

# Affirmative Action Plan

Women and Minorities

2021 Plan Year

*01/01/2021-12/31/2021*



THE UNIVERSITY *of*  
ALABAMA SYSTEM

*The University of Alabama*  
*The University of Alabama at Birmingham*  
*The University of Alabama in Huntsville*

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## 1. Preface

The University of Alabama System is a public educational and constitutional instrumentality of the State of Alabama, and is Alabama's largest higher education enterprise, comprised of its System Office, three constituent campuses (The University of Alabama, The University of Alabama at Birmingham including the Health System, and The University of Alabama in Huntsville), and multiple affiliated entities (hereafter "the System"). The University of Alabama System Office (hereinafter, "System Office") functions to assist the Board in its leadership, management, and control over the activities across the System. The System's three constituent campuses are federal government supply and service contractors 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 the System's campuses have \$50,000 or more in annual contracts with the federal government and employ 50 or more employees, the System Office prepares annual written Affirmative Action Plans (AAPs) for minorities and women, for protected veterans, and for individuals with disabilities for our organization, in good faith since failure to comply with these laws and their implementing regulations, which are enforced by the Office of Federal Contract Compliance Programs (OFCCP), could result in debarment of the System's constituent campuses from receiving future contracts and subcontracts.

Affirmative action is a term used to reference measures adopted by an employer to correct or to compensate for past or present discrimination or to prevent discrimination from occurring 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 protected group members, as well as an identification and analysis of problem areas inherent in their employment. Also, where a statistical analysis reveals a numeric disparity between incumbency and 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 to rectify the disparity between incumbency and availability.

## 2. Introduction

The System Office is committed to the concept and practice of equal opportunity, nondiscrimination, and affirmative action. The Affirmative Action Plan (AAP) for Women and Minorities has been developed in accordance with the provisions of Executive Order 11246, as amended, and related guidelines issued by the Office of Federal Contract Compliance Programs (OFCCP), codified at 41 C.F.R. Part 60-2. It is designed, adopted, and implemented in good faith to comply with all applicable laws and regulations relating to equal employment opportunity and affirmative action, and in conformity with and reliance upon the Equal Employment Opportunity Commission's Affirmative Action Guidelines.

The System Office has separately developed an affirmative action plan for protected veterans and individuals with disabilities,, which has been 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).

In accordance with public law, this AAP is available for inspection in the Department of Human Resources at 500 University Boulevard East in Tuscaloosa, Alabama during regular business hours upon request. Faculty, staff, and students are notified of this opportunity for inspection through the System Office's Reaffirmation of Equal Employment Opportunity Policy and Nondiscrimination Notice, which is disseminated to all System Office staff by the Chancellor. A copy of the most recent statement is included as Appendix A (hereinafter referred to as the "Nondiscrimination Notice"). Questions about the System's Nondiscrimination Notice, its Statement of Equal Employment Opportunity, Nondiscrimination, and Affirmative Action (hereinafter referred to as "Equal Opportunity Policy"), or its affirmative action program can be directed to the Human Resources Department (205/348-9506).

### **Protected Groups**

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.

### **3. Statement of Equal Employment Opportunity, Nondiscrimination and Affirmative Action**

It is the policy of The University of Alabama System Office and each of its constituent campuses to provide equal employment opportunities to all qualified persons regardless of gender identity or expression, race, color, religion, age, national origin, sexual orientation, marital status, physical or mental disability, or veteran's status pursuant to, but not limited to, Federal Executive Orders 11246 and 11375 and RSA 345A (1965) of the General Laws of New Hampshire, and Section 503 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 and amendments of 2008.

The University of Alabama System complies with applicable laws prohibiting discrimination, including Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, Executive Order 11246, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended by the Jobs for Veterans Act of 2002 (VEVRAA), the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, the ADA Amendments Act of 2008, and the Genetic Information Nondiscrimination Act of 2008 and does not discriminate on the basis of genetic information, race, color, religion, national origin, sex (which includes sexual orientation, gender identity, and gender expression), age, disability, or protected veteran status in admission or access to, or treatment of employment in its programs and services. All managers and supervisors are required to actively follow this policy to ensure that all qualified applicants and employees who are women, minorities, have disabilities, or have protected veteran status are considered and treated in a non-discriminatory manner with respect to all employment-related decisions.

The System Office's Nondiscrimination Notice extends to all personnel matters, including hiring, upgrading, transfer, demotion, recruitment or recruitment advertising, layoff, termination, compensation, benefits, and System-sponsored training and social and recreational programs. The System Office bases employment decisions on objective standards as much as possible to further the principle of equal employment opportunity.

