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2023 OA-037

AMENDING CHAPTERS 18 AND 19 OF THE DANE COUNTY CODE OF ORDINANCES, PROHIBITING DISCRIMINATION ON THE BASIS OF CASTE

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 18.04(8m) is created to read as follows:

18.04 DEFINITIONS.

(8m) Caste means an individual's perceived position in a system of social stratification on the basis of inherited status. "A system of social stratification on the basis of inherited status" may be characterized by factors that may include, but are not limited to, inability or restricted ability to alter inherited status; socially enforced restrictions on marriage, private and public segregation, and discrimination; and social exclusion on the basis of perceived status.

ARTICLE 3. Section 18.20(1) is amended to read as follows:

18.20 DISCRIMINATION PROHIBITED.

(1) No person in the county service or seeking appointment thereto shall be appointed, receive a reduction in pay or in any other way be favored or discriminated against because of political, labor union, employee group or religious affiliations or activities or because of sex, gender identity, race, nationality, caste, age, sexual orientation, marital status, physical appearance or disability. This section shall not be deemed to prohibit the making of rational classifications based upon sex or disabilities when a bona fide job-related reason exists for the distinction, or to prohibit a validly established program of mandatory retirement.

ARTICLE 4. Section 19.51(2m) is created to read as follows:

19.51 DEFINITIONS.

(2m) Caste has the meaning set forth in s. 18.04(8m).

ARTICLE 5. Section 19.54(1) is amended to read as follows:

19.54 STATEMENT OF NONDISCRIMINATION.

All non-exempt contracts entered into by the county shall contain the following language.

(1) The contractor agrees to take affirmative action to ensure equal employment opportunity. During the term of this agreement the contractor agrees, in accordance with sec. 111.321, Wis. Stats., and chapter 19 of the Dane County Code of Ordinances (hereinafter referred to as chapter 19), not to discriminate

46 against any person, whether an applicant or recipient of services, an employee or
47 an applicant for employment, on the basis of age, race, ethnicity, religion, color,
48 gender, disability, marital status, sexual orientation, national origin, cultural
49 differences, ancestry, caste, physical appearance, arrest record or conviction
50 record, military participation or membership in the national guard, state defense
51 force or any other reserve component of the military forces of the United States,
52 or political beliefs. The contractor shall provide a harassment-free work
53 environment. This provision shall be applied, but not limited, to the following:
54 employment, upgrading, demotion, transfer, recruitment, advertising, layoff,
55 termination, training, including apprenticeship, rates of pay or other forms of
56 compensation. The contractor agrees to post in conspicuous places available for
57 employees and applicants, notices setting forth the provisions of this agreement
58 as they relate to affirmative action and non-discrimination.
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61 *[EXPLANATION: This amendment prohibits discrimination on the basis of caste*
62 *in county employment and among county contractors.]*