



---

# **EMPLOYMENT AFFIRMATIVE ACTION PLAN**

For

**UNIVERSITY OF ARKANSAS  
DIVISION OF AGRICULTURE**

Including Both Its Units:

**COOPERATIVE EXTENSION SERVICE (CES) &  
AGRICULTURAL EXPERIMENT STATION (AES)**

---

UNIVERSITY OF ARKANSAS-DIVISION OF AGRICULTURE  
COOPERATIVE EXT. SERVICE & AGRICULTURE EXPERIMENT STATION  
EMPLOYMENT AFFIRMATIVE ACTION PLAN

**TABLE OF CONTENTS**

PARTS I AND II

<b>TABLE OF CONTENTS</b> .....	<b>2</b>
<b>INTRODUCTION</b> .....	<b>4</b>
<b>REAFFIRMATION OF EEO POLICY STATEMENT</b> .....	<b>6</b>
<b>AFFIRMATIVE ACTION LAWS AND REGULATIONS</b> .....	<b>7</b>
PROTECTED GROUPS .....	7
<b>PART I: MINORITIES AND WOMEN</b> .....	<b>9</b>
1. WORKFORCE ANALYSIS, 41 C.F.R. § 60-2.11 .....	9
2. JOB GROUP ANALYSIS, 41 C.F.R. § 60-2.12.....	10
<i>Job Grouping Criteria</i> .....	10
3. PLACEMENT OF INCUMBENTS IN JOB GROUPS, 41. C.F.R. § 60-2.13.....	12
4. DETERMINING AVAILABILITY, 41 C.F.R. § 60-2.14 .....	13
<i>Identify Availability Factors</i> .....	13
<i>Identify Reasonable Recruitment Area (External)</i> .....	14
<i>Data Obtained</i> .....	14
5. COMPARING INCUMBENCY TO AVAILABILITY, 41 C.F.R. § 60-2.15.....	15
6. PLACEMENT GOALS, 41 C.F.R. §60-2.16 .....	16
7. DESIGNATION OF RESPONSIBILITY, 41 C.F.R. § 60-2.17(A) .....	17
<i>Vice President for Agriculture</i> .....	17
<i>Associate Vice Presidents</i> .....	17
<i>Affirmative Action Officer</i> .....	17
<i>Director of Human Resources</i> .....	18
<i>Managers and Supervisors</i> .....	19
8. IDENTIFICATION OF PROBLEM AREAS, 41 C.F.R. § 60-2.17(B).....	20
9. ACTION-ORIENTED PROGRAMS, 41. C.F.R. § 60-2.17(C) .....	21
10. INTERNAL AUDIT AND REPORTING, 41 C.F.R. § 60-2.17(D).....	23
<b>PART II: SPECIAL DISABLED &amp; VIETNAM ERA VETERANS, AND PERSONS WITH DISABILITIES</b> .....	<b>24</b>
1. POLICY STATEMENT, 41 C.F.R. § 60-250.44(A); 60-741.44(A) .....	24
2. REVIEW OF PERSONNEL PROCESSES, 41 C.F.R. §§ 60-250.44(B); 60-741.44(B).....	25
3. PHYSICAL & MENTAL QUALIFICATIONS, 41 C.F.R. §§ 60-250.44(C); 60-741.44(C). 27	
4. REASONABLE ACCOMMODATION TO PHYSICAL & MENTAL LIMITATIONS, 41 C.F.R. §§ 60-250.44(D); 60-741.44(D) .....	28

5. HARASSMENT, 41 C.F.R. §§ 60-250.44(E); 60-741.44(E) .....	29
6. EXTERNAL DISSEMINATION, OUTREACH & POSITIVE RECRUITMENT, 41 C.F.R. §§ 60-250.44(F); 60-741.44(F) .....	30
7. INTERNAL POLICY DISSEMINATION, 41 C.F. R. §§ 60-250.44(G); 60-741.44(G) .....	33
8. AUDIT AND REPORTING SYSTEM, 41 C.F.R. §§ 60-250.44(H); 60-741.44(H).....	34
9. RESPONSIBILITY FOR IMPLEMENTATION, 41 C.F.R. §§ 60-250.44(I); 60-741.44(I) ...	35
10. TRAINING, 41 C.F.R. §§ 60-250.44(J); 60-741.44(J) .....	36
<b>APPENDIX .....</b>	<b>37</b>
AFFIRMATIVE ACTION OVERSIGHT - RECRUITMENT AND SELECTION .....	37
1. PRE-ADVERTISING REVIEW .....	37
2. PRE-INTERVIEW REVIEW .....	37
3. PRE-OFFER REVIEW .....	38

## INTRODUCTION

The University of Arkansas Division of Agriculture, including its two units - the Cooperative Extension Service and the Agriculture Experiment Station (hereafter, collectively referred to as the “Division”), are fully devoted to the ideas and practices of equal opportunity and affirmative action in all areas of employment. The following document is the revised Affirmative Action Plan (“AAP”) for the Division. This AAP covers all employees of the Division, including classified, non-classified, staff, and faculty positions that ultimately report and are subject to the authority of the Vice President for Agriculture.

