

EXECUTIVE ORDER 11246 AFFIRMATIVE ACTION PLAN (AAP)

FOR

**BUFFALO STATE COLLEGE
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Buffalo, New York 14222
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07/01/2013-06/30/2014

PART I: AAP FOR MINORITIES AND WOMEN

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

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BUFFALO STATE COLLEGE
AFFIRMATIVE ACTION PLAN
FOR 2013-2014

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INTRODUCTION TO PARTS I AND II

BACKGROUND

BUFFALO STATE COLLEGE is the largest of the comprehensive colleges in the State University of New York. The college has an enrollment of over 11,000 students and over 1600 employees. The college is committed to the intellectual, personal and professional growth of its students, faculty and staff. The goal of the college is to inspire a lifelong passion for learning and to empower a diverse population of students to succeed as citizens of a challenging world.

To this end, the college is committed to excellence in its faculty, students and staff. The college seeks to maintain an environment that fosters access to a quality public higher education, quality teaching and learning, and respect for diversity and individual differences. The affirmative action programs of the college have been adopted to ensure that no person encounters discrimination based on race, color, religion, sex, sexual orientation, age, genetic information, national origin, disability, marital or veteran status in any employment action including recruitment, hiring, advancement, promotion, compensation or termination.

In accordance with Executive Order 11246 and Revised Order #4, and the New York State Human Rights Law, BUFFALO STATE COLLEGE reaffirms its commitment to a program of affirmative action and equal employment opportunity. Through this plan, guidance is given to the college community on how to meet the goal of recruiting, retaining, and advancing a diverse community of administrators, faculty and staff. The plan sets the college policies and initiatives designed to help eliminate past and present discrimination based on race, color, religion, sex, age, or national origin. Separate plans (Part Two and Three) set forth the programs and initiatives to eliminate discrimination based on disability and veteran status.

BUFFALO STATE COLLEGE is a federal government supply and service contractor subject to the affirmative action requirements of Executive Order 11246, the Rehabilitation Act of 1973 as amended, and the Vietnam Veterans' Readjustment Assistance Act of 1974, Section 4212. Because BUFFALO STATE COLLEGE has \$50,000 or more in annual contracts with the federal government and employs 50 or more employees, we are required to prepare annual written Affirmative Action Plans (AAP's) for minorities and women, for covered veterans, and for persons with disabilities for our organization. Failure to comply with these laws and their implementing regulations, which are enforced by the Office of Federal Contract Compliance Programs (OFCCP), can result in debarment of the College from future contracts and subcontracts.

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

As stipulated in federal regulations, a prerequisite to the development of a satisfactory Affirmative Action Plan is the evaluation of opportunities for protected group members, as well as an identification and analysis of problem areas inherent in their employment. Also, where a statistical analysis of the employee workforce reveals a numeric disparity between incumbency

and availability of minorities or women, an adequate AAP details specific affirmative action steps to guarantee equal employment opportunity. These steps are keyed to the problems and needs of protected group members. For minorities and women, such steps include the development of hiring and promotion goals to rectify the disparity between incumbency and availability. It is toward this end that the following AAP of BUFFALO STATE COLLEGE was developed.

APPLICABLE AFFIRMATIVE ACTION LAWS AND REGULATIONS

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

BUFFALO STATE COLLEGE has developed separately an Affirmative Action Plan for covered veterans and persons with disabilities (Part II) prepared in accordance with the Rehabilitation Act of 1973, Section 503, as amended and Title 41, Code of Federal Regulations, Part 60-741 (Affirmative Action Program for Handicapped Persons), the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Section 4212, as amended, and Title 41 Code of Federal Regulations, Part 60-250 and/or Part 60-300 (Affirmative Action Program for Covered Veterans).

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

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

PROTECTED GROUPS

Coverage under affirmative action laws and regulations applies to:

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

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

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

Veterans who received an "Armed Forces Medal."

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

An individual with a disability: 1) a person who has a physical or mental impairment that substantially limits one or more of his/her major life activities; (2) has a record of such impairment, or (3) is regarded as having such an impairment.

PROGRAM TERMINOLOGY

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

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

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

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

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

RELIANCE ON EEOC'S GUIDELINES

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

REPORTING PERIOD

This AAP is designed to cover the following reporting period: 07/01/2013-06/30/2014.

STATEMENT OF PURPOSE FOR PARTS I AND II

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

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

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

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

1. Where we stand now,
2. Where we must go,
3. How best to get there.

These three concepts are the Affirmative Action Plan.

BUFFALO STATE COLLEGE

AFFIRMATIVE ACTION PLAN (AAP)

PART I: AFFIRMATIVE ACTION PLAN FOR MINORITIES AND WOMEN

07/01/2013-06/30/2014

PART I

AAP FOR MINORITIES AND WOMEN

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PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 1: ORGANIZATIONAL PROFILE

41 C.F.R. § 60-2.11

Workforce Analysis/Lines of Progression

BUFFALO STATE COLLEGE conducted a workforce analysis to identify employees by gender and race/ethnicity in each job title. The data was collected from payroll records dated 07/01/2013.

Job titles are listed by organizational unit. Job titles are listed from lowest to highest paid. The list includes all job titles, including departmental supervision, exempt, and nonexempt titles.

