

**EXECUTIVE ORDER 11246 AFFIRMATIVE ACTION PLAN (AAP)**

**For**

**CALIFORNIA STATE UNIVERSITY, FULLERTON  
800 N. State College Blvd.  
Fullerton, CA 92834  
657-278-2001**

**November 1, 2023 – October 31, 2024**

**EIN (tax) #: 33-0632102**

**PART I: AAP FOR MINORITIES AND WOMEN**

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

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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. This AAP and all its supporting documents contain confidential information which may reveal, directly or indirectly, CSUF plans for business or geographical expansion or contraction. CSUF 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 60-460.4(d) that portions of this AAP be kept confidential.

CSUF 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 President of CSUF 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 CSUF. CSUF further requests 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.

**AAP FOR  
CALIFORNIA STATE UNIVERSITY, FULLERTON**

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## **INTRODUCTION TO PARTS I AND II**

### **BACKGROUND**

CSUF is a public institution of higher education. The University was founded in 1957 in the State of California in the County of Orange. It is one of the largest campuses in the 23-member California State University System (CSU).

CSUF 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 CSUF has \$50,000 or more in annual contracts with the federal government and employs 50 or more employees, it is required to prepare annually written Affirmative Action Plans (AAP's) for minorities and women, for protected veterans, and for persons with disabilities. Failure to comply with these laws and their implementing regulations, which are enforced by the Office of Federal Contract Compliance Programs (OFCCP), can result in debarment of CSUF from future contracts and subcontracts.

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

As stipulated in federal regulations, a prerequisite to the development of a satisfactory AAP is the evaluation of opportunities for protected group members, as well as an identification and analysis of problem areas inherent in their employment. Also, if a statistical analysis of the employee workforce reveals a numeric disparity between incumbency and availability of minorities or women, an adequate AAP details specific affirmative action steps to guarantee equal employment opportunity. These steps are keyed to the problems and needs of protected group members. For minorities and women, such steps include the development of hiring and promotion goals to rectify the disparity between incumbency and availability. It is toward this end that the following AAP of CSUF was developed.

### **APPLICABLE AFFIRMATIVE ACTION LAWS AND REGULATIONS**

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

CSUF has developed separately an AAP for Covered Veterans and Persons with Disabilities (Part II) prepared in accordance with the Rehabilitation Act of 1973, Section 503, as amended and Title 41, Code of Federal Regulations, Part 60-741(Affirmative Action Program for Handicapped Persons, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Section 4212, as

amended, and Title 41 Code of Federal Regulations, Part 60-250 and/or Part 60-300 (Affirmative Action Program for Covered Veterans).

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

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

### **PROTECTED GROUPS**

Coverage under AA laws and regulations applies to:

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

Any veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or who was discharged or released from active duty because of a service-connected disability.

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

Veterans who received an "Armed Forces Medal" and other protected veterans.

Other protected veterans who served on active duty in the U.S. military, ground naval, or air service during a war or in a campaign or expedition for which a campaign badge has been authorized, under the laws administered by the Department of Defense.

An individual with a disability: 1) a person who has a physical or mental impairment that substantially limits one or more of his/her major life activities; (2) has a record of such

impairment, or (3) is regarded as having such impairment.

### **PROGRAM TERMINOLOGY**

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

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

The grouping of "job titles" into a given "job group" does not suggest that CSUF believes the jobs so grouped are of comparable worth.

Whenever the term "goal" is used, it is expressly intended that it "should not be used to discriminate against any applicant or employee because of race, color, religion, gender, or national origin," as stated in Title 41 Code of Federal Regulations, Part 60-2.16(e) (2).

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

### **RELIANCE ON EEOC'S GUIDELINES**

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

### **REPORTING PERIOD**

This AAP is designed to cover the following reporting period,

- AAP implementation period: November 1, 2023 – October 31, 2024
- Transaction period: November 1, 2022 – October 31, 2023

## STATEMENT OF PURPOSE FOR PARTS I AND II

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

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

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

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

1. Where it stands now,
2. Where it must go,
3. How best to get there.

These three concepts are the Affirmative Action Plan.

**CALIFORNIA STATE UNIVERSITY, FULLERTON**

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

**FOR**

**NOVEMBER 1, 2023 – OCTOBER 31, 2024**



**PART I**

**AAP FOR MINORITIES AND WOMEN**

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## **PART I: AAP FOR MINORITIES AND WOMEN**

### **CHAPTER 1: ORGANIZATIONAL PROFILE**

#### **41 C.F.R. § 60-2.11**

#### **Workforce Analysis**

CSUF conducted a workforce analysis to identify employees by gender and race/ethnicity in each job title. The data was collected from payroll records dated October 31, 2023.

