



**THE UNIVERSITY OF  
NORTH CAROLINA WILMINGTON**

**EQUAL EMPLOYMENT OPPORTUNITY  
AFFIRMATIVE ACTION PLAN**

*Part I: Policies and Procedures*

*As of January 1, 2009*

*UNC Wilmington Human Resources*  
601 S. College Road  
Wilmington, NC 28403-5960

**EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION PLAN  
POLICIES AND PROCEDURES (PART I)  
JANUARY 1, 2009**

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## **COMMITMENT TO EQUAL EDUCATION AND EMPLOYMENT OPPORTUNITY [41 CFR 60-2.10]**

The University of North Carolina Wilmington is committed to and will provide equality of educational and employment opportunity for all persons regardless of race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents -- except where sex, age, or ability represent bona fide educational or occupational qualifications or where marital status is a statutorily established eligibility criterion for State funded employee benefit programs.

This affirmation is published in accordance with 41 CFR Part 60 and is implemented in accordance with following laws and their amendments: Title VII and Title IX of the Civil Rights Act of 1964; Executive Order 11246; the Age Discrimination in Employment Act of 1967; the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Vietnam Era Veterans' Readjustment Assistance Act of 1974; the Civil Rights Restoration Act of 1988; and NC General Statutes Chapters 116 and 126.

To ensure that equal educational and employment opportunity exists throughout the university, a results-oriented equal opportunity/affirmative action program has been implemented to overcome the effects of past discrimination and to eliminate any artificial barriers to educational or employment opportunities for all qualified individuals that may exist in any of our programs. The University of North Carolina Wilmington is committed to this program and is aware that with its implementation, positive benefits will be received from the greater utilization and development of previously under-utilized human resources.

### **STATEMENT ON DIVERSITY IN THE UNIVERSITY COMMUNITY**

In the pursuit of excellence, UNC Wilmington actively fosters, encourages, and promotes inclusiveness, mutual respect, acceptance, and open-mindedness among students, faculty, staff, and the broader community. Diversity is an educational benefit that enhances the academic experience and fosters free exchange of ideas from multiple perspectives. Diversity includes, but is not limited to race, sex, age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran's status, gender, educational disadvantage, socio-economic circumstances, language, and history of overcoming adversity.

### **UNLAWFUL HARASSMENT, DISCRIMINATION, AND RETALIATION**

The University of North Carolina Wilmington affirms that students and employees are entitled to an educational and employment environment free from unlawful harassment or discrimination based on that individual's race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents, and expressly prohibits unlawful harassment or discrimination of any individual among the university community engaged in educational or employment pursuits. Further, no student or

employee shall be subject to retaliation for bringing a good faith complaint pertaining to unlawful harassment or discrimination or for protesting such behavior directed against another member of the university community.

For more information concerning ways in which our multicultural learning community may be nurtured and protected or complaint resolution procedures, contact the Office of Institutional Diversity and Inclusion, the Office of the Dean of Students, the Office of Academic Affairs, or Human Resources.

A handwritten signature in black ink, reading "Rosemary DePaolo". The signature is written in a cursive style with a large initial "R".

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Rosemary DePaolo  
Chancellor

January 29, 2009

**EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION PLAN**  
**DISSEMINATION OF THE AFFIRMATIVE ACTION POLICY**  
**[41 CFR 60-2.10]**

UNCW makes known its commitment to affirmative action by disseminating broadly its equal employment opportunity policy and information about its affirmative action program. Ultimate responsibility for adequate communication of the institution's commitment rests with the Chancellor and the Equal Employment Opportunity/Affirmative Action (EEO/AA) Officer who must emphasize the importance of continued discussion of the policy and provisions of the affirmative action program at all levels of UNCW. The following specific actions have been instituted and will continue:

**Internal Notice and Distribution**

1. UNCW's complete EEO/AA Plan is available to university employees and applicants for university employment in the following locations: Human Resources Office, Office of the Provost and Vice Chancellor for Academic Affairs, and the Reserve Desk of Randall Library. The EEO/AA Plan is also published on the Human Resources web site.
2. UNCW's "Reaffirmation of Commitment to Equal Education and Employment Opportunity" is posted on bulletin boards across campus, and on the Human Resources web site, and is provided to all faculty and senior officer search committees at the onset of the search.
3. UNCW's Equal Employment Opportunity and Affirmative Action policy is posted on the university's policy website..
4. UNCW's commitment to equal employment opportunity and affirmative action is emphasized during all orientation programs, supervisory and management training, with appropriate hiring officials, and faculty and senior officer search committees.
5. The Chancellor publishes this annual EEO/AA Plan which is distributed to university trustees, vice chancellors, and deans. This report documents UNCW's progress in achieving affirmative action objectives for the previous year and sets forth UNCW's affirmative action objectives for the year. The annual EEO/AA Plan is also published on the Human Resources web site.

**External Notice and Distribution**

1. Affirmative Action / Equal Opportunity Employer (EEO/AA) Statement

All advertisements for vacant positions, including printed UNCW notices, newspaper classified listings, trade journal vacancy listings, and radio public service announcements include the phrase "Equal Opportunity/Affirmative Action Employer" or the statement, "UNC Wilmington actively fosters a diverse and inclusive working and learning

environment and is an equal opportunity employer. Qualified men and women from all racial, ethnic, or other minority groups are strongly encouraged to apply.

A summary of UNCW's EEO/AA policy and recruitment procedures is available on the UNCW Human Resources web site. Printed versions are available in the UNCW Human Resources office.

## 2. Equal Opportunity / Non-Discrimination Statement

The University of North Carolina Wilmington is committed to and will provide equality of educational and employment opportunity for all persons regardless of race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents -- except where sex, age, or ability represent bona fide educational or occupational qualifications or where marital status is a statutorily established eligibility criterion for State funded employee benefit programs.

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The preceding equal opportunity / non-discrimination statement (or an approved abbreviation) appears within university publications distributed to the general public. The following publications are examples of such publications.

### Title of Publication

UNCW Code of Student Life

UNCW Graduate Catalogue

UNCW Undergraduate Catalogue

UNCW Magazine

UNCW Pathways Lifelong Learning Catalog

3. The Assistant to the Chancellor for Marketing and Communications makes a consistent and conscientious effort to publish articles covering activities related to the affirmative action program, including progress reports, promotions and achievements of women, racial and ethnic minorities, persons with disabilities, and covered veterans, when appropriate.
4. When photographs of university employees or students are included in publications, the Assistant to the Chancellor for Marketing and Communications ensures that photographs reflect the diversity of UNCW community by including males and females, racial and ethnic minorities and non-minorities, and persons with disabilities in educational, employment, and social settings.
5. Recruiting sources within reasonable proximity to UNCW are informed of UNCW's commitment to equal employment opportunity and affirmative action. These sources are asked to recruit actively for UNCW and to refer racial and ethnic minorities, women, persons with disabilities, and covered veterans.
6. The UNCW "EEO/AA" statement or "Equal Opportunity/Non-Discrimination" statement (or a version thereof) is printed or appended to purchase orders and contracts for goods or services in order to communicate UNCW's status to vendors, suppliers, contractors, and subcontractors.

**EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION PLAN  
IMPLEMENTATION OF AFFIRMATIVE ACTION PROGRAM  
[41 CFR 60-2.10]**

The University of North Carolina Wilmington is committed to effective implementation of its equal employment opportunity policy and to aggressive affirmative action efforts at all levels of employment as typified in the following policy statements and establishment of responsibilities.