As the Division is a federal government service contractor, it is subject to the requirements of Executive Orders No. 11246, as amended, the Rehabilitation Act of 1973, as amended, and the Vietnam Veterans’ Readjustment Assistance Act of 1974. The Division is also subject to state law requirements established in Arkansas Code § 6-63-103. As the Division is covered under these federal and state laws, it is required to prepare periodical written affirmative action plans for minorities and women, covered veterans, and persons with disabilities. Supporting documents will be updated on an annual basis to record the status of employees in the Division, as well as progress made towards the achievement of affirmative action goals.

In developing and implementing this AAP, the Division will be directed by its established policies of providing equal employment opportunity, along with the principles of affirmative action. This AAP is a management tool designed to assist the Division in its continuing pursuit of ensuring equal employment opportunity and affirmative action. Any “placement goals” created herein will not establish quotas that must be met, but are simply targets that should be attained by applying a good faith effort in implementing this plan. “Placement goals” will be used to measure the Division’s progress in providing equal employment opportunity. The use of “placement goals” is not intended to discriminate against any individual with any employment opportunities

with the Division and is neither a finding nor an admission by the Division of discrimination as stated in the Code of Federal Regulations, Title 41 Part 60 § 2.16(b).

As federal regulations require, the development of a satisfactory affirmative action plan is the assessment of opportunities for the employment of protected group members, as well as an identification and analysis of problem areas inherent in their employment. In addition, if a statistical analysis of the employee workforce reveals a numeric underutilization of minorities or women, greater than would reasonably be expected by their availability, a sufficient affirmative action plan details specific affirmative action steps to guarantee employment opportunity. For minorities and women, steps will be developed in regards to recruitment, hiring, and promotion to rectify underutilization where found.

Within this document, the use of terms such as “underutilization”, “deficiency”, “problem area”, etc. should not be construed as an admission by the Division that any problem area exists or that either minorities or women have been, or are presently being, underutilized or discriminated against in any way by the Division in violation of federal, state or local employment laws. In addition, nothing contained in this AAP or its supporting data should be construed as an admission by the Division, that it has violated such federal, state or local employment laws. The Division does not believe any violation of discrimination laws exists.

This AAP was developed in accordance with and reliance upon the EEOC’s Guidelines on Affirmative Action, Title 29 C.F.R. Part 1608 and has been designed to bring women and men, members of minority groups, covered veterans, and persons with disabilities into all levels and segments of the Division’s workforce in proportion to their representation in the qualified relevant labor market. This AAP establishes an organizational structure to assure all efforts are made to meet these goals and objectives.

## **Reaffirmation of EEO Policy Statement**

The Division has established a written AAP with respect to equal opportunity. This AAP has been prepared in conformity with Executive Order No. 11246 and the implementing regulations of the Office of Federal Contract Compliance Programs (OFCCP), Title 41 C.F.R. Part 60-1 et seq., including Revised Order No. 4, as amended, and Title 41 C.F.R. Part 60-2. This AAP is designed to provide guidance to management with respect to the Division's commitment to full implementation of its Equal Employment Opportunity/Affirmative Action policy. The Division's policy includes, without limitation, the following commitments:

The policies of the University of Arkansas Division of Agriculture are to continue to provide equal employment opportunities and offer all of its programs to eligible participants without regards to race, color, age, religion, sex, national origin, disability, marital or veteran status, or any other legally protected status.

The Division also commits itself to a policy of affirmative action in regards to employment opportunities, as well as its programs, so that the work and educational environments may be as inclusive as possible. The Division complies with these policies because it believes such policies are necessary to serve all the residents of Arkansas.

## Affirmative Action Laws and Regulations

The Division's AAP for minorities and women (Part I) has been developed in accordance with Executive Order No. 11246, as amended, and Title 41 C.F.R., Parts 60-1, 60-2, and Part 60-20, and Arkansas Code § 6-63-103. In addition, the AAP includes coverage for certain veterans and persons with disabilities (Part II) developed in accordance with the Rehabilitation Act of 1973, Section 503, as amended, and 41 C.F.R., Parts 60-741, 60-250, and the Vietnam Era Veterans Readjustment Assistance Act of 1974, Section 4212, as amended.

