

THE CALIFORNIA STATE UNIVERSITY AND COLLEGES

Office of the Chancellor
400 Golden Shore
Long Beach, California 90802
(213) 590- 5540

Code: FSA 81-23

Date: April 21, 1981

To: Presidents

From: *Robert Tyndall*
Robert Tyndall
Acting Vice Chancellor
Faculty and Staff Affairs

Subject: Executive Order 340

Please respond by September 1
and October 15, 1981

In accordance with Executive Order 340 establishing systemwide procedures for the development and implementation of Nondiscrimination/Affirmative Action Programs, the following timetable is established regarding revising and updating campus plans and submission dates to the Office of Faculty and Staff Affairs:

September 1, 1981 - Campus affirmative action plans should be updated to reflect policy and procedural changes necessitated by Executive Order 340. This should include the plan of action utilized to fulfill the programmatic objectives of the Executive Order following the basic framework outlined in the Table of Contents.

October 15, 1981 - Employment utilization data, according to systemwide definitions of job groups, and goals and timetables established to correct any identifiable work force deficiencies, should be completed. Systemwide definitions of job groups according to EEO-6 categories and consistent with OFCCP guidelines will be furnished to the campuses no later than July 15. The employment utilization data shall reflect work force distribution as of September 1, 1981.

(Over)

Distribution:

Vice Presidents, Academic Affairs
Associate Vice Presidents/Deans, Faculty Affairs
Vice Presidents, Administration
Business Managers
Personnel Officers
Payroll Supervisors
Affirmative Action Officers
Auxiliary Organizations
Chancellor's Office Staff

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In order to provide for a consistent systemwide review of campus programs, as well as to establish an effective and efficient method of requesting employment reports from PIMS, all Affirmative Action Programs will be based on progress achieved between September 1 and August 31 of each year. These dates will be reflected in all OFCCP agreements as the appropriate annual program year.

Please provide this information directly to Mr. Jeff Stetson, Systemwide Affirmative Action Officer. Any questions concerning this information request should also be directed to Mr. Stetson on ATSS 635-5540 or (213) 590-5540.

A systemwide meeting of Affirmative Action Officers will be held during the month of September in order to review July 1 submissions and provide assistance in the development of employment utilization data. Specific information regarding this meeting will be forwarded at a later date.

Thank you for your assistance in this matter, and I appreciate your continued cooperation.

JS/ep

THE CALIFORNIA STATE UNIVERSITY AND COLLEGES
Office of the Chancellor
400 Golden Shore
Long Beach, California 90802
(213) 590- 5512

Date: February 27, 1981

To: Presidents

From: Harry Harmon *Harry Harmon*
Executive Vice Chancellor

Subject: Systemwide Guidelines for Nondiscrimination and Affirmative
Action Programs in Employment - Executive Order No. 340

I am transmitting to you five copies of Executive Order No. 340 which establishes systemwide guidelines for nondiscrimination and affirmative action in employment.

A more detailed statement of policy and procedures with respect to sexual harassment (Section IX C) will be distributed after consultation and review by the Task Force on Sexual Harassment.

It is your responsibility as President to implement Executive Order No. 340 where applicable and to maintain the campus repository and index for all Executive Orders.

HH:ns

Attachment

Distribution: Vice President, Academic Affairs
Associate Vice President/Dean, Faculty Affairs
Vice President, Administration
Personnel Officer
Affirmative Action Officer
Chancellor's Staff

THE CALIFORNIA STATE UNIVERSITY AND COLLEGES
Office of the Chancellor
400 Golden Shore
Long Beach, California 90802

Executive Order No.: 340

Title: **Systemwide Guidelines for Nondiscrimination and Affirmative Action Programs in Employment**

Effective Date: **February 27, 1981**

Supersedes: **No Prior Executive Order**

This Executive Order is established in order to fulfill relevant state and federal regulations requiring affirmative action/nondiscrimination programs in employment as well as to provide for a consistent interpretation of the Board of Trustee Policy mandating the implementation of these programs throughout the nineteen campuses and the Office of the Chancellor.

The Office of Faculty and Staff Affairs will be responsible for evaluating compliance with this order and for providing assistance in the development of affirmative action/nondiscrimination programs.



Glenn S. Dumke, Chancellor

Date: February 27, 1981

**THE CALIFORNIA STATE UNIVERSITY AND COLLEGES
SYSTEMWIDE GUIDELINES FOR NONDISCRIMINATION AND AFFIRMATIVE ACTION
PROGRAMS IN EMPLOYMENT**

FEBRUARY 1981 - FSA

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THE CALIFORNIA STATE UNIVERSITY AND COLLEGES
SYSTEMWIDE GUIDELINES FOR
NONDISCRIMINATION AND AFFIRMATIVE ACTION PROGRAMS
IN EMPLOYMENT

Section I. Nature and Scope of Guidelines

A. Purpose

The purpose of these guidelines, pursuant to Federal and State laws and regulations and Trustee policy, is to establish and maintain a consistent and equitable set of personnel practices and procedures prohibiting discrimination on the basis of race, color, religion, national origin, sex, sexual preference, marital status, pregnancy, age, disability, or veteran's status against any employee or applicant for employment throughout The California State University and Colleges. The purpose of these guidelines is also to provide the establishment of affirmative action plans and programs for women, minority groups, the disabled, disabled veterans and veterans of the Vietnam era.

B. Objective

These guidelines serve as a framework for campus-developed* procedures and provide systemwide requirements where it is necessary and practical to have systemwide uniformity. Their objective is to achieve a positive, continuing and dynamic affirmative action program.

C. Program Development

Each campus, shall establish a nondiscrimination and affirmative action plan(s) and program consistent with these guidelines. Each plan(s) and program and any subsequent revisions shall be approved by the Chancellor upon review by Faculty and Staff Affairs.

*The term "campus" shall be understood as also referring to the Office of the Chancellor.

Section II. Authority for Program Development and Compliance

A. Systemwide

The Chancellor shall be responsible for providing systemwide leadership in the effective adoption and implementation of nondiscrimination and affirmative action programs. The systemwide Affirmative Action Officer, under the direction of the Vice Chancellor for Faculty and Staff Affairs, will be responsible for the coordination and evaluation of The California State University and Colleges' nondiscrimination and affirmative action plans and programs.

B. Campus

The President* of each campus shall be responsible for the development and implementation of affirmative action plans and programs. He/she shall design an administrative support structure that facilitates compliance with these affirmative action guidelines and shall establish a mechanism for the ongoing evaluation and assessment of managerial and supervisory staff on the fulfillment of their responsibilities for affirmative action.

He/she shall designate at least one person who will serve as Affirmative Action Coordinator with responsibility for developing and overseeing a campus affirmative action plan(s) and program consistent with applicable laws, regulations, policies and guidelines.

Section III. Analyses of Faculty and Staff Employment Utilization

As required by the Office of Federal Contract Compliance Programs and as required by pertinent

*The term "President" shall be understood as also referring to the Chancellor, as appropriate.

policies and objectives of the Board of Trustees the following reviews shall be conducted at each campus:

A. Work Force Analysis

Each campus shall maintain a listing of faculty and staff, including departmental or unit supervisors, by rank or class, ranked from the lowest paid to the highest paid within each department, organizational unit or division.

Where there are separate work units or lines of progression within a department a separate list must be provided for each such unit, including supervisory and management staff. For each line of progression, the list must indicate the order of ranks or classes within a department or departments which would represent a reasonable career progression path within the organization.

Campuses will use the normal occupational groupings and lines of progression as contained in the CSUC salary schedule, or the lines of progression as identified under the Welfare Reform Act Grant project*, unless a special occupational group and line of progression can be justified. (See Attachment A.)

For each rank or class, the total number of incumbents, the total number of male and female incumbents, and the total number of male and female incumbents in each of the following groups must be given: Blacks, Native-Americans, Asians, and Hispanics and Mexican-Americans as a separate subgroup of Hispanics. The salary range for each rank or class must be given. All ranks or classes must be listed.

* Under the auspices of a grant funded by the 1978 Welfare Reform Act, FSA developed resources and tools designed to eliminate operational obstacles to the selection, placement, and promotion of disadvantaged persons in staff support positions. Career Development Guidelines were developed as part of this report.

B. Underutilization Analysis

An analysis of all major job groups at each campus must be conducted identifying the extent to which minorities or women may be underutilized or overconcentrated in any one or more job groups, with an explanation as to the nature and/or cause of underutilization or overconcentration and corrective actions planned. "Underutilization" is defined as fewer minorities or women employed in a particular job group than would reasonably be expected by their availability. (See Attachment B.)

C. Method for Determining Underutilization

In determining whether minorities or women are being underutilized in any job group at least the following eight factors will be considered:

- The minority population of the labor area surrounding the campus and the availability of women seeking employment in the labor or recruitment area of the campus.
- The size of the minority and female unemployment force in the labor area surrounding the campus.
- The percentages of the minorities and women in the work force as compared with the total work force in the immediate labor area.
- The general availability of minorities and women having requisite skills in the immediate labor area.
- The availability of minorities and women having requisite skills in an area in which the campus can reasonably recruit.
- The availability of promotable and transferable minorities and women within the campus work force.

- The existence of training or educational institutions or programs capable of preparing persons in the requisite skills.
- The degree of training which the campus through individual or system-wide resources is reasonably able to undertake as a means of making all job classes available to minorities and women.

Each factor will be considered in the light of its relevance to the job group being reviewed. For an acceptable method of calculating underutilization, see Attachment C.

Section IV. Establishment of Goals and Timetables

If underutilization of minorities and women exists in one or more job groups, each campus shall establish goals and timetables designed to correct such underutilization. Goals and timetables should represent the results which can reasonably be expected through good faith efforts to achieve affirmative action objectives.

In establishing goals and timetables, the following shall be considered:

- Goals shall be realistic, measurable and attainable.
- Goals shall be specific for planned results, with timetables for completion.
- Goals shall not be rigid and inflexible quotas but shall be targets reasonably attainable by means of applying good faith effort toward the implementation of affirmative action objectives, based upon an assessment of reliable availability data and an analysis of programmatic needs.
- Timetables to attain goals shall be established on the basis of the areas of anticipated expansion, contraction and turnover within the work force.

