

Montana State University Northern Havre

**Affirmative Action Program
for
Minorities and Women**

**January 1, 2016 through December 31, 2016
Plan Year**

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Importance of the Plan

Montana State University Northern Havre (MSU Northern) has prepared this Affirmative Action Program (AAP) for the period of January 1, 2016 through December 31, 2016, reaffirming its commitment to the spirit and letter of affirmative action law, including those administered by the U. S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP). Through the implementation of this plan MSU Northern continues its efforts to comply with appropriate government regulations and to make the best possible use of personnel while contributing to the betterment of society and the community.

In developing this plan MSU Northern recognizes its duty to ensure equal employment opportunity. The following statement of policy reinforces that belief.

Statement of Policy

In setting forth this plan MSU Northern reaffirms its belief in equal employment opportunity for all employees and applicants for employment in all terms and conditions of employment.

Greg Kegel, Chancellor of MSU Northern, designated Kathy Jaynes as the Equal Employment Opportunity Administrator (EEO Administrator). Kathy Jaynes oversees the plan development, modification, implementation, and reporting requirements and conducts management updates. The EEO Administrator also analyzes MSU Northern's selection process in order to further the principles of equal employment opportunity.

As part of MSU Northern's commitment to this overall process, it will seek to ensure affirmative action to provide equality of opportunity in all aspects of employment, and that all personnel activities, such as the recruitment, selection, training, compensation, benefits, discipline, promotion, transfer, layoff and termination processes remain free of illegal discrimination and harassment based upon race, color, religion, sex sexual orientation, gender identity, and national origin. Regular review by MSU Northern, as described in this AAP, helps to ensure compliance with this policy.

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MSU Northern posts copies of the equal employment opportunity notices that comply with 41 C.F.R. § 60-1.42(a) in conspicuous places (including, where applicable, electronic websites) available to employees, applicants for employment. The following exemplify the methods and locations MSU Northern may use in its ongoing efforts to ensure continuing dissemination of its policy and plan, although MSU Northern may not always use each or any of the below methods, and it may use other methods not listed below:

1. Internal employee manuals contain the policy statement.
2. The policy statement is posted on bulletin boards accessible to employees.
3. MSU Northern references the policy and progress in its annual report, newspaper, magazine and other publications.
4. Orientation meetings for new employees and in-house employment-related training include references to MSU Northern's policy.
5. MSU Northern publications, if any, including those with photographs, generally feature individuals of diverse gender, race, color, sexual orientation, gender identity, and national origin, where feasible.
6. Pertinent portions of MSU Northern's Affirmative Action Program are available during regular business hours for inspection by employees and applicants for employment.

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1. In solicitations or advertisements for employees placed by or on its behalf, MSU Northern complies with at least one of the following methods regarding the dissemination of its equal employment opportunity clause:
 - a. MSU Northern states expressly in the solicitations or advertising that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin. 41 C.F.R. § 1.41(a).
 - b. MSU Northern uses a single advertisement, and the advertisement is grouped with other advertisements under a caption which clearly states that all employers in the group assure all qualified applicants equal consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin. 41 C.F.R. § 1.41(c).
 - c. MSU Northern uses a single advertisement in which appears in clearly-distinguishable type the phrase "an equal employment opportunity employer." 41 C.F.R. § 1.41(d). When

pictures are included in these media, where feasible, efforts will be made to include pictures of individuals of diverse gender, race, and national origin.

2. The following exemplify the methods and locations MSU Northern may use in its ongoing efforts to ensure continuing dissemination of its policy and plan, although MSU Northern may not always use all of the below methods, and it may use other methods not listed below:
 - a. MSU Northern notifies subcontractors, suppliers and vendors of the policy about both its obligations to equal employment opportunity and about MSU Northern's plan.
 - b. MSU Northern advises recruitment sources, minority and female organizations, community agencies, leaders, secondary schools and colleges annually in writing of its commitment to this policy and plan. MSU Northern informs these sources that job applicants will be treated fairly without regard to their race, color, religion, sex, sexual orientation, gender identity, and national origin.
 - c. MSU Northern communicates with the state employment security office in writing regarding the policy.
 - d. MSU Northern advises prospective employees of the existence of the AAP and makes pertinent portions of it available upon request, during regular business hours.
3. In addition, MSU Northern incorporates by reference the equal employment opportunity and affirmative action clauses into each of its covered Government contracts and subcontracts, including Government bills of lading, transportation requests, contracts for deposit of Government funds, and contracts for issuing and paying U.S. savings bonds and notes and such other contracts and subcontracts as required by law, purchase orders, lease agreements, Government contracts, and other covered contracts (and modifications thereof if not included in the original contract) in accordance with 41. C.F.R. § 60-1.4 (a) – (c) (unless exempted under 41 C.F.R. § 60-1.5).