### Protected Groups

Individuals covered under affirmative action laws and regulations:

- “Minorities and women” who are recognized as belonging to or identifying with the following race or ethnic groups:
  - Black/African American: A person having origins in any of the Black racial groups of Africa.
  - Hispanic/Latino: A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
  - Asian: A person having origins in any of the original peoples of the Far East, Southeast Asia, the Pacific Islands or the Indian subcontinent. This includes, for example, China, India, Japan, Korea, the Philippine Islands and Vietnam.
  - Native Hawaiian or Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
  - American Indian or Alaskan Native: A person having origins in any of the original peoples of North America and who maintains cultural

- “Special disabled veteran”: a veteran who are entitled to compensation for a disability rated at 30 percent or more; or, rated at 10 to 20 percent in the case of a veteran who has been determined under 38 U.S.C. § 3106 to have a serious employment disability; or, a person who was discharged or released from active duty because of a service-connected disability.
- “Vietnam Era Veteran”: a person who served on active duty for a period of more than 180 days during the Vietnam era, between February 28, 1961 and May 7, 1975 and was discharged or released with other than a dishonorable discharge; or, who was discharged or released from active duty because of a service-connected disability if any part of the active duty occurred during the Vietnam era, between February 28, 1961 and May 7, 1975.
- “Individual with a Disability”: a person who has a physical or mental impairment that substantially limits one or more of his/her major life activities; (2) has a record of such impairment, or (3) is regarded as having such impairment.

## **PART I: MINORITIES AND WOMEN**

### **1. Workforce Analysis, 41 C.F.R. § 60-2.11**

A workforce analysis will be conducted annually to identify employees by gender and race/ethnicity in each job title, (working titles) employed by the Division.

Job titles are listed by organizational units. The list includes all job titles, exempt and nonexempt titles, and departmental supervision. The salary range is also included, along with the EEO Category to which the title has been assigned. Included for each job title are the total number of employees in the job title, the total number of employees in that job title broken down by racial/ethnic categories, the total number of male and females in that job title, along with the total male and female employees within each of the race/ethnic groups in that job title.

The Division will carefully examine the workforce analysis to identify problem areas needing correction, such as concentrations or segregation of minorities or women by organizational unit, job, pay, or EEO Category. Problems identified by the workforce analysis will be corrected with corrective programs addressed in this AAP.

## **2. Job Group Analysis, 41 C.F.R. § 60-2.12**

After the Division conducts a workforce analysis for each individual job title, the Division will group job titles together for utilization analysis and for setting goals and establishing timetables as required under federal law.

Listed below are the guidelines that will be followed in developing the job groups for which underutilization will be identified. These guidelines are based on the requirements of the Office of Federal Contract Compliance Programs Manual.

### **Job Grouping Criteria**

1. *Similar work content:* Similarity of work content refers to the duties and responsibilities of the job titles which make up the job group. Job titles in each group normally would be within the same EEO-1 category. The Dictionary of Occupational Title can also be used.
2. *Similar rates of pay.* Pay rates should be reviewed in conjunction with job content. Large apparent differences in pay, when associated with differences in job title and/or location within an organization, suggest an unacceptable job grouping.
3. *Similar opportunities.* Opportunity refers to the ability to take advantage of training, transfers, promotions, mobility to desirable wage/salary situations, and other employment benefits. Ideally, each job within a job group should offer the same opportunities as any other job title within that job group.
4. The groups should not include jobs with clearly different content, wages or opportunities since this may obscure underutilization and is not acceptable. For example, jobs predominately filled with males should not be combined in the same group with jobs predominately filled with females.
5. Job groups, if appropriately constructed, should cut across departmental or organizational units, but not across EEO Categories.

6. Employers with over 150 employees should not use EEO occupational categories as the only job groups in an affirmative action plan. EEO categories are generally much too broad for proper availability analysis purposes. However, jobs placed in a group should generally belong to the same EEO Category.
7. The size of the employer's workforce is a major factor in determining how well the above criteria will be met. Job groups should have enough incumbents to permit meaningful utilization analysis and goal setting. Optimally, if a job group is identified as underutilized, it should be large enough so that a goal of at least one whole person can be established.
8. The organization of jobs into groups allows employers to tie specific jobs to availability statistics in order to assess the degree to which their own workforce representation approximates availability.

The Division's Job Group Analysis will be reviewed periodically to ensure that job titles are assigned to job groups according to the guidelines established above. The analysis will list each job title within a certain job group. For each job title, the analysis will provide the equivalent EEO reporting category.

### **3. Placement of Incumbents in Job Groups, 41. C.F.R. § 60-2.13**

The Division will list all of its job groups and the total number of incumbents within each of these job groups on an annually basis. In addition, with placing of incumbents in job groups, the Division will report the number of employees and the percentages by gender and race/ethnicity within each job group.

