

By Legislators Brew and Zale

Intro. No. ____

MOTION NO. ____ OF 2020

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

BE IT MOVED, that Local Law (Intro. No. ____ of 2020), entitled "ENACT A LOCAL LAW AMENDING THE MONROE COUNTY CHARTER TO CREATE DEPARTMENT OF DIVERSITY, EQUITY AND INCLUSION," be amended 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~~ [conjunction] with other departments to monitor and certify

compliance with requirements.

federal, state and local purchasing and contracting affirmative action

- (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]~~ [Department] 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. Section C2-6(C)(9) of the Monroe County Charter is amended to read as follows:

- (9) To confirm appointments of the County Executive to the positions of Director of Public Safety, Director of Public Health, Director of Parks, Executive Health Director of Monroe Community Hospital, Director of Transportation, Director of Aviation, Director of Office of Public Integrity, Director of Office for Veterans' Services, Director of Diversity, Equity and Inclusion – Chief Diversity Officer, and Director of Human and Health Services in accordance with the procedures set forth in § A4-3 of the Administrative Code.]

Section ~~[4]~~ [5]. 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.

3.3

Section ~~[5]~~ **[6]**. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

Added language is underlined

Added language by this motion is [bracketed], **bold** and underlined

Deleted language is ~~stricken~~

Deleted language by this motion is [bracketed], **bold** and ~~stricken~~

File No. 20-0249.LL

ADOPTION: Date: _____

Vote: _____