

August 12, 2020

## MEMORANDUM

**TO:** Employees of the Texas A&M Engineering Experiment Station


**SUBJECT:** Reaffirmation of Commitment to Equal Employment Opportunity and Affirmative Action

Texas A&M Engineering Experiment Station (TEES) is a federal contractor subject to the provisions of Executive Order 11246, as amended. To confirm our continuing commitment to providing equal opportunity in employment practices and maintaining a diverse workforce, TEES has adopted a policy of affirmative action.

TEES is committed to enriching the environment for all visitors and employees by promoting a culture that embraces inclusion, diversity, equity, and accountability. Diverse perspectives, talents, and identities are vital to accomplishing our mission and living our core values. To achieve our objectives in the areas of research and service, we are dependent on the effective utilization of our employees and strive to creating an atmosphere which values and nurtures collegiality, diversity, and the uniqueness of each employee.

Engineering Human Resources has overall responsibility for administering, monitoring and updating the Affirmative Action Plan on a regular basis. To review a copy of the plan, please contact Director of Engineering Human Resources, Damon Slaydon at (979) 458-7699.

Through professional development and a commitment to the objectives of affirmation action and equal employment, TEES will foster an environment to attract and retain a diverse workforce. As Director of TEES, it is my commitment to make certain that equal employment opportunity is provided through TEES to all current and prospective employees.



M. Katherine Banks, Ph.D., P.E.  
Vice Chancellor of Engineering and National Laboratories, The Texas A&M University System  
Dean of Engineering, Texas A&M University  
Director, Texas A&M Engineering Experiment Station  
University Distinguished Professor  
Harold J. Haynes Dean's Chair Professor

# INTRODUCTION

---

The Texas A&M Engineering Experiment Station (TEES) is an internationally recognized world leader in transformational engineering. For over 100 years TEES has transformed our world through innovative engineering solutions to society's greatest challenges through research, workforce development and technology leadership. The TEES mission, as defined by our charter as a Texas state agency, is to:

- perform quality research to address society's needs,
- support the state's workforce through continuing and professional education, and
- develop and transfer technology to industry.

The 2019 Affirmative Action Plan (AAP) provides a statement of the principles and policies that commit the Texas A&M Engineering Experiment Station (TEES) to equal employment opportunity and addresses administration of the Affirmative Action Program. This Affirmative Action Plan reflects an analysis of data collected during the following reporting period: January 1, 2019 through December 31, 2019. Executive Order 11246, as revised, is the basis for the AAP for each agency employee and applicant for employment.

The AAP outlines the policies, practices, and procedures of TEES to hire, promote and retain qualified individuals without regard to race, color, religion, sex, age, national origin, disability and protected veteran status. Such a plan helps to support the *agency's* efforts to create a work environment that reflects diversity. The *agency* defines diversity as being a commitment to recognizing and appreciating the variety of characteristics that make individuals unique in an atmosphere that promotes and celebrates individual and collective achievement.

Furthermore, the Plan summarizes the measures taken to achieve representation of women and minorities within each organization division's workforce. Each agency division also assumes responsibility for promoting job opportunities for disabled individuals and protected veterans.

TEES is a federal contractor and recipient of federal funds. The *agency* is subject to the requirements for federal contractors under Executive Order 11246, as revised, and other related state and federal legislation. Such legislation provides for equal employment opportunities.

Section I of this Plan covers a diverse workforce including minorities and women and is organized into sections reflecting the topics suggested by OFCCP's Title 41, CFR 60, as

necessary components of an effective, results-oriented Affirmative Action Program. Section II discusses the AAP for the employment and advancement in employment of disabled individuals and protected veterans.

Plans for a diverse workforce including women and minorities (Section I), as well as disabled individuals, disabled veterans, and protected veterans (Section II), are contained herein and are made available, upon request, to the U.S. Labor Department's Office of Federal Contract Compliance Programs (OFCCP).

Supporting materials such as publications, forms, and auxiliary reports are contained in separate reports. These separate reports are compiled and calculated to show the results of this ongoing program. Engineering Human Resources maintains the primary support data for each AAP. Affirmative action augments equal employment opportunity as outlined in the Affirmative Action Guidelines issued by the Equal Employment Opportunity Commission, 29 CFR, Part 1608. Affirmative action requires the use of valid job-related standards in recruiting, hiring, and promotion.

Many portions of The Texas A&M University System's policies and regulations and TEES rules and procedures from specific areas are incorporated by references in the appropriate sections of the Plan. The A&M System policies and regulations referenced throughout this Plan are found via System Policies & Regulations website: <http://www.tamus.edu/legal/policy/policy-and-regulation-library/> and TEES Rules are available via <http://tees.tamu.edu/rules>.

The terms "availability," "problem area," "concentration," "underrepresentation," "underrepresented," and "goal" appearing in the Affirmative Action Plan are terms that the OFCCP regulations may require to be used in the AAP. These terms have no independent legal or factual significance whatsoever outside the context of OFCCP regulations. Although TEES uses these terms in good faith in connection with its AAP, such usage does not signify that TEES agrees that these terms are properly applied to any particular factual situation or that they have any independent meaning outside the context of OFCCP regulations.

The Texas A&M Engineering Experiment Station is composed of various research, finance and administration divisions. The agency profile may be accessed via the TEES website <http://tees.tamu.edu>.