Guidelines for the Development of the EEO/AA Plan
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C0 Key Responsibilities of the EEO/AA Officer

Overall responsibility for MSU Northern's plan rests with the EEO Administrator, Kathy Jaynes. Greg Kegel ensures that the plan complies with all applicable laws, orders and regulations, including but not limited to, Executive Orders 11246, 13496, and their progeny. Specifically, Kathy Jaynes or the designated representative's duties include:

1. Developing, maintaining and, where appropriate, modifying MSU Northern's plan to ensure compliance with the EEO/AA law.
2. Developing, and where appropriate, modifying procedures for effectively communicating the plan and its elements both internally and externally.
3. Advising management on EEO/AA progress, reporting potential EEO/AA problem areas, and assisting management in finding equitable solutions, where feasible, to any identifiable EEO/AA problem areas.
4. Evaluating the effectiveness of MSU Northern's plan on a regular basis, and reporting to management.
5. Designing, implementing, and overseeing audit and reporting systems that periodically measures the effectiveness of the total affirmative action program. 41 C.F.R. § 2.17 (d)(1)-(4), identifying need for remedial action, and determining the degree to which objectives have been achieved.
6. Acting as University representative and liaison with any government agencies regarding this plan.
7. Monitoring University policies and procedures with regard to terms and conditions of employment to attempt to ensure compliance with affirmative action obligations.
8. Auditing the content of MSU Northern's bulletin board, and electronic policies, as appropriate, to ensure compliance information is posted and up to date.
9. Keeping management up to date on the latest developments in the areas of EEO and affirmative action.
10. Serving as a liaison between MSU Northern and organizations, such as minority organizations and women's organizations.
11. When necessary, developing sales and management training programs to increase protected-group participation.
12. Assisting in the investigation, handling and disposition of employee harassment and discrimination complaints.

13. Discussing EEO/AA policies with all personnel, including management, to ensure that MSU Northern's policies and the need for their support are understood at all levels.
14. Reviewing MSU Northern's AAP for qualified women and minorities with all managers and supervisors to ensure the policy is understood and followed in all personnel actions.
15. Conducting periodic reviews of offices to ensure compliance in the areas of proper display of posters and notices, comparable facilities for both sexes, and opportunity for participation in University-sponsored recreational, educational and social activities.
16. Auditing training programs, hiring, and promotion patterns.

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Line and upper management share responsibility for the plan, including but not limited to the following:

1. Assisting in auditing plan progress, including identifying problem areas, formulating solutions, establishing appropriate goals, and developing necessary training programs.
2. Reviewing the qualifications of applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner in hiring, promotion, transfers, and termination actions.
3. Making available career counseling, when appropriate.
4. Reviewing the job performance of each employee to assess whether personnel actions are justified based on the employee and his or her duties.
5. Reviewing position descriptions of the jobs in the manager's area or department to see that they adequately reflect the job to be performed.
6. Assisting subordinates and upper management in the prevention of harassment.