**I. POLICY STATEMENT**

**Equal Employment Opportunity Policy**

The University of North Carolina Wilmington is committed to and will provide equality of educational and employment opportunity for all persons regardless of race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents -- except where sex, age, or ability represent bona fide educational or occupational qualifications or where marital status is a statutorily established eligibility criterion for State funded employee benefit programs.

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To ensure that equal educational and employment opportunity exists throughout UNCW, a results-oriented equal opportunity/affirmative action program has been implemented to overcome the effects of past discrimination and to eliminate any artificial barriers to educational or employment opportunities for all qualified individuals that may exist in any of our programs. The University of North Carolina Wilmington is committed to this program and is aware that with its implementation, positive benefits will be received from the greater utilization and development of previously under-utilized human resources.

**Scope and Application of EEO/AA Policy and Plan**

UNCW's EEO/AA policy and plan apply to all employees of UNCW. The policies and plan apply to all departments of UNCW -- located in Wilmington, North Carolina; the National Undersea Research Center in Key Largo, Florida; or elsewhere.

In furtherance of its Equal Employment Opportunity policies, the University of North Carolina Wilmington will:

1. Using the concepts of Affirmative Action, recruit a pool of qualified candidates with good faith efforts to ensure racial, ethnic, and gender diversity.
2. In compliance with the Civil Rights Act of 1964, as amended, select, hire, place, train, and promote persons in all employment categories without regard to race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents -- except where sex, age, or ability represent bona fide educational or occupational qualifications. Base selection, hiring, and promotion decisions on valid requirements related to job performance and necessary upon entry to the position.
3. Administer all employment practices including compensation, benefits, promotion, training, educational assistance, termination, transfer, demotion, and reduction-in-force fairly and objectively without regard to race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents.
4. Provide, when necessary, reasonable accommodations for an applicant's or an employee's disabilities within the meaning of federal and state laws and regulations.
5. Not intimidate, interfere with, or retaliate against employees or applicants for employment who make a charge of employment discrimination or who testify, assist, or participate in any manner in a hearing, proceeding, or investigation of employment discrimination.
6. Strive for a work environment that is free from discrimination based on race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents.

## **II. STATUTORY AND REGULATORY AUTHORITY**

UNCW's EEO/AA Plan derives from the following statutory and regulatory authorities.

### **North Carolina Statutes and Policies**

- o G.S. 126-16 Equal Employment Opportunity Statute
- o G.S. 126-17 Prohibits Retaliation
- o G.S. 126-36 Establishes Appeal Rights for Applicants
- o G.S. 127B-10-15 Discrimination Against Military Personnel
- o G.S. 168A-5-11 Handicapped Persons Protection Act

## **Federal Laws and Regulations (including all amendments)**

- o Title VII of the Civil Rights Act of 1964
- o Title IX of the Educational Amendments of 1972
- o Civil Rights Restoration Act of 1988
- o Executive Order 11246
- o Age Discrimination in Employment Act of 1967
- o Equal Pay Act of 1963
- o Section 503 and 504 of the Rehabilitation Act of 1973
- o Vietnam Era Veterans Readjustment Assistance Act of 1972 and 1974
- o Immigration Reform and Control Act of 1986, Section 102
- o Civil Rights Act of 1991
- o Americans with Disabilities Act of 1990

## **Hiring Preferences**

Nothing in UNCW EEO/AA plan is to be construed as preventing UNCW's compliance with hiring preferences established by the North Carolina General Assembly for state employees previously reduced in force who are eligible for priority re-employment consideration, current state employees seeking promotion, and eligible veterans (and spouses of veterans) who have served honorably during recognized periods of national conflict.

## **III. ESTABLISHMENT OF RESPONSIBILITIES [41 CFR 60-2.17]**

### **Chancellor**

The Chancellor of the University of North Carolina Wilmington is responsible for implementing UNCW's commitment to equal employment opportunity and affirmative action through leadership, the adoption of EEO and AA policy statements, and setting specific hiring goals for racial and ethnic minorities and women.

The Chancellor will report to the Board of Trustees on an annual basis documenting UNCW's progress toward realizing its hiring goals.

The Chancellor shall appoint a director-level employee to serve as UNCW's EEO/AA Officer and shall use the chancellor's Cabinet as an EEO/AA Advisory Committee.

## **University EEO/AA Officer**

UNCW EEO/AA Officer shall be responsible for:

1. Advising the Chancellor on affirmative action policy and for developing UNCW's EEO/AA Plan and ensuring it is consistent with federal and state laws and regulations and university guidelines.
2. Advising search committees for faculty and senior administrative positions on EEO/AA policies, affirmative action preferences in hiring (if appropriate), and the evaluation of "substantially equally qualified" applicants.
3. Reviewing all recruitment processes and exercising approval authority on behalf of the Chancellor for all employment and promotional decisions with respect to ensuring such recruitment processes comply with UNCW's EEO/AA Plan.
4. Coordinating internal responses to employee complaints of personal discrimination.
5. Documenting UNCW's progress toward realizing its EEO/AA goals regarding employment in annual reports to the Chancellor.

William Fleming was appointed UNCW's EEO/AA Officer effective June 30, 2004.

## **EEO/AA Advisory Committee**

The chancellor's Cabinet shall constitute UNCW's EEO/AA advisory committee. Sitting as the EEO/AA Advisory Committee, the Cabinet is responsible for reviewing UNCW's EEO/AA Plan and adopting annual good faith hiring objectives.

UNCW's standing grievance committees will continue to provide an avenue of redress for employees or applicants who believe they have been discriminated against because of their race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents.

## **Deans, Department Chairs, Directors, and other hiring officials**

Deans, department chairs, directors, and other hiring officials are responsible for working toward the balanced representation of racial and ethnic minorities and women within the work force and the elimination of barriers to equal employment opportunity for persons with disabilities. Accountability for compliance with provisions of the EEO/AA Plan will be incorporated in their performance expectations and evaluations.

Hiring officials are further responsible for:

1. Determining vacancy-specific qualifications required for entry to the position (minimum qualifications) and desired for full-performance in the position (preferred qualifications).
2. Ensuring advertisements for the position reasonably describe principal duties to be performed and cite both minimum and preferred qualifications.
3. Recruiting a pool of qualified candidates with good faith efforts to ensure racial, ethnic, and gender diversity.
4. Ensuring that the screening and selection process is free from bias related to race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents -- except where sex, age, or ability represent bona fide job --related occupational qualifications.
5. Selecting, hiring, placing, training, and promoting persons in all employment categories without regard to race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents -- except where sex, age, or ability represent bona fide educational or occupational qualifications. Base selection, hiring, and promotion decisions on valid requirements related to job performance and necessary upon entry to the position.

Qualifications within the meaning of this section shall include training and education, years of related work experience, and other knowledge, skills, and abilities demonstrated in the selection process which bear a reasonable functional relationship to the requirements of the position. While responsibility for screening applications and interviewing candidates may be delegated to subordinate managerial or supervisory personnel or to properly constituted search committees, authority to select an applicant for employment and recommend a hiring salary may not be delegated below the department head or director level and is subject to at least one level of review beyond the decision maker (regardless of level or rank).

6. Documenting hiring decisions.

All selection decisions and hiring salaries are contingent on approval by the EEO/AA Officer (or designee) for conformance to UNCW's EEO/AA Plan. SPA vacancies require approval by the Human Resources Office. EPA positions require approval by the Provost for faculty positions, and division vice chancellor for administrative, instructional and research positions. Hiring officials are not authorized to offer positions prior to receiving these approvals.

