

EXECUTIVE ORDER 11246 AFFIRMATIVE ACTION PLAN (AAP)

FOR



California State University
MONTEREY BAY
Extraordinary Opportunity

**CSU MONTEREY BAY
100 CAMPUS CENTER,
SEASIDE, CA 93955-8001**

NOVEMBER 1, 2020 – OCTOBER 31, 2021

**PART I:
AAP FOR MINORITIES AND WOMEN**

**PART II:
AAP FOR VETERANS
AND INDIVIDUALS WITH DISABILITIES**

CONFIDENTIAL TRADE SECRET MATERIALS

(Not for distribution except on a need-to-know basis within CSU Monterey Bay).

This AAP contains confidential information which is subject to the provisions of 18 U.S.C. 1905. Chrysler Corp. v. Brown, 441 U.S. 281, 19 FEP 475 (1979).

Copies of this AAP and all related appendices, documents, and support data are made available on loan to the U.S. Government upon the request of said Government on the condition that the Government hold them totally confidential and not release copies to any persons whatsoever. This AAP and all its supporting documents contain much confidential information which may reveal, directly or indirectly, CSU Monterey Bay's plans for business or geographical expansion or contraction. CSU Monterey Bay considers this AAP to be exempt from disclosure, reproduction, and distribution under the Freedom of Information Act upon the grounds, among others, that such material constitutes (1) personnel files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, which are exempt from disclosure under 5 U.S.C. 552(b)(6); (2) confidential, commercial, or financial information, which is exempt from disclosure under 5 U.S.C. 552(b)(4); (3) investigatory records compiled for law enforcement purposes, the production of which would constitute an unwarranted invasion of personal privacy, which are exempt from disclosure under 5 U.S.C. 552(b)(7)(C); and (4) matters specifically exempted from disclosure by statute, which are exempt from disclosure under 5 U.S.C. 552(b)(3). Notice is hereby given of a request pursuant to Title 41 Code of Federal Regulations, Part 60-40.3 that portions of this AAP be kept confidential.

CSU Monterey Bay wishes to make it clear that it does not consent to the release of any information whatsoever contained in this AAP under the Freedom of Information Act or otherwise. If the U.S. Government, or any agency or subdivision thereof, is considering breaching the conditions under which this AAP was loaned to such Government, or is considering a request for release of this AAP under the Freedom of Information Act, a request is hereby made that the Government immediately notify the President of CSU Monterey Bay of any and all Freedom of Information Act requests received by the Government or any other contemplated release of this AAP by the Government which relates to information obtained by the Government from the University. We further request that everyone who has any contact with this AAP or its supporting data treat such information as totally confidential and that such information not be released to any person whatsoever. Retention or disclosure of information relating to identifiable individuals may also violate the Privacy Act of 1974.

CSU MONTEREY BAY AAP

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INTRODUCTION TO PARTS I AND II

CSU Monterey Bay is a federal government supply and service contractor subject to the affirmative action requirements of Executive Order 11246, the Rehabilitation Act of 1973 as amended, and the Vietnam Veterans' Readjustment Assistance Act of 1974, Section 4212. Because CSU Monterey Bay has \$50,000 or more in annual contracts with the federal government and employs 50 or more employees, we are required to prepare annual written Affirmative Action Plans (AAP's) for minorities and women, for protected veterans, and for individuals with disabilities. Failure to comply with these laws and their implementing regulations, which are enforced by the Office of Federal Contract Compliance Programs (OFCCP), can result in debarment of the University from future contracts and subcontracts.

This Affirmative Action Plan is for CSU Monterey Bay.

Affirmative Action is a term that encompasses any measure adopted by an employer to correct or to compensate for past or present discrimination or to prevent discrimination from recurring in the future. Affirmative Action goes beyond the simple termination of a discriminatory practice.

As stipulated in federal regulations, a prerequisite to the development of a satisfactory Affirmative Action Plan is the evaluation of opportunities for the utilization of protected group members, as well as an identification and analysis of problem areas inherent in their employment. Also, where a statistical analysis of the employee workforce reveals a numeric underutilization of minorities or women, greater than would reasonably be expected by their availability, an adequate AAP details specific affirmative action steps to guarantee equal employment opportunity. These steps are keyed to the problems and needs of protected group members. For minorities and women, such steps include the development of hiring and promotion goals and timetables to rectify underutilization where found. It is toward this end that the following AAP of CSU Monterey Bay was developed.

For protected veterans and individuals with disabilities, such steps will include a thorough review of the university's outreach efforts to determine the effectiveness of such efforts in closing the hiring and/or utilization gaps.

APPLICABLE AFFIRMATIVE ACTION LAWS AND REGULATIONS

CSU Monterey Bay's AAP for minorities and women (Part I) has been prepared according to Executive Order No. 11246, as amended, and Title 41, Code of Federal Regulations, Part 60-1 (Equal Employment Opportunity Duties of Government Contractors), Part 60-2 (Affirmative Action Programs of Government Non-Construction Contractors; also known as "Revised Order No. 4"), and Part 60-20 (Sex Discrimination Guidelines for Government Contractors).

CSU Monterey Bay has developed separately an affirmative action plan for protected veterans and individuals with disabilities (Part II) prepared in accordance with the Rehabilitation Act of 1973, Section 503, as amended and Title 41, Code of Federal Regulations, Part 60-741 (Affirmative Action Program for Individuals with Disabilities), the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Section 4212, as amended, and Title 41 Code of Federal Regulations, Part 60-300 (Affirmative Action Program for protected veterans).

Under Section 503, a business with a federal contract of more than \$15,000 is required to treat qualified individuals with disabilities without discrimination on the basis of their physical or mental disability in all employment practices, and to take affirmative action to employ and advance in employment individuals with disabilities. If the company has at least 50 employees and a single contract of \$50,000 or more, then it must also develop a Section 503 AAP, as described in 41 CFR 60-741, Subpart C. Section 503 applies to businesses with federal construction contracts, but not to businesses with federally assisted construction contracts.

Under VEVRAA, a business with a federal contract of \$150,000 or more is required to treat qualified individuals without discrimination based on their status as a protected veteran in all employment practices, and to take affirmative action to employ and advance in employment protected veterans. If the company has at least 50 employees and a single contract of \$150,000 or more, then it must also develop a VEVRAA AAP, as described in 41 CFR 60-300, Subpart C. VEVRAA applies to businesses with federal construction contracts, but not to businesses with federally assisted construction contracts.

COVERED GROUPS UNDER AFFIRMATIVE ACTION LAWS AND REGULATIONS

Coverage under affirmative action laws and regulations applies to:

Women and minorities who are recognized as belonging to or identifying with the following race or ethnic groups: Blacks/African Americans, Hispanics/Latinos, Asians/Pacific Islanders, and American Indians/Alaskan Natives.

Any veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or who was discharged or released from active duty because of a service-connected disability.

Recently separated veterans: any veteran currently within three-years of discharge or release from active duty.

Veterans who served on active duty in the U.S. military during a war or campaign or expedition for which a campaign badge is awarded.

Veterans who, while serving on active duty in the Armed Forces, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985.

An individual with a disability: 1) a person who has a physical or mental impairment that substantially limits one or more of his/her major life activities; (2) has a record of such impairment, or (3) is regarded as having such an impairment.

PROGRAM TERMINOLOGY

The terms, "comparison of incumbency to availability," "deficiency," and "problem area," appearing in this AAP, are terms CSU Monterey Bay is required by government regulations to use. The criteria used in relation to these terms are those specified by the government. These terms have no independent legal or factual significance whatsoever. Although CSU Monterey Bay will use the terms in total good faith in connection with its AAP, such use does not necessarily signify that the Company agrees that these terms are properly applied to any particular factual situation and is not an admission of non-compliance with EEO laws, regulations, and objectives.

