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POLICY #5.3 SUBJECT: Affirmative Action

SUU [suu.edu/policies/05/03.html](https://www.suu.edu/policies/05/03.html) (<https://www.suu.edu/policies/05/03.html>)

I. PURPOSE

The purpose of this Policy is to provide equal employment opportunity for all employees and applicants for employment regardless of race, color, religion, national origin, sex, age, marital status, or disability.

II. REFERENCES

1. 38 USC 2011-2013, *Vietnam Era Veterans Readjustment Assistance Act* of 1974
 2. *Age Discrimination in Employment Act* of 1967, as amended
 3. *Equal Pay Act* of 1963
 4. Executive Order 11246, as amended
 5. Section 303, *Age Discrimination Act* of 1975
 6. Section 503 of the *Rehabilitation Act* of 1973, as amended
 7. Section 504 of the *Rehabilitation Act* of 1973, as amended
 8. Title IX, *Higher Education Act* of 1965, *Education Amendments* of 1972
 9. Title VI, *Civil Rights Act* of 1964
 10. Title VII, *Civil Rights Act* of 1964, as amended by *Equal Opportunity Act* of 1972
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III. DEFINITIONS

N/A

IV. POLICY

1. Affirmative Action Objectives: The objectives of the Southern Utah University Affirmative Action Program are: (a) to further develop and maintain equal employment opportunity for all personnel; (b) to eliminate all traces of discrimination in employment practices because of race, color, religion, national origin, sex, age, marital status, or disability; and (c) to develop a work force which reflects an equitable distribution of minority group members and women at all levels of employment and throughout all departments of the university based upon the availability of minorities and women within the appropriate labor market.

2. Legal Basis of Affirmative Action Nondiscrimination Program: The practice of active or passive exclusion of persons on the basis of personal characteristics not related to job competency has brought about legislation at the state and federal levels. Anti-discrimination laws and policies include specific guidelines for assuring equal employment opportunity, compliance, and creation of boards and commissions to enforce adherence to these stipulations.
3. Dissemination of University Policy and Program
 1. Copies of the University's Equal Employment Opportunity Policy and Affirmative Action-Nondiscrimination Program (herein referred to as the Affirmative Action Program) will be disseminated with a cover letter from the President to all employees. Thereafter, each new employee or faculty member shall be given a copy of the program on the date of hire.
 2. To ensure effective implementation, Deans and Department Heads will explain the intent of the Policy and individual responsibility during at least one (1) staff meeting each year.
 3. A recruitment and hiring report will be compiled annually and kept on file with the Affirmative Action Director.
 4. Community organizations, employment agencies, news media, secondary schools, universities, colleges, and recruiting sources will be informed about the University's equal opportunity policy by the Affirmative Action Director.
 5. Statements of the Southern Utah University Affirmative Action Program and grievance procedures will be included in all supervisory and management manuals, procedure manuals, and employee handbooks.
 6. The Affirmative Action Program will be discussed thoroughly in both employee orientation and employee training programs.

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4. Responsibility for Administration and Implementation

1. The President of the University has overall responsibility for the administration and implementation of the Affirmative Action Program. The Affirmative Action Director will report directly to the President. The Affirmative Action Director is also the Southern Utah University Human Resources Director.
2. In consultation with all employing officials of the University and the Affirmative Action Committee, the Affirmative Action Director is responsible for overall coordination of programs in carrying out the Affirmative Action Program.
3. Affirmative Action Committee. Membership: The Affirmative Action Committee, appointed by the President of the University, consists of individuals representing the various constituencies of the University, with the Affirmative Action/Human Resources Director as ex-officio, non-voting member. Meetings will be held at least quarterly in order to ensure continuous attention to the affirmative action purposes listed below:
 1. To assure a channel of communication throughout the University and the general community which will provide timely information concerning ongoing equal opportunity programs.
 2. To assist the Affirmative Action Director in establishing recommended target dates and goals for implementation of affirmative action programs, based on data accumulated, and studies reported.
 3. To develop additional programs which will strengthen the position of the University in its affirmative action efforts.
 4. To review and monitor the appropriateness and progress of current programs for broadening employment opportunities for minority groups, women, and disabled individuals.
 5. To review all recruitment plans for the hiring of faculty, administrative staff, and classified staff in consultation with the Affirmative Action Director.
 6. To review all employee handbooks and similar documents to assure their compliance with the Affirmative Action Program.
 7. To serve as a grievance committee for those cases involving discrimination claims in which satisfaction is not received through the regularly established grievance procedures.
4. Each Dean, department head, and supervisor of SUU employees is responsible within their area of responsibility for full implementation of the Affirmative Action Program.
5. Each department will prepare an annual report for the Provost, Vice President for Planning and Technology, Vice President for Finance and Administration, Vice President for Student Affairs, or Director of Affirmative Action, as appropriate, showing anticipated personnel changes.

