

July 1, 2012-June 30, 2013

UNIVERSITY OF CALIFORNIA

Office of the President and Principal Officers of the Regents

AFFIRMATIVE ACTION PROGRAM

For

MINORITIES AND FEMALES



CONFIDENTIAL TRADE SECRET MATERIALS

The material set forth in the AAP is deemed to constitute trade secrets, operations information, confidential statistical data, and other confidential commercial and financial data, within the meaning of the Freedom of Information Act, U.S.C. 552, Title VII of the Civil Rights Act of 1964 (as amended), 42 U.S.C. 2000e et seq., the Trade Secrets Act, 18 U.S.C. 1905, and 44 U.S.C. 3508, the disclosure of which is prohibited by law and would subject the individual making the disclosure to criminal and/or civil sanctions.

University of California Nondiscrimination and Affirmative Action Policy
Regarding Academic and Staff Employment

It is the policy of the University not to engage in discrimination against or harassment of any person employed or seeking employment with the University of California on the basis of race, color, national origin, religion, sex, gender identity, pregnancy,¹ physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994).² This policy applies to all employment practices, including recruitment, selection, promotion, transfer, merit increase, salary, training and development, demotion, and separation. This policy is intended to be consistent with the provisions of applicable State and federal laws and University policies.

University policy also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

In addition, it is the policy of the University to undertake affirmative action, consistent with its obligations as a Federal contractor, for minorities and women, for persons with disabilities, and for covered veterans.³ The University commits itself to apply every good faith effort to achieve prompt and full utilization of minorities and women in all segments of its workforce where deficiencies exist. These efforts conform to all current legal and regulatory requirements, and are consistent with University standards of quality and excellence.

In conformance with Federal regulations, written affirmative action plans shall be prepared and maintained by each campus of the University, by the Lawrence Berkeley National Laboratory, by the Office of the President, and by the Division of Agriculture and Natural Resources. Such plans shall be reviewed and approved by the Office of the President and the Office of the General Counsel before they are officially promulgated.

This Policy supersedes the University of California Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment, dated July 1, 2008.

¹ *Pregnancy* includes pregnancy, childbirth, and medical conditions related to pregnancy or childbirth.

² *Service in the uniformed services* includes membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services.

³ *Covered veterans* includes veterans with disabilities, recently separated veterans, Vietnam era veterans, veterans who served on active duty in the U.S. Military, Ground, Naval or Air Service during a war or in a campaign or expedition for which a campaign badge has been authorized, or Armed Forces service medal veterans.

PRINCIPLES OF COMMUNITY
FOR THE UNIVERSITY OF CALIFORNIA
OFFICE OF THE PRESIDENT

The University of California Office of the President is committed to promoting an environment that supports every person in an atmosphere of mutual respect, cooperation, professionalism, and fairness. Realization of this commitment requires awareness and active participation by every member of our community.

We strive to be

- **Service-oriented:** We seek to advance the goals of the University through responsive and efficient work practices and communications.
- **Ethical:** We practice integrity in every aspect of our work.
- **Open:** We believe that the exchange of ideas requires mutual respect and consideration of our differences.
- **Diverse:** We embrace diversity in all its forms and we strive for a community that fosters an open, inclusive and productive environment in an atmosphere of mutual respect.
- **Just:** We support fairness, respect for individual dignity and equitable access to resources, recognition and rewards.
- **Caring:** We practice mutual respect, trust and support to foster bonds that strengthen working relationships.
- **Commemorative:** We celebrate the heritage, achievements and diversity of the community and the contributions of our members.

The Office of the President is committed to establishing and enforcing policies that promote our principles of community. These policies include the University of California Personnel Policies for Staff Members (PPSM), local procedures that complement these policies (<http://hrop.ucop.edu/policies/welcome.html>) and applicable University collective bargaining agreements. For further information or inquiries, contact the Office of the President Chief Human Resource Officer.

AFFIRMATIVE ACTION PROGRAM FOR MINORITIES AND FEMALES

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I. EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY STATEMENT 41 C.F.R. § 60-1.4(A)(1)

THE UNIVERSITY OF CALIFORNIA OFFICE OF THE PRESIDENT AND PRINCIPAL OFFICERS OF THE REGENTS (OP/POR) is firmly committed to Equal Employment Opportunity (EEO) and to compliance with all Federal, State and local laws that prohibit employment discrimination on the basis of age, race, color, gender, national origin, religion, disability, protected veteran status and other protected classifications. This policy applies to all employment decisions including, but not limited to, recruiting, hiring, training, promotions, pay practices, benefits, disciplinary actions and terminations. (See attached Appendix A: PPSM-12: Non-Discrimination in Employment.)

As a government contractor, OP/POR is also committed to taking affirmative action to hire and advance minorities and women as well as qualified individuals with disabilities and covered veterans.

We invite employees who are disabled or protected veterans and who wish to be included under our Affirmative Action Program to self-identify as such with the EEO Coordinator. This self-identification is strictly voluntary and confidential and will not result in retaliation of any sort.

Employees of and applicants to OP/POR will not be subject to harassment, intimidation, threats, coercion, or discrimination because they have engaged or may engage in filing a complaint, assisting in a review, investigation, or hearing or have otherwise sought to obtain their legal rights related to any Federal, State, or local law regarding EEO for qualified individuals with disabilities or qualified protected veterans.