# TABLE OF CONTENTS

<b>AFFIRMATIVE ACTION PLAN FOR A DIVERSE WORKFORCE.....</b>	<b>1</b>
I. Organizational Profile / Workforce Analysis .....	2
II. Job Group Analysis .....	2
III. Availability Analysis .....	3
A. External Availability.....	3
B. Internal Availability .....	4
C. Calculation of Availability Estimate.....	4
IV. Comparing Incumbency to Availability.....	4
V. Placement Goals.....	4
VI. Designation of Responsibility .....	5
A. Other Key Personnel .....	6
VII. Identification of Problem Areas .....	6
A. Personnel Activity Monitoring .....	6
B. Analysis of Selection and Recruitment Information .....	7
C. Compensation Administration .....	7
D. Local Economic Conditions .....	7
E. Engineers in the Workforce .....	8
F. Research Workforce Issues.....	8
VIII. Action Oriented Programs.....	8
A. Partnership with Texas A&M University College of Engineering .....	9
B. Recruiting .....	9
C. Industry Interaction and Support.....	10
D. Training .....	10
E. Position Specifications .....	11
F. Compliance and Monitoring Efforts.....	11
G. Policies and Processes.....	13
H. Dissemination of AAP, Polices, Processes.....	13
IX. Internal Audit and Reporting .....	13
A. Internal Monitoring.....	13
B. Reporting .....	14
<b>TEES' AFFIRMATIVE ACTION AND NONDISCRIMINATION OBLIGATIONS</b>	
<b>REGARDING INDIVIDUALS WITH DISABILITIES AND PROTECTED VETERANS</b>	<b>15</b>
I. Equal Employment Opportunity Policy .....	15
II. Review of Personnel Processes .....	17

III.	Physical and Mental Qualifications .....	17
IV.	Reasonable Accommodation of Physical and Mental Impairments.....	18
V.	Harassment .....	18
VI.	External Dissemination/Recruiting.....	19
VII.	Internal Dissemination .....	19
VIII.	Audit and Reporting Systems .....	19
IX.	Responsibility for Implementation.....	19
X.	Training .....	20
XI.	Data Collection .....	20

# SECTION I

---

## AFFIRMATIVE ACTION PLAN FOR A DIVERSE WORKFORCE

This Affirmative Action Plan establishes specific and results-oriented procedures to which the *agency* is committed. These procedures, coupled with good faith efforts, are designed to achieve the full representation of a diverse workforce, including women and minorities, at all levels and in all parts of the workforce through affirmative action.

An effective affirmative action plan consists of the following major objectives:

- Increase the representation of women and minority workforce populations, at representation levels reflective of labor market availability.
- Monitor the composition of the workforce by minority group status and sex to ensure that a diverse proportion of individuals are at least equal to the respective qualified individuals available in the relevant labor markets.
- Communicate internally and externally TEES' commitment to affirmative action and equal employment opportunity practices.

*Applicability.* This plan narrative is applicable to all TEES divisions including the affiliate departments of the Texas A&M University College of Engineering.

*Equal Employment Opportunity Through Affirmative Action.* It is the policy of the Texas A&M Engineering Experiment Station, a member of The Texas A&M University System (TAMUS), to ensure equal employment opportunity for all persons and to take additional affirmative action efforts to recruit, employ, train, and promote qualified members of protected groups. (See TAMUS Regulation **08.01.01** -Civil Rights Compliance).

*"Affirmative action"* means the *agency* will make good faith efforts to increase workforce diversity at all levels of the organization, including opportunities for women and minorities, and to remove any impediments that may be encountered in accessing agency programs and activities. Affirmative action does not mean lowering of standards of excellence or hiring unqualified persons for research or administrative appointments. It does not preclude the *agency* from continuing to provide logical and balanced programs to meet the research and technological needs of a broad spectrum of society. It should also be noted that affirmative action does not automatically take priority over all other legitimate goals and policies of the *agency*.

## I. ORGANIZATIONAL PROFILE / WORKFORCE ANALYSIS

A workforce analysis is prepared for the agency and includes an employee listing by category as defined in the EEO-4, and a salary analysis for each division or similar administrative division. The Office of Federal Contract Compliance Programs' (OFCCP) affirmative action guidelines (Title 41, Code of Federal Regulations 60-2.11) require a workforce analysis as indicated:

A workforce analysis is a listing of each job title as appears in applicable payroll records ranked from the lowest paid to the highest paid within each division. Where there are no formal progression lines or usual promotional sequences, job titles should be listed by department, job families, or disciplines, in order of wage rates or salary ranges. For each job title, the total number of incumbents, the total number of male and female incumbents, and the total number of male and female incumbents in each of the following groups must be given: Whites, Blacks, Hispanics, Asians, Hawaiian/Pacific Islanders, American Indians/Alaskan Natives and two or more races. The wage rate or salary range for each job title must be given. All job titles, including all managerial job titles, must be listed.

## II. JOB GROUP ANALYSIS

A job group analysis is a method of combining job titles within the agency for the purposes of comparison of the representation of minorities and women in its workforce with the estimated availability of minorities and women qualified to be employed in the relevant recruitment area.

To allow for consistency in comparison, within each major EEO-4 category, employees are subdivided into categories that have similar criteria and commonality, based on the guidelines outlined in Title 41, CFR 60-2.12(b). TEES has grouped jobs with similarity to the duties and responsibilities of the job titles which make up the job group. Similarity of opportunities refers to training, transfers, promotions, pay, mobility, and other career enhancement opportunities offered by the jobs within the job group. TEES takes into consideration the size of its workforce and the structure of its compensation system when evaluating the degree of similarity in wage rates.

