CERRITOS COMMUNITY COLLEGE DISTRICT

EQUAL EMPLOYMENT OPPORTUNITY PLAN

SEPTEMBER 18, 2013

OFFICE OF HUMAN RESOURCES
ADOPTED BY THE BOARD: May 21, 2014
# CERRITOS COLLEGE
## EQUAL EMPLOYMENT OPPORTUNITY (EEO) PLAN

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Cerritos College
Equal Employment Opportunity Plan

I. Introduction

The Cerritos Community College District Equal Employment Opportunity Plan ("Plan") was adopted by the Board of Trustees on May 21, 2014. The EEO Plan supports the District’s Educational Master Plan and reflects the District’s commitment to equal employment opportunity, and its recognition that a diverse and inclusive workforce serves the educational mission of the District to prepare students for success in a global society.

The Plan provides the processes that will be utilized by the District to promote equal employment opportunity in conformance with the applicable regulations in the California Code of Regulations, Title 5, sections 53000 et seq.. The Plan is intended to foster a working and learning environment that promotes diversity, inclusion, and equal employment opportunities. To properly serve a growing diverse student population, the Plan also reflects the District’s commitment to hire and retain faculty and staff who are sensitive to, and knowledgeable about, the needs of the continually changing and diverse student body and community that it serves.

Dr. Linda L. Lacy, President/Superintendent
CERRITOS COMMUNITY COLLEGE DISTRICT
Resolution No 14-09

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE CERRITOS COMMUNITY COLLEGE DISTRICT TO
ADOPT THE DISTRICT’S EQUAL EMPLOYMENT OPPORTUNITY PLAN

WHEREAS, it is the District’s policy to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunity, and are not subjected to discrimination in any program or activity of the District on the basis of ethnic group identification, race, color, national origin, religion, age, sex, physical disability, mental disability, ancestry, sexual orientation, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics; and

WHEREAS, the Board of Trustees reaffirms its dedication to fostering a diverse and inclusive workplace that welcomes the employment of qualified individuals from all walks of life, appreciates the contributions of individuals with a wide range of experiences and perspectives, and is free from barriers to employment for historically underrepresented groups; and

WHEREAS, the Board of Trustees finds that a diverse and inclusive workplace is fundamental to maintaining a robust academic environment and fulfilling the District’s mission to prepare students for success in a global society; and

WHEREAS, the District is committed to hiring and retaining faculty and staff who are sensitive to, and knowledgeable about, the needs of the continually changing and diverse student body and community served by the District and the community colleges of California; and

WHEREAS, an Equal Employment Opportunity Plan will ensure the implementation of the equal employment opportunity principles and values enumerated above.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Cerritos Community College District hereby adopts the attached Equal Employment Opportunity Plan. APPROVED, PASSED, AND ADOPTED by the Board of Trustees of the Cerritos Community College District on this 21st day of May 2014, by the following vote:

AYES: 6
NOES: 0
ABSTENTION: 1 (Arthur)

[Signature]
President of the Board of Trustees of the Cerritos Community College District
Cerritos College
Equal Employment Opportunity Plan

Attested to:

[Signature]
Maua A. Perez
Clerk of the Board of Trustees of the
Cerritos Community College District
II. Definitions

California Code of Regulations, Title 5, Section 53001

1) Adverse Impact: "Adverse impact" means that a statistical measure (such as those outlined in the Equal Employment Opportunity Commission's "Uniform Guidelines on Employee Selection Procedures") is applied to the effects of a selection procedure and demonstrates a disproportionate negative impact on any group protected from discrimination pursuant to Government Code section 12940. A disparity identified in a given selection process will not be considered to constitute adverse impact if the numbers involved are too small to permit a meaningful comparison.

2) Business Necessity: “Business necessity” means circumstances that justify an exception to the requirements of section 53012(b)(1) because compliance with that section would result in substantial additional financial cost to the District or pose a significant threat to human life or safety. Business necessity requires greater financial cost than mere business convenience. Business necessity does not exist where there is an alternative that will serve business needs equally well.