The OP/POR's Affirmative Action Program for qualified individuals with disabilities and qualified protected veterans is available for inspection by any employee or applicant for employment upon request, between 8:00 am - 5:00 pm at the Office of Human Resources department. Any questions should be directed to the EEO Coordinator, your supervisor, or Nathan Brostrom.

II. INTERNAL AND EXTERNAL DISSEMINATION OF POLICY 41 C.F.R. § 60-1.4

The OP/POR undertake the following to communicate their policies on nondiscrimination and affirmative action:

Internal Dissemination

1. Include the nondiscrimination and affirmative action policies in all personnel manuals distributed to employees. Nondiscrimination and affirmative action policies are also printed on all publications and located on the UCOP employment web site.
2. Communicate the nondiscrimination and affirmative action policies to employees, including during new employee orientation sessions.
3. Conduct both formal and informal meetings with employees, managers, and supervisors to discuss nondiscrimination and affirmative action policies.
4. Publish written notices concerning training and development programs to ensure equal opportunity and nondiscrimination in participation in such programs.
5. Display equal employment opportunity and affirmative action posters on bulletin boards and in other areas designated for general information.
6. Publish feature articles and photos (when such items are prepared for newspapers, advertisements, handbooks, and other publications) that include women and minorities.
7. Advise union officials of the equal opportunity and affirmative action policies and provide for the inclusion of appropriate clauses in collective bargaining agreements. Review agreements to ensure that they are nondiscriminatory.

External Dissemination

1. Inform recruitment sources that the University is an affirmative action/equal opportunity employer. Encourage these sources to refer all qualified potential applicants, including minorities and women, to the OP and the POR for employment opportunities.
2. Include the clause, "the University of California is an Affirmative Action/Equal Opportunity Employer," in all job announcements.
3. Provide notice to all contractors, subcontractors, vendors, and suppliers of goods and services of the OP's and the POR's affirmative action and nondiscrimination policies and obligations pursuant to Executive Order 11246, as amended, and its implementing regulations. Include the clause, "the University of California is an Affirmative Action/Equal Opportunity Employer," in all the OP/POR purchase agreements, leases, and contracts.

III. DESIGNATION OF RESPONSIBILITIES FOR IMPLEMENTATION OF THE WRITTEN AFFIRMATIVE ACTION PROGRAM 41 C.F.R. § 60-2.17(A)

Office of the President

Executive Vice President -- Business Operations

The Executive Vice President--Business Operations is the Chief Operating Officer for the University of California, Office of the President (OP) and has overall responsibility for affirmative action. The Executive Vice President--Business Operations has delegated specific authorities and responsibilities for affirmative action as outlined below:

Vice President -- Human Resources

The Vice President – Human Resources has oversight responsibility for the OP/POR Affirmative Action Plan, and oversees overall implementation of the commitments and objectives outlined in the Plan.

Chief Human Resources Officer (CHRO)

Equal Employment Opportunity Coordinator (EEOC)

Affirmative Action Officer (AAO)

- A. The Equal Employment Opportunity Coordinator has responsibility for development of the OP/POR Affirmative Action Plan, including oversight of the monitoring and evaluation activities carried out by Human Resources.
- B. The EEOC and CHRO have shared responsibility for the following:
 - 1. Administer employee affirmative action programs consistent with established affirmative action objectives.
 - 2. Ensure that consultations with managers, supervisors, and other employees are conducted regarding the University's policies governing affirmative action and nondiscrimination.
 - 3. Ensure that appropriate monitoring and reporting systems are developed to measure the

effectiveness of OP/POR affirmative action and nondiscrimination policies, programs, and actions. Ensure identification of problem areas and development of action-oriented programs.

B. The Equal Employment Opportunity Coordinator has responsibility for implementation within the Office of the President of the OP/POR Affirmative Action Plan with respect to administration of personnel policies, recruitment, hiring, promotion, retention, and training and development. The Equal Employment Opportunity Coordinator works with the Principal Officers of The Regents in their implementation of the OP/POR Affirmative Action Plan with respect to personnel actions such as recruitment, hiring, promotion, retention, and training and development. The CHRO's responsibilities include the following:

1. Advise Division Heads, Department Heads, Unit Managers, and Supervisors about the application of personnel policies and their affirmative action implications.
2. Assist in the identification of problem areas concerning protected groups.
3. Oversee systems to collect information that is used to measure the effectiveness of affirmative action programs, identify any need for remedial action, and determine the attainment of affirmative action goals (joint responsibility with The Equal Employment Opportunity Coordinator).
4. Develop and implement policies and procedures which afford minorities and women equal opportunity to participate in all OP- and POR- sponsored educational, training, recreational, and social activities.
5. Ensure the implementation of policies and procedures governing equal employment opportunity and affirmative action efforts (joint responsibility with The Equal Employment Opportunity Coordinator and AAO).

C. The Equal Employment Opportunity Coordinator will conduct confidential informal discussions with employees and/or supervisors and formal investigations regarding suspected or alleged discriminatory actions or behavior.

