

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

The City College of New York  
New York, New York

**Affirmative Action Program**  
**September 1, 2011 – August 31, 2012**

**PARTS I-V: AAP FOR MINORITIES AND WOMEN**

**PART VI: AAP FOR COVERED VETERANS  
AND PERSONS WITH DISABILITIES**

**AA/EEO Contact:**  
*Robert Rodriguez*  
*City College of New York*  
*160 Convent Avenue, Administration 204*  
*New York, New York 10031*

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AFFIRMATIVE ACTION PLAN  
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## PREFACE

The City College of New York of The City University of New York is committed to equal opportunity and affirmative action in its educational and employment practices. This Affirmative Action Plan (AAP) covers activities and includes statistics for the period July 1, 2010 through June 30, 2011. It is renewed annually and is in effect September 1, 2011 through August 31, 2012.

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 occurring 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 protected group members, as well as an identification and analysis of problem areas in their employment. When a statistical analysis of the employee workforce reveals a numeric disparity between incumbency and availability of minorities or women; an adequate AAP details specific affirmative 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 hiring and promotion goals to rectify the disparity between incumbency and availability. It is toward this end that the following AAP was developed.

### APPLICABLE AFFIRMATIVE ACTION LAWS AND REGULATIONS

An AAP for minorities and women (Parts I-V) 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).

The College has developed an Affirmative Action Plan for covered veterans and individuals with disabilities (Part VI) 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, Section 4212, as amended, and Title 41 Code of Federal Regulations, Part 60-250 (Affirmative Action Program for Disabled Veterans and other veterans). This AAP also complies with the Veterans Employment Opportunities Act of 1998 (VEOA), Public Law 105-339, effective October 31, 1998 and the Jobs for Veterans Act (JFVA), Public Law 107-288, effective December 1, 2003.

### PROTECTED GROUPS

Coverage under affirmative action laws and regulations applies to:

Minorities who are recognized as belonging to or identifying with the following race

or ethnic groups: American Indians/Alaska Natives; Asians; Blacks/African-Americans; Hispanics/Latinos; Native Hawaiians or Other Pacific Islanders; individuals with disabilities, veterans and women.

## **I. INTRODUCTION**

### **A. DESCRIPTION OF COLLEGE**

The City College of New York (CCNY), the first college of The City University of New York (CUNY), is a comprehensive teaching, research, and service institution that offers a rich program of undergraduate, master's and doctoral study through its various schools and divisions.

The College of Liberal Arts and Science comprises the:

- Division of Humanities and the Arts
- Division of Science
- Division of Social Science
- Division of Interdisciplinary Studies at the Center for Worker Education

The Professional Schools are the:

- Bernard and Anne Spitzer School of Architecture
- School of Education
- Grove School of Engineering
- Sophie Davis School of Biomedical Education

All degree programs are registered by the New York State Department of Education. The College is regionally accredited by the Middle States Commission on Higher Education. Additionally, professional curricula are accredited by the appropriate professional educational agency or board including the Accreditation Board for Engineering and Technology (ABET), National Architectural Accrediting Board and the National Council for Accreditation of Teacher Education.

### **B. HISTORY**

Founded in 1847 as The Free Academy, CCNY was one of the great experiments of the young American democracy. At the urging of School Board President Townsend Harris, New York established a school to provide access to higher education for bright young men from working class and immigrant families who could not afford private college. Now over 160 years later, the experiment remains an overwhelming success. CCNY's enrollment of more than 16,000 students ranges from recent high school graduates to working adults, from immigrants to natives, encompassing the poor as well as the middle class. In Fall 2007, 90 foreign languages were spoken on campus, which has been ranked by US News and World Report as one of the most diverse college campuses in the nation.

Behind this student success is a faculty committed to academic excellence and research. More than 85% of CCNY professors have earned the highest degrees in their

field. The faculty includes winners of Fulbright scholarships, Guggenheim fellowships, MacArthur “Genius” awards, Pulitzers, Emmys, Grammys and National Book Awards. Nine faculty members hold 12 memberships in the three national scientific academies: The National Academy of Science, The National Academy of Engineering and The Institute of Medicine.

### C. MISSION

*“Open the doors to all. Let the children of the rich and the poor take their seats together and know of no distinction save that of industry, good conduct, and intellect.”*  
Townsend Harris, Founder, 1847

The College provides a diverse student body with opportunities to achieve academically, creatively, and professionally in the liberal arts and sciences and in professional fields such as engineering, education, architecture, and biomedical education. The College is committed to fostering student-centered education and advancing knowledge through scholarly research. As a public university with public purposes, it also seeks to contribute to the cultural, social, and economic life of New York.

### D. EXECUTIVE OFFICERS AND ORGANIZATION

The chief executive officer of the College is the President, who has general responsibility, in accordance with the policies of the Board of Trustees of The City University of New York, for the development, implementation, administration and quality of all programs. The College's leadership team as of September 1, 2011, consisted of the following executive officers:

- President: Dr. Lisa S. Coico
- Provost: Dr. Martin Moskovits
- Vice President for Administration or Finance: Jerry Posman
- Vice President for Campus Planning and Facilities Management: Robert Santos
- Vice President for Development and Institutional Advancement: Rachelle Butler
- Vice President for Government and Community Affairs: Karen Witherspoon
- Vice President for Communication and Public Relations: Mary Lou Edmondson
- Assistant Vice President for Student Affairs: Robert Rodriguez
- Assistant Vice President for Human Resources and Labor Relations: Sabrina Ellis
- Chief Information Officer: Ken Ihrer
- Chief of Staff and Senior Advisor to the President: Deborah Hartnett

## II. NON-DISCRIMINATION POLICY

### STATEMENT OF PRINCIPLES

The City University of New York, located in a historically diverse municipality, is committed to engendering values and implementing policies that will enhance respect for individuals and their cultures. The University believes that, in order to truly benefit from this

diversity, the University must foster tolerance, sensitivity and mutual respect among all members of its community. Efforts to promote diversity and to combat bigotry are an inextricable part of the educational mission of the University. Diversity among the University's many members strengthens the institution, promotes the exchange of new ideas, and enriches campus life.

