

Michigan Technological University

# **Affirmative Action Program**

January 2009 – December 2009

## **Affirmative Action Program Michigan Tech University**

As a federal contractor, Michigan Technological University is required to maintain an affirmative action program to retain eligibility for federal funds. Executive Order 11246 requires federal contractors to develop an affirmative action program, "a set of specific and result-oriented procedures to which a contractor commits itself to apply every good faith effort." The objective of this program is equal employment opportunity.

The Affirmative Action Program for Michigan Technological University is dated January 1, 2009 to December 31, 2009. The program is compiled and prepared by Valerie Holzberger, Affirmative Action Coordinator. The data is maintained by Rosie Juntunen, Office Assistant. The program is implemented by Sherry Kauppi, Affirmative Action Officer. The program is read and approved by Glenn Mroz, President.

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Corporate Chief Executive Officer  
Glenn Mroz  
President

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Corporate EEO Officer  
Sherry Kauppi  
Affirmative Action Officer

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A copy of the full Affirmative Action Program (sections 1-14) is available at the Library.

The written part of the Affirmative Action Program (Sections 1-5) is available at our web-site:  
[www.admin.mtu.edu/aao/](http://www.admin.mtu.edu/aao/)

## Section 1: EEO Policy

### STATEMENT OF INTENT

The foregoing represents the Affirmative Action Program of Michigan Technological University for the program year beginning January 1, 2009. This statement affirms that all resources available will be mobilized for a good faith effort toward attaining the goals indicated.

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Glenn Mroz, President

NOTE: Any portion of the Affirmative Action Program is subject to revision to meet deficiencies found or special recommendations made by the Contracts Compliance Specialist during the course of a Compliance Review. Any complaints regarding the Affirmative Action Plan may be filed with the Office of Federal Contract Compliance at: <http://www.dol.gov/esa/regs/compliance/ofccp/pdf/pdfstart.htm>.

January 1, 2009

## **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

"In keeping with its responsibilities as an educational institution, Michigan Technological University is committed to a policy of affording equal opportunity to all of its employees, students, applicants for employment, and applicants for admission without regard to race, religion, color, national origin, height and weight, veterans status, marital status, sexual orientation, age, or sex, except where age or sex is a bona fide occupational qualification. The University is also committed to a policy of educating and employing disabled individuals without discrimination. These policies are to be implemented with due regard for the relative qualifications of all involved."

Board of Control Policy 3.7.

This policy is applicable to any personnel activity or action including recruiting, selection, hiring, placement, formal and informal training (such as on-the-job training, co-op programs, and management training programs), seniority listings, transfers, promotion, layoff, recall, and termination.

Similarly, all salaries, wages, benefits, and social or recreational programs will be administered in conformity with this policy.

This policy also applies to students, residents, guests and other educational activities.

Responsibility for maintaining an audit and preparing reports relating to the University's Equal Employment Opportunity and Affirmative Action Programs is assigned to Sherry Kauppi, Affirmative Action Officer, and she will report to me each month with regard to progress and problem areas.

My personal commitment to this policy is complete. It is my deliberate intention that my actions and decisions will support the spirit of this policy and program. It is incumbent upon every employee to do the same.

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Glenn Mroz, President

## **Section 2: Females and Minorities**

### **Policy Statement**

Pursuant to Executive Order 11246, as amended, an Affirmative Action Program has been prepared for this facility. It contains goals, and actions that relate to equal opportunity in all personnel actions. To avail yourself of the benefits of this program, you are urged to contact your supervisor and the Affirmative Action Officer.

### **Internal**

Michigan Technological University's policy on equal opportunity is printed in the Board of Control Policy Manual.

The policy is communicated to employees through its printing in the Procedures Manual, which is distributed to all departments and is available to all employees. Stationery and publications of the University include the statement that Michigan Technological University is an equal opportunity educational institution/equal opportunity employer. The weekly faculty and staff publication, Tech Topics, contains the same statement in the job opening section throughout the year.

The University indicates that it is an EEO employer in all newspaper advertisements and required EEO signs are posted on appropriate bulletin boards. The union contract covering the bargaining unit employees contains a statement recognizing the equal employment opportunity/affirmative action commitment of the University.

The EEO policy is communicated to managers and supervisors by means of face-to-face counseling as needed and by means of group meetings.

Progress reports on new hires and promotions are reported on a quarterly basis.

Both minorities and non-minorities are shown in articles, newsletters, orientation booklets, and in various other publications.

All new employees are given a copy of the Equal Employment and Sexual Harassment Policy during benefit orientation.

### **External**

The equal opportunity clause appears in all contracts and purchase orders as required.

With regard to prime contracts and customers, formal notification of the following is supplied whenever requested: the University's equal employment opportunity policy, EEO-6 report, written affirmative action plan, date of review, and certification of non-segregated facilities.

