** Verbal Warning: The employee will be verbally notified by the supervisor of the problem. The supervisor will work with the employee to correct the problem. The supervisor will inform the employee of the consequences of further occurrences of this or any other performance or behavior problems. If the employee continues without improvement, the supervisor will go to the next step. A written record will be made of this conversation and kept in the supervisor's personal file and the employee's personnel file.
- Second Step** Written Warning: The employee will be given a 1st written warning by the immediate supervisor and that warning becomes a part of the employee's record. The supervisor will inform the employee of the consequences of further occurrences of this or any other performance or behavior problems. If the employee still makes no improvement, the supervisor will resort to the final step.
- OPTIONAL** Written Warning: The employee can be given a 2nd warning by their immediate supervisor and that warning becomes a part of the employee's record. The supervisor will inform the employee of the consequences of further occurrences of this or any other behavior problems. If the employee still makes no improvement, the supervisor will resort to the final step.
- OPTIONAL** Suspension: You may suspend an employee without pay for one, two or three days depending on the severity of the infraction. Be sure that your choice of when to use this step and how many days for similar infractions is consistent. It is also important to inform the employee at the time of the second written warning what he/she can expect if the unacceptable behavior continues.
- Final Step** Termination: The employee will be discharged. Be sure to have another manager or supervisor present at the time of the termination and escort the terminated employee to his/her work area to gather personal items and then escort him/her out of the building. This protects both the Company and the employee. Please make sure that an exit interview form is completed and that all company property has been returned.

# COUNSELING FORM

Employee's Name: \_\_\_\_\_ 1st Written

Supervisor's Name: \_\_\_\_\_ 2nd Written

DATE: \_\_\_\_\_ Termination

Specific incident and date of occurrence or behavior pattern leading to this action:

---

---

---

Prior incident(s) and date(s) of occurrence(s) and counseling by supervisor:

---

---

---

Action steps or goal agreed upon by both employee and supervisor to prevent further occurrences: This section does not apply in cases of termination.

---

---

Consequences to employee if this or any other performance or behavior problems occur:  
This section does not apply in cases of termination.

---

---

Employee Comments: \_\_\_\_\_

---

---

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

General Manager's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

REMEMBER: A copy must be placed in the employee's personnel file.

## **Introduction**

The following document is to be used when you are in the process of hiring, promoting, or terminating an employee. Please be aware that these guidelines have been prepared in order to comply with FCC regulation.

A significant part of any of the above listed procedures is accurate and complete documentation. This manual contains guidelines and forms that must be used during any relevant situation. Please remember that collecting this information is an FCC requirement and part of the official FCC records which you will be required to present when you are audited. It is imperative that in every single case, at every single interview, you obtain an EEO Data Collection Sheet. (If the interviewee refuses to complete one, then you must complete one for him or her to the best of your ability and so indicate on the sheet and sign it.)

We encourage internal promotion, although there is no legal requirement to interview in-house applicants first. We recommend that you always provide the opportunity for an interview to interested current employees before you see applicants from outside the company. We must have a signed application and an EEO Data Collection Sheet from every person **interviewed** except current employees.

The most fundamental requirement of this Equal Employment Opportunity program is to obtain a flow of job applicants that reasonably reflects the makeup of the local community. In other words, if the community is 10% minority, the pool of qualified applicants for most positions should be at least 5% or hopefully close to 10% minority. Our expectation is that, if the applicant pool has a reasonable proportion of qualified applicants from each EEO classification in the community, over time our workforce will also reasonably reflect the makeup of the community. This is the focus of the FCC's enforcement program, and is the reason for our requirement that we use extreme care and comply with all EEO guidelines in the hiring process.

It is important that you read this manual before you begin the interview, promotion, disciplinary or termination process. The guidelines that are laid out are very specific, consequently, you should be absolutely positive that the steps contained in this manual are taken each time you hire or promote a position.

Please remember that your cooperation with this is imperative for the success with this EEO program and in an audit by the FCC is the responsibility of each one of us.

