

Hartnell Community College District Equal Employment Opportunity Plan



HARTNELL COLLEGE

**Approved by the
Board of Trustees**

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I. Introduction

Hartnell College provides a welcoming work environment that embraces its roots within the Salinas Valley community it serves, and that prepares its students to be leaders within the global community.

This Equal Employment Opportunity Plan reflects the college's commitment to diversity, inclusion, and equal employment opportunity. First adopted by the governing board on June 4, 2013, this Plan has been reviewed by the EEO Advisory Committee every year since then, and this revised version was adopted by the governing board on **May 21 2019**, following broad review by the college's participatory governance councils.

It is the District's belief that taking active and vigorous steps to ensure equal employment opportunity and creating a working and academic environment that is welcoming to all persons will foster diversity and promote excellence. Indeed, the Board of Trustees, has adopted a Vision, Mission, and Values Statements policy, Board Policy 1200, which includes a value of "Diversity, Equity, and Inclusion" that reads, "We embrace and celebrate differences and uniqueness among all students and employees. We welcome students and employees of all backgrounds."

Before the college adopted its current strategic plan (2019-2024) that focuses on core student outcomes aligned with several statewide initiatives (completion, completion efficiency, transfer, and post-college student employment), it had adopted and implemented a plan for the years 2013-2018 built on six strategic priorities. Priority 3 was "employee diversity and development," and several of the targeted outcomes in that plan were represented in and bolstered by the activities described in this and previous EEO Plans. The college's progress on this strategic priority were chronicled on its institutional planning and effectiveness webpages, and remain part of the fabric of this college.

The college's vision, mission, and values and this EEO Plan express our belief that, through an educational experience in a welcoming and inclusive environment, our students will be better prepared to work and live in an increasingly global society.

This Plan includes multiple steps the college will take to support and promote equal employment opportunity, ensure nondiscriminatory practices, and remedy underrepresentation of groups through fair and equitable recruitment and hiring. It contains a longitudinal analysis of the demographic makeup of the District's workforce, establishes an Equal Employment Opportunity Advisory Committee, and includes various methods to support equal employment opport



II. Definitions

CCR Title 5, § 53001

This section contains definitions of key words and phrases used throughout this Plan. These definitions are taken from or conform to definitions found in Title 5 of the California Code of Regulations, § 53001, as well as to state and federal anti-discrimination laws.

- a) *Adverse Impact*: means that a statistical measure (such as those outlined in the EEO Commission's *Uniform Guidelines on Employee Selection Procedures*) is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group protected from discrimination pursuant to Government Code § 12940. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.
- b) *Diversity*: means a condition of broad inclusion in an employment environment that offers equal employment opportunity for all persons. It requires both the presence, and the respectful treatment, of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, sexual orientation, disability, and socioeconomic backgrounds.
- c) *Equal Employment Opportunity*: means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels in the seven job categories, which include executive/administrative/managerial, faculty and other instructional staff, professional non-faculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Equal employment opportunity also involves:
 - (1) identifying and eliminating barriers to employment that are not job related; and
 - (2) creating an environment that fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code § 12940.
- d) *Equal Employment Opportunity Plan*: means a written document in which a district's work force is analyzed and specific plans and procedures are set forth for ensuring equal employment opportunity.
- e) *Equal Employment Opportunity Programs*: means all the various methods by which equal employment opportunity is ensured. Such methods include, but are not limited to, using non-discriminatory employment practices, actively recruiting, monitoring, and taking additional steps consistent with the requirements of Title 5, § 53006. 231 0 he reinc1a selectio





III. Policy Statement

CCR Title 5, § 53002

The Hartnell Community College District is committed to the principles of equal employment opportunity and will implement a comprehensive program to put those principles into practice.

It is the District's policy to ensure that all qualified applicants for employment and all employees have full and equal access to employment opportunities.



IV. Delegation of Responsibility, Authority and Compliance

CCR Title 5, §§ 53003(c) (1) and 53020

It is the goal of the Hartnell Community College District that all employees promote and support equal employment opportunity, because equal employment opportunity requires a commitment and a contribution from every segment of the District. The general responsibilities for the prompt and effective implementation of this Plan are set forth below.

1. Governing Board

The governing board is ultimately responsible for proper implementation of the District's Plan at all levels of District and college operation, and for ensuring equal employment opportunity as described in the Plan.

2. Superintendent/President



5. Agents of the District

Any organization or individual, whether or not an employee of the District, who acts on behalf of the governing board with regard to the recruitment and screening of personnel, is an agent of the District and is subject to all the requirements of this Plan.

6. Good Faith Effort

The District shall make a continuous good faith effort to comply with all the requirements of its Plan.



V. Advisory Committee

CCR Title 5 § 53005

The District has established an Equal Employment Opportunity Advisory Committee to assist the District in implementing its Plan. The committee also will assist in promoting an understanding and support of equal opportunity and non-discrimination policies and procedures. The committee may sponsor events, training, or other activities that promote equal employment opportunity, non-discrimination, retention, and diversity.

