

EXECUTIVE ORDER

WHEREAS, It is the policy of the City of Baltimore to assure that positions in public service are genuinely and equally accessible to qualified persons without regard to race, creed, color, national origin, sex or age.

WHEREAS, It is also the desire and intention of the City of Baltimore to additionally and specifically prohibit discrimination in City employment on the basis of political or religious opinion or affiliation, marital or parental status, or physical or mental handicap, unless the handicap can reasonably be considered to be a material and substantial impediment to the performance of the job.

WHEREAS, These objectives can best be implemented by the establishment of uniform guidelines to be followed by all City agencies and employees in prohibiting discrimination in City employment on the basis of race, creed, color, national origin, sex, age, political or religious opinion or affiliation, marital or parental status, or physical or mental handicap; and by requiring the establishment, implementation, maintenance and supervision of Affirmative Action Plans in conformity with those guidelines by all City agencies and all contractors and subcontractors doing business with the City.

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, MAYOR OF THE CITY OF BALTIMORE, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CITY CHARTER OF BALTIMORE CITY DO HEREBY PROMULGATE THE FOLLOWING EXECUTIVE ORDER, TO BECOME EFFECTIVE JANUARY 1, 1977.

ARTICLE I ESTABLISHMENT OF THE EQUAL OPPORTUNITY COMMITTEE FOR THE CITY OF BALTIMORE

There is hereby created a committee to be known as the Equal Opportunity Committee for the City of Baltimore which shall be composed of seven (7) members to be named as follows: the City Solicitor or designee, the President of the Civil Service Commission or designee, the Director of the Community Relations Commission or designee, the Director of Finance or designee, the Director of Manpower Resources or designee, the Commissioner of Housing and Community Development or designee, and the Director of Public Works or designee, and who shall be appointed by the Mayor to serve for an indeterminate term. Those who are appointed as designees will be approved by the Mayor prior to their serving as designees. The Mayor shall designate one appointed member of the Committee as its chairman and may from time to time, withdraw such designation and designate some other appointed member as chairman of the Committee. The composition of the Committee may be changed by the Mayor upon fifteen (15) days written notice to the Committee. The Committee shall elect one of its members as secretary.

It being the purpose and intent of this Executive Order that Affirmative Action Programs will best serve the goal of equal employment opportunity; it shall be the duty and responsibility of the Equal Opportunity Committee to assist City officials, Departments, Agencies, Bureaus, Boards and Commissions in establishing, implementing, maintaining and monitoring Affirmative Action Programs throughout City Government.

ARTICLE II PROGRAM FOR EQUAL OPPORTUNITY IN CITY EMPLOYMENT

(A) City officials and supervisory employees shall appoint, assign and promote personnel on the basis of merit and fitness. Appointments, assignments, and promotions shall be made without regard to (1) political or religious opinion or affiliation, marital status, race, color, creed, or national origin, or (2) sex, physical or mental handicap, or age, except when sex, handicap, or age involves a bona fide job requirement. Personnel shall not be dismissed or in any way

penalized on account of political or religious opinion or affiliation, race, color, sex, marital status, creed or national origin. Personnel shall not be dismissed or in any way penalized on account of age, except pursuant to a bonafide uniform retirement policy, or on account of physical or mental handicap unless the handicap is reasonably considered to be a material and substantial impediment to the performance of the job, in accordance with established merit system standards and grievance procedures.

(B) The Equal Opportunity Committee shall be responsible for the overall policy and administration of the Equal Employment Opportunity Program for all City employees and applicants for City employment. The Equal Opportunity Compliance Officer, under the direction and supervision of the Equal Opportunity Committee and the City Solicitor, shall assist the Equal Opportunity Committee in developing, promulgating and recommending and initiating enforcement of all rules, regulations and guidelines necessary for the implementation of the said program.

These rules, regulations and guidelines shall comply with and adhere to Title VI and Title VII of the Civil Rights Act of 1964 as amended by the Equal Opportunity Act of 1972; the Equal Pay Act of 1967; the Age Discrimination in Employment Act of 1967; Executive Order 11246 as amended, Executive Order 11375, Executive Order 11625, Minority Enterprises, Executive Order 11914, Federal Management Circular 74-7, the State and Local Fiscal Assistance Act of 1972, Article 4 of the Baltimore City Code and all other applicable Federal, State and municipal rules, regulations and orders as enacted and promulgated from time to time.

(C) Each City Agency, Board or Commission under the authority of Municipal Government shall comply with the rules, regulations and guidelines issued by the Equal Opportunity Committee and shall prepare and implement an Affirmative Action Plan in accordance with them.

(D) The Equal Opportunity Committee shall review and approve each agency's Affirmative Action Plan. After its approval periodic progress reports in addition to semi-annual reports may be required.

(E) The Civil Service Commission, subject to periodic review of the Equal Opportunity Committee, shall undertake a study of current tests and other employee selection techniques utilized by the Civil Service Commission in an effort to determine whether any test or any other selection technique has a discriminatory impact on the employment and promotion of minority groups and women and/or other protected classes.

Upon completion of its review of the study the Equal Opportunity Committee shall report its findings and recommendations to the Mayor and shall initiate or recommend any administrative steps consistent with this policy and existing law, necessary to rectify an adverse impact found by said study.

