

Equal Employment Opportunity Policy

Policy History

Date	Brief Description of Change
6-24-70	EEO policy approved. Provides equal employment opportunity for employment, promotion, demotion, transfer, lay-off, termination, training, salary increases. Does not require an employee to use an established grievance procedure in agency. In cases of discrimination, the employee may appeal directly to SPB.
12-13-72*	Formalized the Affirmative Action Program in employment.
8-2-74*	Affirmative Action Policy approved.
1-1-76	Policy revised to include provisions in State laws: age, political affiliation, and physical disability. Appeal procedure revised to incorporate provisions of new State Personnel Act.
11-1-76	Required agencies to submit to OSP requests to establish age, sex, or physical requirements as a bona fide occupational qualification rather than submitting directly to U. S. Dept. of Labor. OSP will submit to DOL
7-1-77	Revised to indicate that employees who do not have five or more years of continuous state service do not have direct appeal to the State Personnel Commission on matters relating to political affiliation. (New amendment to State Personnel Act.)
10-1-77*	Revised AA policy to improve the State's leadership in its role in affirmative action. It is essentially designed to carry out the intent Chapter 126-16 of the G.S.
2-1-78*	Revised to state that "three available applicants must be interviewed" thus bringing AA policy and CARS requirements of interviewing representatives of the ethnic, sex and handicapped composition comparable.
12-1-78	Protected age increased from 65 to 70
10-1-78*	To assist in the evaluation of the State's Affirmative Action program, each State agency or institution shall provide the Commission with compliance information concerning investigations or other review made by the EEO, or through court proceedings, etc.

8-1-79*	Changed the wording to “as needed” instead of “monthly” regarding reporting progress.
10-1-80*	New flexible policy in regard to submission of affirmative action plans to OSP.
10-1-83	Revised to include special provisions for handicapped.
10-1-83*	To enhance the employment opportunities for persons with disabilities or handicapped individuals and to bring the State’s policy in conformity with the National or Federal Regulations, etc.
10-1-84*	<p>Policy Statement revised to add “preserve” EEO opportunities in (1) and add (2) assure more equitable representation of women, minorities and the handicapped throughout all aspects of the State’s workforce.</p> <p>Program Implementation- State Level revised to add “performance appraisal (WPPR) and reduction-in-force”.</p> <p>Program Implementation Department Level revised to expand No. 6 and added Nos. 7, 8, and 9 as new items that must be included in each department’s affirmative action program.</p> <p>Compliance Review revised to require submission of plans October 1 of each year</p>
10-1-87	Selection” added to policy as well as “admin. of disciplinary policies or termination for cause.” “Handicapping conditions” added throughout.
10-1-87*	“Handicapping condition” added; AA Plan to meet requirements of EEO/AA Planning and Resources Guide. Allows for three-year plan under certain conditions.
4-1-88	Special Provisions for Communicable and Infectious Disease added
11-1-88*	Date for submission of plans changed from October 1 to January 31.
3-1-94	Changed “permanent” to “career” in accordance with G.S. 126.
12-1-95*	Change from Affirmative Action Program Plan to EEO Program & Plan.
5-31-01*	Revised to redefine Workforce Analysis

Policy Name

Revision Date

7-1-06*	Advisory Note deleted in Item 5 since this provision has been approved permanently.
9-1-08	Added Advisory Note under the paragraph on Policy
1-1-12	Genetic information was added to the policy where appropriate to conform to the Genetic Information Nondiscrimination Act of 2008 (GINA)
10-1-12	Added section Information. entitled: Special Provisions Relative to Genetic Information.
12-1-13	Section on “Appeal Procedure” changed to refer employees to the Employee Grievance Policy found in Section 7 of the HR Manual.
06-1-15	<p>The EEO Policy and the EEO Program and Plan Policy were combined into one consolidated EEO Policy. The combined policies include provisions of Executive Order No. 55 and EEOC provisions regarding reasonable accommodations for pregnancy as follows:</p> <ul style="list-style-type: none"> • “Policy” statement includes reference to the Unlawful Workplace Harassment Policy found in Section 1 of the HR Manual. Duplication of the Unlawful Workplace Harassment Policy has been removed from the new policy. Feedback received during periodic review of existing rules indicated that “Unlawful workplace harassment” needed to be maintained as a separate policy to ensure special emphasis on the program. • “Definitions” were added at the end of the policy, to clarify various terminology found within the policy. These definitions mirror federal EEOC guidelines. <p>Pregnancy discrimination was not included in the previous policy, but has added to the new policy.</p> <p>Changed any references to “Agency and University” to now include <i>Department</i>, in accordance with Gov. McCrory’s Executive Order #55</p> <p><i>Special Provisions</i>” were eliminated (for Persons with Disabilities; Communicable Diseases; Exceptions Necessary to Prevent Spread of Disease). These are fully detailed within their own policies, in other sections of the NC State Human Resources Policy Manual. Special Provisions relative to “Age” and “Genetic Information” and information for “Bona Fide Occupational Qualification” were moved to the Definitions section of this policy.</p>

	<p>“<i>Appeal Procedure</i>” was changed to “Complaint Process,” to mirror the terminology found in the recent revision of the Unlawful Workplace Harassment Policy. Refers employees to the Employee Grievance Policy found in Section 7 of the HR Manual.</p> <p>The list of protected classes was amended to delete “creed,” as per HB 834 (S. L. 2013-382).</p> <p>Clarification was added related to complaints based on discrimination related to <i>political affiliation</i>. Federal law does not list political affiliation as a protected class. As a result, complaints related to political affiliation do not follow the same process as other EEO claims so this needs to be clarified in the EEO policy to avoid confusion.</p> <p>Agency, Department and University responsibilities now include “<i>ensure that each manager and supervisor has, as a part of his or her performance plan, the responsibility to comply with EEO Laws and policies and assist in achieving EEO goals established by the agency, department or university.</i>” This requirement is stated in Gov. McCrory’s Executive Order #55.</p> <p>Added reference to the Equal Employment Opportunity Policy located in Section 1 of the HR Manual for more information about required EEO training for supervisors and managers.</p> <p>Added reference to EEO Directors to match terminology in Executive Order. Also, made modification to the appointment of EEO Directors, i.e., the reporting relationships that are acceptable, “as long as there is access to the Agency Head, Department Head or University Chancellor on EEO matters.” These changes are in accordance with Gov. McCrory’s Executive Order #55.</p> <p>Added a requirement for OSHR to meet annually with agency heads/chancellors, HR Directors, and EEO Directors/Officers to EEO progress and goals to comply with Executive Order No. 55.</p> <p>Incorporated advisory notes in the policy.</p>
4/4/19	<p>In alignment with Executive Order #24, the EEO policy was amended to add sexual orientation, gender identity and expression, and Veteran/National Guard status to the list of protected groups. Approved at the SHRC meeting on 4/4/2019. In addition, definitions removed from the policy. The definitions will be expanded and provided as a supplemental document.</p>

June 25, 2026 (effective July 1, 2026)	Made confirming changes to reflect new Managing Employee Work policy.
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