



## **Angelo State University Operating Policy and Procedure**

### **OP 52.15: Equal Employment Opportunity**

**DATE:** August 2, 2016

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

**REVIEW:** This OP will be reviewed in July of each year by the director of human resources with recommended revisions forwarded through the vice president for finance and administration to the president by August 15 of the same year.

### **POLICY/PROCEDURE**

#### **1. Policy**

Angelo State University will not discriminate against any employee or applicant for employment because of sex (including pregnancy), race, color, national origin, religion, age, disability, status as a covered veteran, genetic information, sexual orientation, gender identity, or other protected categories, classes, or characteristics. The university will take affirmative action to ensure that applicants are employed and that employees are treated equally during employment without regard to their sex (including pregnancy), race, color, national origin, religion, age, disability, status as a covered veteran, genetic information, sexual orientation, gender identity, or other protected categories, classes, or characteristics. Such action shall include, but is not 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, including apprenticeship.

Angelo State University also prohibits any harassment based on sex (including pregnancy), race, color, national origin, religion, age, disability, status as a covered veteran, genetic information, sexual orientation, gender identity, or other protected categories, classes, or characteristics. 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, adversely affects an individual's employment opportunities, and is severe and/or pervasive. See OP 16.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure for more information.

#### **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

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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 sex (including pregnancy), race, color, national origin, religion, age, disability, status as a covered veteran, genetic information, sexual orientation, gender identity, or other protected categories, classes, or characteristics;
- 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 sex, race, national origin, religion, age, disability, status as a covered veteran, genetic information, sexual orientation, gender identity, or other protected categories, classes, or characteristics.

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 Grievance**

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 a discrimination-related grievance in accordance with OP 16.02 Non-Discrimination and Anti-Harassment Policy and Complaint Procedure for Violations of Employment and Other Laws and OP 16.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure. Please refer to those policies for further information regarding general provisions and reporting procedures.

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

### **4. Retaliation Prohibited**

Retaliation is strictly prohibited against a person who files a discrimination or harassment grievance, 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.

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Employees are required to sign a statement that verifies completion of this training. These signed 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 Office of Human Resources.

## **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. Executive Order 11246, as amended, Office of Federal Contract Compliance Programs;
- 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. Genetic Information Nondiscrimination Act of 2008 (GINA);
- g. Comprehensive Health Manpower Act of 1971;
- h. Title IX of the Education Amendments of 1972;
- i. Rehabilitation Act of 1973, as amended;
- j. Vietnam Era Veterans Readjustment Assistance Act of 1974;
- k. Immigration Reform and Control Act of 1986;
- l. Americans with Disabilities Act of 1990 (ADA) and Americans with Disabilities Act Amendments Act of 2008 (ADAAA), as amended;
- m. Civil Rights Act of 1991;
- n. Family and Medical Leave Act of 1993;

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- o. Texas Commission on Human Rights Act of 1983;
- p. Texas Workers Compensation Act; and
- q. Texas Labor Code, Chapter 21, Employment Discrimination.

## **8. Forms and Procedures**

All related forms and procedures are available on the Office of Human Resources website at:  
[http://www.angelo.edu/dept/human\\_resources/](http://www.angelo.edu/dept/human_resources/)