



Mesa State College

Affirmative Action Plan

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<p>Affirmative Action Notice of Grievance Form Located in the <u>MSC professional Personnel Handbook*</u>, Appendix E Anti-Discrimination Policy (including Procedures for Reporting and Investigating).....</p> <p>Located in the Mesa State College <i>Professional Personnel Employment Handbook</i>, Section II</p>	
Utilization Study	
<p>Most recent study may be found in hard copy in the following locations: MSC Library, offices of the President, VP for Academic Affairs, VP for Financial and Administrative Services, Human Resources, and Affirmative Action Coordinator</p>	

*The Mesa State College *Professional Personnel Employment Handbook*
<http://www.mesastate.edu/hr/documents/ProfessionalPersonnelEmploymentHandbook.pdf>

STATEMENT BY THE PRESIDENT

Mesa State College is committed to providing equal opportunity in employment for all persons, to prohibiting discrimination in employment because of race, color, religion, creed, sex, gender (including pregnancy) national origin, ancestry, age (40 and older) disability, veteran status, marital status and sexual orientation, and to promoting the full realization of equal employment opportunity through a continuing affirmative action program.

Tim Foster, President

Date

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PURPOSE OF THE PLAN

The Mesa State College Affirmative Action Plan (“the Plan”) is a performance-based, action-oriented tool for integrating equal employment opportunity into all of the College’s employment practices. The Plan outlines Mesa State College’s policies and procedures for taking affirmative action to ensure that employees are treated without regard to race, color, religion, creed, sex, gender (including pregnancy) national origin, ancestry, age (40 and older) disability, veteran status, marital status and sexual orientation (referred to jointly as “protected status”). The Plan’s three-step process of self analysis, problem identification and action-oriented programs provides a mechanism for examining employment practices to evaluate their impact on minorities, women, persons with disabilities and veterans and for measuring the effectiveness of actions implemented to correct any adverse effects.

The Plan is a working document designed to meet the written affirmative action plan requirements of Executive Order 11246 as amended by Executive Order 11375, Section 503 of the Rehabilitation Act and 38 U.S.C. 4212, and the regulations thereunder as well as other affirmative action standards required by law. It documents implementation of the Colorado Commission on Higher Education (CCHE) Affirmative Action Policy, and fulfills CCHE annual reporting requirements.

The original Affirmative Action Plan was written in 1972 and has been periodically reviewed, updated and revised. The CCHE policy, Mesa State College Diversity Plan, and applicable provisions of the policies contained in the *Board of Trustees of Mesa State College: Trustees Policy Manual* and the *Mesa State College Professional Personnel Employment Handbook* are incorporated by reference herein and, in the event of a conflict, will supersede the provisions of this Plan.

Since 1989, CCHE has annually reviewed reports on minority faculty, staff and student representation in Colorado higher education. The reports conclusively demonstrate that minorities are underrepresented in higher education when compared with their percentages in state populations. Mesa State College’s self analysis conducted pursuant to this Plan and the data appearing in Appendix 4 (staffing patterns) demonstrate that an under representation of women and minorities continues at the College. In light of this under representation, the College will continue to examine and monitor its employment practices to determine if any of those practices tend to have an adverse effect, leave uncorrected effects of prior discrimination, or result in disparate treatment of the members of any protected classes. Corrective actions, when necessary, will be reasonable in relation to the problems disclosed and may include, but are not limited to, recruitment goals and timeliness and creation of opportunities for excluded groups.

APPLICABLE LAWS

Mesa State College is committed to providing equal employment and advancement opportunities to all, consonant with applicable laws and without regard to race, color, religion, creed, sex, gender (including pregnancy) national origin, ancestry, age (40 and

older) disability, veteran status, marital status and sexual orientation. This Plan and the employment practices of the College are in compliance with applicable provisions of law including:

1. Federal Requirements

- Titles VI and VII of the Civil Rights Act of 1964
- Executive Orders 11246 as amended by 11375
- The Civil Rights Act of 1991
- Title IX of the Education Amendments of 1972
- Sections 503 and 504 of the Rehabilitation Act of 1973
- The Americans with Disabilities Act of 1990
- The Age Discrimination in Employment Act of 1967 as amended in 1978
- Section 402 of the Vietnam Veterans Readjustment Act of 1974
- The Age Discrimination in Employment Act of 1967 as amended by Section 941 of the Higher Education Amendments of 1998
- The Older Workers Benefit Protection Act of 1990
- The rules and regulations promulgated and cases decided thereunder

