

[Statutory Authority: RCW 41.04.260. 84-23-022 (Order 84-4), § 154-12-030, filed 11/13/84; 83-13-044 (Order 83-2), § 154-12-030, filed 6/10/83; 82-13-043 (Order 82-3), § 154-12-030, filed 6/11/82.]

**WAC 154-12-050 Modification of deferral.** A participant may modify his/her deferral no more frequently than twice in any calendar year, unless the committee by specific action authorizes a special additional open change period. Such change may be in the amount of deferral specified and/or the investment mode pursuant to WAC 154-12-010(2). A change in the investment mode may apply to the redirection of amounts previously deferred as well as current deferrals. Such change or changes shall be effective as to any calendar month only if a new participation agreement is executed by the participant and approved by the committee or its designee before the beginning of such calendar month. The committee reserves the right to defer the effective date of any such change or changes. [Statutory Authority: RCW 41.04.260. 84-17-033 (Order 84-2), § 154-12-050, filed 8/8/84; 82-13-043 (Order 82-3), § 154-12-050, filed 6/11/82.]

**WAC 154-12-105 Repealed.** See Disposition Table at beginning of this chapter.

**Title 172 WAC**

**EASTERN WASHINGTON UNIVERSITY**

**Chapters**

- 172-114 Constitution of associated students.
- 172-144 Special charges--Financial responsibility.
- 172-148 Equal opportunity policy and affirmative action program.
- 172-150 Equal opportunity policy and affirmative action program.
- 172-180 Delegated authorization to hire, dismiss and discipline classified personnel.

**Chapter 172-114 WAC**

**CONSTITUTION OF ASSOCIATED STUDENTS**

**WAC**

- 172-114-040 Article III--Council.
- 172-114-050 Article IV--Elections.

**WAC 172-114-040 Article III--Council.** (1) The legislative powers of the ASEWU shall be vested in the ASEWU council and may not be transferred.

(2) **Membership.** The members of the ASEWU council shall consist of nine at-large council members, the ASEWU president, the ASEWU executive vice president, and the ASEWU finance vice president. The voting membership of the ASEWU council shall consist of the executive vice president and nine council members, elected by numbered, at-large positions for one year. The council members shall take office on the last day of the quarter in which they are elected, as follows:

Positions 1 through 3 elected fall quarter, positions 4 through 6 elected winter quarter, positions 7 through 9 elected spring quarter. No person shall hold more than one elected position on the council. The ASEWU president and ASEWU finance vice president shall have all council membership rights excluding voting.

(3) **Meetings.** The ASEWU council shall meet not less than four times during each quarter (excluding summer quarter), and special meetings may be called by the ASEWU executive vice president, by one-third of the council members, or by a presentation of a petition to the ASEWU council signed by five percent of the ASEWU. All meetings shall be open to the public. A record shall be kept of the votes taken therein, and copies of the minutes shall be available to any member of the university community upon request.

(a) **Quorum.** The ASEWU council meetings shall have quorum being a majority of the ASEWU council members.

(b) **Proxy voting.** There shall be no proxy voting.

(4) **Legislation.** All legislation shall include: The names of the sponsor(s); date of introduction; committee referred to, if any, disposition and date of disposition; signature of the ASEWU executive vice president and the ASEWU president, or override of his/her veto by the ASEWU council; and shall continue in effect until five years from the last date of signature, an override, or until rescinded.

(5) **Council powers and duties.** The ASEWU council shall have the following policies and duties:

(a) The ASEWU council shall enforce this constitution.

(b) The ASEWU council shall serve as the official representative of ASEWU.

(c) The ASEWU council shall enact all legislation necessary to ensure that its policies are enforced.

(d) The budgeting authority of the ASEWU shall be vested in the ASEWU council and may not be transferred.

(i) The budget shall include all funds, revenues, and reserves; shall be divided into programs, subprograms, and objects of expense and shall include supporting data; shall indicate as to each program, subprogram, or object of expense the actual expenditures of the preceding year; and shall include any proposed capital improvement program for the next six fiscal years.

(ii) Regular budgets shall be those budgets adopted during spring quarter for the following fiscal year. Supplemental budgets shall be all other budget requests made throughout the year. Copies of the budgets shall be delivered to each member of the ASEWU council and be available to any member of the university community upon request.

(iii) Unless otherwise provided by the appropriation legislation, all unexpended and unencumbered appropriations in the current expense appropriation legislation shall lapse at the end of the fiscal year. An appropriation in the capital budget appropriation legislation shall lapse when the project has been completed or abandoned or when no expenditure or encumbrance has been made for three years.

(iv) Any expenditure in excess of an appropriation shall be null and void; and any official, agent, or employee knowingly responsible shall be personally liable to anyone damaged by this action; providing the ASEWU council may permit the ASEWU to enter into contracts requiring the payment of funds from appropriation of subsequent fiscal years.

(v) The ASEWU council shall publish an annual financial statement summarizing the regular ASEWU budget.

(vi) The ASEWU council may request an annual audit, provided it budgets for the same.

(e) By a two-thirds vote of the ASEWU council, the ASEWU council may override a veto by the ASEWU president.

(f) The ASEWU council shall be responsible for its own organization in the establishment and election of subcommittees and their membership. No ASEWU council subcommittee, having legislation referred to it, shall have the authority to delay presentation to the full council for more than two meetings without the permission of the sponsor.

(g) The ASEWU council shall be responsible for the employment of those employees it deems necessary to assist the council in the exercise of their council duties and powers, provided it budgets for the same. The appointment for such employment, presented by the ASEWU executive vice president, shall receive the advice and consent of the ASEWU council.

(h) Committees. The ASEWU council shall be responsible for student representation on all university committees, councils of the academic senate and their subcommittees, and ASEWU committees.

(i) Appointment to such committees, presented by the ASEWU president, shall receive the advice and consent of the ASEWU council.

(ii) Students appointed to these committees shall serve at the discretion of the ASEWU council.

(iii) All student appointments to these committees shall serve one year terms, beginning on the date of confirmation of the appointment and shall terminate one year after that appointment, unless otherwise specified in the committee structure.

(iv) Committees or committee chairpersons shall submit to the ASEWU a copy of all agendas and minutes.

(v) The ASEWU council shall publish the ASEWU committee manual stating the membership, eligibility, purpose, and duties of all committees with student representation.

