Decisions on appointments, promotions, increments, leaves, and terminations are governed by the Policies of the Board of Trustees (Articles XI, XII, XIII, XIV) and are covered by the Agreement between the State of New York and United University Professions. The Policies and the Agreement are subject to change. Copies of these documents may be obtained from the Office of Human Resources. Some of these decisions are made by the President, others by the Chancellor or by the Board of Trustees.

**BINGHAMTON UNIVERSITY AFFIRMATIVE ACTION/EQUAL ACCESS POLICY**

It is the policy of the State University of New York to provide equal opportunity in employment for all qualified persons; to prohibit discrimination in employment; and to promote the full realization of equal employment opportunity through a positive, continuing program for the University as a whole and for each constituent of the University.*

Binghamton University complies with applicable Federal and State laws prohibiting discrimination, including Title IX of the Education Amendments of 1972 and sections 503 and 504 of the Rehabilitation Act of 1973. It is committed to equal treatment in every aspect of hiring and employment. Binghamton University proactively reviews its policies and practices to assure that decisions with respect to every dimension of employment are made without regard to age, color of skin, disability, gender expression and identity, genetic predisposition, marital status, national origin, race, ethnicity, religion, sex, sexual orientation, veteran’s status, status as a victim of domestic violence, and all other protected groups and classes under Federal and State Laws and executive orders. This policy statement includes student admissions, counseling, housing, financial aid, employment, and all academic and non-academic programs. In accordance with University policy and the State of New York Executive Order #28, no person shall be discriminated against in employment, educational programs and activities, or admissions based on sexual orientation.

These policies govern all University employment policies, practices, and actions including but not necessarily limited to recruitment, rate of pay or other compensation, benefits, advancement, upgrading, promotion, demotion, renewal, non-renewal, termination, transfer, layoff, leave, training, and employee benefits of whatever nature.

*(SUNY Board of Trustees Resolution, Adopted June 30, 1971. Board of Directors of the Research Foundation of the State University of New York endorsed policy in principle and adopted a "Statement of Policy" on March 19, 1974. [Full text available]) Also, Binghamton expects each contractor, supplier, union, public agency, or other cooperative agent to support this policy by complying with all applicable state and federal equal employment opportunity laws and regulations.

The following **abbreviated** affirmative action statement should be used in all recruitment advertisements:

*Strongly committed to affirmative action. Recruitment conducted without regard to race, color, sex, religion, age, disability, marital status, sexual orientation, or national origin.*
Binghamton University is strongly committed to affirmative action. We offer access to services and recruit students and employees without regard to race, color, sex, religion, age, disability, marital status, sexual orientation, or national origin.

See Division of Diversity, Equity and Inclusion Hiring Resource Guide for affirmative action recruitment and hiring guidelines FOR RECRUITMENT AND APPOINTMENT.

General Policy

1. Every administrative and academic officer and search committee must make an active and thorough effort to recruit for each faculty and professional employee position, whether full- or part-time and regardless of source of funding, members of minority groups, women, and the disabled.

2. This effort will be viewed as an important factor in determining the acceptability of a position recommendation. Affirmative Action efforts augment, rather than replace, previous recruiting procedures. The recommendation and the appointment are to be made on the basis of qualifications for the position, and it is considered proper to redefine eligibility criteria to broaden the base of the talent pool to include special experience, training, and education not normally considered when such factors are important characteristics of eligibility for the position. Such consideration must be applied equally to all candidates for a position.

3. Special attention to the identification, recruitment, and selection of minority group members, women, and disabled individuals is consistent with state and federal law, orders and regulations, and the policy adopted by the State University of New York Board of Trustees. No person is to be accepted or rejected solely on the basis of sex, minority group membership, disability, or sexual orientation.

Prior to Recruitment Season

1. Each hiring unit is responsible for contacting the University’s Affirmative Action Officer, who may advise the unit in developing general procedures that will ensure the most efficient distribution of information about available positions to minority groups, women, and disabled persons in order to encourage applications from these sources.

2. Position qualifications should be reviewed carefully to assure that the description does not in itself discriminate against the selection of minority, women, and disabled applicants.

