

Sam Houston State University
A Member of The Texas State University System

Finance & Operations Human Resources Policy HR-22
Affirmative Action Recruitment

SUBJECT: Equal Access and Equal Employment Opportunity (EEO)

PURPOSE: This policy details the Sam Houston State University (University) commitment to and plan to facilitate the institutional mission, values, and goals of providing an equal opportunity and non-discriminatory culture of excellence where faculty, staff, and community recognize the benefits of collaboration and mutual respect. Further, this policy supports compliance with state and federal laws requiring equal access and equal employment opportunity.

POLICY: It is the policy of the University, with the support of the University President, that equal employment opportunity and affirmative action recruitment be provided in the employment and advancement for all persons regardless of race, creed, ancestry, marital status, citizenship, color, national origin, sex, religion, age, disability, hair texture/protective hairstyle, pregnancy, sexual orientation, gender identity, or gender expression race, or status as a protected veteran. Such actions shall apply to all levels of employment, and employment practices, including, but not limited to hiring, upgrading, demotion, transfer, recruitment, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship and on-the-job training. Decisions related to personnel policies and practices shall be made on the basis of an individual's capacity to perform a particular job and the reasonableness and feasibility of any necessary job accommodation. The University makes every effort to provide reasonable workplace accommodations, to applicants and employees, including disabled veterans. The University takes seriously the initiative to make the required efforts to remedy areas of underutilization in the workforce. The University finds that a workforce and student body that is representative of our multicultural society is integral to our educational mission as it promotes learning and valuable experience that prepares our students to succeed in a variety of environments. The University is committed to providing equal employment opportunities and has determined that recruiting efforts to encourage broad representation in applicant pools are essential and significant components of the hiring process. Personnel actions are reviewed to ensure EEO compliance.

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1. Dissemination of Policy

The University takes positive steps as needed to make it known to the public the University is an Equal Access and Equal Employment Opportunity institution of higher education. Some of the methods used to inform the public are:

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- a. Internal Dissemination
 - (1) The importance of equal employment opportunity and equal access is clearly documented in University policy.
 - (2) The Affirmative Action Plan is on file in the HR Department and will be made available to any interested individual upon request.
- b. External Dissemination
 - (1) The Equal Employment Opportunity policy statement is on the employment application.
 - (2) Recruitment literature, newspaper advertising, and position announcements contain statements of the University's Equal Employment Opportunity policy.
 - (3) Contracts contain an Equal Opportunity statement.
 - (4) Written notification of Affirmative Action sent to all subcontractors, vendors and suppliers.
- 2. Responsibility for Implementation

As the University's chief administrator over equal access and equal employment, the President of the University has delegated to the Vice Presidents, Deans, Department/Division/School Heads, Supervisors and Faculty the authority and responsibility for carrying out this plan at each corresponding level. Each of these individuals is expected to put forth a good faith effort to assure the success of this plan. The AVP of People & Procurement Operations is designated by the President as the University's Civil Rights Compliance (CRC) Officer. The AVP of People & Procurement Operations or designees analyze all University personnel actions to ensure compliance with this policy, including:

 - a. developing policy statements, and internal and external communication techniques;
 - b. assisting in the identification of focus areas;
 - c. assisting administrators and supervisors in arriving at solutions regarding focus areas;
 - d. serving as liaison between the University and enforcement agencies;
 - e. ensuring support for the University Employee Resource Groups dedicated to historically underrepresented populations; and
 - f. keeping the administration informed of the latest developments in the area of equal opportunity.
- 3. Annual Workforce and Utilization Analysis
 - a. State Recruitment Plan compares The University's current workforce to the statewide civilian workforce composition provided in the Equal Employment Opportunity and Minority Hiring Practices Report prepared by the Texas Workforce Commission Civil Rights Division (TWCCRD) to identify underutilization of underrepresented groups within each EEO job category. Additional analysis includes separation of faculty by college. The analysis achieves the following determinations:
 - i Current workforce by EEO job category, race, and sex
 - ii Percentage available using data from the TWCCRD report
 - iii Employment goals
 - b. Federal AAP analysis includes:
 - i Workforce Analysis
 - ii Job Group analysis

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- iii Comparison of Incumbency to Availability
- iv Placement Goals

4. Goals

Where deficiencies exist, the University establishes and sets goals.

- a. The utilization of each protected class is determined by subtracting the availability from the representation in the workforce for each race and sex.
- b. If the remainder is negative, underutilization exists and a goal is established.
- c. Goals are posted and available for hiring manager review in the University's Applicant Tracking and Position Management website (PeopleAdmin).