- Goals, timetables, and affirmative action objectives must be designed to correct any identified deficiencies. Where numbers or percentages are relevant in developing corrective action, each campus shall establish: separate specific goals and timetables for minorities and women indicating the numbers necessary to correct underutilization; the percentage of each group within the work force that will eliminate underutilization; and the placement rates of new hires to address completion of the timetables.
- Goals and timetables shall be reviewed at least annually and updated as required. If goals are not attained, the nature and cause of inadequacies or problem areas shall be determined and a plan for corrective action developed.

Section V.

Establishment of Procedures for Monitoring and Self Assessment

Each campus shall establish procedures for effective monitoring and self assessment that evaluate the effectiveness of nondiscrimination and affirmative action programs and that provide for the resolution of problems. In particular, an in-depth analysis shall be made of at least the following areas:

- The selection, promotion, reclassification and separation rates of faculty and/or staff within specific job groups and salary levels by race, ethnicity, sex and disability.
- The applicant flow process by position and within job groups by race, ethnicity, sex and disability, and the selection/rejection rate for each group. "Applicant flow" is a statistical compilation of job applicants showing the specific numbers of persons in each racial, ethnic, sex and disabled group who applied for each position during a specified time period. In addition, each campus shall maintain an applicant log by the above specified categories, and shall record the number of requests

for employment made in person, whether or not an application form is completed. The information in this log is to be considered separately from the formal applicant flow data.

- The promotion, separation, and tenure rates of faculty within each appropriate unit by race, ethnicity, sex and disability, including an analysis of those eligible for promotion or tenure and the selection/rejection rate. In addition, an assessment shall be made of the average length of time required for each group to attain promotion and tenure.
- The initial salary step placement of faculty and staff by rank or class within departments by race, sex, ethnicity, and disability.

A. Qualification Requirements, Testing and Evaluation

Nondiscrimination and affirmative action require the examination of employment criteria, qualification requirements and methods of evaluation, as well as a review of the retention and promotion criteria of faculty and staff, in order to assure a practice of equal employment opportunity.

In the development and application of selection criteria care must be taken to differentiate among persons on the basis of their knowledges, skills, abilities, experience, and achievement relative to the nature and requirements of the position under consideration.

Selection devices, including application forms, interviews and written tests, where applicable, shall be evaluated to assure the use of valid job-related criteria and evaluation procedures. If such selection procedures result in a substantially different rate of selection in hiring, promotion, termination, transfer, reclassification, training or other employment decision that works to the disadvantage of members of a race,

sex, ethnic or disabled group, then such evaluation or selection criteria must be reexamined and justified as to their validity. If such rate is less than 80% of the selection rate of the race, sex, ethnic or nondisabled group with the highest rate of selection, this will be generally regarded as a "substantially different rate." In assessing the rate of separation for both probationary and permanent/tenured employees, or the rate of demotion, the group with the lowest percentage rate shall be used as the basis of comparison. (See Attachment D.)

B. Recruitment and Selection Process

1. Prior to Recruitment

Prior to the initiation of any search to fill a vacant or newly created position, an assessment shall be made as to the degree of underutilization which may exist in the job group to which the position belongs. The position description, including job requirements and qualification requirements, as well as the selection criteria shall be reviewed in order to assure that they realistically reflect the knowledges, skills, abilities and experience necessary to perform the job. The classification and qualification standards developed by the Office of Faculty and Staff Affairs provide minimum standards for nonfaculty positions. Qualification standards may be raised by a campus, but any changes shall be job-related and the campus shall assess the extent to which such changes might adversely affect efforts to attract qualified minorities, women and the disabled.

2. Recruitment

Recruitment efforts shall be far reaching and include special efforts to attract qualified minorities, women, the disabled, disabled

veterans and Vietnam era veterans. Each campus shall maintain and update a recruitment directory for the purposes of communicating job vacancies to appropriate minority, female, disabled and veteran organizations, agencies, and publications, as well as for the purpose of providing information and obtaining support from faculty and staff. Deadlines for applications shall be adequate to achieve widespread dissemination and provide for sufficient response time.

Efforts shall be made to include minorities, women, and disabled faculty and/or staff where search committees or interview panels are used.

Committee members shall be informed of the requirements and objectives of affirmative action and be made aware of practices and procedures necessary to assure equal employment opportunity, including considerations regarding valid selection procedures and appropriate interview techniques.

An assessment shall be made to determine the extent to which recruitment efforts were successful in attracting a diverse pool of candidates who were both qualified and truly competitive and a decision rendered as to the need to address any problems.

3. Selection

The President or his/her designee shall be responsible for assuring compliance with these procedures. He/she shall extend an offer of employment to the candidate who is judged best qualified on the basis of a fair and equitable assessment of merit and the needs of the institution. Nothing in these guidelines shall be construed to

limit the President's authority to reject any and all candidates providing that such a decision is not based on a discriminatory factor.

C. Classification

Each campus shall be responsible for assuring that employees have been properly classified according to the guidelines issued by the Office of Faculty and Staff Affairs. Periodic reviews shall be made in order to insure a practice of nondiscrimination in all employment opportunities and working conditions.

D. Training, Benefits, and Employment Environment

1. Training

Faculty and staff shall be advised of training opportunities that are available without regard to race, color, religion, national origin, sex, sexual orientation, marital status, pregnancy, age, veteran's status or disability.

Campuses are encouraged to establish and utilize informal and formal training programs for the purpose of providing advancement opportunities for those groups that are underrepresented in specific areas of the work force.

2. Benefits

All employment benefits shall be made available to faculty and staff without regard to race, color, religion, national origin, sex, sexual orientation, marital status, pregnancy, age, veteran's status or disability.

3. Employment Environment

All faculty and staff shall be free from intimidation, harassment, or

other adverse treatment or condition of employment on the basis of race, color, religion, national origin, sex, sexual preference, marital status, pregnancy, age, veteran's status or disability.

Section VI. Complaints of Discrimination

Complaints of discrimination filed by any employee or applicant for employment on the basis of race, color, religion, national origin, sex, sexual preference, marital status, pregnancy, age, veteran status or disability, shall be reviewed in accordance with procedures established at each campus. Efforts will be made to resolve such complaints as promptly and fairly as possible.

A. Informal

Efforts should be made to resolve complaints of discrimination, whenever possible, through informal conciliation meetings or fact-finding conferences with appropriate personnel. Advice and assistance should be provided not only to members of the administration but also to faculty and staff in an effort to resolve complaints alleged by employees or applicants for employment.

B. Formal

If informal resolution of a complaint of discrimination is not possible, an employee may elect to initiate the formal grievance procedure in effect for faculty or staff.

It is the responsibility of each President to assure that no retaliatory action shall be taken against any person or persons who file complaints of discrimination, at the campus or the Office of the Chancellor, or with any appropriate Federal or State regulatory or enforcement agency.

Section VII. Dissemination of Nondiscrimination and Affirmative Action Policy and Procedures

Each campus shall establish an ongoing method for both internal and external communication

of nondiscrimination and affirmative action policies and procedures. This shall include:

- Placing internal announcements in appropriate manuals, newsletters, and annual reports;
- Maintaining copies of the overall non-discrimination and affirmative action plans including work force analyses and goals and timetables in appropriate offices;
- Conducting special meetings and workshops, including orientation sessions for new employees, in order to inform faculty and staff of affirmative action obligations and developments;
- Posting policy statements and pertinent information concerning nondiscrimination and affirmative action on appropriate bulletin boards and in other locations utilized to notify employees and applicants of campus policies;
- Informing recruiting sources and appropriate community agencies and organizations in writing of the campus nondiscrimination and affirmative action policies and objectives;
- Sending written notification of these policies to all subcontractors, vendors, and suppliers requesting appropriate action on their part; and
- Placing in all recruitment advertising a statement that the campus is an Affirmative Action/Equal Opportunity Employer.

Section VIII. Reaffirmation of Nondiscrimination and Affirmative Action Objectives

The President shall be responsible for outlining basic nondiscrimination and affirmative action objectives and responsibilities that notify managerial and supervisory staff of their obligation to assure effective implementation of campus practices and procedures. The President shall issue a statement, at least annually, to campus and community

sources as to his/her specific views and expectations with regard to the fulfillment of nondiscrimination and affirmative action objectives.

Section IX. Additional Nondiscrimination and Affirmative Action Guidelines on the Basis of Nepotism or Sex

Each campus shall establish procedures to assure that distinctions are not made in any employment opportunities and practices on the basis of sex, pregnancy, or marital status. Such practices shall include but not be limited to: employment, retention, and advancement; compensation, fringe benefits and working conditions; leaves; layoffs or return from layoffs; grievance procedures; and training programs.

A. Nepotism

There shall be no blanket prohibition against the employment of close relatives. No one, however, may serve in capacities where he/she is required to make decisions on the personnel status of any close relative. Close relative is herein defined as husband-wife, father-mother, son-daughter, brother-sister, step relative, or in-laws.

B. Pregnancy and Childbirth

No personnel policies or practices shall arbitrarily exclude employees or applicants for employment from employment opportunities on the basis of pregnancy, childbirth or related conditions.

Upon request of any permanent female employee, a leave of absence without pay shall be granted for a period of up to one year, for the purposes of pregnancy, childbirth and recovery therefrom. The request for a granting of sick leave or leave without pay for purposes of pregnancy, childbirth or pregnancy related conditions shall be handled in the same manner as requests for absences for other reasons.

No female employee shall be required to take a leave of absence prior to the anticipated delivery date so long as the employee is capable of performing her required duties.

Following childbirth, at the expiration of her leave, the employee shall be reinstated to her original job or to a position of like status and pay, without loss of service credits.

C. Prohibition Against Sexual Harassment

Nondiscrimination on the basis of sex shall include a prohibition against any form of sexual harassment toward an employee or applicant for employment.

Section X.

Additional Nondiscrimination and Affirmative Action Guidelines on the Basis of Religion and National Origin

Each campus shall assess employment practices in order to assure a practice of nondiscrimination for members of various religious and ethnic groups.

In addition, reasonable accommodations shall be made to the religious observances and practices of employees and prospective employees. Reasonable accommodations may be made through adjustment in work schedules, postponing the performance of certain assignments, and/or using substitute staff to perform needed work that cannot be postponed consistent with campus need or necessity.

Section XI.

