Equal Employment Opportunity Plan
2017-2020

WVMCCD

Equal Employment Opportunity Plan
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Plan Component 12: Methods to Address Underrepresentation

The District will ensure equal employment opportunity, which involves creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas, and that is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups that are protected from discrimination. In so doing, the District places great emphasis on the recruitment of potential applicants in order to create a diverse pool of qualified individuals from which to hire. With a diverse pool, the District takes steps within the screening/selection process to allow for the hiring of candidates with varied backgrounds who can contribute and effectively communicate in a diverse community. The equal employment opportunity provisions below are applicable to all full-time and part-time hiring, including any hiring meant to address the ratio of full-time to part-time faculty that may be required by Education Code section 87482.6.  

Except as otherwise specified in this section, community college districts shall actively recruit from both within and outside the district work force to attract qualified applicants for all vacancies. This shall include outreach designed to ensure that all persons are provided the opportunity to seek employment with the district. The requirement of open recruitment shall apply to all full-time and part-time vacancies in all job categories and classifications, including, but not limited to, faculty, classified employees, categorically funded positions, and all executive/administrative/managerial positions. Recruitment for full-time faculty and educational administrator positions shall be at least statewide and, at a minimum, shall include seeking qualified applicants listed in the California Community Colleges Equal Employment Opportunity Registry and posting job announcements with the Registry. Recruitment for part-time faculty positions may be conducted separately for each vacancy or by annually establishing a pool of eligible candidates, but in either case full and open recruitment is required consistent with this Plan. 

"In-house or promotional only" recruitment shall not be used to fill any vacancy for any position described above except when the position is being filled on an interim basis for the minimum time necessary to allow for full and open recruitment; provided however, that no interim appointment or series of interim appointments exceeds two years in duration. Where in-house or promotional only recruitment is utilized to fill a position on an interim basis, all District employees shall be afforded the opportunity to apply and demonstrate that they are qualified. The job announcement for the interim position shall comply with the requirements set forth in the Plan and the selection process shall be consistent with the requirements of this subchapter. 

For purposes of this paragraph, a vacancy is not created, and the requirements of the above do not apply, when:

a) There is a reorganization that does not result in a net increase in the number of employees;

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3 Education Code section 87102 requires each district's Plan to address how the district will make progress in achieving the ratio of full-time to part-time faculty hiring as required by Education Code section 87482.6, while still ensuring equal employment opportunity.
Recruitment because provisions.

District To address

1) procedures

A part-time faculty member is assigned to teach the same or fewer hours he or she has previously taught in the same discipline without a substantial break in service. For purposes of this section, “a substantial break in service” means more than one calendar year or such different period as may be defined by a collective bargaining agreement; or

g) An individual not currently employed by the District, who is specially trained, experienced, and competent to serve as an administrator, and who satisfies the minimum qualifications applicable to the position, is engaged to serve as an administrator through a professional services contract. No appointment or series of appointments pursuant to this provision may exceed a period of two years.

To address any identified underrepresentation of monitored groups pursuant to Plan Component 11, the District will revise its recruitment and hiring procedures and policies in accordance with the following provisions. These provisions will be in place henceforth, whether or not underrepresentation exists, because the provisions are also valuable in ensuring equal employment opportunity. The District’s Recruitment and Hiring Procedures shall include in its section on recruitment the following provisions:

1) Recruitment

It is the policy of the District to aggressively pursue a program of verifiable recruitment that is inclusive and open to all individuals.

Efforts will be undertaken, on a regular basis, to develop and contact new recruitment sources that ensure diverse pools of candidates. Diverse pools should include, but not be limited to, men, women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination. The Diversity Advisory Council is encouraged to utilize and notify the District of additional recruitment options that may enable the District to obtain a diverse pool of applicants. All recruitment announcements will state that the District is an “Equal Employment Employer.” The District will include in the recruitment section of its Recruitment and Hiring Procedures the following provisions:

a) The District will apply the recruitment procedures set forth in Title 5, section 53021 to conduct full and open recruitment for all vacancies and will not invoke the provisions for in-house interim appointments or the exception under 53021(c) (7) for engaging an administrator through a professional services contract without first notifying the Associate Vice Chancellor of Human Resources in writing of the compelling reason to do
b) Recruitment for all open positions shall include, but not be limited to, placement of job announcements in the following instruments:

1) General circulation newspapers, general circulation publications, and general market radio and television stations, including electronic media.

