IUPUI OFFICE OF EQUAL OPPORTUNITY

ANNUAL REPORT

JANUARY 31, 2013

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Campus Impact

The Office of Equal Opportunity, also referred to in this report as OEO, is responsible for monitoring compliance with the University's equal opportunity, anti-discrimination, and anti-harassment policies as well as federal and state laws and regulations; investigating and resolving complaints of discrimination and harassment on the basis of sex, sexual orientation, race, color, religion, national origin, ancestry, disability, age, or veteran status; monitoring institutional employment practices and procedures; and conducting training programs and presentations on Equal Opportunity/Affirmative Action – racial discrimination, sexual harassment, and a wide range of diversity programs and workshops. The OEO strives to ensure the most wholesome and productive learning and working environment for students, faculty, and staff. Individuals who believe they have been unlawfully harassed or discriminated against are encouraged to contact us.

OEO staff members serve on various university committees as well as local and national committees that include the Equal Opportunity Council, Committee for People with Disabilities, Behavioral Consultation Team, Faculty Behavior Concerns Task Force, Sexual Assault Prevention, Intervention and Response Task Force, IUPUI Diversity Cabinet, Diversity Cabinet Sub-committee, Diversity Dialogue Group, Diversity Management Committee, Diversity Officers Committee, Inclusion Task Force, IUPUC Diversity Cabinet, Indiana Diversity Roundtable, Intergroup Dialogue, School of Nursing's Diversity & Enrichment Committee, IUPUI Athletics Diversity Advocacy Committee, Staff Council, Human Resources Advisory Committee, Women's Advisory Council, IUPUI United Way Campaign, American Association for Affirmative Action Professionals, and the Ohio Diversity Committee.

Primary responsibilities of the IUPUI Office of Equal Opportunity include:

- Affirmative Action plans for women, minorities, veterans and individuals with a disability
- Employment monitoring
- Investigating complaints of harassment and/or discrimination
- Reasonable accommodations
- Program development and training
- Liaison to federal and state agencies on matters involving EEO/AA practices, policies, and charges of discrimination.

I.   AFFIRMATIVE ACTION PLAN

Development of the IUPUI Affirmative Action Plan (AAP) is one of the OEO's primary responsibilities. The AAP is a snap-shot of the University's workforce that includes the following components:

- Workforce Analysis – representation of women and minorities across organizational units.

- Job Group Analysis – summarizes the workforce by a set of broad occupational categories – grouping job titles with similar job content, similar pay, and similar promotional and/or developmental opportunities.

- Availability – looks at the current workforce by job group as compared to individuals available in the workforce based on U.S. census data, graduation statistics, the internal labor pool, and other sources.

- Comparison of Incumbency to Availability – compares the current representation of women and minorities in the workforce to availability estimates to determine where we need to make greater efforts to reach parity and diversify the workforce.

- Goal Setting – goals are set for job groups where the incumbency and availability statistics are significantly different. The OEO meets with each dean/vice chancellor/major unit leader to review their current workforce profile, identify opportunities for recruitment in the immediate future, discuss efforts and strategies to address workforce goals for women and minorities, and review progress toward prior year's goals. As you will note in the table below, while there may NOT be a minority goal in the overall job groups, there may be a goal within the minority sub-group(s). Likewise, while there may not be a goal at the campus level, there may be a goal within the female and/or minority job groups within individual schools or units.

IUPUI's Annual Placement Goals

IUPUI's Annual Placement Goals (%)								
Job Group	Female	Minority	Black	Hisp	Asian	Nat Am	NHOPI	Two+
Tenure/Ten-Track Faculty & Library	44.00	0	0	4.00	0	0	0	0
Clinical & FT Non-Tenured Faculty	0	0	0	4.00	0	0	0	0
Other Academic: Visitors & PT	0	0	0	4.00	0	1.00	0	0
Executive Management	0	0	0	4.06	10.61	0	0	0
Professional Staff	0	0	0	1.72	0	0.45	0	0
Clerical Staff	0	0	0	0	0	0.48	0	0
Technical Staff	0	0	0	0	0	0	0	0
Skilled Craft	0	0	0	1.77	0	0.68	0	0
Service Maintenance	0	0	0	0	0	1.19	0	0

- Unit Action Plan – each dean, vice-chancellor and/or senior leader of a major unit submits a Unit Action Plan (UAP) to the Office that describes major efforts and strategies for reaching identified goals. The UAP should address specific outreach efforts to recruit female and minority faculty and staff, professional development opportunities for them, opportunities for recruitment which are anticipated over the next several years, and link components of the plan to IUPUI's Diversity Performance Indicators, if relevant.

- Underutilization – is defined as having fewer minorities or women in a particular job group than what would be reasonably expected by their availability in the relevant job market. Three tests determine underutilization:

  1. Any Difference Rule – any difference between the availability of women or minorities in the relevant job market compared to their percentages in the employer's actual workforce.

  2. Two-Standard Deviation Rule – the current workforce percentage of a protected group (women or minorities) cannot vary from the availability analysis percentage by more than two standard deviations.

3. <u>The 80% Rule</u> – underutilization exists if the percentage of women and/or minorities in a particular job group is less than 80% of the final availability percentage. The 80% rule is the test currently used by IUPUI. The Ratio = (W/A) x 100. For example, if the workforce = 20% female and availability = 23% female, then the Ratio = (20/23) x 100 = 86.96%. In this example, underutilization does not exist because the ratio exceeds 80%. Anything less than 80% would be considered underutilization if the percentage equated to 100% full time employee or whole person.

Incumbency vs. Availability (Utilization) Analysis

Job Group	Category	Incumbency No.	Incumbency %	Availability %	Less than 80%
Tenure/Tenure-Track Faculty & Librarian	Female	486	34.37	44.00	Yes
	Minority	370	26.17	20.00	
	Black	59	4.17	5.00	
	Hispanic	31	2.19	4.00	Yes
	Asian	248	17.54	11.00	
	AmIndian	3	0.21	0.00	
	NHOPI	2	0.14	0.00	
Total - 1414	Two+	27	1.91	0.00	
Clinical & Full-time Non-Tenured Faculty	Female	556	44.09	42.00	
	Minority	284	22.52	22.00	
	Black	47	3.73	4.00	
	Hispanic	27	2.14	4.00	Yes
	Asian	195	15.46	14.00	
	AmIndian	0	0.00	0.00	
	NHOPI	4	0.32	0.00	
Total - 1261	Two+	11	0.87	0.00	
Other Academic: Visitors & Part-time	Female	904	52.56	45.00	
	Minority	436	25.35	20.00	
	Black	86	5.00	5.00	
	Hispanic	41	2.38	4.00	Yes
	Asian	285	16.57	10.00	
	AmIndian	5	0.29	1.00	Yes
	NHOPI	0	0.00	0.00	
Total - 1720	Two+	19	1.10	0.00	
Executive Management	Female	50	39.06	43.11	
	Minority	23	17.97	19.73	
	Black	11	8.59	4.98	
	Hispanic	2	1.56	4.06	Yes
	Asian	7	5.47	10.61	Yes
	AmIndian	0	0.00	0.03	
	NHOPI	0	0.00	0.01	
Total - 128	Two+	3	2.34	0.03	

Job Group	Category	Incumbency No.	Incumbency %	Availability %	Less than 80%
Professional Staff	Female	1531	68.14	57.81	
	Minority	359	15.98	12.37	
	Black	187	8.32	5.91	
	Hispanic	21	0.93	1.72	Yes
	Asian	116	5.16	4.06	
	AmIndian	3	0.13	0.45	Yes
	NHOPI	0	0.00	0.01	
Total - 2247	Two+	32	1.42	0.23	
Clerical Staff	Female	973	92.40	86.77	
	Minority	252	23.93	14.59	
	Black	210	19.94	11.87	
	Hispanic	12	1.14	1.22	
	Asian	17	1.61	0.78	
	AmIndian	4	0.38	0.48	Yes
	NHOPI	0	0.00	0.02	
Total - 1053	Two+	9	0.85	0.23	
Technical Staff	Female	422	64.62	55.17	
	Minority	178	27.26	15.64	
	Black	82	12.56	11.44	
	Hispanic	14	2.14	0.49	
	Asian	70	10.72	2.82	
	AmIndian	3	0.46	0.20	
	NHOPI	0	0.00	0.01	
Total – 653	Two+	9	1.38	0.68	
Skilled Craft	Female	7	4.96	4.71	
	Minority	22	15.60	11.12	
	Black	16	11.35	8.11	
	Hispanic	1	0.71	1.77	Yes
	Asian	1	0.71	0.39	
	AmIndian	0	0.00	0.68	Yes
	NHOPI	0	0.00	0.00	
Total – 141	Two+	4	2.84	0.18	
Service Maintenance	Female	122	42.51	29.48	
	Minority	188	65.51	29.59	
	Black	168	58.54	23.01	
	Hispanic	11	3.83	4.60	
	Asian	4	1.39	0.18	
	AmIndian	1	0.35	1.19	Yes
	NHOPI	0	0.00	0.00	
Total - 287	Two+	4	1.39	0.60	

The IUPUI Affirmative Action Plan is available on-line at:
http://www.iupui.edu/~oeo/reports/2011AAP.pdf

II. EMPLOYMENT MONITORING

Analysis of employment activity as it relates to hires, promotions, transfers, and separations is required by Department of Labor regulations. The OEO captures and monitors recruitment, referral, screening, and appointment activity for each faculty and professional staff vacancy to ensure the continuity and integrity of the hiring process for all academic and professional staff positions. Applicant data are maintained in the University's On-line Application system (U-OLA) for professional staff and the Faculty Applicant Monitoring system (FAM) for faculty. These systems facilitate the search process and ensure compliance with capturing federally required data relative to selection and placement decisions.