(i) Election returns. The ASEWU council shall be the judge of all the ASEWU election returns and of the qualifications of its membership as prescribed in article IV of this constitution.

(j) ASEWU council positions shall be declared vacant:

(i) When ASEWU council members miss three full, regularly scheduled, consecutive meetings, or four regularly scheduled meetings during a quarter.

(ii) When ASEWU council members violate academic qualifications as described in article IV of this constitution.

(iii) Upon the incumbent's death, resignation, recall, or withdrawal from membership in ASEWU (excluding summer quarter).

(iv) By declaration of nonperformance of duties stated in this constitution by the ASEWU superior court.

(k) Chairperson pro tem. The ASEWU council shall elect an ASEWU at-large council member to the position of chairperson pro tem the second meeting of fall, winter, and spring quarters, who shall serve one quarter (excluding summer quarter). Vacancies occurring in the chairperson pro tem's office shall be filled in the same manner for the balance of the unexpired term.

(6) ASEWU president. The ASEWU president, serving as an ASEWU council member, shall act as the chief officer and representative spokesperson on behalf of the ASEWU council.

(a) The ASEWU president shall be responsible for executing council and judicial decisions.

(b) The ASEWU president may veto any legislative bill or supplemental budget passed by the ASEWU council within three working days of passage, shall sign all legislation within three working days of passage, or override of veto by the ASEWU council.

(c) The ASEWU president may create cabinet positions and appoint cabinet officers with the advice and consent of the ASEWU council, who shall serve at his/her discretion, provided it budgets for the same.

(d) The ASEWU president shall make appointments in an expeditious manner, with the advice and consent of the ASEWU council.

(e) The ASEWU president shall hold twice-a-month staff meetings with the ASEWU executive vice president, ASEWU finance vice president, provost for student service, ASEWU business manager, and coordinator of student activities.

(f) The ASEWU president or his/her designee shall supervise all ASEWU elections and shall be responsible for validating all positions.

(7) ASEWU executive vice president. The ASEWU executive vice president shall chair the ASEWU council, as a voting member.

(a) The ASEWU executive vice president shall assume other duties delegated by the ASEWU president.

(b) The ASEWU executive vice president shall prepare the agenda for and chair all meetings of the ASEWU council; shall call meetings of the ASEWU council; shall prepare a schedule of all regular meetings for fall, winter, and spring quarters with the advice and consent of the ASEWU council.

(c) The ASEWU executive vice president shall appoint a clerk, with the advice and consent of the ASEWU council.

(d) The ASEWU executive vice president shall be responsible for all administrative matters of the ASEWU council.

(e) The ASEWU executive vice president shall assume the duties of the ASEWU president during the president's absence or disability.

(8) ASEWU finance vice president. The ASEWU finance vice president shall be member of the ASEWU council.

(a) ASEWU finance vice president shall be responsible for the management of all ASEWU moneys and properties.

(b) ASEWU finance vice president shall supervise all expenditures of ASEWU funds.

(c) ASEWU finance vice president shall be a voting member and chair the finance subcommittee of the ASEWU council.

(d) ASEWU finance vice president shall present to the council a published financial statement each month summarizing ASEWU funds for that month.

(e) ASEWU finance vice president shall publish an annual budget book summarizing the upcoming year's budget requests and recommendations as well as budget requests and the budgeted amounts for the past five years.

(f) ASEWU finance vice president shall assume other duties delegated by the ASEWU president.

(9) Salaries. Elected and appointed members of the ASEWU shall be paid on the following basis.

(a) The ASEWU president shall receive a quarterly (12 month) salary based upon the quarterly cost of in-state tuition, double occupancy room and board, and four hundred dollars.

(b) The ASEWU executive vice president and the ASEWU finance vice president shall receive a quarterly (9 month) salary based upon the quarterly cost of in-state tuition, double occupancy room and board, and two hundred and fifty dollars.

(c) ASEWU cabinet members shall receive a quarterly (9 month) salary not to exceed two-thirds of that of the ASEWU executive vice president or the ASEWU finance vice president.

(d) The ASEWU council clerk and other ASEWU council employees shall receive a quarterly (9 month) salary not to exceed two-thirds of that of the ASEWU executive vice president or the ASEWU finance vice president.

(e) The ASEWU at-large council members may receive a quarterly salary not to exceed the in-state tuition rate, provided it budgets for the same.

(10) Vacancies.

(a) The positions of ASEWU council members, ASEWU president, ASEWU executive vice president, ASEWU finance vice president shall become vacant upon the incumbent's death, resignation, recall, withdrawal from membership in ASEWU (excluding summer quarter for the ASEWU executive vice president, ASEWU finance vice president, and ASEWU council members), or declaration of nonperformance of duties stated in this constitution by the ASEWU superior court.

(b) In the case of a vacancy in the office of the ASEWU president, the ASEWU executive vice president shall assume the office of the ASEWU president to serve with full authority and power for the remainder of the unexpired term.

(c) In the case of a vacancy in the office of the ASEWU executive vice president, the council pro tem shall assume the office of the ASEWU executive vice

president to serve with full authority and power for the remainder of the unexpired term.

(d) In the case of a vacancy in office of the ASEWU finance vice president, the ASEWU president shall appoint, with the advice and consent of the ASEWU council, an ASEWU member to assume the office of ASEWU finance vice president to serve with full authority and power until the next regularly scheduled election, at which time a member of ASEWU shall be elected to serve the balance of the term.

(e) In the case of a vacancy of a council position, the ASEWU president may recommend a member of ASEWU to fill the vacant position with a 3/4 vote approval by the ASEWU council. The appointee shall take office immediately upon approval of the ASEWU council, and serve with full authority and power until the next regularly scheduled election, at which time a member of ASEWU shall be elected to serve the balance of the term.

(11) Terms.

(a) The terms of the ASEWU president and the ASEWU executive vice president shall be for one year and shall be elected winter quarter and take office the last day of winter quarter.

