

General Institution

1 **AP 3420 EQUAL EMPLOYMENT OPPORTUNITY**

2 **References:**

- 3 Education Code, Sections 87100 et seq.;
- 4 Title 5, Sections 53000 et seq. and Sections 59300 et seq.;
- 5 ACCJC Accreditation Standard III.A.12;
- 6 Government Code Sections 7400 et seq. and 12940 et seq.

7 **Equal Employment Opportunity (EEO) Plan**

8 The District's Diversity and Equal Employment Opportunity Advisory Committee
9 (DEEOAC) will develop the District's EEO Plan under the direction of the
10 President/Superintendent and with input from all college constituent groups. The District
11 shall develop the EEO Plan no later than the date specified by the state Chancellor's
12 Office.

13 The District's EEO Plan will be a written document which describes the District's EEO
14 program. The EEO Plan shall comply with Title 5 requirements and shall include:

- 15 • the District's Employment Selection Procedures developed in accordance with BP
16 2510 titled Participation in Local Decision-Making;
- 17 • the procedure for filing complaints and the person with whom such complaints are
18 to be filed;
- 19 • a process for notifying all District employees of the provisions of the plan and the
20 policy statement required;
- 21 • a Diversity Plan;
- 22 • annual reporting requirements;
- 23 • the District's program for the promotion of workforce diversity; and
- 24 • additional steps that address Title 5 requirements.

25 The plan shall be a public record.

26 The District will make a continuous good faith effort to comply with the requirements of
27 the plan.

28 **Annual Reporting**

29 An annual demographic report shall be provided to the state Chancellor's Office on the
30 results of the District's annual survey of employees, which meets Title 5 requirements.
31 An annual report on the status of diversity in District Employment Selection Procedures
32 will be prepared and presented to the Diversity and Equal Employment Opportunity
33 Advisory Committee (DEEOAC), the Board of Trustees and the state Chancellor's Office.

34 Districts shall review the annually collected demographic data to determine if significant
35 underrepresentation of a monitored group may be the result of non-job-related factors in

36 the employment process. For the purposes of this subdivision, the phases of the
37 employment process include but are not limited to recruitment, hiring, retention and
38 promotion. The information to be reviewed shall include, but need not be limited to:

- 39 • longitudinal analysis of data regarding job applicants to identify whether over
40 multiple job searches, a monitored group is disproportionately failing to move from
41 the initial applicant pool, to the qualified applicant pool; and
- 42 • analysis of data regarding potential job applicants, to the extent provided by the
43 State Chancellor, which may indicate significant underrepresentation of a
44 monitored group.

45 **Diversity and Equal Employment Opportunity Advisory Committee**

46 The District shall establish and maintain a Diversity and Equal Employment Opportunity
47 Advisory Committee (DEEOAC) which will include a diverse membership and represent
48 all college constituent groups. The responsibilities of the Committee will include but not
49 be limited to the following:

- 50 • receive training in all of the following: applicable Title 5 regulations and of
51 state and federal nondiscrimination laws; the educational benefits of
52 workforce diversity, the identification and elimination of bias in hiring
53 decisions; and the role of the advisory committee in carrying out of the
54 District's EEO Plan;
- 55 • review and advise on employment election procedures, selection committee
56 and process monitor training, recruitment efforts, and processes that impact
57 the District's ability to attract and retain a diverse faculty and staff;
- 58 • recommend special training or staff development needs, including sexual
59 harassment training, to the President/Superintendent;
- 60 • review the EEO Plan and programs, and monitor their implementation;
- 61 • recommend changes needed in the EEO Plan and programs; and
- 62 • review the annual written report to the President/Superintendent, the Board of
63 Trustees and the state Chancellor's Office, and analyze any pertinent data.

64 **Employment Procedures**

65 **Identification of Positions – Recruitment and Hiring**

66 The District's Educational Master Plan and this Administrative Procedure, which will be
67 included in the District's EEO Plan, will guide the identification of positions that the District
68 will fill in any fiscal year.

69 **Identification of Management Positions to be Filled**

70 ***Recruitment for a Vacated Position***

71 When a management position is vacated, the manager who supervises the position
72 analyzes the needs of the division/area supervised by the vacated position, the
73 division/area plan, and the Educational Master Plan. If the supervising manager
74 determines that there is a need to continue the position, the manager will complete an
75 Employment Request Form and a brief justification for the need to continue the position,
76 and submit to the appropriate Vice President. The Executive Council will then review the
77 request and determine whether the position will be filled and the timing for the recruitment.

