MEMORANDUM

Date: October 9, 2014
To: All Students, Faculty and Staff
From: Dr. Eduardo J. Martí
Interim President
Re: Affirmative Action/Equal Employment Opportunity Statement

Bronx Community College follows the laws and mandates of the federal government as articulated by Executive Order #11246 as amended. As Interim President, I write to affirm my commitment to Affirmative Action and Equal Employment Opportunity (EEO) in promoting our educational programs and personnel practices.

As a unit of the City University of New York, Bronx Community College supports a policy of non-discrimination, Affirmative Action and educational opportunities for the disadvantaged as a means of facilitating their access to a broad range of educational and/or employment opportunities. While EEO requires non-discrimination, Affirmative Action is the dynamic component carrying with it the concept of positive, emphatic and energetic efforts to actively advance equal employment for all.

To this end, the College adopts the policy to recruit, employ, retain and promote employees without regard to race, color, national or ethnic origin, religion, age, sex (gender), sexual orientation, transgender, disability, genetic predisposition or carrier status, alienage or citizenship, prior record of arrest and/or conviction (under certain circumstances), veteran status, marital status, legally registered domestic partnership status and/or victim of domestic violence. Sexual harassment is considered a form of gender discrimination and is strictly prohibited. This policy is created from the College’s adherence to federal, state and local laws that pertain to non-discrimination and affirmative action from:

- Sections 503 and 504 of the Rehabilitation Act of 1973;
- Section 132b of the Immigration and Nationality Act;
- Titles VI and VII of the Civil Rights Act of 1964;
- Title IX of the Educational Amendment Act of 1972;
- Section 402 of the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended;
- Equal Pay Act of 1963;
- New York State Human Rights Law; and
- New York City Human Rights Law.

Protected classes as delineated in Executive Order 11246 are: American Indian/Alaskan Native, Asian/Pacific Islander, Black, Hispanic and Women. On December 9, 1976, the Chancellor of the City University of New York expanded this provision to include
Italian/Italian-American as a protected class. In 2006, the US Office of Management and Budget further expanded these protected classes to include two or more races (not Hispanic or Latino), and replaced Asian/Pacific Islander with Asian (not Hispanic or Latino) and Native Hawaiian (not Hispanic or Latino). Black was renamed as Black or African-American (not Hispanic or Latino), and Hispanic was renamed Hispanic or Latino.

To remain with the continuity of this campus, Mrs. Jesenia Minier-Delgado will continue to serve as the College’s Chief Diversity Officer, American with Disabilities Act (ADA)/504 Coordinator, Coordinator for Title IX and for the Age Employment Discrimination Act (ADEA), and Sexual Harassment Investigations and Education Coordinator. Mrs. Delgado is responsible for monitoring these programs and regulations and for their implementation under my direction. If there are any questions about the yearly filed Affirmative Action Plans and discrimination complaint procedures or if you wish to speak with Mrs. Delgado, she is located in Room 31 of Language Hall and her office number is (718) 289-5100, x3494, or by email at jesenia.minier-delgado@bcc.cuny.edu

As the Interim President, I will continue our emphasis on Affirmative Action/EEO Programs that are aimed at ensuring that women and/or members of minority groups have full opportunities for employment and advancement. Many of you serve on search committees and your continued participation is important in advancing our affirmative action efforts. If you are interested in serving voluntarily on a campus search, please contact the Office of Affirmative Action, Compliance and Diversity with your name, contact information and assigned division to be placed on a campus search registry, so that hiring managers can review the registry for available participants to serve on a campus search.

I believe that the entire college community should understand and be knowledgeable about the Affirmative Action/EEO Programs, and I encourage each of you to review the annual Affirmative Action Plan and participate in carrying out its goals. Mrs. Delgado will continue to work in collaboration with the vice presidents, deans, directors, managers, supervisors and other campus staff and faculty to ensure our compliance with these policies and laws. Please ask your respective departments/division/units/office how you can obtain an electronic copy of the listed documents mentioned for review and comment. In addition, The City University of New York and Bronx Community College have implemented discrimination complaint procedures to ensure that any allegations of discrimination are fully and fairly evaluated. Each member of the College community should be familiar with the complaint procedures and use them when needed.

Bronx Community College’s policy of non-discrimination on the basis of disability is in conformity with the requirements and provisions of the Rehabilitation Act of 1973, as amended, and its implementing regulations. Furthermore, the College’s policies and practices are in compliance with the Americans with Disabilities Act (ADA), effective July 26, 1992. Accordingly, its non-discrimination policy applies to employment by the College and admission to and treatment in the programs of the College.
In accordance with the requirements of Title IX of the Education Amendments Act of 1972 and the implementing federal regulations, Bronx Community College enforces a policy prohibiting gender-based discrimination in the operation of the College's educational programs and activities. Federal requirements for non-discrimination on the basis of gender include employment by the College as well as admission to the programs offered at the College. It is the stated policy of the City University of New York and Bronx Community College to prohibit harassment of employees or students on the basis of gender. Each year, the College implements a campus-wide sexual harassment education program and that effort will continue during this academic year. As Interim President, I urge all supervisors/managers to coordinate with our Title IX Coordinator to ensure that all faculty and staff participate in this program and/or attend either the Title IX workshop or the Sexual Harassment Prevention training scheduled in the Fall 2014 and Spring 2015 semesters.

Bronx Community College is also in compliance with the Age Employment Discrimination Act (ADEA), which prohibits age discrimination in federally assisted programs. We have made significant progress in achieving a measure of pluralism, which provides many positive benefits for all faculty, staff and students regardless of their ethnicity or cultural background. Bronx Community College will continue to support the spirit and goals of Affirmative Action and Equal Employment Opportunity (EEO) and require that administration, students, faculty and staff be familiar with these regulations to assure compliance in their respective areas of responsibility.

While we have achieved much in our efforts towards equal employment opportunity, there is still work to be done. The Office of Affirmative Action, Compliance and Diversity has been collectively working with the Office of the President to implement professional development workshops and resources for faculty and staff in the Fall 2014 and Spring 2015 semesters. These efforts are to demonstrate the administration's commitment to equity, diversity and a culturally competent, respectful work and/or academic setting.

With the ongoing construction throughout our campus, we continuously make great strides in making the campus more accessible, but we still have much work to do in that area. I ask for your patience while the construction continues and your sustained support as we implement the College's available resources to improve the facilities.

As Interim President, I urge you to persist in the active recruitment, retention and development of a diverse campus community. I will continuously support those efforts in collaboration with the Office of Affirmative Action, Compliance and Diversity and our campus administration.