2. State Requirements

- Article 11, Sections 3, 4, 25, and 29 of the Colorado Constitution
- Sections 24-34-301 to 801, Colorado Revised Statutes
- The Colorado State Personnel System Act, Title 24, Article 50, Colorado Revised Statutes
- The Governor's Executive Order of August 7, 1987
- The rules and regulations promulgated and cases decided thereunder

STATEMENT OF POLICY

1. Nondiscrimination on the Basis of Age, Race, Color, National Origin, Religion, Sex, Disability, Veteran Status, or Sexual Orientation

It is the practice of Mesa State College to utilize procedures of recruitment, employment, training and promotion which are nondiscriminatory on the basis of age, race, color, national origin, religion, sex, disability, veteran status, or sexual orientation to the extent that an individual's abilities merit, provided that appropriate openings exist and are anticipated. Mesa State College does not hire, and it is not the intent of the Plan to require or authorize the hiring of, a person who lacks qualifications to perform the job successfully, or to hire a less qualified person in preference to a more qualified one. The College will continue this practice of employment according to the goals of equal opportunity accompanied by affirmative action.

It is Mesa State College's policy to

- a. recruit, hire, train, transfer and promote persons in all job classifications, without regard to age, race, color, religion, national origin, sexual orientation, veteran status (disabled or Vietnam era), disability, or sex, except where sex is a bona fide occupational qualification.
- b. assure that tenure, promotion and salary decisions are in accordance with principles of equal opportunity;
- c. assure that all personnel actions, such as compensation, benefits, transfers, reduction in force, reemployment and professional development are administered without regard to age, race, color, religion, sex, national origin, disability, sexual orientation, or veteran status (disabled or Vietnam era); and
- d. provide a workplace free of harassment based on membership in a protected class or retaliation for exercise of rights secured for a protected class by law or policy.

Equal opportunity applies to such employment practices as

- recruitment, selection, assignment, transfer, layoff, discharge and recall
- opportunities for promotion
- in-service training or development opportunities
- wage and salaries
- sick leave time and pay
- vacation time and pay
- overtime work and pay
- medical, hospital, life and accident insurance
- retirement plans and benefits
- accessibility
- working conditions

All members of the administration, faculty and staff are expected to assist in making the College's affirmative action policies a practical reality. Sincere participation and discussion with various levels of staff, faculty, and administration of the College will assure a continuance of the equal opportunity attitude and the development of the formal structure for the Plan implementation, as well as guidelines for operating within College policy.

In order to assure the effectiveness of the Plan, the College will institute an audit and reporting system. In order to assist Mesa State College in meeting its affirmative action responsibilities, ethnic minorities, women and other protected classes are encouraged to apply for employment and will be given an opportunity to identify themselves as such on a voluntary basis at the appropriate time in the employment process.

2. Nondiscrimination on the Basis of Sex

In addition to the above-stated generally applicable nondiscrimination policies, the following statements pertain specifically to the College's policy of nondiscrimination on the basis of sex in recruitment, advertising, job policies, practices, compensation or any other term, condition or privilege of employment:

- a. Except where sex is a bona fide occupation qualification, the College recruits persons of both sexes for all jobs. Recruiting advertisements do not indicate any limitation or preference based on sex.
- b. Except where necessary to consider sex as a bona fide occupational qualification, sex is not a consideration in job assignments, titles, classifications including position descriptions, lines of progression and seniority lists. The College seeks qualified members of both sexes for all job titles and classifications, including those that traditionally have been predominantly male or female. Affirmative action will be undertaken to recruit women for any job from which they have been previously excluded.
- c. Collective bargaining agreements will not discriminate on the basis of sex.
- d. Distinctions on the basis of sex will not be made based on marital status or childbearing and childcare responsibilities.
- e. Sexual harassment and retaliation are prohibited at Mesa State College. No employee or student will engage in sexual harassment or retaliation. Mesa State College's sexual harassment policy is contained in the *Board of Trustees of Mesa State College: Trustees Policy Manual* and the *Mesa State College Professional Personnel Employment Handbook*.

