

APPENDIX E

EQUAL EMPLOYMENT OPPORTUNITY

BOARD OF TRUSTEES POLICIES AND PROCEDURES

**APPENDIX E
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INTRODUCTION & PREFACE

Equal Employment opportunities are designed to eliminate discrimination by ensuring that the employment process will operate in a manner that is fair to all candidates regardless of race, color, religion, national origin, gender, age, veteran status, or disability. The Equal Employment opportunity process does not provide special benefits to protected classes that are not provided to non-protected classes. Rather, Equal Employment Opportunity processes ensure that subjective, nonessential criteria will not work to exclude anyone, particularly persons in under represented groups.

Washington State Community College will do its part to provide Equal Employment Opportunities through various methods. However, it is still incumbent on the nation as a whole and its individual members to make the commitment to equality. We, as a society, have come a tremendous distance in achieving diversity. Now we must go one step further and evolve diversity into equal employment opportunities.

GENERAL EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

Purpose

The purpose of the Washington State Community College Policy for Equal Employment Opportunity is to:

1. Set forth clearly and succinctly a set of specific and result-oriented procedures to which the college is committed;
2. The procedures herein, coupled with our good faith efforts, will help assure equal employment opportunity.

Policy

It is the policy of Washington State Community College that there shall be no discrimination against any individual because of race, color, religion, national origin, sex or disability in any area of the employer-employee relationship, including conditions, terms, benefits, compensation, or in transfer, promotion, or termination. Also, there shall be no discrimination in employer-employee relationship because of age except in compliance with age requirement plans of state and federal laws and guidelines.

It is also the policy that there will be no discrimination in employment because of past history of illness.

Further, it is the employment policy of Washington State Community College to make every effort to hire the best qualified employee for the job to be done. In all areas of the employer-employee relationship, the qualification of the individual is of paramount consideration.

However, it is incumbent upon the college to encourage equal opportunities for women, persons with disabilities, Vietnam Era veterans and minority group applicants for job vacancies where those groups may be under represented.

In planning for the future, the College has diversity as one of its highest priorities. To ensure that this will be accomplished, Washington State Community College will actively enforce its commitment to the principles of equal employment opportunity for both its students and its employees.

EQUAL EMPLOYMENT OPPORTUNITY POLICY FOR AGE, RELIGION, AND NATIONAL ORIGIN DISCRIMINATION

Age

Employers have a duty to prevent “age harassment” from occurring, by ensuring that employees do not harass older employees with derogatory comments and other forms of harassment, which has the effect of creating a hostile or intimidating environment for the older employee. The purpose of the laws regarding age discrimination is to promote the employment of older persons, based on qualifications rather than on age. Provisions of the various laws require all employers to implement employment policies and practices that are free from age discrimination.

1. Washington State Community College will review its recruitment and advertising policies, its job policies and practices, and wage structure to assure that practices conform to the requirements of state and federal laws.
2. Washington State Community College will periodically reaffirm to all employees its equal employment opportunities for all persons without regard to age.

Religion and National Origin Guidelines

1. Washington State Community College prohibits discrimination on the basis of religion or national origin. It shall continue to be the policy and goal of Washington State Community College to participate fully in compliance with all federal and state laws applicable to the hiring and promoting of people on the basis of demonstrated ability, experience and training without regard to religion or national origin.
2. Washington State Community College will periodically reaffirm to all employees its commitment to equal employment opportunities for all persons without regard to religion or national origin.

EQUAL EMPLOYMENT OPPORTUNITY POLICY FOR PERSONS WITH DISABILITIES AND VIETNAM VETERANS

Washington State Community College is resolved to take voluntary, positive and effective action that will contribute to the furtherance of the spirit and intent of federal, state, and local

legislation, government regulations, and executive orders by providing equal employment opportunity to persons with disabilities, including disabled Vietnam Era veterans. Washington State Community College will attempt to seek out qualified persons in the aforementioned categories and provide equal opportunity for those applicants in the employment process.

The college's objective in adopting an Equal Employment Opportunity Policy is the utilization of qualified individuals with disabilities and covered veterans in all levels of job classifications.

Identification of Individuals with Disabilities

1. The college will invite applicants and employees who believe they are covered as a person with disabilities who wish to benefit under the Equal Opportunity Policy to identify themselves as disabled. Submission of this information is voluntary, and refusal to provide it will not result in adverse treatment.
2. The results of this identification process shall be kept as confidential as possible while adhering to local, state and federal laws and disclosed to supervisors only upon prior written consent of the individual in question except that supervisors may be informed regarding accommodations or restrictions on work duties; first aid and safety personnel may be informed when, and to the extent appropriate, the condition might require emergency treatment; and government officials may be informed when investigating compliance equal employment opportunity laws.

Employment Process for Persons with Disabilities

1. The Office of Human Resources will periodically conduct a review of the entire employment process to determine whether any policies or procedures exclude or tend to exclude persons with disabilities who are otherwise qualified to perform the essential functions of a particular job.
2. Washington State Community College will periodically reaffirm to all employees its commitment to equal employment opportunities for all persons without regard to disability or veteran status.

Recruitment

The College will undertake outreach and positive recruitment strategies in order to achieve equal employment opportunity.

Reasonable Accommodation

1. The College shall follow appropriate provisions within the law.
2. The College will inspect the facilities periodically to identify areas where modifications might be needed.

DISCRIMINATION GRIEVANCE PROCEDURE

Washington State Community College takes complaints of discrimination seriously. If an employee, student, or others believe they have been subjected to discrimination based upon age, religion, national origin, disability or veteran status, they should report it to the Office of Human Resources or pick up a form located at the front desk and return completed form to the Office of Human Resources. The process will mirror the sexual harassment grievance procedures.

EQUAL EMPLOYMENT OPPORTUNITY POLICY FOR GENDER DISCRIMINATION

Guidelines

1. Washington State Community College will review its recruitment and advertising policies, its job policies and practices, and wage structure to assure that practices conform to the requirements of state and federal laws. In particular, the College will do the following:
 - A. Recruit employees of both genders for all jobs and provide equal access to all training programs;
 - B. Ensure that advertisements for employment in newspapers and other media do not express a gender preference unless gender is a bona fide occupational qualification for the job;
 - C. Ensure that the College's written Human Resource policies indicate that there will be no discrimination on the basis of gender;
 - D. Ensure that employees of both genders have equal opportunity to fill any available job that they are qualified to perform, unless gender is a bona fide occupational qualification;
 - E. Make no distinction based upon gender in employment opportunities, wages, hours, or other conditions of employment. Contributions will be the same for men and women in the areas of employer contributions for insurance, pensions, and any other similar fringe benefits;
 - F. Make no qualifications based on the married or unmarried status of a male or female applicant. Similarly, the College will not deny employment to women with young children. Also, retirement policies will be the same for men and women;
 - G. Will not penalize women in their conditions of employment because they require time away from work because of childbearing;
 - H. Will not base seniority lines and lists on the basis of gender.

2. The College will periodically reaffirm to all employees its commitment to equal employment opportunities for all persons without regard to gender.