#### **4. Determining Availability, 41 C.F.R. § 60-2.14**

An availability analysis will be conducted for each job group after the workforce and job group analysis are completed. “Availability” is an estimate of each gender and race/ethnic group available and qualified for employment at the Division, for a given job group in the relevant labor market. Availability indicates the approximate level at which each race/ethnic and gender group could reasonably be expected to be represented in a job group if the Division’s employment decisions are being made without regard to gender, race, or ethnic origin. Availability estimates, therefore, are a way of translating equal employment opportunity into concrete numerical terms. With valid availability data, the Division can compare the percentages of those who could reasonably be expected to be employed versus our current workforce (from the workforce analysis), identify underutilization or areas of deficiency, and establish goals and timetables to correct the problems.

##### Identify Availability Factors

The following factors are required for consideration when developing availability for each job group:

1. The percentage of minorities or women with the requisite skills in the reasonable recruitment area. The “reasonable recruitment area” is defined as the geographical area from which the employer usually seeks or reasonably could seek workers to fill the positions in question. Data considered for this factor will include the most recent Census of Population for the local labor area, the reasonable recruitment area, and the local data.
2. The percentage of minorities or women among those promotable, transferable, and trainable within the employer’s organization. Trainable refers to those employees who could, with appropriate training, become promotable or transferable during the AAP year.

### Identify Reasonable Recruitment Area (External)

The reasonable recruitment area will be identified for each job title in each job group for each unit of the Division. In addition, the CES is sub-divided into three districts, along with its State Office. The recruitment areas for each of those components will also be identified. The “local labor market” is one component of the reasonable recruitment area.

### Data Obtained

Data obtained for determining availability will come from the most recent U.S. Census of Population, Special Occupation Tabulation for the appropriate labor area and the reasonable recruitment area. The data for each job group will be taken from available census occupations. In addition, percentages of promotable and transferable minorities and women within the Division’s workforce will be utilized where possible.

## **5. Comparing Incumbency to Availability, 41 C.F.R. § 60-2.15**

The Division will annually identify underutilization in each job group for women and minorities by comparing the availability for each job group and the number of each employed as of November 1 of each year.

## **6. Placement Goals, 41 C.F.R. §60-2.16**

The Division will establish goals for each job group where underutilization has been identified. The Division firmly believes that any goals set will be accomplished. Such goals will be reached primarily through recruiting and advertising to increase the pool of qualified minority and female applicants and through action-oriented programs, which will be discussed later. These goals do not require the Division to hire persons when there are no vacancies or hire any individual who is less qualified over a person who is better qualified, under valid selection procedures.

Please note that these goals are not quotas, but instead should be considered reasonable targets that can be reached by applying every good faith effort to make this affirmative action plan work.

Placement goals will be equal to the availability percentages identified.

## **7. Designation of Responsibility, 41 C.F.R. § 60-2.17(a)**

As part of the Division's efforts to ensure equal employment opportunity and implement affirmative action for employees and applicants, specific individuals within the Division are given specific responsibilities as follows:

### **Vice President for Agriculture**

The Vice President for Agriculture is charged with and ultimately responsible for equal employment opportunity and affirmative action efforts for the Division. The Vice President may delegate the responsibility for overseeing, administering, implementing, and monitoring the Division's AAP to appropriate personnel and ensure that those delegated personnel are given the necessary staffing to successfully implement their assigned responsibilities.

### **Associate Vice Presidents**

The Division's Associate Vice President for Extension and the Associate Vice President for Research report directly to the Vice President for Agriculture. The Associate Vice Presidents are directly responsible for ensuring equal employment opportunity and affirmative action with respect to each of their units.

### **Affirmative Action Officer**

The Affirmative Action/Civil Rights Compliance Officer has been appointed by the Division and assigned the task of implementation and coordination of the Division's AAP. However, making sure the Division meets its obligations under the AAP is the combined responsibility of all members of administration and supervisory personnel. To administer the responsibilities of the AAP, the Affirmative Action/Civil Rights Compliance Officer will be given the support of top administration.

The Affirmative Action/Civil Rights Compliance Officer's responsibilities include, but are not limited to:

- a. Developing and implementing the AAP for the Division;

- b. Auditing employment practices, training programs, hiring and promotion procedures and evaluating the results of the Division's AAP and equal opportunity policies and practices;
- c. Assisting administration in the collection and analysis of employment data to identify problem areas, formulating solutions to those problems, establishing goals, and developing programs to achieve those goals;
- d. Assisting management and supervisors in equal employment problems, including counseling and training, to ensure full understanding of affirmative action and equal employment opportunity policies and procedures;
- e. Serving as a liaison between the Division and federal or state enforcement agencies, minority and women's organizations, and other community action groups;
- f. Ensuring the dissemination of current legal information affecting affirmative action to the proper levels of administration;
- g. Conducting a periodic audit to ensure all of the Division's facilities comply with the proper posting of all equal employment notices and job openings;
- h. Designing and implementing a Division internal audit and reporting systems that will measure the effectiveness of the Division's equal employment and AAP; indicating any need for remedial action, and determining the degree to which the Division's goals and objectives are being attained.

