



U.S. Department of Justice

Office of Justice Programs

Office for Civil Rights

Washington, D.C. 20531

July 13, 2017

Jennifer Schembri
Director of Employee Relations
City of San Jose
200 E Santa Clara Street
San Jose, CA 95113

Re: Equal Employment Opportunity Plan (EEOP) Utilization Report for City of San Jose

Dear Ms. Schembri,

The Office for Civil Rights, Office of Justice Programs, has reviewed and approved the Equal Employment Opportunity Plan (EEOP) Utilization Report that you submitted in accordance with the grant conditions set forth by either the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), Juvenile Justice and Delinquency Prevention Act of 1974, the Victims of Crime Act of 1984 or their implementing regulations. The approval of your EEOP Utilization Report is effective for two years from the date of this letter, and satisfies the EEOP reporting requirement for all open Department of Justice (DOJ) awards during the two-year period.

Your organization may, however, have additional civil rights compliance requirements if it receives funding from grant programs other than the ones listed above. For example, if your organization is a recipient of funding from the Office on Violence Against Women (OVW), your organization's non-discrimination policies and practices should also include prohibitions on discrimination on the bases of actual or perceived sexual orientation and gender identity.

If you have any questions regarding this matter, please contact the Office for Civil Rights at (202) 307-0690.

Sincerely,

X 

Michael L. Alston

Director

Signed by: MICHAEL ALSTON

EEO Utilization Report

Organization Information

Name: City Of San Jose

City: San Jose

State: CA

Zip: 95113

Type: County/Municipal Government (not law enforcement)

Step 1: Introductory Information

Policy Statement:

On April 15, 1976, the City of San Jose created a Discrimination and Harassment Policy which was most recently revised on January 23, 2015.

Consistent with the expectations of the City of San Jose, and in accordance with federal, state, and local laws, the City is committed to maintaining a workforce that is free of unlawful discrimination on the basis of race, color, religion, national origin, ancestry, age, sex, disability, marital status, medical condition, gender, gender identity and gender expression, military status and veteran status, genetic information, and sexual orientation.

The policy also sets forth the procedures for filing, investigating, and resolving complaints alleging discrimination and/or harassment.

Following File has been uploaded:CPM 1 1 1 Discrimination and Harassment 10.31.16.pdf

Step 4b: Narrative of Interpretation

After reviewing the Utilization Analysis Chart, the following observations were made:

White males were underrepresented in the following categories: Professionals (-9%) and Administrative Support (-10%).

Hispanic males were underrepresented in the following categories: Skilled Craft (113%) and Service /Maintenance (-10%).

Black/African American males were underrepresented in Protective Services: Non-sworn (-6%).

Asian males were underrepresented in the following categories: Professionals (-11%), Technicians (-12%), and Administrative Support (-7%).

White females were underrepresented in Protective Services Sworn (-10%).

Hispanic females were underrepresented in Protective Services Sworn (-14%).

Asian females were underrepresented in the following categories: Technicians (-10%) and Protective Services Sworn (-9%).

In keeping with the City of San Jose's commitment to having a workforce that reflects the community it serves, the City will examine its recruitment and retention practices to see if there may be ways to attract more diverse applicants.

Please be advised that as a general rule, pursuant to California Constitution, Article 1, Section 31, the City of San Jose may not grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment. However, nothing in Section 31 shall be interpreted as prohibiting action which must be taken to establish or maintain eligibility for any federal program, where ineligibility would result in a loss of federal funds to the City.

The City does, however, advertise for its positions through various organizations in order to recruit a diverse applicant pool. It is important to note that funding is limited for advertisement. In addition, although the City may receive a large volume of applications, candidates are screened out for not meeting the minimum qualifications for positions.

