

University of California, Merced



Affirmative Action Plan

**November 1, 2014 through October 31, 2015
Plan Year**

CONFIDENTIAL, TRADE SECRET, and PRIVATE MATERIAL

For the purposes of this report, the term UCM includes the University of California, Merced, and any of its divisions or subsidiaries. This Affirmative Action Plan contains confidential, trade secret, commercial, and private information of UCM which is protected from disclosure by the Office of Federal Contract Compliance Programs pursuant to the Trade Secrets Act, 18 U.S.C. § 1905. The release of this information could cause substantial harm to UCM or its employees within the meaning of the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552 (b)(3), (4), and (7) and the Trade Secrets Act. FOIA protects information in this document from mandatory disclosure to FOIA requestors. See, e.g., *Chrysler v. Brown*, 441 U.S. 281 (1979). Furthermore, release of any trade secret, confidential statistical or commercial information would be arbitrary and capricious in violation of the Administrative Procedure Act. See, e.g., *CNA Financial Corp. v. Donovan*, 830 F.2d 1132, 1144 (D.C. Cir.), cert. denied, 485 U.S. 977 (1988).

University of California, Merced

AFFIRMATIVE ACTION PLAN

**November 1, 2014 through October 31, 2015
PLAN YEAR**

AAP Approved by: _____

**Dorothy Leland
Chancellor of University of California, Merced**

AAP Approved by: _____

**Tom Peterson
Provost & Executive Vice Chancellor of University of California, Merced**

AAP Prepared and Approved by: _____

**Wendy Smith
Equal Employment Opportunity/Affirmative Action/Title IX Director**

University of California, Merced

AFFIRMATIVE ACTION PLAN

November 1, 2014 through October 31, 2015
Plan Year

Introduction	1
Statement of Policy 41 C.F.R. 60-300.44(a)	2
Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment.....	4
POLICY OBJECTIVES.....	5
Internal Dissemination of EEO Policy 41 C.F.R. § 60-1.42.....	6
External Dissemination of EEO Policy 41 C.F.R. § 60-1.41; 41 C.F.R. § 60-1.5	6
Establishment of Responsibility for Implementation of the Plan 41 C.F.R. § 60-2.17(a)	8
Organizational Profile 41 C.F.R. § 60-2.11.....	10
Job Group Analysis 41 C.F.R. § 60-2.12/ C.F.R. § 60-2.13.....	10
Determining Availability 41 C.F.R. § 60-2.14.....	11
Identification of Areas for Discussion 41 C.F.R. § 60-2.17(b)	12
Placement Goals 41 C.F.R. § 60-2.16	14
Narrative Discussion of Goals	14
Discussion of Composition of the Work Force	15
Development & Execution of Action-Oriented Programs 41 C.F.R. § 60-2.17(c)	15
Internal Audit and Reporting System 41 C.F.R. § 60-2.17(d).....	18
Guidelines for Prevention of Sex Discrimination 41 C.F.R. § 20.1 et seq.....	19
Policy with Respect to Religion/National Origin 41 C.F.R. § 60-50.1 et seq.....	21
Affirmative Action Plan For Individuals With Disabilities And Protected Veterans 41 C.F.R. § 60-300, and 60-741	22
41 C.F.R. § 60-300.5, 300.44(b); 60-741.5, 741.44(b)	23
Physical and Mental Job Qualifications 41 C.F.R. § 60-741.44(c); 41 C.F.R. § 300.23 and 44(c).....	25
Reasonable Accommodation 41 C.F.R. § 60-741.44(d); 41 C.F.R. §60-300.44(d)	26
Harassment Prevention 41 C.F.R. § 60-741.44(e); 41 C.F.R. § 60-300.44(e)	26
Outreach, and Positive Recruitment 41 C.F.R. § 60-741.5, 741.44(f); 41 C.F.R. §60-300.5, 300.44(f)	27
Internal Dissemination of Policy 41 C.F.R. § 60-741.44(g); 41 C.F.R. § 60-300.44(g)	28

**External Dissemination of Policy, Outreach, and Positive Recruitment 41 C.F.R. § 60-741.5,
741.44(f); 41 C.F.R. §60-300.5,300.44(f) 30**

Training to Ensure AAP Implementation 41 C.F.R. § 60-741.44(j); 41 C.F.R. §60-300.44(j) 32

Data Collection Analysis 41 CFR §60-300 (k) and §60-741.44 (k)..... 33

Introduction

University of California, Merced has prepared this Affirmative Action Plan (AAP) for the period of November 1, 2014 through October 31, 2015, reaffirming its commitment to the spirit and letter of affirmative action law, including those administered by the U. S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP). Through the implementation of this plan UCM continues its efforts to comply with appropriate government regulations and to make the best possible use of personnel while contributing to the betterment of society and the community.

In developing this plan UCM recognizes its duty to ensure equal employment opportunity. The following statement of policy reinforces that belief.

Statement of Policy 41 C.F.R. 60-300.44(a)

UC Merced reaffirms its commitment to non-discrimination and affirmative action in employment. It is the policy of the University of California, Merced, to provide equal employment opportunities to all individuals without regard to race, color, religion, marital status, national origin, ancestry, sex, sexual orientation, gender identity, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information, including family medical history, pregnancy, age (over 40), citizenship, or service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994).¹

University policy also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliation includes threats, intimidation, reprisals and/or adverse actions related to employment.

UC Merced employees or applicants for employment shall be treated equitably and fairly in all matters related to employment, including recruitment, appointment, transfer, promotion, reclassification, separation, compensation, benefits, training and education, and social and recreational programs. No employee or applicant for employment shall be discriminated against, harassed or differentially treated on the basis of race, color, national origin, religion, sex, gender, gender expression, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994).

In conformance with applicable laws and regulations it is the policy of UC Merced to undertake affirmative action for underrepresented minorities, women, persons with disabilities and protected veterans² to insure that members of groups who in the past may have been victims of employment discrimination are given equal opportunities to compete for jobs and to have their qualifications assessed fairly.

This policy is not new to UC Merced, but its restatement coincides with the announcement of revised methods, which have been adopted for its effective implementation. These methods and procedures are set forth in UC Merced's Affirmative Action Plan which addresses our commitment to increase the numbers of minorities and women in those areas where underrepresentation currently exists, and also identifies positive steps to assure that all individuals have equal opportunity for employment and career growth at UC Merced.

It must be emphasized that the purpose of this policy and our revised Affirmative Action Plan has been established, and responsibility for its continuing development, implementation, and evaluation has been assigned to Wendy Smith, Director, Affirmative Action & Equal Opportunity at UC Merced. The plan will be updated and revised at least annually.

