



California State University
SAN MARCOS

Executive Order 11246
AFFIRMATIVE ACTION PLAN

PART I: AAP FOR MINORITIES AND FEMALES

**PART II: AAP FOR PROTECTED VETERANS
AND INDIVIDUALS WITH DISABILITIES**

January 1, 2022 – December 31, 2022

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This Affirmative Action Plan (AAP) contains confidential information, which is subject to the provisions of 18 U.S.C. 1905. Chrysler Corp. v. Brown, 441 U.S. 281, 19 FEP 475 (1979). Copies of this AAP and all related appendices, documents, and support data are made available on loan to the U.S. Government upon the request of said Government on the condition that the Government holds them totally confidential and not release copies to any persons whatsoever. California State University San Marcos considers this AAP to be exempt from disclosure, reproduction, and distribution under the Freedom of Information Act upon the grounds, among others, that such material constitutes (1) personnel files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, which are exempt from disclosure under 5 U.S.C. 552(b)(6); (2) confidential, commercial, or financial information, which is exempt from disclosure under 5 U.S.C. 552(b)(4); (3) investigatory records compiled for law enforcement purposes, the production of which would constitute an unwarranted invasion of personal privacy, which are exempt from disclosure under 5 U.S.C. 552(b)(7)(C); and (4) matters specifically exempted from disclosure by statute, which are exempt from disclosure under 5 U.S.C. 552(b)(3). Notice is hereby given of a request pursuant to Title 41 Code of Federal Regulations, Part 60-60.4(d) that portions of this AAP be kept confidential.

California State University San Marcos wishes to make it clear that it does not consent to the release of any information whatsoever contained in this AAP under the Freedom of Information Act or otherwise. If the U.S. Government, or any agency or subdivision thereof, is considering breaching the conditions under which this AAP was loaned to such Government, or is considering a request for release of this AAP under the Freedom of Information Act, a request is hereby made that the Government immediately notify the Associate Vice President for HR and Payroll Services of California State University San Marcos of any and all Freedom of Information Act requests received by the Government or any other contemplated release of this AAP by the Government which relates to information obtained by the Government from the University. We further request that everyone who has any contact with this AAP or its supporting data treat such information as totally confidential and that such information not be released to any person whatsoever. Retention or disclosure of information relating to identifiable individuals may also violate the Privacy Act of 1974.

**CALIFORNIA STATE UNIVERSITY SAN MARCOS
AFFIRMATIVE ACTION PLAN
JULY 1, 2020 – JUNE 30, 2021**

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California State University is an equal opportunity, affirmative action institution committed to equity, inclusion and cultural diversity and compliance with the American with Disabilities Act. The University encourages all qualified individuals to apply, and does not discriminate on the basis of any protected status including veteran and disability status. This publication will be made available in accessible formats upon request.

INTRODUCTION TO PARTS I AND II

Background

California State University San Marcos (CSUSM), or "the University", is a dynamic, community-engaged, public university dedicated to teaching future generations via hands-on experiences, cutting-edge science and computer labs, and relevant coursework with a global perspective. The University was founded in 1989 in the State of California and has been designated as a Hispanic Serving Institution (HSI) and an Asian American Native American Pacific Islander Serving Institution (AANAPISI). Building on an innovative 30-year history, CSUSM is a forward-focused institution dedicated to preparing future leaders, building great communities, and solving critical issues.

California State University San Marcos 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. Because California State University San Marcos 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 protected veterans, and for individuals with disabilities for our organization.

California State University San Marcos' 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).

California State University San Marcos has developed separately an Affirmative Action Plan for protected veterans and individuals 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 Individuals with Disabilities), the Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA) of 1974, Section 4212, as amended, and Title 41 Code of Federal Regulations, Part 60-300 (Affirmative Action Program for protected veterans).

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.

Program Terminology

The terminology used in Executive Order 11246 and its regulations has been used herein by California State University San Marcos (hereafter referred to as the "University" or CSUSM). Terms such as "job group," "availability," "problem area," "underrepresentation," "concentration," and "disparity," should not be construed by the University that women or minorities have been or are being underutilized or discriminated against in any unlawful manner or that the University has contravened any fair employment practice law.

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 CSUSM's agreement that these statistics provide an accurate measurement of the individuals most qualified to perform jobs at the University 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 Affirmative Action Plan (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 CSUSM believes the jobs so grouped are of comparable worth.

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

Reporting Period

This Affirmative Action Plan is designed to cover the following reporting period:

- AAP implementation period: January 1, 2022 to December 31, 2022
- Transaction period: October 31, 2021

**PART I: AFFIRMATIVE ACTION PLAN FOR
MINORITIES AND FEMALES**

January 1, 2022 – December 31, 2022

PART I

AFFIRMATIVE ACTION PLAN FOR MINORITIES AND FEMALES

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Chapter 1: Designation of Responsibility

41 C.F.R. § 60-2.17(a)

CSUSM commits itself to a policy of nondiscrimination at all levels. Every employee of the institution is expected to support the University's commitment to ensuring equal opportunity in connection with the University's employment and educational programs. The Associate Vice President of the Office of Human Resources has been assigned primary responsibility for overseeing the planning and implementation of this Affirmative Action Plan.

A. Senior University Administrative Officials

The President has extended to all University administrators the expectation they join her in supporting the University's equal opportunity policy and Affirmative Action Program by working collaboratively to embed inclusion, equity, and diversity in its institutional practices, policies, and norms.

The President has charged all members of executive leadership with responsibility for equal opportunity and affirmative action within their areas of responsibility.

The Associate Vice President for the Office of Inclusive Excellence is also responsible for providing leadership, guidance, and direction for all University equity and inclusion matters as those relate to faculty, students, and staff.

B. Vice President, Finance and Administrative Services

The Vice President of Finance and Administrative Services (FAS) has responsibility for overseeing compliance by the University with applicable equal employment laws and policy and implementation of the University's Affirmative Action Program.