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MSU Northern's commitment to fully implement this policy and plan include periodic reviews of mission critical workforce factors in a number of ways, including performing an in-depth analysis of its total employment process to determine whether and where impediments to equal employment opportunity exist. These analyses include:

1. The workforce by organizational unit and job group of minority or female utilization and distribution;
2. Personnel activity to determine whether there are selection disparities;
3. Compensation systems to determine if there are gender-, race-, or ethnicity-based disparities;
4. Selection, recruitment, referral, and other personnel procedures to determine whether they result in employment or placement disparities of minorities or women; and,
5. Any other areas that might impact the success of the affirmative action program. 41 C.F.R. § 2.17 (b)(1)-(5), including, for example, MSU Northern's review of:
 - a. The workforce composition by race and sex to compare it to the availability of these groups;
 - b. MSU Northern's applicant flow compared to the availability for the protected groups;
 - c. A comparison of hires to applicants pertaining to minorities and women;
 - d. Compensation system(s) to determine whether there are gender-, race-, or ethnicity-based disparities;
 - e. Selection forms, such as applications for employment, to ensure they comply with federal and state employment laws;
 - f. Processes to ensure there are no artificially-created barriers or restrictive seniority provisions; and,
 - g. Training opportunities to ensure they are available to minorities and women.

Identification of problem areas are discussed in next section titled Narrative Discussion of Goals.

Personnel Recruitment Plan

The Montana State University Northern Havre plan has 396 employees, including 53 minorities and 174 females. The following goals exist for minorities and/or women:

- 100 - University Executives - This group consists of 3 employees, of whom none are minorities and no females. There is no underutilization present at this time for minorities or females.
- 120 - Other Administrators - This group consists of 6 employees, of whom none are minorities and 4 are females. There is no underutilization present at this time for minorities or females.
- 200 - Faculty-Ten. - This group consists of 61 employees, of whom 2 are minorities and 18 are females. There is a goal of 12.6% for minorities and a goal of 68.1% for females.
- 220 - Faculty-Non Ten. - This group consists of 7 employees, of whom none are minorities and 5 are females. There is no underutilization present at this time for minorities or females.
- 240 - Tutors, GRAs, GSAs, GTAs - This group consists of 7 employees, of whom 2 are minorities and 1 is a female. There is no underutilization present at this time for minorities, but there is a goal of 99.1% for females.
- 300 - Professionals - This group consists of 64 employees, of whom 7 are minorities and 42 are females. There is no underutilization present at this time for minorities or females.
- 320 - Coaches - This group consists of 36 employees, of whom 7 are minorities and 17 are females. There is no underutilization present at this time for minorities or females.
- 360 - Research Contract Professional - This group consists of 2 employees, of whom 1 is a minority and no females. There is no underutilization present at this time for minorities, but there is a goal of 66.7% for females.
- 400 - Technical - This group consists of 17 employees, of whom 3 are minorities and 9 are females. There is no underutilization present at this time for minorities or females.
- 500 - Clerical/Administrative - This group consists of 93 employees, of whom 14 are minorities and 52 are females. There is no underutilization present at this time for minorities, but there is a goal of 80.9% for females.
- 700 - Service - This group consists of 100 employees, of whom 17 are minorities and 26 are females. There is no underutilization present at this time for minorities, but there is a goal of 49.0% for females.

MSU Northern will use alternate recruitment sources when necessary to attract more qualified external applicants. In those instances where statistical adverse impact is indicated, MSU Northern will take action as outlined in the Action-Oriented Programs Section to monitor and eliminate any problem areas, as well as other similar actions.

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MSU Northern has instituted action-oriented programs designed to eliminate any problem areas, should they exist, in accordance with § 60-2.17(b), and to help achieve specific affirmative action goals. MSU Northern also makes a good-faith effort to remove identified barriers, expand employment opportunities, and produce measurable results. These programs may include items such as:

1. Conducting periodic reviews of job descriptions attempting to ensure they accurately reflect job-related duties and responsibilities.
2. Annually reviewing job qualifications by department and job title for job-relatedness, and using job performance criteria.
3. Making job descriptions and qualifications available to recruiting sources and to all members of management involved in the recruiting, screening, selection, and promotion processes.
4. Making good-faith efforts to select the most qualified candidates. MSU Northern recognizes the duty, should the need arise, to make good faith efforts to remedy any statistically significant underutilization of minorities and women. Accordingly, MSU Northern commits to evaluating the total selection process to ensure decisions are made in a nondiscriminatory manner through:
 - a. Reviewing the job applications and other pre-employment forms to ensure information requested is job-related;
 - b. Evaluating selection methods that may have a disparate impact to ensure that they are job-related and consistent with business necessity;
 - c. Providing assistance, such as training and guidance on proper interviewing techniques and EEO training, to employees, management, and supervisory staff, including, but not limited to, those who are involved in the recruitment, selection, discipline and other related processes, so that personnel actions remain neutral to race, color, religion, sex, sexual orientation, gender identity, and national origin; and
 - d. Reviewing selection techniques and employment standards.
5. MSU Northern employs appropriate methods to attempt to improve recruitment and increase the flow of qualified minorities and women applicants in its recruiting process, including a number of the following actions:
 - a. Including the phrase, "Equal Opportunity/Affirmative Action Employer" in printed employment advertisements;
 - b. Placing help-wanted advertisements, when appropriate, in local minority news media and women's interest media;