3. Upon completion of recruitment plans, Section I (yellow) of the Affirmative Action Report should be submitted for approval to the Affirmative Action Officer for review and approval.

4. Whenever possible, minority group members, women, and disabled individuals should be included on search committees, even if it is necessary to go outside the hiring unit or division to ensure the participation of such individuals.

5. Affirmative Action Report forms are available in the Affirmative Action Office.
Recruitment Plans

1. All correspondence and advertising is to include the abbreviated affirmative action statement appearing above, and all recruiting sources are to be informed of Binghamton University's adherence to Affirmative Action policies by the person who initiates the contact.

2. A list of specific sources of minority group, disabled, and women candidates should be compiled by the individual unit offices with the assistance of the Affirmative Action Officer. Some forums to be considered are national organizations that have been formed to establish talent pools of minority groups and women, professional organizations, specialized employment agencies, women's colleges, colleges with high minority enrollments, minority and women scholars in other institutions, and newspapers with high readership by members of minority groups and women.

3. The group of applicants considered must include qualified minorities and women, unless evidence is documented that extraordinary efforts to recruit them have been made and have failed.

4. There are limited conditions under which a person may be recommended for a position without widespread recruitment efforts:
   
   a. Under the Internal Promotion agreement reached with UUP in 1997, the University will give first consideration to eligible professional and classified staff members already employed at Binghamton University. In some cases, an “internal only” search may be petitioned for with the Affirmative Action Office, but in any event, eligible internal employees must be given first consideration for vacancies covered by the internal promotion plan before external candidates are considered. More information about the internal promotion plan is available by contacting the Human Resources Office at x72187 or by visiting their website at www.humanresources.edu.

   b. Other cases for less widespread recruitment efforts may be justified when a qualified individual may be promoted from within the organization, when time is of the essence, when campus operations would suffer as the result of an interim appointment, or when a person is available who is uniquely qualified for the position. By their very nature, such cases are rare, and their acceptability is measured not only against the urgency of that particular appointment, but also against overall efforts to use members of minority groups and women in the unit that has recommended the appointment. Documentation of the special circumstances must be made, and, as in all other cases, the Affirmative Action Report form attached to such documentation must be approved by the Affirmative Action Officer.

   c. If a position is temporary and will last for less than a year based on project work, a search is not necessary. However, should the appointment exceed a year in duration, the Affirmative Action Office must be involved and a search must either be launched or a waiver be requested.
5. All applicants should be notified in any correspondence preceding a visit to this campus that, if they so desire, they may have an opportunity to meet with the Assistant to the President for Affirmative Action.

**During the Recruiting Season**

1. Submit to the Affirmative Action Office prior to any interview the second Affirmative Action Report (green). This report records progress in locating minority and women candidates.
2. If there are minority and women candidates, the search committee or appointing officer is asked to discuss how their qualifications match stated job criteria and how they compare to the other applicants. If there are no or few such applicants, the Assistant to the President for Affirmative Action will offer further assistance.

**Prior to Appointment**

1. No offer to recommend for appointment may be extended until Affirmative Action Report 3 (white), which documents full and open recruitment efforts for that position, has been approved.
2. At least one week before an offer to recommend for appointment is extended by an immediate supervisor or dean, four copies of Affirmative Action Report 3 should be submitted to the Affirmative Action Officer for review and approval.
3. When the recruitment activity, as documented, is approved as having met the legal and social obligations required, the Affirmative Action Officer will authorize the initial recommending office to proceed with an offer of appointment to the recommended candidate.
4. Should the Affirmative Action Officer determine that the recruitment activity does not meet the legal and social obligations of Equal Employment Opportunity and Affirmative Action, and should the vice president of that area concur, the vice president will notify the originating office of the necessity to renew recruiting efforts in order to rectify specific deficiencies.
5. If the vice president does not concur with the recommendation of the Affirmative Action Officer to renew the recruitment effort, the vice president will consult with the President.
6. If no agreement is reached in this consultation, the final decision will rest with the President.
7. The final filing of the Affirmative Action Report forms will be as follows: one will remain with the Affirmative Action Officer; one will be filed with the Director of Human Resources; two will be returned to the dean's or other officer's office, one for the initial recommending office, the second to be included with the formal appointment dossier.