## **Human Resources**

In coordination with the EEO/AA Officer, Human Resources is operationally responsible for ensuring that:

1. Recruitment procedures for EPA (including nine-month teaching Faculty) and SPA positions comply with UNCW's equal employment opportunity and affirmative action policies.
2. Department heads and directors understand their roles in supporting UNCW's affirmative action hiring objectives.
3. Applicants and employees are provided accurate information about the recruitment process and avenues of redress available to them should they believe they have been discriminated against because of their race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents -- except where sex, age, or ability represent bona fide educational or occupational qualifications.
4. Each hiring recommendation and the applicant's qualifications for the position and hiring salary are reviewed and approved before any commitment is extended to a prospective employee for an SPA, EPA (including nine-month teaching faculty) position.

**EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION PLAN  
DEVELOPMENT AND EXECUTION OF ACTION-ORIENTED PROGRAMS  
[41 CFR 60-2.17 (c)]**

UNCW's action-oriented EEO and Affirmative Action programs are designed to identify, prevent, and correct related problem areas, and to support the attainment of goals identified in the annual report. UNCW's programs consist of well-defined **recruitment procedures** to attract persons to its faculty and staff positions; **career planning and professional development programs** to increase promotional opportunities; **reduction-in-force impact analysis; outreach activities** to increase general awareness of UNCW's interest in recruiting racial and ethnic minorities, women, persons with disabilities, and veterans; **exit surveys** to understand the reason employees leave UNCW; and significant **diversity initiatives** to increase diversity among employees and students.

## **I. RECRUITMENT PROCEDURES**

UNCW has established well-defined recruitment procedures for both EPA (including nine-month teaching faculty) and SPA positions which require the posting or advertising of all vacant positions which may result in benefit-earning appointments. Under limited circumstances, however, a waiver of recruitment for an EPA position (including nine-month teaching faculty) may be approved by the Chancellor. These exceptional circumstances include efforts to obtain special skills not expected to be attainable through an open search, and/or other compelling circumstances in the best interest of the university.

Recruitment procedures do not apply to reclassification of positions or title changes based on changes in work assignments or attainment of new competency level. These typically result from either a reorganization or reallocation of university resources, or changes in work duties or skill development which evolves over time.

Increasing the numbers of underrepresented groups of people and achieving employment diversity on campus are two extremely important goals to UNC Wilmington. Nevertheless, because equal employment opportunity laws prohibit discrimination, even benign discrimination in favor of underrepresented groups, there are certain steps that UNCW cannot take to achieve its goals. These concepts remain confusing to many in higher education because legal decisions in the area of student admissions tend to allow some use of a person's diverse status as a "plus factor." However, the area of student admissions is legally distinct from employment decisions.

Diversity and affirmative action are related concepts, but the terms have different origins and legal connotations. EEOC has stated that "workplace diversity is a business management concept under which employers voluntarily promote an inclusive workplace." But while Title VII permits diversity efforts designed to open opportunities to everyone, hiring departments cannot make employment decisions such as whom to interview or select for the position based on the candidate's protected status. Instead, search committee members must carefully examine each applicant's qualifications and experiences to determine which one would best serve UNC Wilmington's interests, as articulated in the position description and vacancy announcement,

without regard to the applicant's race, sex, age, or other protected status. The argument that an individual of a particular race or sex will be better suited to the position is generally not legally sustainable because it is based on assumptions about the person's experiences that may or may not be valid. Instead, the committee must rely on tangible evidence of the person's actual experiences and qualifications.

Furthermore, a candidate's race, sex or disability cannot be used as a tie-breaker. Hiring officials must make their recommendations based on the candidate's qualifications in relation to the stated requirements for the position, and not based on the person's protected status.

#### **A. EPA (including nine-month teaching faculty) Recruitment Procedures**

Vice chancellors have oversight responsibility for the recruitment of EPA positions within their respective divisions. The Provost has oversight responsibility for the recruitment and appointment of faculty, though recommendations are made by academic department chairs through the academic deans.

The procedures for recruiting and making appointments to EPA administrative and faculty positions are summarized as follows:

1. The position is defined in terms of duties required, level of appointment, and approximate salary or salary range. Authorization to initiate recruitment is provided by the division Vice Chancellor for EPA administrative positions and by the respective dean for faculty positions.
2. The vacancy is advertised on the UNCW website, which contains official vacancy announcements. In addition, the vacancy may be advertised nationally in appropriate media or in listings with national professional job services or the job listings of professional associations. Nine-month teaching and research faculty positions, however, must be advertised in print in a national publication. Administrative appointments, supplemental assignments, and similar opportunities for faculty members are typically advertised internally to UNCW. UNCW's commitment as an affirmative action / equal opportunity employer is noted prominently in all advertisements.
3. Announcements may be made with organizations that are likely to have contact with minority and women candidates. Search committee members for EPA (including nine-month teaching faculty) positions are required to contact five colleagues within their discipline from other institutions and ask for nominations of racial and ethnic minorities and women who would be competitive for the given position. These individuals, are in turn, contacted by the committee and encouraged to submit their application.
4. Applicants are given the opportunity to identify their race and ethnicity, gender, disability, and veteran's status on UNCW's PeopleAdmin and Consensus™ on-line application systems.

5. The Dean or Vice Chancellor and the EEO/AA Officer (or designee) are responsible for reviewing and approving the recommended interview pool.
6. As part of each recommendation for a new appointment, a search summary is filed that details the recruiting efforts and explains reasons for the recommended appointment. The EEO/AA Officer exercises final approval authority on behalf of the Chancellor for all EPA and faculty appointments with respect to compliance with UNCW's EEO/AA Plan.
7. During an open recruitment for nine-month teaching faculty, departments may request an additional tenure track position to increase the representation of women or racial and ethnic minorities in job groups with current under-representation of women or racial and ethnic minorities. These requests must be accompanied by written justification and approved by the Provost and the EEO/AA Officer to ensure compliance with EEO/AA policy.

## **B. SPA Recruitment Procedures**

The Assistant to the Chancellor for Human Resources exercises oversight responsibility for the recruitment of SPA staff throughout UNCW. Principal EEO/AA components of the SPA recruitment policy are noted below.

### **1. Job Structuring**

Position descriptions provide a bona-fide definition of position duties and responsibilities and include job-related knowledge, skills, or abilities considered essential to satisfactory job performance. Job descriptions are audited by Human Resources and appropriate classification levels assigned for each SPA position.

UNCW does not permit job factors to be incorporated in position descriptions which discriminate against minorities, women, or persons with disabilities -- except where sex, age, or physical ability are bona fide occupational qualifications.

### **2. Advertising**

Vacancies are advertised on the UNCW website, which contains official vacancy announcements. Vacancies may also be advertised in appropriate electronic or print media. (Some advertisements may apply to two or more vacant positions.) Departments may advertise within UNCW where Human Resources expects a viable applicant pool (with regard to racial and ethnic minorities and women) will result. Internal job postings support the State's policy encouraging internal promotion. Where it does not appear that a viable applicant pool will result from an internal job posting, UNCW advertises publicly.

Typically, UNC Wilmington recruits SPA employees within the Wilmington/New Hanover County area. When recruits are unlikely to be available in significant numbers in the local labor

market, positions may be advertised regionally, state-wide, or nationally to supplement the UNCW website listing.

The deadline for receipt of applications will be indicated in the vacancy announcement. The deadline will be a minimum of five work days from the last public advertisement. Longer recruitment periods are encouraged, if needed to ensure a diverse applicant pool.

When consultants, search firms, or employment agencies are utilized for recruitment assistance, they will be required to refer persons without regard to race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents.

