Background

Q: What is this self-identification effort?

A: In accordance with federal regulations, the University of California is required to solicit gender, race/ethnicity, disability status and protected veteran status from applicants and employees during the hiring process. These responses are collected from applicants and from new hires through payroll forms they are required to complete.

The University's UCPath payroll/personnel system (UCPath) supports our continuing efforts to be inclusive by allowing the expansion of our current data collection process to include additional options for self-identification.

Through UCPath, new hires and current employees can voluntarily provide information collected to meet federal requirements as well as self-identify sexual orientation and gender identity. Also, options to self-identify veteran status are expanded to include other military service not currently defined by federal definitions.

In accordance with the UC Gender Recognition Lived Name policy, UCPath has been configured to allow employees to enter their pronouns. Entering pronouns in UCPath is optional. Pronouns are not protected data, so they are visible to managers and UCPath transactors, as well as certain functional areas such as human resources, academic personnel, diversity and engagement, and institutional research. Data on pronouns are not aggregated, collected, or utilized for other purposes.

Q: Why does the University collect this kind of demographic information?

A: The University of California system uses data from the self-identification surveys to comply with several requirements and regulations. The US Department of Education mandates that institutions of higher education receiving federal assistance collect and report race and ethnicity data using specific race and ethnicity categories for employees and students. Similarly, the Department of Labor requires federal contractors such as the University to collect data on gender, race and ethnicity, disability, and veteran status.

Additionally, the University uses aggregate demographic data (that is not individually identifiable) to prepare various institutional reports for senior leaders and other University stakeholders to monitor workforce development and diversity programs. Specifically, this data is used in the Diversity chapter of UC's annual Accountability Report and the Staff Workforce Profile. Ultimately, personal demographic information is used to better understand the makeup of our population and ensure the University is implementing appropriate diversity and inclusion programs.

Q: What concerns may employees have about self-identifying, and how can we support them?

A: It is important that employees understand that the University of California does not tolerate discrimination or harassment on the basis of race, color, national or ethnic origin, religion, sex (including pregnancy, childbirth, lactation or related medical conditions), gender, gender expression, gender identity, gender transition status, physical or mental disability (including having a history of disability or being regarded as being disabled), medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age (at least 40 years of age), sexual orientation, citizenship, or service in the uniformed services, including protected veterans.

Although the Equal Employment Opportunity Commission (EEOC) has concluded that Title VII's prohibition of sex discrimination forbids any employment discrimination based on gender identity or sexual orientation, and California law prohibits discrimination based on gender identity, gender expression, and sexual orientation, other state laws vary on the level of protection afforded to LGBT individuals. Because of this, some employees may not feel comfortable providing this information.

Q: Why are diverse communities important to the University?

A: Diversity is a defining feature of the University of California, and we embrace it as a source of strength. Creating an inclusive and intellectually vibrant community is critical to the University's core mission of public service, teaching, and research. As such, we strive to build a culture where employees feel accepted and individual differences are respected and valued as part of our broader commitment to diversity.

Specific questions

Q: Where will this information be stored, and who will have access?

A: Data collected in connection with federal requirements is stored in the University's payroll/personnel system of record (UCPath) and is treated as restricted data. Only certain members with specialized access can view and use this restricted data for diversity, development, and metric-related business purposes.

Managers do not have access to individuals' race, gender, veteran, disability, sexual orientation, or gender identity information. Certain functional areas such as human resources, academic personnel, diversity and engagement, and institutional research have restricted access. In addition, this data will be treated as restricted data and will be protected under University policies applicable to restricted data (https://security.ucop.edu/resources/policies.html).

Any data on pronouns is not restricted in UCPath. Pronouns are visible to managers and UCPath transactors, as well as the other functional areas listed above.

Q: How will this information be used?

A: Responses to the self-identification surveys on gender, race/ethnicity, disability, and veteran status allow each UC location to comply with its federal requirement to annually update an Affirmative Action Plan (AAP). The AAP includes various workforce analyses which help identify potential barriers to equal employment opportunities based on gender, race, and ethnicity, and measure outreach efforts towards individuals with disabilities and protected veterans. The University will use the information to set realistic equity, diversity and inclusion goals, determine where it stands in relationship to those goals, and measure the University's progress over time.

Previously, the University's reporting capability was limited to gender, race/ethnicity, disability, and protected veteran status. The enhancements added to the UCPath system will enable identification of additional diverse segments of veteran status, as well as sexual orientation and gender identity status. Federal regulations do not require the University of California to solicit the additional categories of veterans, sexual orientation or gender identity status, and this information will not be reported in the AAP. This additional demographic information will be used to better understand the makeup of our population and ensure the University is implementing appropriate diversity and inclusion programs.

Q: Are employees required to self-identify?

A: A response to the gender self-identification question is required. This includes an option to "decline to state."

Race/ethnicity, veteran status, and disability status questions are voluntary, employees and applicants are not required to answer these questions. The sexual orientation questions are voluntary as well.

Employees can choose to self- identify and may change a self-identification selection at any time during their employment by accessing their personal profile in UCPath.

The University encourages all employees to complete the survey. All employees belong to the University's workforce; therefore, our commitment to diversity and our obligations as a federal contractor can only be fully supported when all employees count themselves in. Although completion of the surveys is voluntary, federal regulations require the University to solicit and report gender, race/ethnicity, disability status and protected veteran status information for applicants and employees. Because all of the surveys include an option to "decline to state," it is the University's expectation that when this option is available, employees who do not wish to state their status will mark the "decline to state" option.

Q: Why does the University ask employees to self-identify their ethnicity and race?