Sub-contractors, vendors, and suppliers are notified of their reporting obligations under Executive Order 11246.

Both minorities and non-minorities are pictured in outside publications.

## Assignment of Responsibility

Responsibility for the Michigan Technological University EEO policy and supportive programs rests with the President who has delegated the responsibility for the enforcement of the policy to the Affirmative Action Officer who reports directly to the President.

The Affirmative Action Officer's duties shall include but not be limited to the following:

1. Developing policy statements, affirmative action programs internal and external communication techniques.
2. Assisting line management in arriving at solutions to problems.
3. Designing and implementing audit and reporting systems that will:
  - a. Measure effectiveness of the EEO program.
  - b. Indicate need for remedial action.
  - c. Determine the degree to which goals and objectives have been attained.
4. Serving as liaison between the University and enforcement agencies, minority organizations, and community action groups.
5. Keeping the President informed of latest developments in the entire equal opportunity area.
6. Assisting in the identification of problem areas and establishment of local and unit goals and objectives.
7. Responding to the annual audit of hiring and promotion patterns, and analyzing patterns to identify and remove impediments to the attainment of goals and objectives.
8. Conferring with department heads, deans, and directors to assure that policies are being followed on an annual basis.
9. Reviewing the qualifications of all employees to insure protected class individuals are given full opportunities for transfers and promotions, even to the extent of career counseling where appropriate.
10. Continually auditing to insure that the University is in compliance in areas such as:
  - a. Posters properly displayed.
  - b. All facilities desegregated both in policy and in use.
  - c. Protected class employees afforded a full opportunity and encouraged to participate in all University sponsored education, training, recreational, and social activities.
11. Notifying supervisors that their work performance is being evaluated annually on the basis of their equal employment opportunity efforts and results, as well as other criteria. Department heads must assist the Affirmative Action Officer to identify problem areas, and insure that their managers and supervisors are taking action to prevent harassment of employees placed through affirmative action.

## Internal Audit and Reporting Systems

The University's Audit and Reporting System has been designed to:

1. Measure the effectiveness of the program.
2. Indicate those areas where remedial action is needed.
3. Determine the degree to which the facility's goals and objectives have been obtained.

Design and implementation of internal audit and reporting systems to measure effectiveness of the total program is evidenced through the following:

1. Identification of race and sex of all applicants, hires, and candidates for promotion/transfer and termination/lay-off/recall is provided by activity logs reflecting at least the following:

a. Applicant Flow Log: name, race, sex, referral source, employment applied for, job group, EEO-6 category, whether interviewed and date of job posting, and disposition;

b. Hire Log: name, race, sex, date of hire, department hired into, position hired for, job group, EEO-6 category, and rate of pay at time of hire;

c. Promotion/Transfer Log: name, race, sex, date of promotion/transfer, old department, position promoted/transferred from, job group, EEO-6 category of old job, rate of pay of old job, new department, position promoted/transferred to, job group, EEO-6 category and new rate of pay;

d. Termination/Lay-Off/Recall Log: name, race, sex, date of hire, date of termination/lay-off/recall, department terminated/laid-off from, position recalled to, job group, EEO-6 category and reason for termination.

2. The Affirmative Programs Office summarizes all of the personnel activities such as: applicant flow, hires, promotions to/within, transfers from, terminations/lay-off/recalls by job group indicating total, total males, and total females, and total minority males and total minority females by each minority group.

3. The Affirmative Programs Office performs an analysis that will measure, by job group, the success rates of minorities and females and compare them to the success rates of nonminorities and males. Where applicable the 80% rule is applied. Any minority and/or female success rates which do not compare favorably to the success rates of nonminorities and males are assessed to determine the reason(s) and steps are taken to eliminate any criteria in the recruitment, selection, and placement functions which inappropriately and/or adversely affects one group more than the other.

4. A progress report is generated which indicates, by job group, at least the goal established, total actual placements (hires and promotions to) and total minority and female placements for the prior AAP period year and current AAP period year to date. Progress or lack thereof is analyzed and addressed at least semi-annually for internal purposes. Where there is lack of progress, all good faith efforts are explained.

Results of the analysis and potential problems are carefully reviewed and any necessary remedies are addressed.

5. The entire progress report is submitted to the President with remedies to solve problems or potential problems.

The President is ultimately responsible to correct the problems. We conclude that our system complies with the internal audit and reporting requirements.

## **Analysis of Training Programs**

Training programs are offered by Michigan Technological University for different specific classes of employees, e.g. management programs, professional development for faculty. Training involves special institutes, seminars, business courses, etc. Department heads may send their employees to specialized training sessions and seminars on or off campus. Most prevalent of training programs is on-the-job training. Courses taken by employees for job development purposes may fall under the Employee Education Program described above. It is anticipated that the University will continue to sponsor and support both external and internal employee-training programs in the future. Human Resources offers regular, on-campus-training opportunities for all levels of employees.

