EQUAL OPPORTUNITY PLAN
FOR SPA EMPLOYEES

March 1, 2014 – February 28, 2015
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I. **State of North Carolina EEO Policy**

*Policy*

**Special Provisions-Age**

**Special Provisions-Disabled**

**Special Provisions Communicable Disease**

**Exceptions Necessary to Prevent Spread of Disease**

**Special Provisions Relative to Genetic Information**

**Bona Fide Occupational Qualifications**

**Appeal Procedure**

*Policy*

It is the policy of the State of North Carolina that race, religion, color, national origin, sex, age, genetic information, political affiliation\(^1\) nor disabling condition is to be considered in the:

- Recruitment and selection of new employees of the State;
- Selection of employees for promotion, training, career development, transfer, demotion for fiscal purposes, and/or reduction-in-force;
- Administration of disciplinary policies or termination for cause; and
- Establishment of rates of pay including the awarding of salary adjustments and/or annual salary increases.

*Advisory Note:* Sex or gender stereotyping was held to be illegal in *Price Waterhouse v. Hopkins*, 490 U.S. 228, 250-51, 109 S. Ct. 1775, 104 L. Ed. 2d 268 (1989) and some courts have held that the prohibition against sex, or gender, discrimination prohibits discrimination because of gender non-conformity. Therefore, if an employee is treated differently because of gender stereotyping, the employee may have a claim for discrimination.

**Special Provisions Relative to Age**

Equal employment opportunity as to age applies only to persons who are age 40 or over. State and Federal laws forbid employment discrimination on the basis of age for these persons. It is unlawful “to fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his/her compensation, terms, conditions, or privileges of employment, because of such individual’s age.”

\(^1\) Direct appeal to the State Human Resources Commission on the basis of political affiliation is provided only to have achieve career status pursuant to G.S. 126-1A.
Special Provisions Relative to Disabled Persons

Equal employment opportunity for disabled persons includes the making of a reasonable accommodation to the known physical limitations of a qualified disabled applicant or employee who would be able to perform the essential duties of the job if such accommodation is made. This may include: making facilities used by employees readily accessible to and usable by such person; job restructuring (reassigning non-essential duties and/or using part-time or modified work schedules); acquisition or modification of equipment or devices; provision of readers or interpreters; and/or other similar actions. Agencies are required to make such adjustments for the known limitations of otherwise qualified disabled applicants and employees, unless it can be demonstrated that a particular adjustment or alteration would impose an undue hardship on the operation of the agency.

Whether an accommodation is reasonable must depend on the facts in each case. Factors to be considered in determining this include:

- the nature and cost of the accommodation needed;
- the type of the agency’s operation, including the composition and structure of its work force; and
- the overall size of the agency or particular program involved, with respect to number of employees, number and type of facilities, and size of budget.

Special Provisions Relative to Communicable and Infectious Diseases

Persons with communicable or infectious disease, including Acquired Immune Deficiency Syndrome (AIDS), are disabled if the disease results in an impairment which substantially limits one or more major life activities. All of the statutory provisions relative to disabled persons with are applicable to persons with communicable and infectious diseases, including the requirement for a reasonable accommodation to the known limitations of an otherwise qualified applicant or employee.

Exceptions Necessary to Prevent the Spread of Disease

It is not discriminatory action under North Carolina law to fail to hire, transfer, or promote, or to discharge a disabled person because the person has a communicable disease which would disqualify a non-disabled person from similar employment. However, such action may be taken on that basis only when it has been determined necessary to prevent the spread of the communicable or infectious disease. There must be documentation of consultation with private physicians and/or public health officials in arriving at the determination. Concern for other employees who may fear working with the infected co-worker must never be the basis for the action, in the absence of a medically documented health hazard to other persons.

It must be remembered that AIDS, unlike most communicable diseases, has been shown to be transmitted only by exchange of body fluids through sexual contact, sharing of needles and syringes, or transfusion of infected blood. According to the U. S. Department of Health and Human Services, Public Health Service, no cases have been found where the AIDS virus has been
transmitted by casual contact. There is no evidence that employing a person with AIDS would present a health hazard to other persons in the usual work place.

**Special Provisions Relative to Genetic Information**

The Genetic Information Nondiscrimination Act of 2008, a federal law, prohibits discrimination in the terms and conditions of employment against persons based on their genetic information. It is unlawful to fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his/her genetic information. “Genetic information” is defined as information about:

- an individual’s genetic tests (including genetic tests done as part of a research study);
- genetic tests of the individual’s family members (defined as dependents and up to and including 4th degree relatives);
- genetic tests of any fetus of an individual or family member who is a pregnant woman, and genetic tests of any embryo legally held by an individual or family member utilizing assisted reproductive technology;
- the manifestation of a disease or disorder in family members (family history);
- any request for, or receipt of, genetic services or participation in clinical research that includes genetic services (genetic testing, counseling, or education) by an individual or family member.

**Bona Fide Occupational Qualifications**

Age, sex or physical requirements may be considered if they constitute a bona fide occupational qualification necessary for job performance in the normal operations of the agency. Whether such a requirement is a bona fide occupational qualification will depend on the facts in each case. This exemption will be construed very narrowly and the agency will have the burden of proving the exemption is justified.

Physical fitness requirements based upon pre-employment physical examinations relating to minimum standards for employment may be a reasonable employment factor other than age or sex; provided, however, that such standards are reasonably necessary for the specific work to be performed and are uniformly and equally applied to all applicants for the particular job category, regardless of age or sex.

A differentiation based on a physical examination may be recognized as reasonable in certain job situations which necessitate stringent physical requirements due to inherent occupational factors such as the safety of the individual employee or of other persons in their charge, or in those occupations which by nature are particularly hazardous. Job classifications which require rapid reflexes or a high degree of speed, coordination, dexterity and endurance would fall in this category.

To establish age, sex or physical requirements as a bona fide occupational qualification, it will be necessary to submit a recommendation to the Office of State Human Resources setting forth all
facts and justification as to why the requirement should be considered as a reasonable employment factor in each of the classification in question.

**Appeal Procedure**

Any applicant for employment or any employee who believes that employment, promotion, training, transfer, salary adjustment or a merit salary increment was denied him/her or that demotion, transfer, lay-off or termination was forced on him/her, because of race, religion, color, national origin, sex, age, political affiliation, or disabling condition may appeal directly to the Office of Administrative Hearings.

Grievances based on genetic information can only be appealed through an agency/university grievance procedure, if the agency/university grievance allows such an appeal, or directly to the Equal Employment Opportunity Commission (EEOC).

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Note: In addition to the above policy and the State laws (G.S. 126 and G.S. 168), the Civil Rights Act of 1964 has been revised to include State and local governments. The general provisions of the Federal law are under Statutory Provisions.
II. Chancellor’s Memorandum

TO: The University Community

FROM: Chancellor Carol L. Folt

DATE: March 1, 2014


The University has prepared this 2014 Equal Employment Opportunity Plan (the “Plan”) in accord with our commitment to equal opportunities in employment and in compliance with state and federal laws. The Plan brings our attention to the diversity of our workforce at Carolina and establishes procedures by which our commitment to equal employment opportunities can be achieved.

While legal requirements inform components of the Plan, our commitment to equal opportunities in our workforce is a reflection of a deeply held belief that a University community that is diverse and representative of the larger community is essential to providing quality service and education. We strongly value the extraordinary benefits diversity brings to our students, employees and the people of North Carolina.

It is our responsibility as a University community to promote equal opportunity principles in every decision impacting members of our faculty and staff. Accordingly, I hereby adopt this Plan as Chancellor and declare it effective March 1, 2014.

The University of North Carolina Chapel Hill is a constituent institution of
The University of North Carolina
Equal Opportunity Employer

1 The relevant federal regulations, which implement Executive Order 11246, can be found at 41 C.F.R. Parts 60-1 and 60-2; the relevant state regulations are set forth in title 25, subchapter 11, section .0100 of the North Carolina Administrative Code.
III. Policy Statement

POLICY STATEMENT

As part of its Equal Employment Opportunity Plan (the "Plan"), The University of North Carolina at Chapel Hill (the "University") reaffirms its commitment to providing an inclusive and welcoming environment for all members of our community and to ensuring that educational and employment decisions are based on individuals' abilities and qualifications. Consistent with this principle and applicable laws, it is therefore the University's policy not to discriminate with respect to employment terms and conditions on the basis of age, gender, race, color, national origin, religion, genetic information, disability, veteran status, or sexual orientation, gender identity or gender expression. Such a policy ensures that only relevant factors are considered and that equitable and consistent standards of conduct and performance are applied.

In furtherance of this policy, the University bases employment decisions on the principle of equal opportunity, and ensures that all employment-related decisions are in accord with the principles of equal opportunity. All personnel actions such as compensation, benefits, transfers, layoffs, terminations, sponsored training, education, tuition assistance, and social/recreational programs, are administered without regard to age, gender, race, color, national origin, religion, genetic information, disability, veteran status, or sexual orientation, gender identity, or gender expression. Retaliatory action against any employee or applicant for employment, who files a complaint or charge of employment discrimination, testifies, assists, or participates in any manner at a hearing, proceeding, or investigation of employment discrimination is prohibited. The University also prohibits unlawful harassment, and the responsibility for implementing the University's harassment policies falls upon its administrators and supervisors. Additionally, the University is committed to providing reasonable accommodations for persons with disabilities as required by law.

The University's senior administrators, as well as supervisors and managers who are authorized to make employment-related decisions, are responsible for developing this Plan, updating it annually, and implementing any equal opportunity programs. In this endeavor, these administrators, supervisors, and managers are assisted by the University's Equal Opportunity/ADA Office, the Office of Human Resources, and the Office of the Provost. The Equal Opportunity/ADA Officer is responsible for monitoring and evaluating the Plan and for presenting periodic reports to the Chancellor.

