2017
EQUAL
EMPLOYMENT OPPORTUNITY
Plan

January 1, 2017 – December 31, 2017
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APPENDIX

A. State EEO Policy

B. HRDM - OSP B0170 (SHRA Only)

C. 2017 Job Opening Estimates Form

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EQUAL EMPLOYMENT OPPORTUNITY
CERTIFICATION STATEMENT

This certifies that the attached Equal Employment Opportunity Plan represents the University of North Carolina, Greensboro (UNCG) commitment to providing equal employment opportunities to applicants and employees without regard of race, religion, color, national origin, sex, age, political affiliation, genetic information, or disability. I attest that the (UNCG) follows the North Carolina Equal Employment Opportunity Policy effective June 1, 2015 along with all applicable federal and state laws governing equal employment opportunities.

__________________________________________    __________________________
Agency Head/University Chancellor Signature            Date

__________________________________________    __________________________
EEO/AFFIRMATIVE ACTION Officer Signature            Date
UNCG EEO/AFFIRMATIVE ACTION  OTHER RELATED POLICIES

In addition to adhering to the State EEO Policy, UNCG ensures compliance with all federal and state laws governing equal employment opportunities through the implementation of the following policies:

UNCG Policy on Discriminatory Conduct

Policy on Disability Accommodations in Employment

Sexual and Gender-Based Harassment, Sex Discrimination and Other Forms of Interpersonal Violence

Unlawful Workplace Harassment

Concerns and complaints related to equal opportunity in education and in employment should be directed to the following:

- For Title IX complaints contact:
  Murphie Chappell, Title IX Coordinator
  (336) 256-0362
  mechappe@uncg.edu

- For all other discrimination and/or harassment complaints, contact:
  Patricia M. Lynch, Director for EEO and Affirmative Action
  (336) 334-9725
  pmlynch2@uncg.edu

UNCG reaffirms its commitment to equality of opportunity in its relationships with all members of the University community.

ASSIGNMENT OF RESPONSIBILITY AND ACCOUNTABILITY

The Office of State Human Resources (OSHR)

The State of North Carolina recognizes that an effective and efficient government requires the talents, skills and abilities of all qualified and available individuals, and seeks opportunities to promote diversity and inclusion at all occupational levels of State government’s workforce through Equal Employment Opportunity (EEO) workforce planning initiatives. The State is committed to ensuring the administration and implementation of all Human Resource policies, practices and programs are fair and equitable without unlawful discrimination, harassment or retaliation based on age, race, color, ancestry, national origin, religion, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, physical or mental disability, gender, perceived gender, gender identity, genetic information, political ideas or physical requirements that constitute a bona
fide occupational qualifications. UNCG is accountable for administering all aspects of employment, including hiring, dismissal, compensation, job assignment, classification, promotion, reduction-in-force, training, benefits and any other terms and conditions of employment in accordance with federal and state EEO laws.

The Chancellor is responsible for the successful implementation of these policies and programs, and shall:

1. Designate an official as the Associate Vice Chancellor for UNCG Human Resources with a direct reporting relationship to the Chancellor to assume responsibility for the operation and implementation of their equal opportunity plan and program;
2. Take positive measures to ensure that equal opportunity is available in all areas of employment including: recruitment, selection, hiring, promotion, demotion, compensation (including salary adjustments, reallocations and performance increases), termination, reductions in force (RIFs), reemployment priorities, training, career development, transfer and other terms, conditions and privileges of employment;
3. Take measures to ensure the work environment is consistent with the intent of this policy and supports equal opportunity;
4. Communicate the University’s commitment to EEO policies, plans, and procedures to all employees, applicants and the public;
5. Provide necessary resources to ensure the successful implementation of the EEO program;
6. Ensure the development and implementation of policies, procedures, and programs necessary to achieve a workforce in each occupational category that reflects the N. C. State working population;
7. Ensure the development and implementation of an equal employment opportunity plan and program;
8. Submit the plan and program by March 1 of each year to the Office of State Human Resources for review, technical assistance and approval by the Director of State Human Resources.

OSHR shall provide:

1. Technical assistance – to include one on one or group consultation and an EEO Planning and Resources Guide to aid in the development and implementation of an effective plan and program;
2. Training for: (a) EEO Officers, EEO Committee Members and others who are responsible for the development and/or implementation of the EEO plan and program, (b) agency heads, chancellors, managers and supervisors on diversity and EEO issues through the EEO Institute, (c) all employees on unlawful workplace harassment prevention, reasonable accommodations for the disabled, diversity issues, and other EEO issues as appropriate;
3. Monitoring to assess each Agency’s and University’s progress;
4. Oversight to ensure that the EEO Plan and program in each Agency and
University complies with the minimum established measures in content and elements for an effective plan and program;

5. Evaluation criteria to review, assess and report the status of each Agency’s and University’s EEO plan, policies, procedures, practices and programs, to determine if they are administered in a consistent and fair manner. Evaluation will include an on-site component; and

6. Support programs to enhance each Agency’s and University’s efforts to attract, develop, promote and retain a diverse workforce and to meet program objectives.

The OSHR shall develop data systems and design tools to review data and analyze the degree of diversity within each occupational category. The information collected from the data systems, tools and analysis will be used to evaluate trends related to all aspects of employment to determine the impact of all personnel policies and practices on EEO throughout State government and within each Agency and University.

UNCG Management, Supervisors, and EEO Officers

Every supervisor of the University undertakes by the employment relationship with the University to adhere to the policy of EEO and Affirmative Action in personnel decisions. Adherence to the policies contained in this Program is reviewed annually by the appropriate supervisor.

UNCG has been, and continues to be, committed to effective implementation of its EEO and Affirmative Action efforts in all areas and at all levels of employment.

Overall responsibility for the development and implementation of the University’s Affirmative Action Program resides with the Chancellor. The Chancellor approves all statements of policy that affect the Affirmative Action effort and makes all functional appointments of persons who have formal responsibilities in the Affirmative Action Program.

