INTRODUCTION

The Duke University Affirmative Action Plan is prepared annually in accordance with Executive Order (EO) 11246 and the implementing regulations in 41 CFR 60. The U.S. Department of Labor (DOL) has designated the Office of Federal Contract Compliance Programs (OFCCP) to administer and enforce each of the above. The Plan is not submitted to any specific government entity, but is retained on the premises for examination by the OFCCP, possibly other agencies, and for responding to compliance reviews and inquiries.

Executive Order 11246, as amended, prohibits federal contractors and subcontractors from discriminating in employment decisions based on race, color, religion, sex, sexual orientation, gender identity, or national origin. EO 11246 also requires federal contractors to take affirmative action to ensure that equal employment opportunity is provided in all aspects of their practices. Additionally, federal contractors must monitor and examine employment decisions and compensation practices.

The regulations stipulate that employers make good faith efforts to alleviate underutilization. Such efforts may include expanded efforts in outreach, recruitment, training, professional development opportunities, and other programs to increase the applicant pool of qualified individuals in groups covered by the regulations above. The actual selection decision should always be made on a nondiscriminatory basis. EO 11246 and its supporting regulations do not authorize the OFCCP to penalize contractors for not meeting goals. The regulations at 41 CFR 60-2.12(e), 60-2.15, and 60-2.30 specifically prohibit quotas and preferential hiring and promotions under the guise of affirmative action goals.

PLAN DESCRIPTION

The Duke University Affirmative Action Plan (Executive Order 11246) 2018 (the Plan) is a compliance document fulfilling part of the responsibilities of Duke University as a federal contractor. In addition to complying with federal regulations, the annual updates to the Plan allow it to be used as a management tool for the Institution. It includes those policies, practices and procedures that we implement to ensure equal employment opportunity. The Plan serves as a guide in monitoring progress and developing initiatives to enhance equal opportunity, and sustaining diversity and equity efforts in all sectors of employment at Duke University.

The process for developing the Plan allows us to engage in self-analysis for discovering any barriers to equal employment opportunity. This self-analysis is done through two methods, workforce analysis and utilization analysis. Workforce analysis is a tabulation of Duke’s workforce by race/ethnicity and sex within job group categories (type of work) and organizational units. Utilization analysis compares Duke’s current workforce with workforce availability estimates in the relevant labor markets to determine whether women and minorities are underutilized within Duke’s workforce. When underutilization of women or minorities is identified in specific job groups, a placement goal is set. The
2018 updates of the workforce and utilization analyses are provided in the sections for Faculty and Staff.

Supporting data and documents related to this Plan—including information on non-regular-rank faculty, Duke Temporary Services (DTS) employees, part-time employees, and student employees—are available, upon request, at the Office for Institutional Equity.

**FACULTY PROFILE & UTILIZATION ANALYSIS**

The Plan includes all *regular-rank* faculty in Arts and Sciences, Professional Schools, Centers and Institutes, and the Schools of Medicine and Nursing. Regular-rank faculty includes persons in tenure-track positions as well as other full-time, non-tenure-track faculty who have a definite instructional component to their appointment and hold appointments in units offering degree credit with the intent of an ongoing contractual relationship to the University with such relationship subject to periodic review. Faculty data are obtained from the Duke University Office of Institutional Research. In addition, the 2015 and 2017 Plans were used to assess population changes.

The faculty section of the Plan includes demographic profiles, utilization analysis results, and details progress toward placement goals that were set within the 2017 Plan. In the Plan, faculty data are reported both by tenure status and by academic unit.

For the 2018 Plan, we report 3,658 regular rank faculty; 39% women and 24% minority groups. These figures include faculty at the Schools of Medicine and Nursing.

Table 1 describes the demographic profile of *regular-rank* faculty by tenure status noting the percentage of faculty in each group by sex and racial categories as of 1.1.2018. The “Women” category includes women of all races. “All Minorities” include Hispanics, Asians, Blacks, and Other Races. “Other Races” include American Indian, Native Hawaiian and Pacific Islander and two or more races. There are 17 faculty in the “Other Races” category.

As noted below, among the 1,983 tenured faculty there are 48% women and 26% minority faculty. While the total population for tenured faculty has grown by only 1%, women and minorities have grown by 5% and 14%, respectively. Asian faculty are the largest minority group by far, followed by Black and Hispanic faculty.

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<th>Table 1. Faculty Profile by Tenure Track</th>
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As we continue to strive for progress, Duke’s concerted effort to enhance diversity and to recruit and retain women and minority faculty has resulted in modest gains. As noted in Figure 1, the growth among minority faculty has been proportionally higher than the increase among total faculty.

Figure 1 details the three year growth (2015-2018) of women, minorities, and total faculty:

![Faculty Growth Patterns from 2015-2018](image)

The growth among faculty has resulted in gains for women and minority faculty and resulted in achieving placement goals in selected departments. Increasing availability of qualified women and minority faculty should be considered as we continue to strive for greater diversity. For faculty, minority underrepresentation persists in the Department of Mechanical Engineering and Materials Science within the Pratt School of Engineering.