Carol L. Folt, Chancellor  
2/28/14  
Date

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1 Laws, regulations, and guidelines pertaining to equal employment opportunity compliance include, but are not limited to: Title VII of the Civil Rights Act of 1964, as amended; the Equal Pay Act of 1963; the Age Discrimination in Employment Act of 1968, as amended; Executive Order 11246, as amended; the Rehabilitation Act of 1973; the Civil Rights Restoration Act of 1988, as amended; the Americans with Disabilities Act of 1990, as amended; the Civil Rights Act of 1991; and N.C. Gen Stat. § 126-16, as amended.

2 Applicants or employees that allege discrimination based on sexual orientation, gender identity or gender expression are limited to the University's internal grievance process.
II. Policy Statement On Non-Discrimination

The University is committed to providing an inclusive and welcoming environment for all members of our community and to ensuring that educational and employment decisions are based on individuals’ abilities and qualifications. Consistent with this principle and applicable laws, it is therefore the University's policy not to discriminate in offering access to its educational programs and activities or with respect to employment terms and conditions on the basis of race, color, gender, national origin, age, religion, genetic information, disability, veterans status, sexual orientation, gender identity or gender expression 1. Such a policy ensures that only relevant factors are considered and that equitable and consistent standards of conduct and performance are applied. A copy of the University's EPA and SPA Equal Opportunity Plans are available on the University's website www.unc.edu/depts/eooada/.

Any University unit that publishes materials that contain the University's non-discrimination statement should include all bases of non-discrimination (race, color, gender, national origin, age, religion, genetic information, disability, veterans status, sexual orientation, gender identity, and gender expression) in that material, as follows:

For educational materials:

The University of North Carolina at Chapel Hill is committed to equality of educational opportunity. The University does not discriminate in offering access to its educational programs and activities on the basis of race, color, gender, age, national origin, religion, genetic information, disability, veterans status, sexual orientation, gender identity or gender expression. The Equal Opportunity/ADA Office (100 E. Franklin Street, Unit 110, CB #9160, Chapel Hill, NC 27599-9160 or (919) 966-3576) has been designated to handle inquiries regarding the University's non-discrimination policies.

For employment materials:

The University is an Equal Opportunity Employer. The University reaffirms its commitment to equality of opportunity and pledges that it will not practice or permit discrimination in employment on the basis of race, color, gender, national origin, age, religion, genetic information, disability, veterans status, sexual orientation, gender identity or gender expression.

For assistance with reviewing your materials or if you have additional questions, contact the Equal Opportunity/ADA Office at 919-966-3576 or the Office of University Counsel at 919-962-1219.

Any inquiries regarding the University's non-discrimination policies should be brought to the attention of one of the following administrators, as noted:

<table>
<thead>
<tr>
<th>Discrimination in employment or educational programs and activities</th>
<th>University EO/ADA Officer</th>
</tr>
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<tbody>
<tr>
<td>University EO/ADA Officer</td>
<td></td>
</tr>
<tr>
<td>CB# 9160, 100 E Franklin St., Unit 110</td>
<td></td>
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<tr>
<td>Chapel Hill, NC 27599-9160</td>
<td></td>
</tr>
<tr>
<td>919-966-3576</td>
<td></td>
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</tbody>
</table>
The University’s Counseling and Wellness Services (919-966-3658) is available to provide confidential assistance to students. The University’s Ombuds Office (919-843-8204) is available to provide confidential assistance to employees and students. This matter deserves our careful attention and our shared commitment to ensuring the University remains free from discrimination and harassment in all aspects of its activities and operations.

Related University Policies

Policy on Prohibited Harassment, Including Sexual Misconduct, and Discrimination

Official Recognition of Student Organizations Non-Discrimination Policy

The University’s policy prohibiting discrimination on the basis of sexual orientation, gender expression and gender identity does not apply to the University’s relationships with outside organizations, including the federal government, the military, ROTC, and private employers. Any requests to file appeals or grievances concerning allegations of discrimination based on sexual orientation, gender expression and gender identity are limited to UNC, Chapel Hill’s internal grievance process.
III. Assignment of Responsibility, Accountability and Plan Administration

A. Governor’s Responsibility and Accountability

The Governor of the State of North Carolina has overriding responsibility for the State’s equal employment opportunity policies and programs. The responsibility for the actual development and implementation of individual equal employment opportunity plans and programs is delegated by the Governor to each university chancellor.

B. Office of State Human Resources Responsibilities

The Office of State Human Resources shall develop and implement a State Equal Employment Plan to promote equal opportunity throughout state government. The plan shall include, but not be limited to, a policy statement and the following elements:

- recruitment
- disciplinary process
- selection processes
- hiring
- promotion
- training
- compensation and benefits
- performance appraisals
- reduction in force
- harassment prevention
- evaluation mechanism
- reporting mechanism
- transfer and/or separation
- grievance procedures

1. The Office of State Human Resources shall provide:
   a. technical assistance - to include one on one or group consultation and an EEO Planning and resources Guide to aid in the development and implementation of an effective plan and program;
   b. training for: (a) EEO Officers, EEO committee members and other responsible for the development and/or implementation of the EEO plan and program, (b) agency heads, chancellors, managers and supervisors on diversity and EEO issues through the EEO Institute, (c) all employees on unlawful workplace harassment prevention, reasonable accommodations for the Individual with Disabilities, diversity issues, and other EEO issues as appropriate;
   c. monitoring to assess each agency’s and university’s progress;
   d. oversight to ensure that the EEO plan and program in each agency and university complies with the minimum established measures in content and elements for an effective plan and program;
   e. evaluation criteria to review, assess and report the status of each agency’s and university’s EEO plan, policies, procedures, practices and programs, in order
to determine if they are administered in a consistent and fair manner. Evaluation will include an on-site component; and

f. support programs to enhance each agency’s and university’s efforts to attract, develop, promote and retain a diverse workforce and to meet program objectives.

2. The Office of State Human Resources shall develop data systems and design tools to review data and analyze the degree of diversity within each occupational category. The information collected from the data systems, tools and analysis will be used to evaluate trends related to all aspects of employment in order to determine the impact of all personnel policies and practices on EEO throughout State government and within each agency and university.

C. Equal Opportunity Officer

The Equal Opportunity Officer for the University reports to the Vice Chancellor, Workforce Strategy, Equity, and Engagement. The duties of the Equal Opportunity Officer include the following:

1. To monitor continuously the administration of the Plan;

2. To help devise systems for the implementation of the Plan and the achievement of its goals, including forms and procedures for the continuous reporting and monitoring of appointment, promotion, and salary actions;

3. To advise and assist the Vice Chancellor, Workforce Strategy, Equity, and Engagement and senior administrative officers with respect to equal opportunity matters;

4. To receive complaints and concerns from individuals and groups with respect to personnel actions alleged to have been based on discrimination in regard to age, gender, race, color, national origin, religion, genetic information, disability, veterans status, sexual orientation, gender identity, or gender expression and to advise and assist such complainants in the handling of such complaints;

5. To identify problems with respect to the implementation of the Plan;

6. To keep the members of the University community informed of the progress and problems in the administration of the Plan;

7. To evaluate the effectiveness of the Plan;

8. To serve as The University’s liaison with the U.S. Departments of Labor and the United States Department of Education and other appropriate federal agencies with respect to equal employment opportunity matters;
Among the most important responsibilities of the Equal Opportunity Officer in monitoring the administration of the Plan is the scrutiny of the search process. The timing and nature of affirmative action in the initial hiring of SPA staff is crucial to the success of the Plan in employment generally. Affirmative action efforts should help to assure that recruiting and advertising efforts, both formal and informal, reach the widest possible number of potentially qualified and interested minority, women, veteran, and Individuals with Disabilities applicants.

For this reason, Human Resources staff complete a Commitment file for each SPA position recruited which includes information about the vacant position, information on where the position was advertised beyond the Office of Human Resources (OHR) website, what special efforts were made to identify minority and women applicants, and any other information evidencing a thorough search was conducted. The affirmative action process is structured so the Departmental Equal Opportunity Officer and/or Employment & Staffing, and Classification & Compensation staff can comment before key decisions are made, so that his or her advice may be considered in a timely fashion prior to any step in a particular selection process that will otherwise exclude from further consideration a substantial portion of the applicants who are minorities, women, veterans or Individuals with Disabilities.

D. Equal Opportunity Advisory Committee

The Equal Opportunity Advisory Committee advises and assists the Equal Opportunity/ADA Office in the effective performance of the duties of the office and provides an independent, informed, and concerned voice with respect to the achievement of the goals of equal opportunity. The views of minorities, women, veterans and Individuals with Disabilities are fully represented on this Committee.

Members of the Equal Opportunity Advisory Committee provide an independent, informed, and concerned voice with respect to achievement of the goals of equal opportunity. The Committee meets as needed depending on the work that needs to be accomplished.

E. Responsibilities of Sr. Administrative Officers for Equal Opportunity

The Equal Opportunity Officer and the Equal Opportunity Advisory Committee have their essential roles in the achievement of equal employment opportunity in the University - roles as policy advisors, critics of performance, channels of information on problems and solutions, and other helpful roles. But the achievement of the goals of equal employment
opportunity - the employment of larger numbers of minorities and women in those sectors of University employment where they are not now found in numbers commensurate with their availability - will depend on the people with day-to-day responsibility for making employment decisions in the University. This responsibility rests with the group of officers referred to in this Plan as the senior administrative officers of the University – the Provost, Vice Chancellor for Workforce Strategy, Equity, and Engagement, Associate Vice Chancellor for Equal Opportunity/ADA, Associate Vice Chancellor for Human Resources, Deans, Directors and Department Chairs, and all other administrative employees in the University who have responsibilities in appointing, promoting and setting the salaries of University staff employees. Departments are responsible and accountable together with the Equal Opportunity/ADA Office, the Office of Human Resources and the University administration for meeting University goals which are designed to eliminate the under-utilization of minority, female and Individual with Disabilities and the barriers to equal opportunity that cause this under-utilization, and for compliance with University and State employment policies and procedures. In the case of staff employees, it is the responsibility of the Office of Human Resources to act in effective support of the equal opportunity goals and programs by carrying out various administrative activities in coordination with the Equal Opportunity/ADA Office.

