

AFFIRMATIVE ACTION PROGRAMS

Plan Effective Date: March 1, 2017

Plan Expiration Date: February 28, 2018

Prepared By: Angela Revels-Bullard
Assistant VC Human Resources/EEO Officer

Signature:  _____

Date: 2/27/2017

Approved by: Robin G. Cummings
Chancellor

Signature:  _____

Date: 2/28/17

Establishment's Name: The University of North Carolina at Pembroke
56-6000085

Establishment's Address: One University Drive, Pembroke, NC 28372-1510

Equal Employment Opportunity/Affirmative Action Plan Certification Statement

This certifies that the attached Equal Employment Opportunity/Affirmative Action Plan represents the **University of North Carolina at Pembroke's** commitment to providing equal employment opportunities to applicants and employees without regard of race, religion, color, national origin, sex, age, political affiliation, genetic information, or disability. I attest that the **University of North Carolina at Pembroke** follows the North Carolina Equal Employment Opportunity Policy effective June 1, 2015 along with all applicable federal and state laws governing equal employment opportunities.



Robin G. Cummings, Chancellor



Date



Angela Revels-Bullard, EEO/AA Officer Signature



Date

UNIVERSITY of NORTH CAROLINA
PEMBROKE

AFFIRMATIVE ACTION PROGRAM

For

MINORITIES AND FEMALES

CONFIDENTIAL TRADE SECRET MATERIALS

The material set forth in the AAP is deemed to constitute trade secrets, operations information, confidential statistical data, and other confidential commercial and financial data, within the meaning of the Freedom of Information Act, U.S.C. 552, Title VII of the Civil Rights Act of 1964 (as amended), 42 U.S.C. 2000e et seq., the Trade Secrets Act, 18 U.S.C. 1905, and 44 U.S.C. 3508, the disclosure of which is prohibited by law and would subject the individual making the disclosure to criminal and/or civil sanctions.

UNIVERSITY of NORTH CAROLINA
PEMBROKE

**AFFIRMATIVE ACTION PROGRAM FOR
MINORITIES AND FEMALES**

The University of North Carolina at Pembroke

AFFIRMATIVE ACTION PROGRAM FOR MINORITIES AND FEMALES

TABLE OF CONTENTS

Brief Overview of UNC Pembroke	5
I. Policy Statement	6-7
II. Designation of Responsibility for Implementation	8
A. Designation of Responsibilities of EEO Officer	8
B. Chancellor's Responsibilities	9
C. Responsibilities of Management	9 - 10
D. Responsibilities of EEO Committee	10
III. Identification and Correction of Problem Areas	11 - 12
Placement Goal Report for 2017	13
IV. Accomplishment of Prior Year Placement Goals	13-14
Goal Attainment Report for 2016	13-14
V. Development and Execution of Action-Oriented Programs	15-16
VI. Internal Audit and Reporting Systems	17-18
VII. Appendix A:	19-24
North Carolina Equal Employment Opportunity Policy	

I. EEO Policy Statement

Please refer to the statewide EEO Policy located on page 20.

BRIEF OVERVIEW OF UNC PEMBROKE

The University of North Carolina at Pembroke distinguishes itself from peer institutions by offering an affordable, highly personalized, student-centered education to diverse students. Founded in 1887 as an American Indian institution to serve the Lumbee people, UNCP is now also comprised of students, faculty, and staff who possess differing attributes based on race, ethnicity, gender, sexual orientation, disability status, national origin, age, political affiliation, religion, and other characteristics. Diversity grounds intellectual pursuits and provides us with opportunities for discovery and ways to integrate all individuals and groups into the larger community, respecting and valuing their uniqueness while simultaneously advancing the University's historical tradition. UNC Pembroke thus prepares its students for life and leadership within a diverse society.

UNCP believes that we exist to change the lives of our students, faculty/staff and the communities we serve.

Messaging throughout our campus encourages:

- Communication
- Collaboration
- Integrity
- Accountability
- Innovation
- Service

UNC Pembroke is focused on and committed to **CHANGING LIVES THROUGH EDUCATION.**

UNIVERSITY *of* NORTH CAROLINA
PEMBROKE

Policy Statement

The University of North Carolina at Pembroke, through its responsible managers, recruits, hires, upgrades, trains, and promotes in all job titles without regard to race, color, religion, sex, national origin, age, disabling condition, political affiliation, gender identity or sexual orientation, genetic information (GINA), or because he or she is a special disabled veteran, newly separated veteran, a campaign veteran, or an armed forces service medal veteran (i.e., qualified protected veterans) except where an accommodation is unavailable and/or it is a bona fide occupational qualification.

The overall intent of this policy is to ensure the administration and implementation of all personnel policies, practices and programs in a non-discriminatory manner that is fair and equitable. UNC Pembroke follows all Federal and State Equal Employment Opportunity Laws. Furthermore, UNC Pembroke's programs include monitoring and evaluation of all EEO programs.

Managers shall ensure that all personnel actions such as compensation, benefits, terminations, university-sponsored training, and social and recreational programs shall be administered in a non-discriminatory manner without regard to race, color, religion, sex, national origin, age, disabling condition, political affiliation, sexual orientation, genetic information (GINA) or qualified protected veteran status, except where an accommodation is unavailable and/or it is a bona fide occupational qualification.

Managers shall base employment decisions on the principles of equal employment opportunity and with the intent to further The University of North Carolina at Pembroke's commitment to affirmative action and equal employment by promoting a diverse workforce. At no time will any covered employee, or covered applicant for employment, who exercises his/her rights pursuant to The University of North Carolina at Pembroke's Affirmative Action Policy be subject to discipline, or have his/her opportunities for employment adversely affected.

Managers shall take affirmative action to ensure that qualified minority group individuals, females, disabled, or protected veterans are introduced into the workforce, are encouraged to aspire for promotion, and are considered as promotional opportunities arise.

The University of North Carolina at Pembroke invites any employee or any applicant for employment to review The University of North Carolina at Pembroke's written Affirmative Action Programs. These programs are available on the Office of Human Resources website: [2017 EEO Policy Plan and Policy Plan Statement](#) and for inspection upon request between normal business hours Monday through Friday at the Office of Human Resources. Any questions should be directed to your supervisor, me, or Angela Revels-Bullard, Assistant Vice Chancellor of Human Resources/EEO Officer, or her Designee.

Applicants are encouraged to identify their race and sex. This self-identification is strictly voluntary and confidential and will not result in retaliation of any sort.

Employees are invited to self-identify as an individual with a disability or protected veteran status. This self-identification is strictly voluntary, confidential and will not result in retaliation of any sort.

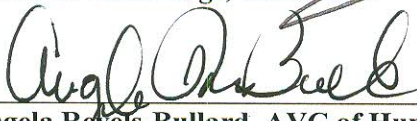
Employees and applicants shall not be subjected to harassment, intimidation, threats, coercion or discrimination because they have engaged in or may engage in any of the following activities: (1) filing a complaint; (2) assisting or participating in an investigation, compliance review, hearing, or any other activity related to the administration of Section 503 of the Rehabilitation Act of 1973, as amended, the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), as amended, or any other federal, state or local law requiring equal opportunity for disabled persons or qualified protected veterans or; (3) opposing any act or practice made unlawful by Section 503, VEVRAA or its implementing regulations in this part or any other federal, state or local law requiring equal opportunity for qualified individuals with disabilities and qualified protected veterans; or (4) exercising any other right protected by Section 503 or its implementing regulations in this part or any other right protected by VEVRAA or its implementing regulations in this part.