Step 5: Objectives and Steps

1. Recruitment and Outreach

- a. Review the effort to attract a diverse pool of applicants who may be interested in securing employment with the City of San Jose. Currently, the City's recruitment efforts include the use of computerized technology with web-based publicity, and the ability to apply on-line, publicizing job opportunities in community newspapers, job training organizations, local colleges and universities and many other recruitment venues. The City's website identifies all current job openings, describes the requisite knowledge, skills and abilities, and experience required to perform the job. It also maintains a job hotline, which provides similar information to applicants who do not have access to computers. Additionally, job seekers can use computers at each of the City's public libraries and in the Human Resources Department to access this website.
- b. The City of San Jose has identified segments of the population that are monolingual, and has specifically recruited applicants who are bilingual and bicultural in these languages for positions where such skills are needed. This has the added benefit of improving and strengthening the service delivery system, as well as recruiting from diverse communities.
- c. Review the recruitment process to ensure that there are no barriers in the testing, selection and/or interview stages.

2. Encourage promotion from within the City's workforce.

- a. The City lists all open job opportunities on their internal and public websites.
- b. The City provides an equal opportunity to all qualified candidates to be promoted.
- c. The City offers an Education Reimbursement Program for eligible employees to encourage City employees to improve their job skills and performance by providing financial assistance for successful completion of job-related academic, professional, and technical course work. To qualify for reimbursement under the program, the proposed course work must improve the employees skills and knowledge as required by the employees present position; benefit the employees professional development as a City employee; or enhance the employees career development with the City of San Jose.
- d. The City offers a Professional Development Program (PDP) for eligible employees to encourage City employees to maintain professional skills and knowledge and to further professional growth and development by providing funds for eligible educational and professional related expenses.

3. Create diverse pool of applicants.

- a. Participation in job fairs, career days, and making presentations to interested groups, organizations and schools to publicize job opportunities.

Other specific actions include the following:

Participation at neighborhood festivals, fairs, athletic events

Advertisement in diverse newspapers

Developing and maintaining positive working relationships with diverse professional associations

- b. Job announcements are sent to over 150 City offices and locations, libraries, fire stations and community centers. In addition to the many community colleges, public and private colleges and universities in the immediate San Francisco Bay Area, notices are sent to schools throughout the nation.

Step 6: Internal Dissemination

1. The City's EEOP Utilization Report will be posted online on the City's website which is available to employees and the public.
2. Ensure that all personnel are aware of availability of the EEOP Utilization Report.
3. Notify employees that a copy of the EEOP Utilization Report is kept in the Office of Employee Relations and is available upon request.

Step 7: External Dissemination

1. Copies of the EEOP Utilization Report will be forwarded to the City's Human Resources Department for review by persons seeking employment with the City.
2. Copies of the EEOP Utilization Report will be sent to the City's Library system for dissemination to branch libraries.
3. The City's EEOP Utilization Report will be posted online on the City's website which is available to employees and the public.
4. Ensure that members of the public, applicants, contractors and vendors are notified that a copy of the EEOP Utilization Report is kept in the Office of Employee Relations and is available upon request.