While OEO staff members are available to assist search committees with strategies for diversifying the applicant pool, search and screen protocols (SSP) training modules are also available on-line to assist faculty, staff and students in their work as a member of an IUPUI search committee. The link to this web site can be found at **http://www.iupui.edu/~oeo/sstraining/index.html**. In addition, a resource listing is available at **http://www.iupui.edu/~oeo/documents/recruitresources.pdf** which can help facilitate recruiting efforts in diversifying the applicant pools.

Applicant count in the following summary is based on recruitment for positions appointed during the time period 01/01/12 – 12/31/12. Applicants who applied to positions that were withdrawn are excluded from these numbers since Adverse Impact Analysis can only be conducted against searches that end successfully.

Summary of Faculty & Professional Staff
Recruitment, Appointments and Separations

Faculty				Professional Staff			
	2012	**2011**	**2010**		**2012**	**2011**	**2010**
Total Applicants	**3,411**	4,713	4,907	**Total Applicants**	**21,990**	22,785	15,619
Total Appointments	**294**	249	267	**Total Appointments**	**434**	359	293
Total Exceptions Approved	**8**	8	4	**Total Exceptions Approved**	**8**	7	4
Total Exceptions Denied	**2**	0	1	**Total Exceptions Denied**	**2**	1	5
Total Separations	**195**	209	165	**Total Separations**	**272**	339	222
Pending Appointments	**10**	34	16	**Reclassifications**	**142**	99	71
Search Exception Justifications:				**Search Exception Justifications:**			
Programmatic Need	**4**	6	2	**Programmatic Need**	**4**	4	4
Target of Opportunity	**2**	0	0	**Target of Opportunity**	**1**	3	0
Transfer	**0**	0	1	**Transfer**	**3**	0	0
Spousal Accommodation	**2**	2	1	**Spousal Accommodation**	**0**	0	0

Note: Faculty data excludes adjuncts, part-time, postdoctoral, visitors and volunteers.

2012 Employment Monitoring Activity
By Constituent Group

Faculty

	Male	Female	Unks	Total	Wht	Blk	Asn	Hsp	NA	NHOPI	Two+	Unk	Grand Total
Applicants	739	506	2,166	**3,411**	781	75	267	60	1	0	2	2,225	**3,411**
Appointments	145	149	0	**294**	198	15	64	9	0	0	8	0	**294**
Pending Appointments	3	2	5	**10**	4	0	1	0	0	0	0	5	**10**
Exceptions Granted	5	3	0	**8**	3	2	2	0	0	0	1	0	**8**
Separations	107	88	0	**195**	134	6	47	3	2	0	3	0	**195**

Note: Faculty data excludes adjuncts, part-time, postdoctoral, visitors and volunteers.

Professional Staff

	Male	Female	Unks	Total	Wht	Blk	Asn	Hsp	NA	NHOPI	Two+	Unk	Grand Total
Applicants	7,087	13,033	1,870	**21,990**	13,668	4,475	1,067	516	29	13	363	1,859	**21,990**
Appointments	135	299	0	**434**	347	45	26	5	1	0	10	0	**434**
Exceptions Granted	1	7	0	**8**	6	2	0	0	0	0	0	0	**8**
Separations	91	181	0	**272**	204	37	13	8	0	0	10	0	**272**
Reclassifications	37	105	0	**142**	115	15	8	1	0	0	3	0	**142**

Legend:
**Wht   White   Asn   Asian   NHOPI Native Hawaiian/Other Pacific Islander**
Blk   Black   Hsp   Hispanic   Two+   Two or more races
Unks   Unknown Gender   NA   Native American Unk   Unknown Ethnicity

Sources: IUPUI OLA/FAM, IUIE, s:/rlmorgan/2011/fac_council

2012 Separations
By Constituent Group

Faculty

Type	Classification								
	Academic Support	Admin. Leaders*	Clinical Faculty	Faculty	Lecturer/ Instructor	Librarian	Research Associate	Scientist Scholar	Grand Total
18/20 Retirement	0	3	3	17	0	1	0	1	**25**
Death	0	0	2	6	0	0	1	0	**9**
Emeritus Retirement	0	1	0	4	0	0	0	0	**5**
End Appointment	0	0	3	5	0	0	6	8	**22**
ERIP - Retiree Status	1	1	2	5	0	1	0	0	**10**
IU Retiree Status	0	0	2	4	1	0	0	0	**7**
Multiple Jobs Situation	0	0	1	0	0	0	0	0	**1**
Other	0	0	0	1	0	0	0	0	**1**
Resignation	6	3	34	37	9	1	15	11	**115**
Grand Total	**7**	**8**	**47**	**79**	**10**	**3**	**22**	**20**	**195**

Faculty Separations

- 18/20 Retirement: 25
- Death: 9
- Emeritus Retirement: 5
- End Appointment: 22
- ERIP - Retiree Status: 10
- IU Retiree Status: 7
- Multiple Jobs Situation: 1
- Other: 1
- Resignation: 115
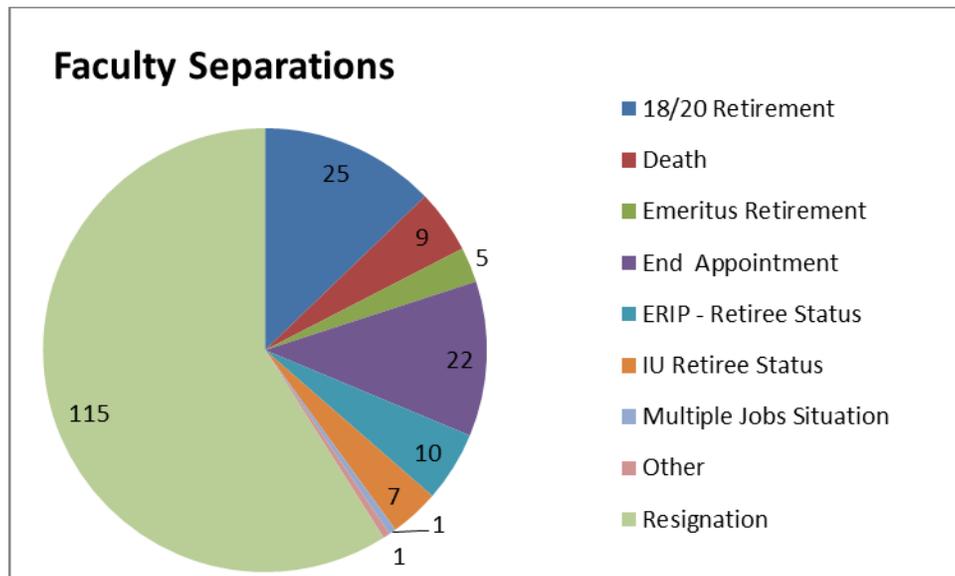
*Administrative leaders includes Assistant/Associate Deans, Associate Vice Presidents, Vice Chancellor, and Director

2012 Separations
By Constituent Group

Professional Staff

Type	Classification								
	Admin Services*	Auxiliary Services	Health Prof	Info Tech	Media Relations	Research Science	Student Services	Safety Security	Grand Total
18/20 Retirement	1	0	0	0	1	0	0	0	**2**
Death	1	0	0	0	0	0	0	0	**1**
End Appointment	0	0	0	0	0	0	1	0	**1**
Indiana Clinic Employment	0	0	15	0	1	0	0	0	**16**
Ineligible in the U.S.	0	0	0	0	0	0	1	0	**1**
IU Retiree Status (RTD)	5	0	5	0	0	0	1	0	**11**
Medical	2	0	0	0	0	1	2	0	**5**
Reduction in Force	3	0	0	1	2	6	4	0	**16**
Resignation	54	4	27	37	17	28	33	3	**203**
Staff Term/Hire to Hourly	0	0	2	0	0	1	0	0	**3**
Performance/ Misconduct	7	0	1	0	2	3	0	0	**13**
Grand Total	**57**	**4**	**50**	**38**	**23**	**39**	**42**	**3**	**272**