The comparison of incumbency to availability contained herein is required by Government regulations to be based on certain statistical comparisons. Geographic areas and sources of statistics used herein for these comparisons were used in compliance with Government regulations, as interpreted by Government representatives. The use of certain geographic areas and sources of statistics does not indicate CSU Monterey Bay's agreement that the geographic areas are appropriate in all instances of use or that the sources of statistics are the most relevant. The use of such geographic areas and statistics may have no significance outside the context of this AAP. Such statistics and geographic areas will be used, however, in total good faith with respect to this AAP.

The grouping of job titles into a given job group does not suggest that CSU Monterey Bay believes the jobs so grouped are of comparable worth.

Whenever the term "goal" is used, it is expressly intended that it "should not be used to discriminate against any applicant or employee because of race, color, religion, gender, or national origin," as stated in Title 41 Code of Federal Regulations, Part 60-2.16(e)(2).

This AAP is not intended to create any contractual or other rights in any person or entity.

RELIANCE ON EEOC'S GUIDELINES

Although CSU Monterey Bay does not believe any violation of Title VII of the Civil Rights Act exists, it has developed this AAP in accordance with and in reliance upon the EEOC's Guidelines on Affirmative Action, Title 29 Code of Federal Regulations, Part 1608.

REPORTING PERIOD

This AAP is designed to cover the following reporting period:

- AAP implementation period: November 1, 2020 – October 31, 2021
- Transaction period: November 1, 2019 – October 31, 2020

STATEMENT OF PURPOSE FOR PARTS I AND II

This AAP has been designed to bring women and men, members of minority groups, protected veterans, and individuals with disabilities into all levels and segments of CSU Monterey Bay's workforce in proportion to their representation in the qualified relevant labor market.

The AAP, therefore, is a detailed, results oriented set of procedures which, when carried out, results in full compliance with equal employment opportunity requirements through full utilization and equal treatment of all people.

The manner in which this is to be accomplished becomes technical and somewhat complicated. There are several reasons for this. First, CSU Monterey Bay is subject to and must address a variety of State and Federal laws and guidelines dealing with equal employment opportunity and affirmative action. In addition, relevant court decisions, which are often useful in interpreting, but sometimes conflicting with these requirements and guidelines, must be taken into account when developing and implementing the AAP. Furthermore, in determining CSU Monterey Bay's current equal employment opportunity and affirmative action position and its desired future achievements, numbers, percentages, statistics, and numerous calculations and computations must come into play.

The technical, legal, and mathematical aspects of the AAP, however, all have one common purpose - to allow us to properly identify three key concepts:

1. Where we stand now,
2. Where we must go,
3. How best to get there.

These three concepts are the Affirmative Action Plan.

AFFIRMATIVE ACTION PLAN

FOR

CSU MONTEREY BAY

PART I: AFFIRMATIVE ACTION PLAN FOR MINORITIES AND WOMEN

NOVEMBER 1, 2020 – OCTOBER 31, 2021

PART I

AAP FOR MINORITIES AND WOMEN

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CHAPTER 1: POLICY STATEMENT

It is the policy of CSU Monterey Bay and my personal commitment that equal employment opportunity be provided to all persons in employment and advancement with the University. In compliance with Federal and State anti-discrimination employment laws and California State University system policies, CSUMB shall not discriminate against any employee or applicant for employment by reason of sex, gender, race, color, ancestry, religious creed, national origin, physical or mental disability, medical condition, age, marital status, sexual orientation, or past and present membership of the uniformed services, including applicants to the uniformed services.

CSU Monterey Bay is committed to a policy of taking affirmative action to employ and advance in employment qualified members of underutilized groups. Such affirmative action shall apply to all employment practices, including, but not limited to hiring, upgrading, promotion, demotion or 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.



Eduardo M. Ochoa

President

11/01/2020

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 2: WORKFORCE ANALYSIS, LINES OF PROGRESSION, AND/OR ORGANIZATIONAL PROFILE

41 C.F.R. § 60-2.11

Workforce Analysis

CSU Monterey Bay conducted a workforce analysis to identify employees at CSU Monterey Bay by gender and race/ethnicity in each job title. The data was collected from payroll personnel records dated as of November 1, 2020.

Job titles are listed by organizational unit (most often, departments). Job titles are listed from lowest to highest paid. The list includes all job titles, including departmental supervision, exempt, and nonexempt titles.

For each job title, the salary range or hourly rate is provided as well as the IPEDS Category to which the title is assigned. For each job title, CSU Monterey Bay identified the total number of employees, the number of male and female employees, the total number of minority employees, the number of male and female minority employees, the total number of White, Black, Hispanic, Asian, Native Hawaiian or Other Pacific Islander, American Indian or Alaskan Native, and Two or more Race employees, and the number of male and female employees within each of these race/ethnic groups.

CSU Monterey Bay carefully examined the Workforce Analysis to identify problem areas needing correction, such as concentrations or segregation of minorities or women by organizational unit, job, pay, or IPEDS Category.

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 3: JOB GROUP ANALYSIS

41 C.F.R. § 60-2.12

Although the workforce analysis was conducted individually for every job title, after it was completed job titles were grouped for the comparison of incumbency to availability and for setting goals. There were several reasons for grouping jobs.

Many job titles are so similar in content that handling them individually in the AAP is not necessary. Grouping together these very similar titles is appropriate for the comparison of incumbency to availability. For many job titles, the availability data that can be collected is limited, and the same data must be used for several related jobs. Therefore, grouping these related titles together is logical. Also, many job titles have so few incumbents in them that identifying disparities between incumbency and availability by job title is meaningless—as problem areas would be identified in terms of fractions of a person. By grouping several similar titles and increasing the number of employees involved, a meaningful comparison can be conducted; any identified problem areas are more likely to be in terms of whole persons. Consequently, goals established to correct problem areas are also more likely to be in terms of whole persons.

The three reasons for grouping job titles all discuss "similar" or "related" jobs. That is the most critical guideline in creating job groups. Above all, the job titles placed into a job group must be more similar or related to each other than the job titles in other job groups.

Job groups must have enough incumbents to permit meaningful comparisons of incumbency to availability and goal setting. Ideally, if a job group is identified as containing a problem area, it should be large enough that a goal of a least one whole person can be established. No minimum size has been established for this purpose, however, as it is dependent not only on the size of the job group, but also on the size of the availability percentage and the number of minorities or women already employed in the job group.

CSU Monterey Bay did not combine job titles with different content, wages, or opportunities if doing so would have obscured problem areas (e.g., job groups which combine jobs in which minorities or women are concentrated with jobs in which they are underrepresented).

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 4: PLACEMENT OF INCUMBENTS IN JOB GROUPS

41 C.F.R. § 60-2.13

Each job group appears on a Job Group Report with a job group name and number. The report lists each job title in the job group. For each job title, the worksheet provides the following information: IPEDS reporting category, pay grade, job title, employee headcounts for each job title, and overall percentages by gender and race/ethnicity as of November 1, 2020.

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 5: DETERMINING AVAILABILITY

41 C.F.R. § 60-2.14

"Availability" is an estimate of the proportion of each gender and race/ethnic group available and qualified for employment at CSU Monterey Bay for a given job group in the relevant labor market during the life of the AAP. Availability indicates the approximate level at which each gender and race/ethnic group could reasonably be expected to be represented in a job group if CSU Monterey Bay's employment decisions are being made without regard to gender, race or ethnic origin. Availability estimates, therefore, are a way of translating equal employment opportunity into concrete numerical terms. Correct comparisons of incumbency to availability, worthwhile and attainable goals, and real increases in employment for problem groups depend on competent and accurate availability analyses. With valid availability data, we can compare the percentages of those who could reasonably be expected to be employed versus our current employment (from the workforce analysis), identify problem areas or areas of deficiency, and establish goals to correct the problems.