### **EEO Job Category**

EEO1 - Executive/Administrative/Managerial

EEO2 - Faculty

EEO3 – Professional / Non-Faculty

EEO4 – Secretary / Clerical

EEO 5 – Technical / Paraprofessional

EEO 6 – Skilled Craft

Employees are placed in these job groups using position responsibility as the primary guide. The agency's classification and compensation specialist assigns these designations according to the existing categorical structure provided through the Texas A&M University System's pay plan. This plan includes a standardized collection of titles and associated market-based pay structures and is designed to be used across the entire A&M System.

Texas A&M University System utilizes a standard system (Workday) to organize and store current data on all agency employees. Employees are instructed through routine employee notices to access and modify information about himself/herself.

In accordance with Title 41, CFR 60-2.13, the actual numbers and percentages of incumbents in specified job categories are maintained and available through Engineering Human Resources. The information lists the job titles in each of the designated job categories and provides the total number of incumbents, total number of minorities, and total number of male and female incumbents.

### III. AVAILABILITY ANALYSIS

The availability analysis, required by Executive Order 11246, contains an analysis of all job categories within the *agency*. "Availability" is an estimate of the proportion of each sex and race/ethnic group available and qualified for employment at Texas A&M Engineering Experiment Station for a given job category in the relevant labor market during the life of the AAP. Availability indicates the approximate level at which each race/ethnic and sex group could reasonably be expected to be represented in a job category if Texas A&M Engineering Experiment Station's employment decisions are being made without regard to sex, race, or ethnic origin. Availability estimates, therefore, are a way of translating equal employment opportunity into concrete numerical terms. Correct comparisons of incumbency to availability, worthwhile and attainable goals, and real increases in employment for problem groups depend on competent and accurate availability analyses. With valid availability data, we can compare the percentages of those who could reasonably be expected to be employed versus our current employment (from the workforce analysis), identify problem areas or areas of underrepresentation, and establish goals to correct the problems.

#### A. EXTERNAL AVAILABILITY

A comparison of the actual workforce to the numbers of qualified individuals, including women and minorities, available in the relevant labor markets provides the basis for the determination of availability estimates. Data based on "Census 2006-2010", collected as of January 2012, is used to determine the availability in the relevant markets.



The reasonable recruitment areas identified for affirmative action purposes include the local Bryan and College Station statistical area, the state of Texas, and the United States.

### B. INTERNAL AVAILABILITY

The pool of promotable, transferable, and trainable employees is not defined in such a way to have the effect of excluding minorities or women. Rather, it is based on historical data found in the TEES Affirmative Action Plan identifying the number of individuals within a particular job group that may be generally qualified to advance to the other available job group categories. These individuals are statistically represented in the Internal Recruitment section of the Availability Analysis Detail report.

### C. CALCULATION OF AVAILABILITY ESTIMATE

The final availability estimates for each job category are indicated on the Availability Analysis worksheets. The Availability Analysis Detail report identifies the external and internal statistical sources and weighting factors. This information is maintained and available through Engineering Human Resources.

## IV. COMPARING INCUMBENCY TO AVAILABILITY

In accordance with Title 41, CFR 60-2.15, TEES compares the percentage of minorities and women in each job category with the availability estimates determined for that job category. When the percentage of minorities or women employed in a particular job category is statistically significantly less than would reasonably be expected given their availability percentage in that particular job category, TEES established a placement goal.

In determining whether the percentage of minorities or women in a job category was less than would be reasonably expected given their availability percentage in the relevant recruitment area, TEES utilizes the Chi Square Analysis.

The results of the comparison of incumbency to availability for TEES are maintained and available through Engineering Human Resources.

## V. PLACEMENT GOALS

The establishment of a Placement Goal in accordance with Title 41, CFR 60-2.16, does not amount to an admission of impermissible conduct. It is neither a finding of discrimination nor a finding of a lack of good faith affirmative action efforts. Rather, the establishment of a Placement Goal is designed to be a technical targeting term used exclusively by affirmative action planners who seek to apply good faith efforts to increase in the future the percentage employment of minorities and women in the workforce to reflect current availability.

In accordance with Title 41, CFR 60-2.15, where TEES has determined that the percentage of minorities or women employed in a particular job category is statistically significantly less than would reasonably be expected given their availability percentage in that particular job category, TEES has established an Annual Placement Goal equal to the availability percentage for minorities or women, as appropriate, for that job category.

Annual Placement Goals apply to movement into a job category whether from new hire or from promotion/transfer from another job group. TEES puts forth a good faith effort to achieve its Annual Placement Goals through the execution of action-oriented programs further described in later sections of this Plan. TEES Annual Placement Goals are maintained and available through Engineering Human Resources.

TEES will not discriminate against any applicant or employee because of color, national origin, race, religion, disability, age or sex. TEES will make all employment decisions in a non-discriminatory manner.

## VI. DESIGNATION OF RESPONSIBILITY

### **41 C.F.R. § 60-2.17(a)**

The *agency's* affirmative action procedures are designed to achieve accountability through decentralized responsibility. Thus, these procedures make affirmative action considerations an integral part of the regular process of employee selection, retention, and advancement. In addition to agency efforts, divisions are encouraged to take initiative to identify a diverse workforce including women and minorities, in their applicant pools for position vacancies.

The Director of TEES assumes ultimate responsibility for the success of the *agency's* affirmative action program. The Director of TEES has delegated specific authority and responsibility for affirmative action to each of the *agency's* division heads. Individual operating divisions within the *agency* share the administrative responsibility for day-to-day monitoring of the program.