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

Lines of Progression

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

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

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

CHAPTER 2: JOB GROUP ANALYSIS

41 C.F.R. § 60-2.12

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

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

The three reasons for grouping job titles all discuss "similar" or "related" jobs. That is the most critical guideline in creating job groups. Above all, the job titles placed into a job group must be more similar or related to each other than the job titles in other job groups.

Job groups must have enough incumbents to permit meaningful comparisons of incumbency to availability and goal setting. Ideally, if a job group is identified as containing a problem area, it should be large enough that a goal of a least one whole person can be established. No minimum size has been established for this purpose, however, since it is dependent not only on the size of the job group, but also on the size of the availability percentage and the number of minorities or women already employed in the job group.

It may not be possible for a smaller contractor's job groups to meet the guideline of not crossing EEO categories. While there are usually two or more job groups within each EEO-1 or EEO-6 category, for smaller contractors some or all of their job groups may correspond to EEO categories.

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

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

Each job group appears on a Job Group Report with a job group name and number. The report lists each job title in the job group. For each job title, the worksheet provides the following information: EEO reporting category, job title, employee headcounts for each job title, and overall percentages by gender and race/ethnicity as of 07/01/2013.

See the *Job Group Analysis* for the listing of the job titles and the associated race and gender headcounts per job group.

CHAPTER 4: DETERMINING AVAILABILITY

41 C.F.R. § 60-2.14

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

Steps in Comparison of Incumbency to Availability

Identify Availability Factors

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

1. External Factor: The external requisite skills data comes from the 2010 Census of Population.
 - a. Local labor area: **See Zip Code Analysis**
 - b. Reasonable labor area: **National**

Note: Zip code analysis results only apply to job groups where populated census data is available.

2. Internal Factor: The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization. See the ***Internal Availability Analysis*** for more detail.

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

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

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

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

Once final availability estimates were made for each job group, BUFFALO STATE COLLEGE compared the percentage of incumbents in each job group to their corresponding availability. A comparison was made between the percentage employed as of 07/01/2013 and that group's final availability.

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

CHAPTER 6: PLACEMENT GOALS

41 C.F.R. § 60-2.16

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

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

In establishing goals, BUFFALO STATE COLLEGE considered the results which could reasonably be expected from putting forth every good faith effort to make our overall AAP work. We involved human resources staff, department heads, and unit managers and supervisors in the goal-setting process. Goals were not established that would exclude any gender or race/ethnic group.

See the *Placement Goals* report for each job group and the *Goals Progress Report* for progress made since the previous AAP.

CHAPTER 7: DESIGNATION OF RESPONSIBILITY
41 C.F.R. § 60-2.17(a)

As part of its efforts to ensure equal employment opportunity to all individuals, BUFFALO STATE COLLEGE has designated specific responsibilities to various staff to ensure the AAP focuses on all components of the employment system. To that end, the President, the Chief Diversity Officer, and those employed as supervisors and managers have undertaken the responsibilities described below.

President

The primary responsibility and accountability for implementing the AAP rests with the president. This person is responsible, through the CDO, for adherence to BUFFALO STATE COLLEGE's policy of equal employment opportunity and affirmative action. This role includes, but is not limited to, the following duties:

1. Designate appropriate personnel with the responsibility for overseeing, administering, implementing, and monitoring BUFFALO STATE COLLEGE's AAP. Ensure that these personnel are identified in writing by name and job title.
2. Ensure that those designated personnel responsible for all AAP components are given the necessary authority and top management support and staffing to successfully implement their assigned responsibilities.
3. Impart the personal direction that ensures total involvement and commitment to equal employment opportunity programs through BUFFALO STATE COLLEGE's AAP.

Chief Diversity Officer

The CDO is responsible for overall supervision of the AAP. The CDO ensures, through department managers and supervisors, that all relevant policies and procedures are adhered to. Successful implementation of this program is a basis for evaluating the CDO's effective work performance. The CDO's responsibilities include, but are not limited to, the following:

1. Ensure that BUFFALO STATE COLLEGE BUFFALO STATE COLLEGE adheres to the stated policy of equal employment opportunity, and monitor the application of equal employment opportunity policies.
2. Ensure that the AAP is reviewed and updated annually in accordance with BUFFALO STATE COLLEGE's stated policy.
3. Participate in periodic discussions with management, supervision, and all other employed personnel to ensure AAP and equal employment opportunity policies are being followed.

4. Review the qualifications of all employees to ensure equitable opportunity, based on job-related employment practices, is given to all for transfers and promotions.
5. Conduct periodic audits of: 1) training programs and hiring and promotion patterns to remove impediments to the attainment of AAP goals and objectives, 2) facilities to ensure they are maintained for the use and benefit of all employees and integrated both in policy and practice, and 3) sponsored educational, training, recreational, and social activities to ensure that all employees are encouraged to participate in accordance with policies on non-discrimination.
6. Ensure that all new employees receive a special orientation to BUFFALO STATE COLLEGE's equal employment opportunity policy and are thoroughly informed with regard to the AAP and its objectives.
7. Periodically analyze applicant flow to determine the demographics of persons applying for employment by race/ethnic origin and gender.
8. Ensure that recruitment advertising is placed in minority and female-oriented publications, as applicable.
9. Review all job descriptions and specifications to ensure they are free of discriminatory provisions and artificial barriers. Ensure that all requirements are job-related, that they are realistic, and that they reflect the actual work requirements of the essential job duties.
10. Provide direction to BUFFALO STATE COLLEGE's employees, as necessary, to carry out all actions required to meet the College's equal employment opportunity and affirmative action commitments.
11. Review, report on, and update BUFFALO STATE COLLEGE's AAP at least on an annual basis in accordance with stated policy.
12. Develop, implement, and maintain audit and reporting systems to measure effectiveness of equal employment opportunity programs, including those that will indicate the need for remedial action and determine the degree to which goals and objectives have been obtained.
13. Conduct periodic audits to ensure all required posters and those advertising BUFFALO STATE COLLEGE's equal employment opportunity policies and AAP are displayed and that BUFFALO STATE COLLEGE's equal employment opportunity and AAP policies are being thoroughly communicated.
14. Assist in review and revision of all policies, procedures, and rules to ensure they are not in violation of federal or state laws and regulations.