The university has established an equal employment opportunity (EEO) committee made up of a diverse representation of employees from across campus responsible for reviewing the ongoing operation of the affirmative action program to assure employees are treated fairly in opportunities for employment, career development and compensation.



Robin G. Cummings, Chancellor

Date: 2/24/17



Angela Revels-Bullard, AVC of Human Resources

Date: 2/27/2017

I. Establishment of Responsibilities for Implementation of the Written Affirmative Action Program ([41 CFR 60-2.17\(a\)](#))

Designation of Responsibilities of AAP Administrator ([41 CFR 60-2.17\(a\)](#))

The Assistant VC of Human Resources has the primary management responsibility, authority, and resources for ensuring full compliance with the provisions of [E.O. 11246, as amended](#), and with implementing all applicable regulations. The Assistant VC of Human Resource's appointment and a description of the position's basic responsibilities have been communicated to all levels of personnel in the university. The responsibilities of the Assistant VC of Human Resources include, but are not necessarily limited to, the following:

1. Developing EEO policy statements, Affirmative Action Programs, and internal and external communication procedures;
2. Assisting in the identification of AAP/EEO problems;
3. Assisting management in arriving at effective solutions to AAP/EEO problems;
4. Designing and implementing an internal audit and reporting system that:
 - a. Measures the effectiveness of the Affirmative Action program;
 - b. Determines the degree to which AAP goals and objectives are met; and
 - c. Identifies the need for remedial action
5. Informing university's management of equal opportunity progress and reporting potential problem areas within the university through reports;
6. Reviewing the university's AAP for qualified minorities and women with all levels of management to ensure that the policy is understood and is followed in all personnel activities;
7. Auditing the contents of the university's bulletin board to ensure compliance information is posted and up-to-date; and
8. Serving as liaison between UNC Pembroke and enforcement agencies.
9. Conducts investigations of EEO allegations, including unlawful workplace harassment complaints; issuing written responses with results in accordance with statewide Employee Grievance Policy.
10. Provides confidential counseling to management and employees in matters of EEO concerns or complaints alleging discrimination.

**The Responsibilities of the University's Management to Ensure Implementation of the
AAP (41 CFR 60-2.17(a))**

Chancellor's responsibility:

1. Implementation of this policy and any related policies or programs;
2. Designate an official at the Deputy Secretary, Assistant Secretary or Vice Chancellor or Assistant Vice Chancellor level with direct reporting relationship to the Chancellor to assume responsibility for the operation and implementation of their equal opportunity plan and program;
3. Execute positive measures to ensure that equal opportunity is available in all areas of employment;
4. Execute measures to ensure the work environment is consistent with the intent of this policy and supports equal opportunity;
5. Communicate the university's commitment to EEO policies, plans, and procedures to all employees, applicants and the general public;
6. Provide necessary resources to ensure the successful implementation of the EEO program;
7. Ensure the development and implementation of policies, procedures, and programs necessary to achieve a workforce in each occupational category that reflects the State of North Carolina working population;
8. Ensure the development and implementation of an equal employment opportunity plan and program;
9. Submit the EEO plan and program by March 1 of each year to the Office of State Human Resources for review, technical assistance and approval by the Director of State Human Resources.

**Responsibilities of the University's Management to Ensure Implementation of the AAP
(41 CFR 60-2.17(a))**

In implementing this written Affirmative Action Program, the responsibilities of the university's supervisors and other management (Deans, Department Chairs, Directors and other Hiring Officials) working with the EEO Officer or her Designee (EEO Officer), include, but are not necessarily limited to, the following:

1. Assisting in the identification of problem areas, formulating solutions, and establishing departmental goals and objectives when necessary;
2. Reviewing the qualifications of all applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner when hiring, promotion, transfer, and termination actions occur; and
3. Reviewing the job performance of each employee to assess whether personnel actions are justified based on the employee's performance of his or her duties and responsibilities.
4. UNC Pembroke reviews training records on an annual basis to ascertain gaps and needs for Supervisors. Search committees and hiring teams attend training prior to review of applications. In addition, new supervisors and managers are required to attend EEO Training within one (1) year of accepting a supervisory position.
5. At this time, supervisors and managers are not held accountable for helping the university obtain its EEO objectives.

EEO Committee responsibilities:

1. Serve as a communication link between managers and employees and the EEO staff on aspects of the EEO plan and program;
2. Review and evaluate the equal employment opportunity plan and program;
3. Review workforce representation data in each occupational category;
4. Survey the organizational climate, employee attitudes and evaluating the resultant data;
5. Meet with the Chancellor or his Designee in conjunction with the EEO Officer and /or EEO Officer to discuss EEO programs, report on the employees' concerns, and recommend changes or additions to the EEO policy, plan, or program;
6. Identify recruitment resources and other activities designed to strengthen the EEO program;
7. Meet as a committee at least annually; and
8. Both the AAP Administrator (EEO Officer) and EEO Coordinator serve on the EEO Committee.

II. Identification of Problem Areas (41 CFR 60-2.17(b))

UNC Pembroke performs in-depth analysis of its total employment process to determine if there are areas where minority and/or female groups may face impediments to equal opportunity. The following analyses are conducted in order to reveal any potential problem areas:

1. **Placement Goals:** An analysis of incumbency versus availability is performed to determine whether there are problems of minority or female utilization. Whenever a problem exists, as defined by a statistical methodology, Placement Goals are set (see the Placement Goals report which follows this section).

Whether there are Placement Goals or not, steps will be taken to encourage and increase the percentage of qualified females and/or minorities applying for positions both externally and internally. These steps may include, but are not limited to the following:

- Working with hiring managers and recruiters to determine appropriate outreach to attract qualified applicant pools;
- Recruiting at colleges and universities with a significant percentage of minority and female students;
- Publishing job advertisements in newspapers and/or magazines that target females and/or minorities;
- Offering mentorship programs for female and minority employees;
- Offering job training to females and minorities currently employed by the university in order to increase their chances of advancement;
- Offering tuition reimbursement to employees to obtain training that will increase their chances of advancement;
- Using recruitment companies that specifically target females and minorities; and
- Continuing to use the services of the respective State Employment Service (Division of Employment Security).

