

**FRANCIS MARION UNIVERSITY**

**SUBJECT:** Affirmative Action/Equal Employment Opportunity Policy

Revised: 11/10/94

**POLICY Contact:** Human Resources Office

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## **AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY POLICY**

**THE LANGUAGE USED IN THIS POLICY DOES NOT CREATE A BINDING EMPLOYEE CONTRACT BETWEEN THE EMPLOYEE AND THE UNIVERSITY. THE UNIVERSITY RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS POLICY, IN WHOLE OR IN PART.**

### **AFFIRMATIVE ACTION POLICY**

It is the policy of Francis Marion University to recruit, hire, train, and promote employees without discrimination because of race, religion, color, national origin, sex, physical disability or age. Furthermore, it is our policy to implement affirmative action to prevent any disparate effects of discrimination because of race, religion, color, national origin, handicapping condition, sex or age. It is the position of the University to endorse fully an appropriate section deemed necessary to eliminate any past vestiges of prior segregation and in this regard to adopt specific goals toward this end if warranted. This policy applies to all levels and phases of personnel administration, including, but not limited to, recruitment or recruitment advertising, testing, hiring, training, promotion, transfer, leave practice, layoffs, recall from layoffs, rates of pay, selection for supervisory positions, and educational, social or recreational programs of this agency. Furthermore, all officials and employees of this agency, as well as employment agencies, labor organizations and advertising agencies with whom this agency deals for purposes of recruitment of employees, will be informed that Francis Marion University is an Affirmative Action/Equal Employment Opportunity employer.

We have developed an affirmative action plan to help us achieve our goal of equal employment opportunity for all. The Chairman of our Board has reviewed the plan and is committed to implementing the goals and timetables established in the plan. Effective January, 2019, Ms. LaTasha Brand assumed overall responsibility for the implementation of the University's affirmative action plan; including the development of specific goals and timetables and is responsible for reporting

progress to the President. In this regard, the Affirmative Action Officer has the responsibility in accordance with the policy of the University to ascertain that a concerted effort is established and thus maintained to assure the achievement of goals and the interim benchmarks relating thereto.

The Affirmative Action Program will remain in effect until such goals are achieved, and we anticipate the full cooperation of all managers, supervisors, and other employees in this program.

## **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

As an institution dedicated to teaching, research, and public service, Francis Marion University strives to provide its faculty and staff members with the most rewarding and fulfilling employment experience possible. This goal, however, cannot be a reality unless each employee can work and achieve to the full extent of his or her capabilities, unencumbered by artificial or preferential restriction or requirements.

Whereas an affirmative and vigorous program to assure fair and impartial treatment is in the best interest of the University, this administration is committed to the principle of affirmative action to promote equal employment and educational opportunities, a principle embodied in federal law and set out in the University's Affirmative Action Plan.

In adhering to the principle of equal opportunity, the University will recruit, hire, train, promote, and compensate employees in all job classifications solely on the basis of qualifications and productivity. No employee or prospective employee will be discriminated against because of race, color, religion, national origin, sex, age, handicap, or veteran status.

This policy shall be applied equally to all employees of the University and to all functions of the University, including the selection of contracts and suppliers of goods and services.

Ms. LaTasha Brand, Dean of Students, serves as the Affirmative Action Officer. Her office is located in the Smith University Center, 205B--telephone extension number 1229.

Dr. Charlene Wages, Vice President for Administration and Planning, should be contacted with any inquiries regarding discrimination, harassment, or retaliatory behavior concerning prior claims. Her office is located in the J. Howard Stokes Administration Building, Room 105--telephone extension number 1114.

### **Affirmative Action/Equal Employment Opportunity Plan**

#### **I. Administrative Responsibility**

##### **A. President**

The President bears the ultimate responsibility for implementing and monitoring the Affirmative Action Plan. The President has overall responsibility for compliance with Federal and State laws and regulations that govern affirmative action and equal opportunity.

##### **B. Affirmative Action Officer**

The Affirmative Action Officer advises the President and others in matters of policy related to affirmative action and equal employment and educational opportunity.

C. Provost

The Provost bears primary responsibility for the attainment of affirmative action goals for academic employees and for ensuring that policies, procedures, and practices within the academic area are consistent with equal employment and educational opportunities and affirmative action laws and regulations.

D. Vice President for Administration and Planning

The Vice President for Administration bears primary responsibility for the attainment of affirmative action goals for administrative and staff employees and for ensuring that policies, procedures, and practices within the administrative and staff areas are consistent with equal employment and educational opportunity and affirmative action laws and regulations.