Job titles are listed by organizational unit. Non-faculty employees were analyzed by administrative division while faculty employees were analyzed by department within colleges. Job titles are listed from lowest to highest paid. The list includes all job titles, including departmental supervision, exempt, and nonexempt titles.

For each job title, CSUF identified the total number of employees, the number of male and female employees, the total number of minority employees, the male and female minority employees, the total number of White, Black/African-American, Hispanic, Asian, American Indian or Alaskan Native employees, Native Hawaiian or Pacific Islander, and Two or More races, and the male and female employees within each of these race/ethnic groups.

CSUF carefully analyzed the workforce analysis to identify problem areas needing correction; such correction as concentrations or segregation of minorities or women by organizational unit, job, or pay. Problems, if any, are identified in Chapter 8: Identification of Problem Areas; programs to correct the identified problems are identified in Chapter 9: Action-Oriented Programs.

#### **Lines of Progression**

Developed in conjunction with the workforce analysis is information on CSUF's lines of progression. Lines of progression (career ladders/career paths) identify the job titles through which an employee can move to the top of a line. For each line of progression, applicable departments are identified. These are the departments which employ persons in the job titles in the specified line of progression. Some lines of progression are limited to only one department, while others are found throughout several departments.

The lines of progression provide useful information regarding patterns of vertical and horizontal movement throughout our workforce. These patterns will be evaluated to ascertain whether they provide to our employees the optimum career mobility and opportunities for advancement.

See the Workforce Analysis/Lines of Progression for the results per organizational unit.

## **CHAPTER 2: JOB GROUP ANALYSIS**

### **41 C.F.R. § 60-2.12**

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

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

The most critical guideline in creating job groups is grouping job titles to compare “similar” or “related” jobs. Above all, the job titles placed into a job group must be more similar or related to each other than the job titles in other job groups.

Job groups must have enough incumbents to permit meaningful comparisons of incumbency to availability and goal setting. Ideally, if a job group is identified as containing a problem area, it should be large enough that a goal of at 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.

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

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

Each job group appears on a “job group report” with a job group name and number. The report lists each job title in the job group. For each job title, the worksheet provides the following information: EEO reporting category, pay grade, job title, employee headcounts for each job title, and overall percentages by gender and race/ethnicity as of October 31, 2023.

CSUF developed different job groups as follows:

- Faculty employees were placed into one job group for a University-wide analysis;
- Faculty employees were placed into groups by College for analysis;
- Faculty employees were placed into groups by Department for analysis;
- Non-faculty employees were placed into respective job groups for a University-wide analysis;
- Non-faculty employees were placed into Units for analysis.

See the Job Group report for each job group mentioned above.

**CHAPTER 4: DETERMINING AVAILABILITY**  
**41 C.F.R. § 60-2.14**

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

Steps in Comparison of Incumbency to Availability

Identify Availability Factors

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

1. External Factor:

a) The external requisite skills data comes from the 2018 Census of Population.

b) Local labor area includes four counties:

Orange County, CA;  
Los Angeles County, CA;  
Riverside County, CA; and  
San Bernardino County, CA

c) Reasonable labor area: State of California

d) National Opinion Research Center (NORC) and/or Master's Degree (Integrated Postsecondary Data System (IPEDS) recipient data will be used to establish availability for faculty positions.

e) National College Athletic Association (NCAA) data will be used for coaching positions.

See the External Availability Analysis for more detail.

2. Internal Factor: The percentage of minorities or women among those promotable, transferable, and trainable within CSUF organization.

See the Internal Availability Analysis for more detail.

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

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

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

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

Once final availability estimates were made for each job group, CSUF compared the percentage of incumbents in each job group to their corresponding availability. A comparison was made between the percentage employed as of October 31, 2023 and that group's final availability.

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

## CHAPTER 6: PLACEMENT GOALS

### 41 C.F.R. § 60-2.16

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

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

See the Placement Goals report for each job group.



## **CHAPTER 7: DESIGNATION OF RESPONSIBILITY**

### **41 C.F.R. § 60-2.17(a)**

As part of its efforts to ensure equal employment opportunity to all individuals, CSUF has designated specific responsibilities to various staff to ensure the AAP focuses on all components of the employment system. To that end, the President, the Vice President for Human Resources, Diversity and Inclusion, the Assistant Vice President for Diversity, Inclusion and Equity, and those employed as supervisors and managers have undertaken the responsibilities described below.

#### University President

The President has the primary responsibility and accountability for implementation of CSUF's policies on EEO and AA. The coordination of responsibilities for the development and implementation of the AAP policy and the day-to-day management of the functions has been delegated to the Vice President for Human Resources, Diversity and Inclusion, who has the full support of CSUF's President and Senior Management.

