

**EXECUTIVE ORDER 11246
AFFIRMATIVE ACTION PLAN (AAP)**

TEXAS A&M INTERNATIONAL UNIVERSITY

**A MEMBER OF
THE TEXAS A&M UNIVERSITY SYSTEM**

01/01/2011 – 12/31/2011

PART I: AAP FOR MINORITIES AND WOMEN

**PART II: AAP FOR COVERED VETERANS
AND INDIVIDUALS WITH A DISABILITY**

AA/EEO Contact: Sandra V. Pena
Director of Human Resources
Texas A&M International University
5201 University Boulevard
Laredo, TX 78041-1900
956.326.2365

TEXAS A&M INTERNATIONAL UNIVERISTY

TABLE OF CONTENTS

PARTS I AND II

Background	3
Applicable Affirmative Action Laws and Regulations	4
Protected Groups.....	4
Program Terminology	5
Reliance on EEOC's Guidelines	6
Reporting Period.....	6
STATEMENT OF PURPOSE FOR PARTS I AND II	6
TEXAS A&M INTERNATIONAL UNIVERSITY	7
AAP FOR MINORITIES AND WOMEN	8
Table of Contents	8
Chapter 1: Organizational Profile.....	9
Chapter 2: Job Group Analysis.....	10
Chapter 3: Placement of Incumbents in Job Groups	11
Chapter 4: Determining Availability.....	12
Chapter 5: Comparing Incumbency to Availability	13
Chapter 6: Placement Goals.....	14
Chapter 7: Designation of Responsibility	15
Chapter 8: Identification of Problem Areas	19
Chapter 9: Action-Oriented Programs.....	21
Chapter 10: Internal Audit and Reporting	23
TEXAS A&M INTERNATIONAL UNIVERSITY	24
AAP FOR COVERED VETERANS AND INDIVIDUALS WITH A DISABILITY.....	25
Table of Contents	25
Chapter A: Policy Statement.....	26
Chapter B: Review of Personnel Processes	27
Chapter C: Physical and Mental Qualifications	28
Chapter D: Reasonable Accommodation to Physical and Mental Limitations.....	29
Chapter E: Harassment	30
Chapter F: Outreach, Positive Recruitment, and External Policy Dissemination	31
Chapter G: Internal Policy Dissemination	32
Chapter H: Audit and Reporting System.....	33
Chapter I: Responsibility for Implementation	34
Chapter J: Training	35
Chapter K: Compensation	36

INTRODUCTION TO PARTS I AND II

BACKGROUND

Texas A&M International University 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 Era Veterans' Readjustment Assistance Act of 1974, as amended. Because Texas A&M International University 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 individuals with a disability. 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 University 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 the representation of 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 percentage under-representation of minorities or women, greater than would reasonably be expected by their availability, 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 goals to rectify under-representation where found. It is toward this end that the following AAP of Texas A&M International University was developed.

APPLICABLE AFFIRMATIVE ACTION LAWS AND REGULATIONS

Texas A&M International University'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). Texas A&M International University has developed separately an Affirmative Action Plan for covered veterans and individuals with a disability (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, as amended, Section 4212, as amended, and Title 41 of the Code of Federal Regulations, 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, Native Hawaiian/Pacific Islanders, American Indians/Alaskan Natives, and two or more races.
- 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 the 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" and "problem area" appearing in this AAP are terms Texas A&M International University 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 Texas A&M International University will use the terms in total good faith in connection with its AAP, such use does not necessarily signify that the university 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 Texas A&M International University 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 Texas A&M International University 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 Texas A&M International University 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: 01/01/2010 – 12/31/2010.

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 individuals with a disability into all levels and segments of Texas A&M International University'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 for full representation and 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, Texas A&M International University 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 conflict with, these requirements and guidelines must be taken into account when developing and implementing the AAP. Furthermore, in determining Texas A&M International'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.