(b) The term of the ASEWU finance vice president shall be for one academic year and one quarter (excluding summer quarter), taking office the last day of winter quarter to the last day of spring quarter. During the overlapping terms of the outgoing and incoming of the ASEWU finance vice president, it shall be the duty of the incumbent ASEWU finance vice president to prepare and present a proposed budget for ASEWU to the ASEWU council. The incoming ASEWU finance vice president shall have no authority or power to execute transactions during this overlapping period. It shall be the duty of the incumbent ASEWU financial vice president to serve as chair of the finance subcommittee of the ASEWU council. The incoming ASEWU finance vice president shall serve as a member of the ASEWU council and the finance subcommittee of the ASEWU council. [Statutory Authority: RCW 28B.35.120 and 43.21C.120, 84-21-022 (Order 84-03), § 172-114-040, filed 10/8/84. Statutory Authority: RCW 28B.35.120, 82-22-001 (Order 82-03), § 172-114-040, filed 10/21/82; 81-03-012 (Order 12-18-80), § 172-114-040, filed 1/9/81. Statutory Authority: RCW 28B.40.120(11), 78-09-029 (Resolution No. 78-03), § 172-114-040, filed 8/16/78; Order 75-8, § 172-114-040, filed 7/24/75; Order 75-5, § 172-114-040, filed 5/9/75; Order 74-8, § 172-114-040, filed 11/1/74; Order 74-5, § 172-114-040, filed 6/5/74; Order 72-9, § 172-114-040, filed 9/20/72.]

**WAC 172-114-050 Article IV—Elections.** (1) Election schedule. Filing shall open on the fourth Thursday of fall, winter, and spring quarters. Filing shall close on the fifth Thursday, the ASEWU primary election shall be on the seventh Thursday, and the ASEWU general election on the eighth Thursday.

(2) Qualifications for office.

(a) All candidates for and members of the ASEWU council shall have/maintain a two point cumulative grade point average at the university and be enrolled for, and complete, six credit hours the previous quarter (excluding summer quarter).

(b) Candidates for ASEWU council at-large positions shall have at least one quarter in residence at the university immediately prior to election of office.

(c) Candidates for ASEWU president, executive vice president, and finance vice president shall have a minimum of three quarters as a full-time student at a higher education institution, at least one of which shall be in residence at the university immediately prior to election of office.

(3) Filing.

(a) Those candidates filing for office, and are qualified at such time, shall have their names entered on the primary election ballot.

(b) A random selection drawing will determine the order of candidate placement on the ballot.

(4) Polling places.

(a) The polls shall be located at:

(i) Pence Union Building.

(ii) Tawanka Commons.

(iii) And as otherwise provided by the ASEWU council.

(b) The polls shall be open in the Pence Union Building and Tawanka from 7:30 a.m. until 7:00 p.m. The opening and closing hours of any additional polls designated by the ASEWU council, shall be such that the polls can be open no earlier than 7:30 a.m. and close no later than 7:00 p.m. Members of ASEWU shall be allowed to vote upon presentation of suitable identification.

(c) Two election clerks shall be assigned to each polling place, and they shall be solely responsible for supervising the ballots, ballot boxes, and voting at the polling places. They may not be, or related to, a candidate. They shall be employed through the office of the ASEWU president.

(d) Any member of ASEWU may present an "Application of absent voter" form to the office of the ASEWU president.

(5) Votes cast.

(a) All votes shall be cast by secret ballot.

(b) All ballots shall be kept under lock and key for six months after the election.

(c) All members of ASEWU shall be allowed to vote once in an election.

(6) Interpretation of results.

(a) A candidate is elected to office when receiving a plurality of votes cast, that being at least forty percent.

(b) The two candidates receiving the highest number of votes for each office in the primary, who are qualified, shall have their names entered on the final election ballot: *Provided, however,* That in case of a tie for the second highest number of votes for that office, who are qualified, shall have their names entered on the final election ballot.

Write-in candidates shall have the option of removing their names from the ballot.

(c) Should no candidate receive a plurality of at least forty percent in the final election, a run-off election shall be held one week after the final election between the two persons receiving the highest number of votes in the final election, who are qualified, and only ballots for those two persons shall be counted: *Provided, however,* That in case of a tie for the second highest number of votes in the final election, the run-off election shall be between those candidates receiving the highest number of votes for the office, and only ballots for those candidates shall be counted.

(d) Should no candidate receive a plurality of at least forty percent in a run-off election, the ASEWU council shall select the winner from between those entered on the run-off election ballot, by a two-thirds majority of the council members at its next meeting. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-21-022 (Order 84-03), § 172-114-050, filed 10/8/84. Statutory Authority: RCW 28B.35.120. 81-03-012 (Order 12-18-80), § 172-114-050, filed 1/9/81. Statutory Authority: RCW 28B.40.120(11). 78-09-029 (Resolution No. 78-03), § 172-114-050, filed 8/16/78; Order 75-8, § 172-114-050, filed 7/24/75; Order 75-5, § 172-114-050, filed 5/9/75; Order 74-8, § 172-114-050, filed 11/1/74; Order 74-5, § 172-114-050, filed 6/5/74; Order 72-9, § 172-114-050, filed 9/20/72.]

#### Chapter 172-144 WAC SPECIAL CHARGES--FINANCIAL RESPONSIBILITY

##### WAC

172-144-010	Purpose.
172-144-020	Authority of the university to make deductions.
172-144-040	Periodic deductions.
172-144-050	Right to appeal assessed financial obligations.

**WAC 172-144-010 Purpose.** Commensurate with the privileges afforded individual students in the employ of Eastern Washington University, an employee has a financial responsibility to the university for legitimate financial obligations owed to the university. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-042 (Order 85-01), § 172-144-010, filed 12/13/85; Order 73-12, § 172-144-010, filed 5/22/73.]

**WAC 172-144-020 Authority of the university to make deductions.** (1) Except as provided in WAC 172-144-030, following fifteen calendar days' notice to the employee, the university may deduct from the net remuneration owed to the employee by the university for that particular pay period, the amount of any or all fees, charges, debts, fines, or other financial obligations owed to the university, which shall include but are not limited to the following:

- (a) Enrollment fees;
- (b) Housing charges;
- (c) Short-term and long-term loans;
- (d) Personal telephone tolls charged to a university number;
- (e) Bookstore debts;

- (f) Parking fines;
- (g) Damages to university property;
- (h) Library fines.

(2) The fifteen-day notice as provided for in WAC 172-144-020(1) shall contain a statement setting forth the manner in which the financial obligations were incurred by the employee and the amount assessed. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-042 (Order 85-01), § 172-144-020, filed 12/13/85; Order 73-12, § 172-144-020, filed 5/22/73.]