In discharging these responsibilities, the VP of FAS is assisted by a staff that includes the Senior Director of Human Resources and the Associate Director of Human Resources. With the assistance of other University officials, as noted in the sections below, responsibilities of Human Resources include, but are not limited to, the following:

- Updating annually this Affirmative Action Plan.
- Developing and implementing internal audit and reporting systems to determine the degree to which University affirmative action program objectives are being attained and notifying appropriate University officials of the need for remedial action.
- Reviewing with appropriate University officials overall progress and any problems encountered with the affirmative action program.
- Working with University officials to ensure that mechanisms are in place so that supervisors and managers understand that they are accountable for helping the University meet affirmative action objectives.
- Working with Human Resource Services, Faculty Affairs, and University departments to identify problem areas or other challenges and to develop plans to achieve University and department diversity objectives.
- Participating in training for supervisors on the issues of diversity, equal employment opportunity, and affirmative action.

C. The Office of Human Resources

The Office of Human Resources reports to the Vice President of Finance and Administrative Services and has primary responsibility for the University's employment processes for all non-faculty employees (including recruitment, selection, classification, compensation, and performance management), and oversees benefits and medical/family leaves for all University employees.

Human Resources has responsibility for supporting and monitoring all non-faculty searches to ensure that the searches conform to best practice and applicable University policy and all applicants are given full and equitable consideration in the selection process.

D. Faculty Affairs

The Associate Vice President for Faculty Affairs reports to the Provost/Vice President of Academic Affairs and has primary responsibility for the University's employment processes for all faculty employees (including recruitment, selection, promotion, compensation, performance management, discipline, and discharge).

Faculty Affairs has responsibility for supporting and monitoring all faculty searches to ensure that the searches conform to best practice and applicable University policy and all applicants are given full and equitable consideration in the selection process.

E. Administrators, Managers, and Supervisors

By virtue of their responsibility to supervise employees of CSUSM, all administrators, managers, and supervisors are involved in implementing affirmative action and equal opportunity within their areas of responsibility.

Administrators, managers, and supervisors are responsible for the following:

- Making selections, assignments, transfers, salary adjustments, promotions, and providing training opportunities without regards to race, sex, color, religion, national origin, or other protected status.
- Taking steps to ensure that all employees, including minorities, women, people with disabilities, covered veterans, and members of other protected classes, are afforded opportunities for training, transfers, and promotions.
- Providing assistance in the identification of problem areas and establishment of objectives to address problem areas.
- Participating in compliance activities.
- Taking appropriate action to prevent discrimination or discriminatory harassment of students and employees in their respective areas of responsibility.
- Informing all supervisory personnel that their work performance will be evaluated in part on their good-faith efforts to support the University Affirmative Action Plan and their compliance with equal opportunity and affirmative action policies.

Chapter 2: Organizational Profile

41 C.F.R. § 60-2.11

Workforce Analysis/Lines of Progression

As of October 31, 2021, CSUSM employed one-thousand eight-hundred and fifteen (1,815) employees¹. Of these, one-thousand one-hundred and twenty-eight (1,128), or 62.1%, identified as female and eight-hundred and sixteen (816), or 45%, identified as minorities. The University divides its workforce into 28 organizational units.

Pursuant to § 60-2.11.c., CSUSM has prepared an Organizational Profile in the form of a Workforce Analysis and have listed each job title as it appears in our payroll records or applicable bargaining agreements, ranked from the lowest paid to highest paid within each department. We have displayed within each department, for each job title, the total number of male and female employees, and the total number of incumbents who are White, African American, Hispanic, Asian, Native American or Alaskan Native employees, Native Hawaiian or Pacific Islander, and Two or More races. In addition, we have also provided a salary and EEO code for each job title.

The University has no formal lines of progression or usual promotional sequence within departments. Employees can be hired at any level and do not necessarily follow a line of progression. In some instances there may be typical career movements, such as movement from assistant to associate to full professor, but even these promotions are not automatic but occur only after a thorough and carefully documented review to determine whether the incumbent's accomplishments justify promotion. Where they occur, such movements are taken into account in establishing feeder groups in the Availability Analysis.

See the **Workforce Analysis** for the results per organizational unit.

¹ This figure excludes student employees.

Chapter 3: Job Group Analysis and Placement of Incumbents

A. 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.

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.

For the purposes of this Affirmative Action Program, CSUSM has combined job titles with similar content, wage rates, and opportunities into job groups. The University considered the following relevant factors when establishing job groups:

- The duties and responsibilities assigned to the incumbents in each job title;
- The compensation structure for the job titles;
- Opportunities for career enhancements, including training, transfers, promotions, pay, and mobility;
- Wage rates; and
- The number of incumbents in each job group.

B. Placement of Incumbents in Job Groups - 41 C.F.R. § 60-2.13

As required by the Office of Federal Contract Compliance Programs (OFCCP) regulations, CSUSM has prepared an analysis report that sets forth for each group, the titles included, the total number of employees and the number and percentages of women and minority incumbents in the job group.

See the *Job Group Analysis* for the job titles per job grouping.

Chapter 4: Determining Availability

41 C.F.R. § 60-2.14

Consistent with regulatory requirements, the University has separately determined the availability of minorities and women for each job group pursuant to 41 C.F.R. § 60-2.14 (b).

"Availability" is an estimate of the proportion of each sex and race/ethnic group available and qualified for employment at CSUSM 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 of the University'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.

The availability analysis establishes a benchmark against which the demographic representation of the current workforce at CSUSM can be evaluated to determine if further analysis is required to ensure that there are no barriers to equal employment opportunity. The availability analysis results in an estimate of the number of the qualified or readily qualifiable women and minorities *potentially* available for employment in each of the job groups. The determination of availability has several steps.

In determining availability of minorities and women, the University considered the following factors:

- The percentage of minorities and women with requisite skills in the reasonable recruitment area.
- The percentage of minorities and women among those promotable, transferable, and trainable within the University.

Factor 1: The Percentage of Minorities and Women with Requisite Skills in the Reasonable Recruitment Area (External Availability)

When recruiting and hiring are taking place, the University seeks individuals who have the requisite skills and are capable of immediately stepping into the job and performing the functions quickly and with little training.