Additional Program Requirements for Disabled Employees

Each campus shall establish procedures designed to facilitate the employment, retention and advancement of qualified disabled persons throughout all levels of the employee work force. These procedures may be established as part of the overall campus affirmative action plan or maintained as a separate program. The President shall designate a person to be responsible for coordination of these efforts. His/her identity shall appear on all internal and external communications regarding the campus

nondiscrimination and affirmative action program for the disabled.

A. Definitions

A "qualified disabled person" is anyone who: has a physical or mental impairment which substantially limits one or more of such person's major life activities; has a record of such impairment; or is regarded as having such an impairment; and who is capable of performing a particular job with reasonable accommodation relative to such person or disability.

"Physical or mental impairment" includes but is not limited to any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; sense organs; respiratory; speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine. This also includes any mental or psychological disorder, such as mental retardation, emotional or mental illness, and specific learning disabilities.

"Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

A disabled person is "substantially limited" if such person is likely to experience difficulty in securing, retaining, or advancing in employment because of a disability.

B. Program Review

Each campus shall establish programs to eliminate procedural, psychological, and physical barriers to the employment of qualified disabled persons and shall review these programs annually.

C. Reasonable Accommodation

Each campus shall provide for reasonable accommodation to all qualified disabled persons who are employees or applicants for employment. "Reasonable accommodation" is defined as efforts to remove artificial or real barriers which prevent or limit employment of qualified disabled persons. Employment opportunity shall not be denied to qualified disabled applicants or employees, if the basis for such denial is the need to make reasonable accommodation.

The provision of reasonable accommodation may include making physical changes to building structures, installation of specialized equipment, purchase of individual assistive devices, job site modification or job restructuring and other related support services such as the provision of readers and interpreters.

Job site modifications may include but not be limited to: adjustments to equipment height; addition of electrical outlets; rearrangement of furniture and equipment; widening doorways; or the relocation of the job site to an accessible area.

Job restructuring may include but not be limited to the modification of work hours and/or changes in job duties while retaining the basis for the classification.

D. Goals and Timetables

Because of the unique characteristics of each type of disability and the wide range in the degree of impairments, goals and timetables for the disabled must be approached in a manner which recognizes those areas of employment where such goals and timetables will contribute to progress. Timetables shall be based on a reasonable assessment of the expansion, contraction, and turnover of the employee work force.

Section XII. Additional Program Requirements for Disabled Veterans and Veterans of the Vietnam Era

Each campus shall review employment practices to assure effective implementation of non-discrimination and affirmative action programs for disabled veterans and veterans of the Vietnam era. The President shall designate a person to be responsible for coordination of these efforts. His/her identity shall appear on all internal and external communications concerning this program.

Personnel records of eligible, covered veterans should be reviewed to ensure a practice of nondiscrimination. In addition, notices shall be sent to employees indicating the existence of affirmative action programs for covered veterans, inviting employees to identify themselves for purposes of program implementation. Such self-identification shall be voluntary and confidential. Employees who do not choose to identify themselves shall be made aware that they may do so at any future time.

Recruitment efforts for disabled veterans and veterans of the Vietnam era shall be consistent with Section V, subsection B of these guidelines. Recruitment sources shall include veteran administration agencies and other such groups likely to be in contact with covered veterans.

Section XIII. Practices Affecting Contractors, Vendors and Suppliers

Each campus shall promote nondiscriminatory employment by transacting business with firms that observe equal employment opportunity practices. The Chancellor or his/her designee shall be responsible for assuring compliance with existing procedures to ensure the inclusion of equal employment opportunity commitments in contracts to perform services for The California State University and Colleges by reviewing: reports on contractors', vendors', and suppliers' compliance with equal opportunity commitments; identifying businesses owned by minorities and women and encouraging their inclusion on State-approved lists of contractors, vendors and suppliers.

Each campus shall be responsible for implementing procedures to ensure that contractors, subcontractors, vendors and suppliers verify their commitment to equal opportunity employment.

In addition, each campus shall comply with affirmative action procedures in contracts with vendors, suppliers, contractors and subcontractors. These procedures include the specific requirements of relevant Federal and State statutes and directives as they relate to nondiscriminatory practices.

A. Procedures for Assuring Compliance

The vital responsibility for assuring compliance with respect to contract commitments, as prescribed by State and Federal agencies, shall be carried out by the Chancellor in cooperation with each campus President. Each of the campuses will cooperate with regulatory agencies in reviewing equal employment opportunity policies of businesses and contractors working with The California State University and Colleges system.

B. Procedures for Identifying Businesses Owned by Minorities and Women

It is the goal of The California State University and Colleges' Affirmative Action Program to identify businesses owned by minorities and women among potential suppliers. To accomplish this result, and in concert with existing State procedures, lists of businesses owned by minorities and women, where such businesses exist, will be maintained by the procurement and support services offices on each of the campuses.

Section XIV. Systemwide Monitoring and Evaluation

The Chancellor shall be responsible for developing procedures which evaluate the implementation of these guidelines.

Section XV. Annual Report to the Chancellor

Each campus President shall prepare and submit to the Chancellor an annual report assessing the effectiveness of the campus

nondiscrimination and affirmative action program. Such assessment shall: identify any problem areas, indicating corrective action taken; determine the extent to which goals have been attained within specific timetables, and provide justification for lack of attainment; and shall summarize the reviews conducted in compliance with Section V of these guidelines.

Section XVI. Staff Responsibility

A. Systemwide

Under the direction of the Vice Chancellor for Faculty and Staff Affairs, responsibilities of the systemwide Affirmative Action Officer shall include:

- Providing systemwide leadership and technical assistance to the campuses in order to advance affirmative action objectives.
- Designing and overseeing the implementation of monitoring and reporting systems that will measure the effectiveness of nondiscrimination and affirmative action programs; identify areas needing improvement; and assure compliance with Trustee policy and Federal and State laws and regulations.
- Acting as a resource to the campuses by assisting in the identification of problems and resolution of possible deficiencies.
- Providing general liaison with Federal and State regulatory agencies, as well as establishing and maintaining contact with appropriate groups and organizations that can assist the CSUC in its nondiscrimination and affirmative action efforts.
- Conducting periodic on-campus reviews, training programs and workshops to facilitate awareness and acceptance of affirmative action.

- Providing the Vice Chancellor for Faculty and Staff Affairs with information and analyses necessary for affirmative action reports to the Chancellor and the Board of Trustees.

B. Campus

The campuses are required to designate an individual or individuals who, under the direction of the President or his/her designee, shall be responsible for coordinating the campus nondiscrimination and affirmative action plan(s) and program. These responsibilities shall include:

- Providing leadership to achieve a positive, continuing, and vigorous campus nondiscrimination and affirmative action program.
- Reviewing faculty and staff personnel policies, practices and procedures to assure consistency with Trustee policy and Federal and State laws and regulations pertaining to nondiscrimination and affirmative action.
- Acting as a resource to faculty and staff to assist in the understanding of the nondiscrimination and affirmative action plan(s) and program, and to help assure compliance with legal and Trustee policy requirements.
- Acting as a liaison with the System-wide Affirmative Action Officer, forwarding necessary reports and correspondence through the President.
- Preparing and assisting in the preparation of reports and analyses and providing liaison with Federal and State regulatory agencies as well as establishing and maintaining contact with community groups and organizations that can assist the campus in its nondiscrimination and affirmative action efforts.

ATTACHMENT A

NON-TRADITIONAL CAREER PATHS

A series of 11 suggested Non-Traditional Career Paths were developed under the auspices of the 1978 Welfare Reform Act Grant (WRAG) and distributed to the Campus personnel offices in early 1979. The following pages contain a copy of these career paths designed to augment traditional career ladders.

The attached examples point to an expanded view of career opportunities in The California State Universities and Colleges system. Although they are labelled non-traditional, they are viable; particularly with the use of the revised Minimum Qualifications whereby the knowledges, skills and abilities possessed by an employee can be weighed and considered in relation to the employee's cumulative experience and education for each promotion or transfer.

Additional models of expanded career ladders will be developed from time to time. In addition, we will focus on techniques to facilitate the analyses and assessment of the knowledges, skills and abilities an employee will need to possess in order to move into and beyond a bridge class.

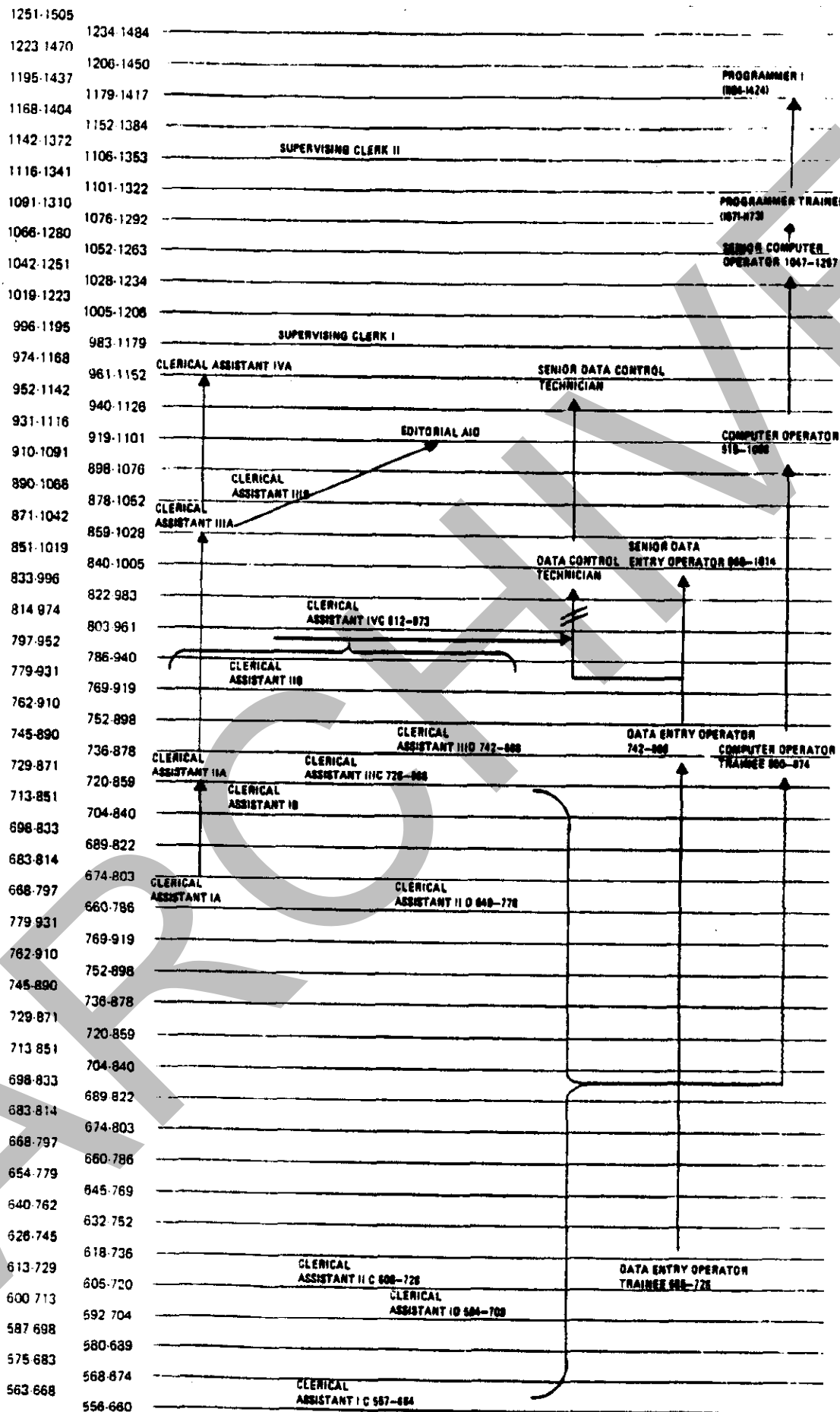
The attached material is an excerpt from the 1978 Report and therefore does not contain the current salary ranges. These charts are here as examples or illustrations of various career alternatives and the up-to-date salary ranges are not necessary to the understanding of the concepts involved.