**WAC 172-144-040 Periodic deductions.** Should such deductions for any pay period produce a material and substantial hardship on the assessed employee, the university may enter into an agreement with the employee for a method of periodic deductions from the employee's paycheck until such financial obligations owed to the university have been satisfied. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-042 (Order 85-01), § 172-144-040, filed 12/13/85; Order 73-12, § 172-144-040, filed 5/22/73.]

**WAC 172-144-050 Right to appeal assessed financial obligations.** Every employee has the right to appeal a decision of any university department or division to assess a fee, fine, charge, debt, or other financial obligation for a determination of the validity and legitimacy of that charge. The appeal must be in writing and directed to the division or department head assessing the financial obligation. Notice shall be given within ten days after assessment of the charge. Following such notice, the employee shall be allowed an informal hearing with the head or appointed representative of the department or division assessing the obligation. The decision of such a hearing shall be final. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-042 (Order 85-01), § 172-144-050, filed 12/13/85; Order 73-12, § 172-144-050, filed 5/22/73.]

### Chapter 172-148 WAC

### EQUAL OPPORTUNITY POLICY AND AFFIRMATIVE ACTION PROGRAM

#### WAC

172-148-010 through 172-148-990 Repealed.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

172-148-010 General policy. [Order 72-4, § 172-148-010, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120. Later promulgation, see chapter 172-150 WAC.

172-148-020 Legal bases. [Order 72-4, § 172-148-020, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-030 Affirmative action council. [Order 72-4, § 172-148-030, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-040 Written objectives of affirmative action plan. [Order 72-4, § 172-148-040, filed 5/22/72.] Repealed by

84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-050 Establishment of minority hiring objectives. [Order 72-4, § 172-148-050, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-060 Targets for hiring of female employees. [Order 72-4, § 172-148-060, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-070 Promotional opportunities. [Order 72-4, § 172-148-070, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-080 Target for recruitment of students. [Order 72-4, § 172-148-080, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-090 Notice to higher education personnel board. [Order 72-4, § 172-148-090, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-100 Job structuring and classification plan—Classified employees. [Order 72-4, § 172-148-100, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-110 Job structuring and classification plan—Faculty and exempt personnel. [Order 72-4, § 172-148-110, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-120 Recruitment. [Order 72-4, § 172-148-120, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-130 Selection. [Order 72-4, § 172-148-130, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-140 Appointment, placement and indoctrination. [Order 72-4, § 172-148-140, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-150 Training and education—Minority employees. [Order 72-4, § 172-148-150, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-160 Grievance procedure. [Order 72-4, § 172-148-160, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-170 Referrals of complaints. [Order 72-4, § 172-148-170, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-180 Contract compliance review—Classified personnel staff. [Order 72-4, § 172-148-180, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-190 Records and reports. [Order 72-4, § 172-148-190, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-200 Affirmative action responsibilities—President of the college. [Order 72-4, § 172-148-200, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-210 Employing official responsibilities. [Order 72-4, § 172-148-210, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-148-220 Contract compliance review official. [Order 72-4, § 172-148-220, filed 5/22/72.] Repealed by 84-13-

- 053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-230 Equal employment opportunity administrators. [Order 72-4, § 172-148-230, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-240 Communication of policy. [Order 72-4, § 172-148-240, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-990 Form—Equal employment opportunity report—Classified employees. [Order 72-4, Form—Attachment A (codified as WAC 172-148-990), filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

**WAC 172-148-010 through 172-148-990 Repealed.**  
See Disposition Table at beginning of this chapter.

### Chapter 172-150 WAC EQUAL OPPORTUNITY POLICY AND AFFIRMATIVE ACTION PROGRAM

#### WAC

- 172-150-010 General policy.
- 172-150-020 Legal bases.
- 172-150-035 Affirmative action for faculty—Objectives.
- 172-150-040 Affirmative action for faculty—Course of action.
- 172-150-050 Affirmative action for faculty—Implementing course of action.
- 172-150-060 Affirmative action for nonacademic staff—Exempted administration—Classified staff—Objectives.
- 172-150-070 Affirmative action for nonacademic staff—Exempted administration—Classified staff—Course of action.
- 172-150-080 Affirmative action for nonacademic staff—Exempt administration—Classified personnel—Implementing course of action.
- 172-150-090 Affirmative action for educational opportunity—Purpose.
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- 172-150-180 Dissemination of policy.
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**WAC 172-150-010 General policy.** As a major educational institution, a large scale employer, and an influence on our society through its students, its faculty, its alumni, and its employees, Eastern Washington University stands committed to the principles of equal opportunity in employment, in education, and in business opportunities.

In its most elementary form, our adherence to the concept of equality of opportunity requires that considerations of age, race, sex, national origin, handicap, and religion are irrelevant as determinants of the access an individual has to opportunities for education, employment, achievement, and personal fulfillment. Rather, the

controlling factors in all such matters must be individual ability, interest, and merit.

It is the university's present course and future intent to move beyond nondiscrimination, i.e., the elimination of all policies and practices that work to the disadvantage of individuals on the basis of age, race, sex, national origin, handicap, or religion, and to reaffirm our commitment to the concept of affirmative action.

The principle of affirmative action requires the university to determine if it has met its responsibilities to recruit, admit, employ, promote, and reward women and minorities to a degree consistent with the availability of qualified individuals. The fundamental premise underlying this commitment is that the effects of systematic exclusion, inattention, and overt discrimination in the past cannot be remedied in appropriate ways and in a reasonable time by a posture of neutrality. To this end, the university will seek to recruit and employ women and minorities at least in proportion to their availability, and will provide new opportunities for career development when possible and consistent with program and institutional needs which both stimulate and respond to their changing interests, aspirations, and requirements.

Achievement of the foregoing goals and attainment of the longer range objectives require adoption of the following principles:

(1) All categories of employment at the university having fewer minorities and women than would reasonably be expected on the basis of their availability in the work force must be identified. These imbalances must be reduced by vigorous and systematic recruitment efforts, job training, and professional or career development.

(2) All employees will be encouraged to make the fullest use of their skills and talents by participating in educational and career developmental opportunities and by taking advantage of opportunities for promotion and transfer consistent with both the needs of the university and the individual's ability and aspirations.

(3) Compensation, benefits, and support for all staff and other employees will be based on training, experience, and equivalency of position without regard to age, race, sex, national origin, handicap, or religion.

(4) Access to educational programs, financial assistance, and other services and facilities will be provided to students in a manner that does not discriminate against women, minority, and handicapped students.