In each case the reasonable recruitment area was established based on University policy and the actual experience of the University in attracting applicants for positions within the job group. For example, standardized census areas such as an MSA are quite broadly drawn and are inclusive of individuals (including minorities and women) in what might be an unlikely commuting distance. Nevertheless, we have used such data so as not to exclude potentially recruitable minorities and women from our availability estimate.

For some job groups, the reasonable recruitment area is the local labor area. For others, primarily tenure-related faculty and high-level administrators, the reasonable recruitment area is national in scope. For many job groups, the University draws applicants from both the local labor area and from a larger state, regional or national area. For each job group, the definition of reasonable recruitment area has been guided by the University's scope of recruitment policy and actual experience with past applicant pools.

CSUSM has relied on the Bureau of Census 2010 EEO tabulation for 488 occupational categories. The occupational categories are based on the 2010 Standard Occupational Classification (SOC) categories. In

determining “requisite skills,” the University identified those SOCs reported in the census that were most representative of the skills required for the positions being analyzed.

Factor 2: The Percentage of Minorities and Women Among Those Promotable, Transferable, and Trainable Within the University (Internal Availability)

CSUSM is committed to a policy of upward mobility for all employees in accordance with University need and employee interest. Internal availability is a significant source of availability for many job groups. While promotions can and do occur within any job group, the estimated frequency of movement into the job group determined the value weight for internal availability in our analysis. At any given time, the population of a “feeder” job group might include individuals newly hired/promoted, in training or otherwise not necessarily “promotable” for every vacancy. However, for purposes of AAP availability estimates only, all individuals in the feeder job group were counted as “promotable, transferable, and trainable.” (41 C.F.R. § 60-2.14 (f))

Based on actual patterns of promotion and transfers, the University has identified the job groups that are the “feeder pools” for those job groups where patterns tend to occur. Such “feeder pools” include those employees who are reasonably promotable, transferable, and trainable.

Calculating Final Availability

For each job group, we considered those factors that represented a genuine source of available workers for the job group. We weighted each factor based on a judgment as to its overall significance to the job group when computing final estimates of availability.

See the **Availability Analysis** for the availability breakdown for each job group.

Chapter 5: Comparing Incumbent Workforce to Availability

41 C.F.R. § 60-2.15

CSUSM has compared the percentage of minorities and Women in each job group with the availability estimates for those job groups.

An appropriate measure of “reasonably expected” is statistical probability; that is, if the difference between availability and actual participation is statistically significant, the current incumbency is less than what is “reasonably expected.” The University has used appropriate tests of statistical significance, relying on the standards for measuring “reasonably expected” approved by the court in Firestone Tire Rubber Co., Inc. v. Marshall, 507 F. Supp. 1330, 24 FEP 1699 (Eastern District of Texas, 1981, upholding the decision of the Administrative Law Judge) as well as many other federal courts.

Where the actual representation of women or minorities was less than the availability calculation, CSUSM conducted a two standard deviation statistical test to determine if the difference was greater than would be reasonably expected.

See the ***Comparison of Incumbency to Availability*** for the results per job group.

Chapter 6: Annual Placement Goals

41 C.F.R. § 60-2.16

CSUSM has established annual placement goals for women and total minorities in job groups where the representation of either women or minorities is less than what would be expected based on availability.

In accordance with § 60-2.16 (e), the following principles apply to Annual Placement Goals:

- Annual Placement Goals are not rigid or inflexible quotas, which must be met.
- Annual Placement Goals do not set a ceiling or floor for the employment of particular groups.
- Annual Placement Goals do not create set-asides for specific groups and are not intended to achieve proportional representation or equal results.
- Annual Placement Goals will not be used to supersede merit selection principles and do not require or justify the hiring or promotion of a less qualified person in preference of a more qualified one.

Affirmative action goals are targets that are reasonably attainable by applying identified good-faith efforts to all aspects of our affirmative action program. Our goal and objective for every job group, department and other organizational unit, whether or not a placement goal has been set, is to engage in a good faith effort to recruit minorities and women, ensure equal opportunity with respect to hires and promotions, and to monitor so as to ensure that our policies and practices comply with affirmative action and equal opportunity principles. California State University San Marcos will not discriminate against any applicant or employee because of race, color, religion, national origin, or other protected status. The University will make all employment decisions in a non-discriminatory manner.

See the **Placement Goals** report for each job group.

Chapter 7: Identification of Possible Problem Areas

41 C.F.R. § 60-2.17(b)

Terminology

The phrases "comparison of incumbency to availability," and "problem area" appearing in this chapter are terms California State University San Marcos 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 CSUSM will use the terms in 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 60-2.16(e).

CSUSM has conducted an analysis of its total employment process to determine whether and where any impediments to equal employment opportunity exist in the following areas:

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

1. Problems of Minority or Female Utilization or Distribution by Organizational Unit

The University has compared the incumbency of minorities and women in each organizational unit and in the various jobs within each organizational unit and has identified no practices or policies that limit the selection and advancement of minorities and women.

In most departments, women and minorities are well represented throughout the University. As can be expected with an organization of this size, the results are not entirely uniform throughout.

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

2. Problems of Minority or Female Utilization or Distribution by Job Group

The University has compared the incumbency of minorities and women in each job group pursuant to 41 C.F.R. § 60-2.15 to determine if estimated availability for a job group is greater than incumbency. For those job groups, in which the percentage of minorities or women employed in the job group is less than would reasonably be expected given their availability, the University has established a placement goal in accordance with 41 C.F.R. § 60-2.16.

Of the twenty-three (23) job groups, CSUSM is at or exceeds the expected Availability vs. Incumbency in twenty (20) of the job groups. The University has fewer females than expected in job groups 1C1 – Management/Supervisory, 2B2 - Lecturers COBA (College of Business Administration) and 2D1 - FT Faculty CSTEM (College of Science, Technology, Engineering and Mathematics); and few minorities than expected in 2B2 - Lecturers COBA (College of Business Administration).