3) Diversity: “Diversity” means a condition of broad inclusion in an employment environment that offers equal employment opportunity for all persons. It requires both the presence, and the respectful treatment, of individuals from a wide range of ethnic, racial, age, national origin, religious, gender, sexual orientation, disability and socio-economic backgrounds. Diverse workplaces include qualified individuals from groups that have been historically excluded from that workplace.

4) Equal Employment Opportunity: "Equal employment opportunity" means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the district. Equal employment opportunity should exist at all levels in the seven job categories per Title 5, which include executive/administrative/managerial, faculty and other instructional staff, professional nonfaculty, secretarial/clerical, technical and paraprofessional, skilled crafts, and service and maintenance. Equal employment opportunity also involves:

   (a) identifying and eliminating barriers to employment that are not job related; and

   (b) creating an environment which fosters cooperation, acceptance, democracy, and free expression of ideas and is welcoming to men and women, persons with disabilities, and individuals from all ethnic and other groups protected from discrimination pursuant to Government Code section 12940.
5) Equal Employment Opportunity Plan: An "equal employment opportunity plan" is a written
document in which a district's work force is analyzed and specific plans and procedures are set
forth for ensuring equal employment opportunity.

6) Equal Employment Opportunity Programs: "Equal employment opportunity programs"
means all the various methods by which equal employment opportunity is ensured. Such
methods include, but are not limited to, using nondiscriminatory employment practices, and
actively recruiting, monitoring and taking additional steps consistent with Title 5 regulations
and this Plan.

7) a) Ethnic Minorities: “Ethnic minorities” means American Indians or Alaskan Natives
(Native Americans), Asians, Pacific Islanders, Blacks/African-Americans, and
Hispanics/Latinos.

   b) Ethnic Group Identification: “Ethnic group identification” means an individual’s
identification in one or more of the ethnic groups reported to the Chancellor pursuant
to Title 5, Section 53004. These groups shall be more specifically defined by the
Chancellor consistent with state and federal law.

8) Goals for Persons with Disabilities: “Goals for persons with disabilities” means a
statement that the District will strive to attract and hire qualified persons with disabilities, consistent with
its commitment to promoting equal employment opportunity and diversity at all levels of the
workforce. To the extent Title 5 sets forth specific obligations to foster the representation of
qualified disabled individuals in the workplace, “goals for person with disabilities” also means a
statement in compliance with those obligations. The term “goals” does not refer to “quotas” or
rigid proportions.

9) In-House or Promotional Only Hiring: "In-house or promotional only" hiring means that only
existing District regular employees are allowed to apply for a position.

10) Monitored Group: “Monitored Group” means those groups identified in Title 5, Section
53004(b) for which monitoring and reporting is required pursuant to Title 5, Section 53004(a).

11) Person with a Disability: "Person with a disability" means any person who: (1) has a physical
or mental impairment as defined in Government Code section 12926 which limits one or more
of such person's major life activities, (2) has a record of such an impairment, or (3) is regarded
as having such an impairment. A person with a disability is "limited" if the condition makes the
achievement of the major life activity difficult.

12) Projected Representation: “Projected representation” means the percentage of persons
from a monitored group determined by the Chancellor to be available and qualified to perform
the work in question. In the absence of a determination by the Chancellor, projected
representation is given no alternate meaning or application in this Plan.
13) Reasonable Accommodation: "Reasonable accommodation" means the efforts made on the part of the District to allow disabled applicants to access the job application process and allow disabled employees to perform the essential functions of their positions, consistent with the District’s legal obligations under the Americans with Disabilities Act and the California Fair Employment and Housing Act. “Reasonable Accommodation” may include the items designated in Title 5, Section 53025.

14) Screening or Selection Procedures: "Screening or selection procedure" means any measure, combination of measures, or procedures used as a basis for any employment decision. Selection procedures include the full range of assessment techniques, including but not limited to, traditional paper and pencil tests, performance tests, and physical, educational, and work experience requirements, interviews, and review of application forms.

