

EXECUTIVE ORDER 11246 AFFIRMATIVE ACTION PLAN (AAP)

for

Texas A&M University – Commerce

January 1, 2006 – December 31, 2006

PART I: AAP FOR MINORITIES AND WOMEN

**PART II: AAP FOR COVERED VETERANS
AND PERSONS WITH DISABILITIES**

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TEXAS A&M UNIVERSITY -- COMMERCE AAP

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INTRODUCTION TO PARTS I AND II

Background

Texas A&M University – Commerce is a federal government supply and service contractor subject to the affirmative action requirements of Executive Order 11246, the Rehabilitation Act of 1973 as amended, and the Vietnam Veterans' Readjustment Assistance Act of 1974, Section 4212 as it has contracts to provide soaps and cosmetics to the federal government for sale at military retail stores such as post exchanges on military facilities. Because Texas A&M University – Commerce has \$50,000 or more in annual contracts with the federal government and employs 50 or more employees, we are required to prepare annual written Affirmative Action Plans (AAP's) for minorities and women, for covered veterans, and for persons with disabilities. Failure to comply with these laws and their implementing regulations, which are enforced by the Office of Federal Contract Compliance Programs (OFCCP), can result in debarment of the University from future contracts and subcontracts.

Affirmative Action is a term that encompasses any measure adopted by an employer to correct or to compensate for past or present discrimination or to prevent discrimination from recurring in the future. Affirmative Action goes beyond the simple termination of a discriminatory practice.

As stipulated in federal regulations, a prerequisite to the development of a satisfactory Affirmative Action Plan is the evaluation of opportunities for the utilization of protected group members, as well as an identification and analysis of problem areas inherent in their employment. Also, where a statistical analysis of the employee workforce reveals a numeric under-representation of minorities or women, greater than would reasonably be expected by their availability, an adequate AAP details specific affirmative action steps to guarantee equal employment opportunity. These steps are keyed to the problems and needs of protected group members. For minorities and women, such steps include the development of hiring and promotion goals and timetables to rectify under-representation where found. It is toward this end that the following AAP of Texas A&M University – Commerce was developed.

Applicable Affirmative Action Laws and Regulations

Texas A&M University – Commerce's AAP for minorities and women (Part I) has been prepared according to Executive Order No. 11246, as amended, and Title 41, Code of Federal Regulations, Part 60-1 (Equal Employment Opportunity Duties of Government Contractors), Part 60-2 (Affirmative Action Programs of Government Non-Construction Contractors; also known as "Revised Order No. 4"), and Part 60-20 (Sex Discrimination Guidelines for Government Contractors).

Texas A&M University – Commerce has developed separately an Affirmative Action Plan for covered veterans and persons with disabilities (Part II) prepared in accordance with the Rehabilitation Act of 1973, Section 503, as amended and Title 41, Code of Federal Regulations, Part 60-741 (Affirmative Action Program for Handicapped Persons), the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Section 4212, as amended, and Title 41 Code of Federal Regulations, Part 60-250 (Affirmative Action Program for Disabled Veterans and Veterans of the Vietnam Era).

The Veterans Employment Opportunities Act of 1998 (VEOA), Public Law 105-339, effective October 31, 1998, increased the threshold for coverage under VEVRAA from a contract of \$10,000, or more to a contract of \$25,000 or more; extended the law's protections to "veterans who served on active duty during a war or in a campaign for which a campaign badge was authorized; and, provides temporary (up to one year) protection to veterans who do not have a service connected disability, did not see action in a foreign war and did not serve during the Vietnam era.

The Jobs for Veterans Act (JFVA), Public Law 107-288, effective December 1, 2003, increased the threshold for coverage under 38 U.S.C. §4212 from \$25,000 to \$100,000; grants VEVRAA protection to those veterans who, while serving on active duty in the Armed Forces, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985 (62 Fed. Reg. 1209); changes the definition of "recently separated veteran" to include "any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty"; changes "Special Disabled Veterans" to "Disabled Veterans," expanding the coverage to conform to 38 U.S.C. § 4211 (3); and, following publication of the final regulations, requires contractors to post job listings with their local employment service delivery system.

PROTECTED GROUPS

Coverage under affirmative action laws and regulations applies to:

Women and minorities who are recognized as belonging to or identifying with the following race or ethnic groups: Blacks/African Americans, Hispanics/Latinos, Asians/Pacific Islanders, and American Indians/Alaskan Natives.

