



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

Operating Policy and Procedure

HSC OP: 51.01, **Equal Employment Opportunity Policy and Affirmative Action Plan**

PURPOSE: Texas Tech University Health Sciences Center (TTUHSC) has established an Equal Employment Opportunity (EEO) Policy and implemented an Affirmative Action (AA) Program in compliance with the following federal and state laws as amended:

1. U.S. Presidential Executive Order 11246, as amended;
2. Fair Labor Standards Act;
3. Equal Pay Act of 1963;
4. Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972;
5. Age Discrimination in Employment Act of 1967, as amended;
6. Title IX of the Education Amendments of 1972;
7. Rehabilitation Act of 1973, as amended;
8. Vietnam Era Veterans Readjustment Assistance Act of 1974;
9. Immigration Reform and Control Act of 1986;
10. Americans with Disabilities Act of 1990; as amended
11. Civil Rights Act of 1991;
12. Family and Medical Leave Act of 1993;
13. USERRA (Uniform Services Employment and Reemployment Rights Act of 1994; and
14. Texas Labor Code Chapter 21.

REVIEW: This HSC OP will be reviewed August 1 of each year by the Managing Director of the Texas Tech University System (TTUS) Office of Equal Employment Opportunity (EEO) and General Counsel, with recommendations for revisions forwarded to the Executive Vice President for Finance and Administration (EVPFA) by September 1 of each year.

It shall be the responsibility of each person affected by this HSC OP to devise methods for carrying out all of its instructions.

POLICY/PROCEDURE:

1. Equal Employment Opportunity/Affirmative Action Policy.

TTUHSC will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, physical or mental disabilities, Vietnam Era or Special Disabled Veteran Status. TTUHSC will implement and maintain an Affirmative Action Plan as required by Executive Order 11246. TTUHSC will treat all employees equally during employment without regard to their race, color, religion, sex, national origin, age, physical or mental disabilities, Vietnam Era or Special Disabled Veteran Status. Such action shall include, but not be limited to any of the following employment transactions: hiring, upgrading, demotion, or transfer; lay-off or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship.

TTUHSC also prohibits any harassment based on race, color, religion, age, sex, national origin, or disability. Harassment is verbal or physical conduct that shows hostility toward an individual because of one or more of his/her protected classes, that has the purpose or effect of creating an intimidating, hostile, or offensive working environment, which unreasonably interferes with an individual's work performance or otherwise adversely affects an individual's employment opportunities.

2. **Equal Employment Opportunity.**

Employees may file employment-related complaints of discrimination with the TTUS Office of EEO after complying with HSC OP 70.10. Complaints of discrimination by applicants for employment and faculty may be filed directly with the TTUS Office of EEO.

Retaliation against a person who files a complaint of discrimination or harassment, opposes a charge or testifies, assists or participates in an investigative proceeding or hearing is strictly prohibited.

Pursuant to state legislation, all new benefits-eligible faculty and staff and insurance-eligible graduate students must attend non-discrimination training within the first 30 days of employment and receive supplemental training every two years. This training includes Sexual Harassment Prevention Training. Employees are required to sign a statement which verifies attendance to this training. Signed attendance statements will be recorded in the employee's personnel file.

Employees are informed of the TTUHSC EEO policy through new employee orientations, compliance EEO training sessions, the distribution of EEO pamphlets, and the placement of EEO federal and state posters at various locations throughout the campus. Information about the TTUHSC EEO policy can also be obtained from Human Resources.

3. **Affirmative Action Plan.**

It is the responsibility of the TTUS EEO Office to ensure that TTUHSC complies fully with all provisions of executive orders, legislative acts, federal guidelines, and pertinent case law, which form the legal basis of the TTUHSC Equal Employment Opportunity/Affirmative Action policy.

Specific responsibilities under Executive Order 11246 as amended, and Title VII of the Civil Rights Act of 1964 are:

- a. Development of the Affirmative Action Plan (AAP).
 - (1) Beginning September 1 of each year, the TTUS EEO Office staff, with the assistance of the TTUHSC Office of Human Resources, will begin preparing annual revisions to the Affirmative Action Plan by:
 - (a) Reviewing changes in the legal framework for EEO/AA;
 - (b) Securing the most recent data sources for computing the two-factor utilization analysis. The two-factor analysis includes:

<u>Factor</u>	<u>Description</u>
1.	Percentage of minorities and women among those having requisite skills in the reasonable recruiting area.
2.	Percentage of minorities and women among those promotable, transferable, or trainable in the contractor's organization.
 - (c) Revising job groups based on the information obtained;
 - (d) Computing a utilization analysis for all job categories, using the two factors stated above;
 - (e) Establishing goals and timetables for non-instructional employees based on the results of two-factor utilization analysis for these groups; and,
 - (f) Informing the Assistant Vice President for Human Resources of the status and goals of non-instructional job groups.

- (2) Beginning November 1 of each year, the TTUS EEO office staff will establish goals and timetables for instructing employees by:
 - (a) Providing the division administrator(s) with availability factors relating to their respective job groups. The administrators will use this information along with consideration of the vacancies that exist in each school, possible promotions, and increases or decreases in department size, to establish goals and timetables for their division;
 - (b) Revising the narrative of the plan to reflect progress made toward implementation of the previous year's goals and incorporating this information into the Affirmative Action Plan and completing the plan; and,
 - (c) Providing the Affirmative Action Plan to General Counsel for review and approval.
- (3) After the Affirmative Action Plan receives approval from the EVPFA and General Counsel, it will be presented to the President for his approval and signature.
- (4) After the President has approved and signed the revised plan, it will be returned to the TTUS EEO Office where it will be kept on file as required by the Department of Labor, Office of Federal Contract Compliance.

4. **Implementation of Equal Employment Opportunity and Affirmative Action Plan.**

Responsibility for implementing TTUHSC's Equal Employment Opportunity Policy and the coordination of affirmative action efforts rests with each divisional administrator (president, vice presidents, deans, directors, department chairpersons, and other supervisory personnel). The TTUS EEO Director is specifically responsible for the following:

- (1) Developing policies and procedures necessary for the implementation of TTUHSC's AAP;
- (2) Designing and implementing auditing report systems necessary to comply with TTUHSC's AAP; and,
- (3) Providing supervisory training in EEO and AA.