Steps in Comparison of Incumbency to Availability

Identify Availability Factors

The following availability factors are required of federal government contractors for consideration when developing availability estimates for each job group:

1. External Factor: The external requisite skills data comes from the 2010 Census of Population.
 - a. Local labor area: An employee Zip Code Analysis was used to identify the most precise local labor area for CSU Monterey Bay. The final local labor area met the following two (2) conditions: 1) it includes all counties/county sets where 5% or more of the employees/applicants resided, and 2) when summed, those counties/county sets accounted for at least 78% of the total applicants/employees within the at-issue workforce. Smaller contributing counties/county sets are removed (i.e., trimmed) unless they are necessary to reach 78%. Once trimmed, the weights for the remaining counties/county sets were proportionately increased to reach 100%.
 - b. Reasonable labor area: National

Note: Zip code analysis results only apply to job groups where populated census data is available.

2. Internal Factor: The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization.

Assign Internal and External Factor Weights: Weights were assigned to each factor for each job group. A combination of historical data and experience were used to determine the weights.

Weights were never assigned in an effort to hide or reduce problem areas.

Identify Final Availability: Weights were multiplied by the component-specific data to produce weighted data for each component. Weighted data for each component was summed. This produced a final availability estimate for each gender and race/ethnic group, as well as for minorities in the aggregate.

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 6: COMPARING INCUMBENCY TO AVAILABILITY

41 C.F.R. § 60-2.15

Once final availability estimates were made for each job group, CSU Monterey Bay compared the percentage of incumbents in each job group to their corresponding availability. A comparison was made between the percentage employed as of November 1, 2020 and that group's final availability.

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 7: PLACEMENT GOALS

41 C.F.R. § 60-2.16

CSU Monterey Bay has established a percentage annual placement goal whenever it found that minority or female representation within a job group was less than would reasonably be expected given their availability. In each case, the goal was set at the availability figure derived for minorities and/or women, as appropriate for that job group. These goals take into account the availability of basically qualified persons in the relevant labor area. They also take into account anticipated employment opportunities with our organization. CSU Monterey Bay believes these goals are attainable. These goals will be reached primarily through recruiting and advertising to increase the pool of qualified minority and female applicants and through implementation of our action-oriented programs (see Chapter 10). Selections will occur only from among qualified applicants. Goals do not require the hiring of persons when there are no vacancies or the hiring of a person who is less likely to do well on the job ("less qualified") over a person more likely to do well on the job ("better qualified"), under valid selection procedures. Goals do not require that CSU Monterey Bay hire a specified number of minorities or women.

Goals are not rigid and inflexible quotas which must be met but are instead targets reasonably attainable by means of applying every good faith effort to make all aspects of the entire AAP work. A goal is a guidepost against which CSU Monterey Bay, a community group, or a compliance agency can measure progress in remedying identified deficiencies in CSU Monterey Bay's workforce. By setting realistic goals, based on expected vacancies and anticipated availability of skills within the relevant labor area, and using a job-related selection system, CSU Monterey Bay should be able to meet the goals, assuming we conduct effective recruitment and advertising efforts to ensure an adequate pool of qualified minority and/or female qualified applicants from which to make selections.

In establishing goals, CSU Monterey Bay considered the results which could reasonably be expected from putting forth every good faith effort to make our overall AAP work. Goals were not established that would exclude any race/ethnic group or gender.

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 8: DESIGNATION OF RESPONSIBILITY

41 C.F.R. § 60-2.17(a)

The CSU Monterey Bay President, Vice Presidents, Deans, the Associate Vice President for University Personnel, other Associate and Assistant Vice Presidents, the Associate Director for Employee & Labor Relations, Compliance & Leave Programs, the Director of Talent Acquisition and Workforce Administration, the Associate Director for Academic Personnel, as well as all other Directors, Managers and employees have undertaken the following responsibilities for the successful implementation of the University's AAP.

President

CSU Monterey Bay's commitment to affirmative action and equal employment opportunity is among its highest priorities. This commitment is shared by all University employees and manifested through the leadership of the President of California State University, Monterey Bay. The President maintains overall responsibility and accountability for equal opportunity through affirmative action at CSU Monterey Bay. The President has assigned supervision for implementation and monitoring of the Affirmative Action Plan and Program to the Associate Director of Employee & Labor Relations, Compliance & Leaves Programs, with the full support of CSU Monterey Bay faculty, staff and administration. The President's central AAP role includes, among other responsibilities, the following:

1. Designate appropriate personnel with the responsibility for overseeing, administering, implementing and monitoring CSU Monterey Bay's AAP. Ensure that designated personnel are formally identified, assigned and perform specific responsibilities under the AAP.
2. Ensure that all designated personnel responsible for AAP components are given the necessary authority, management support, staff and material resources to successfully implement their assigned responsibilities.
3. Impart the leadership, personal direction and support that assure full commitment and total involvement to equal employment opportunity programs through CSU Monterey Bay's Affirmative Action Plan.

Vice Presidents, Associate and Assistant Vice-Presidents

CSU Monterey Bay Vice Presidents, Associate Vice Presidents and Assistant Vice Presidents are designated by the President and are responsible for the following:

1. Implement the AAP within their respective area(s) of administrative leadership and authority.
2. Assure that University AAP programs and practices under their leadership are not discriminatory.

3. Analyze staffing patterns of units on the basis of EEO data extracted by University Personnel and where under-utilization of minorities and women is identified, plan and initiate appropriate corrective measures.
4. Ensure that those responsible for personnel decisions are properly instructed and directed in order for their recommendations and actions to be consistent with University AAP policies and procedures, as well as U.S. Executive Order 11246 as amended, CSU Executive Order 883 and all other appropriate equal employment opportunity rules and regulations.

Academic Deans and Program Directors

CSU Monterey Bay Deans and Directors are responsible for the following:

1. Analyze, in coordination with University Personnel, the composition of each program/unit's workforce, including the levels of ethnic and gender representation to determine if any underutilization exists.
2. Develop unit or program goals and timetables on recruitment strategies in coordination with appropriate Vice Presidents and University Personnel in accordance with AAP report results and recommendations.
3. Prepare and present reports and recommendations to the Vice Presidents and the AVP for University Personnel assessing their College, School, or Department's success in meeting established affirmative action goals, timetables, and related objectives.
4. Assist in the development of curricular and extra-curricular programs that support a workforce that by ethnicity and gender more closely reflects the diversity of the appropriate National, State, and the Monterey Bay Area's qualified workforce.
5. Implement those aspects of the Affirmative Action Plan that are specific to their areas of responsibility, including a method for rating success in attaining AAP objectives in the annual performance reviews of managers and supervisors with direct reporting relationships to each Dean and Director.

