



North Carolina State University

P. O. Box 5067, Raleigh, N. C. 27650

Office of the Provost
and Vice-Chancellor

June 1, 1981

MEMORANDUM

TO: R. James Peeler
Associate Graduate Dean

FROM: Lawrence M. Clark *Larry*
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year you served in this capacity for the Graduate School.

Please respond by June 19, 1981.

CJ

Larry -

I guess that it will be me again. If you would like to have someone else let me know. OK?

*Fuller
6/4/81*

Wendell Bond
50% COTTON FIBER 24/2

RECEIVED
JUN 4 1981
GRADUATE OFFICE
N. C. STATE UNIVERSITY



Office of the Provost
and Vice-Chancellor

North Carolina State University

P. O. Box 5067, Raleigh, N. C. 27650

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JUN 4 1981

SCHOOL OF HUMANITIES
AND SOCIAL SCIENCES
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N. C. STATE
UNIVERSITY

June 1, 1981

MEMORANDUM

TO: Robert O. Tilman
Dean, School of HASS

FROM: Lawrence M. Clark *Larry*
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year you served in this capacity for your school along with Edith D. Sylla.

Please respond by June 19, 1981.

CJ

Larry -

I'll continue. I'll also ask Edith to continue.

*Bob.
6/12/81*

Label of



North Carolina State University

Office of the Vice Chancellor
for Extension and Public Service

June 11, 1981



MEMORANDUM

TO: Lawrence M. Clark

FROM: W. L. Turner *WLT*

SUBJECT: Affirmative Action Officers for University Extension

The two people representing our unit last year, Mary Frances Hester and R. A. Mabry, will continue to serve as Affirmative Action/Title IX Coordinators for the academic year 1981-1982.

cc: Mary Frances Hester
R. A. Mabry

ef . .



Office of the Dean

North Carolina State University

School of Forest Resources

Box 5488, Raleigh 27650

June 5, 1981



MEMORANDUM TO: Lawrence M. Clark
Assistant Provost

FROM: Eric L. Ellwood

Eric L. Ellwood

RE: Affirmative Action Officer

This is to inform you that Associate Dean LeRoy Saylor will serve as Affirmative Action/Title IX Coordinator for the School of Forest Resources for 1981-82.

ELE/cc

cc: L. C. Saylor

cy.

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

THE D. H. HILL LIBRARY
Box 5007
RALEIGH, NORTH CAROLINA 27650



June 8, 1981

MEMORANDUM

TO: Dr. Larry Clark

FROM: I. T. Littleton

Handwritten initials "ITL" in dark ink, written over the "FROM:" line.

SUBJECT: Affirmative Action/Title IX Coordinators

Cyrus B. King and Nellie L. Waltner will continue to represent the D. H. Hill Library as Affirmative Action (King) and Title IX (Waltner) officers for the academic year 1981-82.

ITL:bb

ck
NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

SCHOOL OF EDUCATION

OFFICE OF THE DEAN
208 POE HALL
P. O. Box 5096
RALEIGH, N. C. 27607
919-737-2231

June 4, 1981



Dr. Lawrence M. Clark
Assistant Provost
201 Holladay Hall
NCSU Campus

Dear Dr. Clark:

Re your memorandum dated June 1,
1981 concerning Unit Affirmative
Action Officers.

The following will serve in the
School of Education during the 1981-
1982 year:

Dr. Katherine W. Klein - Title IX

Carl J. Dolce - Affirmative Action

Sincerely,

A handwritten signature in cursive that reads "Carl Dolce".

Carl J. Dolce
Dean

CJD:gtb

cc: Dr. Klein



North Carolina State University

P. O. Box 5067, Raleigh, N. C. 27650

Office of the Provost
and Vice-Chancellor



June 1, 1981

Neenah Bond

MEMORANDUM

TO: A. C. Barefoot
Department Head, University Studies

FROM: Lawrence M. Clark *Larry*
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year you served in this capacity for University Studies.

Please respond by June 19, 1981.