3. Nondiscrimination on the Basis of Religion or National Origin

In addition to the above-stated general nondiscrimination policies, the following statement pertains specifically to the College's policy of nondiscrimination on the basis of religion or national origin. The College does not discriminate on the basis of religion or national origin in recruitment, advertising, job policies, practices, compensation or any other term, condition or privilege of employment. The College strives to accommodate employee requests for time off for religious reasons. Such accommodation is made if there will be no undue hardship on the conduct of College business.

4. Nondiscrimination on the Basis of Age

In addition to the above-stated general nondiscrimination policies, Mesa State College does not discriminate on the basis of age. Mesa State College does not

discriminate on the basis of age in recruitment, advertising, job policies, practices, compensation or any other term, condition or privilege of employment. With the exception of high level managers in bona fide executive or high policy making positions, faculty will not be mandatory retired. Any early retirement plans will be offered in compliance with applicable law.

5. Nondiscrimination on the Basis of Veteran Status and Disability

In addition to the above-stated generally applicable nondiscrimination policies, the following statements pertain specifically to the College's policy of nondiscrimination on the basis of disability or veteran status as required by Section 402 of the Vietnam Veterans Readjustment Act of 1974, and Section 503 of the Rehabilitation Act of 1973.

Mesa State College does not discriminate on the basis of disability or veteran status in recruitment, advertising, job policies, practices, compensation or any other term, condition or privilege of employment. The administrative responsibility for affirmative action with respect to veterans and individuals with disabilities will be the same as set forth for the College's overall Affirmative Action Plan.

Mesa State College, as an employer, will make reasonable accommodation for physical and mental impairments of applicants and employees. The College will be attentive to monitoring all activities and programs under its sponsorship or that of its subcontractors for compliance with equal opportunity.

All job openings except executive and top management, those which will be filled from within and positions lasting three days or fewer will be listed at a local employment service office of the state employment security agency and/or the U.S. Department of Labor's America's Job Bank.

In accordance with 41 CFR 60-250 and 741 the following record keeping procedures will be followed:

- a. The application or personnel form of each known covered veteran and each applicant with a disability should be annotated to identify each vacancy for which the applicant was considered, and the form should be quickly retrievable for review by the Department of Labor and the College's personnel officials for use in investigations and internal compliance activities.
- b. The personnel or application records of each known individual with a disability should include (1) the identification of each promotion for which the employee with a disability was considered, and (2) the identification of each training program for which the individual with a disability was considered.

- c. In each case where an employee or applicant with a disability is rejected for employment, promotion, or training, statement of the reason should be appended to the personnel file or application form as well as a description of accommodation considered. This statement should be available to the applicant or employee concerned upon request.
- d. Where applicants or employees are selected for hire, promotion, or training and the College undertakes any accommodation which makes it possible for him or her to place an individual with a disability on the job, the application form or personnel record should contain a description of that accommodation.

Outreach efforts will be made to reach and attract veterans and persons with disabilities.

Physical and mental qualifications for a position will be job related and consistent with business necessity.

When considering a veteran for employment, the portions of the military record (including discharge papers) that are not relevant to the qualifications requirements of the job may not be considered.

Persons with disabilities and special disabled veterans are qualified when they can perform the essential functions of a particular job, with or without reasonable accommodation.

A pre-hire medical examination may be conducted only if (1) it occurs after an offer of employment has been made but before the applicant has begun work; and (2) all similarly situated entering employees in the same job title are subject to the same requirement. The offer of employment may be conditioned on successful completion of the medical examination. After hire, a medical examination may be conducted if it is job related and consistent with business necessity.

The College will post in a conspicuous place accessible to all, a notice of rights of applicants and employees and the College's obligations under law to take affirmative action to employ and advance qualified employees and applicants who are veterans, special disabled veterans, and individuals with disabilities. Labor unions and subcontractors will be informed of the College's obligations and commitment with respect to taking affirmative action to employ and advance these qualified individuals. Supervisory personnel will be trained in the requirements of the College's affirmative action policy.

Veterans, disabled veterans and individuals with disabilities are invited, after an offer of employment has been extended but before employment commences, to

identify themselves to receive protection and opportunities provided by law. The invitation to self-identify will inform the individual of the following:

- The College has an Affirmative Action Plan.
- Identification is voluntary.
- No adverse treatment will result for refusal to do so.
- To the extent provided by law all information will be kept confidential.