F. **Departmental Equal Opportunity Officers**

Another factor in implementing the Plan is the designation in each department of a person, called the Equal Opportunity Officer, who is responsible for seeing that the requirements of the University are carried out in that department. The Equal Opportunity Officer is a person designated by the department head and may not be the department head. In academic departments, the Equal Opportunity Officer should be a senior faculty member. In the case of large departments, a chair may designate more than one person to serve as Equal Opportunity Officer. The Equal Opportunity Officer must be familiar with the Plan, committed to its goals, and willing and able to devote sufficient time to the responsibilities of the position. Such a person at the department level makes possible two-way communication and visibility. These officers, appointed at the request of the Chancellor and by the principal administrative officers in the respective units, will work with members of the department, the department staff, the appropriate dean, director or department chair and the Equal Opportunity Officer to implement and monitor compliance with the policies and procedures in the Plan.

Should the Departmental Equal Opportunity Officer perceive difficulties or deficiencies in compliance at any stage of the recruitment and hiring process, s/he should consult directly with their designated Employment Consultant, Sr. Director of Employment & Staffing, Sr. Director of Classification & Compensation or University Equal Opportunity Officer. Moreover, should Human Resources staff and/or University Equal Opportunity Officer become aware of serious deficiencies in the selection process, s/he may request review by the academic officer next in line to whom the head of the appointing department reports.

Within the framework of the University's established staff employment procedures, departments have day-to-day responsibility, shared with the Office of Human Resources,
ensuring that employment decisions are made in accordance with the University's Equal Opportunity policy. When the selection document, including an Equal Opportunity Statement, is submitted to Office of Human Resources, it shall contain an assurance from the department representative as to whether, at each stage of recruitment and selection, that process has conformed to the principles and objectives of the Plan.

A. Dissemination of the Equal Opportunity Policy and Plan

The Plan is disseminated formally both internally and externally. Within the University, the policy and the Plan appears in several University sponsored publications. These publications reach all levels of University employees. Articles covering various informational and implementing aspects of the policy and the Plan, and articles covering specific progress toward employment goals (such as new employees and employee promotions) are published regularly. Additionally, formal statements of the Equal Opportunity Policy are posted on departmental bulletin boards around the campus. A copy of the current edition of the Plan is available on the University website at: http://equalopportunity-ada.unc.edu for all departments, schools, units and applicants. A copy of each archived edition of the Plan is available in Employment & Staffing and the Equal Opportunity/ADA Office.

A list follows showing particular publications, the circulation of the publications, which has responsibility for each, and the time of publication.

1. Publications Reaching All Employees

<table>
<thead>
<tr>
<th>Name of Publication</th>
<th>Responsibility</th>
<th>Time of Publication</th>
</tr>
</thead>
<tbody>
<tr>
<td>The University Gazette</td>
<td>Associate Vice Chancellor for University Relations</td>
<td>Bi-weekly</td>
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<tr>
<td>Posters and notices for departmental bulletin boards</td>
<td>Associate Vice Chancellor for Human Resources and Dept. Heads</td>
<td>Continuing</td>
</tr>
<tr>
<td>EPA Non-faculty Openings List</td>
<td>Equal Opportunity Officer</td>
<td>As Received</td>
</tr>
<tr>
<td>SPA Staff Openings List*</td>
<td>Employment &amp; Staffing</td>
<td>Daily</td>
</tr>
<tr>
<td>Tenured/Tenure Track Faculty Vacancy List*</td>
<td>Equal Opportunity Officer</td>
<td>As Received</td>
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*Also listed on the University's Office of Human Resources home page.
2. **Publications Reaching the Faculty**

<table>
<thead>
<tr>
<th>Name of Publication</th>
<th>Responsibility</th>
<th>Time of Publication</th>
</tr>
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<tbody>
<tr>
<td>Faculty Handbook</td>
<td>A Committee of the Faculty Council</td>
<td>Continuing</td>
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</table>

3. **Publications Reaching Staff Employees**

<table>
<thead>
<tr>
<th>Name of Publication</th>
<th>Responsibility</th>
<th>Time of Publication</th>
</tr>
</thead>
<tbody>
<tr>
<td>Memoranda</td>
<td>Office of Human Resources and EO/ADA Office</td>
<td>Continuing</td>
</tr>
<tr>
<td>SPA and EPA Non-Faculty Summary of Policies</td>
<td>Employment &amp; Staffing EPA Non-Faculty HR</td>
<td>Continuing</td>
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</table>

Additionally, the Office of Human Resources conducts a formal orientation program for all new permanent staff employees where the Equal Opportunity Policy is reviewed.

With respect to external dissemination of the University's Equal Opportunity Policy, the following list outlines some of the ways the policy is disseminated externally and the persons who have the continuing responsibility for the particular dissemination.

<table>
<thead>
<tr>
<th>Means of Dissemination</th>
<th>Responsibility</th>
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<tbody>
<tr>
<td>Incorporate the &quot;Equal Opportunity Employer&quot; phrase in all purchase orders and contracts.</td>
<td>Associate Director of Purchasing Services, Director of Sponsored Research, and Director of Construction Administration</td>
</tr>
<tr>
<td>Incorporate the &quot;Equal Opportunity Employer&quot; phrase in all employment notices and advertising.</td>
<td>Sr. Director of Employment &amp; Staffing Equal Opportunity/ADA Office</td>
</tr>
<tr>
<td>Communicate to prospective employees in advertisements and otherwise the existence of the Plan and make available such elements as appropriate.</td>
<td>Sr. Director of Employment &amp; Staffing Equal Opportunity/ADA Office</td>
</tr>
<tr>
<td>Send written notification of University policy to all subcontractors, vendors and suppliers communicating obligations and responsibilities under the Plan. Make formal contacts with recruiting sources,</td>
<td>Associate Director of Purchasing Services, Director of Sponsored Research, and Director of Construction Administration</td>
</tr>
<tr>
<td></td>
<td>Sr. Director of Employment &amp; Staffing, Equal Opportunity/ADA Office</td>
</tr>
</tbody>
</table>

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including minority and women's organizations and disability services providers, to explain the University's policies and to seek qualified job applicants.

VII. Responsibility for Establishing Procedures for SPA Employment

The responsibility for designing the reporting forms, procedures and schedules, and for devising the methods of review of the reports and of the results achieved through equal opportunity programs undertaken, is that of the University Equal Opportunity Officer, the Sr. Director of Employment & Staffing and the senior administrative officers. The monitoring process covers recruiting methods, initial appointments, promotions, reclassifications, transfers, demotions, reinstatements and salary-setting actions. These decisions and actions are amply documented to permit the required monitoring.

A. Reporting and Monitoring

Compliance with this Plan requires the use of methodical and formal procedures in evaluating applicants for initial appointment, promotion, reclassification, transfer, demotion, re-appointment and salary-setting actions. University procedures require that careful records of selection and non-selection decisions be maintained on file.

These procedures have been designed to help ensure that decision making at all levels, from the department through the Chancellor’s office, are without consideration of age, gender, race, color, national origin, religion, genetic information, disability, veterans status, sexual orientation, gender identity, gender expression or political affiliation/influence, and that in appearance as well as in fact, fairness prevails.

Comprehensive records of decisions and their justifications are required and maintained so that reviewing officers (including the Equal Opportunity Officer) remain informed of efforts to recruit and hire minority, women and veteran applicants. Also, records are maintained to enable the University to respond to any future inquiry with respect to any appointment, promotion, reclassification, transfer, demotion, re-appointment, and salary-setting decision made by a department.

The senior administrative officers of the University and the Equal Opportunity Officer continuously review procedures and records pertaining to employment activities. This review ensures compliance and results in improvement to processes and procedures.

The Sr. Director of Employment & Staffing, using the data on SPA applicants and referrals, annually compares the metrics on applicants and potential applicants. The Sr. Director also determines whether underutilization exists in terms of applicant and potential applicant availability. With this and other pertinent data, the Sr. Director sets goals as needed in light of the foregoing comparisons, for each Federal Occupational Category/Job Group.
Methods used by the Office of Human Resources to ensure that employment decisions are made in accordance with the Plan include the following:

- Maintenance of centralized application and referral procedures;

- Continuing education and training of Office of Human Resources staff, Carolina HR Council and Human Resources Representatives as to relevant laws, policies, systems, data and equal employment opportunity objectives;

- EEO Search Committee training available at: www.unc.edu/depts/eooada/sct/index.htm;

- Creation of centralized human resource offices through Unified Business Clusters (UBCs) to provide more specialized human resources expertise at an elevated level,

- Developed a new HR model campus-wide;

- Employment & Staffing maintains periodic progress and status reports on utilization of minority, female, and veteran employees by Federal Occupation Category/Job Group and department as well as equal opportunity goals;

- Employment Consultants are assigned to departments and provide consultative services for recruitment and hiring activities;

- Extensive recruitment from all reasonably available sources to maximize the number of minority, female, and veteran applicants from those available in the University's recruitment area;

- Continuing recruitment from local vocational rehabilitation offices and other sources for referral of Individuals with Disabilities interested and available in the University's recruitment area;

- Referral to departments of applications from qualified employee applicants and applicants, with due regard for equal opportunity;

- Review and follow-up of hiring decisions with operating departments as to correct application of personnel policy and compliance with equal employment opportunity goals;

- Maintenance of applicant logs and periodic analysis of applicant and referral flow rates by Federal Occupation Category/Job Group and other relevant data to determine if race or sex is a factor in non-referral and non-selection of applicants.

- Continuing to communicate the SPA Grievance Policy Procedure for reporting complaints of alleged discrimination, without complainants’ fear of reprisal; and

- Prompt and responsive handling of any such complaint;

The University and the Office of Human Resources will at appropriate intervals, re-examine
the various aspects of its equal opportunity efforts. Should any instances of discrimination be discovered, the appropriate University officials will take prompt corrective actions.

