



# TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

## Operating Policy and Procedure

**HSCEP OP:** 51.01, **Equal Employment Opportunity Policy and Affirmative Action Program**

**PURPOSE:** Texas Tech University Health Sciences Center El Paso (TTUHSCEP) has established an Equal Employment Opportunity (EEO) Policy and implemented an Affirmative Action Program (AAP) in compliance with federal and state employment laws and Executive Order 11246.

**REVIEW:** This HSCEP OP will be reviewed August 1 of every even numbered year (ENY) by the Managing Director of the Texas Tech University System (TTUS) Office of Equal Employment Opportunity (EEO) and General Counsel, with recommendations for revisions submitted to the Vice President for Finance and Administration/Chief Financial Officer by September 1.

### **POLICY/PROCEDURE:**

#### **1. Equal Employment Opportunity**

##### **a. Policy**

TTUHSCEP does not tolerate discrimination or harassment of any employee or applicant for employment because of race, color, religion, sex, national origin, age, disability, genetic information, status as a protected veteran, or any other legally protected category, class, or characteristic. While sexual orientation and gender identity are not explicitly protected categories under state or federal law, it is the University's policy not to discriminate in employment, admission, or use of programs, activities, facilities, or services on these bases. Employment actions, such as hiring, promotion, demotion, transfer, rate of pay or other forms of compensation, selection for training, and termination, shall not be made based on an employee's protected status. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, or electronically displayed or conveyed.

Discriminatory behavior is prohibited by this policy, as well as by federal laws such as Title VII, which prohibits discrimination in employment, Title IX, which prohibits discrimination on the basis of sex in education program or activities, the Equal Pay Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Title II of the Genetic Information Non-Discrimination Act, and state laws such as Chapter 21 of the Texas Labor Code. The University expects all members of the University Community to comply with the law.

##### **b. Complaint of Discrimination**

Pursuant to TTUHSCEP OP 51.02 and 51.03, employees may file a complaint pertaining to allegations of discrimination, harassment, and adverse employment actions believed to have been taken on the basis of the employee's protected status with the TTUS Equal Employment Opportunity Office. The complaint procedures set forth in TTUHSCEP OPs 51.02 and 51.03 are applicable to all employees whether staff, faculty, or student. Complaints of discrimination by applicants for employment may be filed directly with the

TTUS Office of EEO. Pursuant to Texas Education Code, Section 51.971, the Office of EEO conducts investigations to ensure the institution's compliance with equal opportunity laws and regulations, and institution policies regarding ethics and standards of conduct.

c. Non-retaliation Policy

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

d. Training

Pursuant to state legislation, all new employees must attend non-discrimination training within the first 30 days of employment and receive supplemental training every two years.

This training includes Sexual Harassment Prevention Training. Employees are required to sign a statement which verifies attendance at this training. The University will maintain records of attendance at the training for each employee.

Employees are informed of the TTUHSCEP EEO policy through new employee orientations, compliance EEO training sessions, TTUHSCEP operating policies which are available online, the faculty handbook, and the placement of EEO federal and state posters at various locations throughout the campus. Information about the TTUHSCEP EEO policy can also be obtained from the TTUHSCEP Human Resources Department and the TTUS Office of Equal Employment Opportunity.

2. **Affirmative Action Program**

- a. As a federal contractor, TTUHSCEP has implemented and maintains an Affirmative Action Program as required by Executive Order 11246.
- b. TTUHSCEP is committed to building a diverse workforce and community. In order to achieve this goal, the institution takes affirmative action as required by Executive Order 11246, to hire and advance qualified minorities and women as well as individuals with disabilities and protected veterans.
- c. The TTUS Office of Equal Employment Opportunity oversees the institution's Affirmative Action Program to ensure that the institution's equal employment opportunity policies, practices, and procedures are followed and in compliance with federal and state law.
- d. The Office of EEO prepares TTUHSCEP's written affirmative action plans annually and reviews the AAP to measure effectiveness of the institution's compliance efforts. Based on a number of quantitative analyses, the AAP evaluates the composition of the workforce compared to the available labor pool and identifies any areas where minorities and women may be underrepresented in the workforce. The institution will develop action-oriented programs designed to correct any problem areas and will make good faith efforts to provide equal employment opportunity.
- e. The Office of EEO will work closely with top level administrators (president, vice presidents, deans, directors, department chairpersons, and other supervisory personnel) to coordinate affirmative action efforts and, when appropriate, to establish goals and objectives and to expand outreach in order to ensure effective implementation of the institution's Affirmative Action Program.