¹ Service in the uniformed services includes membership, application for membership, performance of service, application for service or obligation for service in the uniformed services.

² Protected veterans includes veterans with disabilities, recently separated veterans, Vietnam-era veterans, veterans 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, or Armed Forces service medal veterans.

Your full cooperation and assistance is expected. Anyone having questions about UC Merced's affirmative action/nondiscrimination policy or its implementation should contact:

Wendy Smith
Director, Affirmative Action & Equal Opportunity
University of California, Merced
(209) 228-4620
wsmith4@ucmerced.edu

Dorothy Leland, chancellor

Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment

It is the policy of the University not to engage in discrimination against or harassment of any person employed or seeking employment with the University of California on the basis of race, color, national origin, religion, sex, gender, gender expression, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services. This policy applies to all employment practices, including recruitment, selection, promotion, transfer, merit increase, salary, training and development, demotion, and separation. This policy is intended to be consistent with the provisions of applicable state and federal laws and University policies.

University policy also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment.

In addition, it is the policy of the University to undertake affirmative action, consistent with its obligations as a Federal contractor, for minorities and women, for persons with disabilities, and for protected veterans. The University commits itself to apply every good faith effort to achieve prompt and full utilization of minorities and women in all segments of its workforce where deficiencies exist. These efforts conform to all current legal and regulatory requirements, and are consistent with University standards of quality and excellence.

In conformance with Federal regulations, written affirmative action plans shall be prepared and maintained by each campus of the University, by the Lawrence Berkeley National Laboratory, by the Office of the President, and by the Division of Agriculture and Natural Resources. Such plans shall be reviewed and approved by the Office of the President and the Office of the General Counsel before they are officially promulgated.

For full details, visit:

[HTTP://POLICY.UCOP.EDU/DOC/4000376/NONDISCRIMAFFIRMACT](http://policy.ucop.edu/doc/4000376/NONDISCRIMAFFIRMACT)

POLICY OBJECTIVES

UC Merced's affirmative action objectives include the following commitments:

UC Merced is committed to Equal Employment Opportunity, Affirmative Action, and compliance with all laws and regulations pertaining to both. UC Merced's policy is to provide employment, training, compensation, and other conditions or opportunities associated with employment without regard to race, color, religion, gender, national origin, genetic information (including family medical history), disability status, veteran status, or any other basis protected by law. UC Merced hires, assigns work, promotes, compensates, and retains employees only on the basis of their qualifications and performance, and our business needs.

UC Merced is committed to improving the representation of women and minorities in all departments where underrepresentation exists and in all job groups where underutilization exists. UC Merced takes affirmative steps to provide women and minority group members opportunities for advancement within the campus.

- UC Merced recognizes that commitment to Equal Employment Opportunity and Affirmative Action goes beyond formal programs. Each employee has the right to be treated with dignity and respect for individual differences. Likewise, each UC Merced employee makes an important contribution to a business environment in which Equal Opportunity is present for all.
- UC Merced provides a work environment for all employees that is free of harassment based on race, color, religion, gender, national origin, genetic information (including family medical history), disability status, veteran status, or any other basis protected by law.
- UC Merced's personnel policies and practices are designed to ensure that each employee is accorded full consideration and opportunity, and that all policies and practices are administered without discrimination based on race, color, national origin, religion, sex, gender, gender expression, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services.
- University policy also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this AAP, or against a person who assists someone with a complaint of discrimination or harassment, or who participates in any manner in an investigation or resolutions of a complaint of discrimination or harassment.

Internal Dissemination of EEO Policy 41 C.F.R. § 60-1.42

UCM posts copies of the equal employment opportunity notices that comply with 41 C.F.R. § 60-1.42(a) in conspicuous places (including, where applicable, electronic websites) available to employees, applicants for employment, and (if applicable) representatives of each labor union or other organization representing its employees with which UCM has a collective-bargaining agreement or other contract or understanding. The following exemplify the methods and locations UCM may use in its ongoing efforts to ensure continuing dissemination of its policy and plan, although UCM may not always use each or any of the below methods, and it may use other methods not listed below:

1. Internal employee resources contain the policy statement.
2. The policy statement is posted on bulletin boards accessible to employees.
3. UCM references the policy and progress in its annual report and other publications.
4. Orientation meetings for new employees and in-house employment-related training include references to UCM's policy.
5. UCM publications, if any, including those with photographs, generally feature individuals of diverse gender, race, color, and national origin, where feasible.
6. Pertinent portions of UCM's Affirmative Action Plan are available during regular business hours for inspection by employees and applicants for employment.

External Dissemination of EEO Policy 41 C.F.R. § 60-1.41; 41 C.F.R. § 60-1.5

1. In solicitations or advertisements for employees placed by or on its behalf, UCM complies with at least one of the following methods regarding the dissemination of its equal employment opportunity clause:
 - a. UCM states expressly in the solicitations or advertising that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin. 41 C.F.R. § 1.41(a).
 - b. UCM uses a single advertisement, and the advertisement is grouped with other advertisements under a caption which clearly states that all employers in the group assure all qualified applicants equal consideration for employment without regard to race, color, religion, sex, or national origin. 41 C.F.R. § 1.41(c).
 - c. UCM uses a single advertisement in which appears in clearly-distinguishable type the phrase "an equal employment opportunity employer." 41 C.F.R. § 1.41(d). When pictures are included in these media, where feasible, efforts will be made to include pictures of individuals of diverse gender, race, and national origin.

2. The following exemplify the methods and locations UCM may use in its ongoing efforts to ensure continuing dissemination of its policy and plan, although UCM may not always use all of the below methods, and it may use other methods not listed below:
 - a. UCM notifies subcontractors, suppliers and vendors of the policy about both its obligations to equal employment opportunity and about UCM's plan.
 - b. UCM advises recruitment sources, minority and female organizations, community agencies, leaders, annually in writing of its commitment to this policy and plan. UCM informs these sources that job applicants will be treated fairly without regard to their race, color, religion, sex, and national origin.
 - c. UCM communicates with the state employment security office in writing regarding the policy.
 - d. UCM advises prospective employees of the existence of the AAP and makes pertinent portions of it available upon request, during regular business hours.
3. In addition, UCM incorporates by reference the equal employment opportunity and affirmative action clauses into each of its covered Government contracts and subcontracts, including Government bills of lading, transportation requests, contracts for deposit of Government funds, and contracts for issuing and paying U.S. savings bonds and notes and such other contracts and subcontracts as required by law, purchase orders, lease agreements, Government contracts, and other covered contracts (and modifications thereof if not included in the original contract) in accordance with 41. C.F.R. § 60-1.4 (a) – (c) (unless exempted under 41 C.F.R. § 60-1.5).