### Director of Human Resources

The Director of Human Resources/Personnel Officer, will work closely with the Affirmative Action/Civil Rights Compliance Officer, and is charged with the following responsibilities:

- a. Periodic reviewing of personnel policies and practices to ensure equal employment opportunities for all applicants;

- b. Assuring that minority, female, veteran, and disabled employees are afforded a full opportunity and are encouraged to participate in the Division's sponsored educational, training, recreational and social activities.
- c. Ensuring that supervisors understand that it is their responsibility to prevent any form of harassment of his or her employees through training;
- d. Developing informational programs concerning equal employment for supervisory personnel.

### Managers and Supervisors

The Division believes that in order for the AAP to be successful in the Division meeting its obligations, all Division personnel will be required to accept the commitment to equal employment opportunity and non-discriminatory practices.

Furthermore, special responsibilities rest on those who are engaged in the supervision of employees in that they will be held responsible and accountable for making a good faith effort in carrying out the provisions set forth in the AAP. Managers and supervisors will also be held accountable to ensure all qualified applicants and employees are treated in a nondiscriminatory manner in regards to hiring, promotions, transfers, and terminations.

## **8. Identification of Problem Areas, 41 C.F.R. § 60-2.17(b)**

Based upon the analysis conducted for each job group, areas of concern will be identified. The Division will continue to monitor and update the situations during each AAP year. In each case where problem areas have been identified, affirmative actions will be taken with any of the action-oriented programs described in this AAP.

To identify areas of concern, the Division will review the utilization analysis by job group and in areas of hires, promotions, and terminations within job groups over a specific period. In addition, the following analysis will also be conducted:

- Underutilization: Refer to Sections 5 and 6 herein.
- Departmental Analysis: Comparisons will be made between the utilization of female and minorities and their availability in each department/unit of the Division.
- Compensation: Analysis will be conducted by comparing compensation for men and women, and whites and minorities to ensure that no inequities of compensation exist between men, women and minorities.

## **9. Action-Oriented Programs, 41. C.F.R. § 60-2.17(c)**

The Division will take the following actions in order to implement programs that will be effective to correct problems that have been identified in the advancement of its affirmative action and equal employment opportunity objectives. These programs are created to eliminate any discriminatory barriers that may exist and achieve the Division's goals. These programs include:

1. Conducting reviews of non-classified job descriptions to ensure they accurately reflect job functions, (classified job descriptions are governed by the state);
2. Reviewing job descriptions by departments to ensure that the minimum requirements are appropriately job-related and do not constitute inadvertent discrimination;
3. Making job descriptions and position specifications available to managers in the recruiting, screening, selection and promotion processes;
4. Evaluating the total selection process to ensure freedom from bias and aid in the attainment of AAP goals and objectives by reviewing job applications and other pre-employment forms for job-relatedness; evaluating selection methods; and, training personnel and management staff on proper interview techniques;
5. Striving to improve recruiting techniques to increase the flow of minority and female applicants. The Division will:
  - a. Continue to include the phrase "Equal Opportunity/Affirmative Action Employer" on all printed employment advertisements;
  - b. Place employment advertisements, when appropriate, in local minority news media and women's interest media;
  - c. Disseminate information on job opportunities to organizations representing minorities and women; and
  - d. Actively recruit at secondary schools, community colleges, colleges and universities with predominately minority or female enrollments;

6. Depicting minorities and females in Division brochures and newsletters;
7. Ensuring that all employees are given equal opportunity for promotion and that training programs are readily available to minorities and females within the organization.

## **10. Internal Audit and Reporting, 41 C.F.R. § 60-2.17(d)**

The Division's audit and reporting system is designed to measure the effectiveness of its AAP, determine the degree to which the Division's AAP goals and accomplishments have been attained, and continuously keep administration informed regarding personnel activities and problem areas where remedial action is needed. The Human Resource Office will be responsible for assuring that documentation is available to support the audit and reporting system.

The Internal Audit and Reporting System will include the following:

1. An applicant flow log showing the name, gender, date of application, job title, interview status, and the action taken for all individuals applying for job opportunities;
2. An annual Affirmative Action report will be submitted by the Affirmative Action/Civil Rights Compliance Officer to the Vice President for Agriculture, the Associate Vice-President for Extension, and the Associate Vice-President for Research. The report will include the following:
  - a. Current Employment: An analysis of the current employment detailing the ethnicities and gender of each job group to determine the progress toward affirmative action goals;
  - b. Applicant Flow: An analysis of the applicant flow for each ethnic and gender group to determine if minorities and females are being properly represented compared to availability;
  - c. Terminations: An analysis of terminations to determine if the rate of terminations by ethnicity and gender is high or low in relation to the corresponding representation in the work force.

