

UNIVERSITY OF VIRGINIA

*Office of
Equal Opportunity Programs*

Year-End Report 2010-2011



The Office of Equal Opportunity Programs is committed to eliminating discrimination and advancing equal access in all opportunities, programs, and facilities of the University in accordance with applicable federal laws, state laws, and University policy.

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Advocating for Equality, Embracing Inclusion

Dear Colleagues:

We at the Office of Equal Opportunity Programs (EOP) are proud to publish our annual report for fiscal year 2010-2011. This year has proven to be extremely challenging for EOP, especially considering that two of our key positions, Equal Opportunity Officer for Policy and Legal Compliance and Equal Opportunity Officer for Employment Equity, were vacant for half of the year. The recruitment and hiring process for both positions was prolonged and demanding, and we encountered many barriers along the way. Despite these difficulties, we refused to lower our standards and were ultimately successful in identifying and hiring two exceptional new team members. You will meet them in this report through their personal interviews.

We are also proud to announce that even with our short staff, we accomplished a great deal during this reporting period. Much of our success is a direct result of strong collaborations with our colleagues and peers across Grounds. You will hear more about these partnerships and projects in the body of this report.

Our office remains strongly committed to increasing and maintaining a diverse workforce. This year we launched an online University Staff hiring training program to assist hiring officials in improving their equity and inclusion efforts and developed a website dedicated specifically to employment equity. Moreover, after evaluating the needs of the University and EOP, we created and filled two new positions: Employment Equity Specialist and Affirmative Action Specialist. The Employment Equity Specialist devotes 100% of her time to addressing employment equity issues while providing counseling and guidance to human resources professionals. The Affirmative Action Specialist's major responsibility is the development and management of the University's Affirmative Action program.

Building upon these positive changes, EOP also completed a project which, among other things, included revisions to the Jobs@UVA Applicant Tracking System that enable the system to both capture essential information for the University's affirmative action plans and provide search committees and hiring officials with affirmative action availability data for positions being recruited through the Jobs@UVA Applicant Tracking System. Access to this information will allow search committees and hiring officials to engage in more targeted recruitment and concentrated outreach efforts and will be especially useful in designing diversity recruitment plans.

Additionally, this past year, EOP focused its employment equity efforts on two underrepresented groups: veterans and persons with disabilities. To increase awareness about the importance of including members of these two groups in our workforce and to improve our hiring practices, EOP worked with University Human Resources (UHR) to develop guidelines for veteran hiring and created a veteran's resource page on our website, which lists resources for the military veterans we hire, those re-entering the workforce, and student veterans transitioning to University life. We also expanded our outreach to persons with disabilities and increased training presentations regarding the Americans with Disabilities Act Amendments Act (ADAAA) regulations across Grounds.

A message from the Director: Darlene Scott-Scurry

EOP also continued to sponsor awareness-raising initiatives ranging from the dissemination of EOP's program brochures and posters to sponsoring a series of webinars on a number of issues, including affirmative action planning and implementation, the Genetic Information Nondiscrimination Act, Title IX Dear Colleague Letter, successful strategies to recruit a diverse faculty, and managing toxic employees in the workplace. The webinars were presented by the National Association of College and University Attorneys, PeopleFluent, EEOC, CUPA, Higher Education Hero, and the American Association for Affirmative Action.



Other noteworthy achievements during this year included the celebration of the second annual EOP Champion Awards and fourth annual open house; hosting the Virginia EO/AA Networking Forum; establishing the Virginia Ombudsman's Networking Forum; revision of policies, complaint procedures, and Title IX and EOP complaint brochures; and expansion of EOP's educational training offerings to add a Brown Bag luncheon series on specific areas of EEO law, the first of which addressed the protected characteristic of religion and religious accommodations.

Planned activities going forward into 2011-2012 include enhancing our visibility and outreach through a structured educational training program, expanding the Americans with Disabilities Act unit, publishing an online quarterly newsletter, and a day long EOP conference.

I want to thank all of our partners for their support and commitment throughout the year. I am particularly grateful and appreciative of my team. Their enthusiasm, professionalism and passion for the work that we do has resulted in EOP's advancement of its mission to eliminate discrimination and advance equal access in all opportunities, programs, and facilities in accordance with the letter and spirit of the law and University policy.

We look forward to working closely and collegially with each of you as we continue our journey of advocating for equality while embracing inclusion.

Best regards,

A handwritten signature in cursive script that reads "Darlene".

Darlene Scott-Scurry
Director and Title IX Coordinator

Access & ADA Compliance

PURPOSE:

The purpose of the Access functional area is to ensure that all programs and activities at U.Va., the Medical Center, and the College at Wise are accessible to all.