15) Significantly Underrepresented Group: "Significantly underrepresented group" means any monitored group for which the percentage of persons from that group employed by the district in any job category listed in section 53004(a) is below eighty percent (80%) of the projected representation for that group in the job category in question.

16) Target Date: “Target date” means a point in time by which the District plans to meet an established goal for persons with disabilities and, thereby, achieve projected representation in a particular job category.

17) Timetable: “Timetable” means a set of specific annual hiring objectives that will lead to meeting a goal for persons with disabilities by a projected target date.
III. Policy Statement

California Code of Regulations, Title 5, Section 53002

The Board of Trustees of the Cerritos Community College District ("District"), by adoption of this Equal Employment Opportunity Plan, reaffirms its commitment to the principles of equal employment opportunity and implements a comprehensive program to put those principles into practice.

It is the policy of the District to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunity, and are not subjected to discrimination in any program or activity of the District on the basis of ethnic group identification, race, color, national origin, religion, age, sex, physical disability, mental disability, ancestry, sexual orientation, on the basis of these perceived characteristics, or on association with a person or group with one or more of these actual or perceived characteristics. The District will strive to maintain a workplace that is welcoming to individuals from all such groups; appreciates the contributions of individuals from diverse backgrounds; and recognizes that diversity and inclusivity foster cooperation, acceptance, democracy, workplace safety, and the free expression of ideas essential to a robust academic community and the preparation of students for success in a global society.

This Equal Employment Opportunity Plan will be maintained to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

1 See Appendix 2, Board Policy No. 3410, Nondiscrimination, and Board Policy No. 3420, Equal Employment Opportunity, and online: http://cms.cerritos.edu/board/policies/chapter-3--general-institution.htm
IV. Delegation of Responsibilities, Authority, and Compliance

California Code of Regulations, Title 5, Sections 53003(c)(1) and 53020

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

1. Board of Trustees

The Board of Trustees is ultimately responsible for proper implementation of the District’s Plan at all levels of District operation, and for ensuring equal employment opportunity as described in the Plan.

2. President/Superintendent

The Board of Trustees delegates to the President/Superintendent the responsibility for ongoing implementation of the Plan and for providing campus leadership in managing District resources to ensure the implementation of the District’s equal employment opportunity policies and procedures. The President/Superintendent shall advise the Board of Trustees concerning statewide policy emanating from the Board of Governors of the California Community Colleges and direct the publication of an annual report on Plan implementation. The President/Superintendent will evaluate the performance of all administrative staff who report directly to him/her on their ability to follow and implement the Plan.

3. Equal Employment Opportunity Officer

The District has designated the Director, Diversity, Benefits, and Compliance as its equal employment opportunity officer. This position is responsible for the day-to-day implementation of the Plan. If the designation of the equal employment opportunity officer changes before this Plan is next revised, the District will notify employees and applicants for employment of the new designee. The equal employment opportunity officer is responsible for administering, implementing and monitoring the Plan and for assuring compliance with the requirements of Title 5, Sections 53000 et seq. The equal employment opportunity officer is also responsible for receiving complaints described in Section VI of this Plan and for ensuring that applicant pools and selection procedures are properly monitored.

4. Equal Employment Opportunity Advisory Committee

The District will maintain an Equal Employment Opportunity Advisory Committee (EEOAC) to act as an advisory body to the equal employment opportunity officer and the District as a whole to promote understanding and support of equal employment opportunity policies and procedures. The Equal Employment Opportunity Advisory Committee will assist in the
Cerritos College
Equal Employment Opportunity Plan

implementation of the Plan in conformance with state and federal regulations and guidelines, monitor equal employment opportunity progress, and provide suggestions for Plan revisions as appropriate.