Disabled veterans: veterans entitled to compensation for a disability rated at 30 percent or more, or rated at 10 or 20 percent in the case of a veteran who has been determined under

section 3106 of Title 38 to have a serious employment disability, or a person who was discharged or released from active duty because of a service-connected disability.

Vietnam era veterans or other veterans who are "preference eligible": veterans, any part of whose active military service was during the Vietnam era, August 5, 1964 through and May 7, 1975, and who served on active duty for a period of more than 180 days and who were discharged or released therefrom with other than a dishonorable discharge, or who were discharged or released from active duty because of a service-connected disability. Includes veterans who have served in wartime or in a campaign or expedition for which a campaign badge has been authorized.

Recently separated veterans: any veteran currently within one-year of discharge or release from active duty.

An individual with a disability: a person who has a physical or mental impairment that substantially limits one or more of his/her major life activities; (2) has a record of such impairment, or (3) is regarded as having such an impairment.

PROGRAM TERMINOLOGY

The terms, "comparison of incumbency to availability," "deficiency," and "problem area," appearing in this AAP, are terms Texas A&M University – Commerce is required by government regulations to use. The criteria used in relation to these terms are those specified by the government. These terms have no independent legal or factual significance whatsoever. Although Texas A&M University – Commerce will use the terms in total good faith in connection with its AAP, such use does not necessarily signify that the Company agrees that these terms are properly applied to any particular factual situation and is not an admission of non-compliance with EEO laws, regulations, and objectives.

The comparison of incumbency to availability contained herein is required by Government regulations to be based on certain statistical comparisons. Geographic areas and sources of statistics used herein for these comparisons were used in compliance with Government regulations, as interpreted by Government representatives. The use of certain geographic areas and sources of statistics does not indicate Texas A&M University – Commerce's agreement that the geographic areas are appropriate in all instances of use or that the sources of statistics are the most relevant. The use of such geographic areas and statistics may have no significance outside the context of this AAP. Such statistics and geographic areas will be used, however, in total good faith with respect to this AAP.

The grouping of job titles into a given job group does not suggest that Texas A&M University – Commerce believes the jobs so grouped are of comparable worth.

Whenever the term "goal" is used, it is expressly intended that it "should not be used to discriminate against any applicant or employee because of race, color, religion, gender, or national origin," as stated in Title 41 Code of Federal Regulations, Part 60-2.30.

This AAP is not intended to create any contractual or other rights in any person or entity.

RELIANCE ON EEOC'S GUIDELINES

Although Texas A&M University – Commerce does not believe any violation of Title VII of the Civil Rights Act exists, it has developed this AAP in accordance with and in reliance upon the EEOC's Guidelines on Affirmative Action, Title 29 Code of Federal Regulations, Part 1608.

Reporting Period

This AAP is designed to cover the following reporting period: 01/01/2006 – 12/31/2006.

STATEMENT OF PURPOSE FOR PARTS I AND II

This AAP has been designed to bring women and men, members of minority groups, covered veterans, and persons with disabilities into all levels and segments of Texas A&M University – Commerce's workforce in proportion to their representation in the qualified relevant labor market.

The AAP, therefore, is a detailed, results-oriented set of procedures which, when carried out, results in full compliance with equal employment opportunity requirements through full utilization and equal treatment of all people.

The manner in which this is to be accomplished becomes technical and somewhat complicated. There are several reasons for this. First, Texas A&M University – Commerce is subject to and must address a variety of State and Federal laws and guidelines dealing with equal employment opportunity and affirmative action. These guidelines and requirements are in themselves somewhat technical and complex. In addition, relevant court decisions, which are often useful in interpreting, but sometimes conflicting with these requirements and guidelines, must be taken into account when developing and implementing the AAP. Furthermore, in determining Texas A&M University – Commerce 's current equal employment opportunity and affirmative action position and its desired future achievements, numbers, percentages, statistics, and numerous calculations and computations must come into play.

The technical, legal, and mathematical aspects of the AAP, however, all have one common purpose—to allow us to properly identify three key concepts:

1. Where we stand now,
2. Where we must go,
3. How best to get there.

These three concepts are the Affirmative Action Plan.

TEXAS A&M UNIVERSITY -- COMMERCE AAP FOR

JANUARY 1, 2006 – DECEMBER 31, 2006

PART I: AFFIRMATIVE ACTION PLAN FOR MINORITIES AND WOMEN

PART I

AAP FOR MINORITIES AND WOMEN

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CHAPTER 1: WORKFORCE ANALYSIS

41 C.F.R. § 60-2.11

Workforce Analysis

Texas A&M University – Commerce conducted a workforce analysis to identify employees by gender and race/ethnicity in each job title. The data was collected from payroll records dated 12/31/2005.

