



**DISABLED
AND
VIETNAM ERA VETERANS
AFFIRMATIVE ACTION PLAN**

May 1, 2007 – April 30, 2008

Office of Affirmative Action
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**DISABLED AND VIETNAM ERA VETERANS
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I. Purpose and Policy.....	1
II. Definitions.....	1
III. Applicability of the Affirmative Action Program.....	2
IV. Affirmative Action Practices And Procedures.....	4
V. Dissemination of Policy.....	5
VI. Responsibility for Implementation.....	7
VII. Plan of Action.....	11
VIII. Internal Review Procedure.....	12
IX. Monitoring and Reporting.....	13

I. Purpose and Policy

It is the policy of OSU to recruit and employ qualified personnel and to provide equal employment opportunities for all applicants and employees in recruiting, hiring, placement, training, compensation and benefits, promotion, transfer and termination. To achieve this, OSU is dedicated to take affirmative action to employ and advance in employment qualified individuals with disabilities, veterans with disabilities and veterans of the Vietnam Era.

The objective in adopting this Affirmative Action Plan is to have qualified individuals with disabilities and covered veterans in all levels of job classification given their external availability.

OSU is resolved to take voluntary positive, business oriented action which will contribute to the furtherance of the spirit and intent of federal state and local legislation, government regulations and executive orders by providing affirmative action and equal opportunity to individuals with disabilities, veterans with disabilities and Vietnam Era veterans.

II. Definitions

A. Individual with a Disability

The rehabilitation Act of 1973 established the definition of an “individual with a disability” as being any person who:

1. has a physical or mental impairment which substantially limits one or more of such a person’s major life activities;
2. has a record of such an impairment; or
3. is regarded as having such an impairment.

In view of this definition, an individual is “substantially limited” if s/he is likely to experience difficulty in securing, retaining, or advancing in employment because of a disability.

B. Veteran with a Disability

Section 402 of the Vietnam Veteran Readjustment Assistance Act of 1974 defines “veteran with a disability” as a person who is:

1. entitled to disability compensation under laws which are administered by the Veterans Administration for a disability rated at 30% or more; or
2. whose discharge or release from military active duty was for a disability incurred or aggravated in the line of duty.

C. Veteran of the Vietnam Era

Section 402 of the Vietnam Era Veteran Readjustment Act of 1974 defines “Veteran of the Vietnam Era” as a person who:

1. served on active duty for a period of more than 180 days, any part of which occurred between February 28, 1961 and May 7, 1975, and was discharged or released there from with other than a dishonorable discharge; or
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

III. APPLICABILITY OF THE AFFIRMATIVE ACTION PLAN

- A. OSU does not discriminate against any employee or applicant for employment because of physical or mental disability or because he or she is a disabled veteran or veteran of the Vietnam Era in regard to any position for which the employee or applicant for employment is qualified.
- B. Employees who believe themselves covered by the Rehabilitation Act of 1973 or the Vietnam Era Veterans’ Readjustment Assistance Act of 1974 and who wish to benefit under this Affirmative Action Plan are encouraged to identify themselves to the Affirmative Action Office. Except in limited circumstances the invitation to self-identify will be extended after an employment offer has been made and before the applicant begins work. In addition, an “Employee Profile” is sent to employees on an annual basis whereby they are asked to update their employee information. This form includes disability and veteran status. When the applicants or employees identify themselves, the information is considered confidential and used only in accordance with applicable federal regulations. Refusal to provide identification information does not subject the individual to adverse treatment.

In the case of an individual with a disability and veterans with disabilities, OSU seeks and considers the advice of individuals identifying themselves as to placement and reasonable accommodations. Information obtained from individuals or medical examinations is used only in accordance with applicable federal regulations.

- C. OSU agrees that all suitable employment openings expected to pay an annual salary of \$25,000 or less which are not filled from within will be listed at the local office of the state employment service. Referrals of both veterans and non-veterans will be accepted. OSU understands that the listing of employment openings does not require the hiring of any particular job applicant.