POLICY AGAINST SEXUAL HARASSMENT

1. It is our policy that discrimination on the basis of sex includes harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:
 - A. Submission to such conduct or communication is made a condition or term, either explicitly or implicitly, to obtain employment, public services, or participation in any program or activity or in any academic course;
 - B. Submission to or rejection of such conduct or communication by an individual is used as factor in decisions affecting such individual's employment or education;
 - C. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, thus creating a hostile working or educational environment.
2. Sexual harassment encompasses any sexual attention that is unwanted or unwelcome. Behavior prohibited by this policy can include, but is not limited to:
 - A. Threatening or implying that "sexual cooperation" will have an effect on employment, assignment, compensation, advancement or any other condition of employment or education.
 - B. Repeated flirtation, advances, or propositions.
 - C. Offensive or inappropriate touching.
 - D. Sexually demeaning or explicit comments.
 - E. Obscene or lewd sexual jokes or suggestions about another's body, gender or sexual preference.
 - F. Obscene letters and calls.
 - G. Continuing certain behavior after a co-worker has objected to that behavior.
 - H. Displaying sexually explicit or suggestive materials.
 - I. Graphic verbal commentaries about an individual's body.
 - J. Unwanted sexual looks or gestures.

- K. Whistling or cat calls.
 - L. Looking a person up and down (“elevator eyes”); excessive staring.
 - M. Facial expressions, winking, throwing kisses or licking lips.
 - N. Ignoring or not taking seriously an employee who complains about sexual harassment.
 - O. Sexually degrading words used to describe an individual.
 - P. Physical assault.
3. To determine whether conduct is sexual harassment, the college will assess if the behavior has the effect of substantially interfering with the victim’s employment or educational experience, creates a hostile or offensive environment for working or learning and has no legitimate relationship to the subject matter. The record as a whole will be considered, as well as the totality of circumstances, such as the nature of the alleged conduct and context in which the alleged conduct occurred. Washington State Community College will take necessary steps to see that sexual harassment does not occur. This will include:
- A. Expressing strong disapproval of sexual harassment;
 - B. Informing employees and students of their rights;
 - C. Developing methods to sensitize employees and students about sexual harassment in the educational environment;
 - D. Providing a procedure by which allegations are investigated and resolved up to and including discharge or expulsion.

SEXUAL HARASSMENT GRIEVANCE PROCEDURE

General

These procedures should be followed by students or employees if they believe they have been the victim of sexual harassment. Any student or employee has the right to present a matter of concern without it impacting her/his standing as a student or employee. These procedures do not overlap the academic appeals process. The College will deal with all complaints as quickly as the circumstances permit. This procedure applies to:

- 1. An alleged act of sexual harassment committed by a student against an employee;
- 2. An alleged act committed by an employee against a student;

3. An alleged act of sexual harassment committed by a student against another student that is expressly or by implication a violation of the student code of conduct;
4. An alleged act of sexual harassment committed by an employee against another employee.

Any complaint of harassment by a visitor or vendor should be reported to the Office of Human Resources during business hours or a form can be picked up at the front desk of the main building during all other hours. Completed forms should be forwarded to the Director of Human Resources or his/her designee.

Responsibilities

1. A college employee alleging to be aggrieved by sexual harassment should report the incident to the Office of Human Resources.
2. A student alleging to be aggrieved by sexual harassment or any other form of discrimination should report the incident to the appropriate divisional dean who will work in conjunction with the Director of Human Resources or his/her designee. A student may also report an incident directly to the Director of Human Resources or may pick up a complaint form located at the front desk and return the completed form to the Office of Human Resources.
3. Faculty and staff are responsible for referring an individual with a complaint to the appropriate offices.
4. If the President and/or the Director of Human Resources should be disqualified from the process for any reason, an appropriate member of the Executive Committee will fulfill the role of whoever has been disqualified.
5. Complaints should be reported within thirty (30) days of the first offending incident in order to effect prompt correction of the alleged offending behavior. However, the college reserves the right to investigate and act on complaints reported beyond the thirty (30) day period.

Complaint Procedure

1. Employees should file a complaint with the Director of Human Resources or his/her designee.
2. Vendors/visitors should file a complaint with the Office of Human Resources or may pick up a complaint form located at the front desk and return the completed form to the Office of Human Resources.
3. Students should file a complaint with their dean or the Office of Human Resources.

4. The complaining party will be given a copy of the appropriate sections of Appendix E and the complaint procedures.
 - A. The complaining party files a formal complaint with the Office of Human Resources if they are an employee or a vendor; if a student, the complaint should be filed with their dean or with the Office of Human Resources.
 - B. Complaints should be signed and clearly state the nature of the alleged offense, the name of the alleged offender, and the specifics (including the time, date and location) of the offending incident. Forms for this purpose are located on the college intranet, at the front desk in the main building, and in the Office of Human Resources.

Complaint Resolution

1. After the preliminary data is gathered from the complaining party (if applicable), the Director of Human Resources or his/her designee, will review the information and obtain any other information deemed applicable.
2. The Office of Human Resources will then give notice to the party(ies) named in the complaint.
3. If the Director foresees any reason the investigation will be delayed, (s)he will inform the parties of those reasons as soon as the reasons are known.

Evaluation of the Investigation

The Director of Human Resources will analyze all information gathered and make a determination.

Sanctions

Depending on the nature of the allegations and the result of the investigation, the Director of Human Resources, in conjunction with the President, may impose written warnings, reprimands, require counseling, reassignment, suspension, termination, or other options. The wishes of the complaining party will also be taken into account. Sanctions will be applied only after appeal options have been exhausted unless circumstances require immediate action.

NOTE: If the conclusion is that an employee harassed, a summary of the complaint will be added to their personnel file and remain there per the Human Resources Records Retention Schedule. If the complaint is not substantiated, no record is filed.

If the conclusion is that a student harassed, a summary of the complaint will be added to his/her student file. If a complaint is not substantiated, no record is filed.

A summary of the determination will be entered into an employee's or a student's file if there was enough evidence to support the claim that sexual harassment occurred. Sanctions will be applied only after appeal options have been exhausted unless circumstances require immediate action. Depending upon the nature and severity of the offense(s), the Director of Human Resources, in conjunction with the President, may impose written warnings, reassignment, suspension, termination, or other options. The wishes of the complaining party will be taken into consideration.

Corrective Measures

The college may require sensitivity training as a corrective measure.

Time Period for Investigating Complaint

Investigation of complaints should be concluded within thirty (30) calendar days of their inception. Where this is not reasonably possible, the Director of Human Resources will notify the complaining party in writing of the delay and the reasons for such delay.

Notice of Conclusion of Investigation

The Director of Human Resources or his/her designee will subsequently meet with the complaining party and the alleged offending party separately to discuss the assessment of the situation.

1. The complaining party will be notified of the results of the investigation and informed whether the allegations have been substantiated, that appropriate action has been or will be taken (where it is appropriate), and that s/he should notify the Office of Human Resources of any further incidents.
2. The other party will be informed of the results of the investigation.
 - A. Where the allegations are serious and it is not possible to determine whether sexual harassment has occurred, the Director of Human Resources, or his/her designee will send a written memo to the alleged offender stating that the evidence was inconclusive but that serious allegations have been made. If evidence is received in the future that the alleged behavior occurred, or if similar complaints occur in the future, appropriate action will be taken.
 - B. Where the investigation reveals no conclusive evidence of discrimination, the other party will be informed.
 - C. Where the investigation reveals the occurrence of sexual harassment or another form of discrimination, appropriate sanctions will be imposed.

