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ELECTRICITY-WATER-WASTEWATER-FIBER OPTICS

BOWLING GREEN MUNICIPAL UTILITIES
EQUAL EMPLOYMENT OPPORTUNITY POLICY

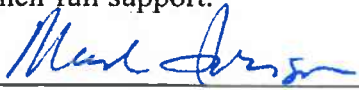
It is the policy of the Bowling Green Municipal Utilities (BGMU) to afford equal opportunity for employment to all individuals regardless of race, color, religion, disability, age, sex, or national origin, or veteran status. An AAP specifically for covered veterans and individuals with disabilities has been created and can be reviewed by appointment with the BGMU Affirmative Action Officer. The Company is committed to enforcement of these policies. We are bound to the policies by the fact that adherence to the principles involved is the only acceptable American way of life. Therefore, BGMU will take affirmative action to continue to ensure that we will:

- recruit, hire, train and promote persons in all job classifications, without regard to race, color, religion, disability, age, sex, national origin, veteran status, and
- base decisions on employment so as to further the principle of equal employment opportunity, and
- ensure that all personnel actions such as compensation, benefits, transfers, layoffs, return from layoff, company-sponsored training, education, social and recreational programs, will be administered without regard to race, color, religion, disability, age, sex, national origin or veteran status.

The successful achievement of a nondiscriminatory employment program requires a maximum of cooperation between management and employees. In fulfilling its part in this cooperative effort, management is obliged to lead the way by establishing and implementing affirmative action procedures and practices, which will ensure our objective, which is equitable employment opportunity for all.

Overall guidance and development of BGMU's equal employment/affirmative action policies and programs is assigned to Jill Hartley, Director, Human Resources/Affirmative Action Officer, who is responsible for designing, implementing, auditing and reporting, in order that management is informed of the progress of the Affirmative Action Programs.

All management and supervisory personnel must understand that their work performance is being evaluated on the basis of Equal Employment Opportunity efforts and results, as well as other criteria. I am counting on all employees, individually and collectively, to give this program their full support.



Mark Iverson
General Manager
3/9/07
Date



Jill Hartley
Human Resource Dir./A.A. Officer
3/9/07
Date

EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION PROGRAM GUIDELINES; NO HARASSMENT POLICY

Statement of Support

In all personnel transactions, Bowling Green Municipal Utilities will adhere to the Equal Employment Opportunity / Affirmative Action Program Guidelines and to those additional provisions and guidelines set forth in this policy.

In order to strengthen equal employment opportunity in Bowling Green and Warren County, Bowling Green Municipal Utilities has voluntarily developed and implemented an Affirmative Action Program. Bowling Green Municipal Utilities will continue a policy of equal opportunity in all areas of personnel management without regard to race, creed, religion, color, national origin, sex, age, disability or veteran status, except where any of these are bona fide occupational qualifications. While presently complying with the Civil Rights Act of 1991, as amended, as well as the Equal Employment Act of 1972, as amended, this utility reaffirms the right of all its employees to be full participants in its development and future by implementing this Affirmative Action Program.

Bowling Green Municipal Utilities complies with the Americans with Disabilities Act of 1990, as amended. This act prohibits discrimination on the basis of disability and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, compensation, job training, fringe benefits, and other aspects of employment. BGMU will provide reasonable accommodation to qualified individuals with a disability who, with an accommodation, can perform the essential functions of the job, unless the accommodation with impose an undue hardship for the Utility.

Formal Dissemination of Policy

Bowling Green Municipal Utilities will ensure that all current and prospective employees are advised of this policy by methods such as the following:

- A. This policy has been incorporated into the current Employee Handbook of Bowling Green Municipal Utilities, a copy of which has been given to all employees.
- B. Internal communications media such as bulletin boards, employee meetings, employee newsletters, and employee orientations will be used to inform all employees of this policy.
- C. Bowling Green Municipal Utilities will include in all employee recruitment notices and solicitation language that is appropriate to the intent of this nondiscriminatory policy.

Responsibility for Policy Implementation

General Manager

The General Manager is responsible for administration of all affairs of the utility which includes responsibility for the overall administration of the Affirmative Action Program. The General Manager shall:

- A. Establish, administer, and provide policy direction for the Affirmative Action Program so that equal opportunity exists in each department in all classifications. This will include directing all supervisors and employees to carry out all the provisions of this program.
- B. Submit an annual report to the Bowling Green Municipal Utilities Board on the status of meeting affirmative action goals. Copies of this report will be available to interested citizens upon request.

- C. Designate a Bowling Green Municipal Utilities Department Head as Affirmative Action Officer.
- D. Budget for the expenditure of reasonable resources for the successful implementation of this program.

Affirmative Action Officer

The General Manager will appoint a Department Head as Affirmative Action Officer. This person will have the firm support of the utility for enforcing the requirements involved in equal employment opportunity and affirmative action and will report directly to the General Manager on all issues relating to these responsibilities. The duties of the Affirmative Action Officer include:

- A. Monitoring the utility's progress in achieving its affirmative action goals as set forth in this plan.
- B. Advising the General Manager on changes in personnel policies or practices that will facilitate the attainment of all policy objectives.
- C. Developing realistic goals essential to the attainment of all program objectives.
- D. Disseminating to the General Manager and other responsible BGMU supervisors new legal guidelines on affirmative action and equal employment opportunity.
- E. Investigating and reviewing each discrimination and/or harassment complaint and recommending actions to alleviate and prevent further discrimination.
- F. Preparing and recommending to the Bowling Green Municipal Utilities Board actions to be taken to ensure the enforcement of affirmative action policies in various utility departments.

