

VANDERBILT UNIVERSITY AND MEDICAL CENTER

HUMAN RESOURCES POLICIES AND PROCEDURES

SUBJECT: EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION POLICY

POLICY #: HR-001

EFFECTIVE DATE: March 1, 2000

REVISED May 1, 2008

POLICY

Vanderbilt is an Equal Employment Opportunity and Affirmative Action Employer. The University's Equal Opportunity and Affirmative Action Policy is reflected in the following statements:

- In compliance with federal law, including the provisions of Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, Executive Order 11246, and the Uniformed Services Employment and Reemployment Rights Act, as amended, Vanderbilt University does not discriminate against individuals on the basis of their race, sex, religion, color, national or ethnic origin, age, disability, or military service in its administration of educational policies, programs, or activities; admissions policies; scholarship and loan programs; athletic or other University-administered programs; or employment. In addition, the University does not discriminate against individuals on the basis of their sexual orientation,¹ gender identity,² or gender expression³ consistent with the University's non-discrimination policy.
- In compliance with federal law, Vanderbilt University does not retaliate against individuals for 1) filing or encouraging one to file a complaint of unlawful discrimination, 2) participating in an investigation of unlawful discrimination, or 3) opposing unlawful discrimination. In addition, the University does not retaliate against individuals for filing or encouraging one to file a complaint of discrimination, participating in an investigation of discrimination, or opposing discrimination based on grounds not necessarily protected by federal or state law, but protected by the University's non-discrimination policy, such as sexual orientation. "Retaliation" includes any adverse employment action or act of revenge against an individual for filing or encouraging one to file a complaint of discrimination, participating in an investigation of discrimination, or opposing discrimination.

- University officials will base employment decisions on the principles of equal employment opportunity consistent with our intent to achieve the goals outlined in the University's affirmative action programs.
- University officials will take affirmative action to ensure that promotion decisions are in accord with principles of equal employment opportunity as outlined in the University's Affirmative Action Plan by imposing only valid requirements for promotional opportunities.
- University officials will ensure that all personnel actions such as compensation, benefits, transfers, layoffs, return from layoffs, University sponsored training, education, tuition assistance, social and recreational programs, will be administered without regard to individuals on the basis of their race, sex, religion, color, national or ethnic origin, age, disability, military service, sexual orientation, gender identity, or gender expression.

PROCEDURE

I. RESPONSIBILITIES

A. Each University supervisor must be aware of his or her individual responsibility to ensure adherence to the University's Equal Opportunity and Affirmative Action Policy.

B. The Opportunity Development Center is charged with the overall responsibility of monitoring compliance with Vanderbilt's Equal Opportunity and Affirmative Action Policy and for coordinating and implementing provisions of Vanderbilt's affirmative action programs. The Human Resources Department assists in implementing this policy. Every supervisor is expected to adhere to and support this policy.

II. GUIDELINES Each University official has an important role in the employment process that includes keeping up to date on policies, procedures, and affirmative action commitments. Records pertaining to employment decisions must be complete and accurate in accordance with record keeping guidelines.

A. **Recruitment** As specified in the University's Affirmative Action Plan, the Human Resource Services Department includes the phrase "Equal Opportunity - Affirmative Action Employer" in all printed employment advertisements. All regular staff positions must be listed with the Human Resources Recruitment and Staffing Office prior to the formal initiation of recruitment efforts. Media and organizational sources specializing in recruitment and referral of women, people of color, and individuals with disabilities will be

provided copies of vacancy announcements as determined practicable and useful by Vanderbilt. The Human Resources Department informs all recruiting sources of the University's affirmative action commitment to recruit and refer minorities, women, and individuals with disabilities to positions listed.

B. Hiring Vacancies must be listed and available for referrals for five days before a hiring offer can be made. Decisions to hire individuals must be based on specified job-related criteria. To fulfill this obligation, the hiring manager should solicit only information which directly relates to an applicant's ability to perform the tasks of the position sought. To ensure appropriate documentation is maintained, the Self Audit Report (SAR) must be completed. For more detail, refer to the Recruitment and Hiring Policy.

C. Compensation Supervisors should make compensation decisions regarding staff on the basis of established pay procedures. Variations in pay may be justified if based on education, experience, merit, or other legitimate documented factors. When a pay for performance system is utilized, to the extent possible, performance criteria should relate to objective standards and measurements, and be uniformly applied.

D. Promotions and Transfers The Human Resources Recruitment and Staffing Office will assist with promotions and transfers. Refer to the "Career Opportunity Program" in the University's Affirmative Action Plan for specific guidelines. The Affirmative Action Plan is revised annually. Copies of the Affirmative Action Plan are available at the Opportunity Development Center, all major departments, and each of the University Libraries.

E. Discharge Termination decisions are based upon objective criteria. Performance deficiencies and other disciplinary action are administered according to established Vanderbilt policies. See Performance Improvement Counseling and Discharge Policies.

III. GENERAL All employment actions will be handled in full compliance with Vanderbilt's Equal Opportunity and Affirmative Action Policy. For specific guidance, please contact the ODC or Employee Relations.

Approved by Lenon Coleman, Interim Chief Human Resource Officer
Approved by Lauren Brisky, Vice Chancellor, Administration
Approved by Harry Jacobson, M.D. Vice Chancellor, Health Affairs

Nothing in this policy shall be interpreted to require that Vanderbilt disregard or reject normal, customary or generally accepted industry practices or standards in the provision of life insurance, health benefits, or other benefits. This policy is intended as a guideline to assist in the consistent application of University policies and programs for staff. The policy does not create a contract implied or expressed, with any Vanderbilt staff members, who are employees at will. Vanderbilt reserves the right to modify this policy in whole or in part, at any time, at the discretion of the University.

¹ Sexual orientation refers to a person's self-identification as heterosexual, homosexual, bisexual, asexual, pansexual, or uncertain.

² Gender identity is generally defined as a person's own sense of identification as male, female, both, or neither as distinguished from actual biological sex; it is one's psychological sense of self.

³ Gender expression is everything we do that communicates our sense of identification to others.