

From: Williams, Jennifer **On Behalf Of** Featherstone, John

Sent: Tuesday, December 02, 2014 1:44 PM

To: 'dentallfac@listsrv.ucsf.edu'; Barber, Diane; Bast, Brian; Taylor, George; Shiboski, Caroline; Guerra, Maria; Dronsky, Marina; Leang, Emily; Jake Blackshear; Kure, Larisa; Blasnek, Marybeth; Schultz, Susan; Perry, Dorothy; Sargent, Peter; Kirkland, Mark; Hodges, Shirley

Subject: Conciliation Agreement with the Office of Federal Contract Compliance Programs (OFCCP)

Dear Colleagues,

Please read the following message and forward it to any appropriate supervisor of federal grants or contracts that you are responsible for. Thank you for your attention to this important message.

As Chancellor Hawgood recently announced to the UCSF community, UCSF has entered into a Conciliation Agreement with the Office of Federal Contract Compliance Programs (OFCCP) to address certain federal regulatory violations identified by the OFCCP in connection with a compliance evaluation of UCSF's academic and staff hiring practices from November 1, 2010 to October 31, 2011. The Conciliation Agreement requires business process changes, and the OFCCP has a range of remedies available to it, including remedies that could compromise federal funding, if we fail to comply with the Conciliation Agreement.

Under the agreement with the OFCCP, UCSF is required to improve compliance with applicant tracking, collection and maintenance of personnel files and employment records, and analysis to determine whether/where impediments to equal employment opportunity exist. This agreement requires changes to UCSF's hiring process and practices in order to meet compliance standards and that we report to the OFCCP on our compliance improvements.

Human Resources (staff and academic personnel), the Office of Diversity and Outreach and Legal Affairs have been working together to modify UCSF employment processes to ensure UCSF improves compliance with OFCCP requirements and regulations. Beginning with initial communications in December, you will receive details, tools and training on process changes in the following areas as they are implemented in the coming months:

- Tracking and documentation of why successful candidates were selected
- More rigorous applicant tracking and documentation of candidate qualifications
- Limited job posting periods when feasible - Increased outreach to underrepresented populations
- Open searches whenever possible
- Contracting with search firms as needed/appropriate

The OFCCP oversees compliance with federal antidiscrimination laws and regulations under which UCSF is obligated to take affirmative action to ensure that all individuals have an equal opportunity for employment, without regard to race, color, religion, sex, national origin, disability or status as a protected veteran. As a recipient of federal funds, which are critical to UCSF research, education, and patient care activities, UCSF must comply with the laws and regulations enforced by the OFCCP. The School of Dentistry receives approximately \$20 million annually in federal funds (e.g. NIH grants, Medicare, etc.).

Adjusting to the process changes may be challenging, but the changes are necessary. As noted above, the OFCCP has a range of available remedies if we fail to comply with the Conciliation Agreement. For egregious violations, the OFCCP may seek the cancellation, termination or suspension of existing federal contracts and “debar” UCSF from obtaining federal contracts in the future. OFCCP can also seek the award of back pay, “instatement” or reinstatement, and related remedies if it finds that a contractor's employment decisions adversely impact protected groups. While no monetary remedies were associated with the recent Conciliation Agreement, the OFCCP could seek such remedies during the reporting period if we fail to meet our obligations.

I join the other members of the Chancellor's Executive Cabinet in asking for your help to implement these changes and in thanking Human Resources, the Office of Diversity and Outreach and Legal Affairs for their leadership in identifying the most efficient way to adhere to regulatory requirements and fulfill our obligations.

To echo the Chancellor, thank you for supporting UCSF's efforts to build a culture of inclusion and equity.

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