

SOM- Department of Obstetrics and Gynecology	TITLE: AA/EEO Policy and How to File a Complaint	Policy: HR008
Department Guideline	Date: September 20, 2005	Rev. 0
Approvals:		
Chairman/Date	Dept. Manager/Date	

URL to this online policy is: [Affirmative Action Equal Employment Opportunity Orientation](http://www.mcg.edu/faculty/orientation/aaeeo.htm) (http://www.mcg.edu/faculty/orientation/aaeeo.htm)

*Policy 3.01*

*Affirmative Action & Equal Employment Opportunity Policy*

Medical College of Georgia Academic, Research, and Student Affairs Policy Library

**Affirmative Action and Equal Employment Opportunity Policy**

**Policy Statement**

To further its goal of Equal Employment Opportunity (EEO) for all employees and perspective employees without regard to:

- race
- color
- religion
- gender
- temporary disability
- age
- national origin
- disability
- Vietnam era veterans
- sexual orientation

or any other basis prohibited by applicable policy or law, the Medical College of Georgia (MCG) states as policy that:

- It will recruit, hire, train, and promote persons in all job titles without regard to race, color, religion, gender, temporary disability, age, national origin, disability, Vietnam era veteran status, sexual orientation, or any other basis prohibited by applicable law.
- All employment decisions shall be consistent with the principle of equal employment opportunity, and only valid qualifications will be required.
- All personnel actions, such as compensation, benefits, transfers, and social and recreational programs will be administered without regard to race, color, religion, gender, age, national origin, disability, sexual orientation, or any other basis prohibited by policy or applicable law.

**Reason for Policy**

The Medical College of Georgia has the goal of equal employment opportunity for all employees and prospective employees and agrees to abide by all federal, state, and local laws, as well as Medical College of Georgia policy. The Medical College of Georgia appoints the Director of the Affirmative Action/ Equal Employment Opportunity (AA/EEO) Office to administer and monitor its AA/EEO Plan and to make periodic reports to Senior Management. MCG is an AA/EEO, equal access institution with a zero tolerance policy against all discriminatory acts.

**Entities Affected By This Policy**

All employees and students of, and vendors or contractors doing business with the Medical College of Georgia or its campus affiliates are covered by this policy and should be aware of it.

### **Who Should Read This Policy**

All employees and students of, and vendors or contractors doing business with the Medical College of Georgia should be aware of and follow this policy.

### **Contact Phone e-mail/URL**

Director AA/EEO Office  
AA/EEO Specialist  
706-721-7782, AE 1057  
SoWalker@mail.mcg.edu  
[ABoston@mail.mcg.edu](mailto:ABoston@mail.mcg.edu)  
<http://www.mcg.edu/aeeo/index.htm>

**Website for This Policy:** <http://www.mcg.edu/aaffairs/policies/pdfs/p301.pdf>  
**Policy 3.01**

Volume 3 AA/EEO  
Chapter 1 Affirmative Action and Equal Employment Opportunity Policy  
Responsible Office: AA/EEO  
Originally issued: 1/2/1998  
Revised: 2/15/05  
*Policy 3.01 Affirmative Action & Equal Employment Opportunity Policy*

### **Related Documents**

- EEO Complaint Resolution Procedure:  
<http://www.mcg.edu/AEEO/complaint.htm>

### **Definitions**

These definitions apply to these terms as they are used in this policy:

Affirmative Action (AA) Refers to the affirmative plans that MCG will initiate to eliminate any illegal and discriminatory action relating to equal employment opportunity.

### Equal Employment Opportunity (EEO)

This means that MCG cannot and will not discriminate against any prospective employee or existing employees in any of the protected categories listed below or other basis prohibited by applicable policy or law.

### Protected Categories

Race	Age
Color	National origin
Religion	Temporary disability
Gender	Sexual orientation
Vietnam era veterans	
Disability (per sections 503 & 504 of Rehabilitation Act of 1973 and Americans with Disabilities Act)	

### **Overview**

As a state institution governed by the Board of Regents of the State of Georgia, the Medical College of Georgia is both legally and ethically bound to abide by all federal, state, and local laws pertaining to equal employment opportunity.

