



## **Affirmative Action and Equal Employment Opportunity Policy**

### **Policy Statement**

The Office of the Commissioner of Insurance (OCI) is committed to assuring equal opportunity to all persons. It is the policy of OCI to assure equal opportunity and nondiscrimination in employment and in the provision of service delivery regardless of age, disability, national origin or ancestry, race, color, religion, creed, gender, sexual orientation, marital status, political affiliation, arrest or conviction record and membership in the national guard, state defense force or any other reserve component of the military of the United States or this state. Equal opportunity in the provision of service delivery means: equal access to program services; equal benefits from program services; and equal treatment within program services.

### **Equal Opportunity in Employment**

OCI is committed to ensuring equal employment opportunity (EEO) for all persons employed by or seeking employment in OCI. This support guarantees that we will create a work environment that ensures nondiscrimination for all persons as required by federal, state, and departmental laws, policies, rules, and regulations. In addition, it is our intent to take affirmative action (AA) efforts on behalf of women, racial/ethnic minorities, and persons with disabilities to ensure equal opportunity in order to overcome the present effects of past discrimination while utilizing their talents and abilities in our work force. Our commitment to equal employment opportunity/affirmative action will apply to all employment practices including, but not limited to: recruiting, interviewing, hiring, transfers, promotions, training, compensation, benefits, layoffs, terminations, retention, certification, and testing, assigning work, career advancement opportunities, work environment, discipline and committee appointments.

### *Discrimination and Harassment*

OCI is committed to providing and maintaining a work environment which is free from illegal discrimination and harassment of employees, applicants for employment, or other clients. OCI is committed to treating each employee and client with respect and sensitivity. OCI seeks to eliminate and prevent discrimination and harassment by taking steps to ensure that the workplace is free of discriminating and harassing behavior and providing a work environment, which both supports and nurtures our employees and clients. Harassment is a form of discrimination which is personally offensive, impairs morale, and undermines the integrity of the employment relationship, causing serious harm to the productivity, efficiency, and stability of the office. In general, harassment means persistent, unwelcome, unwanted, and deliberate conduct or actions, which are directed toward an individual because of the individual's age, ancestry, color, national origin, race, religion, creed, handicap, marital status, sex or sexual orientation, arrest or conviction record (which is not job-related), political affiliation, or membership in the military service. Harassment may include unwelcome verbal abuse or physical contact that interferes with an individual's work performance or which creates an intimidating, hostile, or offensive work environment. Harassment by supervisors or co-workers based on any protected status (race, sex, national origin, age, disability or other protected status) is an unlawful employment practice prohibited by state and federal law and the agency. "Sexual harassment" is one type of harassment that may be directed at a person of the same or opposite gender, and includes unwelcome sexual advances, unwelcome physical contact of a sexual nature, or unwelcome verbal or physical conduct of a sexual nature whether repeated or not.

Retaliation against employees for filing complaints about discrimination and/or harassment is prohibited. Violations of this policy will not be tolerated and may result in discipline. OCI managers, supervisors, and personnel staff have an obligation to take appropriate disciplinary action against those who engage in discriminatory or harassing behaviors.

#### *Accommodating Disabilities and Religious Practices*

It is the policy of OCI to provide reasonable accommodations for persons with disabilities whenever the person's disability presents a documented barrier to his/her employment opportunities or restricts his/her ability to perform a job. Accommodations will be provided to ensure equal access to employment and all benefits associated with employment.

Reasonable accommodations may include, but are not limited to, making the work site physically accessible, adopting part-time or other appropriate alternative work patterns, job restructuring, and accessible job interviews. The agency provides reasonable accommodations on the basis of religious belief and practice. These accommodations may include voluntary employee schedule changes (with supervisory approval) or alternative work schedules. For represented employees, religious accommodations are made in accordance with applicable labor agreements. The OCI Employee Handbook provides direction on how to request accommodations.

#### **Affirmative Action**

The purpose of Affirmative Action is to eliminate the present effects of past discrimination and overcome underutilization. OCI recognizes the need to take affirmative action in classified, limited term, project and unclassified positions where underutilization exists for racial/ethnic groups, females or persons with disabilities. OCI's policy is to initiate active measures designed to employ and advance persons disadvantaged by reason of past discrimination so they are on a truly equal basis with others.

#### **Accountability**

OCI recognizes that providing equal employment opportunity is an ethical, legal, social, and economic necessity in order to maintain a work force of the highest quality and productivity. Therefore, all levels of management and all OCI employees share responsibility for successful achievement of AA/EEO goals subscribing to the OCI's policy of eliminating the present effects of past discrimination. Each division administrator, bureau director, and their supervisory staff are responsible for ensuring equal opportunity and for implementing, monitoring and ultimately achieving the goals established in the affirmative action plan. OCI employees are responsible for providing a harassment-free work place and assisting management in the administration of AA and EEO policies and guidelines. With the consolidation of human resource services in 2006, the Commissioner has designated the Department of Administration's (DOA) Affirmative Action Officer to serve in the same capacity for the Commission.

#### **Complaint Procedure**

An internal employee discrimination complaint procedure is available to all employees. Other questions, concerns, complaints, or requests for additional information regarding the Commission's AA/EEO program may be directed to:

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