

## UC Davis Policy and Procedure Manual

### Chapter 380, Personnel--General

#### Section 10, Affirmative Action in Employment

Date: 1/4/16

Supersedes: 3/11/05

Responsible Department: Office of the Provost and Executive Vice Chancellor

Source Document: Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment

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#### I. Purpose

This section contains the University's policy for carrying out the affirmative actions that are required of all federal contractors.

#### II. Definitions

- A. Covered veteran--a disabled veteran, recently separated veteran, Vietnam-era veteran, Armed Forces service medal veteran, or any other veteran who served on active duty in the U.S. military, ground, naval, or air service during a war, a campaign, or an expedition for which a campaign badge has been authorized.
- B. Person with a disability--a person who (1) has a physical or mental impairment that substantially limits one or more major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

#### III. Policy

##### A. Affirmative action

- 1. The University undertakes affirmative action, consistent with its obligations as a federal contractor, for minorities and women, for persons with disabilities, and for covered veterans.
- 2. In conformance with legal and regulatory requirements and consistent with University standards of quality and excellence, the University commits itself to apply good faith efforts to achieve prompt and full utilization of minorities and women in segments of its workforce where deficiencies exist.
- 3. The University commits itself to engage in outreach efforts to reach and attract persons with disabilities and covered veterans for employment.

##### B. Nondiscrimination

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 a protected category as defined in [Section 380-15](#).

#### IV. Responsibilities

- A. The Provost and Executive Vice Chancellor, as the UC Davis Affirmative Action Officer, has overall responsibility for the affirmative action program.
  - 1. Deans, vice chancellors, and vice provosts are responsible for implementing the affirmative action program within their units and ensuring compliance with the law.
  - 2. Deans assess and approve search plans and the interim and final recruitment reports for academic positions (see the [UC Affirmative Action Guidelines for Recruitment and Retention of Faculty](#) and [APM-UCD 500](#)).

B. Department heads

1. Ensure departments follow the law and policy on selection, retention, advancement, and development of employees, and on reasonable accommodation of persons with disabilities.
2. Monitor the efforts of managers and supervisors to carry out the affirmative action program.
3. Post the notice "Equal Employment Opportunity is the Law," available at <http://www1.eeoc.gov/employers/poster.cfm>.

C. Managers and Supervisors

1. Make good faith efforts to carry out the affirmative action program.
2. Hiring managers must provide reasons for not interviewing or selecting candidates who meet minimum qualifications but are not hired.

D. Personnel offices (Academic Affairs; Human Resources)

1. Prepare a workforce analysis and utilization analysis by job groups to identify areas of under-representation of minorities and women and set goals for organizational units.
2. Analyze data on gender and ethnicity of employees affected by promotions, merit increases, and separations.
3. Analyze data on the hiring of persons with disabilities and covered veterans.
4. Conduct outreach efforts.
5. Disseminate affirmative action goals and analyze data to measure progress towards those goals.
6. Present training.
7. Advise members of the campus community about practices and procedures in place for outreach, training, resolution of complaints, and reasonable accommodation of disabilities.
8. Review personnel actions to assure that they are not discriminatory.
9. Examine physical and mental requirements of jobs to ensure the requirements are job related and consistent with business necessity and safe performance of the job.
10. Ensure that affirmative action and nondiscrimination are incorporated into all areas of personnel administration in their respective areas.

E. Associate Executive Vice Chancellor—Office of Campus Community Relations

1. In collaboration with other stakeholders, develops a plan regarding the diversity of the University's workforce.
2. Ensures this plan is implemented and monitors progress on the plan.

F. Chief Compliance Officer

1. Coordinates the University's affirmative action compliance program, including preparation of the annual Affirmative Action Plan.
2. Develops and implements procedures for prompt and effective response to reports of discrimination (see PPM 380-15).
3. Serves as liaison between the University and enforcement agencies.

## V. Requirements

- A. Dissemination of the affirmative action program plans
  - 1. The program plans are posted on the [Web](#) and made available in Shields Library.
  - 2. The plans are discussed in training and management programs related to recruitment and selection of staff and faculty.
  - 3. All recruitment materials, and all publications that contain general information and are available to applicants and the public must contain a statement that the University is an equal opportunity/affirmative action employer.

## VI. Further Information

For more information, contact the Academic Affairs office (530-752-2072; <http://academicaffairs.ucdavis.edu>), Human Resources (530-752-3383; <http://www.hr.ucdavis.edu>), or the [Compliance and Policy Unit](#) (530-752-6550).

## VII. References and Related Policy

- A. United States Code (<http://www4.law.cornell.edu/uscode/>):
  - 1. Title 29, Section 793.
  - 2. Title 38, Sections 4211 and 4212.
- B. [Code of Federal Regulations](#):
  - 1. Title 41, starting with Section 60-1.
  - 2. Title 41, starting with Section 60-741.
  - 3. Title 41, starting with Section 60-250.
- C. California State Constitution, Article 1, Section 31 (Proposition 209), ([http://www.leginfo.ca.gov/const/article\\_1](http://www.leginfo.ca.gov/const/article_1)).
- D. Office of the President:
  - 1. Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment (<http://policy.ucop.edu/doc/4000376/NondiscrimAffirmAct>).
  - 2. [Guidelines for Addressing Race and Gender Equity in Academic Programs in Compliance with Proposition 209](#).
- E. Personnel manuals and union contracts:
  - 1. Academic Personnel Manual (<http://manuals.ucdavis.edu/APM/apm-toc.htm>)
    - a. APM-035, Affirmative Action and Nondiscrimination in Employment.
    - b. APM-140, Non-Senate Academic Appointees/Grievances.
    - c. UCD-500, Academic Recruitment Guidelines.
  - 2. Personnel Policies for Staff Members (<http://manuals.ucdavis.edu/spp/spp-toc.htm>)
    - a. Policy and UCD Procedure 12, Nondiscrimination in Employment.
    - b. Policy and UCD Procedure 14, Affirmative Action.
    - c. Policy and UCD Procedure 20, Recruitment.

3. UC-union collective bargaining agreements; Articles on management rights (<http://ucnet.universityofcalifornia.edu/labor/bargaining-units/index.html>).
- F. UCD Policy & Procedure Manual, [Section 380-15, Staff Complaints of Discrimination](#).
- G. UCD Affirmative Action Personnel Program Plan ([http://occr.ucdavis.edu/affirmative\\_action\\_data.html](http://occr.ucdavis.edu/affirmative_action_data.html)).
- H. UCD Principles of Community (<http://principles.ucdavis.edu/>).