

# **Affirmative Action Program For Protected Veterans**

Michigan Technological University

January 2020 – December 2020

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## STATEMENT OF INTENT

The foregoing represents the Affirmative Action Program of Michigan Technological University for the program year beginning January 1, 2019. This statement affirms that all resources available will be mobilized for a good faith effort toward attaining the goals indicated.

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Richard Koubek, President

NOTE: Any portion of the Affirmative Action Program is subject to revision to meet deficiencies found or special recommendations made by the Contracts Compliance Specialist during the course of a Compliance Review. Any complaints regarding the Affirmative Action Plan may be filed with the Office of Federal Contract Compliance Programs.

January 1, 2020

## **Equal Opportunity**

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

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

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

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

Responsibility for maintaining an audit and preparing reports relating to the University's Equal Employment Opportunity and Affirmative Action Program is assigned to Beth Lunde-Stockero, Equal Opportunity Officer. She reports directly to me and will discuss the Affirmative Action Program progress and problem areas.

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

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Richard Koubek, President

## **Definitions: Protected Veterans**

Michigan Technological University is a Government contractor subject to the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended by the jobs for Veterans Act of 2002, 38 U.S.C. 4212 (VEVRAA), and its implementing regulations (41 CFR Part 60-300), which requires Government contractors to take affirmative action to employ and advance in employment: (1) disabled veterans; (2) recently separated veterans; (3) active duty wartime or campaign badge veterans; and (4) Armed Forces service medal veterans. These classifications are defined as follows:

A "disabled veteran" is one of the following:

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

A "recently separated veteran" means any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty in the U.S. military, ground, naval, or air service.

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

An "Armed forces service medal veteran" means a veteran who, while serving on active duty in the U.S. military, ground, naval or air service, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985.

## **Equal Opportunity Clause**

Michigan Technological University will assure compliance with the equal opportunity clause in each of its covered government contracts.

## **Equal Opportunity for VEVRAA Protected Veterans**

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

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

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

Michigan Technological University agrees to post in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the Director, provided by or through the contracting officer. Such

notice shall state the contractor's obligations under the law to take affirmative action to employ and advance in employment qualified veterans for employment, and the rights of applicants and employees.

Michigan Technological University will notify each labor union or representative of workers with which it has a collective bargaining agreement or other contractual understanding that it is bound by the terms of the pursuant to the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, and is committed to take affirmative action to employ and advance in employment qualified veterans.

Michigan Technological University will include the provisions of this clause in every subcontract or purchase order of \$150,000 or more unless exempted by the rules, regulations, or orders of the Secretary issued pursuant to the Act, so that such provisions will be binding on each subcontractor or vendor. The University will take such action with respect to any subcontract or purchase order as the Director of the Office of Federal Contract Compliance Programs may direct to enforce such provisions, including action for noncompliance.

All solicitations or advertisements for MTU placed by or on behalf of MTU, state "Michigan Technological University is an Equal Opportunity Educational Institution/Equal Opportunity Employer, which includes providing equal opportunity for protected veterans and individuals with disabilities".

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

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

### **Availability of this Document**

The affirmative action program shall be available to any employee or applicant for employment for inspection upon request. Contact Institutional Equity at 487-3310, email [equity@mtu.edu](mailto:equity@mtu.edu). The written AAP is also posted on Institutional Equity's website: [mtu.edu/equity/equal-opportunity/resources](http://mtu.edu/equity/equal-opportunity/resources).

### **Invitation to Self-Identify**

- a) Pre-offer. As part of Michigan Tech's affirmative action obligation, the University invites applicants for employment to state whether the applicant believes they are a Protected Veteran.
- b) Post-offer. In addition to the invitation in paragraph (a), Michigan Tech again offers the applicant an opportunity to state whether the individual believes they are a Protected Veteran after the offer of employment but before the applicant begins their job duties.

Additionally, Institutional Equity surveys the campus every two years.

Employees can self-identify at any time through BANWEB or by filling out the self-disclosure form on the Institutional Equity website: [mtu.edu/equity/equal-opportunity/protected-groups](http://mtu.edu/equity/equal-opportunity/protected-groups).

All information on self-identification is kept confidential.

## Policy of Michigan Technological University

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

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

Discrimination or Harassment of any individual on the basis of protected veteran status is prohibited.

Michigan Technological University will post a policy statement on [the University's website](#). This requirement shall be satisfied by the posting of the "**Invitation to Veterans**" who believe themselves covered by the Disabled Veterans and Veterans of the Vietnam Era Readjustment Assistance Act of 1974 and Jobs for Veterans Act. All information given pursuant to this invitation shall be kept confidential. If employees identify themselves, management will seek the advice of the employee regarding proper placement and appropriate accommodation. Nothing in the above invitation or other sections of the affirmative action program precludes an employee from informing the University at any future time of a desire to benefit under the program.

## **Review of Personnel Process**

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

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

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

Ensures that its personnel processes do not stereotype qualified protected veterans in a manner which limits their access to jobs for which they are qualified.

Ensures that all applicants and employees have equal access to its personnel processes.

