

# EEO Plan Certification Statement

This is to certify that the updates listed below are being submitted for the 2007 EEO Plan for North Carolina A & T State University. No other changes have occurred since the 2006 Plan updates were approved.

( \* Narrative for 2006-07 Data for Projected Placement Goals for SPA Employees )

Signed:

Lloyd V. Hackley  
Agency Head/University Chancellor

2/16/07  
Date

Vanessa Lawson  
EEO Officer

\_\_\_\_\_  
Date

**NORTH CAROLINA A & T STATE UNIVERSITY  
UNLAWFUL WORKPLACE HARASSMENT PREVENTION PLAN FOR UNIVERSITY EMPLOYEES**

**POLICY STATEMENT**

North Carolina Agricultural and Technical State University recognizes the rights of all members of the University community to learn and work in an environment free from unlawful harassment and/or retaliation as indicated below. Any unlawful harassment against employees or vendors engaged in University business is prohibited.

**DEFINITION**

**Unlawful Workplace Harassment** is unwelcome or unsolicited speech or conduct based upon age, sex, race, color, creed, religion, national origin, or handicapping condition as defined by G.S. 168A-3 that creates a hostile work environment or circumstances involving quid pro quo.

**Hostile Work Environment** is one that both a reasonable person would find hostile or abusive and one that the particular person who is the object of the harassment perceives to be hostile or abusive. Hostile work environment is determined by looking at all of the circumstances, including the frequency of the allegedly harassing conduct, its severity, whether it is physically threatening or humiliating, and whether it unreasonably interferes with an employee's work performance.

**Quid Pro Quo** harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

**Retaliation** is adverse treatment, which occurs because of opposition to unlawful workplace harassment.

**OBJECTIVES**

The creation of a work environment at NCA&T that is free of any conduct, which falls under the definition of unlawful workplace harassment by:

- a) developing and disseminating to all University employees an unlawful workplace policy statement for the University as an ongoing task;
- b) sensitizing employees to the subject through training, orientation and literature on an on-going basis;
- c) Incorporating unlawful workplace harassment grievance procedures into the existing University SPA Employee Grievance Procedure, the Regulations on Faculty Grievance Policy and Procedure (Appendix A-Faculty Handbook), and the EPA Non-Faculty Employee Grievance Policy and Procedures (Attachment B-Personnel Policies For Designated Employment Exempt From the State Personnel Act) upon state approval of this plan.

**POLICY DISSEMINATION**

A copy of this policy will be distributed to all new University employees at their orientation. In addition, a copy of this policy will be disseminated to all University employees via individual mailing, Internet (University web-site), broad band, the Aggie Report, etc.

**EMPLOYEE RIGHTS  
AND  
RESPONSIBILITIES**

Any University employee who feels that he or she has been the victim of unlawful harassment in the workplace should bring the matter to the attention of a University administrator at any time. For a formal resolution, the employee must file a written complaint with the University (Co-Affirmative Action Officers) within 30 calendar days of the alleged harassing action. Employees have the right to by-pass any step in the grievance process that would involve a review of or decision by the alleged harasser. In addition, the employee may file a complaint with the EEOC within 180 calendar days of the alleged harassing action if he or she has a complaint under Title VII of the Civil Rights Act.

**UNIVERSITY RESPONSIBILITY  
EEO OFFICER/SUPERVISOR/  
EMPLOYEE**

The Chancellor has delegated the responsibility for executing the provisions of this plan to prevent and correct unlawful workplace harassment to each department head, supervisor, and the EEO Officer. Individually, all University Employees have a responsibility to comply with the guidelines stated herein.

**EEO Officer's Responsibility:** Developing the policy statement for the University; communicating the policy and plan to new and existing University Employees; scheduling workshops on unlawful workplace harassment through the Staff Development Office; developing methods to evaluate program harassment; coordinating related activities; investigating and obtaining any information of cases alleging unlawful workplace harassment needed to complete documentation of the file; advising as appropriate and necessary all parties involved in cases alleging unlawful workplace harassment to include supervisor, grievant, and alleged harasser; monitoring procedures and disciplinary action of all alleged cases; and serving as resource person to all University Employees

**Supervisor's Responsibility:** Administering the University's policy; preventing and correcting any identifiable discrimination and/or unlawful workplace harassment; counseling of employees when appropriate to prevent and correct unlawful workplace harassment; and creating and maintaining a work environment free of unlawful workplace harassment.

