

Chapter 132F-148 WAC

AFFIRMATIVE ACTION PROGRAM

WAC

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WAC 132F-148-010 Policy statement. The policy of Seattle Community College District (SCCD) is to provide equal opportunity to all its employees and applicants for employment, and to assure that there is no discrimination against any persons on the grounds of race, ethnicity, creed, color, religion, national origin, age, gender, sexual orientation, marital status, or the presence of any physical, sensory, or mental handicap, except where a disability may impede performance to an acceptable level. However, reasonable accommodations will be made for known physical or mental limitations for all otherwise qualified persons of disability. The Seattle Community College is committed to affirmative action for Asians, Blacks, Hispanics, Native Americans, women, persons between the ages of 40 and 70, persons of disability, and disabled and Vietnam-era veterans. This policy extends to all areas of employment and to all relations with employees including recruitment, selection and placement, compensation, promotion and transfer, disciplinary measures, demotions, layoffs and terminations, testing and training, daily working conditions, awards and benefits, and other terms and conditions of employment.

The importance of fulfilling this policy is given top priority consideration in the day-to-day operations of the SCCD. All employees have been, and will continue to be, made aware that any violations of this policy by an employee shall result in appropriate disciplinary action, including termination, if warranted.

Affirmative action is a priority in the district because it insures equal employment opportunities for all applicants, while also assisting in ways to hire underrepresented groups in the district's labor force.

The successful implementation of this policy will depend upon a cooperative spirit and commitment to achieve the goals set forth. The district will work with the district minority task forces and the greater Seattle communities in seeing that the SCCD affirmative action plan/program, which is updated annually and included in the appendices of this manual, is implemented in a responsible and conscientious manner.

[Statutory Authority: Chapter 28B.50 RCW. WSR 87-08-026 (Order 49, Resolution No. 1987-6), § 132F-148-010, filed 3/26/87; WSR 85-13-076 (Order 47, Resolution No. 1985-17), § 132F-148-010, filed 6/19/85; Order 5, § 132F-148-010, filed 11/13/72.]

(3/26/87)

WAC 132F-148-020 Action plan. The SCCD affirmative action plan calls for the following actions which are designed to insure equal employment opportunity.

(1) Internal dissemination of the affirmative action policy and plan.

(a) The SCCD affirmative action plan will be updated annually. Campus presidents will insure that all personnel are aware of the policy and plan. Also, employees must be advised that they may review and/or request a copy of the entire plan.

(b) The equal employment/affirmative action policy will be an integral part of the new employee orientation.

(c) The SCCFT and the campus-wide bargaining unit will be provided with a copy of the annual SCCD affirmative action plan.

(d) The plan will be published in the district newsletter, *Pacer*, which is distributed to all employees and made available to student publications.

(e) It will be available in the library of each campus and in the president's office on each campus, as well as in the chancellor's office and the district personnel office.

(f) A copy of the SCCD affirmative action plan will be distributed to each administrator.

(2) External dissemination of the affirmative action policy and plan.

(a) Each interested agency, public and private, in the Seattle community.

(b) Each designated bargaining agent.

(c) Suppliers, contractors, and vendors with whom the district does business.

(d) Potential vendors with all requests for bids.

(e) The state board for community college education.

(f) The higher education personnel board.

(g) All recruiting sources, together with a letter encouraging them to actively recruit and refer minorities, women, handicapped persons, Vietnam era and disabled veterans.

[Statutory Authority: Chapter 28B.50 RCW. WSR 85-13-076 (Order 47, Resolution No. 1985-17), § 132F-148-020, filed 6/19/85; Order 5, § 132F-148-020, filed 11/13/72.]

WAC 132F-148-030 Responsibility for program implementation. Responsibility for the implementation of the affirmative action program rests with the chancellor for the district as a whole and with the president of each campus.

(1) The chancellor's responsibilities are to:

(a) Review the SCCD affirmative action plan with each president as part of the performance evaluation process.

(b) Carry out the responsibilities for implementation of the affirmative action plan for the district office as described below for each president.