CSUSM will continue to undertake good faith efforts to hire and promote women and minorities into each of these job groups in the next year.

An analysis of minority and female utilization within each job group was accomplished by a thorough investigation of the **Comparison of Incumbency to Availability** reports.

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

The University has reviewed its total employment process, including applicant flow, hire, promotion and termination processes, to determine whether and where any impediments to equal employment opportunity exist. We also, at least annually, perform statistical analyses of selection decisions made in the prior AAP year.

1. Applicant Flow

As required by regulations, CSUSM retains applications of all individuals considered for employment in a particular position for three years from the date of receipt/selection decision, whichever is later.

Open positions are posted on the CSUSM website, with the state employment service, and with various other sources, as appropriate. Minimum basis qualifications are established for all positions before they are posted. Jobseekers must apply to a specific position – we do not accept unsolicited resumes and applications. Every applicant is invited to complete voluntary self-identification information. This information is retained separately from the employment application.

2. Hires, Promotions, Terminations and Other Personnel Actions

In order to be considered for a job opportunity, jobseekers (external and internal) must submit a timely expression of interest and follow the procedures specified by CSUSM in its vacancy announcements. All competitive University positions are posted on the CSUSM website with additional outreach efforts taken to attract qualified women and minority applicants.

All personnel activity and selections are tracked and monitored. This includes terminations, many of which are voluntary and do not involve a selection decision on the part of the University.

Pursuant to The Uniform Guidelines on Employee Selection Procedures and Title VII case law, CSUSM performs all analyses of employment decisions on the basis of all persons who sought or were considered for a specific job title or who were “tested” using the same selection device. These analyses are performed at least annually for all opportunities filled in the AAP year.

The University has identified no barriers or impediments to equal opportunity in the analysis of our personnel activity.

An analysis of selection disparities in personnel activity between males/females and non-minorities/minorities was accomplished by a thorough examination of transaction data.

See the *Summary of Personnel Transactions Report* for each job group.

C. Recruitment, Selection, Referral and Other Personnel Procedures (41 C.F.R. § 60-2.17(b)(4)):

The University has analyzed its recruitment, selection, and other personnel procedures to determine whether they result in disparities in employment or advancement of minorities or women.

1. Requisitions, Position Descriptions, and Job Specifications

- Approvals from the responsible hiring and administrative authorities are required before initiating recruitment for a new or replacement position. There is a review process that ensures that the

required minimum qualifications and other job specifications are congruent with the position description and are clearly related to the duties of the position.

- Updated position descriptions are required for all non-faculty positions. These position descriptions are carefully reviewed to ensure they accurately reflect job content and responsibilities and establish job-related and non-discriminatory requirements.
- The University has no job titles that could be perceived as evidencing a preference for one gender or another.

We have reviewed our position approval and recruitment planning process, including position specifications, job descriptions and outreach plans. We have identified no impediments to equal employment opportunity.

2. Selection Procedures

- Applicants for posted opportunities may be either internal employees or jobseekers not currently employed by the University. Both are treated the same in the selection process except in the instance where preference may be given to an internal employee as required by a negotiated collective bargaining agreement.
 - Offers of employment for lecturer faculty must follow the specific assignment order set forth in the Faculty Collective Bargaining Agreement, which requires CSUSM to offer all work to existing, qualified lecturer faculty with entitlements prior to hiring new lecturers.
- Each posting outlines the specific procedures for applying to that particular position. Jobseekers are expected to comply with the posted procedures in order to be considered for the open position.
- Prior to reviewing any applications, the hiring authority or search committee appointed in connection with a search develops a screening process that focuses on job-related selection criteria.
- Human Resources or Faculty Affairs, as appropriate, works closely with departments involved in searches and meets with search committees to review, answer questions, and to reinforce understanding of affirmative action and equal opportunity in the hiring process.
- Hiring departments are encouraged to interview as many qualified candidates as feasible, based on budget and time considerations, thus increasing opportunities for the selection of women or minorities.
- After a selection decision has been made, each decision is reviewed either by Human Resources or Faculty Affairs to ensure that selection decisions are made on a fair and equitable basis grounded in job-related criteria. Documentation of the job-related reasons for selection and non-selection of applicants is maintained as part of our monitoring process.

3. Promotion Procedures

CSUSM has evaluated its promotion procedures to determine whether they operate as impediments to equal employment opportunity. Our promotion procedures do not discriminate on the basis of race, gender, ethnicity, or other protected status, and are applied in a non-discriminatory fashion.

- Competitive open positions are currently posted on the University website. Current employees are encouraged to review these openings and apply for any position in which they are interested and for

which they feel they are qualified. If an employee is interested in a lateral move to the same classification in another department, the employee must apply for and be selected for a posted position. Current CSUSM employees will be considered for these positions, in competition with all other applicants for the position. Selections will be made on the basis of knowledge, skills, and abilities without regards to race, color, religion, sex, national origin, or other protected status. We have determined that there are no impediments to equal opportunity in these practices.

- Employees may also be promoted non-competitively. Such promotions generally involve high-performing employees assuming more responsibility over time or assuming additional duties as a result of the creation of new, or combining of existing, job duties. It would be inappropriate to competitively recruit in these situations, as there is no real “vacancy” or opportunity for anyone but the incumbent. We carefully monitor these transactions to ensure there are no disparities based on race, gender, ethnicity, or other protected status.

D. Review of Other Employment-Related Practices and Policies (41 C.F.R. § 60-2.17(b)(5)):

The University is committed to taking steps necessary to ensure a working and learning environment free of prohibited discrimination and discriminatory harassment for all employees and students. Policies are widely communicated, along with the expectation that all members of the community will adhere to those policies.

University policies prohibiting discrimination and harassment are outlined in Executive Order 1096 (Revised October 5, 2016) “Systemwide Policy Prohibiting Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking Against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by Employees and Third Parties.” Consistent with applicable federal and state law, University policy prohibits retaliation against any individual for identifying affirmative action problem areas or concerns or participating in any of the University’s discrimination complaint processes.