V. **Equal Employment Opportunity Planning**

A. **Workforce/Labor Force Analysis Procedures**

The University's SPA Work Force Profile is reported by race, sex, and job group as of September 30, 2013. The 2010 U.S. Census occupation data by race and gender was used to identify the percentage of blacks, other minorities and females in the SPA Workforce Utilization as of September 30, 2013. The 2010 U.S. Census occupation data by race and gender was used to identify the percentage of blacks, other minorities and females in the SPA Workforce Utilization as of September 20, 2013. Compared to Recruitment Area Availability (Alamance, Chatham, Durham, Orange and Wake counties). It is important to recognize that the University's recruitment area has undergone a dramatic change in terms of population growth. The civilian labor force for the five counties in 2000 totaled 1,149,516 persons, and in 2012 it totaled 1,589,629 persons, a 38 percent increase. It is equally important to recognize that this plan reflects the first time the 2010 U.S. Census data will be used to calculate availability, which may reflect a dramatic change in the workforce/availability analysis. The availability data for the recruitment area is adjusted for the number of qualified employees in each race and gender category that are considered promotable, transferable, and trainable within the organization to determine the recruitment area availability.

The comparison of the Staff Workforce Profile to the Recruitment Area Availability is the basis for setting hiring goals by occupation category. Hiring goals are set when the availability percentage for the respective category exceeds the University's employment of minorities or females and when job openings are projected to become available during the period of the Plan. Any data arranged by the Job Group is presented to measure progress towards the University's commitment and for compliance with federal requirements. In addition, the evaluation of progress or determination of trends is critical to defining the need for corrective action.

B. **Job Opening Estimates**

Job opening projections take into account the University data on permanent staff openings filled for the seven years ending September 30, 2013. Permanent openings filled for each of the last seven years totaled, as follows:

Openings

<table>
<thead>
<tr>
<th>Year</th>
<th>Filled</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>1,137</td>
</tr>
<tr>
<td>2012</td>
<td>1,027</td>
</tr>
<tr>
<td>2011</td>
<td>938</td>
</tr>
<tr>
<td>2010</td>
<td>940</td>
</tr>
<tr>
<td>2009</td>
<td>929</td>
</tr>
<tr>
<td>2008</td>
<td>1,526</td>
</tr>
<tr>
<td>2007</td>
<td>1,484</td>
</tr>
</tbody>
</table>

These openings were filled by promotions, lateral transfers, and new hires. In 2012-2013 new hires have filled approximately 74% of the openings and internal transfers have filled the remaining 26%.

Fluctuations in the number of openings filled each year can be attributed to changes in State-appropriated and Federal research funding, and employee terminations. In the past, employee terminations have remained less than 20% of the staff workforce, however, the numbers still significantly impact campus. In 2012-2013 the employee terminations were 13% of the staff workforce. For the past five years ending September 30, 2013, staff terminations\(^1\) totaled 802 in 2013, 843 in 2012, 677 in 2011, 868 in 2010, and 717 in 2009.

The continued slow growth in the economy at the national and state levels has resulted in higher unemployment rates and a greater availability of qualified applicants for vacant positions. However, as the above numbers indicate, SPA employee retention continues to be an issue. Retention is further impeded by the State’s non-competitive pay program and substandard fringe benefits package. Without a competitive pay policy adapted to the unique realities of this geographic labor market, the University likely will continue to experience increasing difficulty in the recruitment and retention of qualified persons of any race or sex.

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1 Total terminations includes 31 terminations due to change in status from SPA to EPA positions
C. Goals for the Year October 1, 2012 - September 30, 2013

Numerous circumstances can impact workforce projections by race, sex and job group so that these are not always precise. The number of new positions that might be established and turnover in this dynamic labor market cause such projections to be estimates. In this context, percentage workforce goals to which the University is committed have been set where minorities and/or females are shown by availability to be under-represented in the University's workforce. These goals are shown in the Plan's Chart 3 entitled "Workforce Profile Compared to Recruitment Availability and Workforce Goals as of September 30, 2013". The percentage goals reflect the percent availability for the respective under-represented group in the respective job group. No goal is shown where the University's staff workforce in the respective job group already exceeds availability as identified by the Availability Study.

IV. Equal Employment Opportunity Programs

A. Recruitment

The University of North Carolina at Chapel Hill will strive to actively recruit from a variety of sources to achieve a diverse workforce that successfully meets the needs and demands of the University.

The hiring department, with assistance and guidance from the Employment Consultants and Classification & Compensation Consultants will do the following:

- Assess the need for the position to ensure it contributes to meeting the goals, objectives, and mission of the work unit;

- Conduct a job analysis including a review of the duties and responsibilities of the position, and the qualifications required for organizational success; and

- If necessary, revise the position description.

Job analysis is necessary only when there is a change in the duties and responsibilities that impact the qualifications and competencies required. If a current, accurate job analysis already exists for a given job type, there is no need to conduct an analysis for each vacancy. For example, in instances where there is a high volume of positions in a classification, frequent turnover in a classification, or little job change, there will likely not be a need to conduct a new job analysis each time a vacancy occurs.

The hiring department in consultation with Employment & Staffing and Classification & Compensation staff work together to ensure that the critical tasks (essential functions), knowledge, skills and abilities, training and experience requirements necessary for successful performance of the duties of the position are identified (including any additional
position-specific factors). The knowledge, skills and abilities described in classification
specifications developed by the Office of State Human Resources (OSHR) may be used for
recruitment and selection purposes where they are sufficient to differentiate among the
qualifications of applicants.

A department needing to fill an open permanent position notifies Employment & Staffing by
processing a SPA recruitment requisition that includes the “Equal Opportunity Employer”
statement through the requisition workflow. Employment Consultants use information from
the state job classification, as well as any additional information provided by the hiring
department, to review the vacancy announcement to ensure its compliance with State and
University requirements. Employment Consultants also consult with the department about
including additional job duties and essential skills as well as preferred qualifications to
vacancy announcements. In addition, Employment Consultants consult with the hiring
department to determine the need for additional recruitment sources including professional
journals, newspapers, and technical colleges/universities to target specific audiences.

Each recruitment includes a closing date, no less than five business days and no more than
60 business days from the original posting date, which is determined by the hiring
department. Unless an exception to the posting policy is approved, the customary
employment procedure is to post the opening for a minimum of five business days on the
designated Internet website (www.jobs.unc.edu), as well as on job posting boards located
outside of the Office of Human Resource’s office at the Administrative Office Building
(AOB), 104 Airport Drive, Chapel Hill, NC. Vacancies must remain posted for at least five
business days.

Under the direction of the Sr. Director of Employment & Staffing, the Employment
Consultants are responsible for staff (SPA) recruitment and for ensuring the preliminary
screening and referral of applications to departments according to policy. Employment
Consultants review and coordinate all applicant screening and referral, proper handling of
applicants with priority status, analyze and approve selected applicant qualifying salary, and
negotiate the job offer for a designated set of campus departments. Applications are
reviewed and qualified based on Office of State Human Resources guidelines and the
University SPA Qualifications Screening Guide.

Prior to the vacancy closing date, the hiring department will determine any selection tool(s)
that will be used in the final evaluation process. Any selection tool(s) used will be objective,
based upon job-related knowledge, skills and abilities, and be consistently applied to all
applicants in the final selection pool. Employment Consultants and Equal Opportunity
Office representatives are available for consultation and assistance. Some examples of
selection tools (excluding typing and spelling tests) include a structured interview, reference
checks and on an exceptional basis and with advance approval from the Equal
Opportunity/ADA Office, in basket exercises, written tests, and skills tests.

The departments are responsible for reviewing applications received based on overall
qualifications and for being mindful of special priority considerations established by OSHR,
such as promotional priority, re-employment (layoff) priority, veteran’s preference, if
applicable, or return from workers compensation. From this ranking, departments will choose applicants for interview, and select the most qualified applicant from those interviewed. The person(s) interviewed or otherwise participating in the final selection process will constitute the most qualified applicants. The Office of Human Resources expects departments to interview at least three of the most qualified applicants for a vacancy.

1. Applicants and Applications

An important foundation for recruiting is the processing and maintenance of Applications for Staff Employment. For the purpose of the Plan, an applicant is any person who

"... submits a completed application via the University of North Carolina, at Chapel Hill online via PeopleAdmin during the posting period. Each application identifies the specific position number, position title, and department number of the position for which the applicant is applying. In addition to completing the application, an applicant may complete supplemental forms and addendums as necessary."

The application includes the "Equal Opportunity Employer" statement and the University's "Equal Opportunity Pledge." The latter is a paragraph in bold type that summarizes the University's equal opportunity commitment.

The application also includes a demographic data information section on which the applicant voluntarily notes gender information, race, and ethnic background. In addition, the applicant is given the opportunity to indicate voluntarily his or her veteran status (if any). The demographic data information section includes a statement that the Federal Government requires the University to monitor and produce certain data. It assures the applicant that all responses will be removed and "...not forwarded to any employing department." It also makes clear that "...this information will remain confidential and will be used only by the UNC Chapel Hill Equal Opportunity/ADA office for statistical purposes." In fact, this demographic information is stored separately from the application to maintain confidentiality and is not viewed by any departmental Human Resources Representative and is never shown to an employing department.

Each applicant is provided with information describing the staff employment procedures and reinforcing the University's Equal Employment Opportunity Policy.

An Application for Staff Employment must contain:

- Complete information on education and all work experience; this includes dates and, if part-time, number of hours worked per week,

- A signature or its electronic equivalent when submitted electronically via the PeopleAdmin system.
A complete application is required for each position for which an applicant desires consideration. Applications must be received prior to the specified closing date and time, in order to be considered. The application remains active until the corresponding position is filled or cancelled. The applicant pool, all of which must submit their application via the applicant tracking system, includes walk-ins and those responding to: (1) posted openings at the Administrative Office Building and at: www.jobs.unc.edu; (2) employment advertising in newspapers, professional publications, and recruitment websites (i.e. Monster.com, CareerBuilder.com, etc.); (3) web links through the Division of Employment Security (DES) and the University of North Carolina-General Administration; (4) contacts generated at career fairs; and (5) other notices by specific recruitment sources, such as referrals of friends and relatives by current employees, by campus departments, by friends of the University, by community leaders and agencies, including many by the Division of Employment Securities.