UNCG EEO Officers

The Chancellor has appointed a group of persons designated as the Affirmative Action Network. Each of the six academic Schools, the College, the Division of Continual Learning, and the Library has a representative, as does the Office of the Chancellor, the Vice Chancellor for Student Affairs, the Vice Chancellor for Business Affairs, the Vice Chancellor for University Advancement, and the Vice Chancellor for Information Technology and Planning. The Affirmative Action Network representatives serve as advisors, resources, and facilitators of the Affirmative Action Program. Though they report to the Dean or Vice Chancellor of their respective units, their work is coordinated by the Director for EEO and Affirmative Action. For those representatives appointed from the Schools and the College, that coordination is delegated by the Director for EEO and Affirmative Action to the designated senior administrator for Academic Affairs. Suggestions for appointments and reappointments of the Network Representatives are solicited by the Director for EEO and Affirmative Action and forwarded to the Chancellor for appointment. The Director for EEO and Affirmative Action works in collaboration with the Senior Vice Provost Officer.
Through mandatory trainings, meetings with Affirmative Action representatives, and meetings with staff in UNCG Human Resources, managers and supervisors are also responsible for becoming aware of the University’s Affirmative Action objectives to assure that people who work for them or with them, or who apply for employment, are not discriminated against and do not discriminate against others based on any protected class.

EEO Officers, Management and Supervisors are responsible for:

1. Assisting in the identification of problem areas and establishing program objectives;
2. Serving as resources to search committees and hiring managers when preparing for searches;
3. Making every effort to achieve program objectives and maintaining a diverse workforce for the Department, division, work unit or section;
4. Providing career counseling for employees and ensuring that all employees are given the full opportunity to attend workshops and seminars, and/or to take credit courses under the provisions of the University’s educational assistance program;
5. Assist the Director for EEO and Affirmative Action in periodic evaluations to determine the effectiveness of the Affirmative Action Program;
6. Sensitizing employees to all Affirmative Action policies;
7. Recognizing and correcting sexual harassment of employees; and
8. Providing a work environment and management practices which support equal opportunity in all terms and conditions of employment.

**DISSEMINATION OF THE EEO/AFFIRMATIVE ACTION POLICY AND PLAN**

The University makes known its commitment to Affirmative Action by broadly disseminating its EEO Policy and the Affirmative Action Program to internal and external stakeholders using a variety of methods outlined below.

UNCG will disseminate this Affirmative Action internally in the following ways:

**Internal Dissemination**

1. The Affirmative Action Program is included in the University Policy Manual, the Handbook for Faculty, Policy Manual for Staff Employees;
2. The Affirmative Action Program is discussed at New Employee Orientation, supervisory and non-supervisory trainings conducted by UNCG Human Resources;
3. EEO/Affirmative Action Policy is posted in UNCG Human Resources;
4. The University’s commitment to the EEO/Affirmative Action Policy and Program is included in all University publications with broad distribution;
5. Members of the Chancellor’s Cabinet and Dean’s Council receive a copy of the Program and reports which show progress towards goals over time.
6. The Affirmative Action Network representatives report on progress towards Plan goals to faculty and staff within their units.
7. A consistent effort is made to publish internal media articles covering activities related to the (Affirmative Action), including progress reports, promotions, and achievements of women and minorities.

External Dissemination

1. The University’s commitment to equal opportunity and Affirmative Action is included in all vacancy announcements and advertisements. The University uses the abbreviation, EOE/Affirmative Action/M/F/D/V, to accomplish this;
2. The University enlists the assistance and support of recruiting sources whom can refer qualified women, minorities, individuals with disabilities, other protected veterans, Armed Forces service medal veterans, and recently separated veterans for employment opportunities with UNCG;
3. The UNCG “EOE/Affirmative Action/M/F/D/V” statement is printed or appended to purchase orders and to contracts for services and goods to communicate our policy and commitment to vendors, suppliers, contractors, and subcontractors.
4. A consistent effort is made to publish external media articles covering activities related to the (Affirmative Action), including progress reports, promotions, and achievements of women and minorities.

WORKFORCE ANALYSIS

The University has conducted an in-depth analysis of its total employment process to determine if any impediments to EEO exist by job group. Included in this analysis are those employment processes that impact employees subject to the State UNCG Human Resources Act (SHRA).

There are one thousand eighty (1080) employees in this analysis and there are seven (7) Job Groups. We are aware that contractors have both the right and the obligation to design Job Groups in accordance with these flexible regulatory criteria. We are also aware that the size of incumbency is an appropriate factor to consider in design of Job Groups, since Job Groups should be sufficient in size to permit meaningful analysis of utilization.

We carefully considered several different means of grouping titles. We considered usual career paths to set up meaningful feeder Job Groups. We strive to achieve the greatest similarity in content and salaries, tempered by resulting size of incumbency. In addition, the Job Group Analysis displays the number of total, female, and minority employees in each job title in the Job Group. The following is a list of Job Groups for this EEO/Affirmative Action Plan: Professional Non-Faculty, Technical and Paraprofessional, Secretarial/Clerical, Skilled Craft, and Service/Maintenance.

(See Job Group Analysis Table in Appendices).

OUTREACH ACTIVITIES AND PROGRAM OBJECTIVES

The University encourages representation by faculty and staff on community councils, boards, and organizations which promotes the employment of women, minorities, individuals with disabilities,
and eligible veterans. In addition, UNCG encourages its faculty and administrative staff to participate at the state and national level in professional organizations that address issues of minorities and women. University employees regularly participate in conferences sponsored by their professional organizations which focus on diversity. Faculty and staff use some of the conferences attended to target potential applicants for diversity, and target Historically Black Colleges and Universities (HBCU’s) with mailing lists. Hiring Managers are encouraged to recruit externally through at least two diverse recruiting sources to fill vacancies.

