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**Owner:** *Kimberly Griffin: Dir Of Human Resources*  
**Policy Area:** *Human Resources and Employment*  
**References:**

## Equal Employment Opportunity

### Scope

This policy applies to all University of Texas Health Science Center at Tyler (the "University") staff.

### Purpose

To define the University's policy on providing equal opportunities in all employment-related activities, non-discrimination under any University sponsored program or activity, and maintaining a workplace free of harassment and intimidation.

### POLICY

As an Equal Opportunity Employer, the University will, in accordance with State and Federal law and regulations, provide equal opportunity in all employment related activities without regard to race, color, religion, national origin, gender, age, disability, sexual preference, or status as a disabled veteran or a veteran of the Vietnam Era.

Further, no person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under any program or activity sponsored by the University on any basis of race, color, national origin, religion, gender, age, veteran status or disability.

Non-discrimination also includes laws and regulations resulting from the Genetic Information Non-Discrimination Act of 2008 (GINA), which prohibits discrimination with respect to hiring, promotion and demotion, seniority, discipline, termination, compensation and other terms, conditions and privileges of employment. The GINA also prohibits policies and practices that limit, segregate or classify employees because of genetic information. More information on GINA, including exceptions, can be found at [www.eeoc.gov](http://www.eeoc.gov).

It is a policy of the University to maintain a work place free of sexual harassment and intimidation. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or such conduct has the purpose or effect of substantially interfering with an individual's professional performance or creating an intimidating, hostile or offensive employment environment.

All new employees are required to participate in training related to the University's non-discrimination policies,

including sexual harassment. Training must be completed within the first (30) thirty days of employment.

Employee inquiries, complaints or grievances under these policies may be directed to their immediate supervisor or manager, or the Office of Human Resources. Employees and applicants are protected from coercion, intimidation, interference or discrimination for filing a complaint or assisting in an investigation under the Acts covering these individuals.

## Applicable Employment Laws

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, and other aspects of employment on the basis of race, color, religion, sex, or national origin.

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving federal financial assistance.

The Age Discrimination in Employment Act of 1967, as amended, prohibits age discrimination and protects applicants and employees forty (40) years of age or older from discrimination on account of age in hiring, promotion, discharge, compensation, terms, conditions, or privileges of employment.

The Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq. prohibits discrimination on the basis of sex.

Section 503 of the Rehabilitation Act of 1973, as amended, prohibits job discrimination because of handicap and requires affirmative action to employ and advance in employment qualified handicapped individuals who, with reasonable accommodation, can perform the functions of a job.

The Americans with Disabilities Act ("ADA") of 1990, as amended, prohibits discrimination against qualified individuals with disabilities. See ADA in Employment Section for additional information.

38 U.S.C. 2012 of the Vietnam Era Veterans Readjustment Assistance Act of 1974 prohibits job discrimination and requires affirmative action to employ and advance in employment qualified Vietnam era veterans and qualified special disabled veterans.

The Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. §4331 et seq. prohibits discrimination based on veteran status.

The Civil Rights Acts of 1866 and 1871 have been interpreted to prohibit race discrimination by public employees.

State law, Chapter 21 of the Texas Labor Code, prohibits discrimination in employment based on race, color, disability, religion, gender, national origin, or age.

## References

Title VII of the Civil Rights Act of 1964

Texas Labor Code, Chapter 21

GINA 29 CFR, Part 1635 ([www.eeoc.gov](http://www.eeoc.gov))

## Attachments:

### Approval Signatures

Step Description	Approver	Date
	Kirk Calhoun: President/Prof of Medicine	03/2017
Executive Cabinet	Carol Davis: Executive Assistant, Senior	02/2017
Office of Legal Affairs	Terry Witter: VP, Legal Affairs/ChiefLegalOf	02/2017
Faculty Senate	Julie Philley: Assoc Prof Of Medicine	02/2017
	Cynthia Scott-Lunau: VP, Human Resources/CHRO	02/2017

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