COLLABORATIONS:

This year, collaboration of the Access & ADA Compliance functional area included:

- Joining efforts with Facilities Management in funding the cost of physical accommodations required for a new faculty member
- Working with the Ad-Hoc Technology Accessibility Committee to review technology access at U.Va.
- Continuing to work with the Department of Parking and Transportation, Student Health, Learning Needs and Evaluation Center (LNEC), and the departments of Physical Therapy and Athletics to promote registration/access to Demand and Response Transportation (DART) services
- Collaborating with Major Events and Alumni Offices to ensure that access was provided for persons with disabilities who attended Reunion Weekends, Family Weekend, Finals Weekend and Final Exercises
- Serving on the U.Va.'s Access Committee to offer expertise in reviewing upcoming access projects and proposals throughout Grounds
- Working with LNEC, ITC, and Facilities Management to create new and improved access maps indicating accessible routes, building entries, parking, etc. which will be available not only in hard-copy, but also online to allow for daily informational/imaging updates

OBJECTIVE:

The primary objective of the Access functional area is to create a welcoming environment for all patrons of U.Va., irrespective of physical or mental ability, by removing barriers to full participation in all activities, programs, and opportunities across Grounds.

ACHIEVEMENTS:

- Presented a program regarding the Americans with Disabilities Act Amendments Act (ADAAA) to the Diversity Council, EOP's EO/AA Working Group, Medical Center Human Resources and other entities across Grounds
- Negotiated the creation of a new position in Academic Affairs dedicated to faculty and classroom accessibility
- Coordinated transportation for 232 DART riders
- Successfully resolved conflict situations with Yellow Cab involving student riders and the cab company dispatch

How long have you been working with ADA issues?

My first job after graduating from college was with the Office for Civil Rights in Washington, D.C. I worked in the Office for New Programs, which was in the process of writing regulations which would protect those with disabilities and guide institutions who would be making accommodations. I've been at U.Va. since the mid 90's in various roles, each of which has related in some way to providing accommodation and access according to the Americans with Disabilities Act (ADA).



What do you find most rewarding about your work?

The best part of the work I do is the sense that I'm helping to lessen obstacles for someone. Assisting those who have disabilities with the Demand and Response Transportation (DART) service, even if only temporarily, gives me a good feeling while providing them with much-needed support. By communicating closely with Student Health, the Learning Needs and Evaluation Center, Sports Medicine, and other related departments, we have been able to reach more students than ever before who are struggling to get around Grounds due to injuries, illness, disability, or surgery. During the past year, over 200 DART riders were registered to use DART and, in partnership with Yellow Cab & JAUNT, made over 8,000 trips to and from various sites around Grounds.

Are you a member of any committees outside of the EOP Office?

As a matter of fact, committee work is an important part of what I do with U.Va. Because my background is in ADA advocacy work, and since I myself have a physical disability, I am able to bring first-hand knowledge and experience to the conversation on committees, such as Access, the Office of Major Events for Convocation, Graduation/Finals Weekend, and Reunions.

Do you ever work with groups outside of U.Va.?

All of us in the EOP Office take our skills and interest in equal opportunity to the community in various ways. My main focus outside of the office the past few years has been serving as Co-Chair for the Charlottesville/Albemarle VSA Arts committee. This organization is an affiliate of the John F. Kennedy Center for the Performing Arts, and is dedicated to promoting the creative power in people with disabilities. During the year, we provide workshops and classes in painting, music, dance, and writing. We sponsor a poetry book, an art exhibit, and a music recital which allows participants to express themselves through art and share their work with the public.

Affirmative Action

PURPOSE:

The University of Virginia's affirmative action program is organized in compliance with federal laws, executive orders and implementing regulations. As a federal contractor, U.Va. is required to have a written affirmative action compliance program, which is prepared and managed by the EOP's affirmative action functional area.

COLLABORATIONS:

The Affirmative Action functional area collaborations for this fiscal year include:

- Working with University Human Resources (UHR) Information Technology to review operational issues with the affirmative action plan and establish standard processes
- Reviewing the affirmative action program with the Human Resources Director at U.Va.'s College at Wise in light of the unique nature of the recruitment area demographics
- Networking with Medical Center Human Resources Administrator and Employee Relations Manager to build relationships for future co-initiatives
- Joining forces with the Employment Equity Specialist to redefine applicant statuses in the Jobs@UVA system and providing informational sessions to Human Resources professionals
- Participating in the local Office of Federal Contract Compliance community outreach event designed to connect employees with federal contractors
- Brainstorming with the Office of the Provost on inclusion of part-time/adjunct faculty in the affirmative action plan
- Collaborating with UHR Temp Services to develop a better way of posting temp positions and capturing applicant data for our affirmative action plan
- Attending Virginia Department of Human Resources Management educational session on best practices in responding to adverse impact indicators
- Working with external partner, Peoplefluent, in completing U.Va.'s affirmative action plan

OBJECTIVE:

The primary objective of U.Va.'s affirmative action program is to create a diverse and inclusive learning community at U.Va.