E. Director of Facilities Management

The Director of Facilities Management ensures that all contract work related to capital expenditure building projects meets necessary requirements established for contracting firms in relation to the provisions contained in the affirmative action program for equal employment opportunity.

F. Vice President for Finance and Facilities

The Vice President for Business Affairs is responsible for developing a purchasing program which includes consideration of firms operated by women and minorities and for seeing that all vendors dealing with the University are aware of the Affirmative Action Policy and vendor-related affirmative action responsibilities.

G. Administrators and Supervisors

All other university administrators, faculty and staff responsible for employment and promotion decisions assume responsibility for implementation and compliance with the affirmative action program within their areas of responsibility. Performance reviews of administrators and supervisors must include consideration of their progress toward meeting affirmative action goals.

## II. Affirmative Action Administrative Procedures

A. Dissemination of Policy

1. Copies of equal employment opportunity posters are prominently displayed in strategic locations on campus. This is the responsibility of the Vice President for Administration and Planning.
2. The University's Affirmative Action Plan is available for inspection in the office of Dean of Students, LaTasha Brand, who serves as the Affirmative Action Officer.

3. A statement such as *"Francis Marion University provides affirmative action and equal opportunity in education and employment for all qualified persons regardless of race, color, religion, sex, national origin, age, handicap or veteran status"* is included in bulletins, catalogs, application forms, and formal and informal announcements distributed by the University internally and externally. The Director of University Communications is responsible for ensuring that this statement appears in printed material.
4. It is the responsibility of the Provost and the Vice President for Administration and Planning to ensure that recruiting sources are advised of the University's Affirmative Action Policy and that all employment advertising, applications, and brochures include the notation *"Francis Marion University is an Affirmative Action/Equal Opportunity Employer."*
5. The Vice President for Finance and Facilities is responsible for ensuring that contractors, subcontractors, and vendors are advised in writing of the University's responsibilities under the affirmative action program.

B. Faculty Personnel

The Provost bears the primary responsibility for the attainment of affirmative action goals for academic employees. Prior to advertising academic vacancies, the Vice President for Administration and Planning completes a University Vacancy form. This form is forwarded to the Affirmative Action Officer who indicates on the form the underutilized race and sex for the rank and sends the form back to the Vice President for Administration.

1. Recruitment - In cooperation with the Affirmative Action Officer, the responsibility of the Provost is as follows:
  - a. To develop and maintain information on qualified women and minorities as part of the applicant pool. Lists of the applicant pool for each position vacancy are to be made available for review by the Vice President for Administration.
  - b. To advertise faculty vacancies in national professional journals and/or other appropriate publications to reach qualified applicants of both sexes and minorities. Advertisements must carry the statement that Francis Marion University is an Affirmative Action/Equal Opportunity Employer.
  - c. As applications are received, a copy of the EEO Data Reporting Form is to be sent by the appropriate administrator to each applicant. This information is an indicator of the effectiveness of advertising and recruitment. This information is also needed for compiling state and federal reports. - The EEO Data Reporting Form must bear the return address of the Affirmative Action Officer.
2. Applications/Vitae
  - a. Applications for faculty positions or vitae must be kept by the Human Resources department for an appropriate time. In the event a complaint is filed, all supporting documentation must be retained until the complaint has been resolved.

- b. A copy of all faculty position advertisements must be maintained by the Vice President for Administration.
- c. Applicants for faculty positions must be considered on the basis of qualifications without discrimination because of race, color, sex, religion, national origin, age, handicap, or veteran status.
- d. Applicant data flow for faculty positions are analyzed annually. The Provost and the Affirmative Action Officer review the data to determine discriminatory trends, if any, and work with departments to correct disparities.

3. Hiring

The Provost monitors Department Chairpersons and Deans in the following affirmative action/equal employment areas:

- a. In hiring decisions, assignments to a particular title or rank are made under explicit and nondiscriminatory criteria and based on the qualifications of the individual being hired.
- b. Hiring decisions are not governed by assumptions about a particular individual's willingness or ability to relocate because of his or her sex or race.
- c. No preferential appointments are made of unqualified persons over qualified ones.
- d. The President has final approval on all faculty appointments and reviews procedures used in recruiting, screening, and interviewing to insure that affirmative action policies have been followed.

4. Compensation

- a. Compensation for faculty positions is determined in a manner free from unlawful discrimination.
- b. Rank and salaries of husband/wife employees are based on non-discriminatory criteria applied separately to each spouse's qualifications.

5. Tenure and Promotion

Materials for consideration for tenure and/or promotion must be considered without regard to race, ethnicity, color, age, sex, national origin, handicap, or veteran status.