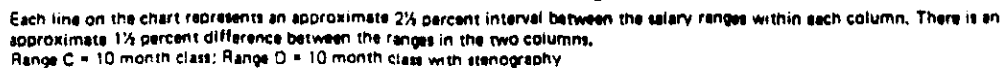
This section contains eleven (11) rough draft salary relationship charts which portray avenues of career mobility not often used, yet certainly viable.

Three basic types of transfer were mapped on these charts and coded as follows:

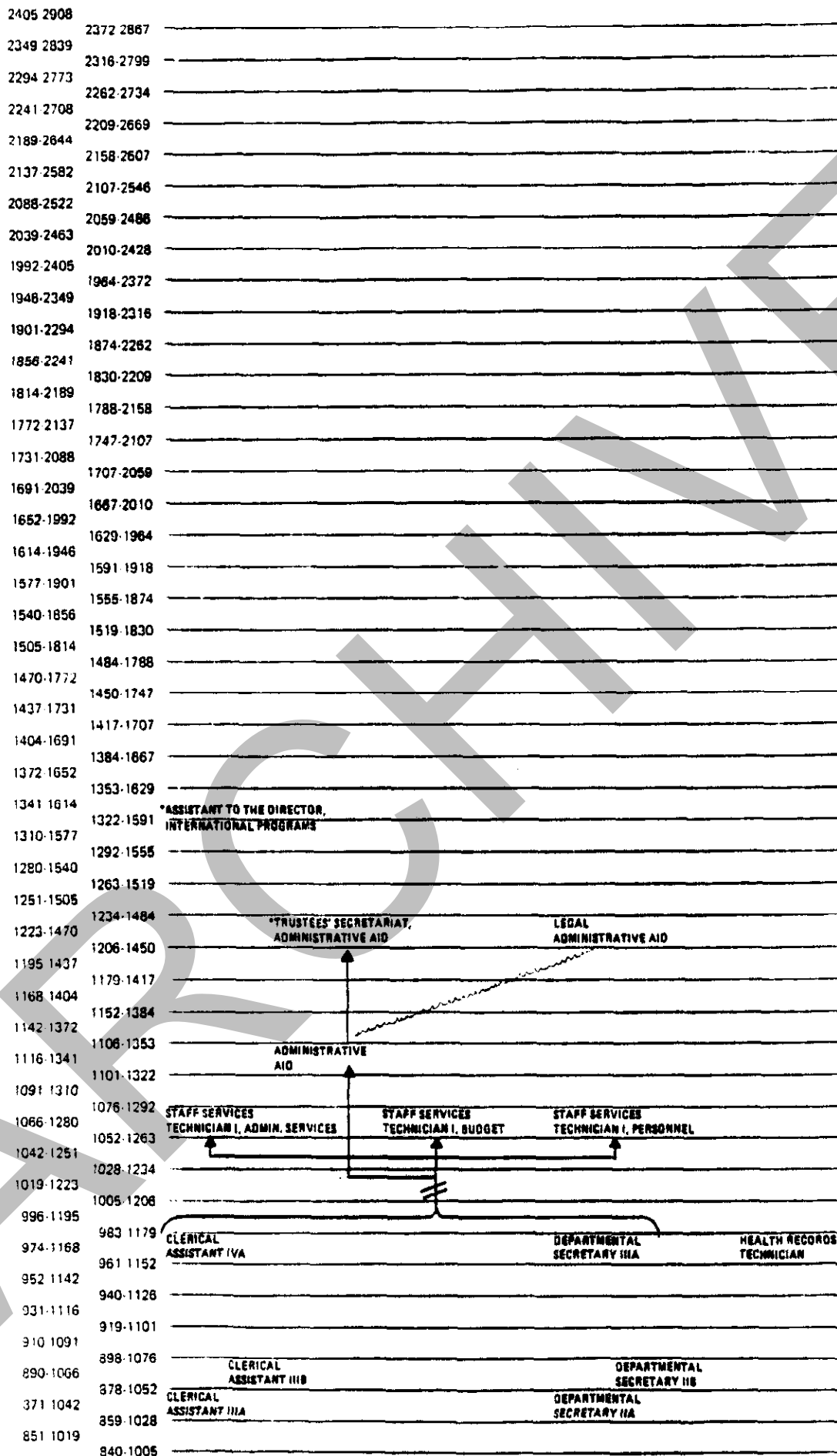
1. (—) Direct career (series) progression (Indicated by a straight line).
2. (—#) Career progression with equivalent experience or education substitution in relatively the same job field (Indicated by a straight line crossed by an equal sign).
3. (~~~~) Career movement or lateral mobility requiring specialized training (indicated by a wave-like line).