CJ

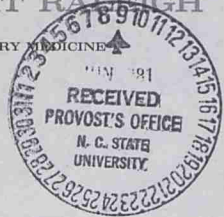
*Yes
per*

cy

NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

OFFICE OF THE DEAN
GRINNELL'S ANIMAL HEALTH LABORATORY
Zip 27650
(919) 737-3910

SCHOOL OF VETERINARY MEDICINE



June 8, 1981

MEMORANDUM

TO: Dr. Lawrence M. Clark
Assistant Provost

FROM: Terrence M. Curtin *T.M. Curtin*

SUBJECT: Unit Affirmative Action Officers

I am requesting that the affirmative action officers representing the School of Veterinary Medicine during the 1981-82 academic year continue as in the past. Ms. Peggy Corriher and myself will fill that role.

Thank you.

TMC:mg

cc: Ms. Peggy Corriher

Neenah Bond
2596 COTTON FIBER

cf
NORTH CAROLINA STATE UNIVERSITY AT RALEIGH

DIVISION OF STUDENT AFFAIRS

OFFICE OF THE VICE CHANCELLOR
101 HOLLADAY HALL
RALEIGH, N. C. 27607



MEMORANDUM

TO: Dr. Lawrence M. Clark
Assistant Provost

FROM: Banks C. Talley, Jr. *BCT*
Vice Chancellor for Student Affairs

RE: Unit Affirmative Action Officers

Listed below are the names of the Affirmative Action/Title IX Coordinators that will be representing the Division of Student Affairs for the 1981-82 academic year.

Dr. Banks C. Talley, Jr.
Dr. Thomas H. Stafford, Jr.

There is no change from last year.

Thank you.

BCT:dh

cc: Dr. Thomas H. Stafford, Jr.

CP
NORTH CAROLINA STATE UNIVERSITY

Raleigh, N. C.

OFFICE OF PROVOST AND VICE-CHANCELLOR

HOLLADAY HALL

6-5-81

Date

TO: Dr. Clark

ACTION REQUESTED ON ATTACHED:

Note and Return

For your information
(need not return)

Please handle

Please answer; furnish me copy

Please draft reply for my signature
(return attachments)

Please give me your comments
(return attachments)

Requires your approval

Dr. Monteith's office called -
Dr. Ely will continue to serve as
Affirmative Action Officer. Do you
need this information in a letter?
Yes, I will call Ann.

Linda J.

9:45 A.M.

FROM: _____



North Carolina State University

P. O. Box 5067, Raleigh, N. C. 27650

JUN 4 1981

Office of the Provost
and Vice-Chancellor

June 1, 1981

MEMORANDUM

TO: Claude E. McKinney
Dean, School of Design

FROM: Lawrence M. Clark *Larry*
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year John Tector served in this capacity for your school.

Please respond by June 19, 1981.

CJ

Dr. Clark's School of Committee for 1981-82 is:

John Tector, Chairman

Frank Harmon, Architecture Representative

Linda Jewell, Landscape Architecture Representative

Charles Jeyar, Design Fundamentals Representative

Austin Lowrey, Product/Visual Design Representative

Winifred Hodge
Administrative Manager

6/4/81



North Carolina State University

P. O. Box 5067, Raleigh, N. C. 27650

Office of the Provost
and Vice-Chancellor



June 1, 1981

MEMORANDUM

TO: J. E. Legates
Dean, School of Ag.
and Life Sciences

FROM: Lawrence M. Clark *Larry*
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year you served in this capacity for your school along with Frances Hassler.

Please respond by June 19, 1981.

CJ

Larry:

We will continue the same arrangement for the School for 1981-82.

Ed Legates

June 1, 1981

MEMORANDUM

TO: Terrence M. Curtin
Dean, School of Vet. Medicine

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year you served in this capacity for your school along with Peggy Corriher.

Please respond by June 19, 1981.

CJ

cf

June 1, 1981

MEMORANDUM

TO: J. E. Legates
Dean, School of Ag.
and Life Sciences

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year you served in this capacity for your school along with Frances Hassler.

Please respond by June 19, 1981.

CJ

June 1, 1981

MEMORANDUM

TO: Claude E. McKinney
D Dean, School of Design

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year John Tector served in this capacity for your school.

Please respond by June 19, 1981.

CJ

June 1, 1981

MEMORANDUM

TO: Carl J. Dolce
Dean, School of Education

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year you served in this capacity for your school along with Katherine Klein.

Please respond by June 19, 1981.

CJ

June 1, 1981

MEMORANDUM

TO: Larry K. Montaith
Dean, School of Engineering

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year John Ely served in this capacity for your school.

Please respond by June 19, 1981.