- c. Disseminating information on job opportunities to organizations representing minorities, women, and employment development agencies when job opportunities occur;
 - d. Encouraging all employees to refer qualified applicants;
 - e. Actively recruiting in secondary schools, junior colleges, colleges and universities with predominantly minority or female enrollments where underutilization exists in such areas, and
 - f. Requesting employment agencies to refer qualified minorities and women.
 - g. MSU Northern considers using special employment programs designed to deal with underutilization. Business conditions and other feasibility matters remain the key factor in any decision to develop/implement such programs.
 - h. Whenever feasible and appropriate, MSU Northern participates in job fairs, career days, youth-motivation programs and other programs that foster exposure for qualified minorities and women.
 - i. MSU Northern encourages minorities and women to participate in University-sponsored activities and programs.
 - j. MSU Northern utilizes various community organizations and schools as referral sources.
6. MSU Northern reviews promotion criteria and procedures so that job qualifications form the basis for the promotional decisions without regard to race, color, sex, religion, sexual orientation, gender identity, or national origin. MSU Northern monitors promotion rates for minorities and women and, when necessary, may employ one or more of the following procedures:
- a. Maintaining an inventory of current minority and women employees to determine special job-related talents, skills and experience.
 - b. Providing job training, job-related courses or certificate programs.
 - c. Reviewing work specifications and job qualifications to ensure job-relatedness.
 - d. Reviewing promotion decisions for possible impact on women or minorities.
 - e. Conducting career counseling, where appropriate, during performance evaluations.
 - f. Informing employees about educational programs and other opportunities available to improve their employment prospects.
 - g. Reviewing seniority practices for possible impact on women and minorities.
 - h. Reviewing University-sponsored social and recreational activities to ensure non-discriminatory participation and availability.

- i. Ensuring that all employees are given equal employment for promotion. This is achieved by:
 1. Generally posting or otherwise announcing most promotional opportunities.
 2. Offering counseling to assist employees in identifying promotional opportunities, training and educational programs to enhance promotions and opportunities for job rotation or transfer; and
 3. Evaluating job requirements for promotion.

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1. Kathy Jaynes, MSU Northern's EEO/AA Administrator, maintains an internal audit system to attempt to oversee MSU Northern's Affirmative Action Program and assess progress. The EEO Administrator is responsible for ensuring that the formal AAP documents are developed and prepared and for the effective AAP implementation; however, responsibility is likewise vested with each department manager and supervisor, depending upon the specific responsibility. The audit system is designed and implemented to measure the effectiveness of the total affirmative action program [41 C.F.R. § 2.17 (d)(1)-(4)], including:
 - a. Monitoring records of all personnel activity, including: referrals, placements, transfers, promotions, terminations, and compensation, at all levels, to ensure the nondiscriminatory policy is carried out,
 - b. Requiring internal reporting on a scheduled basis as to the degree to which equal employment opportunity and organizational objectives are attained,
 - c. Reviewing reports at all levels of management; and
 - d. Advising top management of the program's effectiveness and submitting recommendations to improve unsatisfactory performance. 41 C.F.R. § 2.17 (d)(1)-(4).
2. MSU Northern reviews various employment decisions, such as job referrals, hiring decisions, transfers, promotions, and terminations. MSU Northern maintains summary data where necessary and feasible, and conducts regular reviews at least annually.
3. There is no "de facto" (in practice without being officially established) segregation. Further, MSU Northern ensures that facilities, as broadly defined in 41 C.F.R. § 60-1.8, provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, or national origin cannot result, provided that separate or single-user restrooms and necessary dressing or sleeping areas shall be provided to ensure privacy between the sexes.