#### Vice President for Human Resources, Diversity and Inclusion

CSUF is the first and only campus in the California State University system with a formal Human Resources Division headed by a Vice President. The Vice President for Human Resources, Diversity and Inclusion oversees and coordinates the division of responsibilities for the development and implementation of the AAP policy and the day-to-day management of its functions.

#### Assistant Vice President for Diversity, Inclusion, and Equity

The Assistant Vice President is responsible for the day-to-day adherence to the AAP through managers and supervisors is to ensure fair and equal treatment of all individuals in the processes which affect education and employment by enforcing all federal/state laws and regulations as well as CSUF policies and procedures related to civil rights, affirmative action and non-discrimination. The duties overseen by the Assistant Vice President include, but are not limited to, the following:

1. Monitoring the annual update of the AAP to assure compliance to the stated policy of equal employment opportunity.
2. Providing consultation to managers, departmental personnel and search committees on recruitment strategies and procedures.
3. Reviewing and approving recruitment plans.
4. Ensuring that recruitment advertising is proactive, broad based, targeted and placed in minority and female-oriented publications, as applicable.
5. Reviewing overall impact of employment decisions affecting affirmative action, including recruitment, hiring, reappointment, promotion, compensation, termination, demotion and disciplinary actions.

6. Developing, implementing, and maintaining audit and reporting systems to measure effectiveness of equal employment opportunity programs, including those that will indicate the need for remedial action and to determine the degree to which goals and objectives have been obtained.
7. Approving applicant flow pools. Reviewing the mix of persons applying for employment by race/ethnic origin and gender. Searches may be extended if there is not enough representation in the applicant pool.
8. Advising management in the modification and development of policies to ensure enhancement of equal employment opportunity for all employees and potential employees within existing equal employment opportunity guidelines.
9. Assisting in review and revision of all CSU policies, procedures, and rules to ensure they are not in violation of federal or state laws and regulations.
10. Ensuring that all new employees receive information on CSUF's EEO policy.
11. Serving as management liaison to governmental enforcement agencies.
12. Serving as management liaison to minority community groups and organizations.
13. Enhancing CSUF's strong presence as an equal employment employer.
14. Conducting periodic audits to ensure all required posters are displayed and that CSUF's equal employment opportunity policies are being thoroughly communicated.

#### Title IX Coordinator

Duties include, but are not limited to:

1. Overseeing a comprehensive campus-wide strategic plan to reduce sexual assault in all forms.
2. Ensuring institutional accountability in effectively responding to reported concerns and complaints.
3. Serving as a central resource for all constituencies on the wide range of issues addressed by Title IX including but not limited to sexual harassment, sexual violence, intimate partner violence, stalking.

4. Serving as the Title IX Compliance Manager for CSUF, assures that CSUF is in compliance with the Title IX of Education Amendments of the 1972 Civil Rights Act and the Violence Against Women Act Reauthorization of 2012 (VAWA).

#### Discrimination, Harassment, and Retaliation Administrator

Duties include, but are not limited to:

1. Ensuring that training is provided on anti-discrimination matters, such as sexual harassment and diversity awareness issues.
2. Evaluating and investigating discrimination complaints filed by students, faculty, and staff.

#### Assistant Vice President for Employee and Labor Relations

Duties include, but are not limited to:

1. Serving as a resource to facilitate conflict resolution.
2. Serving as CSUF's Mandated Reporting Coordinator.

#### Manager of Disability Accommodations

Duties include, but are not limited to:

1. Serving as the Americans with Disability Act (ADA) Compliance Manager for CSUF, assures that CSUF is in compliance with the ADA Section 503 of the Rehabilitation Act of 1973 and other federal and state laws and regulations pertaining to person with disabilities.

#### Director of Disability Student Services

Duties include, but are not limited to:

1. Serving as the Americans with Disability Act (ADA) Compliance Manager for CSUF, assures that CSUF is in compliance with the ADA Section 504 of the Rehabilitation Act of 1973 and other federal and state laws and regulations pertaining to person with disabilities.

### Managers and Supervisors

Managers and supervisors in their direct day-to-day contact with CSUF employees have assumed certain responsibilities to help CSUF ensure compliance with EEO programs and effective implementation of the AAP. These include, but are not limited to, the following:

1. Adhering to CSUF's EEO and AA policy.
2. Supporting and assisting the Assistant Vice President for Diversity, Inclusion, and Equity in developing, maintaining, and successfully implementing the AAP.
3. Ensuring that all interviews, offers of employment and/or wage commitments are consistent with CSUF's policy.
4. Counseling employees with respect to what is needed for upward mobility within the employment structure.
5. Assisting in the identification of problem areas and provide needed information for establishing and meeting department AA goals and objectives.
6. Ensuring that the rights and privileges of employees are upheld.