Employment decisions at The University of Alabama System Office are based on legitimate job related criteria. All personnel actions or programs that affect qualified individuals, such as employment, upgrading, demotion, transfer, recruitment, advertising, termination, rate of pay or other forms of compensation, and selection for training, are made without discrimination based upon the individual's sex, gender identity, sexual orientation, race, color, religious creed, national origin, physical or mental disability, protected veteran status, or any other characteristics protected by law. Employees may choose to voluntarily disclose their sex, race, national origin, disability and protected veteran status at any time by contacting Human Resources. Such information will be maintained in a confidential manner and will not be used against an individual when making any employment decisions. Employees and applicants with disabilities and disabled veterans are encouraged to inform Human Resources if they need a reasonable accommodation to perform a job for which they are otherwise qualified. The System Office makes, and will continue to make, reasonable accommodations to the known physical or mental limitations of an otherwise qualified applicant or employee to promote the employment of qualified individuals with disabilities and disabled veterans, unless such accommodations would impose an undue hardship on the operations of the System Office's business.

In accordance with public law, the System Office's program of affirmative action for qualified individuals with disabilities and the program of affirmative action for protected veterans are available for inspection in the Human Resources Department, Monday through Friday, from 9:00 a.m. to 5:00 p.m. upon request.

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Jon Garner, Director of System Benefits  
and Human Resource Services

The University of Alabama System Office is fully committed to principals of equal employment opportunity and affirmative action. As Chancellor, I support the successful implementation of the System Office's Affirmative Action Programs. I have appointed the Director of System Benefits and Human Resources Services, Affirmative Action Officer for the System Office, with responsibility for implementation of the System Office's affirmative action activities. The Affirmative Action Officer has the full support of top management and the staff necessary to fully implement this Program. All managers and supervisors will take an active part in the System Office's AAP to ensure all qualified employees and prospective employees are considered and treated in a nondiscriminatory manner with respect to all employment decisions. Furthermore, the University of Alabama System Office will solicit the cooperation and support of all employees for the System Office's Equal Employment Opportunity and Affirmative Action Policy.

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Finis E. St. John IV  
Chancellor, The University of Alabama System

#### 4. Sex Discrimination Policy - 41 C.F.R. 60-20.1 – 60-20.6

Pursuant to the System Office's equal employment opportunity and affirmative action policy, we have adopted the following policy prohibiting sexual discrimination and harassment in the workplace. This policy applies to all terms and conditions of employment, including but not limited to, recruitment, hiring, promotion, transfer, demotion, layoff or recall from layoff, termination, wage and benefit administration and selection for training or other employment opportunities. The terms "because of sex", on the "basis of sex", "regardless of sex" and "without regard to sex" include, but are not limited to, because of or on the basis of pregnancy, childbirth or related medical conditions, gender identity and transgender status. In furtherance of our commitment to ensuring equal employment opportunity regardless of sex, we will take the following steps, as appropriate:

- Recruit individuals for all positions without regard to their sex, except where sex is a bona fide occupational qualification;
- Ensure that job postings and recruitment materials do not express a sex preference, unless sex is a bona fide occupational qualification;
- Review employment practices and personnel policies to ensure that applicants and employees are not discriminated against or harassed on the basis of sex;
- Provide qualified employees with an equal opportunity to any available job without regard to their sex, except where sex is a bona fide occupational qualification;
- Administer employment opportunities, wages, hours, conditions of employment, retirement programs, and other employee benefits regardless of sex;
- Develop written policies which prohibit unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature towards employees and take reasonable steps to prevent such harassment from occurring;
- Treat married and unmarried men and women equally in all personnel actions, retirement age, and benefits will be administered without regard to sex;
- Provide appropriate restroom and other facilities for applicants and employees of both sexes;
- Refrain from reliance on any state laws which conflict with the non-discrimination provisions of Title VII of the Civil Rights Act of 1964 or Executive Order 11246 and are superseded thereby;
- Provide leaves of absence to employees without regard to sex;
- Ensure that no employee is discriminated against because of pregnancy, childbirth, or related medical conditions. Women affected by pregnancy, childbirth, or related medical conditions will be treated the same as other persons who are not so affected but are similarly able or unable to work;
- Administer any seniority systems without regard to sex;
- Determine wage schedules without regard to sex; and
- Ensure that individuals are not restricted to certain job classifications based on sex.

## 5. Guidelines on Religion and National Origin – 41 C.F.R. 60-50.1 – 60-50.5

The System Office complies with the Guidelines on Discrimination because of Religion or National Origin contained in 41 C.F.R. 60.50.