Job titles are listed by organizational unit (departments). Job titles are listed from lowest to highest paid. The list includes all job titles, including departmental supervision, exempt, and nonexempt titles.

For each job title, the salary range or hourly rate is provided, as well as the EEO Category to which the title is assigned. For each job title, Texas A&M University – Commerce identified the total number of employees, the number of male and female employees, the total number of minority employees, the male and female minority employees, the total number of White, Black, Hispanic, Asian or Pacific Islander, American Indian or Alaskan Native employees, and the male and female employees within each of these race/ethnic groups.

The workforce analysis is found as **Exhibit 3**.

Texas A&M University – Commerce carefully analyzed the workforce analysis to identify problem areas needing correction, such as concentrations or segregation of minorities or women by organizational unit, job, pay, or EEO Category. Problems are identified in Chapter 8: Identification of Problem Areas; programs to correct the identified problems are identified in Chapter 9: Action-Oriented Programs.

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CHAPTER 2: JOB GROUP ANALYSIS

41 C.F.R. § 60-2.12

Although the workforce analysis was conducted individually for every job title, after it was completed, job titles were grouped for the comparison of incumbency to availability and for setting goals. There were several reasons for grouping jobs.

Many job titles are so similar in content, that handling them individually in the AAP is not necessary. Grouping together these very similar titles is appropriate for the comparison of incumbency to availability. For many job titles, the availability data that can be collected is limited, and the same data must be used for several related jobs. Therefore, grouping these related titles together is logical. Also, many job titles have so few incumbents in them that identifying disparities between incumbency and availability by job title is meaningless—as problem areas would be identified in terms of fractions of people. By grouping several similar titles and increasing the number of employees involved, a meaningful comparison can be conducted; any identified problem areas are more likely to be in terms of whole people. Consequently, goals established to correct problem areas are also more likely to be in terms of whole people.

The three reasons for grouping job titles all discuss "similar" or "related" jobs. That is the most critical guideline in creating job groups. Above all, the job titles placed into a job group must be more similar or related to each other than the job titles in other job groups.

Job groups must have enough incumbents to permit meaningful comparisons of incumbency to availability and goal setting. Ideally, if a job group is identified as containing a problem area, it should be large enough that a goal of a least one whole person can be established. No minimum size has been established for this purpose, however, since it is dependent not only on the size of the job group, but also on the size of the availability percentage and the number of minorities or women already employed in the job group.

It may not be possible for a smaller contractor's job groups to meet the guideline of not crossing EEO categories. While there are usually two or more job groups within each EEO-1 or EEO-6 category, for smaller contractors some or all of their job groups may correspond to EEO categories.

Texas A&M University – Commerce did not combine job titles with different content, wages, or opportunities if doing so would have obscured problem areas (e.g., job groups which combine jobs in which minorities or women are concentrated with jobs in which they are underrepresented).

CHAPTER 3: PLACEMENT OF INCUMBENTS IN JOB GROUPS
41 C.F.R. § 60-2.13

Each job group appears on a Job Group Report with a job group name and number. The report lists each job title in the job group. For each job title, the worksheet provides the following information: EEO reporting category, job title, employee headcounts for each job title, and overall percentages by gender and race/ethnicity as of 12/31/2005.

See **Exhibit 4** for a copy of the Job Group reports for each job group.

CHAPTER 4: DETERMINING AVAILABILITY

41 C.F.R. § 60-2.14

"Availability" is an estimate of the proportion of each sex and race/ethnic group available and qualified for employment at Texas A&M University – Commerce for a given job group in the relevant labor market during the life of the AAP. Availability indicates the approximate level at which each race/ethnic and sex group could reasonably be expected to be represented in a job group if Texas A&M University – Commerce 's employment decisions are being made without regard to gender, race, or ethnic origin. Availability estimates, therefore, are a way of translating equal employment opportunity into concrete numerical terms. Correct comparisons of incumbency to availability, worthwhile and attainable goals, and real increases in employment for problem groups depend on competent and accurate availability analyses. With valid availability data, we can compare the percentages of those who could reasonably be expected to be employed versus our current employment (from the workforce analysis), identify problem areas or areas of deficiency, and establish goals to correct the problems.

Steps in Comparison of Incumbency to Availability

Identify Availability Factors

The following availability factors are required of federal government contractors for consideration when developing availability estimates for each job group:

1. External Factor: The external requisite skills data comes from the 2000 Census of Population.
 - a. Local labor area: See **Exhibit 5** for the ZIP Code Analysis results.
 - b. Reasonable labor area: National
2. Internal Factor: The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization.