## **Process/Procedures**

The Medical College of Georgia's Equal Employment Opportunity Policy and related policies will be available for all employees to see. These policies are re-affirmed annually by the President of MCG and are posted in full view in the major facilities on campus for all to see. They are also located on the Academic, Research, and Student Affairs Policy Library website: <http://www.mcg.edu/aaffairs/301.htm>.

Anyone wishing to file a discrimination charge under one or more of the protected categories can refer to the complaint resolution process at: <http://www.mcg.edu/AEEO/complaint.htm>.

The Equal Employment Opportunity Policy will be implemented and enforced as follows:

### **Internally:**

**Supervisors and managers** are responsible for both affirmative action compliance and program implementation. They will continue to be trained in the area of equal employment and fair labor practices. Included in this training will be information on the evolving issue of sexual harassment, with emphasis on commitment to the MCG Gender Discrimination Policy (3.02), which strictly forbids this activity in any form. Affirmative Action and Equal Employment Opportunity policies will continue to be discussed in all new employee orientation sessions. Management will publish articles covering EEO programs and progress reports, will continue to emphasize MCG's commitment to AA, and will publicize hiring and promotion of minority and female employees in MCG publications, including the MCG newsletter, *The Beeper*. Employee activities included in *The Beeper* will illustrate the full participation of women and minorities as well as men, on-minorities, and the disabled. When Medical College of Georgia employees are featured in product or consumer advertising, employee handbook, or similar publications, minority, non-minority, male, female, and disabled employees will be shown. Advertising for Medical College of Georgia will feature photographs of minorities and women as well as men and non-minorities. Management will make known to all employees the existence of its Affirmative Action Plan and will make a campus copy available in the campus library and in the AA/EEO Office at Pavilion One, Room AE 1057.

### **Externally:**

The Medical College of Georgia will inform recruitment sources of its commitment to EEO and AA. In so doing, MCG makes clear that all applicants will be treated without regard to:

- race
- color
- religion
- gender
- temporary disability
- age
- national origin
- disability
- Vietnam era veterans
- sexual orientation

Furthermore, these recruitment sources will be informed that MCG actively seeks qualified women and minority applicants for employment. The Medical College of Georgia will communicate with appropriate minority and women's organizations, community agencies, guidance and placement personnel of local high schools, colleges, and other potential sources of minority and women applicants, apprising them of our EEO Policy and commitment to Affirmative Action and encouraging them to refer minority and women candidates for employment. When MCG advertises in newspapers

for prospective employees, the advertisement includes the EEO solicitation, “An Equal Employment Opportunity, Affirmative Action, EqualAccess Employer” or its abbreviation (EEO/AA-Equal Access).

The Medical College of Georgia will inform prospective employees of the existence of its Affirmative Action Plan and will make available such elements of the Affirmative Action Plan so that prospective employees will know of and avail themselves of its benefits.

The Medical College of Georgia will incorporate the Equal Employment Opportunity clause, 41 C.F.R. Section 60-1.4, in all purchase orders, leases, contracts, and other legal documents.

### **Responsibilities**

The responsibilities each party has in connection with ARSA Policy 3.01, Affirmative Action and Equal Employment Opportunity Policy are:

- Director AA/EEO Office Ensure that all current and prospective employees of MCG know about this policy and how to obtain, this policy.
- Administer and monitor the AA/EEO Policy on the MCG campus.
- Ensure that this policy is followed by all employees, students, vendors, and contractors at MCG.

AA/EEO Specialist Assist the Director in the above duties.

### **Affirmative Action Equal Employment Opportunity Office: EEO Complaint Resolution Procedures**

#### **PURPOSE**

Provide uniformity in the processing of Equal Employment Opportunity (EEO) complaints in response to MCG’s non-discrimination policy. This procedure covers classified and non-classified employees, and applicants for employment of MCG to address grievances specifically related to discrimination based on the protected categories (*Chart A – See Below*).

