

## Equal Employment Opportunity A Statement of Policy of the American Library Association

Passed by ALA Council on January 25, 1974, the following statement is official ALA Policy 106.11

**I. Whereas:** The American Library Association, through its organized resources and membership support, is committed to a policy of equality of opportunity for all library employees, or applicants for employment, regardless of race, color, creed, sex, age, physical or mental handicap, individual life style (viz., manner and mode of attire, sexual preference, political persuasion), or national origin. This policy of employment equality logically begins with recruitment to the occupation of librarianship.

*Commentary:* This policy is designed to update and subsume the previous ALA policies on discrimination in employment, to wit, Compliance with Fair Employment Practices (1971), Non-Ethnic Minorities (1971) and Equal Opportunity for Women in Librarianship (1971) and reflect the intent of the policy on the advancement of Minorities in Public Library Service (1971) and on Racial Discrimination (1962), which states:

In a free society, a library is one of the primary instruments through which citizens gain understanding and enlightenment. The institution, the people who work for it, and the professional association with which they identify themselves should be worthy examples of the high principles which libraries endeavor to promote.

The intent of this policy is to ensure that member libraries and library schools are in fact drawing from the largest marketplace of human resources for staffing purposes and that a critical review is ongoing into appointment, advancement, compensation and discipline practices of the library to insure equality in all phases of employment.

See also Introduction and section IV of the ALA Committee on Accreditation. *Standards for Accreditation*, Chicago, 1972.

**II. Whereas:** The Association not only supports the efforts of member libraries and library schools to seek full compliance with all governmental policies against discriminatory practices but also through the approval and promulgation of this policy focuses attention on the positive responsibility of members, both personal and institutional members, to comply with such legislation and to set institutional goals and timetables which will actively eliminate employment discrimination in libraries.

*Commentary:* Currently existing federal policies include:

### STATUTES

- (a) Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972.
- (b) Fair Labor Standards Act of 1938 as amended, particularly by the Equal Pay Act of 1963 and the Education Amendments of 1972.

### EXECUTIVE ORDERS

- 11246 (September 24, 1965) as amended by EO 11375 (October 13, 1967) and EO 11478 (August 8, 1969).

### FEDERAL COURT CASES

- (a) *Griggs v. Duke Power Company*, 401 U.S. 424, 91 S.Ct. 849, 28 L.Ed.2d 158 (1971).
  - (b) *Gregory v. Litton Systems, Inc.*, 316 F.Supp. 401 (D.C. Cal. 1970).
- Policies of the states are listed in part in *American Libraries* (June 1972).

### III. Be It Resolved That:

(1) The Council of the Association directs the Executive Director of ALA to have all Association activities, policies and programs reviewed in order to assure that fair and equal practices are followed.

(2) The Council urges the Association's investigatory body to be prepared to respond speedily and investigate thoroughly alleged employment discrimination on the basis of race, color, creed, sex, age, physical or mental handicap, individual life style, or national origin from any individual or group of individuals employed in or seeking employment in libraries and to impose sanctions on libraries which are in violation of the law and this policy.

(3) The Association commits itself to continuing efforts for the improvement and implementation of essential legislation prohibiting discrimination.

*Commentary:* The Staff Committee on Mediation, Arbitration, and Inquiry is hereby assigned responsibility for mediation, arbitration, and inquiry relating to tenure, status, fair employment practices, due process, ethical practices, and the principles of intellectual freedom as set forth in policies adopted by the Council of the American Library Association.

The Committee shall have full authority to interpret all pertinent ALA-approved policies in implementing this Program of Action for Mediation, Arbitration, and Inquiry and conducting activities to meet its committee responsibilities.

Sanctions may be defined as the appropriate penalty or penalties incurred for violations of one or more of the ALA-approved policies to which the Program of Action relates.

(a) Publication of a report that includes a statement of censure, indicating the strong disapproval of ALA because of a violation of one or more of the policies to which this Program of Action relates.

(b) Suspension or expulsion from membership in ALA.

(c) Listing of parties under censure in *American Libraries* as a warning to persons considering employment in an institution under censure that its practices and policies are in conflict with ALA policies concerning tenure, status, fair employment practices, due process, ethical practices, and/or the principles of intellectual freedom.

(Program of Action for Mediation, Arbitration and Inquiry)

The ALA Committee on Legislation is created: To have full responsibility for the Association's total legislative program on all levels—Federal, State and local. To recommend legislative policy and programs for Council approval and to take the necessary steps for implementation. To protest any legislation or executive policy adversely affecting the welfare and development of libraries. To represent the ALA before executive and legislative branches of government as required at all levels. To provide a forum within ALA to gather information about needed legislation and to keep all units of the Association informed of the ALA legislative programs. To direct the activities of all units of the Association in matters relating to legislation.

### IV. Be It Further Resolved That:

To achieve the goal of equal employment opportunity for all library employees and applicants for employment, the Council of the Association

(1) directs that the Advisory Committee to the Office for Library Personnel Resources shall with the staff of the Office establish guidelines for the prevention of all forms of employment discrimination in libraries as prohibited by this policy, making these guidelines available to libraries, boards of library trustees, staff associations, civil service groups, library employee unions and individuals who are already employed or are seeking employment in libraries.