2. **Review of Employment Decisions:** Review of employment decisions is made in order to determine whether or not females/minorities are selected at a less favorable rate than males/non-minorities. A review of males/non-minorities is also conducted to determine if either group is being selected at a statistically significant lessor rate than females/minorities.
3. **Review of Hires/Promotions:** Whenever females/minorities are selected at a lower rate than males/non-minorities, a review of the applicant flow is conducted to determine possible reasons why females/minorities were not selected at a more favorable rate. If the university is attracting fewer than expected females/minorities that fit the qualifications for the job groups, good faith efforts will be put into place to attempt to improve the applicant flow of qualified females/minorities. If males/non-minorities are selected at a statistically significantly lessor rate than females/minorities, a review of the applicant flow and selection decisions is also made to ensure that there is no evidence of discrimination.
4. **Review of Terminations:** For terminations, if females/minorities are being involuntarily terminated or are voluntarily leaving at a higher rate than males/non-minorities, a review of the employee files will be made to ensure the university is applying its policies and procedures for termination equally for protected as well as non-protected classes. If males/non-minorities has a statistically significant higher rate of termination than females/minorities, an investigation will also be conducted to determine the cause.
5. **Compensation/Benefits:** Compensation, including Benefits, is reviewed at least annually in order to determine if there are significant discrepancies in pay when comparing female to male rates of pay and minority versus non-minority rates of pay. If discrepancies do exist, a thorough review is conducted to determine if the difference in pay is justified due to appropriate factors. If the difference in pay cannot be justified, UNC Pembroke will develop a plan for greater alignment.
6. **Performance Evaluation:** UNC Pembroke reviews its performance evaluation system to ensure that it is free from bias at least annually.

UNIVERSITY of NORTH CAROLINA
P E M B R O K E
 Placement Goals Report 2017

Job Group - SHRA

Class

Administrative Support Occupations	White Female	2
Building and Grounds Occupations	White Female	1

III. Accomplishment of Prior Year Placement Goals (41 CFR 60-1.12(b), -2.1(c) and -2.16)

Where goals were established for the prior year, the university developed action-oriented programs designed to accomplish the established goals and objectives, thereby enhancing employment and advancement opportunities for females and minorities. The results of the prior year's Affirmative Action Program are identified on the Goal Attainment report.

Goal Attainment Report 2016

Job Group – SHRA:

Student Services Professionals	White Male	Met
Health Technologists	White	Remains Goal
Office Support – Senior Lead	Male	Met
Arts, Design, Entertainment & Media Occupations	White Female	Remains Goal
Computer and Mathematical Occupations	White Male	Met
Administrative Support Occupations	White Male	Remains Goal
Protective Services Occupations	White Female	Remains Goal

331 – Student Services Professional: A white male was hired as a Student Services Specialist in the Housing and Residence Life Office on November 21, 2016.

332 – Information Technology: A white male was hired as a Business Technology Applications Analyst in the Division of Information Technology on May 9, 2016.

551 – Office Support – Senior Lead: A white male was hired as an Administrative Support Specialist in the Registrar’s Office on January 17, 2017.

Job Group – EHRA:

110 – Executive

111 – Senior Officer – Tier II

Class

Female

Black Female

Met

Remains Goal

110 – SAAO I – Executive Group: On July 1, 2016, a white female was promoted to Dean of the School of Graduate Studies and effective January 1, 2017, a white female was promoted to Vice Chancellor of Student Affairs.

Seven (7) veterans were hired in 2016 as follows:

White Male - IT Security Officer – Division of Information Technology

Black Female - Coordinator of Military and Veteran Affairs – Military and Veteran Services

Native American Male - Building and Environmental Services Technician – Housing and Residence Life

Black Female - Administrative Support Specialist – Student Involvement

Native American Male - Public Safety Telecommunicator – Public Safety

Native American Male - Business Officer – Division of Information Technology

Black Male - Director of Employee Relations and Workforce Development – Office of Human Resources.

IV. The Development and Execution of Action-Oriented Programs (41 CFR 60-2.17(c))

Programs have been instituted to ensure no barriers to employment exist. These programs may include, but are not limited to, the following:

1. Conducting annual analyses of job descriptions to ensure they accurately reflect job functions;
2. Making job descriptions available to recruiting sources and available to all members of management involved in the recruiting, screening, selection and promotion processes;
3. Evaluating the total selection process to ensure freedom from bias through:
 - a. EEO Coordinator reviews hiring recommendations before an employment offer is made.
 - b. Offer/employment letters are issued to new hires (contain information such as job title and salary);
 - c. Reviewing job applications and other pre-employment forms to ensure information requested is job-related;
 - d. Evaluating selection methods that may have a disparate impact to ensure that they are job-related and consistent with business necessity;
 - e. Training personnel and management staff on proper interview and selection procedures; and
 - f. Training on EEO and other related policies for management and supervisory staff.
4. Using techniques to improve recruitment and retention and to increase the flow of qualified applicants, including minority and female applicants, UNC Pembroke undertakes the following actions:
 - a. Includes the EEO tagline “*UNC Pembroke is an Equal Opportunity Employer. The University prohibits discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibits discrimination against all individuals based on their age, race, color, genetic information, religion, sex, sexual orientation, gender identity or national origin,*” or other acceptable tagline in all printed employment advertisements;
 - b. Places employment advertisements in local minority news media and women’s interest media;
 - c. Disseminates information on job opportunities to organizations representing minorities and women and to employment development agencies when job opportunities become

available;

- d. Encourages all employees to refer qualified applicants;
 - e. Actively recruits at secondary schools, junior colleges, colleges and universities with predominantly minority or female enrollments; and
 - f. Requests employment agencies to refer qualified minorities and women.
5. Reviews university's compensation practices;
 6. Ensures that all employees are given equal opportunity for promotions and/or transfers. This is achieved by:
 - a. Posting opportunities internally;
 - b. Offering guidance to employees in identifying opportunities, training and educational programs to enhance promotions and opportunities for job rotation or transfer; and
 - c. Evaluating job requirements to ensure that they are appropriate.
 7. Employees and applicants of UNC Pembroke will not be subject to harassment, intimidation, retaliation, threats, coercion, or discrimination because they have engaged or may engage in filing a complaint, assisting in a review, investigation, or hearing or have otherwise sought to obtain their legal rights related to any Federal, State, or local law regarding equal employment opportunity.
 8. Reasonable Accommodation to Physical and Mental Limitations (41 CFR 60-300.44(d))

As a matter of nondiscrimination, it is UNC Pembroke's policy to make reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled veteran unless it can demonstrate that the accommodation would impose an undue hardship on the operation of its business. As a matter of affirmative action, if an employee who is known to be a disabled veteran 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, the manager or appropriate HR personnel will confidentially notify the employee of the performance problem and inquire whether the problem is related to the employee's disability. If the employee responds affirmatively, he/she will be asked whether a reasonable accommodation is needed.

Each applicant or employee is dealt with on an individual basis. Reasonable accommodations are made whenever possible and ongoing efforts include revision of facilities to make them accessible. UNC Pembroke makes every effort to provide suitable employment for those employees who become disabled while employed by us.

9. Harassment Prevention Procedures (41 CFR 60-300.44(e))

Employees and applicants of UNC Pembroke will not be subject to harassment, intimidation, threats, coercion, or discrimination because they have engaged or may engage in filing a complaint, assisting in a review, investigation, or hearing or have otherwise sought to obtain their legal rights related to any Federal, State, or local law regarding EEO for protected veterans. Any employees or applicants who feel that they have been subject to harassment, intimidation, threats, coercion, or discrimination because of their status as a protected veteran should promptly contact a manager in their chain of command, or promptly contact the EEO Officer for assistance. This policy is posted for employees and applicants to view.