NON-TRADITIONAL CAREER PATHS
GENERAL CLERICAL and
DATA PROCESSING CLERICAL AND TECHNICAL



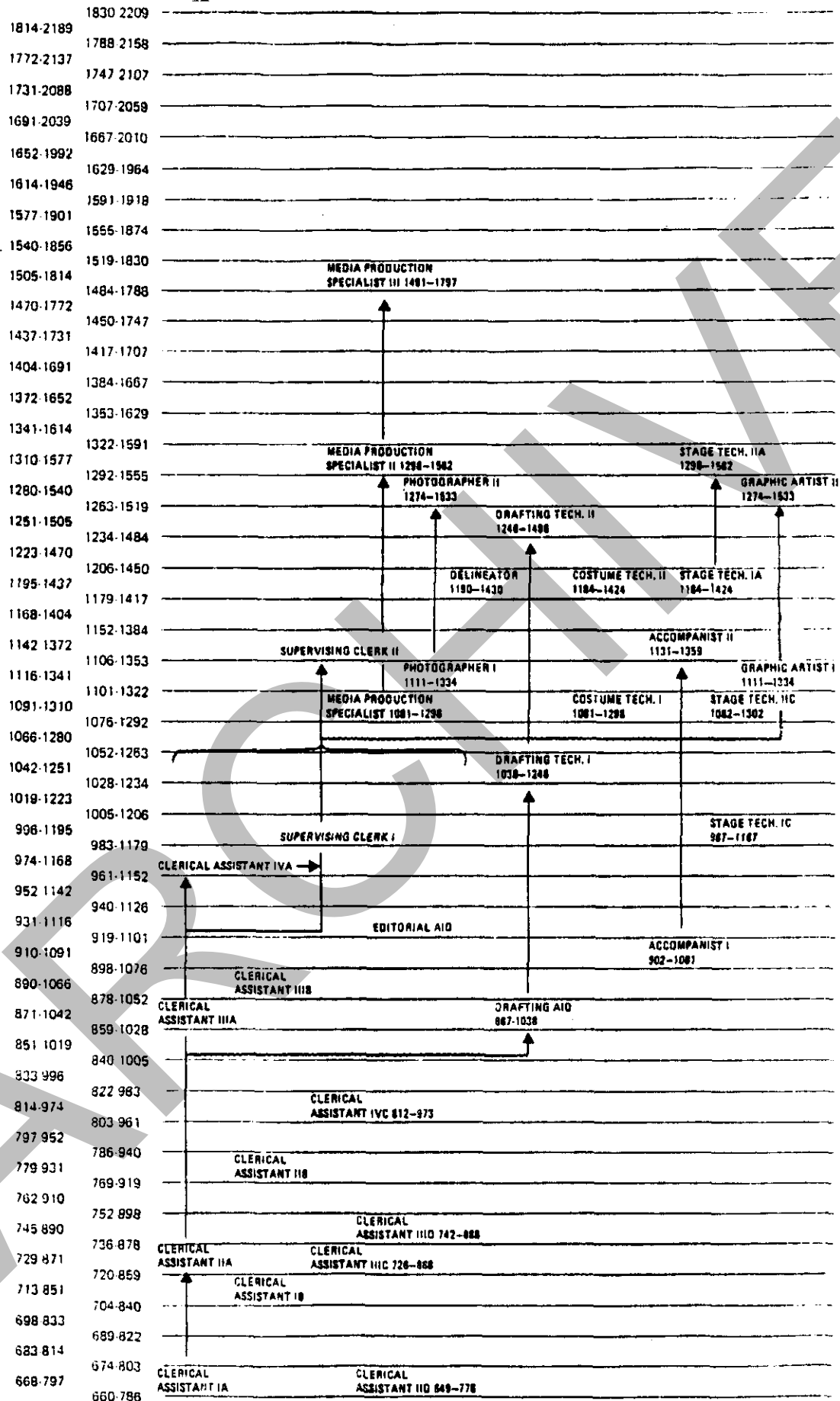


NON-TRADITIONAL CAREER - A - 5
MISCELLANEOUS TECHNICAL SUPPORT

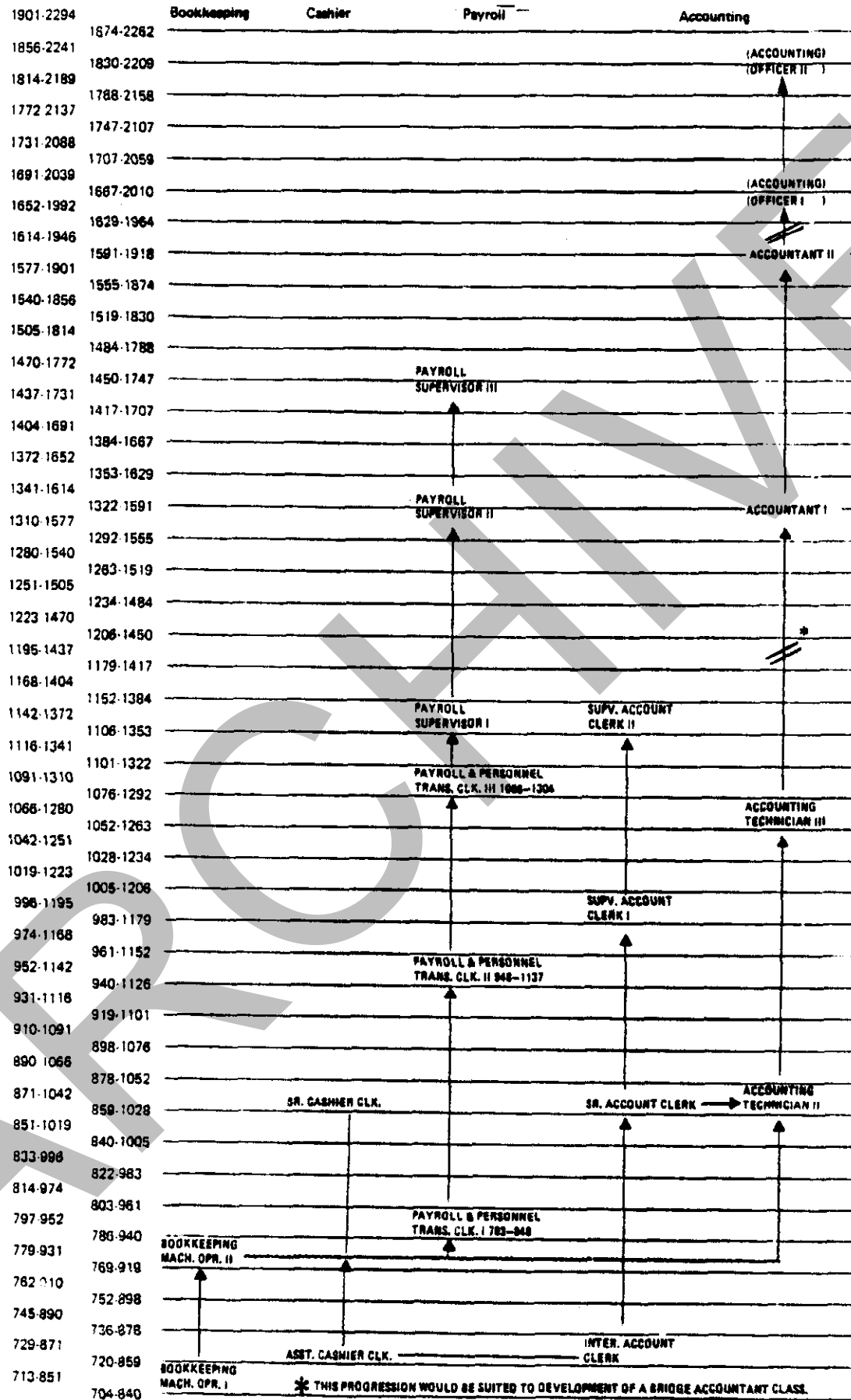


Each line on the chart represents an approximate 2% percent interval between the salary ranges within each column. There is an approximate 1% percent difference between the ranges in the two columns.
Range C = 10 month class; Range D = 10 month class with "transparency".

NON-TRADITIONAL CAREER PATHS
(GENERAL) CLERICAL and
TECHNICAL ARTS

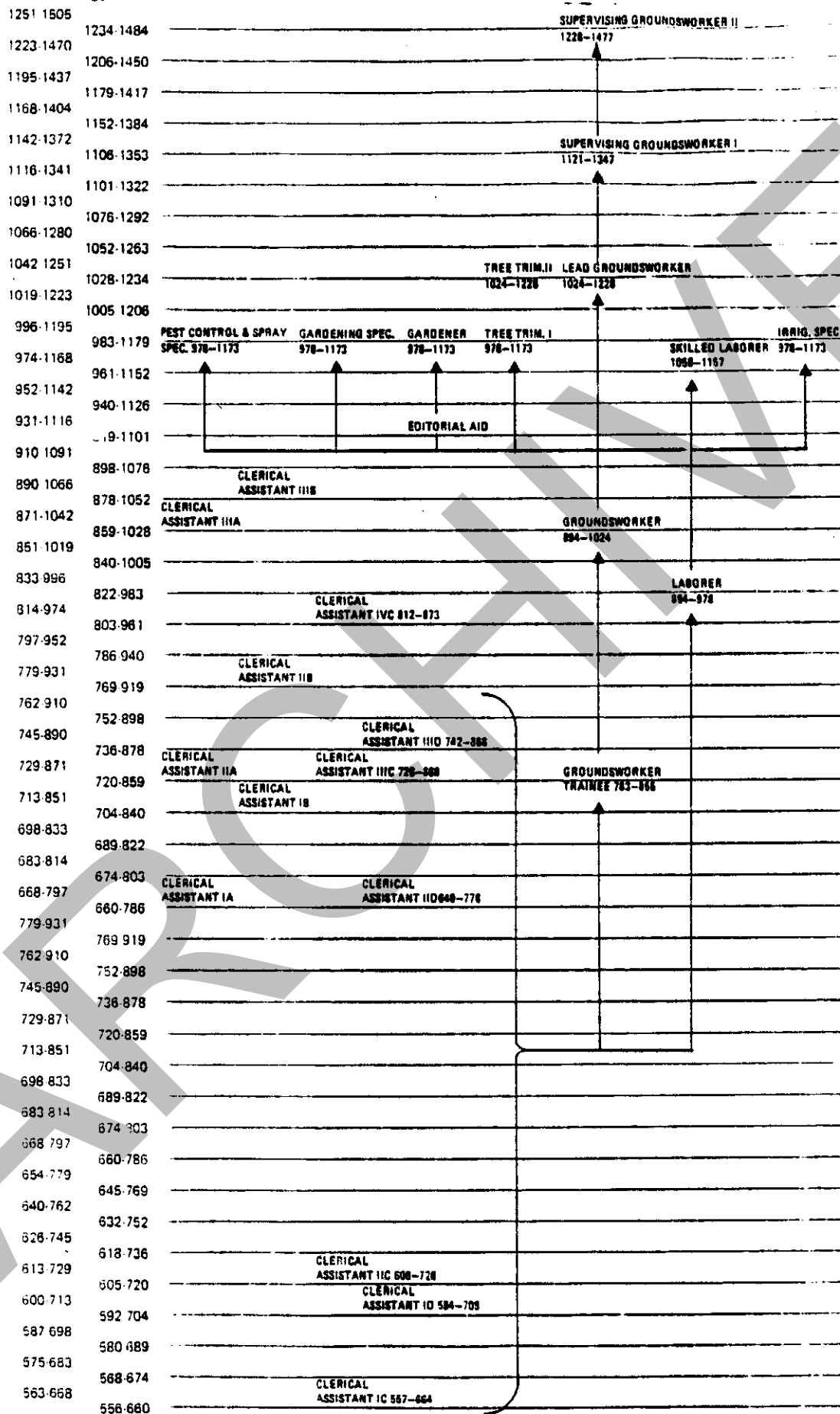


**NON-TRADITIONAL CAREER PATHS
ACCOUNTING/PAYROLL AND BOOKKEEPING**



Each line on the chart represents an approximate 2 1/2 percent interval between the salary ranges within each column. There is an approximate 1 1/2 percent difference between the ranges in the two columns. Range C = 10 month class; Range D = 10 month class with stenography