If no applicants clearly exceed the minimum qualifications, the hiring department may consider the existing applicants to be the most qualified applicant pool. Or, the hiring supervisor may choose to extend the closing date in additional increments up to 60 days, should the initial recruitment efforts not generate sufficient applications. Any applications received after the initial closing date and time and prior to the new closing date and time are would be considered for referral.

Occasionally, departments may identify potential applicants through informal sources. In these cases, departments inform applicants to use the University’s online via PeopleAdmin to apply for any staff opening. The Employment Consultants ensure that all applications that are screened and referred meet the Office of State Human Resources policy including minimum qualifications for the position.

All employment facilities are open to all applicants on the same basis, by policy and practice and, as requested, accommodations are made for any applicant who voluntarily self-identified as having a disability.

2. Posting and Advertising Staff Position Openings

The hiring department is required to post the Announcement of SPA Position Recruitment for each of its staff openings within the department. Departments may post permanent and time-limited SPA positions for internal and external applicants or post as “Internal Only.” Beyond that, Employment & Staffing coordinates all other means of posting advertising including:

- The posting process for SPA positions continues until the closing date passes, recruitment is put on hold or canceled, or until the hiring supervisor extends the closing date and the new closing date passes.
- A current Staff Openings List is posted outside the Administrative Office Building weekly on Wednesdays by Employment & Staffing.

- A searchable electronic copy of the Staff Openings List is posted daily on the Office of Human Resources website at www.jobs.unc.edu and is updated hourly to include all new permanent SPA Recruitment Requisitions processed during the work day.

- A job offer or other commitment for an opening is prohibited prior to the posted closing date. In emergency circumstances, the five business day posting requirement may be waived with advance approval from the Sr. Director of Employment & Staffing.

- Timely notification is provided to each applicant interviewed for a position after the selection decision is made and the position is filled. In addition, all applicants to a position for which recruitment is cancelled will receive a notification by email.

Employment & Staffing, as feasible, places newspaper and other external advertisements for position openings in a job group where there is difficulty in attaining a sufficient pool of qualified applicants.

The University, with respect to affirmative recruiting for disability status, subscribes fully and without reservation to Federal and State laws and to increasing its employment of persons with disabilities, when otherwise qualified. The recruitment described herein contributes significantly to the objective of increasing the employment of Individuals with Disabilities and advancing their employment. The absence of quantitative goals for Individuals with Disabilities does not lessen the University's continued commitment to employing Individuals with Disabilities and supporting, through any requested reasonable accommodation, their success when employed.

The University, with respect to affirmative recruiting for veterans, subscribes fully and without reservation to Federal and State laws and to increasing its employment of veterans, when otherwise qualified.

Continuing recruitment activities for staff employees include the following:

- Briefing sessions held with recruiting sources;

- Posting the Staff Openings List daily on the on-line application system at www.jobs.unc.edu. The list is also posted at the Administrative Office Building, 104 Airport Drive each Wednesday by Employment & Staffing;

- Participating in Career Day programs offered at community colleges and technical schools, or at Job/Career Fairs sponsored by recruiting sources, community organizations and other area employers;
- Participating at events offered at community colleges and technical schools, or at Job/Career Fairs sponsored by recruiting sources, community organizations and other area employers;

- Periodically contacting community organizations such as the Division of Employment Security, Triangle Industry Liaison Group (TILG), Orange County Chamber of Commerce as well as organizations for veterans and Individuals with Disabilities (IWD);

- Providing the www.jobs.unc.edu URL to other agencies, such as the Division of Employment Security, the University of North Carolina-General Administration, and the Office of State Human Resources to establish links between the websites;

- Providing collateral materials such as a recruitment tri-fold and marketing items to agencies, minority groups, and community organizations;

- Placing advertisements, as appropriate, in diversity recruiting sources such as the Minority Times and the American Black Business News, as well as widely circulated daily newspapers such as the News and Observer, Durham Herald/Sun and Burlington Times; cross-posting on Monster.com and Careerbuilder.com partner diversity sites;

- Contacting representatives of vocational rehabilitation offices. Employment & Staffing tracks referrals for SPA positions via Excel spreadsheet. Applications will be reviewed and referred if minimum qualifications are met;

- Attending and networking at professional meetings including Chamber of Commerce and Triangle Industry Liaison Group (TILG) meetings;

- Applicant Screening and Referral to Departments with open staff positions.

All applications for a position are automatically screened via PeopleAdmin’s supplemental questionnaires. The Employment Consultant’s screening of applications occurs for candidates that will be interviewed in accordance with the Minimum Recruitment Standards established by OSHR and University SPA Minimum Qualifications Screening Guide through the applicant system. The continuing training of Employment Consultants and their stated personal freedom from commitment to Equal Opportunity bias minimizes the possibility of discrimination based on age, gender, race, color, national origin, religion, genetic information, disability, veteran’s status, gender identity, gender expression, sexual orientation, or political affiliation/influence in making referrals.

The University does not automatically reject applicants on the basis of conviction records. The University performs a comprehensive pre-employment background check including: federal, state and local criminal conviction records, driving record (for positions requiring driving), nationwide sexual offender check and federal
debarment (Excluded Parties List and Office of Inspector General) check for all new and current employees when they have a change in status such as a promotion or voluntary demotion. The University does not perform credit checks of applicants, except as part of the background investigation of applicants considered for sworn positions in the Public Safety Department. Marital status, dependency, or minor children as such have no influence in the screening, referring and hiring decisions.

The Employment Consultant thoroughly examines each application and determines if the applicant meets the State's Minimum Recruitment Standards before the department can interview candidates. Applications for referred applicants are routed to the hiring department for consideration via the applicant tracking system.

Applicants with questions regarding the hiring process are encouraged to call the Employment Consultant, the department’s Hiring Supervisor (if posted), or the departmental HR Representative for more information. In certain cases, applicants may also meet with an Employment Consultant to have more complex questions answered via email or in person.

The Employment Consultants carry out these responsibilities through oversight of the application screening and referral process. Among other things, this process provides for the referral of applications to hiring departments, submitted by applicants within the posted recruitment period who have specified a position number, department number and classification title for the departmental position, and which meet the State's Minimum Recruitment Standards as established by OSHR for the job classification. These State standards are expressed as minimum education and experience requirements and are shown in the appropriate classification specification issued by OSHR. The State's Minimum Recruitment Standards also apply to employees who are eligible for veteran’s preference (as per OSHR policy) and layoff priority consideration.

The hiring department receives all applications meeting the State Minimum Recruitment Standards and performs the second level of evaluation. The determination of the pool of most qualified applicants cannot be made by the hiring department until after the position closes.

When a hiring department representative evaluates applications to determine which applicants to interview, s/he must be:

- a subject matter expert with specific knowledge of the job(s) being filled; and

- familiar with selection guidelines, if not previously trained in recruitment, selection and hiring processes, and will learn selection policies, guidelines and procedures through specific training or through self-study. Online EEO Search Committee training is available at: www.unc.edu/depts/cooada/sct/index.htm.
Employment & Staffing is available to advise, if needed, to ensure that policies and procedures are consistently applied. The department conducts essential reference checking, makes the employment decision and submits the required job-related documentation on each referred applicant to the designated Employment Consultant via the selection document. The Employment Consultant confirms the appropriate salary for the job offer with the department, submits the completed pre-employment background check form to the Background Check unit, and advises the department on salary administration and other appropriate personnel policies and procedures. The Employment Consultant or trained department representative extends the offer to the selected applicant and confirms the salary acceptance and proposed effective date. If the applicant is an external applicant, the Conditions of Employment are reviewed and, if the offer is accepted, the applicant is scheduled for a New Employee Orientation. Then the Employment Consultant prepares a formal commitment folder specifying the classification, department, career band, salary rate, and effective date and gives the folder to the Staffing Support Services Specialist. The Staffing Support Services Specialist ensures the appropriate credentials checks are completed and transmits a copy to the HR Records & Information unit.

The customary procedures for referral for applicant referrals are followed day-to-day. However, as might be expected in a dynamic work environment, minor variations are necessary to handle contact with applicants and employees, the continuing contact between Employment & Staffing and hiring departments, the scheduling of interviews by department representatives, and essential reference checking by the departments and related processes. These variations, when they occur, must not contravene the spirit of equal employment opportunity.

The number of qualified applicants for some types of positions may vary widely, either seasonally or according to occupation availability. At any given time, there may be few applicants or a multitude of applicants for a given opening, and increasingly greater campus needs for qualified applicants. However, in the wake of recent economic instability, increasing levels of unemployment have generated an unusually large applicant pool for some classifications. Regardless, it is not the University's practice or interest to turn away any applicant qualified for an open position, except when a better-qualified applicant is selected.

3. Applicant Inquiries

Employment & Staffing actively solicits applicant feedback as to any problem or concern arising in the employment process. The Human Resources Service Center, Staffing Support Services Specialist, Employment Manager, Staffing Manager, and the Sr. Director of Employment & Staffing are available to any applicant experiencing difficulty with the applicant tracking system. In addition, Employment Consultants located in the Administrative Office Building are available to any applicant who feels s/he has been unfairly treated in this process. Each Employment Consultant has the responsibility for handling such inquiries.
The Sr. Director of Employment & Staffing is also available and always receptive to investigate any complaint. The Associate Vice Chancellor of Human Resources and the EEO Officer welcome any such feedback as a method of correcting any improper situation. The same officials are readily available to any incumbent employee who feels s/he should have been treated differently as an applicant for a given position. Beyond that, the Dispute Resolution and Staff Grievance Procedure is available to any such applicant.

The Office of Human Resources staff includes minority, female, and veteran employees. Members of the staff are carefully selected and trained. No person with any identifiable bias is selected or retained for this staff. Each staff member receives continuing orientation and training to ensure commitment to equal employment opportunity goals and objectives, and to be aware of inadvertent bias arising out of procedures or any other source. This affirmative and preventative training extends to all staff members engaged in position evaluation and classification, salary administration, recruitment and selection, promotion, disciplinary and grievance handling, and related processes.