Appeal Process

If one of the parties to the complaint is dissatisfied with the findings of the Director of Human Resources or his/her designee, and chooses to continue the grievance, s/he can appeal the decision to the appropriate member of the Executive Committee (the individual with supervision over that area) within ten (10) working days of the date on the written decision from the Director of Human Resources.

The appropriate member of the Executive Committee will review all the information in the grievance and may request additional information from either the student, the party(ies) named in the complaint, or the Director of Human Resources. The said member of the Executive Committee will decide whether to accept the Human Resources Director's findings.

The said member of the Executive Committee will submit a written recommendation to the Director of Human Resources, and the reasons supporting the recommendation. A letter describing the decision should be forwarded to the parties involved in the complaint.

*** The Director of Human Resources will direct the party to the appropriate member of the Executive Committee who has the option of appointing a designee to function as his/her equivalent in this grievance process.**

Internal Closure

If the individual is dissatisfied with the decision of the appropriate member of the Executive Committee, the individual will be entitled to invoke the last step of the grievance procedure.

The individual may request a review before the President which may or may not include a meeting*. The President may request additional information from either the student, the party(s) named in the complaint, the Director of Human Resources, or the member of the Executive Committee. The President will decide whether to accept the previous decision(s).

These procedures are designed to resolve grievance internally, but no individual shall renounce his/her right to file a complaint with an outside agency or governing unit as a result of using the internal process.

***The President has the option of appointing a designee to function as his/her equivalent in this grievance process.**

Retaliation

Anyone making a claim outlined in the sexual harassment may expect a fair investigation without fear of retaliatory harassment. Any party that a claim has been brought against who seeks retaliatory action against a claiming party will be subject to sanctions distinct from the original grievable matter.

In addition, any individual who in good faith believes s/he has been subjected to any form of sexual harassment that later proves to be false will not be terminated from a program or expelled or made to suffer in any way for having made a complaint.

False Allegations

It is a violation of this policy for anyone to knowingly make a false accusation of sexual harassment. False allegations may subject the accuser to disciplinary action. Failure to prove a claim is not equivalent to a false allegation.

Confidentiality

The Office of Human Resources will treat as confidential as possible all information received in connection with the filing, investigation, and resolution of complaints except to the extent it is necessary to disclose particulars in the course of the investigation and the extent permitted by law. Parties to a complaint will observe the same standard of strict confidentiality. This practice is in the best interest of all parties. Failure of any party to a complaint to respect the confidential nature may be subject to disciplinary action. Every effort will be made to limit the number of people who need to know.

Following the completion of the investigation of the complaint, the grievance report, and all data and communication regarding the case, will be securely stored in the Office of Human Resources and retained according to the current records retention schedule.

INTERNAL DISSEMINATION OF EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the commitment of the administration to assure that college personnel, administrative, non-administrative and faculty are aware of the procedures of the Equal Employment Opportunity Policy. The policy will be publicized internally through the following methods;

1. The college's Equal Employment Opportunity Policy Statement shall be posted on the bulletin boards throughout the college;
2. A reference to the Equal Employment Opportunity Policy will be added to the college's policy and procedures manual and the faculty handbook;
3. The Office of Human Resources will be available to employees for answering questions regarding the Policy;
4. The college will annually reaffirm its commitment to the Equal Employment Opportunity Policy.

EXTERNAL DISSEMINATION OF EQUAL EMPLOYMENT OPPORTUNITY POLICY

The College presents its practices and beliefs to its staff and students as an equal opportunity employer by publicizing its policies externally through the following methods:

1. Printed, verbal, and electronic media advertisements for open positions of employment, shall contain the Equal Employment Opportunity Statement;
2. An Equal Opportunity Statement will be included in the student catalog.
3. The College will annually reaffirm its commitment to the Equal Employment Opportunity Policy.

AUTHORITY AND RESPONSIBILITY WITH REGARD TO EQUAL EMPLOYMENT OPPORTUNITY

General

Every executive and administrative employee of the college who exercises hiring is responsible for encouraging employment of qualified individuals including individuals in protected groups. They are also accountable for maintaining an atmosphere conducive to sound relations through practices and personal example. All executive and administrative personnel are encouraged to take an active and supportive role in both the planning and implementation of the Equal Employment Opportunity Policy. At Washington State Community College these individuals are the Vice Presidents, Deans, Directors, Faculty and other personnel who have a part in the appointment, promotion, recommendation, reappointment, salary setting, and recruiting, as well as those who make judgments concerning recruitment and retention of students.

Establishment of Responsibilities

The college's goal is to secure full support for Equal Employment Opportunity Policies. This goal is communicated to all levels of supervision so that responsibilities are clearly understood. Individuals are encouraged to exercise every effort to ensure attainment of the College's goal. The overall responsibilities of implementing equal employment opportunity are shared between the Office of Human Resources, executive administration, and other levels of administrative management.

Responsibilities of the Director of Human Resources with regard to Equal Employment Opportunity

1. General Duties

The primary function of the Director of Human Resources is to provide human resource administration, and Equal Employment opportunity Policy administration. The director functions as the human resource officer for the

college, is a member of the President's Cabinet and of the Executive Committee, attending at the request of the President.

2. Specific Duties

- A. Developing recommendations for modifying policy statements and updating the policies and procedures manual following board approval;
 - B. Obtaining voluntary information from applicants to verify protected status;
 - C. Serving as one of the college's representatives in its dealings with federal, state and local enforcement agencies;
 - D. Serving as a liaison between the college and private and public employment services for recruiting members of the protected groups, as well as a liaison between the college and minority organizations, women's organizations, and community action groups concerning the employment opportunities of these groups;
 - E. Advising the administration of the latest developments in the area of equal employment opportunity;
 - F. Assisting in identifying problem areas;
 - G. Periodic audit of hiring and promotional patterns to remove impediments to the attainment of goals and objectives;
 - H. Reviewing the qualifications of all employees to ensure equal opportunity for transfers and promotions;
 - I. Providing legal updates on legislation and changes in Equal Employment Opportunity Policy and serving as a resource for administrators, faculty, staff and students;
 - J. Reviewing compliance with the Equal Employment Opportunity Commission, and other related governmental regulations, and the filing of state and federal reports on these matters;
 - K. Investigating all complaints of discrimination, and making appropriate recommendations for resolution according to adopted policies.
3. In addition to these tasks, the Director of Human Resources will perform a variety of other duties deemed necessary to execute the above functions or perform other duties as assigned by the President.

FILLING A VACANCY – PREPARATION

The following procedures apply to full-time and part-time, hourly, faculty, professional and administrative positions. It is essential that these procedures are strictly adhered to in order to help assure uniformity within the College's hiring system (see supplement for instructional part-time hiring procedures).

