

Who has to take affirmative action?

Federal contractors and subcontractors must take affirmative action to recruit and advance qualified minorities, women, persons with disabilities, and covered veterans. Affirmative actions include training programs, outreach efforts, and other positive steps. These procedures should be incorporated into the company's written personnel policies. Employers with written affirmative action programs must implement them, keep them on file and update them annually.

What can happen if the university doesn't take affirmative action?

Federal contractors may be sued and barred from contracts if they are judged to be discriminating or not pursuing affirmative action.

What is the difference between affirmative action and equal opportunity?

Equal opportunity is a law which ensures all applicants have equal access and no one is excluded on the basis of protected status. Affirmative action is a policy which goes beyond nondiscrimination. It requires agencies to "make a good faith effort" to increase workforce diversity.

Does affirmative action mean that we are applying different standards for white males than for women and minorities?

No. Affirmative action does not encourage the hiring of any candidate who is less qualified. One standard applies to all candidates.

Does affirmative action mean reverse discrimination?

No. Reverse discrimination is an uncommon occurrence in affirmative action. Less than 2 percent of the 91,000 employment cases pending before the EEOC are reverse discrimination.

Reporting Discrimination or Harassment

Report all incidents to the Affirmative Action Officer. The Affirmative Programs Office is located in room 308, of the Administration Building or call 487-3310. All discussions are confidential. Even if you don't intend to file a complaint, we strongly recommend discussing the situation and getting advice for options.

Retaliation

Retaliation against individuals who report and/or file complaints of discrimination or harassment, who cooperate in investigations, or who participate in hearings will not be tolerated. Acts of retaliation should be reported to the Affirmative Action Officer at 487-3310.

Mission of Michigan Tech's Affirmative Programs Office: The Affirmative Programs Office facilitates Michigan Technological University's development of an environment that is free from prejudicial discrimination or harassment and that is conducive to learning and individual growth for all campus members and visitors.

Michigan Technological University

What is Affirmative Action?

Affirmative Action is an effort to remedy the effects of past employment discrimination and to ensure that such a pattern does not characterize the present.

It requires that specific steps be taken to eliminate discrimination and that positive efforts are made to recruit employ and promote qualified members of groups formerly excluded, even if that exclusion cannot be traced to particular discriminatory actions on the part of the employer.

Michigan Technological University is an Equal Opportunity Educational Institution/Equal Opportunity Employer

www.admin.mtu.edu/aao

Executive Order 10925 was issued in 1961 by President John F. Kennedy. This orders federal contractors to “take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color or national origin.”

Civil Rights Act of 1964 was signed by President Lyndon Johnson. The Civil Rights Act prohibits discrimination of all kinds based on race, color, religion, or national origin. The law provides the federal government with the power to enforce desegregation.

Recognizing that civil rights laws alone are not enough to remedy discrimination, President Johnson issues Executive Order 11246. This enforces affirmative action for the first time.

Executive Order 11246 was issued in 1965. The Order prohibits federal contractors from discriminating in employment decisions on the basis of race, color, religion, or national origin. It also required contractors to “take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, or national origin.” In 1967, President Johnson amended the order to include sex.

Does Prop 2 eliminate Affirmative Action?

No. Proposal 2 does not prohibit action that must be taken to establish or maintain eligibility for any federal program, if ineligibility would result in loss of federal funds to the state. Michigan Tech is considered a federal contractor and must comply with federal regulations in order to remain eligible for federal funding.

Racial Harassment

Racial harassment constitutes any malicious, intentional or unintentional physical, verbal, or other behavior, based on race, that:

- adversely affects an individual's education, employment, housing or participation in a University activity;
- adversely affects the terms, conditions, privileges, or benefits of an individual's education, employment, housing, or participation in a University activity;
- has the purpose of interfering with an individual's academic pursuits, employment, housing, or participation in University activities;
- creates an intimidating, hostile, or demeaning environment for an employee, academic pursuits, employment, housing, or participation in University activities.

Sexual Harassment

Sexual harassment takes many forms, from constant joking to physical assault. It may involve threats that you will fail in class, or that you will lose your job. Your fellow students or co-workers may make your study, work, or living environment uncomfortable through continuing sexual comments, suggestions, or pressures. You may be a victim of sexual harassment if:

- unwelcome sexual advances or comments interfere with your study or work;
- acceptance or rejection of sex affects your status as a student or employee;
- submission to sexual advances is a condition of your education or employment

Equal Opportunity

Equal employment opportunity (EEO) applies to all persons, whether or not they are members of a protected class group. EEO laws and regulations prohibit discrimination in virtually all employment activities. Nondiscrimination in employment means that all persons have the opportunity to compete in the workplace on the basis of individual merit. It also means that criteria are applied equally to all and do not systematically favor one group

Discrimination

Discrimination constitutes the denial of access or full enjoyment, participation, or employment because of race, sex, color, ethnic heritage, sexual orientation, and disabilities. The most common kinds of discrimination are racial discrimination and sex discrimination

Goals vs. Quotas

Of the different areas involved in affirmative action, the distinction between numerical goals and quotas is most often confused.

Quota systems keep people out and are illegal.

Goals are unique to each employer. They are established when the percentage of underrepresented minorities and women are less than what would be expected and available in the recruiting area.

Goals set a strategy to recruit qualified women and minorities that should result in their increased employment over a period of time. The goal is simply an estimate of that desired increase. This does not mean unqualified females and minorities are hired to fill a goal.