V. Internal Audit and Reporting Systems (41 CFR 60-2.17(d))

The university believes that one of the most important elements in effectively implementing a written Affirmative Action Program is an adequate internal audit and reporting system. Through this system, the total program can be monitored for effectiveness, and management can be kept informed. UNC Pembroke's audit and reporting system is designed to:

1. Measure the effectiveness of the AAP/EEO program;
2. Document and analyze personnel activities;
3. Identify problem areas and develop action plans where remedial action is needed; and
4. Determine the degree to which AAP goals and objectives have been attained.

The following personnel activities are reviewed, as necessary and desirable, to ensure nondiscrimination and EEO for all individuals without regard to their age, race, color, gender, religion, national origin, genetic information or disability:

1. Recruitment, advertising, and job application procedures;
2. Hiring, promotion, upgrading, layoff, recall from layoff;
3. Rates of pay and any other forms of compensation including fringe benefits;
4. Job assignments, job classifications, job descriptions, and seniority lists;

5. Sick leave, leaves of absence, or any other leave;
6. Training, attendance at professional meetings and conferences; and
7. Performance management evaluation.
8. Discipline and grievance procedures.

The following documents may be maintained as a component of UNC Pembroke's internal audit process:

1. An applicant flow log;
2. Summary data of external job offers and hires, promotions, resignations, terminations;
3. Summary data of applicant flow;
4. Employment applications; and
5. Records pertaining to university's compensation system and decisions.

UNC Pembroke's audit system includes periodic review of employment decisions. Managers and supervisors are informed to report any current or foreseeable EEO problem areas and are requested to outline suggestions/recommendations for solutions. If problem areas arise, the manager or supervisor is to report problem areas immediately to the EEO Officer or her designee. During the reporting cycle, the following occurs:

1. The EEO Officer or her designee will discuss any problems relating to significant rejection ratios, EEO charges, etc., with management; and
2. The EEO Officer or her designee will report the status of the university's AAP goals and objectives to management. The EEO Officer or her designee will recommend remedial actions for the effective implementation of the AAP.
3. Data is exported from the online employment system, PeopleAdmin (applicant information) and from Banner (employee information) annually for the AAP and imported into PeopleFluent (CAAMS) for generation of EEO Reports and the AAP. In addition, UNC Pembroke reviews the Office of State Human Resources DataMart data. The goals for UNC Pembroke are established after a careful review of reports from both DataMart and CAAMS which includes SHRA and EHRA employees of UNCP.

Appendix "A" – North Carolina Equal Employment Opportunity Policy

The State of North Carolina recognizes that an effective and efficient government requires the talents, skills and abilities of all qualified and available individuals, and seeks opportunities to promote diversity and inclusion at all occupational levels of State government's workforce through equal employment opportunity (EEO) workforce planning initiatives. The State is committed to ensuring the administration and implementation of all human resources policies, practices and programs are fair and equitable without unlawful discrimination, harassment or retaliation on the basis of race, religion, color, national origin, sex (including pregnancy), age (40 or older), political affiliation, genetic information, or disability, except where age, sex, or physical requirements constitute bona fide occupational qualifications. State agencies, departments and universities shall be accountable for administering all aspects of employment, including hiring, dismissal, compensation, job assignment, classification, promotion, reduction-in-force, training, benefits and any other terms and conditions of employment in accordance with federal and State EEO laws.

See the Unlawful Workplace Harassment policy in Section 1 of the State Human Resources Manual for provisions related to unlawful harassment, including sexual harassment, and retaliation.

Coverage

Individuals protected by provisions of this policy are:

1. current employees;
2. former employees; and
3. job applicants

Veterans

Job discrimination of veterans shall be prohibited and affirmative action shall be undertaken to employ and advance in employment eligible veterans in accordance with Article 13 of G.S. 126 and G.S. 128-15.

See the Veteran's Preference policy in Section 2 of the State Human Resources Manual for provisions related to veteran's preference including the employment and advancement of protected veterans.

Office of Human Resources Responsibilities:

The Office of State Human Resources (OSHR) shall:

1. establish the EEO Plan Requirements and Program Guidelines in accordance with federal and state laws to be followed by all agencies, departments and universities, to ensure commitment to and accountability for equal employment opportunity throughout State government;

2. review, approve and monitor all EEO plans and updates;
3. provide services of EEO technical assistance, training, oversight, monitoring, evaluation, support programs, and reporting to ensure that State government's work force is diverse at all occupational levels;
4. develop and promote EEO programs and best practices to encourage consistent and fair treatment of all State employees;
5. meet with agency heads, department heads, and university chancellors, Human Resources Directors and EEO Directors/Officers annually to discuss the progress made toward reaching program goals; and
6. provide a report annually to the Human Resources Commission and the Governor on the EEO Plans and progress by agencies, departments, universities and state government.

Agency, Department and University Responsibilities:

Each Agency Head, Department Head and University Chancellor shall:

1. adhere to the policies and programs that have been adopted by the State Human Resources Commission and approved by the Governor;
2. ensure the agency, department or university's commitment to EEO is clearly communicated to all employees;
3. ensure that Human Resources policies and employment practices are implemented consistently and fairly;
4. designate an EEO Officer/Director who has access to the agency head, department head or university chancellor to be responsible for the operation and implementation of the EEO Plan;
5. provide the necessary resources to ensure the successful implementation of the EEO Program;
6. ensure each manager and supervisor has, as a part of his or her performance plan, the responsibility to comply with EEO laws and policies, and assist in achieving EEO goals established by the agency, department or university;
7. ensure the EEO Plan is designed in accordance with the EEO Plan Requirements and Program Guidelines as specified by the Office of State Human Resources;
8. ensure the EEO Plan is submitted by March 1st of each year to the Office of State Human Resources for review and approval as required by G.S. 126-19;
9. ensure all employees are made aware of the EEO policy including the Unlawful Workplace Harassment Policy found in Section 1 of the State Human Resources Manual;
10. develop strategies to prevent unlawful workplace harassment and retaliation in the workplace;
11. ensure required employee notices describing Federal laws prohibiting job discrimination are posted in work locations where notices to applicants and employees are customarily posted and easily accessible to applicants and employees with disabilities;
12. maintain records of all complaints and grievances alleging discriminatory practices; and
13. ensure all newly hired, promoted, or appointed supervisors and managers complete required EEO training in accordance with G.S. 126-16.1. See the Equal Employment Opportunity Institute policy located in Section 1 of the State Human Resources Manual for information related to EEO training.

Complaint Process:

An individual covered by this policy who is alleging unlawful discrimination may file a complaint following the process outlined in the Employee Grievance Policy located in Section 7 of the State Human Resources Manual. For the purpose of this policy, political affiliation is not a protected classification under federal EEO law but may be grieved pursuant to G.S. 126-34.02 as a contested case after completion of the agency grievance procedure and the Office of State Human Resources review.