Assign Internal and External Factor Weights: Weights were assigned to each factor for each job group. A combination of historical data and experience were used to determine the weights. Weights were never assigned in an effort to hide or reduce problem areas.

Identify Final Availability: Weights were multiplied by the component-specific data to produce weighted data for each component. Weighted data for each component was summed. This produced a final availability estimate for each sex and race/ethnic group, as well as for minorities in the aggregate.

See **Exhibit 6** for a copy of the Final Availability reports for each job group.

CHAPTER 5: COMPARING INCUMBENCY TO AVAILABILITY
41 C.F.R. § 60-2.15

Once final availability estimates were made for each job group, Texas A&M University – Commerce compared the percentage of incumbents in each job group to their corresponding availability. A comparison was made between the percentage employed as of 12/31/2005 and that group's final availability.

The identification of under-representation is found in **Exhibit 7**.

CHAPTER 6: PLACEMENT GOALS

41 C.F.R. § 60-2.16

Texas A&M University – Commerce has established a percentage annual placement goal whenever it found that minority or female representation within a job group was less than would reasonably be expected given their availability. In each case, the goal was set at the availability figure derived for women and/or minorities, as appropriate for that job group. These goals take into account the availability of basically qualified persons in the relevant labor area. They also take into account anticipated employment opportunities with our organization. Texas A&M University – Commerce believes these goals are attainable. These goals will be reached primarily through recruiting and advertising to increase the pool of qualified minority and female applicants and through implementation of our action-oriented programs (see Chapter 9). Selections will occur only from among qualified applicants. Goals do not require the hiring of persons when there are no vacancies or the hiring of a person who is less likely to do well on the job ("less qualified") over a person more likely to do well on the job ("better qualified"), under valid selection procedures. Goals do not require that Texas A&M University – Commerce hire a specified number of minorities or women.

Goals are not rigid and inflexible quotas which must be met, but are instead targets reasonably attainable by means of applying every good faith effort to make all aspects of the entire AAP work. A goal is a guidepost against which Texas A&M University – Commerce, a community group, or a compliance agency can measure progress in remedying identified deficiencies in Texas A&M University – Commerce's workforce. By setting realistic goals, based on expected vacancies and anticipated availability of skills within the relevant labor area, and using a job-related selection system, Texas A&M University – Commerce should be able to meet the goals, assuming we conduct effective recruitment and advertising efforts to ensure an adequate pool of qualified minority and/or female qualified applicants from which to make selections.

In establishing goals, Texas A&M University – Commerce considered the results which could reasonably be expected from putting forth every good faith effort to make our overall AAP work. We involved personnel-relations staff, department heads, and unit managers and supervisors in the goal-setting process. Goals were not established that would exclude any gender or race/ethnic group.

See **Exhibit 7** for a copy of the Goals report for each job group.

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CHAPTER 7: DESIGNATION OF RESPONSIBILITY

41 C.F.R. § 60-2.17(a)

The overall responsibility for the implementation and administration of the Affirmative Action/Equal Opportunity Plan is included in the job functions of the President of Texas A&M University – Commerce. As the chief administrator of the Equal Opportunity Policy, the President has delegated to the Vice Presidents, Deans, Department Heads, and Faculty the authority and responsibility for carrying out this policy at each corresponding level. Each of these individuals are expected to demonstrate a good faith effort to ensure the success of this policy. Support of the policy will be a discrete factor in performance evaluations of all Deans and Department heads. Specific responsibilities include:

A. President

- 1) Ensure adequate resources are available to implement the program.
- 2) Ensure that deans and department heads place maximum emphasis upon implementation of the Affirmative Action/Equal Opportunity Plan.
- 3) Provide final approval for all hiring decisions.

B. Director of Human Resources and EEO

- 1) Develop A&M-Commerce rule statements, and internal and external communication techniques.
- 2) Design and implement reporting systems that will measure the effectiveness of the University's Affirmative Action/Equal Opportunity programs; indicate the need for remedial action; and determine the degree to which the goals and objectives have been attained.
- 3) Serve as a liaison between the University and enforcement agencies.
- 4) Serve as a liaison between the University and minority organizations; women's organizations and community action groups concerned with employment and opportunities of minorities and women.
- 5) Review all faculty/staff hiring actions prior to job offer being extended for compliance purposes.
- 6) Receive and process/investigation complaints of discrimination.
- 7) Develop and refine Affirmative Action/Equal Opportunity Rules.