- D. OSU reviews the mental and physical job qualification requirements to ensure that they are job related and are consistent with business necessity and the safe performance of the job.

To the extent that physical or mental job qualification requirements tend to screen out individuals with disabilities or veterans with disabilities in the selection of employees or applicants for employment or other changes in employment status, such as promotion or training. OSU assures that the requirements are related to the specific job(s) for which the individual is being considered and are consistent with business necessity and safety on the job.

- E. Managers, supervisors, deans and/or designated division administrators may be informed of any restrictions on the work or duties of individuals with disabilities or veterans with disabilities regarding accommodations which might need to be made.
- F. First aid and safety personnel may be informed of any individuals with disabilities or veterans with disabilities condition which might require emergency treatment.
- G. Accommodations to the physical and/or mental limitation of an employee will be made, provided the accommodations are reasonable and would not impose an undue hardship on the conduct of OSU's business. Factors, among others, to be considered are (1) business necessity, and (s) financial cost. The Office of ADA Compliance helps facilitate such reasonable accommodations.
- H. OSU will not reduce the amount of compensation offered in employment or promotion because of any disability income, pension, or benefit the applicant or employee receives from another source
- I. OSU will externally communicate its policy to recruitment sources, such as the employment services system.
- J. OSU posts in conspicuous places, available to employees and applicants for employment, copies of notices officially designated by the U.S. Department of Labor stating OSU's policy and employees' and applicants' rights under the Rehabilitation Act of 1973 and the Vietnam Era Veterans' Readjustment Assistance Act of 1974.
- L. All personnel in the recruitment, screening, promotion, disciplinary and other related processes, conform to the commitments of this plan.

- M. Individuals with disabilities and veterans with disabilities of the Vietnam Era have the opportunity to participate in all university-sponsored educational, training, recreational and social activities on a nondiscriminatory basis.

IV. AFFIRMATIVE ACTION PRACTICES AND PROCEDURES

A. Proper Consideration of Qualifications

OSU periodically reviews its employment procedures to assure careful, thorough, and systematic consideration of the job qualifications of known individuals with disabilities and covered veteran applicants for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available.

B. Physical and Mental Qualifications

OSU periodically reviews all physical and mental job qualification requirements with management and supervisors to ensure that to the extent qualification requirements tend to screen out qualified individuals with disabilities veterans with disabilities, they are job-related and consistent with business necessity and the safe performance of the job.

To the extent that physical or mental job qualification requirements lead to screen out qualified individuals with disabilities or veterans with disabilities in the selection of employees or applicants for employment or other changes in employment status such as promotion or training, OSU assures that the requirements are related to the specific job(s) for which the individual is being considered and are consistent with business necessity and the safe performance of the job.

Information obtained from applicants or employees concerning a physical or mental condition is kept confidential, except that: (a) managers, supervisors, deans and/or designated division administrators may be informed regarding accommodations or restrictions on work or duties; (b) first aid and safety personnel may be informed when, and to the extent appropriate, if the condition might require emergency treatment; and (c) government officials investigating compliance with the EEO laws will be informed.

C. Reasonable Accommodation

OSU makes reasonable accommodations to the physical and mental limitations of employees or applicants to the extent that such accommodation does not impose an undue hardship on the conduct of its business.

OSU's building planning includes reasonable accommodation to the special needs of individuals with disabilities and veterans with disabilities including access to the building, utilization of rest room facilities, and mobility requirements within the building and parking locations.

The Office of ADA Compliance maintains a separate ADA Transition Plan detailing ongoing efforts to enhance accessibility throughout the campus. In addition, assistance is provided as needed to employees and supervisor to facilitate reasonable job accommodation.

D. Compensation

In offering employment or promotions to individuals with disabilities or covered veterans, OSU does not reduce the amount of compensation offered because of any disability income, pension, or other benefit the applicant or employee receives from other sources.