TEXAS A&M INTERNATIONAL UNIVERSITY

A MEMBER OF

THE TEXAS A&M UNIVERSITY SYSTEM

PART I: AAP FOR MINORITIES AND WOMEN

FOR

01/01/2011 – 12/31/2011

PART I

AAP FOR MINORITIES AND WOMEN

TABLE OF CONTENTS

CHAPTER 1: WORKFORCE ANALYSIS, LINES OF PROGRESSION,
AND/OR ORGANIZATIONAL PROFILE
41 C.F.R. § 60-2.11

CHAPTER 2: JOB GROUP ANALYSIS
41 C.F.R. § 60-2.12

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

CHAPTER 4: DETERMINING AVAILABILITY
41 C.F.R. § 60-2.14

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

CHAPTER 6: PLACEMENT GOALS
41 C.F.R. § 60-2.16

ADDITIONAL REQUIRED ELEMENTS OF AFFIRMATIVE ACTION PROGRAMS

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

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

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

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

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 1: ORGANIZATIONAL PROFILE

41 C.F.R. § 60-2.11

Workforce Analysis

Texas A&M International University conducted a workforce analysis to identify employees by sex and race/ethnicity in each job title. The data was collected from payroll records dated 12/31/2010.

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

For each job title, Texas A&M International University 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, and the total number of White, Black, Hispanic, Asian, Native Hawaiian/Pacific Islander, American Indian or Alaskan Native, and two or more races employees.

Texas A&M International University carefully analyzed the workforce analysis to identify problem areas needing correction, such as concentrations or segregation of minorities or women by organizational unit, job, pay, or EEO Category. Problems, if any, are identified in Chapter 8: Identification of Problem Areas. Programs to correct and/or improve any identified problems are addressed in Chapter 9: Action-Oriented Programs.

Lines of Progression

Developed in conjunction with the workforce analysis is information on Texas A&M International University'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. 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.

PART I: AAP FOR MINORITIES AND WOMEN

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 should have enough incumbents to permit meaningful comparisons of incumbency to availability and goal setting. No minimum size has been established for this purpose, however; 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 category, for smaller contractors some or all job groups may correspond to EEO categories.

Texas A&M International University 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).

PART I: AAP FOR MINORITIES AND WOMEN

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 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 sex and race/ethnicity as of 12/31/2010.

PART I: AAP FOR MINORITIES AND WOMEN

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 Texas A&M International University 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 Texas A&M International University's employment decisions are being made without regard to sex, 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, and establish goals to correct under-representation.

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 2000 Census of Population.
 - a. Local labor area: please see ZIP Code Analysis for details.
 - b. Reasonable labor area: State
 - c. Reasonable labor area: National.
2. Internal Factor: The percentage of minorities or women among those promotable, transferable, and/or trainable within the contractor's organization.

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.

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 5: COMPARING INCUMBENCY TO AVAILABILITY

41 C.F.R. § 60-2.15

Once final availability estimates were made for each job group, Texas A&M International University compared the percentage of incumbents in each job group to their corresponding availability. A comparison was made between the percentage employed as of 12/31/2010 and that group's final availability.

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 6: PLACEMENT GOALS

41 C.F.R. § 60-2.16

Texas A&M International University has established a percentage annual placement goal whenever it found that minority or female representation within a job group was significantly 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. Texas A&M International University 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 Texas A&M International University 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 Texas A&M International University, a community group, or a compliance agency can measure progress in remedying identified under-representation in Texas A&M International University's workforce. Texas A&M International University has identified areas needing improvement and presents the results to the executive staff on their progress annually, emphasizing the importance of a diverse workforce.

In establishing goals, Texas A&M International University considered the results which could reasonably be expected from putting forth every good faith effort to make our overall AAP work. Goals were not established that would exclude any sex or race/ethnic group.

