

FAIR EMPLOYMENT PRACTICES

Objective:

To evaluate the department/unit's awareness of and adherence to equal employment opportunity (EEO) as well as other laws that address fair employment practices.

Potential Impact:

Results in violations of institutional and/or BOR policies as well as state and federal laws, fines and penalties, and negative publicity for the institution.

Helpful Tools:

- UH System Administrative Memorandum:
 - [01.D.05 - Equal Employment Opportunity](#)
 - [01.D.08 – Sexual Misconduct Policy](#)
- UH – Downtown Policy Statement:
 - [Personnel – 02.A.21 - Equal Opportunity Policy](#)
 - [Personnel – 02.B.10 - The Americans with Disabilities Act](#)
- Others:
 - [Title II of Civil Rights Acts of 1964, as amended and 1991](#)
 - [Equal Pay Act of 1963](#)
 - [American Disability Act of 1990 \(ADA\)](#)
 - [Age Discrimination in Employment Act of 1967](#)
 - [Rehabilitation Act of 1973](#)
 - [Pregnancy Discrimination Act](#)
 - [Executive Order No. 11246](#)
 - [U.S. Equal Employment Opportunity Commission \(EEOC\)](#)

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Frequently Observed Weaknesses/Deficiencies:

- Failure to periodically communicate information on fair employment practices to employees.
- Managers who do not consider all possible ramifications of their decisions.
- Allowing department/unit individuals who are not trained and/or familiar with appropriate interview practices and questions to participate in the interview process.

Best Business Practices:

1. Ensure steps are taken to follow the provisions of EEO and other fair employment practice laws in the recruiting, hiring, training, and promoting of individuals as well as in administering personnel actions.
2. Management should periodically communicate information on fair employment practices to employees.
3. Reassure employees that retaliation against an individual making a complaint is illegal.
4. Advertise job opportunities through HR as required and other avenues targeting minority sources as appropriate.
5. Ensure all individuals in the department/unit who participate in the interview process have been provided training and/or information on appropriate interviewing practices within the last year.
6. Ensure that all employees are apprised of promotions and transfer opportunities, as well as provided equal opportunity for training and other activities that might enhance career progression.
7. Post notices advising employees of EEO and/or fair employment practices. Posters can be found on the West entrances on the first, second and third floors of the One Main Building.
8. Avoid unequal pay for jobs that require substantially equal skill, effort and responsibility, and that are performed under similar working conditions. Ensure pay differentials, if any, are supported by performance appraisals and/or underlying credential experience levels.
9. Establish and utilize search/screening committees when appropriate.
10. Avoid asking candidates questions that may lead to claims of discrimination.
11. Ensure employees are familiar with laws requiring reasonable accommodations under the ADA and ensure such requests are handled appropriately.
12. Retain applicant data supporting hiring decisions as required by institutional and BOR retention guidelines.
13. Provide reasonable accommodations for qualified disabled persons.
14. Provide reasonable accommodations for religious requests.

AREA

This questionnaire is designed so that “no” answers indicate that an internal control weakness may exist and the procedure/process may need to be examined in greater detail. **Comments should be provided for “No” answers.** When such weaknesses are identified, a change in the process may be necessary OR a control may need to be put into place to address the weakness. The appropriate UHD contact office (as outlined in the self-assessment text) may be contacted for assistance with identified weaknesses.

Self-Assessment of Internal Controls for Fair Employment Practices	Yes	No	N/A	Comments
Are employees familiar with BOR, institutional, and federal policies and procedures regarding equal employment opportunity and fair employment practices?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Does the unit take steps to follow the provisions of the EEO and other fair employment practice laws in the hiring and administering of personnel actions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Does the unit periodically communicate information on equal employment opportunity to all employees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are there any notices posted in the unit advising employees of EEO and/or fair employment practices?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Does the department/unit use recruiting sources outside or in addition to the sources HR uses to target minority or disadvantaged groups when appropriate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Does the unit/department ensure that all employees are EQUALLY made aware of promotions and transfer opportunities, as well as allowed to participate in training and other activities that might enhance career progression?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are employees who participate in interviewing candidates provided training and/or information on appropriate interviewing practices and questions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Does the unit have a process established for determining who to interview from the applicant pool?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
When asking questions of candidates, are questions that may lead to claims of discrimination (age, religion, etc.) avoided?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
When requests are made for special accommodations (religious, disability, etc.) are they honored and/or handled appropriately?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

This is a living document and will be updated as revisions are necessary. Periodically, you may want to check for updates and revisions. We welcome any questions and feedback regarding the information contained in this tool including any comments regarding how this may be more useful and effective.