Objectives

1. Develop new strategies and incentives for diversifying our pools in searches for new faculty and staff.
2. Educate the University community on Affirmative Action recruitment strategies in support of ongoing efforts to increase the number of underrepresented faculty and staff.
3. Provide training opportunities for supervisors and managers on Affirmative Action, cultural awareness, diversity, and encouraging attendance at cultural and ethnic events.
4. Ensure that search committees and other University committees are diverse.
5. Educate the University community on Affirmative Action strategies in support of ongoing efforts to increase the number of underrepresented faculty and staff.

PROGRAM ACTIVITIES

Recruitment

Identification of Problem Areas and Action-Oriented Programs

The University’s action-oriented programs consist of well-defined recruitment procedures to attract persons to its specifically advertised faculty and staff positions, promotional opportunities and training programs, impact analysis in reduction-in-force (RIF) situations, and outreach activities to increase general awareness of the University’s interest in recruiting minorities and women.

We did not identify any barriers to achieving the employment objectives for the 2016 EEO Plan.

Disciplinary Procedures

Any alleged violation of UNCG’s Affirmative Action Policy will be taken seriously by the University. An employee or applicant with a complaint should contact the University Director for EEO and Affirmative Action or University Counsel and follow the process as outlined below.

The following complaint process will be followed:

- The University Director for EEO and Affirmative Action will request a written complaint describing the nature of the alleged violation.
• The University Director for EEO and Affirmative Action may request written responses from any individuals identified in the complainant’s statement and must request a written response from any individuals charged with violating the policy.

• If the University’s Director for EEO and Affirmative Action believes that a violation has occurred and that the violation is of a magnitude to warrant disciplinary action, he or she will consult with the University Counsel, who will if he or she concurs, then invoke the appropriate disciplinary process. In addition, the University Director for EEO and Affirmative Action will ensure that the appropriate corrective action is taken in support of the complainant.

SELECTION AND HIRING PROCESS

UNCG Human Resources administers recruitment, selection, and salary administration for staff who are subject to the State Human Resources Act (SHRA) and non-faculty staff who are not subject to the State Human Resources Act-EHRA) vacancies. Faculty Personnel Services administers salary administration for faculty vacancies. Exceptions to normal hiring practices in relation to salary, is subject to the approval of the Board of Governors and internal employment should be referred to UNCG Human Resources.

UNCG Human Resources is committed to providing timely service to supervisors in recruitment, advertising, and filling vacancies to hire from the qualified pool of applicants for each position. UNCG Human Resources facilitates this program in its entirety. Any inquiries that may arise during the process should be addressed directly to the Director of Talent Solutions or a Talent Consultant in UNCG Human Resources. All full-time and part-time vacant permanent positions are posted via UNCG Job Search. SHRA postings are screened to the minimum qualifications and applicants may be disqualified through the postings disqualifying questions and supplemental questions. EHRA positions are screened to the minimum qualifications and preferred qualifications by the Hiring Department.

All requisitions for postings are reviewed and approved for posting by the Director of Talent Solutions or the Director for EEO and Affirmative Action for compliance for non-discriminatory language, minimum and preferred qualifications, salary range, posting duration, underutilization, and external posting requirements.

Commitment to Affirmative Action and Equal Opportunity Employment

UNCG is committed to equal employment opportunities and does not discriminate against applicants or employees based on race, color, national origin, religion, sex (including pregnancy), gender identity, age, disability, veteran status, genetic information, political affiliation, or sexual orientation, including sexual harassment. Moreover, UNCG is committed to recruiting and advancing women and minorities at all levels in its staff complement.
All applicants are given the option to voluntarily provide race, sex, disability, or veteran service that is held in a confidential report with the online recruitment system. Hiring Managers have access to demographic aggregate data on the applicant pool at all times.

The minimum employment age is 18 years old, except for law enforcement officers who must be at least 21 years of age at the time of hiring. There is no maximum age for employment.

Review of Job Description

The hiring manager designs the new position and writes the job description or updates the current job description that is vacant for posting. SHRA job descriptions are required to be no older than eighteen (18) months before posting. The job description for all SHRA and EHRA Non-Faculty vacancies should be written and adopted using established procedures from the Director of Talent Solutions for EHRR Non-Faculty position description assistance; and the Talent Consultant for SHRA position descriptions. All faculty job descriptions are uniform and administered by Faculty Personnel Services in the Provost office.

After completion of the job description, the hiring manager should submit a Job Requisition through UNCG Job Search for posting the position (Please refer to the UNCG job search support portal for assistance on creating a requisition for posting, screening applicants, completing hiring proposals, etc.

Posting and Advertising

All postings are advertised on the online job search system. The minimum requirement for SHRA internal (UNCG online website only) is for five (5) business days and only UNCG permanent, time-limited, and RIF employees can apply. SHRA internal and external postings are posted on the online job search system for a minimum of seven (7) business days and all state and non-state applicants can apply.

All internal EHRA Faculty and Non-Faculty vacancies are posted for a minimum of ten (10) business days, open to only UNCG permanent employees. External EHRA Faculty and Non-Faculty vacancies are posted for a minimum of ten (10) business days open to external and internal applicants. Most EHRA vacancies are posted with the close date of “open until filled”.

Positions are posted with an administrative title and functional title. The summary of the postings will give details defining the role of the Department in the University and tasks and function required. SHRA positions are posted with a salary range that is usually from the minimum to the budgeted amount for the position. In circumstances where a vacancy may be difficult to fill by attracting qualified applicants, the range may be posted at 10% below the position’s level market rate to the 10%-12% above the level market rate. This is approved on rare occasions as the UNCG compensation philosophy indicates salaries for new employees should be established at levels that recognize that individual’s skills, competencies, and experience while considering the salary levels of current employees with similar duties.
EHRA Faculty and Non-Faculty positions are posted as “commensurate with experience”. Any change in postings or job requirements will require that the positions be re-posted for the minimum period and that current applicants be notified of the change. Positions posted as “time-limited” appointments must be posted again as a permanent appointment should the hiring manager decide to fill it on a permanent basis.