V. DISSEMINATION OF POLICY

A. OSU disseminates the equal opportunity policy for individuals with disabilities, qualified veterans with disabilities, and veterans of the Vietnam Era internally as follows:

1. The policy statement is annually reaffirmed and posted on bulletin boards. The policy is also included on the Affirmative Action website. Employees are invited to identify themselves for benefits under the Plan.
2. During the program year, supervisory personnel are reminded about the existence, intent and content of the affirmative action program for individuals with disabilities, qualified special veterans with disabilities, and veterans of the Vietnam Era. This communication is accomplished through staff and special meetings and other means, as appropriate.
3. Articles covering OSU's employment programs, promotions, etc., of individuals with disabilities and covered veteran employees are published, as appropriate, in university publications.
4. The Affirmative Action Program is available for inspection by any employee upon request during normal business hours and a notice to that effect is posted for employees and applicants.
5. Employees engaged in hiring, transfer, or promotion processes receive ongoing training on applicable laws for individuals with disabilities and covered veterans.

B. OSU externally disseminates the equal opportunity policy for individuals with disabilities, qualified veterans with disabilities, and veterans of the Vietnam Era as follows:

1. All appropriate recruiting sources are informed both verbally and in writing of our commitments to employ qualified individuals with disabilities, special veterans with disabilities and Vietnam Era veterans. All suitable employment openings are listed at the local state employment service office. These sources are requested to actively recruit and refer individuals with disabilities and covered veterans.
2. The application for employment currently being used by OSU states that "Oklahoma State University is in compliance with Title VI and Title VII of the Civil Rights Act of 1964, Executive Order 11246 as amended, Title IX of the Education Amendments of 1972. Americans with Disabilities Act of 1990, and other federal laws and regulations, does not discriminate on the basis of race, color, national origin, sex, age, religion, disability, or status as a veteran in any of its policies, practices or procedures. This includes but is not limited to admissions, employment, financial aid and educational services."
3. Literature used for recruiting contains an equal employment opportunity statement. All prospective employees are informed of the affirmative action program of OSU through the posting of the policy statement and appropriate posters in the applicant areas.
4. OSU will continue to take positive steps to attract qualified individuals with disabilities not currently in the workforce who have requisite skills and can be recruited through affirmative action measures.

C. Outreach and Positive Recruitment

OSU reviews its employment practices to assure that programs are consistent with the Affirmative Action Program for the employment and advancement of qualified individuals with disabilities and covered veterans. In conjunction with these programs, OSU undertakes the following outreach and positive recruitment activities:

1. Recruiting programs are established with the state employment service which provides assistance in locating qualified applicants.
2. Steps are taken to recruit individuals with disabilities and covered veterans who have requisite skills to perform in various types of positions.
3. All job openings paying a salary of less than \$25,000 per year

which will not be filled from within OSU are listed with the local offices of the appropriate state employment service.

4. Whenever employees are pictured in any OSU publication, OSU will endeavor to include individuals with disabilities and covered veteran employees.

VI. RESPONSIBILTIIY FOR IMPLEMENTATION

The Coordinator of Disability Programs and Services of Oklahoma State University is appointed as Section 504 Coordinator as required by executive Order 11246 and Coordinator of ADA Compliance as required by Section 35. 107(a) of the ADA

The Director of Affirmative Action for Oklahoma State University is the Section 503 coordinator as required by Executive Order 11246.

The Coordinator and Director are responsible for assisting and counseling with OSU managers and supervisors on equal opportunity and affirmative action related matters and maintaining close liaison with governmental enforcement agencies, local community action groups, and minority and women's organizations. In the context of OSU's AAP for disabled and covered veteran employees, the coordinator of Disability Programs and Director of Affirmative Action recommend accommodations for diabled individuals and covered veterans and also has the responsibility to coordinate and ensure that hiring managers take positive outreach action to ensure employment opportunities for the qualified disabled, special disabled veterans and veterans of the Vietnam Era.