NON-TRADITIONAL CAREER PATHS
(GENERAL) CLERICAL SERIES and
GROUNDS MAINTENANCE AND GENERAL LABOR SERIES

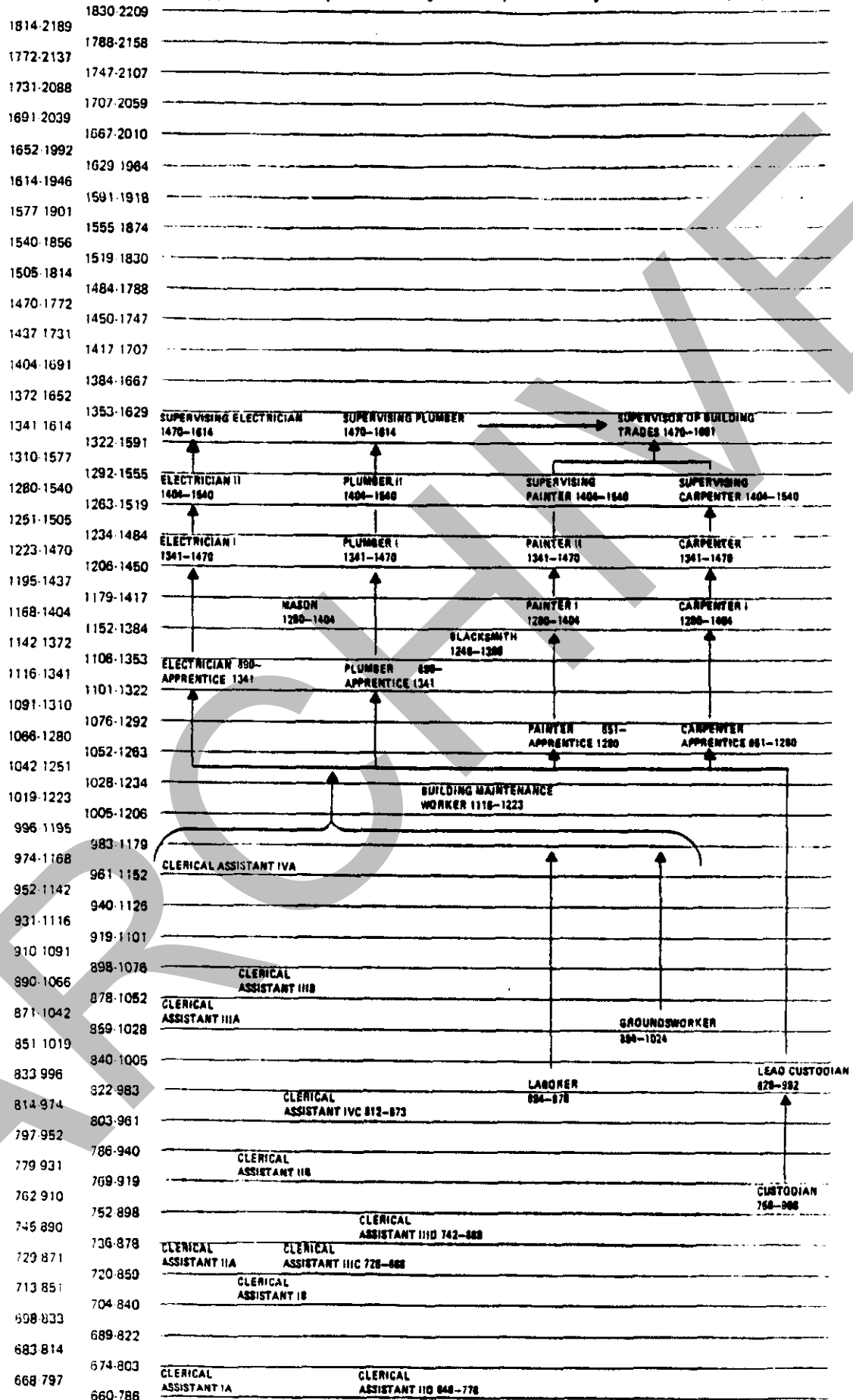


Each line on the chart represents an approximate 2% percent interval between the salary ranges within each column. There is an approximate 1% percent difference between the ranges in the two columns.
Range C = 10 month class; Range D = 10 month class with stenography

NON-TRADITIONAL CAREER PATHS

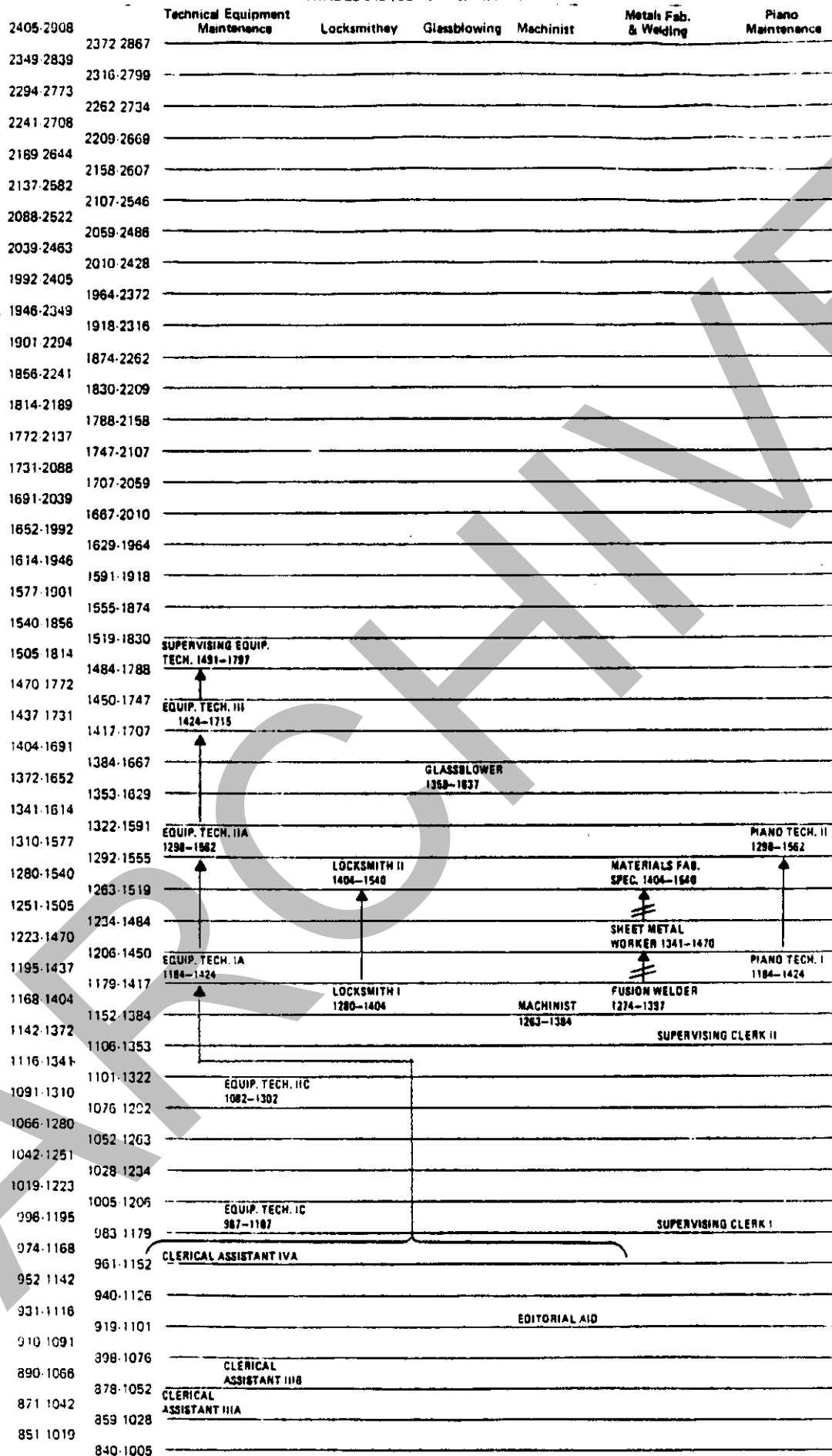
GENERAL CLERICAL and DATA PROCESSING CLERICAL AND TECHNICAL

Electrical Masonry Plumbing Smithery Painting Carpentry



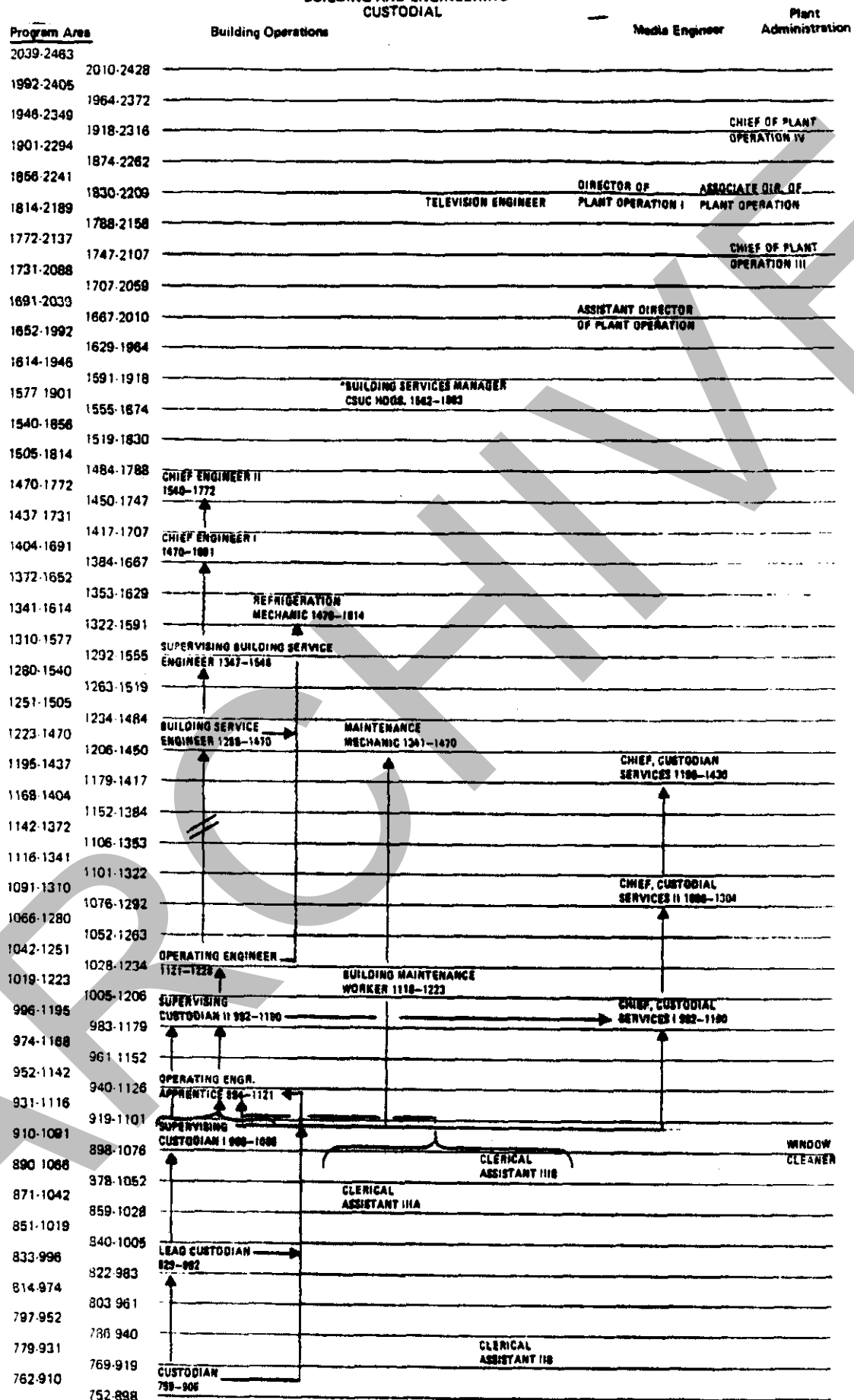
Each line on the chart represents an approximate 2% percent interval between the salary ranges within each column. There is an approximate 1% percent difference between the ranges in the two columns.
Range C = 10 month class; Range D = 10 month class with stenography