The AAO is responsible for the development of affirmative action plans, policies, and programs at the OP, and has responsibility for the day-to-day implementation of the OP/POR Affirmative Action Plan, including the coordination, monitoring, and evaluation of the OP Affirmative Action programs, policies, and procedures. The AAO's responsibilities extend to the Principal Officers of The Regents with respect to the development of the Affirmative Action Plan and related policies, programs and procedures. Specifically, the AAO's responsibilities include the following:

- A. Develop and update the Affirmative Action Plan for the OP and the POR consistent with applicable laws, regulations, and University policies.
- B. Design and implement audit and reporting systems that will:
 - 1. Measure the effectiveness of affirmative action programs.
 - 2. Identify any needs for remedial action.
 - 3. Determine the degree to which affirmative action goals and objectives are being attained.
- C. Identify problem areas and assist in the development of corrective programs and actions (joint responsibility with CHRO and The Equal Employment Opportunity Coordinator).
- D. Develop internal and external communications to provide for broad dissemination of OP/POR's nondiscrimination and affirmative action policies and procedures (joint responsibility with CHRO and The Equal Employment Opportunity Coordinator).
- E. Conduct informal and formal meetings, conferences, workshops, seminars, or individual or group sessions with OP/POR employees to communicate information regarding the University's policies, legal requirements, and other issues pertaining to affirmative action and nondiscrimination.

Division Heads, Department Heads, Unit Managers

Division Heads', Department Heads', and Unit Managers' responsibilities include the following:

- A. Provide for equitable application of all personnel policies and procedures to provide a workplace free of employment discrimination.

- B. Afford women and minorities equal opportunity to participate in the OP/POR sponsored educational, training, recreational, and social activities.
- C. Apply good faith efforts to achieve placement goals when established.

Supervisors

Supervisors' responsibilities include the following:

- A. Apply equitably all personnel policies and practices to provide a workplace free of discrimination. Upon request, provide employees with copies of written policy and procedural statements.
- B. Circulate internal and external communications to employees regarding affirmative action and nondiscrimination policies, procedures, and programs.
- C. Implement policies and procedures which afford women and minorities equal opportunities to participate in OP/POR sponsored educational, training, recreational, and social activities.

Principal Officers of The Regents

The Secretary of The Regents, The Vice President--Legal Affairs & General Counsel of The Regents, Senior Vice President of Ethics, Compliance & Audit Services and The Treasurer of The Regents

With the assistance as necessary and appropriate from the Equal Employment Opportunity Coordinator – UCOP Human Resources, the Secretary, the General Counsel and Vice President--Legal Affairs, and the Treasurer of The Regents are responsible for implementing the OP/POR Affirmative Action Plan in their respective offices. These responsibilities include administration of personnel policies, recruitment, hiring, promotion and retention, training, compensation, and development of administrative procedures to implement the commitments and objectives outlined in the Plan. The Affirmative Action Officer will assist in the development of the programs and procedures designed to meet the POR's affirmative action needs and objectives, and in the identification of problem areas including those resulting from underutilization. Specifically, responsibilities of the Secretary, Senior Vice President of Ethics, Compliance & Audit Services the Vice President--Legal Affairs & General Counsel, and the Treasurer of The Regents include the following:

- A. Provide for equitable application of all personnel policies and procedures to provide a workplace free of employment discrimination.
- B. Apply good faith efforts to achieve placement goals for minorities and women, when established.
- C. Afford women and minorities equal opportunities to participate in all the OP/POR sponsored educational, training, recreational, and social activities.
- D. With the assistance of the Affirmative Action Officer, develop internal and external communications to provide for the broad dissemination of the POR's nondiscrimination and affirmative action policies and procedures.

IV. WORKFORCE ANALYSIS 41 C.F.R. § 60-2.11

The Workforce Analysis lists each job title within each Department of the OP/POR, ranked from lowest to highest salary, and for each job title specifies the total number of employees, the total number of minority employees, the total number of male and female employees, and the total number of male and female employees in each minority group (Asian/Pacific Islander, Black, Hispanic, and American Indian/Alaskan Native). The Workforce Analysis reflects full- and part-time employees within the OP/POR workforce. University of California Chancellors, the Vice President—Agriculture and Natural Resources, and the Lawrence Berkeley National Laboratory Director are not included in the OP/POR workforce analysis, but are included in the OP/POR job group and utilization analyses because selection decisions for these positions are made at the Office of the President and/or by The Board of Regents. While reported in the OP/POR Plan, employees who hold these positions work at off-site establishments. (See attached Appendix B: Workforce Analysis.)

Currently, the OP workforce is employed within six organizational Divisions:

- Academic Affairs
- Business Operations
- External Relations
- Office of the Chief Financial Officer
- Health Science and Services
- Laboratory Management

The POR workforce is employed within four organizational Divisions:

- Secretary of The Regents
- General Counsel of The Regents
- Treasurer of The Regents
- Office of Ethics, Compliance, and Audit Services

The Workforce Analysis is available upon request from the Office of Human Resources.

V. JOB GROUP ANALYSIS 41 C.F.R. § 60-2.12

Jobs with similar content, wage rates and opportunities are combined to form job groups. In accordance with Federal affirmative action regulations, Jobs with similar content, wage rates and opportunities are combined to form job groups. For the purposes of the Utilization Analysis, the OP/POR workforce is arrayed in the 11 job groups shown in the list below. (See attached Appendix C: Job Group Analysis.)

Job Group

- 1 Senior Administrators
- 2 Senior Managers
- 3 Managers and Senior Professionals
- 4 Professionals
- 5 Programmer Analysts
- 6 Accountants and Auditors
- 7 Technical and Paraprofessionals
- 8 Clerical and Secretarial
- 9 Legal Secretaries
- 10 Service and Maintenance
- 11 Academic

VI. PLACEMENT OF INCUMBENTS IN JOB GROUPS 41 C.F.R. § 60-2.13

The list below identifies the job titles that comprise each of the 11 identified UCOP/POR job groups reported in this year's plan. (See attached Appendix C: Job Group Analysis.)

