



POLICY STATEMENT

NO. 3.02.02

COORDINATED BY: Office of Business Affairs

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SUBJECT: AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY

I. PURPOSE

The purpose of this policy statement is to assert the commitment of Louisiana State University Shreveport (LSUS) to provide equal opportunity for all qualified persons in admission to, participation in, or employment in the programs and activities which the University operates without regard to race, creed, color, marital status, sexual orientation, gender identity, gender expression, religion, sex, national origin, age, mental or physical disability, or veteran's status, as well as to implement a procedure to address complaints for those who believe they have been subjected to discrimination and/or harassment in violation of this policy.

II. POLICY

A. LSUS requires that all employees and applicants receive fair consideration for employment and that all employees are treated fairly with regard to recruitment, promotions, demotions, transfers, layoffs, furloughs, terminations, rates of pay and other forms of compensation, tenure, training, and other employment practices. This policy statement also affirms the University's policy regarding sexual harassment as outlined in the University's Policy Statements on Sexual Harassment (PM-73 and PS 2.14) as well as its policies and procedures related to disability as established in PS 4.04.

B. LSUS complies with the provisions of Title IX, Title VI, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title VII, the

Age Discrimination in Employment Act (ADEA), the Americans with Disabilities Act (ADA), and applicable state law. The LSUS Director of Human Resource Management, or his/her designee, is designated as the individual at LSUS responsible for coordinating the University's compliance with these statutory provisions.

- C. The University reaffirms and emphasizes its commitment to provide a workplace free from discrimination and harassment and to provide a means to address complaints of discrimination and/or harassment. LSUS also reiterates its commitment and responsibility to protect its employees and students from discrimination, harassment, and retaliation for participating in the complaint process.

This Policy Statement is not intended to infringe upon constitutionally guaranteed rights nor upon academic freedom. In considering allegations of discrimination and/or harassment, the University must be concerned with the rights of both the complainant and the accused.

- D. All complaints of discrimination and/or harassment will be addressed. Substantiated cases shall result in appropriate discipline or other corrective action. The severity of the disciplinary action shall be consistent with the seriousness of the act of discrimination and/or harassment. Additionally, under appropriate circumstances, the University may take action to protect its employees and students from harassment by individuals who are not employees of the University.
- E. The Chancellor, Vice Chancellors, Deans, Directors, Department Chairs, and all other supervisory employees are responsible for assisting the University in the implementation of this policy.
- F. Anyone having questions regarding this policy or a complaint regarding a possible violation of this policy should contact the LSUS Office of Human Resource Management, Room 108 in the Administration Building, 318/797.5279.

III. COMPLAINT PROCEDURES

- A. Any member of the University community who believes he or she has been subjected to discrimination and/or harassment in violation of this policy has a right and an obligation to report the conduct to any University official, supervisor, the Office of Human Resource Management, or the LSUS Title IX Coordinator. No student or employee is required to report or make a complaint of discrimination and/or harassment to the person who is engaging in the problematic conduct.
- B. Complaints of possible violations of Permanent Memorandum 73 will be immediately reported to the LSUS Title IX Coordinator in the Office of Student Development. It is the responsibility of every LSUS employee to promptly report violations of PM-73. Failure to do so in a timely manner may form the basis for and employee disciplinary action.
- C. If possible, complaints should be resolved informally and at the lowest possible level in accordance with PM-73 and applicable LSUS Grievance Resolution policies. If the complaint cannot be resolved at this level, a formal investigation will be conducted by the Office of Human Resource Management and/or Title IX Coordinator.

IV. RECRUITMENT AND SELECTION

- A. The University, through its recruitment and employment policies, will recruit and employ qualified personnel for all its diverse activities and will provide equal opportunities during the selection process and employment without regard to race, color, marital status, sexual orientation, gender identity, gender expression, creed, religion, sex, natural origin, age, mental or physical disability, or veteran's status.
- B. Procedures for faculty recruitment are contained in LSUS Policy Statement 2.16. The recruitment process shall be conducted in a manner consistent with the goal of attracting a diverse pool of applicants. For certain vacancies, this could include placing advertisements in appropriate sources to attract minority and female candidates.

The Office of Human Resource Management and the Office of Diversity, Inclusion, and Community Engagement serve as resources to hiring departments in determining the most appropriate strategies for recruiting minority and female candidates for vacancies at LSUS. The level and classification of the vacancy will determine the scope of recruitment activities. Most full-time faculty and senior professional vacancies should be advertised regionally and/or nationally, including a minority-oriented media. Faculty vacancies must be advertised in at least one national media and one minority-oriented media.

All advertisements must include the statement "LSUS is an equal opportunity/affirmative action employer and encourages applications from women and minorities." Advertisements may include a salary range. All advertisements, including the scope of advertising effort (i.e. local, regional, or national) and the advertising sources used, must be approved by the Office of Human Resource Management prior to publishing. Use of a search committee for all regular faculty vacancies is required. Search Committees are required for unclassified Director positions and above. Exceptions may be approved by the Office of Human Resource Management. Prior to committee screening activities, the Office of Human Resource Management will conduct Search Committee Training to emphasize appropriate screening procedures and discuss the need to consider diversity in hiring recommendations.