Will provide necessary reasonable accommodation to ensure applicants and employees with disabilities receive equal opportunity in the operation of personnel processes.

Shall periodically review such processes and make any necessary modifications to ensure that these obligations are carried out.

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



## **Physical and Mental Qualifications**

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

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

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

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

## **Reasonable accommodation to Physical and Mental Limitations**

Michigan Technological University will make reasonable accommodations for the physical and mental limitations of employees and applicants unless it is demonstrated that such accommodation would impose an undue hardship on the business of the University.

Information on the accommodation process for faculty/staff/visitors is available on Institutional Equity's website. Information on the student process is available on the Student Disability Services website.

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

All applicants and employees are invited to voluntarily disclose veteran and disability status at the pre-offer and post-offer stage using the form prescribed by OFCCP. Employees are invited to self-identify at any time using BANWEB.

## **Harassment**

We have developed and implemented procedures to ensure that all employees and applicants are not harassed because of their status as a protected veteran.

Retaliation against anyone who is a victim, files a claim/complaint, who is named as a respondent, or who participates in the investigation and/or resolution of a case, regardless of the outcome of the case, is expressly prohibited and could lead to discipline and possible dismissal.

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

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

Michigan Tech will send written notification of company policy to subcontractors, vendors and suppliers.

### **Some Examples of Outreach and recruitment activities**

The University has notified the Michigan Works of its desire to provide meaningful employment opportunities to qualified veterans. Position announcements are sent to local and regional referral agencies, many of whom serve individuals with disabilities and veterans as well as female and minority constituents.

Michigan Technological University maintains a full-time Veteran Services Office. The role of the Veteran Services Office is to certify semester enrollment and monitor academic progress, to be reported to the VA. The VA Certifying Official is knowledgeable on each educational chapter offered through the VA and can give general information.

Michigan Tech has an Army ROTC and Air Force ROTC Program. These programs are designed to provide students with the skills and leadership training to become officers in the United States Military.

Michigan Tech has contact with Houghton-Keweenaw County Department of Veteran's Affairs.

Michigan Tech has regular contact with the Michigan Works representative for Houghton County. Jobs posted at Michigan Works are put on hold to provide veteran priority referral.

MTU (Rob Bishop) has contact with the Escanaba Vet Center – serving the Upper Peninsula.

MTU (Rob Bishop) – is a representative for Michigan Tech at the Western U.P. Veterans Community Action Team (VCAT).

Michigan Tech Veteran Advisory Group. The Veterans Advisory Group is a volunteer committee of faculty/staff who are either veterans themselves and/or serve in a capacity at the University that provides resources and support to veterans who are students and/or employees.

Michigan Tech Student Veteran Organization - Fellowship and camaraderie among former service members of all branches of the military. Club will promote patriotic activities and support veterans transitioning from military service to academic pursuits.

The ADA/504 Coordinator in Institutional Equity is the point person for intake from employees seeking accommodations, collecting the documentation and purchasing the equipment from the ADA fund.

All students have the opportunity to participate in work-study programs or as an intern, the opportunity to participate in career days, and all programs, and related activities.

MTU will place job opportunity announcements on its website, local newspapers, journals, etc when appropriate. Veterans will be considered for all positions for which they are qualified.

Michigan Tech has an early preview of job postings for veteran employees (48 hour hold).

MTU will continue to providing part-time employment to students.

MTU will continue to provide part-time and temporary work to local work force.

The University will continue to provide information regarding job openings to the public, including protected class members.

When placing an ad, all advertisements will include the EEO solicitation "Michigan Technological University is an Equal Opportunity Educational Institution/Equal Opportunity Employer, which includes providing equal opportunity for protected veterans and individuals with disabilities."

The University makes an active, ongoing effort to inform employees, applicants, and members of the public of its equal opportunity policies.

Stationery and publications of the University include the statement that "Michigan Technological University is an Equal Opportunity Educational Institution/Equal Opportunity Employer, which includes providing equal opportunity for protected veterans and individuals with disabilities."

Job descriptions are reviewed and revised, if necessary, prior to posting to make sure education, experience, skills, etc. are consistent with requirements of the job.

Every two years there is a campus wide voluntary survey to allow faculty and staff to identify as veterans and individuals with disabilities. We will survey the campus March 2021.

We are striving to make the campus more accessible to students and employees with physical impairments. Campus map was made interactive in 2019. The map shows accessible entrances, restrooms, parking, and elevators. A hearing loop system was installed in Fisher 135 in 2015. IT Media Technology Services is continually researching options to make learning environments more accessible. If an accessibility need arises that is not already in place, they will work with instructors to make the environment accessible for them and their students.

Barrier Report: Michigan Tech has an online Barrier Report for reporting barriers such as an inoperative elevator, blocked access ramps, water or ice accumulations, or inappropriate use of designated accessible parking space, etc.

Social and recreational activities are open to all employees and are attended by all interested employees, including females, minorities, veterans and individuals with disabilities.

Veterans Day tributes are held annually to pay tribute to the men and women who have served and will serve in the armed forces.