JOB GROUP 1 - SENIOR ADMINISTRATORS

1	President of the University
9	Executive Vice President
10	Provost & SR VP Acad --Affairs
12	SR. Vice Pres--Designate
15	Vice Pres (Functional Area)
16	Vice President
30	Chancellor
55	Secretary of The Regents
60	Treasurer Of The Regents
80	General Counsel & VP-Legal Aff
102	(Functl Area) Officer-Exec
122	Vice Provost (Funct Area)-Exec
1700	Laboratory Director

JOB GROUP 2 - SENIOR MANAGERS

45	Asst VP (Functional Area)
65	Asst Treasurer Of The Regents
81	Deputy General Counsel
88	Executive Director-Executive
93	Director (Functl Area)-Exec
171	Associate Vice President

JOB GROUP 3 - MANAGERS & SENIOR PROFESSIONALS

245	Director (Functional Area)
250	Deputy Dir (Functional Area)
256	Assoc Dir (Functional Area)
259	Asst Dir (Functional Area)
280	Manager (Functional Area)
355	Admin/Coord/Officer(Func Area)
425	Ex Asst/Sp Asst/Asst(Flt Area)
431	Managing Counsel
432	Principal Counsel
433	Senior Counsel
434	Counsel

449	Deputy to the VP
450	Deputy To The Senior VP
452	Deputy To The Assistant VP
461	Specialist (Functional Area)
635	Programmer Analyst IV - UCOP
636	Systems Programmer IV
637	Network Engineer II
638	IT Resource Manager II
639	IT Resource Manager III
700	Mgt And Prof Prog (Untitled)
719	Pr Educational Facility Plan
731	Pr Administrative Analyst II
733	Principal Budget Analyst II
735	Programmer /Analyst V-Supervisor
736	Programmer/Analyst V
738	Programmer/Analyst IV
747	Principal Accountant

JOB GROUP 4 - PROFESSIONALS

4121	Advisor, Resident, Sr
4122	Resident Advisor
4355	Student Aff. Officer III
4919	Assistant IV
4920	Assistant III
4921	Assistant II
6213	Producer-Director, Sr
6452	Program Representative III
6908	Customer Serv Rep II
6909	Customer Serv Rep I
6962	Planner, Educational Facility,Sr
6963	Planner, Educational Facility
6967	Planner, Sr
6968	Planner, Assoc
7234	Analyst I
7235	Analyst II
7236	Analyst III
7237	Analyst IV
7238	Analyst V
7241	Analyst, Administrative,Prin I
7242	Analyst, Administrative, Sr
7243	Analyst, Administrative
7249	Analyst V-Supervisor

7251	Analyst, Budget, Prin I
7252	Analyst, Budget, Sr
7253	Analyst, Budget
7511	Management Services Officer II
7512	Management Services Officer I
7646	Admin. Specialist
7661	Analyst, Personnel, Prin I
7666	Specialist, Paralegal, Sr.
7667	Specialist, Paralegal.
7671	Public Information Rep, Sr
7676	Program Promotion Manager I
7678	Publications Manager, Sr
7682	Editor, Prin
7683	Editor, Sr
7684	Editor
7693	Publications Coordinator, Prin
7703	Writer Sr.
7704	Writer
9918	Secretary, Executive, Gen Coun
9921	Secretary, Admin II
9924	Secretary, Executive TT-/OP
9927	Secretary, Executive TT OP
9933	Secretary, Executive, TT_____

JOB GROUP 5 - PROGRAMMER ANALYSTS

7310	Prog. Analyst I-UCOP
7312	Prog. Analyst II-UCOP
7314	Prog. Analyst III-UCOP
7322	Systems Prog. II
7324	Systems Prog. III
7330	Network Engineer I
7340	IT Resource Manager I
7347	Technology Support Analyst II
7348	Technology Support Analyst III

JOB GROUP 6 - ACCOUNTANTS & AUDITORS

7615	Accountant V
7616	Accountant IV
7617	Accountant III
7618	Accountant I
7620	Accountant II

JOB GROUP 7 - TECHNICAL & PARAPROFESSIONALS

4806 Computer Res Spec II - UCOP
6101 Artist, Prin
6102 Artist, Sr

JOB GROUP 8 - CLERICAL & SECRETARIAL

4672 Clerk, Sr/Secretary
4722 _____Assistant III
4723 _____Assistant II
4724 _____Assistant I
4726 _____Assistant III-Supvr
4822 Mail Processor, Sr
4823 Mail Processor
7191 Data Proc Prod Coordinato,Prin

JOB GROUP 9 - LEGAL SECRETARIES

4997 Secretary, Legal, Prin
4998 Secretary, Legal, Supervising

JOB GROUP 10 - SERVICE & MAINTENANCE

4764 Technician, Reprographics, SR
5061 Storekeeper, Lead
5063 Stores Worker
5070 Stores Supvr, Sr
8212 Building Maintenance Worker, SR

JOB GROUP 11 - ACADEMIC

1410 Instructor - Fiscal Yr

VII. DETERMINING AVAILABILITY 41 C.F.R. § 60-2.14

Pursuant to 41 C.F.R. § 60-2.14, The Availability Analysis estimates the percentages of qualified minorities and women available for employment in each identified job group. In estimating availability, the OP/POR is required by the Executive Order to consider at least two factors. The factors that must be taken into account and weighted according to their importance in terms of total availability are listed below.