Identify the Need for the Position

1. Complete the Personnel Requisition Form to describe among other things the minimum qualifications, essential functions, and responsibilities. In completing the Personnel Requisition Form, the supervisor should:
 - A. Exercise extreme care to establish job relatedness;
 - B. Allow for factors such as breadth of experience to compensate for education;
 - C. Consult the Office of Human Resources whenever a question may arise.

The supervisor should not:

- A. Allow precedent or individual preference to determine job relatedness;
 - B. Inflate education or experience requirements to match a known candidate;
 - C. Make a wish list of experiences you would like to see in a candidate;
 - D. Establish overly rigid or inflexible criteria unless legally mandated.
2. All positions (whether new or vacant) to be filled shall be authorized through the Office of Human Resources and the Office of the President.

Notify Office of Human Resources of the Vacancy

1. The supervisor must submit the completed Personnel Requisition Form to the Office of Human Resources.
2. The job description will be reviewed by the appropriate Vice President, Director of Human Resources, and supervisor to determine that only valid qualifications necessary to perform duties of the vacant position are being specified. Should situations occur when mutual agreement cannot be reached between the immediate supervisor, appropriate Vice President and the Director of Human resources, areas of the job description that are in disagreement shall be forwarded to the President for resolution.

3. The Director of Human Resources will review the position, assign a classification and pay grade in conjunction with the President and/or Executive Committee.
4. The Director of Human Resources will determine if the position will be filled from a limited-access posting or an open posting. Input regarding the posting will be given consideration. If the position was filled within a 12-month period prior to the current vacancy, the candidates from the previous pool may be utilized.
5. If it is determined that there will be a limited-access posting, and an unsolicited resumé pool exists for the position, the top ranked candidates from the list may be considered for interview.
6. If it is determined that the vacancy will be filled from an open posting, the Office of Human Resources will submit an ad request containing: qualifications including educational requirements; deadline for application; and EEO/AA.
7. The Director of Public Information will create an advertisement, then submit a draft to the Office of Human Resources, who will in turn submit it to the head of the screening committee for approval.
8. If the ad is approved, the Director of Public Information will execute the ad. If the ad is not approved, the Director of Public Information will make the suggested changes, and upon approval, execute the ad.

Regular Part-Time

For the purpose of this policy, regular part-time employees are defined as secretarial-clerical, technical, and custodial/maintenance positions that are regularly scheduled half-time or less than 40 hrs/wk and include the same specialization requirements of their respective full-time categories. Typically, these positions will be filled through unsolicited and/or internal resumes or local external postings. Employees with casual labor status in the given areas may be moved into the regularly schedule part-time category. A replacement may then be found for the casual labor employee.

Casual Labor

Casual labor employees for the purposes of this policy are defined as individuals holding positions that are deemed temporary in nature. The head of the hiring area will notify the Office of Human Resources for consultation in the process. Typically, unsolicited and/or internal resumes will be pulled and the position filled without an external posting.

Consultants

For the purposes of this policy a consultant is defined as one who renders professional advice or services (or independent contractor). If an employer/employee relationship does not exist, posting is not required.

Interim Appointments

The President may make interim appointments.

INTERNAL HIRING PROCEDURES

The following are the necessary steps that must be adhered to when hiring internally. The internal hiring procedures are intended to include all classifications of faculty, hourly, and professional staff positions.

Notice of Vacancy

1. The supervisor where the vacancy exists will notify the Office of Human Resources of the vacancy and will complete a personnel requisition. A memo justifying the need to fill the position must be attached.
2. Once the staff requisition has been approved, the hiring supervisor and the Director of Human Resources will meet to discuss the vacancy. The Office of Human Resources will then prepare the notice of the vacancy in cooperation with supervisor.
3. The Office of Human Resources will post the vacancy on the information board and the Office of Public Information will post it to the college web page.
4. All interested applicants must apply for specific position(s) by the designated deadline date to the Office of Human Resources by completing the Request for Transfer and Promotion Form and attaching a current resumé.

Screening Process

1. The Office of Human Resources will screen all resumé's to determine if they meet the minimum qualifications. All submitted resumé's will be entered into a matrix.
 - A. If the Office of Human Resources receives at least three (3) qualified applicants, the vacancy may be filled internally.
 - B. If fewer than three (3) qualified employees apply, the screening committee, in conjunction with the hiring manager and Director of Human Resources will determine if they want to:
 - a. Recommend one (1) of the applicants, or
 - b. Request that the Director of Human resources post the vacancy externally.

- c. If posted externally, internal candidates will be considered as part of the new candidate pool.
- C. If the Office of Human Resources does not receive any qualified applicants, or an insufficient pool, the vacancy will be posted externally.
- D. The decision to post externally is ultimately the decision of the Office of Human Resources although consideration will be given to the wishes of the screening committee.

Interviewing Process

1. All interviews must be conducted by the appropriate screening committee. It is important that all screening committee members be present for all interviews. If this cannot be achieved, select a different interviewer or date. Where this is not possible, notify the Office of Human Resources for direction. The Director of Human Resources may be present during interviews and may or may not play a role in the interview process.
2. First, all members of the screening committee must prepare for the interview. In preparation, the screening committee must:
 - A. Have participated in selection process training or refresher training as indicated by the Director of Human Resources.
 - B. Be familiar with the job description. The screening committee should be familiar with what skills, education, training, experience, etc., a successful applicant should possess and have demonstrated, or other qualities the committee may deem important although not essential requirements;
 - C. Prepare questions that will assist in determining whether the applicant fits the position, including any clarification of previously known information and submit them to the Office of Human Resources to ensure job relatedness and compliance with employment laws.
 - D. Ask the approved questions of each applicant to provide a solid basis for comparison and as a guard against making any unlawful inquiries. It is however, permissible to restate a question if the applicant did not understand or the answer was unclear. It is also acceptable to seek contrary evidence if an applicant gives a response that “seems too good to be true” or is “absolute” in nature. Only job related notes should be recorded during the actual interview(s).
 - E. Use open-ended questions whenever possible during the interview.

Ranking Process

1. Applicants will be evaluated based on their participation in the entire interview process.
2. The evaluation will include but not be limited by the following criteria:
 - A. Previous experience;
 - B. Academic and other credentials (i.e. certificates, licenses);
 - C. Practical examinations (if applicable)
 - D. Interview(s);
 - E. Seniority with the college;
 - F. Academic and employment verification.

Selection Process

1. If the member of the Executive Committee with supervision over the area is part of the screening committee s/he may complete and authorize the Action Report Summary and submit the form along with all applicant files to the Office of Human Resources and the process will proceed to the next step. If the appropriate member of the Executive Committee is not part of the screening committee, the screening committee will rank the applicants on the Action Report Summary and submit it along with all materials to the member of the Executive Committee with supervisory responsibility for the area who will then decide whether to approve with or without also interviewing and will forward all materials to the Office of Human Resources to complete the process.
2. When there is disagreement, the Director of Human Resources will assist the appropriate member of the Executive Committee and screening committee in achieving a resolution.