5. Identification of Focus Areas

a. To identify focus areas, a periodic review is made of the following:

- (1) the composition of the workforce;
- (2) the composition of applicant flow;
- (3) the total selection process including position descriptions, position titles, worker specifications, application forms, interview procedures, referral procedures, and the final selection process;
- (4) transfer and promotion practices; and
- (5) University training programs, both formal and informal.

b. The following focus areas have been identified:

- (1) underutilization of underrepresented groups in certain job categories;
- (2) underutilization of underrepresented groups in faculty positions; and
- (3) underutilization of Veterans.

6. Faculty Recruitment Plan to Remedy Underutilization of Underrepresented groups

a. Posting: To assure that only job-related criteria is considered in the staffing process, the following steps are taken before the job opening is announced. When a posting request is received by the HR Department to fill a faculty position, HR:

- (1) Reviews the job-related criteria to be used in the recruiting and selection process, and
- (2) Prepares a job announcement to be posted for at least ten (10) working days.

b. Recruitment: Job openings for faculty job classifications identified as being underutilized relative to employment goals will receive special effort to recruit qualified applicants from identified groups. Efforts may include but are not limited to:

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- (1) targeted advertising and distribution of the job announcement;
- (2) contact with faculty organizations;
- (3) contact with higher education leaders in the targeted class; and
- (4) word of mouth.

c. Applicant Screening Steps:

- (1) Screening – Letters of interest, resumes, and applications are screened by the search committee to determine if the applicants have the minimum requirements for the faculty position. Applicants are screened using a matrix or other selection tool based on previously established job-related criteria. Only applicants who have completed an official application are considered for the job.
- (2) Selection for interview – The most promising candidates chosen by the search committee are selected for a job interview. The search committee chair will provide HR a list of applicants requested for interview. Once HR confirms availability of qualified veterans and underrepresented groups in the applicant pool, the search committee may proceed with scheduling interviews.

d. Interviews and campus visits: Candidates accepting interview invitations are offered an interview via video conferencing or in person on campus with members of the search committee and the department chair. The method of interview must be the same for every candidate in a search.

e. Hiring Selection:

- (1) Committee Recommendations – The Search Committee will submit a report to the department chair recommending the candidate(s) deemed best suited for the position.
- (2) Selection – The department chair, in consultation with the dean of the college, will review the Search Committee report and recommend a selected applicant for a job offer.
- (3) Approval - The dean of the college recommends to the Provost and Senior Vice President for Academic Affairs the terms and conditions of the proposed job offer to the chosen candidate. The Provost or designee reviews the dean's recommendation before the job offer is authorized. All faculty appointments are contingent upon the approval of the President and the Board of Regents.

7. Non-Faculty Recruitment Plan to Remedy Underutilization of Historically Underrepresented groups

a. Posting:

To assure only job-related criteria is considered in the staffing process, the following steps are taken before the job opening is announced. When a posting request is received by the Human Resources Department (HR) to fill a non-faculty position, HR will:

- (1) compare the posting request with the standard position description to ensure that it accurately reflects the position functions, and that it is consistent with the position classification;

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- (2) review the required job specifications including the specific education, experience and skill requirements to ensure that the requirements do not create an adverse impact on protected classes;
 - (3) determine the position is correctly classified, or recommend the job for a reclassification study before recruitment efforts begin; and
 - (4) prepare a job announcement to be posted for at least five (5) calendar days for non-exempt positions and ten (10) calendar day for exempt positions, in accordance with the Talent Acquisition Policy.
- b. Recruitment:
- Job openings for non-faculty job classifications identified as being underutilized relative to employment goals receive special effort to recruit qualified applicants from identified groups. Efforts may include but are not limited to:
- (1) targeted advertising and distribution of the job announcement;
 - (2) contact with organizations, including those specializing in recruitment of historically underrepresented populations, to list vacancy notices. The specific organizations will vary depending on the underutilization;
 - (3) contact with community leaders in the targeted class. The specific leaders will vary depending on the underutilization; or
 - (4) word of mouth.
- c. Applicant Screening Steps:
- (1) Applications are submitted online through the applicant tracking system.
 - (2) Pre-Interview Screening - The hiring supervisor will use a screening tool or matrix to evaluate the applicants based on the required knowledge, skills, abilities, experience and education as outlined in the job vacancy notice. All qualified applicants will be considered. The screening tool or matrix is part of the record that will be maintained to indicate the disposition of each applicant at this step.
 - (3) Selection for interview – The hiring supervisor will provide HR a list of applicants requested for interview. Once HR confirms availability of qualified veterans and underrepresented groups in the applicant pool, the hiring supervisor may schedule interviews.
 - (4) Interview Questions – HR is available to assist the hiring supervisor develop interview questions that cover objective, job related criteria, and inquire about each applicant's knowledge and competencies to perform the job. Interview questions should be similar for each applicant, strictly job related, and meet the legal standard. Questions should not be of a personal nature or any that could be used to discriminate on Civil Rights protected grounds.
 - (5) Interview - During the interview process, the hiring supervisor will use a screening tool or matrix to rate the applicants interviewed.

