

# Shawnee State University

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		EFFECTIVE DATE:	11/4/91
SUBJECT:	AFFIRMATIVE ACTION PROGRAM FOR VIETNAM ERA AND DISABLED VETERANS	RECOMMENDED BY:	President's Council
		APPROVED BY:	

This program statement is issued in accordance with federal regulations implementing Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974. This program addresses Shawnee State University's commitment to affirmative action to achieve and maintain equal opportunity for disabled veterans and veterans of the Vietnam era.

## 1.0 POLICY

As part of its policy on non-discrimination, Shawnee State University is committed to providing all individuals an equal opportunity to work, to advance, and to receive compensation. Shawnee State University is also committed to taking affirmative action to achieve such equal opportunity for veterans of the Vietnam era and for disabled veterans. It is the policy of the University that no person shall be discriminated against in opportunities for employment, or for advancement in employment, on the basis of status as a veteran of the Vietnam era or as a disabled veteran. Responsibility for the administration of this policy is assigned to the Affirmative Action Coordinator.

## 2.0 DEFINITIONS

The following definitions are directly relevant to the administration of this policy:

2.1 Shawnee State University is a contractor within the meaning of Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974. That section is implemented by regulations issued by the Office of Federal Contract Compliance Programs (OFCCP) of the United States Department of Labor.

2.2 Disabled veteran is defined as a person who either:

2.2.1 was discharged or released from active duty for a disability which was incurred or aggravated in the line of duty, or

2.2.2 was entitled to disability compensation under laws administered by the Veterans Administration for disability rated at 30 percent or more, and

2.2.3 who is capable of performing a particular job, with reasonable accommodation to his/her disability.

- 2.3 Veteran of the Vietnam era is defined as a person who:
- 2.3.1 served on active duty for a period of more than 180 days, any part of which occurred between August 5, 1964 and May 7, 1975 and was discharged or released therefrom with other than a dishonorable discharge, or
  - 2.3.2 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.

### 3.0 AFFIRMATIVE ACTION

In order to insure compliance, the following steps shall be taken by the University:

- 3.1 **Maintain** records of past and current activities in employing and advancing disabled veterans and veterans of the Vietnam era. Maintain records of applicants and employees who have identified themselves as disabled veterans or veterans of the Vietnam era and who wish to be covered by the Affirmative Action Program.
- 3.2 **Review** all personnel practices to determine and eliminate any barriers to employment and promotion which are not job-related.
- 3.3 **Review**, at the time job openings are filled, all physical and mental job qualifications to insure job-relatedness, consistency with business necessity, and the safe performance of the job.
- 3.4 **Attract**, through positive steps, qualified disabled and Vietnam era veterans not currently in the work force who have requisite skills and can be recruited through affirmative action measures. Such action to include: posting of all notices prescribed by the Department of Labor regarding employment of disabled veterans and veterans of the Vietnam era; sending written notification to all applicant referral sources, including the local state employment service, that the University does not discriminate against disabled veterans and veterans of the Vietnam era and seeks the referral of such qualified persons.
- 3.5 **Establish** relationships with appropriate rehabilitation agencies or facilities in the employing area able to furnish advice, technical assistance and applicants for employment.

- 3.6 **Invite** employees and applicants for employment who are covered by the Vietnam Era Veterans Readjustment Assistance Act of 1974 (Section 402) to identify themselves. Publish articles annually in the University newsletter to make employees aware that voluntary disclosure forms are available. In addition, distribute voluntary disclosure forms along with applications for employment to all applicants.
- 3.7 **List** all employment openings for jobs paying less than \$25,000 per year with the local state employment service. Such listing will not apply to openings which the University proposes to fill from within.
- 3.8 **Consider**, when determining the qualifications of a disabled or Vietnam era veteran, only that portion of the military record and discharge papers relevant to the specific qualifications for which the veteran is being considered.
- 3.9 **Accommodate** qualified disabled veterans and/or handicapped individuals as hired or promoted, provided the cost of such accommodation is not an undue hardship to the University.
- 3.10 **Ensure** the compensation offered will not be reduced because of any disability income, pension or other related benefit the applicant or employee receives from another source.
- 3.11 **Inform** all employees and applicants for employment of the requirements of Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974 and the University's responsibility to take affirmative action in employing disabled veterans and veterans of the Vietnam era.
- 3.12 **Include** the affirmative action clause in applicable subcontracts and send written notification of the University policy to subcontractors, vendors, and suppliers.
- 3.13 **Establish** procedures internally for processing complaints by employees of alleged discrimination because of their status as disabled veterans and/or Vietnam era veterans. The Affirmative Action Coordinator will be responsible for investigating any internal complaints alleging discrimination.
- 3.14 **Submit** the Affirmative Action Program and summary reports where and when required to the Assistant Secretary of Labor and update such Program as required.

- 3.15 **Review** with all management personnel the Affirmative Action Program for Disabled Veterans and Veterans of the Vietnam Era and the action required to implement it. In addition, keep management informed of the latest developments regarding veterans.
- 3.16 **Meet** with union officials to inform them of the University's policy, and request their cooperation.
- 3.17 **Include** non-discrimination clauses in all union agreements, and review all contractual provisions to insure they are non-discriminatory.

#### 4.0 REPORTING

The University will comply in all respects with all applicable regulations of the Office of Federal Contract Compliance (OFCCP) of the United States Department of Labor. Those regulations are available in the office of the Director of Personnel/Affirmative Action, and a listing of the pertinent regulations will be posted conspicuously at various locations on campus.

#### 5.0 COMPLAINTS

Any employee or applicant for employment who has reason to believe that he or she has suffered discrimination on the basis of status as a disabled veteran or veteran of the Vietnam era may file a written complaint to such effect with the Affirmative Action Coordinator. The University will comply with requirements of 41 CFR Ch. 60, par. 60-250.26 in its investigation of such complaint and will insure the appropriate remedy is implemented as required by law. Records of such remedy will be maintained by the University. The privacy and dignity of individuals shall be protected in all record keeping and reporting of actions taken as required by law and in all activities connected with the implementation of this policy.