A careful review of these policies and procedures has found no obstacle to achieving equal opportunity and affirmative action objectives.

1. Technical Compliance

We periodically audit our facilities to ensure that all required EEO posters, labor law posters, and policy statements are posted where applicants and employees can readily access them.

Chapter 8: Action-Oriented Programs

41 C.F.R. § 60-2.17(c)

The Action-Oriented Programs designed to address the underutilization of women and minorities are listed below. These Action-Oriented Programs will be carried-out throughout the AAP year.

A. Recruitment:

The following reflect efforts to improve recruitment and increase the flow of qualified women and minority applicants. The University:

- Reviews all recruitment and outreach plans prior to posting a vacancy and promotes a wide variety of outreach and recruitment resources by departments engaged in searches. This includes posting open positions on a variety of internal and external websites and specific minority and gender-focused sites/publications and including a statement that the University is an Affirmative Action/Equal Opportunity Employer in all employment advertisements and other recruiting communications.
 - All non-faculty job opportunities that are posted on both internal and external career websites include the following statement: "California State University San Marcos is an Affirmative Action/Equal Opportunity Employer that is strongly committed to promoting diversity in all areas of the campus community. We consider qualified applicants for employment without regard to age, physical or mental disability, gender or sex, genetic information, gender identity, gender expression, marital status, medical condition, nationality, race or ethnicity, religion or religious creed, sexual orientation, and veteran or military status."
- Emphasizes the importance of being able to work and communicate effectively with individuals from diverse backgrounds and cultures in vacancy announcements by including related language in staff and management position descriptions and including related interview questions in the search process.
 - All faculty job opportunity announcements, for both Tenure Track and Lecturer Faculty, contain the following preferred qualification: "Preference will be given to applicants with demonstrated commitment to diversity and/or intercultural competence with diverse groups in relation to teaching."
- Includes pictures of women, minorities, and individuals with disabilities in the workforce and stresses its commitment to diversity and as an equal opportunity employer in University publications and online communications.
- Utilizes an online applicant tracking system, *iCIMS*, to increase the volume and quality of applicant pools. *iCIMS* improves the quality of the applicant experience, thereby creating larger pools of applicants for most positions.
- Contracts with *Job Elephant*, which enables CSUSM to reach out to passive candidates (those who may not be actively searching for a job) via postings, blog groups, and individual messages. Through *Job Elephant*, non-faculty vacancies are also posted on *LinkedIn*, *Indeed*, and *CalJobs*. This allows the University to conduct more outreach to underrepresented populations for specific positions.
- Welcomes inquiries from applicants about open positions and the application process.
- Utilizes various community organizations as referral sources.

- CSUSM instituted a Cluster Hire Initiative, through which we seek to recruit and retain a diverse community of scholars who will serve as role models for our student body and who have a demonstrated commitment to the academic success of our students especially our underserved students. Candidates can demonstrate the commitment to diversity and equity either through their teaching or research and creative activity or service.

B. Selection Process:

CSUSM pays close attention to the selection process since new hires and promotions present an opportunity for progress toward greater diversity. As in the past, we will continue to evaluate the entire selection process to ensure that policies and practices are free from bias and will aid in the attainment of our affirmative action objectives.

- Position descriptions will continue to be reviewed and revised, as necessary, prior to posting and/or recruiting for candidates to make sure education, experience, and skill requirements are consistent with the requirements of the job. These specifications are non-discriminatory with respect to race, gender, religion, national origin, or other protected status.
- Approved position descriptions will be made available to all members of search committees involved in the recruiting, screening, selection, and promotion process prior to reviewing application materials or interviewing applicants.
- CSUSM Human Resources utilizes a comprehensive Recruitment and Selection Guide for Staff/MPP searches that provides detailed information and guidance to hiring managers and search committees as to best practices related to affirmative action and equal opportunity including consistency in the application review process, awareness of and strategies for avoiding bias, and required documentation procedures.
- All search committee members must have completed within the previous 24-month period a CSUSM in-person Diversity Training or an electronic training "Searches and Recruitment in the CSU". The trainings reaffirm the University's commitment to diversity, inclusion and equity, and reviews the stages of the recruitment process and provides examples of best practices which reflect good faith efforts in reaching a broad and diverse candidate pool.
- Tenure track faculty searches include appropriate diversity related competencies, ask diversity related questions in interviews, and include at least one reference question regarding the candidate's intercultural competency and/or demonstrated ability to be effective with diverse groups.
- Records of personnel actions, including applicant flow logs or application materials are maintained.

C. Promotions:

CSUSM does the following to ensure that women and minority employees have equal opportunity for all promotional opportunities:

- Employees may apply for any posted position for which they feel qualified. Most of these positions are open to all applicants with occasional openings that are only open to CSUSM employees.

- Non-competitive promotions are monitored by Human Resources to ensure that such actions are consistent with applicable University policies.
- All employees are actively encouraged to participate in facilities and University-sponsored social and recreational activities.
- Formal employee performance evaluations are conducted annually. One aspect of these evaluations is the assessment and communication of professional development and training needs of individual employees.
- Employees are encouraged to take advantage of the free training courses offered through the Employee Training Center (ETC) in order to acquire the skills needed to compete for new opportunities.
- A Tuition Fee Waiver Program is offered to all employees with at least ninety days of service who are interested in pursuing an undergraduate degree or an advanced degree, with certain limitations.

