

VANDERBILT  UNIVERSITY  
MEDICAL CENTER

**Policy:** Equal Opportunity and Affirmative Action

Category	Human Resources
Approval Date	April 2022
Effective Date	April 2022
Supersedes	December 2017

**Applicable to**

VUMC

**Team Members Performing**

All faculty & staff     Faculty & staff providing direct patient care or contact     MD     House Staff     APRN/PA     RN     LPN  
 Other:

**Responsible Committee**

Human Resources

**I. Policy:**

Vanderbilt University Medical Center (“VUMC”) is an Equal Employment Opportunity and Affirmative Action Employer. VUMC’s Equal Opportunity and Affirmative Action Policy is reflected in the following statements:

- A. In compliance with federal law, including the provisions of Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment of 1972, Family and Medical Leave Act of 1993, Sections 503 and 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act (ADEA) of 1967, the Americans with Disabilities Act (ADA) of 1990, the ADA Amendments Act of 2008, Executive Order 11246, the Uniformed Services Employment and Reemployment Rights Act, as amended, and the Genetic Information Nondiscrimination Act of 2008<sup>i</sup>, VUMC does not discriminate against individuals on the basis of their race, sex, religion, color, national or ethnic origin, age, disability, military service, veteran status or genetic information in its employment. In addition, VUMC does not discriminate against individuals on the basis of their sexual orientation<sup>ii</sup>, gender identity<sup>iii</sup>, or gender expression<sup>iv</sup> consistent with the [HR - Anti-Harassment, Non-Discrimination and Anti-Retaliation](#) policy.
- B. In compliance with federal and state law, VUMC does not retaliate against individuals for 1) filing or encouraging one to file a complaint of unlawful discrimination, 2) participating in an investigation of unlawful discrimination, or 3) opposing unlawful discrimination. In addition,

VUMC does not retaliate against individuals for filing or encouraging one to file a complaint of discrimination or reporting of illegal activity, participating in an investigation, or opposing discrimination based on grounds not necessarily protected by federal or state law, but protected by the VUMC policy [HR - Anti-Harassment, Non-Discrimination and Anti-Retaliation](#). “Retaliation” includes any adverse employment action against an individual for filing or encouraging one to file a complaint of discrimination or reporting of illegal activity, participating in an investigation, or opposing discrimination.

- C. VUMC officials base employment decisions on the principles of equal employment opportunity consistent with the intent to achieve the goals outlined in VUMC’s affirmative action programs.
- D. VUMC officials take affirmative action so that promotion decisions are in accordance with principles of equal employment opportunity as outlined in the VUMC’s Affirmative Action Plan by imposing only valid requirements for promotional opportunities.
- E. VUMC officials takes steps so that all personnel actions such as compensation, benefits, transfers, layoffs, return from layoffs, VUMC-sponsored training, education, tuition assistance and employment programs are administered without regard to individuals on the basis of their race, sex, religion, color, national or ethnic origin, age, disability, military service, veteran status, sexual orientation, gender identity, or gender expression.

## II. Procedure:

### A. Responsibilities

- 1. Each manager and leader must be aware of their individual responsibility to ensure adherence to the VUMC’s Equal Opportunity and Affirmative Action Policy.
- 2. VUMC Human Resources is charged with the overall responsibility of monitoring compliance with VUMC’s Equal Opportunity and Affirmative Action Policy and for coordinating and implementing provisions of VUMC’s affirmative action programs. Every manager and leader are expected to adhere to and support this policy.

### B. Guidelines

Each VUMC hiring manager has an important role in the employment process that includes remaining up-to-date regarding policies, procedures,

and affirmative action commitments. Records pertaining to employment decisions are complete and accurate in accordance with record-keeping guidelines.

1. Recruitment: As specified in the Affirmative Action Plan, Talent Acquisition includes the phrase "Equal Opportunity Affirmative Action Employer" in all printed employment advertisements. All regular staff positions are listed with HR Talent Acquisition prior to the formal initiation of recruitment efforts. Media and organizational sources specializing in recruitment and referral of women, minorities, veterans, and individuals with disabilities are provided copies of vacancy announcements as determined practicable and useful by VUMC.

Talent Acquisition informs all recruiting sources of VUMC's affirmative action commitment to recruit and refer minorities, women, veterans, and individuals with disabilities to positions listed.

2. Hiring: Staff vacancies are listed and available internally for 5 days before a hiring offer can be made. Decisions to hire individuals are based on specified job-related criteria. To fulfill this obligation, the hiring manager solicits only information which directly relates to an applicant's ability to perform the tasks of the position sought. For more detail, refer to the [HR - Recruitment, Hiring, and Onboarding](#) Policy.
3. Compensation: Managers in consultation with Human Resources make compensation decisions regarding staff on the basis of established pay procedures. Variations in pay may be justified if based on education, experience, merit, or other legitimate documented factors. When a pay-for-performance system is utilized, to the extent possible, performance criteria relate to objective standards and measurements, and is uniformly applied.
4. Promotions and Transfers: Human Resources Talent Acquisition assists with promotions and transfers. The Affirmative Action Plan also provides information on promotions and transfers. The Affirmative Action Plan is revised annually. Copies of the Affirmative Action Plan are available at VUMC Human Resources. Employee Relations.
5. Discharge: Termination decisions are based upon objective criteria. Performance deficiencies and other disciplinary action are administered according to established VUMC policies. See [HR -](#)

[Performance Accountability and Commitment](#) and [HR - Progressive Discipline](#) policies.

C. General

All employment actions are handled in full compliance with VUMC's Equal Opportunity and Affirmative Action Policy. For specific guidance, please contact Human Resources, Employee Relations.

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This policy is intended as a guideline to assist in the consistent application of VUMC policies and programs for employees. The policy does not create a contract implied or expressed, with any VUMC employees, who are employees at will. VUMC reserves the right to modify this policy in whole or in part, at any time, at the discretion of the VUMC.

**III. Approval:**

Amy C. Schoeny, Ph.D  
Chief Human Resources Officer

Jeffrey Balser, M.D, Ph.D  
President & CEO, Vanderbilt Medical Center  
Dean, Vanderbilt University School of Medicine

**IV. References:**

[HR - Anti-Harassment, Non-Discrimination and Anti-Retaliation](#)  
[HR - Recruitment, Hiring, and Onboarding](#)  
[HR - Progressive Discipline](#)  
[HR - Performance Accountability and Commitment](#)

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<sup>i</sup> The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits discrimination in health coverage and in employment based on genetic information.

<sup>ii</sup> Sexual orientation refers to a person's self-identification as heterosexual, homosexual, bisexual, asexual, pansexual, or uncertain.

<sup>iii</sup> Gender identity is generally defined as a person's own sense of identification as male, female, both, or neither as distinguished from actual biological sex, i.e. it is one's psychological sense of self.

<sup>iv</sup> Gender expression is everything we do that communicates our sense of identification to others.