



TEXAS TECH UNIVERSITY™

Operating Policy and Procedure

OP 40.01: Equal Employment Opportunity Policy and Affirmative Action Plan

DATE: October 22, 2008

PURPOSE: Texas Tech University (TTU) has established an Equal Employment Opportunity (EEO) policy and implemented an Affirmative Action (AA) program in compliance with the following federal and state laws:

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
6. Comprehensive Health Manpower Act of 1971
7. Title IX of the Education Amendments of 1972
8. Rehabilitation Act of 1973, as amended
9. Vietnam Era Veterans Readjustment Assistance Act of 1974
10. Immigration Reform and Control Act of 1986
11. Americans with Disabilities Act of 1990
12. Civil Rights Act of 1991
13. Family and Medical Leave Act of 1993
14. USERRA (Uniform Services Employment and Reemployment Rights Act of 1994)

REVIEW: This Operating Policy/Procedure (OP) will be reviewed in August of each year by the managing director of the Office of Equal Employment Opportunity (EEO) and the vice chancellor/general counsel with recommended revisions forwarded to the senior vice chancellor/chief financial officer, the associate vice president/comptroller, and the senior vice president for administration and finance by September 15.

POLICY/PROCEDURE

1. Equal Employment Opportunity/Affirmative Action Policy

Texas Tech University will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, physical or mental disability, Vietnam Era or Special Disabled Veteran Status. TTU will take affirmative action to ensure that applicants are employed and that employees are treated equally during employment without regard to their race, color, religion, sex, national origin, age, physical or mental disability, or Vietnam Era or Special Disabled Veteran Status. Such action shall include, but not be limited to, the following employment transactions: upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship.

Texas Tech University also prohibits any harassment based on race, color, religion, age, sex, national origin, disability, or veteran status. Harassment is verbal or physical conduct that shows hostility toward an individual because of these protected characteristics and that has the purpose or effect of creating an intimidating, hostile, or offensive working environment, has the purpose or effect of unreasonably interfering with an individual's work performance, or otherwise adversely affects an individual's employment opportunities.

a. Complaints

Employees or applicants for employment may file employment-related complaints by following the procedures stated in TTU OP 70.10 on Non-faculty Employee Complaint and Grievance Procedures. Faculty employment complaints may be filed in accordance with the procedures stated in TTU OP 32.05 on Faculty Grievance Procedures.

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

b. Training

Pursuant to state legislation, all new benefits eligible faculty and staff and insurance eligible graduate students must attend EEO 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 that verifies attendance to this training. Signed attendance statements will be recorded in the employee's personnel file.

Employees are informed of the 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 Texas Tech EEO policy can also be obtained from the Personnel Office or the Texas Tech System's EEO Office.

2. Procedure

It is the responsibility of the EEO Office to ensure that TTU complies fully with all provisions of executive orders, legislative acts, federal guidelines, and pertinent case law, which form the legal basis of the TTU 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

(1) Beginning September 1 of each year, the EEO Office staff will begin preparing annual revisions to the Affirmative Action Plan (AAP) by:

- (a) Reviewing changes in the legal framework for AA/EEO;
- (b) Securing the most recent data sources for computing the two-factor utilization analysis that includes:

Factor	Description
1.	Percentage of minorities and women among those having requisite skills in the reasonable recruiting area.
2.	Percentage of minorities and females among the 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 managing director of Human Resource Services and all division administrators of the status and goals of non-instructional job groups.
- (2) Beginning November 1 of each year, the EEO Office staff will establish goals and timetables for instructional employees by:
- (a) Providing 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 department, possible promotions, and increases or decreases in department size, to establish goals and timetables for their division; and
 - (b) Revising the narrative portion of the plan to reflect progress made toward implementation of the previous year's goals and any new plans for the future, incorporating this information into the Affirmative Action Plan, and completing the plan.
- (3) The final Affirmative Action Plan will be transmitted to the vice chancellor/general counsel and the senior vice chancellor/chief financial officer for review and approval.
- (4) After the vice chancellor/general counsel and the senior vice chancellor/chief financial

officer have approved the revised plan, it will be presented to the president and the chancellor for their approval and signature.

- (5) After the president and the chancellor have approved and signed the revised plan, it will be returned to the EEO Office where it will be kept on file, as required by the Department of Labor, Office of Federal Contract Compliance.

b. Implementation of Equal Employment Opportunity and Affirmative Action

Responsibility for implementing TTU's Equal Employment Opportunity Policy and the coordination of affirmative action efforts rests with each division administrator (president, vice presidents, provost/senior vice president for academic affairs, deans, directors, department chairpersons, and other supervisory personnel). The EEO director will be specifically responsible for the following:

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