The University will, at appropriate intervals, reexamine the various aspects of its equal employment opportunity efforts. Should any instances of discrimination based on age, gender, race, color, national origin, religion, genetic information, disability, veterans status, sexual orientation, gender identity, gender expression or other non-job related factors be discovered in such analyses, or by other available means, corrective action will be taken promptly by the appropriate University officials.

B. Selection

Using methods and procedures consistent with the principles and goals of equal employment opportunity, Employment & Staffing is responsible for the recruitment through PeopleAdmin for permanent staff positions. The head of the hiring department or their designee has the final selection authority. The recruitment and selection process complies with all Federal and State laws, regulations and policies and gives equal employment opportunity to all applicants, without regard to age, gender, race, color, national origin, religion, genetic information, disability, veterans status, sexual orientation, gender identity, gender expression or political affiliation/influence. The department may request a summary report which includes applicant ethnicity/race and gender data for evaluating total applicants applied versus: 1) total applicants referred and 2) total applicants interviewed by the department. The final selection decision is made from among the most qualified applicants, which includes applicants with priority consideration, based solely on job-related criteria. Ultimately, the hiring department, in its judgment, selects the best-qualified applicant based on state minimum requirements, and essential and preferred qualifications documented in the position posting. The hiring department in consultation with the Employment Consultant is accountable for the final selection, consistent with equal opportunity requirements.
In addition, a department needing to fill an opening may consider employees within that department who want to transfer to the open position. Those whose applications meet the State’s Minimum Recruitment Standards for the classification of the open position are referred along with any applications of employees in layoff priority, veterans preference and/or worker’s compensation priority status.

After selecting an applicant for hire, the hiring department is responsible for indicating the selected applicant, documenting the selection process and justifying the job-related reasons for the hiring recommendation on the selection document. In addition, the hiring department must also document the specific reasons for non-selection of all other applicants referred, using a standard Non-Selection Reasons Checklist. When complete, the selection document is then forwarded to the designated Employment Consultant for job offer processing and then to the Staffing Support Services Specialist as part of the commitment folder for record retention upon completion of the job offer process.

The department’s assigned Employment Consultant is available for guidance and assistance to the hiring department at any time during the selection process. Under the direction of the Associate Vice Chancellor for Human Resources and the Sr. Director of Employment & Staffing, the Employment Consultant provides centralized evaluation, consultation and processing to support departmental new hires, promotions, transfers, demotions and reinstatements. Acting in coordination with hiring departments, the Employment Consultant monitors such personnel actions in terms of equal opportunity and advises departments of any apparent legal or policy issue.

Employment & Staffing, in coordination with HR Records & Information, maintains supporting documentation of the recruitment and selection process to provide fact-based information for monitoring and evaluating departmental recruitment and selection practices and procedures. Employment & Staffing maintains records of decisions and recommendations of all University schools, departments, and other units with respect to the hiring and non-selection of permanent staff applicants and the promotion, transfer and demotion of permanent staff employees, by race and sex for a three-year period. Employment & Staffing monitors promotions by race and sex by Federal Occupation Category/Job Group and reports these annually to the University’s Equal Opportunity Officer.

C. Job Structuring/Compensation

Compensation & Classification Consultants, under the guidance of the Sr. Directors of Employment & Staffing and Classification & Compensation, administer the HR policy and processes covering establishment of new positions and position classifications. In such administration, these departments utilize the State’s systems, including the career banding system, and related policies.

OSHR exercises complete and total administrative control of the career banded systems. Employment & Staffing and Classification & Compensation receive functional direction,
detailed procedures and forms, close monitoring and auditing by State personnel analysts. These processes apply to all State positions subject to the State Personnel Act (SPA) at the University. Operating departments are responsible for the assignment of duties and responsibilities to positions at the outset and for changing these as operations require. Departments are required to prepare and submit to the Office of Human Resources a description for each new position. As requested, Classification & Compensation Consultants provide advice and counsel to departments on position design and the formulation of position descriptions, among other things. A Classification & Compensation Consultant reviews the description and interviews department representatives and supervisors as appropriate for any clarification of responsibilities and additional information needed to assure a fair, equitable and appropriate classification decision. Following this and any other necessary study, the Classification & Compensation Consultant classifies the position by assigning it to the correct classification based on the responsibilities and competencies assigned by the operating department. The qualifications of any particular employee are not considered in classifying the position. Such classification actions are subject to later monitoring and detailed on-site or other audits by OSHR.

When a department manager significantly changes the duties and responsibilities of an existing filled position, s/he is responsible for preparing a new position description. Here, as in the earlier stages, the Classification & Compensation Consultant provides advice on position design and the writing of the description. Following that, the department is responsible for submitting the description and for requesting that the position's classification be studied. The Classification & Compensation Consultant evaluates the position and may interview each employee involved before reclassifying the position.

Departments have the fundamental responsibility for maintaining accurate position descriptions with respect to actual and essential duties required for each position. As a complement to department maintenance efforts, Classification & Compensation Consultants and, frequently, OSHR, initiate studies of position families or classifications. In these studies, the department is requested to have current position descriptions prepared for all the positions affected and to submit them for evaluation and review.

D. Training

The HR Training and Talent Development Department in conjunction with Employment & Staffing provides recruitment and selection training to managers and supervisors on a scheduled basis through such courses as Supervisory Resources Training and other programs. These programs, as well as others, address a wide variety of management, supervisory, and employee needs. The department's mission is to provide meaningful training opportunities which encourage development, stimulate productivity, create a healthier workplace environment and enhance the capabilities of the University's committed and diverse workforce.

Workshops offered by the HR Training and Talent Development Department include a variety of Cultural Diversity programs (including a Diversity Certification Track), Team Building, Teamwork in a Diverse Workplace, Developing Inter-cultural Competencies,
Spanish in the Workplace, Interaction Management, Conflict Management, Mediation, Effective Communication, Building Rapport, and Career Development. All workshops are free to UNC-Chapel Hill staff, managers and supervisors. Special training is available upon request from hiring departments and selection committees.

All educational and other training programs sponsored by the University are open to qualified employees without regard to age, gender, race, color, national origin, religion, genetic information, disability, veterans status, sexual orientation, gender identity, or gender expression. Employees are encouraged to avail themselves of these benefits in response to a planned, continuing variety of communications from the HR Training and Talent Development Department. Educational leaves may be granted by the University for purposes that will tend to make its employees more valuable. Information regarding HR Training and Talent Development programs, tuition waiver, and educational assistance programs, is available at http://hr.unc.edu/training-talent-development/.

The Equal Employment Opportunity Institute (EEOI)

All new supervisors must attend Equal Employment Opportunity Institute (EEOI) training within the first year of becoming a supervisor. This training is offered by the Office of State Human Resources (OSHR), and coordinated through the campus Equal Opportunity/ADA Office, and addresses EEO law compliance and workplace diversity in state government. The program focuses on developing awareness and building skills to use on the job. Information regarding the Equal Employment Opportunity Institute, is available at http://equalopportunity-ada.unc.edu/training/about-the-equal-employment-opportunity-institute-eoi/.

Other EO Training

In addition the Equal Opportunity/ADA Office offers classroom training courses on Preventing Unlawful Harassment in the Workplace and the Americans with Disabilities Act (ADA). The Equal Opportunity/ADA Office also offers new and updated on-line equal opportunity courses including Unlawful Harassment Prevention for Higher Education, EEO Laws and Discrimination Prevention for Higher Education, and Title IX Awareness and Violence Prevention. All three on-line courses are required for all UNC faculty and staff.

Management Training

Critical to the University's equal opportunity efforts and success are its training programs for managers and supervisors. Periodic special training is conducted by the Chancellor or his designee and the Equal Opportunity Officer to explain to University administrators the University's Equal Opportunity Policy and to define individual responsibility for the effective implementation of equal employment opportunity. Managers and supervisors receive routine day-to-day training and coaching from the Office of Human Resources.
The centralized training administered by HR Training and Talent Development is specific and comprehensive for managers/supervisors and is offered on a regular, recurring basis as follows:

- the definition of equal employment opportunity;
- the legal basis for equal opportunity;
- interpreting and applying equal opportunity policies and guidelines;
- preventing workplace harassment;
- the guidelines for valid and legal selection procedures;
- identifying and eliminating barriers which can lead to discrimination;
- implementing the equal employment opportunity program for staff employment; and
- policy on Prohibited Harassment, including Sexual Misconduct, and Discrimination, the established procedures for reporting, investigating, and resolving such matters.

Beginning in spring 2014, the Office of Human Resources is also launching the Blueprint for Engaged Supervision Training (BEST) program, which is a suite of professional development classes and learning opportunities designed to educate and motivate UNC’s frontline supervisory team. It is comprised of eight classes, six pre-selected core classes and two electives that include a combination of instructor-led and online delivery options. Participants will have one and one half years to complete the mandatory program.

E. **Promotion Procedure**

The University's staff workforce is highly mobile. The University has formal systems designed to support staff employees seeking upward mobility through transfer or promotion. These systems result in a high level of satisfaction among, and participation by, staff employees. Promotions during recent years comprised 15-20% of job openings filled each year. For the year ending September 30, 2013, 199 employees were promoted, comprising 18% of the 1,137 openings filled.

The number of promotion opportunities generally depends on fund availability absent any State spending restrictions. Promotions include upward movement in the same position through competitive recruitment, position reclassification or salary range revision, or transfer to another position at a higher salary grade/journey market rate within the same department or by transferring to another department.

F. **Performance Management**

The overall success of the University relies on the individual accomplishments of all faculty and staff. The Performance Management Program provides a mechanism for
communicating responsibilities and evaluating achievements. All permanent University staff are evaluated annually on their performance.

1. **SPA Performance Management**

Performance appraisal information is one consideration in making other personnel decisions such as promotions, disciplinary actions, layoff determinations, and salary increases. Therefore, proper application of the performance management system is essential in the effective application of other personnel policies.