Professional Staff Separations

- 18/20 Retirement
- Death
- End Appointment
- Indiana Clinic Employment
- Ineligible in the U.S.
- IU Retiree Status (RTD)
- Medical
- Reduction in Force
- Resignation
- Staff Term/Hire to Hourly
- Performance/ Misconduct
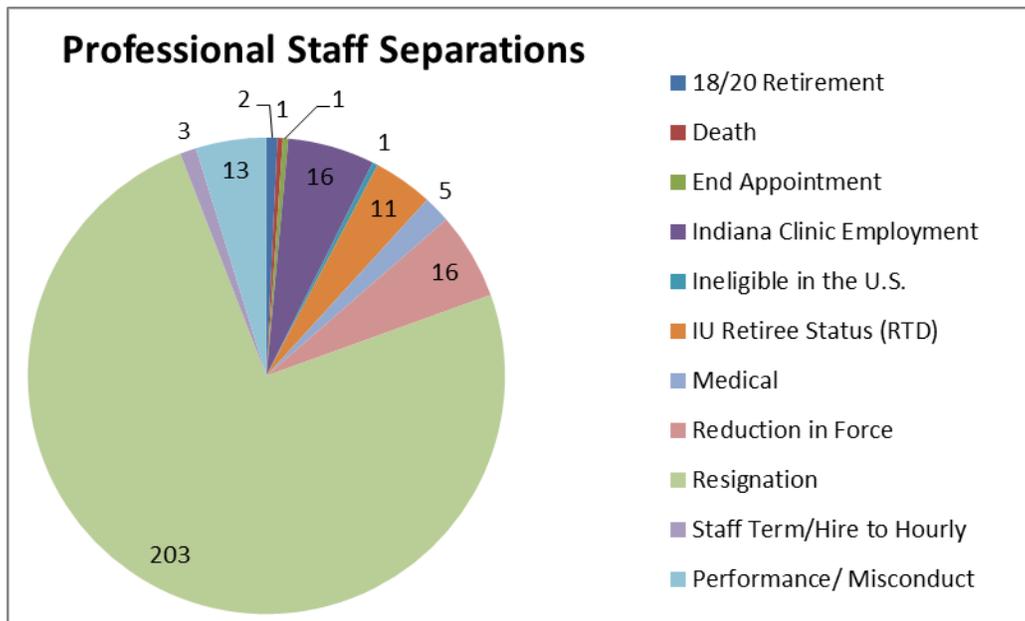
*Administrative services include coaches, development, executives and facility services

Three-Year Snap-Shot
Separations

Faculty

Faculty	2012	2011	2010
18/20 Retirement	25	30	29
Cancellation of Hire	0	5	2
Death	9	5	7
Emeritus Retirement	5	2	2
End Appointment	22	20	18
ERIP - Retiree Status	10	6	0
IU Retiree Status	7	6	5
Multiple Jobs Situation	1	2	1
Other	1	3	0
Resignation	115	130	100
Total Disability	0	0	1
Total	**195**	**209**	**165**

Professional Staff

| Professional Staff	2012	2011	2010
18/20 Retirement	2	2	1
Attendance	0	2	0
Death	1	0	1
Cancellation of Hire	0	2	0
End Temporary Appointment	1	0	0
ERIP - Retiree Status	0	49	0
Expiration of Contract (Athl Only)	0	1	1
Indiana Clinic Employment	16	65	14
Ineligible to work in the U.S.	1	0	0
IU Retiree Status (RTD)	11	19	20
Job Abandonment	0	0	2
Medical	5	2	2
Reduction in Force	16	22	28
Resignation	203	164	140
Staff Term/Hire to Hourly	3	1	8
Performance/Misconduct	13	10	5
Total	**272**	**339**	**222**

III. EXIT INTERVIEW DATA

The Office of Equal Opportunity strives to improve the quality of IUPUI's work environment. To that end, we have implemented a confidential online exit interview survey allowing employees who have left or are leaving the opportunity to provide feedback about their experiences while working at the University. The survey consists of questions about the employee's position and job functions, the IUPUI environment, and matters that will help improve occupational health and safety, reduce job "burnout", prevent harassment and discrimination, provide service with distinction, and build civil employee relations. The survey takes approximately 20 minutes to complete and allows individuals to volunteer their identity in case follow-up is warranted or desired.

The data will be used to identify and leverage best practices in other areas and to help units reduce and address unpleasant perceptions and experiences reported by former employees especially when the data reveals themes or trends. By sharing the data with the Human Resource Administration and other campus units, as appropriate, we will enhance the culture of the IUPUI work environment by advocating for the consideration of staff input, inspire units to engage in team-building initiatives, retain quality leaders, and address the effectiveness of existing systems, policies and procedures.

In 2012 the OEO piloted the survey by sending approximately 1,700 postcards via U.S. mail to employees that separated during 2011 and 2012. We received 118 responses made up of 0.6% Native American, 5.2% Asian, 7.1% Black/African American, 3.2% Hispanic/Latino, and 85.7% White of which 73.2% were female and 26.8% were male. Of the respondents 4.5% self-identified as an employee with a disability and 3.9% self-identified as a veteran. Faculty members made up 20.4% of the respondents, 43.4% professional staff members, 17.1% support and service staff members, 15.8% clerical, 1.3% research (lab technicians, statisticians, etc.), and 2% technology.
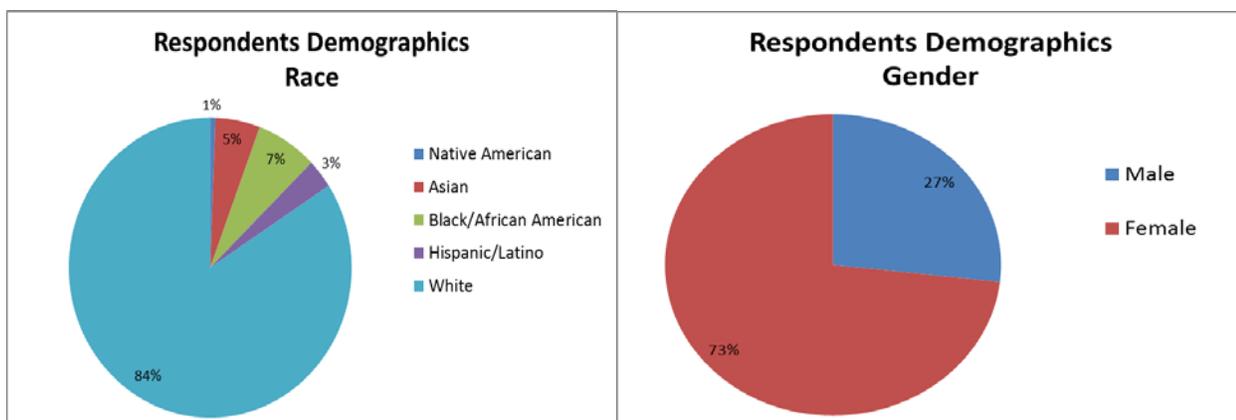
Generally categorized, exit interview feedback fell into the categories of work environment, job related issues, personal health and family as well as a broad category labeled "other" which included retirement, involuntary separations and discrimination.
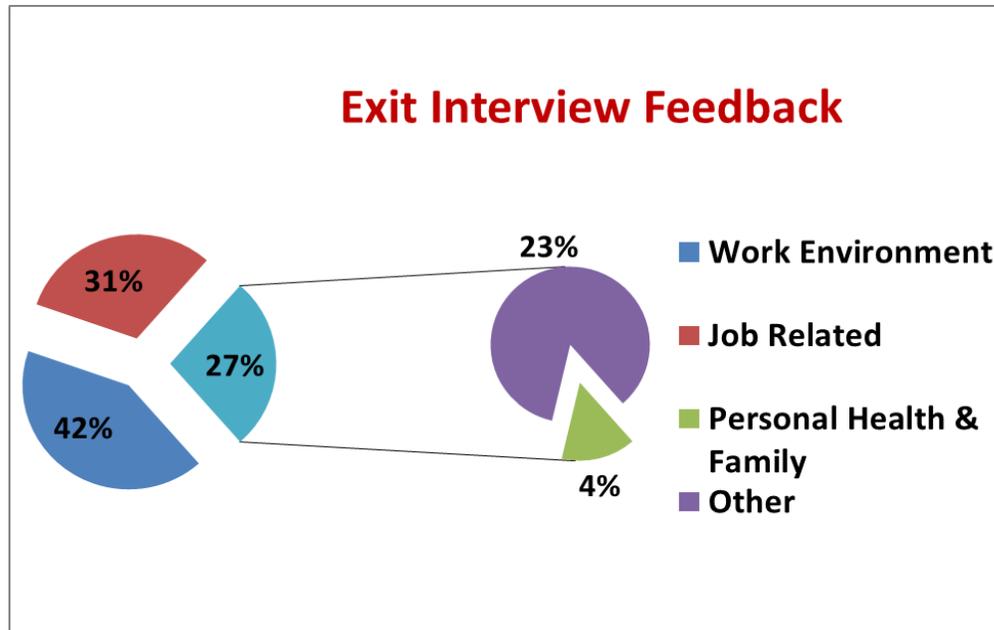
More specifically, the most frequently cited reasons for departing were as follows:

- Dissatisfaction with pay
- Dissatisfaction with job
- Retirement
- Conflict with supervisor
- Limited opportunity for advancement

Participants responded positively to the following statements:

- 91.2% – "My retirement package was competitive"
- 91.1% – "My medical/dental benefits were competitive"
- 63.2% – "I would recommend my department or unit as a good place to work"
- 74.7% – "I would recommend IUPUI as a good place to work"

