

# **YOSEMITE COMMUNITY COLLEGE DISTRICT**

## **Equal Employment Opportunity Plan**



**Presented to the YCCD Board of Trustees for their adoption on September 12, 2018**

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## **Plan Component 1: Introduction**

The Yosemite Community College District (YCCD) Equal Employment Opportunity Plan (Plan) was adopted by the governing board on September 12, 2018. The Plan reflects the district's commitment to equal employment opportunity. It is the district's belief that taking active and vigorous steps to ensure equal employment opportunity and creating a working and academic environment, which is welcoming to all, will foster diversity and promote excellence.

Through an educational experience in an inclusive environment, our students will be better prepared to work and live in an increasingly global society. The Plan's immediate focus is equal employment opportunity in its recruitment and hiring policies and practices pursuant to the applicable title 5 regulations (section 53000 et seq.). The Plan contains an analysis of the demographic makeup of the district's workforce population and applicant pools. The Plan also includes the requirements for a complaint procedure for noncompliance with the title 5 provisions relating to equal employment opportunity programs; complaint procedures in instances of unlawful discrimination; establishment of an Equal Employment Opportunity Advisory Committee; methods to support equal employment opportunity and an environment which is welcoming to all; and procedures for dissemination of the Plan. To properly serve a growing diverse population, the district will endeavor to hire and retain faculty and staff who are sensitive to, and knowledgeable of, the needs of the continually changing student body it serves.

Henry C. V. Yong  
Chancellor

## Plan Component 2: Definitions

- a) *Adverse Impact*: a statistical measure (such as those outlined in the EEO Commission's *Uniform Guidelines on Employee Selection Procedures*) that is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group protected from discrimination pursuant to Government Code section 12940. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.
- b) *Diversity*: means a condition of broad inclusion in an employment environment that offers equality and respect for all persons. It requires both the presence, and the respectful treatment, of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, sexual orientation, disability and socio-economic backgrounds.
- c) *Equal Employment Opportunity*: means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the district. Equal employment opportunity should exist at all levels in the seven job categories which include executive/administrative/managerial, faculty and other instructional staff, professional nonfaculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Equal employment opportunity also involves identifying and eliminating barriers to employment that are not job related; and creating an environment that is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code section 12940.
- d) *Equal Employment Opportunity Plan*: a written document in which a district's workforce is analyzed and specific Plans and procedures are set forth for ensuring equal employment opportunity.
- e) *Equal Employment Opportunity Programs*: all the various methods by which equal employment opportunity is ensured. Such methods include, but are not limited to, using nondiscriminatory employment practices, actively recruiting, monitoring and taking additional steps consistent with the requirements of section 53006.
- f) *Ethnic Group Identification*: means an individual's identification in one or more of the ethnic groups reported to the Chancellor pursuant to section 53004. These groups shall be more specifically defined by the Chancellor consistent with state and federal law.
- g) *In-house or Promotional Only Hiring*: means that only existing district employees are allowed to apply for a position.

- h) *Monitored Group*: means those groups identified in section 53004(b) for which monitoring and reporting is required pursuant to section 53004(a).
- i) *Person with a Disability*: any person who (1) has a physical or mental impairment as defined in Government Code, section 12926 which limits one or more of such person's major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment. A person with a disability is "limited" if the condition makes the achievement of the major life activity difficult.
- j) *Reasonable Accommodation*: the efforts made on the part of the district in compliance with Government Code section 12926.
- k) *Screening or Selection Procedures*: any measure, combination of measures, or procedures used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including but not limited to traditional paper and pencil tests, performance tests, and physical, educational, and work experience requirements, interviews, and review of application forms.
- l) *Significantly Underrepresented Group*: any monitored group for which the percentage of persons from that group employed by the district in any job category listed in section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.