The Director of Engineering Human Resources serves as the *agency's* Affirmative Action Representative and coordinates, monitors, and reports the *agency's* equal employment opportunity/affirmative action activities. The Director of Engineering Human Resources monitors the affirmative action program, serves as a consultant on equal opportunity issues, and receives complaints from employees filed through the *agency's* grievance procedure. Engineering Human Resources performs periodic audits of training programs and hiring and promotion patterns to isolate impediments to the attainment of goals and objectives. Career counseling is made available to employees and periodic audits are performed to ensure that EEO posters are properly displayed.

The head of each recognized TEES division has the responsibility for supporting the equal opportunity policy and affirmative action program and to provide leadership in carrying out the goals and objectives of the *agency*.

Managers and supervisors are expected to apply the principles of equal employment opportunity in all personnel actions. The performance evaluation of these administrative employees includes consideration of their efforts to ensure equal employment opportunities, as well as other work performance criteria. Managers and supervisors are also encouraged to monitor their staff's participation in mandatory training sessions pertaining to Ethics and Creating a Discrimination Free Workplace and other relevant sessions.

#### **A. OTHER KEY PERSONNEL**

Operational responsibility for monitoring equal employment compliance certifications for procurement sources and suppliers for the *agency* lies with the TEES Controller and TEES HUB Coordinator.

The Controller and TEES Procurement Services and HUB Coordinator monitors, evaluates, and prepares reports to federal and state compliance agencies regarding the progress of efforts with respect to the Historically Underutilized Businesses (HUB).

The Texas A&M University System's Vice Chancellor of Facilities Planning and Construction and the Board of Regents have responsibility for non-discriminatory selection of contractors on projects for the *agency*. Businesses owned by minorities and women will be actively sought for contracting opportunities in compliance with state set levels and TAMUS policies.

Contractual equal employment clauses and other legal material are monitored by The Texas A&M University System General Counsel's Office.

## **VII. IDENTIFICATION OF PROBLEM AREAS**

### **41 C.F.R. § 60-2.17(b)**

#### **A. PERSONNEL ACTIVITY MONITORING**

Information derived as required by Title 41, CFR 60-2.11, relating to a workforce analysis, the analysis required by Title 41, CFR 60-2.15, and similar analyses are used to analyze the workforce by division and job group to determine if there are patterns that may indicate issues related to minority or female representation or their distribution. Similarly, analyses are performed to monitor the total employment process (hires, involuntary terminations, promotions) to determine whether there are impediments to equal employment opportunity.

## B. ANALYSIS OF SELECTION AND RECRUITMENT INFORMATION

Engineering Human Resources analyzes application processes, interviewing procedures, and other screening procedures to ensure that applicants are rated based on qualifications and job need.

The *agency* maintains demographic information on applicants who apply for vacant non-faculty positions posted through the online employment system. The information requested is part of the application process and is optional to the applicant.

Engineering Human Resources reviews job specifications submitted by the *agency's* supervisors when initiating the employment process. The specifications are reviewed to ensure that they are not discriminatory with regard to race, color, sex, religion, national origin, age, physical or mental disability, or veteran status.

## C. COMPENSATION ADMINISTRATION

In addition to the analysis required by Title 41, CFR 60-2, prepared and used to annually update the *agency's* Affirmative Action Plan, Engineering Human Resources has implemented a systematic review and evaluation of position classification actions and compensation activities for professional and administrative positions. This process ensures that positions with the same title have the same basic value and are, in fact, comparable in terms of essential job content, required educational level, and necessary experience criteria.

System wide salaries and employee profiles are reviewed and taken into consideration for equity, promotions and the creation of new positions to negate any internal compression issues among members and to maintain consistency across job positions.

## D. LOCAL ECONOMIC CONDITIONS

Economic conditions in the local area directly influence the *agency's* competitiveness as a prospective employer in some areas of the workforce. Locally, business expansion has been focused in the areas of retail outlets, restaurants, production, student housing and service businesses. Private sector employers offer competitive compensation and benefit packages, which attracts a greater number of individuals from the local applicant pool. The local labor market continues to maintain one of the lowest rates of unemployment in the State. The State of Texas had an average unemployment rate of 3.5% during 2019, which is down .4%. The Bryan/College Station area rate for the same period was 2.8%, also down slightly from the previous year.<sup>1</sup>

---

<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, Local Area Unemployment Statistics; Retrieved from <http://www.bls.gov/lau>

## E. ENGINEERS IN THE WORKFORCE

The *agency* continues to find that engineering as a discipline presents unique difficulties in meeting affirmative action goals because of the low number of qualified women and minority engineers available in the engineering workforce. Because of these limited numbers, there is intense competition with private sector employers as well as other research university agencies for qualified applicants in this pool.

## F. RESEARCH WORKFORCE ISSUES

TEES strives to become an internationally recognized leader in applied research, product development and commercialization. Through this we will respond to changes in a dynamic world through a variety of means and expand our network of potential research workforce individuals.

Previously concerns have been conveyed by prospective research and faculty-equivalent employees, including women and minorities, regarding the inability to offer salaries as high as those offered by private sector employers, universities, and other research centers; proposed lower levels of funding for research. TEES has addressed these concerns through many of our Action Oriented Programs, specifically those targeting partnerships with industry.

Through research partnerships we will shape the national research agenda , extend research expertise to emerging technologies in the areas of healthcare, manufacturing, infrastructure, security and workforce development as well as and expand TEES research centers globally.