- **Equal Employment Policy.** The System Office communicates its obligation to provide equal employment opportunity without regard to religion or national origin to all applicants and employees in the System Office's Nondiscrimination Notice. Training is provided to employees in the area of equal employment and nondiscrimination practices. A variety of recruitment sources are used to ensure equal employment opportunity without regard to religion and national origin.
- **Accommodations to Religious Observance and Practice.** The System Office accommodates, where reasonable, the religious observances and practices of employees, except where such accommodation causes undue hardship on the conduct of System Office business. The extent of the System Office's obligation is determined by its needs, financial costs and expenses, and resulting personnel problems, in conformity with applicable law.
- **Nondiscrimination.** In implementing its equal employment opportunity policy regarding nondiscrimination because of religion or national origin, the System Office does not discriminate against any qualified applicant or employee with regard to race, color, religion, national origin, protected veteran status, disability, genetic information, age or sex (which includes sexual orientation, gender identity and gender expression).



## 6. Responsibility for Implementation – 41 C.F.R. 60-2-17

The overall responsibility and accountability for implementing the System Office's AAP rests with the Chancellor of The University of Alabama System and other senior executive officers. The Chancellor disseminates an annual statement supporting the System Office's affirmative action program through a Nondiscrimination Notice, and urges every employee to comply with the System Office's equal opportunity, affirmative action, nondiscrimination and anti-retaliation policies. All employees receive a printed copy of this statement, and it is also posted online.

Jon Garner, Director of System Benefits and Human Resource Services oversees implementation of the System's AAP. The Director ensures all other department directors, managers and supervisors adhere to all relevant policies and procedures.

The Director's responsibilities include, but are not limited to, the following:

1. Ensure the System Office adheres to the stated policy of equal opportunity employment and oversees application of all EEO policies.
2. Ensure the AAP is reviewed and updated annually in accordance with System Office policy.
3. Oversee the development of policy statements and affirmative action programs.
4. Oversee investigation of charges of discrimination filed by System Office employees or applicants for employment with the System Office.
5. Determine whether women and minorities, individuals with a disability and/or protected veterans have had the opportunity to participate in all System-sponsored education, training, recreational, and social activities;
6. Ensure the equal opportunity and affirmative action policy is posted internally.
7. Document actions to comply with applicable federal regulations.

The Director is assisted in these duties by a Compliance Officer (and/or their designee), and a multi-departmental working group comprised of the Office of Risk and Compliance, the Office of Academic Affairs, the Office of Counsel, and the Office of Human Resources and other subject matter experts related to the wide variety of programs and activities. These Compliance Officers are responsible for coordinating the System's affirmative action program in non-academic areas, updating policy statements on the online staff employment application websites, and ensuring that new hire offer letters provide information on how to self-identify their status as a female, minority, an individual with a disability, or a protected veteran.

While ultimate responsibility for implementation of the System Office's AAP rests with the Chancellor and the other senior executive officers, the achievement of affirmative action goals depends upon effective support and effort from the division and department heads, directors, managers, and supervisors with day-to-day responsibility for making employment decisions within the System. Individuals must take an active part in adhering to all System Office policies related to employment decisions to ensure that all qualified applicants and employees are considered and treated in a nondiscriminatory manner.

### **Training on Responsibilities for Hiring Officials and System Employees**

All supervisory personnel are expected to be aware of and uphold the System's commitment to equal opportunity and affirmative action. Further, all System Office employees are expected to conduct themselves and their interpersonal relations in accordance with the System Office's Equal Opportunity

Policy as a term of their employment and out of respect for other members of the System community. The System Office offers training to help ensure compliance.

- To support hiring officials and further promote awareness of their responsibilities, the System Office maintains a centralized staff training function in Human Resources to provide training in management/supervisory development, job skills development, System Office procedures, and special interest topics.
- New employee orientation sessions include a review and distribution of printed materials concerning the System Office's Equal Opportunity Policy and affirmative action commitment, employees' rights and responsibilities, and resources available for conflict resolution and other employee assistance.
- Staff members in management positions complete a new manager's training which includes training related to harassment, discrimination, and retaliation.
- In addition to the centralized training available to all employees receive additional annual training on System Office policies related to discrimination, harassment, and retaliation.

## 7. Organizational Profile – 41 C.F.R. 60-2.11

As one of the diagnostic components of the System Office's AAP, and to conform to applicable regulations, the System Office has completed a profile of the workforce at the organization. The organizational profile is an overview of the staffing patterns at this establishment and is used to determine whether there are areas in the workforce where individuals are underrepresented or concentrated by gender or race. To complete our organizational profile we have elected to follow the Workforce Analysis Setting methodology.

The following charts set forth our Workforce Analysis. The analysis identifies the departments at the System Office establishment and for each department lists all job titles from lowest to highest paid. For each job title, we provide the following data: the total number of incumbents, the total number of male and female incumbents, and the total number of male and female incumbents by racial/ethnic group.