The University does not condone and will not tolerate discrimination or harassment in employment or in its educational programs and activities.

The City University of New York continues to recognize the important need to maintain at each campus equal access and opportunity for qualified students, faculty and staff from all ethnic and racial groups and from both sexes.

### POLICY STATEMENT

It is the policy of The City University of New York and the constituent colleges and units of The University to recruit, employ, retain, promote, and provide benefits to employees and to admit and provide services for students without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender identity, marital status, legally registered domestic partnership status, disability, predisposing genetic characteristics, alienage, citizenship, military or veteran status, or status as a victim of domestic violence.

Sexual harassment, a form of sex discrimination, is prohibited under the University's Policy Against Sexual Harassment.

The City University of New York, as a public university system, adheres to federal, state, and city laws and regulations regarding non-discrimination and affirmative action including among others Section 1324b of the Immigration and Nationality Act (INA), Executive Order 11246, as amended, Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, Section 402 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, as amended and the Age Discrimination Act of 1975, the New York State Human Rights Law and the New York City Human Rights Law. The "protected classes," as delineated in Executive Order 11246: (i.e. Black, Hispanic, Asian/Pacific Islander, American Indian/Alaskan Native and Women), were expanded on December 9, 1976 by the Chancellor of The City University of New York to include Italian-Americans. The Office of Management and Budget further expanded these protected classes in 2006 to include two or more races (not Hispanic or Latino) and replaces Asian/Pacific Islander, with Asian (not Hispanic or Latino) and Native Hawaiian (not Hispanic or Latino) and Black will be renamed as Black or African American (not Hispanic or Latino).

Should any federal, state, or city law or regulation be adopted that prohibits discrimination based on grounds or characteristics not included in this policy, this policy shall be read to prohibit discrimination based on those grounds or characteristics, as well.

### **Responsibility for Compliance**

The President of each college shall have ultimate responsibility for overseeing compliance with this Policy at his or her respective unit of the University.

### **Discrimination Complaints**

The City University of New York is committed to addressing discrimination complaints promptly, consistently and fairly. There shall be a discrimination complaint procedure administered by each unit of the University.

Retaliation against any member of the University community who has made a complaint of discrimination is prohibited.

Effective: July 1, 2010

Board Approved: June 28, 2010 \*(Non-Discrimination Policy)

\*For the complete Non-Discrimination Policy and Procedure please visit:

[HTTP://WWW.CUNY.EDU/ABOUT/ADMINISTRATION/OFFICES/OHRM/DIVERSITY/STRATEGICINITIATIVES/NONDISCRIMINATIONANDSEXUALHARASSMENT.PDF](http://www.cuny.edu/about/administration/offices/ohrm/diversity/strategicinitiatives/ nondiscriminationandsexualharassment.pdf)

## **III. DESIGNATION OF RESPONSIBILITY**

As part of its efforts to ensure equal employment opportunity to all individuals, The College has designated specific responsibilities to various staff to ensure the AAP focuses on all components of the employment system. To that end, the President, the Affirmative Action Officer, and those employed as executive officers as well as supervisors and managers of administrative offices/departments have undertaken the responsibilities described below.

### **A. THE PRESIDENT**

The primary responsibility and accountability for implementing the AAP rests with the President. This role includes, but is not limited to, the following duties:

1. Designate appropriate personnel with the responsibility for overseeing, administering, implementing, and monitoring the College's AAP. Ensure that these personnel are identified in writing by name and job title. Specifically, appoint an Affirmative Action/Compliance and Diversity Officer (AA/CDO), and Sexual Harassment Coordinator and at least one Deputy Coordinator, a 504/ADA Coordinator and a Title IX Coordinator. The AA/CDO may perform one or more of these functions.
2. Ensure that designated personnel responsible for all AAP components are given the necessary authority, top management support, and staffing to successfully implement their assigned responsibilities.

3. Impart the personal direction that ensures total involvement and commitment to equal employment opportunity programs including the issuance of an Annual Re-Affirmation supporting Affirmative Action/Diversity and Equal Opportunity. (See copy of President's Re-Affirmation Letter in Appendix VII- I).
4. Ensure that the individuals appointed to handle allegations of discrimination/harassment, including sexual harassment, are fully trained and equipped to carry out their responsibilities.
5. Assure that supervisors receive orientation on the University's Non Discrimination Policy and Policy Against Sexual Harassment
6. Submit annually to the Office of the Vice Chancellor for Human Resources Management an annual report on non-discrimination, which shall include information on complaints filed within the past year and their resolution, and other information.

#### B. AFFIRMATIVE ACTION/CHIEF DIVERSITY OFFICER

The President has designated Robert Rodriguez to serve as the Affirmative Action Officer and EEO. The AAO is supported by Dr. Beth Lesen, ADA/504 Coordinator, Steven Gonzalez, Recruitment and Search Coordinator, and Nancy Berger, EEO Investigation Specialist. The Office is located:

The City College of New York  
Office of Affirmative Action, Compliance and Diversity  
Administration Building, A-214  
160 Convent Avenue  
New York, NY 10031  
Phone | 1-212-650-7331  
Fax | 1-212-650-7341  
Email | [aao@ccny.cuny.edu](mailto:aao@ccny.cuny.edu)

The AA/CDO is responsible, as the President's designee, for providing confidential consultation, complaint investigation and resolution of all internal complaints of discrimination/harassment and annually disseminating to all employees the Non-Discrimination Policy, the Policy Against Sexual Harassment, and the Form for Notification of Protected Categories, and including the names, titles, telephone numbers, and office locations of the AA/CDO, the Sexual Harassment Coordinator and Deputy Coordinator(s), and the 504/ADA Compliance Coordinator. Such information is widely disseminated and included in the orientations (including supervisory orientation sessions), handbooks, newsletters, and on the College's website. In addition, the *Policies and Procedures on Non-Discrimination and Sexual Harassment* are incorporated into the training curriculum for employees who are involved in investigating discrimination complaints.