The advisory committee shall receive training from the equal employment opportunity officer and/or other knowledgeable persons in all of the following:

- (a) the requirements of this subchapter and of state and federal nondiscrimination laws;
- (b) identification and elimination of bias in hiring;
- (c) the educational benefits of workforce diversity; and
- (d) the role of the advisory committee in carrying out the District's EEO plan.

The committee shall include a diverse membership whenever possible. A substantial good faith effort to maintain a diverse membership is expected. If the District has been unable to meet this requirement, it will document that efforts were made to recruit advisory committee members who are members of monitored groups.

Committee meetings will be open to all who desire to make a contribution toward the District's goal of supporting and enhancing diversity.

The committee must have at least two (2) classified, two (2) faculty, and one (1) administrative (manager, supervisor) staff member, in addition to the EEO Officer, who shall co-chair the committee. A co-chair shall be elected from the other members of the committee. The committee also may have up to two (2) students and two (2) community members. Community representatives, who shall be appointed by the superintendent/president, shall represent organizations that have a priority interest in equal employment opportunity and the fair treatment of all. The membership of the committee shall be at least six (6) and not more than fifteen (15) members. A quorum is half of current members of the committee. The Equal Employment Opportunity Advisory Committee shall hold a minimum of four (4) meetings per fiscal year, with additional meetings if needed to review EEO and diversity efforts, programs, policies, and progress. When appropriate, the advisory committee shall make recommendations to the governing board, the chief executive officer, and the equal employment opportunity officer.



VI. Complaints

CCR Title 5 §§ 53003(c) (2), 53026, and 59300 et seq.

1) Complaints Alleging Violation of the Equal Employment Opportunity Regulations (§ 53026).

The District has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations have been violated. Any person who believes that the equal employment opportunity regulations have been violated may file a written complaint describing in detail the alleged violation. All complaints shall be signed and dated by the complainant and shall contain, to the best of the complainant's ability, the names of the individuals involved, the date(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged violation. Complaints involving current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than sixty (60) days after such occurrence unless the complainant can verify a compelling reason for the District to waive the sixty (60) day limitation. Complaints regarding examinations or interviews must be filed in writing with the associate vice president of Human Resources and Equal Employment Opportunity immediately upon completion of the examination or interview and prior to the notification of results.

Complaints alleging violations of the Plan that do not involve current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than ninety (90) days after such occurrence unless the violation is ongoing. A complainant may not appeal the District's determination pursuant to title 5, §53026 to the Chancellor's Office, but under some circumstances, violations of the equal opportunity regulations in Title 5 may constitute a violation of a minimum condition for receipt of state aid. In such a case, a complaint can be filed with the Chancellor's Office, but the complainant will be required to demonstrate that he or she made previous reasonable, but unsuccessful, efforts to resolve the alleged violation at the college and/or District level using the process provided by Title 5, § 53026. (See



opportunity officer will forward copies of all written complaints to the Chancellor's Office upon receipt.

In the event that a complaint filed under Title 5 § 53026 alleges unlawful discrimination, it will be processed according to the requirements of Title 5 §§ 59300 et seq.

2) *Complaints Alleging Unlawful Discrimination or Harassment (Title 5, §§ 59300 et seq.)*

The District has adopted procedures for complaints alleging unlawful discrimination or harassment. The associate vice president of human resources and equal employment opportunity is responsible for receiving such complaints and for coordinating their investigation. The District's discrimination and sexual harassment complaint procedures are contained in its administrative procedures, AP 3435 Discrimination and Harassment Investigations, found on the District's website.



VII. Notification to District Employees

CCR Title 5, § 53003(c)(3)

The commitment of the governing board and the chief executive officer to equal employment opportunity is emphasized through the broad dissemination of its Equal Employment Opportunity Policy Statement and the Plan. The policy statement will be included in the college catalogs and class schedules. The Plan and subsequent revisions will be distributed to the District's governing board, the superintendent/president, administrators, the academic senate and classified leadership, union representatives, and members of the District Equal Employment Opportunity Advisory Committee. The Plan will be available on the District website, and employees will be notified electronically.

Every year, all employees will be sent a notice of the District's policy concerning equal employment opportunity and the web address for the Plan. The Human Resources Department will provide all new employees with a copy of the written notice described above when they commence their employment



VIII. Training for Screening/Selection Committees

CCR title 5, § 53003(c)(4)

Any organization or individual, whether or not an employee of the District, who is involved in the recruitment and screening or selection of personnel, shall receive appropriate training on the following, prior to their participation in recruitment activities.

Training shall include, but need not be limited to:

- (a) the requirements of Title 5's subchapter on EEO Programs for community colleges, and of state and federal nondiscrimination laws;
- (b) the educational benefits of workforce diversity;
- (c) the recognition and elimination of bias in hiring decisions; and
- (d) best practices in serving on a selection or screening committee.



IX. Annual Written Notice to Community Organizations

CCR title 5, § 53003(c) (5)

The equal employment opportunity officer

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X. Analysis of District Workforce and Applicant Pool

CCR title 5, § 53003(c)(6)

The Human Resources Department will annually survey the District's workforce composition and shall monitor applications for employment on an ongoing basis to evaluate the District's progress in implementing the Plan, to provide data needed for the reports required by this Plan, and to determine whether additional measures are required pursuant to title 5, section 53006, and to implement and evaluate the effectiveness of those measures.

