

SECTION: **POLICY STATEMENT - PERSONNEL**

SUBJECT: **NONDISCRIMINATION AND AFFIRMATIVE ACTION IN EMPLOYMENT**

PURPOSE: To establish basic policy on nondiscrimination and affirmative action in employment.

EFFECTIVE DATE: **September 25, 1987**

HISTORICAL: April 14, 1984; December 13, 1985

**NONDISCRIMINATION AND
AFFIRMATIVE ACTION IN EMPLOYMENT**

I. BACKGROUND AND PURPOSE

- A.** The Cal Poly Corporation ("CPC") has a commitment to support and assist the educational mission of the California Polytechnic State University and the laws of California and the United States which guarantee equal employment opportunity to all individuals. This commitment requires CPC and each of its departments, offices, and operations to treat all employees equally without regard to their race, color, ancestry, religion, national origin, sex, sexual preference, marital status, pregnancy, age, mental or physical handicap, medical condition (cancer related), disabled veteran or Vietnam era veteran's status. The CPC will make positive efforts to increase the employment and advancement opportunities for women, members of minority groups, the disabled, disabled veterans and veterans of the Vietnam era and establish goals for the employment of a workforce that reflects the diverse society served by the organization.

For this reason, the Board of Directors of the Cal Poly Corporation adopts the following Policy on Nondiscrimination and Affirmative Action in Employment.

The Board of Directors adopted a basic policy and program statement concerning nondiscrimination and affirmative action in employment in April, 1974. This policy was amended on April 14, 1981.

In March 1977, CPC formalized its Affirmative Action Program with the publication of operating guidelines in the CPC Personnel Manual, Appendix A. These guidelines were revised May 1, 1984.

II. BASIS FOR POLICY

- A.** This policy is intended to conform to the requirements of the Federal Executive Orders 11246 and 11375 as amended; the Civil Rights Act of 1964 as amended; Title IX Educational Act of 1972; Sections 503 and 504 of the Rehabilitation Act

of 1972; Sections 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974; Equal Pay Act of 1963 as amended; Age Discrimination Acts of 1967 and 1978 and other applicable Federal and State laws and regulations.

III. POLICY

- A.** The CPC through responsible managers and supervisors shall undertake a program of affirmative action to further the principles of equal employment as delineated below:
1. Recruit, hire, upgrade, train and promote in all job titles and occupational categories without regard to race, color, ancestry, religion, sex, marital status, national origin, age, mental or physical handicap, medical condition (cancer related), disabled veteran or Vietnam era veteran's status, except where age, sex, and/or disability are essential bona fide occupational requirements, or where age is a bona fide occupational disqualification.
 2. Ensure that all other personnel actions such as compensation, benefits, layoffs, return from layoffs, CPC sponsored training, educational reimbursement, social and recreation programs are administered without regard to race, color, ancestry, religion, national origin, sex, marital status, age, mental or physical handicap, medical condition (cancer related), disabled veteran or Vietnam era veteran's status, except where age, sex, and/or disability are bona fide occupational requirements or where a handicap is a bona fide occupational disqualification.
 3. Identify and eliminate any employment requirements and practices (such as unrealistic qualification standards or invalid pre-employment tests which have an adverse impact on employment of women, minorities and others protected by EEO legislation and which do not have a clearly established relationship with job performance.
 4. Base employment decisions on the principles of equal employment opportunity including merit and valid job qualifications to enable qualified minority group members, women, disabled veterans and veterans of the Vietnam era, and other disabled persons to be introduced to the CPC workforce.
 5. Initiate special recruitment efforts with minority, women, disabled, and veterans' organizations to attract qualified individuals from these groups for CPC positions.
 6. Establish goals and timetables to achieve a representation of minorities and women in the CPC workforce that reasonably approximates the percentage of these groups which are available within the appropriate recruitment areas for specific occupational categories.

IV. DISSEMINATION OF POLICY

- A.** The affirmative action policy will be disseminated both externally and internally to effectively communicate its intent to the CPC management staff and employees, recruiting sources and the general public. Policy dissemination should include the following actions:
1. External
 - a. All recruiting sources, including the local offices of the Employment Development Department of the State of California, minority and women's organizations in San Luis Obispo and northern Santa Barbara County will be advised verbally or in writing of the policy.
 - b. Employment advertisements will contain the following Equal Opportunity Employer statement: "An Affirmative Action & Title IX Employer."
 - c. Prospective employees will be advised of the existence of the affirmative action program.
 - d. Purchase orders, leases and contracts covered by Executive Order 11246, as amended, will include the equal opportunity clause.
 2. Internal
 - a. The affirmative action policy statement shall be included in the CPC Personnel Manual which is provided to all department heads and key management personnel.
 - b. The policy will be periodically posted on the employee bulletin boards and the affirmative action plan will be made available for employee review upon request.
 - c. The policy will be reviewed annually with employees at meetings to explain its intent.
 - d. The policy will be discussed during new employee orientation sessions.
 - e. The policy will be communicated to department heads, managers and supervisors at management meetings and during training sessions to ensure that they have a thorough understanding of their role in the effective implementation of the plan.

- f. The Nondiscrimination and Affirmative Action Policy shall be summarized in appropriate CPC publications.
- g. Equal Employment Opportunity and non-discrimination posters will be displayed in the CPC Personnel Office and on bulletin boards which are readily accessible to employees.

