

# Essex County College

## College Regulation

### REG 4-16 EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

#### **Purpose:**

To ensure compliance with federal, state and local laws prohibiting job discrimination.

#### **Definitions:**

**Affirmative Action (AA).** The term Affirmative Action describes any action taken to increase the representation of women and minorities in areas of employment, education, and business from which they have been historically excluded.

**Equal Employment Opportunity (EEO).** Equal Employment Opportunity assures equality opportunity for all employees and applicants in employment without regard race, creed, color, national origin, age, marital status, familial status, affectional or sexual orientation, disability, gender identity or expression, genetic information, liability for military service, or any other category protected by applicable law. Applicable laws include, but is not limited to:

- Title VII of the Civil Rights Act of 1964
- Equal Pay Act of 1963
- Age Discrimination in Employment Act of 1967 (ADEA)
- Rehabilitation Act of 1973. Sections 501 and 505
- Titles I and V of the Americans with Disabilities Act of 1990 (ADA)
- Civil Rights Act of 1991
- The Pregnancy Discrimination Act
- The Genetic Information Nondiscrimination Act of 2008 (GINA)

**New Jersey Law Against Discrimination (NJLAD).** The New Jersey Law Against Discrimination prohibits employers from discriminating in any job-related action, including recruitment, interviewing, hiring, promotions, discharge, compensation, and the terms, conditions, and privileges of employment based on any protected categories. These protected categories are race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy and sexual harassment), marital status, domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information liability for military service, or mental or physical disability including AIDS and HIV related illnesses.

#### **Application:**

The College shall not discriminate and shall take affirmative action measures to ensure against discrimination in employment, recruitment, advertisements for employment, compensation, termination, upgrading, promotions, and other conditions of employment against any employee or job applicant on the bases of any protected group.

Specific levels of responsibility have been established to direct and oversee the College's EEO/AA policy:

1. The Board of Trustees' Affirmative Action Committee shall assist the President and the Affirmative Action Officer in coordinating, reviewing, and reinforcing the Affirmative Action Plan of the College.

2. The President shall have the ultimate responsibility of ensuring that Equal Employment Opportunity/ Affirmative Action (EEO/AA) procedures and goals comply with College policy and statutory mandates.
3. The Department of Human Resources shall oversee the monitoring efforts and assures that affirmative equality of opportunity shall be afforded to all employees and applicants for employment.
4. Members of the President's Cabinet shall interpret the College's EEO/AA for faculty and staff personnel, and shall ensure that all departmental personnel act in accordance with established EEO/AA standards and guidelines.
5. Administrative, managerial and other supervisory personnel shall be responsible to ensure that their employment practices and decisions comply with principles and mandates embodied in laws governing discrimination.
6. Employees shall be responsible for bringing to the attention of the Affirmative Action Officer any employment decisions that they feel conflict with the College's Affirmative Action Plan or mandates of state or federal law.

**Reporting Possible violations:**

**Title IX**

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<b>Responsible Official(s):</b>	Reference: N.J.S.A. 18A:64A-12; NJLAD, Title VII, Equal Pay Act 1963, et als.
<b>Regulation History: App. 11/95 Rev. 10/01, 12/10, 3/17,9/22</b>	<b>Attachment(s):</b>