

## **VII. EMPLOYMENT PRACTICES AND POLICIES**

### **EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION**

The term "affirmative action" is best understood in relation to another term, "equal employment opportunity." CSU, Chico's goal of Equal employment opportunity is that all personnel activities will be conducted in a manner to ensure fair and equitable treatment of all persons who participate in, or seek entrance to, the university's workforce, and that artificial, non-job-related barriers to public employment are eliminated. Employment shall be based on individual merit, and fitness of applicants and employees as related to the requirements of the specific positions to be filled, and without regard to race, color, religion, gender, national origin, ancestry, age, marital status, pregnancy, medical condition, or disability (except where the above may be a bona fide occupational requirement). Affirmative action is a planned, on-going management program to accomplish the equal employment opportunity concept. It is a results-oriented program that critically analyzes all personnel procedures and practices to ensure equal opportunity; it reinforces the policy that discrimination and so-called "reverse discrimination" shall not exist in employment, and it enhances the policy that all segments of society shall have the opportunity to compete fairly.

A yearly Affirmative Action Plan for CSU, Chico is developed in good faith, in conformance with, and in reliance upon the Equal Employment Opportunity Commission's Affirmative Action Guidelines (44 Federal Register 4422, January 19, 1979). Inasmuch as the Equal Employment Opportunity Commission is charged with the responsibility of interpreting Title VII of the Civil Rights Act (to the extent of its legal jurisdiction), CSU, Chico relies upon the interpretations and guidance afforded by its Affirmative Action Guidelines. The campus AAP is in the Meriam Library in the limited loan section of the Reserved Book room.

### **ACCOMMODATING EMPLOYEES WITH DISABILITIES**

As an employer, CSU, Chico provides reasonable accommodations:

- when an employee with a disability needs an accommodation to enable him or her to perform the essential functions of the job or to gain access to the workplace; and
- when an employee with a disability needs an accommodation to participate in equal benefits and privileges of employment.

CSU, Chico will process requests for accommodation and, where appropriate, provide reasonable accommodations in a prompt, fair and efficient manner.

An employee may request an accommodation orally or in writing from his or her supervisor; another supervisor or manager in his/her immediate chain of command; an appropriate administrator; or the campus ADA coordinator. The Director of Employment Practices and Dispute Resolutions is the campus ADA coordinator.

### **WHISTLEBLOWER COMPLAINTS AND RETALIATION**

Under the California Whistleblower Protection Act, any employee may make a protected disclosure no later than thirty days after the employee knew or reasonably should have known of an event of regarding:

- illegal acts like theft, fraud, or conflicts of interest by state employees;
- misuse or abuse of state property or time by state employees; or
- gross misconduct, incompetence, or inefficiency by state employees.

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Protected disclosures can be made to any of the following entities:

**The Bureau of State Audits  
Investigations  
555 Capitol Mall, Suite 300  
Sacramento, CA 95814 or by phoning their hot line at (800) 952-5665**

OR:

**Vice Chancellor for Human Resources  
Office of the Chancellor  
401 Golden Shore  
Long Beach, CA 90802-4210  
(562) 951-4425**

Employees may also make a protected disclosure to the on-campus administrator appointed by the President to receive such disclosures.

**Director of Employment Practices and Dispute Resolutions or  
Interim Chief Staff Human Resources Director  
CSU, Chico Human Resources  
Chico, CA 95929-0022  
(530) 898-4666**

Section 8547.12 of the Government Code forbids retaliation or attempted retaliation by any employee of the California State University against employees for having made protected disclosures under the statute. Allegations of such retaliation may be filed with the vice chancellor of human resources or the campus-designated administrator, above.

### **DISCRIMINATION COMPLAINTS**

Complaints of alleged violation, misapplication, or misinterpretation of the CSU policies or relevant federal and state laws on nondiscrimination by other CSU employees, students, or third parties must be filed according to appropriate collective bargaining agreements by employees who are eligible to file discrimination complaints or grievances under a collective bargaining agreement.