(5) It will be our goal to increase the numbers of women and members of minority groups within our undergraduate, professional, and graduate student bodies until their enrollment approximates their percentage within the state's population.

(6) Selections among candidates for employment and among student applicants must reflect a recognition that narrow interpretation of qualifications or credentials may have worked to the disadvantage of women and minorities. In other words, the university's employment practices and its admissions policies should emphasize individual merit and performance, in ways that reflect that limited prior opportunity, social discrimination, and enforced segregation influence a person's record of achievement.



(7) Procurement and purchasing practices must provide maximum practical opportunity for the increased participation by certified minority and women vendors in the provision of services, materials and for the employment of minority and women contractors and construction workers in the construction of renovation of university facilities, either on or off campus. In this regard, each contractor who seeks EWU business is expected to have and to follow an affirmative action program that is in accord with federal and state regulations as well as university policy specified in WAC 172-150-130, chapter 39.19 RCW, and Title 326 WAC.

(8) The primary responsibility for adherence to these principles and for the establishment of an atmosphere in which the evolving concept of affirmative action is accepted and supported, rests with all members of the university community. Accordingly, where appropriate, the work performance of each employee will be evaluated on the basis of his or her equal opportunity efforts and results as well as other criteria specified in university by-laws. The university therefore assumes that its faculty, administration, students, and classified personnel staff will comply with the equal opportunity and affirmative action program described hereinafter.

(9) The university will not condone or permit any behavior or action that will in any way interfere with the institutional efforts to insure that protected group members will have equal employment opportunity. Furthermore, the university will insure that all members of the protected group will be able to exercise those rights guaranteed by federal and state laws. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-010, filed 6/19/84; Order 75-6, § 172-150-010, filed 6/16/75.]

**WAC 172-150-020 Legal bases.** This broad policy requiring equal opportunity and affirmative action is intended to comply with the requirements of the following applicable state and federal statutes, regulations, and directives:

(1) State of Washington, chapter 49.60 RCW, which prohibits discrimination based on age, race, creed, color, sex, or national origin;

(2) State of Washington, chapter 28B.16 RCW, the state higher education personnel law;

(3) Civil Rights Act of 1964 (Public Law 88-352), which prohibits discrimination based on sex, race, creed, color, or national origin;

(4) Presidential Executive Order 11246, issued September, 1965, which prohibits discrimination and includes contracts dealing with the states where federal funds are involved, and requires the contractor to take affirmative steps to insure compliance;

(5) Presidential Executive Order 11375, issued September, 1967, amending Presidential Order 11246 to expressly prohibit discrimination on account of sex;

(6) Education (Title IX) Amendments of 1972.

(7) State of Washington, Governor Spellman's Executive Order of August, 1983, relative to sexual harassment of employees;

(8) Chapter 39.19 RCW and Title 326 WAC relating to minority and women's business enterprises. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-020, filed 6/19/84; Order 75-6, § 172-150-020, filed 6/16/75.]

**WAC 172-150-035 Affirmative action for faculty-- Objectives.** (1) Aims. At the present time, women and minorities are under-represented in some academic positions within the university, including faculty positions, both tenured and nontenured. Our commitment to a policy of affirmative action requires that we make every effort and show substantial progress over time in the following directions:

(a) When normal attrition and/or growth creates vacancies, the university will accept its legal and moral obligations to increase the proportion of minority and women on its faculty and academic staff. This increase will be commensurate with departmental needs for teaching and research talent and consistent with the needs for development of existing and/or professional fields and programs.

(b) The university must seek to broaden the pool of available candidates by recruiting and educating minority and women students (see WAC 172-150-090 through 172-150-120, inclusive).

(c) Additionally, we are committed to supporting those who are now on our faculty and academic staff by providing for them the opportunities for professional growth (for example, by encouraging them to serve on various university committees and in professional organizations both on and off campus) which will in turn increase their representation in the senior ranks of the academic professions. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-035, filed 6/19/84; Order 75-6, § 172-150-035, filed 6/16/75.]

**WAC 172-150-040 Affirmative action for faculty-- Course of action.** (1) Course of action. The following course of action is intended to achieve the university's goals and meet existing problems in the area of faculty positions at EWU.

(a) Upon adoption of this plan, and annually thereafter, each academic department will, in cooperation with the affirmative action officer, identify the extent to which women and minorities are underutilized in each professional rank, by means of utilization analysis of the departments' facilities and academic staffs (as described in 40 CFR 60-2.11): *Provided*, That "underutilization" is defined as having fewer minorities and women in a particular job classification than would reasonably be expected by their availability. Upon completion of such analysis, the departments shall then establish their plan for eliminating any existing underutilization, subject to availability of candidates and approval by the vice president for academic affairs, and the affirmative action officer.

(b) In areas where there is underutilization of women and minorities, vigorous and systematic recruiting efforts

will be undertaken to identify women and minority candidates.

(c) Affirmative action goals for professional employment within the faculty shall be based on the results of the utilization analysis required in WAC 172-150-040.

(i) For women, there shall be a target for hiring new female employees which shall be no less than thirty per cent of all new hirings into faculty positions in each year of the affirmative action program, until the utilization of women within the university and departments meets availability.

(ii) For minorities, there shall be a target for hiring new minority faculty members which shall be no less than ten per cent of all new hirings into faculty positions in each year of the affirmative action program, until the utilization of minorities within the university and departments meets availability.

(d) Each department will seek to increase the pool of potential candidates in their areas by vigorous recruitment of women and minority students. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-040, filed 6/19/84; Order 75-6, § 172-150-040, filed 6/16/75.]

**WAC 172-150-050 Affirmative action for faculty--Implementing course of action.** (1) Responsibility for implementing course of action.

(a) Responsibility for meeting departmental goals and timetables rests with each college or school dean, who will be assisted in the preparation and implementation of specific plans by the university's affirmative action officer and any staff assistants appointed by the university president to insure effectiveness and continuity.

(b) To insure good communication and to fix responsibility, each university dean will act as college or school equal employment opportunity representative.

