

THE CALIFORNIA STATE UNIVERSITY
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Date: July 3, 2006

Code: HR 2006-17

To: CSU Presidents

TIME SENSITIVE
Due August 1, 2006

From: Jackie R. McClain 
Vice Chancellor
Human Resources

Subject: **Affirmative Action Plan Update**

Please send one copy of your campus's 2005-2006 Affirmative Action Plan to Ms. Maria Santos, Senior Director, Employee Relations, by **August 1, 2006**.

Each campus is expected to annually update its Affirmative Action Plan pursuant to the Board of Trustees Nondiscrimination Policy, Executive Order 883, and the federal regulations that implement U.S. Executive Order 11246, as amended (EO 11246), Section 503 of the Rehabilitation Act of 1973 (Section 503), and the Vietnam-Era Veterans Readjustment Assistance Act of 1974, as amended (VEVRAA).

Campuses should take note of two changes that have occurred since the affirmative action plan was submitted last year. First, due to the formation of Units 11 and 12, campuses must now include all Unit 11 employees and Unit 12 employees in the Affirmative Action Plan.

Second, on January 3, 2006, the federal regulations that implement the VEVRAA (41 CFR 60-250 et seq.) were amended. The amended regulations can be accessed at <http://www.dol.gov/esa/regs/fedreg/final/2005023403.pdf>. The changes are twofold. First, the threshold for coverage under VEVRAA was increased from \$10,000 to \$25,000. This change has no significance for the CSU since VEVRAA coverage already existed when the lower contract dollar amount was in effect.

Second, the VEVRAA was amended to expand the group of veterans who are protected from employment discrimination and who must be included in the Affirmative Action Plan. "Recently separated veterans" and "other protected veterans" are the two new types of veterans now protected under the VEVRAA. This amendment brings the list of veterans protected under VEVRAA to four: (1) Vietnam

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era veterans; (2) Special disabled veterans; (3) Recently separated veterans; and (4) Other protected veterans.

“Other protected veterans” is defined as “a person who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized, under laws administered by the Department of Defense.” (41 CFR 60-250.2(q)).

“Recently separated veterans” is defined as “any veteran during the one-year period beginning on the date of such veteran’s discharge or release from active duty.” (41 CFR 60-250.2(r)).

Any campus whose current affirmative action plan year begins after January 3, 2006, must examine the portion of its Affirmative Action Plan that pertains to covered veterans (required by 41 CFR 60-250.40 et seq.) and revise any written discussion of the categories of covered veterans to reflect the addition of the two new categories mentioned above. The same revision is necessary for any other documents that list the categories of veterans protected under the VEVRAA, such as the self-identification form and the written equal employment opportunity policy statement. In addition, the campuses’ dual obligations not to discriminate and to take affirmative action now stretch beyond the Vietnam-era veterans and special disabled veterans to extend to recently separated veterans and other protected veterans.

The portion of the Affirmative Action Plan that pertains to women and minorities should continue to be consistent with the implementing regulations of U.S. Executive Order 11246 (41 CFR 60-2 et seq.). These regulations can be accessed at <http://www.dol.gov/esa/regs/fedreg/final/2000028693.pdf>. Highlights of these regulations were summarized in Technical Letter 2001-01, which can be accessed on the CSU website at <http://www.calstate.edu/HRAdm/pdf2001/TL-AA2001-01.pdf>.

Upon receipt of your 2005-2006 Affirmative Action Plan, our office will discard the plan you submitted last year unless you notify Ellen Bui as soon as possible that you would like it returned to you.

Questions regarding the submission of the Affirmative Action Plan should be directed to Ellen Bui at (562) 951-4427. This HR Letter is available at <http://www.calstate.edu/HRAdm/memos.shtml>.

Thank you for your cooperation.

JRMcC/eb