

# Affirmative Action Plan/Underutilization in a Nutshell

## 2019 OVERVIEW

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Office of Institutional Equity

The logo for New Mexico State University, featuring the letters "NM" in a large, serif font above the words "STATE UNIVERSITY" in a smaller, sans-serif font. The logo is set against a white background within a dark red square.

NM  
STATE  
UNIVERSITY

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# Agenda:

- History of Affirmative Action
- AAP Goals 2019
- How are AAP goals generated?
- Underutilization process

# History of Affirmative Action

- The term "*affirmative action*" was first used in the United States in "Executive Order No. 10925", signed by President John F. Kennedy on March 6, 1961.
- Included a provision that government contractors "...take ***affirmative action*** to ensure that applicants are employed, and employees are treated during employment, without regard to their race, creed, color, or national origin."
- <https://www.youtube.com/watch?v=DDOyTQPOCjg>

# History cont...

- In 1965, President Lyndon B. Johnson issued Executive Order 11246 which required government employers to take "**affirmative action**" to "hire without regard to race, religion and national origin".
- In 1967, **gender** was added to the anti-discrimination list.
- ***Affirmative action*** is intended to promote the opportunities of defined minority groups within a society to give them **equal access** to that of the majority population.

# Leads 2025

- More than compliance, our AAP should be part of the manner in which we reach the Leads 2025 goals.
- “The mission of the New Mexico State University system is to serve the **diverse** needs of the state through comprehensive programs of education, research, extension and outreach, and public service. As the state’s land-grant and space-grant university, and as a Hispanic -Serving Institution, NMSU fosters learning, inquiry, **diversity and inclusion**, social mobility, and service to the broader community.”

# How are the AAP goals developed?

- Workforce data is pulled by HRS and sent to a third party consulting group specializing in analyzing Affirmative Action Plan data.
- Utilization goals are set by the OFCCP – Office of Federal Contract Compliance Programs.
  - The **Office of Federal Contract Compliance Programs (OFCCP)** is part of the U.S. Department of Labor. OFCCP is responsible for ensuring that employers doing business with the Federal government comply with the laws and regulations requiring nondiscrimination. This mission is based on the underlying principle that employment opportunities generated by Federal dollars should be available to all Americans on an equitable and fair basis.
  - OFCCP/DOL may conduct audits of the plan.

# How are the AAP goals developed?

- Our employee numbers are compared – by job group – to numbers of employees in those job groups available nationally.
  - Job groups ≠ Job Position
- Employee data used is from snapshot date - December 31, 2018.
- Whole person rule is used in setting underutilization goals
  - When the actual employment of minorities or females is *less* than their availability and that difference is at least one whole person, then a goal is established for that job group.
- That goal becomes an “**Underutilized**” job group requiring processing through OIE.

# Currently...

- Our AAP covers women, minorities, veterans and individuals with disabilities.
- We only set goals for women and minorities.
- The 2019 NMSU AAP has 78 goals/underutilized positions.
- We have one AAP for the entire NMSU system.
- Of the 44 goals set in 2018, we met 14 of them.



# What is OIE looking for when reviewing an underutilized position?

- Broad publication and advertisement of our underutilized positions.
- Posting positions for an adequate amount of time to get a large pool of qualified, and hopefully diverse, candidates.
- Selection criteria for applicants to be interviewed that promotes equal access to the opportunity to be selected for that position.
  - i.e. questions asked, criteria considered

# What is OIE looking for cont.?

- Objective criteria used to select finalists for positions.
- Ranking of candidates based on merit, education and experience – specifically compared against the job posting.
- Equal opportunity for any qualified candidates to be selected.
- Objective justification if a candidate is selected that does further our AAP goals.
  - OIE can request review/calculation from HRS if concerned over selected candidate's qualifications.

# Standardized process to be implemented

- Standardized posting times. (28 days)
- Standardized advertisements. (two ads, in addition to Indeed.com and NMSU website)
- Standardized documentation.
  - Matrix for selection of applicants for interview.
  - Rubric for ranking of candidates interviewed.
  - Justification, specifically listing strengths of candidate selected over other candidates, when a proposed hire does not further our AAP goals.

# Desired Outcome

- The most diverse pool of qualified applicants we can achieve.
- The most qualified and diverse workforce we can achieve.
- Equal opportunity for all qualified candidates applying for a position with NMSU.
- Reaching our AAP goals in 2019.

# Contact Information

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