### **Plan Component 3: Policy Statement**

YCCD is committed to the principles of equal employment opportunity and will continue to implement a comprehensive program to put those principles into practice. It is the district's policy to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunity, and are not subjected to discrimination in any program or activity of the district on the basis of **ethnic group identification, race, color, national origin, religion, age, sex, physical disability, mental disability, ancestry, sexual orientation**, language, accent, citizenship status, transgender status, parental status, marital status, economic status, veteran status, medical condition, **or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.**

As part of our mission, the Yosemite Community College District (YCCD) is committed to responding to the needs of our diverse community through excellence in teaching, and in learning and support programs. To that end, the district will strive to achieve a workforce that is welcoming to men, women, persons with disabilities and individuals from all ethnic and other groups to ensure the district provides an inclusive educational and employment environment. An Equal Employment Opportunity Plan will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

[YCCD Board Policy 3420 – Equal Employment Opportunity](#)

[YCCD Board Policy 7100 – Commitment to Diversity](#)

## **Plan Component 4: Delegation of Responsibility, Authority and Compliance**

It is the goal of the Yosemite Community College District that all employees promote and support equal employment opportunity because equal employment opportunity requires a commitment and a contribution from every segment of the district. The general responsibilities for the prompt and effective implementation of this Plan are set forth below.

1. *Governing Board*

The governing board is ultimately responsible for proper implementation of the district's Plan at all levels of district and college operation, and for ensuring equal employment opportunity as described in the Plan.

2. *Chancellor*

The governing board delegates to the Chancellor the responsibility for ongoing implementation of the Plan and for providing leadership in supporting the district's equal employment opportunity policies and procedures. The Chancellor shall advise the governing board concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual report on Plan implementation. The chief executive officer shall evaluate the performance of all administrative staff who report directly to him/her on their ability to follow and implement the Plan.

3. *Equal Employment Opportunity Officer*

The district has designated the Vice Chancellor, Human Resources as its equal employment opportunity officer who is responsible for the day-to-day implementation of the Plan. If the designation of the equal employment opportunity officer changes before this Plan is next revised, the district will notify employees and applicants for employment of the new designee. The equal employment opportunity officer is responsible for administering, implementing and monitoring the Plan and for assuring compliance with the requirements of title 5, sections 53000 et seq. The equal employment opportunity officer is also responsible for receiving complaints described in Plan Component 6 and for ensuring that applicant pools and selection procedures are properly monitored.

4. *Equal Employment Opportunity Advisory Committee*

The District will establish an Equal Employment Opportunity Advisory Committee to act as an advisory body to the equal employment opportunity officer and the district as a whole to promote understanding and support of equal employment opportunity policies and procedures. The Equal Employment Opportunity Advisory Committee shall assist in the implementation of the Plan in conformance with state and federal regulations and guidelines, monitor equal employment opportunity progress, and provide suggestions for Plan revisions as appropriate.

5. *Agents of the District*

Any organization or individual, whether or not an employee of the district, who acts on behalf of the governing board with regard to the recruitment and screening of personnel, is an agent of the District and is subject to all the requirements of this Plan.

6. *Good Faith Effort*

The district shall make a continuous good faith effort to comply with all the requirements of its Plan.

## **Plan Component 5: Advisory Committee**

The district has established an Equal Employment Opportunity Advisory Committee to assist the district in implementing its *Plan*. The committee may also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The committee may sponsor events, training, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The equal employment opportunity officer shall train the advisory committee on equal employment compliance and the *Plan* itself.

The committee shall include a diverse membership whenever possible. A substantial good faith effort to maintain a diverse membership is expected. If the district has been unable to meet this requirement, it will document that efforts were made to recruit advisory committee members who are members of monitored groups.

The committee will be composed of 1 faculty member, 1 classified member, 1 student (all appointed by their respective constituent groups), 1 administrators/manager, and 1 community member (volunteer). Ex officio members shall include the District's Title IX Compliance Coordinator, Equal Employment Opportunity Officer and Trustee.

The Equal Employment Opportunity Advisory Committee shall hold a minimum of four (4) meetings per fiscal year, with additional meetings if needed to review EEO and diversity efforts, programs, policies, and progress. When appropriate, the advisory committee shall make recommendations to the governing board, the Chancellor, and the equal employment opportunity officer.

