

EXECUTIVE ORDER 92-2
(Supersedes Executive Order 89-7)

STATE AFFIRMATIVE ACTION

WHEREAS, the State of Arizona is fully dedicated to the philosophy and practice of equal employment opportunity for all citizens, prohibiting discrimination based on race, color, sex, religion, national origin, age, disability, veteran status or political affiliation except when any of these factors is an existing bona fide occupational qualification; and

WHEREAS, the State of Arizona intends to remove all existing artificial barriers that have hindered qualified applicants and employees from full consideration for positions because of their race, color, sex, religion, national origin, age, disability or veteran status; and

WHEREAS, the policy to provide equal employment opportunity includes, but is not limited to:

1. Hiring, placement, upgrading, transfer or demotion;
2. Recruitment, advertising and all solicitation for employment;
3. Treatment during employment;
4. Rates of pay or other forms of compensation;
5. Selection for education and training;
6. Layoff, termination or reinstatement;
7. State Service examination processes; and

WHEREAS, the State of Arizona seeks to enrich and facilitate programs designed to enhance the growth and development of minority and women owned businesses; and

WHEREAS, the State of Arizona seeks to improve and enrich the quality of life for all citizens in the state, eliminating barriers as specified by state and federal laws;

NOW, THEREFORE, pursuant to the authority vested in me as Governor and Chief Executive of the State of Arizona, I hereby order and direct the following actions:

1. The Governor's Office of Affirmative Action shall have the responsibility for the preparation, administration and revision of the State Affirmative Action Guidelines for equal employment opportunity as it applies to Titles VII and IX of the Civil Rights Act of 1964; the Equal Pay Act of 1963; the Age Discrimination in Employment Act of 1967, as amended; the Rehabilitation Act of 1973; the Vietnam Era Veteran Readjustment Assistance Act of 1974, as amended; the Executive Order 11246 as amended in 1967; the Americans with Disability Act of 1990; and the Civil Rights Act of 1991;

2. State agencies shall establish, monitor and annually update an Agency Affirmative Action Plan within the parameters of the State Affirmative Action Guidelines including the development of reasonable goals, timetables and solutions to address the under-utilization of minorities, women and disabled individuals, reporting their progress on a semi-annual basis to the Governor's Office of Affirmative Action;
3. State agencies shall provide the Governor's Office of Affirmative Action all necessary information for the preparation of the State and Local Government Information Survey (EEO-4), the annual Federal report;
4. The Governor's Office of Affirmative Action shall assist state agencies in recruiting, appointing and training equal employment opportunity liaisons;
5. The Governor's Office of Affirmative Action shall monitor and evaluate agency Affirmative Action Plans as required in the State Affirmative Action Guidelines;
6. The Governor's Office of Affirmative Action shall cooperate with the Department of Commerce to develop and initiate programs designed to enhance and promote economic growth and enrichment in low income and minority communities as well as minority and women owned businesses by providing workshops, seminars and conferences to supply technical assistance, training and education;
7. The Governor's Office of Affirmative Action shall be responsible for assuring the development of an EEO performance element in the evaluation of executives, supervisors and managers for each state agency and inform the Governor of each performance;
8. The Governor's Office of Affirmative Action shall provide training for and have authority to explore and offer alternative resolutions for state agency grievances and allegations based on discrimination regarding race, sex, national origin, color, religion, age, disability or veteran status;
9. The Director of the Governor's Office of Affirmative Action may:
 - A) On behalf of the Governor of the state, accept grants and matching funds for the conduct of programs which are designed to develop and implement equal employment opportunities, affirmative action policies and programs, and disadvantaged economic development policies and programs;
 - B) Expend available funds, use its facilities and provide services to promote equal employment and economic development opportunities in state government, and to provide matching contributions under federal and other programs designed to promote equal employment and economic development opportunities and practices;
 - C) Offer semi-annual reports to the Governor on the activities of the Governor's Office of Affirmative Action, its finances and the scope of its operations;

10. An Affirmative Action Advisory Board and a Minority and Women Business and Economic Development Advisory Board shall be established. Each Board shall consist of members who shall be appointed by the Governor. The Boards shall advise and assist the Governor's Office of Affirmative Action in carrying out its duties and responsibilities, and shall operate in concurrence with the Civil Rights Advisory Board and the Small Business Advisory Council respectively.

Executive Order No. 89-7 is hereby superseded by this Order and the force and effect of said Executive Order is hereby rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed on the Great Seal of the State of Arizona.

Fife R. Smith
GOVERNOR

DONE at the Capitol in Phoenix this sixteenth day of January in the Year of Our Lord One Thousand Nine Hundred and Ninety-two and of the Independence of the United States of America the Two Hundred and Sixteenth.

ATTEST

Richard H. Hannon
Secretary of State