## **Section 1**

### **EQUAL EMPLOYMENT OPPORTUNITY**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at SEPB will be based on merit, qualifications and abilities. SEPB does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

SEPB will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Office Manager. Employees can raise concerns and make reports without fear or reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## **SEXUAL AND OTHER UNLAWFUL HARRASSMENT**

SEPB is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes or comments based on an individual's sex, race, ethnicity, age, religion or any other legally protected characteristic will not be tolerated. An example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Manager or any other member of management. Employees can raise concerns and make reports without fear or reprisal.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the Manager or Office Manager or any member of management who will handle the matter in a timely and confidential manner.

Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

## How to Hire and Promote:

1. Fill out a job availability notice (app. 5.1)  
Post the notice on the bulletin board and inform the administrative assistant of the notice.
2. Begin a hire promotion folder  
This will be the official documentation folder to support the hire. You are required to have a separate file folder for each hire and promotion. The two forms you will need immediately are the EEO Hiring/Promotion Checklist (App.5.2) and the Applicant Tally Sheet (App. 5.4). A copy of the Job Availability Notice should also be filed in the folder.
3. Complete EEO Hiring/Promotion Checklist  
By following the points on this form, you will cover all the elements and procedures necessary to hire in compliance with the FCC guidelines.

NOTE: You are not required to disclose the opening outside the Company if a current employee applies and is qualified for the position. You may promote/move that employee into the position and then cease the hiring process. Remember to then post the position from which the employee moved.

NOTE: You may only convert a temporary employee to a regular status after posting the opening and evaluating any other internal applicant(s) and completing your regular outreach process. If, after that process, the temporary employee is in fact the best match for the position, then you may convert the employee to a regular status.

4. Assess Applications  
If you are unable to promote from within the Company, you should interview between six and twelve applicants for any opening. If you do not have that number of applicants, you must make another attempt to attract applicants (another newspaper ad, another mailing, another call to the local employment service office).
5. Interview  
Please refer to Section 2, Tips for Conducting Legally Acceptable Interviews. If you have qualified applicants from within the Company, you may first see just those applicant(s) and not disclose the opening to outside sources. Every person interviewed, (except current employees) must submit an application or resume and an EEO Data Collection Sheet (App. 5.3). You may wish to use some of the Sample Interview questions to ensure that all interviewees are asked the same questions, thus evaluated on a fair and equal basis. You are by no means limited or mandated to use these questions. They are included here only as a suggestion. Please make sure that you describe all aspects of the job completely and accurately during the interview.

6. Complete Applicant Tally Sheet(App. 5.4)

Prior to making the offer of the position you must complete an Applicant Tally Sheet to ensure that you have a balanced applicant pool (check with your General Manager or Office Manager). An EEO Data Collection Sheet must be given to interviewed applicants and *only to interviewed applicants at the time of the interview*. If the applicant refuses to fill it out, then the interviewer should ask the applicant how s/he heard about the opening and note the answer on the EEO Data Collection Sheet. The person conducting the interview should then fill out the EEO section to the best of their ability and so indicate on that sheet by checking the box by #6 (I prefer not to supply this information) and sign and date it. Only interviewed candidates qualify to be listed as applicants. Resumes and/or applications alone do not constitute an applicant.

7. Offering the Position

After the application deadline has expired and you have verified the references, you may offer the position to the applicant you have determined to be the best match for the position.

8. Filing folder in EEO files in preparation for audit.

## SECTION 2

### TIPS FOR CONDUCTING LEGALLY ACCEPTABLE INTERVIEWS

#### 1. Interviewing Rules for EEO Compliance

- The hiring decision is based upon job related criteria only.
- Selection is based upon the concept that an applicant is not “good” or “bad” person, but qualified or unqualified for a given position.
- Good selection matches the current interests and skills of the applicant with the present interests and needs of the Company.
- Fair practices allow internal candidates or external applicants an opportunity to speak for themselves rather than having someone make assumptions for/about them. For instance, blanket assumptions such as ... “Women with children cannot work overtime” or “A person with a degree will not be happy working in an entry level position.” ... should not be used to categorically eliminate people from consideration. Different people have different circumstances and needs, so qualified applicants should be allowed the opportunity to respond to questions or concerns that pertain to them.