Vice Presidents, Deans, Associate Vice Presidents, Chairs, and Directors

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

1. Aggressively adhere to BUFFALO STATE COLLEGE's equal employment opportunity and affirmative action policy.
 - A. Support and assist the Chief Diversity Officer in developing, maintaining, and successfully implementing the AAP.
 - B. Complete progress reports regarding the status of goal achievement.
 - C. Take action to prevent harassment of employees placed through affirmative action efforts.
2. Ensure that all interviews, offers of employment and/or wage commitments are consistent with BUFFALO STATE COLLEGE's policy.
4. Implement the internal promotion and transfer of all employees under their supervision consistent with AAP goals and objectives.
5. Assist in identifying problem areas and provide needed information for establishing and meeting department affirmative action goals and objectives.

CHAPTER 8: IDENTIFICATION OF PROBLEM AREAS
41 C.F.R. § 60-2.17(b)

Terminology

The phrases “comparison of incumbency to availability,” and “problem area” appearing in this chapter are terms BUFFALO STATE COLLEGE is required by government regulations to use. The criteria used in relation to these terms are those specified by the government. These terms have no independent legal or factual significance. Although BUFFALO STATE COLLEGE will use the terms in good faith in connection with its AAP, such use does not necessarily signify the college agrees that these terms are properly applied to any particular factual situation and is not an admission of non-compliance with EEO laws, regulations, and objectives. Whenever the term “goal” is used, it is expressly intended that it “should not be used to discriminate against any applicant or employee because of race, color, religion, gender, or national origin,” as stated in Title 41 Code of Federal Regulations, Part 60-2.16(e).

In addition to comparing incumbency to availability within job groups, BUFFALO STATE COLLEGE has conducted studies to identify problem areas in each of its selection procedures (i.e., hires, promotions, and terminations). BUFFALO STATE COLLEGE will continue to monitor and update these studies during each AAP year. In each case where potential problem areas have been identified, affirmative actions, as appropriate, will be taken consistent with any of the action-oriented programs described in Chapter 9 of this AAP.

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

Background: During the past year Buffalo State experienced a flat budget in its operating budget. The institution has done very limited hiring during the past year in order to manage budget realities.

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

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

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

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

Applicant flow, hires, promotions, and terminations were analyzed by job group. An analysis of selection disparities in personnel activity between men/women and whites/minorities was accomplished by a thorough examination of transaction data. See the *Summary of Personnel Transactions Report* for each job group.

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

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

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

BUFFALO STATE COLLEGE tailors our action-oriented programs each year to ensure they are specific to the problem identified.

Action-Oriented Program:

The Action-Oriented Programs designed to address the underutilization of women and minorities are listed below. These Action-Oriented Programs will be carried-out throughout the AAP year. The CDO, with the help of the managers, will be responsible in ensuring that the following are implemented.

Recruitment:

1. BUFFALO STATE COLLEGE will also continue to place job opportunity announcements in the College website, local media, and national diverse media streams as appropriate.
2. BUFFALO STATE COLLEGE will continue to place advertisements in particular media with large numbers of women and readers of color specific to certain professions or disciplines when recruiting national positions. Search committees are urged to post advertisements in the Chronicle of Higher Education, Diverse - Issues in Higher Education, Hispanic Outlook, and other appropriate outlets. Search committee for local and regional searches are encouraged to post advertisements in the Buffalo Challenger and/or the West Side Times and similar publications that represent a broad spectrum of the community.
3. Advertisements and newsletters will always carry the Equal Employment Opportunity clause.
4. BUFFALO STATE COLLEGE will participate in job fairs if there are sufficient numbers of opening to warrant participation.
5. BUFFALO STATE COLLEGE will continue to recruit at several colleges and universities, that produce high numbers of graduates of color and women in particular fields of study in order to encourage applications for appropriate openings.
6. BUFFALO STATE COLLEGE will continue to publish recruiting brochures where minority and female members of the workforce are included, as well as in other College literature.

Job Specifications/Selection Process:

1. BUFFALO STATE COLLEGE will continue to develop position descriptions that

accurately reflect position functions, and are consistent for the same position from one location to another.

2. BUFFALO STATE COLLEGE will continue to develop job or worker specifications that contain academic, experience, and skill requirements that do not constitute inadvertent discrimination. Develop specifications that are free from bias with regard to age, race, color, religion, national origin, disability or veteran status.
3. BUFFALO STATE COLLEGE will continue to use only worker specifications that include job-related criteria.
4. BUFFALO STATE COLLEGE will continue to counsel all personnel involved in the recruiting, screening, selection, promotion, disciplinary, and related processes to eliminate bias in all personnel actions.