- The annual performance cycle runs from June 1 to May 31;
- The employee's work plan is made up of "principal functions" that include specific performance expectations;
- Work plans must be issued within 30 calendar days of the start of the cycle or the employee's start date;
- Performance expectations and appraisals are recorded on a standardized form, the Performance Management & Competency Assessment Form;
- The employee is rated on a 5-pt scale: Outstanding, Very Good, Good, Below Good, or Unsatisfactory.

As part of the career banding system for SPA permanent employees, supervisors must also conduct an annual employee competency assessment along with the annual performance appraisal. Both are recorded on the Performance Management & Competency Assessment Form.

G. **Hiring & Recruitment Policy**

**Introduction**

The University consistently applies the SPA recruitment and selection process to promote open and fair competition to select from the most qualified persons to fill vacant positions. Selection decisions will be based solely on job-related criteria. Employment is offered based upon the job-related qualifications of applicants for employment using fair and valid selection criteria and upon satisfactory completion of all relevant reference checking, pre-employment background checking, credentials verification, and verification of eligibility to work in the United States.

No selection decision shall be made that will constitute unlawful discrimination in violation of State and Federal law. The University will give Equal Employment Opportunity (EEO) to all applicants, without regard to race, religion, color, genetic information, national origin, sex, sexual orientation, gender identity, gender expression, age, disability, veterans status or political affiliation/influence. Preferential treatment
1. **Recruitment Requisition**

   To initiate recruitment for a vacant SPA permanent position, departments must submit an SPA recruitment requisition through PeopleAdmin. Departments do not need to wait until the position is vacant before submitting the recruitment. However, the hiring supervisor must have received a signed resignation letter or other official documentation of separation date from the current employee.

   Each SPA position has State standards for minimum training and experience. These standards indicate the knowledge, skills, and abilities, or competencies, necessary for successful job performance. Specific formal education may be substituted for required experience in some positions. Directly-related experience also may be substituted for certain educational requirements.

   Hiring departments are responsible for determining any job-related qualifications required in addition to minimum State standards and for documenting the qualifications on the Position Description Form (PD102CB) and in the recruitment requisition. Additional qualifications may be identified as essentials or preferred.

2. **Essential skills** are the required knowledge, skills and abilities that are critical to a position, without which the duties of the position cannot be performed.

   Any essential skill listed in the job posting must also be reflected as an essential skill in the position description. A selected candidate must possess all essential skills listed in the job posting of the position for which they are being selected.

3. **Preferred Skills** are the knowledge, skills and abilities that would aid in successfully performing the primary duties of a position, but are not required.

   If the hiring department identifies any special physical or mental requirement(s) for an open position, the Office of Human Resources advertises any such requirement(s) in its recruitment. Other training and experience preferences may also be determined by the hiring department; however, there is no substitute for a State-required license, registration, or certification.

4. **Internal Only Recruitment**

   Departments have the option to post SPA permanent and time-limited positions as internal only. Internal only recruitments limit applicants to current, permanent or time-limited employees of UNC-Chapel Hill or to individuals with UNC-Chapel Hill layoff priority. Internal only recruitments may not be limited to employees of any specific unit, department or division of the University, nor may any of the positions’ essential requirements indirectly infer required employment in a specific area of the University.
5. **Posting Requirements**

The Employment Consultant in the Office of Human Resources must approve the recruitment before the vacancy can be posted. There are three required locations for posting announcements of SPA position vacancies:

6. **State-Wide Posting**

The Employment & Staffing Department in the Office of Human Resources provides permanent job openings information to the N.C. Division of Employment Security (DES) as required by State policy. The posting information includes the State's minimum training and experience requirements and, as appropriate, additional position requirements as defined by the hiring department.

7. **University Posting**

The Employment & Staffing Department provides the Staff Openings List of SPA positions under active recruitment. The list is posted at the Office of Human Resources, Administrative Office Building, 104 Airport Drive. The Staff Openings List is also updated continuously on the Office of Human Resources website.

8. **Departmental Posting**

After the posting request has been approved by the Employment Consultant, the hiring department prints the "Announcement of SPA Position Recruitment" from the on-line applicant system. State policy requires hiring departments to post conspicuously within the department the "Posting Information" for all of its SPA vacancies. This internal posting must be concurrent with the posting maintained by the Office of Human Resources and must remain posted in the department through the defined recruitment period’s closing date. The hiring department must retain the posting information for two years.

Hiring departments are also responsible for ensuring that department employees currently on extended Military Leave or Family Medical Leave have been informed in a timely manner of all departmental internal postings.

9. **Recruitment Posting Period**

The hiring department establishes the length of the posting period in the online recruitment system. Vacancies must be posted for a minimum of five business days. In no case shall a posting close on a day on which the Office of Human Resources is closed for business. The posting period opening and closing dates are included on each job posting. Only applications received no later than
11:59 pm EST/EDST on the closing date may be considered for the position. No employment offer or other commitment can be extended for an open position before the end of the vacancy's posting period. The hiring department may request to extend the posting period as needed by contacting their Employment Consultant. Extensions to posting periods must be for at least 3 business days. The maximum posting period for recruitment is six months from the date of the initial posting; this maximum posting period includes initial recruitment and extensions.

10. **Application Submission**

In order to apply for an SPA permanent or time-limited position at the University, all applicants must use the University’s online Applicant Referral system, PeopleAdmin to:

- Establish an Applicant Profile,
- Complete an Application for Staff Employment which includes the applicant’s work history, and
- Submit an Application for Staff Employment to each individual position for which they wish to be considered no later than the closing time on the position’s posted closing date.

In addition to the Application for Staff Employment, several supplemental skills forms have been designed for specific occupational groups within the University. These supplemental skills forms are available as part of the PeopleAdmin web application process.

Applicants may also attach cover letters and resumes to their applications for specific positions; however, information provided solely on a resume in lieu of an Application for Staff Employment is insufficient for consideration.

Anyone requiring assistance with the online application process may contact the Employment & Staffing Department in the Office of Human Resources.

H. **Transfer Opportunities**

To promote career advancement and to fill job openings with the best skills available, permanent SPA (full-time or part-time) employees are eligible to seek transfer to another department or to another position within their current department. There is no requirement for the employee to work in a position for a specified minimum period before applying for a position change.

1. **Applicant Referral**

The Employment Consultant in the Office of Human Resources ensures each
applicant's training, experience, and skills meet the State minimum recruitment standards and valid job requirements. Only applications meeting these requirements are referred to the hiring department.

Hiring managers (and selection committees) can review referred applications through the online through PeopleAdmin provided by the Office of Human Resources. The hiring department is responsible for further evaluation of referred applications, including reviewing applications for the essential skills listed in the job posting. Applicants who do not have the requisite essential skills as indicated on the job posting cannot be hired into the position.

2. **Best Qualified Pool and Interviewing**

The hiring department determines which applicants are the best qualified among those referred and then contacts those candidates directly to schedule interviews. It is expected that hiring departments will interview at least three candidates.

Hiring departments cannot interview any candidate whose application was not referred by the Office of Human Resources for the vacancy. Interviews may take place by telephone or in person, but the interview questions must be applied consistently, regardless of method of contact. All layoff priority applicants must be interviewed for the vacant position, if referred. Hiring supervisors with questions about appropriate interviewing may contact their Employment Consultant for assistance. In addition, the HR Training and Talent Development Department provides programs on interviewing skills for supervisors on a regular basis.

3. **Commitment to Equal Employment Opportunity (EEO)**

The University is committed to ensuring that employment decisions are based on individuals’ competencies and qualifications. Consistent with this principle and applicable laws, the University does not discriminate with respect to employment terms and conditions on the basis of race, color, gender, national origin, age, religion, genetic information, disability, veterans status, sexual orientation, gender identity or gender expression. This policy ensures that only relevant factors are considered and that equitable and consistent standards are applied to all personnel actions. More information and a copy of the University’s Equal Opportunity/Affirmative Action Plan is available on the Equal Opportunity/ADA Office website.

The diversity of our staff brings strength to the University. Our focus on diversity with each search, gives us the opportunity to hire, attract and retain the talented staff we want and need to continue our legacy of excellence. An online training module for Supervisors and Search Committees is available and provides valuable information, helpful advice and proven techniques to enable
our search committees to run more efficiently.

4. **Special Consideration for Applicants with Disabilities**

   In regard to an applicant with an obvious disability, an applicant who voluntarily discloses a hidden disability, or an applicant who expresses the need for reasonable accommodation, it is permissible to discuss the accommodation that may be needed and how the applicant would perform the essential functions of the job.

5. **Pre-Employment Testing**

   Pre-employment tests (written, oral, physical, or skills) may be administered by the hiring department with prior approval from the Employment Consultant assigned to work with the department and the Equal Opportunity/ADA Office.

6. **Selection Document**

   The Selection Document is the official University record of those referred by the Office of Human Resources and the hiring department's selection and non-selection reasons. The hiring supervisor uses the "Non-Selection Reasons List" in PeopleAdmin to record the appropriate reason(s) for non-selection. The Selection Document must be completed before a job offer can be extended to the final candidate.

I. **Disciplinary Processes**

1. **SPA Disciplinary Action Policy**

   Disciplinary processes for SPA employees are meant to be corrective. Supervisors are strongly encouraged to contact Employee & Management Relations at the onset of any employee performance or conduct issues.

   There are three categories of cause for disciplinary action: Unsatisfactory Job Performance, Grossly Inefficient Job Performance, and Unacceptable Personal Conduct.

   There are four types of disciplinary action: Written Warning, Suspension without Pay (for one work week), Demotion (of rank and/or pay), and Dismissal.

   For conduct incidents or for grossly inefficient job performance, an employee could be dismissed on a first offense depending upon the severity of the event.
Discipline for unsatisfactory job performance is successive and requires at least three disciplinary incidents: the first incident must result in a written warning, the second incident may result in a written warning, suspension or demotion, and the third incident may result in dismissal from employment.