Associate Director for Employee & Labor Relations, Compliance & Leave Programs

Associate Director for Employee & Labor Relations, Compliance & Leave Programs

The Associate Director for Employee & Labor Relations, Compliance & Leave Programs is responsible for overall supervision of the AAP. He/she ensures, through the Associate Vice President for University Personnel, the Vice Presidents, Associate Vice Presidents, Assistant Vice Presidents, Deans, and other administrators and supervisors that all relevant EEO policies and procedures are adhered to. The responsibilities of the Associate Director for Employee & Labor Relations, Compliance & Leave Programs include, but are not limited to, the following:

1. Ensure that CSU Monterey Bay, as an employer, adheres to the stated policy of equal employment opportunity and monitors the application of equal opportunity policies and procedures.
2. Develop policies, guidelines and programs relating to equal employment opportunity.
3. Facilitate internal and external communications to ensure CSU Monterey Bay's AAP and its policies are effectively communicated by:
 - A. Coordinating and monitoring internal communication devices that are regularly used to disperse AAP information throughout the University community.
 - B. Serving as a liaison between CSU Monterey Bay and community groups and organizations concerned with employment opportunities for minorities and women.
4. Lead and participate in meetings with managers, supervisors and staff to ensure AAP and equal employment opportunity policies are understood and effectively implemented.
5. Provide guidance to managers and supervisors in taking proper action to prevent employees from being harassed, through one-on-one contact interviews and meetings.
6. Monitor and help facilitate development of:
 - A. Training programs and hiring and promotion patterns to remove impediments to the attainment of AAP goals and objectives.
 - B. CSU Monterey Bay facilities to ensure they are maintained for the use and benefit of all employees and fully integrated both in policy and practice.
 - C. CSU Monterey Bay sponsored educational, training, recreational, and social activities to ensure that all employees are encouraged to participate in accordance with policies on non-discrimination.
7. Monitor and analyze applicant flow data to determine the ratios of persons applying for employment by geographic areas, race/ethnic origin and gender.
8. Ensure that recruitment advertising is placed in publications of wide circulation, including those of employment and career development interest to minorities and women.
9. Ensure that CSU Monterey Bay's EEO Reporting Form is properly completed and submitted annually.
10. Provide direction to CSU Monterey Bay's employees, as necessary, to carry out all actions required to meet the University's equal employment opportunity and affirmative action commitments.

11. Review, report on and update CSU Monterey Bay's AAP at least on an annual basis in accordance with stated policy.
12. Develop, implement and maintain monitoring systems to measure effectiveness of equal employment opportunity programs, including:
 - A. Devices that indicate the need for remedial action, and
 - B. Tests which determine the degree to which goals and objectives have been attained.
13. Advise management in the development and interpretation of CSU Monterey Bay's equal employment opportunity policies, procedures and guidelines.
14. Identify problem areas and establish procedures, goals and objectives to solve these problems.
15. Ensure that all required state and federal EEO posters are readily available and that CSU Monterey Bay's equal opportunity and AAP public information is effectively distributed.
16. Serve as a liaison between CSU Monterey Bay and enforcement agency representatives.
17. Keep management informed of the latest developments in the equal employment opportunity area.
18. Work closely with the Associate Vice President for University Personnel the Director of Talent Acquisition & Workforce Administration, the Associate Director of Academic Personnel, the Provost, and the Vice Presidents in developing and implementing explicit procedures and criteria for staff and faculty appointment, retention, evaluation, advancement, termination and due process, as applied to equal employment opportunity and affirmative action policies, procedures, rules and regulations.
19. Ensure the University's overall understanding and implementation of the AAP.

Associate Vice President for University Personnel

The Associate Vice President for University Personnel is responsible for ensuring that the directives of the President, including those supporting the AAP, are implemented. The Associate Vice President for University Personnel responsibilities under the AAP include, but are not limited to, the following:

1. Recruitment of applicants for all staff and faculty employment in accordance with applicable University policies and procedures and applicable laws and regulations.
2. Review of staff recruitment methods to ensure that individuals, including minorities, women and individuals with disabilities are not being excluded or recruited solely for positions traditionally thought to be primarily for minorities, women or individuals with disabilities.

3. Analysis of each open staff and faculty position to ensure that minimum qualifications for the position accurately reflect the knowledge, skills and abilities needed to perform the position.
4. Monitoring of staff and faculty position classification and compensation actions to ensure non-discrimination and equity within the administration of the University's pay plans.
5. Provide direction to CSU Monterey Bay employees, as necessary to carry out all actions required to meet the University's equal employment opportunity and affirmative action commitments.
6. Review all staff and faculty job descriptions and specifications in an effort to minimize provisions which can patently, or upon application, lead to adverse impact on individuals or groups, including minorities, women or individuals with disabilities.
7. Ensure that all staff and faculty position duties and requirements are job-related, objectively measurable, and realistically reflect the actual work requirements of the essential job functions.
8. Identify problem areas and establish procedures, goals and objectives to address these problem areas.
9. Advise management in the modification and development of CSU Monterey Bay's policies to ensure the enhancement of equal employment opportunity guidelines and results-oriented actions.
10. Ensure that recruitment advertising is placed in publications with broad-based circulation, including those that serve the employment interests of minorities, women and individuals with disabilities.
11. Work closely with minority and women's recruiting sources, state employment offices, rehabilitation and service centers, advising these and other recruiting sources of CSU Monterey Bay's policies regarding equal employment opportunities.
12. Maintain records of all personnel activity including applicant flow data, and submit regular reports to the Associate Director for Employee & Labor Relations, Compliance & Leave Programs for AAP monitoring purposes.
13. Ensure that all academic deans, managers and supervisors responsible for personnel decisions are properly instructed and directed so that their actions are consistent with U.S. Executive Order 11246 as amended, CSU Executive Order 883, and all appropriate regulations, University policy and guidelines.
14. Review the qualifications and performance records of employees seeking transfer or promotional opportunity, and give appropriate guidance based on job-related employment practices.

15. Provide career counseling, training and guidance to CSU Monterey Bay employees in support of the University's EEO policy and AAP goals and objectives.

Managers and Supervisors

Utilizing their direct and daily interaction with CSU Monterey Bay employees, managers and supervisors are assigned specific responsibilities to assist the University to assure understanding and adherence to the equal employment opportunity Policy and the effective implementation of the AAP. These include, but are not limited to, the following:

1. Assertively adhere to the CSU Monterey Bay equal employment opportunity and affirmative action policy.
 - A. Support and assist the Associate Director for Employee & Labor Relations, Compliance & Leave Programs and the Associate Vice President for University Personnel in developing, maintaining and successfully implementing the AAP.
 - B. Monitor progress in their respective units regarding the status of AAP goal achievement.
 - C. Take action to prevent harassment of all CSU Monterey Bay employees, including those who are perceived or misperceived as having benefited from AAP goals and procedures.
2. Volunteer to serve on search/talent acquisition committees, and encourage all unit employees, including minorities and women, to serve on committees appropriate for their classification as important to AAP success.
3. Provide professional development opportunities to employees, including minorities and women, as a means to effectively strengthen and develop CSU Monterey Bay's diverse workforce.
4. Ensure that all applicant screening processes, interviews, offers of employment and/or compensation commitments are equitable to all employees, including minorities and women, and consistent with CSU Monterey Bay's policy on non-discrimination.
5. Assist in identifying problem areas and provide needed information for establishing and meeting department affirmative action goal and objectives.

Employees

All CSU Monterey Bay employees are responsible for conducting themselves in ways that ensure others are able to work in an atmosphere free from discrimination, harassment or intimidation. Employees must collectively work toward making CSU Monterey Bay a model pluralistic community, where its members learn and work in an environment of mutual respect and support of one another.

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 9: IDENTIFICATION OF PROBLEM AREAS

41 C.F.R. § 60-2.17(b)

Terminology

The phrases “comparison of incumbency to availability,” and “problem area” appearing in this chapter are terms CSU Monterey Bay is required by government regulations to use. The criteria used in relation to these terms are those specified by the government. These terms have no independent legal or factual significance. Although CSU Monterey Bay will use the terms in good faith in connection with its AAP, such use does not necessarily signify the university agrees that these terms are properly applied to any particular factual situation and is not an admission of non-compliance with EEO laws, regulations, and objectives. Whenever the term “goal” is used, it is expressly intended that it “should not be used to discriminate against any applicant or employee because of race, color, religion, gender, or national origin,” as stated in Title 41 Code of Federal Regulations, Part 60-2.16(e).

