2.3 Affirmative Action and Equal Opportunity Plan

Last Revised: October 2011

Policy Statement: It is the policy of the Board of Trustees and the administration of Piedmont Community College not to discriminate among any person in its employment practices on the basis of race, religion, national origin, gender, age, political affiliation, or disability—except for those cases in which specific age, gender, or physical or mental requirements constitute bona fide occupational qualifications—in such manner as is consistent with achieving a staff of diverse and competent persons.

Purpose/Definitions: All discriminating conditions, whether practiced purposefully or inadvertently, will be eliminated. Employment policies will be carefully and systematically examined to ensure that they do not operate to the detriment of any person(s) on the grounds of race, religion, national origin, gender, age, political affiliation, or disability. To the maximum extent possible, all programs shall contribute to the elimination of gender stereotyping, architectural barriers, and artificial barriers to employment and training.

Piedmont Community College's recruitment, employment, and promotion policies will substantiate a systematic effort to encourage the candidacy of qualified women and minorities, and any policies or procedures having the purpose or effect of excluding qualified women or minorities will be brought to the attention of the Board of Trustees and revised upon their approval.

PCC will review and revise new personnel policies and procedures whenever it is evident that a current policy or practice inhibits the College’s administrators from discharging their responsibilities for implementing the affirmative action and equal opportunity plan. Revision recommendations will be brought to the attention of the Board of Trustees and adopted upon their approval.

All references in this policy to equal opportunity or affirmative action will be read interchangeably, and each term will include the other.

Approval Authority/Monitoring Authority: Piedmont Community College’s Board of Trustees has approval authority for this policy. The President; Vice President, Instruction and Student Development; Vice President, Administrative Services; and Vice President, Continuing Education have monitoring authority.

The President will have the overall responsibility for implementing the Affirmative Action and Equal Opportunity Plan. The President will delegate authority and fix responsibility upon the Vice President, Administrative Services for the organization and management of the Affirmative Action and Equal Opportunity Plan. When acting in this capacity, the Vice President, Administrative Services will be referred to as the Affirmative Action/Equal Employment Opportunity Officer (AA/EEO Officer). The AA/EEO Officer will coordinate efforts with the administrative staff of the College to establish the Affirmative Action and Equal Opportunity Plan and to provide staff supervision and services to all divisions and departments regarding the Affirmative Action and Equal Opportunity Plan. The Vice President, Administrative Services is responsible for the preparation and recommendation to the President of any new policies and procedures needed to achieve the following objectives of the plan:
• maintaining census data available at all times regarding distribution of employees,
• supervising all personnel functions of the College to determine the existence of any evidence of discrimination related to the gender or minority status of any employee,
• cooperating with any government agency to investigate complaints or to implement equal employment opportunity procedures,
• preparing periodic reports on the status of the plan,
• monitoring the overall progress of the plan,
• monitoring the implementation of the Affirmative Action and Equal Opportunity Plan and to make recommendations to the AA/EEO Officer regarding any policy or procedure changes to affirmative action. This shall include, without limitation, the responsibility to ensure that every application or contract document includes specific language related to compliance with this policy.
• conduct surveys and prepare reports, with the assistance of the President, regarding the status of women and minority employment and related information, to determine the success or failure of the College’s Affirmative Action and Equal Opportunity Plan in accomplishing the following objectives:
  a. analyzing the hiring of women and minorities;
  b. evaluating the recruitment process for women and minorities;
  c. reviewing promotions and transfer of women and minorities;
  d. reviewing the increase and decrease in the size of the workforce by gender and minority groups;
  e. reviewing funding applications to assess equal employment opportunity implications and regulatory compliance;
  f. conducting on-site reviews to insure AA/EEO plan is implemented in compliance with regulations;
  g. confirming that grievance and complaint procedures are in place;
  h. determining that services are being provided equitably to all eligible persons;
  i. recommending corrective action, providing technical assistance, and conducting necessary follow-ups; and
  j. documenting all of the foregoing.
• prepare an annual report of the College's workforce grouped by Office of Civil Rights (OCR) Code, with the total number of employees in each classification enumerated by gender and race, i.e., African-American, Asian, Hispanic. In addition, the AA/EEO Officer will
  a. maintain a liaison with governmental officials and other groups concerned with affirmative action and equal opportunity plans;
b. maintain a liaison with all organizations on the local level dealing with affirmative action;