## **8. Job Group Analysis – 41 C.F.R. 60-2.12**

The System Office, with assistance from its consultant, has completed a workforce analysis as required by 41 C.F.R. § 60-2.11 (c). The analysis details the race and gender composition of the System's workforce. The workforce analysis furnishes a "snapshot" of the System Office's constantly changing workforce as of November 1. Comparison of workforce data from one year to the next enables the System Office to evaluate progress in female and minority employment.

### **Job Group Analysis – 41 C.F.R. 60-2.12**

The System Office conducted a job group analysis as required by 41 C.F.R. §60-2.12. The analysis combined job titles within the System as the first step in comparing actual representation of minorities and women in each job group with the estimated availability of prospective qualified minorities and women who could be employed. The System Office attempted to group jobs with similar content, wage rates, and opportunities. Although not a determinative factor in designing job groups, efforts were made to create job groupings large enough to conduct appropriate analyses. The analysis groups employees who are not similarly situated, which is not consistent with the manner in which employees would be grouped under Title VII and the Equal Pay Act. This analysis was not conducted to analyze compensation or potential issues related to pay.

The following charts identify the job groups created for this AAP, the job titles that comprise each job group, and the percentage of minority incumbents and the percentage of female incumbents in each job group.

## 9. Availability Analysis – 41 C.F.R. 60-2.14

### Determining Availability

Availability is an estimate of the number of qualified minorities or women available for employment in a given job group, expressed as a percentage of all qualified persons available for employment in the job group. Determining availability as part of our workforce analysis helped establish a benchmark against which the demographic composition of the System Office's incumbent workforce could be compared to determine whether barriers to equal employment opportunity exist within particular job groups. The System Office separately determined the availability of minorities and women for each job group and considered both external and internal factors.

- For *external* factors, the System Office considered the percent of minorities or women with skills in the *reasonable recruitment area*, or the geographical area from which the System Office usually seeks or reasonably could seek workers to fill the positions.
- For *internal* factors, the System Office considered whether employees within the System Office were promotable, transferable, or trainable during the AAP year for that job group by determining whether jobs are feeder pools for the job group in question. In situations where a job group was comprised of job titles with different availability rates, the System Office computed a weighted average of the availability of all the job titles in the job group.

## 10. Comparing Incumbency to Availability – 41 C.F.R. 60-2.15

After placing incumbent workers in job groups and determining availability, both externally and internally, the System Office compared the representation of minorities and women in each job group to the respective availability for those job groups. Where actual representation was less than the calculated availability, the System Office determined whether the differences was greater than could be reasonably expected. The comparison of availability with actual representation is detailed in the charts that follow.

## 11. Placement Goals – 41 C.F.R. 60-2-16

The System Office established placement goals based on the comparison of incumbency to availability. A placement goal is established whenever employment of minorities or women as of the snapshot indicates statistical significance below their estimated availability in a job group or is less than what would be reasonably expected based on calculated availability.

While the System Office does not set rigid quotas, the percentages of minority and female incumbents should generally match expected percentages based on estimates of availability of minorities and women in relevant labor markets. The System Office strives to make good faith efforts to achieve placement goals. To ensure a constitutional and nondiscriminatory employment process, the System adheres to the following guidelines when placement goals are set:

- Placement goals are neither quotas that must be met, nor are they to be considered as either a ceiling or a floor for the employment of particular groups. The goal-setting process takes place in the context of projected annual job openings in each job group and requires a judgment about the degree to which progress can be made during a set period. These calculations are made in good faith, but with the understanding that the process is inexact and all placement goals should be viewed as reasonably-attainable targets. It is assumed that the System Office's affirmative action plans and efforts are subject to influence by a number of variables beyond its ability to control and forecast.
- Placement goals do not create set-asides for specific groups, are not intended to achieve proportional representation or equal results, and do not provide a justification to extend a preference to any individual, select an individual, or adversely affect an individual's employment status on the basis of that individual's race, color, religion, sex, sexual orientation, gender identity, disability, protected veteran status, or national origin.
- Placement goals are not used to supersede merit selection principles and do not require the System to hire a person who lacks qualifications to perform the job successfully or hire a less-qualified person in preference to a more-qualified one.

Where a placement goal is set, the System Office has developed action-oriented programs to increase the recruitment and hiring of minorities or women or both. The System Office will continue to make good faith efforts to reach the placement goals established and implement the action-oriented programs.

## **12. Identification of Problem Areas by Organizational Unit and Job Group 41 C.F.R. 60-2.17(b)**

We have conducted analyses of our total employment process, including evaluating the workforce by organizational unit and job group, personnel activity, compensation systems, and other personnel procedures to determine whether and where impediments to equal employment opportunity exist.

An analysis of each of these processes follows.