C. Deans/Department Heads

- 1) Ensure that all selection decisions are consistent with the University's Human Resource Regulations/Rules.
- 2) Ensure that all selection decisions are tied to valid, job-related requirements, and are free from all vestiges of discrimination.
- 3) Understand that individual work performance is evaluated on the basis of objective, job-related criteria.

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CHAPTER 8: IDENTIFICATION OF PROBLEM AREAS

41 C.F.R. § 60-2.17(b)

Terminology

The terms “utilization analyses,” and “problem area” appearing in this chapter are terms Texas A&M -- Commerce is required by government regulations to use. The criteria used in relation to these terms are those specified by the government. These terms have no independent legal or factual significance. Although Texas A&M -- Commerce will use the terms in total good faith in connection with its AAP, such use does not necessarily signify the university agrees that these terms are properly applied to any particular factual situation and is not an admission of non-compliance with EEO laws, regulations, and objectives. Whenever the term “goal” is used, it is expressly intended that it “should not be used to discriminate against any applicant or employee because of race, color, religion, gender, or national origin,” as stated in Title 41 Code of Federal Regulations, Part 60-2.30.

Based on analyses of each job group, areas of concern have been identified and are discussed below. In addition to comparing incumbency to availability within job groups, Texas A&M - Commerce has conducted studies to identify problem areas in each of its selection procedures (i.e., hires, promotions, and terminations) as well as by organizational unit. Texas A&M - Commerce will continue to monitor and update these studies during each AAP year. In each case where potential problem areas have been identified, affirmative actions, as appropriate, will be taken consistent with any of the action-oriented programs described in Chapter 9 of this AAP.

Goals are established within each of the job groups at no less than the current availability data for the job group.

41 C.F.R. § 60-2.17(b)(1): Workforce by Organizational Unit and Job Group

An analysis of minority and female distribution within each organizational unit was accomplished by a thorough investigation of the Workforce analysis. See **Exhibit 3** for a copy of the Workforce Analysis by organizational unit.

An analysis of minority and female utilization within each job group was accomplished by a thorough investigation of the Comparison of Incumbency to Availability. See **Exhibit 7** for a copy of the Placement Goals report for each job group.

41 C.F.R. § 60-2.17(b)(2): Personnel Activity

Applicant flow, hires, promotions, and terminations were analyzed by job group. An analysis of selection disparities in personnel activity between men/women and whites/minorities was

accomplished by a thorough examination of transaction data. See **Exhibit 8** for a copy of the Personnel Transaction reports for each job group, along with a copy of the Adverse Impact Analysis of the transactions.

Please Note: We chose five as our minimum number of transactions for analysis purposes because it corresponds well with the 80% test (i.e., each person is 20%).

41 C.F.R. § 60-2.17(b)(3): Compensation Systems

Compensation analyses were conducted by comparing the mean salaries for men v. women, and whites v. minorities in each Job Group. Mean tenure within the organization was also considered as a moderating factor. See **Exhibit 9** for a copy of the Compensation Analyses conducted for each job group.

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CHAPTER 9: ACTION-ORIENTED PROGRAMS

41 C.F.R. § 60-2.17(c)

All employment and educational rules will be periodically reviewed to identify and eliminate those which may have contributed to under-representation of minorities and women.

Problem areas have been identified and in order to correct the problems, the following corrective measures have been implemented:

1. **PROBLEM:** There is an under-representation of minorities and women in certain job groups.

CORRECTIVE ACTION: The supervisor is encouraged to direct his/her recruitment efforts toward reaching a diverse population in order to attract the underrepresented group members.

The measures to ensure Affirmative Action/Equal Opportunity compliance are:

- a. Public notice of all job vacancies and aggressive recruitment of minority and women applicants;
 - b. Collection of statistical data and establishment of an applicant pool;
 - c. Non-discriminatory selection procedures which are in full compliance with The Texas Commission Human Rights Act;
 - d. Record of employment activities including justification for hiring a particular applicant for a particular position;
 - e. Documentation of recruitment strategy; and
 - f. Review of the selection by the appropriate Vice President and approval by the President of the university before a job offer is made.
2. **PROBLEM:** Minorities and women were not sufficiently represented in the applicant pools for faculty, and administrative and professional staff positions to decrease their under-representation.

CORRECTIVE ACTION: Special recruitment measures will be taken to increase the number of minority and female applicants. These measures will include:

- a. Review all recruitment sources to determine their effectiveness in meeting the university's equal opportunity goals.

