

# 2023 – 2024 AFFIRMATIVE ACTION PLANS

CUNY School of Law

**Covering Minorities and Women (Executive Order 11246), Individuals with Disabilities (Section 503) and Protected Veterans (VEVRAA)**

Contact:

Michael Valente, Esq.

Chief Diversity Officer

CUNY School of Law

2 Court Square, Room 4-321

Long Island City, New York 11101

[michael.valente@law.cuny.edu](mailto:michael.valente@law.cuny.edu)

Please contact Mr. Valente at [michael.valente@law.cuny.edu](mailto:michael.valente@law.cuny.edu) if you need assistance with reading this document due to a disability.

This plan is available for review at the CDO's Office, Room 4-321, and upon request.



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## **PART ONE: INTRODUCTION AND BACKGROUND**

This report is an annual update of the Affirmative Action Plan (AAP) for federal contractors. The U.S. Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) oversees affirmative action requirements for federal contractors. This plan reflects requirements for implementing: Presidential Executive Order (EO) 11246, addressing gender and federally protected racial/ethnic groups; the Vietnam Era Veterans’ Readjustment Assistance Act of 1974 (VEVRAA), as amended, for protected veterans, and Section 503 of the Rehabilitation Act of 1973, as amended, for individuals with disabilities. Some aspects of this plan also reflect state and local regulations, guidelines for public entities, CUNY trustees’ resolutions, and CUNY policy.

The employee census date is June 1, 2023. The previous reporting year was June 1, 2022 – May 31, 2023. The program year for this plan is September 1, 2023 – August 31, 2024.

This plan is available for public review as described on the title page.

### **Overview of the College**

#### **Degree Offered**

Doctorate of Law, J.D.

Beginning in the 2016-17 academic year, CUNY School of Law launched three new dual degree programs in conjunction with other CUNY colleges:

JD/MPA in Law and Public Accountability

JD/MA degree in Forensic Psychology

JD/MIA in Law and International Affairs

The Law School has been accredited by the American Bar Association (ABA) since August 1992. The ABA reviews accredited law schools every seven years. The ABA’s last review of the Law School’s accreditation was in the spring of 2017 and resulted in the continuation of the Law School’s accreditation. The faculty and dean are responsible for all aspects of the academic program, subject to the review of the Board of Trustees. The Law School has been a member of the American Association of Law Schools (AALS) since January 2008.

## **History**

Founded in 1983, the Law School consistently ranks among the top three law schools in the country in clinical training and in the top two in diversity. CUNY Law pioneered the model of integrating a lawyering curriculum with traditional doctrinal study. The school has been praised in study by the Carnegie Foundation for the Advancement of Teaching, “Educating Lawyers: Preparation for the Profession of Law,” for being one of the few law schools in the country to prepare students for practice through instruction in theory, skills, and ethics. All third-year students at the Law School represent clients under the supervision of attorneys at one of the largest law firms in Queens – Main Street Legal Services, Inc. – situated on the Law School campus.

The Law School operates a full-time day program and a part-time evening program. The Law School also offers additional professional and public education programs that reach a broader audience.

These have typically included such activities as continuing professional education courses for attorneys, summer institutes, conferences, colloquia, and mentoring programs for graduates to support their provision of legal services to the public. In January 2016, the Law School and the Association of the Bar of the City of New York began offering a two-year graduate training program for lawyers interested in establishing small law firms to represent people of modest and moderate incomes, a significant segment of New York’s population that, until now, has been financially unable to obtain adequate legal services.

## **Mission**

The Law School’s mission is to graduate outstanding public interest attorneys and to enhance the diversity of the legal profession. Our students engage in rigorous coursework in traditional substantive areas while learning practical skills and training with real clients. The Law School is the national leader in progressive legal education with the strongest record of placing graduates in in-demand public interest and public service jobs. Students are prepared to practice, in the words of the Law School motto, “Law in the service of Human Needs.”

The basic premise of the Law School’s program is that theory cannot be separated from practice, abstract knowledge of doctrine from practical skill, and understanding the professional role from

professional experience. The curriculum integrates practical experience, professional responsibility, and lawyering skills with doctrinal study at every level. Forming the core of the lawyering curriculum are the skills recognized by the profession as essential to successful law practice: problem solving, legal analysis and reasoning, legal research, factual investigation, communication (legal writing, oral argument), counseling, negotiation, litigation and alternative dispute-resolution, organization and management of legal work, and recognizing and resolving ethical dilemmas.

**Appendix A** displays an organization chart.

### **Policies**

As a unit of The City University of New York (CUNY), we adhere to federal, state, and city laws and regulations on non-discrimination and affirmative action, including: Executive Order 11246, as amended, Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, Section 402 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, as amended, the Age Discrimination Act of 1975, New York State Human Rights Law and New York City Human Rights Law.

Protected groups identified in Executive Order 11246 are American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian or Other Pacific Islander, Two or More Races, and Women. CUNY's Chancellor designated Italian Americans as a protected group in 1976 and we produce a separate plan for Italian Americans.

The Dean issues a reaffirmation of the law school's commitment to our policies annually (Appendix B).

CUNY posts its policies on non-discrimination, sexual misconduct, and affirmative action on its website. **Appendix C** provides the text of the major policies.

<https://www.cuny.edu/about/administration/offices/legal-affairs/policies-resources/>

### **Responsibilities**

The entire community participates in promoting diversity and inclusion. Additionally, we have assigned certain specific responsibilities.

### **The Dean of the Law School**

The Law School Dean, Sudha Setty, oversees affirmative action and diversity programs to assure compliance with federal, state, and city laws, rules and regulations and university policies. The Dean designates personnel to manage affirmative action, compliance and diversity programs. Personnel include the Chief Diversity Officer (CDO), 504/Americans with Disabilities Act (ADA) Coordinator and Title IX Coordinator. The Dean ensures they have authority, staffing, and other resources to fulfill their assigned responsibilities. The Dean communicates commitment to equal employment opportunity, including an annual reaffirmation, and issues required reports, including this affirmative action plan. **Appendix B** contains the annual reaffirmation letter issued by the Dean.

### **Chief Diversity Officer**

The Dean has designated Michael Valente as Chief Diversity Officer (CDO) and Responsible Official who:

- Provides confidential consultation for, investigates, and resolves discrimination/harassment complaints
- Distributes new and revised policies and notices, integrating them into training programs, search committee orientations, websites, and other communications
- Evaluates affirmative action programs and initiatives
- Prepares and communicates affirmative action plan reports
- Consults with hiring teams and managers on recruitment and selection, overseeing recruitment plans and effective recruitment/selection strategies
- Participates in CUNY initiatives promoting diversity and inclusion.

The Chief Diversity Officer completed the OFCCP's online certification of compliance with affirmative action program requirements prior to June 30, 2023.

### **College Officials**

Executives, department chairpersons, managers, and supervisors are critical partners in equal employment and affirmative action programs. They help ensure compliance with regulations and policies, foster an inclusive environment, and help develop and implement affirmative action programs.

**Committee(s) on Diversity and Inclusion**

The Antiracist Task Force (ART) Committee advises the Dean on diversity and affirmative action, reviews the impact of policies on the governance plan, develops and implements strategic diversity plans, and promotes programs to reflect pluralistic values and goals.

**University Management**

CUNY's University Office of Recruitment and Diversity (ORD) within the University Human Resources unit establishes job groups and report parameters, and reports summary statistics. ORD sponsors university-wide diversity programs described in this plan and maintains systems for data collection (including self-identification) and job postings.



## PART TWO: DATA AND ANALYSIS

### Collecting Employee Data

In early July 2023, we extracted data on full-time employees active as of June 1, 2023 from CUNY's system of record, CUNYfirst. We include personnel on most paid leaves, including medical leave and fellowship/ sabbatical leave. We do not include personnel on terminal leaves such as retirement leave, student workers (including Graduate Assistants) or people employed separately by CUNY's Research Foundation.

We invite employees to self-identify gender, race/ethnicity, veteran status, and disability status. Employees may update selections at any time on an Employee Self-Service portal. We also invite job applicants to self-identify on the job application portal. The university conducted a self-identification canvas in 2018.

Of **250 total employees**, 6 employees did not identify a gender and 0 employees did not identify a valid race/ethnicity category. Anyone who did not specify a gender and/or ethnicity is included in the Workforce Analysis but not assigned to a protected group. Only 1 fulltime employee identified as a veteran and only 2 fulltime employees identified as disabled.

### Self-Identification Categories

We use the following categories to evaluate representation by race/ethnicity for the federal affirmative action plan:

- Total Minorities (all groups other than White, reported as a single category)
- Asian (consolidates Asian, Hawaiian, and Other Pacific Islander)
- Black/African American
- Hispanic/Latino
- White (not a protected group).

We record a person as Hispanic/Latino if that person identifies as both Hispanic/Latino and some another group as Hispanic/Latino, and not as Two or More Races. American Indian/Alaska Native and Two or More Races are included under Total Minorities but not separately reported.

Consistent with long-standing agreements, we ask employees to self-identify Italian American status, and create a separate Italian American affirmative action plan. We also invite employees to

optionally provide data on their ancestries from a list of approximately sixty categories.

CUNY provides for six categories of gender identification, but we must use federally-mandated categories for purposes of this plan (“male” and “female”). Currently, only persons specifically identifying as “female” are included in the federally-protected gender category.

The federal government is in the process of preparing new standards for self-identification expected to impact future Affirmative Action plans.