7 Screening and Referral of Applicants

As SHRA applicants apply to vacancies and after closing, the Talent Consultant reviews all applicants for RIF re-employment priority, veteran status, promotional priority and disability status. Any applicants are identified with a status change in the system to reflect the priority. Applicants who do not meet the minimum qualifications and have not been screened with the disqualifying minimum questions are removed from the pool. When this process is complete all remaining applicants are forwarded to the Hiring Manager. As applicants are screened to the preferred qualifications, applicants are submitted to the Director of Talent Solutions for approval for interview. At least three (3) applicants are to be recommended for interview; however, depending on the qualifications for the applicant pool, exceptions may be made with the approval of the Director of Talent Solutions.

EHRA Faculty and Non-Faculty postings are screened by the search committee as the applicants apply. After the minimum postings period is complete, the search committee begins review of applicants to be recommended to the Director of Talent Solutions for approval for interview. The postings will remain open to receiving applicants until a final candidate is selected. Any applicants after a finalist is selected will not be considered and will have statuses changed to reflect such.

Consideration of Special Factors Under Federal and State Law

As directed by UNCG Human Resources the hiring manager is responsible for ensuring that applicants meet the necessary consideration for promotional priority of current state employees, priority re-employment, veteran’s preference and AFFIRMATIVE ACTION as directed by UNCG Human Resources.

The following is a brief explanation of special considerations that may arise during the recruitment process. Failure to consider these factors appropriately may lead to a legal challenge. Full policies referencing priority consideration can be accessed at the UNCG Human Resources policy website.

Priority Considerations for Current State Employees

Promotional priority consideration must be provided to all current state employees who have achieved career status, as that term is defined by the NC General Statute. The Talent Consultant will make this determination of eligible SHRA applicants before forwarding applications to the Hiring Manager. The nature of the priority is as follows: If a current state employee applies and is qualified for another state position of a higher level, and has substantially equal qualifications of those of the highest-ranking applicant who is not a state employee, the state employees will receive the job offer. Departmental Representation may contact UNCG Human Resources for assistance.
‘Qualifications’ as used in this definition include education and training, years of related work experience, and other competency, demonstrated knowledge, skills, and abilities in the selection process that have a reasonable, functional relationship to the requirement of the position. ‘Substantially equal qualifications’ are present when the supervisor cannot make a reasonable determination that the job-related qualifications held by one applicant are significantly better-suited for the position than the job-related qualification held by the other applicant.

Priority Re-employment Consideration

Former state employees who have been involuntarily separated for reasons other than cause are afforded priority re-employment consideration under state law and policy. If there are any such employees eligible for this preference, the Talent Consultant will include such information with an email to the hiring manager, in addition to completing the status change. State regulations require that if the applicant was separated from a position at UNCG, the applicant shall be offered any available vacant position with a salary grade equivalency level equal to or below that was held before the separation, provided the employee meets the minimum qualifications for the position and can perform the job in a reasonable length of time, including normal orientation and training given to any new employee. If the applicant was separated from a position at another state agency, the applicant will be interviewed and, where qualified considered for the vacant position. The applicant will be offered the position prior to employment of anyone who is not a permanent UNCG employee; UNCG Human Resources will work closely with the hiring manager in affording priority re-employment consideration.

Veterans’ Priority Rights in Hiring

In appreciation for service to the state and the country in a time of war, and in recognition for the time and advantage lost toward the pursuit of a civilian career, veterans have been granted a preference in state employment by the General Assembly. Persons eligible for veteran’s preference have served in the Armed Forces of the United States on active duty, for reasons other than training, during periods of war, with discharge under other than dishonorable conditions. This preference particularly includes disabled veterans. Spouses of disabled veterans and the surviving spouse or dependent of a veteran who died through service-related reasons during peacetime are considered.

Veterans who have met the minimum qualification requirements and who have less than four (4) years of related military experience beyond that necessary to qualify minimally shall also receive direct experience credit for up to four (4) years of unrelated military experience.

After applying this preference, the qualified veteran shall be hired when his/her overall qualifications are substantially equal to one or more non-veterans in the applicant pool.

UNCG Human Resources will review the information about veteran’s status on UNCG Application and will note an applicant’s eligibility for this preference with an email to the hiring manager in addition to the status change.
If the applicant pool includes both a qualified non-state employee veteran and a qualified current state employee who is seeking a promotional opportunity, UNCG Human Resources will advise the hiring manager of the relationship between those priorities.

Affirmative Action Consideration

The University’s Affirmative Action Plan requires UNCG to act affirmatively in minimizing and eliminating any demonstrated underutilization of women, minorities, disabled person, and veterans in the University’s work force. Each year, the Director for EEO and AFFIRMATIVE ACTION makes the updated University Affirmative Action Plan available to the Dean, Directors and Department Heads, through the school and division AFFIRMATIVE ACTION Representatives. The Director of EEO and AFFIRMATIVE ACTION Officer will assist supervisors in providing advice and consultation about AFFIRMATIVE ACTION considerations during the recruitment process.

Structured Interview Questions

When the requisition for posting is prepared by the hiring manager or hiring assistant, structured interview questions will be added on the online Job Search System for approval by the Director for EEO and Affirmative Action and the Director of Talent Solutions. A link is provided to a library of established and approved interview questions, although the hiring manager may create new ones. The new ones must also be approved the Director for EEO and AFFIRMATIVE ACTION or his or her delegate.

The same questions should be asked to each applicant interviewed. The purpose of the structured interview is to obtain information relevant in determining whether an applicant is suitable for the job and to ensure that no applicant interviewed has an unfair advantage or disadvantage over another. The questions should focus on the work experience, education, and training of the applicant, and the applicant’s job objectives. Each question should be based on one or more of the essential knowledge, skills, and abilities as indicated in the job description.

Upon request, the Talent Consultant will provide hiring managers with assistance in developing the structured interview questions. Questions about an individual’s race, gender, age, color, religions, national origin, genetic information, political affiliation, sexual orientation, disability veteran’s status, or any other protected class not directly related to the requirements for the positions are prohibited, to ensure a non-discriminatory interview is being conducted.