CJ

June 1, 1981

MEMORANDUM

TO: Eric L. Ellwood
Dean, School of Forest Resources

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year LeRoy Saylor served in this capacity for your school.

Please respond by June 19, 1981.

CJ

June 1, 1981

MEMORANDUM

TO: Robert O. Tilman
Dean, School of HASS

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year you served in this capacity for your school along with Edith D. Sylla.

Please respond by June 19, 1981.

CJ

June 1, 1981

MEMORANDUM

TO: Arthur C. Menius, Jr.
Dean, School of PAMS

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year Jasper Memory and Sandra Paur served in this capacity for your school.

Please respond by June 19, 1981.

CJ

June 1, 1981

MEMORANDUM

TO: David W. Chaney
Dean, School of Textiles

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year David Buchanan served in this capacity for your school.

Please respond by June 19, 1981.

CJ

June 1, 1981

MEMORANDUM

TO: I. T. Littleton
Director of Library

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year Cyrus B. King and Nellie L. Waltner served in this capacity for your unit.

Please respond by June 19, 1981.

CJ

June 1, 1981

MEMORANDUM

TO: Banks C. Talley, Jr.
Vice Chancellor for
Student Affairs

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year you served in this capacity for your unit along with Tom Stafford.

Please respond by June 19, 1981.

CJ

June 1, 1981

MEMORANDUM

TO: George L. Worsley
Vice Chancellor for
Finance and Business

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year William Calloway, Nat Hines, and Ann Peters served in this capacity for Finance and Business.

Please respond by June 19, 1981.

CJ

June 1, 1981

MEMORANDUM

TO: W. L. Turner
Vice Chancellor for
Ext. and Public Service

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year Mary Frances Hester and R. A. Mabry served in this capacity for your unit.

Please respond by June 19, 1981.

CJ

June 1, 1981

MEMORANDUM

TO: R. James Peelar
Associate Graduate Dean

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year you served in this capacity for the Graduate School.

Please respond by June 19, 1981.

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June 1, 1981

MEMORANDUM

TO: A. C. Barefoot
Department Head, University Studies

FROM: Lawrence M. Clark
Assistant Provost

RE: Unit Affirmative Action Officers

Would you kindly submit to me the names of the Affirmative Action/Title IX Coordinators that will be representing your unit for the academic year 1981-1982.

Last year you served in this capacity for University Studies.

Please respond by June 19, 1981.

CJ

Sub
Attorneys:

1940
1981
official

Education / Carl J. Blake
Deer

Carl J. Blake
Katherine Klein

Engineering / Larry R. Wostedt
Deer

John Ely

L & B ✓ George L. Aberley
Vice Chancellor for L & B

William Killoway
Pat Hues
Ann Peters

St. App. / Buck C. Tully, Jr.
V.C. for St. App. Affairs

Buck Tully
Tom Staffer

Textiles / David W. Carey
Deer

David Buckner

Ag. ✓ J. C. Lipton
Deer

J. C. Lipton
James Hensler

Library / W. T. Littleton
Director of Lib.

Cyrus B. Pigg
William S. Waltham

Ext. & Pub. Serv. ✓ D. L. Turner
Vice Chancellor for

Mary Frances Foster
R. D. Mabey

Games / Arthur C. Hennis, Jr.
Deer

Joseph Hensley
Janice Turner

Grad. Sch. ✓ A. James Baker
Assoc. Gen. Sec.

A. James Baker

Sec. Res. C. L. Ellwood
Sec.

L. C. Taylor

Exec. Dir. ✓ Claude E. McKinney
Sec.

John Tector

Assoc. ✓ Robert O. Tolson
Sec.

Prof. Tolson
Edw. D. Sylla

Univ. ✓ A. C. Brewster
Studies Dept. Sec.

Comp. Sta.
Water Resour.
Univ. Studies
Sec. Staff

Vet. ✓ Terence Curtis
Med. Sec.

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Very truly yours,
MARY WALTON

*Executive Vice President
And Chairperson of the National Advisory Board*

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Dallas

November 13-15, 1985
Dallas Hilton Inn
(214) 827-4100

Washington, D.C.

November 20-22, 1985
The Intrigue Hotel
(202) 337-6620

San Francisco

December 4-6, 1985
Vintage Court Hotel
(415) 392-4666

FACULTY

John Kramph is a partner with the law firm of Morgan, Lewis & Bockius of Philadelphia, Pa.

