

**AFFIRMATIVE ACTION PLAN  
FOR WOMEN  
AND MINORITIES**

**Eastern Michigan University  
Ypsilanti, MI 48197**

**2008-2009**

**Office of Diversity and Affirmative Action  
11 Welch Hall  
Ypsilanti, MI  
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# BOARD OF REGENTS

EASTERN MICHIGAN UNIVERSITY

SECTION:
DATE:
February 24, 2009

## **RECOMMENDATION**

**REPORT:** AFFIRMATIVE ACTION PLANS 2008-2009

### **ACTION REQUESTED**

It is recommended that the Board of Regents receive and place on file the Affirmative Action Audit 2007 – 2008, the Affirmative Action Plan for Women and Minorities and the Affirmative Action Plan for Veterans and Individuals with Disabilities dated September 2008 - 2009.

### **SUMMARY**

The Affirmative Action Audit, 2007 – 2008; the Affirmative Action Plan for Women and Minorities, September 2008 – 2009; the Affirmative Action Plan for Veterans and Individuals with Disabilities, September 2008 - 2009 are attached for your review.

As a federal contractor, Eastern Michigan University (EMU) is required by Executive Order 11246 to prepare an Affirmative Action Plan for Women and Minorities. EMU's plan is a management tool designed to ensure equal employment opportunity for all persons. It includes procedures that enable managers and supervisors to continually monitor and evaluate their employment practices to ensure that they are free of bias and discrimination based upon race, color, sex, sexual orientation, disability, age, veteran's status, religion or national origin.

The Federal Rehabilitation Act of 1973 and the Vietnam Era Veterans' Readjustment Assistance Act of 1974 require that government contractors employ and advance qualified individuals with disabilities, special disabled veterans and other covered veterans. The purpose of EMU's Affirmative Action Plan for Veterans and Individuals with Disabilities is to reaffirm the University's commitment to the principles of equal employment opportunity for members of these groups. It also serves as a vehicle for providing relevant information to the University community regarding the development, analysis, enforcement, evaluation, dissemination and monitoring of the University's commitment to outreach and equal employment opportunities for veterans and individuals with disabilities.

**FISCAL IMPLICATIONS**

No major fiscal implications. The University may incur some expense in implementing several of the “Recommended Actions.”

**ADMINISTRATIVE RECOMMENDATION**

The proposed Board action has been reviewed and is recommended for Board approval.

\_\_\_\_\_  
**University Executive Officer  
Provost and Executive Vice President**

\_\_\_\_\_  
**Date**

Eastern Michigan University adheres to the principle of equal education and employment without regard to race, sex, color, creed, national origin, sexual orientation, disabling condition or veteran’s status. This policy extends to all programs and activities supported by the University.

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## **I. STATEMENT OF PURPOSE**

### **A. Description of the University**

Eastern Michigan University (EMU), located in Ypsilanti, Michigan, is a comprehensive University that was founded by the state legislature in 1849. The sixth largest University in Michigan, EMU had a student enrollment of 22,173 for Fall 2008.

EMU is located in Washtenaw County which is approximately 40 miles from Detroit and includes the cities of Ypsilanti and Ann Arbor. The University is a major employer in the county.

EMU offers undergraduate and graduate programs and degrees. Its teacher education program, among the largest in the country, is widely respected. Effective with the Freshman class of 2007, all students have a diversity course requirement as part of the General Education curriculum.

In November 2006, the voters of the State of Michigan approved a change to the Michigan Constitution that became effective December 23, 2006. This amendment was called Proposal 2. It states that public institutions are banned from using affirmative action programs that give preferential treatment to groups or individuals based on their race, gender, color, ethnicity, or national origin for public employment, education or contracting purposes. Public institutions affected by the proposal include state government, local governments, public colleges and universities, community colleges, and school districts. While EMU is governed by this amendment, we are able to practice affirmative action as required by our status as a federal contractor. Therefore, the impact on the affirmative action plan is nil.

### **B. Purpose and Applicability of the Affirmative Action Plan**

#### **(41 CFR 60-2.10)**

#### **1. Purpose**

Because Eastern Michigan University has a number of contracts with the federal government, it is required by **Executive Order 11246 (as amended)** to develop and implement an affirmative action plan. This plan must have "a set of specific and result-oriented procedures to which the contractor commits [itself] to apply every good-faith effort... to achieve prompt and full utilization of minorities and women, at all levels and all segments of [its] workforce where deficiencies exist" (41 CFR 60-2.10). The first step in achieving this goal is an analysis of the utilization of women and members from underrepresented groups to determine areas of underutilization. Underutilization means that the number of persons from these groups is significantly less than would be reasonably expected given the availability of qualified women and members of underrepresented groups in the recruitment area. If underutilization is found, the institution must make a serious good-faith effort to develop and implement procedures and practices that are designed to increase the number of women and minorities in areas where they are underutilized. Hiring goals must be established for women and minorities in those job groups where they are underrepresented.

The purpose of Eastern Michigan University's Affirmative Action Plan is to reaffirm the University's continuing commitment to the principles of affirmative action and equal opportunity employment.

2. Access to Plan

Eastern Michigan University audits and revises this plan annually. It is available for inspection Monday through Friday from 8 a.m.-noon. and 1 p.m.– 5 p.m. in the Office of Diversity and Affirmative Action, 11 Welch Hall, Eastern Michigan University, Ypsilanti, MI 48197. The annual audit and plan are also available for viewing on the Affirmative Action web site: [www.emich.edu/diversity](http://www.emich.edu/diversity)

For additional information regarding EMU's Affirmative Action Plan, contact the Office of Diversity and Affirmative Action at 734.487.1166.