Establishment of Responsibility for Implementation of the Plan 41 C.F.R. § 60-2.17(a)

A. Identification and Responsibilities of EEO/AA Administrator

Overall responsibility for the development and implementation of UC Merced's Equal Employment Opportunity/Affirmative Action Plans rests with Dorothy Leland, Chancellor. The Chancellor has delegated preparation of the AAP and implementation at this facility to Wendy Smith, EEO/AA Director, to coordinate all efforts in the EEO/AA area and specifically those items described in the OFCCP's regulations. The Director's duties include, but may not be limited to:

1. Developing and maintaining an effective affirmative action plan;
2. Developing programs and internal and external communications so that the campus will meet its goals and objectives;
3. Designing and implementing audit and reporting systems that will measure the effectiveness of the establishment's Equal Opportunity and Affirmative Action efforts;
4. Keeping management informed of the latest developments in the Equal Employment Opportunity/Affirmative Action area, including any need for remedial action, and enabling line managers to carry out their responsibilities in implementing the affirmative action plan;
5. Serving as a liaison between UC Merced and enforcement agencies;
6. Serving as a liaison between UC Merced and minority organizations, women's organizations, organizations for individuals with disabilities, veterans organizations, and community action groups concerned with the employment opportunities;
7. Periodically auditing Campus hiring, promotion, and termination patterns to ensure that any impediments to achieving goals are removed, and informing management of any areas of concern or the need for corrective action; and
8. Selectively reviewing the qualifications of employees who are promoted or transferred to ensure that disabled employees, veterans, women and minorities are given full opportunity with respect to such employment action.

B. Management Responsibilities

Line and upper management share responsibility for the plan, including but not limited to the following:

1. Ensuring the disabled employees, veterans, women and minorities under their supervision are given equal opportunity for transfers and promotions and that all employees regardless of any protected category receive appropriate career counseling;
2. Holding periodic discussions with their subordinates to reaffirm the campus' commitment to equal employment opportunity and affirmative action and ensuring that these policies are being followed;
3. Understanding whether there are jobs in their organizations that roll up into job groups that are statistically underutilized;
4. Assisting the Director in efforts to identify any problem areas and establish action oriented programs designed to eliminate those problem areas;
5. Reviewing periodically the effectiveness of any action-oriented programs;
6. Supporting the Campus' involvement in local minority organizations, women's organizations, community action groups, and community service programs, which are geared towards raising public awareness of UC Merced as an equal opportunity employer; and
7. Ensuring that managers and employees attend programs that UC Merced offers to teach employees about these obligations.

Organizational Profile 41 C.F.R. § 60-2.11

As permitted by 41 C.F.R. § 60-2.11, UC Merced has elected to use a Workforce Analysis to satisfy this requirement. The Workforce Analysis lists each job title within each of UC Merced's departments. Job titles are sorted by department and then, within each department, by race or ethnicity within gender, from lowest to highest salary range. There are no separate work units or lines of progression. The Workforce Analysis is available for review upon request from the Human Resources Department.

Job Group Analysis 41 C.F.R. § 60-2.12/ C.F.R. § 60-2.13

In accordance with 41 C.F.R. § 60-2.12, UC Merced has analyzed all job titles within the establishment and has combined jobs with similar content, wage rates, and opportunities. Among the relevant factors considered by UC Merced when establishing job groups at this establishment are:

- The duties, skills, competencies, and responsibilities of the job titles
- The compensation
- The training, transfers, promotions, pay, mobility, and other career enhancement opportunities applicable to the job titles

For the purposes of the Utilization Analysis, the UC Merced workforce is arrayed in the following 29 job groups:

JOB GROUP	JOB GROUP DESCRIPTION	JOB GROUP	JOB GROUP DESCRIPTION
1A	Campus Authority	2A	Full Professors
1B	Campus Executives	2B	Faculty
1C	Senior Managers	2C	Non-Tenure Faculty
1D	Managers	2E	Non Faculty Instruction
1E	Advanced/Experts	2G	Library Personnel
3A	Faculty Academic Research	4A	Medical Personnel
3B	Non-Faculty Acad Research	4B	Protective Services Personnel
3C	Staff Research		
3D	Laboratory Personnel	5A	Student Affairs Officers
3E	Animal Technicians	5B	Sports and Recreation
3F	Research Administration		
6A	Senior Administration	7A	Fiscal

- | | |
|----------------------------------|------------------------------|
| 6B Administration | 7B Planning and Development |
| 6C Administrative Assistance | 7C Advancement and Relations |
| 8A Programmers and Analysts | 9A Craft Workers |
| 8B Computer Resource Specialists | 9B Laborers |
| | 9C Food Service |
| | 9D Cashiers |

In accordance with 41 C.F.R. § 60-2.13, UC Merced has separately stated the percentage of Minorities and the percentage of Females it employs in each of its Job Groups. The job groups in which underutilization occur are listed under “Placement Goals.” Those job groups in which representation percentages are less than the availability percentages, and the difference is equal to or greater than one person, is identified as underutilized.

Determining Availability 41 C.F.R. § 60-2.14

Consistent with 41 C.F.R. § 60-2.14, UC Merced has considered the two factors for Minorities and the two factors for Females in determining availability in each of its Job Groups. For each Job Group, the two factors considered were External Availability and Internal Availability.

A. External Availability

In determining External Availability, UC Merced evaluated the percentage of Minorities and the percentage of Females with requisite skills in the reasonable recruitment area. The reasonable recruitment area is the geographical area from which UC Merced usually seeks or reasonably could seek candidates. UC Merced has used the most current and discrete statistical information available to derive the availability figures. UC Merced has drawn its reasonable recruitment area pursuant to 41 C.F.R. § 60-2.14 (e) so as not to have the effect of excluding Minorities or Females.

B. Internal Availability

In determining Internal Availability, UC Merced evaluated the available percentage of Minorities and the available percentage of Females among those promotable, transferable, and trainable within the establishment. UC Merced defines its pool of promotable, transferable, and trainable employees pursuant to 41 C.F.R. § 60-2.14 (f) so as not to have the effect of excluding Minorities or Females. In doing so, UC Merced determined which Job Groups are “feeder pools” for the Job Group in question and determined which positions could be promoted or transferred with appropriate training.

C. Comparing Incumbency to Availability

In accordance with 41 C.F.R. § 60-2.15, UC Merced has compared the percentage of Minorities and the percentage of Females in each Job Group with the rates of availability for those Job Groups. Where the percentage of Minorities or Females was less than would reasonably be expected given their availability, UC Merced established a goal in accordance with 41 C.F.R. § 60-2.16.