### Faculty and Staff

The responsibility of faculty and staff include, but are not limited, to the following:

1. Upholding the EEO and AA policy.
2. Exhibiting conduct consistent with the EEO and AA policy.
3. Serving as speakers and resources for community groups.
4. Reporting behavior that violates CSU policy, or state or federal laws or regulations, prohibiting discrimination and/or harassment.
5. Fostering a campus of climate of tolerance, civility and respect.

**CHAPTER 8: IDENTIFICATION OF 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 CSUF 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 CSUF will use the terms in good faith in connection with its AAP, such use does not necessarily signify the company agrees that these terms are properly applied to any particular factual situation and is not an admission of non-compliance with EEO laws, regulations, and objectives. 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).*

Based on analyses of each job group, areas of concern have been identified and are discussed below. In addition to comparing incumbency to availability within job groups, CSUF has conducted studies to identify problem areas in each of its selection procedures (i.e., hires, promotions, and terminations) as well as by organizational unit.

Consistent with CSUF’s ongoing practice to monitor and update these studies during each AAP year, the organization discontinued its use of NORC data as the sole source of faculty availability data. The organization, consistent with practices at other CSU campuses, used IPEDS data to inform the availability numbers for faculty. Subsequently, there are noted changes, in some cases significant, in the problem areas from previous report years. We anticipate this single report year changes to become less impactful for future reporting cycles. Accordingly, in each case where potential problem areas have been identified using this updated data for faculty, affirmative actions, as appropriate, will be taken consistent with any of the action-oriented programs described in Chapter 9 of this AAP.

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

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

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

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

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

Applicant flow, hires, promotions, and terminations were analyzed by job group. An analysis of selection disparities in personnel activity between men/women and whites/minorities was accomplished by a thorough examination of transaction data that occurred in a job group.

Hires: Hires by job group were compared to applicants for jobs within each job group. If application data was unavailable, hires were compared to the job group's final availability percentages

Promotions: Promotions into each job group were compared to the internal availability for that job group.

Terminations: Involuntary terminations were compared to those available to be terminated. To do so, a pool of those available for terminations was created for each job group.

To avoid meaningless results, Impact Ratio Analyses were conducted only if there is at least 1+ transaction that occurred in a job group.

See the Summary of Personnel Transactions Report for each job group

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

Compensation analyses were conducted by comparing the salaries for men v. women, and whites v. minorities in each job title.

**CHAPTER 9: ACTION-ORIENTED PROGRAMS**  
**41 C.F.R. § 60-2.17(c)**

CSUF tailors its action-oriented programs each year to ensure they are specific to the problem identified. Corrective actions were taken only when the underutilization equaled to at least one whole person.

Action-Oriented Program:

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. The Assistant Vice President for Diversity, Inclusion, and Equity will be responsible in ensuring that the following are implemented.

**Recruitment:**

1. CSUF will continue to advertise job opportunities through the State of California Employment Development Department, CSUF's website, on-line sites pertinent to employment in higher education, and applicable list-serves.
2. CSUF will continue to advertise in local and/or national publications for all, faculty and staff recruitments in the following: Asians in HigherEd, Blacks in HigherEd, Chronicle of Higher Education, Disabled in HigherEd, Diverse Jobs, Higher Education Recruitment Consortium, Hispanics in HigherEd, LGBT in HigherEd, Native Americans in HigherEd, and Women and HigherEd, and other publications that will attract an extensive diverse candidate pool in all areas of employment relevant to a higher education environment.
3. CSUF's academic departments will make every effort to advertise academic positions in publications that target women and minorities in their disciplines in an effort to ensure equal employment opportunity. These advertisements will augment broad-based recruitment strategies and will not be limited on the basis of gender or race.
4. Job announcements, advertisements and newsletters will always carry the Equal Employment Opportunity clause.
5. Minority and female applicants will be considered for all positions for which they are qualified.
6. CSUF will participate in job fairs if there are sufficient numbers of openings to warrant participation. CSUF will continue to participate in the annual Hispanic Association of Colleges and Universities' (HACU) national conference to showcase and promote CSUF, as well as, the Society for Advancement of Chicanos/Hispanics and Native Americans in Science (SACNAS). HACU has a membership of almost 450 colleges and universities while the SACNAS membership is listed at over 8,200 members. The institution also continued its subscription to The Registry which provides access to a database of over 1,700 candidates from underserved minority communities for their respective fields.