### **Analyzing Data**

We analyze workforce data as mandated to promote a complete assessment, covering:

- Workforce Analysis (Evaluating employment within organizational units/departments)
- Job Group Analysis (Analysis of job groups and academic disciplines)
- Utilization Analysis (Comparisons with labor market availability measures)
- Transaction Analysis (Reviews of Personnel Actions, Recruitment and Hiring, and Compensation).

We rely on methods provided by the US Department of Labor’s Office of Contract Compliance Programs (OFCCP), in particular, the *Educational Institutions Technical Assistance Guide (2019)*.

### **Workforce Analysis**

Workforce Analysis is a review of employees’ organizational placement (i.e., by their assigned division and department). We review the data organized by job title in order of rank or salary grade.

Due to length, Workforce Analysis charts are not included here. The next two charts summarize the composition of the workforce by job group and by tenure status (for faculty).

**Executive/Administrative/Managerial**

Job Group	Ttl Empls	Female #	Female %	Minority #	Minority %
Admin 1: Executive	16	11	68.8%	9	56.3%
Admin 2: Managerial	29	25	86.2%	14	48.3%
Admin 2: Managerial Adjunct	15	11	73.3%	7	46.7%
Managerial: Info Tech	1	0	0.0%	0	0.0%
Managerial: Security	1	0	0.0%	0	0.0%

**Professional Faculty**

Job Group	Ttl Empls	Female #	Female %	Minority #	Minority %
Faculty: Professoriate	44	29	65.9%	22	50.0%
Faculty: Librarian	5	2	40.0%	3	60.0%
Faculty: Instructor	8	7	87.5%	5	62.5%
Faculty: Lecturer	1	0	0.0%	0	0.0%
Faculty: Lecturer Adjunct	4	3	75.0%	2	50.0%
Faculty: Professoriate Adjunct	39	23	59.0%	16	41.0%

**Professional Non-Faculty**

Job Group	Ttl Empls	Female #	Female %	Minority #	Minority %
Admin 3: Professional	30	23	76.7%	20	66.7%
Info Tech: Professional	10	1	10.0%	7	70.0%
Info Tech: Professional Adjunct	3	2	66.7%	1	33.3%

**Administrative Support Workers**

Job Group	Ttl Empls	Female #	Female %	Minority #	Minority %
Administrative Assistant	5	5	100.0%	3	60.0%
Office Assistant	7	5	71.4%	6	85.7%
Office Assistant Adjunct	23	17	73.9%	11	47.8%
Mail Services Worker	2	0	0.0%	2	100.0%

**Technicians**

Job Group	Ttl Empls	Female #	Female %	Minority #	Minority %
Info Tech: Technician Adjunct	1	0	0.0%	0	0.0%

**Craft Workers**

Job Group	Ttl Empls	Female #	Female %	Minority #	Minority %
Laborers and Helpers	3	0	0.0%	2	66.7%

**Service Workers**

Job Group	Ttl Empls	Female #	Female %	Minority #	Minority %
Campus Peace Officer	1	0	0.0%	1	100.0%
Campus Security Assistant Adjunct	1	0	0.0%	1	100.0%

**Full-Time Faculty by Title and Tenure Status**

**June 1, 2023**

**CUNY School of Law**

**Total Faculty: 58**

Status categories are: Tenure, Track Tenure, Substitute, and "Instructors or Others PSC" (not eligible for tenure). This report refers to tenure as of the 2022-2023 academic year (effective 9/1/2022)

Title	Ttl Empls	Female #	Female %	Minority #	Minority %
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**Faculty: Instructor**

Law Instructor	8	7	87.5%	5	62.5%
Instructors and others PSC	3	2	66.7%	2	66.7%
Substitute <6 Mo no prior svc	1	1	100.0%	0	0.0%
Substitute >=6 Mo Or Prior Ben	4	4	100.0%	3	75.0%

**Faculty: Lecturer**

Law Dist Lecturer	1	0	0.0%	0	0.0%
Instructors and others PSC	1	0	0.0%	0	0.0%

**Faculty: Librarian**

Law Library Assc Professor	3	1	33.3%	2	66.7%
Tenured	1	0	0.0%	0	0.0%
Track Tenure	2	1	50.0%	2	100.0%
Law Library Professor	2	1	50.0%	1	50.0%
Tenured	2	1	50.0%	1	50.0%

**Faculty: Professoriate**

Law Asst Professor	3	3	100.0%	2	66.7%
Substitute >=6 Mo Or Prior Ben	1	1	100.0%	0	0.0%
Track Tenure	2	2	100.0%	2	100.0%
Law Assc Professor	16	12	75.0%	11	68.8%
Substitute >=6 Mo Or Prior Ben	2	1	50.0%	1	50.0%
Track Tenure	14	11	78.6%	10	71.4%
Law Professor	25	14	56.0%	9	36.0%
Tenured	25	14	56.0%	9	36.0%

## **Job Group Analysis**

Job Group Analysis is a review by job function, evaluating employee data according to groups of jobs with similar duties and qualifications. A major input is the federal Standard Occupational Classification (SOC) coding system. Job Groups are organized into categories based on the federal EEO-1 coding system.

CUNY also reviews faculty by academic discipline. CUNY assigns most faculty departments to disciplines as per the US Department of Education's Classification of Instructional Programs (CIP). CUNY analyzes data about College Laboratory Technicians by assigning departments to one of two categories: Scientific/Engineering/Technical or a General (non-scientific) category.

The Utilization Analysis (see next section) provides detail on job groups and academic disciplines.

## **Utilization Analysis**

We compare CUNY's workforce with an estimate of the general labor market by job group. We evaluate utilization for females, major federal ethnicity categories (Asian, Black/African American, and Hispanic/Latino and Total Minorities (adding American Indian/Alaska Native and Two or More Races)).

### **Labor Market Source Data**

Labor Market Availability is an estimate used to benchmark staffing of persons in protected groups by job group. It represents the proportion of each group available for employment in the labor market for jobs CUNY fills. This information is based upon an external labor market in a reasonable geographic area, and an internal labor market of personnel at CUNY eligible to be advanced into certain jobs.

- For external candidates except some faculty, we utilized the US Census American Community Survey (ACS), 5-year estimate, 2017-2021 (final), extracted from University of Minnesota's Integrated Public User Microdata Sample (IPUMS). Data is extracted based on a combination of geography, labor force participation, occupation, and educational attainment, depending on job group.

- For internal candidates, we utilized lists of CUNY-wide appointments over the 2017-2022 time period and consulted with CUNY's Director of Civil Service Operations. Internal demographics are based on the last plan census date (June 1, 2022).
- For faculty discipline-based estimates, we utilized the US Department of Education's National Center for Education Statistics' Integrated Post-Secondary Education Data System (IPEDS) completion data, 2020-2021 (final). We use the Classification of Instructional Programs (CIP) to identify disciplines.

It is not possible to determine a highly exact estimate of the labor market for a given job group. For one thing, all calculations are based on historical data. It is important to consider both the calculations and the resulting findings to be general indicators.

We calculate underutilization for groups with a minimum of five incumbents, with the caveat that analyzing groups of less than 30 employees may generate less reliable results.

The Dean's position reports outside of our establishment and is not included in any job group.

We report underutilization where the percent of personnel belonging to a protected group is less than 80% below the labor market estimate, and the difference is equal to at least one full-time equivalent employee. The following illustration may help explain this calculation:

*Illustration: Utilization and Underutilization*

If a job group has 10 personnel and 50% of the available Labor Market is female, we expect 50% of personnel in that job group to be female.



In our example, there are 3 females in the job group (less than 4). Therefore, females are underutilized as compared with the Labor Market.



Underutilization is based on females represented at 80% of the job group or more; in this case, four or more.



**Appendix D** details utilization/underutilization in each category (job group and/or academic discipline). Where there is underutilization, we prioritize that job group for setting placement goals and conducting outreach when there are hiring or advancement opportunities.

Year-to-year variations in underutilization arise from a combination of changes in availability, hires, advancements, and separations. It is usually not possible to pinpoint a single, direct cause of most changes, particularly in the smaller job groups.

The following pages summarize staffing and underutilization for each job group.

*Table 3: Summary of Underutilization and Goals*

CUNY School of Law

This is a summary of underutilization of protected groups for staff Job Group and EEO Category. We report Job Groups only in the years each has five or more incumbents.

This summary reports underutilization as follows:

- 2020 - 2021 Plan (as of 6/1/2020)
- 2021 - 2022 Plan (as of 6/1/2021)
- 2022 - 2023 Plan (as of 6/1/2022)
- 2023 - 2024 Plan (this plan, as of 6/1/2023)

In 2023, we updated Labor Market Availability estimates for the 2023 Plan Year, which could impact results. See the Narrative for details.

When underutilization does not change year-to-year, the most common reason is that there has not been an opportunity to hire or promote into that particular group.