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 7: DESIGNATION OF RESPONSIBILITY

41 C.F.R. § 60-2.17(a)

A. President

1. The President assumes ultimate responsibility for the success of TAMIU's affirmative action program.
2. The President has delegated specific authority and responsibility for affirmative action and diversity programs University-wide to the Director of Human Resources for all phases of the equal employment program for non-academic positions and to the Provost and Vice President for Academic Affairs for implementation of the equal employment program for all academic positions.
 - a) The administrative responsibility for day-to-day monitoring of the program is shared by individual operating units within TAMIU.
 - b) TAMIU's affirmative action procedures are designed to make affirmative action considerations an integral part of the regular process of employee selection, retention, and advancement. Departments are required to account for the disposition of each applicant in the candidate pool. A record of the applicant data is maintained by the Office of Human Resources for auditing purposes.
 - c) The Director of Human Resources will be consulted to review prospective offers of employment for conformity to affirmative action guidelines.

B. Designated Officials

1. Director of Human Resources - The Director of Human Resources, who reports to the Associate Vice President for Administration, has overall responsibility and oversight for all phases of the equal employment programs of TAMIU. The Director of Human Resources monitors the affirmative action program, serves as a consultant on equal opportunity problems, and receives complaints from employees and applicants filed through TAMIU's internal grievance procedure. The Director of Human Resources is assisted by an Associate Director and is responsible for the following:
 - a) Coordinate, monitor, and assist in the implementation of all aspects of Equal Employment Opportunity/Affirmative Action (EEO/AA) programs for all organizational units of TAMIU; and serve as the primary EEO/AA staff specialist and information source within TAMIU.
 - b) Coordinate investigations and responses to state and federal discrimination complaints filed against TAMIU; assist in resolving questions related to reporting and compliance requirements.

- c) Review and suggest revisions, where applicable, to personnel and other rules and procedures of TAMIU to eliminate potential areas of discrimination and to ensure equal opportunity for all.
 - d) Provide leadership and technical assistance regarding policies, procedures, and resources available to the EEO/AA program throughout TAMIU.
 - e) Refer employee complaints to the appropriate department head for resolution; assist, upon request, in the investigation and mediation of discrimination allegations and complaints, with the objective of resolving complaints at the lowest level of management; and, be advised of and assist with discrimination complaints being handled through the internal grievance procedure.
 - f) Plan, schedule, and conduct/coordinate training programs in specific areas dealing with EEO/AA laws and regulations.
 - g) Conduct statistical analyses to determine the effectiveness of affirmative action plans and provide technical assistance for affirmative action initiatives as requested.
 - h) Develop and implement internal audit and reporting systems designed to:
 - Periodically measure the effectiveness of each department's affirmative action efforts;
 - Identify areas that appear to require special attention or remedial action;
 - Determine the degree to which placement goals established for women and minorities are being achieved;
 - Analyze and evaluate applicant flow data and other employment activities and practices; and,
 - Develop methods and strategies for increasing protected group employment opportunities and ensure compliance with merit employment principles and legal requirements.
2. Affirmative Action Representative - The Director of Human Resources also serves as TAMIU's Affirmative Action Representative and coordinates, monitors, and reports the organization's equal employment opportunity/affirmative action activities. In that capacity, the Director of Human Resources will:
- a) Assist in the development of the affirmative action program, policy statement, and internal and external communications.
 - b) Assist in the identification of problem areas related to EEO policy and methods and procedures for solutions.

- c) Ensure the maintenance of record-keeping systems on employment-related activities that will measure the effectiveness of affirmative action and other equal employment opportunity initiatives.
- d) Keep TAMIU's administrators informed of the latest developments relating to equal employment opportunities and affirmative action.
- e) Assist in auditing personnel activities and practices to ensure compliance with the technical aspects of applicable Executive Orders and other federal regulations.
- f) Upon request, assist in the compilation of personnel activity data, including applicant flow data, for reports to the President and TAMIU department heads.