### **Training**

Various types of training are available to employees through or with the support of the University. The University sponsors different programs of in-house training. Supervisors and managers have attended training programs to increase self-awareness and to improve supervisory skills. The University has brought in consultants under contract to provide training programs to deal with identified areas.

The University pays all costs for outside training programs, which the employee attends at the request of the University. These programs are usually held out of town and involve registration, travel, and lodging costs.

Both exempt and non-exempt employees are also eligible to take University courses, generally without charge, pursuant to the Employee Education Program.

The University has supported programs sponsored by campus groups for training employee groups, such as assertiveness training, Total Quality Education, and Customer Service for non-exempt personnel.

The Affirmative Programs Office, Human Resource Office, Student Services and Center for Teaching Excellence have video lending libraries of videos, audio tapes, and books that cover a variety of topics.

The University provides training in recognizing and dealing with sexual harassment complaints. Such information is presented to the entire campus, faculty, staff, and students. Additional presentations are based on need or request.

## **Analysis of Seniority Practices**

Promotions and lateral transfers within the bargaining unit are made following contract specifications.

Contract provisions apply when bargaining unit employees are laid off. Temporary, probationary and seniority employees are laid off in that order provided seniority employees have current ability to satisfactorily perform the work. Employees displaced or laid off shall be recalled to their former position or lower pay grade, in the order of their seniority provided they have the ability to do the work.

All decisions regarding promotions, transfers, layoffs, and recalls are made without regard to age, race, color, creed, national origin, sex, religion, height and weight, veteran status, marital status, disability status and sexual orientation.

## **Observations of University Sponsored Social and Recreational Activities**

Social and recreational activities are open to all employees and are attended by all interested employees, including women and minorities.

## **Analysis of Attitudes of Employees and Supervisors toward Minorities**

The cross section of attitudes, feelings, and understanding of minority problems among employees is, of course, not unlike that of society in general. Some are genuinely concerned, some much less so. There is evidence of an ever-increasing desire on the part of many of managers and supervisors to do their part with regard to EEO. There appears to be no major problem in the acceptance of the Affirmative Action Program on the part of management and employees. Those department heads and managers involved in recruiting, interviewing and hiring new personnel generally seek assistance and direction before taking action to assure compliance with federal and state discrimination laws and regulations.

## **Action Steps and Establishments of Goals**

These steps will be followed:

- 1.All supervisors will continue to be made aware of the affirmative action and equal employment opportunity guidelines and the need for identification of promotable females and minorities.
- 2.Continual efforts will be made to develop sources for future employment of minorities and current sources will be maintained and developed.
- 3.The University will continue to maintain liaison with area training institutions and area organizations regarding employment of females and minorities during the program year.
- 4.The University will continue to have contact with the local Job Service Office when job openings occur, emphasizing the desire to see minority and female candidates.
- 5.The University will continue and expand training programs to encourage all employees, especially minorities and females, to upgrade and qualify for promotion opportunities.
- 6.The University will encourage the use of education assistance programs.
- 7.The University will continue to advise all new employees of equal employment and affirmative action policies.
- 8.The University will strive to further develop Michigan Technological University's image in the community as a tool to attract more job applicants.
- 9.The University will continue to analyze and identify any underutilization of females and minorities in all operative categories.
- 10.The University will continue to provide information regarding job openings to the public, including protected class members.
- 11.The University will continue its efforts to work toward ultimately achieving full utilization in all job groups.

## **Compliance with the Sex Discrimination Guidelines**

The University does not specify sex in hiring for any jobs. Advertising does not indicate a sex preference.

University policy expressly states that there shall be no discrimination because of sex or sexual orientation.

All employees have an equal opportunity to perform any job they are qualified to perform. There is no distinction based upon sex in employment opportunities, wages, hours, or any other condition of employment. All fringe benefits are equal for men and for women.

There is no distinction made between married and unmarried persons of one sex while not making such a distinction for the other sex. The University does not distinguish between a parent of young children for one sex and not for the other sex.

Appropriate and comparable physical facilities are provided for both sexes.

The University does not rely on any state protective laws to exclude women from any job.

Pregnancy leaves are treated in the same manner as all other sick leave or personal leave provisions and in accordance with the Family Medical Leave Act.

There are no different retirement ages for males and females.

The University's wage schedules are not based upon or related to the sex of the employee in any way.

Neither females nor males are restricted to specific job classifications. There are no areas that may be considered "female" or "male" jobs.

There are no regular, standardized management training programs at the University. However, supervisory training programs have been presented and employees are frequently sent to seminars and training sessions. Females are equally eligible for these seminars and training sessions.

### **Support of Community Action Agencies**

Key university employees sit on the public boards, councils, various church boards, and many employees are involved in other local, state, and national civic affairs.