5. Agents of the District

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

6. Good Faith Effort

The District will make a continuous good faith effort to comply with all the requirements of its Plan.
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V. Advisory Committee

California Code of Regulations, Title 5, Section 53005

The District has established an Equal Employment Opportunity Advisory Committee ("EEOAC") to assist the District in implementing the Plan. The EEOAC is one of the District’s Shared Governance Committees.²

The EEOAC may also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The EEOAC may sponsor events, training, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The Equal Employment Opportunity Officer will train the EEOAC members on equal employment compliance and the Plan itself.

The EEOAC will include a diverse membership whenever possible. A substantial good faith effort, to the extent permitted by law, will be made to maintain a diverse membership. If the District has been unable to meet this expectation, it will document the efforts made to foster diversity on the EEOAC.

The EEOAC shall include the following ex officio members: Vice President of Human Resources, the Title IX officer, and the ADA coordinator (if different than the Director, Diversity, Benefits, and Compliance). When appropriate, the EEOAC will make recommendations to the Vice President of Human Resources/Assistant Superintendent, who will report the recommendations to the Board of Trustees, the President/Superintendent, and the Director, Diversity, Benefits, and Compliance.

² EEOAC membership and meeting schedule is available online: http://cms.cerritos.edu/hr/eeoac.htm
VI. Complaints

California Code of Regulations, Title 5, sections 53003(c)(2), 53026, and 59300 et seq.

Complaints Alleging Violation of the Equal Employment Opportunity Regulations (Title 5, Section 53026).

The District has established the following process permitting any person to file a complaint alleging that the requirements of the equal employment opportunity regulations have been violated. Any person who believes that the equal employment opportunity regulations have been violated may file a written complaint describing in detail the alleged violation. All complaints will be signed and dated by the complainant and will contain, to the best of the complainant’s ability, the names of the individuals involved, the date(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged violation. Complaints involving current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than sixty (60) days after such occurrence unless the complainant can verify a compelling reason for the District to waive the sixty (60) day limitation.

Complaints alleging violations of the Plan that do not involve current hiring processes must be filed as soon as possible after the occurrence of an alleged violation and not later than ninety (90) days after such occurrence unless the violation is ongoing. A complainant may not appeal the District’s determination pursuant to Title 5, section 53026, to the Chancellor’s Office, but under some circumstances, violations of the equal opportunity regulations in Title 5 may constitute a violation of a minimum condition for receipt of state aid. In such a case, a complaint can be filed with the Chancellor’s Office, but the complainant will be required to demonstrate that he/she made previous reasonable, but unsuccessful, efforts to resolve the alleged violation at the District level using the process provided by Title 5, Section 53026.

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

The complaint will be filed with the Director, Diversity, Benefits, and Compliance. If the complaint involves the Director, the complaint may be filed with the Vice President of Human Resources. To the extent practicable, a written determination on all accepted written complaints will be issued to the complainant within ninety (90) days of the filing of the complaint. The Director will forward copies of all written complaints to the Chancellor’s Office upon receipt.

3 See California Community Colleges Chancellor’s Office Guidelines for Minimum Conditions Complaints at: http://extranet.cccco.edu/Divisions/Legal.aspx
In the event that a complaint filed under Title 5, Section 53026 alleges unlawful discrimination; it will be processed according to the requirements of section 59300 et seq.

**Complaints Alleging Unlawful Discrimination or Harassment (Title 5, Section 59300 et seq.)**

The District has adopted procedures for complaints alleging unlawful discrimination or harassment and those procedures are contained in Administrative Procedure 34354.

The Director, Diversity, Benefits, and Compliance is responsible for receiving such complaints and for coordinating their investigation.