7. CSUF will continue working with Graystone, an advertising agency that is able to recommend various sources for diversity.
8. CSUF will develop a diversity advertising plan utilizing a variety of print and online resources to broaden the applicant pool for faculty and staff openings.
9. CSUF will target colleges and universities with a high-level of diversity in its student body.
10. CSUF will continue to publish recruiting brochures where minority and female members of the workforce are included, as well as in other company literature.
11. CSUF is committed to providing applicants with a private, secure, convenient and sanitary space to use for lactation. CSUF have lactation spaces with a comfortable sofa or chair, access to electricity, and a table near or attached to a chair that support lactation pump.

**Job Specifications/Selection Process:**

1. Develop position descriptions that accurately reflect position functions.
2. Develop position descriptions that contain academic, experience, and skill requirements that do not constitute inadvertent discrimination. Develop specifications that are free from bias with regard to age, race, color, religion, national origin, disability or veteran status.
3. Approved position specifications will be made available to all members of management involved in the recruiting, screening, selection, and promotion process. Copies may also be made available to non-management members of the search committee.
4. CSUF will continue to use only position specifications that include job-related criteria.
5. CSUF will continue to carefully select and train all personnel involved in the recruiting, screening, selection, promotion, disciplinary, and related processes to eliminate bias in all personnel actions.

**Job Advancement:**

1. CSUF will continue to post or announce job opportunities, adhering to campus and/or system-wide policy.
2. Actively encourage all employees to participate in CSUF-sponsored social and recreational activities.
3. Continue to make use of the skill sets of its current employees by considering women and minority employees for promotion as part of the process of recruitment for available positions.



4. Inform managers of any jobs that have adverse impact. Require supervisory personnel to submit justification when making hiring decisions, approving promotions or making termination actions to ensure no discriminatory practice exists.
5. Encourage staff, management, and faculty to attend the campus sponsored professional development and make employees aware of the Employee Fee Waiver Program.
6. Continue to promote campus child-care and transportation programs.
7. Promote the Diversity Initiatives & Resource Center that offers workshops and training designed to increase self-awareness, cultural competence, sensitivity, and critical thinking.
8. Continue to use CSUF's formal employee evaluation program. The Performance Appraisal is used for annual reviews for all employees.

## **CHAPTER 10: INTERNAL AUDIT AND REPORTING**

### **41 C.F.R. § 60-2.17(d)**

Inherent in the AAP is the need for periodic self-assessment of problems encountered, corrective action taken, and progress made. Self-evaluation requires complex record keeping systems on applicants, employees, and components of the AAP itself. Periodic reports from supervisors, department managers, the Vice President for Human Resources, Diversity and Inclusion, and other relevant persons are required.

The objective of all record keeping systems to be implemented is to assess the results of past actions, trends, the appropriateness of goals and objectives, the appropriateness and relevancy of identified solutions to problems, and the adequacy of the AAP as a whole. In addition, a further objective is to identify the proper corrective actions to be made to all components.

In order to fully achieve the objectives of such a record keeping system, the results of it must lead to follow-up through feedback to managers, supervisors, and staff, through reallocation of resources, through modifications to plans and the record keeping system itself, through appropriate recognition of personal achievements as well as punitive actions for discriminatory acts. For any identified deficiencies, appropriate corrective action will be identified and implemented.

The records that are maintained are the basis for updating the AAP, including revising the availability data and establishing annual numerical goals. The internal audit and reporting system is used as the basis for evaluating systemic action, results-oriented programs and AA efforts.

The CSUF auditing and reporting system periodically measures the effectiveness of its total AA program. The Assistant Vice President for Diversity, Inclusion, and Equity:

1. Monitors records of all personnel activity, including referrals, placements, transfers, promotions, terminations, and compensation, at all levels to ensure the nondiscriminatory policy is carried out.
2. Reviews and approves recruitment and advertising plans, search and selection protocols to ensure they conform to CSUF policy and standards.
3. Requires internal reporting on a scheduled basis as to the degree to which equal employment opportunity and organizational objectives are attained.
4. Reviews report results with all levels of management.
5. Collaborates on an ongoing basis with executive management and other appointing authorities to develop strategies and initiatives in accordance with this AAP.
6. Advises the President and top management of program effectiveness and submits recommendations to improve unsatisfactory performance.

