



Rowan College of South Jersey

Administrative Procedure: 7001

AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY (AA/EEO)

Promise

The College is committed to affirmative action and equal opportunity for all employees and students while providing a work and academic environment free from unlawful discrimination and harassment on the basis of a person's protected category, characteristic, or trait as prohibited by law (see policy *7001 Affirmative Action and Equal Employment Opportunity (AA/EEO)* for definition of protected categories).

The College, through the Affirmative Action Office, will examine current employment, recruitment, hiring, training, promotion, discipline, terminations, assignment of salaries, wages and benefits, and training to ensure that the College is in compliance with all applicable state and federal laws and regulations pertaining to employment discrimination.

Affirmative Action is designed to ensure that qualified members of any protected categories are not excluded from consideration for employment and advancement. The individuals whose responsibilities include hiring and promotion will ensure that all groups are recruited for employment, and when employed, given opportunities for career development and advancement. The goal of the AA/EEO policy is to monitor the hiring process from recruitment throughout employment service to ensure equal opportunities are provided to all categories.

Affirmative Action will not be used to extend a preference to any person, select a person, or adversely affect any person's employment status on the basis of that person's race, color, religion, sex, national origin, or other legally protected category. Affirmative Action does not supersede merit selection principles and does not require or justify the hiring or promotion of a less qualified person in preference to a more qualified one.

- The College is committed to the continuing task of eliminating discrimination through equal employment opportunities. Questions on the AA/EEO policies of the College should be addressed to the Special Assistant to the President Diversity & Equity/Title IX and Compliance located in the College Center, telephone number (856) 415-2154 (Gloucester Campus), or to the Director Diversity, Equity, Title IX, and Judicial Affairs located in the Administration Building, telephone number (854) 498-9948 (Cumberland Campus).

American with Disabilities Act and Section 504

Employees, Students, and All Others

- The College complies with all applicable provisions of the Americans with Disabilities Act Amendment Act (ADAAA) of 2008, State laws governing disability discrimination, and will not discriminate against any qualified employee, student, job applicant, client, consumer, vendor, contractor, or other non-employee with respect to any terms, privileges, or conditions of employment or contract because of a person's physical or mental disability. The College will also reasonably accommodate a disabled person provided that the individual is otherwise qualified to perform safely the essential duties and assignments required for the job and provided that any accommodation does not impose an undue hardship on the College. Regardless of when or where it takes place, *if you believe* you have been subjected to, or become aware of another individual who has been subjected to discrimination or unlawful harassment based upon that person's disability, please promptly report it to the Special Assistant to the President Diversity & Equity/Title IX and Compliance located in the College Center, telephone number (856) 415-2154 (Gloucester Campus), or to the Director Diversity, Equity, Title IX, and Judicial Affairs located in the Administration Building, telephone number (854) 498-9948 (Cumberland Campus) and follow the Complaint and Reporting Procedure detailed below.

Please immediately direct **all other** employee disability related issues or inquiries to the Executive Director of Human Resources. This includes any matter involving a request or need for an accommodation in order to complete the application process, perform one's job duties, obtain access to any of the College's facilities, or similar issues.

Student Support

The Special Services Department provides academic support to College students who have documented disabilities. Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 prohibit discrimination on the basis of disability. The Special Services Department ensures students receive appropriate accommodations which allow for academic success. Any questions regarding Section 504 or the ADAAA can be answered by the Director, Student Special Services at 856-415-2281 (Gloucester Campus) or the Senior Director I, Testing and Tutoring at 856-200-4688 (Cumberland Campus).

All College employees share in the responsibility for assuring that by their personal actions the policies are effective and apply uniformly to everyone. Any employee, including managers and supervisors, involved in unlawful discrimination will be subject to disciplinary action up to and including termination.

Complaint Resolution Procedure: Investigation and Non-Retaliation

The College strongly encourages employees, students, and any other individuals to utilize the following complaint resolution procedure:

- Any individual who has reason to believe that he/she is the victim of discrimination or harassment in its many forms, or any individual who has witnessed such conduct, should report such a complaint to the Special Assistant to the President Diversity & Equity/Title IX and Compliance located in the College Center, telephone number (856) 415-2154 (Gloucester Campus), or to the Director Diversity, Equity, Title IX, and Judicial Affairs located in the Administration Building, telephone number (854) 498-9948 (Cumberland Campus).
- All information regarding harassment complaints will be kept in confidence to the greatest extent practical and appropriate under the circumstances.
- All reports of harassment in violation of this policy will be investigated promptly and thoroughly by a person who is not involved in the alleged harassment. An investigation may include meeting with the alleged perpetrator as well as all relevant persons, including the complainant, and other potential witnesses, as appropriate under the circumstances. The results of the investigation will be communicated to the complainant and the alleged perpetrator.
- Supervisory personnel must be alert to evidence of possible ongoing harassing conduct and report such incidents to the Special Assistant to the President Diversity & Equity/Title IX and Compliance located in the College Center, telephone number (856) 415-2154 (Gloucester Campus), or to the Director Diversity, Equity, Title IX, and Judicial Affairs located in the Administration Building, telephone number (854) 498-9948 (Cumberland Campus).
- An individual need not personally have been the target of an instance of offensive or harassing conduct in order to report a complaint based on that conduct.
- Any individual who is found, after appropriate investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary or corrective action the College considers appropriate under the circumstances, up to and including termination of employment or dismissal from the College's academic program. The College will take all action necessary to put an end to the prohibited conduct.
- No individual will be subject to retaliation, intimidation, or discipline as a result of making a good faith complaint of harassment or providing information in connection with another's complaint. The College considers retaliation to be a serious violation of this policy and urges all individuals to report any incidents of retaliation immediately, in the same manner as any act of harassment. The College will investigate and resolve reports of retaliation in the same manner as any act of harassment (see policy *7017 Conscientious Employee Protection (Whistleblower)*).

- If, after investigation of a complaint of harassment, it is determined that either the complainant, or any other person providing information during the investigation, intentionally and knowingly provided false information regarding the complaint, such individual will also be subject to whatever disciplinary or corrective action the College considers appropriate under the circumstances, up to and including termination of employment or dismissal from the College's academic program.
- If the validity of the complaint cannot be determined, immediate and appropriate action will be taken to assure that all parties are reacquainted with the policy.
- After the close of the investigation and after any remedial actions have been taken, the Special Assistant to the President Diversity & Equity/Title IX and Compliance located in the College Center, telephone number (856) 415-2154 (Gloucester Campus), or to the Director Diversity, Equity, Title IX, and Judicial Affairs located in the Administration Building, telephone number (854) 498-9948 (Cumberland Campus) will follow up at least twice with the complainant to ensure that no harassment is occurring or to prevent the recurrence of harassment.
- Any criminal assault or battery, sexual or otherwise, will be reported to the appropriate authorities.

The Complaint Form may be found on the College website, on the Gloucester Campus in the Office of Diversity and Equity located in the College Center, or on the Cumberland Campus in the Administrative Offices located in the Administration Building.

Area: Human Resources
Approved: 07/01/19
Revised: 09/15/20

President's Authorization: 

References:

Rowan College of South Jersey Board of Trustees Policy Manual, *7001 Affirmative Action and Equal Employment Opportunity*; *7011 Harassment and Discrimination*; *7013 Sexual Misconduct and the Rights of Victims*; *7017 Conscientious Employee Protection (Whistleblower)*; and *8003 Anti-Bullying and Intimidation*