#### 2. Interview Goals

A good selection interview is a conversation with following goals:

- To predict how an applicant will perform in the position under consideration.
- To gather information for the selection of a new hire, and the justification and documentation of the hiring decision.
- To provide the applicant with a realistic picture of the job.
- To leave applicant with the feeling that he/she had an equal opportunity to present him/herself.
- To create a good image of the company.

#### 3. Interviewing Preparation

To prepare for the interview, the following factors must be considered. The job specifications and requirements.

1. Determine the duties and tasks to be performed.
2. Determine the skills, education and experience needed to perform the duties and tasks.
3. Define the conditions of the position such as pay, hours, overtime requirements, training provided, travel, etc.
4. Prepare a job description with this information, for use in the selection process.

#### 4. Screening Methods

Federal laws require that screening methods be applied fairly and consistently for all candidates and that screening criteria be directly related to the job. To ensure that you follow legally acceptable methods, here are some do's and don'ts:

##### DO

1. Have a consistent procedure for accepting and reviewing resumes and applicants.
2. Evaluate applications and resumes according to the specified requirements for the job.
3. Have a consistent process for screening and interviewing candidates, even those you know.
4. Utilize validated pre-employment tests only to assess job related skills.
5. Use same interview format and basic set of questions for all applicants, asking additional probing questions as needed.
6. Have consistent, uninterrupted environment for interviewing all applicants.
7. Record the interview impressions for all applicants immediately following the interviews, using a standard evaluation form or checklist.

##### DON'T

- Don't treat referrals or personal friends differently than other applicants.
- Don't screen out applicants without having a job related reason.
- Don't let your previous knowledge of a person or your personal bias for/against a candidate change the interview process.
- Don't use pre-employment tests unless they have been validated to ensure they don't have an adverse impact on protected classes.
- Don't interview women or minority applicants differently than other applicants. Don't ask questions that aren't job related.
- Don't allow the interview setting or interruptions to adversely impact one interview differently than another.
- Don't allow the passage of time or the interviewing sequence influence or change your perception of the applicants.

## SAMPLE INTERVIEW QUESTIONS

How do you feel about your abilities to . . . ?

What has been your recent activity in . . . ?

What experience have you had doing . . . ?

Why did you leave your last job . . . ?

What kind of supervision enables you to reach your highest potential ?

What are the two things you would want to avoid in your next job ?

Please tell me two areas in which you are strong . . . weak . . .

How would you describe a team player and are you one ?

What did you enjoy best . . . least . . . about your last job ?

If you have asked the same question of your supervisor twice and still do not fully understand the answer, what do you do then ?

What will (name reference or past supervisor) say about you when we call him/her?

What questions do you have about the job at Scottsboro Electric Power Board?

Based on our conversation, would you like to be considered for this position ?

This is an example of an annual notification letter to be sent to all outreach sources.( 5.6)  
This action satisfies the requirement listed as section 634 subsection (c) (3) of the cable act.

Date

Contact Person  
Outreach Source  
Address  
City, State Zip

RE: Recruitment of Minority Female Applicants

Scottsboro Electric Power Board is an Equal Opportunity Employer. It is our policy to provide equal employment opportunities to all qualified individuals without regard to race, color, religion, national origin, age, sex, marital status or non-disqualifying physical or mental disability.

We are particularly interested in attracting qualified minority and female applicants and are hopeful that you will assist us in our search. We would also appreciate any suggestions you may have of additional sources for minority and female applicants. We will (continue to) notify you as job openings occur.

We are also interested in doing business with minority and female business owners. We would appreciate any assistance with sources for minority and female businesses.

Thank you for your help and please do not hesitate to call me if you have any questions about our company and EEO policy.

Sincerely yours,

James B. Sandlin  
Manager

## 5. Developing Questions for the Interview

To ensure that you obtain all necessary information about a candidate's qualifications and to ensure fairness and consistency during the interview, a questionnaire should be developed prior to conducting interviews. Remember that interview questions must always refer to job-related criteria in order to be considered legal. Some job-related criteria, however, deals with sensitive areas, such as child care or pay issues. While it is legal to ask about these sensitive areas if they pertain to the performance of the job, you must be careful in the formulation of the interview questions so that they clearly relate to the job in consideration.