(2) The president's responsibilities are to:

(a) Insure that all campus administrators and supervisors are aware of the affirmative action policy and plan and take it into consideration in day-to-day operations.

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(b) Insure that hiring and promotion patterns are monitored so that protected group members are given full consideration.

(c) Insure that facilities are comparable for both sexes and are accessible to handicapped persons.

(d) Insure that protected group members are afforded full opportunity and are encouraged to participate in college-sponsored education and training programs.

(e) Designate a specific individual to be responsible for the supervision and monitoring of affirmative action efforts in that organizational unit. These designates are: North campus - dean of students, central campus - director of graphics and media, south campus - executive assistant to the president.

(f) Insure adequate representation of protected group members on selection committees.

(3) The vice-chancellor, human resources responsibilities are to:

(a) Design and implement audit and reporting systems that will: (i) Measure the effectiveness of the program, (ii) indicate need for corrective action, and (iii) determine degree to which goals and objectives have been attained.

(b) Develop policies and procedures related to equal employment opportunity and affirmative action for review, approval, and action by the chancellor's cabinet and board of trustees.

(c) Serve as liaison between the district and compliance agencies, organizations for minority, women, Vietnam veterans, disabled veterans, handicapped persons, and with other such community and municipal action programs.

(d) Keep management informed of current developments in areas related to affirmative action and equal employment opportunity.

(e) Develop and maintain internal and external communication systems.

(f) Assist in the identification of problem areas.

(g) Ensure proper dissemination of information contained in the affirmative action plan to all employees, supervisors/managers and other interested parties.

[Statutory Authority: Chapter 28B.50 RCW. WSR 87-08-026 (Order 49, Resolution No. 1987-6), § 132F-148-030, filed 3/26/87; WSR 85-13-076 (Order 47, Resolution No. 1985-17), § 132F-148-030, filed 6/19/85; Order 5, § 132F-148-030, filed 11/13/72.]

WAC 132F-148-040 Recruitment plan. (1) Recruitment for minority, female, and handicapped applicants for SCCD employment is the primary responsibility of each campus and the district personnel department as indicated below:

(2) The district personnel department can assist campuses in the recruitment process by:

(a) Providing possible recruitment sources, and providing copies of the district mailing list;

(b) Contacting employment sources with which the SCCD affirmative action plan has a referral arrangement;

(c) Participating in campus recruitment efforts;

(d) Advertising in minority newspapers.

(e) Identify underutilization and target recruitment by personal contacts with individuals and agencies.

(f) Analyze recruitment effort and applicant flow to determine weak areas in the recruitment program.

[Statutory Authority: Chapter 28B.50 RCW. WSR 87-08-026 (Order 49, Resolution No. 1987-6), § 132F-148-040, filed 3/26/87; WSR 85-13-076 (Order 47, Resolution No. 1985-17), § 132F-148-040, filed 6/19/85; Order 5, § 132F-148-040, filed 11/13/72.]

WAC 132F-148-050 Goals and procedure for implementation. The goals/availability percentages are converted into realistic projections of the number of underrepresented groups' members the campuses seek to hire given the vacancies, availability, and affirmative action efforts they are willing to undertake. Under this system of numerical goal setting, a campus is never required to hire persons who do not have the qualifications needed to perform in preference to another applicant who is qualified. Goals recognize that persons are to be judged on individual ability and, therefore, are consistent with the principles of equal employment opportunity.

When a vacancy occurs, the district personnel office and/or campus affirmative action officers will review the utilization analysis tables. Specifically, the underutilization FTEs portion of the table will indicate the number of FTEs required to achieve yearly goals. These tables will be revised by the district personnel department on a monthly basis to reflect new hires, terminations and promotions. Selective certification will be utilized for underrepresented groups when classified employee groups are involved. Recruitment and outreach efforts should also be employed to correct underutilization in faculty and administrators.

The district has an affirmative action plan that has realistic goals that are attainable. It is the intent of this plan that the district personnel department and each campus will carefully monitor hiring practices to insure that every effort is made towards responsibly reaching the goals.