Hiring Process

1. After the Action Report Summary receives all approvals, the Director of Human Resources will verify that the hiring manager can contact the applicant's current manager.
2. Once verifications are completed, the Director of Human Resources will generate a Personnel Action Form complete with salary and route it for appropriate signatures prior to making an offer.

3. The two managers will negotiate the transfer date and notify the Office of Human Resources of the effective date.
4. If the offer is declined, the Director of Human Resources will notify the head of the screening committee before proceeding to the next ranked applicant. In the event there is no second ranked candidate, the Director of Human Resources and the committee chair will determine how to proceed.

EXTERNAL HIRING PROCEDURES

Notice of Vacancy

1. The hiring supervisor where the vacancy exists will notify the Director of Human Resources of the vacancy by completing a Personnel Requisition and attaching a memorandum of need describing the reason the position must be filled.
2. Once the requisition has been approved, the hiring supervisor and the Director of Human Resources will meet to discuss the vacancy. If the Director of Human Resources decides to post externally for Equal Employment Opportunity reasons, or if the vacancy cannot be filled from a college-wide notice of vacancy, the Director of Human Resources will advertise and post the notice of vacancy on the College intranet, information board, local news media, and whatever other publications are deemed necessary for however long necessary. The closing date for submitting applications for vacant positions shall generally be at least ten (10) days from the date the position was first advertised unless circumstances require a shorter period of time.
3. The Director of Human Resources will accept all resumés for specific positions received by the deadline date.
4. The Office of Human Resources will send an acknowledgment and any further correspondence necessary to each applicant.

Screening Process

1. The Office of Human Resources will screen all resumés to determine if they meet the minimum qualifications. All submitted resumés will be entered into a matrix.
2. After receiving training and submitting questions for review, the committee will have an opportunity to review the resumes. The committee members may need clarification on some resumés or need more information before making selections for interviews. The committee chair should contact the Director of Human Resources with the questions and applicants' names.
3. The Director of Human Resources will conduct any necessary phone screens and verify the salary for the position.

Interviewing Process

All interviews must be conducted by the appropriate screening committee. It is important that all screening committee members be present for all interviews. If this cannot be achieved, select a different interviewer or date. Where this is not possible, notify the Office of Human Resources for direction. The Director of Human Resources may be present during interviews and may or may not play a role in the interview process.

1. First, all members of the screening committee must prepare for the interview. In preparation, the screening committee must:
 - A. Have participated in selection process training or refresher training as indicated by the Director of Human Resources.
 - B. Be familiar with the job description. The screening committee should be familiar with what skills, education, training, experience, etc., a successful applicant should possess and have demonstrated, or other qualities the committee may deem important although not essential requirements;
 - C. Prepare questions that will assist in determining whether the applicant fits the position and submit them to the Office of Human Resources to ensure job relatedness and compliance with employment laws.
 - D. Ask the approved questions of each applicant to provide a solid basis for comparison and as a guard against making any unlawful inquiries. It is however, permissible to restate a question if the applicant did not understand or the answer was unclear. It is also acceptable to seek contrary evidence if an applicant gives a response that “seems too good to be true” or is “absolute” in nature. Only job related notes should be recorded during the actual interview(s).
 - E. Use open-ended questions whenever possible during the interview.

Ranking Process

1. Applicants will be evaluated based on their participation in the entire interview process.
2. The evaluation will include but not be limited to the following criteria:
 - A. Previous experience;
 - B. Academic and other credentials (i.e. certificates, licenses);
 - C. Practical examinations (if applicable)
 - D. Interview(s);
 - E. Academic and employment verification.

Selection Process

1. If the member of the Executive Committee with supervisory responsibilities is part of the screening committee s/he may complete and authorize the Action Report Summary and submit the form along with all applicant files to the Office of Human Resources and the process will proceed to the next step. If the appropriate member of the Executive Committee is not part of the screening committee, the screening committee will rank the applicants on the Action Report Summary and submit it along with all materials to the appropriate member of the Executive Committee who will then decide whether to approve with or without also interviewing and will forward all materials to the Office of Human Resources to complete the process.
2. When there is disagreement, the Director of Human Resources will assist the appropriate member of the Executive Committee and screening committee in achieving a resolution.

Hiring Process

1. After the Action Report Summary receives all approvals, the Director of Human Resources will complete references, credential verifications, and appropriate background checks.
2. Once verifications and checks are completed, the Director of Human Resources will generate a Personnel Action Form complete with salary and route it for appropriate signatures prior to making an offer.
3. If the offer is declined, the Director of Human Resources will notify the head of the screening committee before proceeding to the next ranked applicant. In the event there is no second ranked candidate, the Director of Human Resources and the committee chair will determine how to proceed.
4. If the offer is accepted, the Director of Human Resources will negotiate a start date, schedule a new hire orientation, generate a contract (for administrative, professional, and faculty positions only) and draft a letter confirming the details of the offer.

SPECIAL ADMINISTRATIVE APPOINTMENTS

The College encourages and supports the advancement and recognition of its existing employees. In an effort to provide opportunities for employees to advance, the President may appoint college employees to administrative positions. Internal appointments will be possible if the employee is fully qualified for the position, then an external search would not be necessary.

1. Only the President or his/her designee in conjunction with the Director of Human Resources may extend an appointment. The appointment may be on a temporary contract with consideration for reappointment based upon the individual's performance.

2. Options should the candidate decline an appointment:
 - A. The position may be offered to the second ranked candidate.
 - B. If the decision is to interview candidates from an internal pool, interviews can be scheduled upon notification of the Office of Human Resources.
 - C. If the decision is to open the search, the Office of Human Resources must be notified before proceeding.

SUPPLEMENTS

SUPPLEMENT A- Questioning Applicants for Employment

Under Ohio law it is illegal for employers to discriminate against persons because of their race, color, religion, sex, national origin, disability, age, ancestry or Vietnam veteran status. The law contains a number of specific provisions designed to assist in preventing such discrimination in employment. One of the many provisions forbids eliciting information from applicants, prior to employment, which would indicate the applicant's race, color, religion, sex, national origin, disability, age, or ancestry unless the employer is required or permitted to elicit such information pursuant to a bona fide Affirmative Action plan or under order from the state, federal or local FEP agency. Date of birth is required as part of the background checking policy and is only required of finalists for positions, however, that information is kept separate and apart from their employment application and is not shared with the selection committee.

The law does not restrict employers from defining qualifications necessary for satisfactory job performance, but it does require that standards of qualifications for hiring be applied alike to all persons regardless of the applicant's race, color, religion, sex, national origin, disability, age or ancestry. It should be understood that these guidelines are not designed to provide a comprehensive list of what can and cannot be asked of applicants. It is merely a list of most frequently asked questions concerning the legal ramifications of various interview questions.

GUIDELINES

INQUIRIES BEFORE HIRING	LAWFUL	UNLAWFUL
1. Name	Name	Inquiry into any title which indicates race, color, religion, sex, national origin, handicap, age, or ancestry
2. Address	Inquiry into place and length of current address.	Inquiry into foreign address which would indicate national origin.
3. Age	Any inquiry limited to establishing whether an applicant meets any minimum age requirement established by law.	a) Require birth certificate or baptismal record before hiring. b) Any other inquiry which may reveal whether applicant is at least 40 and less than 70 years of age.
4. Birthplace or National Origin		a) Any inquiry into place of birth. b) Any inquiry into place of birth of parents, grandparents, or spouse. c) Any other inquiry into national origin.
5. Race or Color		Any inquiry which would indicate race or color.