Utilization Analysis Chart
Relevant Labor Market: Santa Clara County, California

Job Categories	Male								Female							
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Officials/Administrators																
Workforce #/%	23/32%	6/8%	3/4%	0/0%	8/11%	0/0%	1/1%	0/0%	21/29%	3/4%	0/0%	0/0%	6/8%	0/0%	0/0%	1/1%
CLS #/%	55,275/36%	10,675/7%	1,835/1%	140/0%	27,715/18%	210/0%	1,085/1%	690/0%	30,205/19%	7,115/5%	1,570/1%	175/0%	16,730/11%	270/0%	770/0%	765/0%
Utilization #/%	-4%	1%	3%	-0%	-7%	-0%	1%	-0%	10%	-0%	-1%	-0%	-2%	-0%	-0%	1%
Professionals																
Workforce #/%	263/17%	109/7%	26/2%	5/0%	216/14%	0/0%	47/3%	0/0%	365/24%	148/10%	17/1%	3/0%	263/17%	1/0%	66/4%	0/0%
CLS #/%	73,635/27%	9,570/3%	3,215/1%	185/0%	69,460/25%	395/0%	1,960/1%	1,540/1%	54,250/20%	11,720/4%	2,915/1%	235/0%	45,315/16%	185/0%	1,425/1%	730/0%
Utilization #/%	-9%	4%	1%	0%	-11%	-0%	2%	-1%	4%	5%	0%	0%	1%	-0%	4%	-0%
Technicians																
Workforce #/%	111/24%	54/12%	7/2%	3/1%	47/10%	0/0%	17/4%	0/0%	100/22%	45/10%	7/2%	2/0%	46/10%	0/0%	0/0%	17/4%
CLS #/%	6,615/24%	1,810/6%	475/2%	60/0%	6,285/22%	95/0%	365/1%	95/0%	4,060/14%	1,900/7%	195/1%	40/0%	5,550/20%	20/0%	325/1%	145/1%
Utilization #/%	1%	5%	-0%	0%	-12%	-0%	2%	-0%	7%	3%	1%	0%	-10%	-0%	-1%	3%
Protective Services: Sworn-Officials																
Workforce #/%	454/56%	176/22%	33/4%	9/1%	74/9%	0/0%	22/3%	0/0%	29/4%	6/1%	5/1%	0/0%	4/0%	0/0%	2/0%	0/0%
CLS #/%	4,860/41%	1,980/17%	860/7%	75/1%	1,710/15%	195/2%	145/1%	70/1%	815/7%	485/4%	185/2%	0/0%	305/3%	10/0%	65/1%	25/0%
Utilization #/%	15%	5%	-3%	0%	-5%	-2%	1%	-1%	-3%	-3%	-1%	0%	-2%	-0%	-0%	-0%
Protective Services: Sworn-Patrol Officers																
Workforce #/%	309/46%	147/22%	24/4%	3/0%	94/14%	0/0%	23/3%	0/0%	38/6%	18/3%	2/0%	0/0%	9/1%	0/0%	3/0%	0/0%
Civilian Labor Force #/%	16,325/18%	14,525/16%	2,215/2%	230/0%	12,030/14%	255/0%	915/1%	615/1%	13,715/15%	14,495/16%	1,860/2%	160/0%	9,560/11%	190/0%	1,240/1%	545/1%
Utilization #/%	28%	6%	1%	0%	0%	-0%	2%	-1%	-10%	-14%	-2%	-0%	-9%	-0%	-1%	-1%
Protective Services: Non-sworn																

Job Categories	Male								Female							
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Workforce #/%	34/26%	16/12%	0/0%	0/0%	15/11%	0/0%	1/1%	0/0%	34/26%	14/11%	3/2%	1/1%	6/5%	0/0%	8/6%	0/0%
CLS #/%	270/21%	200/16%	75/6%	0/0%	105/8%	0/0%	0/0%	0/0%	350/27%	125/10%	0/0%	0/0%	110/9%	45/4%	0/0%	0/0%
Utilization #/%	5%	-4%	-6%	0%	3%	0%	1%	0%	-2%	1%	2%	1%	-4%	-4%	6%	0%
Administrative Support																
Workforce #/%	46/8%	48/8%	8/1%	1/0%	21/4%	0/0%	4/1%	0/0%	133/23%	149/26%	22/4%	3/1%	100/17%	1/0%	45/8%	0/0%
CLS #/%	34,955/17%	19,280/10%	2,875/1%	235/0%	21,275/11%	345/0%	1,055/1%	745/0%	49,875/25%	34,090/17%	3,670/2%	520/0%	27,505/14%	535/0%	1,720/1%	1,185/1%
Utilization #/%	-10%	-1%	-0%	0%	-7%	-0%	0%	-0%	-2%	9%	2%	0%	3%	-0%	7%	-1%
Skilled Craft																
Workforce #/%	194/44%	115/26%	15/3%	2/0%	42/9%	3/1%	19/4%	0/0%	34/8%	8/2%	3/1%	0/0%	7/2%	0/0%	3/1%	0/0%
CLS #/%	21,480/34%	24,150/38%	1,105/2%	285/0%	8,880/14%	255/0%	550/1%	380/1%	1,170/2%	1,320/2%	105/0%	0/0%	3,000/5%	60/0%	50/0%	10/0%
Utilization #/%	9%	-13%	2%	-0%	-5%	0%	3%	-1%	6%	-0%	1%	0%	-3%	-0%	1%	-0%
Service/Maintenance																
Workforce #/%	232/12%	403/21%	46/2%	8/0%	193/10%	9/0%	79/4%	0/0%	206/11%	393/21%	41/2%	3/0%	204/11%	3/0%	70/4%	0/0%
CLS #/%	21,680/12%	58,870/32%	3,040/2%	185/0%	20,995/11%	480/0%	810/0%	815/0%	17,445/9%	33,085/18%	2,815/2%	355/0%	21,205/12%	675/0%	810/0%	745/0%
Utilization #/%	0%	-11%	1%	0%	-1%	0%	4%	-0%	1%	3%	1%	-0%	-1%	-0%	3%	-0%