Rebecca Strandberg is a former trial attorney with the National Labor Relations Board. She is in private practice in Maryland.

Cynthia Plenin is a senior partner with the law firm of Sedgwick, Detert, Moran & Arnold of San Francisco, CA.

Michael Abcarian is a partner with the law firm of Johnson, Bromberg & Leeds of Dallas, Texas.

Jerry Warren is a partner with the law firm of Rain, Harrell, et al of Dallas, Texas.

Gayle Hutt is the former General Counsel for Atari Corp. She now maintains a private practice in California.

Jeffrey Petterson is a senior partner with the law firm of McDermott, Will & Emery of Chicago, Illinois.

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J. Sylvester Masterson
Professor of Law - Brooklyn Law
School,
New York. A.B., L.L.B., L.L.M., J.D.

*Names appear in alphabetical order.

PROGRAM OUTLINE

A. EEO Changes (Overview)

- What regulations have been withdrawn
- What regulations are not being enforced
- How Executive Order 11291 should affect your decision making
- Changes in your reporting obligations
- Outline and discussion of all changes in EEO guidelines and regulations — both procedural and substantial
- Changes in calculating Availability and Utilization
- Changes in Affirmative Action obligations — How and when to file the abbreviated Affirmative Action Plans
- Discussion of the final OFCCP regulations
- Understanding how and why your personal liability as a manager is increasing
- Status of the sexual harassment issue
- Two new ways to minimize liability (*Ford* and *Teal* decisions)
- Comparable Worth and Equal Pay

B. Important Federal Court decisions under the "New Emphasis."

- Bakke
- Weber
- Lorillard
- Southeastern Community College
- United Airlines
- Furnco
- General Telephone
- Mohasco
- Fullilove
- Gunther
- Manhart
- *Connecticut v. Teal*
- *Ford v. EEOC*
- *Arizona v. Norris*
- *U.S. v. Aikens*

C. Tying it together — looking at the changes and your present legal obligation — (overview)

Federal Contract Compliance and Affirmative Action Programs

- The abbreviated Affirmative Action Plans
- How the enforcement approach has changed
- Areas of possible change in your program under the new regulations
 - Workforce Analysis
 - Affected Class Analysis
 - Job Group Analysis
 - Availability Analysis
 - Utilization Analysis
 - Goals and Timetables
 - Strategies for Plan Design
 - Making the Plan Work in Your Organization
- Areas of exemptions — Nonenforcement

How do the changes affect your present program and approach — the specifics in a step by step workshop Executive Order 11246 (1965) and related directives.

- Coverage - New Regulations - Exemptions
 - a. Government contractors, subcontractors and suppliers - tiers
 - b. "Whole entity" coverage - establishments
 - c. Who must prepare written plans
- Requirements
 - a. The equal opportunity clause
 - b. Affirmative action

- c. Access to premises
- d. Reports and record-keeping requirements
- e. The mandatory contract clause pre-award compliance reviews
- f. Passing the requirements down to suppliers
- Remedies and Sanctions
 - a. Pass-over or debarment
 - b. Referral to other enforcement agencies
 - c. Back-pay
 - d. Class relief

What your affirmative action plan must contain

- Federal Construction Contractors
 - a. Regulations and Goals and Timetables for Women in Construction Work, Apprenticeship — meaning for non-construction contractors
 - b. Department of Labor bid conditions. The "Hometown Plan" alternative
 - c. Dealing with recalcitrant unions
- Federal Nonconstruction Contractors — Revised Order 4
 - a. How to establish an affirmative action program
 - b. Company policy statement
 - c. Work-force analysis
 - d. Utilization analysis
 - 1. Job Grouping
 - 2. Availability analysis: The New Four Factor Test
 - 3. When underutilization must be acknowledged
 - e. Goals and Timetables
 - 1. The New 80% Rule
 - 2. Annual goals - relation to "opportunities"
 - 3. Contingency goals
 - 4. Effect of the Firestone Case on company goals and timetables
 - f. Dissemination of contractor's policy — internal and external
 - g. Development and execution of "action oriented programs"
 - h. Internal audit and reporting systems
 - i. Support of local and national community action programs
 - j. Compliance with Sex Discrimination Guidelines (41 CFR Part 60 - 20)
 - k. Emphasis on recruitment
 - l. Special issues
 - 1. Establishing management awareness programs
 - 2. Obtaining support from line management
 - 3. Five Year Plans