Within the confines of its position as a public institution, the University renders assistance and support for local, state, and national action agencies. There is a reduced tuition rate for senior citizens. The Division of Education and Public Services assists in providing programs for young and old of the community.

### **Consideration of Minorities and Females Not Currently in the Work Force**

Michigan Technological University encourages minorities and females not currently in the work force to become active applicants through the following:

1. Our established relationship with the local State Employment Service;
2. Information on openings sent to the Keweenaw Bay Indian Tribal Council;
3. Advertisements of openings in appropriate media with a representative population;
4. Providing part-time employment to students;
5. Providing part-time and temporary work to local work force;
6. Recruitment of minorities and females with limited work experience but having training. (For example: Our participation in a Co-op Education program with local high schools);

7. The Women In Engineering Program (WIE) was initiated as a way to encourage female high school students to consider careers in engineering.

8. The Minorities In Engineering Program (MIE) is an awareness program designed to encourage bright young minority and/or economically disadvantaged students, who are juniors or seniors in high school, to consider engineering as a future career.

9. MTU has an Exchange Program; this program involves the exchange of undergraduate and graduate students and faculty. The program aims to help satisfy the needs of industry for employees (our students) to be able to work and thrive in a multi-cultural environment.

10. MTU is part of a Graduate Feeder Program headed by Florida A&M University.

We conclude that our employment policies and practices comply with the requirements to consider minorities and females not currently in the work force.

## Section 3: Veterans

**Veterans covered in this section include:**

**Veterans covered under 41 CFR 60-250 of the Vietnam Era Veteran's Readjustment Assistance Act of 1974 (VEVRAA):**

Other Protected Veteran (1.) A person who served in a war with active duty service between December 7, 1941 and April 28, 1952. Or 2.) A person who served in a campaign or expedition for which a campaign badge, a service medal, or expeditionary medal has been awarded. For a complete list of campaigns refer to Criteria Identifying Other Eligible Veterans.

Veteran of the Vietnam Era A person who served on active duty for a period of more than 180 days, any part of which occurred between Feb. 28, 1961, and May 7, 1975 in the republic of Vietnam or between Aug. 5, 1964, and May 7, 1975 in other regions, and who were not dishonorably discharged, or who were released from active duty for a service-connected disability during that period.

Disabled Veteran A person entitled to disability compensation under law administered by the Veteran's Administration for disability rated at 30 percent or more, or rated at 10 or 20 percent in the case of a veteran who has been determined under 38 U.S.C. 3106 to have a serious employment handicap; or a person whose discharge or release from active duty was for a disability incurred or aggravated in the line of duty.

Recently Separated Veteran Any veteran during the one-year period beginning on the date of such veteran's discharge or release from active duty.

**Veterans covered under 41 CFR Part 60-300 of the Jobs for Veterans Act (JVA):**

Disabled Veteran (1) A veteran of the U.S. military, ground, naval or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or (2) A person who was discharged or released from active duty because of a service-connected disability.

Recently Separated Veteran Any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty in the U.S. military, ground, naval or air service.

Armed Forces Service Medal Veteran Any 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.

Other Protected Veteran a veteran who served on active duty in the U.S. military, ground, naval or air service during a war or in a campaign or expedition for which a campaign badge has been authorized, under the laws administered by the Department of Defense.

## **Affirmative Action Clause**

Michigan Technological University will assure compliance with the affirmative action clause in each of its covered government contracts:

### **Affirmative Action for Veterans:**

a. Michigan Technological University will not discriminate against any employee or applicant for employment because he or she is a veteran in regard to any position for which the employee or applicant for employment is qualified. Michigan Technological University agrees to take affirmative action to employ, advance in employment and otherwise treat qualified veterans without discrimination based upon their disability or veterans' status in all employment practices, including but not limited to the following: employment, upgrading, demotion, transfer, recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training.

b. Michigan Technological University will list all jobs with Michigan Works, except for management and all top-level positions, subject to exclusions authorized by law. Michigan Technological University further agrees to provide reports to the Michigan Works regarding employment openings and hires as may be required.

c. Listing of employment openings with Michigan Works shall be made concurrently with the use of any other recruitment source or effort and shall involve the normal obligations which attach to the placing of a bona fide job order, including the acceptance of referrals of veterans and non-veterans. The listing of employment openings does not require the hiring of any particular job applicants, and nothing herein is intended to relieve the University of any requirement in Executive Orders or regulations regarding nondiscrimination in employment.

d. Michigan Technological University agrees to post in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the Director, provided by or through the contracting officer. Such notice shall state the contractors obligations under the law to take affirmative action to employ and advance in employment qualified veterans for employment, and the rights of applicants and employees.

e. Michigan Technological University will notify each labor union or representative of workers with which it has a collective bargaining agreement or other contractual understanding that it is bound by the terms of the Vietnam Era Veterans Readjustment Assistance Act (VEVRAA) and Jobs for Veterans Act (JVA) and is committed to take affirmative action to employ and advance in employment qualified veterans.

f. Michigan Technological University will include the provisions of this clause in every subcontract or purchase order made after December 1, 2003 for \$100,000 or more unless exempted by the rules, regulations, or orders of the Secretary issued pursuant to the Act, so that such provisions will be binding on each subcontractor or vendor. The University will take such action with respect to any subcontract or purchase order as the Director of the Office of Federal Contract Compliance Programs may direct to enforce such provisions, including action for noncompliance.