## Plan Component 6: Complaints

- 1) *Complaints Alleging Violation of the Equal Employment Opportunity Regulations (Section 53026).* The district has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations<sup>1</sup> have been violated. Any person who believes that the equal employment opportunity regulations have been violated may file a written complaint describing in detail the alleged violation. All complaints shall be signed and dated by the complainant and shall contain, to the best of the complainant's ability, the names of the individuals involved, the date(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged violation. Complaints involving current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than sixty (60) days after such occurrence unless the complainant can verify a compelling reason for the District to waive the sixty (60) day limitation. Complaints alleging violations of the Plan that do not involve current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than ninety (90) days after such occurrence unless the violation is ongoing. A complainant may not appeal the district's determination pursuant to section 53026 to the Chancellor's Office, but under some circumstances, violations of the equal opportunity regulations in title 5 may constitute a violation of a minimum condition for receipt of state aid. In such a case, a complaint can be filed with the Chancellor's Office, but the complainant will be required to demonstrate that he/she made previous reasonable, but unsuccessful, efforts to resolve the alleged violation at the college and/or district level using the process provided by section 53026.

The district may return without action any complaints that are inadequate because they do not state a clear violation of the EEO regulations. All returned complaints must include a district statement of the reason for returning the complaint without action.

The complaint shall be filed with the equal employment opportunity officer. If the complaint involves the equal employment opportunity officer, the complaint may be filed with the Chancellor. To the extent practicable, a written determination on all accepted written complaints will be issued to the complainant within ninety (90) days of the filing of the complaint. The equal employment opportunity officer will forward copies of all written complaints to the California Community College Chancellor's Office upon receipt.

In the event that a complaint filed under section 53026 alleges unlawful discrimination, it will be processed according to the requirements of section 59300 et seq.

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<sup>1</sup> The equal employment opportunity regulations are found in California Code of Regulations, title 5, section 53000 et seq.

- 2) *Complaints Alleging Unlawful Discrimination or Harassment (Section 59300 et seq.)* The district has adopted procedures for complaints alleging unlawful discrimination or harassment. The Vice Chancellor, Human Resources is responsible for receiving such complaints and for coordinating their investigation. The district's discrimination and sexual harassment complaint procedures are attached to this Plan.

## **Plan Component 7: Notification to District Employees**

The commitment of the governing board and the Chancellor to equal employment opportunity is emphasized through the broad dissemination of its Equal Employment Opportunity Policy Statement and the Plan. The policy statement will be printed in the college catalogs and class schedules. The Plan and subsequent revisions will be distributed to the district's governing board, the Chancellor, administrators, the academic senate leadership, union representatives and members of the District Equal Employment Opportunity Advisory Committees. The Plan will be available on the district's website, and when appropriate, may be distributed by e-mail. Each year, the district office will provide all employees with a copy of the board's Equal Employment Opportunity Policy Statement (located in Plan Component 3 of this Plan) and written notice summarizing the provisions of the district's Equal Employment Opportunity Plan. The Human Resources Department will provide all new employees with a copy of the notice described above when they commence their employment with the district. The annual notice will contain the following provisions:

- 1) The importance of the employee's participation and responsibility in ensuring the Plan's implementation.
- 2) Where complete copies of the Plan are available, including on the district and campus websites and the Human Resources Department website.

## **Plan Component 8: Training for Screening/Selection Committees**

Any organization or individual, whether or not an employee of the district, who is involved in the recruitment and screening/selection of personnel shall receive appropriate training on the requirements of:

1. The title 5 regulations on equal employment opportunity (section 53000 et. seq.);
2. The requirements of federal and state nondiscrimination laws; and the requirements of the District's Equal Employment Opportunity Plan;
3. The district's policies on nondiscrimination, recruitment, and hiring; principles of diversity and cultural proficiency<sup>2</sup>;
4. The value of a diverse workforce; and
5. Recognizing bias.

Persons serving in the above capacities will be required to receive training within the 12 months prior to service. This training is mandatory; individuals who have not received this training will not be allowed to serve on screening/selection committees. The Human Resources Department is responsible for providing the required training.

Any individual, whether or not an employee of the district, acting on behalf of the district with regard to recruitment and screening of employees is subject to the equal employment opportunity requirements of title 5<sup>3</sup> and the district's Equal Employment Opportunity Plan.