6. The Director of Affirmative Action, under the direction of the President, has the responsibility for insuring compliance with federal and state regulations regarding equal employment and educational opportunities. The Director coordinates the Affirmative Action Program and advises the President and other administrators and faculty concerning statements of policy, the identification of problem areas, and methods of arriving at solutions to problems. The Director has the overall responsibility of educating the University community regarding affirmative action and to accomplish all other duties herein or which may be assigned from time to time by the President of the University. However, the Affirmative Action Director may not serve on any hiring committees. Specifically, the duties are as follows:

1. Develop and direct an Affirmative Action Program to accomplish stated Policy.
2. Identify and research problem areas in relation to discrimination and develop and recommend appropriate solutions and policies to address those problems.
3. Implement and conduct audit and reporting procedures and systems.
 1. Maintain timely, written job descriptions initiated by department heads and supervisors, and monitor overrating of positions and/or inclusion of irrelevant qualifications.
 2. Standardize institutional application forms for both staff and teaching faculty.
 3. Maintain and disseminate procedures for advertising and hiring of new personnel.
 4. Use procedures through which all personnel action can be reviewed and monitored by the Affirmative Action Committee.
 5. Maintain a filing system where Affirmative Action data, information, and records can be safely stored. Under specific conditions, such records will be made available to University personnel.
 6. Analyze regional, state, and national employment statistics to determine available resources, particularly for minorities and women.
 7. Prepare a study annually of existing faculty personnel records with a comparative analysis of salaries, ranks, advancements, etc.
4. Serve as liaison for SUU with appropriate federal and state agencies and community action groups concerned with problems of discrimination against women, minorities, and the disabled.
5. Assist complainants in channeling their discrimination complaints through appropriate grievance channels, lend technical assistance to grievance committees and serve as an appeal source for individuals who feel their complaints have not been fairly dealt with by the presiding grievance committee.
6. Conduct regular meetings with supervisors and employees and, as appropriate, with student employees for the purpose of explaining the SUU policies and procedures related to nondiscrimination and the applicable laws and regulations.
7. Insure compliance with requirements for nondiscrimination/equal opportunity statements on all institutional publications, forms, contracts, etc.
8. Coordinate activities aimed at motivating and counseling minority, women, and disabled employees to seek training that would enhance promotional opportunities.
9. In consultation with the Affirmative Action Committee, monitor and certify institutional practices related to advertising, recruiting, selection, hiring, interviewing, salary analysis, promotion, and dismissal for compliance with the internal affirmative action program and the external requirements of state and federal governments in accordance with SUU policies.

10. Monitor and certify institutional student employment practices related to recruitment, selection, and treatment for compliance with the internal affirmative action program and the external requirements of state and federal governments in accordance with SUU policies.
11. Announce staff vacancies through various media and to employment offices located in eight (1) counties in Southern Utah, three (3) counties in Northern Arizona and Nevada.
12. Distribute all job announcements at least 15 working days before application deadline for staff positions and at least 30 days for administrative staff and faculty positions.
13. Distribute announcements for teaching faculty and administrative or executive positions to a selection of colleges, universities, and professional associations throughout the entire country.
14. Forward announcements of position openings to the Affirmative Action Officer after the approval to hire has been given by the University administration. Announcements will be distributed through the campus mail and submitted to the University career services office.
15. Monitor all search committees to insure representation of at least one (1) woman and one man (1) on each committee.

