

4.

By Legislators Taylor and Delehanty

Intro. No. ____

MOTION NO. ____ OF 2020

PROVIDING THAT LOCAL LAW (INTRO. NO. ____ OF 2020), ENTITLED "AMENDING THE MONROE COUNTY CHARTER TO CREATE A DEPARTMENT OF DIVERSITY, EQUITY AND INCLUSION," BE TABLED

BE IT MOVED, that Local Law (Intro. No. ____ of 2020), entitled, "CREATE A DEPARTMENT OF DIVERSITY, EQUITY AND INCLUSION," be tabled.

File No. 20-0249.LL

ADOPTION: Date: _____ Vote: ____



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

July 10, 2020

OFFICIAL FILE COPY	
No.	200249
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
AGENDA/CHARTER	-L
WAYS & MEANS	

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Enact a Local Law Amending the Monroe County Charter to Create a Department of Diversity, Equity and Inclusion

Honorable Legislators:

I recommend that Your Honorable Body enact a local law amending the County Charter to create a Department of Diversity, Equity and Inclusion.

Creating a Department of Diversity, Equity and Inclusion, led by a Director of Diversity, Equity and Inclusion – Chief Diversity Officer, is a critical step forward in creating a more diverse and inclusive County workforce and ensuring that Monroe County is an inclusive business partner within the community. In addition to administering trainings to current and future County personnel on all aspects of diversity, equity, and inclusion, this Department will also focus on establishing and implementing strategies to combat all forms of bias and unequal treatment that may arise in the workplace. Additionally, the Department will monitor County contracting and procurement procedures to ensure entities doing business with the County are inclusive and diverse. While this is just one part of addressing inequities that exists within the County workforce and in our community-at-large, the Department of Diversity, Equity and Inclusion will demonstrate that Monroe County is a champion for equal employment opportunity, equity, and inclusion.

The powers and duties of the Director of Diversity, Equity and Inclusion – Chief Diversity Officer, as detailed in the attached Local Law, will include developing, implementing, maintaining, and enforcing policies, programs, and initiatives that foster diversity, equity and inclusion within the County workforce; supervising equal employment opportunity functions; investigating internal complaints of discrimination, harassment, hostile work environment and unequal treatment arising out of any employment or contractual relationship with the County; providing technical advice and guidance on effective methods and procedures for recruitment, selection, placement, and promotion of racial and ethnic minorities, women, veterans, persons who identify as LGBTQ, and persons with disabilities; and developing processes that promote equity and inclusion in the award of County contracts and oversee the Minority/Women-owned Business Enterprises (MWBE) selection procedure.

The specific legislative actions required are:

1. Schedule and hold a public hearing on the proposed Local Law.
2. Enact a Local Law to amend the Monroe County Charter to create the Department of Diversity, Equity and Inclusion, as set forth in the attached proposed Local Law.

This proposed Local Law will require no additional net County support in the current Monroe County budget.

The provisions of the New York State Environmental Quality Review Act shall be complied with prior to this Honorable Body undertaking, funding, or approving the action requested in this referral.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely


Adam J. Bello
Monroe County Executive

AJB:db

By Legislators _____ and _____

Intro No. _____

LOCAL LAW NO. _____ OF 2020

**ENACTING A LOCAL LAW AMENDING THE MONROE COUNTY CHARTER TO CREATE
A DEPARTMENT OF DIVERSITY, EQUITY AND INCLUSION**

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The Monroe County Charter is amended by adding a new Section C6-26 to read as follows:

Section C6-26. Department of Diversity, Equity and Inclusion.

A. Office established; Director. There shall be a Department of Diversity, Equity and Inclusion, the head of which shall be the Director of Diversity, Equity and Inclusion - Chief Diversity Officer.

B. Powers and duties. The Director - Chief Diversity Officer shall have the following powers and duties:

- (1) In conjunction with the Director of Human Resources, to develop, implement, maintain and enforce policies, programs and initiatives that foster diversity, equity and inclusion within the County workforce.
- (2) In conjunction with the Director of Human Resources, to supervise equal employment opportunity functions, including but not limited to developing and administering EEO trainings, and monitoring compliance with federal, state and local equal employment laws, rules and regulations.
- (3) To investigate, or cause to be investigated, internal complaints of discrimination, harassment, hostile work environment and unequal treatment arising out of any employment or contractual relationship with the County, in accordance with federal, state and local laws, rules and regulations, and County policies.
- (4) To provide technical advice and guidance on effective methods and procedures for recruitment, selection, placement and promotion of racial and ethnic minorities, women, veterans, persons who identify as LGBTQ, and persons with disabilities.
- (5) To ensure that the County is in compliance with all applicable requirements and obligations under the Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendments Act (ADAAA) and attendant regulations.
- (6) To evaluate, develop and strengthen affirmative action programs to achieve diversity outcomes.
- (7) To work in conjunction with other departments to monitor and certify compliance with federal, state and local purchasing and contracting affirmative action requirements.
- (8) To develop processes that promote equity and inclusion in the award of County

contracts and oversee the Minority/Women-owned Business Enterprises (MWBE) selection procedure.

(9) To provide an annual report to the County Executive of the activities and outcomes of the Office of Diversity, Equity and Inclusion.

(10) To perform such other duties as may be required by the Administrative Code and other laws, and as the County Executive may prescribe.

Section 2. Section C6-7(10) of the Monroe County Charter is amended to read as follows:

(10) In conjunction with the Director of Diversity, Equity and Inclusion - Chief Diversity Officer, to ~~To~~ supervise equal opportunity functions.

Section 3. Section 8-3(A) of the Monroe County Code, Administrative Local Laws is amended to read as follows:

A. Any Monroe County employee may in good faith provide information in any matter involving illegal activity or misconduct to:

- (1) The County Executive;
- (2) The County Personnel Director;
- (3) The Controller;
- (4) The County Attorney;
- (5) The District Attorney;
- (6) The President of the County Legislature; ~~or~~
- (7) The Director of the Office of Public Integrity; or
- (8) The Director of Diversity, Equity and Inclusion - Chief Diversity Officer.

Section 4. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

____ Committee; _____, 2020 - CV:
____ Committee; _____, 2020 - CV:
File No. 20-____.LL

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____

Added language is underlined.

Deleted language is ~~stricken~~.