ACHIEVEMENTS:

- Successfully completed Berkshire online and classroom affirmative action training programs
- Organized and hosted the appreciation luncheon for U.Va.'s affirmative action partners
- Prepared affirmative action plan summaries for Academic Units and the Medical Center
- Designed and installed a pool calculator for ease and accuracy in certification of applicant pools in Jobs@UVA.
- Redefined applicant status in the Jobs@UVA system and provided effective and well-received informational sessions to human resources professionals

What is your role at EOP?

I joined EOP in April of 2011 as the Affirmative Action Specialist. Previously, I worked with University Human Resources (UHR) as an HR Generalist and an HR Business Systems Analyst. I am primarily responsible for coordinating the preparation and distribution of the affirmative action plans. In that effort, I work very closely with UHR, Information Technology Services, Health System Human Resources, and PeopleFluent (the vendor who prepares our statistical analysis). I am also responsible for educating U.Va. leadership and our affirmative action managers on ways to convert our strategic analysis into concrete programs of action.



What are the most common misconceptions about affirmative action?

A lot of people believe that affirmative action applies only to women and racial minorities and this simply is not true. Affirmative action exists to help remove artificial barriers and promote equal opportunity in the workplace. When our analysis shows that males or non-minorities are disproportionately affected in personnel activities, we work to provide remedies, if necessary. Another common misconception is that affirmative action sets up hiring quotas that are to be filled regardless of an applicant's qualifications. This is also false. "Placement Goals" are actually numeric benchmarks against which our personnel practices can be measured over a period of time. Monitoring this activity helps U.Va. ensure fairness in its policies and procedures while also preparing for the shifting demographic makeup of the labor force.

What were your biggest achievements this year?

Before my arrival at EOP, my teammates worked closely with UHR and others to better communicate our placement goals across Grounds. The data on our underutilization rates was uploaded into the Jobs@UVA system so that hiring managers would be aware of this information prior to beginning the recruitment process. This helps managers and recruiters make sure that they've directed their recruitment efforts broadly. We also worked with UHR to update applicant status designations in our hiring system to provide better data points for our hiring analysis. We organized information sessions for all of these activities and raised the bar of understanding around affirmative action for many at U.Va.

What are your top goals for next year?

- Increase our outreach efforts, partnerships, and training for the affirmative action program. We've updated our training in this area and I am excited that we will be providing this training opportunity to individuals across Grounds. We are increasing our communication efforts with the affirmative action managers and working to identify key relationships at U.Va. that will further progress on our goals.
- Provide timely and accurate affirmative action plans and assisting our partners across Grounds in building programs around affirmative action plan data analysis.
- Develop and distribute tailored, concrete and easily readable reports for the Academic Units and Medical Center that assist leadership in identifying high impact areas and developing practical plans to improve goal attainment.
- Work with our partners to establish standard operating procedures and refined reporting categories to increase the viability and institutional impact of our affirmative action program.

Educational Training and Outreach

PURPOSE:

In order to ensure equal opportunity in access and treatment, the Office of Equal Opportunity Programs (EOP) takes affirmative steps to communicate specific information regarding compliance with both the U.Va.'s Preventing and Addressing Discrimination policy and Preventing and Addressing Retaliation policy, as well as with laws and regulations governing equity in the recruitment and hiring processes for faculty and staff.

COLLABORATIONS:

The collaborative ventures of Educational Training and Outreach included:

- Collaborating with University Human Resources (UHR) to provide a monthly report of employees required to take the training and post in Employee Development Training Schedules, EOP's course offerings for registration through the Integrated System
- Working with Medical Center Human Resources' Learning and Organizational Development unit to provide mandated training to Medical Center employees
- Partnering with Vice President liaisons in communicating training requirements to administrators and faculty in their divisions
- Participating in UHR orientation sessions for all faculty and staff and presenting at the UHR Supervisory Essentials training program
- Working closely with an external partner, New Media Learning, to ensure online training is current and relevant to UVA policies and procedures
- Responding to all requests of Human Resources professionals in the schools and units to provide specific and/or special training sessions for their staff

OBJECTIVE:

The primary objective of educational training and outreach is to promote an environment free from personal, social or institutional barriers by providing a practical understanding of EEO laws and regulations and affirmative action employment to the U.Va. community. Through these efforts EOP seeks to reduce the likelihood and severity of conflicts and complaints in the workplace, as well as foster a community where individuals are able to rise to the highest level of responsibility possible based on their individual merit and capability.

ACHIEVEMENTS:

- Conducted in-person training/presentations, attended by 1,743 participants, and monitored online training, completed by a total of 5,464 faculty/staff
- Received overwhelmingly positive evaluations for all training presentations
- Launched the hiring official training mandated for all University Staff Hiring Officials
- Initiated Brown Bag Series focused training on specific issues regarding policies and/or concerns expressed by HR professionals

Why did you elect to work at EOP and how long have you been there?

I have been with EOP for 11 years, primarily in an education and training role. I was interested in joining EOP long before I was given the opportunity to do so. I have always been passionate about equal opportunity and fairness in the workplace. When I saw the opportunity to engage in work that I felt was so important and the chance to work for a director who shared that same passion for justice and equality, I decided to apply for this job.