Definitions:

“Age Discrimination” – The Age Discrimination in Employment Act of 1967 forbids employment discrimination on the basis of age against individuals who are age 40 or older. “Bona Fide Occupational Qualification” (BFOQ)

A BFOQ is any requirement which is job-related and necessary for the performance of the job. Age, sex or physical requirements may be considered if they constitute a BFOQ necessary for job performance in the normal operations of the agency. Such standards are reasonably necessary for the specific work to be performed and are uniformly and equally applied to all applicants for the particular job category. Whether such a requirement is a BFOQ will depend on the facts in each case. This exemption will be construed very narrowly and the agency, department or university will have the burden of proving the exemption is justified. To establish age, sex or physical requirements as a BFOQ, it will be necessary to submit a recommendation to the Office of State Human Resources, setting forth all facts and justification as to why the requirement should be considered as a reasonable employment factor in each of the classifications in question.

“Disability Discrimination” – The Americans with Disabilities Act of 1990 (ADA) and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA) prohibits discriminatory treatment of a qualified individual who has a physical or mental impairment that substantially limits one or more major life activities, has a history (or record) of such an impairment, or is regarded as having such an impairment that is not transitory (lasting or expected to last six months or less) or minor. In addition, the law protects covered individuals from discrimination based on their known relationship (or association) with an individual with a disability (even if they themselves do not have a disability).

Refer to the Reasonable Accommodation policy in Section 1 of the State Human Resources Manual for information on how to request and process requests for accommodations for covered individuals with disabilities.

“Genetic Information Discrimination” - The Genetic Information Nondiscrimination Act of 2008 (GINA) is a federal law which prohibits discrimination in the terms and conditions of employment against covered individuals based on their genetic information. Genetic information is:

- an individual's genetic tests (including genetic tests done as part of a research study);
- genetic tests of the individual's family members (defined as dependents and up to and including 4th degree relatives);
- genetic tests of any fetus of an individual or family member who is a pregnant woman, and genetic tests of any embryo legally held by an individual or family member utilizing assisted reproductive technology;
- the manifestation of a disease or disorder in family members (family history); and
- any request for, or receipt of, genetic services or participation in clinical research that includes genetic services (genetic testing, counseling, or education) by an individual or family member.

“National Origin Discrimination” – Title VII of the Civil Rights Act of 1964 prohibits unfavorable treatment of covered individuals because he or she is from a particular country or part of the world, because of ethnicity or accent, or because he or she appears to be of a certain ethnic background (even if he or she is not). In addition, the law covers individuals who are married to (or associated with) an individual of a certain national origin or because of their connection with an ethnic organization or group.

“Pregnancy Discrimination” – The Pregnancy Discrimination Act of 1978 prohibits unfavorable treatment of a covered individual because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth.

“Race/Color Discrimination” – Title VII of the Civil Rights Act of 1964 forbids unfavorable treatment of covered individuals because he or she is of a certain race or because of personal characteristics associated with race (such as hair texture, skin color, or certain facial features). Color discrimination involves treating an individual unfavorably because of skin color. In addition, Title VII protects covered individuals from discrimination because the individual is married to (or associated with) an individual of a certain race or color or because of an individual's connection with a race-based organization or group, or an organization or group that is generally associated with people of a certain color.

“Religious Discrimination” – Title VII of the Civil Rights Act of 1964 forbids unfavorable treatment of covered individuals because of his or her religious beliefs. The law protects not only the people who belong to traditional, organized religions (such as Buddhism, Christianity, Hinduism, Islam, and Judaism), but also others who have sincerely-held religious, ethical or moral beliefs. In addition, Title VII protects an individual who is married to (or associated with) an individual of a particular religion or because of his or her connection with a religious organization or group. The agency, department, or university must reasonably accommodate an employee's religious beliefs or practices, unless doing so would cause unreasonable difficulty or expense for the agency, department or university. This would include making reasonable adjustments at work that will allow the employee to practice his or her religion.

“Sex-Based Discrimination” – Title VII of the Civil Rights Act of 1964 forbids unfavorable treatment of covered individuals because of that individual’s sex. In addition, the law protects an individual because of his or her connection with an organization or group that is generally associated with people of a certain sex. The Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

UNIVERSITY of NORTH CAROLINA
PEMBROKE

AFFIRMATIVE ACTION PROGRAM

For

PROTECTED VETERANS

UNIVERSITY of NORTH CAROLINA
PEMBROKE

AFFIRMATIVE ACTION PROGRAM FOR
PROTECTED VETERANS

TABLE OF CONTENTS

	<u>Page</u>
I. Review of Personnel Processes (41 CFR 60-300.44(b))	1
II. Physical and Mental Qualifications (41 CFR 60-300.44(c))	2
III. Reasonable Accommodation to Physical and Mental Limitations (41 CFR 60-300.44(d))	2
IV. Harassment Prevention Procedures (41 CFR 60-300.44(e))	2
V. External Dissemination of Policy, Outreach, and Positive Recruitment (41 CFR 60-300.44(f))	3-4
VI. Internal Dissemination of Policy (41 CFR 60-300.44(g))	5-6
VII. Audit and Reporting Systems (41 CFR 60-300.44(h))	7
VIII. Responsibility for Implementation (41 CFR 60-300.44(i))	8
A. Responsibilities of EEO Officer	7-8
B. Responsibilities of Managers and Supervisors	8
IX. Training (41 CFR 60-300.44(j))	8

I. **Review of Personnel Processes (41 CFR 60-300.44(b))**

UNC Pembroke periodically reviews personnel processes to determine whether its present procedures ensure careful, thorough, and systematic consideration of the qualifications of known protected veterans. This review covers all procedures related to the filling of job vacancies either by hire or by promotion, as well as all training opportunities offered or made available to employees.

In determining the qualifications of veterans, UNC Pembroke limits its consideration of a protected veteran's military record, including discharge papers, to only that portion of the record which is relevant to the specific job qualifications for which the veteran is being considered. The personnel processes do not stereotype protected veterans in a manner which limits their access to all jobs for which they are qualified.

Based upon UNC Pembroke's review of its personnel processes, UNC Pembroke will modify the personnel processes when necessary, and will include the development of new procedures in this Affirmative Action Program to ensure Equal Employment Opportunity. The following is a set of procedures which is used to meet the requirements of §60-300.44(b):

1. The application or personnel form of each known applicant who is a protected veteran is annotated to identify each vacancy for which the applicant was considered, and the form is quickly retrievable for review by the Department of Labor and the contractor's personnel officials for use in investigations and internal compliance activities.
2. The personnel or application records of each known protected veteran includes (i) the identification of each promotion for which the protected veteran was considered, and (ii) the identification of each training program for which the protected veteran was considered.
3. In each case where an employee or applicant who is a protected veteran is rejected for employment, promotion, or training, the university prepares a statement of the reason as well as a description of the accommodations considered (for a rejected disabled veteran). The statement of the reason for rejection (if the reason is medically related), and the description of the accommodations considered, is treated as confidential medical records in accordance with §60-300.23(d). These materials are made available to the applicant or employee concerned upon request.
4. Where applicants or employees are selected for hire, promotion, or training and the university undertakes any accommodation which makes it possible for he or she to place a disabled veteran on the job, a record is made containing a description of the accommodation. The record is treated as a confidential medical record in accordance with §60-300.23(d).