### **3. Application Processing**

UNC Wilmington utilizes a web-based vacancy announcement and application system. Applications must be submitted electronically for a specific position vacancy. Applications are accepted at any time during the posting period. One application is required for each vacancy for which the applicant wishes to be considered. All applications for a given vacancy are filed together to facilitate vacancy pool analysis and administrative review.

Applicants are asked to provide data on birth date, sex, race or ethnic group, veteran's status and disability status on a voluntary basis. This information is used for affirmative action and equal employment opportunity analysis within Human Resources. The hiring official has access to information concerning the race and sex distribution of the overall applicant pool. Race and sex information on specific applicants is released to the hiring official when it is necessary to identify that individual for a "second look" as part of our variance analysis.

### **4. Applicant Screening**

#### **a. Qualified Applicant Pool**

A member of the Employment Services team in Human Resources screens the total applicant pool for minimum advertised qualifications. Applications which meet minimum advertised requirements are screened forward to form the "Qualified Applicant Pool."

#### **b. Referred Applicant Pool**

A member of the Employment Services team or a properly constituted search committee screens the qualified applicant pool to determine the best qualified applicant pool, which is then referred to the hiring official. Consistent with NC General Statute 126-14.2, only applicants within the referred applicant pool are available to the hiring official

c. Interview Pool and Hiring Recommendation

The "Hiring Official" is the individual charged by the Department Head with responsibility for reviewing the referred applicant pool, determining the interview pool, interviewing candidates, and making the primary hiring recommendation. As noted previously, authority to hire cannot be delegated below the department head or director level is subject to at least one level of administrative review above the hiring official (regardless of level), and is contingent on Human Resources approval.

d. EEOC Variance Analysis

The referred applicant pool and the interview pool are subjected to EEOC-defined variance analysis by Employment Services which compares the representation of women and minority applicants at successive stages in the screening, referral, and interview process. If women or minority applicants do not progress to successive levels at a percentage rate consistent with their representation in the total applicant pool, then a "second look" is conducted to determine if any racial and ethnic minorities or women no longer under consideration are substantially equally qualified to the least qualified of the applicants still under consideration. If this is the case the minority or woman applicant is added to the pool still under consideration.

This variance analysis alerts the Employment Services Coordinator to the possibility of adverse selection criteria at work in the screening process and provides an opportunity to discuss UNCW's affirmative action objectives with the interviewer(s) or department head to assure appropriate consideration of minority or women applicants.

## **5. EEO/AA Review and Approval of Hiring Decision**

The Assistant to the Chancellor for Human Resources (or designee) reviews the statistical analyses of the applicant pool at the following junctures to ensure compliance with UNCW's Equal Employment Opportunity / Affirmative Action Plan:

- Composition of the referred applicant pool
- Composition of the interview pool
- Selection of the candidate to be hired

UNCW's EEO/AA officer (or designee) must approve each hiring selection and the salary to be offered prior to any commitment being extended to an applicant. Commitments to prospective employees may only be made by Human Resources and may not be made by the hiring department.

Both EPA and SPA recruitment procedures conform to the Uniform Guidelines on Employee Selection Procedures [41 CFR 60-3.1 through 3.18].

## **II. CAREER PLANNING AND PROFESSIONAL DEVELOPMENT**

Training is a vital tool in achieving equal employment opportunity and in strengthening affirmative action efforts. UNCW is committed to providing opportunities for employees to acquire new skills and to update and enhance existing ones. Faculty and staff employees are provided opportunities for professional development. Special efforts are made to encourage racial and ethnic minorities, women, persons with disabilities and covered veterans to engage in professional development activities. The Human Resources Department has responsibility for providing internal training programs for staff. Many of its programs are useful for faculty supervisors.

### **A. Performance Management**

All employees receive annual performance evaluations in accordance with UNCW's Employee Performance Management Program for SPA employees or administrative guidelines for EPA and faculty employees. Effective performance management is the first step in career planning and professional development as it provides an opportunity for employee and supervisor to agree on specific training and developmental courses which will enhance the employee's value to the organization and increase the likelihood of promotion.

Effective performance management integrates performance management, competency assessment and career development to ensure a competent workforce to meet UNCW's goals and objectives. Beginning in 2009, performance management will link the annual performance evaluation with the employee's competency assessment to ensure employees have and demonstrate the knowledge, skills and abilities, required to make the organization successful. The evaluation will be based on specific job duties and performance standards based on competencies and established by the supervisor at the beginning of the performance review period and discussed with the employee.

Employee performance ratings are reviewed by the rater's supervisor and reviewed by Human Resources for SPA employees.

### **B. Career Planning and Staff Development**

Supervisors and managers are responsible for providing development opportunities for their employees including access to on-campus seminars, courses, and training without regard to race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status or relationship to other university constituents. Career development planning provides a systematic way to build critical competencies and develop individuals.

The State of North Carolina encourages internal promotion when feasible. When evaluating recruitment options and considering internal promotion, managers will evaluate employees regardless of race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status or relationship to other university constituents -- except where sex, age or ability represent bona fide educational or occupational qualifications.

### **C. Management Training**

Training is provided to managers in the following areas:

- EEO/AA Plan
- Performance Management
- Supervisory and Management Skills
- Employee Selection
- Managing Diversity
- Unlawful Workplace Harassment Awareness
- Leadership Development
- Competency Assessment

### **D. Employee Training**

UNCW maintains a robust training program for staff employees consisting of skills and development workshops. Typical types of workshops include:

- Clerical and Office Management Skills
- Introduction to Supervision
- Office Computer Applications Training
- Communication and Interaction Skills
- Customer Service Excellence
- Valuing Diversity

Examples of training programs with particular EEO/AA benefits include:

- PeopleAdmin Training for Hiring Managers provides training on the electronic software used for establishing and recruiting positions and develops manager skills in identifying competencies required for the position; evaluation of applicant's competency and determining applicant pay based on competencies.
- Career Banding for Supervisors provides training to understand UNCW's compensation goals, identify position competencies, apply pay factors to determine salary and salary progression, set maximum recruitment salary and processing pay changes.
- Computer Competency Program designed to introduce non-computer users to key board skills using self-directed programs to gain competency and confidence. Targeted toward non-clerical staff seeking career progression to positions which require terminal or data entry use.
- Supervisory Development Workshops adapted for service and maintenance employees whose work schedules do not permit them to attend traditionally scheduled classroom training.

- Harassment Awareness Mini-Conferences required for faculty and staff. These educate and introduce campus community to unlawful harassment policy and resolution procedures; raise awareness among employees about responsibility they have in treating others with civility and respect; and increase participants' understanding of how to respond to/report harassment.
- Equal Employment Opportunity Institute, provided by the NC Office of State Personnel, addresses federal and state EEO laws and issues of workplace diversity in state government.

### **E. Promotional Opportunities**

UNCW encourages all employees to seek promotional opportunities, and UNCW's job posting system provides employees information about vacant positions under recruitment. In accordance with North Carolina law, UNCW extends priority consideration and hiring preference for promotions for SPA employees who are substantially equally qualified to a non-state employee.

Faculty positions allow progression to higher levels of the professorate according to policies published in the Faculty Handbook. Faculty are selected for award of tenure and for promotion to higher rank regardless of race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents -- except where sex, age, or ability represent bona fide educational or occupational qualifications. It is the responsibility of the provost, the deans, and department heads to apply nondiscriminatory criteria for promotion and for tenure.

Supervisors of SPA classified positions are asked to monitor the employee's duties and to seek a classification review if the work changes. Reclassifications are recommended whenever the position study indicates that position duties have changed substantially over time. The reclassification of an SPA position to higher competency level or career (though not subject to competitive recruitment procedures) is construed as a promotion under OFCCP guidelines. Reclassification decisions are based on job content, increased competencies and market considerations, and are made regardless of race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents.

