I. INTRODUCTION

General Purpose and Contents of the Plan

Purpose of the Plan

The purpose of this Affirmative Action Plan is to reaffirm Manhattan College’s (the “College”) continuing commitment to the principles of affirmative action and equal employment opportunity.

The College also maintains an Affirmative Action Plan for Individuals with Disabilities and an Affirmative Action Plan for Protected Veterans.

Applicability

This Plan is applicable to the entire operations of the College, including all departments and academic schools. This Plan applies to all New York City Board of Education professional services contracts with the College. The College will submit to the Director of the Office of Equal Opportunity of the Board a separate Affirmative Action Plan for each subcontractor prior to approval of the subcontractor by the Board of Education.

Equal Employment Opportunity Objectives

In support of these policies and considerations, specific equal employment opportunity objectives at the College include the following:

- To recruit, hire, train, and promote persons in all job classifications without regard to any basis protected by applicable local, state or federal law, or Executive Order.
- To make decisions within all stages of the employment process that will further the principles of equal employment opportunity.
- To ensure that criteria for all personnel actions, including recruitment, hiring, promotion, granting of tenure, compensation, employee benefits, College-sponsored education, selection for education, tuition assistance, recreation programs, transfer, layoff,
discipline, termination, and all other terms, conditions, and privileges of employment are job-related and realistic.

- To vigorously apply the principles of affirmative action to correct problems and ensure equal opportunity in areas where there are placement goals for women and minorities.

**Non-Disclosure Statement**

The following Affirmative Action Plan does not create, express, or imply contractual rights in or for any employee or prospective employee.

The materials contained in this Affirmative Action Plan are exempt from mandatory disclosure under the Freedom of Information Act exemptions relating to confidential and proprietary information. The College will furnish detailed information establishing this exemption as applicable and when it becomes necessary.

**II. REAFFIRMATION OF POLICY STATEMENT**

Recognizing that equal employment opportunity can only be achieved through demonstrated leadership and aggressive implementation of a viable Affirmative Action Plan, the College has issued a statement (a copy of which follows) indicating the College’s attitude toward and support for equal employment opportunity and affirmative action. Realizing that simply adopting a policy of equal employment opportunity is insufficient, the College has voluntarily taken other positive steps.

**Policy Purpose**

To express the College’s continuing practice of nondiscrimination in employment.

**Policy Statement**

Manhattan College has a long tradition of voluntarily implementing a policy of equal opportunity for all segments of the Manhattan College community. Its policy is a morally correct commitment and is of special significance since the goal of the College is to assist students to prepare themselves fully for their future lives.

The College states affirmatively its commitment to equal opportunity and to develop a program that will insure implementation of our commitment. The attached Equal Opportunity statement and Affirmative Action Plan reflects this commitment.

All members of the Manhattan College community share the responsibility to assure that the College policy is actively implemented and that no faculty member, administrator, staff member, student, vendor or visitor suffers from any form of discrimination because of race, color, creed, religion, ethnicity, national origin, sex/gender identity/expression, sexual orientation, marital/partnership status, disability, age, citizenship status, veteran status, predisposing genetic characteristics, caregiver status, credit history, arrest/conviction record, unemployment status,
status as a victim of domestic violence, sexual violence, or stalking, or any other legally protected status.

Manhattan College, if it is to fulfill its educational objectives, must insure that its community consists of the most capable individuals available within each discipline or skill. It must, therefore, take every possible advantage of the abilities and potential found within the unrepresented groups. Faced with the challenges that it currently experiences the College must fully utilize all sources of candidates if it is to advance further its reputation.

Manhattan College is an Equal Opportunity Employer that does not unlawfully discriminate in its employment decisions based on race, color, creed, religion, ethnicity, national origin, sex/gender identity/expression, sexual orientation, marital/partnership status, disability, age, citizenship status, veteran status, predisposing genetic characteristics, caregiver status, credit history, arrest/conviction record, unemployment status, status as a victim of domestic violence, sexual violence, or stalking, or any other legally protected status.

**Procedures**

To ensure compliance to the Policy:

- This Policy applies to all terms, conditions, and privileges of employment including: recruitment, hiring, probationary period, training and development opportunities, job assignment, supervision, promotion or transfer, compensation, benefits, layoff and recall, termination, and retirement.