NON-TRADITIONAL CAREER PATHS
TRADES and (GENERAL) CLERICAL



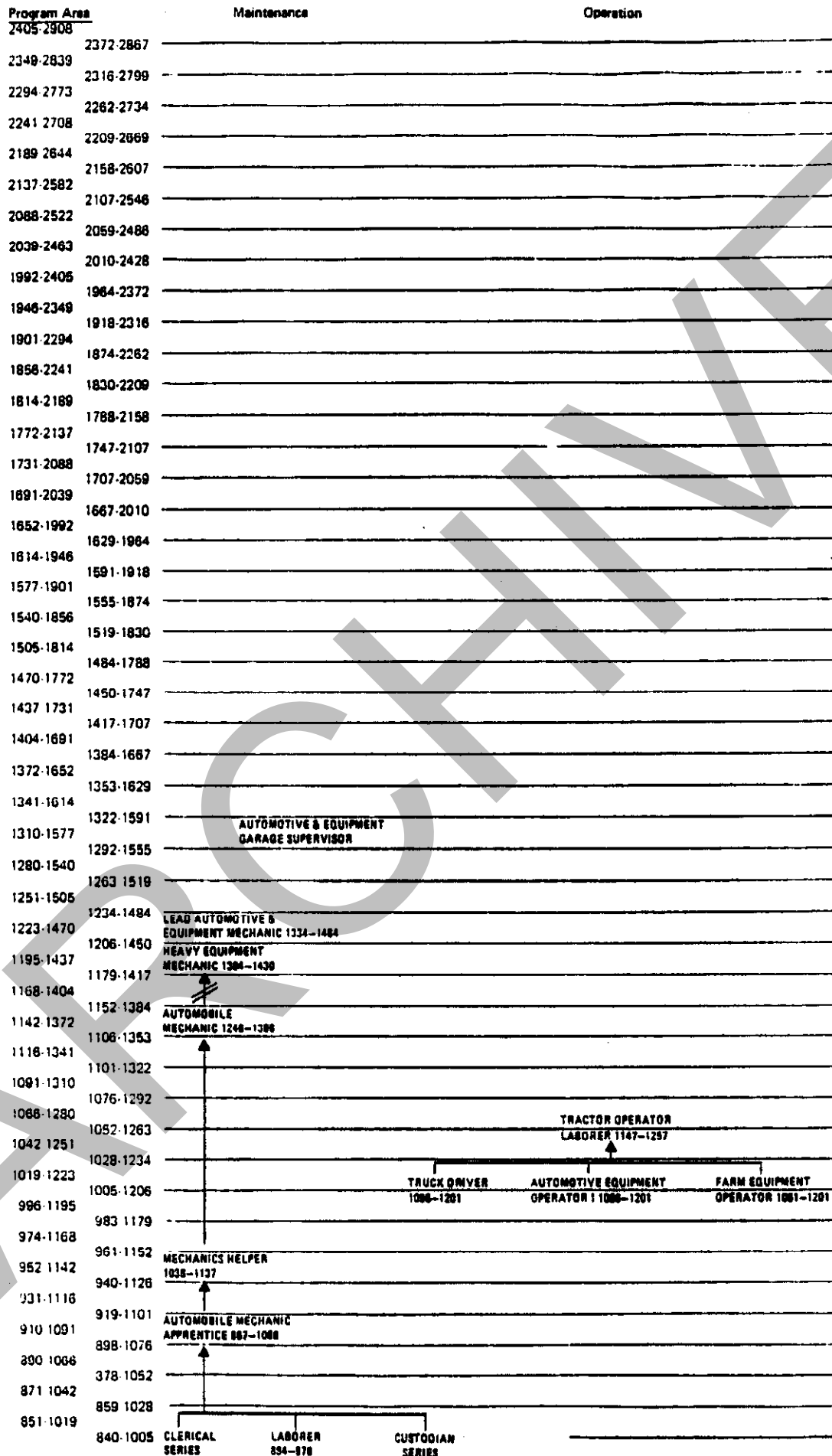
Each line on the chart represents an approximate 2% percent interval between the salary ranges within each column. There is an approximate 1% percent difference between the ranges in the two columns.
Range C = 10 month class; Range D = 10 month class with stenography

NON-TRADITIONAL CAREER PATHS BUILDING AND ENGINEERING CUSTODIAL

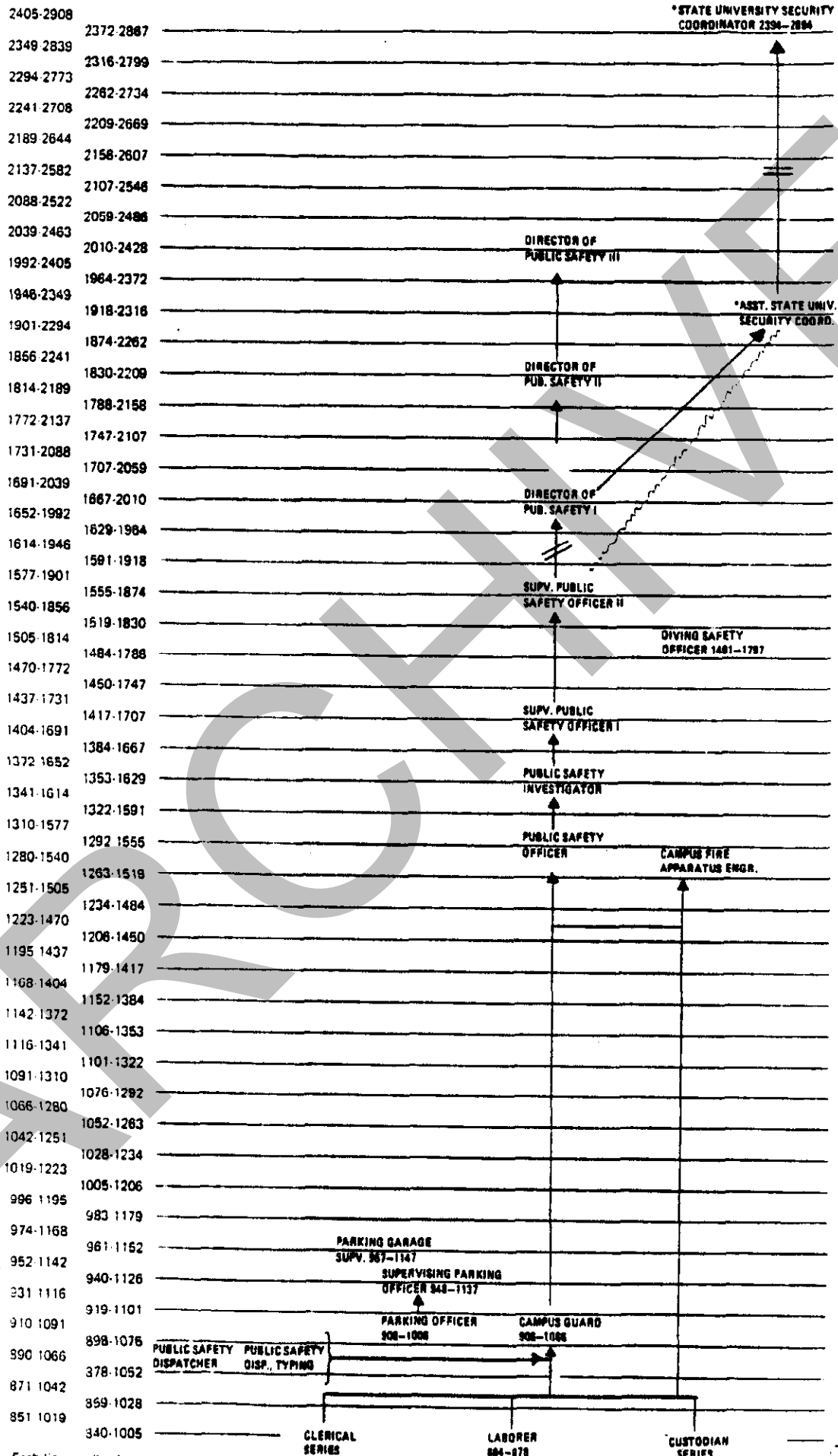


Each line on the chart represents an approximate 2% percent interval between the salary ranges within each column. There is an approximate 1% percent difference between the ranges in the two columns. Range C = 10 month class; Range D = 10 month class with stenography

**NON-TRADITIONAL CAREER PATHS
MECHANICAL EQUIPMENT OPERATION AND MAINTENANCE**



SECURITY



Determining Underutilization and Establishing Goals and Timetables

Annual goals and timetables must be established for each job group in which minorities or women are underutilized by one or more individuals. Where underutilization by less than one person exists in a job group, ultimate percentage goals for that job group will be established.

A single goal for minorities is acceptable unless there is a disparity in utilization of a particular minority group, or men or women of a particular minority group.

Where underutilization exists for minorities or women, each campus will establish:

- 1) An ultimate goal, sufficient to completely eliminate underutilization.
- 2) A specific timetable for achieving the ultimate goal in the shortest feasible time period.
- 3) Annual rates at which the campus will make every good faith effort to hire and/or promote members of the underutilized group.

Ultimate goals must be stated as a percentage of the total employees in the job group. They must equal the percentages of minorities and women determined to be available for the job group.

Annual goals must be stated as percentage placement rates and, at the beginning of each affirmative action plan year, as specified numbers of projected placements, or hires ("numerical goals"). Numerical goals are derived by applying the annual percentage placement rate for the job group to the total number of projected placements.

The following example should help illustrate the problem currently facing campus X.

Problem

Campus X is reviewing its "Skilled Crafts" job group. The availability of minorities for that job group is 25%. The availability of women is 15%. The work force at campus X has a total of 24 employees in the "Skilled Crafts" job group, 22 males (21 white, 1 minority) and 2 women (both white). Is there underutilization and, if so, how are goals established?

Assessment

Underutilization exists whenever the employment of minorities

or women in a job group is less than their availability. For the "Skilled Crafts" job group at campus X, the following is true:

- there is a total of 24 employees.
- the availability of minorities is 25%.
- the availability of women is 15%.

