Northern Illinois University

Your Future. Our Focus.

AFFIRMATIVE ACTION & EQUAL OPPORTUNITY

2023-2024 Affirmative Action Plan
Presented By: Alan Clay, Director, Affirmative Action & Equal Opportunity
Key Concepts

• Equal Opportunity

• Equal Employment Opportunity (i.e. EO 11246)

• Affirmative Action
  – Office of Federal Contracts and Compliance Programs (OFCCP)
Affirmative Action Program VS. Affirmative Action Plan

**Affirmative Action Program:**
- Comprehensive management system designed to detail and guide a federal contractor’s positive steps to ensure equal employment opportunity [41 CFR 60-2.10(a)]
  - Recruitment and Hiring, Personnel Decision Process Review and Documentation
  - Compensation Analysis
  - Action-oriented programs ensuring equal opportunity at NIU

**Affirmative Action Plan (AAP):**
- Adverse Impact Analysis
- **NIU AAP year: Nov. 1 – Oct. 31**
- **Updated annually** to provide a report on good faith efforts to ensure equal employment opportunity.
Affirmative Action Plan

AAP Narratives

• The written AAP consists of 3 narratives:
  – **Females and Minorities**
    • *Executive Order 11246*
  – Individuals with Disabilities
    • *Section 503*
  – Protected Veterans
    • *VEVRAA*
Affirmative Action Plan

Narrative Requirements: Females and Minorities

- Workforce Analysis
- Job Group Analysis
- Incumbency vs. Availability Analysis
- Placement Goals
AAP Assessment
Analysis as of 11/01/2023

NORTHERN ILLINOIS UNIVERSITY

Job Group Summary

<table>
<thead>
<tr>
<th>Gender</th>
<th>Race</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>Female</td>
<td>Total</td>
<td></td>
</tr>
<tr>
<td>1,579</td>
<td>2,036</td>
<td>3,615</td>
<td>43.68%</td>
</tr>
<tr>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
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<tr>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Race</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>2,747</td>
<td>75.99%</td>
</tr>
<tr>
<td>Minority</td>
<td>868</td>
<td>24.01%</td>
</tr>
<tr>
<td>Unknown Race</td>
<td>0</td>
<td>0.00%</td>
</tr>
</tbody>
</table>
Incumbency vs. Availability

• Arguably the most Important AAP Report
• **Incumbency**
  – Number of total incumbents in a job group
• **Availability**
  – Percentage estimate of qualified minorities and women for employment in a given job group within the recruitment area (i.e. *external availability*) and within the organization (i.e. *internal availability*)
NIU Recruitment Areas

<table>
<thead>
<tr>
<th>Job Group</th>
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<tbody>
<tr>
<td>5E - Office Clerks</td>
</tr>
<tr>
<td>5F - Office Support Associate</td>
</tr>
<tr>
<td>5G - Office Support Specialist</td>
</tr>
<tr>
<td>5H - Records</td>
</tr>
<tr>
<td>5J - Stores/Inventory</td>
</tr>
<tr>
<td>6A - Skilled Trades</td>
</tr>
<tr>
<td>6B - Skilled Trades Supervisor</td>
</tr>
<tr>
<td>7A - Operatives</td>
</tr>
<tr>
<td>8A - Laborers &amp; Helpers</td>
</tr>
<tr>
<td>9A - Building Services</td>
</tr>
<tr>
<td>9B - Building Services Extra Help</td>
</tr>
<tr>
<td>9C - Building Services Supervisor</td>
</tr>
<tr>
<td>9D - Food Service</td>
</tr>
<tr>
<td>9E - Food Service Extra Help</td>
</tr>
<tr>
<td>9F - Food Service Supervisor</td>
</tr>
<tr>
<td>9G - Laboratory Services Extra Help</td>
</tr>
<tr>
<td>9H - Security Services</td>
</tr>
<tr>
<td>9I - Service Maintenance</td>
</tr>
<tr>
<td>9K - Service Maintenance Supervisors</td>
</tr>
<tr>
<td>9L - Services</td>
</tr>
</tbody>
</table>

Census Aggregations

Census Areas

Area: NIU Custom MSA
Weighted: No

<table>
<thead>
<tr>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>Boone County, IL</td>
</tr>
<tr>
<td>Cook County, IL</td>
</tr>
<tr>
<td>DeKalb County, IL</td>
</tr>
<tr>
<td>DuPage County, IL</td>
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<tr>
<td>Kane County, IL</td>
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<tr>
<td>Kendall County, IL</td>
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<tr>
<td>Lake County, IL</td>
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<tr>
<td>McHenry County, IL</td>
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<tr>
<td>Ogle County, IL</td>
</tr>
<tr>
<td>Will County, IL</td>
</tr>
<tr>
<td>Winnebago County, IL</td>
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</tbody>
</table>
NIU Recruitment Areas cont.