### **Composition of the Workforce by Organizational Unit**

Our analysis by organizational unit reveals that minorities and women are not significantly underrepresented or concentrated in any particular organizational unit. This analysis suggests that there is no policy or practice excluding minorities or women from any departments, nor is there any racial or sexual discrimination in the selection process.

### **Composition of the Workforce by Job Group**

Pursuant to OFCCP regulations, we have conducted an availability analysis by job group, taking into account both external and internal availability, and have compared incumbency to estimated availability to determine placement goals. The descriptions of Factor 1 and Factor 2 by job group are summarized in the Availability Analysis. Our findings are as follows:

1. Our analysis, conducted in accordance with OFCCP regulations, reveals that underutilization by job group is not a problem for minorities or minorities that require placement goals are identified in the Placement Goals Report. (See Section 11.)
2. Our analysis, conducted in accordance with OFCCP regulations, reveals that underutilization by job group is not a problem for females or females that require placement goals are identified in the Placement Goals Report. (See Section 11.)

The System Office has established affirmative action placement goals and programs to address any areas of underutilization and will continue to make good faith efforts to reach the placement goals established by implementing action oriented programs, which are detailed elsewhere in this AAP.



## **13. Personnel Activity Analysis**

The System Office reviews its personnel procedures to assess whether employees or job applicants who are women or minorities are fully and fairly considered for job vacancies, promotions, and/or educational or training opportunities and to assure that the personnel processes facilitate the implementation of the System Office's affirmative action commitments. Consistent with 41 C.F.R. § 60-2.17 (b), the System Office performs an analysis of its total employment process to determine whether impediments to equal employment opportunity exist and to determine if there are disparities by race, gender, or ethnicity. Some of the areas the System Office evaluates include a review of the workforce by organizational unit and job group to determine whether there are problems in female or minority utilization or distribution; personnel activity (applicant flow, hires, promotions, terminations); compensation processes; and other selection, recruitment, referral, and personnel procedures. An analysis of each of these processes follows.

### **Online Recruitment Systems**

The System Office staff online recruiting system is computerized databases that store information regarding applicants for vacancies. The job application process for staff begins online. The job listings page for the recruitment system clearly indicates that the System Office is an Equal Employment/Equal Educational Opportunity Institution and that applicants are considered without regard to any protected status, including race, ethnicity and sex. Through this system, data is captured to assess how applicants for System Office positions are "flowing" through the hiring process. Applicant flow information is collected and stored for all staff positions that the System Office fills. It includes data such as race, sex, veteran status, disability (if known), applicants referred/interviewed, and those hired. The online recruitment system for staff appointments (PageUp) is maintained by Human Resources.

### **Applicant Flow and Applicant Process**

A review of applicant self-identification during the period from 01/01/2020 to 12/31/2020 indicates a strong pool of diverse candidates and supports the System's commitment to equal employment opportunity and affirmative action.

Based on this data and a thorough process review, the System Office believes that applicant flow and application processes are not creating and will not create an impediment to equal employment opportunities. Our analysis reveals that the percentage of minority and female applicants compares favorably with their general availability.

### **Staff Recruiting and Advertising Procedures**

The primary responsibility for recruiting applicants for staff positions, including office/clerical, technical, maintenance and administrative/ professional, resides with Human Resources, in conjunction with personnel in the respective hiring department. Due to the varied skillsets required in positions at the staff level, a wide variety of publishing outlets are used to advertise positions so as to produce as many candidates of diverse backgrounds and experiences as reasonably possible.

Beginning with the UA System Jobs Page, applicants can see current openings, appointment types, location and category/Type of position. The landing page states The University of Alabama System is an equal employment/equal educational opportunity employer.

Open staff positions are posted on the System's online recruitment and employee management system by Human Resources after a job requisition has been submitted by a hiring department and approved by reviewing officials. The requisition includes the position requirements and recruitment details. Reviewing officials, including the Compliance Officer as appropriate, focus on whether the position requirements are job related and nondiscriminatory, and whether the recruitment plan adequately identifies sources of advertisement and special efforts to reach minority and women candidates. Further, individual job listings also have the EEO statement at the bottom.

In addition to the online recruitment and employee management system, departments use other advertising sources as needed to ensure a diverse applicant pool when advertising staff positions, including Facebook, Twitter, LinkedIn, *Inside Higher Ed*, U. S. Military Pipeline, newspapers, and specialized trade and professional publications. Frequently used newspapers include *The Tuscaloosa News*, *al.com*, *The Birmingham News*, *The Montgomery Advertiser*, *The Huntsville Times*, and *The Atlanta Journal-Constitution*.

Advertisements may include only bona fide occupational qualifications and may not be listed under a classified heading indicating "male or "female" unless sex is a bona fide occupational qualification. Advertisements and other forms of position announcements must include the following statement:

The University of Alabama System is an equal opportunity employer (EOE), including an EOE of protected vets and individuals with disabilities.

