

---

**BOG TALENT AND CULTURE RULE 3.2**  
**AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY**

---

**SECTION 1: PURPOSE & SCOPE.**

- 1.1 This Rule sets forth the West Virginia University Board of Governors' Affirmative Action and Equal Employment Opportunity Policy.
- 

**SECTION 2: POLICY STATEMENT.**

- 2.1 The West Virginia University Board of Governors reaffirms its commitment to the full realization of Affirmative Action and Equal Employment Opportunity in its employment practices.
- 2.2 It is the policy of the West Virginia University Board of Governors to:
- 2.2.1 Recruit, hire, train, promote, retain, tenure, and compensate persons in all applicable administrative, Classified, Faculty, Non-Classified, and Student job titles without regard to age, ethnicity, disability status, national origin, race, religion, sex, sexual orientation, protected veteran status, or any other class protected under the University's non-discrimination policy (WVU BOG Governance Rule 1.6, or successor Rule), unless otherwise prohibited by applicable law;
  - 2.2.2 Base decisions of employment to further the principles of affirmative action and equal employment opportunity;
  - 2.2.3 Ensure that promotion, reappointment and tenure decisions are in accordance with the principles of affirmative action and equal employment opportunity by imposing only valid requirements for promotional, reappointment and tenure opportunities;

- 2.2.4 Ensure that all personnel action including compensation, benefits, reduction in force, recall, training, education/tuition assistance, social and recreational programs will be administered without regard to age, ethnicity, disability status, national origin, race, religion, sex, sexual orientation, protected veteran status, or any other class protected under the University's non-discrimination policy (WVU BOG Governance Rule 1.6, or successor Rule), unless otherwise prohibited by applicable law.
- 

### **SECTION 3. DEFINITIONS.**

- 3.1 All defined terms for this Rule are contained within the Definitions Section of Board of Governors Talent & Culture Rule 3.1, unless the text clearly indicates a different meaning.
- 

### **SECTION 4: DELEGATION.**

- 4.1 The Board of Governors delegates to the Vice President for Talent and Culture the ability to adopt internal human resource policies and procedures in order to implement the provisions of this Rule. Any actions taken pursuant to this delegation must be consistent with the guidelines provided by this Rule.
- 4.2 To the extent federal and state law is inconsistent with this Rule and it is not possible for the University to comply with all, applicable law will govern. Accordingly, Talent and Culture, with advice from the Office of General Counsel, has the discretion to implement any necessary changes in order to comply with legal obligations.
- 

### **SECTION 5: AUTHORITY.**

- 5.1 W. Va. Code §18B-1-6, §18B-2A-4.
- 

### **SECTION 6: SUPERSEDING PROVISIONS.**

- 6.1 This Rule supersedes and replaces Higher Education Policy Commission ("HEPC") Series 40 (W. Va. Code R. §§ 133-40-1 to -2), which was adopted November 6, 2013, and any other current or subsequent Rule of the HEPC which relates to the subject matter contained within this Rule. This Rule also repeals and supersedes WVU BOG Policy 34 – Affirmative Action and Equal Employment Opportunity, which was adopted on June 2, 2006, and any other Human Resources policy or procedure which relates to the subject matter contained within this Rule.