## **Internal Dissemination of the Policy**

Michigan Technological University's policy on equal opportunity is printed in the Board of Trustees Policy Manual. The policy is available to all employees through its publication on the University's web site.

The union contract covering the bargaining unit employees contains a statement recognizing the equal employment opportunity/affirmative action commitment of the University.

Has developed internal communication to engage in affirmative action efforts to employ qualified veterans and qualified individuals with disabilities to foster understanding, acceptance, and support among the facility's management, supervisory and all other employees.

Management and supervisory personnel will be advised of the policy.

The policy is available to all employees through its publication on the University's website.

The daily publication, Tech Today, contains the same statement in the job opening section throughout the year.

All new employees are given notice of the Equal Employment, Prohibition of Discrimination or Harassment, and Discrimination Based on Sex Policy during orientation.

Stationery and publications of the University include the statement that "Michigan Technological University is an Equal Opportunity Educational Institution/Equal Opportunity Employer, which includes providing equal opportunity for protected veterans and individuals with disabilities".

The University indicates that it is an EEO employer in all newspaper and digital advertisements and required EEO signs are posted on appropriate bulletin boards and on the University's website.

Articles of accomplishments of all employees will be recognized in University publications.

EEO posters are displayed in accessible areas on campuses throughout the University and on the University's web site. Posters include "EEO is the Law" which identifies nondiscrimination laws covering veterans and persons with disabilities.

The University website indicates "Michigan Technological University is an Equal Opportunity Educational Institution/Equal Opportunity Employer, which includes providing equal opportunity for protected veterans and individuals with disabilities".

## **Audit and reporting systems**

The following personnel activities are reviewed to ensure non-discrimination and equal employment opportunity for all individuals without regard to veteran status.

- Recruitment, advertising, and job application procedures
- Implementation of employment practices such as: hiring, promotion, tenure, and layoff
- Rates of pay or other compensation
- Job assignments, classifications, descriptions
- Implementation of reasonable accommodation procedures and policies
- Awarding sick leave, leaves of absence and other leave policies
- Any other term, condition or privilege of employment

## **Responsibility for Implementation**

Overall responsibility for affirmative action has been assigned to the Equal Opportunity Officer.

1. Development of policy statements, personnel policies and procedures, internal and external communication of the policy, and monitoring the effectiveness of these actions.
2. Assuring that management is aware of its responsibility to make reasonable efforts to provide a work environment free of bias and to prevent harassment of protected veterans and individuals with disabilities.
3. Assist supervisors and other employees in the identification of problem areas, formulate solutions, and establish departmental goals and objectives.
4. As authorized, assist the University in its dealings with enforcement agencies.
5. Serve as liaison between the University and organizations concerned with and involved in employment opportunities for protected veterans.
6. Keep management informed on current developments in the employment of protected veterans.
7. Regularly communicate with supervisors and employees to assure that the University's policies are being followed.
8. Review the affirmative action efforts in hiring to assure that protected veterans are given full opportunity for transfers and promotions.

## **Training**

All staff who participate on search committees must complete staff certification training. Staff Search Committee Certification consists of two parts:

- Part One: "Recruiting and Hiring" Online Training Session – This training covers each area of the staff hiring process, provides direction for effective interviewing, and delivers other resources to support recruitment and hiring.
- Part Two: "Best Practices of Staff Hiring (Legal Aspects)" Online Course – This online course was designed by the Office of Institutional Equity. It consists of an audio/PowerPoint presentation, hiring scenarios, and a brief survey. This course is made available to those who complete Part One.

All faculty who participate on search committees must complete Diversity Certification training.

All new employees are given notice of the Equal Employment, Prohibition of Discrimination or Harassment, and Discrimination Based on Sex Policy during orientation.

Awareness and training - In an effort to reduce the risk of gender discrimination, and sexual misconduct such as sexual harassment and sexual violence, including the crimes of rape, sexual assault, stalking, dating violence, and

domestic violence occurring among students and employees, Michigan Tech utilizes a range of campaigns, strategies, and initiatives to promote awareness, education, risk reduction, and prevention programming and training.

- All employees must complete Anti-Harassment, Discrimination, Retaliation training.
- Is required for all incoming new first year students, transfer students, and graduate students. The training is assigned during new student orientation and throughout an incoming student's first semester.

### **Benchmarks for hiring**

Michigan Tech has chosen to adopt OFCCP's current 5.9% hiring benchmark for Protected Veterans as opposed to calculating our own percentage goal.

### **AFFIRMATIVE ACTION INVITATION TO VETERANS**

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

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

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

The Affirmative Action program for Michigan Technological University is available for inspection by all employees or applicant by appointment, during normal working hours. The University has developed an internal procedure to consider complaints of veterans covered by this plan. Persons who believe they have been discriminated against because of veteran's status, or who wish to inspect the Affirmative Action Plan should contact the Equal Opportunity Officer, Beth Lunde-Stockero, Room 308 Administration Building, 487-3310, email [equity@mtu.edu](mailto:equity@mtu.edu).