Therefore, the number of minorities and women should represent 25% and 15% respectively of the 24 employees in the skilled crafts, in order that there be no underutilization.

Ideal Work Force

Minority availability: 25% of total employees (24) = 6
Female availability: 15% of total employees (24) = 3.6

Actual Work Force

Minorities = 1
Females = 2

The ideal work force compared to the actual work force indicates whether or not underutilization exists.

When a comparison is made of the ideal work force of minorities (6) to the actual number employed (1), the degree of underutilization = 5 minorities. For women the degree of underutilization = 1.6 (ideal = 3.6, actual = 2, underutilization is therefore 1.6).

Problem Resolution

The problem indicates underutilization of both minorities and women and, therefore, goals and timetables must be established. In accordance with the instructions in this section, three requirements must be fulfilled: an ultimate goal must be established; a specific timetable determined; and an annual rate of hiring projected.

The ultimate goal equals the availability, and therefore, for the "Skilled Crafts" job group, the ultimate goal for minorities is 25% and for women is 15%. This will remain true as long as there are no changes in availability. Numerical goals will change as there are changes within that job group.

The timetable is determined on the basis of projected or anticipated vacancies. Assuming that no additional positions will be allocated to that job group and that any future vacancies

will be as a result of turnover, the following timetable may be established:

Timetable for three year period - Job Group - Skilled Crafts

	Vacancies			Placement Rates			Numerical Goals		
	Yr. 1	Yr. 2	Yr. 3	Yr. 1	Yr. 2	Yr. 3	Yr. 1	Yr. 2	Yr. 3
Ex. 1	5	5	5	40% Minor.	40% Minor.	20% Minor.	2 Minor.	2 Minor.	1 Minor.
				20% Women	20% Women	- Women	1 Woman	1 Woman	
Ex. 2	5	5	5	60% Minor.	20% Minor.	20% Minor.	3 Minor.	1 Minor.	1 Minor.
				40% Women			2 Women		
Ex. 3	8	-	4	50% Minor.	-	15% Minor.	4 Minor.		1 Minor.
				15% Women	-	-	1 Woman		

Examples 1 and 2 above, assume a turnover of 5 persons per year but a different placement rate of hiring and, therefore, a different annual numerical goal. In Example 1, it is anticipated that during the first year 2 minorities will be hired (40% of 5) and 1 woman (20% of 5) of the total number of projected expected hires (5).

Example 2, however, assumes that all five persons hired in the first year will be either minorities or women, while Example 3 reflects a different rate of turnover and therefore, a different placement rate. The hiring placement rate reflects reasonable expectation to fulfill affirmative action objectives. The placement rate usually should be greater than the availability, if any progress is to be made in attaining goals.

The actual setting of a placement rate is based upon the number of anticipated vacancies and the degree of underutilization. If underutilization is severe, and vacancies are limited, a high placement rate may be required. The placement rate represents the "good faith effort" to correct underrepresentation of minorities and women.

In cases where goals are required for separate minority groups and/or women, and where vacancies are limited, the degree of underutilization across all job groups may influence placement rates within a particular job group. If, for example, a faculty department has severe underutilization of minorities and women, but has only a limited number of vacancies, the degree of underutilization of both groups in the overall school or campus may determine hiring priorities.

The determination of placement rates or new hires, and the establishment of numerical goals, may not only be contingent upon the job group being assessed, but all job groups at the campus as well. A complete and thorough assessment of campus underutilization is the best method for identifying problem areas and can lead to the development of effective strategies and plans for resolving such problems.

Computing Availability Using the Eight Factors

The factors to be considered in determining the availability of minorities and women for all job groups are listed in Section III-C of the Systemwide Guidelines. For convenience, they are repeated here.

1. The minority population of the labor area surrounding the campus or the availability of women seeking employment in the labor or recruitment area of the campus.
2. The size of the minority and female unemployment force in the labor area surrounding the campus.
- *3. The percentage of the minority and female work force as compared with the total work force in the immediate labor area.
4. The general availability of minorities and females having requisite skills in the immediate labor area.
5. The availability of minorities and females having requisite skills in an area in which the campus can reasonably recruit.
6. The availability of promotable and transferable minorities and females within the campus work force.
7. The existence of training and educational institutions or programs capable of preparing persons in the requisite skills.
8. The degree of training which the campus through individual or systemwide resources is reasonably able to undertake as a means of making all job classes available to minorities and women.

*The terms "work force" and "labor area" have different meanings in labor statistics terminology. "Work force" typically refers to those persons employed and those registered as seeking employment. The "labor area" is based on the actual population count and includes all persons between the ages of 16 and 65.

First Step

Each campus is to determine the availability of minorities and women for each of the eight factors. Once this is done, the availability figures for the first three factors will be identical for all job groups being assessed. Given the diversity of job groups, as a result of different qualification requirements and recruitment areas, the availability figures may vary greatly for the remaining factors.

Manpower Information Studies are available from local offices of State Employment Security Agencies and should be consulted for figures on population, work force, unemployment, and present employment in specific job categories.

The Chancellor's Office will periodically furnish nationwide data, and some employment statistics by state and region. These figures should be consulted in determining availability of faculty. This information will be compiled and updated utilizing the most appropriate data available.

Second Step

After availability figures have been determined, a weighted availability factor is computed. This is done by assigning a value weight to each factor which represents the significance of that factor to the job group being assessed. The sum of all the value weights should total 100%.

Third Step

Each value weight is multiplied by the availability for that factor. The sum of all the weighted availabilities represents the total availability for that job group. The new availability should not be less than the availability of women or minorities with requisite skills in the reasonable recruitment area (factor 5).*

Example (hypothetical campus in Santa Clara/San Mateo Counties)

Table 1 indicates the availability of minorities in each of the eight factors for the job group "Skilled Crafts". Weighted availability values are the product of the value weight times the availability. The final availability factor represents the sum of all the weighted availabilities.

*Under certain circumstances factor 4 may be the appropriate comparison if factor 5 artificially lowers availability of minorities and/or women.

This method of calculation should be conducted separately for women, each minority group exceeding two percent of the population of the relevant labor market, and all minority groups combined. Each of the eight factors must be considered for all job groups. Justification must be given for each factor that is not assigned a value weight as a result of being judged inapplicable to the job group being assessed.

Assigning Value Weight

Each factor is assigned a value weight expressed as a percentage. The sum of all the value weights should total 100% (if using decimals the sum should total 1).

The value weights represent reasonable estimations of the impact that each factor has on the total recruitment process. Each factor should be reviewed as contributing to the process of recruiting minorities and women. In the previous example, the greatest value weight is given to factor 5, the reasonable recruitment area, rather than factor 4, the immediate labor market. This is done to emphasize the need to extend the recruitment process into areas most likely to have qualified minorities.

There are some factors that, while on the surface may not appear to be relevant to a particular recruitment effort, nonetheless may influence the likelihood of attracting minority candidates. For example, the work force in the immediate labor area may not be relevant to faculty recruitment per se, but may be very relevant to minority candidates. As a result, the percentage of minorities in a given community has a "value" to the recruitment process of minorities outside that community.

In addition, when considering goals over a three to five year time period, the number of minorities or women in training institutions influences their future availability and as such has a value. This would also be true of current employees who are in the process of acquiring the experience and skills necessary to advance.

The assigning of value weights is a critical part of the process used to determine availability by highlighting those factors that may contribute to a more successful recruitment effort.

TABLE 1

MINORITY AVAILABILITY COMPUTATION FORM

JOB GROUP:	Skilled Crafts	Specific Availability %X	Value Weight =	Weighted Factor	Source & Reason
1.	The minority population of the labor area surrounding the campus	22.2	.05	1.2	EDD Manpower Information for AAP - Santa Clara and San Mateo Counties - 1978
2.	The size of the minority unemployment force in the labor area surrounding the campus	28.2	-	-	" " Table 5A 1970 Census
3.	The percentage of the minority work force as compared with the total work force in the immediate labor area	19.8	-	-	" " Table 5B 1978 Census
4.	The general availability of minorities having requisite skills in the immediate labor area	10.0	.05	.5	Tables 8A, 26A
5.	The availability of minorities having requisite skills in an area in which the campus can reasonably recruit	18.0	.75	13.5	San Francisco and Alameda Counties
6.	The availability of promotable and transferable minorities within the campus organization	20.0	.05	1.0	Campus X employment data as of 1/15/80
7.	The existence of training institutions capable of training persons in the requisite skills	19.8	.05	1.0	Polytechnic Institute Skilled Craft Memorial Community College
8.	The degree of training which the campus is reasonably able to undertake as a means of making all job classes available to minorities	20.0	.05	1.0	WIN-COD CETA Training Funds
Final Availability Factor (Total) =				18.2%	

Calculating Substantially Different Rates of Selection,
Promotion, or Other Employment Decisions

If the selection rate for any race, sex, or ethnic group is less than four-fifths (4/5ths) or eighty percent (80%) of the selection rate for the group with the highest selection rate, this will generally be viewed as adverse impact or "substantially different rate of selection."

To determine adverse impact or a substantially different rate of selection, conduct the following four-step process:

- 1) Calculate the rate of selection for each group (divide the number of persons selected from a group by the number of applicants from that group).
- 2) Select the group which has the highest selection rate.
- 3) Evaluate the impact ratios, by comparing the selection rate for each group (divide the selection rate for a group by the selection rate for the highest group).
- 4) Determine whether the selection rate for any group is substantially less (less than 4/5ths or 80%) than the selection rate for the highest group.

Example:

Step 1 Calculate Rate of Selection for Each Group

Applicants	Hires	Selection Rate/% Hired
80 White	48	$48/80 = 60\%$
40 Black	12	$12/40 = 30\%$
30 Hispanic	10	$10/30 = 33\%$

Step 2 - Select Group with Highest Selection Rate

White - 60%

Step 3 - Calculate Impact Ratios

Black selection rate $\frac{30\%}{60\%} = 50\%$
White selection rate

Hispanic selection rate $\frac{33\%}{60\%} = 55\%$
White selection rate

Step 4 - Determine Whether Rates are Substantially Less

Black rate = 50% - rate is less than 80%
Hispanic rate = 55% - rate is less than 80%

For computing rates of negative employment decisions, the group with the lowest demotion or separation rate is used as the comparison group following the same four-step process.