#### C. COLLEGE SUPERVISORY PERSONNEL

Supervisory personnel exercise authority on behalf of the University. They include deans, directors, department chairpersons, executive officers, administrators, or other persons with supervisory responsibility. They must take steps to create a workplace free of discrimination and harassment, and must take each and every complaint seriously.

All executive officers, manager/supervisors, chairpersons of academic departments and directors of administrative units are crucial to the success of the affirmative action program. As supervisors, they implement college policy; set the tone for what is acceptable behavior, and enforce college rules. Consequently, they are integral to the implementation of the Affirmative Action Program. In their direct day to-day contacts with College employees, these officials help ensure compliance with equal employment programs and implementation of the AAP.

Specific responsibilities of supervisory personnel include:

1. Arranging for the posting, in his or her area, of the University's Non-Discrimination Policy with the names, titles, telephone numbers, and office locations of the AA/CDO, the Sexual Harassment Coordinator and Deputy Coordinator(s), the 504/ADA Coordinator and the Title IX Coordinator.
2. Adhering to the College's equal employment opportunity and affirmative action policy.
3. Supporting and assisting the President and AA/CDO in developing, maintaining, and successfully implementing the AAP.

#### D. AFFIRMATIVE ACTION COMMITTEE

As established by Board of Trustees policy, the functions of the Affirmative Action Committee are to:

1. Serve in an advisory capacity to the President of the College, and to other governing bodies of the College, in formulating and implementing affirmative action policy on campus.
2. Monitor outcomes of campus efforts on behalf of the Affirmative Action Program.
3. Review proposed amendments to the College governance plan to assure compliance with the University non discrimination and affirmative action policies and procedures.
4. Submit to the President a summary of its activities at the end of each academic year.

President Lisa Staiano Coico created the President's Council on Inclusion and Excellence to oversee these goals. The Council is chaired by Professor Charles Watkins and the members of the Council effective Fall 2011 are:

1. Professor Andrea Weiss

2. Dr. Carlos Aguasaco
3. Professor Maria Tamargo
4. Professor Arthur Spears
5. Professor Juan Carlos Mercado
6. Professor Ramona Hernandez
7. Professor Jeffrey Morris
8. Professor V. Parameswaran Nair
9. Professor Christopher Yawn
10. Professor I-Hsien Wu
11. Distinguished Professor Sheldon Weinbaum
12. Professor Karen Hubbard
13. Assistant Vice President Sabrina Ellis
14. Ian Matthews, Human Resources

#### IV. RESULTS OF STATISTICAL ANALYSIS/IDENTIFICATION OF PROBLEM AREAS

The College monitored each phase of its selection process (i.e., hires, reclassifications, promotions, and terminations). To identify areas of concern, the following steps were taken: information about the placement of incumbents was compiled and examined; data to compare incumbency to availability was derived; a utilization analysis was conducted and the impact analysis was completed. The data used in the preparation of the Affirmative Action Plan was collected from the CUNYfirst Ethnicity and Gender Report, run on June 30, 2011. Only full-time administrators, faculty and staff with annual appointments (excluding substitute and visiting titles) are included in the analyses discussed below.

##### A. JOB GROUP SUMMARY

Job/contract titles were aggregated into job groups according to content/skill level, compensation and promotional opportunities. The College’s full-time employees<sup>1</sup> were grouped into 7 categories using the relevant EEO-6 Codes. These categories were divided into smaller subgroups called Affirmative Action Units (AAUs). The duties, as well as educational qualifications and skills required for job/contract titles within the job categories, made the subdivision into AAUs prudent. Each AAU has an individual Utilization Analysis Worksheet (UAW), depicting the total group number and the numerical and percentage representation of Females, Total Minority, Blacks, Hispanics and Asians. (See Appendix A).

Based on the UAWs, the college may be underrepresented in the following areas:

Staff Category	Underutilization
Administration I (Executive Compensation Plan)	Female and Asian
Administration II (HEO/HEA/RA)	Female, Hispanics and Asians
Administration III (HEa/aHEO)	Female and Asian
Administration IV (CLT)	Hispanic
Computer Specialists	Female
Office Assistants	Female and Asian
Administrative Assistants	Asian
Supervisory Skilled Trades	Total Minorities

<sup>1</sup> Based on CUNYFirst data generated June 30, 2011

Skilled Trade/Crafts	Total Minorities, Black, Hispanic and Asian
Senior Custodial	Female, Hispanics and Asians
Custodial Assistants	
Campus Peace Officer 1	Hispanic and Asian
Campus Peace Officer 3	Hispanic and Asian
Campus Peace Officer 2	Hispanic

Academic Department	Underutilization
Anthropology	Total Minority and Blacks
Architecture	Female, Total Minority, Blacks and Asian
Art	Female, Total Minority and Black
Biology	Female
Biomedical Engineering	Female and Black
Chemical Engineering	Female, Total Minority, Blacks and Hispanic
Childhood Education	Total Minority, Blacks and Hispanic
Teaching Learning and Culture	Female and Black
Earth and Atmospheric Science	Female
Economics	Female, Black and Hispanic
Electrical Engineering	Female and Hispanic
English	Female and Asian
FLL	Black
IDS (CWE)	Total Minority and Blacks

Library	Female and Hispanic
Math	Female, Total Minority, Black, Hispanic and Asian
Mechanical Engineer	Female
MCA	Black
Music	Female, Total Minority and Asian
Philosophy	Female and Asian
Physics	Female, Black and Asian
Political Science	Female, Hispanic and Asian
Psychology	Female
Secondary Education	Total Minority and Blacks
Theatre	Female and Asian

**B. DETERMINING AVAILABILITY**

"Availability" is an estimate of the proportion of each gender and racial/ethnic group available and qualified for employment at the College for a given job group in the relevant labor market during the life of the AAP. Availability indicates the approximate level at which each gender and racial/ethnic group could reasonably be expected to be represented in a job group.

In adherence to the federal regulations, the College has used current and discrete statistical information to derive availability figures. Because of the University's educational requirements, the availability data was calculated according to information about earned degrees conferred for faculty. Executive/administrative/managerial groups and population surveys were used to calculate availability for the classified staff. The sources and process to determine the availability data for the two factor analysis is detailed in the UAW of each AAU in Appendix A.