### **III. REDUCTION IN FORCE IMPACT ANALYSIS**

When budgetary constraints or changes in operational requirements necessitate, UNCW may abolish positions and separate employees under provisions of its Reduction in Force Policy.

As a matter of university practice, all reasonable means of avoiding a reduction in force will be explored prior to separating permanent employees -- including, for example, reducing non-salary

expenditures such as purchasing or travel, reducing salary expenditures by freezing vacant positions, reallocation resources within UNCW, and abolishing vacant positions.

In accordance with current federal case law, reduction-in-force decisions must be made regardless of an employee's demographic category. However, to assess the potential adverse impact on the diversity of the work force, an adverse impact analysis will be performed for the purpose of determining the effects of an impending reduction in force on the demographics of the University's work force -- with respect to the representation of racial and ethnic minorities and women and the representation of persons with disabilities.

Where reduction-in-force criteria are applied uniformly and lead to the separation of minority or female employees, UNCW will immediately review the race/sex composition of the remaining work force in order to determine whether the current year's affirmative action objectives need to be revised under its federally approved EEO/AA Plan.

#### **IV. OUTREACH ACTIVITIES**

UNCW encourages representation by faculty and administrative staff on community councils, boards, and organizations which promote the employment of women, racial and ethnic minorities, persons with disabilities, and covered veterans.

In addition, UNCW encourages its members to participate at the state and national level in professional organizations that address issues of minorities, women, and persons with disabilities. University employees regularly participate in conferences sponsored by their professional organizations which focus on issues of campus diversity. Though most of these organizations do not conduct formal job fairs, the contacts made do allow for both specific and general recruitment activities. Some of these organizations offer formal placement centers at national and regional meetings, special training programs, mailing lists of individuals who are in the target groups, and publications which are likely to reach members of those groups.

For all staff job categories, vacancy announcements are sent routinely to the local North Carolina Employment Security Commission; the Office of State Personnel; other specialized agencies which may serve as referral sources for women and minorities; and posted to the UNCW Human Resources web page.

#### **V. EXIT SURVEYS**

In July 2007 UNCW Human Resources began a program to survey separated employees with regard to their reasons for leaving the university. UNCW contacts former employees (who left voluntarily) and asks them a series of questions that are designed to help determine their motivation for leaving the university. Results of the survey are tabulated and analyzed for patterns. Patterns which suggest a workplace that disenfranchises employees are discussed with supervisors of those areas.

## **VI. DIVERSITY INITIATIVES**

The University of North Carolina Wilmington (UNCW) defines diversity as, but not limited to, race, sex, age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran's status, gender, educational disadvantage, socio-economic circumstances, language, and a history of overcoming adversity.

The UNCW diversity initiatives have evolved with progress toward a bold and inclusive organizational cultural change based on collaboration and relationship building. Chancellor Rosemary DePaolo maintains a Diversity Council with campus-wide representation to lead diversity planning efforts. A UNCW Diversity Initiative Plan was recommended in September 2004. These essential steps fostered the initial infrastructure to create the Diversity Council and the Office of Institutional Diversity and Inclusion, an office with specific operational duties for this initiative. In an effort to build a more robust offensive the Interim Associate Provost for Institutional Diversity and Inclusion submitted to the Provost for approval an organizational proposal to create an enhanced departmental function based on enhanced program offerings. For 2009, the council will review and refresh the progress on the initiatives.

A university climate survey completed in 2006 and reinforced by focus groups in the spring of 2007 underscored the American Council on Higher Education's imperative to "enable our institutions to maintain their strong commitment to be welcoming places to students of all races and walks of life and to continue to pursue a wide range of legally permissible means of attaining a diverse student body." UNCW acknowledges the need to provide a place for all people within a global community. Our diverse students and faculty must feel safe in their academic environment and open to engage in educational opportunities. The 2009 council will review these findings and assess progress on the recommendations.

### **DIVERSITY COUNCIL PLAN'S KEY FEATURES:**

Implementation of the University of North Carolina Wilmington Diversity Council recommendations are outlined and monitored in a matrix reporting process with eight functional areas: Web-presence, Campus Awareness, Office of Institutional Diversity and Inclusion, Admissions, Academic Affairs, Human Resources, Administration, and Student Affairs. The report is found in Part II of UNCW's EEO/AA Plan and Report.

1. Enhance the Web Presence of diversity initiatives. The Office of Institutional Diversity and Inclusion (OIDI) is responsible for monitoring and promoting a prominent diversity website with links to related activities and campus information both to and from division, college, and school diversity websites, with diversity news update box.
2. General Campus Awareness – under the leadership of the OIDI, these initiatives will be continued in 2009:

- Include topic of diversity in Chancellor's annual State of the University Address
- Establish annual Diversity Symposium on campus
- Develop and disseminate survey schedule for future and Climate Survey findings to faculty, students, and staff
- Establish Speakers Bureau from which orientation and training planners can draw programs and expert presenters
- Broadly communicate UNCW diversity definition and vision, including incorporation into appropriate documents
- Broadly communicate the newly approved Campus Respect Compact which describes expectations for interactions among students, administrators, faculty, and staff implemented on campus. The Campus Respect Compact was initiated in 2008.
- The Arts In Action Performance Series seeks to culturally enrich, educate and entertain both students and the general public through the presentation of diverse programs featuring professional, high-quality performing artists.
- The Leadership Lecture Series invites nationally-known speakers who enlighten, challenge, inspire and demonstrate that all people have the ability to lead if they have the desire to make a difference.

### 3. Campus Operations:

- Admissions: Identify resources to institute a mentoring program for racial and ethnic minority students upon admission.
- Academic Affairs:
  - Institute a diversity module as a required component of all orientation programs for new and transfer students, administrators, faculty, and staff with a refresher curriculum.
  - Work with academic departments to identify how diversity is addressed in required in coursework for their majors and charge Basic Studies Committee with curriculum revision to incorporate diversity.
  - Provide mentoring for diverse faculty and staff.
  - Hire an Assistant Director of International Student & Scholar Services to coordinate cultural programs, excursions, international student recruitment, etc. and establish funds dedicated to international student scholarships.
- Human Resources:
  - Require EEO/AA briefings for each search committee at UNCW
  - Defined and developed a job description for an Ombudsperson to focus on diversity issues. This position was not funded due to budget limitations.
- Administration:
  - Create programs in University College to support diverse students and address targeted needs.

- Establish a summer residential student fellows program.
- Student Affairs:
  - Recruit and increase the number of diverse students who serve in leadership positions (Student Ambassadors, Resident Advisors, and Orientation leaders).

## **HUMAN RELATIONS EFFORTS:**

In response to the call of university leadership, the University of North Carolina Wilmington's Office of Institutional Diversity and Inclusion in an effort to better serve our constituency, has been charged to launch a robust effort in the establishment of cultural centers to address the needs of underrepresented groups. In 2008 an Associate Provost for Institutional Diversity and Inclusion was hired. In addition to the Women's Studies and Resource Center, three cultural centers currently exist in the Office of Institutional Diversity and Inclusion: the Upperman African American Cultural Center, Centro Hispano, and the Center for Multi-Culturalism and Pre-College Programs (formerly known as OASIS). As a whole, these centers strive to coordinate and implement programs that support our diverse student population, assist in the development of diversity policies and procedures, provide academic and social guidance to students, engage in grant writing and fundraising efforts related to diversity initiatives, and assume responsibility for the enhancement of the overall cultural and academic enrichment experiences of UNCW students.