### ARTICLE III EQUAL EMPLOYMENT OPPORTUNITY PROGRAM FOR CITY CONTRACTORS

(A) All bid documents for City contracts, and the contracts themselves, shall require compliance with all the provisions of Article 4, Section 10, of the Baltimore City Code (1966 Edition) relating to unlawful employment practices.

(B) All bid documents for City contracts, and the contracts themselves, shall include clauses which prohibit discrimination by a contractor against any employee or applicant for employment because of race, creed, color, sex, national origin, political or religious affiliation, age or handicapped status.

(C) In addition, the bid documents for City contracts, and the contracts themselves, shall contain clauses requiring the bidder, the contractor, and all subcontractors to develop, maintain and pursue an Affirmative Action Program directed at increasing the utilization of women and minority groups at all levels of the bidders, contractors and subcontractors work force.

(D) Affirmative Action steps shall be taken by each contracting agency to insure the utilization of minority and female owned businesses as consultants, service, supply and construction contractors.

(E) The Affirmative Action Plan referred to in Paragraph C shall minimally include, but not be limited to, written provisions and procedures for each of the following:

(1) Formal internal and external dissemination of the contractor's equal opportunity policy.

(2) Establishment of responsibilities for implementation of the contractor's Affirmative Action Program.

(3) Identification of problem areas by organizational unit and job classification.

(4) Establishment of goals and objectives by organizational unit and job classification, including timetables for completion.

(5) Development and execution of ongoing education and training programs designed to attain established goals and objectives.

(6) Maintenance of records and reporting systems geared to allow measurement of the effectiveness of the contractor's Affirmative Action Program.

(7) Provisions for the active recruitment of minorities and women.

(8) Monitoring of personnel activities to insure that the contractor's equal employment opportunity policy is being carried out.

(F) In the event of the contractor's noncompliance with any of the applicable non-discriminatory provisions of this Executive Order or with any of the rules, regulations, or orders issued pursuant thereto, the contract may be cancelled, terminated or suspended in whole or in part by the contracting agency and the Board of Estimates and the contractor may be declared ineligible for participation in further City contracts.

#### ARTICLE IV EMPLOYMENT REFERRAL AND PLACEMENT

All City agencies engaged in employment referral and placement service for private industry or public agencies shall fill all job orders on a non-discriminatory basis, and shall decline any job order carrying a specification or limitation as to political or religious opinion or affiliation, marital status, race, color, creed, or national origin, or as to sex, age, physical or mental handicap unless related to a bonafide job requirement or fulfillment of an affirmative action goal.

#### ARTICLE V COOPERATION WITH THE BALTIMORE COMMUNITY RELATIONS COMMISSION AND THE EQUAL OPPORTUNITY COMMITTEE

(A) All City agencies, in accordance with the provision and intent of the City Charter, and the City's laws against discrimination shall cooperate fully with the Baltimore Community Relations

Commission, and the Equal Opportunity Committee and duly comply with their validly adopted rules, regulations, guidelines and directives for effectuating the City's policy against discrimination.

(B) In order to implement the monitoring function of the Equal Opportunity Committee as set forth in Article I, Paragraph 2 of this Executive Order, all City agencies receiving a complaint of discrimination based on political or religious opinions or affiliation marital status, physical or mental handicap, race, color, creed, national origin, sex or age shall promptly advise the Equal Opportunity Committee if the complaint involves alleged discrimination in City employment or by the holders of City contracts for construction, supplies or services.

The Committee will immediately notify the Community Relations Commission of the existence of all City employment complaints.


ARTICLE VI REPORT RESPONSIBILITY AND ANNUAL REPORTS

The Equal Opportunity Committee shall report annually to the Mayor, by January 1, all activities undertaken in the previous year to effectuate the provisions of this Executive Order.

ARTICLE VII PUBLICATION OF EXECUTIVE ORDER

Copies of this Executive Order shall be distributed to all City officials, Departments, Agencies, Bureaus, Boards and Commissions and copies shall be posted in conspicuous locations in all City facilities. When Affirmative Action Programs are drafted, approved and adopted, copies of same shall be distributed to all Departments, Agencies, Bureaus, Boards or Commissions and a copy posted in a conspicuous location in said Department, Agency, Bureau Board or Commission and a copy maintained on file with the Equal Opportunity Committee.

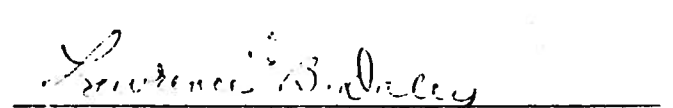
IN WITNESS WHEREOF I HAVE HEREUNTO  
PLACED MY HAND AND THE GREAT SEAL  
OF THE CITY OF BALTIMORE IN THE  
CITY OF BALTIMORE THIS 30th  
DAY OF December, 1976

  
WILLIAM DONALD SCHAEFER  
MAYOR, CITY OF BALTIMORE

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY BY THE LAW  
DEPARTMENT OF BALTIMORE CITY

ATTEST

  
BENJAMIN L. BROWN  
CITY SOLICITOR

  
LAWRENCE B. DALEY  
DEPUTY TREASURER, CITY OF BALTIMORE