**C. UTILIZATION ANALYSIS/COMPARISON OF INCUMBENCY TO AVAILABILITY**

Once overall availability estimates were calculated for each AAU, the College conducted the utilization analysis. The analysis disaggregated Blacks, Hispanics, and Asians from Total Minorities to identify underutilization in any of these protected ethnic/racial groups. American Indians/Native Americans, who comprise less than two percent of the University

workforce and local population, are not identified as a discrete group in the analysis, but are included in the Total Minorities category.

The utilization analysis was conducted by comparing the percentages of incumbents by gender/ethnicity in each AAU as of June 30, 2011 with the overall availability data. The analysis determined if women and members of protected racial/ethnic groups were underutilized. Underutilization was defined as any AAU in which fewer minorities or women were employed in a particular job group than would be expected given their availability in the relevant job market.

The UAW of each AAU indicates the current utilization of incumbents by gender and ethnicity. Any disparity between incumbency and availability is indicated as underutilization. The percentage difference between incumbency and availability is recorded in terms of whole persons. (See VII. Appendix A: *Utilization Analysis Worksheets* for the detailed Comparison of Incumbency to Availability report for each AAU, including the specific sources of availability data).

#### D. ANALYSIS OF 2011 UNDERUTILIZATION/AREAS OF CONCERN

Based on analysis of each UAW, underutilization of at least one person in an AAU was identified. Total Minorities were disaggregated into the federal protected classes to identify underutilization in any of the ethnic/racial groups. The underutilization of Blacks, Hispanics, Asians and females displayed in the AAUs is summarized below:

##### ***Non-Faculty Positions:***

Areas with underutilization of women:

- *Administration 1*
- *Administration 2*
- *Administration 3*
- *Administration 4*
- *Computer Specialists*
- *Secretarial*
- *Custodial*

Areas with underutilization of Blacks:

- *College Lab Assistants*
- *Skilled Trades*

Areas with underutilization of Hispanics:

- *College Lab Assistants*
- *Skilled Trades*
- *Motor Vehicle Operator*

- *Custodial*
- *Campus Peace Officers 1, 2, and 3*

Areas with underutilization of Asian:

- *Administration 1*
- *Administration 2*
- *Administration 3*
- *Office Assistant*
- *Administrative Assistant*
- *Custodial Staff*
- *Public Safety 2*

**Professoriate:**

Departments with underutilization of women

- *Architecture*
- *Art*
- *Biology*
- *Biomedical Engineering*
- *Chemical Engineering*
- *Computer Science*
- *Earth and Atmospheric Science*
- *Electrical Engineering*
- *Library*
- *Math*
- *Mechanical Engineering*
- *Music*
- *Philosophy*
- *Physics*
- *Political Science*
- *Psychology*
- *Theatre*

Departments with underutilization of Blacks:

- *Anthropology*
- *Architecture*
- *Art*
- *Biomedical Engineering*
- *Chemical Engineering*
- *Teaching, Learning and Culture*
- *Computer Science*

- *Economics*
- *Foreign Language and Literature*
- *Interdisciplinary Studies*
- *Math*
- *Media Communications and Art*
- *Physics*
- *Secondary Education*

Departments with underutilization of Hispanics:

- *Chemical Engineering*
- *Teaching, Learning and Culture*
- *Economics*
- *Electrical Engineering*
- *Library*
- *Math*
- *Political Science*

Departments with underutilization of Asians:

- *Architecture*
- *English*
- *Math*
- *Music*
- *Physics*
- *Political Science*
- *Theatre*

When the availability percentage of females or minorities exceeded the incumbency percentage of females or minorities, a goal was set.

Steps being taken to address these underutilizations: The President has hired Witt/Kieffer, an executive search firm, to assist the college in recruiting qualified applicants for many of the administrative positions on campus in particular Administration 1 positions. For faculty searches, the Provost has assigned his special assistant, in addition to the oversight provided by the AAO, to oversee all searches to ensure that they run smoothly and extraordinary efforts are made to recruit a diverse applicant pool.

E. COMPARISON OF 2010 GOALS TO 2011 UTILIZATION Analysis

A comparison of the 2010 and 2011 utilization analyses identified changes in the numeric disparity in the AAUs of the EEO-6 Categories since the last AAP. The Progress Report - Historical Underutilization in Appendix F displayed underutilization from 2007 to 2011. The comparison indicated the attainment of 2010 goals or identified lack of progress in

reducing or eliminating underutilization. Within the EEO-6 categories, the underutilization of racial/ethnic groups and women was as follows:

Executive/Administrative/Managerial

Job Group			Minority Underutilization							
	Female 11	Female 10	All 11	All 10	Black 11	Black 10	Hispanic 11	Hispanic 10	Asian 11	Asian 10
Administration I	1	3	0	0	0	0	0	0	3	2
Administration II	20	13	0	0	0	0	1	2	5	0
Administration V	1	0	0	0	0	0	0	0	0	0
Administration III	1	5	0	0	0	0	0	0	8	5
Administration IV	9	8	0	3	1	3	5	5	0	0
Office Assistant	4	5	0	0	0	0	0	0	3	0
Skilled Trade/Crafts	0	1	4	6	1	0	2	6	1	0
Custodial Assist.	0	0	0	0	0	0	7	11	2	2
Public Safety 1	0	0	0	0	0	0	2	3	0	0
Public Safety 3	0	1	0	0	0	0	1	2	1	1

Faculty

Department	Female UU 2011	Female UU 2010	Blk UU 2011	Blk UU 2010	Hispanic UU 2011	Hispanic UU 2010	Asian UU 2011	Asian UU 2010
Architecture	4	4	2	1	1	0	4	5
Art	4	2	1	3	1	0	0	0
Biology	0	2	0	0	0	0	0	0
Biomedical Engineering	0	1	1	1	0	0	0	0
Chemical Engineering	0	2	1	1	0	1	0	0
Chemistry	2	0	0	0	0	0	0	0
Civil Engineering	1	0	0	0	1	0	0	0
Computer Science	1	2	1	1	0	0	0	0
Earth and Atmospheric Science	1	2	0	0	0	0	0	0
Economics	0	2	1	1	1	1	0	0
Electrical Engineering	2	6	2	0	0	1	0	0
English	2	1	1	0	0	0	1	1
Leadership	1	0	0	0	0	0	0	0
Library	0	1	2	0	0	0	0	0
Math	3	3	0	1	1	1	2	1
Mechanical Engineer	0	2	0	0	0	0	0	0
MCA	3	0	1	1	0	0	0	0
Music	5	4	0	0	0	0	1	2