In making this determination, UC Merced has used the “rule of nine” method. This statistical test will not determine underutilization, but rather it will determine the statistical significance of a group. In other

words-is it big enough to use a particular test? The 2 Standard Deviations calculation will not provide an accurate reflection of underutilization in small groups. Therefore, if the Rule of 9's is not met, the 80% Rule is used.

The Rule of Nines test is performed as follows:

$$\begin{array}{ccccccc} \text{(Availability)} & \times & \text{(Group Size)} & \times & \text{(1-Availability)} & & \\ .13 & & 20 & & .87 & = & 2.26 \end{array}$$

If this product were greater than 9, then 2 Standard Deviations is appropriate. Since in this instance it is not, the 80% Rule will likely give better results.

Identification of Areas for Discussion 41 C.F.R. § 60-2.17(b)

UCM's commitment to fully implement this policy and plan include periodic reviews of mission critical workforce factors in a number of ways, including performing an in-depth analysis of its total employment process to determine whether and where impediments to equal employment opportunity exist. These analyses include:

1. The workforce by organizational unit and job group of minority or female utilization and distribution;
2. Personnel activity to determine whether there are selection disparities;
3. Compensation systems to determine if there are gender-, race-, or ethnicity-based disparities;
4. Selection, recruitment, referral, and other personnel procedures to determine whether they result in employment or placement disparities of minorities or women; and,
5. Any other areas that might impact the success of the affirmative action program. 41 C.F.R. § 2.17 (b)(1)-(5), including, for example, UCM's review of:
 - a. The workforce composition by race and sex to compare it to the availability of these groups;
 - b. UCM's applicant flow compared to the availability for the protected groups;
 - c. A comparison of hires to applicants pertaining to minorities and women;
 - d. Compensation system(s) to determine whether there are gender-, race-, or ethnicity-based disparities;
 - e. Selection forms, such as applications for employment, to ensure they comply with federal and state employment laws;

- f. Processes to ensure there are no artificially-created barriers or restrictive seniority provisions; and,
- g. Training opportunities to ensure they are available to minorities and women without restrictions based on race, color, sex, religion or national origin.

Identification of problem areas are discussed in next section titled Narrative Discussion of Goals.

Placement Goals 41 C.F.R. § 60-2.16

Placement goals may not be rigid and inflexible quotas, which must be met, nor are they to be considered as either a ceiling or a floor for the employment of particular groups, quotas are expressly forbidden. In all employment decisions, UCM makes selections in a nondiscriminatory manner. Placement goals do not provide the justification to extend a preference to any individual, select an individual, or adversely affect an individual's employment status, on the basis of that person's race, color, religion, sex, or national origin.

Placement goals do not create set-asides for specific groups, nor are they intended to achieve proportional representation or equal results. Placement goals are not used to supersede merit selection principals. Affirmative action programs do not require UCM to hire a person who lacks qualification to perform the job successfully, or hire a less qualified person in preference to a more qualified individual.

Narrative Discussion of Goals

The University of California, Merced plan has 1845 employees, including 881 minorities and 940 females. For this reporting period the University has goals for placement of minorities only in the Campus Executives job group. The following goals exist for women: Campus Executives, Full Professors, Faculty, Non-Faculty Academic Research, Programmers and Analysts, and Cashiers.

UCM will use alternate recruitment sources when necessary to attract more qualified external applicants. In those instances where statistical adverse impact is indicated, UCM will take action as outlined in the Action-Oriented Programs Section to monitor and eliminate any problem areas, as well as other similar actions.

Discussion of Composition of the Work Force

Using the percentage of women and minorities in each of its job groups as a guideline, UCM has examined each of the departments in the workforce to determine whether there are any areas of exclusion, concentration, and/or under-representation.

Development & Execution of Action-Oriented Programs 41 C.F.R. § 60-2.17(c)

UCM has instituted action-oriented programs designed to eliminate any problem areas, should they exist, in accordance with § 60-2.17(c), and to help achieve specific affirmative action goals. UCM also makes a good-faith effort to remove identified barriers, expand employment opportunities, and produce measurable results. These programs may include items such as:

1. Conducting periodic reviews of job descriptions attempting to ensure they accurately reflect job-related duties and responsibilities.
2. Annually reviewing job qualifications by department and job title for job-relatedness, and using job performance criteria.
3. Making job descriptions and qualifications available to recruiting sources and to all members of management involved in the recruiting, screening, selection, and promotion processes.
4. Making good-faith efforts to select the most qualified candidates regardless of race, color, national origin, religion or sex. UCM recognizes the duty, should the need arise, to make good faith efforts to remedy any statistically significant underutilization of minorities and women. Accordingly, UCM commits to evaluating the total selection process to ensure freedom from bias based on race, color, religion, sex, and national origin through:
 - a. Reviewing the job applications and other pre-employment forms to ensure information requested is job-related;
 - b. Evaluating selection methods that may have a disparate impact to ensure that they are job-related and consistent with business necessity;
 - c. Providing assistance, such as training and guidance on proper interviewing techniques and EEO training, to employees, management, and supervisory staff, including, but not limited to, those who are involved in the recruitment, selection, discipline and other related processes, so that personnel actions remain neutral to race, color, religion, sex and national origin; and
 - d. Reviewing selection techniques and employment standards.

5. UCM employs appropriate methods to attempt to improve recruitment and increase the flow of qualified minorities and women applicants in its recruiting process, including a number of the following actions:
 - a. Including the phrase, “Equal Opportunity/Affirmative Action Employer” in printed employment advertisements;
 - b. Placing help-wanted advertisements, when appropriate, in local minority news media and women’s interest media;
 - c. Disseminating information on job opportunities to organizations representing minorities, women, and employment development agencies when job opportunities occur;
 - d. Generally advertising to as large an audience as possible, utilizing internet sites with a reputation for broad outreach to qualified women and/or minority candidates for recruitment. Examples of sites utilized and/or of interest are:
 - Careerbuilder.com
 - Chronicle.com
 - Craigslist.org
 - Dice.com
 - Hercjobs.org
 - Linkedin.com
 - Monster.com
 - OpportunityKnocks.org
 - e. Encouraging all employees to refer qualified applicants;
 - f. Requesting employment agencies to refer qualified minorities and women.
 - g. UCM considers using special employment programs designed to deal with underutilization. Business conditions and other feasibility matters remain the key factor in any decision to develop/implement such programs.
 - h. Whenever feasible and appropriate, UCM participates in job fairs, career days, youth-motivation programs and other programs that foster exposure for qualified minorities and women.
 - i. UCM encourages minorities and women to participate in University-sponsored activities and programs.
 - j. UCM utilizes various community organizations and schools as referral sources.
6. UCM reviews promotion criteria and procedures so that job qualifications form the basis for the promotional decisions without regard to race, color, national origin, religion, sex, gender, gender expression, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services.