Areas of Concern…
Key Issues

Work Environment (51)	Job Related (38)	Health & Family (5)	Other (28)

• Interpersonal work environment
• Conflict with supervisor
• Conflict with co-workers/colleagues
• Departmental challenges
  • Given little respect
  • Politics
• University challenges
  • Budget
  • Entitled attitude
  • Parking
  • IUB
• Stressful work environment
• Low morale
• Recognition
	• Dissatisfied with pay
	• Dissatisfied with job
	  • Traveling cost not worthwhile
	  • University-level challenges
	• Skills not used
	• Workload too much
	• Workload too little
	• Limited opportunity to advance
	• No regular evaluations
	• Returning to school
	• Accepted new position
	• Moved IU Health
	• Position temporary and/or visiting
		• Primary care responsibilities
		• Personal health issues
		• Scheduling
		• Relocation – spouse
			• Retirement
			• Involuntary separation
			  • Downsize
			  • Sexual harassment (1)
			• Discrimination
			  • Race (1)
			  • Disability (1)

Areas of Concern… Key Issues

This is the "Stuff" that's Grounded in Exits

The office compared separations relative to complaints which included both complaining and responding parties. We found that twenty-two (22) or 9% of the 232 staff separations (resignation, RIF, and performance/misconduct issues) either raised concerns in the Office or were respondents to a complaint filed in the office. Of the 115 faculty resignations, approximately 7% or eight (8) of the individuals raised concerns in the office or were respondents to a complaint filed in the office. While all of the separations reported were not attributed to issues substantiated in the office, 15 or 68% of the 22 staff separations were attributed to issues substantiated in the office. Likewise, 3 or 37.5% of the 8 faculty separations were attributed to issues substantiated in the office.
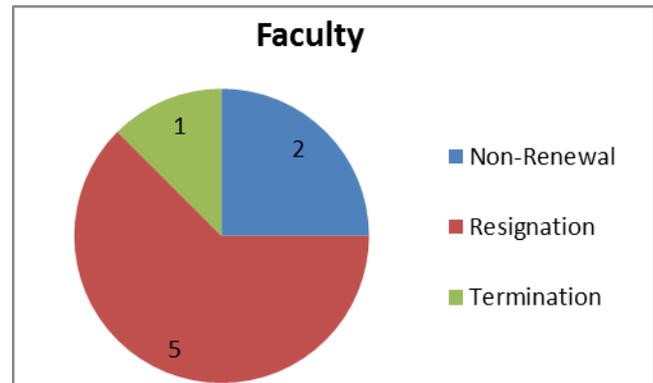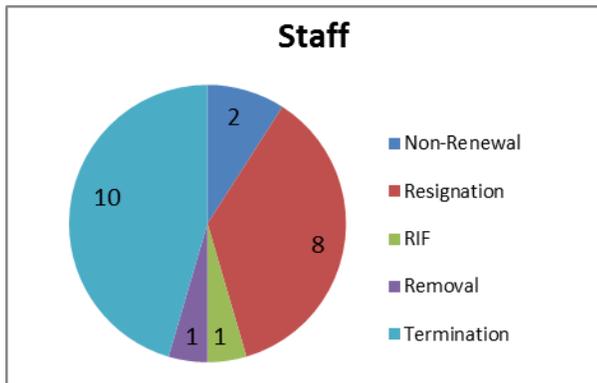
This year, the OEO will work with school-based HR liaisons to efficiently and quickly reach out to departing and departed employees to ask for their participation in the exit Interview process. OEO has provided supporting documents and electronic flyers for HR liaisons to distribute to exiting employees. We anticipate that a faster turnaround in survey participation will garner richer data going forward.

IV. **COMPLAINTS**

Responsibility for addressing discrimination or harassment complaints is a major responsibility that the Chancellor vested with the Office of Equal Opportunity. The office uses a three-pronged approach to categorizing complaints:

1) **Consultation** includes facilitated discussions between the complainant and the respondent, as appropriate. These are issues raised by complaining parties and generally involve exploratory meetings with individuals to understand their concerns, rights and responsibilities within the university environment, to offer advice on alternative solutions, and to identify appropriate resources for resolution. While these issues are addressed by the office, they most often do not rise to a level of illegal harassment or discrimination. As a result, no official notice of complaint or investigatory report will be issued.

2) **Mediation** is an intervention to work with both the complainant and the respondent to help them reach a mutually agreed upon resolution. The OEO will assess the situation to determine whether mediation is appropriate. Either the complainant or the respondent may refuse mediation or, once commenced, end mediation at any time. No adverse inference is to be drawn from any such decision.

3) **Formal Investigation** includes a comprehensive investigative approach. OEO will make a determination about the complaint classification, make a preliminary assessment that the issue(s) raised warrants a formal investigation, and provide notification to the relevant parties and Decisional Authority, as appropriate. If OEO determines a need for immediate interim action, e.g. removal, reassignment, administrative leave, or suspension, such actions will be administered by the Decisional Authority.

   IUPUI's Operating Procedures for Processing Complaints of Discrimination can be accessed at the following link:

   http://www.iupui.edu/~oeo/policy/IUPUIinvestigativeOperatingProcedures.pdf

Agency complaints are discrimination charges filed with governmental compliance agencies such as the U.S. Equal Employment Opportunity Commission, Indiana Civil Rights Commission, U.S. Department of Justice, and U.S. Department of Education – Office for Civil Rights. These complaints are handled by the Office of Equal Opportunity on behalf of the Indiana University-Purdue University Indianapolis campus.

2012
Complaint Data by Approach

Total

	Consult	Mediate	Investigate	Agency	Complaints Filed	% of Total
Faculty	26	0	6	1	**33**	21%
Staff	77	3	5	7	**92**	57%
Students	21	0	3	2	**26**	17%
Other	4	0	0	0	**4**	2%
Visitor	3	0	2	0	**5**	3%
Total	**131**	**3**	**16**	**10**	**160**	**100%**

**Total Complaints**
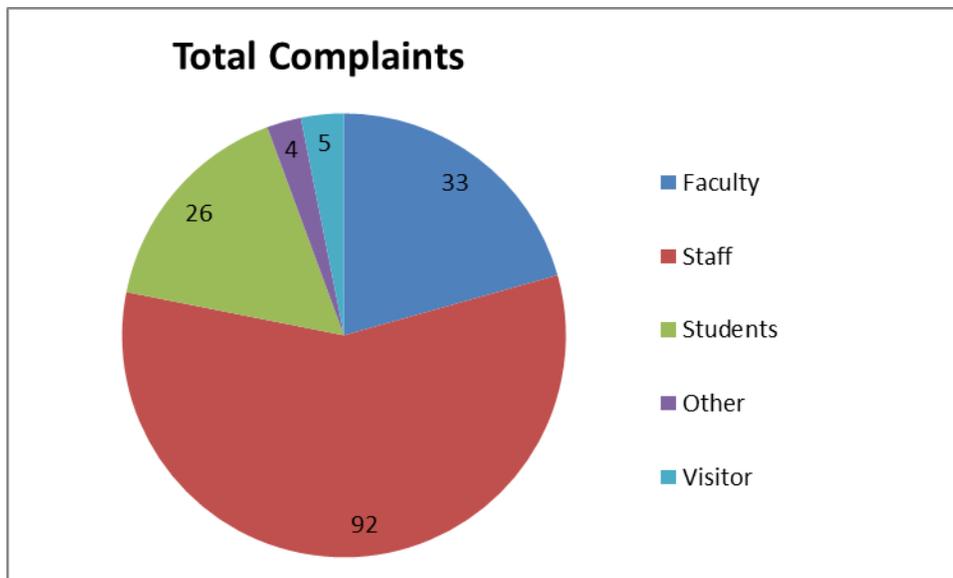
Notes:

1. **Other – vendor, IU hospital staff, patients, etc. that work with or receive services from IUPUI employees**

2. **Visitors – non-employee related complaints from people that visited the campus**

2012 Complaint Data by Approach

Female

	Consult	Mediate	Investigate	Court Agency	Complaints Filed	% of Total
Faculty	11	0	2	1	**14**	13%
Staff	57	2	4	6	**69**	65%
Students	15	0	3	1	**19**	18%
Other	2	0	1	0	**3**	3%
Visitor	0	0	1	0	**1**	1%
Total	**85**	**2**	**11**	**8**	**106***	**100%**
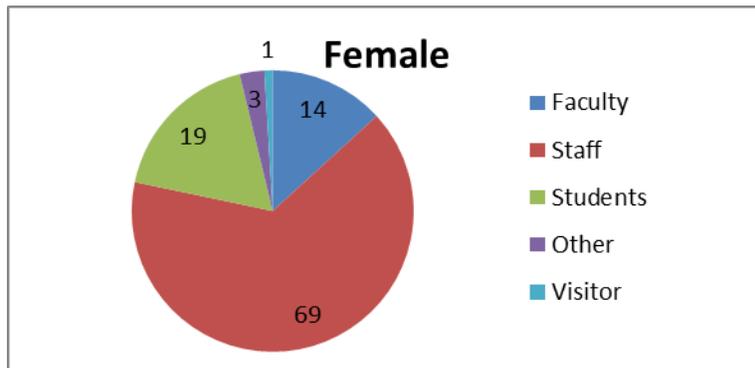
Male