**CALIFORNIA STATE UNIVERSITY, FULLERTON**

**PART II: AFFIRMATIVE ACTION PLAN FOR COVERED VETERANS AND  
PERSONS WITH DISABILITIES**

**FOR**

**NOVEMBER 1, 2023 – OCTOBER 31, 2024**

**PART II**

**AAP FOR DISABLED VETERANS, OTHER VETERANS AND PERSONS 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 CSUF and my personal commitment that equal employment opportunity be provided in the employment and advancement for all persons regardless of race, religion, color, national origin, sex, age, sexual orientation/transgender status and status as a protected veteran or individual with a disability at all levels of employment, including the executive level. CSUF does not and will not discriminate against any applicant or employee regardless of race, religion, color, national origin, sex, age, sexual orientation/transgender status and status as a protected veteran and/or individual with a disability to any position for which the applicant or employee is qualified. In addition, CSUF is committed to a policy of taking affirmative action to employ and advance in employment qualified protected veteran employees. Such affirmative action shall apply to all employment practices, including, but not limited to hiring, upgrading, demotion or transfer, recruitment, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship and on-the-job training. Decisions related to personnel policies and practices shall be made on the basis of an individual's capacity to perform a particular job and the feasibility of any necessary job accommodation. CSUF will make every effort to provide reasonable accommodations to any physical and mental limitations of individuals with disabilities and to disabled veterans.

Its obligations in this area stem from not only adherence to various state and federal regulations, but also from its commitments as an employer in this community to provide job opportunities to covered veterans and person with disabilities.

If you have any questions regarding our equal employment opportunity, harassment policies or the complaint procedure, you may contact the Vice President for Human Resources, Diversity and Inclusion. The AAP may be reviewed in the Office of the Vice President for Human Resources, Diversity and Inclusion located in College Park, Suite 760.

**CHAPTER B: REVIEW OF PERSONNEL PROCESSES**  
**41 C.F.R. §§ 60-300.44(b); 60-741.44(b)**

To ensure that all personnel activities are conducted in a job-related manner which provides and promotes equal employment opportunity for all known covered veterans and employees and applicants with disabilities, reviews are periodically made of the CSUF's examination and selection methods to identify barriers to employment, training, and promotion.

1. CSUF periodically conducts a review of its employment processes to ensure thorough and systematic consideration of the job qualifications of (a) known veteran applicants and employees; and (b) applicants and employees with disabilities for job vacancies filled either by external hiring or internal promotions/transfers, as well as for all training opportunities available. In order to determine whether an individual is qualified for a particular job, a close examination of the content of the job is made, as well as a review of the job qualifications of known protected veterans and individuals with disabilities, both applicants and employees. In determining the qualifications of a protected veteran, consideration is given only to that portion of the military record, including discharge papers, relevant to the job qualifications for which the veteran is being considered.
2. CSUF ensures that its personnel processes do not stereotype disabled persons or veterans in a manner which limits their access to jobs for which they are qualified.

**CHAPTER C: PHYSICAL AND MENTAL QUALIFICATIONS**  
**41 C.F.R. §§ 60-300.44(c); 60-741.44(c)**

To ensure that all physical and mental qualifications and requirements are job-related and promote equal employment opportunity for all known covered veterans and employees and applicants with qualified disabilities, reviews are periodically made of CSUF's physical and mental qualifications and requirements as they relate to employment, training, and promotion.

CSUF's physical and mental job requirements are reviewed to determine whether they are job-related and consistent with business necessity and safe performance on the job.

Prior to initializing a recruitment, position descriptions for staff and management positions are reviewed and approved by Human Resources to ensure that the job summary, essential functions, qualifications and physical and mental working conditions of a position are necessary and accurate. For faculty, the review and approval process is conducted through the Department Chair, Dean, Provost and the Vice for Human Resources, Diversity and Inclusion.

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

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

CSUF will make every effort to provide reasonable accommodations to the physical and mental limitations of applicants and employees with disabilities or who are disabled veterans.

CSUF will confidentially review performance issues of employees with known disabilities to determine whether a reasonable accommodation is needed when: a) the employee is having significant difficulty with job performance, and b) it is reasonable to conclude that the problem is related to the known disability.

Information disclosed by applicant and/or employees concerning a physical or mental limitation will be kept confidential, except for:

- Supervisors and managers regarding accommodations or restrictions on work or duties; other high level personnel on a need to know basis
- First aid and safety personnel when, and to the extent appropriate, the condition might require emergency treatment; and
- Government officials investigating compliance with AA/EEO laws.

Employees may also contact the Manager of Disability Accommodations at any time to formally request an accommodation. The Manager's Office is located in College Park., Suite 700. Her contact information is [grgmarquez@fullerton.edu](mailto:grgmarquez@fullerton.edu) or (657) 278-5187.