UCM monitors promotion rates for minorities and women and, when necessary, may employ one or more of the following procedures:

- a. Providing job training, job-related courses or certificate programs. This includes continuation of our Supervisory Certificate training series, and our Professional Learning Academy.
- b. Reviewing work specifications and job qualifications to ensure job-relatedness.
- c. Reviewing promotion decisions for possible impact on women or minorities.
- d. Conducting career counseling, where appropriate, during performance evaluations.
- e. Informing employees about educational programs and other opportunities available to improve their employment prospects.
- f. Reviewing seniority practices for possible impact on women and minorities.
- g. Reviewing University-sponsored social and recreational activities to ensure non-discriminatory participation and availability.
- h. Ensuring that all employees are given equal employment for promotion. This is achieved by:
 1. Generally posting or otherwise announcing most promotional opportunities.
 2. Offering counseling to assist employees in identifying promotional opportunities, training and educational programs to enhance promotions and opportunities for job rotation or transfer; and
 3. Evaluating job requirements for promotion.

Internal Audit and Reporting System 41 C.F.R. § 60-2.17(d)

1. Wendy Smith, UCM's EEO/AA Administrator, maintains an internal audit system to attempt to oversee UCM's Affirmative Action Plan and assess progress. The EEO Administrator is responsible for ensuring that the formal AAP documents are developed and prepared for effective AAP implementation; however, responsibility is likewise vested with each department manager and supervisor, depending upon the specific responsibility. The audit system is designed and implemented to measure the effectiveness of the total affirmative action program [41 C.F.R. § 2.17 (d)(1)-(4)], including:
 - a. Monitoring records of all personnel activity, including: referrals, placements, transfers, promotions, terminations, and compensation, at all levels, to ensure the nondiscriminatory policy is carried out,
 - b. Requiring internal reporting on a scheduled basis as to the degree to which equal employment opportunity and organizational objectives are attained,
 - c. Reviewing reports at all levels of management; and
 - d. Advising top management of the program's effectiveness and submitting recommendations to improve unsatisfactory performance. 41 C.F.R. § 2.17 (d)(1)-(4).
2. UCM reviews various employment decisions, such as job referrals, hiring decisions, transfers, promotions, and terminations. UCM maintains summary data where necessary and feasible, and conducts regular reviews at least annually.
3. There is no "de facto" (in practice without being officially established) segregation. Further, UCM ensures that facilities, as broadly defined in 41 C.F.R. § 60-1.8, provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, national origin, disability or veterans status cannot result, provided that separate or single-user restrooms and necessary dressing or sleeping areas shall be provided to ensure privacy between the sexes.
4. UCM complies with required records retention provisions set forth in 41 C.F.R. § 60-1.12 and elsewhere in the applicable OFCCP regulations, and maintains a) employment applications (generally for two years); b) summary data of applicant flow by identifying, at least, total applicants, total minority applicants, and total female applicants, where necessary and feasible, and conducts regular reviews at least annually; c) applicant flow showing the name, race, sex, date of application, job title, interview status, and the action taken for all individuals applying for job opportunities, and the relevant applicant/hire decisions; d) summary data of external job offers and hires, promotions, resignations, terminations, and layoffs by job group and by sex and minority group identification; e) and records pertaining to its compensation system.
5. Provide needed reports to managers and supervisors regarding the results of the audit as well as UCM's overall progress in the area of EEO/AA. Any recommended actions should be made as well. Reports shall be made to senior management on at least an annual basis.

Guidelines for Prevention of Sex Discrimination 41 C.F.R. § 20.1 et seq.

UCM supports the promotion and ensuring of equal employment opportunity of its employees and applicants without regard to sex, and endorses and complies with the following policy statements.

1. UCM employment advertisements do not express a sex preference nor does UCM place advertisements in columns designated "males" or "females", unless sex is a bona fide occupation obligation. 41 C.F.R. §60-20.2(a).
2. Employees of both sexes at UCM shall have an equal opportunity to any available job that he or she is qualified to perform, unless sex is a bona fide occupation obligation. 41 C.F.R. §60-20.2.
3. UCM maintains gender-neutral personnel policies that expressly indicate that there shall be no gender discrimination against employees. The terms and conditions of any written collective bargaining agreements shall not be inconsistent with these guidelines. 41 C.F.R. §60-20.3(a).
4. UCM makes no distinction based upon sex in employment opportunities, wages, hours, or other conditions of employment. 41 C.F.R §60-20.3(c).
5. UCM will not make any distinction between married and unmarried persons of one sex that is not made between married and unmarried persons of the opposite sex, or deny employment to women with young children unless it has the same exclusionary policies for men, or terminate the employment of an employee of one sex in a job classification upon reaching a certain age unless the same rule is applicable to members of the opposite sex. 41 C.F.R. § 60.20.3(d) [or, in the alternative, "Number and age of children are not factors in job offer decisions".]
6. UCM has policies and practices to ensure appropriate physical facilities to both sexes. 41 C.F.R. § 60-20.3(e).
7. UCM will not deny a female employee the right to any job she is qualified to perform in reliance on a State "protective" law regarding, or for working at jobs requiring more than a certain number of hours or lifting above a certain weight. 41 C.F.R. § 60-20.3(f).
8. UCM endorses and complies with the 1978 Pregnancy Discrimination Act, as it amended Title VII of the Civil Rights Act of 1964. UCM applies any leave of absence policy uniformly, regardless of sex. 41 C.F.R. § 60-20.3(g).
9. UCM must not specify any differences for male and female employees on the basis of sex in either mandatory or optional retirement age. 41 C.F.R. § 60-20.3(h).
10. UCM's seniority lines and lists must not be based on sex. 41 C.F.R. § 60-20.4.
11. UCM's wage schedules are not related to or based on the sex of an employee. 41 C.F.R. § 60-20.5(a). Further, UCM does not discriminatorily restrict one sex to certain job classifications, and instead must take steps to make jobs available to all qualified employees in all classifications without regard to sex. 41 C.F.R. § 60-20.5(b).

12. When appropriate, UCM makes affirmative efforts to increase the number and percentage of women in the workforce, including, but not limited to the following:
 - a. UCM recruits women and encourages existing women employees to apply for positions historically labeled by society as "traditionally male".
 - b. UCM guarantees equal, gender-neutral access to training and tuition reimbursement programs, including management training, and other types of workplace training programs.
 - c. UCM informs management of its affirmative action responsibilities. 41 C.F.R § 60-20.6.