6. Sex		<p>a) Any inquiry which indicates sex.</p> <p>b) Any inquiry which excludes one sex.</p>
7. Religion or Creed		<p>a) Any inquiry which would indicate or identify religious denomination or custom.</p> <p>b) Applicant may not be told any religious identity or preference of the employer.</p> <p>c) Request Pastor's recommendation/reference.</p>
8. Disability	Inquiries necessary to determine applicant's ability to perform essential duties without significant hazard.	Any other inquiry which reveals disability.
9. Citizenship	<p>a) Whether a U.S. Citizen.</p> <p>b) Inquiry as to permanent resident visa status.</p> <p>c) Require proof to legally work in the U.S once hired.</p>	<p>a) If native born or naturalized.</p> <p>b) Proof of citizenship before hiring.</p> <p>c) Whether parents or spouse are native-born or naturalized.</p>
10. Photographs	May be required after hiring for identification purposes.	Required photograph before hiring.
11. Arrests and Convictions	Inquiries into convictions for specific crime related to qualifications of the job for which the applicant applied.	Any inquiry which would reveal arrests without convictions.
12. Education	<p>a) Inquiry into nature and extent of academic, professional, or vocational training.</p> <p>b) Inquiry into language skills, such as reading and writing of foreign languages if job relevant.</p>	<p>a) Any inquiry which would reveal the nationality or religious affiliation of a school.</p> <p>b) Inquiry as to what mother tongue is or how foreign language was acquired.</p>
13. Relatives		Any inquiry about a relative which would be unlawful if made about the applicant.
14. Organization	Inquiry into organization memberships/offices held, excluding any that would reveal protected status.	Inquiry into all clubs and organizations where membership is held.
15. Military Service	a) Inquiry into service in U.S. Armed Forces when such service is a qualification for the job.	a) Inquiry into military service in armed service of any country but the U.S.

	b) Require military discharge certificate after being hired.	b) Request military service records. c) Inquiry into type of discharge.
16. Work Schedule	Inquiry into willingness to work required work schedule.	Any inquiry into willingness to work any particular religious holiday.
17. References	General personal and work reference not relating to race, color, religion, sex, national origin, handicap, age or ancestry.	Request references specifically from clergy or any other person who might reflect race, color, religion, sex, national origin, handicap, age, or ancestry of applicant.
18. Misc.	Questions to reveal qualifications of the applicant for the job.	Any non-job related inquiry which may reveal information permitting unlawful discrimination.

Supplement B – Hiring Procedures for Academic Department Chairs

Applicant Pool

1. At least two months prior to the expiration of a term of office of a department chair, or upon a declaration of a vacancy, the Chief Academic Officer shall notify the members of the department of the need to select a chairperson.
2. The Director of Human Resources will post the job description and qualifications for seven (7) business days within the College. The members of the department have until the end of the posting period to make application. If no new candidates apply for the position, the exiting department chair will be reappointed for an additional five years by recommendation of the Dean to the Chief Academic Officer who will in turn forward a recommendation to the President of the college or designee who will make the appointment.

Screening Process

1. At the conclusion of the posting period, the Dean will form an interview committee consisting of the Dean, at least two full-time division faculty who are not candidates, one division adjunct, and a non-department representative, likely a Department Chair. Each qualified applicant will be interviewed within four weeks. The committee members will adapt current selection protocol. The committee will provide the Dean with its candidate of choice based on the qualifications and interviews of the candidates.
2. The Dean will within seven (7) days of receipt of the committee's decision recommend appointment of an applicant to the Chief Academic Officer who will in turn forward a recommendation to the President of the college or designee who will make the appointment.

3. The Department Chair shall be appointed by the President of the College or designee.

Terms

1. The term of the department chair shall be for five years, based upon annual satisfactory performance evaluations.
2. If for any period of time the position of Department Chair is vacant, a faculty member will be appointed by the President of the college or designee to serve as Acting Department Chair until the position is filled.
3. Withdrawal from duties: Notification of at least one (1) quarter should be given by a Department Chair whenever s/he does not wish to continue in the position of department chair.

SUPPLEMENT C- FORMS USED IN THE HIRING PROCESS

INTERNAL POSTING

1. Personnel Requisition Form
2. Position Description
3. Applicant Matrix
4. Interview questionnaire
5. Interview evaluation summary
6. Request for Transfer and Promotion
7. Reference verification (when applicable)
8. Action Report Summary

EXTERNAL POSTING

1. Personnel Requisition Form
2. Position Description
3. Applicant Matrix
4. Interview questionnaire
5. Interview evaluation summary
6. Application for Employment
7. Reference verification(s)
8. Academic Verification(s)
9. Background Check
10. Action Report Summary

SUPPLEMENT D - HIRING PROCEDURES FOR PART-TIME POSITIONS

Existing Applicant Pool

1. Assignment of class instructors for a given term is based on availability of full-time faculty, experienced part-time instructors, and individuals identified throughout the year through unsolicited resumes, referrals and other contacts. Such individuals are interviewed by the appropriate Dean or Director when identified, or when an unassigned class is available in their area of expertise.

The process for assigning a new person as part-time faculty to teach one or more courses/sections includes forwarding the information listed below in addition to the part-time new hire packets from Human Resources to the Dean:

- A. A college employment application and resume;
- B. A completed Rank sheet

- C. Interview paperwork
 - D. Completed academic verification form or copy of academic transcript;
 - E. Reference verifications
2. The Dean and Chief Academic Officer will sign the appropriate forms and forward the information to the Office of Human Resources.

External Applicant Pool

1. If there is a need to post externally for Equal Employment Opportunity reasons or, if the vacancy cannot be filled from the above methods, the Director of Human Resources will advertise and post the notice of vacancy on the college intranet, information board, local news media, and whatever other publications are deemed necessary for however long necessary. The closing date for submitting applications for vacant positions shall generally be at least ten (10) days from the date the position was first advertised unless circumstances require a shorter period of time.
2. The Director of Human Resources will accept all completed applications and resume for specific positions received by the deadline date.
3. The Office of Human Resources will send an acknowledgment and any further correspondence necessary to each applicant.
4. All original resumes, forms, and letters related to the position will be kept on file in the Office of Human resources pursuant to the retention schedule.