- 1) Required Skills--Recruiting Area: the percentage of minorities and women with the requisite skills in the reasonable recruitment area. The reasonable recruitment area is defined as the geographical area from which the OP or POR reasonably could find qualified applicants.

- 2) Internal Market: the percentage of minorities and women among those promotable, transferable, and trainable within the OP and the POR.

Personnel are recruited from within the University and external sources on multi-geographic levels. In general, external sources from which the University recruits come from three geographic levels: local (San Francisco Bay Area for Job Groups 4-11), state (California for Job Group 3), and national (United States for Job Groups 1 and 2).

Availability data was collected to address both factors, and weighted according to applicant availability. (See attached Appendix D: Availability Analysis.)

VIII. COMPARING INCUMBENCY TO AVAILABILITY 41 C.F.R. § 60-2.15

An availability analysis determines the expected proportions for women and minorities to be represented in a job group, based on their availability in the relevant labor market. This analysis creates the basis for determining whether women or minorities are underutilized within a job group, whereby goals will be established, equal to availability and will serve as reasonably attainable objectives in correcting underutilization. When the percentage of minorities or women employed in a particular job group is less than would reasonably be expected by their availability, a placement goal is established equal to the availability figure for that job group. The OP/POR utilizes the Two-Standard Deviation Rule and the exact binomial tests to determine if the difference between availability and utilization is significant. Detailed underutilization tables are available upon request.

IX. IDENTIFICATION OF PROBLEM AREAS 41 CFR 60-2.17(B)

The OP/POR performs in-depth analysis of its total employment process to determine if there are areas where minority and/or female groups may face impediments to equal opportunity. The following analyses are conducted in order to reveal any potential problem areas:

1. **Placement Goals:** An analysis of incumbency versus availability is performed to determine whether there are problems of minority or female utilization. Whenever a problem exists, as defined by the methodology the OP/POR uses, Placement Goals are set (see the Placement Goals report which follows this section).

For job groups that have Placement Goals, steps will be taken to encourage and increase the percentage of qualified females and/or minorities applying for positions both externally and internally. These steps may include, as appropriate, but are not limited to the following:

1. Recruiting at colleges and universities with a significant percentage of minority and female students;
2. Publishing job advertisements in newspapers and/or magazines that target females and/or minorities;
3. Offering mentorship programs for female and minority employees;
4. Offering job training to females and minorities currently employed by the OP/POR in order to increase their chances of advancing within the OP/POR;
5. Offering tuition reimbursement to employees to obtain training that will increase their chances of advancing within the OP/POR;
6. Using recruitment companies that specifically target females and minorities; and
7. Continuing to use the services of their State Employment Service.

2. **Review of Employment Decisions:** Review of employment decisions is made in order to determine whether or not females/minorities are selected at a less favorable rate than males/non-minorities.

Review of Hires/Promotions: Whenever females/minorities are selected at a lower rate than males/non-minorities, a review of the applicant flow is conducted to determine possible reasons why females/minorities were not selected at a more favorable rate. If the OP/POR is attracting fewer than expected females/minorities that fit the qualifications for the job groups, good faith efforts will be put into place to attempt to improve the applicant flow of qualified females/minorities.

Review of Terminations: For non-voluntary terminations, if females/minorities are being terminated at a higher rate than males/non-minorities, a review of the employee files will be made to ensure that the OP/POR is applying its policies and procedures for termination equally for protected as well as non-protected classes.

3. **Compensation:** Compensation is reviewed at least annually in order to determine if there are significant discrepancies in pay when comparing female to male rates of pay and minorities versus non-minorities rates of pay. If discrepancies do exist, a thorough review is conducted to determine if the difference in pay is justified due to appropriate factors. If the difference in pay cannot be justified, the OP/POR will put a plan in place to address the issue.

X. PLACEMENT GOALS REPORT (41 CFR 60-2.16)

Plan: 8000 - UC OFFICE OF THE PRESIDENT

<i><u>Job Group</u></i>	<i><u>Class</u></i>	<i><u>Goal Placement Rate %</u></i>
03 – MANAGERS & SENIOR PROFESSIONALS	Hispanic	10.19%
08 – CLERICAL & SECRETARIAL	Female	89.53%

XI. ACCOMPLISHMENT OF PRIOR YEAR PLACEMENT GOALS (41 CFR 60-1.40(C)) 41 CFR 60-1.12(B), -2.1(C) AND -2.16

The OP/POR developed action-oriented programs (see Section V) designed to accomplish the established goals and objectives, thereby enhancing employment and advancement opportunities in the OP/POR for females and minorities. The results of the prior year's Affirmative Action Program are identified on the following report.