## **PART II: SPECIAL DISABLED & VIETNAM ERA VETERANS, AND PERSONS WITH DISABILITIES**

### **1. Policy Statement, 41 C.F.R. § 60-250.44(a); 60-741.44(a)**

It is the policy of the University of Arkansas Division of Agriculture not to discriminate against any employee because he or she is a special disabled veteran, veteran of the Vietnam era, or because of a physical or mental disability. It is also the policy of the University of Arkansas Division of Agriculture that equal employment opportunity is provided in the employment and advancement of special disabled veterans, veterans of the Vietnam era, and persons with physical or mental disabilities at all levels of employment. The University of Arkansas Division of Agriculture is committed to a policy of taking affirmative action to employ and advance in employment all persons regardless of their status as qualified individuals with disabilities, special disabled veterans, or veterans of the Vietnam era. Such action shall apply to all employment actions, including but not limited to: recruitment, hiring, upgrading, promotion, transfer, demotion, layoff, recall, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeships, internships, or on-the-job training. A statement from the Vice President for Agriculture about this policy will be placed in conspicuous places throughout Division facilities.

## **2. Review of Personnel Processes, 41 C.F.R. §§ 60-250.44(b); 60-741.44(b)**

The Division ensures that its personnel processes do not stereotype disabled persons or veterans of the Vietnam era in a manner which limits their access to jobs for which they are qualified.

The Division will periodically review its personnel processes to insure that all present procedures are conducted in a job-related manner and provide for careful, thorough, and systematic consideration of the job qualifications of known covered veterans and qualified individuals with disabilities. The review will cover all of the procedures related to filling job vacancies, either by hire or by promotion, as well as all training opportunities offered or made available to employees.

In order to determine whether an individual is qualified for a particular job, a close examination of the content of the job will be made. With respect to determining the qualifications of veterans, the Division will limit its consideration of a qualified veteran's military record, including his or her discharge papers, to only those relevant parts that relate to the specific requirements of the position, for which the veteran is being considered.

The following steps will be conducted in this review process.

- 1) Ensure annotation of the application or personnel form of each known applicant who is a special disabled veteran, veteran of the Vietnam Era, or an individual with a disability to facilitate review of vacancies, for which the applicant was considered.
- 2) Ensure the personnel or application records of each known special disabled veteran, veteran of the Vietnam Era, or individual with a disability include: a) the identification of each promotion for which the covered veteran or individual with a disability was considered, and b) the identification of each training program for which the covered veteran or individual with a disability was considered.
- 3) In each case where an employee or applicant who is a special disabled veteran, veteran of the Vietnam era, or individual with a disability is

- 4) When applicants or employees are selected for hire, promotion, or training and accommodations are undertaken which made it possible to place a special disabled veteran or individual with a disability, ensure that a record containing a description of the accommodation is attached to the application form or personnel file.

### **3. Physical & Mental Qualifications, 41 C.F.R. §§ 60-250.44(c); 60-741.44(c)**

To ensure that all physical and mental qualification requirements are job-related, the Division will review periodically the physical and mental qualification requirements of all positions as they relate to employment, training and promotion. The purpose of a review of physical and mental job requirements is not only to ensure that requirements are job-related, but also to determine if such requirements are consistent with business necessity and safe performance on the job.

**4. Reasonable Accommodation to Physical & Mental Limitations, 41 C.F.R. §§ 60-250.44(d); 60-741.44(d)**

The Division will make every effort to provide reasonable accommodations to the known physical and mental limitations of qualified individuals with disabilities or qualified special disabled veterans unless it can be demonstrated that the accommodation would impose an undue hardship on the operation of the institution.

As part of affirmative action, the Division will confidentially review performance issues of an employee with a known disability to determine whether a reasonable accommodation is needed when: 1) the employee is having significant difficulty in performing his or her job, and 2) it is reasonable to conclude that the performance problem may be related to the known disability. The Division will confidentially notify the employee of the performance problem and inquire whether the problem is related to the employee's disability. If the employee responds affirmatively, the Division will confidentially inquire if the employee is in need of a reasonable accommodation.

## **5. Harassment, 41 C.F.R. §§ 60-250.44(e); 60-741.44(e)**

Employees of and applicants to the University of Arkansas Division of Agriculture will not be subject to harassment, intimidation, threats, coercion, or discrimination because they engaged in or may engage in filing a complaint; assisting in a review, investigation, or hearing; or have otherwise sought to obtain their legal rights related to any federal, state, or local law regarding equal employment opportunity for qualified individuals with disabilities or special disabled veterans or veterans of the Vietnam era.