What do you enjoy most about the work that you do?

The part of the job that I find most appealing is the part which most people do not notice and the value of which is not easily quantifiable - prevention. There are times when I am called upon to meet with an employee because he or she might be engaged in (or is alleged to have engaged in) inappropriate workplace behavior that could possibly lead to adverse employment action. Some of these individuals have considerable time on the job and are strong contributors. In many of these situations, a twenty to thirty minute informal meeting with EOP is all that it takes for an individual to make adjustments to his or her behavior and eliminate the need for further employment action. Years later, when that individual is still thriving on the job, it is clear to me that EOP makes a difference.

Why does the University require completion of Preventing and Addressing Discrimination, Harassment and Retaliation training (PADHR)?

In addition to being a distinctive institution of higher learning, U.Va. is a public university, a significant employer and a federal contractor. Our “Preventing and Addressing Discrimination and Harassment” and “Preventing and Addressing Retaliation” policies are based on federal and state equal employment opportunity (EEO) laws and regulations with which we must comply. Our educational training programs and informational sessions are proactive means of ensuring compliance with those laws and regulations.

How many of the mandatory training sessions do you conduct each fiscal year?

The number of training sessions we conduct varies from year to year. We usually schedule one PADHR classroom session per month, but also conduct sessions as requested. The online version of the training is available 24 hours a day.

How many people completed the PADHR training over the past year?

The classroom training was successfully completed by 374 people this year. Most people completed the online training version which consists of two modules, Preventing Sexual Harassment (2,243 participants) and Preventing Employment Discrimination (1,859 participants).

How often is the information/content of the training updated?

It is updated continually. Whenever laws and regulations are amended, our training is revised to reflect those changes.

Employment Equity

PURPOSE:

EOP works to ensure that employment opportunities are available to all interested and qualified applicants at the U.Va. EOP monitors the employment practices and affirmative action efforts of University divisions, ensuring that all hires, promotions, and other personnel decisions comply with federal and state equal opportunity laws, regulations, Executive Orders and U.Va. faculty recruitment and hiring procedures.

COLLABORATIONS:

During this fiscal year, the collaborative ventures of the Employment Equity functional area included:

- Collaborating with University Human Resources (UHR) on the implementation of revisions to U.Va.'s hiring and recruiting processes and the Jobs@UVA applicant tracking system, enabling the system to capture federally required data related to employment transactions
- Working with UHR to draft guidelines for employment and advancement of veterans, focusing specifically on providing special consideration to protected covered veterans
- Assisting the College at Wise Director of Human Resources in navigating the revised Jobs@UVA applicant tracking system and identifying appropriate recruitment processes for different categories of employees
- Joining efforts with Integrated Systems Development & Support (ISDS) to finalize the online University Staff Hiring Official training
- Participating in the Facilities Management Apprenticeship Job Fair
- Working with the School of Medicine (SOM) to develop a SOM Compliance Checklist for search committees and hiring officials
- Partnering with the Affirmative Action Specialist to redefine and clarify applicant statuses in the Jobs@UVA system and provide informational sessions on the revised statuses to human resources professionals

OBJECTIVE:

The objective of Employment Equity is to achieve equality in the workplace so that no individual will be denied employment opportunities or benefits for reasons unrelated to their ability to perform job functions. Employment Equity at U.Va. is about hiring and advancing the most qualified persons available.

ACHIEVEMENTS:

- Provided in-person training to nine search committees, including the search committee for the Provost position
- Advocated for and provided education on proactive employment practices, in order to increase representation of qualified persons of color, women, veterans, and persons with disabilities in U.Va.'s job applicant pools
- Assisted numerous department human resource professionals across Grounds, including the Office for Student Affairs, the Vice Provost for Faculty Advancement, and Facilities Management, in learning how to operate the revised Jobs@UVA applicant tracking system and how to process faculty and executive staff positions in the system
- Redefined and clarified applicant statuses in the Jobs@UVA system and provided effective, well-received, informational sessions to human resources professionals

One of your responsibilities is to monitor the employment practices of U.Va. What does that mean?

As the Employment Equity Specialist, my primary responsibility is to provide oversight and guidance for the filling of faculty, professional research staff, and executive staff positions at U.Va. I work collegially with all of the schools and divisions, reviewing job postings in the Jobs@UVA applicant tracking system to ensure compliance with federal and state laws and regulations and providing guidance to search committees, hiring officials and human resource professionals on the hiring and recruitment process. Recently, EOP collaborated with UHR to implement revisions in the Jobs@UVA applicant tracking system to enhance the diversity of our applicant pools.



How did these revisions change the hiring and recruitment process at U.Va.?