**Employee's Responsibility:** Adhering to the policy of the University; reporting illegal discrimination and unlawful workplace harassment; and maintaining a work environment free of unlawful workplace harassment and retaliation.

**INVESTIGATION AND  
RESOLUTION PROCEDURE**

The University's procedure for handling complaints of unlawful harassment of a University employee can be found in the SPA Employee Grievance and Appeal Procedure, Section XIII of The Human Resources Policies and Procedures Manual For SPA Employees and for EPA employees in the Regulations on Faculty Grievance Policy and Procedure (Appendix A-Faculty Handbook, and the EPA Non-Faculty Employee Grievance Policy and Procedures (Attachment B-Personnel Policies For Designated Employment Exempt From The State Personnel Act). The University also has additional mechanisms available for addressing sexual harassment complaints through its Unlawful Workplace Harassment Prevention Plan.

In allegations of unlawful workplace harassment, the University will review the totality of the circumstances to determine whether the alleged conduct constituted unlawful workplace harassment.

The University shall respond to the complainant within 60 calendar days from receipt of the written complaint, in writing, **unless the University waives the 60-day period, and the grievant has acknowledged such waiver. The waiver and acknowledgement shall be in writing.**

#### **PREVENTION ACTIVITIES**

The University is committed to offering group training and individual counseling sessions with all employees regarding what is and is not harassment, means of preventing unlawful behavior, and appropriate resources on campus for information and assistance, inclusive of the State Employee Assistance Program. Specifically, the University will offer training for supervisors on: the state's policy, unlawful workplace harassment, unlawful workplace harassment grievance procedures, illegal discrimination and unlawful workplace harassment, corrective steps, State and Federal laws, and appropriate disciplinary actions. In addition, the University will offer training for employees on: discrimination and unlawful workplace harassment, the state's policy, employee rights, grievance procedures, State and Federal laws, and disciplinary actions.

#### **APPROPRIATE DISCIPLINARY ACTIONS**

Disciplinary actions shall be consistently and fairly applied, and any disciplinary action taken should be corrective rather than punitive. However, in determining whether alleged conduct constitutes unlawful harassment and what, if any, appropriate remedial action should be taken, the University reviewer must consider the record as a whole, as well as the totality of the circumstances, such as the nature of the alleged conduct and the context in which it occurred.

#### **PROHIBITION OF RETALIATION**

Any act by a University employee or agent of reprisal, interference, restraint, penalty, discrimination, coercion or harassment – overtly or covertly – against a University employee for responsibly using the Unlawful Workplace Harassment Policy and its Procedures shall not be condoned. Such acts violate this Policy and are grounds for prompt and appropriate disciplinary action.

**NORTH CAROLINA A & T STATE UNIVERSITY  
UNLAWFUL WORKPLACE HARASSMENT POLICY  
FOR UNIVERSITY EMPLOYEES**

The policy of North Carolina Agricultural and Technical State University is that it recognizes the rights of all members of the University community to learn and work in an environment free from unlawful harassment and/or retaliation as indicated below. Any unlawful harassment against University employees or vendors engaged in University business is prohibited.

**DEFINITION:**

Unlawful workplace harassment is unwelcome or unsolicited speech or conduct based upon race, sex, creed, religion, national origin, age, color or handicapping condition as defined by G.S. 168A-3 that creates a hostile work environment or circumstances involving quid pro quo.

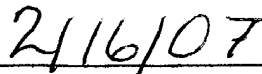
Any vendor, former employee, full-time or part-time employee with either a permanent, probationary, trainee, time-limited permanent or temporary appointment who feels that he/she has been unlawfully harassed in the workplace should submit a written complaint to the University within 30 calendar days of the alleged harassing action.