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Philosophy	2	2	1	0	0	0	1	1
Physics	5	5	0	1	0	0	0	1
Political Science	1	2	0	0	0	1	1	1
Psychology	15	7	0	0	1	0	0	0
Secondary Education	0	0	1	2	0	0	0	0
Sociology	1	0	0	0	0	0	0	0
Theatre	0	1	0	0	1	0	2	1

Due to changes in leadership, retirements and a decrease in faculty and staff hiring in 2009-10, increases in underutilizations are noted in some of the administrative positions as well as in faculty. However, there are 26 faculty and 54 administrative and service related searches starting or in progress in 2011-12. In particular, there will be searches in areas with severe underutilizations including Administration 2 and 4. In the faculty ranks, there are searches in Architecture, Engineering and Psychology that will focus on improving the underutilization in those areas.

## F. EVALUATION OF PERSONNEL ACTIONS

To identify any systemic barriers to equal employment, the AA/CDO conducted an impact analysis by EEO-6 categories. The impact analysis determined if an employment practice resulted in a negative consequence more often for members of protected groups than for other employees or applicants. A review of the tenure decisions compared employees eligible for tenure to those granted tenure or certificates of continuous employment. In addition to CUNYfirst, a variety of sources provided the information for the analysis including the Offices of Human Resources, Academic Affairs, and Affirmative Action.

### 1. Adverse Impact Analysis

To determine if any adverse impact existed, personnel transactions were reviewed. The actions completed during the previous 12 months are summarized in the following documents:

#### a. Analysis of Personnel Activity Table

##### 1) New Hires

The College hired 107 new full time employees; of these 54 were women and 66 were minorities.

##### 2) Promotions and Upgrades

Of the 20 members of the professoriate who applied for promotion, 20 received an upgrade in rank. In the Higher Education Officer series, 7 employees were reclassified.

##### 3) Terminations

The number of employees separated from the workforce was 12, including 5 women and 5 minorities.

#### b. Analysis of Applicant Data -Recruitment Documentation

The analysis of the applicant data did not reveal any disparities amount the protected groups. They appear consistent in relation to the positions sought.

#### c. Impact Ratio Analysis

Based on the information presented in the Personnel Activity Table and Applicant Data Recruitment Documentation, the Impact Ratio Analysis was conducted. The Impact Ratio Analysis, an evaluation of personnel transactions in each EEO-6 category, determined any disparities or adverse impact in the personnel actions. The data for minorities and non minorities and for men and women was examined. The Impact Ratio Analysis was divided

into three areas:

Part One: The Hires Analysis reviewed the hiring practices by comparing the number of hires to applicants

Part Two: The Promotion Analysis examined the promotion, upgrades/re-classification and transfers by comparing the number of employees promoted to incumbents;

Part Three: The Termination Analysis calculated the attrition rate by comparing number of terminations to incumbents.

The analysis reveals no adverse impact in any of the categories.

(See Appendix C for *Personnel Activity Table/Applicant Data-Recruitment Documentation* and Appendix D for the *Impact Ratio Analysis*).

## 2. Analysis of Tenure Eligibility Survey

Members of the Professoriate, College Laboratory Technicians (CLTs), and Lecturers receive Tenure or Certificates of Continuous Employment (CCE), respectively, if recommended by Departmental and College-wide Personnel and Budget (P&B) Committees. The President presents the candidate for tenure or CCE to the Board of Trustees (BOT). If the Board of Trustees approves, the tenure status becomes effective on the first of September following BOT action. In some cases, faculty members may receive consideration for tenure early. (See VII. Appendix E for the Tenure Eligibility Survey).

The review of the tenure decisions effective September 1, 2010 revealed that 26 faculty members were eligible and 23 were recommended for tenure. The 26 eligible included 13 females, 1 black and 2 Hispanics. Those granted tenure included 12 female, and 1 Hispanic.

The academic units included:

- Psychology – 1 Black male faculty member applied and was denied.
- Chemistry – 1 White male faculty member applied and was denied.
- Electrical Engineering – 1 White male CLT applied and was denied.
- Education and Leadership – White male and female faculty were recommended.
- Art - White male and female faculty were recommended.
- Political Science – A White female faculty member was recommended.
- Media Communication and Arts – A White female CLT was recommended.
- Chemical Engineering – A White female faculty member was recommended.
- Secondary Education – 2 White female faculty members were recommended.
- History- A White male faculty member was recommended.
- Music - A White male faculty member was recommended.
- Physics - A White male faculty member was recommended.

- English – A White male and 3 female faculty members were recommended
- Foreign Languages and Literature – A White female and Hispanic male were recommended.
- Theatre and Speech – 2 White males and 1 White female were recommended.
- Interdisciplinary Studies – A White male and female were recommended.

### 3. Analysis of Systemic Compensation

The University's Office of Recruitment and Diversity will compare the mean salaries for men versus women and whites versus minorities. The analysis will identify differences in salary by amount (dollars) and percentages; any differences greater than 5% will be examined in greater detail.

## V. ACTION-ORIENTED PROGRAMS

The Action-Oriented Programs designed to address the underutilization of women and minorities and any adverse impact of the employment practices are discussed below. These Programs are carried-out throughout the AAP year. The College tailored its action-oriented programs to ensure these initiatives are specific to the problem (s) identified.

### A. RESPONSE TO UNDERUTILIZATION

The College has established a percentage annual placement goal whenever minority or female representation within an AAU was less than would reasonably be expected given the availability data. Corrective actions were developed only when the underutilization equaled at least one whole person.