c. make periodic reports to the staff and faculty of the College on the progress of the Affirmative Action and Equal Opportunity Plan; and

d. coordinate data gathering, data consolidation, and data analysis, and prepare reports required by external agencies.

The Employee Resources Committee is a standing committee that recommends policy, standards, and procedures for employee resources functions and is charged with reviewing the Affirmative Action Plan and recommends revisions as appropriate. (Policy 2.27 Institutional Standing Committees)

Procedure:

Recruitment

PCC recruits applicants on the basis of qualifications and individual ability without regard to race, religion, national origin, gender, age, political affiliation, or disability.

The AA/EEO Officer analyzes the recruitment process annually. The recruitment process will continue to include required written notification of the College's Statement of Commitment to Equal Employment Opportunity.

All advertisements for open positions within the College will be made available on the College’s website under “Employment Opportunities,” in an e-mail sent to “PCC All Users,” in the Person and Caswell County newspapers, with the NC Employment Security Commission, the North Carolina Community College Job Search website, and in other venues that have proven to be effective in broadening the applicant pool.

As mandated by the State of North Carolina, § G.S. 128-15, the College will grant preference in employment to veterans in appreciation for their service to this state and this country during a period of war, and in recognition of the time and advantage lost toward the pursuit of a civilian career.

The phrase "An Affirmative Action/Equal Opportunity Employer" will continue to be used in recruiting and in other employment publications and advertisements, and the depiction of women and minorities in the College's advertising and recruiting activities will continue.

The interview committee consists of a vice president or designee; the immediate supervisor to whom the employee will report; the Director, Personnel/Payroll or designee; and an individual outside the vice president's area of responsibility (minority representation is required). The interview committee will select candidates who are qualified for the open position, and the interview committee will utilize methods that will most likely result in the inclusion of qualified women and minority candidates.
The Employee Selection Process:

Application Form

Questions regarding race, religion, national origin, gender, age, political affiliation, or disability may appear on the application for employment form with the sole purpose being to determine how successful PCC recruitment efforts are in reaching all segments of the population.

Applicant Flow

Applicant materials will remain on file for two years following the filing of the application. Applicants who are interested in applying for another open position at PCC may submit a written request to have their previous application placed into consideration for that position.

Employee Selection

The AA/EEO Officer performs a periodic review of the total selection process to assure that applications are received and that employees are selected without regard to race, religion, national origin, gender, age, political affiliation, or disability. This review includes the application for employment, interviewing procedures, employment standards, job description, employee specification, and the selection process. The AA/EEO Officer approves the Full-time Employment Recommendation form to acknowledge that the College is in compliance with the Affirmative Action and Equal Opportunity Plan.

In accordance with Policy 5.27, Employment of Relatives, restrictions are in place to avoid the possibility of favoritism based on family relationships. The College will not concurrently employ two or more persons who are closely related by blood or marriage in positions if:

- one family member would supervise another family member;
- one family member would have substantial influence over employment, salary or wages, or other management or personnel actions relating to another family member.

Hires and Terminations

The AA/EEO Officer or designee analyzes and documents all hires and terminations by race and gender annually.

Promotions and Transfers

The AA/EEO Officer or designee performs an analysis at least annually of promotions based on race and gender. The AA/EEO Officer approves each memorandum requesting promotions or transfers to acknowledge that the College is in compliance with the Affirmative Action and Equal Opportunity Plan. Promotions occur only when an area reorganizes; otherwise, all PCC employees must apply for an open position in order to receive a promotion.

