

Policy 5-106: Equal Opportunity and Nondiscrimination Employment

I. Purpose

To summarize the University's policy of equal opportunity and nondiscriminatory employment practices.

II. References

[Policy 5-001](#), Employee Definitions

[Policy 5-118](#), Staff Employment Policy

[Policy 5-210](#), Discrimination Complaints

[Policy 6-400](#), Student Code

[Policy 6-316](#), Code of Faculty Responsibility

III. Policy

A. Equal Employment Opportunity

1. The University of Utah is an "Equal Opportunity Employer," and is fully committed to the principle of nondiscrimination in all employment-related practices and decisions, including, but not limited to, recruitment, hiring, supervision, promotion, compensation, benefits, termination, and all other practices and decisions affecting university employment status, rights, and privileges.
2. University executive, administrative, academic, and supervisory officers exercising Employee management responsibilities are required to take vigorous and appropriate action to assure that all employment-related practices and decisions are made without discrimination, harassment, or prejudicial treatment because of race/ ethnicity, color, religion, national origin,

sex, sexual orientation, gender identity/expression, age, disability or [protected veteran](#)'s status.

3. All employment-related practices and decisions within the University shall, to the maximum feasible extent, be instituted and administered in a fair and equitable manner, using only legally valid job-related criteria and standards, including but not limited to experience, training, education, skills, and potential for successful job performance and upward mobility.
4. All University facilities used by or available to University employees or applicants for employment shall be maintained and operated on a nonsegregated and nondiscriminatory basis.

B. Affirmative Action

1. The University will pursue a vigorous program of affirmative action in all job classifications to the extent allowed by law.
2. The University's approved Affirmative Action Program, as amended and modified yearly, shall be made available to all University Employees. All members of the university community are expected to support the Affirmative Action Program and to further its objectives in ways consistent with University Policies and Procedures.

IV. Procedure

A. Office of Equal Opportunity and Affirmative Action

The Director of the Office of Equal Opportunity and Affirmative Action reports directly to the [Vice President/General Counsel](#), and is assigned to oversee and implement the mandates of this policy.

B. Noncompliance

The University has established appropriate grievance procedures to investigate and settle complaints by employees claiming they have been subjected to discriminatory treatment in violation of University policy. (See [Policy 5-210](#).) In addition, it is a violation of University policy for any University officer or employee to retaliate in any manner against an employee because of the filing of a discrimination complaint or because of supporting or assisting in the filing or investigation of such a complaint.

[Note: Parts V-VI of this Regulation (and all other University Regulations) are Regulations Resource Information – the contents of which are not approved by the Academic Senate or Board of Trustees, and are to be updated from time to time as determined appropriate by the cognizant Policy Officer and the Institutional Policy Committee, as per Policy 1-001 and Rule 1-001.

V. Contact

The designated contact officials for this Policy are:

- A. Policy Owner (primary contact person for questions and advice): Director of Equal Opportunity and Affirmative Action.
- B. Policy Officer: Chief Human Resources Officer

These officials are designated by the University President or delegee, with assistance of the Institutional Policy Committee, to have the following roles and authority, as provided in University Rule 1-001:

"A 'Policy Officer' will be assigned by the President for each University Policy, and will typically be someone at the executive level of the University (i.e., the President and his/her Cabinet Officers). The assigned Policy Officer is authorized to allow exceptions to the Policy in appropriate cases.... "

"The Policy Officer will identify an 'Owner' for each Policy. The Policy Owner is an expert on the Policy topic who may respond to questions about, and provide interpretation of the Policy; and will typically be someone reporting to an executive level position (as defined above), but may be any other person to whom the President or a Vice President has delegated such authority for a specified area of University operations. The Owner has primary responsibility for maintaining the relevant portions of the Regulations Library... . [and] bears the responsibility for determining -requirements of particular Policies... ." University Rule 1-001-III-B & E

VI. History

Renumbering: Renumbered as Policy 5-106 effective 9/15/2008, formerly known as PPM 2-6.

Revision history:

1. Current version: Revision 9

Editorially revised: July 9, 2009

Editorially revised: October 11, 2011

Editorial changes were made to this document to reflect the changes in employee definitions as set forth in [Policy 5-100](#).

2. Earlier Versions:

[Revision 8](#): effective dates July 1, 2009 to July 8, 2009

[Legislative History](#) of Revision 8

[Revision 7](#): effective dates March 17, 2004 to June 30, 2009

[Revision 6](#): effective dates October 28, 1991 to March 16, 2004