A disabled veteran is a person who

- is entitled to disability compensation under laws administered by the Veterans Administration for disability rated at 30 percent or more; or
- was discharged or released from active duty due to a disability incurred or aggravated in the line of duty. (Veterans with nonservice-connected disabilities are not included within this definition, but may be eligible under Section 503 of the Rehabilitation Act and/or under the Americans with Disabilities Act.)

A veteran of the Vietnam era is a person who

- served on active duty for a period of more than 180 days, any part of which occurred between August 5, 1964 and May 7, 1975, and was discharged or released from that duty with a discharge other than dishonorable; or
- was discharged or released from active duty for a service-connected disability if any part of such duty was performed between August 5, 1964 and May 7, 1975. Also, the veteran must have been discharged or released within 48 months preceding the alleged affirmative action violation. The guarantee of nondiscrimination on the basis of veteran status (disabled or Vietnam era) is confirmed throughout the Affirmative Action Plan.

An individual with a disability is anyone who

- has a physical or mental impairment which substantially limits one or more of his/her major life activities,
- has a record of such an impairment, and
- is regarded as having such an impairment.

An impairment substantially limits a major life activity if it results in a person being unable to perform, or being significantly limited in the ability to perform an activity when compared to an average person in the general population. The three factors to consider in determining whether a person's impairment substantially limits a major life activity are (1) its nature and severity, (2) how long it will last or is expected to last, and (3) its long-term impact or expected impact.

Major life activities are activities that an average person in the general population can perform with little or no difficulty. Examples include walking, hearing, seeing, learning, standing, lifting, and performing manual tasks.

OBJECTIVES

The objectives of the Mesa State College Affirmative Action Plan are:

1. To perform an analysis of the current work force to determine by EEOC classification the number of males and females as well as the number of Whites, Blacks, Hispanics, American Indians/Alaskan Natives, and Asians, Pacific Islanders..
2. To analyze salary ranges for EEOC classifications.
3. To refer to accepted availability data for EEOC classifications.
4. To refer to accepted availability data for the EEOC classifications to determine if individuals from the protected classes are being utilized in sufficient numbers in the current work force.
5. To establish realistic and attainable goals within the continuous improvement model in EEOC classifications identified as underutilized.
6. To invite all veterans and qualified individuals with disabilities to identify themselves as appropriate under the respective Acts so that measures can be taken to ensure equal employment opportunities.
7. To ensure that recruiting procedures for all job vacancies are designed to attract female candidates as well as those from underutilized ethnic minorities.
8. To develop an internal audit system that analyzes hiring, promotion and termination practices.
9. To identify any problem areas in the institution where a need for improvement exists or the Affirmative Action Plan is not being carried out.
10. To develop an action-oriented plan to eliminate any problems.
11. To support, assist and implement the Mesa State College Diversity Plan.
12. To provide appropriate grievance processes whereby any employee or student who alleges discrimination on the basis of age, race, color, religion, sex, national origin, disability, veteran status, or sexual orientation may receive due process.

The objectives stated herein are an integral part of the stated policy of Mesa State College and in accordance with its goals and responsibilities to identify and employ the most qualified persons and make available the best equal educational and employment opportunities to all without regard to race, creed, color, sex, age, national origin, disability, veteran status or sexual orientation.

None of the objectives stated will be in conflict with, or in contravention of, existing laws and statutes or lawful policies as stated in governing board rules and regulations.

PERSONNEL POLICIES AND PROCEDURES

The following policies and procedures for identifying and eliminating discriminatory practices in employment and promotion apply to faculty and administrative staff. Classified staff policies and procedures for identifying and eliminating discriminatory practices in employment and promotion are incorporated in the *State of Colorado Personnel Rules and Procedures* available in the Office of Human Resources.

1. Personnel Management. All personnel actions, not necessarily limited to those listed below, will be without discrimination on the basis of race, color, religion, sex, age, national origin, disability, veteran status or sexual orientation. Copies of all records including actions taken and decisions made related to personnel management will be retained in the individual's file in accordance with records retention requirements.
2. Recruitment and Selection of Full-Time Staff. Employment recruitment and selection programs for all College positions will be designed to attract women and ethnic minorities. Veterans and qualified applicants with disabilities are encouraged to identify themselves.
 - a. Wherever possible recruitment procedures will be initiated at least 30 days before closing applications.
 - b. The appropriate department head/director and Vice President will jointly develop the job vacancy announcement consistent with the approved format. The Affirmative Action Coordinator or her/his designee will assist as needed.
 - c. Following approval of the job vacancy announcement, the announcement will be distributed by the Department of Human Resources to the list of targeted institutions, agencies, organizations and on the Mesa State College website.
 - d. The chair of the search or screening committee will convene the committee as soon as possible after the position is announced, but no later than the conclusion of the application date. The chair of the committee is charged with the responsibility of adhering to and implementing the

policies of the *Mesa State College Professional Personnel Employment Handbook*, the Affirmative Action Plan and the Diversity Plan.