**CHAPTER E: HARASSMENT**  
**41 C.F.R. §§ 60-300.44(e); 60-741.44(e)**

CSUF does not permit discrimination, retaliation or harassment on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

CSUF has developed and implemented a set of procedures to ensure that its employees who are disabled or other veterans are not harassed due to those conditions. See <https://calstate.policystat.com/policy/8453516/latest/> for a copy of the CSU anti-harassment policy which includes a section prohibiting harassment of individuals with disabilities or veterans.

**CHAPTER F: EXTERNAL DISSEMINATION OF POLICY, OUTREACH AND  
POSITIVE RECRUITMENT**  
**41 C.F.R. §§ 60-300.44(f); 60-741.44(f)**

Based upon CSUF's review of its personnel policies as described in Chapter B, the following activities will be implemented or continued to further enhance CSUF's AA efforts.

1. Initiate and maintain communication with organizations having special interests in the recruitment of veterans, other veterans, and individuals with disabilities.
2. Disseminate information concerning employment opportunities to places that reach disabled veterans, other veterans, and individuals with disabilities.
3. Continue to list with the State Employment Development Department (EDD) suitable job openings of three days or more. This is an on-going activity. A listing of job opportunities reported to the EDD is always kept current.
4. Send written notification of EEO policy as required by law to all subcontractors, vendors, and suppliers requesting appropriate action on their part. This includes their obligation to annually file their EEO Reporting form and VETS4212 form and, for employers with 50 or more employees and contracts of \$50,000 or more, their obligation to develop a written AAP.

**CHAPTER G: INTERNAL DISSEMINATION OF POLICY**  
**41 C.F.R. §§ 60-300.44(g); 60-741.44(g)**

To gain positive support and understanding for the AA program for covered veterans and individuals with disabilities CSUF will implement or continue to implement the following internal dissemination procedure. The following policies and procedures are designed to foster support and understanding from CSUF executive management, supervisors, and other employees in an effort to encourage all employees to take the necessary actions to aid CSUF in meeting its obligations.

1. Post CSUF harassment policy, which includes protection from harassment on the basis of disability.
2. Publicize CSUF equal employment opportunity and non-discrimination policies at new employee orientation.
3. Offer training classes to employees and managers on laws and regulations pertaining to non-discrimination in the workplace.
4. Include articles on accomplishments of disabled veterans, other veterans, and employees with disabilities in CSUF publications.
5. When employees are featured in employee handbooks or similar publications for employees, include disabled veterans, other veterans and employees with disabilities.

**CHAPTER H: AUDIT AND REPORTING SYSTEM**  
**41 C.F.R. §§ 60-300.44(h); 60-741.44(h)**

CSUF has developed and currently implements an audit and reporting system that addresses the following:

1. Measures annually the effectiveness of CSUF's overall AAP and whether it is in compliance with specific obligations.
2. Identifies the need for remedial action.
3. Examines any undue hurdles for individuals with disabilities and other veterans regarding CSUF-sponsored educational, training, recreational, and social activities.
4. Measures the degree to which CSUF's objectives are being met.

**CHAPTER I: RESPONSIBILITY FOR IMPLEMENTATION**  
**41 C.F.R. §§ 60-300.44(i); 60-741.44(i)**

In furtherance of CSUF's commitment to AA and EEO to covered veterans and individuals with disabilities, it has designated specific responsibilities to various staff. To that end, the President, the Vice President for Human Resources, Diversity and Inclusion, the Assistant Vice President for Diversity, Inclusion and Equity, and those employed as managers and supervisors have undertaken the responsibilities described below:

University President

The President has the overall responsibility and accountability for implementation of CSUF's policies on EEO and AAP. The coordination of responsibilities for the development and implementation of the AAP and the day-to-day management of the functions has been delegated to the Vice President for Human Resources, Diversity and Inclusion, who has the full support of CSUF President and senior management.

Vice President for Human Resources, Diversity and Inclusion

The Vice President for Human Resources, Diversity and Inclusion is responsible for ensuring fair and equal treatments of all individuals in the processes which affect education and employment by enforcing all federal/state laws and regulations as well as CSUF policies and procedures related to civil rights, affirmative action and non-discrimination. The Vice President for Human Resources, Diversity and Inclusion oversee activities related to the implementation of the AAP and related programs.

Assistant Vice President for Diversity, Inclusion and Equity

The duties overseen by the Assistant Vice President for Diversity, Inclusion and Equity include, but are not limited to, the following:

1. Annually updating of the AAP for individuals with disabilities and covered veterans.
2. Maintaining management support and cooperation for CSUF's AAP.
3. Collaborating with senior management on EEO and AAP issues.
4. Providing guidance to managers and supervisors in taking proper action to prevent employees from being harassed in any way.
5. Consulting with managers, departmental personnel and search committees on recruitment strategies and procedures and monitoring hiring decisions. Approving recruitment plans.
6. Reviewing results of audit and reporting systems to assess the effectiveness of the CSUF EEO and AA programs and to direct corrective actions where necessary.