Based on analyses of each job group, areas of concern have been identified and are discussed below. In addition to comparing incumbency to availability within job groups, CSU Monterey Bay has conducted studies to identify problem areas in each of its selection procedures (i.e., hires, promotions, and terminations) as well as by organizational unit. CSU Monterey Bay will continue to monitor and update these studies during each AAP year. In each case where potential problem areas have been identified, affirmative actions, as appropriate, will be taken consistent with any of the action-oriented programs described in Chapter 10 of this AAP.

Employees who did not indicate a race/ethnicity, regardless of whether they indicated a gender, were excluded from the Workforce Analysis. As a result, the utilization of females and resulting goals may be skewed.

Goals are established within each of the job groups at no less than the current availability data for the job group.

41 C.F.R. § 60-2.17(b)(1): Workforce by Organizational Unit and Job Group

An analysis of minority and female distribution within each organizational unit was accomplished by a thorough investigation of the Workforce Analysis.

An analysis of minority and female utilization within each job group was accomplished by a thorough investigation of the Comparison of Incumbency to Availability reports.

41 C.F.R. § 60-2.17(b)(2): Personnel Activity

Applicant flow, hires, promotions, and terminations were analyzed by job group. An analysis of selection disparities in personnel activity between whites/minorities and men/women was accomplished by a thorough examination of transaction data.

41 C.F.R. § 60-2.17(b)(3): Compensation Systems

Compensation analyses were conducted by comparing the median salaries for whites v. minorities and men v. women.

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 10: ACTION-ORIENTED PROGRAMS

41 C.F.R. § 60-2.17(c)

CSU Monterey Bay has established and will continue a lawfully designed affirmative action program to promote the employment and advancement in employment of qualified individuals from groups specifically identified by statute and regulations, and whose representation in areas of the University's workforce is below their availability in the relevant labor market (rationale see CSU Monterey Bay Vision Statement in AAP Introduction). All personnel actions shall be taken in accordance with University academic and staff personnel policies and procedures in manners consistent with the highest standards of excellence, equity and non-discrimination.

CURRENT ACTION ORIENTED PROGRAMS

RECRUITMENT

It is the policy of CSU Monterey Bay to recruit well-qualified employees from the most diversified pool of candidates. Current methods of recruiting were developed to progressively broaden the scope and improve the quality of each search process conducted. Under this AAP and in support of CSU Monterey Bay's commitment to continuous institutional renewal; new or modified methods shall be introduced as appropriate to further diversify recruitment strategies and techniques to consistently attract the largest, most qualified and diverse applicant pools. This effort and flexibility has been, and will continue to be, vital to CSU Monterey Bay's growth and development, particularly as affecting the more difficult to recruit academic and staff position classifications. The University Personnel recruitment and selection procedures constitute the largest and most active areas of AAP monitoring responsibility.

1. Staff and Management Personnel

All staff and management vacancies, as required by policy, are listed with University Personnel. This central office coordinates the recruitment/selection processes to ensure adherence to the Federal Uniform Guidelines on Employee Selection Procedures and to CSU System policies, regulations and employee unit Collective Bargaining Agreements. In order to raise the overall levels of applications from well-qualified minorities and women for staff positions, the following recruitment activities have been or will be undertaken:

- A. Announcements of openings will continue to be placed in publications of wide-circulation in the relevant recruitment areas, including local and extended publications which specifically market employment and career information to minorities and women, such as Diverse Issues in Higher Education or similar publications.
- B. Regular information sharing and direct contact with local employment agencies, community based organizations and service groups will be continued, expanded and further improved.

- C. Publication and distribution of CSU Monterey Bay Job Announcements to state-wide organizations, including the state employment bank.
- D. Prospective applicants may call the University Personnel receptionist for information about available positions. He/she will recommend that callers who seek employment should review the complete list of jobs on the University Personnel web page.
- E. Participation at local and extended job fairs and professional and technical career conferences will be continued as an intervention to recruitments experiencing low application rates from minorities and women.
- F. CSU Monterey Bay's University Personnel Home Page, contains a link to current listing of available staff and management positions. Formal strategies for widely publicizing its existence and location (<http://www.csumb.edu/up>) have been incorporated into the campus outreach and recruitment programming. Applicants for positions are required to apply through the on-line recruitment process.
- G. The Associate Director for Employee & Labor Relations, Compliance & Leave Programs and/or the Associate Vice President for University Personnel serves as a resource and reviews the applicant pools and recruitment procedure.

2. Academic Personnel

Recruitment for academic positions is the primary responsibility of the Provost and Vice President for Academic Affairs, University Personnel, the Deans, and the respective faculty hiring committees. All recruitments for academic positions are listed with University Personnel. This central office coordinates the recruitment/selection processes to ensure adherence to the Federal Uniform Guidelines on Employee Selection Procedures and to CSU System policies, regulations and employee unit Collective Bargaining Agreements. Campus policy requires that multi-year and tenure track lecturers' academic positions be advertised (national publications, professional journals, etc.) in a manner that has the best probability of attracting a highly diverse pool of well-qualified applicants.

The Academic Personnel Recruitment Process is activated by the release of positions by the President to the Provost and Vice President for Academic Affairs. Academic units are responsible for initiating recruitments which comply with campus procedures and guidelines, CSU policy, and state and federal non-discrimination statutes and regulations. The campus has developed several procedures to ensure broad dissemination and maximum access to academic employment opportunities. These methods are described below.

- A. Academic Personnel places ads in major publications (Chronicle of Higher Education, Diverse Issues in Higher Education, and Hispanic Outlook or similar publication, with national circulation) and in target publications of choice (within budget limitations.)

B. Monterey Bay's University Personnel Home Page, contains a current listing of available academic personnel positions. Formal strategies for widely publicizing its existence and location (<http://www.csumb.edu/up>) have been incorporated into the campus outreach and recruitment programming. Applicants for academic positions are required to apply through the on-line recruitment process.

C. The Associate Director for Employee & Labor Relations, Compliance & Leave Programs and/or the Associate Vice President for University Personnel serve as a resource and reviews the applicant pools and recruitment procedure.

UNIVERSITY PERSONNEL PRACTICES AND PROCESSES

The Office of the Chancellor the California State University (CSU) system has conducted a detailed study of all classifications used in the system and reviews them as necessary. At CSU Monterey Bay, University Personnel is responsible for assuring that employees are properly classified according to the CSU system standards.

All position descriptions are reviewed by University Personnel prior to advertising and prior to any reclassification or transfer of an existing employee.

Position announcements are widely disseminated. University Personnel maintains a mailing list of recruitment sources for affected class candidates.

PROMOTIONAL OPPORTUNITIES

All employees are given equal opportunity for promotion. Promotions are determined without regard to race, color, religion, national origin, sex, sexual orientation, marital status, pregnancy, age, veteran's status or disability.

STAFF TRAINING AND STAFF DEVELOPMENT PROGRAM

Staff Development Programs

The University provides access to a variety of training activities in support of all employees, including minorities and females who seek promotions and reclassification.

CSU Forgivable Loan Program

This program is designed to give financial assistance to graduate students pursuing doctoral degrees, with particular emphasis on disciplines in which minorities, women and individuals with disabilities are under-represented. Applications are processed annually by the Chancellor's Office. The applicants may be self-sponsored or sponsored by a CSU Monterey Bay faculty member. The loan is forgiven if the successful candidate returns as faculty on any CSU campus for a pre-determined period of time.

Fee Waiver

This program provides employees of the University the opportunity to take CSU courses without paying tuition fees when related to their job or to career goals.