Chapter 9: Internal Audit and Reporting

41 C.F.R. § 60-2.17(d)

Self-evaluation, including monitoring of personnel activity (hires, promotions, and terminations) at all levels, is essential to the effectiveness of CSUSM's affirmative action program. Internal review and reporting systems have been developed to monitor personnel action patterns and evaluate the results of affirmative action efforts. For this purpose, the following procedures have been established:

- The Office of Human Resources and Faculty Affairs, as appropriate, monitor records of placements, transfers, promotions, and terminations at all levels to ensure that employees are treated on a fair and equitable basis. To carry out this responsibility, Human Resources or Faculty Affairs receives appointment paperwork for all new employees and are notified of all openings to be filled by transfer or promotion.
- Periodic reporting, at least annual, of recruiting results which shall include data pertaining to:
 - The sex and minority status of applicants; and
 - The sex and minority status of all persons to whom offers for hire, transfer, or promotion to a particular job group are made, as well as the response to the offers.
- Review of all selection, promotional, and training procedures to ensure that they are non-discriminatory.

**PART II: AFFIRMATIVE ACTION PLAN FOR PROTECTED VETERANS AND
INDIVIDUALS WITH DISABILITIES**

January 1, 2022 – December 31, 2022

PART II

AAP FOR PROTECTED VETERANS AND INDIVIDUALS WITH DISABILITIES

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Chapter A: Policy Statement

41 C.F.R. §§ 60-300.44(a); 60-741.44(a)

It is the policy of California State University San Marcos and my personal commitment to seek and employ qualified personnel and to provide equal employment opportunities for all applicants and employees in recruiting, hiring, placement, training, compensation and benefits, promotion, transfer, and termination. To achieve this, the University will take affirmative action to employ and advance in employment qualified individuals with disabilities, disabled veterans, recently separated veterans, armed forces service medal veterans, and other protected veterans and will administer all personnel actions without regard to disability or protected veteran status and base all such decisions on valid job requirements. The University will ensure that applicants and employees with disabilities and those who are protected veterans are informed of the contents of the policy statement.

The University will make reasonable accommodations for qualified individuals with known physical and mental disabilities or limitations unless doing so would result in an undue hardship. The University prohibits discrimination and harassment of any individual on the basis of disability or protected veteran status. For information regarding the University's internal policies for addressing complaints of discrimination or harassment, please refer to the CSUSM web page (<https://www.csusm.edu/dhr/campuspolicies.html>)

Employees and applicants shall not be subjected to harassment, intimidation, threats, coercion or discrimination because they have engaged in or may engage in any activity protected by state, federal, or local anti-discrimination laws including the following activities:

- (1) Filing a complaint;
- (2) Assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to the administration of the affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (VEVRAA) or any other Federal, state or local law requiring equal opportunity for disabled veterans, recently separated veterans, active wartime or campaign badge veterans, or Armed Forces service medal veterans or Section 503 of the Rehabilitation Act of 1973, as amended (Section 503) or any other federal, state, or local law requiring equal opportunity for disabled persons;
- (3) Opposing any act or practice made unlawful by VEVRAA or its implementing regulations or any other federal, state, or local law requiring equal opportunity for disabled veterans, recently separated veterans, active wartime or campaign badge veterans, or Armed Forces service medal veterans, or Section 503 or its implementing regulations or any other federal, state, or local law requiring equal opportunity for disabled persons; or
- (4) Exercising any other right protected by VEVRAA or Section 503 or their implementing regulations.

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 all persons regardless of race or ethnicity, nationality, sex, religion, age, status as a protected veteran, an individual with a disability, or other protected status.

The University maintains an audit and reporting system to determine overall compliance with its equal opportunity objectives.

If you have any questions regarding our equal employment opportunity, discrimination or harassment policies, or the complaint procedure, you may contact CSUSM Office of Human Resources. Parts of the Affirmative Action Plan may be reviewed, as appropriate, by making an appointment with the Office of Human Resources.



(Signature)

Lisa McLean, SPHR, SHRM-SCP
Senior Director, Human Resources

Chapter B: Internal Dissemination of Policy

41 C.F.R. §§ 60-300.44(g); 60-741.44(g)

CSUSM recognizes that even a strong outreach program will be ineffective without internal support from supervisory and administrative University employees. To ensure greater employee cooperation and participation in the University's objectives with respect to individuals with disabilities and protected veterans, the University has developed, or is developing, the following internal procedures to communicate its obligation to engage in affirmation action efforts to employ and advance in employment qualified individuals with disabilities and protected veterans.

The following procedures are designed to foster support and understanding from the University's executive staff, management, supervisors, and other employees in an effort to encourage all employees to take the necessary actions to aid the University in meeting its objectives:

- 1) The University's equal employment policy statement is posted in appropriate locations on campus and on the CSUSM website, including places where employment applications are accepted.
- 2) University administrators are informed of the University's AAP for persons with disabilities and protected veterans and are advised how to properly respond to an employee who self-identifies as an individual with a disability or a protected veteran under this Plan.
- 3) All new employees are provided a self-identification form at the start of their employment at CSUSM, inviting them to identify as an individual with a disability or protected veteran, as applicable.
- 4) The University's policy is discussed in both new employee orientation and management training programs.
- 5) The Affirmative Action Plan for Individuals with Disabilities and for Protected Veterans is available for inspection upon request by any employee or applicant during normal business hours.
- 6) The University's affirmative action policies and procedures regarding persons with disabilities and protected veterans are included in affirmative action training and reinforcing discussions with University administrators.
- 7) The Office of Human Resources works closely with Faculty Affairs to ensure understanding of affirmative action and equal opportunity as those apply to individuals with disabilities and protected veterans.
- 8) In support of the full range of needs of our veteran applicants, employees and students, the CSUSM Veterans Center assists in providing general education, financial, health, legal, and family resources to veterans, active-duty military, and their dependents.

Chapter C: External Dissemination of Policy, Outreach and Positive Recruitment

41 C.F.R. §§ 60-300.44(f); 60-741.44(f)

Following are some of the activities the University has implemented, or will implement, to attract qualified individuals with disabilities and covered veterans.