Job Advancement:

1. Minority and female employees can be made available for participation in Career Days, Youth Motivation Programs, and related activities in the community, as desired.
2. BUFFALO STATE COLLEGE will continue to post or announce job opportunities. BUFFALO STATE COLLEGE's Job Posting Policy System requires postings of all positions up to the Senior Management level.
3. BUFFALO STATE COLLEGE will continue to make use of the inventory of our current employee skills, when completed, to determine academic, skill, and experience level of individual employees.
4. Require supervisory personnel to submit justification when apparently qualified minority or female employees are passed over for promotions.
5. Review seniority practices to ensure such practices are non-discriminatory and do not have discriminatory effect.
6. BUFFALO STATE COLLEGE will continue to use our formal employee evaluation program. The performance Appraisal is used for annual reviews for all employees.
7. Employees can choose programs through the Professional Development Office and include them in their performance programs.
8. Tuition refund is offered to all salaried employees with a specific amount of days of service, depending upon their bargaining unit, who are interested in pursuing an undergraduate degree or an advance degree, with certain limitations.

CHAPTER 10: INTERNAL AUDIT AND REPORTING
41 C.F.R. § 60-2.17(d)

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

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

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

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

The BUFFALO STATE COLLEGE auditing and reporting system periodically measures the effectiveness of its total affirmative action program. The CDO:

1. Monitors records of all personnel activity, including referrals, placements, transfers, promotions, terminations, and compensation, at all levels to ensure the nondiscriminatory policy is carried out;
2. Requires internal reporting on a scheduled basis as to the degree to which equal employment opportunity and organizational objectives are attained;
3. Reviews report results with all levels of management; and
4. Advises top management of program effectiveness and submit recommendations to improve unsatisfactory performance.

BUFFALO STATE COLLEGE

AFFIRMATIVE ACTION PLAN (AAP)

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

07/01/2013-06/30/2014

PART II

AAP FOR COVERED VETERANS AND PERSON WITH DISABILITIES

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CHAPTER A: POLICY STATEMENT
41 C.F.R. §§ 60-250.44(a); 60-300.44(a); 60-741.44(a)

BUFFALO STATE COLLEGE
Non-Discrimination Policy for Veterans
(Revised June 2010)

I. Introduction

A. Purpose

The purpose of this document is to set forth BUFFALO STATE COLLEGE's continuing commitment to non-discrimination and affirmative action policy regarding veterans. The Affirmative Action Plan for qualified veterans is reviewed and updated annually by the Equity and Campus Diversity Office in conjunction with the College Affirmative Action Plan.

B. Reaffirmation of Policy

The State University College at Buffalo will make every effort to assist employees identified as Veterans with disabilities, recently separated veterans, veterans who were awarded the Armed Forces service medal pursuant to Executive Order 12985, and other protected veterans to reach their full employment potential. (Policy Number: VI:01:01 May 1986) (Revised March 2004; revised June 2010)

In accordance with applicable federal laws* and with Buffalo State's own policies and programs of equal employment opportunity and nondiscrimination, the college reaffirms its policies, responsibilities and commitments to veterans. The college will not discriminate because of status as a veteran with a disability, recently separated veteran, other protected veteran, or veteran who was awarded the Armed Services Service medal and shall take affirmative action to employ and advance in employment of such veterans at all levels of employment, including executive level of employment. The college will recruit, hire, train, and promote persons in all job titles and ensure that all other personnel actions are administered without regard to such veterans and will ensure that all employment decisions are based solely on valid job requirements.

(*Vietnam Era Veteran's Readjustment Act of 1974 (VEVRAA) as amended by the Jobs for Veterans Act (JVA) of 2002, effective September 2007)

C. Definitions

JVA eliminated the category of Vietnam Era Veterans under VEVRAA.

Veteran with a Disability, for the purpose of this policy, means a veteran of the U. S. military, ground, naval or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or 2) a person who was discharged or released from active duty because of a service-connected disability."

Recently Separated Veteran means any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty in the U. S. military, ground, naval or air service.

Armed Forces Service Medal Veteran means any veteran who, while serving on active duty in the U. S. military, ground, naval or air service, participated in the United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985.

Other Protected Veteran means a veteran who served on active duty b the U. S. Military, ground, naval or air service during a war or in a campaign or expedition for which a campaign badge has been authorized, under laws administered by the Department of defense.

D. Responsibility

The CDO is given the responsibility for implementation of the college's affirmative action activities for eligible veterans. The office is located in Cleveland Hall, Room 415 at 1300 Elmwood Avenue, Buffalo New York 14222. Persons, who believe that they have been discriminated against in application or employment because of their status as a veteran, are able to file a complaint in the office of Equity and Campus Diversity. The college will follow the SUNY Grievance Policies for the Review of Allegations of Discrimination to resolve complaints of unlawful discrimination based on veteran status.

