

# Affirmative Action and Equal Opportunity in the Hiring Process

# EEO Statement

EQUAL OPPORTUNITY POLICY and AFFIRMATION OF NON-DISCRIMINATION

Oregon State University, as an institution of higher education and as a community of scholars, is committed to eliminating discrimination and providing equal opportunity in education and employment.

Oregon State University, in compliance with state and federal laws and regulations, does not discriminate on the basis of age, race, color, religion, sex, sexual orientation, gender identity or expression, national origin, disability status or protected veteran status (including disabled veterans, armed Forces service medal veterans, recently separated veterans, and active duty wartime or campaign badge veterans) in any of its policies, procedures, or practices. This nondiscrimination policy applies to admission and access to, and treatment and employment in, University programs and activities, including but not limited to academic admissions, financial aid, educational services, and employment.

Oregon State University's employment policies are designed to ensure that all applicants receive fair consideration for employment and that employees are treated equitably. The university takes affirmative steps to 1) recruit, hire, train, and promote persons in all job titles, without regard to age, race, color, religion, sexual orientation, gender identity or expression, national origin, sex (except where sex is a bona fide occupational qualification), disability, or protected veteran status; 2) provide reasonable accommodations; 3) base employment and promotional opportunity decisions on valid requirements; and 4) ensure that all personnel actions such as compensation, benefits, transfers, layoffs, returns from layoff, OSU sponsored training, education, tuition assistance and social and recreation programs will be administered without regard to age, race, color, religion, sex, sexual orientation, gender identity or expression, national origin, status as an individual with a disability, or status as a protected veteran.

# EEO Statement continued

Employees, applicants, and students shall not be subjected to harassment, intimidation, threats, coercion or discrimination because they have engaged in or may engage in: (1) filing a complaint; (2) assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to a complaint of discrimination; (3) opposing any act or practice made unlawful by equal opportunity regulations or Federal, State or local equal opportunity law; or (4) exercising any other right protected by equal opportunity regulations or laws.

As President of Oregon State University, I am committed to the principles of Affirmative Action and Equal Opportunity. I have designated the Affirmative Action Manager in the Office of Equal Opportunity and Access as the person responsible for implementing our written Affirmative Action programs throughout the university, and for establishing and maintaining an internal audit and reporting system to measure these programs. The Affirmative Action Plans for qualified individuals with disabilities and for qualified protected veterans are available for inspection by any employee or applicant for employment upon request between 8:00 am and 5:00 pm in the Office of Equal Opportunity and Access, 330 Snell Hall, Oregon State University, Corvallis, OR.

It is the intent of the University that all members of the community - employees and students - share the responsibility for making equal employment opportunity and affirmative action dynamic aspects of University life.

Edward J. Ray  
President

# What is Affirmative Action?

- Affirmative Action is a proactive program designed to ensure equality of opportunity for members of historically underrepresented groups, including people of color, women, individuals with disabilities, and qualifying veterans.
  - As a federal contractor, OSU is obliged under Executive Order 11246 and other laws to ensure equal opportunity by analyzing application, hiring, and employment rates for members of historically underrepresented groups and comparing that information to the qualified population in the recruitment area. Where there are shortfalls, OSU engages in good faith efforts to address those issues.
- Affirmative Action is built upon the underlying assumption that in the absence of structural or individual biases, the workforce will reflect the availability of individuals in the qualified population. The underlying goal is to ensure equality of opportunity.

# What Does it mean to be an Equal Opportunity Employer?

- Equal Opportunity Employers are dedicated to equal opportunity in employment and hiring. Affirmative Action is a proactive program that Equal Opportunity Employers engage in to equalize opportunities for members of groups. In addition to this, Equal Opportunity allows for individuals who feel they have been treated differently based on a protected class status to raise the concern for investigation and remedy.

# Placement Goals

- When the OSU employee population in a given job group is not representative of the available and qualified population, a placement goal is formed.
- Placement goals are not quotas and hiring decisions are not made based on identity. Instead, a placement goal is an alert to search committees and hiring officials to pay attention to their pool demographics and how they change at each stage of the process.
- Where placement goals exist, colleges and divisions work with affirmative action staff to ensure that search processes are inclusive.

# Pool Demographics

- The **Departmental EEO Summary** report summarizes the demographics of your pool. This information is not to be used as a tool to judge the race and gender of applicants. It is designed to make you aware of the overall demographics of your pool, so you and your committee can conduct extensive outreach and invite others to apply. Your goal is to obtain a large, diverse applicant pool BEFORE the closing date of the posting.
- You can find this report under the “Reports” tab in the recruiting system. It is the “Departmental EEO Report”

# Veterans

- U.S. Military Service Veterans are underrepresented in the workforce and are disproportionately unemployed.
- In the military, promotion and selection is done by the commanding officer, not through an application and interview process. OSU's search and selection process may be new to veterans and they may be learning how to successfully navigate the application and interview process.
- Military titles and language are different from higher education language, especially in terms of language used to describe position duties. Look for transferable skills.

# Veterans

- OSU's [Policy on Veteran Status](#) describes our commitment to affirmative consideration of veterans in the hiring process. Please read through it.
- To check whether there are veterans in your pool, select the "Applicants" tab in the recruiting system, and under "Open Saved Search" select "Veteran Status Report for this Posting." There you will see veteran status.