- (1) The search or screening committee will be representative of the population of the campus including members of protected classes when possible. Also, a member of the Affirmative Action Council will be appointed to the committee by the Affirmative Action Coordinator.
 - (2) The Affirmative Action Council representative will meet with the search or screening committee to explain the screening process and will serve as a resource and consultant to the chair and the committee in meeting the policies and procedures published in the *Mesa State College Professional Personnel Employment Handbook*, Affirmative Action Plan and the Diversity Plan. The Affirmative Action Council representative will meet with the committee as necessary, but will be a non-voting member.
 - (3) The committee will agree on the rating scale to be used before the screening process begins. The initial rating instrument must be developed solely from the position announcement. Rating instruments or other evaluation devices will be in writing and kept for three years by the Office of Human Resources.
 - (4) The committee will determine how the screening process will be conducted. The committee will rate all candidates in order to reduce the number of applicants to a pool of the most qualified finalists.
- e. The committee will inform the appropriate Vice President or supervising authority regarding the pool of finalists.
- f.. Prior to conducting any interviews with any of the finalists, the Affirmative Action Coordinator will consult with the Affirmative Action Council representative and review the entire search and screen process from an affirmative action perspective. The Affirmative Action Council representative will verify to the Affirmative Action Coordinator that the process has been conducted consistent with the affirmative action goals of the College, or report any concerns that might be present regarding the search process.
- g. The chair of the search or screening committee, together with the appropriate supervising authority will make arrangements for interviewing the finalists, which may involve a visit to the College.

- g. After completion of all the interviews, the committee will meet to determine those finalists, if any, who are acceptable to be extended an offer. The chair will forward to the appropriate Vice President or supervising authority an unranked list of the names of the acceptable candidates. A ranked list will be provided if requested by the Vice President or supervising authority.
 - h. The candidate who is best qualified in accordance with a definite job description and a thorough review process will be selected.
 - i. The Vice President will forward a recommendation for hiring to the President. The Affirmative Action Coordinator will report to the President regarding the entire process and any concerns that might be present regarding the process.
 - j. The President will approve the offering of the position, sign the appropriate contract or letter of offer, and mail it to the successful candidate.
 - k. The chair of the search or screening committee, Vice President, the Affirmative Action Coordinator, and the President will sign the appropriate records and forms.
 - l. The chair of the search or screening committee will maintain a record of the individuals who apply for the vacancy. This information will be given to the Office of Human Resources for filing at the completion of the search process. The chair of the search or screening committee will provide a brief summary giving reasons why an applicant who is a member of a protected class was not hired. The relevant files will be available for review, if necessary, for a minimum of three fiscal years defined as July 1 through June 30.
3. Recruitment and Selection of Part-Time Staff. When possible, recruitment procedures will be initiated at least 10 days prior to closing applications and will include:
- a. Distributing the job vacancy announcement as provided by the responsible supervising authority to local agencies and individuals assisting protected groups.
 - b. Placing an advertisement in local newspapers, other papers suggested by the responsible supervising authority, and on the Mesa State College website.
 - c. Selecting the best-qualified candidate in accordance with a definitive job description and a thorough review process.

4. **Emergency Staffing.** When a vacancy occurs unexpectedly through resignation, death, illness, or some other reason, an emergency appointment may be necessary. Whenever possible, a replacement will be hired to fill only the term of the unexpired contract period. However, due to extenuating circumstances, the replacement may serve for a longer period of time but not to exceed one full contract year. No guarantee expressed or implied will be made to the individual that employment would automatically extend beyond that time; however, he/she will be encouraged to apply for the position when the vacancy announcement is distributed.
5. **Internal Promotion.** Internal promotions may occur in the form of administrative promotions, administrative reorganizations, and promotions for faculty as described in the *Mesa State College Professional Personnel Employment Handbook*.