- The Vice President for Human Resources is responsible for insuring compliance and continued implementation of this Policy and advises both staff and faculty employees, supervisors, and managers about the Policy as needed.

- Employees who believe they have been discriminated against, harassed, or have knowledge of such conduct should discuss their concerns or bring any work-related concerns to their supervisor. However, an employee may alternatively elect to contact Human Resources at 718.862.7392, the Affirmative Action Officer at 718.862.7398 or the Title IX Coordinator at 718.862.7512. Every effort will be made to conduct a prompt investigation and to treat complaints impartially and confidentially with a view to arriving at fair resolutions. If an investigation leads to a determination that this Policy was violated, corrective action up to and including termination of employment will be taken.

- The College provides, upon request by a job seeker or an applicant, reasonable accommodations for a disability, to complete the application process.

- In accordance with the Americans with Disabilities Act, the College provides, upon request from an employee with a disability, reasonable accommodations for the employee to successfully perform the essential duties of the job. Employees should contact the Human Resource Office to initiate the disability accommodation process.
III. INTERNAL DISSEMINATION OF THE AFFIRMATIVE ACTION POLICY

Basic to the effectiveness of this Affirmative Action Plan is the awareness of the College community of the College’s commitment to equal employment/affirmative action and of the related Regulations and goals. This commitment is communicated through extensive internal media. Awareness is achieved as follows:

- The College’s policy statement is included in its policy and procedural handbooks, as well as all issues and re-issues of its faculty and employee handbooks.
- Discussion of the College’s policy and its Affirmative Action Program to implement its policy with administrative and supervisory personnel at special meetings called for the purpose of such discussion.
- A profile of the College’s employees showing a distribution of minority and women employees is distributed annually to each Vice President and Dean by the Human Resources Department.
- Continued encouragement of the College’s minority group employees to refer applicants for employment and candidates for appointment to the College.
- Inclusion of a statement of the College’s policy in employee orientation programs.
- Notices required by the Equal Employment Opportunity Commission (EEOC), the office of Federal Contract Compliance (OFCC), the Department of Health, Education and Welfare (HEW) and the New York State and City Human Rights’ Agencies are displayed in work and employment interviewing areas.
- Statistics concerning job applicants, job offers, and appointment and placement of minority members and women will be accumulated for the information and use of the academic and non-academic administration.
- Documentation of the College’s efforts with regard to implementing its Affirmative Action Program will be maintained in the files of the Affirmative Action Officer.

IV. EXTERNAL DISSEMINATION OF POLICY

The College believes that the effective implementation of its Affirmative Action Plan also involves the external dissemination of its Equal Employment Opportunity/Affirmative Action Policy. External dissemination is affected through some of the methods employed for internal dissemination, as well as through special efforts to reach those outside the College community. External dissemination is accomplished by:

- All advertisements for employment will contain assurance of equal employment opportunity.
- All sources of applicants and candidates will be reminded and advised of the College’s Affirmative Action Program and will be requested to refer qualified minority group and female candidates to the College.
- All vendors will be reminded of the College’s equal opportunity policy by including a reaffirmation statement in the College’s purchase orders.
Contractors and sub-contractors will be reminded of the College’s Affirmative Action Plan and requests will be made of them to take similar action.

V. RESPONSIBILITY FOR IMPLEMENTATION

The President

The President of the College, Brennan O’Donnell, Ph.D., holds the ultimate responsibility for the success of this Affirmative Action Plan. This responsibility is complemented by shared responsibilities with other designated departments and officials of the College.

Specifically, the President has delegated primary authority and overall responsibility for the Plan to the Vice President for Human Resources and his/her appointed delegate(s), including the Affirmative Action Officer.

Vice President for Human Resources and Affirmative Action Officer

The President has pledged full support of his office to the Vice President for Human Resources and his/her appointed delegate(s), including the Affirmative Action Officer, in their work related to equal opportunity and affirmative action and to ensure that the College meets its EEO/AAP obligations. However, it is recognized that these commitments are the combined responsibility of the members of the entire College community.