VII. Notification to District Employees

California Code of Regulations, Title 5, Section 53003(c)(3)

The commitment of the Board of Trustees and the President/Superintendent to equal employment opportunity is emphasized through the broad dissemination of its Equal Employment Opportunity Policy Statement and the Plan. The policy statement will be printed in the District’s catalogs and class schedules. The Plan and subsequent revisions will be distributed to the District’s Board of Trustees, the President/Superintendent, administrators, the President of the Faculty Senate, Union Presidents, and members of the District Equal Employment Opportunity Advisory Committees. The Plan is available on the District’s website: http://cms.cerritos.edu/hr/eeoac.htm year, the District will provide all employees with a notice of the Board’s Equal Employment Opportunity Policy Statement (located in Section 3 of this Plan) and the link to reach the District’s Equal Employment Opportunity Plan. The Human Resources Department will provide all new employees with a copy of the written notice described above when they commence their employment with the District. The annual notice will contain the following provisions:

1) The importance of the employee’s participation and responsibility in ensuring the Plan’s implementation.

2) Hard copies of the Plan are available in the library and in Human Resources.

3) The EEO Plan may be accessed online.
VIII. Training for Screening/Selection Committees

California Code of Regulations, Title 5, section 53003(c)(4)

Any organization or individual, whether or not an employee of the District, who is involved in the recruitment and screening/selection of personnel shall receive appropriate training on the requirements of the Title 5 regulations on equal employment opportunity (section 53000 et. seq.); the requirements of federal and state nondiscrimination laws; the requirements of the District’s Equal Employment Opportunity Plan; the District’s policies on nondiscrimination, recruitment, and hiring; principles of diversity; the value of a diverse workforce; and recognizing bias. A person serving on a screening or selection committee must have either completed training or served on a prior screening or selection committee within one year of service, but under no circumstances will more than 24 months pass between the time of service and the person’s last training. This training is mandatory; individuals who have not received this training will not be allowed to serve on screening/selection committees.

The Director, Diversity, Benefits, and Compliance is responsible for providing access to the required training. Any individual, who acts on behalf of the District with regard to recruitment and screening of applicants for employment, is subject to the equal employment opportunity requirements of Title 5 and the District’s Equal Employment Opportunity Plan.
IX. Annual Written Notice to Organizations and Community Groups

California Code of Regulations, Title 5, Section 53003(c)(5)

Human Resources will provide annual written notice to appropriate community-based and professional organizations concerning the Plan. The notice will inform these organizations that they may obtain a copy of the Plan, and shall solicit their assistance in identifying qualified candidates from diverse backgrounds. The notice will also include the internet address where the district advertises its job openings and the names, departments, and phone numbers of individuals to call in order to obtain employment information. The district will actively seek to reach those institutions, organizations, and agencies that may be recruitment sources. A list of organizations that will receive this notice, is attached to this Plan (under development). Annually, the EEOAC will review the list, and may revise the list as necessary.
X. Analysis of District Workforce and Applicant Pool

California Code of Regulations, Title 5, section 53003(c)(6)

The Human Resources Department annually assesses the District’s workforce composition and monitors applicants for employment on an ongoing basis to evaluate the District’s progress in implementing the Plan and to provide data needed for the reports required by this Plan. Monitored groups are men, women, American Indians/Alaskan Natives (Native Americans), Asians, Blacks/African-Americans, Filipinos, Hispanics/Latinos, Pacific Islanders, Whites/Caucasians, and persons with disabilities.

For purposes of the survey and report each applicant or employee will be afforded the opportunity to voluntarily identify her or his gender, ethnic group identification and, if applicable, her or his disability. Persons may designate as many ethnicities as they identify with, but will be counted in only one ethnic group for reporting purposes. This information is kept confidential and is separated from the applications that are forwarded to the screening/selection committees and hiring administrator(s). The Director, Diversity, Benefits, and Compliance will annually prepare a report and present it to the EEOAC, and post this report on the EEOAC webpage. The District annually reports to the Chancellor the results of its annual survey of employees.