3. Applicability

The Affirmative Action Plan applies to the operations of all units under the supervision of the Board of Regents and the President of Eastern Michigan University, Ypsilanti, Michigan.

### C. Definitions

**Affirmative Action Program:** A management tool designed to ensure equal employment opportunity. A central premise underlying affirmative action is that, absent of discrimination, over time, a contractor's workforce, generally, should reflect the gender, racial and ethnic profile of the labor pool from which the contractor recruits and selects (CFR 60-2.10).

**Job Groups Analysis:** A method of combining job titles within the contractor's establishment. It is the first step in the contractor's comparison of the representation of minorities and women qualified to be employed. In the job group analysis, jobs at the establishment with similar content, wage rates, opportunities, must be combined to form job groups (CFR 60-2.12).

**Availability:** An estimate of the number of qualified minorities (African Americans, Asian Americans, Hispanic Americans and Native Americans) or women available for employment in a given job group, expressed as a percentage of all qualified persons available for employment in the group. The purpose of the availability determination is to establish a benchmark against which the demographic composition of the contractor's incumbent workforce can be compared in order to determine whether barriers to equal employment opportunity may exist within particular job groups.

Two factors are used to determine the availability of minorities and women for each job group.

1. The percentage of minorities or women with requisite skills in the reasonable recruitment area.
2. The percentage of minorities and women among those transferable, promotable and trainable within the contractor's organization (CFR 60-2.13).

Eastern Michigan University Availability Data Sources include:

Faculty – national masters and doctorate recipients by gender, race/ethnicity, and relevant discipline

Staff – 2000 EEO occupational census data of related occupations

**Placement Goals (Underutilization):** When the percentage of minorities and women employed in a particular job group is less than would reasonably be expected given their availability percentage in that particular job group, the contractor must establish a placement goal (CFR 60-2.15). Traditionally, this has come to be called underutilization. Placement goals serve as objectives or targets reasonably attainable by means of applying every good faith effort to make all aspects of the entire Affirmative Action plan program work. Placement goals may not be rigid and inflexible quotas. Quotas are expressly forbidden. The principle of the best qualified person for the job is the standard (CFR 60-2.16).

Eastern Michigan University has three categories for goals:

1. Females
2. African-Americans
3. Other Minorities (Asian-Americans, Hispanic Americans and Native Americans)

Eastern Michigan University establishes affirmative action goals when the percentage of females or minorities employed is less than the percentage of available qualified females or minorities identified within the established recruitment pool.

**Progress Toward Goals:** When a female or minority is hired or promoted into a job group that has an affirmative action placement goal, then progress toward goals is achieved (CFR 60 – 2.16).

**Affirmative Action Program Internal Audit:** A contractor managed auditing system that periodically measures the effectiveness of its total affirmative action program (CFR 60-2.17).

**Warning:** A warning is given when opportunities to hire occurred but the placement rate in the unit remains below the percent of the goal.

**Academic Leaders:** Includes assistant directors, coordinators associated with academic student areas.

**Operations Leaders:** Includes forepersons, assistant directors, and coordinators from across the college, except academic and student.

#### **D. Equal Employment Opportunity Objectives (41 CFR 60—2.20)**

The University's commitment to equal employment opportunity includes, but is not limited to, the following objectives:

1. To recruit, hire, train and promote persons in all job titles, without regard to race, color, religion, creed, sex, age, national origin, ancestry, marital status, disability, veterans' status, or sexual orientation, except where sex is a bona fide occupational qualification.<sup>1</sup>
2. To make decisions within all stages of the employment process that should further the principles of equal employment opportunity.
3. To ensure that promotion decisions are in accord with principles of equal employment opportunity by imposing only valid requirements for promotional opportunities.
4. To ensure that all personnel actions such as compensation, benefits, interim appointments, transfers, layoffs, return from layoff, university sponsored training, education, tuition assistance, social and recreation programs, should be administered without regard to race, color, religion, sex, disability, veterans' status, sexual orientation or national origin.
5. To use the principles of affirmative action to correct and prevent problems and ensure equal opportunity employment in areas where underutilization of women and/or minorities is found.

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<sup>1</sup> This term "bona fide occupational qualification" is construed very narrowly.

## E. Legal Basis: Federal and State Laws and Executive Orders

Discrimination, whether intentional or not, is prohibited by law. The legal authority in this area is summarized as follows:

<b>Federal</b>		
<b>Basis</b>	<b>Description</b>	<b>Enforcing Agency</b>
Executive Order 11246 (As amended by Executive Order 11375)	Nondiscrimination and affirmative action in employment for federal contractors on the basis of race, color, religion, sex and national origin.	Department of Labor (DOL)
Title VII of the Civil Rights Act of 1964 (as amended by the Civil Rights Act of 1991)	Nondiscrimination in employment on the basis of race, color, national origin, religion and sex.	Equal Employment Opportunity Commission (EEOC)
Title VI of the Civil Rights Act of 1964	Nondiscrimination in education on the basis of race, sex and national origin.	Department of Education (DED)
Equal Pay Act of 1963	Nondiscrimination in wages on the basis of sex.	EEOC
Title IX of the Education Amendments of 1972	Nondiscrimination in education on the basis of sex.	DED
Age Discrimination in Employment Act of 1967	Nondiscrimination in employment on the basis of age.	EEOC
Vietnam Era Veterans Readjustment Assistance Act of 1974	Nondiscrimination and affirmative action in employment on the basis of status as a Vietnam Era Veteran or Disabled Veteran.	DOL
Sections 503 and 504 of the Rehabilitation Act of 1973	Nondiscrimination on the basis of disability in employment and education, affirmative action in employment for disabled persons.	DED, DOL
Americans with Disabilities Act of 1990	Nondiscrimination on the basis of disability.	EEOC
<b>State</b>		
Elliott-Larsen Civil Rights Act of 1977	Nondiscrimination on the basis of religion, color, sex, disability, national origin, race or ancestry.	Michigan Department of Civil Rights
Michigan Persons with Disabilities Act of 1977	Prohibits discrimination based upon disability.	Michigan Department of Civil Rights

## **II. REAFFIRMATION OF POLICY (41 CFR 60-2.10)**

At its meeting on October 3, 1966, the Board of Regents affirmed the University's commitment to the principles of equal opportunity. It approved a civil rights statement that said in part:

“Eastern Michigan University shall not discriminate against any person because of race, color, religion, creed, sex, age, national origin, ancestry, marital status or handicap as provided for and to the extent required by state and federal statutes.”