### **Applicability of the Affirmative Action Program Requirement**

The Affirmative Action Program for Veterans will be reviewed and updated annually. If there are any significant changes in procedures, rights or benefits as a result of the annual updating, such changes will be communicated to employees as determined by Michigan Technological University.

Michigan Technological University will post a policy statement on the bulletin board in the Human Resources office as well as other posting boards on campus. The above requirement shall be satisfied by the posting of the "Invitation to Employees" who believe themselves covered by the Disabled Veterans and Veterans of the Vietnam Era Readjustment Assistance Act of 1974 and Jobs for Veterans Act. All information given pursuant to this invitation shall be kept confidential. If employees identify themselves, management will seek the advice of the employee regarding proper placement and appropriate accommodation. Nothing in the above invitation or other sections of the affirmative action program precludes an employee from informing the University at any future time of a desire to benefit under the program.

### **General Requirements**

Michigan Technological University will take affirmative action to employ and advance in employment the best qualified veterans at all levels of employment for which they are qualified, including the executive level. Such action shall apply to all employment practices, including, but not limited to: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay and other forms of compensation, and selection for training.

### **Proper Consideration of Qualifications**

Contractors shall review their personnel process to determine whether their present procedures assure careful, thorough and systematic consideration of the job qualifications of known veterans for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available.

In determining the qualifications of a covered veteran, the contractor shall consider only that portion of the military record, including discharge papers, relevant to the specific job qualifications for which the veteran is being considered. To the extent that it is necessary to modify their personnel procedures, contractors shall include the development of new procedures for this purpose in their affirmative action program required under this part.

Data will be maintained listing employees who have been hired and the accommodations undertaken to enable employees, including disabled veterans, to perform the job.

### **Physical and Mental Qualifications**

Personnel responsible for hiring and placement or training have the responsibility to familiarize themselves with all physical and mental job qualification requirements to insure that these requirements do not tend to screen out qualified disabled veterans.

Job qualification requirements should be related to the specific job or jobs for which the individual is being considered and shall be consistent with business necessity and the safe performance of the job. The qualifications will be reviewed whenever a position is posted.

Information gathered on medical questionnaires or physical examinations shall be kept confidential except that:

1. Supervisors and managers may be informed regarding restrictions on the work or duties of disabled veterans, accommodations, or the presence of a communicable disease.
2. First aid and safety personnel may be informed if the condition might require emergency treatment.
3. Government officials investigating compliance with the Act will be informed.

## **Accommodation to Physical and Mental Limitations of Employees**

Michigan Technological University will make reasonable accommodations for the physical and mental limitations of disabled veterans unless any such accommodation imposes an undue hardship on the business of the University. In determining the extent of accommodation obligations, business necessity and costs and expenses, among others, are factors that may be considered.

## **Compensation**

The University's compensation program will be administered equitably with respect to all veterans. It will not reduce the amount of compensation offered because of any disability income, pensions, or other benefits the applicant or employee receives from another source.

## **Outreach, Positive Recruitment and External Dissemination of the Policy**

Michigan Technological University will continue to review its employment practices to determine whether its personnel programs provide the required affirmative action for employment and advancement of veterans.

It will develop internal communication to engage in affirmative action efforts to employ qualified veterans and to foster understanding, acceptance, and support among the facility's management, supervisory and all other employees.

It will develop internal procedures to ensure that its obligation to engage in affirmative action to employ and promote qualified veterans are fully implemented.

It has notified the Michigan Works of its desire to provide meaningful employment opportunities to qualified veterans.

It will cooperate with social service agencies concerned with veterans' problems within its hiring area, for purposes such as advice, technical assistance and referral of potential employees from the same.

It will notify its subcontractors, vendors and suppliers.

## **Internal Dissemination of the Policy**

Michigan Technological University will adopt, implement, and disseminate the Affirmative Action Program for Veterans as follows:

1. It is publicized in Tech Today and included in the bulletin board announcements.
2. Management and supervisory personnel will be advised of the policy.
3. The policy will be discussed in the employee orientation program and management training program.
4. The union will be informed of the University's obligation under these regulations and its cooperation will be requested.
5. Accomplishments of all employees will be recognized in University publications and veterans will be included.