Policy with Respect to Religion/National Origin 41 C.F.R. § 60-50.1 et seq.

Pursuant to the guidelines prohibiting discrimination on the basis of religion or national origin, 41 C.F.R. § 60-50.1, et seq., UCM hereby reaffirms that it does not discriminate against employees, or applicants for employment, because of religion or national origin. UCM takes affirmative action to seek to ensure that employees or applicants for employment are treated without regard to their religion or national origin in all aspects of the terms and conditions of employment, such as upgrading, demotion, transfer, recruitment, recruitment advertising, layoff, termination, rates of pay (or other forms of compensation), and selection for training.

UCM has reviewed its employment practices and determined that its employees, including those who belong to religious or ethnic groups, have received fair consideration for job opportunities. Based upon its review, and depending upon the circumstances, UCM will undertake appropriate actions, which may include one or more of the following activities:

1. Issuing a policy directive to employees reaffirming the UCM's obligation to provide equal employment opportunity without regard to religion or national origin. This policy will be communicated in such a manner as to foster understanding, acceptance, and support among executives, managers, supervisors, and other employees, and to encourage such persons to take the necessary action to aid UCM in meeting its obligations.
2. Developing internal procedures to seek to ensure that UCM's obligation to provide equal employment opportunity, without regard to religion or national origin, is being fully implemented. Specifically, employment activities are reviewed by the EEO Administrator.
3. Informing management annually of its commitment to equal employment opportunity, without regard to religion or national origin.
4. Enlisting the assistance and support of recruitment sources for this commitment.

UCM acknowledges its responsibility to make reasonable accommodations for the religious observances and practices of its existing or prospective employees under the terms of Title VII of the Civil Rights Act of 1964. An accommodation for religious purposes will be denied should UCM determine that it would have to suffer undue hardship. During this accommodation evaluation, the following factors will continue to be considered by UCM:

1. Business necessity;
2. Financial costs and expenses; and
3. Resulting personnel problems.

Affirmative Action Plan For Individuals With Disabilities And Protected Veterans 41 C.F.R. § 60-300, and 60-741

It is the policy of the University not to engage in discrimination against or harassment of any person employed or seeking employment with the University of California. In addition, it is the policy of the University to undertake affirmative action, consistent with its obligations as a Federal contractor. For more detail, please refer to pages 4-7 above.

Definitions 41 CFR §60-300.2 and §60-741.44.

Definition of “protected veteran,” defined as a “catch-all” term for any veteran in any veteran’s category who is protected by the nondiscrimination and affirmative action provisions of VEVRAA.

Under the Federal regulations, “person with a disability” means any person who (1) has a physical or mental impairment which substantially limits one or more of such person’s major life activities, (2) has a record of such impairment, or (3) is regarded as having such impairment.

“Qualified person with a disability” means a disabled person as defined above who satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position.

Review of Personnel Processes 41 C.F.R. § 60-300.5, 300.44(b); 60-741.5, 741.44(b)

UCM ensures its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees with known disabilities and for protected veterans for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available.

1. UCM also ensures its personnel processes do not stereotype individuals with disabilities or Protected Veterans in a manner which limits their access to jobs for which they are qualified, or otherwise discriminate against such individuals in violation of either Section 503 or VEVRAA, in any aspect of employment. UCM takes affirmative action to employ, advance in employment, and otherwise treat qualified individuals without discrimination based on their status as individuals with disabilities and/or Protected Veterans in all employment practices, including the following:
 - a. Recruitment, advertising, and job application procedures;
 - b. Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff and rehiring;
 - c. Rates of pay or any other form of compensation and changes in compensation;
 - d. Job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;
 - e. Leaves of absence, sick leave, or any other leave;
 - f. Fringe benefits available by virtue of employment, whether or not administered by UCM;
 - g. Selection and financial support for training, including apprenticeship, and on-the-job training under 38 U.S.C. 3687, professional meetings, conferences, and other related activities, and selection for leaves of absence to pursue training;
 - h. Activities sponsored by UCM, including social and recreational programs; and
 - i. Any other term, condition, or privilege of employment.
2. UCM also periodically reviews its processes and makes any necessary modifications to ensure these obligations are carried out. The following procedures facilitate a review of the implementation of these requirements and are drawn from, among other things, Appendix C of the OFCCP's Regulations implementing Section 503 of the Rehabilitation Act of 1973.
 - a. UCM invites those offered jobs and incumbent employees to self-identify as disabled or as a Protected Veterans. These self-identification forms are expeditiously-retrievable for review by both the Department of Labor and by UCM officials for use in investigations, compliance reviews, and internal compliance activities.

- b. The personnel and/or application records of each individual with a known disability or Protected Veterans include: a) identification of each promotion for which the employee with a disability or Protected Veterans was considered; and, b) the identification of each training program for which the individual with a disability or Protected Veterans was considered.
 - c. In each case in which an employee or applicant with a known disability and/or Protected Veteran is rejected for employment, promotion, or training, UCM appends a statement with the reason for rejection to the personnel file or application form (as applicable), as well as a description of any accommodations considered if disability was the reason for rejection. UCM makes this statement available to the applicant or employee concerned upon request by that individual.
 - d. The application form or other record (outside of the personnel file) contains a description of any accommodations which made it possible for UCM to place an individual with a disability or a Protected Veteran in a job.
3. UCM also takes the following steps to ensure compliance:
- a. Its selection forms, such as applications for employment, comply with federal and state employment laws regarding individuals with disabilities and Protected Veterans.
 - b. Periodically, UCM reviews its job descriptions to ensure that they properly reflect the actual functions and duties of the position.
 - c. UCM encourages persons with a disability and Protected Veterans to participate in University-sponsored activities and programs.
 - d. UCM advises vendors, suppliers and subcontractors about UCM's plan and of its EEO/AA responsibilities as described in the OFCCP regulations.

UCM prominently displays Equal Employment Opportunity posters in all appropriate places in the workplace.