At its meeting on May 16, 1973 the Board of Regents reaffirmed its commitment to equal opportunity by approving the “Equal Employment Opportunity/Affirmative Action Policy. The policy states in part:

“It is the policy of Eastern Michigan University, in recognition of the essential rights of all employees and applicants as individuals, to recruit and hire in all job classifications without regard to race, color, religion, creed, sex, age, national origin, ancestry, marital status or handicap as provided for and to the extent required by state and federal statutes.”

At its meeting January 23, 1996, the Board of Regents added the following:

“Further, it is the policy of the University to recruit, hire and take other personnel actions in all job classifications without regard to sexual orientation.”

On March 20, 2007, it was recommended that the Board of Regents approve revisions to the Preamble to the Bylaws of EMU's Board of Regents, the EMU Civil Rights policy and the EMU Equal Employment Opportunity/Affirmative Action policy. The recommendation was approved that the inclusion of gender identity or expression in the University's nondiscrimination clauses reinforces Eastern's commitment to diversity and inclusion.

### III. INTERNAL AND EXTERNAL DISSEMINATION OF PLAN

#### A. Internal Dissemination

##### 1. Published Documents and Postings

The Office of Diversity and Affirmative Action prepares the annual Affirmative Action Audit and Plan for review by the President. Following the administration's review, the materials are presented to the Board of Regents for review and reaffirmation.

The President, with the support of the Director of Diversity and Affirmative Action conveys the Affirmative Action Policy and Plan to the campus community with specific distributions to the vice presidents, senior administrators, deans, department heads and program directors. These administrators are responsible for notifying their employees of the contents and availability of the materials on campus.

The University includes statements of nondiscrimination in collective bargaining agreements and contracts.

Periodically, the policy is publicized in *Focus EMU Online* (a faculty/staff publication), the *Eastern Echo* (the student newspaper) and on *WEMU-FM* (the campus radio station). The policy and the Affirmative Action Audit are located on the EMU Diversity and Affirmative Action Website. ([www.emich.edu/diversity](http://www.emich.edu/diversity))

##### 2. Program and Presentation

The President and Strategic Operations Council periodically emphasize this policy in meetings with top administrators, deans, department heads, directors, faculty and staff advisory groups.

The University communicates the policy to new employees during orientation and to other members of the campus as appropriate through training and educational programs.

Representatives of the Office of Staff Human Resources, the Office of Academic Human Resources and the Office of Diversity and Affirmative Action review the Affirmative Action Policy and utilization goals with search/screening committees and hiring authorities as part of the recruitment and hiring process.

The Office of Diversity and Affirmative Action conducts professional development programs with senior administrators and supervisory personnel to explain the intent of policy and individual responsibility for effective implementation, making clear the president's commitment to the principle of equal opportunity employment practices.

The Office of Diversity and Affirmative Action, at the invitation of administrators and supervisors, reviews the policy with various groups of employees and explains individual employee responsibilities concerning the Affirmative Action Plan.

The Office of Staff Human Resources and the Office of Academic Human Resources include information about the University's affirmative action and equal employment opportunity policies in their professional development programs for the faculty and staff as well as in new employee orientation sessions.

The Affirmative Action Audit and the Affirmative Action Plan are distributed, reviewed and discussed annually with appropriate administrators at the University and are utilized in affirmative action education programs presented by the Office of Diversity and Affirmative Action.

Eastern Michigan University's Marketing and Communications Department ensures that women and minorities are represented in advertising and promotional materials.

The University publishes articles covering equal employment opportunity programs and the achievements of minority and women faculty, staff and students in University publications.

## **B. External Dissemination**

### **1 Advertisements and Notices**

The University communicates its commitment to equal employment opportunity and affirmative action through recruitment advertisements and contact materials such as applications, electronic advertisements and posting boards. Each advertisement of a vacant position placed by the University states the following sentence or an equivalent phrase in clear distinguishable type:

**“Eastern Michigan University is an affirmative action/equal opportunity employer and strongly encourages women and members of minority groups to consider this opportunity.”**

The University informs recruiting sources of its policy and commitment to Equal Employment Opportunity and Affirmative Action and requests qualified women and minorities be referred for openings.

The Purchasing Department sends written notification of the policy, including an “Equal Opportunity Employer” clause, to subcontractors, vendors and suppliers who provide services or supplies to the institution.

The Physical Plant includes the policy and equal opportunity clause in the general conditions of all contracts that are bid on for construction, rehabilitation, alteration, conversion, renovation, extension or repair of buildings, roadways or other real property.

Copies are made available to the Office of Research Development as needed for grant applications and certifications. The University ensures its policies and programs are shared with organizations representing the interests of protected classes.

## 2. Other Methods

The Director of Diversity and Affirmative Action communicates with organizations representing minorities, women, individuals with disabilities, Vietnam era and disabled veterans, community agencies and leaders about the Affirmative Action Plan and the University policies regarding Equal Employment Opportunity and Affirmative Action.