78 **Recruitment for a New Management Position**

- 79 1. When a supervising manager or administrator (President/Vice President)
80 determines that there is a need for a new management position to manage a
81 division/area/program, the supervising manager or administrator will write a
82 justification for the position that will be presented to Executive Council for review.
83 The justification should include: a budget analysis indicating the cost and funding
84 source(s) for the position, an analysis of the need in the division/area/program that
85 requires the management position, and the goals and objectives of the Educational
86 Master Plan that will be enhanced, realized or advanced by the management
87 position. The justification for the position may be presented as part of a
88 unit/division plan or a direct request to Executive Council, if the need for the
89 position emerges outside of the timing for the regular planning process.
- 90 2. If Executive Council determines that the new management position proposed by
91 the unit/division plan, supervising manager, or administrator is consistent with the
92 District's Educational Master Plan's goals and objectives and is fiscally feasible, it
93 will direct the supervising manager or administrator to prepare a proposed job
94 description for review by Human Resources. After review, Human Resources will
95 place the proposed job description and justification on the Board Agenda with
96 consultation from the appropriate manager or administrator. Upon Board approval,
97 Executive Council will direct the timing of the recruitment for the position.
- 98 3. The District may apply for a grant which provides funding for a new management
99 position for the grant funds/program. In this case, the job description will be
100 developed in the grant application process in collaboration with Human Resources.
101 Upon receipt of grant funding, a job description will be placed on the Board Agenda
102 for approval. The recruitment for this position will indicate that continued
103 employment is contingent on continued grant and/or alternate funding.

104 **Identification of Full-Time Faculty Positions to be Filled**

105 **Recruitment for Full-Time Faculty Positions**

- 106 1. During the Fall semester of each year, the District determines the District's full-
107 time faculty recruitments for that academic year. The procedure is guided by the
108 Educational Master Planning process.
- 109 • Each Fall semester, as part of the Program Review Planning process,
110 department chairs will indicate new hire requests in Program Review Program.
 - 111 • The following Spring, faculty and managers who have indicated a new hire
112 request as part of Program Review Program fill out and submit a faculty hiring
113 position request form to the Faculty Hiring Prioritization (FHP) Committee,
114 using relevant data and a narrative justifying the need for a fulltime position.
115 Department chairs and managers will work together to submit the request for
116 new faculty. Divisions will not rank faculty hiring requests.
 - 117 • A list of all faculty hiring requests will be forwarded to the Faculty Senate by the
118 co-chairs of the FHP Committee.
 - 119 • Requests for new faculty not submitted through Program Review Program are
120 not eligible for ranking by the FHP Committee, no exceptions.

- 121 • Early in the Fall semester, the Faculty Hiring Prioritization Committee will
122 review and evaluate the requests based on the specified criteria (See New
123 Faculty Request Form and Directions).
- 124 • All faculty hiring requests will be ranked, regardless of how many positions may
125 be available.
- 126 • New faculty requests will be ranked using the FHP Norming Model.
- 127 • In addition to the norming model, the FHP Committee members will score
128 qualitative questions. Scores from the qualitative questions will be averaged
129 and added to the Norming Model scores to create the prioritized list for
130 recommendation.
- 131 • The prioritization list will be forwarded to the Executive Council for action. The
132 list will also be forwarded as an information item only to the Faculty Senate and
133 Planning and Budget Committee.
- 134 • The Executive Council considers the FHP Committee Faculty Priority List, the
135 District's budget, the District's Faculty Obligation Number (FON), current
136 staffing, and the Educational Master Plan goals and objectives to finalize the
137 full-time faculty positions on the list in the recommended order for which the
138 District will begin recruiting.
- 139 • The President/Superintendent acts on the Executive Council's
140 recommendations and forwards positions to the District as appropriate. Should
141 the President/Superintendent override any of the ranked positions, he/she/they
142 must present a written explanation of that decision to the FHP Committee,
143 Faculty Senate, and Planning and Budget.

144 **Identification of Classified/Confidential Position to be Filled**

145 ***Recruitment for a Vacated Classified/Confidential Position***

- 146 1. When a classified/confidential position is vacated, the manager who supervises
147 the position must, at a minimum, analyze: (1) the needs of the division/area in
148 which the vacancy occurs, (2) the budget for the division/area, (3) the division/unit
149 plans and (4) the Educational Master Plan. If the supervising manager determines
150 that there is a need to continue the position, he/she/they will submit an
151 Employment Request Form and a brief justification for the need to continue the
152 position to the appropriate Vice President or President/Superintendent.
- 153 2. The Vice President or President/Superintendent will prioritize all requests to fill
154 vacated classified/confidential positions in his/her/their area. The prioritized list
155 and justification will be presented to Executive Council.
- 156 3. Executive Council will review the requests and the prioritized lists of positions to
157 determine if a position will be filled, if an in-house recruitment is appropriate and
158 the timing for any approved recruitments.