## **Responsibility for Implementation**

The Affirmative Action Officer is responsible for the Affirmative Action Program Veterans. The Officer is responsible for:

1. Developing policy statements and internal and external communication techniques for the University.
2. Identifying problem areas in the implementation of the affirmative action programs and developing solutions to those problems.
3. Designing and implementing audit and reporting systems that will:
  - a. Measure the effectiveness of the University's programs.
  - b. Indicate a need for remedial action.
  - c. Determine the degree to which University objectives have been attained.
  - d. Determine whether known veterans have had the opportunity to participate in all University sponsored educational, training, recreational and social activities.
  - e. Ensure that Michigan Technological University is in compliance with the Vietnam Era Readjustment Assistance Act of 1974 and the Jobs for Veterans Act.

## **Harassment**

We have developed and implemented procedures to ensure that all employees are not harassed because of veteran status.

## **Development and Execution of Affirmative Action Programs**

The University's selection process including training and promotion has been evaluated to ensure freedom from stereotyping veterans in a manner that limits their access to all jobs for which they are qualified.

All personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes have been carefully selected and trained to ensure that the commitments in the University's Affirmative Action Program are implemented.

Formal briefing sessions will be held with representatives from recruiting sources. The University, as appropriate, will provide concise explanations of job openings, job descriptions, and the accompanying selection process.

Recruiting efforts will incorporate efforts to reach veterans.

The Plan incorporates by reference all obligations imposed by the Vietnam Era Veterans Readjustment Assistance Act and the Jobs for Veterans Act.

## **Complaint Procedure**

Michigan Technological University has adopted a complaint procedure for persons protected under this plan.

## **AFFIRMATIVE ACTION INVITATION TO VETERANS**

It is the policy of Michigan Technological University, an employer and government contractor subject to Section 38-USC 4212 of the Vietnam Era Veterans Readjustment Assistance Act of 1974 and the Jobs for Veterans Act to take affirmative action to employ and advance in employment, qualified veterans. This action applies to all employment practices, i.e., hiring, promotion, demotion or transfer, recruitment advertising, layoff or termination, rates of pay and benefits.

If you are a veteran covered by this program and would like to be considered under this affirmative action plan, please tell us. This information is voluntary. Information obtained shall be kept confidential, except that (1) the hiring supervisor may be informed to assure consideration for employment under this plan, (2) supervisors and managers may be informed regarding restrictions on work or duties of disabled veterans and regarding necessary accommodations, (3) first aid personnel may be informed, when and to the extent appropriate, if the condition might require emergency treatment, and (4) government officials investigating compliance with the act shall be informed.

In order to assure proper placement of all employees, we do request that you answer the following question: If you have a disability which might affect your performance or create a hazard to yourself or others in connection with the job for which you are applying, please state the following: (1) The skills and procedures you use or intend to use to perform the job notwithstanding the disability, and (2) the accommodations we could make which would enable you to perform the job properly and safely, including special equipment, changes in the physical layout of the job, elimination of certain duties relating to the job or other accommodation.

The Affirmative Action program for Michigan Technological University is available for inspection by all employees or applicant by appointment, during normal working hours. The University has developed an internal procedure to consider complaints of veterans covered by this plan. Persons who believe they have been discriminated against because of veteran's status, or who wish to inspect the Affirmative Action Plan should contact the Affirmative Action Officer, Sherry Kauppi, Room 207 Administration Building, 487-3310, email [sikauppi@mtu.edu](mailto:sikauppi@mtu.edu).

## **Recordkeeping**

Michigan Technological University maintains records of and concerning veteran complaints and actions taken there under and such employment or other records as required by the rules and regulations governing affirmative action obligations for veterans. This information will be made available to the director or agency in the form required by the director or agency as necessary for the administration of the Act and governing rules and regulations. Michigan Technological University maintains complete and accurate records as required under the Vietnam Era Veterans Readjustment Assistance Act and the Jobs for Veterans Act.

## **Access to Records of Employment**

Michigan Technological University will permit access to relevant records pertinent to the Act during the University's normal working hours, for the purpose of complaint investigations and investigations concerning compliance under the Veterans Affirmative Action Plan.

## **Section 4: Disabled Persons**

### **Policy of Michigan Technological University**

It is the policy of Michigan Technological University to take affirmative action to employ and advance qualified disabled individuals. The University has always utilized procedures to insure that all phases of its employment policies are consistent with equal opportunity statutes and regulations. The University reasserts its policy to take affirmative action to employ and advance qualified disabled individuals. The policy shall apply in all employment practices, including but not limited to hiring, promotion, demotion, transfer, recruitment advertising, layoff, termination, rate of pay or other forms of compensation, and training.

Michigan Technological University is committed to equal opportunity employment and will insure, through institutional mechanisms, that disabled persons are given every opportunity for equal employment.