2) Local and regional community newspapers.

3) Newspapers, publications, and radio and television stations that provide information in languages other than English and to low-income communities.

4) Publications including electronic media, which are distributed to the general market and to newspapers, publications, and radio and television stations, whose primary audience is comprised of groups found to be underrepresented in the District’s workforce.

c) Whenever feasible, the District shall host an open house for persons interested in employment with the District. The open house will allow potential candidates to meet deans, division chairs, faculty, and classified employees of the District. Attendees will be provided with information regarding current job openings, the demographic makeup of the student body, hiring criteria and procedures, and information on the District’s commitment to equal employment opportunity. Efforts will be made to attract diverse groups of individuals to the open house.

d) District employees shall be surveyed on a regular basis requesting resources and locations where open positions may be advertised to ensure recruitment is as inclusive and broad as possible and includes recruitment of monitored groups. Human Resources will compile, store, and update this list.

2) Job Announcements

The District’s Recruitment and Hiring Procedures section on “Job Announcements” shall include the following provisions:

a) Job announcements will state clearly job specifications setting forth the knowledge, skills, and abilities necessary to job performance. For all positions, job requirements will include demonstrated sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students. Job specifications, including any “required,” “desired,” or “preferred” qualifications beyond the state minimum qualifications which the District wishes to utilize, will be reviewed by the Equal Employment Opportunity

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Officer, or his/her Human Resources designee, before the position is announced, to ensure conformity with equal employment regulations and state and federal nondiscrimination laws. All job announcements shall state that the District is an “Equal Employment Employer.”
b) For identified public contact or community liaison positions, bilingual ability in the language spoken by a significant number of students may be a required qualification. Before bilingual ability in the identified languages can be made a required qualification, the District will conduct an analysis to ensure that such a requirement meets the standard for a bona fide occupational requirement. The District will identify the specific positions that may require bilingual ability and the language(s) needed; and in which positions bilingual ability in a particular language may be listed as a required, preferred, or desired qualification.

3) **Review of Initial and Qualified Applicant Pools**

Initial applicant pools will be reviewed for projected representation of monitored groups. Once the initial pool is approved, the pool will be screened for minimum qualifications, resulting in a qualified applicant pool. The qualified applicant pool will be reviewed so that no monitored group is adversely impacted. Once the qualified applicant pool is approved, the pool may be forwarded to the screening/selection committee. The District’s Recruitment and Hiring Procedures shall include the following provisions:

a) The application for employment will provide for voluntary, self-identification of the applicant’s gender, ethnic group, veteran status and, if applicable, his or her disability; and this information will be kept separate from the application reviewed by the screening/selection committee.

b) **Initial Applicant Pool**: The initial applicant pool is composed of all applications received by the application deadline. The composition of the initial applicant pool will be recorded and reviewed by the Associate Vice Chancellor of Human Resources or designee. All initial applications shall be screened to determine which candidates satisfy job specifications set forth in the job announcement.

c) **Qualified Applicant Pool**: The qualified applicant pool is composed of those applicants from the initial applicant pool who satisfy the minimum qualifications set forth in the job description. The composition of the qualified applicant pool shall be reviewed and compared to the composition of the initial applicant pool. If the Associate Vice Chancellor of Human Resources or designee finds that the composition of the qualified applicant pool may have been influenced by factors which are not job related, appropriate action will be taken. Once the qualified applicant pool is approved, the pool will be forwarded to the screening/selection committee for paper screening, interviews, and final recommendations for hiring consideration.