**Executive/Administrative/Managerial**

Total Staff	Female	Total Minority	Asian/Nat Haw./OPI	Black/AfricanAm	Hispanic/Latino
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Admin 1: Executive

2023	16				
2022	15				
2021	14	1			1
2020	15				1

Admin 2: Managerial

2023	29				1
2022	29				
2021	31			2	
2020	29			2	

**Professional Non-Faculty**

Total Staff	Female	Total Minority	Asian/Nat Haw./OPI	Black/AfricanAm	Hispanic/Latino
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Admin 3: Professional

2023	30				
2022	29				
2021	26				
2020	28				

Info Tech: Professional

2023	10	3	1		
2022	10	3	1		
2021	10	3	1		
2020	10	3	1		

**Administrative Support Workers**

Total Staff	Female	Total Minority	Asian/Nat Haw./OPI	Black/AfricanAm	Hispanic/Latino
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**Administrative Support Workers**

Total Staff	Female	Total Minority	Asian/Nat Haw./OPI	Black/AfricanAm	Hispanic/Latino
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Administrative Assistant

2023	5		1		1	
2022	7		2		2	1
2021	7		2		2	1
2020	7		2	1	1	1

Office Assistant

2023	7			1		
2022	6					
2021	7					
2020	8					

CUNY School of Law

This is a summary of underutilization of protected groups by Job Group and Discipline in faculty ranks. We report combinations of Job Group and Discipline only in the years each has five or more incumbents.

This summary reports underutilization as follows:

- 2020 - 2021 Plan (as of 6/1/2020)
- 2021 - 2022 Plan (as of 6/1/2021)
- 2022 - 2023 Plan (as of 6/1/2022)
- 2023 - 2024 Plan (this plan, as of 6/1/2023)

In 2023, we updated Labor Market Availability estimates for the 2023 Plan Year, which could impact results. See the Narrative for details.

When underutilization does not change year-to-year, the most common reason is that there has not been an opportunity to hire or promote into that particular group.

**Faculty: Professoriate**

Legal Professions and Studies

	Total Staff	Female	Total Minority	Asian/Nat Haw./OPI	Black/ African Am.	Hispanic/ Latino
2023	44					2
2022	44					2
2021	46					1
2020	50					3

**Faculty: Librarian**

Library (Librarians/Non-Teaching)

	Total Staff	Female	Total Minority	Asian/Nat Haw./OPI	Black/ African Am.	Hispanic/ Latino
2023	5	2				
2022	5	1				
2021	5	1				
2020	5	1				

**Faculty: Instructor**

Legal Professions and Studies

	Total Staff	Female	Total Minority	Asian/Nat Haw./OPI	Black/ African Am.	Hispanic/ Latino
2023	8					
2022	9					
2021	5					1
2020	6		1		1	1

## Utilization, Underutilization, and Placement Goals

The Law School prides itself on being the **most diverse law school** in the country: overwhelming utilization of federally-protected groups in a broad range of EEO categories and job groups, albeit with **noted underutilization** as follows: for females in the IT Computer Professional job group (underutilization of 3 females) and Hispanics in the Faculty Professoriate job group (underutilization of 2 Hispanics).

The Law School remains committed to remedying any underutilization. The CDO will closely monitor recruiting efforts, the hiring pools of each search committee (especially those areas where noted underutilization has occurred) and provide information on any opportunities for personal development programs for both staff and students, and increase communication between the HR department, Student Affairs and the Dean's Office to ensure compliance and diversity at the Law School.

## Transaction-Based Analyses

### Personnel Activity

We review personnel actions for adverse impact. This means that we compare rates of hiring, promotion and termination of employees by gender and ethnicity and note material differences. We review activity for all job groups and report the results here for groups with a material number of actions and/or applicants. **Appendix E** summarizes job actions, including tenure, by Gender and Ethnicity.

Given system limitations, we produce an estimate of net changes by job group. We compare employee title changes between two reference dates (June 1, 2022 and June 1, 2023). This method produces a reasonable estimate but may leave out some actions, such as an employee changing job groups more than once over the year. We note hires, moves to a higher or lower job group, moves within a job group, and separations. Employees who change job groups and/or transfer between CUNY units are reported as separated from the first job and appointed to the second job. Federal guidelines state adverse selection may occur when any one group (protected or not) has a rate of hire, advancement or separation less than 80% of the rate of the most-selected group.

Tenure is a permanent status granted to professorial faculty and College Laboratory Technicians. Lecturers are eligible for a similar status, Certificate of Continuous Employment (CCE). Lecturers and College Laboratory Technicians are eligible after meeting service requirements. For professorial

faculty, there are extensive reviews resulting in tenure recommendations to the Dean.

A white female gained tenure and a black male was hired with tenure for law professor positions during the relevant plan period.

### **Recruiting Activity**

CUNY is committed to equitable practices to recruit a diverse and highly qualified workforce. The Chief Diversity Officer reviews applicant data and recruiting outcomes to determine if there is a need to adjust recruiting and outreach plans.

Prior to posting a job vacancy, the Chief Diversity Officer reviews the physical and mental qualifications and the posting language in general. They also review recruiting plans for intended outreach. We post open positions on our Careers page, <https://cuny.jobs> and open Civil Service examinations on the CUNY Civil Service web page, <https://www.cuny.edu/about/administration/offices/hr/classified-civil-service/notice-of-exams-noe/>.

We invite candidates to voluntarily self-identify gender, race/ethnicity, disability status, and veteran status.

We conduct most faculty and administrative hiring by appointing a diverse Search Committee for initial screening. The Chief Diversity Officer provides an orientation, or “charge,” to committee members on effective selection practices, including practices aimed at reducing potential for bias. The Chief Diversity Officer reviews applicant pools for sufficient representation and certifies pools prior to committee review, and reviews selections again as searches near completion. Committees refer finalist candidates to the hiring manager(s) for a final selection.

**Appendix F** summarizes recruiting and selection by job group for searches concluded with a job offer between June 1, 2022 and May 31, 2023.

As per federal guidelines, an “applicant” is someone who applies to a specific opening, has the minimum qualifications, is considered, and does not withdraw. We analyze applicant pools and selection rates for interviews, offers, and hires.

We report all searches resulting in an offer during the previous plan year. For some searches, there

is a time gap between offer and start dates. To avoid a lag in reporting, we include searches based on date of accepted job offer, even if the employee has not started work by June 1. This explains differences between the total hires in personal activity reports and completed searches in recruitment reports.

Over the course of the year, the law school might have made exceptions to the search process, known as a search waiver. The waiver process involves a review by the Chief Diversity Officer and a second review at CUNY's System Office. A waiver may be granted in situations where it is highly unlikely we could fill the position competitively (such as unique qualification requirements). We also grant waivers for positions representing a transfer of funding sources. **Of 4 total search waivers**, all were awarded to females: 1 White, 2 Black, and 1 Hispanic. 3 waivers represented advancements of current personnel, with 1 waiver for re-hiring of the employee.

### **Civil Service Hiring**

We participated in (1) university-wide hiring pools for Classified Civil Service vacancies. Applicants who are pre-qualified based on an examination score indicate their interest in working at one or more units, and each establishment interviews and hires according to Civil Service regulations. We report applicants expressing an interest in our unit at the hiring pools. CUNY's Office of Human Resources Management administers and validates Civil Service examinations and maintains records of applicants and exam scores.

The law school hired 1 CUNY Office Assistant, a Hispanic male.

### **Compensation**

We develop pay schedules according to bargaining unit contracts, Civil Service regulations, New York City Section 220 Prevailing Wage determinations, and university policies. Plans include the Executive Compensation Plan (ECP), Faculty and Non-Teaching Instructional Staff Pay Plan, Classified Civil Service Plans for Managerial and Non-Managerial Personnel, and Prevailing Wage schedules for Skilled Trades. CUNY's Trustees review and approve all pay plans.

The Chief Diversity Officer reviews overall practices such as:

- Setting of Starting Salaries
- Performance-Based Pay
- Pay Increases Upon Promotion

- Tracking of Compensation Decisions
- Document Retention
- Assignment of Overtime/Additional Assignments.

The Chief Diversity Officer reviewed the Compensation Report with Human Resources, and informed Dean Setty on October 16, 2023 that there were no identified major concerns regarding compensation equity for which legitimate explanations could not be provided, e.g., collective bargaining agreements, pay schedules, longevity, market/labor forces, candidate skills set and experiences, and classified civil service plans.

**PART THREE: ACTION-ORIENTED PROGRAMS**

This section provides a qualitative assessment of prior-year goal attainment and details efforts aimed at achieving next year’s goals.

**2022-2023 Prior Year Programs**

Last year, we undertook the following to support affirmative action and create a climate of inclusion:

*Table 4: Summary of Campus Programs, 2022-2023*

<b>Program</b>	<b>Impact/Job Group</b>
Hired a fulltime Chief Diversity Officer	Ensure fair employment practices and outreach to affirmative action groups; Help establish a climate of equity, civility, nondiscrimination and antibias through enforcement of EO policies and EO training programs.

<b>Program</b>	<b>Impact/Job Group</b>
HR routinely provided internal postings of job positions	Publicize promotional opportunities to entire workforce, which created opportunities for advancement.
The law school hosted various programs as part of its use of the CUNY campus climate grant funding: anti-LGBTQIA violence and hatred; antisemitism and human rights; anti-Asian bias, violence, and stereotyping	Help to create a law school environment where differing viewpoints are respected.

### **2023-2024 Planned Programs**

In this section, we affirm placement goals and key initiatives.

*Table 5: 2023-2024 Planned Programs*

<b>Program</b>	<b>Expected Impact/Job Group</b>
Greater outreach to women for IT positions, if opportunity to hire	Increase applicant pool with increased opportunity to hire females for open IT positions
Greater outreach to Hispanics for faculty positions, if opportunity to hire	Increase applicant pool with increased opportunity to hire Hispanics for open faculty positions
The law school will host various programs as part of its use of the CUNY campus climate grant funding: antisemitism and human rights; anti-Asian bias, violence; implicit bias and stereotyping	Help to create a law school environment where differing viewpoints are respected, discrimination is lessened, and where employees are better aware of the benefits of a diverse workforce.
Identifying and advising current employees for advancement	Posting of all job offerings internally as well as externally.