In support of these efforts, the Office of Institutional Diversity and Inclusion is mindful of its preamble: In the pursuit of excellence, the University of North Carolina Wilmington actively fosters, encourages, and promotes inclusiveness, mutual respect, acceptance, and open-mindedness among students, faculty, staff, and the broader community. Diversity is an educational benefit that enhances the academic experience and fosters free exchange of ideas from multiple perspectives.

### **Upperman African American Cultural Center**

Mission Statement: The Upperman African American Cultural Center (UAACC) provides UNCW students, faculty, staff and the greater Wilmington community a central location from which they can experience the rich heritage of African Americans through print and visual media, workshops, presentations, exhibits, and cultural performances. The Center provides a welcoming atmosphere for all UNCW students.

### **Centro Hispano**

Mission Statement: Centro Hispano creates a responsive educational environment for Hispanic students and others interested in Hispanic cultures. Centro supports the research, education and service components necessary for the training and preparation of global citizens. And finally, the Centro informs, guides, and champions UNCW's engagement with the region on issues critical to Hispanic constituencies. These initiatives promote opportunities that expand our cultural understanding and appreciation of the Hispanic world.

The Centro invites UNCW and the southeastern North Carolina community to participate in its activities.

### **Center for Multi-Culturalism and Pre-College Programs (formerly OASIS)**

Mission Statement: The mission of the Center for Multi-Culturalism and Pre-College Programs is two-fold. With regard to multi-diverse student populations, the mission is to promote the appreciation of the Asian/Pacific Islander and Native American cultures and the awareness of issues affecting Lesbian, Bisexual, Gay, Transgender, Queer and Questioning students. A Pre-College focus also exists in the Center for Multi-Culturalism and Pre-College Programs with a mission to identify students from historically underrepresented populations or socioeconomically challenged backgrounds, recognize their current successes, and guide, motivate and mentor them in the pursuit of a college education. Within this framework, the Pre-College program provides academic outreach efforts, college planning and preparation workshops, guides students toward scholarship opportunities, and advises parents/guardians of historically underrepresented students in a series of educational events and support sessions. Additionally, students from regional middle schools and high schools visit the campus and meet with UNCW faculty/administrators, staff, and UNCW students where they are given the opportunity to glance campus life. As a whole, the Center for Multi-Culturalism and Pre-College Programs strives to further the University's commitment to diversity by fostering a welcoming community that enables and prepares students for success as members of a global citizenry. CMPCP provides programs and services that support the academic mission of the University by enhancing the educational, cultural, social and personal development of Asian/Pacific Islander, Native American, Lesbian, Bisexual, Gay, Transgender and Questioning (LGBTQ) individuals, as well as K-12 students with a special emphasis on those students from historically underrepresented student populations.

### **Women's Studies and Resource Center**

The Women's Studies and Resource Center strives to create an interdisciplinary community of scholars working in the areas of sex, gender, and women's issues. The Center offers research, programming, education, and advocacy to promote gender equality, both locally and globally. The Center also provides information and referrals for a variety of UNCW and community services and resources.

**EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION PLAN**  
**REPRESENTATION ANALYSIS METHODOLOGY**  
**[41 CFR 60-2.11]**

In compliance with regulations of the Office of Federal Contract Compliance Programs (OFCCP), the federal agency with oversight responsibility for Executive Order 11246, the University of North Carolina Wilmington compiles an annual report of the representation of women and racial and ethnic minorities at UNCW consisting of the following components: Work Force Analysis, Job Group Analysis, Availability Analysis and Representation Analysis.

In performing these analyses, UNCW uses "AA Planner" software designed and developed by Peopleclick Corporation to facilitate the representation analysis as specified at 41 CFR 60-2.15. This section of the AA plan will outline the methodology employed in undertaking UNCW's Representation Analysis and summarize the resulting representation of women and racial and ethnic minorities in our work force.

**I. WORK FORCE ANALYSIS [41 CFR 60-2.11]**

Data for all permanent and time limited employees are extracted annually from UNCW's Human Resources System. The data represent persons employed at UNC Wilmington on December 31 of each year, and is downloaded to AAPlanner to initiate the work force analysis.

A Work Force Analysis (organizational profile) is then prepared which details each organizational unit of UNCW by listing all positions assigned to the Unit and providing the count and percentage representation of women and racial and ethnic minorities for the unit as a whole -- as well as providing subtotals and percentages for each minority group. The Work Force Analysis is included in Part II of the annual EEO report.

**II. JOB GROUP ANALYSIS [41 CFR 60-2.12 and 41 CFR 60-2.13]**

Job groups for all permanent full-time or part-time employees are determined by reviewing each employee's job and classification to determine: (1) similar content, (2) similar rates of pay, and (3) similar opportunities.

A Job Group Analysis is then prepared which details each job group by total female and total minority representation -- and provides subtotals and percentages for each minority group. In the Job Group Analysis, position titles are listed from the highest individual salary or salary range to the lowest. This analysis is included in Part II of the annual EEO Report. [Note: While the Chancellor's and Chancellor Emeritus' positions are included in the work force analysis, it is excluded from the job group analysis because hiring decisions for this position are made at the UNC system level rather than at UNC Wilmington.]

### **III. AVAILABILITY ANALYSIS [41 CFR 60-2.14]**

UNC Wilmington uses Factor I (the percentage of racial and ethnic minorities or women with requisite skills in the reasonable recruitment area) exclusively for determining race and sex availability for all job groups. Factor II (the percentage of racial and ethnic minorities or women among those promotable, transferable, and trainable within the contractor's organization) is not used because of UNCW's preference that its internal distribution of racial and ethnic minorities and women should not influence our goal for the UNCW workforce to look just like the labor market.

Because all of the job groups that recognize staff are composed of job titles with different availability rates, a composite availability figure for the job group must be calculated. UNC Wilmington determines the availability for each job title within the job group by assigning an occupational code from the 2000 census, and then determines the proportion of job group incumbents employed in each job title using the Peopleclick AA Planner software. This software weighs the availability for each job title by the proportion of job group incumbents employed in that job group. The sum of the weighted availability estimates for all job titles in the job group indicates the composite availability for the job group.

UNC Wilmington uses the best available information to determine the percentage of racial and ethnic minorities and women in occupations that correspond to UNC Wilmington's job groups. The best available information for our staff positions and Tier II senior officers is the 2000 federal census. For Tier I senior officers and faculty job groups, UNC Wilmington uses data provided by the US Department of Education. This data indicates the race and sex of employees in educational institutions similar to UNC Wilmington. UNC Wilmington may use nation-wide, state-wide or Wilmington area census data based on the predominate recruitment strategies that we use for vacancies within the job group. The specific availability data is found in Part II of the EEO/AA plan.

### **IV. COMPARING INCUMBENCY TO AVAILABILITY [41 CFR 60-2.15]**

Under-representation of women or racial and ethnic minorities exists in a job group when the actual number of employees is less than the number that would reasonably be expected by their availability in the labor market. The OFCCP's definition of under-representation relies on a standard of reasonableness. Institutions may select among three recognized standards: the any difference test; an 80% test; and a standard deviations test.

The University of North Carolina Wilmington has adopted the most stringent of these standards, the Any Difference Test, to guide our affirmative action planning. The Any Difference Test documents whenever the representation of women or racial and ethnic minorities among the UNCW workforce is at least one whole person less than the expected representation of these groups in relation to their availability in the relevant labor market -- by comparing the UNCW workforce percentage to the availability percentage and calculating the number of persons UNCW would need to recruit in order to bring the representation of women or racial and ethnic minorities in the job group into parity with the labor market.