(2) directs the Office for Library Personnel Resources to begin immediately an aggressive program of instruction on legal equal employment requirements and the procedure for meeting such requirements.

(3) directs that all libraries and library schools with fifteen or more staff members

shall formulate written affirmative action plans and shall submit these plans to the Office for Library Personnel Resources which will publish a list of the member libraries submitting affirmative action plans pursuant to this policy. The Office for Library Personnel Resources in cooperation with the Advisory Committee to the OLPR will review these plans in order to ascertain compliance with appropriate federal equal employment guidelines.

*Commentary:* The following specific areas of concern should be covered in guide-

lines to promote nondiscriminatory practices: education, recruitment, selection, training, promotion, wages and benefits, procurement of library materials. Program activities for the Office for Library Personnel Resources suggested by this policy statement include publication, e.g., "EEOC Guidelines for Preventing Discriminatory Employment Practices," *American Libraries* (December 1972); annual statistical surveys on the employment of women and minorities including job levels, salaries and

advancement in libraries; annual published reports on recruitment and placement efforts for women and minorities; major conference programs, fully funded, which will provide leadership in focusing attention on employment equity for all library employees.

See Section 701 (b) of Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972 and Executive Order 11246 as amended by Executive Orders 11375 and 11478. □

## ALA Equal Employment Subcommittee Guidelines for Library Affirmative Action Plans

### A. Affirmative Action Authority

1. Policy statements. Each affirmative action plan should begin with a policy statement that clearly states the organization's commitment to equal employment and affirmative action.

(a) Is the appropriate level of the organization committed to the policy statement and to the a/a plan?

The highest officer in the organization (or representatives of the highest policy making body) should sign the a/a plan, and ultimately holds responsibility to see that it is enforced.

(b) What specific treatment is given to the library in the plan?

Many libraries are governed by the plan of a larger organization. The level at which the plan originates may affect the amount of detail given specifically on the library and the amount of control the library has in developing and carrying out an a/a plan. The EEO Subcommittee encourages library administrators operating under an umbrella a/a plan to seek to actively participate in its development, to submit specific utilization analyses of library staff for the plan, and to tailor-make action programs to rectify any problems applicable to library affirmative action. The EEO Subcommittee would appreciate details of any a/a programs the library has fostered but which are not specifically mentioned in the a/a plan submitted.

(c) What is the scope of the policy statement and of the a/a plan?

Please note that ALA policy reaffirms equal employment opportunity not only for individuals protected under federal law (for reasons of race, color, creed, sex, age, handicap, etc.) but also for library employees who might suffer discrimination based on their life styles.

### 2. Implementation.

(a) Who is assigned the responsibility for the implementation of the a/a plan?

The plan should clearly delineate who must carry out the plan and the policy backing up the a/a plan. All managerial and supervisory staff

should be held accountable for infringement of the policy and should be made aware of that fact. Ultimately the authority for implementing affirmative action resides in the highest officer in the organization, who generally delegates responsibility for the development and evaluation of the plan to an EEO Officer.

(b) Identification of the EEO Officer and his or her responsibilities.

The EEO Officer should have administrative-level decision-making authority. He or she should report directly to the highest administrator in the organization and should be able to evaluate personnel procedures relating to affirmative action in an unbiased fashion. The EEO Subcommittee recommends that the primary responsibility for the development and enforcement of an a/a plan should not be placed in the hands of the organization's personnel director or staff.

If a library is small and/or a sub-unit of a larger organization and does not have its own EEO Officer, a library administrator should be assigned specifically to deal with a/a questions and to develop action-oriented programs within the library. EEO Officers should have adequate work time set aside specifically for a/a responsibilities.

The responsibilities and authority of the EEO Officer should be clearly delineated, realistic, and should involve the EEO Officer in all aspects of personnel work within the library.

(c) Is there staff input into the a/a plan?

The entire staff should be encouraged to contribute ideas for good a/a programming. An a/a committee comprised of general staff members can

provide a broadened base for ideas on affirmative action programs and can serve as a liaison between the staff and administration on a/a matters.

(d) Is the plan widely disseminated both internally and externally?

The general staff should have access to the plan and should be further informed of a/a programs through meetings, newsletters, and other means.

Information on the organization's a/a program should also be available to the public. Listing of job notices in minority and women's publications, active participation of the organization in minority community programs, and submission of a/a plans for review by the EEO Subcommittee are examples of methods by which an institution can publicly proclaim its intention to act as an Equal Opportunity/Affirmative Action employer.

(e) Does the plan give a schedule for review and revision of the a/a program?

The review process must be ongoing. The plan should be updated at least once a year.

### B. Identification of Problem Areas

#### 1. Utilization analysis.

(a) Are the data on current employees specific enough?

Is the analysis detailed enough to identify all areas of need within the library? Are certain racial or ethnic groups or individuals of one gender over/underrepresented in certain classification levels? Are people within the same job class paid equally for equal work?