How to Handle a Compliance Review

- What to do - not do - when you get notice of a compliance review
- The annual review
- Eliminating "Pre-Award" Reviews
- "De facto" debarment
- Responding to the compliance review
- The "Affected class" question
- Orders to Show Cause
- Freedom of Information Act Problems - The Chrysler Case

The EEOC and OFCCP

- Relation - powers, duties and responsibilities of each
- Strategies for dealing with each agency

- Disclosure of affirmative action data - the Freedom of Information Act and the EEOC and OFCCP interagency agreement
- What are their inspection rights and limitations?
- How the Departments of Justice and Labor "get involved"

Statutory Requirements for Affirmative Action

- Rehabilitation Act of 1973
 - a. Coverage limits - new developments regarding alcoholics and drug addicts
 - b. "Handicap" definition - including those who may not be handicapped
 - c. Required identification of handicapped employees and applicants
 - d. No goals or timetables
 - e. "Outreach"
 - f. Individual complaints
- Vietnam Era Veterans Readjustment Act of 1974
 - a. Coverage limits - Vietnam veterans and all disabled veterans
 - b. No goals or timetables
 - c. "Outreach"
 - d. Listing of openings with State Employment Service

Reverse Discrimination - The 1978 Bakke and 1979 Weber Decisions

- Impact on Affirmative Action Programs
- Questions Still Pending for Supreme Court Ruling
- Difference between
 - a. Court Ordered Plans
 - b. Revised Order No. 4 Plans
 - c. Voluntary Plans
- Impact on Personnel Actions
 - a. Hiring and Promotion Ratios
 - b. Lay-offs

How to design a Comprehensive Affirmative Action program for Women

- Recruitment
- Awareness and communication
- Implementation

How to design a Comprehensive Affirmative Action program for the handicapped

- Coverage limits - definition of handicap
- Special Considerations
- Recruitment requirements
- Communication and implementation

How to Monitor your Affirmative Action Programs

- How to set up a Monitoring system
- How to keep the "psychological" climate effective
- How to evaluate performance on a periodic basis - "rating"
- Vertical and horizontal employee involvement as a key
- Case studies of monitoring devices used in four major corporations

D. The 1964 Civil Rights Act and EEOC Under The New Regulations

- Title VII: Coverage
- Equal Opportunity — race, color, religion, sex, national origin
- What are unlawful employment practices? Theories of discrimination and proof.
- How to set up a company defense
- EEOC Theories Section 703 Discrimination

- Intentional Discrimination
- Race related Activities Discrimination
- Perpetuation of Past Discrimination — impact of *United Airlines, Inc. v. Evans*
- "Impact" Discrimination
- Proof of Discrimination
 - *TIME - D.C., Inc. v. U.S.*
 - Hazelwood School District v. U.S.
 - Furnco
- Seniority Systems
 - *Franks v. Bowman Transportation Co. Inc.*
 - *TIME - D.C., Inc. v. U.S.*
- Maternity Benefits
 - Pregnancy Amendments
 - EEOC Guidelines
 - Other Title VII Violations
 - Section 701(f) reasonable accommodation of religious preference
 - Section 704(a) retaliation
 - Section 704(c) prohibited advertisements training programs as indirect weapons of sex discrimination
 - Section 709(c) recordkeeping requirements
 - Pension Benefits and Sex Bias — *Arizona v. Norris*
- Employee Selection Process in 1985
 - Testing and selecting employees — uniform guidelines
 - Pre-hire requirements
 - Interviews
- Reporting and Recordkeeping
- Avoiding Illegality
- The Bona Fide Occupational Qualification

E. Enforcement and Defense — Title VII

- Title VII Administration and Enforcement Administrative Phase
 - The EEOC — What is its role?
 - Organization
 - District Office
 - Litigation Centers
 - Effect of EEOC Reorganization
 - Referrals to State or Local Agencies
 - Filing the Charge
 - How the EEOC Handles the Charge — No Fault settlement
 - The EEOC Investigation — and the correct employer response. How to deal with the EEOC Limits on their right to inspect, visit, take away information — Your rights — Technique and approach suggestions.
 - Investigative procedures
 - The investigator
 - Investigative Plan
 - Interviews — right to counsel
 - Recording interviews
 - Subpoenas
 - On-site investigation the "plant tour"
 - Data Requests the form of transmittals
 - Exit interviews
 - Statements of position
 - Format
 - The target audience
 - Interrogatories
 - Pre-determination Settlements