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<sup>2</sup> For purposes of this EEO Plan, "cultural proficiency" involves successful teaching and other interactions with both students and colleagues from a variety of cultures. It requires a contextual understanding that numerous social and institutional dynamics, including the effects of inequities, affect how students have been taught and treated, and translates that understanding to the removal of barriers to student success. "Culture" refers to those things that are shared within a group or society: shared knowledge and beliefs, shared values, shared behavioral expectations, and principles that are widely used or recognized. "Culture" therefore refers to more than simply race and ethnicity.

<sup>3</sup> See title 5, § 53020(c).

## **Plan Component 9: Annual Written Notice to Community Organizations**

The equal employment opportunity officer will provide annual written notice to appropriate community-based and professional organizations concerning the Plan. The notice will inform these organizations that they may obtain a copy of the Plan, and shall solicit their assistance in identifying diverse qualified candidates. The notice will include a summary of the Plan. The notice will also include the internet address where the district advertises its job openings and the names, departments and phone numbers of individuals to call in order to obtain employment information. The district will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources. A list of organizations, which will receive this notice, is attached to this Plan as Appendix A. This list may be revised from time to time as necessary.

## **Plan Component 10: Analysis of District Workforce and Applicant Pool**

The Human Resources Department will annually survey the district's workforce composition and shall monitor applicants for employment on an ongoing basis to evaluate the district's progress in implementing the Plan, to provide data needed for the reports required by this Plan and to determine whether any monitored group is underrepresented. Monitored groups are men, women, American Indians/Alaskan Natives, Asians or Pacific Islanders, Blacks/African-Americans, Hispanics/Latinos, Caucasians, and persons with disabilities.

For purposes of the survey and report each applicant or employee will be afforded the opportunity to voluntarily identify her or his gender, ethnic group identification and, if applicable, her or his disability. Persons may designate as many ethnicities as they identify with, but shall be counted in only one ethnic group for reporting purposes. This information will be kept confidential and will be separated from the applications that are forwarded to the screening/selection committee and hiring administrator(s). This survey will be done for each college in the district. The district will annually report to the Chancellor the results of its annual survey of employees. At least every three years the Plan will be reviewed and, if necessary, revised based on an analysis of the ethnic group identification, gender, and disability composition of existing staff and of those who have applied for employment in each of the following identified job categories:

- 1) Executive/Administrative/Managerial
- 2) Faculty and other Instructional Staff
- 3) Professional Non-faculty (Accountants, Analysts, and Health Services Nurse positions)
- 4) Secretarial/Clerical
- 5) Technical and Paraprofessional (technical support positions)
- 6) Skilled Crafts
- 7) Service and Maintenance