Personal characteristic items that are not job-related are excluded from the online application form. During the application process, applicants are invited to voluntarily self-identify race, gender, and their status as a protected veteran and/or an individual with a disability. While this information is not accessible to the hiring department, at any point during the recruitment and selection process, the hiring department can run an EEO Report to identify the number (but not identity) of women and minority candidates in an applicant pool to determine if a sufficient qualified diverse pool exists, contingent upon the applicant self-reporting.

The review steps for all staff searches are specified in the "Hiring Guide." The review and monitoring process covers recruiting methods, job qualifications and requirements, advertising, selection criteria, and applicant flow information. Full documentation of the hiring process is maintained so reviewing officers can track the efforts made to recruit minority and women candidates which will enable the System Office to respond to any future inquiry that may be related to an appointment or hiring decision.

Exceptions to normal recruiting procedures may be granted via a waiver request. A process has been established to ensure sufficient justification is provided for a waiver to be considered. Only a Vice Chancellor (or their designee) can approve a requisition with an accompanying waiver request. Documentation of the approved rationale for such a waiver is maintained in the online recruitment system.

## **Hires and Hiring Processes**

A review of external hires for the period from 01/01/2020 to 12/31/2020 indicates the presence of equal employment opportunity and a strong commitment to affirmative action.

An analysis of the various applicant pools and hires indicated that the System Office hired the most qualified applicants and did not discriminate on the basis of race. These positions constituted a diverse applicant pool and a diverse roster of interviewees. The System Office also carefully evaluated the hiring processes utilized for faculty and staff positions and found them to be free of discriminatory practices against women or minorities. Specifically, the following criteria and procedures prevent illegal discrimination in hiring decisions:

### **Staff Procedures**

- Job descriptions are reviewed to ensure duties are accurately described, experience and education requirements are strictly job-related, and all incumbents meet minimum job requirements. Job descriptions are written without regard to any protected characteristic protected, including race, color, religion, national origin, veteran status, disability, age, or sex, except where age or sex may be a bona fide occupational qualification.
- Hiring departments have final selection authority and accountability for hiring staff in accordance with the Nondiscrimination Notice. Once applications can be viewed in the online system by the hiring department, the hiring official, and/or members of the search committee are responsible for screening applications without regard to an applicant's race, color, religion, national origin, protected veteran status, disability, age, or sex, except where age or sex may be a bona fide occupational qualification.
- Before an offer of employment can be made to a candidate, the department must submit the candidate's name, proposed salary and rationale for recommendation. Appropriate reviewing officials focus on whether the selection process is sufficiently documented and whether the rationale for selecting the final candidate is adequate and nondiscriminatory

### **Promotions and Promotion Practices**

A review of promotions for the period from 01/01/2020 to 12/31/2020 indicates the presence of equal employment opportunity and an absence of illegal discriminatory practices.

The System Office has carefully evaluated its promotion processes utilized for faculty and staff and found them to be free from discriminatory practices against women or minorities. Our analysis reveals that neither minorities nor women are being treated disparately in promotions based on the following processes.

### **Staff Promotion**

A promotion for staff is the advancement of a current, active staff employee to a position in a higher salary grade than the employee's present position. A staff promotion could be the result of a reclassification of the employee's current position to a higher salary grade or upon the employee's hiring into a different position of a higher salary grade.

The System Office provides an open transfer and promotion system for staff employees. Employees are permitted to apply for other positions in the System Office without advance approval by, or notice to, their present supervisor. However, employees are expected to give adequate notice of their acceptance of another position, as would be the case in accepting a position outside the System Office.

The internal promotion policy permits selected staff vacancies to be restricted to internal applicants only and allows intradepartmental promotion of qualified employees on a case-by-case basis if approved by Human Resources and the Vice Chancellor (or designee) of the hiring department.

- Employees at the System Office are eligible for an education tuition benefit for themselves upon hire and for their dependents after six months of employment. This benefit allows employees to further their education, enhancing their opportunity for promotion.

## **Compensation Process**

The System Office has evaluated its compensation processes utilized for staff and found it to be free from discriminatory practices against women or minorities.

## **Staff Compensation**

Human Resources works with develops compensation programs, policies, and procedures applicable to staff. Compensation guidelines establish and maintain a system of compensation and benefits that help managers and employees understand the processes involved in salary administration as it relates to System Office staff. The System Office attempts to meet or exceed compensation in comparable labor markets, and includes staff pay ranges that guide compensation both at hiring and promotions. These pay ranges are based on the classification of the position description within a specific pay grade.