Reference Checks

UNCG Human Resources is responsible for conducting reference checks and recording the information on the Hiring Proposal in the online system. At least three reference checks, to include one supervisor is required is required. UNCG Human Resources may advise on the necessity of further checks. When feasible, a reference check should be conducted directly with the applicant’s immediate supervisor. However, the applicant should provide authorization when a reference check with a current employer is being conducted.
These checks should be conducted with careful regard to confidentiality and the applicant’s permission to release this information must be obtained before conducting the reference check. Only job-related questions should be asked. Questions about individual’s race, gender, age, color, religions, national origin, genetic information, political affiliation, sexual orientation, disability or any other matter not directly related to the requirements for the positions are prohibited. The same questions should be asked for each reference. The name of the telephone reference, date of contact, and notes about the conversation should be recorded and retained on the form provided. The reference check may be conducted by telephone or in writing.

Instructions on submitting reference checks may be provided in the postings to applicants. Some employers are reluctant to release verbal and written information about former employees. In this event, UNCG Human Resources should obtain written authorization from the applicant.

Final Candidate Decision

After completing the interview process and deciding on the final candidate, the hiring manager completes the online Hiring Proposal in the system.

Determining how much to offer the candidate:

- For SHRA candidates, the Talent Consultant reviews the hiring proposal for competency and classification level justification. The salary requested cannot exceed the maximum amount defined at posting. Once he/she approves, the hiring proposal is submitted through the workflow/approval process. The Director of Talent Solutions has final authority over SHRA candidates’ starting salaries.
- For EHRA Non-Faculty candidates, the Director of Talent Solutions reviews and approves the hiring proposals for UNC system compensation equity and CUPA data. The Associate Vice Chancellor (AVC) for UNCG Human Resources has final authority over starting salaries for EHRA Non-Faculty candidates.

Other Personal Activities Related to the Affirmative Action Program

The AVC for UNCG Human Resources has the following general responsibilities for ensuring that personnel functions are consistent with commitments contained in this Program. The following list is exemplary but not inclusive:

- To ensure that required postings and notices are displayed properly and are on the NC Department of Administration (Employment Security Commission) website for outreach;
- To conduct routine analysis of upward career paths from job groups having substantial concentrations of minorities and women;
- To routinely review position descriptions and position announcements for inclusion of
only job-related criteria;

- To perform adverse-impact analysis relating to all classes of employees and prepare reports based on those analyses for the following employment actions: hiring, promotions, transfers, terminations, and training opportunities. (The analysis is performed per the Uniform Guidelines on Employee Selection Procedures (41 CFR 60-3.1 through 3.18)).

**PROMOTIONAL PROCEDURES**

Training is a vital tool in achieving equal employment opportunity and in strengthening AFFIRMATIVE ACTION efforts. The University is committed to providing opportunities for employees to acquire new skills and to update or enhance existing ones. Faculty and staff employees are provided opportunities for professional development. Special efforts are made to encourage women and minorities to engage in professional development activities. UNCG Human Resources has responsibility for providing internal training programs for staff. Many of its programs are also useful for faculty supervisors.

**TRAINING PROCEDURES**

The University makes concerted efforts to identify current employees who are qualified for promotion and to include women and minorities in training programs and development opportunities. Through an internal posting system, all University employees have regular access to information about internal positions as they become vacant. In accordance with North Carolina law, the University allows priority consideration and preference to an internal state candidate who is substantially qualified for a position.

Faculty positions allow progression to higher levels per the regulations on Academic Freedom, Tenure, and Due Process. Faculty are selected for tenure awards and promotions to higher ranks without regard to race, color, national origin, religion, gender, age, disability, veteran status, genetic information, political affiliation, or sexual orientation. It is the responsibility of the Provost, Deans, and Department chairs/heads to establish and apply nondiscriminatory criteria for promotion and the conferral of tenure.

Classified positions (SHRA) are regularly audited to make sure that the salary grade or Career Banding level of the incumbent is consistent with the work being performed. Reclassifications or career progressions are recommended whenever the position study indicates a need.

**COMPENSATIONS AND BENEFITS PROCEDURES**

All staff is compensated according to procedures promulgated by the OSHR without regard to race, color, national origin, religion, gender, age, disability, veteran status, genetic information, political affiliation, or sexual orientation.

Generally, employees who have appointments of at least nine months at three-quarter time, including
faculty, are eligible for enrollment in the University’s benefits programs. Employees eligible under these conditions are subject to mandatory participation in the State Retirement System. Eligible employees who hold a faculty appointment may elect to participate in the University’s Optional Retirement Program. The UNCG Human Resources regularly holds New Employee Orientation meetings to inform employees of benefits options and to complete the necessary paperwork. Employees are required to attend such an orientation, immediately upon being employed by the University.

UNCG Human Resources offers benefits planning seminars on a regular basis. Notification of changes in the University’s benefits program is communicated through the Campus Weekly and the UNCG Human Resources website.

PERFORMANCE APPRAISALS

It is UNCG’s policy that work performance of all permanent employees’ subject to SHRA shall be appraised at least annually by the immediate supervisor of the employee. Performance appraisals shall be job related and shall not be influenced by race, color national origin, religion, gender, age, disability, veteran status, genetic information, political affiliation, or sexual orientation. By adopting this policy, the University shall achieve the following goals:

- Increased two-way communication between the supervisor and the employee regarding work;
- Clarify goals and responsibilities, priorities, and expectations to meet the University’s mission and goals;
- Monitor and assess performance; and
- Identify steps for improving performance.

The UNCG Human Resources is responsible for the administration of the Performance Management Program which includes, but is not limited to: 1) formulating procedures and policies that are consistent with the Policy and Guidelines and with relevant policies of the Office of Administrative Hearings, 2) planning and conducting all training of supervisory personnel, 3) continuously monitoring the program, and 4) periodically evaluating the program.