The revisions in the Jobs@UVA system allow hiring managers to monitor their diversity efforts. We uploaded U.Va's affirmative action plan placement goals into the system for positions where underutilization existed. This data enables hiring managers to independently compare their applicant pools to current availability data and direct recruitment efforts accordingly. EOP has always strongly encouraged active recruiting, but having easily accessible placement goal data in the Jobs@UVA system has made the process of developing those specific recruitment initiatives easier and more efficient. These revisions also give EOP access to more human resources users.

It sounds like it was a major initiative?

Well, it definitely was a daunting task. Given that a critical tool of the process change was the Jobs@UVA applicant tracking system, EOP's initiative would have been impossible to complete successfully without the assistance and full support of UHR. The implementation team included me, Donna Kauffman, HRCS Manager and Olga Kipnis, HR ITC. Our Director also worked with U.Va. management to make this happen. The Jobs@UVA Implementation initiative significantly impacted recruitment and hiring at U.Va. and required cooperation at every level of the organization.

How were you able to train so many HR users?

It was a year-long process that included working with HRCS, HR ITC, ISDS and many members from HR Exchange and presenting the new information to the Vice Presidents and Deans, and HRCS and HR Exchange members. We followed these efforts with email communication to all HR users with several dates for in-person training. The training has been well attended and is ongoing.

What's new on the horizon for employment equity?

I really enjoy education and outreach, so I am always looking for ways to connect with our partners. We want everyone to look at compliance as a necessary part of our work, but not as a negative aspect of it. I try very hard to make compliance in recruitment and hiring as least burdensome as possible while ensuring equality of opportunity for all in employment and advancement.

Policy and Legal Compliance

PURPOSE:

The Policy and Legal Compliance functional area ensures compliance with University policies and federal and state laws and regulations in the areas of Equal Employment Opportunity (EEO), Civil Rights and Affirmative Action. This is accomplished through the dissemination of information regarding changes to federal and state laws, regulations, or policies and the provision of practical implementation guidance to the appropriate U.Va. officials. Policy and Legal Compliance also facilitates the investigation and resolution of complaints of discrimination, harassment, and/or retaliation.

COLLABORATIONS:

The collaborative ventures of the Policy and Legal Compliance functional area for this year-end report included:

- Working with the Equal Opportunity/Affirmative Action (EO/AA) Compliance Working Group to disseminate information on changes to U.Va. policies and relevant federal and state laws and regulations
- Collaborating with Student Affairs to revise the student sexual misconduct policy and procedures and EOP's complaint procedures
- Partnering with the University Policy Manager to revise U.Va.'s Preventing and Addressing Discrimination and Harassment (PADH) policy and Preventing and Addressing Retaliation (PAR) policy to include Genetic Information as a protected category and extend the mandate for completing the Preventing and Addressing Discrimination, Harassment, and Retaliation (PADHR) training to all staff and Medical Center employees
- Working with the Medical Center Employee Relations Office to provide EO Incident Training to HR consultants and others
- Liaising with the General Counsel's office on policy and compliance issues

OBJECTIVE:

U.Va is committed to providing a workplace, educational environment, programs, and activities free of discrimination, harassment and retaliation where equal opportunity is afforded to all. The Policy and Legal Compliance functional area's objective is to advance this commitment through its compliance efforts.

ACHIEVEMENTS:

- Revised EOP's complaint procedure and designed a newly published complaint process brochure
- Rolled out several new training programs including: Americans with Disabilities Act Amendment Act (ADAAA) to reflect changes to the regulations; Brown Bag Educational luncheon series focusing on specific issues of equal opportunity law; and a revised EO incident training
- Disseminated periodic written updates or news items to the Equal Opportunity Advocates, Affirmative Action Unit Managers and HR professionals
- In partnership with the Assistant to the ADA Coordinator, planned and directed EOP's Annual Retreat
- Timely investigated thirty-two complaints and addressed seventy-eight contacts

How long have you been EOP's EO Officer for Policy and Legal Compliance?

I began working with EOP as the EO Officer for Policy and Legal Compliance in January 2011. Before joining the office in a full-time capacity, I assisted EOP with investigations and other discrete projects on a part-time, contractual basis, starting in October 2010.



What are your job responsibilities?

I am responsible for reviewing and analyzing equal opportunity and affirmative action compliance requirements, which are based on a number of sources, including federal and state laws, regulations and University policies. I recommend changes to University policies, procedures, and practices, as needed. I also receive, address, and when required, investigate internal and external complaints of discrimination, harassment and retaliation.

How did you track changes to the University's compliance obligations this fiscal year?

In many ways! Primarily, I tried to set aside time each day to read news bulletins from the federal and state agencies that enforce equal opportunity and affirmative action laws, new case law, which helps us understand how courts are applying laws practically, and industry and expert publications. I also participated in relevant trainings, seminars, and webinars to make sure we have the most up to date information regarding the University's many compliance obligations.

Which University policies are EOP responsible for enforcing?