Administrative and supervisory level employees have the responsibility to ensure that all necessary actions are taken to achieve equal employment opportunity and affirmative action for persons with veteran status

II. Implementation

a) Review of personnel processes

All personnel processes involving veterans shall follow the policies and procedures established for all employees of the college. Only that portion of the applicant's military record relevant to the requirements of the position will be reviewed in employment evaluations.

b) Training

All persons involved in the recruitment, screening, selection, promotion, disciplinary and related processes are trained in the college's affirmative action program. All search and selection committee chair persons are provided copy of the Guide to Administrative Faculty and Staff Searches which contains information on the administration of affirmative action searches and contacts for increasing the pool of eligible veterans.

c) Physical and mental qualifications and

d) Reasonable Accommodations to Physical and Mental Limitations

All physical and mental qualifications for positions will be job-related and are consistent with business necessity. The college will make reasonable accommodations to the known physical or mental limitations of an otherwise qualified veterans unless it can be shown that the accommodation would impose an undue hardship on the operation of the college.

Revised June 2010

(Signature)

Aaron Podolefsky
President

07/01/2013

CHAPTER B: REVIEW OF PERSONNEL PROCESSES
41.C.F.R. §§ 60-250.44(b); 60-300.44(b); 60-741.44(b)

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

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

CHAPTER C: PHYSICAL AND MENTAL QUALIFICATIONS
41.C.F.R. §§ 60-250.44(c); 60-300.44(c); 60-741.44(c)

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

The College's physical and mental job requirements are reviewed to determine whether or not they are essential job-related functions and consistent with business necessity and safe performance on the job.

Schedule for Review: Any previously reviewed classification will be reviewed again if there is a change in working conditions which affects the job's physical or mental requirements (e.g., new requirements, new equipment, etc.)

A. Personnel Processes Related to Persons with Disabilities:

1. All applicants for employment and members of the BUFFALO STATE COLLEGE community who believe themselves to be disabled and covered under the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, and who desire accommodations under these acts are invited to identify themselves on the employment form and/or through the Human Resources Department
2. Persons who identify themselves as having a disability and in need of accommodations are asked to request the reasonable accommodations, which will enable them to fulfill the essential functions of the position.
3. In carrying out this policy in pre-employment and recruitment the following procedures are used:
 - a) The college will ensure that its personnel processes provide for careful, thorough, and systematic consideration of job qualifications of applicants and employees with known disabilities and that the processes do not stereotype persons with disabilities in a manner that limits their access to all jobs for which they are qualified.
 - b) The college will screen all physical and mental job qualifications standards to ensure that to the extent that qualification standards are essential job-related functions and are consistent with business necessity.
 - c) The college will make reasonable accommodations to the physical and/or mental limitations of otherwise qualified individuals with a disability unless it can demonstrate that the accommodation would impose an undue hardship on the operation of its business.

- d) All BUFFALO STATE COLLEGE search committees are provided with information regarding the American with Disabilities Act and the questions and concerns that are prohibited from being asked during the pre-employment interview process.
- e) BUFFALO STATE COLLEGE will not make any pre-employment inquiries regarding disabilities. Within the limits of the law, BUFFALO STATE COLLEGE may ask an individual with a disability to describe or demonstrate how the essential functions of the position would be performed with reasonable accommodations.
- f) BUFFALO STATE COLLEGE will not require pre-employment medical examinations or medical histories, but may condition a job offer on the result of a post-offer medical examination, if all entering employees in the same job category are required to take this examination.
- g) Any test given to potential employees must be related to the essential functions of the position and be consistent with business necessity. The test must reflect the skills and aptitudes of the individual related to the essential functions of the position, rather than reflect sensory or motor or communication skills, unless those skills tested are related to the essential functions of the position.
- h) The college will ensure that no persons with a disability will be harassed because of the disability.

B. Audit and Reporting System

BUFFALO STATE COLLEGE will assume responsibility for the implementation and review of the internal audit procedures related to the employment of persons with disabilities. These procedures will include the identification of positions for which an identified applicant was considered, the identification of promotions for which an identified employee was considered, and periodic reports regarding actions of employment and promotions for persons with disabilities.

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

41 C.F.R §§ 60-250.44(d); 60-300.44(d); 60-741.44(d)

BUFFALO STATE COLLEGE will make every effort to provide reasonable accommodations to physical and mental limitations of applicants and employees with disabilities or who are disabled veterans unless it can demonstrate that the accommodations would impose an undue hardship on the operation of business. BUFFALO STATE COLLEGE will confidentially review performance issues of employees with known disabilities to determine whether a reasonable accommodation is needed when: 1) the employee is having significant difficulty with job performance, and 2) it is reasonable to conclude that the problem is related to the known disability.

Employees may also contact the following at any time to formally request an accommodation:

Name: Susan Earshen

Title: Associate Vice President for Human Resource Management

Phone: (716) 878 - 3042

Email: earshesj@buffalostate.edu

CHAPTER E: HARASSMENT
41.C.F.R. §§ 60-250.44(e); 60-300.44(e); 60-741.44(e)

BUFFALO STATE COLLEGE has developed and implemented a set of procedures to ensure that its employees with disabilities and Covered Veterans are not harassed due to those conditions. A copy of the sexual harassment policy, which includes a section prohibiting harassment of individuals with disabilities or other veterans is available for distribution to new as well as to existing employees.

BUFFALO STATE COLLEGE
Policy on Sexual Harassment

I. Rationale

The U.S. Equal Employment Opportunity Commission (EEOC) has issued guidelines interpreting Section 703 of Title VII as prohibiting sexual harassment (29 CFR 1604.11). Sexual harassment is defined in these guidelines as follows:

...Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment is an affront to human dignity and will not be tolerated at BUFFALO STATE COLLEGE. As an educational institution, we do not condone nor tolerate any verbal or physical conduct that would constitute sexual harassment of any member of the college or college community. BUFFALO STATE COLLEGE is committed to the intellectual, personal and professional growth of its students, faculty and staff. The goal of the College is to inspire a lifelong passion for learning, and to empower a diverse population of students to succeed as citizens within a challenging world. The College is dedicated to excellence in teaching and scholarship, cultural enrichment and service in order to enhance the quality of life in Buffalo and the larger community. Actions of members of the college community which harm this atmosphere undermine and hinder the educational mission.