#### 1. Placement Goals

Placement goals to address female and minority underutilization were established by AAU at no less than the current availability data for the job group. Although the analysis disaggregated the protected classes within total minorities to identify underutilization of protected ethnic/racial groups, the College established goals for women and Total Minorities. The goals matched the availability data and are displayed in the chart: *COMPARING INCUMBENCY TO AVAILABILITY AND ANNUAL PLACEMENT GOALS, APPENDIX B.*

By setting flexible and realistic goals, the College will observe every good faith efforts as it recruits and hires employees to fill anticipated vacancy in the following AAUs:

This year the College anticipates hiring in the following areas:

- Executive/Administrative - 25
- Faculty - 26
- Professional/Non-Faculty - 21
- Technical/Para-Professional - 4
- Service/Maintenance – 4

<b>EEO Category</b>	<b>Searches Anticipated During 2011-12 Academic Year</b>
EAM	Admin 1 - Dean of Humanities & Arts
EAM	Admin 1 - Dean of School of Education
EAM	Admin 1 - Dean of Sophie Davis
EAM	Admin 1 - Executive Director of Academic Affairs
EAM	Admin 1 - Program Director-Professional and Continuing Studies
EAM	Admin 1 - Senior VP and Provost
EAM	Admin 1 - VP of IT & Admin Computing
EAM	Admin 2 - Assoc. Direc. of Develop. (HEA)
EAM	Admin 2 - Associate Bursar
EAM	Admin 2 - Budget Analyst
EAM	Admin 2 - Communications Publications Writer Editor - Science
EAM	Admin 2 - Dir of Student Services
EAM	Admin 2 - Director - Office of Academic Standards
EAM	Admin 2 - Director - Office of Research Admin (Provost)
EAM	Admin 2 - Director of AAO
EAM	Admin 2 - Director of Finances
EAM	Admin 2 - Director of Major Gift - Development (2 searches)
EAM	Admin 2 - Director of Public Relations
EAM	Admin 2 - Director of Undergraduate Studies (JR 673)
EAM	Admin 2 - Director Office of Student Development Engineering
EAM	Admin 2 - HR Director (HEO)
EAM	Admin 2 - R.A. Nano Technology
EAM	Admin 2 - RA in Chemical Engineering
EAM	Admin 2 - RA in Chemical Engineering
EAM	Admin 2 - Senior Registrar (HEO)
<b>25</b>	
Prof/NF	Admin 3 - Assistant Athletic Director
Prof/NF	Admin 3 - Acad Accred Specialist - Grove
Prof/NF	Admin 3 - Academic Advisor in Engineering
Prof/NF	Admin 3 - Academic Center Manager (Crest)
Prof/NF	Admin 3 - Administrative Coordinator for Provost's Office
Prof/NF	Admin 3 - Administrative Manager
Prof/NF	Admin 3 - Administrative Research CHASM
Prof/NF	Admin 3 - aHEO in Bio
Prof/NF	Admin 3 - aHEO in Social Sciences
Prof/NF	Admin 3 - Asst College Security Director - Public Safety
Prof/NF	Admin 3 - Asst Dir of College Now
Prof/NF	Admin 3 - Asst. to the Dir. of Gateway
Prof/NF	Admin 3 - Development Coordinator

Prof/NF	Admin 3 - Finance Coordinator - Controllers Office
Prof/NF	Admin 3 - Graphic Designer - Public Relations
Prof/NF	Admin 3 - HE Asst. in Architecture
Prof/NF	Admin 3 - Radio Production Coordinator
Prof/NF	Admin 3 - Seek Manager
Prof/NF	Admin 3 - Web Content Editor - Public Relations
Prof/NF	Admin 3 - Women's Basketball Coach
Prof/NF	Admin 3- Comm. & College relations Manager - Undergrad Studies
<b>21</b>	
TechPara	Admin 4 - CLT - Art Department
TechPara	Admin 4 - CLT in Art
TechPara	Admin 4 - CLT-Biology
TechPara	Admin 4 - Senior CLT in EAS
<b>4</b>	
Faculty	Faculty - Molecular Neurobiology
Faculty	Faculty - Psychology
Faculty	Faculty - Med. Professor
Faculty	Faculty - Medical Professor
Faculty	Faculty - History
Faculty	Faculty - Arabic Studies
Faculty	Faculty - Computer Engineering (2)
Faculty	Faculty - Architecture
Faculty	Faculty - Chemistry
Faculty	Faculty - Computer Science
Faculty	Faculty - Philosophy (2)
Faculty	Faculty - MCA (2 searches)
Faculty	Faculty - Visual Comm
Faculty	Faculty - Engineering
Faculty	Faculty - Teaching Learning and Culture
Faculty	Faculty - Art Education
Faculty	Faculty - Distinguished Prof of Comp Science- CAISS
Faculty	Faculty - Dist. Lecturer - Creative Writing & Poetry
Faculty	Faculty - Dist. Lecturer - Foreign Lang & Lit
Faculty	Faculty - Full Professor - Civil Engineering
Faculty	Faculty - Lecturer in Math
Faculty	Faculty - Lecturer in Interdisciplinary Studies
Faculty	Faculty - Spitzer Chair in International Relations
<b>26</b>	
Serv/Maint	CPO Lv3 - Campus Peace Officer Sergeant - Public Safety
Serv/Maint	Motor Vehicle Operators (2)

Serv/Maint	Custodial Sr - Custodial Supervisor - facilities
Serv/Maint	Sr. Custodial - Custodial Supervisor
<b>4</b>	

The recruitment efforts in those departments will be focused on lowering the underutilization in those departments. Specifically those with the highest underutilization like in psychology [females], architecture [all areas] and engineering [females].

## 2. Employment Practices: Recruitment, Selection, and Advancement

The placement goals to eliminate underutilization will be achieved through recruiting and advertising efforts that broaden the applicant pool and other results oriented campus initiatives. The College’s employment practices conform to the bylaws of the Board of Trustees of the City University, applicable collective bargaining agreements as well as Federal, State, and Local laws and regulations. The College’s workforce is divided into a) the Instructional Staff, consisting of teaching and non-teaching employees, and b) the Classified Staff, whose employment is governed by the Rules and Regulations of the CUNY Classified Civil Service. A three member independent Civil Service Commission, appointed by the Board of Trustees, helps to ensure compliance with affirmative action and equal employment policies.