- 1) Recruiting communications include a statement which informs applicants that "California State University San Marcos is an Affirmative Action/Equal Opportunity Employer that is strongly committed to promoting diversity in all areas of the campus community. We consider qualified applicants for employment without regard to age, physical or mental disability, gender or sex, genetic information, gender identity, gender expression, marital status, medical condition, nationality, race or ethnicity, religion or religious creed, sexual orientation, and veteran or military status", or words to that effect.
- 2) CSUSM enlists the assistance and support of recruiting sources that are capable of referring qualified individuals with disabilities and protected veterans for employment opportunities with the University.
- 3) As required by applicable regulations, the University lists employment opportunities, except executive, top management, and those opportunities that we expect to fill from within the University, with the State Employment Development Department, as prescribed by OFCCP regulations.
- 4) 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.
- 5) As part of its affirmative action outreach efforts, the University may undertake or promote the following activities:
 - a. Enlist the assistance and support of organizations/offices in recruiting and developing on-the-job training opportunities for qualified individuals with disabilities and covered veterans to fulfill its commitment to provide meaningful employment opportunities to disabled individuals who are included in the above named groups. These organizations may include: local Departments of Rehabilitation; local Veterans Employment representative; Department of Veterans Affairs regional office; veterans counselors and coordinators on campus; service officers of the National Veterans Groups active in the area; or local veterans groups and Veterans Service Centers.
 - b. Endeavor to reach students who are individuals with disabilities and covered veterans.
 - c. Establish meaningful contacts with appropriate veterans' service organizations which serve covered veterans for such purposes as advice, technical assistance, and referral of potential employees.

Chapter D: Responsibility for Implementation

41 C.F.R. §§ 60-300.44(i); 60-741.44(i)

As part of its efforts to ensure equal employment opportunity to protected veterans and individuals with disabilities, CSUSM has designated specific responsibilities to various staff to ensure the AAP focuses on all components of the employment system.

The Vice President of Finance and Administrative Services and Associate Vice President, Office of Human Resources are responsible for providing top management support for the University's AAP. The Senior Director of Human Resources is responsible for overall supervision of the AAP. The Senior Director of Human Resources, through the Associate Director of Human Resources, and department managers and supervisors, ensures that all relevant policies and procedures are adhered to. The Senior Director of Human Resources is responsible for ensuring that the directives of the Vice President of Finance and Administrative Services are implemented.

A. Among other responsibilities, the Office of Human Resources will:

- Advise management in the modification and development of the University's policies to ensure the enhancement of equal employment opportunity for all employees and potential employees within existing equal employment opportunity guidelines.
- Identify problem areas and establish procedures and objectives to solve these problems.
- Conduct periodic audits to ensure that all required posters and the equal employment opportunity policies and AAP are displayed properly. In addition, conduct audits to ensure that the Invitation to Self-Identify (pre and post offer) for protected veterans and individuals with disabilities, the University's equal employment opportunity and AAP policies are being utilized appropriately and thoroughly communicated.
- Ensure that employees are re-surveyed regarding their disability status every five (5) years and send out reminders to employees, at least once during the five (5) year intervals, that they may voluntarily update their disability status at any time.
- Review, report on, and update the AAP annually in accordance with stated policy and inform administrators and employees of significant changes.
- Work with University administrators to ensure that supervisors and managers understand that they are accountable for helping the University meet affirmative action objectives.

B. Other administrators, managers, and supervisors are responsible to implement the Affirmative Action Program within their areas of responsibility. This includes monitoring hiring and promotion practices, identifying problem areas, and taking other action as outlined in this Plan.

C. The Disabilities Access and Compliance Committee (DACC) was established to assist in efforts to ensure access to University programs, services and activities for individuals with disabilities, in compliance with the Americans with Disabilities Act (ADA). This group is comprised of representatives from campus departments that have responsibilities for serving faculty, staff, students, and members of the public, including members of those groups with disabilities. DACC advises on accessibility and other disability-related requests and concerns.

Chapter E: Training of Personnel Involved in Selection

41 C.F.R. §§ 60-300.44(j); 60-741.44(j)

CSUSM trains all employees involved in any way with the recruitment, selection, promotion, disciplinary actions, training, and related processes of individuals with disabilities or protected veterans to ensure commitment to the University's stated affirmative action objectives related to individuals with a disability and protected veterans are carried out.

The Office of Human Resources will provide orientation materials and will be available for consultation for staff search committees regarding equal employment and affirmative action commitments. These materials include recruiting and selection procedures to be followed.

For faculty position searches, Faculty Affairs will conduct meetings to train personnel involved in faculty searches about the equal employment and affirmative action commitments of the University and the procedures to be followed.

Faculty Affairs will provide instruction on the retention, tenure, and promotion (RTP) policies and procedures for department and college RTP committees.

As an additional resource for those serving on search committees, CSUSM provides online training modules, which include information on non-discrimination and affirmative action programs, to help committee members fulfill the University's commitment to diversity, inclusion, and equity.

Chapter F: Review of Personnel Processes

41 C.F.R. §§ 60-300.44(b); 60-741.44(b)

CSUSM reviews its employment practices to ensure that personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees who are individuals with known disabilities or protected veterans for job vacancies filled either by hiring or promotion and for all training opportunities.

The University also ensures that its personnel processes do not stereotype individuals with disabilities or protected veterans in a manner that limits their access to jobs for which they are qualified. The University reviews and makes modifications to its personnel processes as necessary to ensure compliance with applicable requirements. The following procedures facilitate a review of the implementation of these requirements:

1. The University invites new hires and incumbent employees to self-identify as individuals with disabilities or as protected veterans. This self-identification information is available for review by the Department of Labor and by University officials for use in investigations and internal compliance activities.
2. In each case where an employee or applicant with a disability and/or a protected veteran is rejected for employment or promotion, the University maintains records related to the reason for rejection as well as a description of any accommodations considered if disability was the reason for rejection. The University makes this information available to the applicant or employee concerned upon request.
3. The Office of Human Resources keeps records that contain a description of any accommodation which made it possible to place an individual with a disability or a protected veteran on the job.
4. The University ensures that applicants and employees with disabilities have equal access to its personnel processes, including those implemented, through information and communication technologies.

