

<b>System-wide Policy:</b> <b>HR0220 - Equal Employment Opportunity</b>	
<b>Version: 12</b>	<b>Effective Date: 06/20/2019</b>

## HR0220 – Equal Employment Opportunity

### Topics:

[Procedures](#)

### Objective:

To state the university policy concerning fair employment practices, which is designed to promote equal employment opportunity for all university employees and applicants for employment.

### Policy:

1. It is the policy of the University of Tennessee not to discriminate against any employee or applicant for employment because of race, color, religion, sex, marital status, parental status, sexual orientation, gender identity, national origin, disability, age, genetic information, veteran status, or any other characteristic protected by federal or state law. University policy also prohibits harassment based on such characteristics. See Human Resources Policy, [HR0280 - Sexual Harassment & Other Discriminatory Harassment](#)[HR0280 - Sexual Harassment & Other Discriminatory Harassment](#). This policy extends to recruitment, the interview process, employment, hiring, promotion, demotion, transfer, layoff, termination, compensation, training, benefits, the performance review process and all other terms and conditions of employment.
2. In accordance with Executive Order 11246, which is applicable to the university as a federal contractor, the university will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, marital status, parental status, sexual orientation, gender identity, national origin, disability, age, genetic information, veteran status or any other characteristic protected by federal or state law.

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3. Reasonable accommodations will be made for otherwise qualified disabled veterans and persons with disabilities in accordance with the Uniformed Services Employment and Reemployment Rights Act, the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990. Requests for reasonable accommodation should be directed to the appropriate ADA Coordinator.
  
4. Retaliation is an act or attempted act taken because of a person's participation in a protected activity (e.g., making or supporting a complaint of discrimination) that would discourage a reasonable person from engaging in protected activity. Protected activity includes a person's good faith (1) opposition to discrimination; (2) report of discrimination to the university or a state or federal agency; or (3) participation (or reasonable expectation of participation) in any manner in an investigation of discrimination or a proceeding related to discrimination. Retaliation is a violation of this policy regardless of whether the reported violation of this policy is ultimately found to have merit. Retaliation should be reported in the same manner in which discrimination is reported under this policy. When the university receives notice of alleged retaliation, the university will take immediate and appropriate steps to investigate the alleged retaliation. The university will take strong responsive action if it determines that retaliation occurred, which may include disciplinary action, up to and including termination of employment against the retaliator. The university will investigate and resolve reports of retaliation in the same manner in which it handles reports of discrimination under this policy. It is the university's goal and policy to prevent and/or stop acts of retaliation before they rise to the level of violating state or federal law.
  
5. The University will implement Affirmative Action Plans, available portions of which will be shared with employees upon request.
  
6. The university will not deny alternative job assignments, modified duties, or other accommodations to employees who are unable to perform some of their job duties because of sex, which includes pregnancy, childbirth, and related medical conditions.

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7. Each campus or institute will provide a procedure for filing complaints about violations of this policy. An employee who has a complaint about discrimination or retaliation prohibited by this policy should follow the applicable internal complaint procedure. An employee who has a complaint about sexual or other discriminatory harassment should follow the complaint procedures described in Human Resources Policy, [HR0280 - Sexual Harassment & Other Discriminatory Harassment](#) HR0280 - Sexual Harassment & Other Discriminatory Harassment.
8. This policy shall not be construed to: (1) confer eligibility for employment benefits for which an employee is not otherwise eligible under state law, policy, or practice as the same may be modified by federal law; (2) infringe upon the free exchange of ideas essential to the academic environment; (3) limit the free exercise of religion; (4) establish a duty to engage in affirmative action measures for characteristics not subject to affirmative action under state or federal law; (5) require the compliance of external entities or individuals or compliance of university programs governed by external government agencies in which non-discrimination does not include certain personal characteristics (e.g., ROTC); or (6) create any cause of action not currently provided by state or federal law.

#### **PROCEDURES:**

To view links to campus policies and procedures, click here:

<https://policy.tennessee.edu/campus-policies-procedures>