A: The University, along with all other higher education institutions, is mandated to report to the federal government certain aggregate statistics about its workforce by ethnicity and race. The Department of Education collection and reporting requirements mandate that institutions of higher education use a two-part survey that first asks whether the respondent is Hispanic/Latino. The second part asks the respondent to select one or more races from the following categories (with subcategories within those categories): White, Black, or African American, Native Hawaiian or Other Pacific Islander, Asian, American Indian, or Alaska Native. The response you provide will not be used as the basis for any employment decision affecting you.

Q: Why does the University ask employees to designate their disability status?

A: The one-question survey, which allows applicants and employees to self-identify as disabled, is required of federal government contractors.

The disability information you provide will not be used as the basis for any employment decision affecting you.

Q: Why does the University ask employees to designate their protected veteran status?

A: Under federal regulations, the University must reach out to, hire, and provide equal opportunity to qualified protected veterans.

Employees are asked to self-identify their protected veteran status to help us measure the effectiveness of outreach and recruitment efforts. The response you provide will not be used as the basis for any employment decision affecting you.

Q: What is included in the expanded veteran self-ID options available in the payroll/personnel system?

A: The new option is "I AM SERVING OR HAVE SERVED IN THE U.S. MILITARY." This UC designation is for veterans that cannot identify in one or more of the existing government provided and recognized protected veterans' statuses:

Definition of the new category is as follows - A veteran who has served honorably in the U.S. Armed Forces (including National Guard and Reserves, regardless of activation status) and does not identify as being one or more of the veteran designations listed below. (Do not check this category if other categories apply.)

This new category will appear alongside the current government-provided designations for federal reporting which are as follows:

Disabled veteran - A veteran who is entitled to compensation (or, except for the receipt of military retired pay, would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs or a person who was discharged or released from active duty because of a service-connected disability.

Vietnam Era Veteran - A veteran who has served on active duty for more than 180 days, any part of which occurred between August 5, 1964, and May 7, 1975, and was discharged (other than a dishonorable discharge) or released; was discharged or released from active duty for a service-connected disability if any part of such active duty was performed between August 5, 1964, and May 7, 1975; or served on active duty for more than 180 days and served in the Republic of Vietnam between February 28, 1961, and May 7, 1975.

Armed Forces Service Medal Veteran - A veteran who, while serving on active duty in the U.S. military, ground, naval, or air service, participated in a United States military operation for which an Armed Forces Service Medal was awarded pursuant to Executive Order 12985.

Active Wartime or Campaign Badge Veteran - A veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized. (Note that for a member of the National Guard and Reserves, active duty for training does not meet this category's definition.)

Recently Separated Veteran - A veteran who was discharged (other than dishonorably discharged) from active duty in the armed forces within the last three years.

Q: How were the questions regarding gender identity and sexual orientation selected?

A: In 2020, the systemwide UC Policy on Gender Recognition and Lived Name was issued. The policy requires the University to provide a minimum of three equally recognized gender options on university-issued documents and IT resource systems. The policy provided the opportunity to expand the options for gender identity, sexual orientation, and the addition of pronouns. The revised options and definitions added in 2023 received feedback from subject matter experts within diversity, equity, and inclusion across the UC system.

Q: Why do we ask for gender identity and gender (on the payroll Personal Data Form) in two separate ways?

A: As a recipient of federal funding, the University is required to ask employees for their sex and report this information as part of our Affirmative Action Plan and for other federal requirements. As a result, this question is asked in the form and manner required by the Federal Government.

Separately, we ask for your gender identity to support our efforts to promote recognition and inclusion for our diverse community as explained in the next Q and A.

Q: Why do we want to know the sexual orientation and gender identity of our employees?

A: Because we value inclusion and diversity, it is important that we continue to have a culture that appreciates and welcomes a diverse workforce. Collection of this data not only aligns with our vision, values, and

nondiscrimination policies, it also facilitates a common way to identify our diverse workforce and helps to ensure we have the most accurate data to implement appropriate diversity and inclusion programs.

Q: Why do we want to know the pronouns of our employees? How will pronouns be used?

A: UC cares about inclusion, diversity, and belonging. Understanding the significance of pronouns is important. Whether we realize it or not, we often refer to a person using gender implied pronouns (based on a person's appearance or name): "he" (for a boy/man) and "she" (for a girl/woman). These associations are not always accurate. If an employee chooses to indicate their pronoun, it can be used as a linguistic tool to refer to them.

The new optional pronoun field in UCPath is related to the UC Gender Recognition and Lived Name Policy effort to promote an inclusive environment. The information collected is not intended for data reporting or analysis.

Q: What if an employee has questions about this process?

A: Academic appointees should contact their local Academic Personnel office. Staff employees should contact their local Human Resources office. All employees may contact their Equal Opportunity/ Affirmative Action office.

Q: Where can I learn more about self- identification of race/ethnicity, veteran, and disability status?

- https://www.dol.gov/ofccp/regs/compliance/directives/dir283.htm
- https://www.dol.gov/ofccp/regs/compliance/faqs/vevraa_faq.htm
- https://www.dol.gov/ofccp/regs/compliance/faqs/503_faq.htm

Q: Where can I learn more about LGBT self-identification?

- Human Rights Campaign http://www.hrc.org
- Out & Equal http://www.outandequal.org
- UC Learning Center hosts courses on gender awareness and lived name. Login to your location UCLC for information about specific e-courses. https://ucnet.universityofcalifornia.edu/working-at-uc/your-career/talent-management/uc-learning-center.html
- UC Davis LGBTQIA Resource Center “Pronouns and Inclusive Language” https://lgbtqia.ucdavis.edu/educated/pronouns-inclusive-language