Affirmative Action information is available at the Office of Diversity and Affirmative Action web site: [www.emich.edu/diversity](http://www.emich.edu/diversity)

University and University-related publications and public radio programming periodically include articles on minority and female employees and activities related to the affirmative action program.

#### **IV. DELEGATION OF RESPONSIBILITY FOR IMPLEMENTATION OF THE AFFIRMATIVE ACTION PLAN (41 CFR 60-2.17)**

- A. The President has ultimate responsibility for ensuring that equal employment opportunity and affirmative action receive high priority. The President regularly states his commitment to affirmative action and equal employment opportunity.

Regarding implementation, the Equal Employment Opportunity/Affirmative Action policy states:

“The President of Eastern Michigan University is responsible for the overall implementation of this program. However, each vice president, dean, director, department head and other supervisory personnel has specific responsibility for developing and implementing the program in relation to recruitment, employment, promotion, salary progression within his or her functional areas of responsibility. These individuals shall be evaluated on the basis of their performance in the implementation of the University’s equal employment opportunity and Affirmative Action policies by their immediate supervisors.”

- B. The vice presidents have the following responsibilities:

1. Provide executive leadership and guidance for the divisional administrators and supervisors to ensure that the University’s Affirmative Action Plan and Equal Employment Policy are being adhered to within their divisions.
2. Ensure that hiring and promotion matters are monitored during their reviews to ensure that protected class members are given full consideration for employment opportunities.
3. Ensure that facilities are comparable for both sexes and are accessible to individuals with disabilities.
4. Ensure that protected class members are provided full opportunity and are encouraged to participate in division sponsored education committees and training programs, human resource development programs, recreational activities and social functions.

- C. The Director of Diversity and Affirmative Action has the following responsibilities:

1. Develop, implement, and monitor the University’s Affirmative Action Program in cooperation with the Office of Staff Human Resources and the Office of Academic Human Resources.
2. Ensure the University’s compliance with federal and state laws in regard to the hiring of employees.
3. Monitor and provide guidance in the hiring activities of the University to foster a diverse faculty and staff and to meet affirmative action goals.

4. Conduct the annual Affirmative Action Audit and prepare the annual Affirmative Action Plan.
5. Monitor and provide guidance on the recruitment of students to foster a diverse student body.
6. Monitor and provide guidance in the procurement of services and supplies to ensure vendor lists are reflective of the diversity of the community and the University.
7. Conduct professional development programs, training and workshops, as needed, on Affirmative Action, Equal Employment Opportunity and diversity issues related to discrimination, harassment and fair employment practices.
8. Monitor faculty and staff recruitment activities to ensure compliance with University policies and procedures, federal and state laws and regulations and University collective bargaining agreements.
9. Participate on various University and community committees and organizations and represent the University at appropriate professional meetings.
10. Investigate discrimination, sexual harassment and other discriminatory harassment complaints filed against University employees by other employees or students.
11. Monitor pending state and federal legislation and policy developments related to Affirmative Action and Equal Employment Opportunity and participate in related hearings at the state and federal levels.

## **V. INTERNAL AUDIT AND REPORTING SYSTEMS**

### A. Regular Management Reports

1. Monthly reports are prepared by Human Resources that summarize employment numbers, turnover, separations, and diversity. A regular report of current open positions is prepared monthly.

### B. Annual Affirmative Action Audit

Annually, EMU will prepare an annual affirmative action audit report. This report will contain current workforce statistics, goals, and employment activity statistics.

1. Included in the annual report will be a review of the progress toward goals, problem areas, and action plans, based on the analysis.
2. Information based on the annual report will be provided to all Eastern Michigan University administrators, as appropriate.
3. The Adverse Impact Analysis will be performed annually as part of the annual report. Information based on this analysis will be shared with EMU administrators as appropriate. In addition, information based on this analysis will be considered when reviewing and modifying as needed, employment practices and procedures.
4. The data assembled in the Affirmative Action Plan will be reviewed with hiring managers as appropriate at the start of each external recruitment activity.
5. Tracking the flow of applicants is an integral part of the hiring process. This is done by the Office of Staff Human Resources and the Office of Academic Human Resources. It is reviewed to determine whether there are selection disparities. Selection disparities may occur when the group of persons hired does not reflect the pool of qualified applicants with regards to members of protected groups. For example, if qualified members from a protected group are consistently absent from the group of persons hired, an analysis should be conducted to determine whether non-job related criteria are influencing the selection process.

## **VI. IDENTIFICATION OF PROBLEM AREAS AND CORRECTIVE ACTION (41 CFR 60-2.23)**

An in-depth analysis of the composition of the current workforce by minority group status and gender is conducted on a regular basis. The workforce analysis is prepared by job title, division, unit, department and job group. Hiring and promotion data are also analyzed according to minority group status and gender. The total selection process including such components as position descriptions, advertisements, application forms and interview procedures are examined on an as needed basis. A survey of the workplace to determine if postings and notifications were properly displayed is carried out as needed. In addition, the Director of Diversity and Affirmative Action attends numerous search and selection committee meetings. The process of notifying labor unions and subcontractors of job vacancy postings was determined to be functioning.

### **A. Workforce Analysis (41 CFR 60-11).**

The workforce analysis provides an overview of areas where women and persons of color are utilized as well as where they are underutilized. It includes a listing of each job title as appears in the payroll records ranked from the lowest paid to the highest paid within each organizational unit. The total number of incumbents by gender and race is shown. The data is reported in EEO-6 categories.

This analysis was reviewed for potential problem areas, such as under representation of minorities and women.