As part of the University’s affirmative action program, procedures for the recruitment and appointment of members of the instructional staff have been developed. The College posts vacancies as prescribed by CUNY policies to ensure equal employment opportunities. The recruitment, selection, and advancement processes for the members of the Instructional Staff comply with CUNY’s policies and procedures. For non teaching instructional staff vacancies are typically posted for 30 days and openings for appointments to the faculty are posted for 60 days.

The PSC/CUNY Collective Bargaining Agreement expressly forbids promotions in the HEO series. The process for faculty promotions is outlined in BOT bylaws. There are promotional examinations offered to employees in select civil service titles.

The College has developed search and screening guidelines for personnel involved in the recruiting and hiring process. The Affirmative Action and Human Resources Offices monitor the recruitment and selection practices of all employees. Specifically, the AA/CDO is responsible for ensuring that the following initiatives are undertaken or continue to be implemented:

- Broadening recruitment efforts to reduce or eliminate underutilization
- Charging search committees to familiarize them with recruitment protocol
- Attending joint meeting between AAOs and UAAC to discuss issues of concern

- Attending training sessions provided at monthly meetings of the Council of Affirmative Action
- Demonstrating compliance with University policy and procedures during University Affirmative Action Committee (UAAC) Site Visits
- Encouraging employees to participate in University-sponsored professional development programs
- Ensuring that all interviews, offers of employment and/or wage commitments are consistent with College policy.

#### B. INTERNAL AUDIT AND REPORTING

The internal audit and reporting system is used as the basis for evaluating results-oriented programs and affirmative action efforts. The records are maintained in the CUNYfirst system to provide information for updating the Affirmative Action Plan. The President has designated responsibility for implementing the audit and reporting system of the Affirmative Action Plan to the AA/CDO who will:

1. Monitor the records of personnel activities, including new hires, transfers, promotions, and terminations,
2. Review personnel activities and the AAP with senior level officers and
3. Advise senior management of program effectiveness and provide recommendations to improve areas of concern.

#### C. IMPLEMENTATION OF ACTION PROGRAMS 2010 -2011:

The College summarized its results-oriented activities in the *Pluralism and Diversity Annual Report Fall 2011* submitted to the Vice Chancellor of Human Resources Management (see Appendix K). The report includes initiatives to support the retention and advancement of faculty; orientation of new staff, programs to promote pluralism and diversity; courses that foster pluralism and combat bigotry as well as a myriad of cultural events that highlight and celebrate the racial/ethnic diversity of the campus.

## **VI. COVERED VETERANS AND PERSONS WITH DISABILITIES**

#### A. REVIEW OF PERSONNEL PROCESSES

To ensure that all personnel activities are conducted in a job-related manner that provides and promotes equal employment opportunity for all known covered veterans and employees and applicants with disabilities, reviews are periodically made of the College's examination and selection methods to identify barriers to employment, training, and promotion and to ensure that all personnel activities are conducted in a manner which provides and promotes equal opportunity.

The College ensures that its personnel processes do not stereotype individuals with disabilities or veterans in a manner which limits their access to jobs for which they are qualified and that they are featured in college publications.

#### B. REVIEW OF PHYSICAL AND MENTAL JOB QUALIFICATIONS STANDARDS

To ensure that all physical and mental qualifications and requirements are job-related and promote equal employment opportunity for all known covered veteran and employees and applicants with disabilities, reviews are periodically made of the College's physical and mental qualifications and requirements as they relate to employment, training, and promotion.

The College's physical and mental job requirements are reviewed to determine whether or not they are job-related and consistent with business necessity and safe performance on the job.

Schedule for Review: Any previously reviewed classification of positions will be reviewed again if there is a change in working conditions which affects the job's physical or mental requirements (e.g. new requirements or equipment.) As new job qualifications are established, the College will review the physical and mental job qualification to ensure that the qualifications do not screen out or tend to screen out qualified disabled individuals or protected veterans and that the qualifications are job related and consistent with business necessity and the safe performance of the job.

To the extent that physical or mental job qualification requirements screen out or tend to screen out qualified disabled individuals or protected veterans in the selection of current employees or applicants for employment or other changes in employment status such as promotion or training, the College assures that the requirements are related to the specific job(s) for which the individual is being considered are job related and consistent with business (educational) necessity and the safe performance of the job. Both the Human Resources and Affirmative Action Offices review job descriptions for vacant positions. Moreover, the University's Office of Human Relations Management conducts periodic analyses of the description of positions for which recruitment will be undertaken. This review compares the position vacancy notice with the established criteria. Any disparity with the essential functions of the job and the qualifications are brought to the attention of the college's Office of Human Resources.

#### C. REASONABLE ACCOMMODATION TO PHYSICAL AND MENTAL LIMITATIONS

The College makes every effort to provide reasonable accommodations to physical and mental limitations of applicants and employees with disabilities or disabled veterans. The College makes reasonable accommodations under this condition to those individuals who have self identified as having a disability or disabilities and have requested a reasonable accommodation. Under the University's Reasonable Accommodation Policy, the Human Resources Director is responsible for making arrangements to provide reasonable

accommodations to applicants for employment, current employees and visitors. Anyone may request an accommodation by contacting the Human Resources Office.

To formally request an accommodation, individuals with disabilities should contact:

Name: Teresa Walker  
Title: Acting Director of AccessAbility  
Phone: 212-650- 5920  
Email: [Twalker@ccny.cuny.edu](mailto:Twalker@ccny.cuny.edu)

Procedures for requesting an accommodation are detailed in *Procedures for Implementing Reasonable Accommodation at The City University of New York*, available at: [http://portal.cuny.edu/cms/id/cuny/documents/level 3 page/012684.htm](http://portal.cuny.edu/cms/id/cuny/documents/level%203%20page/012684.htm).