The Vice President for Human Resources and Affirmative Action Officer’s responsibilities include, but are not limited to:

- Internal and external dissemination of the College’s equal employment opportunity policy.
- Assisting in the identification of under-utilization problem areas and in establishing time tables for goals and objectives to solve these problems.
- Assisting individual administrators in arriving at solutions to problems.
- Serving as liaison between the College and Enforcement Agencies, organizations, and community actions groups.
- Keeping the Administrative Officers informed of the latest developments in the entire area of equal employment opportunity.
- Conducting periodic audits of hiring, appointment, training and promotional patterns to insure that minorities are given full employment opportunities.
- Developing reporting procedures to assist in the identification of problem areas within the employment profile of the College.

VI. INTERNAL AUDIT AND REPORTING REQUIREMENTS

The College believes that one of the most important elements in effectively implementing a written Affirmative Action Plan is adequate internal audit and reporting. Through this system, progress can be monitored and management kept informed.
For this purpose, the College’s Vice President for Human Resources and/or Affirmative Action Officer will continue to be responsible for implementing internal audit and reporting systems that analyze the distribution of each level of rank or employment to determine problem areas by administrative unit and rank or job categories.

In analyzing its employment population, the College will consider the following factors:

- The minority population in the New York Metropolitan area.
- The availability of minorities and women having the requisite professional or non-professional skills in the immediate area.
- The percentage of minorities and women at the College in each professional and non-professional category as compared with the availability of minorities and women in the immediate area.
- The availability of minorities and women having the requisite professional and non-professional skill in an area in which the College can reasonably recruit.
- The availability of promotable minorities and women within the College community.
- The degree of training and assistance with respect to training which the College is reasonably able to undertake as a means of making all positions available to all minorities and women.

VII. AVAILABILITY AND UTILIZATION ANALYSIS BY JOB GROUP

Availability Analysis

An Availability Analysis will be conducted for each Job Group at the College. In determining the availability of minorities and females, a weighted two-factor analysis will be used. The percentage of women and minorities in the labor pools will be determined separately for each Job Group using information from the Census 2010 Special EEO File. When preparing this analysis for faculty, the College will incorporate an additional factor for each Job Group using information from the U.S. Department of Education, National Center for Education Statistics, 2014/15-2015/16 Doctor’s degree conferred by degree-granting institutions. The concept of availability in these analyses assumes the following:

- Individuals who received appropriate degrees in their fields are equally qualified for positions at the College and could compete for job opportunities.
- Individuals who are promotable and/or transferable are also trainable.

As a result, for faculty, the availability statistics come from the National Center for Education Statistics of Doctor’s degree conferred and from the Census 2010 Special EEO File. The availability statistics from the census data, as it represents post-secondary teachers, is inexact in a variety of ways and tends to overestimate the availability of women and people of color. For example, the statistics show the distribution of post-secondary teachers to be the same for professors in the humanities as for professors in the natural sciences, as the census focuses on core teaching competencies and not on discipline. It is for this reason that the College will
incorporate a Factor Three into the analysis for faculty that better enables it to identify the availability of females and minorities who have recently received their doctorate in their field of discipline. The availability statistics are clearly imperfect, but they remain the best way to fulfill the College’s obligation and they are the best guide for attaining the fundamental goal of our Plan.

The complete Availability Analyses, including Factor Components and Factor Availabilities, for all Job Groups will be provided.

Utilization Analysis

A Utilization Analysis of all Job Groups at the College will be conducted and analysis provided. In preparing this analysis, a finding of underutilization will be made in any Job Group where the availability of either women or minorities exceeds the utilization of such persons by an amount that is statistically significant at the two standard deviation level or greater.

In small Job Groups (less than 30) the alternate eighty percent (80%) impact ratio analysis will be used.

The College will establish annual placement goals for all Job Groups that show underutilization.

VIII. IDENTIFICATION OF PROBLEM AREAS

Analysis of Potential Problem Areas

In making an analysis of the College’s EEO posture, particular attention has been paid to employee training and to those EEO categories in which minority groups and females may be underutilized.

In general terms, the College believes that it has continued to make progress in placing minorities and females in its many diverse occupational Job Groups. The above statistical analyses, however, may however, certain Job Groups in which underutilization exists. Upon completing the statistical analyses, the College will identify the Job Groups in which underutilization exists (if any) and goals will be established for these Job Groups.