Administrative promotion. An “internal” promotion may occur without opening the position to “outside” candidates if the internal applicant pool has qualified representative(s) from a protected class, affirmative action goals are considered in the promotion process, and candidates were originally employed as a result of an official search process.

Administrative reorganization. An administrative reorganization of current staff without the addition of any new position(s) can be accomplished without violating equal employment or affirmative action principles. A promotion or title change may be involved.

Faculty promotion. The *Mesa State College Professional Personnel Employment Handbook*, which is available on the Mesa State College website, describes the procedure used in determining promotions. Care is taken to administer policy and apply personnel policies equally and fairly

6. **Compensation and Benefits.** Care will be taken to administer compensation and benefits equitably.
 - a. **Salary and benefit administration.** Salary and benefits programs will be administered fairly for professional and non-professional staff members.
 - b. **Salary and wage adjustment.** All salary and wage adjustments will be based on the individual’s performance evaluation and appropriate wage and salary formulas.
 - c. **Benefit programs.** All benefit programs will be administered to ensure that benefits are provided equitably.

7. Training and Leave Policies. Training and leave policies will be uniformly administered throughout the College.
 - a. Training programs and opportunities for leave will be uniformly administered throughout the College within each classification of staffing.
 - b. Leave policies to pursue training or educational opportunities will be equitably administered.
 - c. Leave policies covering sabbatical leave, leave without pay, sick, military, maternity, and other types of leave will be equitably administered.

COLLEGE BUSINESS

Business activities related to purchasing and subcontracting will conform to the tenets of the Affirmative Action Plan.

- a. All subcontractors and all suppliers of materials will be notified of the College's affirmative action policy.
- b. The College will incorporate the equal opportunity clause in all contracts, leases, or like documents as stipulated in Executive Order 11-246 and amended in Executive Order 11-375.
- c. All contracts, grants, awards, and loan subsidies subject to the equal employment opportunity policies will be identified and monitored by the Vice President of financial and administrative services.
- d. All contractors and subcontractors will be made fully aware of their responsibilities and obligations in contract provisions and applicable clauses.

DISSEMINATION OF INFORMATION REGARDING THE PLAN

1. Internal. All employees will be reminded annually in writing of the nondiscrimination policy and the Affirmative Action Plan of the College. A copy of the Affirmative Action Plan will be posted on the Mesa State College website. Printed copies of the Plan will be available in the offices of the President, the Vice Presidents, and Human Resources. References to the Plan will be incorporated into all recruitment brochures and other related information and promotion literature. Periodic meetings with appropriate administrative officers, directors of services, and department heads will be called as needed to review procedures and effective coordination of the Affirmative Action Plan.

2. External. All recruiting sources will be informed of the Affirmative Action Plan and requested to refer protected class individuals for all positions listed. The equal opportunity clause will be incorporated on College documents.

ORGANIZATION AND RESPONSIBILITY

1. Organization
 - a. The President will be the designated administrative official of Mesa State College to initiate and carry out the Affirmative Action Plan in all administrative units of the College. Staff members will be delegated responsibility for implementation and compliance with the Affirmative Action Policy.
 - b. The President will appoint an Affirmative Action Coordinator for the administration and faculty. This position will serve at will. The director of human resources will be the Affirmative Action Coordinator for the classified staff.
 - c. Members of the Affirmative Action Council are responsible for advising the President on the progress of the Affirmative Action Plan, carrying out periodic evaluation of the effectiveness of the program and reporting evaluations and recommendations for improvement to the President.
 - d. The Affirmative Action Council, which consists of at least six members representing all segments of the College, will serve as an advisory group to the Affirmative Action Coordinator and make recommendations to the President concerning Affirmative Action policies.
 - e. Membership to the Affirmative Action Council will be gained through appointment as noted below. Terms will be for staggered three-year terms. Selection of Affirmative Action Council members will reflect the following pattern:
 1. Two faculty members appointed by Faculty Senate.
 2. Two members representing classified staff appointed by Classified Staff Council.
 3. Two members representing professional staff including the Affirmative Action Coordinator and appointed by the President.
 4. Two student members appointed by Associated Student Government.

5. One person representing ethnic minority staff members appointed by the President (if this group is not represented above).
6. One person representing women staff members appointed by the President (if this group is not represented above).
7. One person representing staff members with disabilities appointed by the President (if this group is not represented above).
8. One veteran appointed by the President (if this group is not represented above).
9. Others as needed appointed by the President.