The College also accommodates employees who serve in the armed forces with its liberal military leave policy, which includes granting leaves of absence to employees who participate in honor guards at the funeral of veterans.

#### D. HARASSMENT PREVENTION PROCEDURES

The University has developed procedures to ensure that individuals with disabilities or veterans are not harassed. (See II. *Non-Discrimination Policy*). As specified in the University policy, the 504/ADA Coordinator, Dr. Beth Lesen, is responsible for coordinating efforts to ensure access and non-discrimination for individuals with disabilities. To file a complaint, individuals should contact the 504/ADA Coordinator at 212-650-5426 or [blesen@ccny.cuny.edu](mailto:blesen@ccny.cuny.edu).

#### E. EXTERNAL DISSEMINATION OF EEO POLICY, OUTREACH AND POSITIVE RECRUITMENT

The College's and University's efforts to disseminate the anti-discrimination policy, outreach and positive recruitment activities include the following:

1. Initiating and maintaining communication with organizations having special interests in the recruitment of and job accommodations for disabled veterans, other veterans, and individuals with disabilities including VA and local armories in the NY area.
4. Disseminating information concerning employment opportunities to media that reach disabled veterans, other veterans, and individuals with disabilities.
5. Informing recruiting sources, in writing and orally, of the Affirmative Action policy for disabled veterans, other veterans, and individuals with disabilities.
6. Advertising job openings with a variety of external resources. This is an on-going activity. A listing of job opportunities reported to the State Employment Development Department and/or America's Job Bank is always kept current.

7. Sending written notification of the affirmative action policy to all subcontractors, vendors, unions and suppliers requesting their compliance with our policy. This includes their obligation to annually file their EEO Reporting form and VETS-100/100A form and, for employers with 50 or more employees and contracts of \$50,000 or more, their obligation to develop a written affirmative action plan.
8. Participating in programs that employ veterans and individuals with disabilities through the University's Office of Veteran Affairs.

F. INTERNAL DISSEMINATION OF EEO POLICY, OUTREACH AND POSITIVE RECRUITMENT

To foster positive support for the affirmative action program for covered veterans and individuals with disabilities, the College will implement or continue to implement the following internal dissemination of its policy and procedures:

1. Including the policies in the College's policy manual and other in-house publications.
2. Conducting special meetings with senior staff and other supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation.
3. Scheduling training sessions for employees involved in recruitment, selection, promotion which includes deans and department chairs.
4. Discussing the policies thoroughly in both employee orientation and management training programs.
7. Including articles on accomplishments of disabled veterans, other veterans, and workers with disabilities in College publications.

G. AUDIT AND REPORTING SYSTEM

The Affirmative Action Officer and the 504/ADA Coordinator are responsible for the College's audit and reporting system that addresses the following:

1. Measures the effectiveness of the College's overall Affirmative Action Program and whether the College is in compliance with specific obligations and indicates the need for remedial action.
2. Measures the degree to which the College's objectives are being met.

3. Determines whether there are any undue hurdles for individuals with disabilities and veterans regarding campus sponsored educational, training, recreational, and social activities.
4. In addition, the 504/ADA Coordinator works with the UAAC if audits uncover issues. The campus Coordinators also receive regular guidance concerning reporting systems at the monthly CAAO meetings and the periodic 504/ADA Coordinators meeting.

#### H. RESPONSIBILITY FOR AAP IMPLEMENTATION

As part of its efforts to ensure equal employment opportunity to disabled veterans, other veterans, and individuals with disabilities, the College has designated specific responsibilities to various staff.

##### 1. The President

The President is responsible for the implementation of the program and appoints the Affirmative Action Officer and the 504/ADA Coordinator to oversee that the College is in compliance.

##### 2. The 504/ADA Coordinator

The President assigned the duties of the 504/ADA Coordinator to Dr. Beth Lesen.

The responsibilities of the 504/ADA Coordinator include:

- Monitoring the college for 504/ADA compliance
- Resolving issues before they become potential grievances
- Reviewing applicants and employees' accommodation requests denied by the Human Resources Director
- Making and informing applicants of final decision regarding disputed accommodations
- Collecting and maintaining information on number of accommodations requested and provided
- Ensuring pertinent records are stored securely and protected from damage or loss
- Ensuring medical documentation is kept confidential, used to evaluate accommodation requests, and shared only on a need- to- know basis.
- Providing training, if appropriate, to those who interact with individuals with disabilities

##### 3. College Officials

In their direct day-to-day contact with college employees, college officials assume certain responsibilities to help the College comply with disability regulations, including working with the Office of Human Resources to identify feasible accommodations.

I. TRAINING TO ENSURE AA IMPLEMENTATION

Employees involved with the recruitment, selection, promotion, disciplinary actions, training, and related processes of individuals with disabilities or veterans are acquainted with the College's Affirmative Action Program. The University Office of Recruitment and Diversity and Office of Professional Development and Learning Management provide training opportunities to help employees maximize their personal and workplace effectiveness, including Diversity Training courses.

The College also provides opportunities for employees to attend pertinent conferences to enhance their knowledge of disability issues. Human Resources conducts department chair orientations that discusses ADA/504 accommodations for both students and staff.

J. COMPENSATION

When offering employment or promotion to individuals covered by VI. - Covered Veterans and Persons with Disabilities, the amount of compensation offered is not reduced because of any disability income, pension or other benefit that the applicant or employee receives from another source.

K. INVITATION TO SELF-IDENTIFY

Veterans applying for classified positions may self-identify pre-employment in order to receive a Veteran's Credit. For all other positions, veterans have an opportunity to self-identify once hired. Individuals with disabilities may self-identify when requesting reasonable accommodations.

A written copy of this Affirmative Action Plan is available for inspection by any employee or applicant for employment, during normal business hours, in the Office of Affirmative Action, located in the Administration Bldg. 214. A copy of the plan is also available on the Affirmative Action website:

<http://www1.ccny.cuny.edu/facultystaff/aao/index.cfm>. Interested persons should contact the Affirmative Action Officer at 212-650-7331 or [AAO@ccny.cuny.edu](mailto:AAO@ccny.cuny.edu) for assistance.

**VII. APPENDICES**