An analysis of the College’s overall personnel practices and procedures has revealed the following:

- The composition of the workforce in terms of overall numbers of minority groups and females continues to reflect the College’s strong commitment to diversity and providing equal employment opportunities.
- The College continues to examine its total selection process, including position descriptions, job titles, application forms, interview procedures, referral procedures, final selection process, hires, transfers, promotions, and terminations. The purpose of this review is to ensure that such personnel practices are being uniformly applied without regard to any basis protected by applicable local, state or federal law, or Executive Order. The Vice President for Human Resources and/or Affirmative Action Officer is
responsible for reviewing this selection process periodically to ensure that requisite qualifications are job related and nondiscriminatory, and that none of the selection procedures has an adverse impact on minorities or females. Further, the College plans to review Job Groups with significant numbers of incumbent employees and with substantial employment opportunities for adverse impact. The results will be reviewed and appropriate action taken if adverse impact is found.

- Length of service is a factor for consideration in promotion and job transfers, with respect to jobs covered by the College’s labor agreements with Local One Security Officers Union and Local 153, Office and Professional Employees International Union, AFL-CIO. Copies of the labor agreements are attached at Tab A. An examination of the College’s seniority practices has been made, resulting in findings that nondiscriminatory standards are used. While the seniority practices restrict the College’s ability to place junior minority and female candidates in many jobs, efforts have been made to encourage minority and female employees to attain qualifications that will improve their opportunities for advancement in the future.

- The College’s physical facilities, sponsored recreational/social events, and special programs, including educational assistance, are all applied and made available on a nondiscriminatory basis. The use of College facilities will not be permitted on any basis inconsistent with the EEO Policy. All new employees are advised that all employee benefits, salaries, and benefit programs are administered in a nondiscriminatory fashion. The Vice President for Human Resources and/or Affirmative Action Officer is responsible for periodically reviewing these personnel areas to ensure that there is no such discrimination.

- This Affirmative Action Plan has been communicated to and has found acceptance at all levels of Administration. The College desires to make its work environment supportive of EEO and periodically has solicited views of employees regarding this subject.

**Specific Problem Areas by Job Group**

- Female Underutilization, if any, will be identified upon completion of a statistical analysis.

- Minority Underutilization, if any, will be identified upon completion of a statistical analysis.

**Hires/Rehires**

An analysis of hires made at the College during the prior Plan Year will be conducted. All Job Groups will be analyzed to determine the rate by which females and minorities were hired in comparison to non-minorities and males. This analysis will also attempt to ascertain to what extent, if any, potential adverse impact exists in the College’s hiring practices. The College conducts all selection decisions without regard to any basis protected by applicable local, state or federal law, or Executive Order.
Internal Competitive Selections

The College often posts jobs which are open to both internal and external applicants. When internal employees are selected, these will be analyzed separately as selection decisions. The College conducts all selection decisions without regard to any basis protected by applicable local, state or federal law, or Executive Order.

Promotions

All Job Groups will be analyzed to determine the rate by which females and minorities were selected in comparison to non-minorities and males. This analysis will also attempt to ascertain to what extent, if any, potential adverse impact exists in the College’s selection practices. The College conducts all selection decisions without regard to any basis protected by applicable local, state or federal law, or Executive Order.

Transfers

All Job Groups will be analyzed to determine the rate by which females and minorities were selected in comparison to non-minorities and males. This analysis will also attempt to ascertain to what extent, if any, potential adverse impact exists in the College’s selection practices. The College conducts all selection decisions without regard to any basis protected by applicable local, state or federal law, or Executive Order.

Terminations

All Job Groups will be analyzed to determine the rate by which females and minorities were selected in comparison to non-minorities and males. This analysis will also attempt to ascertain to what extent, if any, potential adverse impact exists in the College’s selection practices.

The College realizes that many terminations are voluntary in nature. Voluntary terminations and involuntary terminations may be analyzed separately.