#### **Findings:**

- Specific findings from the annual audit are presented in the “Annual Affirmative Action Audit” which is available from the Office of Diversity and Affirmative Action
- Hiring authorities conduct analyses of position descriptions, prior to posting, to ensure that they accurately reflect position functions, do not contain language that excludes qualified applicants, that the specifications are consistent with the job requirements and are free from bias based on race, color, religion, sex, or national origin.
- Eastern Michigan University observes the requirements of the OFCCP’s Uniform Guidelines on Employee Selection Procedures (29 Code of Federal Regulations 1607). Copies of the procedures are available at the Office of Staff Human Resources, the Office of Academic Human Resources, and the Office of Diversity and Affirmative Action.
- The Diversity and Affirmative Action Office provides resources and education regarding effective affirmative recruitment and retention activities.
- Progress toward achieving goals is monitored by the Diversity and Affirmative Action Office and reported annually to all administrators and directors.

- Approved position descriptions and worker specifications, when used by the appointed University search committee, are made available to all administrators and faculty members involved in the recruitment, screening, selection, and promotion process.

**Recommended Actions:**

- Directors should be required to make good faith efforts to ensure that the composition of search or screening committees reflect the University’s commitment to diversity and affirmative action. Such committees should be required in units where underutilization of women and minorities exist.
- The director of each unit, where underutilization of women and minorities exists, should be informed of the affirmative action goals at the beginning of each search, including those where the hiring authority is giving serious consideration to hiring an internal candidate.
- Hiring authorities in units where underutilization of women and minorities exist should be required to prepare a diversity recruitment plan for each search. The plan should require senior administrator level approval before the implementation of the search.
- All personnel involved in the recruiting, screening, selection, promotion, disciplinary and related processes should be selected and properly trained to ensure elimination of bias in all personnel actions.

**B. Job Group Analysis (41 CFR 60-2.12)**

The job group analysis is the method used to combine job titles of jobs that have similar content, wage rates, and opportunities. Eastern Michigan University has 32 faculty job groups based upon academic departments and instructional disciplines and 23 staff job groups based on specialties or functions. The gender and race of each incumbent in the various jobs are also identified in the annual audit reports.

**Job Groups**

<b>Job Group Number</b>	<b>Job Group Name</b>
101	Senior Executives
102	Sr Level Academic Administrators
103	Sr Level Student Service Administrators
104	Sr Level Business & Finance Admin
105	Operations Leaders
106	Academic Leaders
200	Lecturers
201	Afro-American Studies Faculty
202	Communication & Theatre Faculty
203	Eng Language & Literature Faculty
204	Foreign Languages & Bilingual Faculty

205	Fine Arts Faculty
206	History & Philosophy Faculty
207	Music and Dance Faculty
208	Biology Faculty
209	Chemistry Faculty
210	Computer Science Faculty
211	Geography & Geology Faculty
212	Mathematics Faculty
213	Physics & Astronomy Faculty
214	Economics Faculty
215	Political Science Faculty
216	Psychology Faculty
217	Sociology Faculty
218	School Hlth Promo & Human Performance
219	Leadership & Counseling Faculty
220	Special Education Faculty
221	Teacher Education Faculty
222	School of Health Sciences
224	Nursing Education Faculty
225	Social Work Faculty
226	Accounting & Finance Faculty
227	Computer Info Systems Faculty
228	Management Faculty
229	Marketing Faculty
231	School of Engineering Technology
232	School of Technology Studies
233	LR&T General Library Faculty
301	Academic Professionals
302	Student Service Professionals
303	Operations & Business Professionals
304	Information Systems Professionals
305	Health Professionals
306	Athletic Professionals
401	Secretaries Levels 5-7
402	Secretaries Levels 4
403	Clericals Levels 5-7
404	Clericals Levels 4
501	Media & Graphics Technicians
502	Computer & Science Technicians
601	Skilled Workers
701	Police & Security Officers
702	Maintenance & Grounds Workers
703	Custodial Workers
704	Food Service Workers

**Finding:**

- The job group analysis is revised as needed to reflect any changes in jobs, responsibilities or the organization. The Office of Staff Human Resources and the Office of Academic Human Resources provide resources for maintaining an accurate job group analysis.

**Recommended Action:**

None required.

**C. Evaluation of Selection Process**

Eastern Michigan University observes the requirements of the Uniform Guidelines on Employee Selection Procedures (UGESP). Where adverse impact is found, the applicant flow data, selection criteria, and all elements of the selection process should be reviewed by the hiring authority in conjunction with the Offices of Diversity and Affirmative Action, Staff Human Resources, and Academic Human Resources as appropriate. The goal of the review should be to ensure that only job-related, non-discriminatory factors are considered in making employment decisions and that minorities and females have been considered. Hiring authorities should be informed of the need to take corrective action when adverse impact is found in the recruitment or selection process.

**1. Job Requirements and Descriptions**

The hiring authority (HA) in consultation with the Office of Staff Human Resources and the Office of Academic Human Resources should develop the job requirements and descriptions. The Diversity and Affirmative Action Office may review these descriptions.

**2. Search Procedures**

The Hiring Authority should rely on the Offices of Staff Human Resources and Academic Human Resources to generate a pool of candidates via internal and external postings and advertising. When search/screening committees are used, they should also help to generate the pool of candidates. In cases where there is an underutilization of women and minorities, the Office of Diversity and Affirmative Action may provide assistance to the hiring authority, Office of Staff Human Resources and the Office of Academic Human Resources in the recruitment of a diverse pool of candidates.

**3. Pre-employment Inquiries**

Interviews, references checks, production reviews, etc. are integral parts of the hiring process. While federal law does not expressly prohibit inquiries concerning race, color, religion, sex or national origin, the EEOC regards such inquiries as potentially discriminatory. Both Sections 503 and 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 limit the use of pre-employment inquiries and medical examinations.