TRANSFER AND SEPARATION

All University employees are encouraged to have an exit interview and to discuss continuation of benefits with staff in the UNCG Human Resources. If during the interview information is shared that warrants immediate attention, the Associate Vice Chancellor for UNCG Human Resources or their designee will be notified directly and will follow up with the appropriate person(s).

GRIEVANCE PROCEDURES

The University encourages all employees to bring forward concerns about work-related issues in a constructive and orderly manner. Employees should actively seek resolution of grievances within
their work units by initiating discussions of their concerns with their immediate supervisors within **fifteen (15) days** of the event. Should direct communication between an employee and the supervisor not produce a resolution of an employee’s concerns, the employee has available a formal grievance procedures designed to provide a fair review of the matter and to generate recommendations for the resolution of the grievance.

** Formal Grievance – Step 1 Mediation **

The formal internal grievance process begins when a Grievant files a formal grievance request in accordance with the SHRA Grievance Policy. The Grievant must begin the formal internal grievance process by filing a written grievance to the Director of Employee Relations or designee within the University UNCG Human Resources Department in accordance with the SHRA Grievance Policy. The Grievant must complete the required informal processes before filing a formal grievance.

Upon approval OSHR, the University, has the discretion to bypass Step 1 and proceed directly to Step 2 in situations involving discipline for jeopardizing campus safety, personal misconduct, or other similar egregious workplace issues. A decision to request bypassing mediation must be approved by the University Human Resource Office and authorized by the Chancellor. The decision to bypass Step 1 only occurs after careful consultation with parties involved in the workplace dispute.

*Purpose of Mediation*

Mediation provides the Grievant and the University Respondent an opportunity to openly discuss the grievance in a neutral environment with the goal of reaching a mutually acceptable resolution.

*Mediation Process*

University UNCG Human Resources shall submit the request for mediation within **3 business days** of receipt of the grievance. The mediation process shall be concluded within **35 calendar days** from the filing of the grievance unless the Grievant and the University mutually agree in writing to extend the time due to extenuating circumstances. Any extension of Step 1 will not extend the **90-calendar day** timeline.

** Formal Grievance – Step 2 **

*Hearing Process*

If Mediation does not result in a resolution at Step 1, the Grievant can proceed to Step 2 of the internal grievance process. UNCG Human Resources will notify the Grievant of the opportunity to present the grievance orally to a Hearing Panel/Hearing Officer outside of the employee’s chain of command. The Step 2 filing must be received by the University HR Office within **five (5) calendar days** of the date of the completion of mediation. The hearing process shall be concluded within **thirty-five (35) calendar days** of filing Step 2 of the grievance process unless the Grievant and
University mutually agree to extend the time. This will not extend the **ninety (90)-calendar day** timeframe.

**Proposed Recommendation**

1) The Hearing Panel Chair or Hearing Officer will draft a proposed recommendation for a final University decision including justification to support the recommendation and submit to the Chancellor or designee.

2) The Chancellor or appropriate designee will forward the proposed recommendation to the Director of the Office of State UNCG Human Resources. This must be completed within the **thirty-five (35)-calendar day** timeframe for the Step 2 hearing process.

3) The Director of the Office of State UNCG Human Resources or designee shall review the proposed recommendation and will respond to the University within **ten (10) calendar days**.

**Final University Decision**

1) The University shall consider any input received from the Director of the Office of State UNCG Human Resources and issue its Final University Decision to the Grievant within **five (5) calendar days**.

2) The proposed Final University Decision shall not be issued or become final until reviewed and approved by the (OSHR).

3) The Final University Decision shall be issued in writing within **ninety (90) calendar days** of the initial filing of the grievance. The Final University Decision will include information about any appeal rights.

**Appeal to the Office of Administrative Hearings**

**University Requirements to Notify Grievant of Appeal Rights**

The Final University Decision shall inform the Grievant in writing of any appeal rights through the Office of Administrative Hearings for contested case issues. The Grievant must be specifically informed of the following:

1) The appeal is made by filing a “Petition for a Contested Case” hearing with the Office of Administrative Hearings;

2) The appeal to the Office of Administrative Hearings must be filed within **thirty (30) calendar days** after the Grievant receives the Final University Decision; and

3) A fee is charged for filing a Petition for a Contested Case Hearing.

**Grievant Access to the Office of Administrative Hearings**

1) If the Grievant is not satisfied with the Final University Decision, the Grievant may file a Petition for a Contested Case Hearing in the Office of Administrative Hearings in cases where the grievable issue may be appealed. An Administrative Law Judge will conduct a hearing and render a Final Decision.

2) A Petition for Contested Case Hearing must be filed within **thirty (30) calendar days** after
the Grievant receives the Final University Decision. The Grievant may file the appeal at:

Office of Administrative Hearings
1711 New Hope Church Road (Physical Address)
Raleigh, NC 27609
6714 Mail Service Center (Mailing Address)
Raleigh, NC 27699-6700
(919) 431-3000

Hearing procedure requirements and filing form (OAH Form H-06A) can be obtained from the Office of Administrative Hearings at: http://www.ncoah.com/hearings/ or by calling (919) 431-3000.

Responsibilities for the SHRA Grievance Policy

University UNCG Human Resources, AFFIRMATIVE ACTION /EEO Office Responsibilities

1) Adhere to the SHRA Grievance Policy;
2) Develop and communicate internal procedures as needed;
3) Provide current employees and new hires with access to the Employee Grievance Policy;
4) Notify employees of any change to the internal University grievance process no later than 30 calendar days prior to the effective date of the change;
5) Maintain grievance data in the Grievance Log provided by OSHR. Data must be entered as events occur; and
6) Provide employee grievance reports to OSHR as request.

Office of State UNCG Human Resources Responsibilities

The Office of State UNCG Human Resources shall:

1) Seek appropriate approval of the SHRA Grievance Policy any time modifications are made;
2) Provide consultation and technical assistance to Universities as needed; and
3) Conduct ongoing studies/analyses to evaluate policy effectiveness and communicate results to improve the program effectiveness.