To ensure opportunity for promotion, the institution will continue to make known on an institution-wide basis the availability of open positions so that all interested individuals can be considered. In areas where it has been determined that women or minorities are underutilized, special efforts consistent with college requirements will be made to correct the deficiency.
Assessments

Assessments are required for all instructional positions of the College; applicants must prepare and present a fifteen-minute teaching topic. Other assessments may be given to applicants to measure their suitability for the position and their performance potential. Examples of these assessments include, but are not limited to, a written narrative, computer software knowledge, or technical skills. Assessments may also be required of non-instructional positions.

Monitoring, Reports, and Records

Vice presidents, via the AA/EEO Officer, are made aware of the requirements of the Affirmative Action and Equal Opportunity Plan and are responsible for assuring the good faith efforts of their area with respect to the implementation of this policy.

The AA/EEO Officer shall be responsible for any reports and analyses that are used to determine and to evaluate whether the overall College goals are being met. The AA/EEO Officer is responsible for reporting the findings to the President, and the President is responsible for ensuring that the College’s goals are being met.

Grievance and Complaint Procedure

All grievances and complaints involving the applicability or implementation of this policy will be processed pursuant to the provisions of Policy 5.20, Employee Grievance Procedure. Grievances involving any educational programs that include federal or state employees must also be processed in compliance with the latest Non-Discrimination/Equal Opportunity Standards and Employee Grievance Procedures, to the extent that the requirements thereof are not met by the college policies referenced above. Copies of all applicable procedures referred to herein are available in the PCC Policy Manual.

Release of Information from Personnel Data Files

The AA/EEO Officer has access to information from personnel records for the preparation of reports and analyses. The Vice President, Administrative Services, serves as the Custodian of the Records. The Custodian of the Records or designee must oversee the public release of personnel data as allowed by law. Although some personnel information is public (employee’s name, age, date of employment, current position, title, current salary, date of most recent salary or position assignment change, and location of current assignment), personnel files of State employees are generally confidential. These include applicants, current employees, and former employees.

Dissemination of Policy

Following approval by the Board of Trustees, the Affirmative Action and Equal Opportunity Plan will be distributed internally and externally via advertisements and publications of the College. The Affirmative Action and Equal Opportunity Plan will be made available on the College’s web site and in the PCC Policy Manual.
Statement of Compliance

As a member of the North Carolina Community College System, Piedmont Community College affirms assurance of compliance with all requirements imposed by and pursuant to Title VI of the Civil Rights Act of 1964 and the related regulations issued subsequently, as well as all other applicable provisions of federal law and regulations regarding equal opportunity, to the end that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination regarding any activity at PCC on the grounds of race, religion, national origin, gender, age, political affiliation, or disability. No individual will be denied employment at Piedmont Community College on the grounds of race, religion, national origin, gender, age, political affiliation, or disability.

The College will make all reports and assurances required by any federal or state agency relative to any matters which are the subject of this statement of compliance.

Legal Citation: NCGS §115C-321, 115D-29, 115D-77, 122C-158, 126-22, 128-15, 153A-98, 160A-168, 162A-6.1, 23 NCAC 2C.0702 and .0703

History: Effective April 1975; Revised January 1988, October 2001; Reviewed March 2010; Revised September 2011, October 2011
2.3 Exhibit – Employee Resource Committee

**Procedure:** An Employee Resource Committee is an institutional standing committee with representatives from faculty, administrative staff, and Director, Personnel/Payroll. The Vice President, Administrative Services will serve as chair. Responsibilities of this committee shall include, but not be limited to, the following:

1. To recommend such changes in the Affirmative Action and Equal Opportunity Plan as it may deem appropriate.

2. To serve in an advisory capacity to the AA/EEO Officer in any case or circumstance referred to it in the area of affirmative action.

3. To submit Employee Resources Committee meeting minutes to faculty and staff via campus e-mail.