Physical and Mental Job Qualifications 41 C.F.R. § 60-741.44(c); 41 C.F.R. § 300.23 and 44(c)

1. UCM reviews all physical and mental job qualifications requirements with line management and supervisors involved in the job selection process to ensure that, to the extent qualifications screen out or tend to screen out qualified individuals with disabilities or Protected Veterans, they are job related and consistent with business necessity and the safe performance of the job.
2. UCM reviews its job descriptions and qualifications to ensure they accurately reflect job duties and responsibilities. This review is conducted, but not limited to:
 - a. Annually;
 - b. As new job qualifications are established; and/or,
 - c. When new equipment is installed.
3. To the extent that physical or mental job qualification requirements screen out or tend to screen out qualified individuals with disabilities or Protected Veterans in the selection of employees or applicants for employment or other changes in employment status such as promotion or training, UCM ensures such requirements are related to the specific job for which the individual is being considered, and are job related and consistent with business necessity.
4. No pre-employment physical examinations or questionnaires are used by UCM prior to a job offer contingent on such examinations and other requirements.
5. When UCM conducts a medical examination or inquiry of a Protected Veteran or a person with a disability, it will do so accordingly to the terms and conditions of the Federal Regulations implementing Section 503 and VEVRAA, and the results of such an examination or inquiry are kept confidential according to federal regulations, which includes the following exceptions:
 - a. Supervisors and managers may be informed regarding restrictions on the work or duties of the applicant or employee and necessary accommodations;
 - b. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and,
 - c. Government officials engaged in enforcing the laws administered by the OFCCP regarding individuals with disabilities or Protected Veterans, or enforcing The Americans with Disabilities Act and The Americans with Disabilities Act Amendment Act of 2008, shall be provided relevant information on request.
6. UCM only considers relevant that portion of a Protected Veteran's military record related to the precise job qualifications for the job for which the Protected Veteran is being considered, and shall otherwise comply with its OFCCP obligations regarding any medical examination or inquiry for a Protected Veteran.

Reasonable Accommodation 41 C.F.R. § 60-741.44(d); 41 C.F.R. §60-300.44(d)

1. It is UCM's policy to make reasonable accommodation to the known physical and mental limitations of all otherwise qualified employees with a disability, qualified applicants, or Protected Veterans, unless it can demonstrate that the accommodation would impose an undue hardship on UCM's business, in accordance with the terms and conditions of Section 503 of the Rehabilitation Act of 1973 regulations. Undue hardship will be determined by assessing whether the requested regulations would cause significant difficulty or expense as set forth in the Section 503 regulations.
2. If an employee, including a Protected Veteran with a known disability is having significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, UCM notifies the employee of the performance problem and inquires whether the problem is related to the employee's disability.
3. If the employee responds affirmatively, UCM confidentially inquires whether the employee is in need of a reasonable accommodation. In determining the extent of UCM's accommodation obligations, UCM will consider whether the accommodation would cause an undue hardship on the operation of its business, as well as whether the employee poses a direct threat to the health and safety of the individual or others in the workplace.

Harassment Prevention 41 C.F.R. § 60-741.44(e); 41 C.F.R. § 60-300.44(e)

UCM has developed and implemented procedures to ensure its employees with disabilities and Protected Veterans are not harassed based on their disability or Protected Veteran status.

1. When UCM offers employment or promotion to qualified individuals with a disability or protected veterans, UCM does not reduce the amount of compensation offered because of disability income, pension, or other benefit the person with a disability or the qualified protected veteran receives from another source.
2. UCM prohibits harassment based on an employee's status as a protected class member.

Outreach, and Positive Recruitment 41 C.F.R. § 60-741.5, 741.44(f); 41 C.F.R. §60-300.5, 300.44(f)

1. UCM undertakes appropriate outreach and positive recruitment activities such as some of those listed below that are reasonably designed to effectively recruit qualified individuals with disabilities and Protected Veterans. The policies to which this and other AAP sections refers can be found at 41 C.F.R. § 60-741.5; 41 C.F.R. §60-300.5.
 - a. Listing all external job openings with the state employment service office, with the exception of: a) executive and top management; b) those positions that will be filled from within UCM's organization; and, c) positions lasting three days or less.
 - b. Advising prospective employees of the existence of the plan and makes pertinent portions of it available upon request, during regular business hours, so they may avail themselves of its benefits.

2. In addition, UCM conducts other methods in its good faith effort regarding the recruitment and promotion of individuals with disabilities and Protected Veterans. It is not contemplated that UCM will necessarily undertake all of the activities listed below. The scope of UCM's efforts shall depend on its size and resources and the extent to which its existing employment practices are adequate. Some of the methods UCM may use are as follows:
 - a. Enlisting the assistance and support of recruiting sources such as the local Veterans' Employment Representative in the local employment service office, the Department of Veterans Affairs Regional Office nearest to UCM's establishment, and other veterans' groups in recruiting and developing on-the-job training opportunities for Protected Veterans.
 - b. Conducting formal briefing sessions with representatives from the above-mentioned sources, preferably on UCM's premises, including site tours and literature, to explain current and future job openings, position descriptions, and the job selection process, with formal arrangements made for applicant referral, follow up with sources, and feedback on the disposition of applicants.
 - c. Advising recruitment sources, organizations supporting individuals with disabilities and Protected Veterans, community agencies, business leaders, annually in writing of its commitment to its policy and plan, and informing these sources that job applicants will be treated without regard to disability or veteran status.
 - d. Establishing meaningful contacts with organizations serving individuals with disabilities and/or Protected Veterans.

- e. Should pictures be used in advertisements and other publications, they should include persons with disabilities and Protected Veterans in consumer, promotional, or help-wanted advertising.
- f. Including, where feasible, the participation of individuals with disabilities in career days, youth motivation programs, and related community activities.
- g. Attempting to notify subcontractors, suppliers and vendors of its policy and requesting appropriate action on their parts.
- h. Establishing meaningful contacts with appropriate social service agencies, organizations of and for individuals with known disabilities and Protected Veterans, and vocational rehabilitation agencies or facilities, for such purpose as advice, technical assistance, and referral of potential employees. Technical assistance from the resources described in this paragraph consists of advice on proper placement, recruitment, training and accommodations, but no resource providing technical assistance has the authority to approve or disapprove the acceptability of UCM's affirmative action programs.
- i. Taking positive actions to attract qualified individuals with known disabilities and Protected Veterans not currently in the workforce who have the requisite skills and can be recruited through affirmative action measures. UCM locates these individuals through local chapters of organizations of and for individuals with disabilities and Protected Veterans.
- j. Considering, when making hiring decisions, individuals with known disabilities and Protected Veterans for available positions when the position for which they have applied is unavailable.