Sexual harassment is particularly serious when it threatens the relationship between faculty and students or supervisor and subordinate. In such situations, sexual harassment unfairly exploits the power inherent in the faculty member or supervisor's position. The college will not tolerate behavior that creates an unacceptable working or educational environment between or among members of the college community. Reports of sexual harassment can be made to any administrator, manager, or supervisor of the college including the department chair, dean, or vice president. Formal complaints can be made to the CDO, in the office for Equity and Campus Diversity.

II. Policy

It is the policy of BUFFALO STATE COLLEGE to provide an employment and educational environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication, constituting sexual harassment as defined and otherwise prohibited by state and federal statutes.

III. Implementation

It shall be a violation of college policy for anyone who is in a position of authority to recommend or take personnel actions affecting an employee, or who is otherwise authorized to transact business or perform other acts or services on behalf of the college.

- To make sexual advances or request sexual favors when submission to or rejection of such conduct is the basis for either implicitly or explicitly recommending, imposing, granting, withholding or refusing terms and conditions that either favor or adversely affect the employment or education of any member of the college community;
- To recommend, impose, grant, withhold or refuse to take any personnel or other action consistent with his or her duties and responsibilities because of sexual favors or as a reprisal against an employee or other member of the college community who has rejected or reported sexual advances;
- To disregard and fail to investigate allegations of sexual harassment whether reported by the employee or member of the college community who is the subject of the alleged harassment or a witness, and to fail to take immediate corrective action in the event misconduct has occurred.

It shall also be a violation of this policy for any member of the college community to abuse another through conduct or communication of a sexual nature and constituting sexual harassment as defined in Section II above. Whenever such misconduct exists, prompt and corrective action consistent with the discipline provisions of the college policy is required.

Whenever there is an abuse of authority or neglect of responsibility, the supervisor or other responsible individual is required to take prompt and corrective action consistent with the discipline provisions of the college policy.

The violation of this policy can result in discipline and discharge for employees; and such penalties, sanctions and impositions against other individuals or parties as may be available to the college, given the nature of the contractual or business relationship that may be established with such parties or individuals.

A. Grievance Procedures

Employees or other individuals who feel aggrieved because of sexual harassment have several ways to make their concerns known:

- Aggrieved persons who feel comfortable doing so should directly inform the person engaging in discrimination or conduct or communication that such conduct or communication is offensive and must stop.
- Aggrieved individuals who do not wish to communicate directly with the person whose conduct or communication is offensive, or if direct communication with the offending party has been unveiling, shall contact the offending party's immediate supervisor and/or the officer responsible for affirmative action for counseling and assistance.
- Aggrieved persons alleging either sexual harassment by anyone with supervisory authority, or failure by a supervisor to take immediate action on the individual's complaint, may also file a formal grievance in accordance with the provisions of the appropriate grievance procedure.

All formal complaints of sexual harassment will be handled by the BUFFALO STATE COLLEGE Grievance Procedure for the Review of Allegations of Unlawful Discrimination. The BUFFALO STATE COLLEGE Grievance Procedure for the Review of Allegations of Unlawful Discrimination has specific timetables for filing complaints and a process for adjudicating the complaint. A copy of the procedure is available through the vice presidents, deans and the Office of Equity and Campus Diversity.

Regardless of the means selected for resolving the problem, the initiation of a complaint of sexual harassment will not cause any reflection on the complainant nor will it affect such person's future employment, education, compensation or work assignments.

B. Responsibility of Management

All levels of management have a special responsibility for implementation of this policy. If behavior is observed which violates this policy, the person observing such behavior shall bring the matter to the attention of the supervisor responsible for that area and the officer responsible for affirmative action. If an employee or other individual files a complaint, the management representative with whom the complaint is filed shall inform the complainant of his or her right under this policy and attempt corrective action. When a problem is beyond the capability of such representative to effectively correct the action, the matter shall be referred to the officer responsible for affirmative action.

In all cases and regardless of the individuals' remedial measures that have been undertaken, the management representative to whom the written complaint has been referred shall provide the officer responsible for affirmative action with a complete written report of each complaint.

Written report

This report must be submitted within ten (10) days of the date the complaint was first filed with the management representative. Such report shall minimally include:

- Date of receipt of written complaint.
- Identification of complainant.
- Identification of the party or parties and the actions complained of, including all relevant background facts and circumstances.
- A statement detailing the scope of the investigation that had been undertaken and the results thereof.
- A statement of corrective measures pursued, the date such measures were undertaken and the results achieved.

Education and Training

Sexual harassment may range from sexual innuendoes made at inappropriate times, perhaps in the guise of humor, or to coerce sexual relations. Harassment at its extreme occurs when a person in control, influence, or position to affect another person's job or career uses his or her authority and power to coerce the other person into sexual relations or to punish such person's refusal. It may include:

- Verbal harassment or abuse.
- Subtle pressure for sexual activity.
- Persistent remarks about another person's clothing, body or sexual activities.
- Unnecessary touching, patting or pinching.
- Constant brushing against another person's body.
- Demanding sexual favors accompanied by implied or overt threats concerning one's job, letters of recommendation, etc.
- Physical assault.