4. MSU Northern complies with required records retention provisions set forth in 41 C.F.R. §60-1.12 and elsewhere in the applicable OFCCP regulations, and maintains a) employment applications (generally for two years); b) summary data of applicant flow by identifying, at least, total applicants, total minority applicants, and total female applicants, where necessary and feasible, and conducts regular reviews at least annually; c) applicant flow showing the name, race, sex, date of application, job title, interview status, and the action taken for all individuals applying for job opportunities, and the relevant applicant/hire decisions; d) summary data of external job offers and hires, promotions, resignations, terminations, and layoffs by job group and by sex and minority group identification; e) and records pertaining to its compensation system.
5. Provide needed reports to managers and supervisors regarding the results of the audit as well as MSU Northern's overall progress in the area of EEO/AA. Any recommended actions should be made as well. Reports shall be made to senior management on at least an annual basis.

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MSU Northern supports the promotion and ensuring of equal employment opportunity of its employees and applicants without regard to sex, and endorses and complies with the following policy statements.

1. MSU Northern employment advertisements do not express a sex preference nor does MSU Northern place advertisements in columns designated "males" or "females", unless sex is a bona fide occupation obligation. 41 C.F.R. §60-20.2(a).
2. Employees of both sexes at MSU Northern shall have an equal opportunity to any available job that he or she is qualified to perform, unless sex is a bona fide occupation obligation. 41 C.F.R. §60-20.2.
3. MSU Northern maintains gender-neutral personnel policies that expressly indicate that there shall be no gender discrimination against employees. The terms and conditions of any written collective bargaining agreements shall not be inconsistent with these guidelines. 41 C.F.R. §60-20.3(a).
4. MSU Northern makes no distinction based upon sex in employment opportunities, wages, hours, or other conditions of employment. 41 C.F.R. §60-20.3(c).
5. MSU Northern will not make any distinction between married and unmarried persons of one sex that is not made between married and unmarried persons of the opposite sex, or deny employment to women with young children unless it has the same exclusionary policies for men, or terminate the employment of an employee of one sex in a job classification upon reaching a certain age unless the same rule is applicable to members of the opposite sex. 41 C.F.R. § 60.20.3(d) [or, in the alternative, "Number and age of children are not factors in job offer decisions".]

6. MSU Northern has policies and practices to ensure appropriate physical facilities to both sexes. 41 C.F.R. § 60-20.3(e).
7. MSU Northern will not deny a female employee the right to any job she is qualified to perform in reliance on a State “protective” law regarding, or for working at jobs requiring more than a certain number of hours or lifting above a certain weight. 41 C.F.R. § 60-20.3(f).
8. MSU Northern endorses and complies with the 1978 Pregnancy Discrimination Act, as it amended Title VII of the Civil Rights Act of 1964. MSU Northern applies any leave of absence policy uniformly, regardless of sex. 41 C.F.R. § 60-20.3(g).
9. MSU Northern must not specify any differences for male and female employees on the basis of sex in either mandatory or optional retirement age. 41 C.F.R. § 60-20.3(h).
10. MSU Northern's seniority lines and lists must not be based on sex. 41 C.F.R. § 60-20.4.
11. MSU Northern's wage schedules are not related to or based on the sex of an employee. 41 C.F.R. § 60-20.5(a). Further, MSU Northern does not discriminatorily restrict one sex to certain job classifications, and instead must take steps to make jobs available to all qualified employees in all classifications without regard to sex. 41 C.F.R. § 60-20.5(b).
12. When appropriate, MSU Northern makes affirmative efforts to increase the number and percentage of women in the workforce, including, but not limited to the following:
 - a. MSU Northern recruits women and encourages existing women employees to apply for positions historically labeled by society as "traditionally male."
 - b. MSU Northern guarantees equal, gender-neutral access to training and tuition reimbursement programs, including management training, and other types of workplace training programs.
 - c. MSU Northern informs management of its affirmative action responsibilities. 41 C.F.R. § 60-20.6.