Assistive Devices for Employees with Disabilities

CSU Monterey Bay provides assistive devices for employees with disabilities. The devices are provided to accommodate physical or mental limitations of otherwise qualified employees with disabilities. Examples of the type of equipment include: TDD's, telephone amplifiers, special dictation machines and interpreters.

Staff Training

University Personnel plans to conduct a variety of workshops through the academic year to enhance affirmative action efforts at the University. The following workshops have or will be presented:

- Legal rights and responsibilities pertaining to sexual harassment
- Considerations in conducting an interview
- Strategies for developing a multicultural perspective (to help the university community to become more multi-culturally aware and sensitive)
- The accommodation of individuals with disabilities in the workplace and classroom

Faculty and staff are advised of training opportunities, all of which are available without regard to race, color, religion, national origin, sex, sexual orientation, marital status, pregnancy, age, veteran's status or disability.

SPECIFIC ACTION-ORIENTED PROGRAMS

Action Steps:

- 1) Develop a widespread recruitment resource list for managers and search committees of websites, publications, listserves, and professional organizations that serve minorities and women. CSU Monterey Bay expanded its utilization of recruiting sources to include, The Chronicle of Higher Education, Diverse Issues in Higher Education, and Hispanic Outlook or similar publication, with national circulation.

Responsible party: Director of Talent Acquisition & Workforce Administration & Associate Director of Academic Personnel

- 2) Inform the search committees of EEO selection guidelines.

Responsible Party: Director of Talent Acquisition & Workforce Development (Staff, MPPs); Associate Director of Academic Personnel (Faculty)

- 3) Publicize position vacancies to a broad geographic region, similar to faculty recruitment.
Responsible party: Talent Acquisition Generalists (Staff, MPPs) and Academic Personnel Analyst (Faculty)/Search/Talent Acquisition Committee Chair
- 4) Ensure that job announcements maximize inclusiveness.
Responsible party: Director of Talent Acquisition & Workforce Development (Staff, MPPs); Associate Director of Academic Personnel (Faculty)
- 5) Use local community contacts as resources for recruitment both locally and beyond.
Responsible Party: Search/Talent Acquisition Committee Members
- 6) Personally contact and network with colleagues and professional organizations.
Responsible Party: Search/Talent Acquisition Committee Members
- 7) Advertise job openings in local/regional newspapers or other advertising venues geared toward the respective readerships of color.
Responsible party: Director of Talent Acquisition & Workforce Development (Staff, MPPs); Associate Director of Academic Personnel (Faculty)
- 8) Ensure diverse representation on all search committees by utilizing campus members or representatives from local community groups. Recruitment Protocols were updated to encourage diversity on all search committees.
Responsible Party: Director of Talent Acquisition & Workforce Development (Staff, MPPs); Associate Director of Academic Personnel (Faculty)

Timeline:

Immediately upon approval of the AAP

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 11: INTERNAL AUDIT AND REPORTING

41 C.F.R. § 60-2.17(d)

It is the responsibility of the Associate Director for Employee & Labor Relations, Compliance & Leave Programs to ensure that affirmative action concerns are addressed in all recommended personnel actions. In order to measure the success of the Affirmative Action Program and to ensure nondiscriminatory impact, the Manager will monitor and review progress in the accomplishment of goals and will identify problem areas and recommend solutions. In addition, the Manager will meet on an on-going basis with key administrators regarding total program effectiveness and will make recommendations for improvement of affirmative action performance.

University Personnel will retain and establish provisions for review of the following data for all non-faculty positions:

1. Applicant flow.
2. All hires and employment offers, showing name, title, department and date of hire.
3. All promotions, showing name, department, and former and new titles.
4. All lateral transfers from one position or function to another showing name, department and titles.
5. All participants in training workshops administered or monitored through University Personnel which increase the employee's qualifications for higher level positions or which allow the employee to move laterally to a position that may result in career progression.
6. All terminations, showing name, title, department and reason for termination.
7. All layoffs and recalls, showing name, title department and date of layoff and/or recall.

The Associate Vice President for University Personnel will retain and establish provisions for review of the following data for all faculty positions:

1. Applicant flow.
2. All hires and employment offers, showing name, title, department and date of hire.
3. All terminations, showing name, title, department and reason for termination.
4. All layoffs and recalls, showing name, title department and date of layoff and/or recall.

AFFIRMATIVE ACTION PLAN

FOR

CSU MONTEREY BAY

**PART II: AFFIRMATIVE ACTION PLAN FOR PROTECTED VETERANS AND
INDIVIDUALS WITH DISABILITIES**

NOVEMBER 1, 2020 THROUGH OCTOBER 31, 2021

PART II
AAP FOR DISABLED VETERANS, OTHER VETERANS
AND INDIVIDUALS WITH DISABILITIES

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CHAPTER A: POLICY STATEMENT
41 C.F.R. §§ 60-300.44(a); 60-741.44(a)

It is the policy of CSU Monterey Bay and my personal commitment that equal employment opportunity be provided in the employment and advancement for all persons regardless of race, religion, color, national origin, sex, age, sexual orientation/gender identity and status as a protected veteran or individual with a disability at all levels of employment, including the executive level. CSU Monterey Bay does not and will not discriminate against any applicant or employee regardless of race, religion, color, national origin, sex, age, sexual orientation/gender identity and status as a protected veteran and/or individual with a disability to any position for which the applicant or employee is qualified. In addition, CSU Monterey Bay is committed to a policy of taking affirmative action to employ and advance in employment qualified protected veteran employees. Such affirmative action shall apply to all employment practices, including, but not limited to hiring, upgrading, demotion or 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 feasibility of any necessary job accommodation. CSU Monterey Bay will make every effort to provide reasonable accommodations to any physical and mental limitations of individuals with disabilities and to disabled veterans.

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.

Our obligations in this area stem from not only adherence to various state and federal regulations, but also from our commitment as an employer in this community to provide job opportunities to

all persons regardless of race, religion, color, national origin, sex, age, status as a protected veteran or an individual with disability. CSU Monterey Bay's EEO policy and affirmative action obligations include the full support from the President.

CSU Monterey Bay will also continually design and implement audit and reporting systems that will measure the effectiveness and the compliance of the AAP, 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.

If you have any questions regarding our equal employment opportunity, harassment policies or the complaint procedure, you may contact University Personnel. Parts of the Affirmative Action Plan may be reviewed, as appropriate, by making an appointment with University Personnel.



Eduardo M. Ochoa
President
11/01/2020

CHAPTER B: REVIEW OF PERSONNEL PROCESSES
41 C.F.R. §§ 60-300.44(b); 60-741.44(b)

To ensure that all personnel activities are conducted in a job-related manner which provides and promotes equal employment opportunity for all known protected veterans and employees and applicants with disabilities, reviews are periodically made of the University's examination and selection methods to identify barriers to employment, training, and promotion.

- 1) CSU Monterey Bay periodically conduct a review of its employment processes to ensure thorough and systematic consideration of the job qualifications of 1) known protected veteran applicants and employees; and 2) applicants and employees with disabilities for job vacancies filled either by external hiring or internal promotions/transfers, as well as for all training opportunities available. In order to determine whether an individual is qualified for a particular job, a close examination of the content of the job is made, as well as a review of the job qualifications of known protected veterans and individuals with disabilities, both applicants and employees. In determining the qualifications of a protected veteran, consideration is given only to that portion of the military record, including discharge papers, relevant to the job qualifications for which the veteran is being considered.
- 2) The University ensures that its personnel processes do not stereotype individuals with disabilities or protected veterans in a manner which limits their access to jobs for which they are qualified.
- 3) The University ensures that applicants and employees with disabilities have equal access to its personnel processes, including those implemented through information and communication technologies.
- 4) The University provides reasonable accommodations, unless such accommodations will cause undue hardship to the university, to applicants and employees with disabilities to ensure that equal employment opportunity are extended in the operation of its personnel processes.
- 5) The University ensures that information and communications systems are accessible to all employees and applicants with disabilities even in the absence of a specific request for accommodation.