7. Keeping management informed of the latest developments in the equal employment opportunity area.
8. Monitoring the review process of qualifications of all employees to ensure equal employment opportunity, based on job-related employment practices, is given to all for transfers and promotions.
9. Conducting periodic audits of training programs and hiring and promotion patterns to remove impediments to the attainment of AAP goals and objectives.
10. Ensuring that disabled veterans, other veterans and employees with disabilities have had the opportunity to participate in all-CSUF-sponsored educational, training, recreation and social activities.
11. Monitoring the review of all position descriptions and specifications to ensure they are free of discriminatory provisions and artificial barriers. Ensuring that all requirements are job-related, that they are realistic, and that they reflect the actual work requirements of the essential job duties.
12. Serving as the liaison between CSUF and organizations and community groups for covered veterans and persons with disabilities.
13. Ensuring that CSUF VETS-4212 report is filed annually with the Department of Labor.

#### Discrimination, Harassment, and Retaliation Administrator

Duties include, but are not limited to:

1. Ensuring that training is provided on anti-discrimination matters, such as sexual harassment and diversity awareness issues.
2. Evaluating and investigating discrimination complaints filed by students, faculty, and staff.

#### Assistant Vice President for Employee and Labor Relations

Duties include, but are not limited to:

1. Serving as a resource to facilitate conflict resolution.
2. Serving as CSUF's Mandated Reporting Coordinator.

#### Manager of Disability Accommodations

Duties include, but are not limited to:

1. Serving as the Americans with Disability Act (ADA) Compliance Manager for CSUF, assures that CSUF is in compliance with the ADA Section 503 of the Rehabilitation Act of 1973 and other federal and state laws and regulations pertaining to person with disabilities.

#### Director of Disability Student Services

Duties include, but are not limited to:

Serving as the Americans with Disability Act (ADA) Compliance Manager for CSUF, assures that CSUF is in compliance with the ADA Section 504 of the Rehabilitation Act of 1973 and other federal and state laws and regulations pertaining to person with disabilities.

#### Managers and Supervisors

In their direct day-to-day contact with CSUF's employees, managers and supervisors have assumed certain responsibilities to help CSUF to ensure compliance with EEO programs and effective implementation of the AAP. These include, but are not limited to the following:

1. Working closely with the Assistant Vice President for Diversity, Inclusion and Equity to ensure AAP compliance.
2. Taking action to prevent harassment of employees, including disabled veterans, other veterans, and individuals with disabilities.
3. Ensuring that all interviews, offers of employment and/or wage commitments are consistent with CSUF policy.
4. Ensuring that internal promotion and transfer of all employees under their supervision is consistent with AAP goals and objectives.
5. Assisting in identifying problem areas and providing needed information for establishing and meeting department AA goals and objectives.
6. Seeking and sharing information on reasonable accommodations which have been or could be made for known disabilities.

**CHAPTER J: TRAINING**  
**41 C.F.R. §§ 60-300.44(j); 60-741.44(j)**

CSUF 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 company's stated affirmative action goals.



**CHAPTER K: DATA COLLECTION ANALYSIS**  
**41 C.F.R. §§ 60-300.44(k); 60-741.44(k)**

CSUF has adopted the current national percentage of veterans in the civilian labor force of 5.5% as its hiring benchmark for protected veterans. CSUF will update its hiring benchmark as new data is published and updated via the OFCCP's website. The 5.5% hiring benchmark is applied to each job group within CSUF.

CSUF also adopted the current national utilization goal of 7.0% for qualified individuals with disabilities. CSUF 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 CSUF.

Goals and/or benchmarks do not require that CSUF 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 which must be met, but are instead targets reasonably by means of applying every good faith effort to make all aspects of the entire AAP work. A goal is a guidepost against which CSUF, a community group, or a compliance agency can measure progress in remedying identified deficiencies in CSUF's workforce.

CSUF has collected the required data and conducted studies to identify areas of opportunities in the employment of protected veterans and individuals with disabilities. CSUF 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 F (External Dissemination of Policy and Outreach and Positive Recruitment) and measures described in Chapter H (Internal Audit and Reporting) of this AAP.

See the *Hiring Benchmark and Utilization Goals Analyses*.

**CHAPTER L: COMPENSATION**  
**41 C.F.R. §§ 60-300.21(i); 60-741.21(i)**

It is the policy of CSUF that when offering employment or promotion to protected veterans or individuals with disabilities, the amount of compensation offered will not be reduced because of any disability income, pension, or other benefit the applicant or employee receives from another source.