At least every three years the Plan will be reviewed and, if necessary, revised based on an analysis of the ethnic group identification, gender, and disability composition of existing staff and of those who have applied for employment in each of the following identified job categories:

1) Executive/Administrative/Managerial

2) Full-Time Faculty and other Instructional Staff

3) Adjunct Faculty

4) Professional Nonfaculty (may be included with #2 faculty)

5) Classified/Confidential Staff
XI. Analysis of Underrepresentation and Significant Underrepresentation

California Code of Regulations, Title 5, section 53003(c)(7)

XII. Methods to Address Underrepresentation

California Code of Regulations, Title 5, section 53003(c)(8)

XIII. Additional Steps to Remedy Significant Underrepresentation

California Code of Regulations, Title 5, section 53003(c)(9) and 53006

Availability data is not available, and accordingly, the State Chancellor’s Office has stated that districts are not responsible for completing Components XI, XII, or XIII\(^5\) of the Plan.

\(^5\) See Appendix 1, April 25, 2012 Letter from State Chancellor’s Office.
XIV. Other Measures Necessary to Further Equal Employment Opportunity

California Code of Regulations, Title 5, Section 53003(c)(10)

The District recognizes that multiple approaches are appropriate to fulfill its mission of ensuring equal employment opportunity, the development of a diverse workforce, and the creation of an inclusive, equitable and fair working and learning environment. Equal employment opportunity means that all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the District. Equal employment opportunity should exist at all levels and in all job categories. Ensuring equal employment opportunity also involves creating an environment that fosters cooperation, acceptance, and free expression of ideas and is welcoming to men, women, persons with disabilities, and individuals from all protected classes.

The District shall take concrete steps to promote equal opportunity, workplace diversity and an inclusive work environment. The District shall also take concrete steps to monitor its progress in these areas. The Vice President for Human Resources shall ensure that the specific steps that will be utilized by the District are identified and updated on a regular basis. These concrete steps may include any of the examples listed below, or other measures as identified and developed by the EEOAC in close consultation with the Vice President for Human Resources.

(a) Conduct surveys of campus climate on a regular basis, and implement concrete measures that utilize the information drawn from the surveys;

(b) Conduct exit interviews with employees who voluntarily leave the district, maintain a data base of exit interviews, analyze the data for patterns impacting particular monitored groups, and implement concrete measures that utilize this information;

(c) Conduct annual longitudinal analysis of hiring statistics, analyze the data for patterns impacting particular monitored groups, and implement concrete measures that utilize this information;

(d) Maintain a variety of programs to support newly-hired employees such as mentoring, professional development, and leadership opportunities;

(e) Provide trainings on topics including: elimination of bias in hiring and employment, cultural awareness, and harassment and discrimination;

(f) Convey the District’s diversity and commitment to equal employment opportunity in District publications and on the District website.
XV. Goals for Hiring Persons with Disabilities

California Code of Regulations, Title 5, Sections 53003(d) and 53025

Applicants and employees with disabilities will receive reasonable accommodations consistent with the requirements of Government Code sections 11135 et seq. and 12940 (m); and § 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) as amended.

All job announcements will provide persons with disabilities information on how to request accommodation in the selection process. All job announcements shall be reviewed to ensure that, if they include a statement of the physical demands of the position, the demands are job related and include a statement that inability to perform the physical demands of the position due to a disability will be reasonably accommodated. Selection Process Monitors will be trained to support selection committees in ensuring that persons with disabilities receive appropriate accommodation in the selection process.

It is the goal of the District to ensure that all applicants and employees with disabilities receive reasonable accommodations through the District’s processes. The District welcomes applicants and employees with disabilities.
XVI. Graduate Assumption of Loans Program for Education

Education Code section 87106

The District will take into account system-wide strategies developed by the Board of Governors to encourage community college students to become qualified for, and seek employment as community college employees. The District will consider strategies to inform students about the opportunity to participate in the Graduate Assumption of Loans Program for Education when that program is funded and available.
XVII. Progress in Achieving Full-Time to Part-Time Faculty Ratio

Education Code section 87102(a)

The District will continue to make progress toward achieving the goal of having 75% of instruction taught by full-time faculty as described in Education Code section 87482.6. Required progress is monitored annually through analysis and reporting required by Title 5, section 51025. The District will monitor employment of adjunct faculty in the categories of men, women, ethnic group identification, and disability to ensure that its employment practices are equitable and fair.