By creating a workforce development platform for discovery, tracking, delivery and marketing, TEES strives to identify, develop and promote best practices and models for workforce development. Efforts to develop national standards for engineering professional development are underway to advance continuing education standards for transformational engineering with private industry.

TEES strives to become a recognized leader in fostering entrepreneurship by developing intellectual guidelines through industry partners.

## VIII. ACTION ORIENTED PROGRAMS

The action oriented programs instituted by the *agency* strive to increase recruitment and retention of under-represented groups in coordination with affirmative action goals. (41 C.F.R. § 60-2.17(c))

## A. PARTNERSHIP WITH TEXAS A&M UNIVERSITY COLLEGE OF ENGINEERING

The unique organizational structure of the *agency* in relation to the Texas A&M University College of Engineering presents a shared interest in effective recruitment of women and minority engineers. To that end, the *agency* is partnered with the Texas A&M University College of Engineering in gaining exposure through programs designed to attract women and minority students for undergraduate and graduate study and research, with the intent of increasing the available pool of women and minorities, including the number of Ph.D. candidates, for future research positions. Preparing engineering students ready to work by building upon partnerships with industry, engineering practitioners and former students, the College of Engineering has enhanced the impact on the engineering profession.

1. Engineering Village - Successful retention programs such as the Engineering Living Learning Community is an academic residential experience district for engineering student and designed to be an extension of the classroom by offering academic, professional and social support to engineering students.
2. E3 Teacher Summer Research Program – the Enrichment Experiences in Engineering (E3) program offers secondary school science, math and career technical education teachers a summer residential engineering research experience. This integrated math/science program is designed to provide teachers tools to introduce engineering concepts to students encouraging them to consider a career in engineering.
3. Maker U – this interactive and innovate approach to professional development provides for hands-on lessons, activities and projects tailored to transform a certified PK-12 teacher into a confident and prepared makerspace educator.
4. STEM 4 Innovation – K-12 STEM provides educators, administrators and counselors across the state with ideas, strategies and resources to encourage more students to pursue STEM.

## B. RECRUITING

TEES continues to seek women and minorities through advertising vacancies for research, administrative and technical support positions through various promotional avenues.

1. Applications are received through an online employment system.
2. Reviewing job applications and other pre-employment forms to ensure information requested is job-related.
3. Evaluating selection methods to ensure they are job-related and consistent with business necessity.
4. Offer training to hiring supervisors on effective hiring practices.

5. Position vacancies are listed through Texas Workforce Solutions' WorkInTexas.com and The Texas A&M University System online employment site.
6. Electronic announcements of available employment opportunities are available via an email subscription protocol.
7. Professional publications are used to post certain vacancies to target women and minority applicant pools, such as the National Association of Minority Engineering Program Administrators, Women in Engineering Program Advocates Network and others.
8. Participation in job fairs to promote TEES to veterans and a more diverse applicant pool, exposing individuals to the benefits of employment with the agency.
9. Leverage with Texas engineering agencies in placing recruiting and employment ads with jobsites which further disseminate vacancy notices to multiple minority and female-orientated jobsites.
10. Online applicant screening questions are centrally assigned and monitored by Engineering Human Resources.

### C. INDUSTRY INTERACTION AND SUPPORT

TEES partners with industries, communities and academic institutes to solve problems that help improve the quality of life, promote economic development and enhance the educational system of Texas. Through these partnerships TEES is building a larger network from which to recruit and collaborate.

1. Corporate Relations – Actively engage with potential customers in strategic vertical markets and seek out opportunities to develop business strategies. We continue to broaden our exposure of our world-class facilities and resources.
2. Technical Assistance Program (TAP) – Provides cost effective technical assistance for small companies of 500 employees or less based in Texas. We work together to find solutions to increase efficiency of their operations, develop new market strategies and evaluate and improve manufacturing processes.

### D. TRAINING

Committed to our mission of education, research and outreach TEES supports the workforce through education and training pathways focusing on high technology areas. We do this by offering opportunities at various stages.

1. TEES EDGE, a division of TEES, offers a variety of state-of-the-art professional development and continuing education. TEES EDGE facilitates the educational activities provided by TEES centers to bring high-quality technical education to individual learners and organizations.
2. The Spark! PK-12 initiative provides engineering education programming from pre-kindergarten through 12<sup>th</sup> grade. The initiative works to inspire the next generation of engineers and raise STEM literacy through programs for students and families as well as professional development opportunities for teachers, counselors, and school administrators.

3. TEES promotes collaboration and outreach with two and four year institutions around the state of Texas. Through these partnerships, degree offerings are enhanced, research collaborations are formed, and pathways for students seeking to continue their higher education are created.

New employee orientation and processing includes an overview of employee applicable regulations, policy and rules relative to equal employment opportunity, sexual harassment and promoting a discrimination free workplace.

1. All employees are required to complete EEO training within 30 days of hire and again every two years.
2. Hiring supervisors are provided opportunity for training on conducting hiring in a nondiscriminatory manner.
3. Professional development and wellness opportunities coordinated by Engineering Human Resources are extended to all employees.

#### E. POSITION SPECIFICATIONS

1. Position descriptions are reviewed to ensure that the education, experience and skill requirements do not constitute inadvertent discrimination.
2. Position requirements are free from bias with regard to age, race, sex, color, national origin, religion, disability or veteran status.
3. Employee position descriptions are reviewed annually between supervisor and employee to ensure duties and responsibilities are reflected accurately.
4. Positions are reviewed in concurrence with the System-wide pay plan to ensure accuracy and consistency within our compensation plan.