6. Professional Development Opportunities

Applications of faculty members for professional development opportunities are considered without regard to race, ethnicity, color, sex, national origin, age, handicap, or veteran status.

7. Leave Policies

The University does not discriminate against employees in its leave policies including sick leave, annual leave, and leave without pay.

C. Staff Personnel

The Vice President for Administration and Planning bears primary responsibility for the attainment of affirmative action goals for administrative and staff employees.

1. Recruitment

- a. University administrative and staff vacancies are advertised with the notation "*Affirmative Action/Equal Opportunity Employer.*" Applicants are considered by qualification only, without discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or veteran status.
- b. Advertising sources for these positions are University bulletin boards, various websites, South Carolina Employment Security Commission as required by law, and State Recruitment Division. Additional sources, such as newspapers and professional journals, are used on occasion. Each advertisement must carry the statement that Francis Marion University is an Affirmative Action/Equal Opportunity Employer.

2. Applications

- a. Applications for classified staff positions are taken by the Human Resources office. Resumes/vitae for unclassified administrative staff positions are taken either by the Human Resources office or by the particular academic department as indicated in the advertisement.
- b. Prior to advertising a vacancy, the Vacancy Form is completed and forwarded to the Affirmative Action Officer who indicates on the form the race and sex of underutilization according to the Affirmative Action Plan and sends the form back to the Human Resources office.

- c. Applicants are considered on the basis of qualifications listed for the job classification and without discrimination on the basis of sex, race, color, religion, national origin, age, handicap, or veteran status (except where sex or age is a bonafide occupational qualification).
- d. The hiring supervisor must send written notice to the Human Resources office indicating the applicant chosen and the reasons for nonselection of other applicants. The Human Resources office must keep files on all applicants for two years following the reporting period in which the application was taken. In the event a complaint is filed, all supporting documentation must be retained until the complaint has been resolved.

3. Hiring

- a. Hiring decisions are based only on the applicant's qualifications for the job as described by the classification.
- b. Hiring decisions are not governed by assumptions about a particular individual's willingness or ability to relocate because of his or her race or sex.
- c. No preferential appointments are made of unqualified persons over qualified ones.

4. Compensation

- a. Compensation for classified staff is established by the South Carolina Office of Human Resources' classification system for each job. Salary increments are based upon satisfactory performance of job duties and in accordance with pay provisions enacted yearly by the General Assembly.
- b. The Human Resources office, in conjunction with the South Carolina Office of Human Resources, conducts periodic reviews of job descriptions of classified staff employees to identify and correct inequities in classification levels.

5. Promotions and Transfers

- a. The Human Resources office administers its classified staff promotion and transfer policies in a manner free from discrimination.
- b. Employees are encouraged to take advantage of recruitment sources available to learn of vacancies in other departments for which they qualify and for which there would be a promotion.

6. Leave Policies

Francis Marion University does not discriminate against employees in its leave policies including sick leave, annual leave, and leave without pay.

D. Administrative Human Resources (Unclassified)

1. Recruitment

- a. Recruiting for administrative vacancies that are unclassified is conducted through advertising in professional journals and/or other appropriate publications to reach qualified applicants of both sexes and minorities. Advertisements carry the notation that Francis Marion is an Affirmative Action/Equal Opportunity Employer.
- b. Prior to advertising a vacancy, the Vacancy Form is completed and forwarded to the Affirmative Action Officer who indicates on the form the race and sex of underutilization according to the Affirmative Action Plan and sends the form back to the Human Resources office.
- c. All qualified applicants are referred to the appropriate hiring supervisor. If there are qualified applicants in the underutilized areas, these must be interviewed first.
- d. Applicant flow data for administrative vacancies are analyzed annually. The Vice President for Administration and Planning and the Affirmative Action Officer review data to determine discriminatory trends, if any, and work with departments to correct disparities.

E. Complaint Procedures for Employees

1. Francis Marion University employees who feel they have been discriminated against by reason of race, color, sex, age, religion, national origin, disability, handicap, or veteran status are encouraged to voice their complaint to their immediate supervisor.
2. Complaints of unlawful discrimination that cannot be resolved satisfactorily within the department may be brought to the attention of the Affirmative Action Officer. Complaints will be investigated by the Affirmative Action Officer in conjunction with the Vice President for Administration and Planning and a determination will be made.
3. It is important that unresolved complaints be brought to the administration's attention in a timely manner since some grievance procedures and investigatory agencies follow a time limitation after which a formal complaint may not be initiated.

F. Policy of Non-Reprisal

No student, employee, or applicant may be subjected to restraint, interference, coercion, or reprisal for filing a complaint, serving as a witness, or seeking information regarding the affirmative action program.