Human Resources and the Compensation and Classification consultant reviewed position descriptions at creation and additionally when requested to determine the appropriate pay grade. Each pay grade has an associated pay range. When reviewing a position for classification, a Compensation and Classification analyst carefully studies the job description to determine the requisite skill, knowledge level, supervision level, as well as any other related factors and materials (e.g., organization chart) to identify the appropriate job classification. If a revision to a previously assigned pay grade is requested, the analyst considers how a position has changed (e.g., additional duties, supervision exercised and received, any other critical components of the position) and compares the position to similar positions at the System Office. Factors not related to the position description, such as an individual's education and/or experience, salary requirements, or a department's available budget, are not used to determine the position's classification into a pay grade.

The System Office may offer merit increases when approved within the overall institutional budgeting process. A merit increase is an adjustment to an individual's pay that is based on performance. When approved, money is allocated based on performance.

## **Terminations**

The System Office evaluated its termination practices to determine whether there are disparities based on gender, race or ethnicity. When terminations or reductions in force are necessary, the System Office makes its decisions without regard to race, color, religion, national origin, protected veteran status, disability, genetic information, age or sex (which includes sexual orientation, gender identity and

gender expression), or any other characteristic protected by applicable law.

In conjunction with the review of its personnel processes, the System Office has reviewed the terminations that occurred between 01/01/2020 and 12/31/2020 and is satisfied that the process is not discriminatory against women or minorities or any other protected status.

### **Staff Terminations**

The System's Human Resource Department tracks of voluntary and involuntary terminations. Voluntary terminations for the 2021 Plan Year include resignations, transfers to positions outside of the System, and retirements. Involuntary terminations are handled in conjunction with the System's Corrective Action Policy. Departments who wish to terminate an employee work with Human Resources to ensure that other avenues are exhausted, if possible, before initiating termination.

## 14. Action-Oriented Programs – 41 C.F.R. 60-2.17

The System Office has developed and is executing action-oriented programs designed to correct any problem areas that may exist and to support the System Office's commitment to equal opportunity in employment for women and minorities.

The System Office has analyzed and will continue to analyze all positions and prepare written descriptions to accurately reflect position functions. Due to the use of a position description format, they are and will continue to be consistent for the same position from one organizational unit to another.

Job descriptions have been and will continue to be reviewed to determine the knowledge, skills, abilities, and other requirements necessary for the adequate performance of every job. Specifications will continue to be consistent for the same job title in all organizational units and will not contain any requirements that would result in discrimination on the basis of sex, gender, sexual orientation, race, color, religious creed, national origin, physical or mental disability, protected veteran status, or any other characteristic protected by law.

Job descriptions are available to incumbents and all members of management involved in the recruiting, screening, selection, and promotion process. Job descriptions are also made available to employees, applicants, and recruiting sources as appropriate.

The System Office has carefully evaluated the total selection process and found it to be free from discrimination.

- We have instructed all supervisory personnel to ensure elimination of discrimination in all personnel actions in which they are involved.
- Any tests administered by the System Office are job related and given to all applicants for applicable positions.
- Application forms do not contain questions with potential discriminatory effects.
- The System Office does not and will not use any selection techniques that can be improperly used to discriminate against minority groups or women.

The System Office evaluated techniques for improving recruitment and increasing the flow of qualified minority or female applicants by utilizing some or all of the following:

- Minority and women, as well as non-minority and male, employees are actively encouraged to refer applicants to our organization.
- The System Office relies on the State Department of Labor and recruiting programs sponsored by local community colleges and other community organizations.
- The System Office will continue to contact our normal sources of recruiting (e.g., Alabama Career Center or State Employment Agency) and advise them under the AAP we are specifically seeking to employ minorities and/or women for a job opening.
- The System provides an orientation program to inform new employees of their equal employment responsibilities, promotional opportunities, System Office rules, ways to alleviate any problems that might arise, and any other issues related to affirmative action compliance.
- Local organizations will be contacted for referrals of potential minority and female employees. The System Office utilizes the Internet to identify targeted recruitment sites for qualified minority and female applicants.

These programs, together with the various personnel processes, demonstrate our good faith efforts to remove identified barriers, expand employment opportunities, and produce measurable results.

Finally, the System Office has developed and implemented procedures to ensure that employees who are women or minorities are not illegally discriminated against or harassed because of their race or gender, or retaliated against for bringing a complaint. The following policies, procedures and training programs further strengthen the System Office's commitment to equal opportunity in employment:

- The procedures for addressing harassment or retaliation are contained in the System's Policies and Procedures, which can be viewed on the System Office website. Discrimination, harassment or retaliation complaints should be directed to the Vice Chancellor for Risk and Compliance for the System Office. Once reported to appropriate official, a prompt and appropriate investigation of complaints of unlawful discrimination is conducted according to the complaint procedures of the System Office, and measures are taken to prevent future instances of illegal discrimination and/or harassment.
- The Human Resources Director's annual Nondiscrimination Notice encourages members of the System community to review the information on the System website, and to refer those with issues of concern to that website to ensure prompt reporting to the appropriate System Office officials.
- New employees attending new employee orientation receive information about website and the System Office's anti-discrimination, harassment, and retaliation policies.