Involuntary terminations are generally related to job performance, but usually do not occur until after verbal and/or written warnings have been given to an employee. Additionally, the Office of Human Resources investigates areas of grievances through informal and/or formal means, as appropriate, and provides prompt and equitable resolution to problems. Aggrieved parties are encouraged to contact the Office of Human Resources if and when problems arise. The Office of Human Resources tries to monitor all potential termination situations, in the hopes that proper collective action can rectify the problem before it reaches the level of termination.

The College conducts all personnel decisions without regard to any basis protected by applicable local, state or federal law, or Executive Order.

Compensation

The College’s compensation system(s) are reviewed periodically to determine where there is gender, race, or ethnicity based disparities, and corrective action is taken. In performing an
analysis, it was determined that any pay disparities are the result of non-discriminatory factors such as job duties and responsibilities, experience, seniority, work performance, publication record, and education level obtained. In addition, all bargaining unit employees’ salaries are governed by the collective bargaining agreement with the Union.

Training

The College’s review of the training opportunities it offers reveals that training is available to all employees and that training is administered in a nondiscriminatory manner without regard to any basis protected by applicable local, state or federal law, or Executive Order.

IX. GOALS

The College recognizes that the goals established following statistical analyses are neither rigid nor inflexible. Rather they are objectives to be pursued by a good faith effort to attract qualified female and minority applicants. Goals will be established and reviewed on an annual basis. The ultimate objective, however, is to improve the employee profile in each Job Group to the point where it reflects expected the utilization of minorities and women.

Good faith efforts to expand the pool of qualified women and minority applicants will be used by the College as a means of achieving any goals established for minorities and women.

A summary of goals required to reach full utilization by percentage of workforce will be provided. The goals are not intended as, and should not be considered to be, quotas that must be met. These goals instead are targets established solely for purposes of implementation of this Affirmative Action Plan.

X. DEVELOPMENT AND EXECUTION OF ACTION

The College will implement action oriented programs or procedures to further its commitment to affirmative action and equal employment opportunity. All personnel involved in recruitment, selection, promotion, discipline, training, and related processes will be trained in accordance with the College’s affirmative action objectives, equal employment opportunity laws and regulations, and any policies related to personnel practices.

The College will continue to develop programs to facilitate the attainment of the goals it establishes to increase the utilization of minorities and women in various job and salary groups.

Recruitment

The College generally undertakes the following recruitment techniques to maintain or increase the flow of qualified minority and female applicants to the College:

Faculty, Sr. Administrators and Administrative Personnel. It is the policy of the College that no appointment will be made to faculty or professional positions until women and/or minority group candidates have been sought out and, if qualified, such candidates are identified and encouraged to apply. The College will consciously reach out to make certain that minority groups are
identified, made aware of positions available, and encouraged to apply. The program of active recruitment may include the following:

- Direct contact with faculty members of Colleges having a high percentage of their enrollment consisting of minority groups of students and women.
- Direct contact with groups specifically oriented to and concerned with minority groups.
- Direct contact with former undergraduates who may know qualified minority graduate students who have completed or who are about to complete their work.
- Direct contact with associates and friends at various colleges and universities.

Staff. The specific objective is to increase the number of minority persons working at all levels within the non-professional staff at the College. Among the special efforts made in this regard will be the following:

- Employment agencies that specialize in locating qualified minority candidates and State Employment Service will be utilized where necessary and appropriate.
- Periodic visits will be scheduled with, and referrals of applicants sought from, community agencies and minority group organizations.
- All employees, including minority group employees, will be encouraged to refer friends and acquaintances as job applicants.
- All newspaper and advertisements and online advertisements for employment will include the phrase “An Equal Opportunity Employer.”
- Advertisements will be placed in publications and online sites having a high relationship among minority groups.
- Employment procedures will be reviewed periodically to assure that affirmative efforts are made to secure minority group employees.
- Testing will confirm to Federal regulations and will be used only to measure capabilities actually required in the position.

**Employment and Selection**

- Worker specifications are regularly reviewed to ensure that they do not screen out minorities or females and that they are job related.
- Human Resource staff members periodically review College documents, i.e., employment applications and other pre-employment forms to ensure that all inquiries are job related.
- Selection methods used are reviewed periodically to safeguard against disparate treatment of minorities and women.
- Employment interviewers are trained on proper techniques, inquiries, documentation, and the College’s affirmative action objectives.
- Search committees are encouraged to have female and minority representation throughout the interviewing process.