PROCESS TO ENROLL MANAGERS IN EQUAL EMPLOYMENT AND DIVERSITY FUNDAMENTALS (EEODF)

EEODF is a training course offered at least once a year in collaboration with OSHR, at least once a year. This course addresses EEO law and compliance and issues of workplace diversity in State government. It concentrates on developing awareness and building skills that can be used on the job. New supervisor and supervisors who have not previously completed the course must do so by accessing UNCG’s training website to enroll in the next available class at
EVALUATION MECHANISM

The Affirmative Action Committee meets annually to review the Affirmative Action Program and provide input to the Director for EEO and Affirmative Action regarding program emphasis for the next year. The Director for EEO and Affirmative Action disseminates this information to all UNCG managers and supervisors through meetings and written communication. Additionally, the Committee may meet as necessary to discuss the Affirmative Action Program actions that need attention.

REPORT MECHANISM

The Director for EEO and Affirmative Action ensures that procedures published by the North Carolina Office of State UNCG Human Resources are followed and ensure that a report is filed at UNCG Human Resources. This report describes recruitment efforts and outlining the reasons for selection of one applicant over any minorities and females who are not selected.

In overseeing the University’s Affirmative Action Program, the Director for EEO and Affirmative Action regularly reviews the workforce analysis, paying close attention to any areas where underutilization occurs. Job Groups where the analysis yielded underutilization are especially monitored against any established objectives. Hiring decisions are assessed in an ongoing basis as they related to job group objectives or goals. The Provost and the vice chancellors who oversee positions affected by placement goals are regularly informed of the progress toward attaining those goals.

REDUCTION IN FORCE PROCEDURES

A Reduction in Force (RIF) is an action to downsize the University's work force or a unit within the University. Such actions are taken only after examining all other available alternatives. When normal attrition does not produce the desired results and no other measures seem feasible, the University may terminate the employment of SHRA permanent employees.

RIF actions will not be used to circumvent the disciplinary process; however, overall performance as evaluated in the performance management evaluation process will be a factor in determining the order of layoff.

Basis for a Reduction

The following are permissible reasons for a reduction in force:
1. Reorganization of positions within the unit which materially changes the nature of one or more positions
2. Abolishment of a filled position
3. Material change in duties assigned to a position
4. Lack of work
5. Cancellation or termination of grant or contract
6. Shortage of funds

Identifying Employees for Reduction in Force Actions

When determining which employee(s) will be adversely affected by a RIF, comparisons will be made between employees within the same division, same career banded, classification and same competency level.

Reduction in Force Plan

Each Division head will create a RIF plan under the guidance of Director of UNCG Human Resources Business Partners and Employee Relations. This RIF plan identifies which positions are to be eliminated and the current career banded classification and competency level assigned to each of those positions. In addition, the type of appointment (probationary, temporary, full time, part time, time limited or trainee), funding source, and relative efficiency (PMP's for the last three years and any other actions in the official personnel file in HR) will be included in the RIF plan.

Prior to laying off employees of the University, the Director of UNCG Human Resources Business Partners and Employee Relations will work with the Director of Talent Solutions to review University-wide vacancies to place proposed dislocated employees into similar or related banded vacant positions. Once the draft plan is complete, he or she will forward it to the Director of EEO and Affirmative Action to conduct a comparative analysis before determining the actual person(s) whose employment will be terminated because of the divisional RIF Plan. The analysis will begin with a review of the following factors in descending priority order:

1. Type of Appointment
   Permanent employees will be retained over temporary, probationary, and trainee employees in positions that have the same career banded classification and same or lower competency level within the same division. For purposes of the RIF policies, trainees are defined as employees in their initial six (6) months of training.

2. Relative Performance
   RIFs often result in fewer employees to perform the same work tasks. Therefore, in the interest of efficiency the better performers should be retained. Performance management evaluations should be compared to determine these performance standards. Those whose evaluations consistently show higher ratings will be given preference over those with lower ratings. The performance management evaluations for the past three years will be considered in determining relative performance. In addition, for purposes of layoff, all
personnel actions that are part of an employee's official personnel file will be given consideration when determining relative performance.

Full-time permanent employees with documented specialized skills deemed by the Director for EEO and Affirmative Action to be necessary to the effective operation of the department may be exempted from layoff. To request such an exemption, an Assessment of Need for Specialized Skills (Attachment A) form must be initiated by the department head and included in the final RIF plan. The Director for EEO and Affirmative Action will review all specialized skills requests prior to forwarding the final RIF plan for approval by the Associate Vice Chancellor for UNCG Human Resources.

3. Adverse Impact Analysis
The Director for EEO and Affirmative Action will perform an Adverse Impact Analysis based on the University's Affirmative Action Plan. If the effect is negative, discussion will be held with the Associate Vice Chancellor for UNCG Human Resources regarding how this problem will be addressed in the future to compensate for the action taken.

4. Length of Service
Total length of service with state government will be considered in determining which employees are to be separated. Years of service may become a differentiating factor in the separation decision, particularly in instances where other retention criteria are equivalent. Employees who are eligible veterans shall be afforded one year of state service for each year or fraction thereof of military service, up to a maximum of five (5) years credit.

The above factors will be considered in turn, beginning with the type of appointment. The boundaries for conducting this analysis will be the Division of the targeted position.

The effect of this analysis is that the incumbent in the targeted position may not be the person removed by the RIF action. Another employee may be removed instead, with the opening in the retained position to be filled by the employee who formerly occupied the targeted position. The incumbent in the position to be eliminated in a RIF situation may be given the option to accept the RIF and take advantage of the severance salary and priority re-employment consideration policies, or to accept placement in a different position within the division or University as prescribed by this policy.

The Director for EEO and Affirmative Action will forward the approved RIF plan to the Associate Vice Chancellor for UNCG Human Resources a minimum of six (6) weeks before the date that the notification letter of lay off will be sent to employees in positions that are to be eliminated.