(c) The specific responsibilities of the college or school equal employment opportunity representative will be as follows:

(i) To seek the support of everyone in the college or school, particularly women and minorities, in identifying problem areas related to the goals of affirmative action and in referring qualified minority and women candidates for both academic and nonacademic positions;

(ii) To undertake a careful review of employment criteria utilized by departments within each college or school relating to merit and to make certain that all job requirements are necessary for the category under consideration;

(iii) To review the criteria for departmental hiring, retention, promotion, and tenure as actually implemented to insure that procedures are in compliance with the education amendments of 1972, HEW guidelines per Executive Order 11246, and other relevant state and federal regulation.

(iv) To disseminate the latest college policies and procedures on equal employment opportunity to all members of each department in the college or school, both professional and nonprofessional;

(v) To develop strategies for increasing and available pool of candidates for academic positions, such as actively recruiting women and minorities for graduate programs and training.

(d) It is expected, however, that all members of the academic staff will cooperate and support these efforts, in terms of both their supervisory roles and their participation on various college and school committees. (See WAC 172-150-010(8).) [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-050, filed 6/19/84; Order 75-6, § 172-150-050, filed 6/16/75.]

**WAC 172-150-060 Affirmative action for nonacademic staff--Exempted administration--Classified staff--Objectives.** (1) Women and minorities are underrepresented in many nonacademic positions at the university. Furthermore, the university recognizes that many inequitable situations in employment are rooted in occupational segregation and in stereotyping of roles in our society. These persistent problems have resulted in widely held perceptions by many present and prospective employees, especially those who are minority and women, that job responsibilities and opportunities for advancement are seriously limited and that individual skills and talents will be inadequately recognized and rewarded.

(2) Accordingly, given the university's commitment to equal opportunity in all employment areas, the affirmative action plan for nonacademic employment has a double responsibility:

(a) To correct the present underrepresentation and underutilization of women and minorities; and

(b) To reverse feelings of frustration and low expectations for change on the part of many women and minority staff. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-060, filed 6/19/84; Order 75-6, § 172-150-060, filed 6/16/75.]

**WAC 172-150-070 Affirmative action for nonacademic staff--Exempted administration--Classified staff--Course of action.** In view of both the problems and aims described in WAC 172-150-060, the following course of action has been established:

(1) Upon adoption of this plan, and annually thereafter, the administrative officer responsible for the area, in cooperation with the affirmative action officer will determine within each nonfaculty area (administrative unit, office, department) of Eastern Washington University the extent to which minorities and women are underutilized and will develop plans for the correction of the deficiencies.

(2) Affirmative action goals for non-faculty employees will be based upon the results of the utilization analysis required in WAC 172-150-070(1):

(a) For women in:

(i) Exempt administration: There shall be a target for hiring new female employees which shall be no less than



thirty per cent of all new hirings into exempt administrative positions until the utilization of women within such positions corresponds to availability.

(ii) Classified personnel: There shall be a target for hiring new female employees into positions where they are underutilized which shall be no less than thirty per cent of all new hirings into classified positions until the utilization of females within classified positions corresponds to availability.

(b) For minorities in:

(i) Exempted administration: There shall be a target for hiring new minority staff members which shall be no less than ten per cent of all new hirings into exempted administrative positions, until the utilization of minorities within such positions corresponds to availability.

(ii) Classified personnel: There shall be a target for hiring new minority members which shall be no less than ten per cent of all new hirings into classified positions, until the utilization of minorities within such positions corresponds to availability.

(3) Vigorous and systematic recruitment of minorities and women both inside and outside the university will be undertaken.

(4) Job training, career counseling, and professional development programs will be offered where appropriate and feasible.

(5) All employees will be informed of the policies, goals, and procedures in respect to nondiscrimination outlined in the university's affirmative action program. Special efforts will be made to ensure that women and minorities are aware of specific opportunities for promotion, transfer, and training that may be of interest to them.

(6) Steps will be taken to sensitize supervisors to both subtle and overt forms of discrimination and to inform them in detail about the affirmative action program, both in terms of legal requirements and of the university's particular commitments.

(7) The university will make efforts in the direction of improving access by all persons to job categories which have not traditionally been preponderantly occupied by woman and/or minorities. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-070, filed 6/19/84; Order 75-6, § 172-150-070, filed 6/16/75.]

**WAC 172-150-080 Affirmative action for nonacademic staff--Exempt administration--Classified personnel--Implementing course of action.** (1) Responsibility for administration.

(a) Responsibility for meeting the objectives in the area of exempt administration and classified personnel at EWU rests with the major administrative officer of each nonacademic area (administrative unit, office, or department).

(b) For recruitment, referral, and hiring of candidates for classified staff categories, there is a sharing of responsibility between the administrative unit leadership and the personnel office.

(i) Specifically, in order to enable each department to meet its equal opportunity goals for classified staff, the

personnel office is responsible for providing minority and women applicants according to their availability.

(ii) It is the responsibility of individual departments to supply the personnel office with basic, essential job requirements for each available classified staff position in sufficient time to allow for a serious search to produce qualified minority and women candidates (as defined in WAC 172-150-010(6)) either from within the university or from external recruitment sources.

(c) An annual review and analysis of all employment categories will be undertaken by the affirmative action officer to monitor progress toward full representation of minority and women employees.

(d) The affirmative action officer and the university president will play the same roles in developing, coordinating, and monitoring departmental affirmative action programs as described in WAC 172-150-050 (1)(a).

(e) The head of each administrative unit (office or department), or his designee, will be appointed as equal employment opportunity (EEO) representative and will have specific responsibilities as outlined for academic EEO representatives in WAC 172-150-050(c). [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-080, filed 6/19/84; Order 75-6, § 172-150-080, filed 6/16/75.]

**WAC 172-150-090 Affirmative action for educational opportunity--Purpose.** The purpose of this section is to describe Eastern Washington University's commitment to increasing the numbers of women and minority group members in our undergraduate and graduate student body and in all professional programs through a vigorous and systematic program of recruitment and when required through provision of remedial programs designed to correct differences that are the result of prior discrimination or exclusion. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-090, filed 6/19/84; Order 75-6, § 172-150-090, filed 6/16/75.]

**WAC 172-150-100 Affirmative action for educational opportunity--Objectives.** At the present time, women and minority members of some minority groups are underrepresented in some student categories at EWU. It is our policy to reduce these imbalances. It is also our objective to remove educational, social, and financial barriers which have discouraged many women, minority, and handicapped students from taking advantage of educational opportunities offered by the university. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-100, filed 6/19/84; Order 75-6, § 172-150-100, filed 6/16/75.]