Recruitment and retention of women and minority faculty remains an important institutional priority. University leadership – the President, Provost, Chancellor, deans, and department chairs – has pledged support for, and commitment to, diversity initiatives outlined by the provost.

These initiatives include:

- Emphasis on recruitment and retention of women and minorities in areas/disciplines where they are underrepresented;
- Sustained focus on each hiring opportunity with outreach and support for search committees;
- Continued support for the Provost’s Postdoctoral Program;
- Efforts to support an optimal working environment for faculty; and
- Promoting work-life policies and practices.
STAFF PROFILE & UTILIZATION ANALYSIS

The Plan includes demographic profiles and utilization analyses for full-time staff. Full-time staff includes all employees who work at least 20 hours per week and 39 weeks per year. House staff, interns, students, and temporary employees are excluded from these analyses. Staff are derived from the payroll system and reflect a 1.1.2018 snapshot.

For the 2018 Plan, we report staff for Duke University in two groups, non-exempt and exempt. Exempt staff are employed on a salary, while non-exempt staff are paid on an hourly basis. The representation of women and minorities is presented in Figure 2:

**Figure 2. Representation of Women and Minorities for Staff**

For the 2018 Plan, we report 12,981 staff at Duke University, an increase of 486 over last year. Representation of women at 68% and minorities at 33% has nearly remained unchanged, with the representation of minorities increasing by 1%. The exempt staff comprises 67% of the total staff.

The Exempt and Non-Exempt categories are split into further descriptive categories that group employees by the nature of their work. Table 2 details the distribution of women and minorities by job categories:
Utilization Analysis compare representation of women and minorities within the Duke University workforce to estimated availability of these groups in the appropriate labor market. Statistically significant differences between representation and estimated availability indicate underutilization. Underutilization is defined as having fewer women or minorities in a particular group than would be expected based on their availability in the relevant market. In areas where underutilization of women or minorities is identified, a placement goal is set equal to estimated availability to move toward adequate representation. The placement goals are considered to be met if the placement rate, which includes hires and promotions, for that group is equal to or greater than the placement goal.

Among Exempt staff, we continue to struggle with senior level positions within the Executive/Administrative category. Despite an increase in total staff within this category and an even larger increase in the minority population, minority underutilization persists. In addition, within the Professional category of Exempt staff, minorities are underrepresented among Health Care positions and women are underrepresented among Postdoctoral Associates. The Professional category, with 7,979 staff, is the largest group. The Professional category includes positions in administrative, technical areas, student and financial services.

Among the Non-Exempt staff categories, underutilization of minorities continues in the Skilled Crafts job category. Generally, underrepresentation of minorities is noted in higher pay level positions within this category. Underrepresentation of women and minorities among Skilled Crafts positions has persisted for several years. It has been difficult to effect change in this area because of the size of the workforce as well as low turnover and limited placement opportunities in past years. It will take a concerted effort and commitment to
enhance representation of minorities in Skilled Crafts positions. Overrepresentation of minorities persists for positions within the Service job category.

MOVING FORWARD

Duke is committed to building an environment that offers equal opportunity for all individuals and has created programs to meet this commitment. Several initiatives for faculty and staff are in place to better understand and address matters of recruitment, retention and professional development. We recognize that self-assessment, enhanced managerial accountability, education and resources are fundamental to making progress. Specific information regarding initiatives is noted in the Initiatives sub-section of the Plan.

Institutional initiatives focus on the following:

- Expanding the scope of recruitment and retention efforts.
- Offering coaching, professional development and mentoring opportunities.
- Promoting and sustaining a respectful and inclusive workplace.
- Improving accountability measures for diversity and work culture initiatives.
- Enhancing internal monitoring and reporting systems.

The Office for Institutional Equity, in collaboration with the Office of Human Resources, Provost, deans and department heads, has initiated several programs to alleviate the underrepresentation of women and minorities and to create awareness of best practices in sustaining a more diverse and equitable workplace. During the past few years, the methodology used to estimate external availability has been enhanced and utilization analyses have been refined, thus improving our ability to more accurately identify areas of concern and formulate realistic placement goals. The Office for Institutional Equity staff collaborates with search committees to share best practices and offer support for conducting a compliant and equitable search process. Human Resources and the Office for Institutional Equity staff monitor recruitment patterns and employment transactions, especially in areas where placement goals have been identified.

While initiatives described above are incorporated into Duke’s policies and practices, there is still much work to be done in enhancing the effectiveness of these efforts by ensuring consistency in implementation across the University. A concerted and sustained effort is necessary to incorporate the fundamental principles of equal opportunity, diversity and inclusion in all aspects of the Duke experience.