Employees not eligible to file under a collective bargaining agreement or whose collective bargaining agreement does not include a provision for filing discrimination complaints must follow the complaint procedure outlined in CSU's system-wide Executive Order 928. For questions or information regarding discrimination and harassment contact the Director of Employment Practices and Dispute Resolution by calling 898-4666.

All employees have a responsibility to report promptly any observed behavior by co-workers, supervisors, students, or others in the workplace that may constitute illegal discrimination or harassment. Such behavior must be reported to an appropriate administrator, i.e., an administrator in the employee's area or the Director of Employment Practices and Dispute Resolution. Students should make such reports to the Director of Student Judicial Affairs by calling 898-6897.

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### **CSU POLICIES**

The source documents for most of the personnel policies are either system-wide Executive Orders or campus-developed Executive Memoranda. They are maintained on the Chancellor's Office website at <http://www.calstate.edu/EO/> or the CSU, Chico Web site at <http://www.csuchico.edu/prs/EMs/emsorter.html>, respectively. Because you need to be familiar with them, the following policies have been included in the appendix of this Handbook:

- Nondiscrimination and Affirmative Action in Employment (Executive Order 883)  
[http://www.csuchico.edu/prs/EMs/EM99/em99\\_24.htm](http://www.csuchico.edu/prs/EMs/EM99/em99_24.htm)
- Disability Support and Accommodations (Executive Order 926)  
<http://www.calstate.edu/eo/EO-926.html>
- Policy Prohibiting Harassment in Employment and Retaliation for Reporting Harassment or Participation in a Harassment Investigation (Executive Order 927) <http://www.calstate.edu/eo/EO-927.html>
- Complaint Procedure for Discrimination, Harassment and Retaliation Complaints for Employees Not Eligible to File a Complaint or Grievance Under a CBA (EO 928)  
<http://www.calstate.edu/eo/EO-928.html>
- Campus Alcohol Policy (EM 99-11)  
[http://www.csuchico.edu/prs/EMs/EM99/em99\\_11.htm](http://www.csuchico.edu/prs/EMs/EM99/em99_11.htm)
- Zero Tolerance Policy on Workplace Violence (EM 02-116)  
[http://www.csuchico.edu/prs/EMs/EM02/em02\\_116.htm](http://www.csuchico.edu/prs/EMs/EM02/em02_116.htm)
- Computing & Communication Technology Policy (EM 97-18)  
[http://www.csuchico.edu/prs/EMs/EM97/em97\\_18.htm](http://www.csuchico.edu/prs/EMs/EM97/em97_18.htm)
- Smoking Policy (EM 02-108)  
[http://www.csuchico.edu/prs/EMs/EM02/em02\\_108.htm](http://www.csuchico.edu/prs/EMs/EM02/em02_108.htm)
- Revisions to Nepotism Policy (EM 2005-16)  
[http://www.csuchico.edu/prs/EMs/EM05/em05\\_16.htm](http://www.csuchico.edu/prs/EMs/EM05/em05_16.htm)

### **RESPONSIBILITIES OF A UNIVERSITY EMPLOYEE**

Whether an employee occupies a position involving instruction, administration, or support services, the responsibility is the same—to serve our students. While the nature of contact with students varies according to job assignments, the manner in which an employee's responsibilities are carried out has a significant influence on the entire education program at CSU, Chico.

An employee's supervisor is responsible for assigning work, evaluating progress, and ensuring compliance with rules, regulations, and procedures. In addition to following the specific rules and procedures associated with the job assignment, an employee also has a responsibility to comply with the general rules, regulations, policies, and procedures of the university, the CSU system, and the State of California. Responsibilities that are shared by all university employees include:

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- the safe and proper use of supplies, equipment, and facilities;
- the use of work time for approved state business;
- conducting work in the best interest of the university;
- observing scheduled working hours, rest breaks, and meal periods;
- securing advance approval for planned absences;
- familiarity with CSU rules, regulations, and policies;
- prompt reporting of unplanned absences;
- prompt reporting of job-related injuries and hazards to supervisors;
- promoting a productive work environment by behaving in a respectful manner to supervisors, co-workers, students and others in the workplace; and
- prompt reporting to the appropriate administrator of behavior that may constitute illegal discrimination or harassment by co-workers, supervisors, students, or others in the workplace