The University shall respond to the complainant within 60 calendar days from receipt of written complaint, in writing, unless the University waives the 60-day period, and the grievant has acknowledged such waiver. The waiver and acknowledgement shall be in writing. If not satisfied with the University's response, the grievant may appeal directly to the Office of Administrative Hearing and the State Personnel Commission within 30 days of the University's response. Note: For EPA employees, refer to the EPA Non-Faculty Employee Grievance Policy and Procedures (Attachment B - Personnel Policies for Designated Employment Exempt From the State Personnel Act and Appendix A - Faculty Handbook).

Grievant may file a simultaneous complaint under Title VII with the Equal Employment Opportunity Commission (EEOC). Note: Applicants, while not covered under the State statute (SB78), are covered under other state and Federal Civil Rights Acts.

A prompt and impartial investigation will be made of all cases alleging unlawful workplace harassment based on presented facts surrounding the misconduct. Any interference, coercion, restraint or reprisal of any person complaining of unlawful workplace harassment is prohibited.

  
\_\_\_\_\_  
CHANCELLOR

  
\_\_\_\_\_  
DATE

## **WORKFORCE ANALYSIS AND SUMMARY RESULTS**

Enclosed is the workforce analysis data for North Carolina Agricultural and Technical State University. We are using **Standard #3 NC Occupational Specific Civilian Labor and the Working Population (ages 18-64) Compromise** format for SPA Employees. Also included, is the approved 2005-2006 Affirmative Action Plan with projected placement goals and results of same. Additionally, included are the 2006-2007 projected program objectives.

**RESULTS OF 2005-2006**

**PROGRAM OBJECTIVES ANALYSIS**

## **PROGRAM OBJECTIVE ANALYSIS**

North Carolina A & T State University and the Department of Human Resources will continually strive to affirmatively achieve its program objectives for 2006-2007 per the identified EEO classifications that were underutilized. We will continue to utilize our recruitment process and internal process and internal promotion/transfer process to achieve our placement goals for those opportunities that become available.



## **PROGRAM OBJECTIVE ANALYSIS**

The following data reflect the results of NCA&T's AAP Plan program activities versus the stated "program objectives" during the AAP time period 10-01-05 through 09-30-06 by University EEO categories consistent with **Standard #3 NC Occupational Specific Civilian Labor Force and the NC Working Population (ages 18-64) Compromise** format for SPA Employees..

### **OFFICIALS & ADMINISTRATORS**

No program objective (placement goal) was established for this area.

### **MANAGEMENT RELATED OCCUPATIONS**

Our workforce analysis indicated an underutilization of white males/females. Therefore, placement goals were established for white males/females within this EEO job group. **Results:** During the AAP time period 10-01-05 – 09-30-06, eleven (11) minority persons were hired/re-instated, of which five (5) were males and six (6) females; eight (8) persons were promoted, of which six (6) were black females, one black male and one white male; one black female transferred within this EEO Job Group; and ten (10) minority persons were terminated. Our overall program objective (placement goals) was partially achieved for this EEO job group, as one white male was promoted into this EEO Job Group. One hundred-nine (109) white female applicants out of two hundred-sixty seven (267) persons made application for opportunities in this EEO job group. Should future opportunities (vacancies) occur, good faith efforts would be exerted to select more white females and seek disabled persons into this EEO job group.

### **PROFESSIONAL SPECIALTY**

Established a program objective (placement goal) of three (3) white persons and for this EEO job group. **Results:** During the AAP time period 10-01-05 – 09-30-06, twelve (12) persons were hired/re-instated, including eight (8) minority persons, one Oriental male, two (2) white males, and one white female; one black female was promoted; six (6) persons were terminated, of which three (3) were black males, one Oriental male, and two (2) black females. The program objective (placement goal), as stated above, was achieved for this EEO job group, as one Oriental male and three (3) white persons were hired. Twenty-six (26) white females out of four hundred-twenty four (424) applicants made application for opportunities in this EEO job group. Should future opportunities (vacancies) occur, good faith efforts will be exerted to seek and attract additional white females and disabled persons into this EEO job group.