V. RESPONSIBILITY FOR IMPLEMENTATION

A. The CPC Board of Directors has delegated the overall responsibility for the implementation of the affirmative action program to the Executive Director who will enlist the support of other members of the management team as indicated below. The Executive Director will lend further credence to the program through the following actions:

- 1. All recommended appointments and promotions to regular CPC positions will be reviewed by the Personnel Manager before offers of employment are extended by the Executive Director to ensure that proper consideration has been afforded to minority and women candidates. Offers of employment will be extended to candidates who are judged best qualified on the basis of fair and equitable assessment of merit and the needs of the CPC.
- 2. When evaluating the performance of department heads, the Executive Director will consider the individual's success in meeting affirmative action goals and timetables within his/her organizational unit as a significant performance factor.
- 3. The Executive Director shall make an effort to include minorities, women and disabled group members on screening committees for CPC positions.
- 4. The Executive Director is charged with the responsibility of developing the appropriate goals and timetables to implement this policy.

B. The CPC Personnel Manager will serve as Affirmative Action Facilitator and will provide counseling to managers, supervisors and employees in EEO matters, ensure compliance with EEO regulations and monitor progress in meeting affirmative action goals and timetables. Specifically, the Affirmative Action Facilitator will take actions to eliminate barriers to the employment of minorities, women, the disabled or veterans and to further promote the achievement of goals and objectives as delineated below:

- 1. Identify problem areas in the utilization of minorities and women and establish goals and timetables to correct these problems.
- 2. Implement reasonable recruitment programs to help assure that minority, women, veteran and disabled individuals are made aware of employment opportunities with the CPC and of its nondiscrimination policy. Such

programs shall be developed on a planned and budgeted basis.

3. Serve as a member of screening committees for executive, administrative and professional positions and help assure that equal opportunity resolutions and affirmative action procedures are being followed.
 4. Review qualification requirements and selection tools and procedures to determine that they are job related. Special attention will be given to education, experience, and skill requirements to help assure the requirements in themselves do not constitute inadvertent discrimination.
 5. Advise management of developments in laws and regulations related to EEO issues.
 6. Provide training to all personnel involved in the recruitment, screening, selection, evaluation and related personnel processes to assist in eliminating bias in all employment actions.
 7. Design and implement audit and reporting systems to monitor the effectiveness of the affirmative action plan, to report the need for corrective action and to determine the degree to which goals and objectives have been achieved.
 8. Serve as liaison between the CPC and minority and women's organizations, rehabilitation agencies, community action groups and EEO regulatory agencies.
 9. Review employment application forms and eliminate any questions which could be considered discriminatory on the basis of race, religion, sex, age, national origin, disability or veteran status.
- C.** Department heads will support the program by taking the following steps to facilitate the successful implementation of affirmative action in their respective organizational units:
1. Conduct regular reviews of hiring and promotion patterns to ensure progress is being made in the attainment of goals and timetables.
 2. Hold discussions with managers, supervisors and employees to ascertain that the affirmative action policy is being followed and supported through fair and constructive employee supervisor interactions.
 3. Review the qualifications of all employees to ensure that minorities and women are given full opportunity for promotions and transfers.
 4. Encourage and afford the opportunity to minority and women employees to participate in all CPC sponsored educational, training, recreational and social activities.

5. Ensure that all employees who are qualified and identifiable minority and women candidates for openings are interviewed.
6. Evaluate subordinate managers and supervisors on the basis of their equal opportunity efforts and results in achieving affirmative action goals and timetables.
7. Periodically inspect work facilities to ensure that EEO posters are properly displayed.

VI. INTERNAL AUDIT AND REPORTING SYSTEM

A. The Affirmative Action Facilitator will be responsible for the design and implementation of an internal audit and reporting system to measure effectiveness of the affirmative action program. The audit system will assist in identifying those areas where remedial action is needed and in determining the degree to which the CPC's goals and objectives are met. The system will provide for the maintenance of records and the preparation of periodic reports as described below:

1. Maintenance of Records
 - a. An applicant log reflecting the date, name of applicant, race, sex, veteran status, handicap status, referral, source, interview date (if any), position applied for and disposition of application.
 - b. Summary data of job offers, hires, promotions, resignations, discharges, layoffs and training programs by job group, sex and minority group identification for the twelve month period immediately preceding the compliance analysis except in such instances where it can be reasonably demonstrated that the maintenance of such data is unfeasible or impossible.
 - c. Summary data of applicant flow by EEO category, sex and minority group identification for the twelve month period immediately preceding the compliance review.
2. Periodic Reports
 - a. The Affirmative Action Facilitator will establish a reporting system which will include the following elements:
 - (1) Discussions with department heads regarding any problems relating to the implementation of the affirmative action plan such as disparate impact on minority and women candidates as related to promotion patterns, rejection, ratios, etc.
 - (2) Annual reports to each department head indicating the

progress which is being made in respect to the achievement of affirmative action goals within each organizational unit.

- (3) An annual report to the Executive Director regarding the CPC's utilization of minorities and women, progress in meeting goals and timetables, and remedial steps needed for a more effective implementation of the plan. The Executive Director shall report periodically to the Board on the progress which is being made in meeting Affirmative Action goals and timetables.

VII. EMPLOYEE STATUS

- A.** It is a policy of the CPC that all qualified employees receive full and equal consideration for promotion, transfer and upgrading. It is a CPC objective to promote the best qualified employee without regard to race, religion, color, ancestry, sex, marital status, age, mental or physical handicap, medical condition (cancer related), or national origin except for specific jobs where sex or age is a bona fide occupational qualification.
- B.** Any work force reductions and the recall of employees after such reductions will be applied without discrimination because of race, religion, color, sex, age or national origin.
- C.** All employees will be compensated on the principle of equal pay for equal work performed and the amount of compensation for any specific job will be based on standards in the industry, the nature of the work performed and the qualifications and experience of the employee.