“Active Case Enforcement”: Are You Ready? (August 6, 2013)

1. Notify EEO Office IMMEDIATELY if anyone receives an affirmative action, Title IX, ADA, or other “compliance review” or audit notice from U.S. Dept. of Labor, Office for Federal Contract Compliance Programs (OFCCP); U.S. Dept. of Education, Office for Civil Rights (OCR); NASA; NSF; etc.

2. **Applicant Tracking**
   - Check for underrepresented groups **before** recruitment to know which groups to focus on for outreach/good faith efforts.
   - Online form 17 data is necessary for federal reports – ensure that hiring units enter applicant names when app is received (this prompts applicant tracking survey).
   - Complete the form 17 Selectee Information (which populates the BOR Recruitment/Selection Form) as soon as possible after person has accepted position (i.e., before the start date). For your data to be counted, must indicate:
     - (a) If selectee is a new hire, transfer or promotion
     - (b) Selectee’s start date
     - (c) Whether temp or perm
   - Be sure to complete the 3 approvals or signoffs, or the applicant/hire data will not be counted.

3. **HireNet**
   - Advise academic departments to advertise all lecturer and casual positions for Outreach (credit and non-credit) classes on HireNet unless they have used Work-at-UH.

4. **“Good Faith Efforts”** to hire and advance in employment underrepresented groups, veterans, and persons with disabilities. Document or log the following types of actions by HR, faculty, or staff:
   - Participation in job fairs
   - Diversity of search committee membership
   - Search committee briefings
   - Outreach to groups or professional organizations that network with Persons with Disabilities, Veterans, African Americans, Hispanics (e.g., serving on local or national organization board serving people with disabilities; serving on “women’s” committee of professional organization; visiting your local DLIR job placement or Workforce Development Division that serves veterans; sending recruitment notices to women/minority professional networks)

5. **ADA accessibility of online job application systems**
   - Check for ADA access when colleges develop online job application websites or use 3rd party sites.

6. **ADA workplace accommodations**
   - It is recommended that college or campus HR office log or document accommodations made; auditors may ask for documentation; use separate **confidential** file, not regular personnel folder.

7. **Maternity and parenting leave**
   - Log or document “maternity” leave (this may have been taken as vacation, sick leave, etc.)

8. **Sexual Harassment**
   - List Title IX Coordinator and complaint information on college and department websites, or link to EEO Title IX page.
   - Be sure that all employees (including student assistants) receive policy briefing, workshop, or online training on sexual harassment and are advised to report any incidents to the Title IX Coordinator.

9. **DNHR exceptions**
   - Review similar employees’ salaries within college and campus to prevent salary inequities.
   - Request campus data for APTs from campus Human Resources Office.
10. **Salary Equity** – monitor salary equity of Faculty (by department/field, college, rank, degree year, etc.) and APT personnel (on a campuswide basis by functional title, career group, band, hire date, etc.).
   - If you need assistance, contact EEO or campus HR Office for guidance
   - For Title VII and Equal Pay Act guidance, see EEOC compliance manual: [http://www.eeoc.gov/policy/docs/compensation.html](http://www.eeoc.gov/policy/docs/compensation.html)

11. **New Hire Packets**: retain documentation (suggest keeping a signed dated checklist) that all new hires receive:
   - ADA and Veteran voluntary self-identification survey form (OFCCP regs advise this to be done post-offer and prior to start of employment)
   - BOR 1-5 Nondiscrimination policy, E1.203 Sexual Harassment policy. Good practice: periodically inform all employees of EEO policies and document your outreach.

12. **List all jobs with physical requirements or medical restrictions.** Be able to explain how physical requirements are related to essential job functions, e.g., APT scientific diver positions, positions requiring driver’s license, etc.

13. Be able to provide, on short notice, "other compensation" data.
   - Per OFCCP Directive 307, compensation includes any payments made to an employee, including salary, overtime, shift differentials, commissions, stipends, bonuses, vacation pay, retirement and other benefits, and awards.

14. Be able to provide, on short notice, the following:
   - Current job descriptions
   - Data set of all employees with relevant fields for OFCCP compliance analysis