II. **Physical and Mental Qualifications (41 CFR 60-300.44(c))**

The physical and mental job qualifications of all jobs are reviewed as a part of the classification process prior to a requisition being opened to determine whether or not the qualifications tend to screen out qualified disabled veterans. Physical and mental job qualifications are also reviewed as new jobs are established or job requirements are modified to ensure that, to the extent that such qualification requirements tend to screen out qualified disabled veterans, job qualifications are consistent with business necessity and the safe performance of the job.

No qualification requirements were identified which had a screening effect. All job qualification requirements were found to be job-related and consistent with business necessity and safety.

If UNC Pembroke ever applies physical or mental qualification standards in the selection of applicants or employees for employment or other change in employment status such as promotion, demotion or training, to the extent that qualification standards tend to screen out qualified disabled veterans, the standards shall be related to the specific job or jobs for which the individual is being considered and consistent with business necessity.

III. **Reasonable Accommodation to Physical and Mental Limitations (41 CFR 60-300.44(d))**

As a matter of nondiscrimination, it is UNC Pembroke's policy to make reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled veteran unless it can demonstrate that the accommodation would impose an undue hardship on the operation of its business. As a matter of affirmative action, if an employee who is known to be a disabled veteran 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, the manager or appropriate HR personnel will confidentially notify the employee of the performance problem and inquire whether the problem is related to the employee's disability. If the employee responds affirmatively, he/she will be asked whether a reasonable accommodation is needed.

Each applicant or employee is dealt with on an individual basis. Reasonable accommodations are made whenever possible and ongoing efforts include revision of facilities to make them accessible. UNC Pembroke makes every effort to provide suitable employment for those employees who become disabled while employed by us.

IV. **Harassment Prevention Procedures (41 CFR 60-300.44(e))**

Employees and applicants of UNC Pembroke will not be subject to harassment, intimidation, threats, coercion, or discrimination because they have engaged or may engage in filing a complaint, assisting in a review, investigation, or hearing or have otherwise sought to obtain their legal rights related to any Federal, State, or local law regarding EEO for protected veterans. Any employees or applicants who feel that they have been subject to harassment, intimidation, threats, coercion, or discrimination because of their status as a protected veteran should promptly contact a manager in their chain of command, or promptly contact the EEO Officer for assistance. This policy is posted for employees and applicants to view.

V. **External Dissemination of Policy, Outreach, and Positive Recruitment (41 CFR 60-300.44(f))**

UNC Pembroke will undertake appropriate outreach and positive recruitment efforts in order to effectively attract protected veterans. In order to comply with the external dissemination of the affirmative action policy, UNC Pembroke notifies (via the use of purchase order, contract or Certificate of Compliance) all subcontractors, vendors and suppliers of UNC Pembroke's EEO and AA policy regarding its affirmative action efforts and requesting appropriate action on their part.

Examples of outreach and positive recruitment which UNC Pembroke utilizes throughout the year may include contacting the following:

1. All recruiting sources, including the employment agencies, educational institutions and social service agencies of UNC Pembroke's policy concerning the employment of protected veterans and have been advised to actively recruit and refer qualified persons for job opportunities;
2. Local Veterans' Employment Representative at the Division of Employment Security, North Carolina Department of Commerce in Lumberton, North Carolina;
3. The veterans' counselors and coordinators on college campuses, including the Coordinator of Military and Veteran Affairs at UNC Pembroke;
4. The service officers of the national veterans' groups active in the local area;
5. Local veterans' groups and veterans' service centers in the local area, including the VA Medical Center in Fayetteville, North Carolina;
6. The Department of Defense Transition Assistance Program (TAP);
7. Any organization listed in the Employer Resources section of the National Resource Directory.

UNC Pembroke will also consider the following as part of outreach and recruitment efforts for protected veterans:

1. Facilitate formal briefing sessions to invite representatives from recruitment sources and placement agencies to tour the facility, discuss current and prospective position openings, job descriptions and required qualifications and explanations of the university's selection procedures.
2. Local job fairs sponsored by support groups for protected veterans.
3. Posting job openings with the Department of Veterans Affairs Regional Office nearest the establishment.

As part of the outreach and positive recruitment efforts for protected veterans, the university will:

1. Incorporate special efforts to reach students who are protected veterans whenever the university reaches out to educational institutions;
2. An effort will be made to participate in work-study programs with the Department of Veterans Affairs rehabilitation facilities which specialize in training or educating disabled veterans;
3. Establish meaningful contacts with appropriate veterans' service organizations which serve protected veterans for purposes as advice, technical assistance, and referral of potential employees. Technical assistance from the resources described in this paragraph may consist of advice on proper placement, recruitment, training and accommodations contractors may undertake, but no such resource providing technical assistance shall have authority to approve or disapprove the acceptability of affirmative action programs;
4. Make available protected veterans for participation in career days, youth motivation programs, and related activities in their communities;
5. Execute positive steps to attract protected veterans not currently in the work force who have requisite skills and can be recruited through affirmative action measures. These persons may be located through the local chapters of veterans' organizations;
6. In making hiring decisions, consider applicants who are known protected veterans for all available positions for which they may be qualified when the position(s) applied for is unavailable; and
7. List job openings with N. C. Works Online, The Veterans Advantage Jobs and Careers Network, and Ability Links.

VI. **Internal Dissemination of Policy (41 CFR 60-300.44(g))**

In an effort to promote positive Affirmative Action for qualified protected veterans, UNC Pembroke has developed internal communications that foster understanding, acceptance, and support among the university's executive, management, and supervisory personnel. Additionally, all other university employees have been notified and encouraged to take the necessary action to aid the university in meeting its Affirmative Action obligations. The university has informed its employees and applicants for employment of its commitment to engage in Affirmative Action to increase the employment opportunities for qualified protected veterans.

The university realizes that a strong outreach program is ineffective without the adequate internal support from management personnel and other employees. In order to ensure greater employee cooperation and participation in the university's Affirmative Action efforts, UNC Pembroke has adopted and disseminated an internal policy. This policy's dissemination may include but is not limited to the following:

1. Copy of our AAP for Qualified Protected Veterans will be made available for inspection to any employee or applicant upon request to promote understanding, acceptance and support;
2. Policies are re-emphasized to managers and supervisors annually;
3. UNC Pembroke's Policy Statement, the EEO poster and the EEO is the Law Supplemental Poster are all posted on bulletin boards located throughout our facilities and work areas. These posters, as well as other required labor posters, are also posted on "Careers at UNC Pembroke" section of the website for applicants and employees. The Affirmative Action Plan is posted online on the EEO/AA Section of the Office of Human Resources website. A hard copy is also maintained with required and supporting reports by the EEO Coordinator. Review of these materials is permitted by visitors between 8:00 am and 5:00 pm, Monday through Friday.
4. All employees who believe they are a protected veteran under the EEO provisions of VEVRAA, as amended, have been invited to identify themselves if they wish to benefit under this Affirmative Action Program. Such invitation has been posted on bulletin boards throughout the facility and work areas;
5. The policy is included in the university's policy manual or otherwise made available to employees;
6. All employees and prospective employees are informed of the university's commitment to engage in affirmative action to increase employment opportunities for protected veterans. The university periodically schedules special meetings with all employees to discuss policy and explain individual employee responsibilities;

7. The policy link is publicized in the university's Brave's Bulletin, UNCP Today, and is presented during annual reports;
8. Special meetings with executive, management, and supervisory personnel are held to explain the intent of the affirmative action policy and individual responsibility for effective implementation, communicating the Chancellor's mission and values;
9. The policy is discussed in both employee orientation and management training programs;
10. Meet with employee representatives to inform them of the university's policy and request their cooperation;
11. Articles on accomplishments of protected veterans are included in university publications;
and
12. When employees are featured in university publications, protected veterans are included.

