



Angelo State University
Operating Policy and Procedure

OP 52.15: Equal Employment Opportunity

DATE: September 1, 2007

PURPOSE: The purpose of this OP is to establish an Equal Employment Opportunity (EEO) policy in compliance with applicable federal and state laws.

REVIEW: This Operating Policy (OP) will be reviewed in September of each year by the director of human resources with recommended revisions forwarded through the vice presidents to the president by October 15.

POLICY/PROCEDURE

1. Policy

Angelo State University will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, physical or mental disability, Vietnam Era or Special Disabled Veteran Status. The University will take affirmative action to ensure that applicants are employed and that employees are treated equally during employment without regard to their race, color, religion, sex, national origin, age, physical or mental disability, or Vietnam Era or Special Disabled Veteran Status. Such action shall include, but not be limited to, the following employment transactions: promotion, upgrading, demotion, or transfer; recruitment or recruitment advertising, employment; lay-off or termination; rate of pay or other forms of compensation; and selection for training.

Angelo State University also prohibits any harassment based on race, color, religion, age, sex, national origin, disability, or veteran status. Harassment is verbal or physical conduct that shows hostility toward an individual because of these protected characteristics and that has the purpose or effect of creating an intimidating, hostile, or offensive working environment, has the purpose or effect of unreasonably interfering with an individual's work performance, or otherwise adversely affects an individual's employment opportunities.

2. Angelo State University's Commitment to Equal Employment Opportunity

The University President, as chief executive officer, fully supports equal employment opportunity and firmly commits the University to the policy of equal employment opportunity in all facets of the University's programs and activities. To ensure full implementation of this policy, the University will:

- a. Recruit, hire, train, and promote persons in all job titles without regard to race, color, religion, sex, or national origin;
- b. Base decisions on employment so as to further the principle of equal employment opportunity;

- c. Ensure that promotion decisions are in accordance with principles of equal employment opportunity by imposing only valid requirements for promotional opportunities.
- d. Ensure that all personnel actions such as compensation, benefits, transfers, layoffs, return from layoff, and University-sponsored training will be administered without regard to race, color, religion, sex, or national origin.

The Director of Human Resources is the Equal Employment Opportunity Officer for Angelo State University. The Equal Employment Opportunity Officer will monitor all personnel actions at Angelo State University and will submit periodic reports to the President of the University to ensure compliance with this policy.

3. Procedure for Filing A Complaint

University employees or applicants for employment who feel they may have been discriminated against based on their classification as protected by applicable laws may file discrimination-related complaints by completing the *Discrimination Complaint Form*, (Attachment), and submitting it to the Director of Human Resources for Angelo State University. The Director of Human Resources will conduct an investigation regarding the complaint and present the findings to the complainant, the University President, and the Texas Tech University System Equal Employment Opportunity Office within 30 business days from the date of the complaint.

Filing a discrimination complaint with the University does not preclude an employee or applicant from filing with the federal equal employment opportunity commission or other appropriate agencies.

4. Retaliation Prohibited

Retaliation is strictly prohibited against a person who files a complaint of discrimination or harassment, opposes a charge, or testifies, or assists or participates in an investigative proceeding or hearing.

5. Equal Employment Training

Pursuant to state legislation, all new employees must attend EEO non-discrimination training no later than 30 days after the date of hire and receive supplemental training every two years. New employees will receive the initial training through new employee orientation. Employees are required to sign a statement that verifies attendance in this training. Signed attendance statements will be recorded in the employee's personnel file.

Additional information will be disseminated through EEO training sessions, the distribution of EEO material, and the placement of EEO federal and state posters at various locations throughout the campus. Information about the University's EEO policy can also be obtained from the Human Resources Office.

6. Responsibility for Compliance

It is the responsibility of all University employees and management personnel to comply fully with all provisions of the laws, statutes, executive orders, legislative acts, federal guidelines, and pertinent case law, which form the equal employment opportunity policy of the University. In addition, the Director of Human Resources, as the Equal Employment Opportunity Officer, has the authority to monitor, investigate and review processes, programs and policies to ensure compliance with this policy.

7. Non-discrimination Laws and Statutes

Angelo State University supports and is committed to equal employment opportunity and will comply with the following federal and state laws and statutes:

- a. U.S. Presidential Executive Order 11246, as amended;
- b. Fair Labor Standards Act;
- c. Equal Pay Act of 1963;
- d. Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972; and as amended by the Pregnancy Discrimination Act of 1978;
- e. Age Discrimination in Employment Act of 1967;
- f. Comprehensive Health Manpower Act of 1971;
- g. Title IX of the Education Amendments of 1972;
- h. Rehabilitation Act of 1973, as amended;
- i. Vietnam Era Veterans Readjustment Assistance Act of 1974;
- j. Immigration Reform and Control Act of 1986;
- k. Americans with Disabilities Act of 1990;
- l. Civil Rights Act of 1991; and
- m. Family and Medical Leave Act of 1993.
- n. Texas Commission on Human Rights Act of 1983;
- o. Texas Workers Compensation Act
- p. Texas Labor Code, Chapter 21