

Nondiscrimination and Affirmative Action

The College of Metaphysical Studies (TCOM)

Policy Regarding Academic and Staff:

I. POLICY SUMMARY

It is the policy of the TCOM not to engage in discrimination against or harassment of any person employed or seeking employment with the TCOM of California. In addition, it is the policy of TCOM to undertake affirmative action, consistent with its obligations as College.

II. DEFINITIONS

Covered Veterans: Includes veterans with disabilities, recently separated veterans, Vietnam era veterans, veterans who served on active duty in the U.S. Military, Ground, Naval or Air Service during a war or in a campaign or expedition for which a campaign badge has been authorized, or Armed Forces service medal veterans.

Scope: This policy applies to all TCOM applicants and employees. TCOM Policy Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff
Employment Executive Officer: An action that exceeds what is allowable under current policy or that is not expressly provided for under policy. Any such action must be treated as an exception.

Gender: The sex of a person, including a person's gender identity, and gender expression. **Gender expression:** A person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.

Gender identity: An individual's personal sense of himself/herself as being male and masculine or female and feminine, or ambivalent.

Pregnancy: Includes pregnancy, childbirth, and medical conditions related to pregnancy and childbirth.

Service in the Uniformed Services: Includes service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service.

III. POLICY TEXT

It is the policy of the TCOM not to engage in discrimination against or harassment of any person employed or seeking employment with the TCOM on the basis of race, color, national origin, religion, sex, gender, gender expression, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services. This

policy applies to all employment practices, including recruitment, selection, promotion, transfer, merit increase, salary, training and development, demotion, and separation. This policy is intended to be consistent with the provisions of applicable state and federal laws and TCOM policies. TCOM policy also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment. In addition, it is the policy of the TCOM to undertake affirmative action, consistent with its obligations as a Federal contractor, for minorities and women, for persons with disabilities, and for covered veterans. TCOM commits itself to apply every good faith effort to achieve prompt and full utilization of minorities and women in all segments of its workforce where deficiencies exist. These efforts conform to all current legal and regulatory requirements, and are consistent with TCOM standards of quality and excellence.

In conformance with Federal regulations, written affirmative action plans shall be prepared and maintained TCOM, and by the Office of the Chief Executive Officer. Such plans shall be reviewed and approved by the Office of the CEO and the Office of the Advisory Counsel before they are officially promulgated.

IV. COMPLIANCE / RESPONSIBILITIES

A. Implementation of the Policy

The Chief Executive officer and the Human Resources Department are the Responsible for this policy and have the authority to implement the policy. A Responsible Officer may apply appropriate interpretations to clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy. The CEO is authorized to establish and is responsible for local procedures necessary to implement the policy.

B. Revisions to the Policy

The President is the Policy Approver and has the authority to approve policy revisions upon recommendation by the Advisory Council and the Department of Human Resources. The Advisory Council have the right to make revisions to the policy, consistent with approval authorities and applicable Bylaws. The Chief Executive Officer–Business Operations has the authority to ensure that policies are regularly reviewed, updated, and consistent with other governance policies.

C. Approval of Actions

Actions within this policy must be approved in accordance with local procedures. The CEO and the Advisory Council are authorized to determine responsibilities and authorities at secondary administrative levels in order to establish local procedures necessary to implement this policy.

D. Compliance with the Policy

The following roles are designated to implement compliance monitoring responsibility for this policy:

The Top Business Officer and/or the Executive Officer will designate the local management office to be responsible for the ongoing reporting of policy compliance. The Executive Officer is accountable for monitoring and enforcing compliance mechanisms and ensuring that monitoring procedures and reporting capabilities are established. The Department of Human Resources is accountable for reviewing the administration of this policy.

E. Noncompliance with the Policy

Noncompliance with the policy is handled in accordance with Personnel Policies for Staff Members pertaining to disciplinary and separation matters, and in accordance with TCOM policies, including but not limited to, The Code of Ethics and TCOM Policy on Faculty Conduct and the Administration of Discipline.