	Consult	Mediate	Investigate	Court Agency	Complaints Filed	% of Total
Faculty	15	0	3	0	**18**	36%
Staff	18	1	1	1	**21**	42%
Students	6	0	0	2	**8**	16%
Other	2	0	0	0	**2**	4%
Visitor	1	0	0	0	**1**	2%
Total	**42**	**1**	**4**	**3**	**50***	**100%**
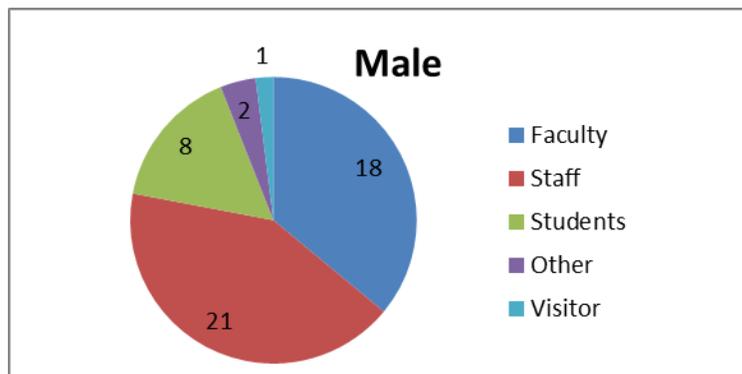
*A total of four complaints were filed where gender indicators were not available.

2012

Complaint Data by Basis

All Complainants

	Consult	Mediate	Investigate	Agency	Total
Academic Environment	9	0	0	0	9
Age	2	1	0	1	4
Disability	24	0	0	4	28
Equity Review	0	0	4	0	4
Gender	6	1	0	4	11
Hostile Work Environment	26	1	4	1	32
Human Resources	41	0	1	0	42
National Origin	3	0	0	0	3
Other	3	0	0	0	3
Race/Color	7	1	2	4	14
Religion	6	0	0	0	6
Retaliation	4	0	4	3	11
Sexual Assault	0	0	3	0	3
Sexual Harassment	15	0	3	0	18
Sexual Orientation	2	0	1	0	3
Veteran Status	1	0	0	0	1
Total	**149**	**4**	**22**	**17**	**192**
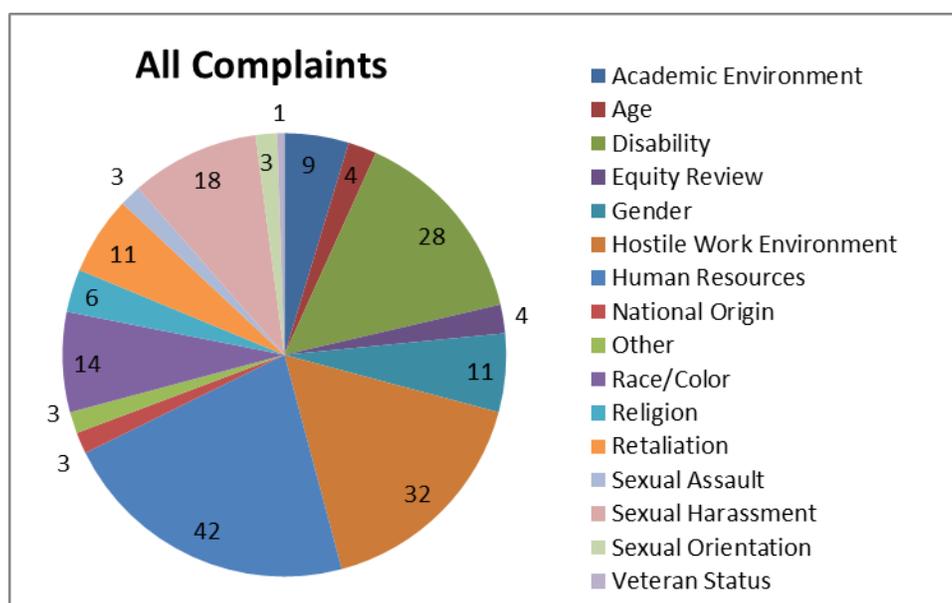
2012

Complaint Data by Basis

Female

	Consult	Mediate	Investigate	Agency	Total
Academic Environment	5	0	0	0	5
Age	2	1	0	1	4
Disability	17	0	0	2	19
Equity Review	0	0	3	0	3
Gender	4	1	0	4	9
Hostile Work Environment	15	0	4	1	20
Human Resources	24	0	0	0	24
National Origin	1	0	0	0	1
Other	2	0	0	0	2
Race/Color	4	1	1	3	9
Religion	4	0	0	0	4
Retaliation	1	0	2	3	6
Sexual Assault	0	0	3	0	3
Sexual Harassment	11	0	3	0	14
Sexual Orientation	0	0	1	0	1
Veteran Status	1	0	0	0	1
Total	**91**	**3**	**17**	**14**	**125***
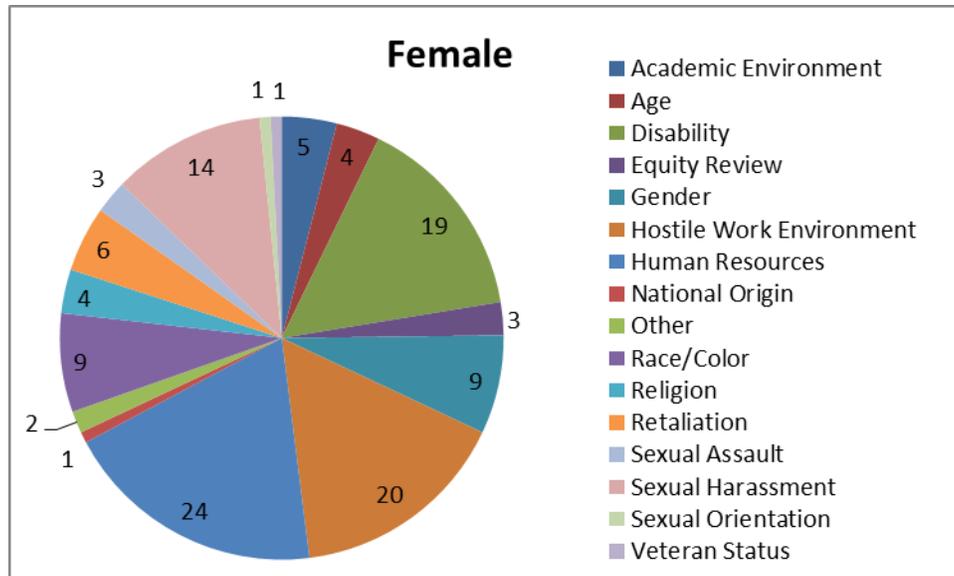
*A total of four complaints were filed where gender indicators were not available (2 – sexual harassment, 1 – hostile work environment, and 1 – human resources related).

# 2012

Complaint Data by Basis

Male

	Consult	Mediate	Investigate	Agency	Total
Academic Environment	4	0	0	0	4
Disability	7	0	0	2	9
Equity Review	0	0	1	0	1
Gender	2	0	0	0	2
Hostile Work Environment	10	1	0	0	11
Human Resources	17	0	0	0	17
National Origin	2	0	0	0	2
Other	1	0	0	0	1
Race/Color	3	0	1	1	5
Religion	2	0	0	0	2
Retaliation	3	0	2	0	5
Sexual Harassment	2	0	0	0	2
Sexual Orientation	2	0	0	0	2
Total	**55**	**1**	**4**	**3**	**63***
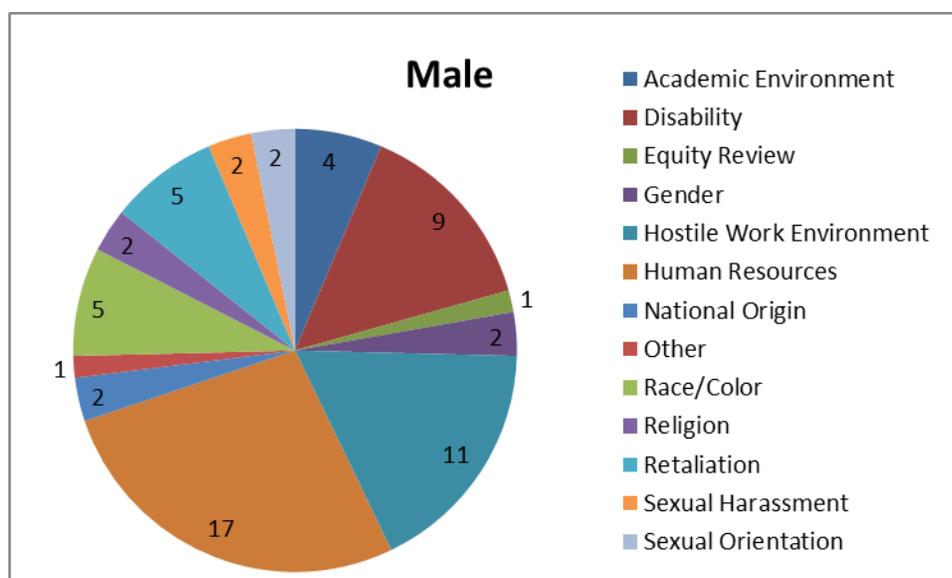
*A total of four complaints were filed where gender indicators were not available (2 – sexual harassment, 1 – hostile work environment, and 1 – human resources related)..