CHAPTER C: PHYSICAL AND MENTAL QUALIFICATIONS
41 C.F.R. §§ 60-300.44(c); 60-741.44(c)

To ensure that all physical and mental qualifications and requirements are job related and promote equal employment opportunity for all known protected veterans and employees and applicants with disabilities, reviews are periodically made of the University's physical and mental qualifications and requirements as they relate to employment, training, and promotion.

CSU Monterey Bay reviews all physical and mental job qualification requirements with line management and supervisors to ensure that, to the extent qualification requirements screen out or tend to screen out qualified disabled individuals or veterans, they are job related and consistent with business necessity and the safe performance of the job. The schedule of the review occurs as new job qualification requirements are established.

**CHAPTER D: REASONABLE ACCOMMODATION TO PHYSICAL AND MENTAL
LIMITATIONS**

41 C.F.R §§ 60-300.44(d); 60-741.44(d)

As stated in its policy statement, CSU Monterey Bay will make every effort to provide reasonable accommodations for applicants and employees with disabilities or employees who are disabled veterans.

CSU Monterey Bay consults with employees, applicants and specialists such as rehabilitation counselors to seek their advice on possible reasonable accommodations that can be made for physical or mental limitations.

When accommodations are undertaken which made it possible to hire, promote or train a covered veteran or applicant or employee with a disability, a description of the accommodation is maintained separately from the application form or personnel file.

In any instance where accommodations were not undertaken, but could have been, Associate Director for Employee & Labor Relations, Compliance & Leave Programs is required to follow-up to determine why accommodations were not made and to identify and implement any corrective action needed to prevent future omissions.

CHAPTER E: HARASSMENT
41 C.F.R. §§ 60-300.44(e); 60-741.44(e)

CSU Monterey Bay has developed and implemented a set of procedures to ensure that its employees with disabilities and protected veterans are not harassed due to those conditions.

CSU Monterey Bay also takes affirmative steps to ensure policies and procedures are implemented to meet sexual harassment laws within the State of California.

**CHAPTER F: OUTREACH, POSITIVE RECRUITMENT, AND EXTERNAL POLICY
DISSEMINATION**

41 C.F.R. §§ 60-300.44(f); 60-741.44(f)

Each year the Associate Director for Employee & Labor Relations, Compliance & Leave Programs Training identifies the representation of disabled veterans, other veterans, and individuals with disabilities in our applicant pool in order to evaluate the effectiveness of our recruitment activities. The following activities will be implemented or continued to further enhance our affirmative action efforts.

1. Initiate and maintain communication with all organizations having special interests in and that may assist in, the recruitment of and job accommodations for disabled veterans, other veterans, and individuals with disabilities.

Social service agencies, organizations for individuals with disabilities, vocational rehabilitation agencies or facilities, veterans' service organizations which service disabled veterans or other veterans, for such purposes as advice, technical assistance, and referral of potential employees.

These are on-going activities.

2. Include workers with disabilities when employees are pictured in promotional materials.

This is an on-going activity.

3. Provide information emphasizing job opportunities for disabled veterans, other veterans, and individuals with disabilities to all local educational institutions, public and private.

This is an on-going activity.

4. List with the State Employment Development Department all job opportunities at CSU Monterey Bay.

This is an on-going activity.

5. Send written notification of the University's affirmative action policy to all subcontractors, vendors, and suppliers requesting appropriate action on their part. This includes their obligation to annually file their EEO Reporting form and VETS-4212 form and, for employers with 50 or more employees and contracts of \$50,000 or more, their obligation to develop a written affirmative action plan.

6. The University considers applicants with known disabilities and those known to be veterans for all available positions for which they may be qualified.

CHAPTER G: INTERNAL POLICY DISSEMINATION
41 C.F.R. §§ 60-300.44(g); 60-741.44(g)

In order to provide information, training, and counseling to gain positive support and understanding of the affirmative action program for disabled veterans, other veterans, and individuals with disabilities by employees, supervisors, management, and employee organizations, CSU Monterey Bay will implement or continue to implement the following internal dissemination procedures, all of which are the responsibility of the Associate Director of Employee & Labor Relations, Compliance and Leaves Programs. The procedures are designed to foster understanding, acceptance and support among the University's executive management, supervisory and other employees and to encourage such persons to take the necessary actions to aid the University in meeting this obligation.

1. Include the policy in the new employee materials and other in-house publications as well as on the University Personnel website.
2. Conduct special meetings with executive, management and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation, making clear the President's commitment.
3. Include a discussion of these policies in training sessions for employees involved in recruiting, selection, promotion, and other related employment issues for disabled veterans, other veterans and individuals with disabilities.
4. Discuss the policy thoroughly in both employee orientation and management training programs.
5. Publicize the University's policies (along with the University's non-harassment policy which includes protection from harassment on the basis of disability).
6. When employees are featured in employee handbooks or similar publications for employees, include employees with disabilities.

CHAPTER H: AUDIT AND REPORTING SYSTEM
41 C.F.R. §§ 60-300.44(h); 60-741.44(h)

CSU Monterey Bay has developed and currently implements an audit and reporting system that addresses the following:

- 1) Measures the effectiveness of CSU Monterey Bay's overall Affirmative Action Program and whether the university is in compliance with specific obligations.
- 2) Indicates the need for remedial action.
- 3) Measures the degree to which CSU Monterey Bay's objectives are being met.
- 4) Whether there are any undue hurdles for individuals with disabilities and veterans regarding University sponsored educational, training, recreational, and social activities. This will also include, but not limited, to the review of the on-line and electronic application system to determine their accessibility and ensuring that procedures to request for accommodations are prominently displayed and that individuals with disabilities can readily obtain the needed accommodation.
- 5) Any corrective actions will be the responsibility of the Associate Director for Employee & Labor Relations, Compliance & Leave Programs. This will also include, but not limited, to the review of the on-line and electronic application system to determine their accessibility and ensuring that procedures to request for accommodations are prominently displayed and that individuals with disabilities can readily obtain the needed accommodation

CHAPTER I: RESPONSIBILITY FOR IMPLEMENTATION
41 C.F.R. §§ 60-300.44(i); 60-741.44(i)

As part of its efforts to ensure equal employment opportunity to disabled veterans, other veterans, and individuals with disabilities, CSU Monterey Bay has designated specific responsibilities to various staff to ensure the AAP focuses on all components of the employment system. To that end, the President, the Associate Vice President for University Personnel, the Associate Director for Employee & Labor Relations, Compliance & Leave Programs, and those employed as supervisors and managers have undertaken the responsibilities described below.

President

The President of CSU Monterey Bay is responsible for providing top management support for the University's AAP. The President issues a memo annually to reaffirm the University's Equal Employment Opportunity Policy and to make known to all employees and applicants the commitment of Senior Management to EEO and affirmative action. Additional responsibilities include, but are not limited to, the following:

1. Designating appropriate personnel with the responsibility for overseeing, administering, implementing, and monitoring the University's AAP. Ensuring that these personnel are identified in writing by name and job title.
2. Ensuring that designated personnel responsible for all AAP components are given the necessary authority and top management support and staffing to successfully implement their assigned responsibilities.
3. Imparting the personal direction that assures total involvement and commitment to equal employment opportunity programs through the University's AAP.