2. Responsibilities

- a. Affirmative Action Coordinator. The Affirmative Action Coordinator will be empowered to work with all levels of administration and with all individual employees to ensure implementation of this policy and plan. Campus-wide cooperation is expected in obtaining required details and/or information to permit analysis and verification of recruiting and hiring practices, promotion and terminations, assess problem areas, and recommend action-oriented plans to enhance affirmative action and diversity guidelines.
 - (1) The Affirmative Action Coordinator will help develop the Affirmative Action Plan and implement the plan as approved by the Trustees.
 - (2) The Affirmative Action Coordinator will distribute this Affirmative Action Plan for study by all supervisory personnel.
 - (3) The Affirmative Action Coordinator will arrange periodic meetings for the orientation of all supervisory personnel to the Affirmative Action Plan and its goals.
 - (4) The Affirmative Action Coordinator will assume responsibility for the inclusion of the equal opportunity tag line “An Equal Opportunity Employer” on each advertisement, document or solicitation for applicants for positions.
 - (5) The Affirmative Action Coordinator will assume responsibility for placement on all purchase orders reference to the Executive Order # 11426, “Non-Discrimination Policy.”

- (6) The Affirmative Action Coordinator will be responsible for posting notices of all job opportunities in a centrally located area.
- (7) The Affirmative Action Coordinator will be responsible for developing and maintaining a list of agencies, organizations and individuals who assist protected classes and to disseminate information to secure qualified members of protected classes as applicants for all positions.
- (8) The Affirmative Action Coordinator will actively support and assist in the implementation of the goals and objectives of the Mesa State College Diversity Plan.
- (9) The Affirmative Action Coordinator will serve as a liaison with, and initially counsel, individual(s) who feel that he/she has (they have) been discriminated against to help resolve the situation and to advise said person(s) of the appeal process and of his/her rights.
- (10) The Affirmative Action Coordinator will compile results of the analysis of applications, hiring, promotions and terminations.

3. Affirmative Action Council

The Affirmative Action Council will have, but not be limited to, the following responsibilities:

- (1) To review periodically the application flow and rejection records to determine whether or not sufficient numbers of applicants from protected classes are being recruited.
- (2) To determine that selection procedures are nondiscriminatory and to report to the President and the AAC any instances of discriminatory selection procedures being used with the College.
- (3) To review the analysis of applications, hirings, promotions, and terminations and make recommendations of procedures or policies to assist in overcoming identified underutilizations.
- (4) To serve on search or screening committees as appointed by the AAC. The Affirmative Action Council member will serve as a resource and consultant to the search chair in meeting the policies and procedures published in the *Mesa State College Professional Personnel Employment Handbook*, the Affirmative Action Plan and the Diversity Plan. The affirmative action representative is a non-voting member.

- (5) To assist with analysis and verification of affirmative action practices, assess problem areas, and recommend action-oriented plans to enhance affirmative action and diversity guidelines. All material will be presented to the President for review.

INTERNAL GRIEVANCE PROCESS

Any member of the College community (including exempt personnel, classified personnel, and students) and any applicant for employment or admission who believes that he/she has been discriminated against because of his/her race, color, religion, national origin, sex, age, disability, veteran status, sexual orientation, or any other reason prescribed by state or federal law or this Plan may file a grievance alleging unlawful discrimination. Sexual harassment and retaliation also violate federal and state law and a victim may file a grievance alleging unfair and discriminatory practices.

Discrimination allegations are received by or referred to the Affirmative Action Coordinator or the director of human resources. Student discrimination allegations are received by or referred to the dean of students.

1. Classified employees. Classified employees will refer to the *State of Colorado Employee Handbook* Affirmative Action Plan for the appropriate grievance procedure.
2. Students. Students will refer to the *Mesa State College Student Handbook* for grievance and appeals procedures. Sexual harassment grievances are jointly reported to the dean of students and the affirmative action officer.
3. Professional staff. Professional staff will refer to the *Mesa State College Professional Personnel Employment Handbook* for the appropriate grievance procedures.

INTERNAL MONITORING AND REPORTING SYSTEMS

The Affirmative Action Coordinator/director of human resources will be responsible for developing a record keeping system covering applications, hirings, promotions and terminations. Chairs of search committees and each supervising authority involved with personnel actions will keep proper records and documentation. Once each year, the data will be compiled by the Affirmative Action Coordinator, analyzed and presented to the Affirmative Action Council and to the President. The data will be used to provide an annual update to the Plan.