**Promotions and Job Training**

**Faculty, Sr. Administrators and Administrative Personnel.** Individuals will be considered as candidates for promotion in faculty rank or as candidates for promotions to positions of increased responsibility in a nondiscriminatory manner without regard to any basis protected by applicable local, state or federal law, or Executive Order.

**Staff.** The Vice President for Human Resources, in cooperation with the Affirmative Action Officer, will periodically review promotional procedures to assure that minority and women employees are afforded equal access to job opportunities in all areas of the College. Promotion to higher rank and higher level jobs will be made from within the College community whenever possible, and will be based on the demonstrated performance and potential of qualified individuals at lesser levels in relation to the total candidate pool.

**Compensation Systems**

- The College has written pay policies and standardized pay practices. These policies and procedures are outlined in the Employee Handbook in Section III (“Compensation”).
- Compensation paid to each faculty, administrative, professional and staff member will be based entirely on his/her contribution to the educational goals of the College without regard to any basis protected by applicable local, state or federal law, or Executive Order. The measurement of the individual’s contribution to the College will include a measurement of the responsibilities, efforts and professional skill utilized by an individual in fulfilling the obligations of his/her position.
- Each job classification considers individual variances only for experience, skill and length of service. Each staff position will be represented by a written job description which will be periodically updated and maintained in conformance with the actual requirements of the job. Criteria will be established for each job to reflect the evaluation of the job.
- The College has collective bargaining agreements with Local One Security Officers Union and Local 153, Office and Professional Employees International Union, AFL-CIO. These agreements cover working conditions for all bargaining unit employees, including pay practices and rates of pay. There are no race-, gender- or ethnicity-based disparities in these practices or rates of pay.
- For non-bargaining unit jobs, the College has a formalized salary structure, with staff and administrator pay ranges established. Pay ranges are reviewed on a fiscal year basis and may be adjusted on the basis of a number of factors such as market surveys and other comparable institutions.
- For jobs within each pay structure there are no race, gender, or ethnicity based practices or rates of pay.
- The establishment of the pay ranges provides a tool for the College to manage compensation in such a way as to attract and retain highly qualified employees.
- Supervisors/Department Heads setting a starting pay rate or salary consider the salary range, market pay for the position, the candidate’s skills and experience, equity within the Department, and budget constraints. The Human Resources Department is responsible for monitoring hiring pay levels, and reporting irregular decisions to the Department Vice President.
- Pay decisions focus on bona fide occupational qualifications, experience, skills and performance. The level of approvals needed to adjust pay within a pay grade is an internal matter to be decided within a department and in consultation with the Human Resources Department. Pay decisions are made at Vice President level to ensure internal consistency and equity, and to manage budgetary impact.
- The relative position of each employee within the salary level is based on considerations such as level of performance, degree of responsibility, starting salary (which is influenced by education, field or area of expertise, and experience at time of hire), length of service, contributions made, or increased skills and proficiencies acquired since the last adjustment, the amount of previous salary increases and the employee’s salary level as compared to that of similarly situated employees. The College’s Administration makes the recommendation of the merit increase to the Board of Trustees each year. Such increases do not produce gender, race, or ethnicity based disparities among similarly situated employees.

**Minority and Female Business Enterprises**

The College undertakes efforts to engage, as sub-contractors, bona fide minority business enterprises and female enterprises. [INSERT DESCRIPTION AND ATTACH PROOF at Tab B. Vicki will provide.]

**XI. INTERNAL PROCEDURE FOR HANDLING COMPLAINTS**

Any applicant or employee, who feels he or she has been subject to discrimination based on his or her gender or minority status with respect to any employment decision, may file a complaint with the Affirmative Action Officer, Vicki M. Cowan at 718.862.7398.

Any complaint will be processed to completion. The affected employee or applicant will be notified of the results. All complaints, and any actions taken under them, will be kept confidential, to the extent practicable.

The College will take all necessary steps to ensure that no person intimidates, threatens, coerces, or discriminates against any individual because that individual has filed a complaint, furnished information, or assisted or participated in any manner in an investigation, compliance review, hearing, or other activity related to the administration of this Affirmative Action Plan.