Employees or applicants who feel that they have been subject to harassment, intimidation, threats, coercion, or discrimination because of their disability or status as a qualified protected veteran should contact the Division's Office of Affirmative Action.

## **6. External Dissemination, Outreach & Positive Recruitment, 41 C.F.R. §§ 60-250.44(f); 60-741.44(f)**

### A. External Dissemination

This AAP will be available in the Division's Office of Affirmative Action and Human Resource offices for inspection upon request by applicants for employment.

In addition, the Division's policy statements regarding qualified individuals with disabilities, special disabled veterans, and Vietnam era veterans will be disseminated to local agencies, organizations, and institutions on an annual basis. The agencies include: State employment offices, rehabilitation and education agencies, local organizations of and for the disabled, veterans' service organizations, the Veterans' Administration regional office, educational institutions which participate in training for the disabled, college placement offices, and other local, state, and national organizations as appropriate.

The Division will continue to maintain liaison with local agencies, organizations, and institutions that service individuals with disabilities, special disabled veterans, and veterans of the Vietnam era to recruit qualified individuals. All job advertisements published internally and externally will continue to state that the Division is an *Affirmative Action/Equal Opportunity Employer*.

### B. Outreach Recruitment

Outreach recruitment will include contacting specific targets in the area in order to recruit qualified individuals with disabilities, special disabled veterans, and veterans of the Vietnam era. A list of employment opportunities will be sent to these targets on a regular basis. Targets of recruitment efforts will include, but not limited to:

- Veterans Training Employment and Training Service
- Disabled Veteran's Outreach Program
- Local Veteran's Employment Representatives
- American Legion of Arkansas

- Disabled Veterans American National Service Office
- Military Order of the Purple Heart, N.L.R. Chapter, Dept. of Veterans Affairs
- Mays Mission for the Handicapped, Inc.
- Arkansas Rehabilitation Services
- Arkansas Workforce Center

In addition to the contacts listed above, a list of employment opportunities will also be provided on a regular basis to the State of Arkansas Employment Security Division. Employment opportunities are also posted weekly on the Division website and the *Arkansas Government Jobs* website.

### C. Application of Personnel Policies

The following section provides an overview of the focus and application of the Division's personnel policy with regard to affirmative action for qualified individuals with disabilities, special disabled veterans and veterans of the Vietnam era.

Affirmative action to employ and advance in employment qualified individuals with disabilities, special disabled veterans and veterans of the Vietnam era is required at all levels of employment. Such affirmative action shall consist of special efforts to assure fair and equitable treatment in all employment practices, including, but not limited to, recruitment, selection, promotion, transfer, salary, merit increase, employee training and development, demotion, and separation.

Whenever physical or mental qualifications are applied to a position, they shall be limited to those qualifications directly related to the satisfactory performance of the duties and responsibilities of the position. In the case of an individual with a disability, the duties and responsibilities of the position shall include reasonable accommodation to the individual's disability. In addition, no portion of a special disabled or Vietnam era veteran's military record may be considered if it is irrelevant to the specific qualifications for the position.

All personnel actions shall be made in accordance with the appropriate UA Board and Division policies. The following additional guidelines shall be observed:

- i. Special efforts shall be made to recruit individuals with disabilities, special disabled veterans and veterans of the Vietnam era as candidates for consideration for employment. Recruitment shall also be accomplished through regular contacts as outlined previously herein under *Outreach Recruitment*.
- ii. Selections for appointment and promotion shall be decided in a manner which shall assure continuation of Division standards of excellence. No qualified candidate may be denied employment or promotion nor shall any candidate be selected or promoted in preference to a more qualified candidate on the basis of disability or special disabled or veterans of the Vietnam era status.
- iii. The Division advocates the pursuit of opportunities for professional and educational development that are beneficial to the organization and the employee. Employees have the opportunity to participate in training and educational programs. Training programs are available to qualified individuals with disabilities and covered veterans within the organization.

## **7. Internal Policy Dissemination, 41 C.F. R. §§ 60-250.44(g); 60-741.44(g)**

The Division's AAP will be made available to any applicant or employee upon request.

The Division will continue to update the AAP annually and distributed to all staff chairs, departmental unit heads, and all executive, administrative, and district level offices. The Equal Employment Opportunity Policy and federally required Equal Employment Opportunity posters, affirming nondiscrimination, are posted on bulletin boards in public locations and in work areas in each of the Division's facilities.

Meetings with executive, management, and supervisory personnel will be conducted to discuss the Division's AAP regarding individuals with disabilities, special disabled veterans and veterans of the Vietnam era.