Following review of each division’s RIF Plan, the Associate Vice Chancellor will review all the steps toward selection of the person to be separated and general compliance with UNCG’s and the Office of State UNCG Human Resources’ RIF related policies. The Associate Vice Chancellor for UNCG Human Resources communicates the outcome of the RIF Plan by sending a confidential email to the division head. The outcome will
include a list of the employees who will be laid off after the RIF analysis has been completed, the costs associated with the projected layoffs, and a copy of the sample letter that must be provided to each employee regarding his/her RIF rights.

**Notice to Affected Employees**

Affected employees are to be notified in writing within **thirty (30) calendar days** prior to date of layoff. The letter of notification must contain the reasons for the RIF, date of separation, the employee’s eligibility for priority reemployment consideration, appeal rights, and other benefits available. Other issues, including priority reemployment consideration, severance salary continuation, continuation of health insurance coverage, retirement options, and any other benefits available will be covered in a separate meeting by the Director for EEO and Affirmative Action.

**Rights of Employee**

Once the employee has been notified of separation because of a RIF, he/she is eligible to receive benefits described below:

1. A permanent full-time or part-time (20 hours per week and over) employee who does not obtain another permanent job as a state employee by the effective date of the RIF may be eligible for severance salary continuation when separated. This provision does not apply to employees whose RIF is not considered permanent; that is, employees who are RIF on a temporary or seasonal basis with the expectation that they will return to work within **twelve (12) months**. Payment is based on total state service supplemented by an age factor. The "Severance Salary Continuation Policy" is administered by UNCG Human Resources.

2. Permanent employees notified of reduction-in-force are eligible to receive priority reemployment consideration for a period of **twelve (12) months** from the date of notification. Prior to the commencement of the actual lay off date and following the notification of lay off, the employee will be offered any available vacant position with a career banded classification and competency level equal to or below the position held at the time of notification, provided the employee meets the qualifications for the position and can perform the job in a reasonable length of time, including normal orientation and training given to any new employee. The Policy on Priority Consideration is administered by UNCG Human Resources.

3. A career state employee who is separated due to RIF can appeal through the campus grievance procedure or directly to the State Personnel Commission only upon the following two grounds: (1) that the reduction-in-force was in retaliation for the employee's opposition to alleged discrimination on account of the employee's age, sex, race, color, national origin, religion, creed, political affiliation, or handicapping condition as defined by Chapter 168A of the General Statutes or (2) denial of the veteran's preference granted in accordance with Article 13 of Chapter 126 of the
North Carolina General Statutes for an eligible veteran as defined by G.S. 126-81.

4. A career employee will receive specific benefits information from the UNCG Human Resources.

5. Career employees, who are subject to RIF, may have their accrued sick leave reinstated should they be reemployed in any state agency within five (5) years from the date the RIF takes effect.

6. Career employees may have up to one (1) year's state portion of their medical plan premium paid by the University beginning with the official date of lay off and may continue to participate in the State Health Plan by paying the full premium on an indefinite basis.

Responsibility for Administration

UNCG Human Resources has responsibility for administration of this policy and all other policies referenced herein, including the Severance Salary Continuation Policy, the Policy on Priority Consideration and the Grievance Policy and Procedures for Staff Employees. Employees and supervisors can obtain information and assistance in understanding and implementing these policies from UNCG Human Resources.

PROCEDURES AND MONITORING

The University’s Affirmative Action Program is evaluated in two ways: 1) monitoring of the University’s commitment and good faith efforts and 2) ongoing comparisons of goals and progress toward accomplishing those goals. Both functions are the responsibility of the Director for EEO and Affirmative Action in conjunction with the Chancellor and the Affirmative Action Committee.

To evaluate adherence to the AFFIRMATIVE ACTION, the Director for EEO and Affirmative Action requires reports from those involved in the search and selection process and, when necessary, consults with them prior to approving important steps in the employment process. Reports and consultations also occur whenever there appears to be an insufficient number of underutilized candidates or when underutilized candidates have been substantially eliminated.

RESPONSIBILITY FOR IMPLEMENTATION

Once this EEO Plan has been developed and approved by the Chancellor, the Associate Vice Chancellor for UNCG Human Resources will communicate the plan to the campus.

The Director for EEO and Affirmative Action will be responsible for assisting supervisors, managers, and the grievant in investigating and resolving all allegations of unlawful workplace harassment, discrimination, or retaliation. Additionally, Director for HR Business Partners and Employees will oversee disciplinary actions and serve as resource person to all employees. Both disciplinary actions and employee grievances or complaints involving SHRA personnel will be
reported through the BANNER HR system, which is tracked by HR Data Mart.

The Director for EEO and Affirmative Action and Title IX Officer will be responsible for administering the Unlawful Workplace Harassment Policy and Plan, preventing and correcting any identifiable discrimination and/or unlawful workplace harassment, and creating an environment that is free of unlawful workplace harassment. UNCG will, in all allegations of unlawful workplace harassment, review the totality of the circumstances to determine whether the alleged conduct constitutes unlawful workplace harassment.

Any SHRA employee who needs to file a complaint of harassment should follow the University SHRA Grievance Policy at [http://web.uncg.edu/hrs/PolicyManuals/StaffManual/Section7/FINAL-University%20SHRA%20Employee%20Grievance%20Policy-eff-2016-02-01.pdf](http://web.uncg.edu/hrs/PolicyManuals/StaffManual/Section7/FINAL-University%20SHRA%20Employee%20Grievance%20Policy-eff-2016-02-01.pdf)

Any interference, coercion, restraint, or reprisal of any person complaining of unlawful harassment is prohibited.

**TRAINING**

The UNCG Human Resources will be responsible for scheduling workshops to communicate the plan and development methods to evaluate program activities. This training is similar to the program offered by OSHR’s Equal Opportunity Division. Specific training has been developed for supervisors and employees and is administered by UNCG Human Resources.
APPENDIX

A. State EEO Policy

B. HRDM - OSP B0170 (SHRA Only)

C. 2017 Job Opening Estimates Form

D. Job Group Analysis Table