**WAC 172-150-110 Affirmative action for educational opportunity--Course of action.** In view of the objectives expressed in WAC 172-150-100, the university has established the following plan of action:

(1) Access to educational programs, financial assistance, and other services and facilities will be provided to

students in a manner that does not discriminate against women, minority, and handicapped students.

(2) Minorities and women often feel isolated academically and socially both because of their small numbers and because of cultural and/or sex role stereotypes. To address this problem, the university will provide special support both formally, through the office of the vice president of student services and the office of the vice president of academic affairs, and informally by encouraging minority and women faculty, staff, and students to serve as advisors on academic and social matters.

(3) The university is committed to provide special academic support services, where appropriate and feasible, to insure that the needs of students with special problems are met. These services may include the establishment of a learning resource center or centers in which regular faculty members teach the fundamentals of mathematics, reading, writing, and speech. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-110, filed 6/19/84; Order 75-6, § 172-150-110, filed 6/16/75.]

**WAC 172-150-120 Affirmative action for educational opportunity—Implementing course of action.** (1) Responsibility for implementation of affirmative action programs and procedures in student-related areas rests with all members of the university staff but specifically with the vice president for academic affairs and the vice president for student services.

(2) On a yearly basis, the vice president for academic affairs and the vice president for student services will review their plan and will prepare an annual report which will outline both efforts and progress made toward meeting EWU goals and federal regulations. This annual report, including any proposed changes in policies or procedures, will be submitted to the president by the end of each academic year and will be reviewed by the affirmative action officer and other appropriate staff. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-120, filed 6/19/84; Order 75-6, § 172-150-120, filed 6/16/75.]

**WAC 172-150-130 Affirmative action in construction and procurement—Objectives and course of action.** Eastern Washington University has become a leader in promoting minority group participation in firms engaged in construction, vendor enterprises, and other organizations providing goods and services to the university. To maintain its leadership position in this area and to continue in compliance with the federal and state regulations governing construction and procurement, the university is committed to the following course of action:

(1) In general:

(a) Existing procedures will continue to be employed, and new procedures will be developed to provide the maximum practical opportunity for increased participation by certified women and minority vendors in university purchasing and certified women and minority contractors or construction workers in public works, both on campus and off campus.

(b) An effort will also be made to develop appropriate policies to address the problem of discrimination against women and minorities in these areas.

(c) Contractors and vendors will be informed, at the time they enter into a contractual relationship with the university, that failure to achieve the university's affirmative action goals may result in disqualification on future contracts.

(2) Construction contracts will contain the following provisions:

(a) An equal employment opportunity clause will be written into all renovation and new construction contracts:

(b) The university, through the department involved, will require contractors, negotiating or bidding on work, to be in compliance with Executive Order Nos. 11246, 11375, and 12086 before contracts are awarded;

(c) A description of the plan for minority contractor utilization, including subcontractors, will be required as a component of the bid procedure, and each contractor will be required to establish a minimum goal of the state percentage of minorities for his minority hiring goal;

(d) During actual construction, each prime contractor will submit a monthly statement to the vice president for business and finance outlining the work force composition of his entire work force and the use of minorities by his or her organization both directly and through subcontracting;

(e) The vice president for business and finance representative will visit construction sites weekly to review and report on affirmative action compliance.

(3) Vending contracts will contain the following provision:

(a) An equal opportunity clause will appear on all purchase orders. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-130, filed 6/19/84; Order 75-6, § 172-150-130, filed 6/16/75.]

**WAC 172-150-140 Affirmative action in construction and procurement—Implementing action.** (1) Construction contracts. The vice president for business and finance shall be responsible for assuring that the provisions of WAC 172-150-130 (2)(b) are carried out during all phases of the planning and actual construction of each project.

Reports of each project will be forwarded to the affirmative action officer. The affirmative action officer will be responsible for auditing the construction program efforts and for recommending changes whenever necessary.

(2) Procurement contracts. It is the responsibility of the director of purchasing to identify minority and women businesses among potential suppliers and to require the compliance of all suppliers to Executive Orders 11246, 11375, and 12086, chapter 39.19 RCW and Title 326 WAC. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-140, filed 6/19/84; Order 75-6, § 172-150-140, filed 6/16/75.]

**WAC 172-150-145 Reductions in force.** In accordance with university bylaws and other governing documents, and to the extent permitted by law, the concepts of affirmative action developed in this plan shall apply to any reduction in force or layoff. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-145, filed 6/19/84; Order 75-6, § 172-150-145, filed 6/16/75.]

**WAC 172-150-150 Grievance procedure.** The affirmative action officer will assure that adequate and appropriate grievance procedures which provide for the hearing of complaints of race or sex discrimination as well as all other complaints are developed for all members of the university community. These grievance procedures, for faculty, exempt administrative, students, and classified staff, must include specific procedures for the hearing of complaints of discrimination because of race or sex.

When charges of discrimination based on race or sex are made, the affirmative action officer will act in an advisory capacity to the appropriate hearing body convened to hear the complaint, to assure that the process for reviewing the charge of discrimination takes into account the provisions of the various state and federal laws dealing with discrimination and/or affirmative action. At the request of either party to the complaint, the affirmative action officer may be in attendance at all stages of the hearing process. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-150, filed 6/19/84; Order 75-6, § 172-150-150, filed 6/16/75.]

**WAC 172-150-160 Referrals of complaints.** Discrimination complaints which cannot be resolved to the satisfaction of the complaining party, within the college, may be submitted by the complaining party to appropriate state or federal agencies, such as one of the following:

(1) State human rights commission. This agency investigates, hears, and acts upon individual employment complaints and other grievances as empowered by chapter 49.60 RCW, the state law against discrimination.

(2) Wage and hour division, department of labor. This office investigates complaints concerning equal pay for equal work and other grievances concerning work hours and compensation. The division is authorized to enforce the Fair Labor Standards Act.

(3) Contract compliance agencies (state and federal) and the equal employment opportunity commission. Compliance officers having jurisdiction over state and federally funded projects also receive and act upon complaints of discrimination.

(4) Higher education personnel board. Employees of the classified staff may appeal regarding application of the higher education personnel law and rules, including complaints of discrimination.

(5) Office for minority and women's business enterprises. This office certifies, investigates, hears, and acts upon complaints concerning certification and other grievances as empowered by chapter 39.19 RCW and

Title 326 WAC. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-160, filed 6/19/84; Order 75-6, § 172-150-160, filed 6/16/75.]

