HR Contacts Meeting

Equal Opportunity/Staff Affirmative Action Update
March 21, 2012

Michelle Session
Equal Opportunity Compliance Specialist
UC San Diego is a federal contractor

- **Federal Grants and Contracts**: $752M (24%)
- **Private and Local Grants and Contracts**: $752M (20%)
- **Medical Center**: $959M (30%)
- **Student and Tuition Fees**: $350M (11%)
- **State Educational Appropriations**: $298M (9%)
- **Auxiliary Enterprises**: $136M (4%)
- **Other**: $0.5M (2%)

Other educational appropriations: $298M (9%)
Federal Compliance

Department of Labor

EEOC
Equal Employment Opportunity Commission
Enforces Title VII
Civil Rights Act of 1964

OFCCP
Office of Federal Contract Compliance
50+ employees
$50,000 in federal funding
What is the difference between EEO, AA, and Diversity?
Equal Employment Opportunity

Equal employment opportunity means that all individuals must be treated equally throughout the employee life cycle, from interviewing and selection, promotion and reclassification, to disciplinary actions, separations, layoffs, and retirement.
EEOC Protected classes

- Race
- Color
- Religion
- National origin
- Age (40 and over)
- Sex (including pregnancy)
- Disability status
- Veteran status
- Genetic information
- Persons who have complained, filed or participated in an investigation/lawsuit about discrimination
Affirmative Action affirms that organizations and individuals in organizations will seek to overcome the effects of past discrimination against groups such as women and minorities, disabled persons, and veterans by making a positive and continuous effort in their recruitment, employment, retention, and promotion.

Organizations must actively seek to remove any barriers that artificially limit the professional and personal development of individuals who are members of protected classes.
Diversity

Diversity is a general term indicating that many people with many differences are present in an organization. Diversity refers to culture, race, ethnicity, language, national origin, gender, age, disability, sexual orientation, and other characteristics, whether or not these characteristics have protected status.
What are managers and supervisor’s Equal Employment Opportunity/Affirmative Action responsibilities?
Supervisors and managers are responsible for making good faith EO/AA efforts through all of the following employment actions:
- Recruitment and Outreach
- Interviewing and Selection
- Onboarding
- Promotion/Reclassification
- Retention/Career Planning/Career Development Opportunities
- Disciplinary Actions
- Separation/Layoff/Retirement
COMING SOON!

• Internal EO/AA audit (April 2012)
  - Developing teams and response procedures
  - Collecting all relevant policies and materials
  - Reviewing 8-10 Hiring Requisitions per VC area to find problematic areas
  - Meeting with areas that have signs of discrimination or are failing to meet underutilization goals

• OFCCP Compliance Evaluation (TBD)
What will the OFCCP look at?
Potential EO/AA Audit items

• Is there systemic discrimination in the following areas:
  - Compensation
  - Hiring practices
  - Training and Development Opportunities
  - Reclassification/Promotions
  - Disciplinary actions/layoffs

• Do managers and supervisors know their policies and are they following them?
What is the OFCCP audit process?

- **Stage 1: Scheduling Letter for Desk Evaluation**
  - Affirmative Action Plan & good faith efforts
  - Hiring requisitions & underutilized areas
  - Policies/procedures & lists of accommodations, etc.

- **Stage 2: Onsite evaluation**
  - More analyses on employment activities
  - Interviews with managers/supervisors
What are the consequences for not passing an OFCCP compliance evaluation?

The ultimate sanction for EEO/AA violations is debarment - the loss of a company's federal contracts. Other forms of relief to victims of discrimination may also be available, including back pay for lost wages.
What are some things you can do to prepare?

• Read your VC’s section of the Staff Affirmative Action Plan
• Become familiar with underutilized areas in your VC area/department
• Become educated on your EO/AA responsibilities through classes, blink pages, etc.
EO/AA Resources

• Staff Education and Development Classes
  – Culturally Competent Management Program
  – Employment Hiring class
  – Employment Discrimination Law class
• EEO/AA FAQs – April 2012
• EO/AA briefings – Summer 2012
• Staff EEO Advisors – Fall 2012
EO Staff Advisors

A cadre of staff advisors to support recruitment efforts and practices in order to further diversity at UC San Diego.
Other EO/SAA News

• Mentorship Program – mentors wanted!
• SEO EP funds – Applications due April 23rd
• Principles of Community materials – available now!