- C. Procedures for hiring classified employees is per Chapter 22 of the Louisiana Civil Service Rules using LA Careers. Advertisement of classified vacancies in sources other than LA Careers is encouraged but not required.
- D. Unclassified job vacancies will be posted on LA Careers. Advertising for external unclassified vacancies is required in at least one regional/national media and one minority-oriented media. All advertisements must include the statement "LSUS is an equal opportunity/affirmative action employer and encourages applications from women and minorities." Use of a search committee is required for Assistant Director positions and above. Use of a search committee for all other unclassified vacancies is encouraged. Prior to committee screening activities, the Office of Human Resource Management

will conduct Search Committee Training to emphasize appropriate screening procedures and discuss the need to consider diversity in hiring recommendations.

V. ACTING OR INTERIM APPOINTMENTS

- A. As a general matter, the University seeks to fill positions quickly with permanent hires. In some instances, however, the University must make temporary appointments on an Interim or Acting basis. "Interim" refers to a temporary appointment due to a vacant post. "Acting" refers to a temporary appointment congruent to another employee holding the permanent appointment but is unavailable (ex. extended leave).
- B. Acting or Interim appointments of non-academic administrators for one year or less need not be advertised and filled on a competitive basis, however, appointing officials are encouraged to conduct a search at least within the department, school, college, or unit. Appointments of this nature must be approved in advance by the Office of Human Resource Management. Requisite campus approvals must be obtained. Efforts should be made to identify women and minority candidates for such appointments.
- C. While Acting or Interim appointments of academic administrators that are for one year or less are not required to be advertised externally, an internal, competitive process is encouraged. Appointing officials are encouraged to conduct a search within the department, school, college, or other overarching unit, depending on the scope of responsibility.
- D. An Acting or Interim appointment will not be changed to a permanent position without an advertised search process that is normally required and routine for that position. Exceptions to this requirement may be approved by the Chancellor if it is in the best interest of the University.

VI. EXCEPTIONS TO THE ADVERTISING GUIDELINES

- A. Visiting Faculty appointments for one year or less do not require advertising.
- B. Temporary appointments/employment agreements of 180 days or less do not require advertising.

- C. Promotions for classified employees are processed in accordance with Civil Service Rules. Promotions for unclassified staff from within a department or unit may be noncompetitively ??? with Vice Chancellor and Human Resource Management approval.

VII. TIME LIMITS

- A. Time limits established in this policy should be followed. Failure by the employee to adhere to time limits without appropriate justification may result in the employee waiving all rights under the grievance procedure for the issue(s) raised in the grievance. Failure by the University chain of command to follow established time limits or provide written notice that additional time is needed to respond to the employee will authorize the grievant to move to the next step of the procedure.
- B. With appropriate justification, time limits in this policy may be suspended, extended, or altered by the Chancellor or his/her designee.

VIII. EMPLOYEE ADVISOR

- A. Employees have the right to have a LSUS advisor of their choice present at each step of the grievance process. However, legal counsel will not be allowed to be present in any required meetings or hearings. The chosen advisor does not represent the employee, may not speak on behalf of the employee, and performs only in an advisory role with the employee.
- B. The advisor shall, at such times as approved by the advisor's supervisor, be granted the necessary paid time off to represent the grievant. This paid time off will not be charged to the advisors accrued leave. However, the time needed by the grievant and/or advisor to prepare for any step of the grievance should be done in the grievant's/advisor's time off unless approved by the supervisor.

IX. RETALIATION

- A. No employee will take reprisal action against an employee who uses the grievance policy, serves as an advisor, or participates in any way (e.g. witness) in the grievance process. Any employee violating this prohibition

against retaliation may be subject to disciplinary action up to, and including, termination.

- B. No LSUS official may use his/her position to attempt to improperly influence the grievance process.

X. SUMMARY DISPOSITION OF A GRIEVANCE


- A. A grievance which does not present a grievable issue or which is subject to summary disposition pursuant to Civil Service Guidelines, or which is untimely, may be dismissed.
- B. A request for summary dismissal must be approved by the Chancellor or his/her designee. All parties to the grievance will be notified in writing of this decision.

XI. PRE-GRIEVANCE COUNSELING

- A. The LSUS Office of Human Resource Management may be contacted for information and counseling on the grievance process.
- B. The LSUS Grievance Form is available at <http://www.lsus.edu/offices-and-services/human-resource-management/forms/grievance-form>.


Revised: July 01, 2021

AUTHORIZED BY:

DocuSigned by:

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Barbie Cannon
Vice Chancellor for Business Affairs

05/21/2022
Date Signed

APPROVED BY:

DocuSigned by:

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Lawrence Clark
Chancellor

05/21/2022
Date Signed