2012

Complaint Data by Basis

Students

	Consult	Mediate	Investigate	Agency	Total
Academic Environment	10	0	0	0	**10**
Disability	3	0	0	2	**5**
National Origin	2	0	0	0	**2**
Other	1	0	0	0	**1**
Race	1	0	0	1	**2**
Religion	1	0	0	0	**1**
Retaliation	1	0	0	0	**1**
Sexual Assault	0	0	2	0	**2**
Sexual Harassment	5	0	0	0	**5**
Sexual Orientation	0	0	1	0	**1**
Total	**24**	**0**	**3**	**3**	**30**
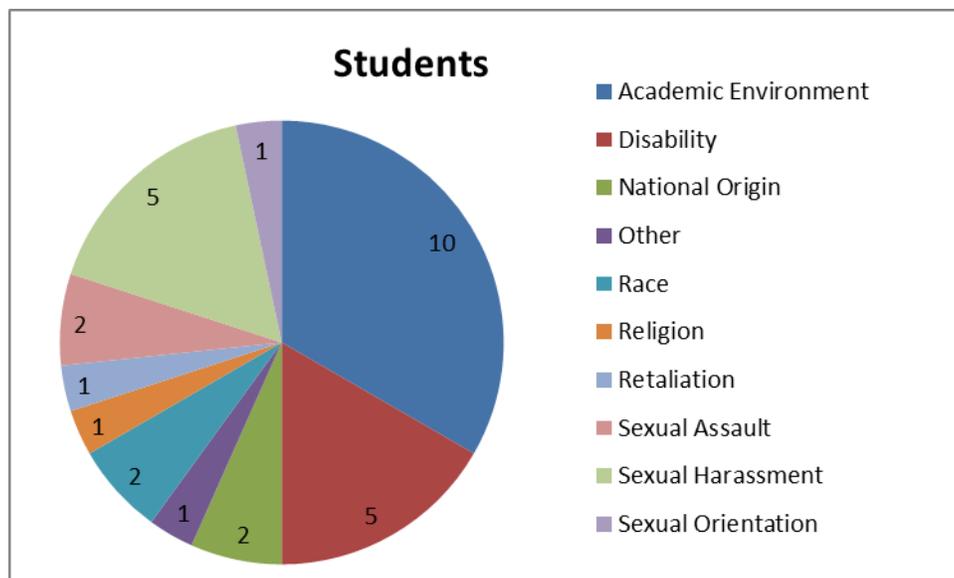
2012
Complaint Data by Basis

Faculty

	Consult	Mediate	Investigate	Agency	Total
Academic Environment	2	0	0	0	**2**
Age	0	0	0	1	**1**
Disability	8	0	0	0	**8**
Equity Review	0	0	3	0	**3**
Gender	1	0	0	1	**2**
Hostile Work Environment	4	0	1	0	**5**
Faculty Human Resources	8	0	1	0	**9**
Race/Color	0	0	1	0	**1**
Religion	2	0	0	0	**2**
Retaliation	1	0	2	0	**3**
Sexual Harassment	2	0	0	0	**2**
Sexual Orientation	1	0	0	0	**1**
Veteran Status	1	0	0	0	**1**
Total	**30**	**0**	**8**	**2**	**40**
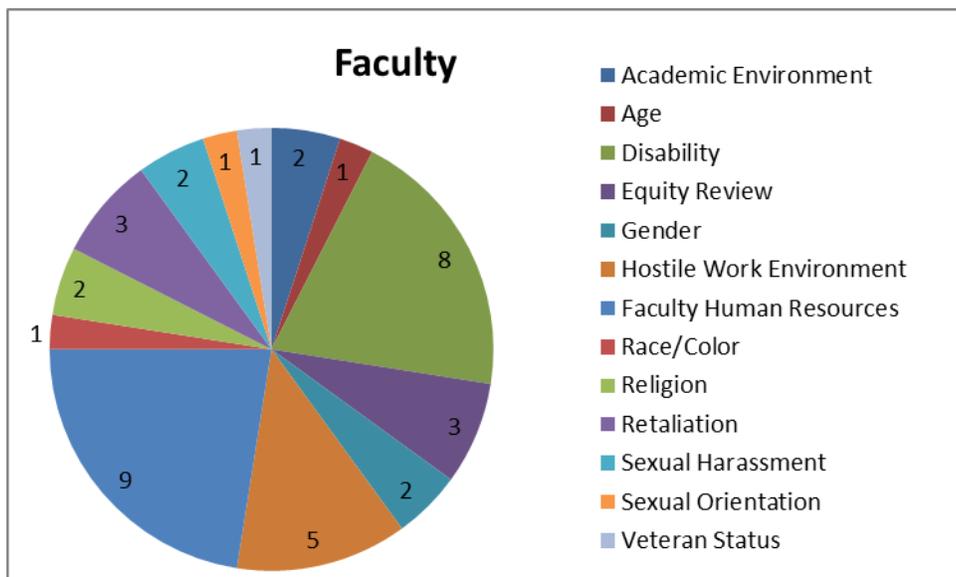
2012

Complaint Data by Basis

Staff

	Consult	Mediate	Investigate	Agency	Total
Age	2	1	0	0	**3**
Disability	14	0	0	2	**16**
Equity Review	0	0	1	0	**1**
Gender	4	1	0	3	**8**
Hostile Work Environment	19	1	3	1	**24**
Human Resources	29	0	0	0	**29**
National Origin	1	0	0	0	**1**
Other	1	0	0	0	**1**
Race/Color	6	1	1	3	**11**
Religion	3	0	0	0	**3**
Retaliation	1	0	2	3	**6**
Sexual Assault	0	0	1	0	**1**
Sexual Harassment	7	0	1	0	**8**
Total	**87**	**4**	**9**	**12**	**112**
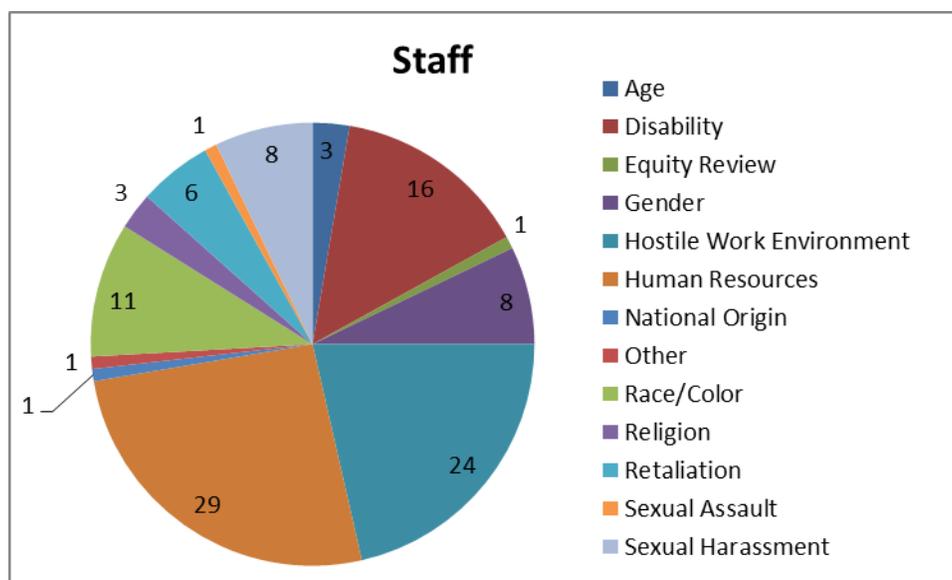
2012

Complaints Data by Basis

Visitor/Other

	Consult	Mediate	Investigate	Agency	Total
Human Resources	2	0	0	0	**2**
Hostile Work Environment	2	0	0	0	**2**
Other	1	0	0	0	**1**
Retaliation	1	0	0	0	**1**
Sexual Harassment	1	0	2	0	**3**
Sexual Orientation	1	0	0	0	**1**
Total	**8**	**0**	**2**	**0**	**10**
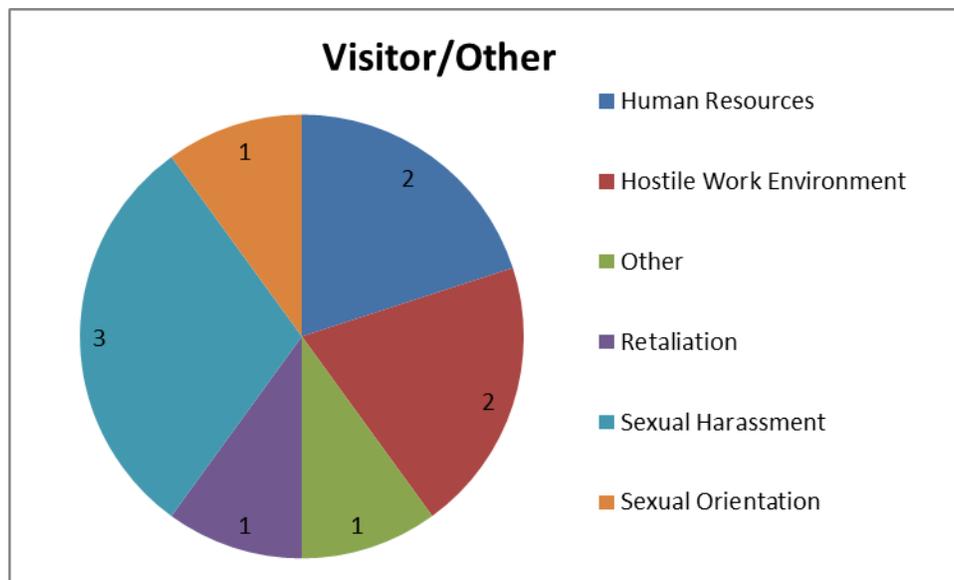
Five-Year Snap Shot