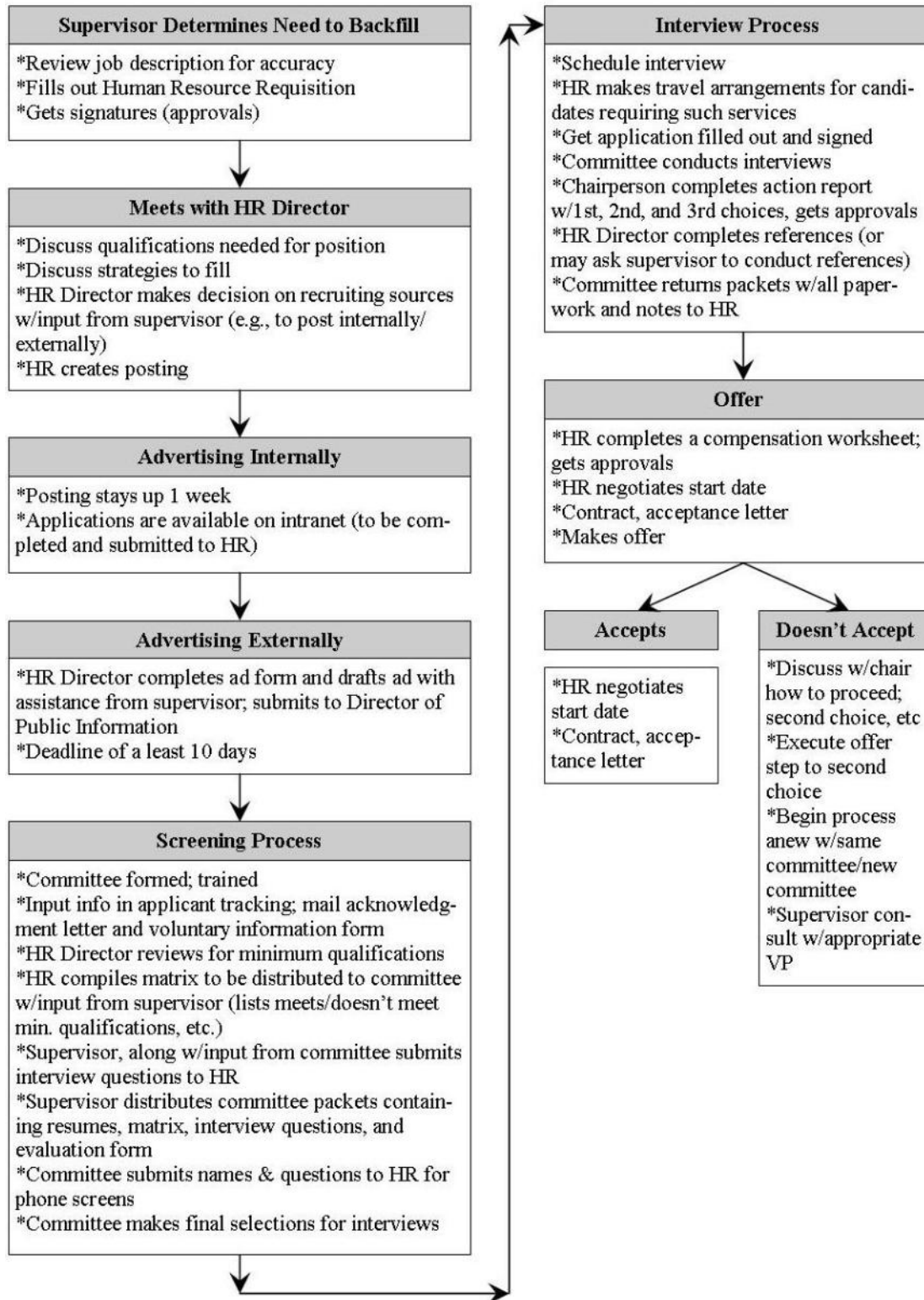
Screening Process

1. The selection process for regularly scheduled part-time positions is the same as for full-time positions.
2. The selection process for part-time faculty consists of resumés forwarded to deans upon request; review; phone screens; interviews; and tours.

Selection Process

1. Deans conduct verifications and references for part-time faculty.
2. Deans hire their own part-time faculty for their division(s).
3. Deans collect and forward all hiring materials to the Office of Human Resources.

**SUPPLEMENT E - HIRING GUIDE FLOW CHART
FOR FULL-TIME/REGULARLY SCHEDULED PART-TIME POSITIONS**



SUPPLEMENT F - BACKGROUND CHECK POLICY

In compliance with the Federal Fair Credit Reporting Act of 1997 (FCRA), Washington State Community College requires pre-employment background checks for all full and regular part-time employees, and follows these guidelines.

- Disclose to applicants both verbally and in writing that employment is contingent upon an acceptable background check.
- Obtain the written authorization to conduct a background check. This authorization shall remain on file and serve as ongoing authorization for Washington State Community College to procure background information during his/her employment (for those positions responsible for driving college vehicles, Early Childhood and childcare workers, those responsible primarily for working with minors, or those responsible for college funds only).
- Require that anyone whose primary responsibility will involve the care of or instruction of minors also successfully complete (at their own expense) a fingerprint check.
- Human Resources requests the background check.
- Use of the report is subject to federal and Ohio laws governing use of arrest and conviction records for employment decisions.
- If the information in the report results in an adverse employment decision, the applicant/employee is notified in writing and given a copy of the report and a summary of the FCRA dispute process.
- If the applicant/employee disagrees with the content of the report, the College will supply the name, address, and phone number of the company providing the report.
- Any background information and reports will be held in confidence to the extent the FCRA permits, will not be shared with anyone outside of Human Resources, and will be maintained separately for the length of the employment relationship. In the event the individual does not accept or is not hired, the file will be maintained for five (5) years and then destroyed.

SUPPLEMENT G - LEGISLATIVE PROVISIONS

The following is a summary of the more significant legislation with which Washington State Community College must comply in the area of employment. The penalties for the College if found in violation include the requirement to award back pay and/or withdrawal of federal financial assistance. It must be emphasized that compliance must be with the spirit as well as the letter of the law.

Title VII of the Civil Rights Act of 1991 - Prohibits discrimination in employment on the basis of race, color, religion, national origin, or sex including hiring, upgrading, salaries, fringe benefits, training, and other conditions of employment. Title VII is the broadest of all Equal Employment Opportunity laws, fully protecting the largest number of classes—race, color, religion, sex, and national origin. The statute covers private, state/local, and federal entities for all practices relating to nondiscrimination. See also, **Ohio Civil Rights Laws & Rules Annotated Section 4112.02, Ohio Fair Employment Practices Laws and the Civil Rights Act of 1964.**

Executive Order 11246, as Amended - Prohibits discrimination on the basis of race, color, religion, sex, or national origin by a recipient of a federal contract of \$10,000 or more. Requires that an Affirmative Action policy be adopted and implemented by Washington State Community College.

Title IX of the Educational Amendments of 1972 - Provides that no person shall, on the basis of sex, be excluded from participation in, be denied benefits, or be subjected to discrimination in employment, recruitment, consideration, or selection; therefore, whether full-time, part-time, under any education program or activity operated by a recipient that receives or benefits from federal financial assistance. This amendment is “designed to eliminate (with certain exceptions) discrimination on the basis of sex in any education program or activity receiving federal assistance, whether or not such a program or activity is offered or sponsored by an educational institution.” n. Federal Register, Vol. 45, No. 92, pg. 30956

Equal Pay Act - Prohibits discrimination in salaries on the basis of sex. This act requires equal pay for equal work.