## 6. Don'ts for Asking Interview Questions

Questions which do not refer to job-related criteria and are illegal to ask in an employment interview include the following areas:

- \* Date of Birth
- \* Marital Status
- \* Arrest record
- \* Age
- \* Gender
- \* Sexual Preference
- \* Religious or political affiliation
- \* Relationships with others outside of the work environment
- \* Economic status
- \* Maiden name/previous married name
- \* Information about a spouse
- \* National Origin
- \* Weight or Height
- \* Birthplace(of applicant,spouse,etc)
- \* Religion
- \* Garnishment of wages
- \* Additional income the applicant may be receiving

It should be kept in mind that each of the above is the type of information necessary for personnel records and employee benefits once the individual is employed. However, remember that the information obtained after employment and, therefore, cannot have a bearing on the hiring decisions.

## 7. Questions in Sensitive Areas

AREA	ILLEGAL	LEGAL
Pay	Don't ask if the applicant can afford to live off the pay for the job. OR If the applicant will have to supplement the pay with a job outside of this job	After explaining the pay and the job, ask if it is acceptable.
Hours	Don't ask how the husband/wife or children would feel about the applicant working the hours required for the job. OR If the applicant is physically capable of working the hours.	After explaining the hours required for the job, ask if the applicant can work those hours.
Overtime	Don't ask if the husband/wife or children would interfere with the applicant working overtime.	After explaining overtime requirements, ask if the applicant can work the overtime hours.
Citizenship	Don't ask whether an applicant is a naturalized or a native-born citizen of the US OR Whether the applicant's parents or spouse are naturalized or native born citizens of the US	If the applicant is a citizen of the US. If the applicant is not a US citizen, if he or she has the legal rights to remain permanently in the U.S.
Child Care	Don't ask if child care has been arranged for children. OR If the applicant is the primary caretaker for the children.	After explaining the requirements ask if the applicant can work the required hours and overtime.
Travel	How the husband/wife or children would feel about the applicant traveling and being away from home.	After explaining the travel requirements of the job, ask if they are acceptable.

Conviction	<p>Don't ask if the applicant has an arrest or conviction record.</p> <p style="text-align: center;">OR</p> <p>Any questions which inquires about convictions unless the conviction is related to the job for which the applicant has applied.</p>	<p>Questions which deal with convictions for specific crimes related to the job. (i.e., Have you been been convicted of a crime related to embezzlement for a job related to handling money.)</p>
Religious	<p>Don't ask if religious practices would preclude applicant from working on Saturdays and/or Sundays or performing any part of the job.</p>	<p>After explaining the requirements of the job, ask if they are acceptable (note: If the applicant responds that religious beliefs preclude any of the job requirements, it is illegal to refuse to hire the applicant on these grounds unless the company can show that it would cause undue hardships in the operation of the business.</p>
Physical Disability	<p>Don't ask the status of the applicant's health.</p> <p style="text-align: center;">OR</p> <p>If the applicant has any physical disabilities.</p> <p style="text-align: center;">OR</p> <p>If the applicant has ever had any of the following illnesses (followed by a list of ailments, disabilities, etc.)</p>	<p>After explaining the jobs physical requirements, ask if the applicant can meet the physical requirements of the job.</p>
Pregnancy	<p>Don't ask if the applicant is pregnant.</p> <p style="text-align: center;">OR</p> <p>If the applicant is planning to have children.</p>	<p>After explaining the requirements of the job, ask if there is anything that would interfere with her meeting the requirements.</p>
Language	<p>Don't ask the applicant's native tongue.</p> <p style="text-align: center;">OR</p> <p>How the applicant acquired the ability to read, write or speak a foreign language.</p>	<p>Which languages the applicant speaks and writes fluently, if being bi-lingual is applicable to the job.</p>

## 8. Interviewing Protected Classes of Minority Groups

The objective of an employment interview is to find out as much as you can about an applicant to match an applicant's qualifications with the job requirements. In some cases, as with interviewing special groups, an attitude of social uneasiness is a factor which needs to be addressed. It is important that interviewers consider disabled, women, minority and homosexual applicants exactly the same way they consider any applicant. Always look at any applicant as a person with strengths and weaknesses, abilities and disabilities and gather information during the interview process to assess job-related skills and qualifications.