## 15. Internal Audit and Reporting System – 41 C.F.R. 60-2.17

Inherent in the AAP is the need for periodic self-assessment to proactively identify areas for improvement, document any corrective actions taken, and ensure continued compliance with Executive Order 11246, Section 503, and VEVRAA. Self-evaluation requires complex record keeping systems on applicants, employees, and components of the AAP itself.

The System Office has established a multi-departmental working group comprised of the Office of Risk and Compliance, Ethics, the Office of Academic Affairs and the Office of Human Resources to facilitate routine auditing and comprehensive reviews of the formal documents and processes associated with the AAP requirements. The working group is tasked with promoting compliance with applicable regulations and adherence to the equal opportunity, non-discrimination and affirmative action policies. During the audit process, the working group makes reasonable efforts to include a summary of the previous year's actions and programs in the updated plan. Any significant changes in policies, procedures, or rights will also be documented.

The working group will communicate audit results with Chancellor, highlighting compliance with affirmative action goals and recommendations to design and implement corrective actions, including adjustments in programs, if necessary.

The working group reports any specific problems and recommends corrective actions, if necessary, to the appropriate management.

The System Office's audit and reporting systems are designed to periodically:

- Monitor records of all personnel activity, including applicant flow, referrals, placements, transfers, training, promotions, awards of tenure, terminations, and compensation, at all levels to ensure the nondiscrimination policy is carried out;
- Review online and electronic application systems to determine if they are accessible to individuals with disabilities, to ensure that procedures to request reasonable accommodation for the application process are prominently displayed and to ensure that individuals with disabilities can readily obtain needed accommodations;
- Ensure all applicants and employees are provided the opportunity to self-identify as a qualified individual with a disability, a protected veteran, a minority or a female at the pre-offer stage, as a new hire, and at designated times throughout the year;
- Measure the overall effectiveness of the AAP and compliance with specific obligations;
- Identify any need for remedial action and submit recommendations for improvement to the Chancellor and other senior executive officers;
- Determine the degree to which the System Office's equal employment opportunity and affirmative action objectives are being attained.

Applicants have the opportunity to receive training on the System Office's request to voluntarily provide, among other things, information about gender or race/ethnicity. Employees may self-identify race/gender on the New Hire form. If the employee does not self-identify, the System will use reasonable efforts to identify for reporting purposes their gender and race in the Integrated Postsecondary Education Data System (IPEDS) and for AAP purposes.

Current employment records, as well as personal and historical information on all System Office employees, are stored in OnBase and the data contained therein is the responsibility of Human



Resources. OnBase is one of the sources of employee information used for workforce reports and utilization analyses in addition to the staff online recruiting systems.

To ensure that the personnel assisting with the annual audit have accurate information, all records concerning applicants for employment will be maintained for three years, and all personnel actions will be individually maintained as a part of an employee's personnel files.

## 16. Conclusion

The AAP year, January 1, 2021 – December 31, 2021, shows a continued commitment to equal employment opportunity and affirmative action, and has strong plans to ensure both corporate and employee success.

Through its Affirmative Action Officer, the System Office will continue to communicate its policies, both within the organization and to the community in which it works. The Human Resources Director delegates to the Affirmative Action Officer the full authority to take action to implement the plan and to pursue solutions to problems that might impede the progress of this plan.

At the close of the System Office's most recent plan year, an analysis of the composition of the workforce was undertaken. The workforce was analyzed by job group and by department to determine the employment of minorities and women, and to identify if placement goals are indicated when compared to the appropriate available workforce. If this analysis reveals even limited areas of underutilization that is statistically significant, placement goals will be set to strive to achieve employment levels of women and minorities that are representative of our recruiting population. Nonetheless, the System Office expects to continue its successful outreach efforts and to ensure all applicants and employees are treated fairly, based on job related criteria and without regard to sex, gender identity, sexual orientation, race, color, religious creed, national origin, physical or mental disability, protected veteran status, or any other characteristic protected by applicable law.

The System Office is mindful of the fact that continued achievements in the area of equal employment opportunity and affirmative action are important. As a result, we have included additional action oriented plans and programs for recruiting, communication, and reporting, to ensure that our compliance with affirmative action continues in good stead.

Finally, it should be noted the System Office's thorough analysis of its workforce reveals that the System Office is in full compliance with sex discrimination guidelines and that there is no evidence of discrimination in any form against female employees. As outlined in this AAP, the System Office is ready and willing to make affirmative action both a commitment and a continued reality.