

# EQUAL OPPORTUNITY AND NONDISCRIMINATION

**POLICY NUMBER:** ADM-EQOPPNONDISCRIM

**POLICY TYPE:** ADMINISTRATIVE

**RESPONSIBLE OFFICIAL TITLE:** CHIEF HUMAN RESOURCES OFFICER

**RESPONSIBLE OFFICE:** HUMAN RESOURCES

**EFFECTIVE DATE:** UPON BOARD APPROVAL – 9/11/2019

**NEXT REVIEW DATE:** BOARD APPROVAL PLUS FOUR (4) YEARS – 9/11/2023

**SUPERSEDES POLICY DATED:** EQUAL EMPLOYMENT OPPORTUNITY AND AFF. ACTION

**BOARD OF REGENTS REPORTING (CHECK ONE):**

PRESIDENTIAL RECOMMENDATION (CONSENT AGENDA/VOTING ITEM)

PRESIDENTIAL REPORT (INFORMATION ONLY)

## **I. POLICY STATEMENT**

Northern Kentucky University (NKU) is an Equal Employment Opportunity (EEO) and Affirmative Action (AA) Employer. It is the policy of NKU to provide affirmative action in all university programs, activities, facilities, and employment practices, ensuring equitable access and nondiscrimination to all persons without regard for race, color, disability, religion, gender or gender expression, sexual orientation, age, national origin, marital or pregnancy status, any protected veteran status or military service, or genetic information. This policy applies to all terms of and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

The University is committed to building a diverse faculty and staff and expressly prohibits any form of workplace harassment or discrimination based on race, color, disability, religion, gender or gender expression, sexual orientation, age, national origin, marital or pregnancy status, any protected veteran status or military service, or genetic information. Improper interference with the ability of faculty and staff at NKU to perform their job duties may result in corrective action up to and including a recommendation for termination.

University officials will base employment decisions on the principles of equal employment opportunity consistent with local, state, and federal laws. All employment actions will be handled in full compliance with this policy. For specific guidance, please contact the Office of Human Resources.

University officials will ensure that all personnel actions such as compensation, benefits, transfers, layoffs, return from layoffs, as well as any University-sponsored training, education, tuition assistance, and social/recreational programs, will be administered without regard to individuals on the basis of their race, color, disability, religion, gender or gender expression, sexual orientation, age, national origin, marital or pregnancy status, any protected veteran status or military service, or genetic information.

In compliance with federal law, NKU does not retaliate against individuals for a) filing or encouraging one to file a good faith complaint of unlawful discrimination, b) participating in an investigation of unlawful discrimination, or c) opposing unlawful discrimination.

This policy is intended as a guideline to align institutional practice with the University's commitment to diversity, equity, and inclusion.

## II. ENTITIES AFFECTED

This policy applies to all employees of Northern Kentucky University including Faculty, Staff, Student Employees, and people applying for employment at NKU.

## III. AUTHORITY

In addition to being a violation of university policy, discrimination against people based on any of the protected classes outlined in the previous sections is unlawful, in accordance with the following, and other applicable Kentucky statutes and regulations:

- [Title VI](#) and [Title VII](#) of the Civil Rights Act of 1964
- Vietnam Era Veterans Readjustment Assistance Act of 1974 ([VEVRAA](#))
- Section 7 of the Fair Labor Standards Act as amended ([FLSA](#))
- [Executive Order 11246](#)
- Genetic Information Nondiscrimination Act of 2008 ([GINA](#))
- Uniformed Services Employment and Reemployment Rights Act of 1994 as amended ([USERRA](#))
- [KRS 207.130 through 207.240](#) and [KRS Chapter 344](#)

## IV. DEFINITIONS

**Affirmative Action** is a policy of proactively seeking diversity for employment and educational opportunities.

**Discrimination** is the unjust treatment of others. It is a behavior based on prejudice.

**Equal Employment Opportunity** establishes a baseline for acceptable practices and behaviors in the workplace. It prohibits discrimination in the workplace.

**Retaliation** includes any adverse employment action or act of revenge against an individual for filing or encouraging one to file a complaint of discrimination, participating in an investigation of discrimination, or opposing discrimination.

## V. RESPONSIBILITIES

All employees, including Faculty, Staff, Student Employees, are responsible for adhering to this Equal Opportunity and Nondiscrimination policy and promoting a work environment free of discrimination and/or harassment as outlined in this policy.

All University supervisors must be aware of their individual responsibility to ensure adherence to this policy. Supervisors are expected to read the policy, attend training as needed on the policy, and adhere to and support this policy.

The Office of Human Resources has responsibility for implementing the policy, providing training as needed, and monitoring compliance with the policy.

## VI. TRAINING

Compliance and diversity training are provided through the Office of Human Resources.

## VII. COMMUNICATIONS

This policy should be communicated to Search Committees; Retention/Promotion/Tenure (RPT) Committees; the Office of Research, Grants, and Contracts; and Staff and Faculty governance bodies.

## VIII. REFERENCES AND RELATED MATERIALS

### RELATED POLICIES

ADA (Americans with Disabilities Act) - <https://inside.nku.edu/policy/policies/azlisting.html>

Title IX - <https://inside.nku.edu/titleix.html>

### REVISION HISTORY

| REVISION TYPE  | MONTH/YEAR APPROVED |
|--|---------------------|
| Revision & Name Change                                     | September 11, 2019  |
| Policy – Equal Employment Opportunity & Affirmative Action |                     |
|  |                     |

# EQUAL OPPORTUNITY AND NONDISCRIMINATION

## PRESIDENTIAL APPROVAL

|                                   |                     |
|-----------------------------------|---------------------|
| <b>PRESIDENT</b>                  |                     |
| Signature <u>Ashish K. Vaidya</u> | Date <u>7/23/15</u> |
| Ashish K. Vaidya                  |                     |

## BOARD OF REGENTS APPROVAL

|   |                     |
|---|---------------------|
| <b>BOARD OF REGENTS (IF FORWARDED BY PRESIDENT)</b>   |                     |
| <input type="checkbox"/> This policy was forwarded to the Board of Regents on the <b>Presidential Report (information only)</b> .<br>Date of Board of Regents meeting at which this policy was reported: ___/___/___. |                     |
| <input checked="" type="checkbox"/> This policy was forwarded to the Board of Regents as a <b>Presidential Recommendation (consent agenda/voting item)</b> .  |                     |
| <input checked="" type="checkbox"/> The Board of Regents approved this policy on <u>9/11/19</u> .<br>(Attach a copy of Board of Regents meeting minutes showing approval of policy.)                                  |                     |
| <input type="checkbox"/> The Board of Regents rejected this policy on ___/___/___.<br>(Attach a copy of Board of Regents meeting minutes showing rejection of policy.)  |                     |
| <b>EXECUTIVE ASSISTANT TO THE PRESIDENT/SECRETARY TO THE BOARD OF REGENTS</b>   |                     |
| Signature <u>Bonita Brown</u>   | Date <u>9/18/19</u> |
| Print Name <u>Bonita Brown</u>  |                     |