Goal Attainment Report

Plan: 8000 - UC OFFICE OF THE PRESIDENT

<u>Job Group</u>	<u>Class</u>	<u>Employees at plan date #</u>	<u>Goal Placement Rate %</u>	<u>Placement #</u>	<u>Actual Placement Rate %</u>	<u>Goal Attained?</u>
02 – SENIOR MANAGERS		29		4		
	Minority	6	27.88%	1	25.00%	No
	Asian	1	13.88%	0	0%	No
03 – MANAGERS & SENIOR PROFESSIONALS		482		169		
	Hispanic	35	10.15%	11	6.50%	No
04 – PROFESSIONALS		393		123		
	Native American	0	0.30%	0	0%	No
08 – CLERICAL & SECRETARIAL		155		54		
	Female	121	87.48%	42	77.77%	No
	Native American	0	0.74%	1	1.85	Yes
09 – LEGAL SECRETARIES		8		3		
	Hispanic	0	12.54%	0	0%	No

XII. THE DEVELOPMENT AND EXECUTION OF ACTION-ORIENTED PROGRAMS (41 CFR 60-2.17(C))

Action programs have been instituted to eliminate identified problem areas and to help achieve specific Affirmative Action goals. These programs may include, but are not limited to, the following:

1. Conducting periodical analyses of job descriptions to ensure they accurately reflect job functions;
2. Making job descriptions available to recruiting sources and available to all members of management involved in the recruiting, screening, selection and promotion processes;
3. Evaluating the total selection process to ensure freedom from bias through:
 - a. Reviewing job applications and other pre-employment forms to ensure information requested is job-related;
 - b. Evaluating selection methods that may have a disparate impact to ensure that they are job-related and consistent with business necessity;
 - c. Training personnel and management staff on proper interview techniques; and
 - d. Training in EEO for management and supervisory staff.
4. Using techniques to improve recruitment and increase the flow of qualified applicants, including minority and female applicants. The OP/POR may undertake the following actions:
 - a. Include the phrase "Equal Opportunity/Affirmative Action Employer" or other acceptable tagline in all printed employment advertisements;
 - b. Place help wanted advertisements in local minority news media and women's interest media;
 - c. Disseminate information on job opportunities to organizations representing minorities, women and employment development agencies when job opportunities occur;
 - d. Encourage all employees to refer qualified applicants;
 - e. Actively recruit at secondary schools, junior colleges, colleges and universities with predominantly minority or female enrollments; and
 - f. Request employment agencies to refer qualified minorities and women.
5. Preparing a self-audit of the OP/POR's compensation practices;
6. Ensuring that all employees are given equal opportunity for promotion. This is achieved by:
 - a. Posting promotional opportunities;
 - b. Offering counseling to assist employees in identifying promotional opportunities, training and educational programs to enhance promotions and opportunities for job rotation or transfer; and
 - c. Evaluating job requirements for promotion.

To continue achieving placement goals and to address areas of concern identified in Section IX, OP/POR has initiated the following specific activities and programs:

Special Recruitment Efforts

- Ensure that all new Human Resources staff participates in an orientation to gain an understanding of their role in the overall strategic plan to enhance diversity within the organization.
- Post all job openings on the World Wide Web at <https://jobs.ucop.edu/applicants/jsp/shared/frameset/frameset.jsp?time=1150414633468>. As a service to applicants and employees, job openings from other University locations are also available for viewing on the OP Website.
- Develop partnerships with local community organizations for outreach to underutilized groups by weekly communicating current employment opportunities and coordinating quarterly presentations to their staff and clients.
- Advertising and outreach has been used to enlarge and diversify the applicant pool and has allowed for increased opportunities to meet affirmative action goals through the following organizations:

African American Hires.com
All Veteran Jobs.com
All gbtjobs.com
America's Job Exchange
Asianhires.com
Asians for Job Opportunities
Black MBA Association
Blacks in Higher Education
California Department of Rehabilitation- San Francisco District
California Department Of Rehabilitation-Oakland District
California Employment Development Department-Contra Costa County
California Employment Development Department-Marin County
California Employment Development Department-Sacramento
California Employment Development Department-San Mateo
California Minority Counsel Program
California Job Journal Career Fair
Career Link One Stop
Career Resources Development Center
City Career Fair
Department of Rehabilitation – local offices
Disability Job Exchange
Disability Management Employer Coalition
Diverse Education.com
Diverse Military Resource and Career Fair
Diversity.com
Diversity Jobs.com

Eastbay Works Career Center
Goodwill Industries
Goodwill Industries Greater East bay INC
Higher Education Recruiting Consortium
Hispanics in Higher Education
Hispanic Job Exchange
National Association of Hispanic Journalist
OFCCP – Napa College Veteran’s Conference
Sacramento Job Corps Center
Swords to Plowshares
Travis Air Force Base
Trades Woman, INC
Treasure Island Job Corps Center
U.S. Department of Veteran Affairs
VeteranJobs.Net
Veteran Job Exchange
Visitation Valley Jobs Education and Training
Women in Communications
Women’s Job Exchange
Workforce Development Collaborative
Workforce Investment Board

Employee Networking and Interest Groups

Employee networking and interest groups have been established at the Office of the President to help maintain a work environment that is inviting, nurturing, and hospitable to all employees. All Office of the President staff are invited to participate in the activities of these groups. The Affirmative Action Officer will be working diligently to strengthen the collaboration between OP/POR and the following networking groups: the Black Staff and Faculty Organization (BSFO), the Latino Staff Association (LSA), UCOP Pride, and the UCOP Staff Assembly (OPSA). Each group has a link on the Human Resources website at <http://ucop.edu/local-human-resources/op-life/staff-affinity-groups/index.html>.

Employee Development Programs

- University-wide Staff Development Programs (<http://www.ucop.edu/human-resources/staff/talent-management--acquisition/talent-management-staff-development.html>):
 - Management Skills Assessment Program (MSAP)
 - Business Officers Institute (BOI)
 - Sexual Harassment Prevention Training Program
- UCOP Training and Development Offerings (<http://ucop.edu/local-human-resources/files/learning-development/ucop-learning-development-2012-brochure.pdf>)

Family-Friendly Policies and Programs

The OP/POR has developed and implemented family-friendly policies and programs that include family illness and bereavement leave, pregnancy disability leave, family and medical leave, and lactation accommodation. Links to these policies and programs, as well as links to childcare and eldercare referral resources are listed on the Human Resources web site at <http://ucop.edu/pacsw/resources/>.