Specifically, any identification of a disability by inquiry or examination during the pre-offer state, including all job pre-tests, reference checks, interview form/questions, other information gathering procedures, is prohibited.

**Finding:**

- Although Search and Screening Committees and Hiring Authorities are aware that they are responsible for promoting equal employment opportunity and making good faith efforts to achieve affirmative action, they do not receive consistent education regarding the recommended “best” practices to use in effectuating the University’s commitment to equal employment opportunity. The Office of Staff Human Resources, the Office of Academic Human Resources and the Office of Diversity and Affirmative Action provides education to the committees and Hiring Authorities regarding effective employment practices that promote equal employment opportunity and affirmative action.

**Recommended Actions:**

- Divisional vice presidents, the athletic director, associate vice president for University Marketing and Communications, the chief information officer (Information and Communication Technology) and all other academic and Strategic Operations Council leadership should be held accountable for the affirmative action-related impact of hiring decisions in their divisions. This should be included in their annual reviews/evaluations.
- The Offices of Staff Human Resources, Academic Human Resources, and the Office of Diversity and Affirmative Action should provide training to hiring authorities and search committee members on “best practices” in implementing the university’s commitment to equal opportunity.

**D. Recruitment (41 CFR 60-2.13)**

1. Appropriateness of Outreach

The Office of Staff Human Resources and the Office of Academic Human Resources review recruitment efforts for each position. Recruitment and advertisements seek to create an applicant pool that includes women and underrepresented minorities. The Office of Diversity and Affirmative Action provides resources to support this effort.

Hiring authorities and search committees are expected to make good-faith efforts in their recruitment process by actively seeking minorities and women for the applicant pool.

## 2. Review of Resources

The Office of Diversity and Affirmative Action has a limited list of recruitment resources to assist departments in their recruitment efforts. Some departments have developed their own resources.

### **Findings:**

- There is currently no adequate analysis regarding the use of recruitment resources and their subsequent effectiveness in creating a diverse pool of job applicants and employees.
- Hiring authorities and search committees are not consistently familiar with the principal recruitment resources.
- Hiring authorities and search committees are not always aware of what constitutes good faith efforts.
- The Offices of Staff Human Resources, Academic Human Resources, and the Office of Diversity and Affirmative Action provide information to administrators and other appropriate persons regarding resources that are helpful in the creation of a diverse pool of applicants for various job groups.
- The Offices of Staff Human Resources, Academic Human Resources, and the Office of Diversity and Affirmative Action provide systematic training to administrators and other appropriate persons regarding recruitment resources.
- The Office of Diversity and Affirmative Action has available at their web site, a link ([www.emich.edu/diversity](http://www.emich.edu/diversity)) that will list resources such as institutions, businesses, and professional organizations that can be used to recruit women and minority applicants.

### **Recommended Actions:**

- A protocol to analyze the effectiveness of the use of various recruitment resources in creating a diverse pool of job applicants and employees was not implemented, as was recommended, for the Affirmative Action Plan Year 2004 and 2007-08. This should be implemented this year. The software program PeopleAdmin has been implemented for Staff Human Resources.
- Training of all search committee members should continue with a manual/training that can be used as a guide and when face-to-face training is not available. This will ensure consistency in awareness and expectations.
- A system of identifying minorities and women who are promotable, transferable and trainable was not implemented, as was recommended, during Affirmative Action Plan Year 2004 and 2007-08. This goal should also be implemented this year.

**E. Applicant Flow (41 CFR 60—2.17)**

Tracking the flow of applicants is part of the hiring process. This is done by the Office of Staff Human Resources and the Office of Academic Human Resources. It is reviewed to determine whether there are selection disparities. Selection disparities may occur when the group of persons hired does not reflect the pool of qualified applicants with regards to members of protected groups. For example, if qualified members from a protected group are consistently absent from the group of persons hired, an analysis should be conducted to determine whether non-job related criteria are influencing the selection process.

**Finding:**

- The Office of Diversity and Affirmative Action does not systematically analyze the applicant tracking data for disparities.

**Recommended Actions:**

- The Office of Diversity and Affirmative Action should develop and implement a systematic process to analyze the applicant tracking data for disparities. Due to a number of difficulties with changes in the online selection options for applicants, we experienced an increase in the percentage of applicants who voluntarily identify themselves by race and gender. We expect an additional increase as faculty applicants are transitioned to the online application system in this next year. This will provide a single consistent source of data that is complete enough to perform a statistically significant analysis.
- Information gathered through the above analysis should be shared with the Office of Staff Human Resources, the Office of Academic Human Resources, and with administrators and supervisors.

**F. Compensation System (41 CFR 60—2.17)**

Eastern Michigan University's compensation system does not make any distinctions based on gender, race, disability or marital status. Women are not penalized in their employment because of marital status or time spent away due to childbearing or related medical conditions.

**Finding:**

- Currently, periodic reviews to determine if there is gender, race or ethnicity based disparities are not conducted.

**Recommended Actions:**

- The Office of Diversity and Affirmative Action in cooperation with Staff Human Resources, the Office of Academic Human Resources and with technical support from the Office of Institutional Research and Information Management should

develop a system to periodically review the compensation systems to determine whether there is gender, race or ethnicity-based disparities. As new federal legislation is passed regarding equality in pay, this recommendation becomes more critical in 2009.

- Administrators and supervisors should receive periodic updated training on ways to avoid unlawful compensation disparities.

**G. Promotions/Transfers (41 CFR 60-2.17)**

Promotions and transfers at Eastern Michigan University are based upon opportunity, merit and the desires of the employees as determined by their supervisors. Tenure track promotions occur as required through the faculty collective bargaining process.