VII. **Audit and Reporting Systems** (41 CFR 60-300.44(h))

The university has designed and implemented audit and reporting systems that:

1. Measure the effectiveness of the university's programs;
2. Identify problem areas where remedial action is needed;
3. Determine the degree to which UNC Pembroke's AAP goals and objectives have been attained;
4. Determine whether known protected veterans have had the opportunity to participate in all university-sponsored educational, training, social and recreational activities;
5. Measure the compliance with the affirmative action program's specific obligation for protected veterans; and
6. Document the above mentioned activities.

The following activities are reviewed at least annually to ensure freedom from stereotyping protected veterans in any manner, including that which may limit their access to any job for which they are qualified:

1. Recruitment, advertising, and job application procedures;
2. Hiring, promotion, upgrading, layoff, recall from layoff;
3. Rates of pay and any other forms of compensation including fringe benefits;
4. Job assignments, job classifications, job descriptions, and seniority lists;
5. Sick leave, leaves of absence, or any other leave;
6. Training, attendance at professional meetings and conferences; and
7. Any other term, condition, or privilege of employment.

UNC Pembroke's audit system includes periodic reports documenting UNC Pembroke's efforts to achieve its EEO/AAP responsibilities. Managers and supervisors are asked to report any current or foreseeable EEO problem areas and are asked to outline their suggestions/ recommendations for solutions. During the reporting, the following occurs:

1. The Assistant VC of Human Resources will discuss any problems relating to significant rejection ratios, EEO charges, etc., with management; and
2. The Assistant VC of Human Resources will report the status of the university's AAP goals and objectives to management. The Assistant VC of Human Resources will recommend remedial actions for the effective implementation of the AAP.

VIII. **Responsibility for Implementation (41 CFR 60-300.44(i))**

Responsibilities of EEO Officer:

The Assistant VC of Human Resources is responsible for the overall execution, implementation and monitoring of the Affirmative Action Program for protected veterans with the support of all management, including senior management.

Those responsibilities shall include, but not be limited to, the following:

1. The development of the AAP for protected veterans, policy statements, personnel policies and procedures, internal and external communication of the policy, and monitoring the effectiveness of these actions;
2. Reviewing all personnel actions, policies, and procedures to ensure compliance with UNC Pembroke's Affirmative Action obligations;
3. Reviewing the qualifications of all applicants and employees to ensure protected veterans are treated in a nondiscriminatory manner when hiring, promotion, transfer and termination actions occur;
4. Monitoring the effectiveness of the program on a continuing basis through the development and implementation of an internal audit- and reporting- system that measures the effectiveness of the program;
5. Inform management of equal opportunity progress and problems within the university through, at a minimum, periodic reports;
6. Providing department managers with a copy of the AAP for Protected Veterans and reviewing the program with them on an annual basis to ensure knowledge of their responsibilities for implementation of the program;
7. Reviewing the university's AAP for protected veterans with all managers and supervisors at all levels to ensure that the policy is understood and is followed in all personnel activities;
8. Serving as a liaison between UNC Pembroke and enforcement agencies; and
9. Serving as a liaison between UNC Pembroke and organizations for protected veterans.

Responsibilities of Managers and Supervisors:

Managers and supervisors are advised annually of their responsibilities under the university's AAP for protected veterans and of their obligations to:

1. Review the university's Affirmative Action policy for protected veterans with subordinate managers and supervisors to ensure that they are aware of the policy and understand their obligation to comply with it in all personnel actions;
2. Review the qualifications of all applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner when hire, promotion, transfer, and termination actions occur; and
3. Review all employees' performance to ensure that non-discrimination is adhered to in all personnel activities.

IX. Training (41 CFR 60-300.44(j))

All personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes shall be trained to ensure that the commitments in the university's Affirmative Action Program are implemented.

UNIVERSITY of NORTH CAROLINA
PEMBROKE

AFFIRMATIVE ACTION PROGRAM

For

INDIVIDUALS WITH DISABILITIES

UNIVERSITY of NORTH CAROLINA
PEMBROKE

**AFFIRMATIVE ACTION PROGRAM FOR
INDIVIDUALS WITH DISABILITIES**

TABLE OF CONTENTS

	<u>Page</u>
I. Review of Personnel Processes (41 CFR 60-741.44(b))	1
II. Physical and Mental Qualifications (41 CFR 60-741.44(c))	2
III. Reasonable Accommodation to Physical and Mental Limitations (41 CFR 60-741.44(d))	3
IV. Harassment Prevention Procedures and Prohibition Against Retaliation (41 CFR 60-741.44(e))	3
V. External Dissemination of Policy, Outreach, and Positive Recruitment (41 CFR 60-741.44(f))	3-4
VI. Internal Dissemination of Policy (41 CFR 60-741.44(g))	5
VII. Audit and Reporting Systems (41 CFR 60-741.44(h))	6-7
VIII. Responsibility for Implementation (41 CFR 60-741.44(i))	7
A. Responsibilities of EEO Officer	7
B. Responsibilities of Managers and Supervisors	8
IX. Training (41 CFR 60-741.44(j))	8

I. Review of Personnel Processes (41 CFR 60-741.44(b))

UNC Pembroke periodically reviews personnel processes to determine whether its present processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees with known disabilities. This review covers all procedures related to the filling of job vacancies either by hire or by promotion, as well as all training opportunities offered or made available to employees. UNC Pembroke ensures that applicants and employees with disabilities have equal access to its personnel processes, including those implemented through information and communication technologies. Whenever requested, the university will provide necessary reasonable accommodation to ensure applicants and employees with disabilities receive equal employment opportunity in the operation of personnel processes.

UNC Pembroke will not stereotype individuals with disabilities in a manner which limits their access to all jobs for which they are qualified. The university periodically reviews its employment processes and will make any necessary modifications, if needed, to ensure that these obligations are carried out. The present personnel procedures are adequate and, at this time, modifications are not necessary.

The following is a set of procedures used to meet the requirements of §60-741.44(b):

1. The application or personnel form of each known applicant with a disability is annotated to identify each vacancy for which the applicant was considered, and the form should be quickly retrievable for review by the Department of Labor and the university's personnel officials for use in investigations and internal compliance activities.
2. The personnel or application records of each known individual with a disability includes (i) the identification of each promotion for which the employee with a disability was considered, and (ii) the identification of each training program for which the individual with a disability was considered.
3. In each case where an employee or applicant who is an individual with a disability is rejected for employment, promotion, or training, a statement is prepared with the reason as well as a description of the accommodations considered. The statement of the reason for rejection (if the reason is medically related), and the description of the accommodations considered, is treated as confidential medical records in accordance with §60-741.23(d). These materials are available to the applicant or employee concerned upon request.
4. Where applicants or employees are selected for hire, promotion, or training and the person is given an accommodation which makes it possible for he or she to place an individual with a disability on the job, a record is made containing a description of the accommodation. The record is treated as a confidential medical record in accordance with §60-741.23(d).

