

Texas Tech University System Regulation 07.09

Equal Employment Opportunity Policy and Affirmative Action Program

Effective: August 14, 2020

Next Scheduled Review: December 2021

1. Purpose

- a. The Texas Tech University System (“System”) and its component universities (each a “University”) are Equal Employment Opportunity (“EEO”) employers and are committed to compliance with federal and state employment laws and regulations. This regulation governs each University’s EEO policy and Affirmative Action Program (“AAP”), in compliance with federal and state employment laws and Executive Order 11246 of September 24, 1965, as amended.

2. General Provisions

- a. *Applicability.* This regulation applies to each University. Each University shall adopt this regulation through an Operating Policy and Procedure expressly referencing this regulation.
- b. *Right to Change Policy.* The System reserves the right to interpret, change, modify, amend, or rescind this regulation, in whole or in part, at any time, without prior notice or the consent of employees or applicants, students, visitors, affiliates, or other persons conducting business on campus (collectively the “University Community”).

3. Equal Employment Opportunity

- a. *Policy.* The University does not tolerate discrimination or harassment of any employee or applicant for employment because of sex (including pregnancy), race, color, national origin, religion, age, disability, protected veteran status, genetic information, sexual orientation, gender identity, gender expression, or any other legally protected category, class, or characteristic. Additionally:
 - i. *Employment Actions.* Employment actions such as hiring, promotion, demotion, transfer, rate of pay, or other forms of compensation, selection for training, and termination shall not be made based on an employee's protected status.
 - ii. *Non-Discrimination.* Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, by actions, or through electronic means. Discriminatory behavior is prohibited by this regulation, as well as by federal laws such as Title VII, which prohibits discrimination in employment; Title IX, which prohibits discrimination on the basis of sex in education programs or activities; the Pregnancy Discrimination Act; the Equal Pay Act; the Age Discrimination in Employment Act; the Americans with Disabilities Act; the Rehabilitation Act of 1973; the Civil Rights Act of 1991; the Vietnam Era Veterans' Readjustment Assistance Act of 1974; Title II of the Genetic Information Non-Discrimination Act; and state laws such as Chapter 21 of the Texas Labor Code. [Pursuant to System Regulation 07.10](#), Non-Discrimination and Anti-Harassment Policy and Complaint Procedure, University expects all members of the University Community to comply with applicable law.

- b. *Complaint of Discrimination.* Pursuant to [System Regulation 07.10](#), Non-Discrimination and Anti-Harassment Policy and Complaint Procedure; [System Regulation 07.06.A](#), Title IX Sexual Misconduct; and [System Regulation 07.06.B](#), Non-Title IX Sexual Misconduct, employees may file a complaint pertaining to allegations of discrimination, harassment, and adverse employment actions believed to have been taken on the basis of the employee's protected status with the [System Office of Equal Opportunity](#) (“OEO”). The complaint procedures set forth in System Regulations 07.10, 07.06.A, and 07.06.B, are applicable to all employees, whether staff, faculty, or student. Complaints of discrimination by applicants for employment may be filed directly with OEO. Pursuant to Texas Education Code § 51.971, and other applicable state and federal laws, OEO conducts investigations to ensure the University’s compliance with equal opportunity laws and regulations and the University policies regarding ethics and standards of conduct.
- c. *Non-Retaliation Policy.* Retaliation against a person who files a complaint of discrimination or harassment, opposes a charge, testifies, assists, or participates in an investigative proceeding or hearing is strictly prohibited.
- d. *Training.* Pursuant to Texas law, all new University employees must attend non-discrimination training within the first thirty (30) days of employment and receive supplemental training every two (2) years. This training includes, but is not limited to, sexual harassment prevention training. Employees are required to sign a statement that verifies attendance at this training. University will maintain records of attendance at the training for each employee. Employees are informed of the EEO policy through new employee orientations, compliance EEO training sessions, this regulation, and University operating policies (which are available online), the University’s faculty handbook, and the placement of EEO federal and state posters at various locations throughout the University campus. Information about the University’s EEO policy can also be obtained from the University’s human resources department and the [System Office of Equal Opportunity](#).

4. Affirmative Action Program

- a. *Policy.* As a federal contractor, University has implemented and maintains an Affirmative Action Program as required by Executive Order 11246 of September 24, 1965, as amended (“Executive Order 11246”). University is committed to building a diverse workforce and community. In order to achieve this goal, University takes affirmative action as required by Executive Order 11246 to hire and advance qualified minorities and women, as well as individuals with disabilities and protected veterans.
- b. *Oversight.* The [System Office of Equal Opportunity](#) oversees the University’s Affirmative Action Program to ensure University’s equal employment opportunity policies, practices, and procedures are followed and in compliance with applicable federal and state law.
- c. *Written Plan.* OEO prepares University’s written affirmative action plans annually and reviews the AAP to measure effectiveness of the University’s compliance efforts. Based on a number of quantitative analyses, the AAP evaluates the composition of the workforce compared to the available labor pool and identifies any areas where minorities and women may be underrepresented in the workforce. The University will develop action-oriented programs designed to correct any problem areas and will make good faith efforts to provide equal employment opportunity.

- d. *Administrative Coordination.* OEO will work closely with top-level administrators (president, vice presidents, deans, directors, department chairpersons, and other supervisory personnel) to coordinate affirmative action efforts and, when appropriate, establish goals and objectives, and expand outreach in order to ensure effective implementation of the University's Affirmative Action Program.

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