Title VII Section 703 of the Civil Rights Act - State and federal laws prohibit harassment on the basis of sex. The Equal Employment Opportunity Commission (EEOC) has issued guidelines that define harassment on the basis of sex to be a violation of **Title VII of the Civil Rights Act of 1964.**

Rehabilitation Act of 1973 - As amended, this act prohibits any discrimination based on physical or mental handicap in employment upgrading, demotion, or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection or training, including apprenticeships. It basically prohibits employment discrimination against handicapped persons by government entities and recipients of federal funds. Various state laws generally prohibit the consideration of disabilities in making employment decisions when the disabled person can perform the essential job functions and is qualified to do that job. Moreover, even if the disabled person cannot perform one (1) or more the essential functions, employers must provide reasonable accommodations to help the individual meet the job qualifications. See also, **Ohio Civil Rights Laws & Rules Annotated, Section 4112.022** regarding discrimination against students with disabilities.

Americans with Disabilities Act (ADA) of 1990 - Prohibits private employers, state and local governments, employment agencies and labor unions from any discrimination against persons with a physical or mental disability in areas of employment, public services and transportation, public accommodations or telecommunication services. This applies to discrimination in

application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions and privileges of employment.

Vietnam Era Veterans Readjustment Assistance Act of 1972 - This act prohibits discrimination against any veteran because (s)he is a disabled veteran or against any veteran of the Vietnam era in employment, upgrading, demotion, or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeships.

Age Discrimination in Employment Act (ADEA) of 1967 - Prohibits discrimination in employment on the basis of age against persons who are between 40 and 65 years of age. **Federal ADEA of 1989** protects employees 40 and over from adverse employment decisions based on age. **Ohio Revised Code** states that individuals 40 and over may take court action or file charges with the Ohio Civil Rights Commission if they believe the employer has taken adverse action based on age. **Older Workers Benefit Act (OWBA)** amends the ADEA. This act focuses on waivers of age discrimination claims and on other challenges to the employee benefit plans. **Ohio Fair Employment Practices Act (FEPA)** also promotes the employment of older persons, based on qualifications.

SUPPLEMENT H - GLOSSARY OF TERMS

Asian or Pacific Islander - Person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes for example, China, Japan, Korea, the Philippine Islands, and Samoa.

Black - Person having origins in any of the Black racial groups of Africa, not of Hispanic Origin.

Bona Fide Occupational Qualifications (BFOQ) - A statutory provision that permits discriminatory practices in employment if a person's religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business.

Business Necessity - Appropriate job qualifications standards that are necessary to perform the job effectively and safely.

Classification - Full- and part-time faculty, administrative positions, appointments, full- or part-time staff, short-term visiting faculty, short-term administrative appointments, promotions, demotions.

Complaint - The alleged violation of college policy that is reported to The Office of Human Resources by the subject of the alleged offense.

Desired Qualifications - Qualifications that are not essential to perform in a position, but are considered as related qualifications, which if an applicant possesses, enhances her/his ranking. However, these marginal or incidental functions are not to be considered as essential, and an applicant's or employee's inability to perform these functions should not be used as a basis to deny employment to the individual.

Disability - There has been a change in terminology from ‘handicap’ as utilized in Rehabilitation Act of 1973 to ‘disability’ as utilized in the ADA. The definition is basically the same. A person with a disability is an individual who meets one or more of the following descriptions: (1) Has a physical or mental impairment that substantially limits one or more of a major life activity; (2) has a record of such impairment; or (3) is regarded as having such an impairment.

Disabled Veteran - A person who: (1) is entitled to disability compensation under laws administered by the Veteran’s Administration for disability rated at 30 percent or more; or (2) was discharged or released from active duty due to a disability incurred or aggravated in the line of duty.

Eligibility List - Eligible candidates that were not selected from a previous interview that remain under consideration for future employment.

Essential Functions - Fundamental job duties of the employment position.

FEP - Fair Employment Practice.

Handicapped Person - “Handicapped person(s) means any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having an impairment.” For a more detailed definition, please refer to the Department of Health, Education and Welfare regulations on Nondiscrimination on the Basis of Handicap that appears in the Federal Register on May 4, 1977 (42F.R22676) (Pursuant to Section 504 of the Rehabilitation Act of 1973) and **Ohio Revised Code section 4112.01 (M)**.

Handicap (specifically) - Section 4112.01 (A) (13) of the Ohio Civil Rights Act defines handicap as a medically diagnosable, abnormal condition that is expected to continue for considerable length of time and which can reasonably be expected to limit a person’s functional ability. This may include a person’s ability to see, hear, think, ambulate, sit, stand, and any related function due to weakness or significantly decreased endurance, so that (s)he cannot perform his or her everyday routine living and working without significantly increased hardship or vulnerability to what are considered everyday obstacles and hazards encountered by the non-disabled. The law also covers those persons who have a history of having a handicap or disability and who no longer have any present functional limitations or disability, but who are treated as if they do. It also covers persons who have never had a disability, but who are perceived as being disabled, or having functional limitations.

Hispanics - Persons of Mexico, Puerto Rico, Cuba, Central or South America and who maintain cultural identification through tribal affiliation or community recognition.

Limited-Access Posting - Long-term eligibility list of external and internal candidates created to establish a pool of eligible candidates for a particular classification for a specified period without a subsequent notification of individual vacancies. The specified period will be determined by the Office of Human Resources at the time of the posting.

Major Life Activities - Functions such as caring for oneself, performing manual tasks, talking, seeing, hearing, speaking, breathing, learning, working, etc.

Mental Impairment - Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Mediation - Voluntary participation in a structured process where a neutral third party assists disputing parties in identifying and satisfying their interests relative to the dispute.

Native American or Alaskan Native - A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

Open-Posting - Short-term eligibility list created from a posting for a specific vacancy, and terminated after position has been filled.

Physical Impairment - As defined by ADA, it includes any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the body systems.

Protected Class - A class of people that are categorically under-represented in employment. These classes are race, religion, sex, national origin, age and disability.

Screening Committee - The screening committee consists of interested parties involved in the hiring process. There will be a designated screening committee chair which will typically be the Dean or Director of the area, (this designation is at the discretion of the Dean- if applicable) that will be the spokesperson for the committee and s/he will choose who will be on that particular committee. Although the Director of Human Resources is not considered part of the screening committee per se, s/he **MAY** attend interviews and play a substantial role in the total hiring process.

Substantially limits - Unable to perform a major life activity that the average person in the general population can perform.

Undue hardship - Includes, but it not limited, to undue financial burdens and the fundamental alteration of the operation of the business.

Vietnam Era Veteran - Veteran of the United States armed services whose active duty occurred any time during the 1964-1975 years.

Revisions Log:

- 4/17/06 Reformatting: Changed page numbering system from numerical in sequence from chapter to chapter to numbering in sequence by chapter, e.g. pages in Chapter 1 are now 1-1, 1-2, 1-3, etc.; pages in Appendix E are E-1, E-2, E-3, E-4, etc. In the event that a future change adds or deletes a page, not all chapters will need to be repaginated.
- 4/17/06 Addition of Revisions Log at chapter end.
- 4/17/06 Addition of Table of Contents at beginning of chapter.
- 4/17/06 Revision of Supplement B and renaming of subsequent supplements