EOP is responsible for enforcing the University's Preventing and Addressing Discrimination and Harassment (PADH) policy and the Preventing and Addressing Retaliation (PAR) policy. The purpose of the PADH and PAR policies is to ensure equal employment opportunity, prohibit discrimination, retaliation, and harassment in all its forms, and promote equity and inclusiveness in the workplace.

What happens when there are potential violations of the University's Preventing and Addressing Discrimination and Harassment (PADH) policy and Preventing and Addressing Retaliation (PAR) policies?

EOP works to address alleged violations of these policies through its complaint resolution process. Our office receives, investigates, and works toward resolution of discrimination, retaliation, and harassment complaints, including sexual harassment, in a fair and respectful manner.

EOP's complaint resolution process offers a number of options for addressing and resolving concerns, including mediation, negotiated resolutions, and formal investigation of accepted complaints. Every individual associated with the University is guaranteed the right to voice a good faith complaint or concern without fear of retaliation. Our office serves as a valuable resource for employees and students to resolve their complaints and concerns which reduce the need to seek external remedies. EOP also strives to identify steps that can be taken to alleviate the conditions that may give rise to complaints and concerns.

Complaints and Contacts

Complaints received by EOP may fall into two categories:

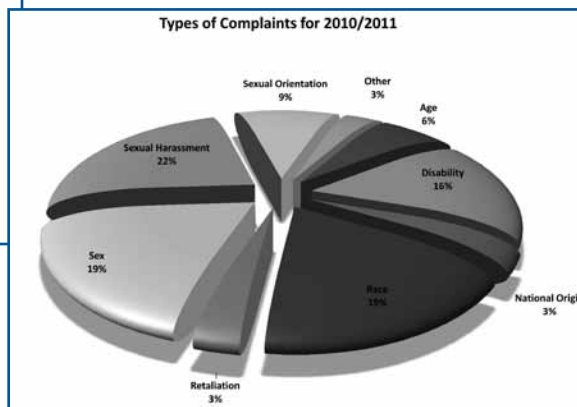
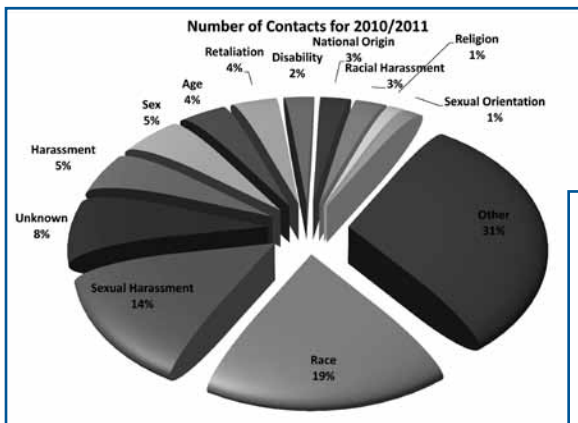
- Internal
- Outside Agency—brought by the U.S. Equal Employment Opportunity Commission or the Virginia Department of Human Resources, Division of Civil Rights

In addition to formal complaints, which require that allegations be submitted in writing and compel an EOP investigation, the office also receives numerous contacts. A contact is a request for information or an inquiry that may result in a complaint. Contacts generally involve the exploration of issues, options, and, if appropriate, referral to another office. Contacts and complaints are excellent indicators of what problems and/or concerns might exist in the workplace

EOP strongly recommends that contacts and complaints received by Human Resources liaisons, University Human Resources Office of Employee and Faculty Relations, and the Medical Center Employee Relations Office be addressed in consultation with EOP. In addition to the contacts and complaints received by EOP this fiscal year, the divisions and academic units received eight contacts and forty-three complaints.

Types of Contacts: EOP received 78 contacts in fiscal year 2010-2011 with concerns referencing: age, 3; disability, 2; harassment, including sexual and racial harassment, total 17; national origin, 2; race, 15; retaliation, 3; sex, 4; sexual orientation, 1; religion, 1; other employment concerns, 30.

Types of Complaints: EOP received 32 complaints in fiscal year 2010-2011 with concerns referencing: age, 2; disability, 5; national origin, 1; race, 6; retaliation, 1; sex, 6; sexual harassment, 7; sexual orientation, 3, and other concerns, 1.