### **Affirmative Action Clause**

Michigan Technological University agrees to include the following affirmative action clause in each of its government contracts or subcontracts, to the extent required by applicable regulations:

#### **AFFIRMATIVE ACTION FOR DISABLED WORKERS**

- a. The contractor will not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. The contractor agrees to take affirmative action to employ, advance in employment and otherwise treat qualified disabled individuals without discrimination based upon their physical or mental disability in all employment practices such as the following: employment, promotion, demotion or transfer, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training.
- b. The contractor agrees to comply with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Act.
- c. In the event of the contractor's noncompliance with the requirements of this clause, actions for noncompliance may be taken in accordance with the rules, regulations and relevant orders of the Secretary of Labor issued pursuant to the Act.
- d. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the Director, provided by or through the contracting officer. Such notices shall state the contractor's obligation under the law to take affirmative action to employ and advance in employment qualified disabled employees and applicants for employment, and the rights of applicants and employees.
- e. The contractor will notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that the contractor is bound by the terms of Section 503 of the Rehabilitation Act of 1973, and is committed to take affirmative action to employ and advance in employment physically and mentally disabled individuals.
- f. The contractor will include the provisions of this clause in every subcontract or purchase order of \$10,000 or more unless exempted by rules, regulations, or orders of the Secretary issued pursuant to Section 503 of

the Act, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the Director of the Office of Federal Contract Compliance Programs may direct to enforce such provisions, including action for noncompliance.

## **Implementation**

Pursuant to its policy of assurance of equal employment opportunity and its desire to prevent discrimination on the basis of physical or mental disability, Michigan Technological University has developed the following affirmative action plan:

1. It has appointed an Affirmative Action Officer for the University whose responsibility shall be to ensure compliance with all phases of the equal employment opportunity policy. The Affirmative Action Officer is Sherry Kauppi. The responsibilities of the Affirmative Action Officer are set out below. The Affirmative Action Officer will report to the President and will have access to the President and all Vice Presidents.
2. In order to implement the affirmative action policy, the Affirmative Action Officer will communicate to the supervisors their responsibility to implement the University's disabled affirmative action policy.

Supervisors shall be responsible for:

- a. Identification of problem areas and assistance in establishing objectives.
  - b. Making reasonable accommodations for disabled persons with the approval of the department head and Affirmative Action Officer.
  - c. Promoting a proper work atmosphere for all employees, including disabled employees.
  - d. Reporting problems to the Affirmative Action Officer and suggesting corrective actions to assure that all barriers to disabled persons are removed.
3. The University may distribute information with respect to disabled individuals to all personnel involved in the recruitment, screening, selection, and promotion of employees and will inform them of the University's commitment to affirmative action with respect to disabled persons as needed.
  4. Michigan Technological University attempts to identify and utilize agencies which assist disabled persons.
  5. Michigan Technological University has established an internal procedure to review complaints of persons protected by this plan.

## **Proper Consideration of Qualifications**

The Affirmative Action Officer will continually review personnel processes and employment practices to determine whether procedures ensure careful, thorough and systematic consideration of job qualifications of known disabled applicants and employees for job vacancies and offer training opportunities to disabled persons. Where necessary, employment practices and processes will be revised to ensure compliance with the law. A summary of such changes shall be incorporated in the affirmative action plan for the year following the revisions.

## **Physical and Mental Qualifications**

Personnel responsible for hiring and placement or training have the responsibility to familiarize themselves with all physical and mental job qualification requirements to insure that these requirements do not tend to screen out qualified disabled veterans.

Job qualification requirements should be related to the specific job or jobs for which the individual is being considered and shall be consistent with business necessity and the safe performance of the job. The qualifications will be reviewed whenever a position is posted.

Information gathered on medical questionnaires or physical examinations shall be kept confidential except that:

1. Supervisors and managers may be informed regarding restrictions on the work or duties of disabled veterans, accommodations, or the presence of a communicable disease.
2. First aid and safety personnel may be informed if the condition might require emergency treatment.
3. Government officials investigating compliance with the Act will be informed.

## **Accommodations to Physical and Mental Limitations of Employees**

Michigan Technological University agrees to make reasonable accommodations for physical and mental limitations of employees or applicants unless it is demonstrated that such an accommodation would impose an unreasonable hardship on the conduct of business, as determined by the Affirmative Action Officer. In determining the extent of the obligation, the Affirmative Action Officer will be guided by all factors relevant to the efficient operation of the University, including the financial cost and expense of accommodation.

## **Compensation**

Michigan Technological University agrees that in offering employment or promotion to disabled individuals, it will not reduce the amount of compensation offered because of any disability income, pensions, or other benefits the applicant or employee receives from another source.

## **Outreach, Positive Recruitment and External Dissemination of the Policy**

Michigan Technological University will continue to review its employment practices to determine whether its personnel programs provide the required affirmative action for employment and advancement of qualified disabled persons.