To the extent that data regarding potential job applicants is provided by the State Chancellor, an analysis of the degree to which any monitored group is underrepresented in comparison to their representation in the field or job category in numbers of persons from such groups whom the Chancellor determines to be available and qualified to perform the work required for each such job category will be made, as well as an analysis of whether the underrepresentation is significant.

For purposes of the data collection and report required by Title 5, each applicant or employee shall be afforded the opportunity to identify his or her gender, ethnic group identification, and, if applicable, his or her disability. A person may designate multiple ethnic groups with which he or she identifies, but currently, per section 53004, will be counted in only one ethnic group for reporting purposes. Chinese, Japanese, Filipinos, Koreans, Vietnamese, Asian Indians, Hawaiians, Guamanians, Samoans, Laotians, and Cambodians are to be counted and reported as part of the Asian/Pacific Islander group as well as in separate subcategories. However, in determining whether adaethert2(I)r



Additionally, the District will keep track of



Analysis of Applicant Pools

With the exception of adjunct faculty, for whom the District often does continual hiring to maintain applicant pools, the District conducted 20 or fewer recruitments during 2010 through 2012, but increased hiring activity thereafter. [fn.1]

The gender distribution of the District's total applicant pools in 2012 was 37% male and 58% female (several applicants declined to state). In the 2012 recruitments, with 11% of applicants declining to state their ethnicity, monitored ethnic groups represented 58% of applicants overall. The monitored groups represented 49% of the applicants in the executive/managerial group, 23% of the applicants for full-time faculty (three hires), and 65% of the applicants for the classified service. The District continues its efforts to broaden the faculty applicant pool to attract more diverse candidates.

[fn.1]—Applicant pool analysis for 2012 -2015 to be supplied.



XI. Recruitment and Hiring Procedures to Ensure Equal Employment Opportunity

CCR-Title 5, §§ 53021 et seq.; See also HCCD AP 7120

The District shall develop and implement policies and procedures consistent with Title 5's requirements for the recruitment and hiring of individuals so that all qualified individuals have an equal opportunity for employment and advancement in employment. These policies and procedures will require that it create a diverse pool of qualified candidates with varied educational and experience backgrounds who can contribute positively to a diverse community of scholars. These policies and procedures will be regularly reviewed and updated to serve this mission.

1. Recruitment

It is the policy of the District to aggressively pursue a program of recruitment that is inclusive and open to all individuals. The District will continually make efforts to build and develop contacts for new recruitment sources that help ensure a broad and diverse pool of candidates.

- (a) The District will actively recruit from both within and outside the district work force to attract qualified applicants for all vacancies. This shall include outreach designed to ensure that all persons are provided the opportunity to seek employment with the District. The requirement of open recruitment shall apply to all full-time and part-time vacancies in all job categories and classifications.

Recruitment for full-time f



- (1) General circulation publications, including electronic media.
- (2) Local and regional community newspapers or job boards.
- (3) Publications, including electronic medi





produce better results, which will normally be a 3-year period.





- harassment complaints under any provision, in a timely and thorough manner, and take appropriate corrective action in all instances where a violation is found.
13. Timely comply with the requirements of Government Code section 12950.1 on the regular training of supervisory employees, and the newer state law on training all employees, on the elimination of all forms of harassment and discrimination and bullying.
 14. Participate in the review of the District's mission statement to ensure that it conveys its commitment to diversity and inclusion, and recognition that a diverse and inclusive workforce promotes its educational goals and values.
 15. Address issues of inclusion/exclusion in a transparent and collaborative fashion.
 16. Highlight the District's equal employment opportunity and diversity policies in job announcements, recruitment, marketing, and other publications, and ensure that District publications and other marketing tools reflect the District's diversity and commitment to equal employment opportunity.
 17. Conduct diversity dialogues, forums, and cross-cultural workshops, and make diversity instructional tools available to faculty to use in their classes or their services to students.
 18. Establish an equal employment opportunity and diversity online presence by highlighting the District's diversity and equal employment opportunity, ADA, sexual harassment and non-discrimination policies, procedures, and programs on the District's website.
 19. Consider multilingualism and knowledge of multiculturalism as a desired, and when appropriate, required skill and qualification for employees.
 20. Develop leadership opportunities with current staff focusing on diversity.
 21. Ensure all staff, especially top administrative staff, understand and support diversity objectives on campus.
 22. Encourage employees to serve as resources, consultants, mentors, and leaders to colleagues at other Districts in the areas of EEO and diversity enhancement.
 23. Implement plans that tend to enhance diversity, such as the Student Equity Plan, the EEO Plan, and the college's strategic plan.
 24. Participate in and develop programs to encourage and prepare its students for careers as community college employees—faculty, administrative, and staff positions alike—which may include providing mentorships, internships, and other career exploration programs, and, whenever funded by the state, to inform students about graduate loan assumption programs, as referenced in the Education Code (sections 87106, 69618 et seq.)