Chapter G: Review of Physical and Mental Qualifications

41 C.F.R. §§ 60-300.44(c); 60-741.44(c)

1. The CSU Chancellor's Office establishes and reviews the classification and requirement standards for each systemwide classification.
2. CSUSM has reviewed the physical and mental qualifications of all of its jobs. None have requirements that tend to screen out qualified disabled individuals unless they are job-related and consistent with business necessity and the safe performance of the job.
3. The University will review physical and mental qualifications of a job whenever the job specifications or position description for that job are revised.
4. Prior to posting for a vacancy, all aspects of a position description are reviewed by Human Resources or Faculty Affairs, as appropriate, including physical and mental qualifications.
5. For those positions for which the University requires a post-offer, pre-placement physical examination, all entering employees in the same category are subject to the same examination regardless of disability. To the extent that the criteria may tend to screen out applicants with disabilities, the criteria are carefully reviewed to ensure that they are job-related and consistent with business necessity.
6. Information obtained on an applicant's or employee's medical condition or history shall be collected and maintained on separate forms and in separate medical files.

These files will be treated as confidential except:

- a. Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the applicant or employee, and regarding reasonable accommodations;
- b. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and
- c. Government officials engaged in enforcing the laws administered by OFCPP or enforcing the Americans with Disabilities Act shall be provided relevant information upon request.

Information obtained regarding the medical history or condition of any applicant or employee shall not be used for any purpose inconsistent with the law.

Chapter H: Reasonable Accommodation to Physical and Mental Limitations

41 C.F.R §§ 60-300.44(d); 60-741.44(d)

CSUSM is committed to providing a diverse and supportive academic and work environment that facilitates learning, teaching, working and conducting research for all students, employees, and visitors. It is University policy to ensure that individuals with disabilities shall have equal access to and the opportunity to participate in CSU programs, activities, and services. The University will make every effort to provide access, support, and offer reasonable accommodation to the known physical and mental limitations of an otherwise qualified individual with a disability unless it can demonstrate that the accommodation would impose an undue hardship on the operation of its business.

If an employee with a known disability is having significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, such employee's manager will confidentially notify the employee of the performance problem and inquire whether the problem is related to the employee's disability. If the employee responds affirmatively, the University shall confidentially inquire whether the employee is in need of a reasonable accommodation. This does not mean that the poor performance will be tolerated; a reasonable accommodation is that which will permit the employee to perform the job in accordance with those standards established by the manager for all employees in the same or similar position.

Employees with a disability may follow the campus procedure for requesting a reasonable accommodation. To formally request an accommodation, employees may at any time contact:

Melanie Hobbs
Senior Manager, Human Resources
California State University San Marcos
Office of Human Resources
333 S. Twin Oaks Valley Rd.
Craven Hall 1200
San Marcos, CA 92096

Office Phone: (760) 750-4418
Office Fax: (760) 750-3141
Email: mhobbs@csusm.edu
Website: <http://www.csusm.edu/hr>

Chapter I: Harassment

41 C.F.R. §§ 60-300.44(e); 60-741.44(e)

California State University San Marcos prohibits harassment of employees on account of their status as individuals with disabilities or disabled veterans, recently separated veterans, armed forces service medal veterans, or other protected veterans, within the meaning of these regulations. Any employee who believes he or she has been harassed in violation of this policy is urged to bring the matter to the immediate attention of their supervisor, the Office of Human Resources, Faculty Affairs, or the Campus Discrimination, Harassment, and Retaliation (DHR) Administrator as appropriate.

Information regarding CSUSM's internal policies for addressing complaints of harassment can be found in Executive Order 1096 (Revised August 14, 2020), the "Policy and Procedures; Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Employees and Third Parties".

Supervisory responsibility in connection with allegations of discrimination and discriminatory harassment are specifically addressed during the University's comprehensive supervisor training. It is the commitment of the University that no individual shall be subjected to retaliation for identifying affirmative action problem areas or concerns or for participating in any of the University's discrimination processes.

Chapter J: Audit and Reporting System

41 C.F.R. §§ 60-300.44(h); 60-741.44(h)

An important element in effectively implementing our EEO/AA policies is an adequate internal audit and reporting system. Through the development of this system, we can measure the effectiveness of our Affirmative Action Plans. For this purpose we have developed a system that:

- 1) Measures the effectiveness of the University's affirmative action program.
- 2) Indicates any need for remedial action.
- 3) Assists in determining the degree to which the University's objectives are being attained.
- 4) Assists in determining whether individuals with known disabilities and covered veterans have had the opportunity to participate in all University sponsored educational, training, recreational, and social activities.

Chapter K: Data Collection Analysis

41 C.F.R. §§ 60-300.44(k); 60-741.44(k)

CSUSM has adopted the current national percentage of veterans in the civilian labor force of 5.7% as its hiring benchmark for protected veterans. The University will update its hiring benchmark as new data is published and updated via the OFCCP's website. The 5.7% hiring benchmark is applied to each job group within the University.

CSUSM has also adopted the current national utilization goal of 7.0% for qualified individuals with disabilities. The University will update its utilization goal as new data becomes available, updated, and published. The 7.0% utilization goal is applied to each job group within the University.

Goals and/or benchmarks do not require that CSUSM hire, promote, train, and/or retain a specified number of individuals with disabilities and/or protected veterans. These goals/benchmarks are not rigid and inflexible quotas that must be met, but are instead targets by reasonable means of applying every good faith effort to make all aspects of the entire AAP work. A goal is a guidepost against which CSUSM, a community group, or a compliance agency can measure progress in remedying identified deficiencies in the University's workforce.

The University has collected the required data and conducted studies to identify areas of opportunities in the employment of protected veterans and individuals with disabilities. CSUSM will continue to monitor and update these studies periodically during each AAP year. In each case where the hiring benchmark for protected veterans and/or the utilization goal for individuals with disabilities are not met, affirmative actions, as appropriate, will be taken consistent with the activities mentioned in Chapter C (External Dissemination of Policy, Outreach and Positive Recruitment) and measures described in Chapter J (Audit and Reporting System) of this AAP.

See the *Hiring Benchmark and Utilization Goals Analyses*.