- Investigator's Memorandum
 - Case investigations
 - Pattern-and-practice investigations
- The Determination
 - Conciliation
 - Pre-determination Settlements
 - The Justice Department
 - General Telephone Case
 - Mohasaw Decision
- Title VII Administration and Enforcement Judicial Phase
 - The 1964 legislative compromise. The right-to-use letter
 - The 1972 legislative compromise. No administrative cease-and-desist orders. EEOC Lawsuits
 - The individual lawsuit
 - The class action
 - Rule 23. Federal Rules of Civil Procedure
 - Recent Developments East Texas Motor Freight Lines v. Rodriguez
 - Remedies
 - Back-pay Limitations
 - Two year rule
 - Problem of the antique charge Reinstatement
 - Punitive damage issues
 - Affirmative Action requirements
 - Scope
 - Retention of Jurisdiction
 - Attorney's fees: Civil Rights' Attorney's Fee Awards Act of 1976
 - Temporary restraining orders and preliminary injunctions
 - Jury trial issues
 - The Consent Decree: Affirmative Action by Judicial Fiat
 - Potential Scope
 - Negotiating Opportunities Preserving Management Flexibility
- Title VII The National Labor Relations Act and National Labor Policy
 - Employer discrimination Section 8(a) (1)
 - Union Discrimination Section 8(b) (1) (A)
 - Grievance and arbitration procedures
 - Other Anti-Discrimination Statutes
 - Amendments to Age Discrimination in Employment Act of 1967
 - Creates a protected group 40-70 year olds
 - Enforcement Procedure
 - Employer's potential exposure
 - Litigation by Department of Labor — broad wage recovery
 - Theories of proof
 - Impact of Amendments on Benefits, bargaining unit employees and executives
 - Manhart Decision

SEXUAL HARASSMENT

- I. Guidelines on sexual harassment
 1. Basic provisions
 2. Coverage and exclusions
 3. Meaning and present court interpretations of "sexual harassment"
- II. Sexual harassment as a title VII issue; Pension Plan discrimination and Sexual Bias

III. Employer liability when absent

1. Notice
 2. Control
 3. Effect on terms or conditions of employment
- IV. Employers "affirmative" obligation to investigate and take title VII action
- V. How to exonerate the employer
- VI. How to reduce your exposure and the threat of sexual harassment suits
1. Establishing an environment of awareness and concern
 2. Your policy statement
 3. How to set up a program for complaint resolution
 4. How to legally investigate and resolve a potential or actual problem
- VII. Changes and emphasis under the Reagan Administration

EMPLOYEE TERMINATIONS AND AGE DISCRIMINATION PROGRAM OUTLINE

- I. How to terminate employees legally
 1. Legal distinction between an "employment at will" and an employment agreement
 2. Federal and state requirements — Does title VII apply? When?
 3. Age discrimination act problems
 4. Affirmative action and reverse discrimination problems
- II. The Issue of Retaliatory Termination
 1. When has an employee engaged in protected conduct?
 2. Is an employee protected from Termination if:
 - (a) An OSHA, EEO, NLRB or related charge has been filed?
 - (b) The employee was involved in "concerted NLRA activity"?
- III. Legal ways employees can use to challenge employment termination:
 1. The pre-employment interview as a contract of fixed employment
 - How to avoid mistakes in this area
 2. The tort of "wrongful discharge"
 3. Libel/slander
 4. Emotional distress as a basis for suit
- IV. Four step process to terminate employees and limit your risk of liability:
 1. "Creative warning"
 2. Discipline
 3. Proper documentation
 4. Action
- V. The statutory and case law relating to age discrimination
- VI. Defense to a suit
 1. Bona fide occupational qualifications
 2. Seniority systems
 3. Good cause
 4. Retirement plans
 5. Cost factors as a defense
- VII. How to use statistical proof
- VIII. The personnel file — things to look for — records retention (destruction) programs
- IX. How to avoid litigation
 1. Records
 2. How to layoff and retire legally — risk analysis
- X. Relationship between ADEA and ERISA
- XI. Pension Benefits and Sex Bias. *Arizona v. Norris*

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