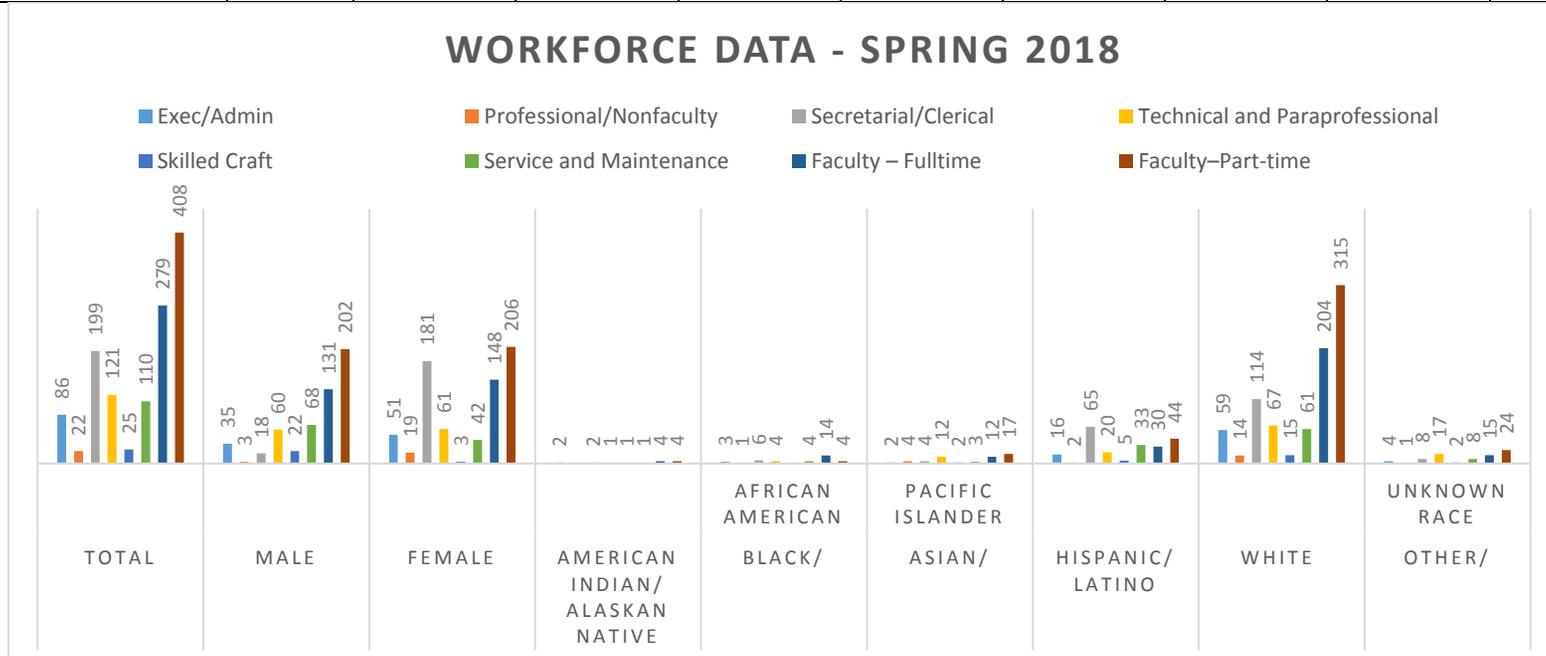
In anticipation of the release of the longitudinal data tool and upcoming training sessions, our District plans to conduct a further and deeper analysis once the longitudinal data tool is available. We are looking forward to the training sessions in September of 2018 and being able to provide data needed for the development of useful analysis reports of the District's workforce and applicant pools.

Additionally, our District is currently in transition following a conversion of our data management systems and not all of our data is currently available. We will be working with our IT department to establish functional EEO reporting extracts with historical information so that we may provide reports that include a historical analysis.

Based on what we have currently available, the demographics of our District's current workforce and applicant pools are reported in the following tables and charts:

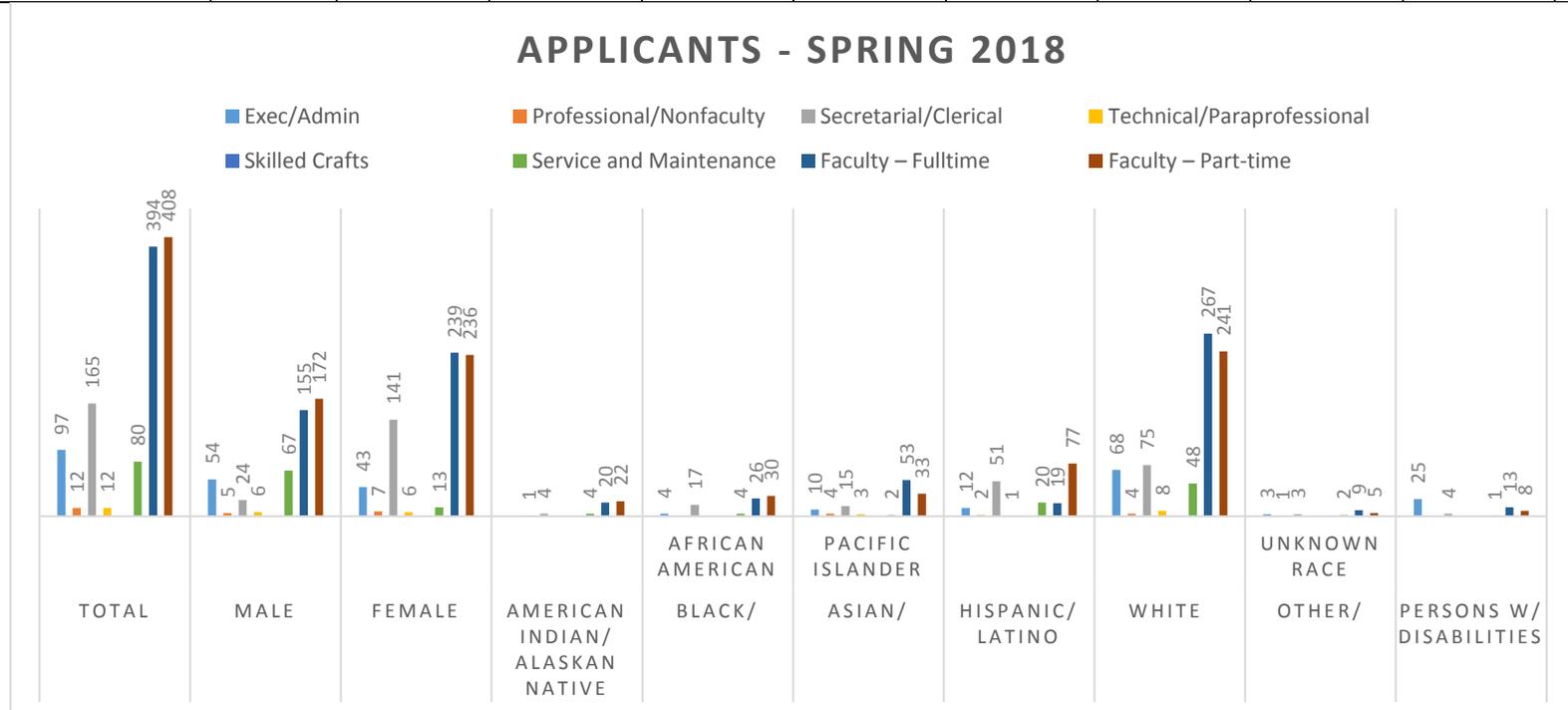
**Yosemite Community College District  
Workforce Demographics  
Spring 2018**

	Total	Male	Female	American Indian/ Alaskan Native	Black/ African American	Asian/ Pacific Islander	Hispanic/ Latino	White	Other/ Unknown Race
Exec/Admin	86	35	51	2	3	2	16	59	4
Professional/NonFaculty	22	3	19		1	4	2	14	1
Secretarial/Clerical	199	18	181	2	6	4	65	114	8
Technical/Paraprofessional	121	60	61	1	4	12	20	67	17
Skilled Craft	25	22	3	1		2	5	15	2
Service and Maintenance	110	68	42	1	4	3	33	61	8
Faculty – Fulltime	279	131	148	4	14	12	30	204	15
Faculty–Part-time	408	202	206	4	4	17	44	315	24



**Yosemite Community College District  
Applicant Pool Demographics  
Spring 2018**

	Total	Male	Female	American Indian/ Alaskan Native	Black/ African American	Asian/ Pacific Islander	Hispanic/ Latino	White	Other/ Unknown Race	Persons w/ disabilities
Exec/Admin	97	54	43		4	10	12	68	3	25
Professional/Nonfaculty	12	5	7	1		4	2	4	1	
Secretarial/Clerical	165	24	141	4	17	15	51	75	3	4
Technical/Paraprofessional	12	6	6			3	1	8		
Skilled Crafts										
Service and Maintenance	80	67	13	4	4	2	20	48	2	1
Faculty – Fulltime	394	155	239	20	26	53	19	267	9	13
Faculty – Part-time	408	172	236	22	30	33	77	241	5	8



## **Plan Component 11: Other Measures to Further Equal Employment Opportunity**

The district recognizes that multiple approaches are appropriate to fulfill its mission of ensuring equal employment opportunity and the creation of a diverse workforce. Equal employment opportunity means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the district. Equal employment opportunity should exist at all levels and in all job categories.