**Findings:**

- Promotions and transfers are tracked by the Staff Human Resources Office and are reported to the President and the Office of Diversity and Affirmative Action.
- Promotions are reviewed annually as part of the affirmative action audit.
- Promotion activities are a part of the federally required adverse impact analysis, which is performed annually.

**Recommended Actions:**

- Hiring authorities should be held accountable for making promotion and transfer decisions in accordance with the Affirmative Action Plan goals. This should be included in their 2008-09 annual performance reviews.

**H. New Hires (41 CFR 60-2.17)**

Hiring at Eastern Michigan University is based upon qualifications, skills and abilities related to the position requirements, opportunity, merit and productivity. Both the Office of Staff Human Resources and the Office of Academic Human Resources have written hiring protocols.

**Findings:**

- Hiring rates and patterns are reviewed annually as part of the affirmative action audit.
- New hire activities are included in the federally required adverse impact analysis, which is prepared annually.
- Hiring authorities are held accountable for making hiring decisions consistent with the Affirmative Action Plan goals. However, it has not been formally included in the annual evaluations of hiring authorities.

- The Office of Diversity and Affirmative Action maintains a link on the University's Web page listing resources such as institutions, businesses, and professional organizations that can be used to recruit women and minority applicants.

**Recommended Actions:**

- Diverse hiring practices should be formally included in the evaluations of all administrators.
- Hiring authorities should be encouraged to develop links with historical Black colleges and universities (HBCU) and Hispanic/Latino serving institutions of higher learning.
- Affinity groups at the University provide a valuable resource to hiring authorities as a referral resource and should be utilized.

**I. Workforce Attitudes and Affirmative Action (41 CFR 60-2.23)**

Emphasis continues to be placed on creating a hospitable environment for minorities and women. Organizational units are encouraged to include activities that focus on valuing diversity in their professional development activities. As per its mission statement, "Building on a proud tradition of national leadership in the preparation of teachers, we (Eastern Michigan University) maximize educational opportunities and personal and professional growth for students from diverse backgrounds through an array of baccalaureate, master's and doctoral programs." A diverse workforce is essential for the success of this mission.

**Findings:**

- Many departments sponsor programs such as ethnic awareness and women's issues activities.
- Employees are involved in many of the programs and activities that are offered for students and the community. In fact, many of these activities are spearheaded by University employees (see sample Exhibit 1).
- The Office of Diversity and Affirmative Action serves as a resource to units that develop and implement professional development programs and activities on affirmative action and diversity issues to enhance the workforce attitude on these issues.
- In 2003, the President appointed the University Diversity Council. The Diversity Council serves as a broad-based advisory group to the President of Eastern Michigan University on issues related to diversity and inclusion in the workplace, the student body, the curriculum, the co-curriculum, and the University community in general.

- The University continues to support the annual multi-day celebration of Dr. Martin Luther King in January of each year.

**Recommended Actions:**

- The Office of Diversity and Affirmative Action should continue to highlight the need for developing and implementing activities that support the University's commitment to diversity as is expressed in the strategic plan.
- Diversity awareness programs on race, ethnicity, and gender have been and should continue to be held to reinforce positive attitudes that contribute to a greater sense of community.
- The Office of Diversity and Affirmative Action, in conjunction with other departments, should develop and implement methods for assessing the campus climate regarding affirmative action and diversity issues.

**J. Complaints and Grievances**

- Employees have access to the University's grievance procedures as outlined in union contracts and the Board of Regents Policy Manual. The Sexual Harassment Policy is on the University's Web site.
- All employees bringing complaints alleging discrimination are directed and encouraged to use the available procedures.

**Findings:**

- The Office of Diversity and Affirmative Action, the Office of Legal Affairs and the Office of Employee Relations provide advice and counsel to administrators regarding the disposition of grievances.
- The President sends a copy of the Sexual Harassment and Other Prohibited Conduct Policy to every full-time employee of the university.
- The Office of Diversity and Affirmative Action monitors complaints and requests for assistance on a quarterly basis. If it is determined that patterns or trends of complaints exist, appropriate remedial action should be taken.

**Recommended Action:**

- The Office of Diversity and Affirmative Action will continue to work with administrators and directors to ensure that complaints are managed appropriately.

#### **K. Posters and Notices (41 CFR 60-2.23)**

Required posters and notices with information on equal employment opportunity and affirmative action are placed in the Office of Human Resources.

#### **Finding:**

- Required posters and notices are appropriately displayed.

#### **Recommended Action:**

- The Office of Diversity and Affirmative Action should continue to review the placement of posters and notices and make the appropriate recommendations.

#### **L. Contract Compliance (41 CFR 60-1.1)**

The University contracts with women and minority owned and operated firms to provide goods and services. However, no specific goals are established for University purchases and contracts. Responsibility for supplies and services rests with the Director of Purchasing. Construction contracts are the responsibility of the Associate Vice President for Business and Finance – Facilities.

#### **Finding:**

- The University is a member of the Michigan Minority Business Development Council.

#### **Recommended Actions:**

- The Small Business Development Center can assist with the identification of minority and female-owned small business for inclusion in the notification process described above.
- While preference in contracting is not allowed as a result of Proposal 2, the Purchasing and Facilities areas of the university should ensure that a wide net is cast to inform businesses that reflect the population of Michigan of opportunities to do business with Eastern Michigan University.