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d. **Hiring Selection:**

The hiring supervisor reviews the finalists, and in counsel with HR, selects the applicant to which the job offer will be extended and proposes a hiring salary. The requisition file is reviewed by HR to assure compliance with EEO guidelines before the selection is final. A record of the disposition of each applicant at this level is maintained.

8. Compensation Practices

The University compensation practices are administered in a fair, equitable and non-discriminatory manner. Personnel actions resulting in market adjustments in pay are reviewed by HR to ensure compliance with EEO guidelines and University policy. If HR determines a discrepancy exists, action will be coordinated with the hiring department to remedy.

9. Integration of Equal Access and Equal Opportunity

The University has taken the following steps to ensure equal access and equal employment opportunity is integrated into every area of the University and the community:

- a. Supervisors and HR personnel engage in job counseling with employees to aid in opportunities for advancement.
- b. All employees are informed about and actively encouraged to participate in University social and recreational activities.
- c. The HR web site (<https://jobs.shsu.edu>) lists all current staff and faculty job openings. The Staff and Faculty Employment Opportunities web pages are available seven (7) days a week, twenty-four (24) hours a day and are updated as changes occur.

10. Sex Discrimination Guidelines

It is the policy of the University to recruit, hire, train and promote persons in all job titles without regard to sex, except where sex is a bona fide occupational qualification. Furthermore, all personnel actions are administered without regard to sex. It is also the policy of the University to maintain a workplace free of sexual harassment.

11. Guidelines on Discrimination Because of Religion or National Origin

It is the policy of the University to recruit, hire, train, and promote persons in all job titles without regard to religion or national origin.

The University agrees to make reasonable accommodations to the religious observances and practices of employees or prospective employees, in accord with the Workplace Accommodations Policy [HR-05](#).

The President of the University requires the assistance and support of faculty, administrators, and staff employees in the commitment to the spirit of equal access.

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12. Protected Veterans and Individuals with Disabilities

The University is committed to a policy of taking affirmative action to employ and advance in employment qualified protected veteran employees and qualified employees with disabilities at all levels, including the executive level. Decisions related to personnel policies and practices shall be made on the basis of an individual's capacity to perform a particular job and the feasibility of any necessary job accommodation. The University will provide reasonable accommodations to any physical and mental limitations of individuals with disabilities and to disabled or protected veterans.

13. Additional Policy Guidance

a. Employees and applicants shall not be subjected to harassment, intimidation, threats, coercion or discrimination because they have engaged in or may engage in any activity protected by state, federal or local anti-discrimination laws including the following activities:

(1) Filing a complaint;

(2) Assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to the administration of the affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (VEVRAA) or any other federal, state or local law requiring equal opportunity for disabled veterans, recently separated veterans, active wartime or campaign badge veterans, or Armed Forces service medal veterans or Section 503 of the Rehabilitation Act of 1973, as amended (Section 503) or any other federal, state or local law requiring equal opportunity for disabled persons;

(3) Opposing any act or practice made unlawful by VEVRAA or its implementing regulations or any other federal, state or local law requiring equal opportunity for disabled veterans, recently separated veterans, active wartime or campaign badge veterans, or Armed Forces service medal veterans or section 503 or its implementing regulations or any other federal, state or local law requiring equal opportunity for disabled persons; or

(4) Exercising any other right protected by VEVRAA or Section 503 or their implementing regulations.

b. The University's obligations in this area stem from not only adherence to various state and federal regulations, but also from a commitment as an employer in this community to provide job opportunities to all persons regardless of race, creed, ancestry, marital status, citizenship, color, national origin, sex, religion, age, disability, hair texture/protective hairstyle, pregnancy, , sexual orientation, gender identity, or gender expression race, or status as a protected veteran. The University's EEO policy and affirmative action obligations include the full support from the University's President and University Administration.

c. The University will also continually design and implement audit and reporting systems that will measure the effectiveness and the compliance of its affirmative action program, identify the need for remedial actions, determine if objectives were attained, and determine if opportunities to participate in university-sponsored activities were extended to all employees and applicants.

d. The University is also committed to abiding with the Pay Transparency Nondiscrimination Provisions and therefore, will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. University employees who have access to the compensation information of other employees or applicants as part of their essential job functions are informed and trained to not disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) a response to a formal complaint or charge; (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the

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employer, or (c) consistent with the University's legal obligation to furnish the information.

- e. Any questions regarding the University's equal employment opportunity, harassment policies or the complaint procedure, may contact HR.

Reviewed by: Rhonda Beassie, Associate Vice President for People and Procurement Operations, January, 2024