### **TECHNICIANS & TECHNOLOGISTS**

Established a program objective (placement goal) of three (3) white persons and two (2) disabled person for this EEO job group. **Results:** During the AAP time period 10-01-05 – 09-30-06, four (4) persons were hired/re-instated, of which two (2) were black females, one white male, and one black male; one minority females was promoted; seven (7) minority persons were terminated; six (6) white female applicants out of one hundred forty-nine (149) persons made application for opportunities within this EEO job group. The program objective (placement goal) for this EEO job group was partially achieved, as one white male was hired and one minority female was promoted; however, goal of two (2) disabled persons was not achieved. Should future opportunities (vacancies) occur, continued good faith efforts would be exerted to seek and attract females into this EEO job group.

## **MARKETING OCCUPATIONS**

No program objective (placement goal) was established for this area.

## **ADMINISTRATIVE SUPPORT (CLERICAL)**

Established a program objective (placement goal) of two (2) white persons, one Oriental male and female and two (2) disabled persons for this EEO job group. **Results:** During the AAP time period 10-01-05 – 09-30-06, forty-one (41) persons were hired/re-instated, of which five (5) were black males, two (2) white females, and thirty-four (34) were black females; eighteen (18) minority persons were promoted within this EEO job group; four (4) minority females transferred horizontally; thirty-eight (38) persons were terminated, of which four (4) were black males, two (2) white females, one white male and thirty-one (31) were black females; one hundred-eighty eight (188) white female applicants out of nineteen hundred and one (1901) persons made application for opportunities within this EEO job group. Our program objective (placement goals), as stated above, were partially achieved for this EEO job group, as two (2) white females were hired. Should future opportunities (vacancies) occur, good faith efforts would be exerted to seek and attract white and Asian American female candidates and disabled persons into this EEO job group.

## **PROTECTIVE SERVICES**

Established a program objective (placement goal) of one white male for this EEO job group. In addition, Disabled Persons remains a point of emphasis. **Results:** During the AAP time period 10-01-05 – 09-30-06, eleven (11) persons were hired/re-instated, of which four (4) were black males, one white female and six (6) black females; four (4) persons were promoted, of which three (3) were black males and one white male; ten (10) persons were terminated, of which four (4) were black males, three (3) white males, one American Indian female and two (2) black

females; seven (7) white applicants out of one hundred-twenty five (125) persons made application for opportunities in this EEO job group. Our overall program objective (placement goal) was partially achieved, as one white female was hired and one white male was promoted. Should future opportunities (vacancies) occur, efforts would be exerted to attract white female candidates and disabled persons into this EEO job group.

### **SKILLED CRAFTS**

Established a program objective (placement goal) of two (2) white persons, and one disabled person for this EEO job group. **Results:** During the AAP time period 10-01-05 – 09-30-06, eighteen (18) persons were hired/re-instated, of which fourteen (14) were black males, one white male, two (2) Hispanic males and one minority female; six (6) persons were promoted, of which four (4) were minority males and two (2) white males; eleven (11) persons were terminated, of which six (6) were black males, three (3) white males, one Hispanic male and one minority female; thirty-one (31) white female applicants out of one hundred-seventy nine (179) made application for opportunities in this EEO job group. Disabled person program goal notwithstanding, we achieved/exceeded our program objective (placement goal), as stated above; two (2) Hispanic males, one white male and one minority female were hired into this EEO job group and two (2) white males were promoted. Should future opportunities (vacancies) occur, continued good faith efforts would be exerted to attract female candidates and disabled persons into this EEO job group.

### **SERVICE OCCUPATIONS**

Established a program objective (placement goal) of two (2) white persons (one male and one female) for this EEO job group. **Results:** During the AAP time period 10-01-05 – 09-30-06; twelve (12) persons were hired/re-instated, of which six (6) were black males, one Hispanic

male, and five (5) were black females; seven (7) minority persons were terminated, of which five (5) were black males and two (2) were black females; twenty-five (25) white applicants out of two hundred-eighty one (281) made application for opportunities in this EEO job group. Our program objective (placement goals), as stated above, was partially achieved. Should future opportunities (vacancies) occur, good faith efforts would be exerted to attract white females and disabled persons into this EEO job group.