The comparison and analysis of the work force and availability percentages generated in the Job Group Analysis and Availability Analysis, respectively, enable us to develop a clear picture concerning the relative representation of women and racial and ethnic minorities at UNC Wilmington. The final step in the analysis is to compare the work force percentages and market availability for women and racial and ethnic minorities by job group. Wherever the work force percentage is equal to or exceeds market availability, women or racial and ethnic minorities are "fully represented" within the UNCW work force. Wherever the work force percentage is less than market availability (and the difference equates at least to one full person), women or racial and ethnic minorities are "under-represented."

**EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION PLAN**  
**METHODOLOGY TO ESTABLISH PLACEMENT GOALS**  
**[41 CFR 60-2.16]**

The goal of UNCW's Affirmative Action planning is for women and racial and ethnic minorities to be represented on our campus to the same extent as they are represented in the appropriate labor market -- or for the work force percentage to equal the availability percentage.

Relying on the current year's comparison between the UNCW work force percentage and the labor market availability for both women and racial and ethnic minorities by job group, UNCW establishes an affirmative action goal wherever the work force percent is less than the availability percent and the difference is at least one whole person. No goals are established for job groups with under-representation of less than one full person.

**EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION PLAN**  
**METHODOLOGY TO EVALUATE PRIOR YEAR'S GOALS**  
**[41 CFR 60-2.16]**

**Evaluation by Comparing Net Change in Representation**

Where work force counts are below labor market, UNCW establishes a goal to increase the representation of women or racial and ethnic minorities (incumbency) to bring their representation in line with the labor market (availability). Each job group is evaluated against the previous year's representation as one means of evaluating the prior year's goal accomplishment (*Part II, Tables 3 and 4*). As a quantitative measure, this picture of gains and losses in each job group helps administrators understand where we have made progress in recruiting and retaining women and racial and ethnic minorities and where we need to make further progress to achieve a fully balanced and diverse work force.

**Evaluation by Comparing Percentage Change in Availability and Representation**

For job groups that require a closer examination of under-representation, comparisons are made between the current and previous year's availability and the current and previous year's incumbency (*Part II, Tables 5 and 6*). In some cases, this may indicate that even though UNCW is using good faith efforts to hire and retain women and racial and ethnic minority employees, the percentage of women and racial and ethnic minority employees in the labor market may be rising at a pace faster than at UNCW.

**EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION PLAN**  
**IDENTIFICATION OF PROBLEM AREAS**  
**[41 CFR 60-2.17]**

The University of North Carolina Wilmington is committed to and will provide equality of educational and employment opportunity for all persons regardless of race, sex (such as gender, marital status, and pregnancy), age, color, national origin (including ethnicity), creed, religion, disability, sexual orientation, political affiliation, veteran status, or relationship to other university constituents. The Human Resources Office consistently evaluates impediments to equal employment opportunity by ensuring non-discriminatory practices in personnel activity such as selection, recruitment, compensation, training, and hiring. In addition, the Human Resources Office annually evaluates the representation of women and racial and ethnic minorities by job group. Human Resources monitors all employment activity. Situations that indicate an adverse condition are typically identified early in the recruitment and selection process and the hiring official is advised on corrective actions.

**EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION PLAN**  
**INTERNAL ACCOUNTABILITY AND REPORTING SYSTEMS**  
**[41 CFR 60-2.17]**

**Supervisory Accountability for Affirmative Action Efforts**

Every supervisor is charged with carrying out the program of equal employment opportunity and affirmative action.

**Monitoring and Assessment of Good Faith Efforts to Obtain Goals**

The affirmative action program is evaluated in two ways:

1. Monitoring UNCW's commitment and good faith efforts, and
2. Comparison of numerical goals and progress toward accomplishing those goals. Both of these functions are the responsibility of the EEO/AA Officer in conjunction with the Chancellor and the EEO/AA Advisory Committee. To evaluate adherence, the EEO/AA Officer requires reports from those involved in the search and selection process and, when necessary, consults with them at important steps in the employment process. Reports and consultations also occur whenever there appears to be an insufficient number of racial and ethnic minorities or women in the pool of candidates or whenever a substantial portion of such applicants has been eliminated.

The EEO/AA Officer has published reporting requirements and makes available affirmative action compliance forms for the use of faculty members and administrative officers participating in the hiring process.

1. When the search is initiated, the department must notify the EEO/AA officer (or designee) of the type of position and of specific plans for advertising the position.
2. Each applicant for the position is asked to identify him or her race and ethnicity, gender, disability, and/or veteran status on UNCW's PeopleAdmin and Consensus™ on-line application systems. The results of each search are made available to the EEO/AA officer (or designee) who may, in some searches, recommend that the search be extended to reach additional racial and ethnic minorities and women in percentages more reflective of availability for the applicant pool.
3. In any search, if the EEO/AA Officer (or designee) perceives the possibility of deficiencies in the application of the affirmative action process, the officer may request a review by the academic dean of the affected unit, or by the appropriate vice chancellor. If appropriate, the EEO/AA Officer, the division vice chancellor for EPA positions, or the Provost for faculty positions may suspend a search and report the suspension to the Chancellor.

4. Before a search leader extends an offer of employment, the EEO/AA Officer shall have received a report which describes the recruiting and advertising efforts; and states the reason or reasons for preferring the person chosen for the position. This report should include a summary report on compliance with the affirmative action process.

For SPA appointments, the EEO/AA Officer ensures that procedures published by the North Carolina Office of State Personnel are followed. In addition, the EEO/AA Officer requires that a report be filed in the Office of Human Resources describing the selection of one applicant over the other applicants who were interviewed.

In overseeing UNCW's affirmative action program, the EEO/AA Officer makes regular reviews of the work force complement. Those job groups which demonstrate under-representation are scrutinized carefully. Hiring decisions made in the various units are assessed on an ongoing basis as they relate to the progress toward accomplishing the percentage goal within job groups. The provost and vice chancellors who oversee positions affected by the under-utilization are regularly informed of the progress toward attaining those goals.

Further, the Director of Internal Audit incorporates formal audit procedures into UNCW's ongoing audit protocols to monitor compliance issues with respect to UNCW's EEO/AA program.

**EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION PLAN  
COMPLIANCE WITH GUIDELINES ON DISCRIMINATION  
BECAUSE OF RELIGION OR NATIONAL ORIGIN  
[41 CFR 60-50]**

UNCW has reviewed its employment practices to ensure that members of various religious and/or ethnic groups receive fair consideration for employment opportunities. In addition, UNCW makes reasonable accommodation to religious observances and practices.

**COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES  
[41 CFR 60-20]**

**Recruitment and Advertisement**

The University of North Carolina Wilmington will continue its policy of equal employment opportunity for members of both sexes. UNCW has no job positions that have BFOQ, i.e., reserved for members of one sex only because sex is a bona fide occupational qualification. UNCW actively recruits both men and women for all jobs and informs its recruiting sources that it has no sex preference. Advertisements for university positions express no sex preference. Print advertisements do not appear under headings labeled "male" or "female."

**Job Policies and Practices**

Written personnel policies clearly indicate that there shall be no discrimination against employees on account of sex. All employees have equal opportunity for any job for which they are qualified. UNCW makes no distinction based on sex in employment opportunities, wages, hours, benefits, or other conditions of employment and places no restrictions on a women's ability to work that are not placed on a men's ability in the same setting. There is no distinction between the hiring, employment treatment or termination of a woman or man based on marital status (except where marital status is a statutorily established eligibility criterion for State funded employee benefit programs). UNCW does not deny employment to women with young children nor does it treat male and female employees differently as to retirement or termination because of age. Seniority at UNCW is not based in any way on sex. UNCW provides appropriate and comparable physical facilities for female and male employees. There is no distinction based on sex in determining eligibility for any training and development program offered by UNCW. Women are encouraged to participate in such opportunities both within and outside UNCW.