Significant Underutilization Chart

Job Categories	Male								Female							
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Professionals	✓				✓			✓								✓
Technicians					✓								✓		✓	
Protective Services: Sworn-Officials			✓		✓	✓		✓	✓	✓	✓		✓			
Protective Services: Sworn-Patrol Officers								✓	✓	✓	✓		✓		✓	✓
Protective Services: Non-sworn			✓											✓		
Administrative Support	✓				✓											
Skilled Craft		✓			✓								✓			
Service/Maintenance		✓						✓								✓

Law Enforcement Category Rank Chart

Job Categories	Male								Female							
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Arson Investigator																
Workforce #/%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	2/67%	1/33%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Fire Prevention Inspector																
Workforce #/%	3/33%	3/33%	1/11%	0/11%	1/11%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	1/11%	0/0%
Battalion Chief																
Workforce #/%	10/50%	4/20%	3/15%	0/0%	0/0%	0/0%	0/0%	0/0%	1/5%	0/0%	1/5%	0/0%	1/5%	0/0%	0/0%	0/0%
Fire Captain																
Workforce #/%	90/58%	31/20%	9/6%	4/7%	11/7%	0/0%	5/3%	0/0%	1/1%	1/1%	1/1%	0/0%	1/1%	0/0%	0/0%	0/0%
Fire Engineer																
Workforce #/%	109/55%	47/24%	9/4%	2/9%	18/9%	0/0%	5/2%	0/0%	9/4%	0/0%	1/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Fire Fighter																
Workforce #/%	131/58%	54/24%	3/1%	2/12%	28/12%	0/0%	2/1%	0/0%	4/2%	1/0%	1/0%	0/0%	1/0%	0/0%	0/0%	0/0%
Police Captain																
Workforce #/%	5/62%	2/25%	0/0%	0/12%	1/12%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Police Lietenant																
Workforce #/%	20/61%	3/9%	1/3%	0/12%	4/12%	0/0%	1/3%	0/0%	2/6%	1/3%	0/0%	0/0%	0/0%	0/0%	1/3%	0/0%
Police Sergeant																
Workforce #/%	86/54%	32/20%	7/4%	1/7%	11/7%	0/0%	9/6%	0/0%	10/6%	2/1%	1/1%	0/0%	1/1%	0/0%	0/0%	0/0%
Protective Services: Sworn-Patrol Officers																
Workforce #/%	309/46%	147/22%	24/4%	3/14%	94/14%	0/0%	23/3%	0/0%	38/6%	18/3%	2/0%	0/0%	9/1%	0/0%	3/0%	0/0%

I understand the regulatory obligation under 28 C.F.R. ~ 42.301-.308 to collect and maintain extensive employment data by race, national origin, and sex, even though our organization may not use all of this data in completing the EEO Utilization Report.

I have reviewed the foregoing EEO Utilization Report and certify the accuracy of the reported workforce data and our organization's employment policies.

Certified As Final By: Jennifer Schembri

Director of Employee Relations

06-14-2017

[signature]

[title]

[date]