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4) **Screening and Selection Procedures**

The District seeks to employ qualified persons with a broad range of backgrounds and abilities who have the knowledge and experience to work effectively in a diverse environment. The selection process is based on merit, and will extend to all candidates a fair, impartial examination of qualifications based on job-related criteria. The District’s Recruitment and Hiring Procedures shall include in its section on applicant screening by screening/selection committees the following provisions:
a) All screening and selection techniques, including the procedure for developing interview questions, and the selection process as a whole, will be:

(1) Designed to ensure that, for all positions, meaningful consideration is given to the extent to which applicants demonstrate sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students. “Meaningful consideration” means that candidates shall be required to demonstrate sensitivity to diversity in ways relevant to the specific position; 

(2) Designed to ensure that for all faculty and administrative positions, meaningful consideration is given to the extent to which applicants demonstrate knowledge of multiculturalism, of training in cultural proficiency, and knowledge of the history and culture of underrepresented groups and groups that have experienced discrimination;

(3) Based solely on job-related criteria; and

(4) Designed to avoid an adverse impact, and monitored by means consistent with this section to detect and address adverse impact which does occur for any monitored group.

b) When possible, every effort will be made, within the limits allowed by federal and state law, to ensure selection/screening committees include a diverse membership, which will bring a variety of perspectives to the assessment of applicant qualifications. Selection/screening committees will be encouraged to include members from monitored groups.

c) The Associate Vice Chancellor of Human Resources, or designee, is responsible for approving the makeup of selection/screening committees. If the Associate Vice Chancellor of Human Resources, or designee, does not approve a selection/screening committee for lack of diversity, he or she will take necessary steps to remedy the lack of diversity.

5 See Title 5, section 53024 for general authority for this section.
6 Title 5, section 53024 only requires that this criterion be applied to faculty and administrators. The District has chosen to apply the criteria to all applicants. The language is added here as a recommended practice.
7 This is not a Title 5 requirement. It is added here as a recommended practice.

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d) Before a person can serve on a selection/screening committee, he or she must receive equal employment opportunity and diversity training.

e) Interviews must include at least two questions which assess the candidate’s understanding of and commitment to equal employment opportunity and his or her level of cultural proficiency. Reference checks must include at least one question addressing such issues.

f) All screening materials must be approved by the Associate Vice Chancellor of Human Resources or designee for compliance with equal employment opportunity principles. 8
g) Monitoring for adverse impact will occur at each of the following stages of the screening/selection committee process:

1) After the selection/screening committee has conducted the paper screening and prior to contacting any of the applicants for interviews. Interviews cannot be scheduled until the applicant pool has been approved and cleared for adverse impact.

2) After the applicants have been interviewed and prior to forwarding finalists to the hiring administrator. Finalists cannot be forwarded for hiring consideration until the applicant pool has been approved and cleared for adverse impact.

h) The District will not designate or set aside particular positions to be filled by members of any group defined in terms of ethnic group identification, race, color, ancestry, national origin, age, sex, religion, gender, gender identity, gender expression, sexual orientation, marital status, pregnancy, physical or mental disability, genetic information, medical condition, or military and veteran status, or engage in any other practice, which would result in discriminatory or preferential treatment prohibited by state or federal law. The District will not apply the Plan in a rigid manner that has the purpose or effect of so discriminating.

i) The District will review all of its current and future job specifications to ensure that seniority or length of service is taken into consideration only to the extent it is job-related, is not the sole criterion, and is included in the job announcement consistent with the requirements of Plan Component 12, section 2) a) (see Title 5, §§ 53022 and 53024(d)).

Service will be considered job-related for purposes of taking seniority or length of service into account only if it is closely related to the actual teaching or other faculty assignment. Service in the same department will not automatically be considered closely related unless the actual assignments within the department are similar. The use of seniority or length of service will be assessed for adverse impact in each selection process where it is taken into account. If adverse impact results from the use of seniority or length of service as a job-related factor, the process will continue only if applicants who were eliminated by the use of seniority or length of service considerations are placed back in the pool and continue to be considered during the hiring process.

Subsections a) (2), c), e) and f) are not required by Title 5 and are offered here as recommended practices.

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Selection testing for employees will follow procedures as outlined in the Equal Employment Opportunity Commission’s Uniform Guidelines on Employee Selection Procedures.

The Board of Trustees or its designee shall make all final hiring decisions based upon careful review of the candidate or candidates recommended through the screening/selection committee. This includes the right to reject all candidates and to order further review or to reopen the position where necessary to achieve the objectives of the Plan or to ensure equal employment opportunity.
1) The District will review the pattern of its hiring decisions over time, and if it determines that those patterns do not meet the objectives of the Plan, the District will request the Diversity Advisory Council to recommend new methods to meet the Plan objectives, or if necessary, to modify the Plan itself to ensure equal employment opportunity.