Ensuring equal employment opportunity also involves creating an environment that is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination. To that end, in addition to the steps to address underrepresentation and/or significant underrepresentation, the district will implement a diversity program. Having a district that has accepted principles of diversity and multiculturalism can make implementation and maintenance of an effective equal employment opportunity program much easier. For that reason, institutionalizing a diversity program that is well planned out and supported by the leadership of the district can be of great value. In implementing a diversity program, the district will do the following:

- 1) Commit to EEO efforts that are supported by the district and campus leadership.
- 2) Include guest speakers from underrepresented groups who are in leadership positions and who may inspire students and employees alike.
- 3) Highlight the district's equal employment opportunity and diversity policies in job announcements and in its recruitment, marketing, and other publications. Include in job announcements language indicating that candidates are required to demonstrate that they can be sensitivity to the needs, problems and challenges associated with the diversity of the community college student population. .
- 4) Conduct dialogues, forums, and workshops on EEO and cross-cultural competency.
- 5) Review and revise college and/or district publications and other marketing tools to reflect in pictures, graphics, and text to project an inclusive image.
- 6) Provide EEO/diversity workshops at all instructional improvement days (Institute, In-service or staff development day).
- 7) Evaluate administrators yearly on their ability and efforts to meet the district's equal employment opportunity and diversity efforts.

- 8) Establish an online presence by highlighting the district's diversity and equal employment opportunity, ADA, sexual harassment and nondiscrimination policies, procedures and programs on the district's website. The website will also list contact persons for further information on all of these topics.
- 9) Promote various cultural celebrations on campus.
- 10) Recognize multilingualism and knowledge of multiculturalism as a desired, and when appropriate, required skill and qualification for community college employees.
- 11) Have a formal EEO program on college (or at the district) that is visible, valued and adequately funded.
- 12) Consider providing for alternative educational or experience requirements for nonacademic positions.
- 13) Develop leadership opportunities with current staff focusing on diversity.
- 14) Ensure that top administrative staff support EEO objectives and that the diversity and/or equal employment opportunity officer position is maintained as a cabinet or other high-level administrative position.
- 15) Seek direct contact with student, professional, community and other organizations that represent the diverse community we serve. These organizations can serve as resources for referring potential candidates.

## **Plan Component 12: Graduate Assumption Program of Loans for Education**

The district will encourage community college students to become qualified for, and seek employment as, community college employees. The district shall research and inform students about programs that may assist them to complete their graduate studies and become community college employees. The district will post informational flyers on the campuses concerning such programs, and make information available on the website, the course catalog, and in locations accessible to students, including but not limited to, Counseling, Financial Aid, and the Student Center. Efforts will be made to inform graduate students in local colleges and universities about the benefits of employment at a community college.

## Appendix A

Community Organizations:  
(Annual written notice per Plan Component 9)

Assyrian American Association of Modesto  
P.O. Box 4530  
[Modesto](#), CA 95352-4530

Central Valley Hispanic Chamber Of Commerce  
P.O. Box 3113  
Modesto, CA 95353  
Phone: (209) 789-5123  
[www.cvhcc.com/](http://www.cvhcc.com/)

Hispanic Chamber of Commerce Stanislaus County  
1314 H Street  
Modesto, CA 95354  
Phone: (209) 338-1001

Latino Community Roundtable  
P.O. Box 4203  
Modesto, CA 95350-4203  
(209) 303-2664  
[www.lcrstanislaus.org](http://www.lcrstanislaus.org)

Merced Lao Family Community, Inc.  
1748 Miles Courts, Suite #B  
Merced, CA 95348  
(209) 384-7384.

Southeast Asian Resource Action Center (SEARAC)  
1225 8th Street, Suite 590  
Sacramento, CA 95814  
Phone: (916) 428-7769  
[www.searac.org](http://www.searac.org)

Stanislaus Chinese Association  
2000 Lakeview Court  
[Modesto](#), CA 95355-1877

West Modesto King Kennedy Neighborhood Collaborative  
601 S. Martin Luther King Drive  
Modesto, CA 95351  
Phone: (209) 522-6902  
[www.westmodestocollaborative.com](http://www.westmodestocollaborative.com)