Encouraging employees to participate in university-sponsored professional development programs focused on diversity and public events.	The law school offered many opportunities during the year for professional development.
CUNY Law Community Day	To foster greater understanding of different perspectives in order for the law school to effectively address bias and privilege.

### **Ongoing Activities**

The CDO provides numerous training sessions throughout the year for employees and managers on nondiscrimination and diversity. Also, the CDO sends a “Know Your Rights and Responsibilities in the Workplace” email twice a year to faculty and staff.

CUNY’s University Human Resources office lists job vacancies with State Workforce Agencies and veterans’ centers and maintains consolidated advertising programs, including job boards serving veterans, individuals with disabilities, women, and protected minorities. The office maintains accounts for university-wide job posting and outreach, including the Higher Education Recruitment Consortium. It also provides training to Chief Diversity Officers and campus Human Resources personnel.

CUNY has a mandatory on-line training program for faculty and staff on sexual harassment prevention and workplace violence prevention; we regularly review training records and follow-up with non-participants.

### **Internal Audit and Reporting**

The Chief Diversity Officer posts and distributes notices of policies, new/revised regulations, and similar compliance information, and makes this plan available for public inspection. The CDO integrates compliance information into faculty, student and staff training programs.

The Chief Diversity Officer’s responsibilities for audits and reviews include:

- Monitoring personnel actions, including new hires, transfers, promotions, and terminations



- Monitoring employee self-identification programs
- Reviewing recruiting outreach and advertising
- Monitoring complaints/incident reports for underlying trends
- Reviewing personnel practices and the affirmative action programs with management
- Advising management of program effectiveness and providing recommendations for improvement.
- Working with Human Resources staff to assure employment records are complete, accurate, and current
- Completing the annual Affirmative Action certification in the US Department of Labor Contractor Portal.

Chief Diversity Officers have responsibility for communicating elements of the Plan and reviewing progress.

CUNY recently implemented an on-line discrimination complaint tracking and reporting system.

CUNY regularly reports results externally and/or responds to audit requests from:

- New York State Department of Labor
- New York City Department of Education
- New York City Equal Employment Practices Commission.

CUNY also answers to the CUNY Board of Trustees, particularly its Subcommittee on Diversity, Inclusion and MWBE.

## **PART FOUR: INDIVIDUALS WITH DISABILITIES AND PROTECTED VETERANS**

Federal regulations mandate written affirmative action plans to address hiring and advancement of individuals with disabilities and veterans. This section covers:

- Equal Opportunity and Non-Discrimination Policy
- Review of Personnel Processes
- Review of Physical and Mental Qualifications
- Reasonable Accommodations
- Harassment Prevention Procedures
- External Policy Dissemination
- Outreach and Positive Recruiting
- Internal Policy Dissemination
- Implementation Responsibility
- Training
- Audit and Reporting System
- Benchmark Comparisons.

### **Equal Opportunity and Non-Discrimination Policy**

CUNY's Equal Opportunity and Non-Discrimination Policy is provided in **Appendix C**.

### **Review of Personnel Practices**

We seek to ensure personnel processes support equal employment opportunity for employees and applicants who are individuals with disabilities and/or protected veterans. We periodically review practices for potential barriers to employment, training, and promotion.

Personnel practices do not stereotype individuals with disabilities or protected veterans or otherwise limit access to employment. We include individuals with disabilities and veterans in media such as college publications and websites.

We invite employees to self-identify through an online self-service system. We invite applicants to

self-identify through CUNY's online applicant tracking system. CUNY maintains appropriate security measures for confidentiality of personal data. The College last conducted a canvas for self-identification in 2018.

### **Review of Physical and Mental Qualifications**

We ensure physical and mental qualifications are job-related and consistent with business necessity and safety. We periodically review physical and mental qualifications as they relate to employment, training, and promotion. As a routine practice, the Chief Diversity Officer reviews position requirements before listing a job vacancy. They review any new job qualifications or conditions to ensure they would not screen out qualified individuals with disabilities or protected veterans.

CUNY's Civil Service unit reviews job requirements prior to issuing new or revised Civil Service job descriptions. CUNY also provides a checklist for planning a recruiting effort with a sign-off on job requirements.

### **Reasonable Accommodations**

We provide reasonable accommodations to individuals with disabilities (including disabled veterans). According to our Policy on Implementing Reasonable Accommodation and Academic Adjustments, CUNY Human Resources Directors are responsible for responding to accommodation requests by applicants, employees, contractors, visitors, and others.

Name: Elizabeth Johnston  
Title: Director of Human Resources and Payroll  
Phone: 718-340-4520  
Email: [elizabeth.johnston@law.cuny.edu](mailto:elizabeth.johnston@law.cuny.edu)

Student requests for reasonable accommodations are received and processed by:

Name: Patricia Kennedy  
Title: Director of Student Services/ Disabilities Coordinator  
Phone: 718-340-4380  
Email: [kennedy@law.cuny.edu](mailto:kennedy@law.cuny.edu)

We have posted the Procedures for Implementing Reasonable Accommodation and Academic Adjustments online at:

<https://www.cuny.edu/about/administration/offices/legal-affairs/policies-resources/>

Information for applicants for employment is provided on the Employment Page of the CUNY Website and <https://www.law.cuny.edu/human-resources/>. There is also a link at the bottom of each job posting on <https://cuny.jobs> directing the candidate to our accessibility page. Applicants may also contact the Office of Recruitment and Diversity at [jobs@cuny.edu](mailto:jobs@cuny.edu).

We provide reasonable accommodations based on: disability; pregnancy, childbirth, or medical condition related to pregnancy or childbirth; religious practice; and status as a victim of domestic violence, sex offense or stalking.

Recognizing requests may be resolved through dialogue, this year we documented 7 employee accommodation requests, successfully concluded 2 times and appealed 1 time. At this time there are no outstanding appeals. We responded to Zero job applicant accommodation requests.

There were few changes to campus facilities to improve access except routine upgrades, updates, and maintenance.

### **Harassment Prevention**

CUNY has developed anti-harassment policies and procedures concerning individuals with disabilities and protected veterans. The 504/ADA Coordinator reviews personnel practices to ensure access and non-discrimination for individuals with disabilities. The Chief Diversity Officer reviews practices for veterans.

### **External Policy Dissemination**

Each job vacancy announcement includes a summary of CUNY's policy. As noted above, CUNY posts its Non-Discrimination Policy on its employment website. CUNY's Office of Labor Relations provides an annual notice of our policies to labor unions. Our establishment (or the university, as appropriate) sends written notice of the affirmative action policies to subcontractors, vendors, and suppliers, requesting compliance.

## Outreach and Positive Recruiting

Table 6: Summary of Prior Year Outreach

Program / Effort	Impact/Discussion
Continued awareness of the underutilization of employees who are members of protected groups such as veterans and those who identify as having a disability through “charging” the search committees.	CDO will monitor to help increase the opportunity for qualified candidates to interview.
Increase outreach to the Disability Rights Bar Association	CDO will monitor to ensure job postings reach targeted groups, to reach the widest audience of disabled applicants.
Increase outreach to the Federal Bar Association of Veterans and the Military.	CDO will monitor to ensure job postings reach targeted groups, to reach the widest audience of qualified veterans.

Table 7: Planned Outreach, 2023-2024

Program / Effort	Goals/Expected Impact
Continued/Increased outreach to the Disability Rights Bar Association and Federal Bar Association of Veterans and the Military.	To help produce a larger applicant pool of qualified individuals with disabilities and veterans.
Increase awareness of underutilization through charging the search committees and CDO training programs.	To generate more emphasis on the importance of hiring employees with disabilities and veteran. and making the Law School work environment a place

Program / Effort	Goals/Expected Impact
	where veterans and persons with disabilities feel welcome.
Attendance at conferences or other professional development opportunities, if available, geared towards increasing numbers of veterans and persons with disabilities in the workforce.	To generate more opportunities and awareness on the importance of hiring employees with disabilities and veterans.

Ongoing efforts include:

- Disseminating information concerning employment opportunities to outlets reaching protected veterans (including disabled veterans) and individuals with disabilities
- Advertising job openings with a variety of external resources, including required reporting to the New York State Labor Department and related agencies
- Filing the annual federal VETS-4212 report
- Assisting veterans with a passing score on a competitive Civil Service examination to apply for additional points based on veteran or disabled veteran status as per NY State statute
- Assisting qualified individuals with disabilities with appointment to classified competitive Civil Service titles without an examination (55(a) Program).

### Internal Policy Dissemination

To foster positive support for affirmative action programs for protected veterans and individuals with disabilities, we have:

- Included policies in manuals and other publications
- Explained policies and responsibilities to senior management and supervisors
- Conducted training for employees involved in recruitment, selection, and promotion decision-making
- Discussed policies in employee orientation and management training programs
- Included information on the accomplishments of veterans (including disabled veterans) and

- other individuals with disabilities in unit communications
- Posted CUNY Procedures for Implementing Reasonable Accommodation and Academic Adjustments on bulletin boards, along with the CUNY Policy on Non-Discrimination (addressing protection from harassment on the basis of disability)
  - Featured persons who are individuals with disabilities in handbooks or similar publications
  - Other Policies are posted on the CUNY School of Law website, the Student Handbook, and in the CDO's "Rights and Responsibilities" emails to the campus community.