#### F. COMPLIANCE AND MONITORING EFFORTS

1. Employee complaints and grievances are viewed as employee relations issues and are reviewed by the Director of Engineering Human Resources. Positive employer/employee relations are aided by effective communications concerning employment expectations. Satisfactory resolution of grievances and equitable application of agency policies are essential to the unity of staff effort and the maintenance of employee morale and productivity.
  - a. Non-faculty (Staff) Employees. **System Regulation 32.01.02 and TEES Rule 32.01.02.E1 - Complaint and Appeal Procedures for Nonfaculty Employees**, outlines a detailed process, which relies heavily on elements of conciliation and encourages resolution at the lowest level of management possible.
  - b. Faculty Employees with Joint Research Appointments. **System Regulation 32.01.01 - Complaint and Appeal Procedures for Faculty Members** outlines a process to resolve disputes that remain after all informal means of resolution



have been attempted. Grievance procedures for these joint appointees are incorporated in **Texas A&M University's Rule 12.01.99.M4 – Faculty Grievance Procedures not Concerning Questions of Tenure, Dismissal, Or Constitutional Rights.**

2. Facilities of the *agency* are available to all employees on a nondiscriminatory basis. Social, recreational and wellness program activities as well as self-development classes are available to all employees without regard to sex or ethnic/race status.
3. Agency pay and salary procedures are consistent with the data maintained in the Texas A&M University System pay plan. The plan contains salary ranges and steps of progression for all classified titles. Salary ranges are assigned to achieve vertical consistency among classifications.
  - a. Pay ranges are determined by a study of the duties and responsibilities of each job classification, a comparison of each classification to other job classifications in order to achieve internal consistency, salary data from relevant markets, and the supply and demand for the skills in each classification.
  - b. The Director of Engineering Human Resources reviews salaries for non-classified professional and administrative appointees. Salary offers are reviewed to ensure that fair, reasonable, and consistent rates are offered without regard to minority status or sex. Salary administration policy is addressed in **System Regulation 31.01.01 - Compensation Administration.**
  - c. Transfers and Promotions. **System Regulation 33.99.04 – Promotion, Transfer and Voluntary Moves** delineates guidelines to assist employees and employers in determining promotion or transfer opportunities.
4. Engineering Human Resources monitors compliance of posting regulations specifying employees' rights under Title VII of the Civil Rights Act of 1964, as amended, Executive Order 11246, the Equal Pay Act, and other federal and state regulations concerning equal employment opportunity.
5. The purchasing office within the *agency* will continue to incorporate an approved equal employment opportunity clause on purchase orders, leases and contracts covered by Executive Order 11246, as amended, and its implementing regulations.
6. The *agency's* personnel involved with research administration, working in coordination with the Texas A&M University Sponsored Research Services, will review federally funded contracts for research, as well as construction, rehabilitation, alteration, conversion, extension, and repair of buildings, equipment, roadways, sidewalks, and/or other real property, to include the appropriate equal opportunity and affirmative action clauses.

## G. POLICIES AND PROCESSES

1. All written personnel policies clearly stipulate its application to every employee on an equal basis regardless of the sex or race/ethnicity of the employee.
2. All employees have an equal opportunity to all jobs for which they are qualified. No distinction will be made between the sexes or races/ethnicities in regard to opportunities, wages, hours, or other conditions of employment.
3. There will be no distinction between the treatment of female and male employees in personnel actions.
4. The sexual harassment regulation commits the agency to a proactive preventive process. **(System Regulation 08.01.01, System Policy 08.01 Civil Rights Compliance, TEES Rule 08.01.01.E1)**

## H. DISSEMINATION OF AAP, POLICES, PROCESSES

The Texas A&M Engineering Experiment Station recognizes that, in order for this Affirmative Action Plan to succeed, it must be comprehensive in scope and the provisions of the Plan must be communicated to all management personnel and employees.

1. A summary of the *agency's* Affirmative Action Plan and applicable policies and procedures are distributed to the division heads. The division heads are responsible for communicating this information to individuals involved in personnel decisions within their respective division. Additionally, the plan is available for viewing via the TEES website (<http://tees.tamu.edu>).
2. Opportunities offered at meetings with supervisory personnel are utilized to explain the intent of the affirmative action and equal employment practices and each individual's responsibility for effective implementation.

## IX. INTERNAL AUDIT AND REPORTING

Pursuant to 41 C.F.R. § 60–2.17(d), TEES measures the effectiveness of the AAP to ensure that non-discrimination is incorporated into employment practices. Where a potential problem area may be identified, affirmative actions, as appropriate, are taken consistent with the action-orientated programs described in the previous section.

### A. INTERNAL MONITORING

The internal audit and reporting system measures the effectiveness of TEES' total affirmative action program and includes such actions as:

1. Maintaining and monitoring accurate and up-to-date records on applicants, hires, promotions, transfers and terminations by race/ethnicity and sex to ensure the nondiscriminatory policy is carried out.
2. Reviewing selection, promotional and training procedures to ensure they are nondiscriminatory.
3. Reviewing compensation practices when determining starting pay, salary ranges, merit increases and reclassification increases.

## B. REPORTING

1. The Director of TEES distributes a memorandum that reaffirms the *agency's* commitment to affirmative action annually to all employees. The commitment is also referenced in new employee orientation.
2. Engineering Human Resources advises administration of AAP effectiveness and recommends improvements as necessary.
3. The narrative section may be accessed via the TEES website at <http://tees.tamu.edu/about/statutory-required-reports>
4. The existence of the AAP is announced annually to employees.