Internal Dissemination of Policy 41 C.F.R. § 60-741.44(g); 41 C.F.R. § 60-300.44(g)

1. UCM recognizes that even a strong outreach program for individuals with disabilities and Protected Veterans may be ineffective without adequate internal support from its supervisors and employees. Therefore, to ensure greater employee cooperation and participation in UCM's efforts regarding individuals with disabilities and Protected Veterans, it has developed the following internal procedures to communicate its obligations to engage in affirmation action efforts in this regard.
2. These procedures are designed to foster understanding, acceptance, and support among UCM's executives, management, supervisory, and other employees and to encourage such individuals take the necessary actions to aid UCM in meeting its obligations. UCM undertakes appropriate outreach and positive recruitment activities such as some of those listed below that are reasonably designed to effectively recruit qualified individuals with disabilities and Protected Veterans. It is not contemplated that UCM will necessarily undertake all of the activities listed below. The scope of UCM's efforts shall depend on its size and resources and the extent to

which its existing employment practices are adequate. Some of the methods UCM may use are as follows:

- a. Including the policy statement on equal employment opportunity, affirmative action, anti-discrimination, and anti-harassment in its employee resources and websites.
- b. Informing employees and prospective employees of UCM's commitment to engage in affirmative action to increase employment opportunities for individuals with disabilities and Protected Veterans.
- c. Periodically scheduling special meetings with employees to discuss the policy and explain individual employee responsibilities.
- d. Publicizing policy in UCM's annual report and other media.
- e. Conducting special meetings with executive, management, and supervisory personnel to explain the intent of the policy as well as the AAP and individual responsibility for effective implementation, making clear the chief executive officer's positive attitude.
- f. Discussing the policy thoroughly in both employee orientation and management training meetings, as well as during in-house employment-related training.
- g. Meeting with union officials and/or employee representatives to inform them of UCM's policy, and requesting their cooperation.
- h. Including articles on accomplishments of individuals with disabilities and Protected Veterans in UCM's publications, and when employees are featured in employee handbooks and similar publications, including individuals with disabilities and Protected Veterans.
- i. The policy statement is posted on bulletin boards accessible to employees and applicants. Special efforts will be made to ensure that those with known visual or other sight limiting disabilities are informed of the contents of the notice.
- j. UCM publications, if any, including those with photographs, feature persons with disabilities and protected veterans where feasible, and will include articles on the accomplishments of individuals with disabilities or Protected Veterans.
- k. Pertinent portions of the AAP are available during regular business hours for inspection by employees and applicants for employment so that they may avail themselves of the plan's benefits.
- l. UCM generally invites individuals with disabilities, after an offer of employment but before work has begun, to identify themselves to management and request any reasonable accommodation. This opportunity remains available. Any person who avails him/herself will be free from retaliation based upon the self-identification. Further, efforts will be

made to keep confidential that identification except for those who are authorized due to their job responsibilities to have that information.

External Dissemination of Policy, Outreach, and Positive Recruitment 41 C.F.R. § 60-741.5, 741.44(f); 41 C.F.R. §60-300.5,300.44(f)

1. UCM undertakes appropriate outreach and positive recruitment activities such as some of those listed below that are reasonably designed to effectively recruit qualified individuals with disabilities and Protected Veterans. The policies to which this and other AAP sections refers can be found at 41 C.F.R. § 60-741.5; 41 C.F.R. §60-300.5.
 - a. Listing all external job openings with the state employment service office, with the exception of: a) executive and top management; b) those positions that will be filled from within UCM's organization; and, c) positions lasting three days or less.
 - b. Advising prospective employees of the existence of the plan and makes pertinent portions of it available upon request, during regular business hours, so they may avail themselves of its benefits.
2. In addition, UCM conducts other methods in its good faith effort regarding the recruitment and promotion of individuals with disabilities and Protected Veterans. It is not contemplated that UCM will necessarily undertake all of the activities listed below. The scope of UCM's efforts shall depend on its size and resources and the extent to which its existing employment practices are adequate. Some of the methods UCM may use are as follows:
 - a. Employment Representative in the local employment service office, the Department of Veterans Affairs Regional Office nearest to UCM's establishment, and other veterans' groups in recruiting and developing on-the-job training opportunities for Protected Veterans.
 - b. Conducting formal briefing sessions with representatives from the above-mentioned sources, preferably on UCM's premises, including site tours and literature, to explain current and future job openings, position descriptions, and the job selection process, with formal arrangements made for applicant referral, follow up with sources, and feedback on the disposition of applicants.
 - c. Advising recruitment sources, organizations supporting individuals with disabilities and Protected Veterans, community agencies, business leaders, annually in writing of its commitment to its policy and plan, and informing these sources that job applicants will be treated without regard to disability or veteran status.
 - d. Establishing meaningful contacts with organizations serving individuals with disabilities and/or Protected Veterans.
 - e. Should pictures be used in advertisements and other publications, they should include persons with disabilities and Protected Veterans in consumer, promotional, or help-wanted advertising.
 - f. Including, where feasible, the participation of individuals with disabilities in career days, youth

motivation programs, and related community activities.

- g. Attempting to notify subcontractors, suppliers and vendors of its policy and requesting appropriate action on their parts.
- h. Establishing meaningful contacts with appropriate social service agencies, organizations of and for individuals with known disabilities and Protected Veterans, and vocational rehabilitation agencies or facilities, for such purpose as advice, technical assistance, and referral of potential employees. Technical assistance from the resources described in this paragraph consists of advice on proper placement, recruitment, training and accommodations, but no resource providing technical assistance has the authority to approve or disapprove the acceptability of UCM's affirmative action programs.
- i. Taking positive actions to attract qualified individuals with known disabilities and Protected Veterans not currently in the workforce who have the requisite skills and can be recruited through affirmative action measures. UCM locates these individuals through local chapters of organizations of and for individuals with disabilities and Protected Veterans.
- j. Considering, when making hiring decisions, individuals with known disabilities and Protected Veterans for available positions when the position for which they have applied is unavailable.

Training to Ensure AAP Implementation 41 C.F.R. § 60-741.44(j); 41 C.F.R. §60-300.44(j)

UCM provides training and guidance to employees who are involved in the recruitment, screening, selection, promotion, disciplinary and other related processes to ensure that its Affirmative Action Program commitments are implemented.

Data Collection Analysis 41 CFR §60-300 (k) and §60-741.44 (k)

UCM will document the following computations or comparisons pertaining to applicants and hires on an annual basis and maintain them for a period of three years:

§60-300.44 (k)

- 1) The number of applicants who self-identify as protected veterans pursuant to 41 CFR §60-300.42 (a) or who are otherwise known to be protected veterans.
- 2) The total number of job openings and total number of jobs filled.
- 3) The total number of applicants for all jobs.
- 4) The total number of protected veterans applicants hired; and
- 5) The total number of applicants hired.

§60-74 1.44 (k).

- 1) The number of applicants who self-identified as individuals with disabilities pursuant to 41 CFR §60-741.42 (a) or who are otherwise known to be individuals with disabilities.
- 2) The total number of job openings and total number of jobs filled.
- 3) The total number of applicants with disabilities hired.
- 4) The number of applicants with disabilities hired; and
- 5) The total number of applicants hired.