3. Other Officers

- a) Contractual equal employment clauses and other legal material will be monitored by The Texas A&M University System Office of General Counsel.
- b) The Texas A&M University System's Vice Chancellor of Facilities Planning and Construction and the Board of Regents have responsibility for non-discriminatory selection of contractors on projects for TAMIU. Businesses owned by minorities and women will be actively sought for contracting opportunities in compliance with state law and A&M System policies.
- c) Each department head is responsible for assisting with an employee's complaint of discrimination or noncompliance with federal regulations governing employment practices. The Director of Human Resources is to be advised and available to intervene if a local resolution is not achieved.
- d) All supervisors and department heads of TAMIU have the responsibility for supporting the equal opportunity policy and affirmative action program to provide leadership in carrying out the goals and objectives of TAMIU.

C. Managers and Supervisors

1. It is the responsibility of each individual who is in a managerial or supervisory role to apply the principles of equal employment opportunity in all personnel actions.
2. It is also the responsibility of each manager and supervisor to take action to prevent:
 - a) illegal harassment of employees;
 - b) retaliation against employees who avail themselves of the complaint and appeal procedure;

c) retaliation against employees who file a complaint with a federal, state, or local compliance agency.

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 8: IDENTIFICATION OF PROBLEM AREAS

41 C.F.R. § 60-2.17(b)

Terminology

The terms “utilization analyses” and “problem area” appearing in this chapter are terms Texas A&M International University 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 Texas A&M International University will use the terms in total good faith in connection with its AAP, such use does not necessarily signify the organization 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 60-2.30.

Based on analyses of each job group, areas of concern have been identified and are discussed below. In addition to the identification of problem areas within job groups (under-representation), Texas A&M International University has conducted studies to identify problem areas in each of its selection procedures (i.e., hires, promotions, and terminations). Texas A&M International University 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 based on the current availability data for the job group.

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. See the Workforce Analysis by organizational unit.

An analysis of minority and female representation within each job group was accomplished by the Placement Goals 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. In order to avoid meaningless results, Adverse Impact Analyses were conducted only if there were at least 5 transactions that occurred in a job group.

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

Compensation analyses were conducted by job title.

PART I: AAP FOR MINORITIES AND WOMEN

CHAPTER 9: ACTION-ORIENTED PROGRAMS

41 C.F.R. § 60-2.17(c)

Texas A&M International University tailors its action-oriented programs each year to identify problem areas and to help achieve specific affirmative action goals.

- 1) An annual review of position descriptions is conducted to ensure they accurately reflect job functions. And position descriptions are made available to all appropriate individuals in the recruiting, screening, selection, and promotion process.
- 2) Monitoring is conducted to ensure completion of non-discrimination training within 30 days of hire and every two years thereafter.
- 3) TAMIU has found the following methods to be effective in recruiting a diverse group of candidates for Executive/Administrative/Managerial and Professional positions:
 - Opportunities are given to women and minorities currently employed within each department to receive additional training through seminars and conferences, in hopes that such activities will strengthen backgrounds and increase promotability;
 - Efforts are made to establish women and minority role models in professional positions within the administrative offices of TAMIU to increase the awareness of affirmative action goals as well as the contributions of these talented individuals;
 - Communication efforts are made to encourage and assist administrators having the authority to hire and promote in meeting affirmative action objectives;
 - All employees are encouraged to avail themselves of professional development programs or trainings offered internally by Texas A&M International University or online by the Texas A&M University System (TrainTraq). The programs and trainings help employees improve the quality of their work and develop their skills.
- 4) Annual reports on current employee statistics (by race and sex) are reviewed as a means to evaluate affirmative action status as well as to emphasize the importance of expanding workforce diversity. Vacant positions are filled with the full recognition of the needs for supporting a diverse workforce.
- 5) New employee orientation information provides new employees with required information about policy and TAMIU's commitment to equal opportunity employment and affirmative action.
- 6) Training about performance management and positive discipline are offered to assist supervisors in fairly applying the process.