XIII. INTERNAL AUDIT AND REPORTING SYSTEMS (41 CFR 60-2.17(D))

The OP/POR believes that one of the most important elements in effectively implementing a written Affirmative Action Program is an adequate internal audit and reporting system. Through this system, the total program can be monitored for effectiveness, and management can be kept informed. The OP/POR's audit and reporting system is designed to:

1. Measure the effectiveness of the AAP/EEO program;
2. Document personnel activities;
3. Identify problem areas where remedial action is needed; and
4. Determine the degree to which the OP/POR's AAP goals and objectives have been attained.

The following personnel activities are reviewed, as necessary and desirable, to ensure nondiscrimination and EEO for all individuals without regard to their race, color, gender, religion, national origin:

1. Recruitment, advertising, and job application procedures;
2. Hiring, promotion, upgrading, layoff, recall from layoff;
3. Rates of pay and any other forms of compensation including fringe benefits;
4. Job assignments, job classifications, job descriptions, and seniority lists;
5. Sick leave, leaves of absence, or any other leave;
6. Training, attendance at professional meetings and conferences; and
7. Any other term, condition, or privilege of employment.

The following documents may be maintained as a component of the OP/POR's internal audit process:

1. An applicant flow log;
2. Summary data of external job offers and hires, promotions, resignations, terminations;
3. Summary data of applicant flow;

4. Employment applications; and
5. Records pertaining to OP/POR's compensation system.

The OP/POR's audit system includes periodic review of employment decisions. Managers and supervisors are asked to report any current or foreseeable EEO problem areas and are asked to outline their suggestions/recommendations for solutions. If problem areas arise, the manager or supervisor is to report problem areas immediately to the EEO Coordinator. During the reporting cycle, the following occurs:

1. The EEO Coordinator will discuss any problems relating to significant rejection ratios, EEO charges, etc., with management; and
2. The EEO Coordinator will report the status of the OP/POR's AAP goals and objectives to management. The EEO Coordinator will recommend remedial actions for the effective implementation of the AAP.

XIV. COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES (41 CFR 60-20)

The OP/POR prohibits discrimination in employment practices on the basis of sex. Internal personnel policies, procedures, and practices comply with the Sex Discrimination Guidelines set forth below:

1. Employees of both sexes are recruited for all jobs, unless sex is a bona fide occupational qualification.
2. Advertisements do not express a sex preference, unless sex is a bona fide occupational qualification.
3. Written personnel policies expressly indicate that there shall be no discrimination against employees on the basis of sex.
4. Employees of both sexes have equal opportunity to any available job for which they are qualified, unless sex is a bona fide occupational qualification. Both sexes are afforded equal access to all training programs, including any management trainee programs.
5. There are no distinctions on the basis of sex in: employment opportunities, wages, hours, or other conditions of employment.
6. There is no distinction between married and unmarried applicants or employees, or between applicants or employees with young children.
7. Policies and practices assure appropriate physical facilities to both sexes.
8. Women are not penalized in their conditions of employment because they require leave for childbearing. UC maintains a maternity leave policy which meets all applicable legal requirements.
9. Provisions in collective bargaining agreements relating to conditions of employment are reviewed to insure consistency with the OFCCP Sex Discrimination Guidelines
10. There is no specification of differences on the basis of sex in mandatory or optional retirement age.
11. Seniority lines and lists are not based on sex.
12. The same wage schedules are applied to employees of both sexes.
13. Affirmative action is taken to recruit women to apply for jobs in which they have been previously underutilized.
14. Steps are taken to make jobs available to all qualified employees without regard to sex, and ensure that members of one sex are not discriminatorily restricted to certain job classifications; ensure that women are not denied the right to jobs for which they are qualified on the basis of any state "protective" law.

The University's Sexual Harassment Policy is located on the OP/POR Human Resources web site at http://hrop.ucop.edu/employees/sexual_harassment.html

**XV. COMPLIANCE WITH GUIDELINES ON DISCRIMINATION
BECAUSE OF RELIGION OR NATIONAL ORIGIN (41 CFR 60-50)**

The OP/POR prohibits discrimination in employment practices on the basis of religious beliefs or national origin, and complies with the Guidelines on Discrimination Because of Religion or National Origin, as follows:

1. Applicants for employment and employees are treated fairly without regard to religious beliefs or national origin.
2. The OP/POR commitment to nondiscrimination on the basis of religion or national origin is communicated in the Affirmative Action Plan, personnel policy manuals, and other appropriate documents.
3. Personnel procedures are audited to insure that policies regarding equal employment opportunity are implemented without regard to religion or national origin.
4. Employees are periodically informed of the commitment to equal employment opportunity without regard to religion or national origin.
5. Assistance and support are enlisted of organizations and recruitment sources which maintain contacts with individuals with varying religious beliefs and national origins for OP/POR's commitment to provide equal employment opportunity without regard to religious beliefs or national origin.
6. Efforts are made to accommodate religious observances and practices of employees or applicants for employment, unless it causes undue hardship on the conduct of business. In determining the feasibility of such accommodations, the OP/POR will consider business necessity, financial costs and expenses, and resulting personnel problems.