- b. Increased contacts with minority and women organizations to encourage them to make referrals.
- c. Increased contacts with traditionally and historically minority colleges and universities and institutions that are populated with predominantly women.
- d. Contact will be made with local schools and community organizations to reach minorities and women not currently in workforce as part of the university's recruitment efforts.

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CHAPTER 10: INTERNAL AUDIT AND REPORTING

41 C.F.R. § 60-2.17(d)

To assure that Texas A&M University – Commerce’s Affirmative Action/Equal Opportunity Plan is fully implemented and is progressing towards accomplishing its goal, the following internal audit system, to be monitored by the Department of the Director of Human Resources and EEO, has been established:

All employment activities are monitored including, but not limited to, the following:

- * Applicant Flow
- * Selection/Hiring Rate
- * Transfers/Promotions
- * Salary Actions
- * Disciplinary Actions
- * Terminations

Detailed data on the above-listed areas is compiled by the Department of Human Resources/Equal Opportunity and the appropriate Vice President and is submitted to the Director of Human Resources and EEO for review for a time frame which is to be determined.

The Department of the Director for Human Resources and EEO will update Vice Presidents, Deans, and Department Heads (supervisors) on affirmative action issues and assist them with areas of concern.

TEXAS A&M UNIVERSITY -- COMMERCE AAP FOR

**PART II: AFFIRMATIVE ACTION PLAN FOR DISABLED VETERANS, VETERANS
OF THE VIETNAM ERA, AND PERSONS WITH DISABILITIES**

FOR

January 1, 2006 – December 31, 2006

PART II
AAP FOR DISABLED VETERANS, VETERANS OF
THE VIETNAM ERA, AND PERSONS WITH DISABILITIES

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**PART II: AAP FOR DISABLED VETERANS, VETERANS OF THE
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**CHAPTER A: POLICY STATEMENT
41 C.F.R. §§ 60-250.44(a); 60-741.44(a)**

It is the policy of Texas A&M – Commerce and my personal commitment that equal employment opportunity be provided in the employment and advancement of disabled veterans, veterans of the Vietnam era, and persons with disabilities at all levels of employment, including the executive level. Texas A&M – Commerce does not and will not discriminate against any applicant or employee because he or she is a disabled veteran, veteran of the Vietnam era, or because of a physical or mental disability in regard to any position for which the applicant or employee is qualified. In addition, Texas A&M – Commerce is committed to a policy of taking affirmative action to employ and advance in employment qualified disabled veterans, veterans of the Vietnam era, and individuals with disabilities. Such affirmative action shall apply to all employment practices, including, but not limited to hiring, upgrading, demotion or transfer, recruitment, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship and on-the-job training. Decisions related to personnel policies and practices shall be made on the basis of an individual's capacity to perform a particular job and the feasibility of any necessary job accommodation. Texas A&M – Commerce will make every effort to provide reasonable accommodations to any physical and mental limitations of individuals with disabilities and to disabled veterans.

Our obligations in this area stem from not only adherence to various state and federal regulations, but also from our commitment as an employer in this community to provide job opportunities to disabled veterans, veterans of the Vietnam era, and persons with disabilities.

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CHAPTER B: REVIEW OF PERSONNEL PROCESSES
41.C.F.R. §§ 60-250.44(b); 60-741.44(b)

Consideration of Qualifications

Each applicant applying for employment with Texas A&M University – Commerce is invited to voluntarily identify themselves as a disabled veteran of the Vietnam Era and to request any reasonable accommodation that can be made to enable them to perform a job that they would not otherwise be able to do. As required by the Americans with Disabilities Act of 1990, all medical records related to a disability are kept separate from the personnel record of the individual.

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CHAPTER C: PHYSICAL AND MENTAL QUALIFICATIONS

41.C.F.R. §§ 60-250.44(c); 60-741.44(c)

Physical and Mental Requirements

Selection processes involving hiring is monitored by the Office of Human Resources and Equal Opportunity to ensure that no qualified disabled veteran is discriminated against on the basis of disability. The Department of Human Resources and Equal Opportunity will review and update all job description to ensure that they are job-related and are not used to discriminate against disabled veterans.

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**CHAPTER D: REASONABLE ACCOMMODATION TO PHYSICAL AND MENTAL
LIMITATIONS**

41 C.F.R §§ 60-250.44(d); 60-741.44(d)

As stated in its policy statement, Texas A&M University – Commerce will make every effort to provide reasonable accommodations to any physical and mental limitations of applicants and employees with disabilities or who are disabled veterans unless it can demonstrate that the accommodations would impose an undue hardship on the operation of business. Texas A&M University – Commerce will confidentially review performance issues of employees with known disabilities to determine whether a reasonable accommodation is needed when: 1) the employee is having significant difficulty with job performance, and 2) it is reasonable to conclude that the problem is related to the known disability.

