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No.13 An Order Regarding Equal and Fair Employment Opportunity

Phil Bredesen

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STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

No. 13

AN ORDER REGARDING EQUAL AND FAIR EMPLOYMENT OPPORTUNITY

WHEREAS, this Administration is firmly committed to the principle of equal and fair employment opportunities for all Tennesseans; and

WHEREAS, throughout the history of this state and nation, some minority and other protected groups have suffered grave injustice from the effects of employment discrimination; and

WHEREAS, even today some groups continue to struggle for an equal opportunity to earn a living and to maximize their potential as citizens; and

WHEREAS, in an attempt to address this injustice, both the United States Congress and the Tennessee General Assembly have enacted laws to prohibit discrimination on the basis of race, religion, gender, age, handicap or national origin; and

WHEREAS, this Administration fully recognizes that it is in a unique position not only to enforce these laws within state government, but also to serve as a role model for all employers, public and private, throughout Tennessee; and

WHEREAS, it is clearly in the best interest of this state to recruit, select, appoint, promote, reward, recognize and retain a diverse workforce that accurately reflects the citizens it serves.

NOW THEREFORE, I, Phil Bredesen, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Constitution and laws of this state, do hereby order and direct that:

1. It is the unwavering policy of the State of Tennessee to recruit, select, appoint, promote, reward, recognize and retain a qualified workforce that accurately reflects the people of this state.
2. This policy specifically prohibits employment discrimination on the basis of race, religion, gender, age, handicap or national origin. All departments, agencies, boards, commissions and any other divisions of the Executive Branch shall be strictly accountable for adhering to this policy and shall be responsible both for ensuring equal employment opportunities and eliminating unlawful discrimination.
3. The Commissioner of Personnel is hereby directed to review current employment practices and procedures, including but not limited to testing procedures, recruitment, appointment, assignment, promotion and discharge, in both Executive Service and Career Service positions in order to ensure that these practices and procedures do not discriminate unlawfully. The Commissioner of Personnel shall be responsible for designing such practices and procedures in a manner that ensures equal opportunity for all qualified individuals. In addition,

the Commissioner of Personnel shall be responsible for ensuring the Executive Branch's compliance with all federal and state laws, orders, regulations and directives regarding equal employment opportunity.

4. The Department of Personnel is directed to work closely with the Tennessee Human Rights Commission to conduct such conferences, seminars, training sessions and any other appropriate activities to promote the objectives of this Executive Order.
5. All Executive branch departments, agencies, boards and commissions and any other divisions of the Executive branch of state government shall fully cooperate with the Department of Personnel in fulfilling the requirements of this Executive Order and with the Tennessee Human Rights Commission, the Title VI Commission and the Equal Employment Opportunity Commission in the investigation and resolution of any complaints of unlawful discrimination.
6. There is hereby created the Governor's Advisory Committee on Equal and Fair Employment Opportunity. This Committee shall monitor the implementation of this Executive Order and regularly shall review the state's progress in achieving fair and equal employment opportunity. In addition, the Committee shall advise the Governor on both the level of compliance with this Executive Order and additional actions needed to enable the state to fulfill the mandates of this Executive Order.
 - a. This committee shall have nine (9) members, including the Commissioner of Personnel. The remaining eight (8) members shall be appointed by the Governor and shall serve staggered, renewable three (3) year terms.
 - b. Initial terms of members will be staggered in the following manner:
 - i. Three (3) of the initial members will each serve three (3) year terms.
 - ii. Three (3) of the initial members will each serve two (2) year terms.
 - iii. Two (2) of the initial members will each serve one (1) year terms.
 - c. The Committee members appointed by the Governor shall be individuals whose background evidences an understanding and appreciation for issues of fair and equal employment opportunity.
 - d. The Committee shall be chaired by the Commissioner of Personnel and shall meet at such times and places as determined by its Chairperson; provided however, that the Committee shall meet at least two (2) times per calendar year, but no more than four (4) times per calendar year.
7. A copy of this Executive Order shall be placed in conspicuous locations in all state facilities.
8. This Executive Order supercedes and rescinds Executive Order Number 2, signed February 27, 1995, and any and all other executive orders and implementing directives and memoranda on the same subject.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 9th day of October, 2003.



GOVERNOR

ATTEST:


SECRETARY OF STATE