It will develop internal communication to engage in affirmative action efforts to employ qualified disabled persons and to foster understanding, acceptance, and support among the facility's management, supervisory and all other employees.

It will develop internal procedures to ensure that its obligation to engage in affirmative action to employ and promote qualified disabled persons is fully implemented.

It will cooperate with social service agencies concerned with disabled person's problems within its hiring area, for purposes such as advice, technical assistance and referral of potential employees from the same.

It will review its employment records on an ongoing basis to determine the availability of promotable and transferable qualified known disabled persons presently employed.

Michigan Technological University will send written notification of its policy to subcontractors, vendors, and suppliers and request appropriate action on their part as required by law.

### **Internal Dissemination of the Policy**

Michigan Technological University will disperse the Disability Affirmative Action Program as follows:

1. It will be publicized in Tech Today and included in the bulletin board announcements.
2. Management and supervisory personnel will be advised of the policy.
3. The policy will be discussed in employee orientation programs and management training programs.
4. The union will be informed of the University's obligation under these regulations and its cooperation will be requested.
5. Accomplishments of all employees will be recognized in University publications.
6. The University policy statement will be posted on bulletin boards.

### **Responsibilities for Implementation**

Responsibility for implementation of the affirmative action program, including implementation of an affirmative action plan with respect to disabled persons, has been assigned to Affirmative Action Officer. The responsibilities of that officer are as follows:

1. Develop policy statements, internal and external communication techniques.

Assuring that management is aware:

- a. of its responsibility to make reasonable efforts to provide a work environment free of bias and to prevent harassment of employees because of physical or mental disability.
  - b. that the manager's performance is being evaluated on the basis of affirmative action, as well as other criteria.
2. Assist the supervisors and other employees in the identification of problem areas.
  3. Assist line management in arriving at solutions to problems of disabled persons.
  4. Design and implement audit and reporting systems that will:
    - a. measure the effectiveness of the University's program.
    - b. develop follow-up means of review of individual supervisors efforts and results.
    - c. indicate need for remedial action.
    - d. determine the degree to which the University's objectives as stated in the policy have been attained.
  5. As authorized, assist the University in its dealings with enforcement agencies.

6. Serve as liaison between the University and organizations concerned with and involved in employment opportunities for disabled persons.
7. Keep management informed on current developments in the employment of the disabled.
8. Regularly communicate with supervisors and employees to assure that the University's policies are being followed.
9. Review the affirmative action efforts in hiring in all departments to assure that disabled persons are given full opportunity for transfers and promotions.

## **Harassment**

We have developed and implemented procedures to ensure that all employees with disabilities are not harassed because of disability.

## **Affirmative Action Invitation to Applicants and Employees Disabled Persons**

Michigan Technological University has developed an affirmative action plan for disabled persons. It is available for inspection during normal business hours by making an appointment with the Affirmative Action Officer, Room 207 Administration Building, 487-3310, email [slkauppi@mtu.edu](mailto:slkauppi@mtu.edu).

If you receive a request for an accommodation, need a reasonable accommodation, or have questions contact a member of the ADA team. Submission of this information is voluntary and refusal to provide it will not subject you to discharge or disciplinary treatment. Information obtained concerning individuals shall be kept confidential, except that (1) the hiring supervisor may be informed to assure consideration for employment under this plan, (2) supervisors and managers may be informed regarding restrictions on work or duties of disabled individuals and regarding necessary accommodations, (3) first aid and safety personnel may be informed, when and to the extent appropriate, if the condition might require emergency treatment, and (4) government officials investigating compliance with the Act shall be informed.

If you are disabled, the University would like to include you under the affirmative action program. It would be helpful if you describe (1) any special methods, skills and procedures which qualify you for positions that you might not otherwise be able to do because of your disability, so that you will be considered for any position of that kind, and (2) the reasonable accommodations which could be made to enable you to perform the job properly and safely, including special equipment, changes in the physical layout of the job, elimination of certain duties relating to the job, or other accommodations.

Michigan Technological University has developed an internal grievance procedure to consider complaints of disabled persons, applicants and employees. Persons who believe they have been discriminated against because of a disability should contact the Affirmative Action Officer, Room 207 Administration Building, 487-3310, email [slkauppi@mtu.edu](mailto:slkauppi@mtu.edu), who will investigate the complaint and provide a prompt response.

## **Section 5: Religion and National Origin**

### **Religion and National Origin**

Michigan Technological University affirms that there is no discrimination against employees or applicants for employment because of religion or national origin and that employees are treated fairly during employment, without regard to their religion or national origin. Such action includes, but is not limited to: employment, upgrading, demotion, transfer, recruitment, recruitment advertising, layoff, termination, rates of pay or other compensation, and selection for training.