- All Faculty, SPS, and other Civil Service job groups not shown in the previous slide
- 100% United States
- Survey of Earned Doctorates (SEDS) – 100% United States
Incumbency vs. Availability cont.

- When the percentage of minorities or women employed in a particular job group is less than would reasonably be expected given their availability percentage in that particular job group (i.e. underutilization), a placement goal is established for the job group.
Placement Goals

• Serve as objectives or targets that are reasonably attainable by making every good faith effort to make all aspects of the entire affirmative action program work.

• Used to measure progress toward achieving equal employment opportunity.

• Do not represent a finding nor an admission of discrimination. They also do not result in financial repercussions.
Job Group has a placement goal, Now what?

– The OFCCP expects NIU to perform meaningful diversity outreach, recruitment and other **Good Faith Efforts (GFEs)** to attract and promote more qualified women and minorities from their respective availability pools

– The department should work with AAEO to strategize and develop **GFEs and action-oriented programs** and steps to attract and promote more qualified women and minorities
Examples of **Good Faith Efforts**

- Attend job fairs focused on jobs specific or related to the department
- Offer internships to students studying fields of the department’s jobs.
- Develop and mentor women and minorities in the department’s job areas
- Recruit minorities and women from surrounding community colleges within the custom MSA
- Send job openings to minority and women centric publications, job boards, newspapers, etc.
- Provide outreach opportunities for minority and women who work in the fields of the job group
- Volunteer with job group-related associations and programs for minorities and women.
What if NIU did not meet Placement Goal again?

• The OFFCP require federal contractors to report progress, or lack thereof, in attaining job goals.

• If a Placement Goal is unmet, the federal contractor must document both GFEs and reasons for their failure to reach the target.
Adverse Impact

• Defined as a substantially different rate of selection in hiring, promotion, or other employment decision which works to the disadvantage of members of a race, sex, or ethnic group

• NIU’s responsibility per the regulations is to find out what happened and make sure the decisions are not discriminatory
  – All findings must be documented
Adverse Impact

• While we are required to set placement goals for Females and Minorities, for compensation and Adverse Impact purposes, the OFCCP is looking for disparity for **ANY race** or **EITHER sex**
  – Ex. We may see that we have a disparity for whites or for males
Adverse Impact

Action items to investigate Adverse Impact indicators

• Hires

• Promotions

• Terminations
NIU Requirements

• Must have an AAP annually [41 CFR 60-2.1(c)]
• Must communicate to leadership and individuals who make employment decisions on AA/EEO policies and practices annually [41 CFR 60-2.17(d)]
• Must post every position with the state employment office (i.e. IDES) with these exceptions:
  – Jobs that last fewer than 3 days
  – Jobs that are to be filled internally
  – Jobs that are executive level
NIU Requirements

• Must make and document good faith efforts to recruit and retain 3 key groups, even when there are no placement goals
• Must research and document areas where adverse impact occurs and placement goals are established
• Must have an approved AA/EEO tagline on every position that is posted and purchase orders and contracts
NIU Requirements

• **Record Retention (41 CFR 60-1.12)**
  – Must maintain proper records as they relate to employment decisions. Examples include:
    • Interview questions
    • Evaluation/Assessment criteria and forms
    • Proofs/Copies/Screenshots of all advertisements
    • Itineraries/schedules of interviews
    • All notes **used or factored** in the actual selection or decision-making process
Affirmative Action Summary

• Aims to eliminate discrimination in any and every form
• Does not require an organization to hire a person who lacks qualifications to perform the job successfully, or hire a less qualified person in preference to a more qualified one
• Uses statistical analyses, data, and reports to highlight where organizations are underutilized in the employment of available and qualified minorities and women
• Emphasizes that GFEs and action-oriented programs be developed and implemented to recruit available and qualified minorities and women
Affirmative Action Summary cont.

• Suggests that when organizations develop robust and pragmatic systems and processes to address the goals and areas of concerns that AAPs highlight, that available and qualified minorities and women **over time** will be hired and promoted that will eventually eliminate goals and potential adverse impact areas (i.e. achieve equal opportunity)
“We seek not just freedom but opportunity. We seek not just legal equity but human ability, not just equality as a right and a theory but equality as a fact and equality as a result.”

– President Lyndon B. Johnson at Howard University Commencement Ceremony, 1965