The Coordinator of Disability Programs and Director of Affirmative Action responsibilities shall include, but not necessarily be limited to:

1. developing policy statements, affirmative action programs, internal and external communication techniques.
2. assisting in the identification of problem areas;
3. assisting line management in arriving at solutions to problems;
4. designing and implementing audit and reporting systems that will measure effectiveness of the contractor's programs, indicate need for remedial action, and determine the degree to which OSU's objectives have been attained;
5. serving as liaison between OSU and organizations serving handicapped persons;
6. keeping management informed of latest developments in the entire affirmative action area; and

7. determining the need for and developing the means of accommodation for qualified employees or applicants.

B. Implementation Responsibilities

Oklahoma State University is governed by the Board of Regents for Oklahoma State University and Agricultural and Mechanical Colleges. The actions of persons employed by the University shall be consistent with the policies, procedures, rules, regulations, directives, and guidelines which are adopted or otherwise prescribed by the Board.

The implementation of the board of Regents' policies and procedures as well as the responsibility for the day-to-day operation of the University is vested in the Office of the President. The President of the University is the Chief Executive Officer in all such matters.

As the Chief Executive Officer, the president of the University is responsible for implementing the University's Affirmative Action Program with the assistance and counsel of the Vice Presidents, the Vice President for Institutional Diversity and the Director, Affirmative Action. The President shall delegate and assign the responsibility and authority deemed necessary to the Provost/Senior Vice President Academic Affairs. The Provost/Senior Vice President Academic Affairs will, in turn, delegate, to each administrator, the responsibility and authority for the implementation of this program within his/her respective areas. The President and/or the Provost/Senior Vice President Academic Affairs of the University shall further hold each dean and/or designated division Administrator personally accountable for affirmative action efforts and results.

Each dean and/or designated division administrator shall take those steps necessary to ensure aggressive affirmative action efforts and results within his/her respective areas of administration. Directors, department heads, and all other supervisory personnel within the colleges and divisions shall have a primary responsibility for program implementation and shall be evaluated on the basis of equal opportunity/affirmative action efforts and results, in addition to other criteria utilized by the respective deans and vice presidents. It shall be the responsibility of supervisory personnel to ensure that no harassment to any person occurs as a result of his/her affirmative action efforts.

**OKLAHOMA STATE UNIVERSITY
COMMITTEE FOR CAMPUS ACCESSIBILITY (CCA)**

Manny Al-Harake
Student Union

Donald Allen
Architecture Svcs, PPA

Pat Brock
Fire Proection/Safety

Carolyn Hernandez
Affirmative Action

Chris Hoffman
Public Safety

Chris Hoffman
Public Safety

Linda Jaco
Wellness Center

Jerry Jordan
Health, Phys. Ed., & Sciences

Martin McCormick
Comp. Center

Beth Reiten
Library

Michael Shuttic
Student Disability Svcs.

David Stoddart
Residential Life

Connie Stout
Asst. Professor
Comm. Sci. & Disorder

**ADA ADVISORY COUNCIL (ADAAC)
OF INDIVIDUALS WITH DISABILITIES**

This is an “informal” group of students, faculty and staff who have agreed to help facilitate ADA compliance activities from a users point of view. Members regularly undertake a variety of projects to improve accessibility, enhance conditions, etc..

Dale Alspach
Math Department
401 Math Sciences

Ken Conway
Plant Pathology
311F Noble Center

Carolyn Hernandez
Affirmative Action
408 Whitehurst

Jeff Hughes
Wellness Center

Martin McCormick
Comp. Center
113 Math Sciences

Alice Shenold
Wilhelm Dining

Michael Shuttic
Student Disability Services
326 Student Union

Stephen Welty
103 Animal Science Bldg.

Contract Compliance Officer

The President has designated the Director, Grants and Contract Financial Administration to serve as the Contract compliance Officer. This appointment satisfies the requirements of Section 202 of Executive Order 11246 (made more specific by CFS Title 50, Chapter 60, Section 1) regarding the inclusion or reference in certain federal and federally assisted contracts of, and compliance with, an equal opportunity clause.

The Director, Affirmative Action shall assist the Contract Compliance Officer upon request.