Employees may also contact the following at any time to request an accommodation:

Title: Director of Human Resources and EEO

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CHAPTER E: HARASSMENT

41.C.F.R. §§ 60-250.44(e); 60-741.44(e)

Texas A&M University – Commerce has developed and implemented a set of procedures to ensure that its employees who are disabled or Vietnam Era Veterans are not harassed due to those conditions.

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**CHAPTER F: OUTREACH, POSITIVE RECRUITMENT, AND EXTERNAL POLICY
DISSEMINATION**

41 C.F.R. §§ 60-250.44(f); 60-741.44(f)

Each year the Disabilities Supervisor identifies the representation of disabled veterans, veterans of the Vietnam era, and individuals with disabilities in our applicant pool in order to evaluate the effectiveness of our recruitment activities. The following activities will be implemented or continued to further enhance our affirmative action efforts. All activities are the responsibility of the Disabilities Supervisor.

- 1) Periodically inform the community at large of the University's commitment to engage in affirmative action to increase employment opportunities for qualified disabled veterans, veterans of the Vietnam era, and individuals with disabilities by publishing announcements in community media and by sending a letter annually to minority and women's organizations, community agencies, and community leaders.
- 2) Initiate and maintain communication with all organizations having special interests in, and that may assist in, the recruitment of and job accommodations for disabled veterans, veterans of the Vietnam era, and individuals with disabilities.
 - a) The local Veterans Employment Representative or his/her designee in the State Employment Service Office to recruit job-ready veterans and to develop on-the-job training opportunities for covered veterans.
 - b) The Veterans Administration Regional Office to develop on-the-job training opportunities for covered veterans, and to recruit job-ready veterans.
 - c) The office of the National Alliance of Businessmen in order to cooperate in the Jobs for Veterans Program.
 - d) The local service office of the National Veterans' groups for recruitment of covered veterans.
 - e) Local veterans' groups and service centers for recruitment of covered veterans.
 - f) The veterans' counselors and coordinators ("Vet-Reps" and "VCIPS") on college campuses for the recruitment of covered veterans.
 - g) State employment security agencies, State vocational rehabilitation agencies or facilities, sheltered workshops, college placement officers, State education agencies, labor organizations and organizations of or for individuals with disabilities.

- h) Educational institutions which participate in training of persons with disabilities such as schools for persons who are blind, deaf, or retarded.
 - i) Social service agencies, organizations of and for individuals with disabilities, vocational rehabilitation agencies or facilities, veterans' service organizations which service disabled veterans or veterans of the Vietnam era, for such purposes as advice, technical assistance, and referral of potential employees.
- 3) Include workers with disabilities when employees are pictured in consumer, promotional, or help wanted advertising.
 - 4) Disseminate information concerning employment opportunities to radio and television stations, and to publications that primarily reach disabled veterans, veterans of the Vietnam era, and individuals with disabilities.
 - 5) Provide information emphasizing job opportunities for disabled veterans, veterans of the Vietnam era, and individuals with disabilities to all local educational institutions, public and private.
 - 6) Inform all recruiting sources, in writing and orally, of the University's affirmative action policy for disabled veterans, veterans of the Vietnam era, and individuals with disabilities.
 - 7) List with the State Employment Development Department all job opportunities paying up to \$40,000 a year which are not to be filled from within Texas A&M – Commerce.
 - 8) Send written notification of the University's affirmative action policy to all subcontractors, vendors, and suppliers requesting appropriate action on their part. This includes their obligation to annually file their EEO Reporting form and VETS-100 form and, for employers with 50 or more employees and contracts of \$50,000 or more, their obligation to develop a written affirmative action plan.
 - 9) Conduct formal briefing sessions with representatives from recruiting sources. Include as part of the briefing sessions, facility tours, clear and concise explanations of current and future job openings, position descriptions, worker specifications, explanations of the University's selection process, and recruiting literature. Arrange for referral of applicants, follow up with sources, and feedback on disposition of applicants.
 - 10) Participate in veterans "job fairs" and work study programs with Veterans' Administration rehabilitation facilities and schools which specialize in training or educating disabled veterans.
 - 11) Texas A&M – Commerce will also grant leaves of absence to employees who participate in honor guards for the funeral of veterans.