Before any SPA permanent employee can be suspended, demoted or dismissed, the supervisor must hold a "Pre-Disciplinary Conference" with the employee to provide the employee an opportunity to address management's concerns before it makes the disciplinary decision. A staff member of Employee & Management Relations must be present at the Pre-Disciplinary Conference.

Temporary and probationary employees are not covered by this policy and its procedures and can be released from employment as deemed appropriate by management.

2. **SPA Probationary Period**

   New SPA permanent employees and those returning to State service are required to complete a minimum 24 month probationary period. During the probationary period, the supervisor evaluates if the employee is performing at the level required for the position.

   If the supervisor determines that an employee is not able to perform as required for the position, the supervisor can terminate the employee's appointment and must do so prior to the end of the employee's probationary period. The employee must receive written notification of the termination. Once employees have completed their probationary periods, they are protected under the disciplinary procedures found in the Disciplinary Action Policy (SPA).

3. **Disciplinary Consultations**

   Management is expected to consult with Employee & Management Relations in the Office of Human Resources at the onset of any employee performance or conduct deficiencies to discuss both formal and informal methods for resolving such workplace issues. Employees also are encouraged to contact Employee & Management Relations to discuss ways of resolving workplace issues. Employee & Management Relations is required to review most disciplinary letters before they are issued to employees.

J. **Terminations and/or Separations**

   A separation occurs when a University employee resigns, retires, is dismissed, separated by reduction in force (layoff), or dies.

   1. **Resignation**
An employee is expected to notify management in writing at least two weeks (10 work days) prior to the last intended work day of a voluntary resignation. The last day the employee reports to work is normally the separation date.

2. **Voluntary Resignation without Notice**

When an SPA employee fails to report to work for a period of at least three consecutive work days without giving oral or written notice to management, that employee voluntarily terminates his/her employment with (resigns from) the University.

3. **Retirement**

An employee who is participating in the Teachers' and State Employees' Retirement System makes application for retirement through Benefits Services. An application must be filed with the Retirement System at least one day but not more than 90 days before the effective date of retirement.

4. **Dismissal**

An employee may be separated during the probationary period, without right of appeal or hearing, for personal conduct detrimental to the agency. The employee must be given a written notice of dismissal, including the reasons for the action. The reasons for dismissal must be documented and retained. A probationary employee cannot be paid in lieu of notice.

5. **Termination when Leave is Exhausted**

An employee may be terminated from the University if he/she becomes or remains unavailable for work after all applicable leave credits and benefits have been exhausted and management, for sufficient reasons, cannot or does not grant (additional) leave without pay.

K. **Staff Grievance Policy**

Whenever possible, the University prefers to resolve workplace conflicts informally through discussion or mediation. There are also several different means of formal grievance or appeal at the University, depending on what type of employee you are (SPA, EPA Non-Faculty) and the issues being appealed.

1. **Grievances and Formal Appeals**

The University allows SPA permanent employees to grieve a wide range of issues (see policy for details). Employees have 30 calendar days to file a grievance from the date of the incident that they are grieving.
Step 1 in the process is a review and written response from the employee's work unit (generally, 2nd or 3rd level supervisor of the employee).

If the employee appeals the response, Step 2 in the process is a hearing. The employee and a representative of the employee's management (generally his/her direct supervisor or 2nd-level supervisor) present their information to a panel of three volunteer SPA permanent employees.

The panel reviews the materials presented and writes a report and recommendation to the Chancellor, who then makes the final decision for the University on the issue. Certain issues can be appealed to the State’s Office of Administrative Hearings after the completion of the internal process (see policy for details).

By State regulation, the grievant cannot be represented by an attorney during the internal process. However, a grievant is allowed to have a support person (a fellow University employee) to assist them in preparing their grievance materials. For matters appealed to the State’s Office of Administrative Hearings, the grievant is allowed to retain counsel at their own expense.

2. **SPA Performance Appeals**

   The University allows SPA permanent employees to appeal overall ratings of Below Good or Unsatisfactory on their annual performance appraisals. Mid-cycle reviews and individual principal function ratings are not appealable. Performance appraisal appeals are administered through the SPA Grievance Policy.

3. **SPA Career Banding Dispute Resolution Process**

   This separate appeals process allows SPA employees with career status (24 months of continuous service with the State) to appeal salary decisions made by their immediate supervisor/manager. Salary decisions based on availability of funding are not eligible for consideration. Salary decisions that are eligible for consideration must be based on one of the following in conjunction with a promotion, reassignment, demotion or career banding salary adjustment as defined in policy:

   - Amount of salary increase is less than appropriate amount as determined through pay factors.
   - No salary increase has been granted when applicable pay factors would support an increase.
   - Employee competencies have been inappropriately evaluated.
The employee must file a Career Banding Dispute Resolution Form with the Office of Human Resources Classification & Compensation Department within 30 calendar days of notification of a career banding salary action by their manager. The Classification & Compensation Department will screen the appeal for eligibility. If eligible it is forwarded to the next level of management or other designated decision-maker in the department if appropriate. The decision must be communicated by the higher-level decision maker(s) to the employee and OHR, ensuring that resolution is completed, within 60 calendar days of the employee's appeal.

4. Administrative Review for Harassment/Discrimination Complaints

Any employee or student who believes that s/he has experienced prohibited harassment or discrimination at the University may file an administrative complaint with the Equal Opportunity/ADA Office on campus. The Equal Opportunity/ADA Office staff will work with the employee's management to investigate the complaint and issue a formal report. Complaints must be filed with 180 calendar days of most recent event of alleged prohibited harassment or discrimination; however, to preserve grievance rights to the issue, the employee must file the complaint within 30 calendar days of the event.

L. Internal Monitoring, Evaluation and Auditing System

Considerable responsibility for monitoring, analyzing and evaluating the University's equal opportunity progress rests with the Office of Human Resources. These responsibilities are carried out in numerous formal activities by Employment & Staffing, as follows:

- Compiling monthly reports of personnel activity for review by the Equal Opportunity/ADA Office.

- Semi-annually monitoring as to hiring and placement results compared to the annual hiring and placement goals set by race, sex and Federal Occupation Category/Job Group. This monitoring also is by classification title and by campus department showing in each the representation by race and sex.

- Semi-annually monitoring as to applicant flow and application referral flow by race, sex and Federal Occupation Category/Job Group, including adverse impact calculation by job classification of openings filled.

- Semi-annually monitoring as to promotion activity selections by race, sex and Federal Occupation Category/Job Group.

- Annually compiling, analyzing and presenting to the Equal Opportunity/ADA Office an extensive report that covers all aspects of equal opportunity progress.

- Upon request, assisting the Equal Opportunity Officer to respond to reviews by the Office of Federal Contract Compliance, U.S. Department of Labor and other federal offices.

V. Layoff (Reduction-In-Force) Guidelines (Spa)

The layoff procedure assures equitable treatment of SPA employees when reduction-in-force becomes necessary. A layoff might become necessary because of a reduction in work or funds, abolishment of a position, or other material change in duties or organization. A layoff decision should be reached only after other applicable measures have been explored, including but not limited to such actions as: delaying the filling of or elimination of vacant positions; limits on purchasing and travel; retraining of employees in needed skill sets; or job sharing and work schedule alternatives.

A. Covered Employees

This policy applies to SPA employees (full-time and part-time) holding permanent appointments.

The following types of SPA employees may be separated without following the layoff procedures of this policy: SPA temporary employees, SPA employees within their probationary periods and SPA employees time-limited permanent appointments.

Although this policy does not apply to EPA and student appointments, departments should consider all staffing resources when determining positions to retain.

B. Procedures

A layoff decision requires a thorough evaluation of the need for specific positions and the relative efficiency of affected employees so that the University can provide the highest level of service possible with a smaller work force. The decision to layoff a particular employee or group of employees rests with the management overseeing the affected work unit(s).

1. Work unit: The work unit is a formally established and recognized unit, section, division, or department of the University in which employees perform a closely related set of functions or duties. Departmental management may define individual research projects headed by a Principal Investigator (PI) as a separate work unit for the purposes of the layoff policy. Any such assertion is subject to appropriate justification that demonstrates the unique nature of the research project and the
skills of its assigned staff members as contrasted with other research projects supervised by either the same or differing PIs within the same overall department or center.

The department determines which employees shall be laid off by applying the following factors in order:

- **University needs.** Consider the continuing work to be performed by the work unit(s) and the number of positions in each branch, role, and competency level necessary to perform the continuing work. Once the position(s) to eliminate have been identified, management must consider all employees in positions with the same or related classification. "Same or related" classification means positions in the identified branch, role and competency level. In order to identify the affected employees, apply the remaining guidelines.

- **Type of appointment.** Temporary employees performing work comparable to work in the same or related classification must be terminated before any employee with a permanent appointment, provided that a permanent employee has the skills to perform the temporary employee's tasks. Employees with time limited or probationary appointments as well as trainees with less than six months of service must be terminated before any employee in the same or related classification with a permanent appointment, provided that the permanent employee has the skills to perform the tasks of the probationary employee or trainee.

- **Relative skills, knowledge, and productivity of employees.** Employees to be retained must demonstrate the skills and knowledge required for the continuing work of the work unit or be able to attain those skills and knowledge within a reasonable period of time in accordance with the operational needs of the work unit. Selection must be consistent with the employee's most recent annual performance review and employee competency assessment as well as other relevant documentation.

- **Length of total state service of employees.** Length of service shall be considered but may receive less weight in the determination. Eligible veterans must be accorded one year of state service for each year (or fraction thereof) of military service, up to a maximum of five years of credit.

- **Workforce diversity.** In accordance with federal guidelines affecting equal employment opportunity, any application of the layoff policy must be reviewed by the affected department(s) and Human Resources
to determine its impact on the workforce diversity within the work unit(s).

Department management is accountable for documenting the basis for its decision in a manner that clearly demonstrates reasonable and consistent application of these factors. The Employment Consultants in the Office of Human Resources provide consultation to department management regarding the effective application and interpretation of the State guidelines. The Employment Consultants analyze the applicable factors, perform an adverse impact analysis and if all criteria are met, approve the layoff.