- 7) TAMIU incorporates elements aimed at enhancing multicultural sensitivity into its goals and strategic plan;
- 8) TAMIU directs each department to review and intensify, where needed, policies and procedures for identifying, reporting, monitoring, reviewing, and disciplining racist and discriminatory acts.
- 9) To advance recruitment and increase flow of minority and female applicants, TAMIU advertises for a minimum of five working days in various media outlets based on appropriateness (i.e., newspapers, professional journals, and websites). And all ads include the phrase "Equal Opportunity Employer."
- 10) Advertisements are placed in the following periodicals and websites as needed or as required:
 - *Laredo Morning Times*
 - *The Chronicle of Higher Education*
 - *The Texas Higher Education Coordinating Board*
 - *Texas Workforce Commission*
 - *Texas Department of Human Services*
 - *Division for Blind Services*
 - *Division of Rehabilitation Services*
 - *www.HigherEdJobs.com*
 - *https://employment.tamtu.edu (online employment system called TAMIUWorks)*
 - *The Texas A&M University System websites*
 - *local cable TV public access channel*
- 11) A demographic self-identification information form will be sent to all faculty applicants. Likewise, the TAMIU online employment application for classified staff and administrative staff includes a demographic self-identification information form. The tracking form requests information regarding sex and ethnicity/race and is completed on a voluntary basis by the applicant.

PART I: AAP FOR MINORITIES AND WOMEN

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.

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 percentage goals. The internal audit and reporting system is used as the basis for evaluating systemic, results-oriented programs, and affirmative action efforts.

The Texas A&M International University auditing and reporting system periodically measures the effectiveness of its total affirmative action program. The Director of Human Resources:

- 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; and
- 3) Advises top management of program effectiveness and submits recommendations to improve unsatisfactory performance.

TEXAS A&M INTERNATIONAL UNIVERSITY

A MEMBER OF

THE TEXAS A&M UNIVERSITY SYSTEM

**PART II: AFFIRMATIVE ACTION PLAN FOR COVERED VETERANS AND
INDIVIDUALS WITH A DISABILITY**

FOR

01/01/2011 – 12/31/2011

PART II
AAP FOR COVERED VETERANS AND INDIVIDUALS WITH A DISABILITY

TABLE OF CONTENTS

CHAPTER A:	POLICY STATEMENT 41 C.F.R. §§ 60-300.44(a); 60-741.44(a)
CHAPTER B:	REVIEW OF PERSONNEL PROCESSES 41.C.F.R. §§ 60-300.44(b); 60-741.44(b)
CHAPTER C:	PHYSICAL AND MENTAL QUALIFICATIONS 41.C.F.R. §§ 60-300.44(c); 60-741.44(c)
CHAPTER D:	REASONABLE ACCOMMODATION TO PHYSICAL AND MENTAL LIMITATIONS 41 C.F.R §§ 60-300.44(d); 60-741.44(d)
CHAPTER E:	HARASSMENT 41 C.F.R §§ 60-300.44(e); 60-741.44(e)
CHAPTER F:	OUTREACH, POSITIVE RECRUITMENT, AND EXTERNAL POLICY DISSEMINATION 41 C.F.R. §§ 60-300.44(f); 60-741.44(f)
CHAPTER G:	INTERNAL POLICY DISSEMINATION 41 C.F.R. §§ 60-300.44(g); 60-741.44(g)
CHAPTER H:	AUDIT AND REPORTING SYSTEM 41 C.F.R. §§ 60-300.44(h); 60-741.44(h)
CHAPTER I:	RESPONSIBILITY FOR IMPLEMENTATION 41 C.F.R. §§ 60-300.44(i); 60-741.44(i)
CHAPTER J:	TRAINING 41 C.F.R. §§ 60-300.44(j); 60-741.44(j)
CHAPTER K:	COMPENSATION 41 C.F.R. §§ 60-300.21(i); 60-741.21(i)

PART II: AAP FOR COVERED VETERANS AND INDIVIDUALS WITH A DISABILITY

Chapter A: Policy Statement 41 C.F.R. §§ 60-300.44(a); 60-741.44(a)