**WAC 172-150-170 Maternity leave policy.** (1) Maternity leave, defined as that period of time a woman is physically unable to work because of childbirth or complications of pregnancy, shall be considered a temporary disability and paid leave shall be granted on the same basis as such leave is granted for any other temporary disability as set forth in the university leave policies. Except for disability leave exhausted by absence due to pregnancy, maternity leave shall be granted without loss of other accrued employee benefits and shall be available to married and unmarried women equally.

(2) Pregnancy, or possible pregnancy, shall not preclude the consideration of women for employment, admission, financial assistance, promotion, or any other program provided by the university. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-170, filed 6/19/84; Order 75-6, § 172-150-170, filed 6/16/75.]

**WAC 172-150-180 Dissemination of policy.** (1) This equal employment opportunity policy and a summary of the current affirmative action program will be disseminated to all employees at least once each year through official publications or other media.

(2) The new employee orientation program will include a thorough familiarization with the equal opportunity policy and affirmative action program of the university.

(3) Notices of equal employment opportunity will continue to be prominently displayed on bulletin boards in all locations throughout the university.

(4) Deans, directors, department chairpersons, and supervisors, will explain the intent of the policy and program and individual responsibility at staff meetings at least once every year to insure effective implementation. The equal employment opportunity policy and the affirmative action program will also be a basic item on the agenda of the board of trustees at least once a year.

(5) Written notification of this policy will be provided to community agencies and persons who request it and to all contractors, vendors, and suppliers.

(6) It is the intent of the university that any collective bargaining agreement covering the members of the classified staff will include a clause such as the following:

"Nondiscrimination. There shall be no discrimination against any individual with respect to compensation, terms or conditions of employment, nor with respect to union membership, because of race, color, religion, national origin, age, or sex. Any violation as herein set forth shall constitute a breach of this agreement."

(7) All sources for recruitment of employees will be notified in writing that this policy applies to referrals for employment application. All printed advertisements for employment will contain the phrase, "an equal opportunity employer." [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-

180, filed 6/19/84; Order 75-6, § 172-150-180, filed 6/16/75.]

**WAC 172-150-190 Corrective employment status.** Any organizational unit of the university which is found to have substantial under-representation of women and/or minorities within its work force may be placed on corrective employment status by the administrative officers responsible for that unit until such deficiency is overcome.

While under corrective employment status the organizational unit will be provided additional recruiting resources with which to attempt to overcome underutilization. No modification of bona fide occupational qualifications will be required under this section. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-190, filed 6/19/84; Order 75-6, § 172-150-190, filed 6/16/75.]

### Chapter 172-180 WAC

#### DELEGATED AUTHORIZATION TO HIRE, DISMISS AND DISCIPLINE CLASSIFIED PERSONNEL

##### WAC

172-180-010	Introduction and purpose.
172-180-020	Delegation of appointing authority power.
172-180-040	Effective date.

**WAC 172-180-010 Introduction and purpose.** In accordance with the requirements of WAC 251-12-010, through which the higher education personnel board of the state of Washington did authorize "appointing authorities" to demote, suspend, and reduce in salary or dismiss any employee under its jurisdiction for the causes stated in such rule, the board of trustees at Eastern Washington University hereby promulgates the following rules delegating the powers conferred upon it as an appointing authority. Such power is expressly derived from RCW 28B.39.120, [28B.35.120] which statute accords the board of trustees the power and duty to employ, discipline, and discharge university employees within the limitations provided by law, and RCW 28B.10.528, which statute expressly accords the board of trustees the power, when exercised by resolution, to delegate to any designee powers and duties vested in or imposed upon the board by law. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-042 (Order 85-01), § 172-180-010, filed 12/13/85. Statutory Authority: RCW 28B.40.120(11). 78-06-006 (Resolution 78-2), § 172-180-010, filed 5/5/78; Order 73-7, § 172-180-010, filed 3/20/73.]

**WAC 172-180-020 Delegation of appointing authority power.** In accordance with the statutory powers referred to in WAC 172-180-010 and in accordance with the rules promulgated by the higher education personnel board, the board of trustees of Eastern Washington University, in accordance with the resolution adopting this WAC chapter, hereby designates the

following positions, and persons occupying such positions, as appointing authorities at Eastern Washington University:

- (1) The president;
- (2) The vice president and provost for academic affairs;
- (3) The vice provost for academic affairs;
- (4) The vice president for business and finance;
- (5) The vice president for extended programs;
- (6) The vice president for student services;
- (7) The dean, college of letters and sciences;
- (8) The dean, school of fine arts;
- (9) The dean, school of human learning and development;
- (10) The dean, school of health sciences;
- (11) The dean, school of business;
- (12) The dean, school of social work and human services;
- (13) The dean, school of public affairs;
- (14) The dean, school of mathematical sciences and technology;
- (15) The university librarian; and
- (16) The executive assistant to the president (also the secretary of the board of trustees). [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-042 (Order 85-01), § 172-180-020, filed 12/13/85. Statutory Authority: RCW 28B.35.120. 82-22-078 (Order 82-04), § 172-180-020, filed 11/3/82. Statutory Authority: RCW 28B.40.120(11). 78-06-006 (Resolution 78-2), § 172-180-020, filed 5/5/78; Order 73-7, § 172-180-020, filed 3/20/73.]

**WAC 172-180-040 Effective date.** Upon the date this rule becomes effective, in accordance with the Higher Education Personnel Act, this rule shall supersede the resolution adopted by the board of trustees of Eastern Washington University dated October 28, 1982. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-042 (Order 85-01), § 172-180-040, filed 12/13/85. Statutory Authority: RCW 28B.40.120(11). 78-06-006 (Resolution 78-2), § 172-180-040, filed 5/5/78; Order 73-7, § 172-180-040, filed 3/20/73.]

### Title 173 WAC

#### ECOLOGY, DEPARTMENT OF

##### Chapters

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| 173-06 | Delegation of powers.  |
| 173-14 | Permits for developments on shorelines of the state.                               |
| 173-16 | Shoreline Management Act guidelines for development of master programs.            |
| 173-18 | Shoreline Management Act--Streams and rivers constituting shorelines of the state. |
| 173-19 | Shoreline Management Act of 1971--State master program.                            |
| 173-20 | Shoreline Management Act--Lakes constituting shorelines of the state.              |