APPENDIX A

AFFIRMATIVE ACTION PROGRAM FOR MINORITIES AND FEMALES

PPSM-12: Non-Discrimination in Employment



PPSM-12: Nondiscrimination in Employment

Responsible Officer:	Vice President – Human Resources
Responsible Office:	Human Resources
Issuance Date:	July 1, 2012
Effective Date:	July 1, 2012
Scope:	Professional & Support Staff, Managers & Senior Professionals, and Senior Management Group Members

Contact:	Charles Barragan
Email:	Charles.Barragan@ucop.edu
Phone #:	(510) 987-0863

I. POLICY SUMMARY

The University of California is committed to nondiscrimination in employment and creating and maintaining a workplace free of harassment.

II. DEFINITIONS

Executive Officer: The University President or Chancellor.

Exception to Policy: An action that exceeds what is allowable under current policy or that is not expressly provided for under policy. Any such action must be treated as an exception.

Gender: The sex of a person, including a person’s gender identity, and gender expression.

Gender expression: A person’s gender-related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.

Gender identity: An individual’s personal sense of himself/herself as being male and masculine or female and feminine, or ambivalent.

Pregnancy: includes pregnancy, childbirth, and medical conditions related to pregnancy and childbirth.

Service in the Uniformed Services: includes service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service.

Top Business Officer: Executive Vice President-Business Operations for the Office of the President, Vice Chancellor for Administration, or the position responsible for the location's financial reporting and payroll as designated by the Executive Officer.

III. POLICY TEXT

A. General

It is the policy of the University not to engage in discrimination against or harassment of any person employed by or seeking employment with the University of California on the basis of race, color, national origin, religion, sex, gender, gender expression, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services. This policy is intended to be consistent with the provisions of applicable state and federal laws and University policies.

B. Sexual Harassment

The University of California is committed to creating and maintaining a community in which all persons who participate in University programs and activities can work together in an atmosphere free of all forms of harassment, exploitation, or intimidation, including sexual. Specifically, every member of the University community should be aware that the University is strongly opposed to sexual harassment and that such behavior is prohibited both by law and by University policy. It is the intention of the University to take whatever action may be needed to prevent, correct, and, if necessary, discipline behavior which violates this policy.

C. Retaliation

University policy prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

D. Complaints

Information regarding applicable policies and procedures for resolving complaints of discrimination and harassment and for pursuing available remedies is available in the local [Human Resources office](#).

IV. COMPLIANCE / RESPONSIBILITIES

A. Implementation of the Policy

The Vice President–Human Resources is the Responsible Officer for this policy and has the authority to implement the policy. The Responsible Officer may apply appropriate interpretations to clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy. The Chancellor is authorized to establish and is responsible for local procedures necessary to implement the policy.

B. Revisions to the Policy

The President is the Policy Approver and has the authority to approve policy revisions upon recommendation by the Vice President–Human Resources.

The Vice President–Human Resources has the authority to initiate revisions to the policy, consistent with approval authorities and applicable *Bylaws* and *Standing Orders* of the Regents.

The Executive Vice President–Business Operations has the authority to ensure that policies are regularly reviewed, updated, and consistent with other governance policies.

C. Approval of Actions

Actions within this policy must be approved in accordance with local procedures. Chancellors and the Vice President–Human Resources are authorized to determine responsibilities and authorities at secondary administrative levels in order to establish local procedures necessary to implement this policy.

All actions applicable to PPSM-covered staff employees who are not Senior Management Group members that exceed this policy, or that are not expressly provided for under any policy, must be approved by the Vice President–Human Resources.

D. Compliance with the Policy

The following roles are designated at each location to implement compliance monitoring responsibility for this policy:

The Top Business Officer and/or the Executive Officer at each location will designate the local management office to be responsible for the ongoing reporting of policy compliance.

The Executive Officer is accountable for monitoring and enforcing compliance mechanisms and ensuring that monitoring procedures and reporting capabilities are established.

The Vice President–Human Resources is accountable for reviewing the administration of this policy. The Director–HR Compliance may periodically monitor compliance to this policy.

E. Noncompliance with the Policy

Noncompliance with the policy is handled in accordance with the Personnel Policies for Staff Members 61, 62, 63, 64, 65, and 67 pertaining to disciplinary and separation matters.

V. PROCEDURES

The Responsible Officer may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation does not require the approval of the President.

VI. RELATED INFORMATION

- *University of California Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment*
- *University of California Policy on Sexual Harassment*
- *University of California Procedures for Responding to Reports of Sexual Harassment*

VII. FREQUENTLY ASKED QUESTIONS

How is military service defined under USERRA?

For purposes of this policy, the University uses the definition of “service in the uniformed services” found in the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), which states that this term “means the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to any such duty, and a period for which a person is absent from employment for the purpose of performing funeral honors duty.”

USERRA defines “uniformed services” as “the Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or national emergency.”

VIII. REVISION HISTORY

This policy was reformatted into the standard University of California policy template effective July 1, 2012.

Policy changes effective as of July 1, 2012:

- New language, in compliance with California Assembly Bill 887.
- Addition of gender and gender expression to the policy text.
- Addition of a definition of gender, gender expression, and gender identity.

The following policy is rescinded as of the effective date of this policy and is no longer applicable:

- *Personnel Policies for Staff Members 12 (Nondiscrimination in Employment)*, dated May 3, 2010