Data and Reporting

Identification of Problem Areas

The utility will continue to attempt to identify problem areas of employment. The Department Heads shall analyze the complete merit system in the following ways:

- A. Statistical data will be assembled and maintained relative to equal employment in all departments of the utility. All merit positions will be grouped into categories of similar jobs and analyzed by race, sex, salary level, age and position in order to establish program goals.
- B. Statistical data will be obtained from the best available sources as to numbers and percentages of minorities and females available in the reasonable recruitment area or labor market specific to the various job categories.

For most positions, the labor market area shall be considered to be Warren County, Kentucky. For higher-level or very specialized positions, the labor market area will be regional or national.

Reports

This policy is incorporated by action of the Bowling Green Municipal Utilities Board into the employee handbook and the official minutes of the Board meetings and shall be a matter of public knowledge and records. This plan, as well as any additional reports required by state or federal law, will be made available for submission to state and federal funding and regulatory agencies as required in the operation of the utility.

Public Contracts

Physical Construction

All agreements and contracts between the utility and any contractor and/or subcontractor for construction projects and activities over \$2,500 will incorporate affirmative action and equal employment opportunity clauses.

Specific Program Highlights

Commitment

Top level support of the utility's Affirmative Action Program is a commitment made to all current and prospective utility employees.

Program Dissemination

The equal opportunity policy of the utility has been included in the minutes of the Bowling Green Municipal Utilities Board. This policy directs the General Manager to review the Affirmative Action Program each year.

The Program is disseminated as follows:

- A. A copy of this plan shall be distributed to each individual employee. The utility Employee Handbook will be continually reviewed and revised to incorporate all necessary changes mandated by the content of this plan.
- B. Copies of this Affirmative Action Program (excluding any confidential or private information involving employees) shall be made available upon request to any interested citizens or community groups. In addition, the Affirmative Action Officer and Department Heads will be available to meet and discuss the program personally with such persons or groups.
- C. Staff meetings with Department Heads and supervisory personnel shall be held as needed to examine and evaluate the plan and its implementation.

Job Structuring and Upward Mobility

Proper classification, reasonable opportunities for advancement, notice of openings, and counseling are critical to the success of the Program.

- A. Job specifications and minimum qualifications are reviewed, evaluated and revised as needed to assure that classifications are properly assigned and requirements are job-related.
- B. Electric Division apprenticeship programs and Water-Sewer Division operator certification programs permit movement of capable lower-level employees to positions of greater responsibility as the employees develop.
- C. Job opening notices will continue to be posted on bulletin boards, not only to inform employees of vacancies and promotional opportunities, but also to afford them an opportunity to apply.
- D. Bowling Green Municipal Utilities Department Heads are available for counseling employees interested in upward mobility. The employee's education and experience are reviewed to determine which jobs the employee might be qualified to hold, or what additional training and experience are necessary to qualify for a job the employee wishes to attain.

Recruitment and Selection

The following efforts will be made to improve recruitment and selection of qualified personnel:

- A. When practical, the utility will attempt to give proper and timely notice of solicitation by:
 - 1. Posting notice of job openings on utility bulletin boards to allow for promotional opportunities and word-of-mouth advertising by employees.

2. Giving special notice of job openings to the local office of Kentucky Office of Employment and Training and the Bowling Green-Warren County Human Rights Commission New Horizons Job Bank.
- B. Application forms will be continuously reviewed, evaluated, and revised to eliminate items that are not job related.
 - C. A review will be made of job categories where few members of target groups are employed in order to determine the causes of the deficiencies. Remedial efforts, where appropriate, may include more vigorous and targeted recruitment efforts.
 - D. Procedures for examination and ranking of applicants will be reviewed, evaluated and revised prior to usage to assure that they are:
 1. Based upon careful job analysis to determine the knowledge, skills, abilities, and other qualification requirements actually needed for the job.
 2. Administered under standardized or uniform conditions with uncomplicated instructions.
 - E. Selection will be made in a nondiscriminatory manner in keeping with established goals and timetables.
 - F. Data relating to the scope of applicants will be maintained as required by state and federal law.

Equal Pay Provision

By adopting a pay scale range, called a "Salary Plan," and comparing that with other utilities in the state and some in surrounding states, and by committing future staff time and resources to keeping the plan current, the utility is ensuring that there will be no disparity in rate of pay received among employees who are performing equivalent duties.

Layoff and Other Personnel Actions

When necessary or appropriate, the utility shall reduce its work force by means of layoff or otherwise. The General Manager or Department Heads shall determine the number and classifications that must be reduced in each department. Reductions should be planned with input from the Department Head, if appropriate. Given the classifications and number of employees to be affected, the General Manager or Department Heads will list the sequence that follows:

- A. Temporary Employees - Temporary employees in specific job classifications, regardless of departmental assignment, should be terminated as necessary.
- B. Documented Poor Performers - Employees with current low evaluations or with corrective discipline reports pending should be terminated.
- C. Seniority - Employees considered for layoffs should be those in accordance with "Involuntary Terminations" provisions contained in Section B of the Employee Handbook.

All other personnel actions, including termination when necessary, shall be on the basis of the employee's work record and not on any discriminatory factors. Managers shall identify unsatisfactory performers, formally appraise them to make them aware of the situation, and inform them that failure to improve could lead to discharge. After formal appraisal, managers should counsel unsatisfactory performers as frequently as is reasonable to help them improve their performance. If unsatisfactory performers fail to improve within a reasonable time period, they shall be discharged from the company. This shall occur in conjunction with the Employee Improvement Plan.