# SECTION II

---

## TEES' AFFIRMATIVE ACTION AND NONDISCRIMINATION OBLIGATIONS REGARDING INDIVIDUALS WITH DISABILITIES AND PROTECTED VETERANS

### I. EQUAL EMPLOYMENT OPPORTUNITY POLICY

#### **41 C.F.R. §§ 60-300.44(a); 60-741.44(a)**

As a federal contractor, the Texas A&M Engineering Experiment Station (TEES) is subject to the provisions of section 503 of the Rehabilitation Act of 1973 as revised and extended by the Rehabilitation Act of 1998 and regulations (41 CFR Part 60-741 and 45 CFR 84) published to implement and administer the Act. The *agency* is also subject to the provisions of the Vietnam-Era Veterans' Readjustment Assistance Act (VEVRA) of 1974 and implementing regulations (41 CFR Part 60-250) that amended a 1972 Act with the same title, as well as the Jobs for Veterans Act. Congress has passed a succession of amendments to VEVRA protecting various and different kinds of veterans.

*TEES shall not discriminate against protected veterans and individuals with disabilities, and shall take affirmative action to employ and advance in employment qualified protected veterans and individuals with disabilities at all levels of employment, including the executive level. Such action shall apply to all employment practices.*

The following definitions apply to "Protected Veterans" throughout this Affirmative Action Plan:

1. Disabled Veteran

A veteran of the U.S. Military, ground, naval or air service who is entitled to compensation, or who but for the receipt of military retired pay would be entitled to compensation, under laws administered by the secretary of Veterans Affairs, or

A person who was discharged or released from active duty because of a service-connected disability.

2. Active Duty Wartime or Campaign Badge

This term describes a veteran who served on active duty in the U.S. military, ground, naval or air service during a war or in a campaign or expedition for

which a campaign badge has been authorized, under the laws administered by the department of defense.

3. Recently Separated Veteran

Any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty in the U.S. military, ground, naval or air service.

4. Armed Forces Service Medal Veteran

Any veteran who while serving on active duty in the U.S. military, ground, naval or air service, participated in a United States military operation which an Armed Forces service medal was awarded pursuant to Executive Order 12985(61 FR 1209).

The following definitions apply to individuals with a disability and explain what a disability includes:

1. Disabled Individual means one who has a physical or mental impairment which substantially limits one or more of such person's major life activities, has a record of such impairment, or is regarded as having such an impairment.
2. "Life activities" may be considered to include communication, self-care, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking and working. In addition, life activities include major bodily functions such as functions of the immune system, normal cell growth, respiratory, circulatory and other, as outlined in the Americans With Disabilities Act as Amended.
3. "Qualified disabled individuals" means a disabled individual who is capable of performing a particular job with or without a reasonable accommodation for the existing disability.

The Texas A&M Engineering Experiment Station provides equal employment and advancement opportunities to all individuals. Employment decisions are based on merit, qualifications, and abilities. TEES will not discriminate against any employee or applicant for employment on the basis of race, sex, national origin, age, color, religion, protected veteran status or physical and mental disability. The "affirmative action clause" contained in the regulations cited above is incorporated by reference in all contracts and subcontracts.

This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination and access to benefits and training.

## II. REVIEW OF PERSONNEL PROCESSES

### **41 C.F.R. §§ 60-300.44(b); 60-741.44(b)**

TEES ensures that personnel processes include careful, thorough and systematic consideration of job qualifications of applicants and employees with known disabilities and for Protected Veterans for employment, advancement and training opportunities. Further, TEES ensures that personnel processes do not stereotype disabled persons or Protected Veterans in a manner which limits their access to jobs for which they are qualified.

Selection procedures for employment, promotion, and training shall be reviewed to ensure careful, thorough, and systematic consideration of the qualifications of known disabled applicants and employees.

The employment application process provides an opportunity for applicants to self-identify as a protected group member.

In cases where the hiring division is aware of an applicant in a protected group, and that applicant is not selected for employment, justification is reviewed to ensure that qualifications were the basis of the hiring decision.

Opportunities for current employees to voluntarily self-identify are made available via the employee personal surveys, HR Connect, and other means.

## III. PHYSICAL AND MENTAL QUALIFICATIONS

### **41 C.F.R. §§ 60-300.44(c); 60-741.44(c)**

Engineering Human Resources reviews the qualification requirements contained in position descriptions to ensure that the requirements do not screen out qualified disabled individuals or Protected Veterans and to verify that the requirements are job related and consistent with business necessity and the safe performance of the job. The review is conducted as job position descriptions are changed and included as part of the position description updates.

Whenever qualification requirements are applied in such a manner that they tend to screen out a disabled veteran or a disabled individual on the basis of agency necessity and safe performance of the job, the burden of proof to demonstrate the necessity of these requirements rests with the *agency*. However, nothing in the federal regulations prohibits the employer from requiring a comprehensive medical examination at the employer's expense prior to the employment of the applicant provided that the results are used only in accordance with the selection for employment. Results of the examination shall be kept

confidential except for supervisors and managers, as well as medical and other such personnel who need the information for purposes related to employment.