### **Implementation Responsibility**

As part of its efforts to ensure equal employment opportunity to veterans (including disabled veterans) and other individuals with disabilities, we have designated specific responsibilities.

#### **The Dean**

Dean Setty oversees affirmative action and compliance programs. The Dean appoints a 504/ADA Coordinator to oversee compliance and provides support and resources for affirmative action and compliance. The 504/ADA Coordinator and the Chief Diversity Officer report issues uncovered in interview reviews to the President who oversees appropriate responses.

#### **504/ADA Coordinator**

As 504/AD Coordinator, CDO Michael Valente:

- Monitors 504/ADA compliance
- Reviews and resolve issues such as disputed accommodation decisions
- With HR, maintains records of accommodation requests and outcomes
- With HR, ensures records are stored securely and confidentiality is maintained
- Provides training as needed on issues related to individuals with disabilities.

#### **504/ADA Committee**

While no standing committee, the 504/ADA Coordinator works closely with the Human Resources Director (for employees), the Director of Student Services/ Disabilities Coordinator (for students), and the law school Communications Department (for website accessibility) to ensure ADA compliance regarding campus programs and activities, including those for disabled veterans.

## **University Management**

CUNY's Office of Recruitment and Diversity manages systems that capture self-identification data and provides data support to the campuses. The Office also administers CUNY's 55(a) program to provide opportunities in Civil Service positions to individuals with disabilities.

## **Training**

We provide orientation on relevant regulations and policies, including affirmative action programs, to personnel responsible for recruitment, selection, promotion, disciplinary actions, and similar personnel activities.

The CDO provides DEI training to employees at department meetings and in various Zoom meetings. The CDO trains new faculty and staff during orientation regarding CUNY policies on equal opportunity, nondiscrimination, and sexual misconduct. The CDO also provides training to students during orientation and throughout the academic year.

## **Audit and Reporting System**

The Chief Diversity Officer, who is also the 504/ADA Coordinator, audits the effectiveness of outreach and affirmative action programs in general and monitors recruitment practices and discrimination claims related to status as a veteran or individual with a disability.

The CDO/504/ADA Coordinator also oversees audit and reporting in support of individuals with disabilities. He identifies and addresses barriers to access and evaluates remedial actions.

Relevant findings are reported to the Dean.

## **Benchmark Comparisons**

### **Staffing**

**Appendix G** provides counts individuals with disabilities by job group. The US Department of Labor suggests a benchmark of 7.0% for each job group. There is no requirement to calculate underutilization or set placement goals.



CUNY reports veteran representation annually through the federal VETS-4212 report.

**Hiring Rates**

The Exhibit on the following page illustrates hiring rates for veterans and individuals with disabilities as compared with previous plan years. The format is presented as prescribed by the US Department of Labor.

In March 2023, the federal government set the benchmark Hiring Rate for veterans at 5.4%, representing the prevalence of veterans in the United States workforce.

There is no federal hiring rate benchmark for individuals with disabilities.

The recruiting and hiring of veterans and persons with disabilities are goals/priorities in the next plan year.

**Exhibit: Benchmark Comparisons for Veterans and Individuals with Disabilities**

*Table 8: Veterans' Hiring Rate Benchmark*

The benchmark, established annually by the US Department of Labor, is 5.4% as of March 2023.

<b>Factor</b>	<b>2022-2023</b>	<b>2021-2022</b>	<b>2020-2021</b>
A. Number of applicants who self-identified as Veterans before an offer of employment is made	11	8	5
B. Total number of job openings	18	13	2
C. Total number of jobs filled	16	6	2
D. Total number of applicants for all jobs	677	610	194
E. Number of veteran applicants hired	0	0	0
F. Total number of applicants hired	16	6	2
<b>Hiring Rate (E divided by F)</b>	0	0	0
<b>Federal Benchmark</b>	5.4%	5.5%	5.6%
<b>Benchmark Met (Yes/No)</b>	No	No	No

As comparison, as per the May, 2023 Employment Situation Report from the Bureau of Labor Statistics, the unemployment rate for Veterans was 2.5% and the rate for Non-Veterans was 3.4%.

<https://www.bls.gov/news.release/pdf/empsit.pdf>

*Table 9:Hiring Rate for Individuals with Disabilities*

There is no recommended hiring benchmark for Individuals with Disabilities.

<b>Factor</b>	<b>2022-2023</b>	<b>2021-2022</b>	<b>2020-2021</b>
A. Number of applicants who self-identify as Individuals with Disabilities before an offer of employment is made	65	55	7
B. Total number of job openings	18	13	2
C. Total number of jobs filled	16	6	2
D. Total number of applicants for all jobs	677	610	194
E. Number of individuals with disabilities hired	0	0	0
F. Total number of applicants hired	16	6	2
<b>Hiring Rate (E Divided by F)</b>	0	0	0

As comparison, as per the May, 2023 Employment Situation Report from the Bureau of Labor Statistics, the unemployment rate for Individuals with Disabilities was 7.8% and the rate for individuals without a disability was 3.4%. <https://www.bls.gov/news.release/pdf/empsit.pdf>

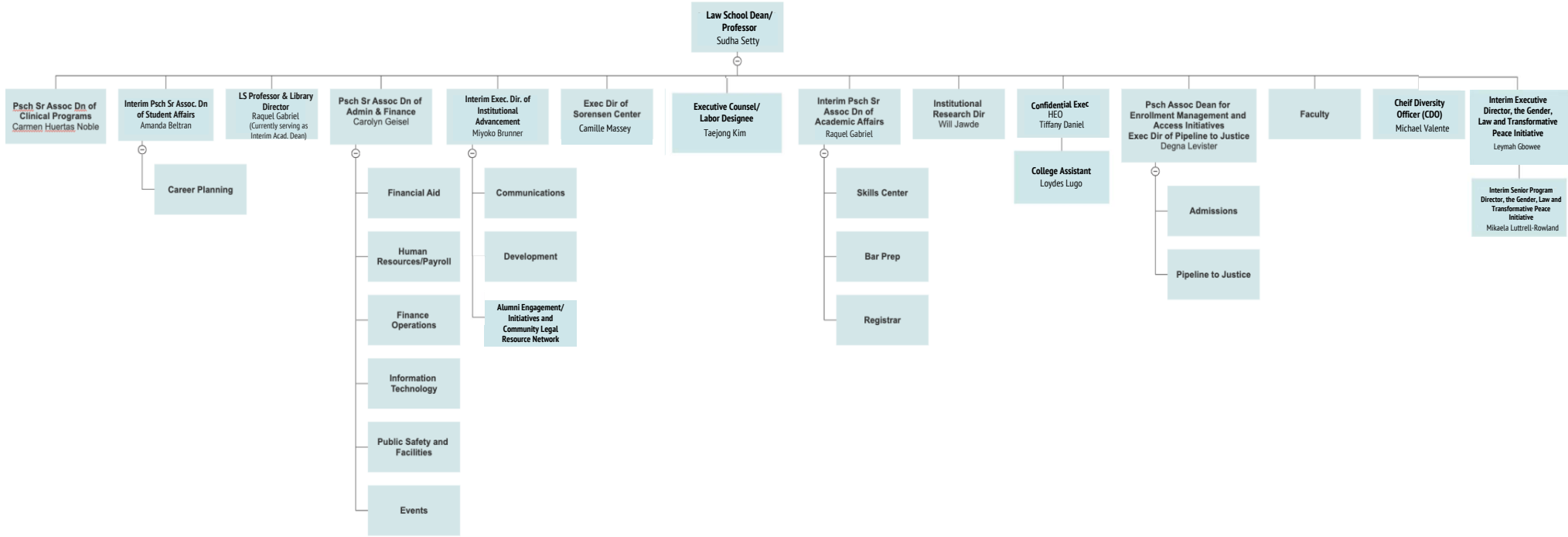
## **APPENDICES**

- A. Summary Organization Chart
- B. Policies
- C. Reaffirmation Letter
- D. Utilization Analysis
- E. Summary of Personnel Activities
- F. Summary of Recruitment Activities
- G. Utilization of Individuals with Disabilities

Appendices for the 2023 - 2024 Affirmative Action Plan

## Appendix A                      Organization Chart

This Appendix contains a summary organization chart.



## Appendix B                  Reaffirmation Letter

This Appendix contains the most recent Reaffirmation Letter.

To: CUNY Law Community  
From: Dean Sudha Setty  
Date: Fall 2023

**Re: Reaffirmation of Commitment to Diversity/Equal Opportunity/Affirmative Action**

The first prong of CUNY Law's dual mission is to create access to legal education for students from communities that have been historically and are currently excluded from the profession. People of color, low-income individuals, people with disabilities, and LGBTQIA+ people have been and continue to be excluded from and grossly underrepresented in the legal profession. The Law School has, since its inception, deliberately and consistently admitted a student body whose representation from those excluded communities far surpasses the diversity of law school populations nationally and even further surpasses diversity numbers for the profession, which helps build a better and more inclusive profession.

Because the Law School has the unique privilege of providing an educational environment and a work environment that are enriched by its diversity, it has a special moral obligation to take steps to ensure that (1) our policies and practices prohibit discrimination as defined by law, (2) we continue to work to employ best practices in support of diversity, equity, and equal opportunity in our admissions and scholarship processes and academic policies; in our hiring and employment practices; and in our classrooms and offices, and (3) we move the Law School community to a progressively more inclusive educational and work environment. We are committed to adjudicating discrimination; to surfacing, acknowledging, and rooting out systems and practices that reflect racism, sexism, ageism, homophobia, transphobia, religious discrimination, and ableism; and to regularly and continuously provide training and educational opportunities that lead us individually and as a community to diminishing implicit bias and microaggressions, as well as institutional and systemic racism and all institutionalized and systemic forms of discrimination.