Sexual Harassment

	2012	2011	2010	2009	2008
Consult	15	24	16	13	11
Mediate	0	0	0	0	0
Investigate	6	5	1	6	9
Agency	0	0	0	0	0
Total	**21**	**29**	**17**	**19**	**20**
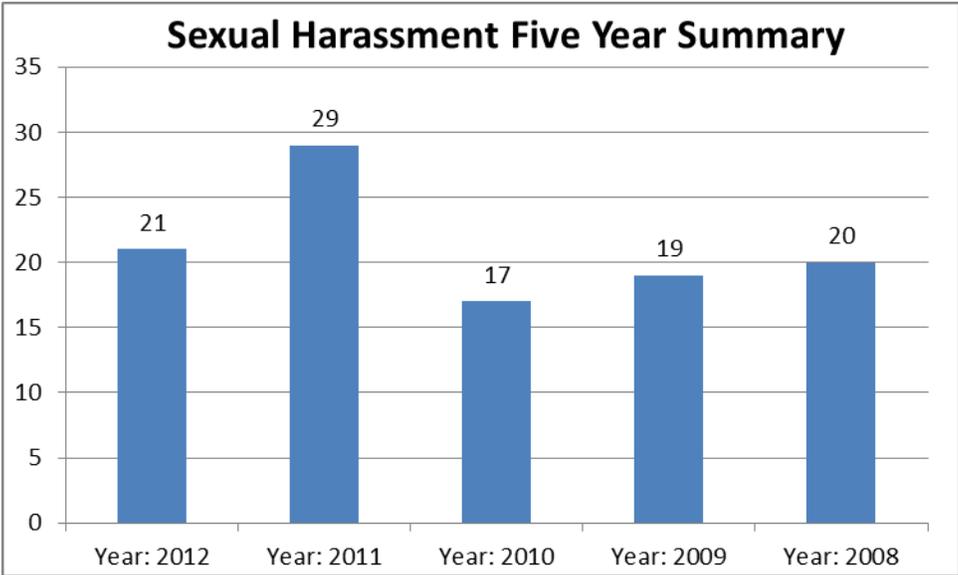
V. **REASONABLE ACCOMMODATIONS**

Pursuant to the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), the Office of Equal Opportunity works closely with supervisors, faculty, staff, students, Adaptive Educational Services, and the Department of Occupational Health Services to determine whether individuals with a disability are qualified under the law, and to ensure that they are afforded a reasonable accommodation to perform the essential functions of their jobs and/or perform in the classroom.

The OEO also investigates discrimination allegations under the ADAAA and works with schools and departments to remedy those allegations. During 2012 the office processed *reasonable accommodation and/or accessibility complaints for 7 faculty, 12 staff members, and 2 students*.

Accommodation/Accessibility

Color	Category	Value
Blue	Faculty	7
Red	Staff	12
Green	Student	2
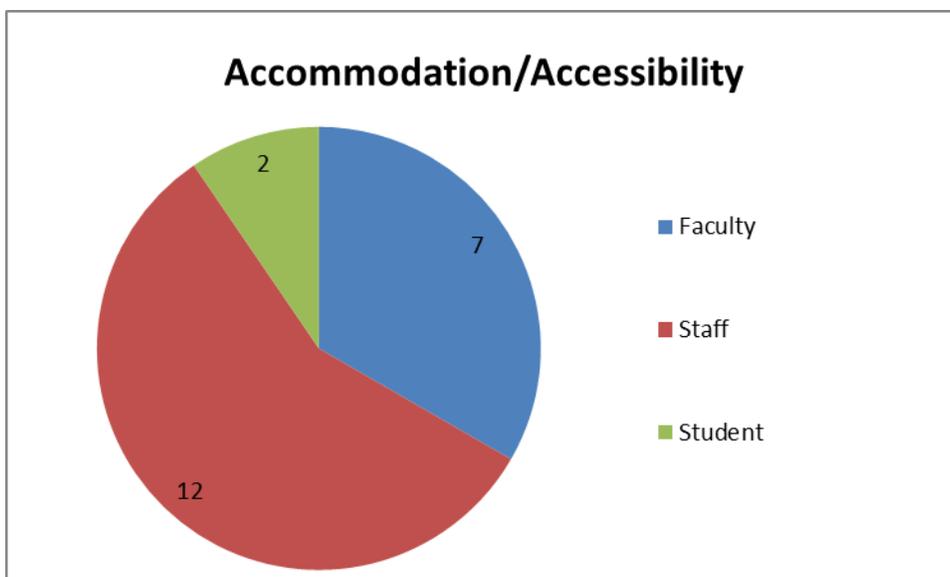
VI. PROGRAM DEVELOPMENT AND TRAINING

The Office of Equal Opportunity implemented an on-line *Preventing Sexual Harassment (PSH)* training program designed to educate users about sexual harassment, applicable university policies and procedures, and the law. The program has several modules that incorporate scenarios relevant to faculty, staff, administrators, supervisors, students, as well as the medical community and concludes with an exam and certificate upon successful completion.

IUPUI's Equal Opportunity Council along with the Women's Advisory Council and the Faculty and Staff Councils endorsed the practice that all IUPUI employees (full and part-time faculty and staff) be required to successfully complete PSH training. Therefore, beginning January 1, 2011 all current employees were required to successfully complete an online PSH training module by June 30, 2011 unless they could document that they had successfully completed it or attended a comparable classroom training program within the past three years. Employees that had completed PSH training more than three years ago were offered the "Refresher" course as an alternative to the "First-Time User" course. In addition, all employees new to the IUPUI campus are required to complete the "First-Time User" course within 90 days of assuming employment. During 2012, *3,387 faculty, staff and student employees* on the IUPUI and IUPUC campuses completed the training requirement.

Web site **http://training.newmedialearning.com/psh/iupui/index.htm** links to the online PSH training program for faculty and staff that require completion of this training requirement. Although this training program is not a substitute for discussions and other shared activities, it is a way for each employee to understand personal responsibilities for creating an atmosphere of dignity and mutual respect for everyone.

The OEO also implemented on-line *Search and Screen Protocols (SSP)* training modules to assist faculty, staff and students in their work as a member of an IUPUI search committee. As an employer, IUPUI has an obligation to ensure fairness and equity in every search process; and open and broad-based searches help to achieve the most diverse applicant pools. Open searches are important to our demonstration that diversity is an educational value. This is something that we ascribe to as a University and full, fair and open searches help us to achieve that goal.

This web site **http://www.iupui.edu/~oeo/sstraining/index.html** links to the automated, online SSP training modules. These search and screen protocols are divided into *five distinct modules:*

1. The *"Search Process"* module is intended as a general guide to the recruitment, selection and appointment process as monitored by IUPUI's Office of Equal Opportunity.

2. The *"Quick Tips – Guidelines for Pre-employment Inquiries"* module provides information about the do's and don'ts as they relate to the formal interview as well as informal discussions with candidates.

3.   *"Hiring with the Americans with Disabilities Act Amendments Act in Mind"* speaks to affirmative and negative phrases regarding disabilities, provides general tips about the appropriate manner in which to interact with people living with a disability, and provides guidelines for communicating with individuals with various disabling conditions.

4. The *"Cultural Norms"* module explores 10 aspects of culture that candidates bring into the interview process and how some of what tends to get in our way is grounded in culture.

5. And lastly, *"Rater Errors"* focus on the biases that we bring and attribute to individuals as we engage in the search and screen process.

The office partners with Human Resources Administration (HRA) in presenting three modules in the *Fundamentals of Supervision* (legal compliance) training series. These modules include equal employment opportunity/affirmative action, sexual harassment, and Americans with Disabilities. In addition to the compliance training, this partnership includes *Mediation training* to interested staff and faculty whose role may require assisting others in conflict resolution.