[Statutory Authority: Chapter 28B.50 RCW. WSR 85-13-076 (Order 47, Resolution No. 1985-17), § 132F-148-050, filed 6/19/85; Order 5, § 132F-148-050, filed 11/13/72.]

WAC 132F-148-060 Personnel policies relative to affirmative action. (1) Age discrimination. Seattle Community College District will provide equal opportunity for all persons without regard to age. The district does not discriminate on the basis of age in any employment practices including hiring, promotion, demotion, transfer, recruitment, layoff and return from layoff, termination, fringe benefits, selection for training, and other terms of employment.

Further, the district does not specify a minimum or maximum age requirement on its advertisements for employees except upon the basis of a bona fide occupational qualification, retirement plan, or statutory requirement.

(2) Employment of Vietnam era veterans and disabled veterans. Seattle Community College District does not discriminate against Vietnam era veterans or disabled veterans in any employment practices including but not limited to hiring, promotion, demotion, transfer, compensation, layoff, fringe benefits, selection for training, and other terms and conditions of employment. Advertisements for positions are sent to all relevant offices and agencies.

(3) Employment of disabled persons. Seattle Community College District does not discriminate against any employee or applicant for employment because of a disability with regard to any position for which the employee or applicant is qualified. Further, the district does not discriminate against disabled persons with regard to promotion, demotion, trans-

fer, layoff or return from layoff, termination, compensation, fringe benefits, training opportunities, and other terms and conditions of employment.

The district will make reasonable accommodations within budgetary limits for those who are disabled to allow them to perform the duties of the jobs for which they are qualified.

Several on-going efforts are aimed at insuring nondiscrimination for disabled persons:

(a) Evaluation of physical accommodations to assure that they are accessible.

(b) Review of faculty and administrative job requirements to assure that they are job-related and do not screen out qualified disabled applicants.

(c) Review of administrative job descriptions to assure that they are accurate and are not written to exclude qualified disabled applicants.

(d) Periodic articles in district publications related to legal and other aspects of the employment of disabled persons.

[Statutory Authority: Chapter 28B.50 RCW. WSR 85-13-076 (Order 47, Resolution No. 1985-17), § 132F-148-060, filed 6/19/85; Order 5, § 132F-148-060, filed 11/13/72.]

(7) Written appeal may be made to the chancellor (if the appointing authority is not the chancellor) who shall then investigate and respond to the complainant within 15 working days of receipt of the written request.

[Statutory Authority: Chapter 28B.50 RCW. WSR 85-13-076 (Order 47, Resolution No. 1985-17), § 132F-148-070, filed 6/19/85; Order 5, § 132F-148-070, filed 11/13/72.]

WAC 132F-148-070 Formal complaint procedure.

Any individual who feels she/he has been discriminated against on the basis of race, color, religion, handicap, national origin, age or sex either by the district or by an individual employee of the district may file a formal complaint. Such a complaint may be filed through existing grievance procedures (where applicable), directly with the individual responsible for affirmative action in each organizational unit or with the district personnel director. A formal complaint may be filed either following or instead of any informal attempt at resolution. Individuals with complaints are encouraged to follow the procedures outlined herein prior to contacting any outside enforcement agency.

The complainant should be advised of his/her right to file a complaint with the Washington state human rights commission, Seattle human rights department, equal employment opportunity commission, Office of Federal Contract Compliance, or the Office of Civil Rights. However, complainants are encouraged to use the internal grievance procedures to resolve complaints.

Complaints filed with persons responsible for affirmative action shall be processed as follows:

(1) Complaints shall be in writing, shall contain specific information and shall be promptly investigated by the appropriate administrator.

(2) Response shall be made to the complainant in writing, within 15 working days of receipt of the complaint.

(3) Copies of both the complaint and the response shall be forwarded to the relevant appointing authority.

(4) The appointing authority will respond in writing to the complainant within 15 working days.

(5) Written appeal may be made to the appointing authority within 15 working days after the complainant receives the response.

(6) The appeal will be investigated and final response made by the appointing authority within 15 working days.