PERMANENT MEMORANDUM 55
EQUAL OPPORTUNITY POLICY

POLICY DIGEST

Monitoring Unit: Office of Civil Rights & Title IX
Initially Issued: September 15, 2000
Last Revised: July 10, 2006

The purpose of this memorandum is to state the LSU System's commitment to provide equal opportunity for all qualified persons in admission to, participation in, or employment in the programs and activities which the University operates without regard to race, creed, color, marital status, sexual orientation, religion, sex, national origin, age, mental or physical disability, or veteran's status.

The University supports affirmative action and equal opportunity standards as set forth in this memorandum and its Affirmative Action plans. The requirements of this memorandum are carried out through campus-based Equal Employment Opportunity policies and the development and maintenance of Affirmative Action plans on each campus. These plans require that all employees and applicants receive fair consideration for employment and that all employees are treated fairly with regard to recruitment, promotions, demotions, transfers, layoffs, furloughs, terminations, rates of pay and other forms of compensation, tenure, training, and other employment practices.

LSU complies with the provisions of Title IX, Title VI, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, Title VII, the Age Discrimination in Employment Act (ADEA), the Americans with Disabilities Act (ADA) and applicable state law. The Vice President for Human Resource and Risk Management, LSU System, 3810 W. Lakeshore Dr., Suite 123, Baton Rouge, LA 70808, 225/578-6953, and/or their designees, is responsible for coordinating the University's compliance with these statutory provisions.

Each campus shall adopt an Equal Opportunity Policy consistent with this memorandum. Campus shall include all campus-equivalent entities.

With the advice of the campus Human Resource Management Office, Chancellors, Vice Chancellors, Deans, Directors, Department Heads, and other supervisory employees are responsible for assisting the University in the implementation of this policy. Chancellor shall mean the campus head, executive director, or equivalent.

No employee, student, witness or other participant or other individual who complains about a violation of this memorandum or participates in an investigation of a complaint made pursuant to this memorandum shall be subject to retaliation in any form. Further, no individual is required to report or make a complaint of discrimination and/or harassment to the person who is engaging in the alleged discriminatory/harassing conduct.

The University, through its recruitment and employment policies, will recruit and employ qualified personnel for all its diverse activities and will provide equal opportunities during employment without regard to race, color, marital status, sexual orientation, creed, religion, sex, national origin, age, mental or physical disability, or veteran's status. The following guidelines are designed to

achieve the recruitment and placement objectives set forth in the University's affirmative action/equal opportunity policy and to assure equal employment opportunity on each campus within the LSU System.

I. CAMPUS POLICIES

Each campus in the LSU System shall adopt an Equal Employment Opportunity Policy. Each campus-based policy shall include the following elements:

A. A statement establishing that LSU is committed to equal employment opportunity and that it will not discriminate with regard to race, creed, color, marital status, sexual orientation, religion, sex, national origin, age, mental or physical disability or veteran's status.

B. A statement that no individual who makes a claim of discrimination will be subjected to retaliation for making such a claim or participating in the investigation of such claim.

C. Guidelines for recruitment/hiring as described in Part **III** of this memorandum.

Until a campus adopts an Equal Employment Opportunity Policy, this memorandum shall be deemed to be the campus policy.

II. COMPLAINT PROCEDURE

This complaint procedure applies to all campuses and shall be included in each campus policy:

A. Any member of the University community who believes that they have been subjected to discrimination and/or harassment in violation of this policy has a right to report the conduct to any University official, supervisor, the campus Office of Human Resource Management, or individual responsible for the campus Human Resources function. No student or employee is required to report or make a complaint of discrimination and/or harassment to the person who is engaging in the problematic conduct.

B. Any individual who receives a complaint or becomes aware of a possible violation of this policy will immediately notify the Campus Office of Human Resource Management or individual responsible for the campus Human Resources function to obtain advice and assistance in responding to the complaint.

C. Each campus policy will designate an individual or individuals to investigate the complaint. This may be an individual in the campus office of Human Resource Management. If the designee(s) is not an individual in the Office of Human Resource Management, that office shall assist the designee in investigating the complaint.