The OEO staff dedicates a significant amount of time to developing and implementing workshops and presentations that increase and enhance the awareness of the campus community in the areas of equal opportunity, diversity, equity and inclusion. Through these efforts, various training programs were presented to approximately *5,393 campus and community constituents.*

2012
Participant Data by

Training and/or Presentations

Type	Staff	Faculty	Student	Community	Total
Academic Integrity	0	0	0	40	**40**
ADAAA	50	0	0	45	**95**
Civility in the Workplace	135	96	25	0	**256**
Cultural Awareness	53	14	0	0	**67**
Diversity	22	0	308	0	**330**
EEO/AA	148	75	75	0	**298**
FAM	18	0	0	0	**18**
Mediation Training	20	0	0	4	**24**
Preventing Sexual Harassment	1654	973	670	90	**3387**
Professionalism	0	0	0	19	**19**
Resource Fairs*	200	50	150	0	**400**
Search and Screen	229	193	10	27	**459**
Total	**2529**	**1401**	**1238**	**225**	**5393**
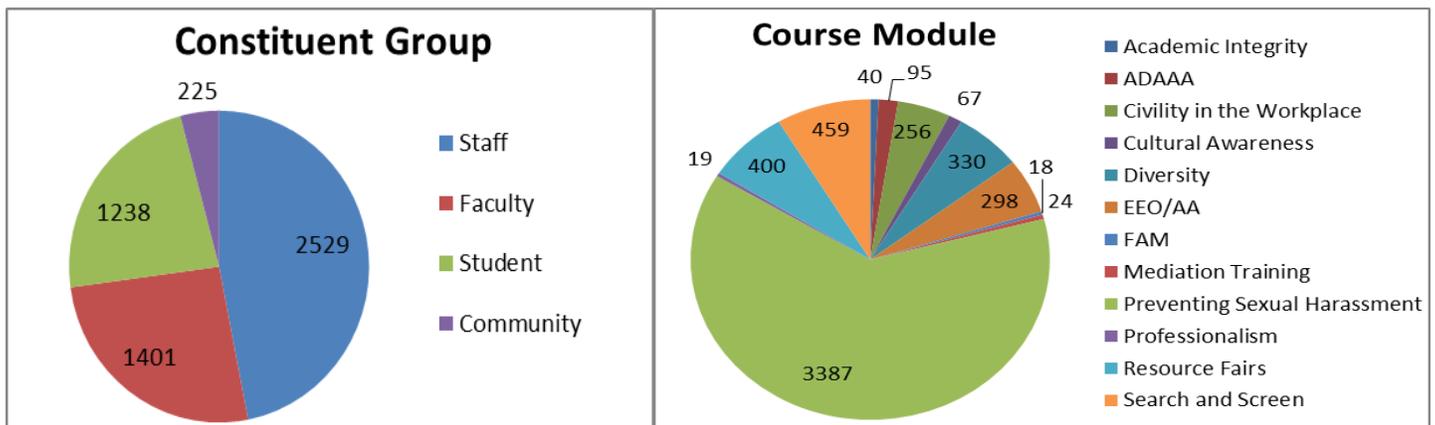
VII. LIAISON TO FEDERAL AND STATE AGENCIES

The Office of Equal Opportunity is involved in federal, state, local and national organizations related to its regulatory responsibilities that include the Indiana Industry Liaison Group (an alliance between the OFCCP, Department of Labor, and major federal contractors), the Equal Employment Opportunity Commission, the Indiana Civil Rights Commission, the Diversity Cabinet of Central Indiana, the American Association of Blacks in Higher Education, Society for Human Resource Management, and the American Association for Affirmative Action. Additionally, the office works with and responds to all federal and state compliance agencies when discrimination or harassment charges are filed against the University.

VIII.   GOALS AND OBJECTIVES

The office was successful in completing the following *goals for 2012* with the exception of completing the Service with Distinction initiative (Search and Screen process) which is currently on-going.

1. Submit proposal for the Common Theme topic – "Civil Discourse/Enhancing Professionalism"

2. Conduct Exit Interview surveys for employees separating – beginning 2011 to current

3. Service with Distinction Process – Search and Screen (U-OLA)

4. Revamp the Cultural Competency SSP Module

5. EEO Programming that includes (sexual orientation, stereotyping, etc.)

6. Reaffirmation of EEO Policy and campus-wide update with current EEO posters

7. Monitor on-going compliance for completion of Preventing Sexual Harassment module

In addition to on-going functions and responsibilities, the OEO identified *goals and objectives for 2013* that include:

1. Continue exploration of a web-based faculty applicant tracking process – next generation

2. Provide intermediate support to units/schools in helping them reach their affirmation action goals

3. Incorporate situational vignettes into existing search and screen protocols modules

4. Conduct a mediation clinic to address low-level conflict by utilizing pair mediation

5. Assist in the launch of the new Common Theme (Civil Discourse) for 2013 – 2016

IUPUI
Office of
Equal Opportunity

Operating
Policies and Procedures

IUPUI EQUAL OPPORTUNITY REAFFIRMATION

Memorandum to IUPUI Faculty, Staff, and Students from Chancellor Charles R. Bantz on May 1, 2004

At IUPUI, diversity means three things:

1) diversity is an educational and social asset to be reflected in our learning and work objectives;
2) the persons who comprise our academic community reflect both the current diversity of our service region as well as the evolving demographics of a state and city that aspire to participate fully in a global society; and
3) IUPUI's social and physical environment will enable all of its members to succeed to the fullest extent of their potential.

*(*Vision for Diversity at IUPUI, *Adopted 2001)*

Having diversity in classrooms, research labs, clinical practice settings, and places of work are essential to the fundamental work of the university. If students are to learn, they must be encouraged to ask questions, seek knowledge from those with whom they disagree, and take part in open and honest debate. The ability to learn from and use diverse perspectives is instrumental to constructive problem solving and good citizenship, so it is essential that the campus have an environment that encourages interaction among individuals of diverse backgrounds. Our employees, too, expect and deserve to work in a healthy, supportive atmosphere that respects differences.

To help accomplish this, the Trustees of Indiana University adopted an equal opportunity and affirmative action policy that is based on resolutions dating from 1969 and reaffirmed unanimously in 1995. The trustees stated, "In reaffirming this policy, which has served us well, we must advocate and perpetuate performance which reflects this commitment. We must and will hold ourselves accountable for our decision and action."

Each year, IUPUI reaffirms its commitment to this policy and to observing requirements embodied in federal and state laws, executive orders, guidelines, and regulations designed to promote affirmative action and assure equal opportunity. As part of that reaffirmation, we expect deans, directors, and others who have administrative responsibility and authority to carry out the policies of the trustees and to pursue our shared diversity goals effectively. In addition, individual employees are to display an attitude of collaboration and cooperation by performing their duties in a manner that clearly reflects the principle of equal opportunity in every aspect of university life.

Our policy at IUPUI prohibits discrimination against anyone for reasons of race, color, religion, national origin, sex, sexual orientation, gender identity, marital status, age, disability, and covered veterans. We work diligently to uphold the spirit of the letter of this policy. We will continue to

promote and provide equal opportunity in education and training programs, employment, admissions, and all other activities for faculty, staff, and students. All personnel actions, such as compensation and fringe benefits, transfer, promotion, training for employees, as well as all university-sponsored social and recreational programs, will be administered in accordance with this policy.

Indiana University has established policies in compliance with the laws that prohibit actions in the IU community such as:

Laws enforce by the Equal Employment Opportunity Commission (EEOC)

1) Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on race, color, religion, sex and national origin.

   a. The Pregnancy Discrimination Act

   b. Sexual Harassment

2) The Equal Pay Act of 1963 (EPA)

3) The Age Discrimination in Employment Act of 1967 (ADEA)

4) Title I of the Americans with Disabilities Act of 1990 (ADA)

5) Sections 102 and 103 of the Civil Rights Act of 1991

6) The Genetic Information Nondiscrimination Act of 2008 (GINA)

7) Sections 501 and 505 of the Rehabilitation Act of 1973

Laws enforce by the Office of Federal Contract Compliance Programs (OFCCP)

1) Executive Order 11246 – requires that IUPUI take affirmative action to ensure that equal opportunity is provided in all aspects of their employment.
   http://www.dol.gov/ofccp/regs/statutes/eo11246.htm

2) Section 503 of the Rehabilitation Act of 1973, as amended requires that IUPUI take affirmative action to employ and advance in employment qualified individuals with disabilities.
   http://www.dol.gov/ofccp/regs/compliance/ca_503.htm

3) Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended requires that IUPUI take affirmative action to employ and advance in employment qualified special disabled veterans, veterans of the Vietnam era and any other veterans who served on

active duty during a war or in a campaign or expedition for which a campaign badge has been authorized.
http://www.dol.gov/ofccp/regs/compliance/ca_vevraa.htm

Laws enforce by the United States Department of Labor (DOL)

1) Title IX, Education Amendments of 1972 states that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.
   http://www.dol.gov/oasam/regs/statutes/titleIX.htm

Individuals who have concerns or questions regarding the University's compliance under any of the above regulations should contact the Office of Equal Opportunity. Complaints will be handled confidentially and promptly with the purpose of an equitable resolution.

Responsibility for coordinating, communicating, interpreting, and monitoring equal opportunity policies resides with Dr. Kim D. Kirkland, Director of the Office of Equal Opportunity at IUPUI. This Office maintains a comprehensive program for handling complaints and is located in the Lockefield Village, 980 Indiana Avenue, Suite 1164. For copies of the official university policies or the complaint procedures, contact the Office at (317) 274-2306.