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5. Recruitment

1. The University recruits on the basis of qualifications for a specific job without regard to race, color, religion, national origin, sex, age, marital status, or the presence of any disability.
2. Recruitment sources will continue to be advised in writing of the University's Policy and commitment to equal employment opportunity.
3. The Affirmative Action Director will develop contacts with such recruitment sources as Utah Department of Workforce Services, the Utah State Department of Vocational Rehabilitation, the SUU Career Services Office, ethnic minority, community, women's, and various professional organizations in an effort to increase the number of minority group and women applicants for all job openings. These contacts will be used in the recruitment process.
4. When recruiting for faculty, administrative staff and classified staff positions, the employing officials of the University will advertise openings in newspapers and in publications of minority and women's groups when appropriate.
5. The employing officials of the University will focus on the creation of an atmosphere conducive to attracting minority group members and women.
6. Employing officials of the University will keep a written record for three (3) years of:
 1. Efforts to locate minority and women candidates.
 2. Correspondence and interviews with all candidates considered for each position to be filled.
 3. Justifications and documentation for selecting the person who is offered a position.
 4. All records shall be submitted to the Affirmative Action Director for review and sign-off approval before employment offers are extended and such records shall be maintained for a period of at least three (3) years.
7. Every University employing official must be prepared to justify to the Affirmative Action Director the non-selection of any applicant.
8. The Human Resources Department will continue to serve as the central recruiting office for all employment activities. While departments may have candidates whom they wish to consider for appointment, all such candidates must be referred to the Human Resources Office. Records for classified staff concerning efforts to locate minority and women candidates, correspondence and interviews of candidates, and certification documents shall be made available to the Affirmative Action Director and the Affirmative Action Committee for continuous review.
9. In order to document the results and progress of affirmative action in the area of recruitment, it is recommended that the University attempt to determine the race and sex of all applicants for employment.

6. Employment and Placement

1. Applicants for employment are considered and placed without regard to race, religion, color, national origin, sex, age, marital status, or disability.
2. All proposed position descriptions and qualifications for University employment positions will be submitted for review to the Affirmative Action Director by employing officials of the University prior to the time the employment opportunity is announced.
3. Every applicant selected for an interview for a position at Southern Utah University is required to fill out a standard application form.
4. In filling vacant positions, the University will, where appropriate, place a priority on internal, qualified applicants. Each qualified in-house applicant will be entitled to an interview before the designated screening and interviewing committee and must also take tests required of all applicants. The definition of a qualified in-house applicant is someone who meets the minimum qualifications of the job and is currently employed by the University in a salaried position. (A salaried position includes University fringe benefits if the position is half-time or more.)
5. Screening procedures, such as interviewing and testing, will be consistent with applicable laws and regulations.
6. Employing officials will make reasonable efforts to improve employment opportunities for disabled employees.

7. Employment Conditions

Benefits and employment conditions such as salaries, accrual of seniority, reinstatement rights, and other benefits shall be the same for pregnancy as for other disabilities.

8. Training

The Affirmative Action Director shall participate in the development of appropriate training and educational programs for minorities and women and otherwise facilitate promotional opportunities for minorities and women.

9. Facilities and Activities

The University will not discriminate against any person on the basis of race, color, religion, national origin, sex, age, marital status, or disability in the operation or maintenance of the facilities, activities, or services of the University.

10. Grievance Procedure

1. In those cases in which satisfaction is not received through the regularly established grievance procedures or in which a claim of discrimination might be deemed prejudicial by submission through the regularly established channel, any faculty, administrative staff and classified staff or student employee may present their complaint or recommendation directly to the Affirmative Action Director or to the Affirmative Action Committee. Upon receipt of such a complaint or recommendation, appropriate action will be taken within a reasonable period of time to impanel the Affirmative Action Committee to sit as a grievance board to:
 1. Investigate the circumstances involved, including names, times, and places as appropriate.
 2. Adhere to specific grievance procedures as outlined in the Discrimination Grievance Procedure Policy.
 3. Report the results of the investigation and hearing along with recommended action to the President.

V. RELEVANT FORMS/LINKS

N/A

VI. QUESTIONS/RESPONSIBLE OFFICE

The responsible office for this Policy is the Vice President for Finance and Administration (<https://www.suu.edu/././ad/finance/index.html>). For questions about this Policy, contact the Office of Human Resources (<https://www.suu.edu/././hr/index.html>).

VII. POLICY ADOPTION AND AMENDMENT DATES

Date Approved: July 27, 1990

Amended: July 1, 1998