**MEETING LAW SCHOOL DIVERSITY REGULATIONS**

Beyond moral and aspirational imperatives, CUNY School of Law operates within the policies, regulations, and guidelines of the City University of New York (detailed below), the New York State Court of Appeals, the American Bar Association, and the Association of American Law Schools. The New York State Court of Appeals has no specific regulations related to diversity for law schools; however, effective January 2017, the Court of Appeals added a one-credit Diversity, Inclusion, and Elimination of Bias requirement to its annual mandatory continuing legal education (CLE) obligation for practicing attorneys.

The American Bar Association has adopted standards for all accredited law schools prohibiting discrimination; requiring each school to adopt concrete plans to diversify the student body, the faculty, and the staff; requiring each school to adopt concrete plans to promote inclusion and to provide reasonable accommodations for students with disabilities. In February 2022, the ABA



adopted a requirement that each accredited law school provide education to law students on bias, cross-cultural competency, and racism in order to eliminate bias and enhance diversity. They have also added categories such as “ethnicity,” “gender identity or expression” and “military status” to language in Standard 205, which deals with Non-Discrimination and Equality of Opportunity. The Association of American Law Schools has similar requirements. Its standards affirmatively and specifically prohibit discrimination based on gender expression or identity.

Thus, as a matter of expression of institutional values and identity, as well as to comply with University, accreditation, and professional regulation, CUNY Law prioritizes the creation of a discrimination-free, inclusive work and learning environment.

## MEETING CUNY DIVERSITY REGULATIONS

The City University of New York has a long-standing commitment to diversity and equal opportunity. CUNY School of Law actively supports these policies and practices, implemented to foster non-discrimination, affirmative action, and diversity and inclusion in the workplace and our classrooms. I take seriously my responsibility to oversee CUNY School of Law’s compliance with the CUNY Policies and Procedures on Equal Opportunity, Non-Discrimination, and Sexual Misconduct.

The Equal Opportunity and Non-Discrimination Policy states CUNY’s commitment to recruit, employ, retain, promote, and provide benefits to employees regardless of race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, marital status, partnership status, disability, genetic information, alienage, citizenship, military or veteran status, unemployment status, pregnancy, or status as a victim of domestic violence/ stalking/sex offenses, or any other legally prohibited basis in accordance with federal, state, and city laws. Under CUNY’s policy, Italian-Americans are included among protected groups. As a federal contractor, CUNY engages in affirmative action consistent with federal requirements.

I encourage you to visit [CUNY’s website](#) to view the Equal Opportunity Policy in its entirety, including the complaint procedures and prohibition against retaliation.

I have assigned the responsibility for the implementation and monitoring of our compliance programs to our **Chief Diversity Officer (CDO), Michael J. Valente, Esq.**, who is located in room 4/321 and can be reached at 718.340.4285, or emailed at: [Michael.valente@law.cuny.edu](mailto:Michael.valente@law.cuny.edu). Any individual who believes that they have experienced employment discrimination should immediately contact the CDO. Also, our deans, directors, managers, and supervisors share responsibility for ensuring our compliance with these policies and laws, and are required to report discrimination complaints to the CDO.

For Title IX/sexual misconduct complaints and issues, contact Michael Valente or **Amanda Rios, Deputy Title IX Coordinator** ([Amanda.rios@law.cuny.edu](mailto:Amanda.rios@law.cuny.edu)).

## **Appendix C                    CUNY Policies**

This Appendix has the text of major CUNY policies related to affirmative action and equal employment opportunity.

### **EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY**

The City University of New York (“University” or “CUNY”), located in a historically diverse municipality, is committed to a policy of equal employment and equal access in its educational programs and activities. Diversity, inclusion, and an environment free from discrimination are central to the mission of The University.

It is the policy of The University—applicable to all colleges and units— to recruit, employ, retain, promote, and provide benefits to employees (including paid and unpaid interns) and to admit and provide services for students without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, sex (including pregnancy, childbirth and related conditions), sexual orientation, gender, gender identity, marital status, partnership status, disability, genetic information, alienage, citizenship, military or veteran status, status as a victim of domestic violence/stalking/sex offenses, unemployment status, or any other legally prohibited basis in accordance with federal, state and city laws.

It is also The University’s policy to provide reasonable accommodations to applicants, employees and other persons on the basis of disability, religious practices, pregnancy or childbirth-related medical conditions, or status as victims of domestic violence/stalking/sex offenses.

This Policy also prohibits retaliation for reporting or opposing discrimination, or cooperating with an investigation of a discrimination complaint.

### **AFFIRMATIVE ACTION POLICY**

CUNY has had policies related to affirmative action plans since the early 1970s. CUNY’s Affirmative Action Policy of May 28, 1985 is part of its Manual of General Policy.

### **ARTICLE V FACULTY, STAFF AND ADMINISTRATION**

#### **Policy 5.04 - Affirmative Action:**

RESOLVED, that the Board of Trustees of The City University of New York reaffirms its commitment to affirmative action and directs the Chancellery and the colleges to reemphasize the taking of the positive steps that will lead to recruiting, hiring, retaining, tenuring, and promoting increased numbers of qualified minorities and women. (Board of Trustees Minutes, 1985-05-28, Section 6-C)

### **SEXUAL MISCONDUCT POLICY**

CUNY’s Policy on Sexual Misconduct addresses sexual harassment, gender-based harassment and sexual violence. It outlines procedures applicable to students and employees for addressing complaints.

Every member of The City University of New York (“CUNY”) community, including students, employees and visitors, deserves the opportunity to live, learn and work free from Sexual Misconduct (sexual harassment, gender-based

harassment and sexual violence). Accordingly, CUNY is committed to:

- Defining conduct that constitutes prohibited Sexual Misconduct;
- Providing clear guidelines for students, employees and visitors on how to report incidents of Sexual Misconduct and a commitment that any complaints will be handled respectfully;
- Promptly responding to and investigating allegations of Sexual Misconduct, pursuing disciplinary action when appropriate, referring the incident to local law enforcement when appropriate, and taking action to investigate and address any allegations of retaliation;
- Providing ongoing assistance and support to students and employees who make allegations of Sexual Misconduct;
- Providing awareness and prevention information on Sexual Misconduct, including widely disseminating this policy, as well as a “students’ bill of rights” and implementing training and educational programs on Sexual Misconduct to college constituencies; and
- Gathering and analyzing information and data that will be reviewed in order to improve safety, reporting, responsiveness and the resolution of incidents.

This is the sole policy at CUNY addressing Sexual Misconduct and is applicable at all college and units at the University. It will be interpreted in accordance with the principles of academic freedom adopted by CUNY’s Board of Trustees.

#### OTHER POLICIES

It is our policy to recruit, employ, retain, promote, and provide benefits to employees and to admit and provide services for students without regard to race, color, national or ethnic origin, religion, age, sex, sexual orientation, gender identity, marital status, disability, genetic predisposition or carrier status, alienage, citizenship, military or veteran status, unemployment status or status as victim of domestic violence.

Management reaffirms its non-discrimination policies annually.

Other important policies available on CUNY’s “Policies and Resources” webpage include:

- Campus and Workplace Violence Policy
- Domestic Violence and the Workplace Policy
- Procedures for Implementing Reasonable Accommodations and Academic Adjustments

CUNY campuses report crime statistics, including statistics relating to sexual violence under the federal Jeanne Clery Act. Information is available from the campus Office of Public Safety (list name of office and/or website).

## Appendix D-1 Utilization Analysis - Staff Job Groups

This Appendix provides a utilization analysis for each staff job group that has five or more employees.

Underutilization occurs where the utilization of a protected group is less than 80% of Labor Market Availability. We calculate a number approximating the number of full-time employees that would be needed to make utilization equal to the labor market.

Details of internal and external factors in estimating the labor market are provided.

Underutilization numbers for females and total minorities represent placement goals when there are opportunities for hiring/advancement.

Total Minority is comprised of Asian/Hawaiian/Other Pacific Islander, Black/African American, Hispanic/Latino, American Indian/Alaska Native and Two or More Races.

CUNY School of Law

Category: Executive/Administrative/Managerial

Job Group: Admin 1: Executive

Description: Executive Compensation Plan (Other Than Chief Executive)

Appointments: 16

Weight Availability Factors

50.00% ACS 2017-2021 National workforce with a minimum of Bachelor's degree plus eight years of experience (proxy age of 29 and higher) in selected occupations (0010, 0020, 0060, 0101, 0102, 0110, 0120, 0136, 0230, 0565, 2100).

50.00% Employees in titles Professor or Higher Education Officer as of 6/1/22; tenure or permanency not required.

Titles held by employees in this group

- 04723 Asst Administrator
- 04333 Prof School Assoc Admin
- 04128 Prof School Assoc Dean
- 04332 Prof School Asst Admin
- 04129 Prof School Sr Assoc Dean

Utilization Report					
	Female	Total Minority	Asian/Nat. Haw./Other Pac. Isl.	Black/African American	Hispanic/ Latino
Number of Employees	11	9	4	2	3
Underutilized (Y = Yes)					
Number Underutilized					
Actual Utilization	68.8%	56.3%	25.0%	12.5%	18.8%
Labor Market Availability	45.6%	29.6%	10.0%	8.9%	8.8%

CUNY School of Law

Category: Executive/Administrative/Managerial

Job Group: Admin 2: Managerial

Description: HE Officer series administrators-senior level

Appointments: 29

Weight Availability Factors

55.00% ACS 2017-2021 NY/NJ MSA workforce with a minimum of Bachelor's degree plus six years or experience (proxy age of 27 or higher) in selected occupations (0020, 0060, 0101, 0102, 0110, 0120, 0136, 0230, 0565, 9800).