The screenshot displays a web interface for a recruiting system. At the top left, there is a 'Posting:' section with details such as 'Current Status: Republished', 'Position Type:', 'Department:', 'Created by:', and 'Owner:'. To the right of this section are three links: 'See how Posting looks to Applicant', 'Print Preview (Applicant View)', and 'Print Preview'. Below the posting details is a navigation bar with tabs: 'Summary', 'Applicants', 'Reports', 'Hiring Proposals', and 'Associated Position Description'. A red arrow points to the 'Applicants' tab. Below the navigation bar is a search area with a text input field, a 'Search' button, and a link for 'More search options'. A dropdown menu is open under the 'Open Saved Search' button, showing a list of saved searches. A red arrow points to the option '(Group) - Veteran Status Report for This Posting'. At the bottom of the search area, there is a status bar showing 'Saved Search: "All Applicants" (7 Items Found)' and an 'Actions' button.

# Individuals with Disabilities

- Individuals with disabilities are also underrepresented in the workforce and are underemployed nationally. OSU is committed to providing reasonable accommodations in the workplace *and* in the interview process. All job groups currently have 7% placement goals for individuals with disabilities. If you have questions about accommodating an individual in the hiring process, please contact the Office of Equal Opportunity and Access.

# Pay Considerations: Transparency

- Beginning January 11<sup>th</sup>, 2016, applicants and employees are protected from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees. Please read the full [policy](#).
- In the past some committees have frowned upon applicants who ask questions about compensation, for fear that applicants are more interested in the pay check than the job. However, financial responsibilities are an important and relevant consideration in a job hunt. These requests for information should not lead to any negative treatment.

# Pay Considerations: Previous Pay

- The Oregon Equal Pay Act of 2017 prevents potential employers from inquiring about an applicant's pay in a previous position.
  - Applicants may not be screened based on salary history.
  - Salary history may not be relied upon to determine pay, except when determining pay for an employee moving from a position at OSU to another position at OSU.
  - If needed, it is permissible to request information about prior compensation after an offer of employment, including compensation, is issued.

# The Diversity Hiring Criterion

- All OSU job postings have a diversity requirement in either the minimum or preferred qualifications. Many times this requirement is worded as: “A demonstrable commitment to promoting and enhancing diversity.”
  - With the search committee, carefully reflect on the role the specific position for which you are hiring will have with respect to advancing OSU’s diversity and inclusion goals.
  - This qualification should be tailored to the job and a candidate’s commitment to diversity should be evaluated along with all other performance skills (leadership, teamwork, communication, etc.)

# Recruitment

- Recruitment is an essential part of your process. You cannot hire someone who is not in your pool.
- Start by using the [OSU Recruitment Resource Guide](#).
  - Send your job announcement to the required listserv.
  - Build an advertising plan that will produce a diverse pool and that focuses particularly on recruiting identity groups for which the position has an affirmative action placement goal.
  - Always use AA/EO tagline in all advertising.
- Do not stop at print advertising. Use personal outreach to attract a diverse pool. Work to recruit beyond your usual networks.
- Additional recruiting requirements are met by the Office of Human Resources which lists all external searches with the State Employment Division and the Greater Oregon Higher Ed Recruitment Consortium.

# Accommodating Applicants

- Applicants should be provided reasonable accommodations for disabilities and religious beliefs and should generally be accommodated in all reasonable needs.
  - Offer accommodations to applicants for phone interviews and on-site interviews
  - Schedule time in interviews for breaks. This can help nursing mothers, provide restroom, water, and food breaks, and generally make the day less stressful.
  - If an applicant needs breaks at specific times for religious needs, accommodate those as well.
  - Ensure any food provided or restaurants visited meet the applicants needs.
- If you believe you are unable to provide a reasonable accommodation to an applicant in the interview or employment setting, Contact the Office of Equal Opportunity and Access (EOA) for review. Do not deny an applicant accommodation or determine them to be unqualified based on disability or religious status without EOA review.

# Guidance for the Search Process

## Screen

- Adhere to criteria and apply consistently to all candidates
- Capture and record detailed screening reasons as you go along
- Remember, at this stage and throughout, that all search related information must remain confidential, and only shared with the search committee members and the search administrator.

## Interview

- Follow [OSU's veteran's preference policy](#)
- Tell candidates how to request disability accommodation
- Cover the same areas of inquiry with all candidates, even if you think you know the answer for some
- Avoid legally risky areas of inquiry, including during social times
- Take complete notes of all relevant job-related information

## Check References

- Inform applicants before beginning the reference check process
- Avoid legally risky areas of inquiry or discussion ([Inappropriate Interview Questions](#)) – focus on the job
- Take complete notes of all relevant job-related information

## Select

- Make consistent, criteria-based assessments taking into account all the facts
- Document decisions for all applicants

## Keep Records

- Collect and file all records of screening, interview, references, and selection including handwritten/electronic notes, emails, etc. from everyone involved in the search/selection process – search committee, hiring department, stakeholders
- Retain records for three years, then pulp or shred

# How to use the Applicant Disposition Worksheet

- The Applicant Disposition Worksheet (ADW) must be completed and submitted for each search. It can be quite burdensome, but if it is used in committee meetings to capture the reasons applicants do not advance, it is not only a compliance measure, but a useful tool.
- Specific instructions for use of the ADW can be found on the User Help tab of the spreadsheet, or you can ask your business center or the Office of Equal Opportunity and Access for assistance.
- The Specific Disposition Reasons that you record do not need to be lengthy, but should be specific and, in the case of an audit, should remind committee members clearly of why the applicant was not advanced. Reasons for disposition should always be related to qualifications not met, or not met as well as those advanced.