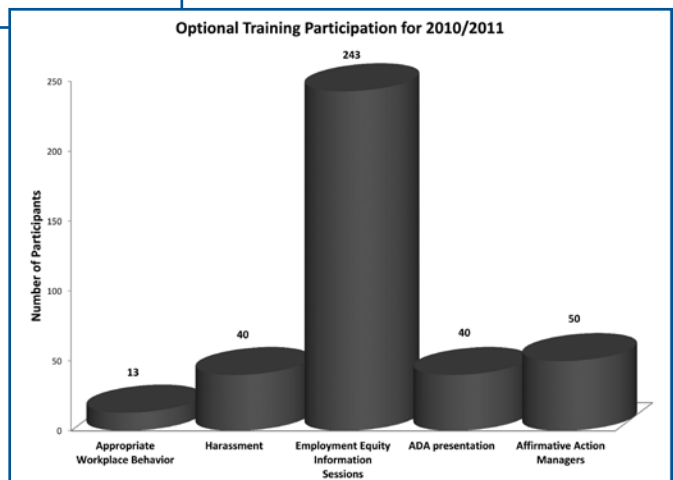
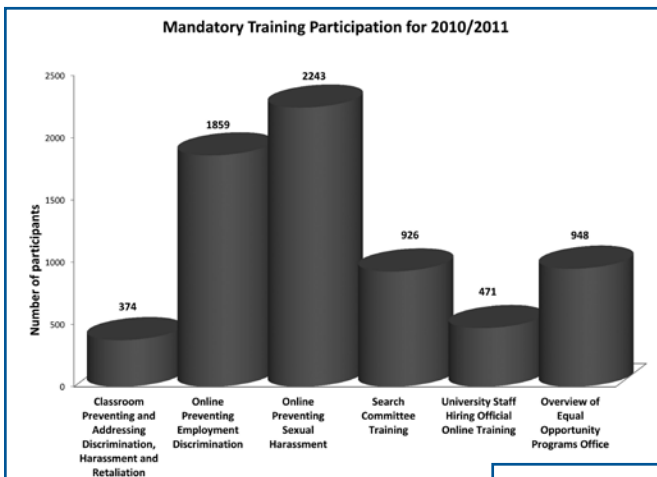


Educational Training Participation

The Office of Equal Opportunity Programs (EOP) undertakes effective educational training programs to reduce the likelihood and severity of conflicts and complaints, and to create a welcoming and inclusive learning community.

EOP is accountable for providing and managing three mandatory training programs: Preventing and Addressing Discrimination, Harassment and Retaliation training; Search Committee training; and University Hiring Official training. All training programs are available online and in instructor-led classroom sessions.

In addition to mandatory training programs, EOP also provides a series of optional training programs. Among the optional training offered is: Introduction to EOP; Appropriate Workplace Behavior; Harassment; Employment Equity; Americans with Disabilities Act; and Affirmative Action. EOP also provides customized training to units upon request.



Looking Forward: Fiscal Year 2011-2012 and Beyond

Every day, in every way, EOP works to foster a culture that embraces equality and celebrates unique ideas, perspectives and experiences. By advancing and strengthening U.Va.'s commitment to equal access, social justice, equity and fairness, EOP helps to create a learning environment where U.Va.'s core value of diversity will flourish.

EOP looks forward to the tremendous opportunities that still lie before us. Our goals going forward are focused on implementing strategies that support and sustain compliance, enhance educational training, broaden access, and strengthen and extend our reach both across Grounds and deep into the organizational structure of U.Va.

Increasing Visibility – Expanding Outreach

- Meet with Equal Opportunity Advocates at least once a semester to improve communication and dissemination of information in the schools/units
- Host a one-day conference to increase the U.Va. community's awareness of affirmative action/equal opportunity laws, commitments, policies and procedures
- Produce a quarterly e-mail newsletter to raise awareness and visibility of programmatic efforts and improve communication

Compliance

- Work with UHR and Medical Center HR to implement a standardized EO incident intake process
- Evaluate processes and training to ensure compliance with Title IX regulations as clarified in the April 2011 Dear Colleague letter from the Department of Education
- Revise current complaint procedures to require provision of notice of the conclusion of an investigation to all witnesses and participants and follow-up with Vice Presidents on implementation of accepted EOP recommendations
- Continue to work with UHR, ISDS, Medical Center HR, College at Wise HR and other compliance working group partners to ensure accuracy of statistical reporting data and improvement in the completion time of affirmative action plans and other required federal reports
- Develop an online affirmative action report and good faith efforts tracking system

Employment Equity

- Initiate a systematic review of faculty/executive staff hiring practices at each school/unit and facilitate improvements to those practices with the ultimate aim of broadening and diversifying applicant pools and hires

- In an effort to ensure equality of opportunity at U.Va., assist departments/units in the recruitment and retention of diverse qualified employees with special focus on veterans and persons with disabilities
- Initiate compliance review processes for faculty and staff hiring and promotion decisions, in order to measure the effectiveness of recent changes to hiring processes
- Continue to work with schools/units to ensure that diverse people have an equal opportunity to work to their fullest potential and are judged solely on performance and job criteria

Access

- Expand and enhance the Access functional area within EOP:
 - ◆ Increase ADA Coordinator position to full-time, using the title of Equal Opportunity Officer for ADA/AA Compliance and Equal Opportunity Training
 - ◆ Conduct self-assessment of U.Va. to verify its compliance with the new ADA/AA regulations
 - ◆ Appoint an ADA Employee Resource group to review and provide feedback on University ADA/AA processes and physical and electronic accessibility



PURPOSE:

The University Ombudsman is an independent, confidential resource available to assist students, staff and faculty in resolving issues, conflicts and complaints and understanding what resources and processes are available to them.