Associate Director for Employee & Labor Relations, Compliance & Leave Programs

Associate Director for Employee & Labor Relations, Compliance & Leave Programs is responsible for overall supervision of the AAP. The Manager ensures, through the Associate Vice President for University Personnel, the Vice Presidents, Deans and Directors, managers and supervisors that all relevant policies and procedures are adhered to. Successful implementation of this program is a basis for evaluating all management effective work performance. The Associate Director's responsibilities include, but are not limited to, the following:

1. Advising management in the modification and development of the University's policies to ensure the enhancement of equal employment opportunity for all employees and potential employees within existing equal employment opportunity guidelines.
2. Presenting all needed recommendations and procedural changes to Senior Management concerning EEO and affirmative action and ensuring that Senior Management is kept informed of the University's compliance status.

3. Maintaining University-wide management support and cooperation for the University's AAP.
4. Collaborating with Senior Management on EEO and AAP issues.
5. Assisting line management in arriving at solutions to EEO/AA problems.
6. Reviewing results of audit and reporting systems to assess the effectiveness of the University's AA programs and to direct corrective actions where necessary.
7. Ensuring that the AAP is updated annually.
8. Providing guidance to managers and supervisors in taking proper action to prevent employees from being harassed in any way, through one-on-one contact, training and disciplinary action.
9. Work collaboratively with the Associate Vice President for University Personnel.
10. Ensuring that relevant staff (i.e., managers and supervisors) is aware that their work performance is being evaluated in part on the basis of their equal employment opportunity efforts and results.
11. As needed, reviewing the qualifications of applicants and current employees to ensure equitable opportunity based on job related employment practices.
12. Conducting periodic audits of:
 - A. Training programs and hiring and promotion patterns to remove impediments to the attainment of AAP goals and objectives.
 - B. The University's sponsored educational, training, recreational, and social activities to ensure that all employees are encouraged to participate in accordance with policies on non-discrimination. Determine whether known disabled veterans, other veterans, and employees with disabilities have had the opportunity to participate in all University-sponsored educational, training, recreation and social activities.
13. Developing, implementing, and maintaining audit and reporting systems to measure effectiveness of equal employment opportunity programs, including those that will:
 - A. Indicate need for remedial action.
 - B. Determine degree to which goals and objectives have been obtained.
14. Advising management in the modification and development of the University's policies to ensure the enhancement of equal employment opportunity for all employees and potential employees within existing equal employment opportunity guidelines.

15. Ensuring the University's VETS-4212 form is filed annually with the Veterans' Employment and Training Service (VETS).
16. Monitor campus activities to ensure all publicity and advertising of the University's equal employment opportunity policies and AAP, as well as the Invitation to Self-Identify for disabled veterans, other veterans, and individuals with disabilities, are displayed and that the University's equal employment opportunity and AAP policies are being thoroughly communicated.
17. Serving as the liaison between CSU Monterey Bay and enforcement agencies.
18. Serving as the liaison between CSU Monterey Bay and organizations and community action groups for disabled veterans, other veterans, and individuals with disabilities, in addition to ensuring that representatives are involved in community service programs of local organizations for disabled veterans, other veterans and individuals with disabilities.
19. Keeping management informed of the latest developments in the equal employment opportunity area.
20. Reviewing, reporting on, and updating the AAP annually in accordance with stated policy. Informing employees and applicants of significant changes.
21. Working with the Associate Vice President for University Personnel, and department managers and supervisors in coordinating the effective implementation of all identified affirmative actions.
22. Assisting in review and revision of all policies, procedures and rules to ensure they are not in violation of federal or state laws and regulations.
23. Responsible for ensuring the University's overall compliance with the AAP.

Associate Vice President for University Personnel

The Associate Vice President for University Personnel is responsible for ensuring that the directives of the President are implemented. The Associate Vice President for University Personnel duties include, but are not limited to, the following:

1. Recruitment of applicants for all staff and faculty employment in accordance with applicable University policies and procedures and applicable laws and regulation.
2. Review of recruitment methods to ensure that minorities and women are not being excluded or recruited solely for staff and faculty positions traditionally thought to be primarily for minorities and women.
3. Analysis of each open staff and faculty position to ensure that minimum qualifications for the position reflect the tasks, skills, knowledge and abilities needed for the position.

4. Classification and pay of all University positions, including the administration of pay plans.
5. Provide direction of CSU Monterey Bay staff employees, as necessary, to carry out all actions required to meet the University's equal employment opportunity and affirmative action commitments.
6. Review all staff and faculty job descriptions and specifications to ensure they are free of discriminatory provisions and artificial barriers. Ensure that all requirements are job-related, that they are realistic, and that they reflect the actual work requirements of the essential job duties.

Managers and Supervisors

In their direct day to day contact with the University's employees, managers and supervisors have assumed certain responsibilities to help CSU Monterey Bay ensure compliance with equal employment opportunity programs and effective implementation of the AAP. These include, but are not limited to, the following:

1. Aggressively adhering to the University's equal employment opportunity policy.
 - A) Supporting and assisting University Personnel in developing, maintaining, and successfully implementing the AAP.
 - B) Taking action to prevent harassment of employees placed through affirmative action efforts.
2. Counseling employees with respect to what is suggested for upward mobility within the employment structure.
3. Ensuring that all interviews, offers of employment, and/or wage commitments are consistent with the University's policy.
4. Assisting in identifying problem areas and providing needed information for establishing and meeting unit affirmative action goals and objectives.
5. Seeking and sharing information on feasible accommodations which have been or could be made for known disabilities.

CHAPTER J: TRAINING
41 C.F.R. §§ 60-300.44(j); 60-741.44(j)

CSU Monterey Bay trains all employees involved in any way with the recruitment, selection, promotion, disciplinary actions, training, and related processes of individuals with disabilities or veterans to ensure commitment to the University's stated Affirmative Action goals.

CHAPTER K: DATA COLLECTION ANALYSIS
41 C.F.R. §§ 60-300.44(k); 60-741.44(k)

CSU Monterey Bay has adopted the current national percentage of veterans in the civilian labor force of 5.7% as its hiring benchmark for protected veterans. CSU Monterey Bay will update its hiring benchmark as new data is published and updated via the OFCCP's website. The 5.7% hiring benchmark is applied to each job group within CSU Monterey Bay.

CSU Monterey Bay also adopted the current national utilization goal of 7.0% for qualified individuals with disabilities. CSU Monterey Bay will update its utilization goal as new data becomes available, updated and published. The 7.0% utilization goal is applied to each job group within CSU Monterey Bay.

Goals and/or benchmarks do not require that CSU Monterey Bay hire, promote, train, and/or retain a specified number of individuals with disabilities and/or protected veterans. These goals/benchmarks are not rigid and inflexible quotas which must be met but are instead targets reasonably by means of applying every good faith effort to make all aspects of the entire AAP work. A goal is a guidepost against which CSU Monterey Bay, a community group, or a compliance agency can measure progress in remedying identified deficiencies in CSU Monterey Bay's workforce.

CSU Monterey Bay has collected the required data and conducted studies to identify areas of opportunities in the employment of protected veterans and individuals with disabilities. CSU Monterey Bay will continue to monitor and update these studies periodically during each AAP year. In each case where the hiring benchmark for protected veterans and/or the utilization goal for individuals with disabilities are not met, affirmative actions, as appropriate, will be taken consistent with the activities mentioned in Chapter F (External Dissemination of Policy and Outreach and Positive Recruitment) and measures described in Chapter H (Internal Audit and Reporting) of this AAP.

CHAPTER L: COMPENSATION
41 C.F.R. §§ 60-300.21(i); 60-741.21(i)

It is the policy of CSU Monterey Bay that when offering employment or promotion to protected veterans or individuals with disabilities, the amount of compensation offered will not be reduced because of any disability income, pension, or other benefit the applicant or employee receives from another source.