It is the policy of Texas A&M International University that equal employment opportunity is provided in the employment and advancement of covered veterans and individuals with a disability at all levels of employment, including the executive level. Covered veterans are disabled veterans, recently separated veterans, other protected veterans, and armed forces service medal veterans. Texas A&M International University does not and will not discriminate against any applicant or employee because he or she is a covered veteran or because of a physical or mental disability in regard to any position for which the applicant or employee is qualified. In addition, Texas A&M International University is committed to a policy of taking affirmative action to employ and advance in employment qualified covered veterans and individuals with a disability. Such affirmative action applies to all employment practices, including but not limited to, hiring, promotion, demotion or transfer, recruitment, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship and on-the-job training. Decisions related to personnel policies and practices are made on the basis of an individual's capacity to perform a particular job and the reasonableness of any necessary job accommodation. Texas A&M International University will make every effort to provide reasonable accommodations to any physical and mental limitations of individuals with a disability and to disabled veterans.

Our obligations in this area stem not only from adherence to various state and federal regulations, but also from our commitment as an employer in this community to provide job opportunities to covered veterans and individuals with a disability.

If you have any questions regarding our equal employment opportunity or harassment policies or complaint procedures, you may contact the Director of Human Resources at 956-326-2365. Parts of the Affirmative Action Plan may be reviewed, as appropriate, by making an appointment with the Director of Human Resources.

Sandra V. Pena
Director of Human Resources

PART II: AAP FOR COVERED VETERANS AND INDIVIDUALS WITH A DISABILITY

CHAPTER B: REVIEW OF PERSONNEL PROCESSES

41.C.F.R. §§ 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 individuals with a disability, reviews are periodically made of the University's (or agency's) selection methods to identify barriers to employment, training, and promotion.

Review of Policies, Practices, and Procedures

- a. Selection procedures for employment, promotion, and training are reviewed to ensure careful, thorough, and systematic consideration of the qualifications of known individuals with a disability and covered veterans.
- b. The following actions are being taken to ensure systematic consideration of known individuals with a disability and covered veterans:
 - The Texas A&M International University application process gives applicants an opportunity to voluntarily identify themselves;
 - In each case where a covered employee or applicant is rejected for employment, promotion, or training, a statement of reason is maintained; and
 - When covered applicants or employees are selected for hire, promotion, or training and any resulting accommodation is undertaken, the accommodation is properly documented.

PART II: AAP FOR COVERED VETERANS AND INDIVIDUALS WITH A DISABILITY

CHAPTER C: PHYSICAL AND MENTAL QUALIFICATIONS

41.C.F.R. §§ 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 known individuals with a disability and covered veterans, reviews are periodically made of the Institution's physical and mental qualifications and requirements as they relate to employment, training, and promotion.

Proper Consideration of Qualifications

- a. Physical and mental job qualification requirements contained in position descriptions are reviewed by Human Resources to ensure that qualification requirements do not disqualify individuals with a disability or disabled veterans except in cases of Bona Fide Occupational Qualifications, and that the requirements are job-related and consistent with effective and safe job performance. This review is done as positions descriptions are created or updated.
- b. The burden of proof to demonstrate the necessity of any qualification requirement which may disqualify a disabled veteran or an individual with a disability rests with Texas A&M International University.
- c. Military records will not be used by Texas A&M International University to discriminate against any covered veteran.

PART II: AAP FOR COVERED VETERANS AND INDIVIDUALS WITH A DISABILITY

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

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

Accommodations for Disabled Individuals

A reasonable effort will be made to accommodate the physical or mental limitation of known individuals with a disability and covered veterans unless it can be demonstrated that such an accommodation would impose an undue hardship on the conduct of Texas A&M International University operations. In determining the extent of obligation to provide such accommodation, factors such as financial cost and organizational necessity will be considered.

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

Sandra V. Pena
Director of Human Resources
Phone: 956.326.2365
sandra@tamiu.edu

PART II: AAP FOR COVERED VETERANS AND INDIVIDUALS WITH A DISABILITY

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

Texas A&M International University has developed and implemented a set of procedures to ensure that its employees who have a disability or are covered veterans are not harassed due to those conditions. All new employees are informed of policy regarding harassment which is available online for their review. Additionally, all new employees are required to complete online training regarding harassment within 30 days of hire and every 2 years thereafter.