When interviewing disabled applicants, keep in mind that federal law requires that companies make "reasonable accommodations" to hire disabled people. Therefore, once you have established that a disabled applicant can do the work with reasonable modifications to the work assignments or equipment, that person should be given an equal opportunity to be hired.

The following contains a checklist of Do's and Don'ts for conducting employment interviews with special groups:

Group	Don'ts	Do's
Women Applicants	Don't phrase questions for female applicants different than for male applicants	Approach the interview in a positive manner asking the same questions you would ask a man applying for the same job.
	Don't ask about child care or travel problems (see sensitive area).	Put the woman at ease and not on the defensive.
	Don't continually compliment a woman on her clothes or appearance.	Treat a woman as you would a man interviewing for the same job.
	Don't make unnecessary references to gender related issues.	
Homosexual Applicants	Don't cut an interview short because you think the applicant is homosexual.	Give the applicant the same time and opportunity to show how he/she can do the job that you would give any applicant.

Minority Applicants	Don't use pointed references to stereotypical subjects.	Ask the same questions of a minority applicant that you would of a non-minority applicant.
	Don't make reference to personal issues.	Put the applicant at ease and proceed with the interview in a businesslike manner that you would use when interviewing someone of your own sex and color.
	Don't make reference to the applicants appearance.	Maintain a comfortable atmosphere.
	Don't use patronizing behavior.	
	Don't make unnecessary references to race related issues.	
Disabled Applicants	Don't presume the disabled applicant is fragile or sensitive.	Maintain eye contact when addressing the applicant.
	Avoid telling the applicant you admire their courage.	Ask the applicant how you should act or communicate if in doubt.
	Avoid being overly sympathetic.	Acknowledge the disability.
	Don't avoid humorous situations necessary to make an informed hiring decision.	Find out what the applicant can and cannot do to obtain an understanding of the restrictions or limitations.
	Don't avoid asking the questions necessary to make an informed decision.	Determine what reasonable accommodation would be needed if the person is hired.
	Don't make assumptions about the applicants abilities, disabilities and individual conditions.	Check with a deaf applicant to see if you are speaking clearly and slowly enough for him/her to read your lips.
	Don't say "I don't see how you can do this job."	Do say "these are the tasks of the job. How will you complete each task ?"

## **Americans with Disabilities Act (ADA) Overview**

### **Title I – Employment Discrimination: Effective date – July 26, 1992**

The purpose of the ADA is to provide a comprehensive national mandate for the elimination of discrimination against individuals with disabilities.

The ADA requires employers to hire workers with disabilities if, absent the disability, the worker is otherwise the best qualified for the job.

ADA prohibits employers from discriminating against qualified individuals with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

Under ADA an individual is classified as disabled if he/she:

- has a physical or mental impairment, and the impairment substantially limits one or more of the individual's major activities in life;
- has a record or history of such an impairment; or
- is perceived as such an impairment.

Under ADA, a qualified individual with a disability is one who, with or without reasonable accommodation can perform the essential functions of the job.

EEOC regards "reasonable accommodation" as any change in a job, a work environment or an application process that enables a qualified person with a disability to enjoy equal employment opportunities. Such changes include:

- accommodations to ensure equal opportunity in the job application process
- changes to enable disabled employees to perform essential job functions
- changes to allow disabled employees to enjoy the same benefits and privileges as other workers.

ADA provides one exception: an employer need not make reasonable accommodation if that action would impose "undue hardship" on the company.

The hardship could pertain to financial expense, or it could refer to a disruption or a fundamental change in the nature or operation of the business.