2004-2005 WORK FORCE ANALYSIS

The utilization study is required by federal regulation and provides the basis for goal setting.

In accordance with federal affirmative action regulations, job titles were organized into job groups. Mesa State College Skill Codes were matched to EEO classifications and were used as the basis for job group compilations. Job groups were the basic units for developing proportions, conducting the utilization analysis and analyzing personnel transactions. In developing job groups, the following guidelines were considered: (1) similar job contents for all jobs in the group, and (2) similar opportunities for advancement for all jobs in the job group. A given job group does not include job classifications with clearly different utilization patterns. Job groups in general are composed of a minimum of fifty employees to allow meaningful utilization analysis and the establishment of goals. In some cases job groups of fewer than fifty employees may be necessary because of unique job content, requirements and skills. Job groups are designed to illuminate rather than mask problem areas. Feeder jobs (those which provide candidates to the job classification through progression) included in a job group are similar. Jobs in a job group have the same labor market.

Mesa State College employment data was secured from employment records as of October 15, 2004.

In accordance with federal affirmative action regulations, a utilization analysis of the employment of women and ethnic minorities by job groups was conducted. As required by federal affirmative action regulations, the following two factors are considered in determining the availability proportions of women and ethnic minorities for each job group: (1) The percent of minorities or women with requisite skills in the reasonable recruitment area, and (2) the percent of minorities or women among those promotable, transferable, and trainable within the College. Availability is defined as the percentage of minorities or women among those persons who are eligible currently or will be eligible during the term of the Plan. Reasonable recruitment area is defined as the geographic area from which the College usually seeks or reasonably could seek workers to fill the positions in question. Trainable refers to those employees within the College who, with appropriate training which the College is reasonably able to provide, could become promotable or transferable during the year.

Availability analysis was conducted to determine how many minorities and women theoretically are qualified for and interested in employment in the College's positions. It takes into account not only how many people are available for the outside labor market but also how many individuals can be promoted or transferred from the College's own workforce (Tenure-track and tenured faculty position promotion processes are delineated within the *Mesa State College Professional Personnel Employment Handbook*; all other vacant positions on campus are open to all qualified applicants and do not accommodate sequential promotion opportunities.)

To perform the utilization analysis, proportions of available women and ethnic minorities for each job group were developed. The 2003-2004 staffing pattern analysis used work force data gathered from the 2000 and 2001 Aggregate U.S. Equal Employment Opportunity Commission statistics. National employment statistics were applied to Skill

Position 10 - Executive/Administrative/Manager. U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data (1999-2000) were applied to Skill Position 20 - Faculty. Colorado statistics were applied to Skill Position 30 - Other Professional. Metropolitan Service Area Grand Junction (2000) statistics were applied to all other Skill Positions. Because all Mesa State College job vacancies are posted on both the College Website and the State of Colorado Website, theoretically all position notices are available to interested individuals searching for employment opportunities. The College does advertise nationally for positions in Skill Areas 10 and 20. Positions in Skill Area 30 are advertised locally and in the Denver areas as well as in Denver papers being distributed throughout Colorado. Skill Areas 40, 50, 60, and 70 are advertised locally.

Utilization of women and minorities was determined, for each job group, by comparing the number of women and minorities employed in the job group to the number of women and minorities expected to be present in the work force (based on current availability proportions). Proportional percentages are employed. Underutilization existed when the proportional percentage of women and minorities expected to be available was greater than the proportional percentage of women and minorities employed at the College. For this analysis a continuous improvement objective was set when fewer than 80 percent of the expected proportional percentage of women and minorities available were employed in any given job group.

IMPROVEMENT OPPORTUNITIES IDENTIFIED

1. Minorities were underutilized in the areas of executive/administrative manager, faculty, other professional, and skilled craft workers.
2. Women were underutilized in the areas of skilled craft workers and service workers.

ACTION-ORIENTED PROGRAMS TO IMPROVE UTILIZATION

Using the continuous improvement model, the College will place emphasis on expanded recruitment of applicants in underutilized areas.

1. Advertising efforts will be expanded to attract qualified minority applicants in the skill areas of executive/administrative manager, faculty, other professional, and skilled craft workers.
2. Advertising efforts will be expanded to attract qualified women applicants in the skill areas of skilled craft workers and service workers.