D. The complainant and the individual who is the subject of the complaint will be notified about its resolution. Information obtained regarding the complaint will be treated as confidentially as possible with only those with a need to know being informed of the complaint.

E. The individual responsible for investigating the complaint, in conjunction with the Office of Human Resource Management, shall report their findings and recommendations to the President (in case of complaints arising in the System Office), Chancellor, or their designee.

F. Substantiated violations of this memorandum and/or campus policy will result in appropriate discipline or corrective action.

III. RECRUITMENT/HIRING GUIDELINES

The following recruiting/hiring guidelines shall apply to all campuses:

A. General Recruitment/Hiring Guidelines for Faculty and Professional Positions

1. Position advertisements and selective criteria will be developed in direct relationship to job requirements and applicable Southern Association of Colleges and Schools (SACS) requirements.

2. The recruitment process shall be conducted in a manner consistent with the goal to attract a diverse pool of applicants. For certain vacancies, this could include placing ads in appropriate sources to attract minority and female candidates. The campus Human Resource Management Office, or other office designated by the Chancellor, will serve as a resource to departments in determining the most appropriate strategies for recruiting minority and women for vacancies. All advertisements must include the statement making reference to the fact that the LSU System is an Equal Opportunity and Equal Access Employer or other similar statement.

3. All vacant regular full-time positions will be publicized at the hiring campus to ensure that all interested and qualified employees are aware of opportunities for promotion or transfer.

4. All pre-employment selection procedures, including credential reviews, interviews and reference checks, shall be conducted without regard to race, color, creed, marital status, sexual orientation, religion, sex, national origin, age, mental or physical disability, or veteran's status.

5. The use of search committees is encouraged, particularly for regular fulltime faculty and professional vacancies. Every effort should be made to include females and minority representation on search committees.

IV. GENERAL RECRUITMENT/HIRING GUIDELINES FOR CLASSIFIED POSITIONS

A. Classified openings shall be advertised as required by University policy and Civil Service Rules and Regulation.

B. Selection criteria will be developed in direct relationship to job requirements.

C. All pre-employment selection procedures, including credential reviews, interviews and reference checks, shall be conducted without regard to race, color, creed, marital status, sexual orientation, religion, sex, national origin, age, mental or physical disability, or veteran's status.

V. EXCEPTIONS TO THE ADVERTISING GUIDELINES

In some circumstances, exceptions to these guidelines may be indicated. In these situations, the

normal advertising requirements may be waived. Requests for advertising waivers must be approved by the campus Office of Human Resource Management or other office designated by the Chancellor. Examples of situations in which advertising waivers may be approved include the following personnel actions:

A. Acting or Interim Appointments

While appointments of this nature for one year or less need not be advertised and filled on a competitive basis, appointing officials are encouraged to conduct a search at least within the department, school or college. Appointments of this nature must be reviewed in advance by Human Resource Management and requisite campus approvals must be obtained. Efforts should be made to identify women and minority candidates for such appointments.

B. Visiting Faculty and Internship Appointments

If the program has been pre-approved, visiting faculty and internship appointments need not be advertised and filled on a competitive basis.

C. Temporary Appointments (180 days or less)

Such appointments need not be advertised unless they are likely to result in a permanent appointment.

D. Promotions within a Department

When a vacancy occurs, the employing department may request an exception of the advertising guidelines in order to promote an employee who is presently employed within the department or unit where the vacancy exists. All qualified applicants in the department or unit where the vacancy occurs must be considered for the promotion. After the department has selected the employee to fill the position, the Office of Human Resource Management or other office designated by the Chancellor will:

1. Review the qualifications of the position and determine if the selected employee meets the minimum qualifications for the position,

2. Review the qualifications of all other qualified applicants within the department or unit, and

3. Review the campus Affirmative Action Plan's utilization analysis to determine if underutilization of females and/or minorities exists within the EEO category in which the vacancy occurs.

The procedures set forth in this memorandum do not create independent rights in third parties.