

EXECUTIVE ORDER 79-08

AFFIRMATIVE ACTION IN STATE GOVERNMENT

WHEREAS, as an employer, state government has a continuing responsibility to set an example of equal employment practices for all its citizens regardless of race, religion, color, national origin, sex, age, marital status, or the presence of any physical, mental or sensory handicap/disability; and

WHEREAS, analysis of current state government employment shows under-representation of women, ethnic minorities, handicapped persons and disabled and Vietnam era veterans in certain geographical areas and/or agencies and within various job classifications, particularly those at higher levels of responsibility; and

WHEREAS, corrective action is necessary as a method of achieving an employment profile in state government which is representative of our diverse society and in accord with federal efforts to improve employment for disabled and Vietnam era veterans; and

WHEREAS, to achieve these employment goals as directed in the Executive Order 11246 as amended, Vietnam Era Readjustment Act of 1974, Section 503 Vocational Rehabilitation Act of 1974, Age Discrimination Act of 1967 as amended, RCW 49.60 and other state and federal laws and regulations, there now exist two Affirmative Action Executive Orders, and it is my desire to have one comprehensive order covering affirmative action in state government,

NOW, THEREFORE, I, Dixy Lee Ray, Governor of the State of Washington, by virtue of the power vested in me, Affirm my commitment to attain equal employment opportunities for all, to ensure freedom from discrimination based upon race, religion, color, national origin, age, sex, marital status, or the presence of any physical, sensory, or mental handicap, in accordance with state laws and public policies; and

Direct that affirmative action continue to improve the employment opportunities of under-represented groups and disabled and Vietnam era veterans in all aspects of employment; and

Direct that barrier that employment of the handicapped be eliminated and reasonable accommodations be made to ensure the inclusion of handicapped individuals in the work force.

I further direct that agencies and higher education institutions, working with the State Personnel Board and the Higher Education Personnel Board shall make every possible effort to resolve complaints in accordance with grievance procedures established by collective bargaining agreements or, in their absence, internal grievance procedures, provided that employees shall be advised of their right to file a formal complaint with the Human Rights Commission or appropriate federal regulatory agency in a timely fashion.

Accordingly, with these expressed policies and these goals in mind, I make the following declarations:

A. In order to achieve full agency participation in this effort, the Secretary, Director, President or Chairman of each state agency or higher education institution which has not already done so shall:

1. Develop a policy statement reaffirming and strengthening the agency's/institution's commitment to ensure that equal employment opportunities exist within the agency/institution in accordance with the provisions of state and federal laws regarding under-represented protected groups.
2. Establish and maintain an affirmative action program for the agency/institution which shall include specific goals and objectives for the employment and promotion of ethnic minorities, women, handicapped persons and disabled and Vietnam era veterans, with target dates and supportive systems, and shall comply with all applicable RCWs and WACs and the federal laws rules and regulations where appropriately applied.
3. Appoint an official from existing staff at the Assistant Secretary, Deputy Director, Vice President, Vice Chairman or equivalent level who will be responsible for the development, implementation and supervision of the agency's/ institution's affirmative action program. The name and title of the person designated shall be reported to the Human Rights Commission and the Department of Personnel or the Higher Education Personnel Board within 30 days from the date of this order.

B. The Governor's Affirmative Action Policy Committee is hereby established and shall have the, following responsibilities:

1. Serve as a policy and review body with regard to the state's affirmative action program.
2. Approve affirmative action plans submitted through the Department of Personnel and the Higher Education Personnel Board which meet established guidelines.
3. Evaluate reports submitted by the Department of Personnel, the Higher Education Personnel Board and the Human Rights Rights Commission to determine the extent to which the state is meeting the employment needs of all protected groups and affirmative action obligations under federal laws and state laws and regulations.
4. Submit semi-annual reports to the Governor outlining the progress of the state in meeting its goals and timetables.
5. Submit recommendations to the Governor for any further action which it deems appropriate.

C. The Department of Personnel shall:

1. Provide agencies with guidelines and assistance for establishing and implementing an affirmative action program, such guidelines to be in accordance with all above referenced state and federal laws and regulations.

2. Develop and implement a positive hiring program to include additional target recruiting, verification of the job relatedness of examinations, educational workshops, and other training programs.
3. Develop a reporting system for monitoring the progress of each agency toward achieving its goals, including a statistical analysis of present work force.
4. Submit semi-annual reports to the Affirmative Action Policy Committee with copies to the Human Rights Commission.

D. The Higher Education Personnel Board shall:

1. Provide higher education institutions with guidelines and assistance for establishing and implementing an affirmative action program, such guidelines to be in accordance with all above referenced state and federal laws and regulations.
2. Assist higher education institutions in the development and implementation of a positive hiring program to include: target recruiting, verification of the job relatedness of examinations, educational workshops and other training programs.
3. Develop a reporting system for monitoring the progress of each higher education institution toward achieving its goals, including a statistical analysis of present work forces.
4. Submit semi-annual reports to the Affirmative Action Policy Committee with copies to the Human Rights Commission.

E. The Human Rights Commission shall:

1. Provide the Department of Personnel and the Higher Education Personnel Board with guidelines for establishing and implementing the state's affirmative action program, such guidelines to be in accordance with all applicable state and federal laws and regulations.
2. Provide appropriate training through workshops or other educational programs to state agencies/institutions regarding the interpretation and application of federal and state laws and other regulations applying to equal employment opportunity.
3. Assess affirmative action program plans and progress reports and advise the Affirmative Action Policy Committee regarding agencies'/institutions' compliance with applicable state and federal laws and regulations and progress toward reaching affirmative action goals.
4. Where consistent with the Commission authority, enforce all applicable federal and state laws and regulations pertaining to nondiscrimination and laws affecting disabled and Vietnam era veterans to ensure compliance with the content and spirit of this Executive Order.

F. The Office of the Governor shall:

1. Review and assess the state's affirmative action program plans and progress reports submitted through the Affirmative Action Policy Committee and the advice of commissions and other advisory groups concerned with issues affecting protected groups and interested in the overall affirmative action progress in state government.
2. Take such additional action as is deemed necessary to continue an effective affirmative action program for the state of Washington.

All of the provisions of Executive Order [77-10](#) and [78-01](#) are hereby rescinded and revoked.

IN WITNESS WHEREOF, I have Additional
hereunto set my hand and
caused the seal of the State of
Washington to be Affixed at
Olympia this 15th day of
October A.D., Nineteen hundred
and seventy-nine.

DIXY LEE RAY
Governor of Washington

BY THE GOVERNOR:

Secretary of State