45.00% Employees in title Higher Education Assistant of of 6/1/22; tenure or permanency not required.

Titles held by employees in this group

04075 HE Associate

04097 HE Officer

Utilization Report					
	Female	Total Minority	Asian/Nat. Haw./Other Pac. Isl.	Black/African American	Hispanic/ Latino
Number of Employees	25	14	4	6	4
Underutilized (Y = Yes)					Y
Number Underutilized					1
Actual Utilization	86.2%	48.3%	13.8%	20.7%	13.8%
Labor Market Availability	57.7%	51.7%	14.2%	17.4%	17.8%

CUNY School of Law

Category: Executive/Administrative/Managerial

Job Group: Admin 2: Managerial Adjunct

Description: Adjunct HE Officer series administrators (all levels)

Appointments: 15

Weight Availability Factors

55.00% Identical to Administration 2 Group (Full Time).

45.00% Identical to Administration 2 Group (Full Time).

Titles held by employees in this group

- 04340 Law Non Teaching Adjunct 1
- 04341 Law Non Teaching Adjunct 2
- 04689 Non-Teaching Adjunct 1
- 04687 Non-Teaching Adjunct 3
- 04685 Non-Teaching Adjunct 5

Utilization Report					
	Female	Total Minority	Asian/Nat. Haw./Other Pac. Isl.	Black/African American	Hispanic/ Latino
Number of Employees	11	7	0	3	4
Underutilized (Y = Yes)			Y		
Number Underutilized			2		
Actual Utilization	73.3%	46.7%	0.0%	20.0%	26.7%
Labor Market Availability	57.7%	51.7%	14.2%	17.4%	17.8%

CUNY School of Law

Category: Professional Non-Faculty

Job Group: Admin 3: Professional

Description: HE Officer Series: Entry and mid-level administrators

Appointments: 30

Weight Availability Factors

90.00% ACS 2017-2021 NY/NJ MSA workforce with minimum of Bachelor's degree in selected occupations (0520-0750, 1006, 1031, 1032, 2002, 2145, 2825, 2830, 2840, 2850, 2865, 5710, 5920, 9810).

10.00% Employees in titles CUNY Office Assistant, CUNY Admin Assistant, EOC Office Assistant and EOC Administrative Assistant holding a minimum of a Bachelor's degree as of 6/1/22; permanency not required.

Titles held by employees in this group

- 04017 Asst to HEO
- 04099 HE Assistant

Utilization Report					
	Female	Total Minority	Asian/Nat. Haw./Other Pac. Isl.	Black/African American	Hispanic/ Latino
Number of Employees	23	20	7	6	7
Underutilized (Y = Yes)					
Number Underutilized					
Actual Utilization	76.7%	66.7%	23.3%	20.0%	23.3%
Labor Market Availability	59.3%	39.5%	16.5%	9.6%	10.4%



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Category: Professional Non-Faculty

Job Group: Info Tech: Professional

Description: Information Technology-Professionals

Appointments: 10

Weight Availability Factors

75.00% ACS 2017-2021 NY/NJ MSA with minimum of a High School Diploma and four years of experience (proxy age of 21 or higher) in selected occupations (1006, 1007, 1010, 1021, 1022, 1065, 1105, 1106, 1108).

25.00% Employees in titles IT Support Assistant and CUNY Office Assistant, permanency not required, as of 6/1/2022.

Titles held by employees in this group

- 04877 IT Associate
- 04875 IT Asst
- 04029 IT Bus Data Rep Analyst
- 04880 IT Sr Associate

Utilization Report					
	Female	Total Minority	Asian/Nat. Haw./Other Pac. Isl.	Black/African American	Hispanic/ Latino
Number of Employees	1	7	2	4	1
Underutilized (Y = Yes)	Y		Y		
Number Underutilized	3		1		
Actual Utilization	10.0%	70.0%	20.0%	40.0%	10.0%
Labor Market Availability	38.1%	59.4%	30.2%	13.0%	13.9%

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Category: Administrative Support Workers

Job Group: Administrative Assistant

Description: Administrative Assistants-Senior level

Appointments: 5

Weight Availability Factors

0.00% Internal Only - Promotional Title

100.00% Employees in the CUNY Office Assistant title with Civil Service permanency and having achieved levels 3, 3A, or 4 as of 6/1/2022.

Titles held by employees in this group

04804 CUNY Admin Asst

Utilization Report					
	Female	Total Minority	Asian/Nat. Haw./Other Pac. Isl.	Black/African American	Hispanic/ Latino
Number of Employees	5	3	1	1	1
Underutilized (Y = Yes)		Y		Y	
Number Underutilized		1		1	
Actual Utilization	100.0%	60.0%	20.0%	20.0%	20.0%
Labor Market Availability	89.4%	77.7%	10.0%	36.6%	29.3%

CUNY School of Law

Category: Administrative Support Workers

Job Group: Office Assistant

Description: Administrative Office Assistants-Entry level

Appointments: 7

Weight Availability Factors

65.00% ACS 2017-2021 NY/NJ MSA with minimum of High School Diploma in selected occupations (4720, 4740, 5220, 5230, 5240, 5740, 5810, 5820, 5860).

35.00% Employees in the title of College Assistant (hourly) as of 6/1/2022.

Titles held by employees in this group

04802 CUNY Office Assistant

Utilization Report					
	Female	Total Minority	Asian/Nat. Haw./Other Pac. Isl.	Black/African American	Hispanic/ Latino
Number of Employees	5	6	0	3	3
Underutilized (Y = Yes)			Y		
Number Underutilized			1		
Actual Utilization	71.4%	85.7%	0.0%	42.9%	42.9%
Labor Market Availability	71.8%	58.9%	15.0%	17.6%	23.5%

CUNY School of Law

Category: Administrative Support Workers

Job Group: Office Assistant Adjunct

Description: Hourly Administrative Office Assistants-Entry level

Appointments: 23

Weight Availability Factors

100.00% Identical to CUNY Office Assistant Group (Full Time) except that availability is 100% external.

0.00% NA

Titles held by employees in this group

10102 College Assistant

Utilization Report					
	Female	Total Minority	Asian/Nat. Haw./Other Pac. Isl.	Black/African American	Hispanic/ Latino
Number of Employees	17	11	3	6	2
Underutilized (Y = Yes)					Y
Number Underutilized					3
Actual Utilization	73.9%	47.8%	13.0%	26.1%	8.7%
Labor Market Availability	76.3%	49.8%	11.5%	15.0%	20.5%

## **Appendix D-3                    Utilization Analysis - Faculty By Discipline and Job Group**

This Appendix provides a utilization analysis for combination of faculty job group and academic discipline with five or more employees.

Underutilization occurs where the utilization of a protected group is less than 80% of Labor Market Availability. We calculate a number approximating the number of full-time employees that would be needed to make utilization equal to the labor market.

Underutilization numbers for females and total minorities represent specific placement goals as prescribed for federal Affirmative Action Plans. Note underutilization measures are those calculated for the academic discipline, which may comprise more than one department.

Details of internal and external factors in estimating the labor market are provided.

Total Minority is comprised of Asian/Hawaiian/Other Pacific Islander, Black/African American, Hispanic/Latino, American Indian/Alaska Native and Two or More Races.

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**Legal Professions and Studies**

Faculty in this discipline are assigned to the following department(s):

- 80259 Academic Affairs
- 10181 Law Department
- 10182 Legal Clinic

**Job Group Faculty: Instructor**

**Weight Availability Factors**

100.00% 2020 NCES Degree Completions, Masters Level, Nationwide for selected disciplines (first and second majors).

Total Appointments: 8

	Utilization Report				
	Female	Total Minority	Asian/Nat. Haw./Other Pac. Isl.	Black/African American	Hispanic/Latino
Number of Faculty	7	5	1	1	2
Underutilized (Y = Yes)					
Number Underutilized					
Actual Utilization	87.5%	62.5%	12.5%	12.5%	25.0%
Labor Market Availability	59.2%	38.1%	6.5%	14.1%	12.7%

**Job Group Faculty: Professoriate**

**Weight Availability Factors**

100.00% 2020 NCES Degree Completions, Doctoral, Nationwide for selected disciplines (first and second majors).

Total Appointments: 44

	Utilization Report				
	Female	Total Minority	Asian/Nat. Haw./Other Pac. Isl.	Black/African American	Hispanic/Latino
Number of Faculty	29	22	9	9	4
Underutilized (Y = Yes)					Y
Number Underutilized					2
Actual Utilization	65.9%	50.0%	20.5%	20.5%	9.1%
Labor Market Availability	53.4%	32.5%	6.4%	9.1%	13.1%

**Job Group Faculty: Professoriate Adjunct**

**Weight Availability Factors**

100.00% Identical to Faculty Professoriate Group (Full Time).