159 ***Recruitment for a New Classified/Confidential Position***

160 When a unit/division identifies the need for additional classified/confidential staff through
161 the program review and/or unit planning processes, the justification for the position must
162 be included in the unit and/or division plan. The request will be prioritized through the
163 planning process and resources identified to support the position. The division/area will

164 be notified of the allocation and the supervising manager will complete an Employment
165 Request Form to initiate recruitment.

166 **Job Descriptions**

167 Every job description will provide a general statement of job duties and responsibilities.
168 Job descriptions will be accessible to all applicants.

169 Job descriptions will contain minimum qualifications for the position.

- 170 • Minimum qualifications for faculty shall, at least, comply with State minimum
171 qualifications and any Board approved local standards.
- 172 • Minimum qualifications for management positions shall comply with mandates of
173 the Education Code and any Board approved standards.

174 Job descriptions will contain a statement of bona fide essential functions.

175 **Recruitment**

176 The District will follow the recruitment procedures contained in the District's Employment
177 Selection Procedures within the District's EEO Plan.

178 The application for employment will afford each applicant an opportunity to identify
179 himself/herself/themself voluntarily as to gender, ethnicity and, if applicable, his/her/their
180 disability. This information will be maintained in confidence and will be used only for
181 research, validation, monitoring, evaluation of the effectiveness of the EEO Plan, or as
182 authorized by law.

183 The District shall maintain records of the diversity at designated stages of the recruitment
184 as specified in Title 5 regulations and the District's EEO Plan. The District will use this
185 information to inform its recruitment and selection programs.

186 **Screening and Selection**

187 The District shall follow mandates of the Education Code, Title 5 regulations, the District's
188 EEO Plan and the District's Employment Selection Procedures in employment of all
189 faculty and staff.

190 **Delegation of Authority**

191 The District has designated the Director of Diversity, Compliance, and Title IX Coordinator
192 with overseeing the day-to-day implementation of the EEO Plan and its programs and
193 with the implementation of AP 3435 titled Discrimination and Harassment Investigations.

194 **Complaint Procedure**

195 The District will follow AP 3435 titled Discrimination and Harassment Investigations in
196 addressing such complaints in the employment process.

197 **Job Announcements**

198 All job announcements will contain a statement in substantially the following form: The
199 District is an equal opportunity employer. The District is strongly committed to achieving

200 staff diversity and the principles of equal opportunity employment. The policy of the
201 District is to encourage applications from persons who are economically disadvantaged
202 and individuals belonging to significantly underrepresented groups within the District's
203 workforce including ethnic and racial minorities, women, and persons with disabilities.
204 The District encourages a diverse pool of applicants and does not discriminate on the
205 basis of ethnicity, race, color, national origin, ancestry, sex, gender, gender identify,
206 gender expression, sexual orientation, age, religious creed, marital status, physical
207 disability, mental disability, medical conditions, genetic information, political or
208 organizational affiliation, veteran or military status in any of its employment policies,
209 practices, or procedures.

210 **Dissemination and Revision of the EEO Plan**

211 All managers will be given copies of the EEO Plan and any updates or revisions that may
212 occur over time. The EEO Plan will be accessible to the campus community online. The
213 EEO Plan will be provided to the Faculty Senate and the exclusive representatives of any
214 units of employees.

215 Statements of nondiscrimination will be posted in the Human Resources Office, on its
216 web page and distributed to employees annually.

217 The EEO Plan shall be reviewed at least every three years and, if necessary, revised and
218 submitted to the state Chancellor's Office within 90 days of the effective date of the
219 revision or amendment(s). If the Chancellor determines that a District's policies do not
220 comply with Title 5 Sections 59300 et seq., the Chancellor may require the District to
221 modify its policies.

222 **Accountability and Corrective Action**

223 The District shall certify annually to the State Chancellor that they have timely:

- 224 • Recorded, reviewed and reported the data required regarding qualified applicant
225 pools;
- 226 • Reviewed and updated, as needed, the Strategies Component of the district's EEO
227 Plan; and
- 228 • Investigated and appropriately responded to formal harassment or discrimination
229 complaints filed pursuant to subchapter 5 (commencing with section 59300) of
230 chapter 10 of this division.

231 Office of Primary Responsibility: Vice President, Human Resources

Date Approved: January 31, 2011
Date Revised: December 10, 2018; April 3, 2023
Date Reviewed: January 16, 2019