Because sexual harassment is tied so closely to learned role models, it is necessary for men and women to learn more about this issue and the means for addressing problems as they arise. The college sponsors educational workshops on the subject of sexual harassment. Attendance at one of these programs or an approved substitution is mandatory for all persons in a supervisory or executive capacity. Each is also encouraged to hold educational workshops and otherwise seek to sensitize persons within their areas of responsibility as to the importance of providing an employment and business environment free of sexual harassment. Although there are various approaches one may take to offset potential problems, several measures are recommended:

- Encourage internal complaints. Express disapproval of harassment and inform employees of their right to file complaints under college policy.
- Assure that all supervisors are aware of their responsibilities, college policy, the laws and the potential liabilities when violations occur;
- Regard each claim of sexual harassment as being serious and investigate immediately;
- Sensitize all employees to the issue and the ramifications of sexual harassment.

C. Special Assistance

In the implementation of this policy, it is expected that questions may arise concerning the interpretation of the prohibitions against sexual harassment, grievance procedures, the methods and procedures to be followed in the investigation of complaints, and the appropriateness of specific solutions in disposition of complaints. For assistance in these matters, please contact Karen A. Clinton Jones, Ph.D., Chief Diversity Officer, 415 Cleveland Hall, BUFFALO STATE COLLEGE, (716) 878-6210, joneska@buffalostate.edu.

**CHAPTER F: EXTERNAL DISSEMINATION OF POLICY, OUTREACH AND
POSITIVE RECRUITMENT**

41 C.F.R. §§ 60-250.44(f); 60-300.44(f); 60-741.44(f)

Based upon the College's review of its personnel policies as described in Chapter B, the following activities will be implemented or continued to further enhance our affirmative action efforts. All activities are the responsibility of the CDO.

- 1) Initiate and maintain communication with organizations having special interests in the recruitment of and job accommodations for covered veterans and individuals with disabilities.
- 2) Include workers with disabilities when employees are pictured in consumer, promotional, or help wanted advertising.
- 3) Disseminate information concerning employment opportunities to radio and television stations, and to publications that primarily reach covered veterans and individuals with disabilities.
- 4) Provide information emphasizing job opportunities for covered veterans and individuals with disabilities to all local educational institutions, public and private.
- 5) Inform all recruiting sources, in writing and orally, of the College's affirmative action policy for covered veterans and individuals with disabilities.
- 6) Send written notification of the College's affirmative action policy to all subcontractors, vendors, and suppliers requesting appropriate action on their part. This includes their obligation to annually file their EEO Reporting form and VETS-100 form and, for employers with 50 or more employees and contracts of \$50,000 or more, their obligation to develop a written affirmative action plan.
- 7) Conduct formal briefing sessions with representatives from recruiting sources. Include as part of the briefing sessions, facility tours, clear and concise explanations of current and future job openings, position descriptions, worker specifications, explanations of the College's selection process, and recruiting literature. Arrange for referral of applicants, follow up with sources, and feedback on disposition of applicants.
- 8) Participate in veterans "job fairs" and work study programs with Veterans' Administration rehabilitation facilities and schools which specialize in training or educating covered veterans.
- 9) BUFFALO STATE COLLEGE will also grant leaves of absence to employees who participate in honor guards for the funeral of veterans.

CHAPTER G: INTERNAL DISSEMINATION OF POLICY
41 C.F.R. §§ 60-250.44(g); 60-300.44(g); 60-741.44(g)

In order to gain positive support and understanding for the affirmative action program for covered veterans and individuals with disabilities BUFFALO STATE COLLEGE will implement or continue to implement the following internal dissemination procedures, all of which are the responsibility of the Chief Diversity Officer. The following policies and procedures are designed to foster support and understanding from BUFFALO STATE COLLEGE's executive staff, management, supervisors, and other employees in an effort to encourage all employees to take the necessary actions to aid BUFFALO STATE COLLEGE in meeting its obligations.

- 1) Include the policy in the College's policy manual and other in-house publications.
- 2) Conduct special meetings with executive, management, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation, making clear the president's attitude.
- 3) Schedule training sessions for all employees involved in recruiting, selection, promotion, and other related employment issues for covered veterans and individuals with disabilities.
- 4) Discuss the policy thoroughly in both employee orientation and management training programs.
- 5) Inform union officials of the contractor's policy, and request their cooperation.
- 6) Include non-discrimination clauses in all union agreements, and review all contractual provisions to ensure they are non-discriminatory.
- 7) Include articles on accomplishments of covered veterans and workers with disabilities in The College's publications.
- 8) Post the policy on College bulletin boards, along with the College's harassment policy which includes protection from harassment on the basis of disability.
- 9) When employees are featured in employee handbooks or similar publications for employees, include employees with disabilities.

CHAPTER H: AUDIT AND REPORTING SYSTEM
41 C.F.R. §§ 60-250.44(h); 60-300.44(h); 60-741.44(h)

BUFFALO STATE COLLEGE has developed and currently implements an audit and reporting system that addresses the following:

- 1) Measures the effectiveness of BUFFALO STATE COLLEGE's overall Affirmative Action Program and whether the College is in compliance with specific obligations.
- 2) Indicates the need for remedial action.
- 3) Measures the degree to which BUFFALO STATE COLLEGE's objectives are being met.
- 4) Whether there are any undue processes for individuals with disabilities and other veterans regarding College sponsored educational, training, recreational, and social activities.