#### IV. REASONABLE ACCOMMODATION OF PHYSICAL AND MENTAL IMPAIRMENTS

##### **41 C.F.R §§ 60-300.44(d); 60-741.44(d)**

A reasonable workplace accommodation will be made for any qualified individual with a disability as defined under the Rehabilitation Act of 1973, the Americans with Disabilities Act as amended, or the Texas Commission on Human Rights Act. In accordance with System Regulation 08.01.01, reasonable effort will be made to accommodate the physical or mental limitation, unless such an accommodation would impose an undue hardship on the conduct of the *agency's* operation. In determining the extent of obligation to provide such accommodation, factors such as financial cost and agency necessity may be considered. Supervisors made aware of such requests may seek counsel from Engineering Human Resources. The employee may be asked to provide a medical statement which will be utilized in determining what, if any, reasonable accommodation will be made. If an accommodation would constitute an undue hardship on the *agency*, supporting documentation provided to the employee will state the reason(s).

#### V. HARASSMENT

##### **41 C.F.R. §§ 60-300.44(e); 60-741.44(e)**

Harassment of any type is not tolerated, and to ensure the safety of employees and applicants, TEES has developed and implemented procedures to ensure that individuals with a known disability or Protected Veteran status are not harassed because of their disability or Veteran status. Discrimination complaints will be addressed in accordance with Texas A&M University System Regulation *32.01.02, Complaint and Appeal Process for Non-Faculty Employees*. Complaints of discrimination may include the perception of harassment in the form of denial of a promotion, employment or some other benefit or opportunity on the basis of race, sex, color, national origin, religion, age, disability or veteran status.

Complaints and grievances are viewed as employee issues and will be addressed by the Director of Engineering Human Resources. Interaction with TEES administration, division heads and employees will be coordinated through Engineering Human Resources as appropriate.

An employee or applicant filing a complaint that is not resolved may seek, at their discretion, assistance from state or federal agencies. The Director of Engineering Human Resources will coordinate the resolution or disposition of the complaint through mutual cooperation of the appropriate office, organization unit and others as appropriate.

## VI. EXTERNAL DISSEMINATION/RECRUITING

### **41 C.F.R. §§ 60-300.44(f); 60-741.44(f)**

Employees will be advised of the *agency's* obligation to engage in affirmative action efforts to employ qualified disabled individuals and Protected Veterans. This may be done through publications and various other channels of communication established through TEES. Unless filled through internal promotion or transfer, non-faculty vacant positions will be listed with Engineering Human Resources and the Texas Workforce Solutions. A representative of the Texas Rehabilitation Commission may be utilized for such purposes as advice, technical assistance, and referral of employment applicants.

## VII. INTERNAL DISSEMINATION

### **41 C.F.R. §§ 60-300.44(g); 60-741.44(g)**

Information relative to TEES' affirmative action policy will be provided to employees at new employee processing and other supervisory training programs. Posters informing employees of their rights under the law are displayed in areas where employees tend to congregate as well as being available from the Engineering Human Resources website. Compliance monitoring of these postings is conducted on an annual basis or when revisions to the postings are made. As required of all state agencies online access to the TEES Affirmative Action Plan is also provided.

## VIII. AUDIT AND REPORTING SYSTEMS

### **41 C.F.R. §§ 60-300.44(h); 60-741.44(h)**

Procedures to monitor the effectiveness of the *agency's* Affirmative Action Program include review of personnel and employment activity to assure the policy of non-discrimination against individuals with disabilities and Protected Veterans is carried out.

## IX. RESPONSIBILITY FOR IMPLEMENTATION

### **41 C.F.R. §§ 60-300.44(i); 60-741.44(i)**

The Director of TEES assumes ultimate responsibility for the success of the *agency's* affirmative action programs. The Director of TEES has delegated specific authority and responsibility for affirmative action to each of the *agency's* division heads. The individual operating divisions share the administrative responsibilities of day-to-day monitoring of the program.

The Director of Engineering Human Resources has been designated to coordinate all agency programs dealing with affirmative action. The Director of Engineering Human Resources and designated staff will monitor the research and professional staff appointment recommendations for conformity to affirmative action guidelines.



## X. TRAINING

### **41 C.F.R. §§ 60-300.44(j); 60-741.44(j)**

Employees of TEES are required to complete training relative to equal employment opportunity and affirmative action upon employment with repeat training every two years thereafter. Completion compliance is closely monitored. Additionally, as part of new employee orientation, information about the *agency's* procedures relative to complying with the Affirmative Action Plan and access to relevant TEES rules and A&M System regulations is provided. As needed, or desired by individual divisions, specific training is coordinated through Engineering Human Resources.

## XI. DATA COLLECTION

### **41 C.F.R §§ 60-300.44(k); 60-741.44(k)**

The Texas A&M Engineering Experiment Station has adopted the current national percentage of veterans in the civilian labor force of 5.7% as its hiring benchmark for protected veterans. TEES will update its hiring benchmark as new data is published and/or updated by the Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor. The 5.7% hiring benchmark is applied to each job category within the agency. TEES also adopted the current national utilization goal of 7.0% for qualified individuals with disabilities. TEES will update its utilization goal as new data is published and/or updated by OFCCP. The 7.0% utilization goal is applied to each job category within the agency. Goals and/or benchmarks do not require that Texas A&M Engineering Experiment Station hire, promote, train, and/or retain a specified number of individuals with disabilities and/or protected veterans. These goals/benchmarks are not rigid and inflexible quotas which must be met, but are instead targets that are reasonably attainable by means of applying good faith efforts to make all aspects of the entire AAP work. A goal is a guidepost against which the agency, a community group, or a compliance agency can measure progress in meeting affirmative action goals and benchmarks.