Total Appointments: 38

	Utilization Report				
	Female	Total Minority	Asian/Nat. Haw./Other Pac. Isl.	Black/African American	Hispanic/Latino
Number of Faculty	23	16	5	8	3
Underutilized (Y = Yes)					Y
Number Underutilized					2
Actual Utilization	60.5%	42.1%	13.2%	21.1%	7.9%
Labor Market Availability	53.4%	32.5%	6.4%	9.1%	13.1%

CUNY School of Law

**Library (Librarians/Non-Teaching)**

Faculty in this discipline are assigned to the following department(s):

70054 Law Library Operations

**Job Group Faculty: Librarian**

**Weight Availability Factors**

100.00% ACS 2017-2021 Nationwide workforce with a minimum of a Master's degree in occupation 2435 (Librarians and Media Collections Specialists). One availability is calculated for all faculty in the Library group.

Total Appointments: 5

	Utilization Report				
	Female	Total Minority	Asian/Nat. Haw./Other Pac. Isl.	Black/African American	Hispanic/Latino
Number of Faculty	2	3	1	2	0
Underutilized (Y = Yes)	Y				
Number Underutilized	2				
Actual Utilization	40.0%	60.0%	20.0%	40.0%	0.0%
Labor Market Availability	81.3%	15.5%	3.6%	4.5%	4.8%



## Appendix E Personnel Activity

This Appendix details personnel activities.

The spreadsheets provide detail on personnel activity by job group and by EEO Category.

The charts represent only those job groups and EEO Categories with a material level of activity.

Net Personnel Activity, 6/1/22 - 6/1/23

All Job Groups

	Net Group Changes	NET ADDITIONS		Additions by Type		Detail, Internal Hires by Type						NET SUBTRACTIONS		Subtractions by Type		Detail, Internal Separations by Type					OTHER CHANGES WITHIN JOB GROUP (not counted in totals)	
		Addition #	Additions %	Outside Hires	Internal Hires into New Job Group	Was Part Time	Hired from Other College	Demoted	Advanced	Other Change	Return to Faculty	Sub. #	Sub %	Separation from CUNY	Internal Separation from Group	Left for Other CUNY College	Demoted	Advanced	Other Change	Returned to Faculty	Advance-ments	Other Changes
<b>Total</b>	2	28		14	14	3	3	2	5	-	1	(26)		(18)	(8)	-	(2)	(5)	-	(1)	3	-
<b>Male</b>	2	9	32%	4	5	1	1	1	1	-	1	(7)	27%	(4)	(3)	-	(1)	(1)	-	(1)	-	-
<b>Female</b>	(3)	16	57%	8	8	1	2	1	4	-	-	(19)	73%	(14)	(5)	-	(1)	(4)	-	-	3	-
<b>Other Gender Unknown</b>	-	-	0%	-	-	-	-	-	-	-	-	-	0%	-	-	-	-	-	-	-	-	-
<b>Gender</b>	3	3	11%	2	1	1	-	-	-	-	-	-	0%	-	-	-	-	-	-	-	-	-
<b>All Protected Race/Eth Grps</b>	5	22	79%	11	11	3	1	1	5	-	1	(17)	65%	(10)	(7)	-	(1)	(5)	-	(1)	3	-
<b>Asian</b>	-	7	25%	1	6	1	-	-	4	-	1	(7)	27%	(2)	(5)	-	-	(4)	-	(1)	1	-
<b>Black</b>	(1)	6	21%	5	1	1	-	-	-	-	-	(7)	27%	(7)	-	-	-	-	-	-	1	-
<b>Hispanic Other Protected Grp</b>	6	9	32%	5	4	1	1	1	1	-	-	(3)	12%	(1)	(2)	-	(1)	(1)	-	-	1	-
<b>White</b>	(4)	5	18%	3	2	-	1	1	-	-	-	(9)	35%	(8)	(1)	-	(1)	-	-	-	-	-
<b>Unknown Ethnicity</b>	-	-	0%	-	-	-	-	-	-	-	-	-	0%	-	-	-	-	-	-	-	-	-
<b>Veterans Individuals w/Disabilities</b>	(1)	-	0%	-	-	-	-	-	-	-	-	(1)	4%	(1)	-	-	-	-	-	-	-	-

This chart displays net changes among all job groups. Therefore, transfers into a job group equal transfers out of a job group. Hires and separations include outside hires/separations and hires/separations from another CUNY unit.

This provides detail about the kinds of moves between job groups.

This provides detail about the kinds of moves between job groups.

## Appendix F                      Summary of Recruiting Activities

This Appendix provides details of candidate pools and outcomes of searches.

The spreadsheets provide detail on applicants, interviews, and offers. The scope of this report includes searches which officially concluded during the previous plan year (June 1, 2022 through May 31, 2023).

# CUNY School of Law

## Summary - All Searches

Total: 18

	Records	Applicants	Appl%		Interviews	Selection Rate %	Offers	Selection Rate %	Hires	Selection Rate %
<b>Total + Total Selection Rate</b>	700	677	97%		13	1.9%	9	1.3%	8	1.2%
<b>Male</b>	251	243	36%		3	1.2%	2	0.8%	2	0.8%
<b>Female</b>	366	353	52%		8	2.3%	6	1.7%	5	1.4%
<b>Other</b>	12	12	2%		-	0.0%	-	0.0%	-	0.0%
<b>Unknown</b>	71	68	10%		2	2.9%	1	1.5%	1	1.5%
<b>Total Not Female</b>	334	323	48%		5	1.5%	3	0.9%	3	0.9%
<b>Total Minorities</b>	401	384	57%		10	2.6%	8	2.1%	7	1.8%
<b>Asian</b>	130	121	18%		1	0.8%	-	0.0%	-	0.0%
<b>Black</b>	141	135	20%		3	2.2%	3	2.2%	3	2.2%
<b>Hispanic</b>	112	110	16%		5	4.5%	5	4.5%	4	3.6%
<b>Other inc 2 or more</b>	18	18	3%		1	5.6%	-	0.0%	-	0.0%
<b>Italian-American</b>	32	31	5%		-	0.0%	-	0.0%	-	0.0%
<b>White</b>	260	254	38%		2	0.8%	1	0.4%	1	0.4%
<b>Unknown Ethnicity</b>	39	38	6%		1	2.6%	-	0.0%	-	0.0%
<b>White+Unknown</b>	299	292	43%		3	1.0%	1	0.3%	1	0.3%
<b>Veterans</b>	11	11	2%		-	0.0%	-	0.0%	-	0.0%
<b>Indiv. w Disabilities</b>	70	65	10%		-	0.0%	-	0.0%	-	0.0%

	Least Selected:	Least Selected:	Least Selected:
	Male+Oth White+Unk	Adverse Adverse	Male+Oth White+Unk

Percent Female	52%	61.5%	66.7%	62.5%
Percent Total Minorities	57%	76.9%	88.9%	87.5%
Percentage Veterans	2%	0.0%	0.0%	0.0%
Percentage w Disabil.	10%	0.0%	0.0%	0.0%

## **Appendix G                      Utilization of Individuals with Disabilities by Job Group**

This Appendix presents the total staff in each job group with the number and percentage of Individuals with Disabilities.

The federal guideline for staffing of Individuals with Disabilities is 7.0% for each job group. While there is a requirement to report staffing, there is no requirement to calculate underutilization or to set placement goals.

**APPENDIX G - Utilization of Individuals with Disabilities by Job Group**

**2023-2024**

**CUNY School of Law**

The federal guideline for representation is 7% for each job group.

Total Individual(s) with Disabilities: 5      Percent of total reported employees: 2.0%

<b>Category: Executive/Administrative/Managerial</b>	<b>Staff</b>	<b>Indiv. with Disabilities</b>	<b>Rate</b>
Admin 1: Executive	16	0	0.0%
Admin 2: Managerial	29	0	0.0%
Admin 2: Managerial Adjunct	15	1	6.7%
Managerial: Info Tech	1	0	0.0%
Managerial: Security	1	0	0.0%
<b>Category: Professional Faculty</b>	<b>Staff</b>	<b>Indiv. with Disabilities</b>	<b>Rate</b>
Faculty: Professoriate	44	0	0.0%
Faculty: Librarian	5	0	0.0%
Faculty: Instructor	8	0	0.0%
Faculty: Lecturer	1	0	0.0%
Faculty: Lecturer Adjunct	4	0	0.0%
Faculty: Professoriate Adjunct	39	1	2.6%
<b>Category: Professional Non-Faculty</b>	<b>Staff</b>	<b>Indiv. with Disabilities</b>	<b>Rate</b>
Admin 3: Professional	30	1	3.3%
Info Tech: Professional	10	0	0.0%
Info Tech: Professional Adjunct	3	0	0.0%
<b>Category: Administrative Support Workers</b>	<b>Staff</b>	<b>Indiv. with Disabilities</b>	<b>Rate</b>
Administrative Assistant	5	1	20.0%
Office Assistant	7	0	0.0%
Office Assistant Adjunct	23	0	0.0%
Mail Services Worker	2	0	0.0%
<b>Category: Technicians</b>	<b>Staff</b>	<b>Indiv. with Disabilities</b>	<b>Rate</b>
Info Tech: Technician Adjunct	1	1	100.0%
<b>Category: Craft Workers</b>	<b>Staff</b>	<b>Indiv. with Disabilities</b>	<b>Rate</b>
Laborers and Helpers	3	0	0.0%
<b>Category: Service Workers</b>	<b>Staff</b>	<b>Indiv. with Disabilities</b>	<b>Rate</b>
Campus Peace Officer	1	0	0.0%
Campus Security Assistant Adjunct	1	0	0.0%