CHAPTER I: RESPONSIBILITY FOR IMPLEMENTATION
41 C.F.R. §§ 60-250.44(i); 60-300.44(i); 60-741.44(i)

As part of its efforts to ensure equal employment opportunity to covered veterans and individuals with disabilities, BUFFALO STATE COLLEGE has designated specific responsibilities to various staff to ensure the AAP focuses on all components of the employment system. To that end, the President, CDO, Associate Vice President for Human Resource Management, and those employed as supervisors and managers have undertaken the responsibilities described below.

President

The President is responsible for providing top management support for the College's AAP. This person issues a memo annually to reaffirm the College's Equal Employment Opportunity Policy and to make known to all employees and applicants the commitment of Senior Management to EEO and affirmative action. Additional responsibilities include, but are not limited to:

- 1) Designating appropriate personnel with the responsibility for overseeing, administering, implementing, and monitoring the College's AAP. Ensuring that these personnel are identified in writing by name and job title.
- 2) Ensuring that designated personnel responsible for all AAP components are given the necessary authority and top management support and staffing to successfully implement their assigned responsibilities.
- 3) Imparting the personal direction that ensures total involvement and commitment to equal employment opportunity programs through BUFFALO STATE COLLEGE 's AAP.

Chief Diversity Officer

The CDO is responsible for overall supervision of the AAP. The CDO ensures that all relevant policies and procedures are adhered to. Successful implementation of this program is a basis for evaluating the CDO's effective work performance. The CDO's responsibilities include, but are not limited to, the following:

1. Presenting all needed recommendations and procedural changes to Senior Management concerning EEO and affirmative action and ensuring that Senior Management is kept informed of the College's compliance status.
2. Maintaining Company-wide management support and cooperation for the College's AAP.
3. Collaborating with Senior Management on EEO and AAP issues.
4. Assisting line management in arriving at solutions to EEO/AA problems.

5. Reviewing results of audit and reporting systems to assess the effectiveness of the college's AA programs and to direct corrective actions where necessary.
6. Providing guidance to managers and supervisors in taking proper action to prevent employees from being harassed in any way, through one-on-one contact, training, and disciplinary action.
7. Reviewing the qualifications of all employees to ensure equitable opportunity, based on job-related employment practices, is given to all for transfers and promotions.
8. Conducting periodic audits of: 1) training programs and hiring and promotion patterns to remove impediments to the attainment of AAP goals and objectives, and 2) the College's sponsored educational, training, activities to ensure that all employees are encouraged to participate in accordance with policies on non-discrimination. Determine whether known covered veterans and employees with disabilities have had the opportunity to participate in all College-sponsored educational, training, activities.
9. Reviewing all job descriptions and specifications to ensure they are essential provisions and artificial barriers. Ensuring that all requirements are essential job-related functions, that they are realistic, and that they reflect the actual work requirements of the essential job duties.
10. Ensuring the College's VETS-100 and or VETS-100A form are filed annually with the Secretary of Labor.
11. Developing, implementing, and maintaining audit and reporting systems to measure effectiveness of equal employment opportunity programs, including those that will
 - a. Indicate need for remedial action,
 - b. Determine degree to which goals and objectives have been obtained.
12. Identifying problem areas and establishing procedures, goals and objectives to solve these problems.
13. Developing policy statements, affirmative action programs, internal and external communication techniques.
14. Serving as the liaison between BUFFALO STATE COLLEGE and enforcement agencies.
15. Serving as the liaison between BUFFALO STATE COLLEGE and organizations and community action groups for covered veterans and persons with disabilities, in addition to ensuring that representatives are involved in community service programs of local organizations for covered veterans and persons with disabilities.

Managers and Supervisors

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

- 1) Aggressively adhering to the College's equal employment opportunity policy.
- 2) Supporting and assisting the CDO and Associate Vice President for Human Resource Management in developing, maintaining, and successfully implementing the AAP.
- 3) Completing progress reports regarding the status of affirmative action programs.
- 4) Taking action to prevent harassment of employees placed through affirmative action efforts.
- 5) Assigning employees to significant jobs that might lead to greater personal growth and value, and counsel them with respect to what is needed for upward mobility within the employment structure.
- 6) Ensuring that all interviews, offers of employment and/or wage commitments are consistent with the College's policy.
- 7) Implementing the internal promotion and transfer of all employees under their supervision consistent with AAP goals and objectives.
- 8) Assisting in identifying problem areas and providing needed information for establishing and meeting department affirmative action goals and objectives.
- 9) Seeking and sharing information on reasonable accommodations which have been or could be made for known disabilities.

CHAPTER J: TRAINING
41 C.F.R. §§ 60-250.44(j); 60-300.44(j); 60-741.44(j)

BUFFALO STATE COLLEGE trains all employees involved in any way with the recruitment, selection, promotion, disciplinary actions, training, and related processes of individuals with disabilities or other veterans to ensure commitment to the college's stated Affirmative Action goals.

CHAPTER K: COMPENSATION
41 C.F.R. §§ 60-250.21(i); 60-300.21(i); 60-741.21(i)

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