COLLABORATIONS:

During this past fiscal year, the University Ombudsman's collaborations included:

- Serving as an active member of the Respectful Workplace Committee and assisting with the Committee's development of a policy and process regarding bullying, harassment, and other workplace issues
- Joining efforts with University Human Resources (UHR), Medical Center Human Resources and managers/supervisors to address employee concerns
- Working with the Associate Dean for Graduate Medical Education on issues involving medical residencies
- Collaborating with academic deans on providing ombudsman services to their particular schools
- Partnering with the Faculty Employee Assistance Program to mediate employee issues
- Working with Learning Needs and Evaluation Center (LNEC) to respond to the needs of students with disabilities
- Actively participating as a member of the Access Committee to ensure U.Va.'s buildings and facilities are accessible to all
- Working with the Provost Office to find solutions to faculty concerns
- Partnering with EOP to address ADA issues and requests for accommodations and to participating in other programs and activities, i.e. an annual retreat, open house, and champions award ceremony

OBJECTIVE:

The primary objective of the University Ombudsman is to address issues and concerns in an expedited, informal manner and to provide efficient solutions to such matters whenever possible.

ACHIEVEMENTS:

- Spearheaded the establishment of the Virginia Higher Educational Institutions Ombudsmen's Network and hosted the first gathering
- Presented on the Americans with Disabilities Act Amendment Act (ADAAA) and implementing regulations to the Diversity Council, EO/AA Compliance Working Group and other entities on Grounds
- Created a revised website clearly noting the University Ombudsman's role and independence
- Successfully mediated several complex employee issues
- Completed a draft statement on Respectful Workplace
- Established a half day a week visiting day at the Darden School

Why the University Ombudsman?

I've always felt that there were few things in life more satisfying than helping someone. Being the University Ombudsman gives me the opportunity to help people every day. Whether it is simply answering a question or determining how to address a conflict or issue at work, there is nothing more rewarding. Even when we are unsuccessful in achieving the desired outcome, employees feel valued and respected knowing I have spent time listening and understanding their unique concerns.



What types of issues were seen most by the University Ombudsman in 2011?

The highest numbers of issues seen in 2010-2011 were in the areas of unfair treatment, disrespectful behavior, pay/benefits, unfair evaluations, and hiring/terminations.

What can U.Va. do to reduce the number of issues that employees experience?

Improved communication would go a long way in addressing most employee concerns. The majority of my time is spent helping open up lines of communication by identifying obstacles to dialogue. I direct my efforts toward eliminating those barriers by facilitating meetings between parties, or working with each party separately to try to build a bridge between the two. The failure to communicate can also stem from one party's reluctance or fear to converse with the other due to interpersonal conflicts. One of my goals for 2012 is to heighten promotion of our mediation program and facilitated meetings to address issues before they escalate. It would also be helpful if faculty and staff sought help at the earliest signs of problems and not wait until disciplinary actions have been taken or a complete breakdown in communication has occurred.

In 2011, I served on the Human Resources Respectful Workplace Committee, which looked at the issue of bullying and disrespectful behavior in the workplace. The Committee worked diligently to develop guidelines and resources to foster a community where civility, dignity and respectful communication and interpersonal interactions are encouraged and expected.

What other outreach will the University Ombudsman do in 2012?

Well, in 2011, the University Ombudsman's website and brochures were completely revised and, as in previous years, all new academic employees were informed of the University Ombudsman and given information about the work I do. I attended the New Employee fairs hosted by University Human Resources, employee council meetings, held an afternoon of marketing in the Medical Center's main cafeteria, and presented to groups around Grounds. Looking forward to 2012, in addition to continuing my previous outreach efforts, I will enhance promotion of our mediation program and seek new opportunities to present the benefits of the University Ombudsman services to groups within the U.Va. Whether interested parties can give me one hour or five minutes, I am eager to share information about the services of the Ombudsman office.

Now that the Virginia Higher Educational Institutions Ombudsmen's Network has been established, we are holding at least semi-annual meetings to brainstorm ideas and provide support on common issues. I have already begun to build upon the success of this network to determine if similar network would benefit U.Va. mediators.

Staff and Contact Information

You may contact EOP at either office below to discuss a specific matter or simply to get general information. Voice mail is available for calls received after regular business hours (8 a.m. – 5 p.m.).

The two office locations are:

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EOP Salutes our 2010-2011 EO Champions



EOP awarded a varied group of employees at its 2nd annual Champion Awards ceremony to recognize the ongoing commitment and efforts of individuals and groups who promote and increase equity and access at U.Va. Those recognized at the ceremony were: Common Grounds Community at the University Library, Reginald Benbow, Jr., Yared Getachew, John-Lee Holmes, Lori Kressin, Yoke San Reynolds, Julie Roa, Jason Shapiro, Charles Tolbert, Carolyn Vallas, and Edward Warwick. Congratulations to our EO Champions!





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