PART II: AAP FOR COVERED VETERANS AND INDIVIDUALS WITH A DISABILITY

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

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

Based upon the University's review of its personnel policies as described in Chapter B, the following activities will be continued to further enhance our affirmative action efforts.

1. Employees are advised of the University's obligation to engage in affirmative action efforts to employ qualified veterans and/or individuals with a disability.
2. Vacant positions are listed with the Office of Human Resources and the Texas Workforce Commission, unless the positions are filled through internal promotion or transfer, to ensure that all prospective applicants are aware of job openings.
3. Vacant positions are listed with the Division for Blind Services and the Division of Rehabilitation Services to ensure that all prospective applicants are aware of job openings.
4. Advertisement is placed on a local cable TV public access channel.

PART II: AAP FOR COVERED VETERANS AND INDIVIDUALS WITH A DISABILITY

CHAPTER G: INTERNAL POLICY DISSEMINATION

41 C.F.R. §§ 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/or individuals with a disability, Texas A&M International University will continue to implement the following internal dissemination procedures, all of which are the responsibility of the Director of Human Resources. The following policies and procedures are designed to foster support and understanding from University executive staff, management, supervisors, and other employees in an effort to encourage all employees to take the necessary actions to aid the University in meeting its obligations.

1. Information about the University's commitment to equal opportunity employment and affirmative action is incorporated into new employee orientation and training programs.
2. Annually, the University distributes a communication that reaffirms its commitment to affirmative action to all employees. This memorandum is also available on the Office of Human Resources website.
3. The Affirmative Action Plan is available on the University website.
4. Posters informing employees of their rights under the law are displayed on bulletin boards in areas where employees tend to congregate.
5. Information is placed on the University's online employment system called TAMIUWorks.

PART II: AAP FOR COVERED VETERANS AND INDIVIDUALS WITH A DISABILITY

CHAPTER H: AUDIT AND REPORTING SYSTEM

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

Texas A&M International University has developed and currently implements an audit and reporting system that addresses the following:

1. Measures the effectiveness of the University's overall Affirmative Action Program and whether the University is in compliance with specific obligations.
2. Indicates the need for remedial action.
3. Measures the degree to which University objectives are being met.
4. Measures whether there are any undue hurdles for covered veterans and/or individuals with a disability and how to correct them.

PART II: AAP FOR COVERED VETERANS AND INDIVIDUALS WITH A DISABILITY

CHAPTER I: RESPONSIBILITY FOR IMPLEMENTATION

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

As part of its efforts to ensure equal employment opportunity to covered veterans and/or individuals with a disability, Texas A&M International University has designated specific responsibilities to various staff to ensure the AAP focuses on all components of the employment system.

1. The President of TAMIU has ultimate responsibility for the success of the University's affirmative action program for covered veterans and/or individuals with a disability. The President has delegated specific authority and responsibility for affirmative action to the Director of Human Resources.
2. Managers and supervisors share in the responsibility for implementation.
3. The administrative responsibilities of day-to-day implementation of the program are shared by the individual departments.
4. TAMIU's affirmative action procedures are designed to make affirmative action considerations an integral part of the regular process of employee selection, retention, and advancement. Departments are required to account for the disposition of the applicants in the pools.
5. The Director of Human Resources is responsible for the reviewing of all staff appointment recommendations for conformity to affirmative action guidelines.

PART II: AAP FOR COVERED VETERANS AND INDIVIDUALS WITH A DISABILITY

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

Texas A&M International University trains employees involved in the recruitment, selection, promotion, discipline, training, and related processes of individuals with a disability and covered veterans to ensure commitment to the University's stated affirmative action goals.

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

It is the policy of Texas A&M International University that when offering employment or promotion to covered veterans or individuals with a disability, 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.