Record Availability

The Director of Affirmative Action shall have access to any and all University information, records, documents, and reports relevant to the execution of the duties of the office, subject to accepted principles of confidentiality and privacy. Accordingly, the Director of Affirmative Action shall have the cooperation and assistance of the various administrative offices and departments of the University as needed in the execution of the duties of the office.

VII. PLAN OF ACTION

OSU views its affirmative action program as results-oriented, designed to enhance the opportunities of qualified individuals with disabilities and covered veterans. OSU recognizes that the ultimate success of this undertaking will be largely the result of the “good faith efforts” detailed in this section of the affirmative action program. There is executive support and commitment for the program, and dissemination of the commitment to all employees enlisting their adherence to OSU’s equal opportunity policy has been completed. The substance of the program to convert commitments to measurable progress is outlined in the following pages.

A. Recruiting

OSU seeks qualified individuals with disabilities and covered veterans for existing and future employment. In order to improve recruitment and increase the flow of qualified disabled applicants, individuals responsible for recruiting will regularly contact local, state, and federal employment referral agencies and specialized placement agencies.

When recruiting is conducted OSU will make every good faith effort to reach covered veterans and individuals with disabilities.

B. Employment and Selection

All employees engaged in making hiring and selection decisions receive training to assure nondiscrimination in decision making. Employment decisions will be reviewed periodically to monitor results.

Any test utilized in the selection process is monitored in accordance with the Uniform Guideline on Employee Selection Procedures.

C. Promotion

The records of known individuals with disabilities and covered veteran employees are reviewed to assure that qualified individuals are given equal consideration as opportunities for upgrading, promotion, and transfer occur. Where additional training and experience would be helpful for advancement, management counsels and assists individuals with disabilities and covered veteran employees.

D. Training

Employees with disabilities and covered veterans are given equal access to all developmental training designed to enhance an employee's ability to assume positions of greater responsibility.

OSU's educational tuition aid program is made available to all employees who wish to enhance their opportunities by supplementing their education. Full-time members of the faculty, administrative/professional, and classified staff who enroll for credit in one course per semester or a maximum of five hours may pay one-half of the fee in effect at that time.

E. Facilities

In designing new construction and remodeling existing buildings, special consideration continues to be given insofar as economically and physically practical, to the removal of architectural barriers to individuals with disabilities and veterans with disabilities, and students.

F. Other

A copy of the policy statement is posted on bulleting boards.

VIII. INTERNAL REVIEW PROCEDURE

OSU encourages the use of an internal review procedure whereby employees who are covered veterans or individuals with disabilities can raise any issue or claim that may arise during the course of their employment. OSU maintains an "open door" policy and encourages employees to discuss such issues or claims. The existence and availability of this internal procedure is communicated to all employees. All such matters may be brought to the attention of the Coordinator of ADA Compliance or Director of Affirmative Action.

IX. MONITORING AND REPORTING

It is the responsibility of the Coordinator of ADA Compliance and Director of Affirmative Action to periodically monitor employment and personnel practices and make every good faith effort to assure compliance with applicable regulations and adherence to OSU's policy pertaining to covered veterans and individuals with disabilities; to report specific problems, if any, to appropriate management; and to measure the effectiveness of OSU's AAP.

In this regard, an applicant flow record of all known covered individuals with disabilities and covered veterans and the source and disposition thereof, are maintained, as well as a record of all employment decisions (i.e., hires, transfers, promotions, terminations, etc.). Records of known covered veterans and applicants with disabilities are maintained for a two year period, and significant personnel actions involving known covered employees will be individually maintained as part of their record for the duration of their employment.

Periodically, a report will be made concerning significant personnel actions involving known covered veteran and applicants with disabilities and employees. This report will also include a description of any formal complains alleging discrimination on the basis of covered veteran or disability status.

OSU complies with all other applicable reporting requirements including filling of the "VETS-100" report on an annual basis, pursuant to 41 C.F.R. Section 61-250 et seq.

This Affirmative Action Plan is updated annually.