**Pregnancy and Medical Conditions**

Women are not discriminated against in their employment because of time spent away for childbearing or related medical conditions. Disabilities resulting from pregnancy are treated like any other temporary disability suffered by an employee. Female employees who are pregnant are not subjected to limitations on their employment rights before childbirth. After a leave for pregnancy or related conditions, entitlements are retained in the same manner as for any

employee returning from disability leave. Under UNCW's health insurance coverage and disability programs, a disability contributed to or caused by pregnancy or related medical conditions is treated the same as a disability contributed to or caused by other medical conditions.

### **Sexual Harassment and Undue Favoritism Based on Sex**

Sexual harassment and/or the assignment or suggestion of rewards and punishments on the basis of sex are prohibited. Intimate consensual sexual relations between supervisors and subordinates, and between faculty members and students are discouraged. Those relationships are improper when they influence or could reasonably be expected to influence decisions or actions or are related to employment and/or academic success.

Upon allegations that raise reasonable apprehension of prohibited activity that violates this policy, careful inquiry--with appropriate safeguards insuring individual rights and confidentiality--will be carried out. Appropriate penalties will be meted out under normal procedures ensuring due process. Those who invoke the policy are protected from retaliatory acts. Information concerning complaints arising under it will be treated responsibly. Malicious or frivolous claims of harassment or favoritism are also prohibited and, if substantiated, will result in disciplinary action.

This policy applies to all applicants for employment, or for admission to university programs, to all officers and employees, students, and to persons who serve UNCW as agents and are under the control of UNCW.

The Office of Human Resources and the Dean of Students' Office provide training to faculty and staff on ways to identify and correct sexual harassment. That training focuses especially on relevant state and federal laws, court decisions, grievance and disciplinary procedures, and useful mediation strategies.

Effective in 2009, all faculty and staff are required to attend harassment awareness educational sessions.

**EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION PLAN  
SPECIFIC PROVISIONS CONCERNING PERSONS WITH HANDICAPPING  
CONDITIONS, DISABLED VETERANS, AND VIETNAM ERA VETERANS  
[41 CFR 60-250 and 60-741]**

The University of North Carolina Wilmington does not discriminate against persons with disabilities and is committed to taking affirmative action to employ and advance in employment qualified individuals with disabilities, disabled veterans and veterans of the Vietnam Era. This affirmative action program applies to the recruitment, employment, compensation, and advancement of persons with disabilities, disabled veterans, and veterans of the Vietnam Era.

**Outreach Activities**

In seeking persons with disabilities, disabled veterans, and veterans of the Vietnam era, UNCW identifies agencies and organizations which may refer applicants. Specifically, UNCW regularly seeks the aid of the following sources in the interest of identifying and giving employment consideration to disabled and Vietnam Era veterans and to persons with disabilities:

Director  
Employment Security Commission  
717 Market Street  
Wilmington, NC 28401

Unit Manager  
NC Vocational Rehabilitation Services  
709 Market Street  
Wilmington, NC 28402

Employees with disabilities, disabled veterans, and Vietnam Era veterans may appropriately identify themselves as such to facilitate accommodation. Job applicants are advised, during the recruitment process, to contact the UNCW Employment Services Manager if they require an accommodation if called for an interview.

**Personnel Practices**

UNCW makes reasonable accommodation to the physical and mental limitations of an employee or applicant. Information obtained from applicants and employees concerning a physical or mental condition is kept confidential, except that (1) supervisors and managers may be informed regarding the necessity for accommodation or restrictions on work or duties; (2) first aid and safety personnel may be informed, when appropriate; and (3) government officials investigating compliance with equal employment opportunity laws may be informed.

The applications of employees known to Human Resources staff as having disabilities and known disabled veterans are reviewed to ensure that qualified individuals are given equal consideration for opportunities for promotion and transfer.

Employment procedures for faculty and staff (EPA and SPA) include careful attention to evidence of self-identification in these categories and require thoughtful consideration of such applicants for initial employment and promotions and for participation in training opportunities. Periodic reviews of employment procedures allow monitoring of affirmative action activities and responses to these populations. Recruitment staff in the Office of Human Resources address issues involved in placing persons with disabilities in employment and respond to requests for accommodation by such persons. Human Resources routinely offers workshops to supervisors that present affirmative action principles and recruitment policies affecting persons with disabilities and disabled veterans.

So that qualified persons with disabilities are not screened out unnecessarily for UNCW's jobs, the Office of Human Resources reviews job descriptions of positions to ensure that physical and mental job qualifications are job-related, are consistent with business necessity, and will ensure the safe performance of the job.

In offering employment or promotions to individuals with disabilities or covered veterans, UNCW does not reduce the amount of compensation offered because of any disability income, pension, or other benefits the applicant or employee receives from other sources.

### **Facilities**

All buildings were subjected to a compliance review by the Office of Civil Rights of the Atlanta regional office of the U. S. Department of Education in 1991; suggested corrections were made. Since that time, UNC Wilmington has maintained an ongoing program to improve its facilities and ensure ADA compliance as needs are identified and funding becomes available. In addition, all plans for new construction projects and renovations involving the reorientation of building components are submitted for review and approval by the NC Department of Insurance Fire Fund Division. The NC Department of Insurance reviews the plans for compliance to the NC Building Code, which includes the North Carolina Accessibility Code and meets ADA requirements.

**EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION PLAN**  
**COST REDUCTION MECHANISMS AND RECORDS AVAILABILITY**  
**[41 CFR 60-2.32 ]**

In order to reduce the cost of publishing, the university publishes the EEO/AA Plan in three parts. Part I is distributed to the North Carolina Office of State Personnel, UNCW Division Directors, and Reserve Desk of Randall Library. Part I is updated as needed and posted to the UNCW Human Resources web site. Part II is produced annually, and posted to the UNCW Human Resources web site. Part II is also distributed to the NC Office of State Personnel, UNCW Division Directors, and UNCW Board of Trustees. Part III is produced annually as supporting tables for Part II and is maintained in the Office of Human Resources. All three parts are available for inspection during regular working hours at 5051 New Centre Drive, Wilmington, NC for a period of three years after they are produced.

***Part I: EEO/AA Policies and Procedures***

- EEO/AA Policy Statement
- Dissemination Of The Affirmative Action Policy
- Implementation Of Affirmative Action Program
- Development and Execution of Action-Oriented Programs
- Utilization Analysis Methodology
- Methodology to Establish Placement Goals
- Methodology to Evaluate Prior Year's Goals
- Identification of Problem Areas
- Internal Accountability and Reporting Systems
- Compliance with Guidelines on Discrimination Because of Religion or National Origin
- Compliance with Sex Discrimination Guidelines
- Specific Provisions Concerning Persons with Handicapping Conditions Disabled Veterans and Vietnam Era Veterans
- Cost Reduction Mechanisms and Records Availability

***Part II: EEO/AA Annual Report***

- Reaffirmation of EEO/AA Policy Statement
- Executive Summary
- Utilization Observations by Job Group
- Summary Observations by EEO6 Category
- Utilization Analysis
- Placement Goals
- Good Faith Efforts
- Supporting Tables and Graphs

***Part III: EEO/AA Supporting Documentation***

- Factor Availabilities
- Job Group, EEO Codes, and Census Occupation Codes Assigned to Job Titles
- Job Group Analysis
- Work Force Analysis (Organizational Profile)