

**CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MI**

NON-DISCRIMINATION POLICY FOR FORMAL BIDDING

EFFECTIVE: AUGUST 22, 2017

Pursuant to the requirements of 1976, P.A. 453 (Michigan Civil Rights Act) and 1976, P.A. 220 (Michigan Handicapped Rights Act), and the Oshtemo Charter Township Non-Discrimination Ordinance No. 549, adopted August 27, 2013, all Contractors or their agents wishing to do business with the Township, shall agree not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status, familial status, citizenship, gender identity, sexual orientation, genetic information, or because of a physical or mental disability/handicap that is unrelated to the person's ability to perform the duties of a particular job or position. All Contractors and their agents further agree that any subcontract shall contain a non-discrimination provision identical to this provision and binding upon any and all subcontractors.

Any Contractor not complying with these requirements shall be ineligible to receive award of a bid for any Township project. If awarded any Township Contracts, all Contractors and Sub-Contractors agree to the following:

- 1) The Contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment because of race, religion, color, national origin, handicap,

age, sex height, weight, marital status, familial status, citizenship, gender identity, sexual orientation, genetic information, or because of a physical or mental disability/handicap that is unrelated to the person's ability to perform the duties of a particular job or position. It will take affirmative action to insure that applicants are employed and that employees are treated during employment, without regard to their race, religion, color, national origin, age, sex, height, weight or marital status. Such action shall include, but not be limited to, the following: employment upgrading, demotion or transfer; recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

- 2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, age, sex, height, weight or marital status, familial status, citizenship, gender identity, sexual orientation, genetic information, or because of a physical or mental disability/handicap.
- 3) The Contractor or its collective bargaining representative will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative its commitments under this paragraph.

- 4) The Contractor will comply with all published rules, regulations, directives, and orders of the Michigan Civil Rights Commission relevant to Section 206, 1976 PA 453, as amended, and Oshtemo Charter Township Non-Discrimination Ordinance No. 549.

- 5) Upon request, the Contractor will furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission, or Oshtemo Charter Township; said forms may also elicit information as to the practices, policies, programs, and employment statistics of each Subcontractor as well as the Contractor itself, and said Contractor will permit access to its books, records, and accounts by the Michigan Civil Rights Commission, Oshtemo Charter Township, and/or its agent, for purposes of investigation to ascertain compliance with this contract and with rules, regulations, and orders of the Civil Right Commission relevant to Section 206, 1976 PA 453, as amended, or Oshtemo Charter Township.

- 6) In the event that the Civil Rights Commission, or Oshtemo Charter Township, finds, after a hearing that a Contractor has not complied with the contractual obligations under this Agreement, the Civil Rights Commission, or the Township, may, as part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, or the Oshtemo Township Board, which Board may order the cancellation of the Contract found to have been violated, and/or declare the Contractor ineligible for future contracts until the Contractor complies with said order of the Civil Rights Commission, or the Township Board. Notice of said declaration of future ineligibility may be given to any or all of

the persons with whom the Contractor is declared ineligible to contract as a contracting party in future contracts.

- 7) The Contractor will include, or incorporate by reference, the provisions of the foregoing Subparagraphs 1) through 6) in every subcontract or purchase order unless exempted by the rules, regulations, or orders of the Michigan Civil Rights Commission or Oshtemo Charter Township, and will provide in every subcontract or purchase order that said provisions will be binding upon each subcontractor or seller.