**EEO HIRING/PROMOTION CHECKLIST**

**5.2**

Date: \_\_\_\_\_ Job Title: \_\_\_\_\_

New Position: \_\_\_\_\_ or Replacement for: \_\_\_\_\_

Date

Job Availability Notice given to Manager \_\_\_\_\_

Job Availability Notice posted on bulletin board \_\_\_\_\_

Job Availability Notice posted in customer/visitor area: \_\_\_\_\_

EEO outreach mailing sent: \_\_\_\_\_

Newspaper ad(s) including an EEO statement: \_\_\_\_\_

Total Applicants interviewed/EEO Data Sheets: \_\_\_\_\_

EEO Totals from Applicant Tally Sheet(s):  
\_\_\_\_\_  
\_\_\_\_\_

Person (circle one) Hired/Promoted: \_\_\_\_\_

Start Date: \_\_\_\_\_

Attachments:

- \_\_\_\_\_ Job Availability Notice
- \_\_\_\_\_ Copies of EEO Outreach mailing letters sent
- \_\_\_\_\_ Newspaper, etc. tear sheets
- \_\_\_\_\_ Applicant Tally Sheet(s) with corresponding EEO Data Collection Sheets

\_\_\_\_\_  
Manager's Signature

\_\_\_\_\_  
Date

**EEO DATA COLLECTION**

**5.3**

We are required to collect the following information in order to comply with our responsibility under federal laws relating to equal opportunity. You are not required to provide this information, and we will process your application even if you choose not to provide it. If you choose not to provide it, please check the box at the bottom of the page. If you do provide this information, please be assured that it will not be used in processing your application or in this or any subsequent employment decision.

PLEASE DO NOT WRITE YOUR NAME ON THIS PAGE.

1. Position for which you are applying: \_\_\_\_\_

2. Date of application: \_\_\_\_\_

3. Please check any of the items below that apply to you:

Female \_\_\_\_\_

Black \_\_\_\_\_

Hispanic \_\_\_\_\_

Asian/Pacific Island \_\_\_\_\_

American Indian \_\_\_\_\_

Alaskan Native \_\_\_\_\_

4. Zip Code from your home address \_\_\_\_\_

5. How did you hear about the position ? Please be specific.

\_\_\_\_\_

6. I prefer not to supply this information. \_\_\_\_\_

**APPLICANT TALLY SHEET**

**5.4**

Job Title: \_\_\_\_\_ FCC ID # \_\_\_\_\_

List the referral source (answer to question #5 of the EEO Data Collection Sheet) of all interviewed applicants. List the specific name of the newspaper, agency or other outreach source. (Do not list applicant's name) Attach all EEO Data Sheets. To record internal applicants (current employees), list the referral as INTERNAL and the employee's name. EEO Data Sheets are not required from internal applicants.

	Referral Source	EEO
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____

Totals: \_\_\_\_\_  
           b      c      d      e      f      g      h      i      j      k

EEO Classifications	Male	Female
White	b	g
Black	c	h
Hispanic	d	i
Asian or Pacific Island	e	j
American Indian	f	k

THIS IS AN EXAMPLE OF THE COVER LETTER FOR ALL JOB  
AVAILABILITY NOTICE OUTREACH MAILINGS.

5.5

Date

Contact Person  
Outreach Source  
Address  
City, State, Zip Code

RE: Recruitment of Minority/Female Applicants

Job Title - \_\_\_\_\_

Dear

Scottsboro Electric Power Board is an Equal Opportunity Employer. It is our policy to provide equal employment opportunities to all qualified individuals without regard to race, color, religion, national origin, age, sex, sexual orientation, marital status or non-disqualifying physical or mental disability.

We are particularly interested in attracting qualified minority and female applicants and are hopeful that you will assist us in our search. We would also appreciate any suggestions you may have of additional sources of minority and female applicants.

A Job Availability Notice is enclosed regarding a current open position at our company. Please post or publish it as you see fit.

Thank you for your help and please do not hesitate to call me if you have any questions about our company, EEO policy or the position.

Sincerely yours,

James B. Sandlin  
Manager

Enc.

**JOB AVAILABILITY NOTICE**

**5.1**

Date: \_\_\_\_\_ Job Title: \_\_\_\_\_

(check one) Full Time \_\_\_ Part Time \_\_\_ Regular \_\_\_ Temp \_\_\_

JOB DESCRIPTION\*: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REQUIRED QUALIFICATIONS AND EXPERIENCE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPLICATION DEADLINE: \_\_\_\_\_  
CONTACT: \_\_\_\_\_

\*The list of essential functions of the job is not exhaustive and may be supplemental as necessary.

AN EQUAL OPPORTUNITY EMPLOYER  
Date Posted: \_\_\_\_\_