(b) What is the nature of the workforce data given in the plan?

Utilization analyses for minorities and women are described in Revised Order No. 4 of the Office of Federal Contract Compliance. They should include data on such items as the minority and female population in

the labor area, the percentage of minorities and women in the work force, the general availability of minorities and women with the requisite skills in the recruitment area (generally, data on the local vicinity for nonprofessional staff and on a nationwide recruitment area for professionals), availability of promotable and transferable women and minorities in the organization, and the degree of training the library can reasonably do itself.

Census data are often used for utilization analyses. State government agencies may provide somewhat better data. Eventually the Office for Library Personnel Resources hopes to collect reliable statistics on library personnel in the work force. Until OLPR is able to gather data for library personnel utilization analyses, no source of information can be considered particularly reliable. However, the EEO Subcommittee will look for a reasonable attempt to define the area from which the library can expect to recruit and the citation of a reasonably acceptable source for the utilization statistics detailed in each plan.

2. Personnel procedures and practices. The following is a list of some areas which might be examined for potential affirmative action roadblocks. Others might be identified in particular a/a plans:

(a) Job analysis, classification, and restructuring.

Is there a well-defined personnel classification scheme? Has thought been given to the establishment of new career ladders within the library?

(b) How equitably does the organization treat current staff?

i. Are training and promotional programs designed to encourage and advance protected class individuals?

Organizations sometimes lump all training and development programs in with affirmative action. Unless the programs are specifically intended to aid in the advancement of individuals protected for reason of race, sex, handicap, etc., the training should not be listed as an a/a-oriented activity.

ii. Grievance procedures.

Does the institution have a reasonable grievance procedure that has been well publicized and is available to all employees? Is there also a grievance procedure outlined for job applicants?

(c) Recruitment and hiring of new staff.

i. Have the position requirements

been reviewed to insure that they accurately reflect the qualifications needed for the job and are worded in a nondiscriminatory fashion? Validation analysis should extend to job requirements, application forms, notices of job vacancies, oral and written examinations, promotional rating forms, and so forth.

ii. How is recruitment accomplished?

Are job notices widely distributed to the public? Is there sufficient posting time allowed so that the job notices will be seen in time?

Does the employer recruit through media used by women and minorities, and does the employer send notices of vacancies to or interview at educational institutions with a high minority enrollment? Are members of a/a classes actively involved in the analysis of recruitment procedures and the testing of candidates? Is the EEO Officer involved in the recruitment process?

iii. Selection process.

Do any of the mechanics of the selection process (e.g., filing fees) inappropriately deter certain classes of individuals? Is the selection process adequately explained to applicants?

iv. Applicant hire reporting system.

The plan should outline the reports and records kept on the application and selection process and should specify who is responsible for keeping them.

### C. Goals and Timetables

1. Are goals related to the problem areas?

2. Are the goals and timetable periods adequate?

The goals should be specific, and the timetable equally explicit and related to the goals. The federal government requires that goals and timetables be established for the hiring or promotion of women and minorities whenever utilization analyses indicate a shortage in particular job classes the institution can be reasonably expected to remedy.

3. Are goals set at all appropriate levels?

Goals and timetables should be specified wherever a shortage of women or minority employees is determined, whether in administrative, professional, or support staff levels.

### D. Internal Audit and Reporting System

1. Format and frequency.

Does the format conform with federal EEO requirements? Is a/a progress reported at least annually to enable a speedy identification and solution of problems?

2. Who evaluates reports?

The EEO Officer and the administrators of any agency covered by the plan, including the library administration, should be actively involved in the regular evaluation of the a/a program. If the organization has an a/a committee from the general staff, this group should also aid in the evaluation process.

3. Are reports disseminated to the staff and public?

Information on the library's progress toward meeting its a/a goals and timetables and status reports on programs developed to solve a/a problems should be distributed to the entire staff and should also be made available to the public.

### E. Action Program

1. Scope.

The plan should describe action the library will take which is reasonably broad in scope and is again addressed to problem areas. The action programs should be specifically related to affirmative action and not to all staff training programs, all recruitment procedures, etc.

2. Is the action program relevant to the specific problem areas identified? The following represent possible action programs:

(a) Special recruitment efforts to attract protected class individuals (e.g., minority job fairs, interviews at predominately minority educational institutions, publication of job notices in minority or women's media).

(b) Job counseling programs for protected class job applicants and training or promotional programs directed particularly toward women, minorities, and other disadvantaged groups.

(c) Revised personnel procedures: elimination of discriminatory questions on application forms, test validation, involvement of women and minorities in the review of selection procedures, and inclusion of qualified women and minorities on examination boards.

(d) Active support and involvement of library personnel in local and professional development programs for women and minorities.

The Equal Employment Opportunity Subcommittee will greatly appreciate your cooperation in submitting for review the affirmative action plan of your organization. It would further appreciate any other documentation concerning the a/a plan and program at your institution which will aid in the plan's accurate assessment. □