# Exhibit 1

## Center for Multicultural Affairs 2007-08 Diversity Initiatives

Date	Audience	Dept./Unit	Program Title	Program Description	# Attended
29-Aug	New/Transfer Students/ Faculty and Staff	DP/CMA	Resource Fair	Information about various departments and organizations at EMU	
31-Aug	New Student Orientation	DCI/CMA	Diversity Training	Sensitivity training for NSO facilitators	
2-Sep	EMU Campus Community	DCI	Extravaganza		
3-Sep	EMU Campus Community	DCI	Explore EMyoU		
3-Sep	EMU Campus Community	DCI	Fajita Fest		
4-Sep	EMU Community/New Students/Family/Friends	DCI	Community Plunge		
Sep 18 - Oct 30	EMU and surrounding campus community	CMA/NASO	FREE Anishinaabemowin Language Meetings	Classes conducted by Howard Kimewon teaching native Ojibawe	20
19-Sep	EMU and surrounding campus community	LSA/CMA/ <b>HPHP</b>	Hispanic Heritage Month Kick-off	Opening event for Hispanic Heritage Month Celebration	80
25-Sep	EMU and surrounding campus community	LSA/CMA	Hispanic/Latino Food Demonstration	Event to taste different foods from various Latin American and Mexican regions	40
27-Sep	EMU and surrounding campus community	LSA/CMA/ Campus Life	Hispanic Heritage Month Movie Night	Featured film: "Mad Hot Ballroom"	56
4-Oct	EMU and surrounding campus community	LSA/CMA	An Evening with Pablo Davis	World Renown artist and activist	50
13-Oct	EMU and surrounding campus community	LSA/CMA / Latino Alumni/ <b>HPHP</b>	Hispanic Heritage Month Closing Ceremony	Closing Ceremony for Hispanic Heritage Month & Scholarship Award presentation	85
18-Oct	EMU and surrounding campus community	CMA/LGBTRC/ UHS/APhIA	"Truth, Lies & Myths": A Down Low Discussion with Charles Pugh	Lecture discussing the phenomenon of men who sleep with other men and continue in heterosexual relationships	75
5-Nov	EMU and surrounding campus community	DCI/CMA, Campus Life <b>English Dept</b>	Sherman Alexi Lecture		800
9-Nov	EMU and surrounding campus community	CMA/NASO	Native American Fall Feast		78
13-Nov	EMU and surrounding campus community	CMA/NASO	Movie Night: "Pow Wow Highway"		3
29-Nov	EMU and surrounding campus community	CMA/NASO	Native American Closing Ceremony	Performance by "Snow Birds": Storytellers and Singers	55
21-Jan	EMU and surrounding campus community	CMA/DCI/ Campus Life/ <b>EMU Music Dept.</b>	MLK Annual President's Luncheon	Keynote Speaker: Jeff Johnson	550
4-Feb	EMU and surrounding campus community	CMA/AAS Dept./ EMUBA/OGR	Black History Month Kick-Off	CMA's official opening event of Black History Month	33
6-Feb	EMU and surrounding campus community	CMA/AAS Dept./ EMUBA/OGR/DCI	Black History Month Marketing Table	Tabling event to inform public of BHM events	20

11-Feb	EMU and surrounding campus community	CMA/Campus Life/ DCI/ Student Center	N*gger, Wetb*ck, Ch*nk: A Race Play	Performance	<b>285</b>
13-Feb	EMU and surrounding campus community	CMA	N*W*C Follow-up discussion	Informal afternoon lunch series addressing various topics:	<b>7</b>
16-Feb	EMU and surrounding campus community	CMA/Stone School High School/AAS	Black History Month Community Service Project	Trip to the Charles H. Wright Museum of African American History	<b>21</b>
18-Feb	EMU and surrounding campus community	CMA/AAS Dept./ EMUBA/OGR	Parallels of Racial Injustice in the 1960's and 2000's	Keynote Address by Scholar Dr. Ahmad Rahman	<b>70</b>
19-Feb	EMU and surrounding campus community	CMA/Holy Cross Children's Services	Black History Month Program	Presentation: Engaging the Process of your Life	<b>100</b>
19-Feb	EMU and surrounding campus community	CMA/OGR/AAS/ EMUBA/DCI	"The Last Poets"	Classic Spoken Word and poetry to Hip-Hop	<b>73</b>
20-Feb	EMU and surrounding campus community	CMA/YBBW/ <b>Eng &amp; Lit</b> / EMU Athletics	And Still We Rise.... Phenomonal Black Women Empowering Our Future	Panel Discussion addressing issues pertaining to African American Women	<b>34</b>
21-Feb	EMU and surrounding campus community	CMA/AAS/EMUBA/ DCI/OGR/StudCtr/ <b>Music dept</b>	Black History Month Closing Ceremony	CMA's official closing to Black History Month	<b>64</b>
21-Feb	EMU and surrounding campus community	CMA/DCI/Stu.Ctr/ Ypsi. District Library	Anchee Min Lecture		<b>53</b>
31-Mar	EMU and surrounding campus community	CMA/College of Ed/ Lead & Coun/ EMU Stu Ctr/OIS	Cultural Communication Patterns	Panel discussing communication patterns within various API communities	<b>63</b>
9-Apr	EMU and surrounding campus community	CMA/College of Ed/ OIS/Student Ctr	"Letters From Iwo Jima"	Movie/Film	<b>3</b>
10-Apr	EMU and surrounding campus community	CMA/ACSA/Foreign& Bilingual Studies/OIS	Chinese Language Calligraphy	Chinese writing demonstration	<b>15</b>
16-Apr	EMU and surrounding campus community	CMA/OIS/College of Education/Student Ctr	"Flags of our Fathers"	Movie/Film	<b>2</b>
17-Apr	EMU and surrounding campus community	CMA/ LGBT Resource Ctr	"For the Bible Tells Me So"	Movie/Film	<b>33</b>
19-Apr	EMU and surrounding campus community	CMA/CTA/ EMU Student Ctr	"Mountains, Monsters, Sea: Legends of Taiwan"	Children's theatre production/ Storytellers	<b>85</b>