**8. Audit and Reporting System, 41 C.F.R. §§ 60-250.44(h); 60-741.44(h)**

The Division will develop and implement an audit and reporting system that will:

1. Measure the effectiveness of the Division's AAP and whether the Division is in compliance with specific obligations;
2. Indicate any need for remedial action;
3. Determine the degree which the Division's objectives are being attained;
4. Determine whether known individuals with disabilities, special disabled veterans, and veterans of the Vietnam era have had the opportunities to participate in all Division's sponsored educational, training, recreational, and social activities.

## **9. Responsibility for Implementation, 41 C.F.R. §§ 60-250.44(i); 60-741.44(i)**

The Vice President for Agriculture is charged with and ultimately responsible for equal employment opportunity and affirmative action efforts for the Division. In furtherance of the Division's commitment to affirmative action and equal employment opportunity for qualified individuals with disabilities, special disabled veterans, and veterans of the Vietnam era, the Vice President for Agriculture has delegated the responsibilities of ensuring effective implementation of this AAP to the Division's Affirmative Action/Civil Rights Compliance Officer. The Affirmative Action/Civil Rights Compliance Officer's responsibilities include, but are not limited to:

1. Developing the AAP for qualified individuals with disabilities and covered veterans;
2. Assisting in the identification of problem areas and formulating solutions to those problems;
3. Assisting management and supervisors in equal employment problems, including counseling and training, to ensure full understanding of affirmative action and equal employment opportunity policies and procedures in regards to qualified individuals with disabilities, special disabled veterans and veterans of the Vietnam era;
4. Serving as a liaison between the Division and federal, state, or local agencies, organizations, and other community action groups for individuals with disabilities and veterans; and
5. Conducting a periodic audit to ensure all of the Division's facilities comply with the proper posting of the Division's policy for individuals with disabilities, special disabled veterans, and veterans of the Vietnam era.

The Division will invite all applicants and employees to self-identify as persons with disabilities, special disabled veterans, or a veterans of the Vietnam era so the Division can take affirmative action to employ and advance in employment qualified individuals with disabilities, special disabled veterans, and veterans of the Vietnam era.

**10. Training, 41 C.F.R. §§ 60-250.44(j); 60-741.44(j)**

Training will be provided to all personnel involved in the recruitment, screening, hiring, promotion, discipline and related processes of qualified individuals with disabilities, special disabled veterans, and veterans of the Vietnam era to ensure commitment to the Division's AAP.

# **APPENDIX**

## **Affirmative Action Oversight - Recruitment and Selection**

### **1. Pre-Advertising Review**

The Division has established procedures to ensure affirmative action oversight/review in regards to the recruitment and selection of employees. All job announcements, both classified and non-classified, will be reviewed by the Division's Office of Affirmative Action. If the job is within a job group that has been identified with placement goals for affirmative action efforts, the Office of Affirmative Action will notify Human Resources or the department or hiring unit to list the job announcement in various minority or women publications, electronic bulletin boards, professional journals, etc., such as Diverse Online, Hispanic Women's Organization, and the National Black MBA Association.

### **2. Pre-Interview Review**

Although a department or hiring unit is responsible for the screening of applications and selection of candidates for interviews, the department or hiring unit may not interview candidates for any position without the prior approval of the Office of Affirmative Action. The pre-interview review is an examination of data submitted by the applicants to ensure that the exclusion of a protected class applicant can be justified on the basis of the advertised qualifications. The Office of Affirmative Action will review the pool of applicants, and if there are no concerns regarding the exclusion of protected class applicants from the interview list, the Office of Affirmative Action will approve the interview list. If there are concerns regarding the exclusion of protected class applicants from the interview list, the Office of Affirmative Action will contact the department or unit to provide additional documentation to justify the exclusion of the protected class applicants from the list of proposed interviewees. If the Office of Affirmative Action

determines the exclusion of a protected class applicant is not justified, then the protected class applicants will be added to the interview list.

### **3. Pre-Offer Review**

This stage is the final stage of the affirmative action review process in the recruitment and selection process. The purpose of this review is: 1) ensure the selected candidate for the position has been evaluated and meets the basic and desirable qualifications for the position, making sure that all candidates selected for interviews were evaluated in the same manner; and 2) the offer to the candidate has been reviewed and such terms and conditions of employment, such as salary, are in equity.

The department or hiring unit will forward the selected applicant's documents to the Office of Affirmative Action for review. The department or hiring unit will submit a narration that will discuss the selection reasons or justification for hire of the selected candidate, along with a proposed salary offer. If the Office of Affirmative Action does not have any concerns regarding the selected candidate or the proposed salary, then the Office of Affirmative Action will approve the selection. However, if there are concerns with the non-selection of a member of a protected class or inequitable salary, the Affirmative Action/Civil Rights Compliance Officer will contact the department or hiring unit, along with the Associate Vice President, if necessary, to resolve the concerns.