#### **PROCEDURE**

Resolution at departmental level is strongly encouraged for EEO complaints under the direction of the AA/EEO Office. A consultation between the department and AA/EEO Officer will take place to determine how the management review will proceed. **All sexual harassment complaints** are to be reported directly to the AA/EEO Office. A complainant should file an EEO complaint directly to the AA/EEO Office within **180 calendar days** from the date of the last alleged discriminatory act. An *EEO Complaint Form* will be utilized to capture the details of the complaint. EEO complaints that exceed the 180 calendar day period may be sent to the Provost by the AA/EEO Office for consideration in allowing the AA/EEO Office to resolve the complaint. The AA/EEO Office also encourages mediation as a viable option for settling disputes. For further information, contact the Legal Office.

The complainant is required to provide sufficient information to substantiate discriminatory allegations. The charged party (one who is accused of

discriminatory act) will be allowed to review the allegations and to provide an explanation and/or denial statement regarding the allegations. At this juncture, a determination will be made by the AA/EEO Office as to whether or not to proceed with a formal investigation or to proceed with a management review. In any proceedings, the investigation will be under the direction of the AA/EEO Office. Written notification of an EEO complaint will be sent to the Department Chair or Division Director of a complainant's department/school, charged party, Provost, Director of Human Resources Division, and Legal Affairs Office. The notification will occur within five days after an EEO counselor has signed an *EEO Complaint Form*. If the charged party is the Department Chair or Division Director of the department/school, notification will then be sent to one of the following appropriate individuals: Dean, Vice President, Provost, and/or President.

### **Investigation**

Throughout the investigation, confidentiality will be kept to the extent allowed by law and that it does not impede the investigation or taking corrective actions. Participants may have a person (non-legal) attend investigatory meetings. Participants are also protected against any form of retaliatory acts due to participation in an EEO complaint and/or investigation. If participants believe they are being subjected to retaliation, AA/EEO Office should be notified immediately.

Normally, the AA/EEO Office has thirty days to conduct an investigation and provide the Provost with a Findings and Recommendations Report. If an investigation is to exceed the thirty days, written notification to the Provost must be provided regarding the mitigating circumstances and the expected completion date. The complainant, management, and/or accused person will be notified within five working days after the Provost has reviewed the Findings & Recommendations Report and the AA/EEO Office has reached a conclusion. A resolution will be finalized with the appropriate parties and implemented within a reasonable period of time not to exceed ten days.

In the event that the department has resolved an EEO complaint, the EEO Complaint Form should be utilized and all original documents, notes, findings and resolutions should be forwarded to the AA/EEO Office.

### **Appeal Process**

A complainant may appeal the AA/EEO Office's conclusion or a departmental resolution. In the instance of a complainant, written notice should be sent to the President of MCG within five working days from the receipt of the decision. In the case of a departmental resolution, either party may appeal the decision with written notice to the AA/EEO Office.

### **External Complaints**

The AA/EEO Office is responsible for responding to complaints from the Equal Employment Opportunity Commission (EEOC) or Georgia Commission on Equal Opportunity (GCEO). The Office will elicit information from sources that have information related to the external complaints (e.g. departments, human resources, etc.) in order to facilitate an appropriate response. A response time is preset by the external agency and the institution must comply with this time.

**Record Keeping**

The AA/EEO Office will maintain a complete record of EEO complaints for a period of two years from the date of resolution, after which it will be archived off-campus for a period of seven years.

**Chart A - EEO Protected Categories**

Protected Category	Define
Age	Age (40 years or older)
Color	Skin color
Disability	Perceived or known physical or mental disability; accommodations for disability
Gender	Sexual harassment, sex discrimination, pregnancy, child bearing/rearing, wages based on gender, status as a parent
National origin	Place of birth, parentage
Race/Ethnicity	Examples: African-American, Chinese-American, Caucasian, Hispanic, etc.
Religion	Belief, practice, and/or celebration of one's spiritual faith; accommodations for religious holidays, practice, etc.
Retaliation	Adverse action taken against a person for participation in any EEO complaint whether alleged or validated.
Sexual orientation	Sexual preference or perceived sexual preference for member(s) of same or opposite gender
Veteran status	Status as a Vietnam Era veteran
EMPLOYMENT DECISIONS CAN NOT BE BASED ON ANY OF THESE EEO PROTECTED CATEGORIES.	