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**CHAPTER G: INTERNAL POLICY DISSEMINATION
41 C.F.R. §§ 60-250.44(g); 60-741.44(g)**

The Affirmative Action/Equal Opportunity Plan related to equal employment and educational opportunities are open record for public inspection. In addition, the following measures will be employed to maximize awareness and understanding of the goals outlined in the University's policy:

1. Internal Dissemination
 - a. The Affirmative Action/Equal Opportunity Plan will be documented in the University's policy manuals and a copy given to each Vice President, Dean, Department head and supervisor who is responsible for implementing the plan.
 - b. The fact that Texas A&M University at Commerce is an Affirmative Action Equal Opportunity institution of higher education will be documented in the A&M-Commerce *Employee Handbook*, *Faculty Handbook* and *Student Handbook*. Any follow-up procedure information will be featured in the A&M-Commerce Newsletter.
 - c. The President of A&M-Commerce and his chief administrators will stress the importance of the Affirmative Action/Equal Opportunity Plan in meetings with the faculty and administrative staff.
 - d. University employees and students will be informed of the Affirmative Action/Equal Opportunity Plan, and its availability for review.

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**CHAPTER H: AUDIT AND REPORTING SYSTEM
41 C.F.R. §§ 60-250.44(h); 60-741.44(h)**

Texas A&M University – Commerce has developed and currently implements an audit and reporting system that addresses the following:

- 1) Measures the effectiveness of Texas A&M University – Commerce’s overall Affirmative Action Program and whether the University is in compliance with specific obligations.
- 2) Indicates the need for remedial action.
- 3) Measures the degree to which Texas A&M University – Commerce’s objectives are being met.
- 4) Whether there are any undue hurdles for individuals with disabilities and Vietnam Era Veterans regarding company sponsored educational, training, recreational, and social activities.

**PART II: AAP FOR DISABLED VETERANS, VETERANS OF THE
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**CHAPTER I: RESPONSIBILITY FOR IMPLEMENTATION
41 C.F.R. §§ 60-250.44(i); 60-741.44(i)**

The overall responsibility for the implementation and administration of the Affirmative Action/Equal Opportunity Plan is included in the job functions of the President of Texas A&M University – Commerce. As the chief administrator of the Equal Opportunity Policy, the President has delegated to the Vice Presidents, Deans, Department Heads, and Faculty the authority and responsibility for carrying out this policy at each corresponding level. Each of these individuals are expected to demonstrate a good faith effort to ensure the success of this policy. Support of the policy will be a discrete factor in performance evaluations of all Deans and Department heads. Specific responsibilities include:

A. President

- 1) Ensure adequate resources are available to implement the program.
- 2) Ensure that deans and department heads place maximum emphasis upon implementation of the Affirmative Action/Equal Opportunity Plan.
- 3) Provide final approval for all hiring decisions.

B. Director of Human Resources and EEO

- 1) Develop A&M-Commerce rule statements, and internal and external communication techniques.
- 2) Design and implement reporting systems that will measure the effectiveness of the University's Affirmative Action/Equal Opportunity programs; indicate the need for remedial action; and determine the degree to which the goals and objectives have been attained.
- 3) Serve as a liaison between the University and enforcement agencies.
- 4) Serve as a liaison between the University and minority organizations; women's organizations and community action groups concerned with employment and opportunities of minorities and women.
- 5) Review all faculty/staff hiring actions prior to job offer being extended for compliance purposes.
- 6) Receive and process/investigation complaints of discrimination.
- 7) Develop and refine Affirmative Action/Equal Opportunity Rules.

C. Deans/Department Heads

- 1) Ensure that all selection decisions are consistent with the University's Human Resource Regulations/Rules.
- 2) Ensure that all selection decisions are tied to valid, job-related requirements, and are free from all vestiges of discrimination.
- 3) Understand that individual work performance is evaluated on the basis of objective, job-related criteria.

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**CHAPTER J: TRAINING
41 C.F.R. §§ 60-250.44(j); 60-741.44(j)**

Texas A&M University – Commerce trains all employees involved in any way with the recruitment, selection, promotion, disciplinary actions, training, and related processes of individuals with disabilities or Vietnam Era Veterans to ensure commitment to the university's stated Affirmative Action goals.

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**CHAPTER K: COMPENSATION
41 C.F.R. §§ 60-250.21(i); 60-741.21(i)**

It is the policy of Texas A&M University – Commerce that when offering employment or promotion to disabled veterans, veterans of the Vietnam era, or individuals with disabilities, the amount of compensation offered will not be reduced because of any disability income, pension, or other benefit the applicant or employee receives from another source.