II. Physical and Mental Qualifications (41 CFR 60-741.44(c))

The physical and mental job qualification standards of all jobs are reviewed periodically. They are also reviewed as new jobs are established or job requirements are modified to ensure that, to the extent that such qualification requirements tend to screen out qualified individuals with disabilities, job qualifications are consistent with business necessity and the safe performance of the job.

No qualification requirements were identified which had a screening effect. All job qualification requirements were found to be job-related and consistent with business necessity and safety. If the university finds that any qualification standards tend to screen out qualified individuals with disabilities, it understands that it carries the burden to demonstrate qualification standards that tend to screen out qualified individuals with disabilities are job-related and consistent with business necessity.

UNC Pembroke will continue to review physical and mental job qualification requirements whenever a job is vacated and the university intends to fill it through hiring, promotion or transfer and will conduct a qualifications review whenever job duties change or a change in work environment occurs.

If at any time UNC Pembroke should inquire into an employee's physical or mental condition or should conduct a medical examination prior to a change in employment status, UNC Pembroke affirms that information obtained as a result of the inquiry will be kept confidential, except as otherwise provided for in Section 503 of the Rehabilitation Act of 1973 regulations. The results of the examination or inquiry will be used in accordance with the aforementioned regulations:

1. Supervisors, managers, and university officials may be informed regarding restrictions and accommodations for the work or duties of individuals with a disability.
2. Employees familiar with first aid may be informed, where and to the extent appropriate, if an individual with a disability might require emergency treatment.
3. OFCCP officials investigating compliance with either the 1973 Rehabilitation Act or VEVRAA, as amended.

III. Reasonable Accommodation to Physical and Mental Limitations (41 CFR 60-741.44(d))

It is the university's policy to make a reasonable accommodation to the physical and mental limitations of any employee with a disability and qualified applicants with a disability unless his/her accommodation imposes an undue hardship on the operation of the university's business. If an employee 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, the employee will confidentially be notified of the performance problem and the manager may inquire whether the problem is related to the employee's disability. If the employee responds affirmatively, the university will confidentially inquire whether the employee is in need of a reasonable accommodation.

In determining the extent of the university's accommodation obligations, the following factors, among others, are considered:

1. Business necessity; and
2. Financial cost and expense.

Each applicant or employee's case is reviewed on an individual basis. Reasonable accommodations are made whenever possible.

IV. Harassment Prevention Procedures and Prohibition against Retaliation (41 CFR 60-741.44(e))

Employees and applicants of UNC Pembroke will not be subject to harassment, intimidation, threats, coercion, or discrimination because they have engaged or may engage in filing a complaint, assisting in a review, investigation, or hearing or have otherwise sought to obtain their legal rights related to any Federal, State, or local law regarding EEO for individuals with disabilities. Any employees or applicants who feel that they have been subject to harassment, intimidation, threats, coercion, or discrimination because of their disability should promptly contact a manager in their chain of command, or promptly contact the EEO Officer for assistance.

V. External Dissemination of Policy, Outreach, and Positive Recruitment (41 CFR 60-741.44(f))

UNC Pembroke undertakes appropriate outreach and positive recruitment activities that are reasonably designed to effectively recruit qualified individuals with disabilities. The university also notifies vendors, suppliers, and recruiting sources of their potential obligations due to conducting business with a federal contractor/sub-contractor. This notification is done through use of purchase orders, contracts, Certificate of Compliance, and/or other means of notification.

The following organizations are contacted in order to fulfill UNC Pembroke's commitment to provide equal employment opportunity for individuals with disabilities:

1. The North Carolina Division of Vocational Services (SVRA), State mental health agency, or State developmental disability agency;
2. The Employment One-Stop-Career Center or American Job Center;
3. The Department of Veterans Affairs Regional Office;

4. The Employer Assistance and Resource Network (EARN);
5. Local Employment Network organizations listed in the Social Security Administration's Ticket to Work Employment Network Directory (www.yourtickettowork.com/endir);
6. Local disability groups, organizations, or Centers for Independent Living;
7. Placement or career offices of educational institutions that specialize in the placement of individuals with disabilities; and
8. Private recruitment sources or employment placement services that specialize in the placement of individuals with disabilities.

UNC Pembroke also undertakes or considers the following activities in order to promote equal employment opportunities for individuals with disabilities:

1. Formal briefing sessions to invite representatives from recruitment sources and placement agencies to tour the facility, discuss current and prospective position openings, job descriptions and required qualifications and explanations of the university's selection procedures.
2. In the event that educational institutions are utilized as part of the recruitment efforts, a special effort is made to reach students who are individuals with disabilities.
3. Participate in work-study programs for students, trainees, or interns with disabilities.
4. Whenever the university participates in career days, youth motivation programs and related community activities, individuals with disabilities are encouraged to participate.
5. Other efforts are made to attract individuals with disabilities not currently in the work force who have requisite skills. The State and local agencies supported by the U.S. Department of Education's Rehabilitation Services Administration, local Ticket-to-Work Employment Networks and other local chapters of groups or organizations that provide services for individuals with disabilities are contacted.
6. Whenever job openings are posted, the appropriate EEO tag line is utilized which indicates individuals with disabilities are invited to apply.

At a minimum, the university reviews the outreach and recruitment efforts over the affirmative action plan period to evaluate the effectiveness in identifying and recruiting qualified individuals with disabilities.

XI. Internal Dissemination of Policy (41 CFR 60-741.44(g))

In an effort to promote positive Affirmative Action for individuals with a disability, the university has developed internal communications that foster understanding, acceptance, and support among the university's executive, management, and supervisory personnel. Additionally, all other university employees have been notified and encouraged to take the necessary action to aid the university in meeting its Affirmative Action obligations. The university has informed its employees and applicants for employment of its commitment to engage in Affirmative Action to increase the employment opportunities for individuals with a disability.

The university realizes that a strong outreach program is ineffective without the adequate internal support from management personnel and other employees. In order to ensure greater employee cooperation and participation in the university's Affirmative Action efforts, UNC Pembroke has adopted and disseminated an internal policy. This policy's dissemination may include but is not limited to the following:

1. Include it in the university's policy manual or make the policy available to employees;
2. Inform all employees and applicants of its commitment to engage in affirmative action to increase employment opportunities for individuals with disabilities. The university schedules special meetings with all employees to discuss policy and explain individual employee responsibilities;
3. Publicize it in the university newspaper, magazine, annual report and other media;
4. Conduct special meetings with executive, management, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation making clear the Chancellor's support for the affirmative action policy;
5. Discuss the policy thoroughly in both employee orientation and management training programs;
6. Include articles on accomplishments of individuals with disabilities in university publications;
7. When employees are featured in employee handbooks or similar publications for employees, include individuals with disabilities;
8. Copies of our AAP for Individuals with Disabilities will be made available for inspection to any employee or applicant upon request to promote understanding, acceptance and support. A hard copy of said policy is available during business hours in the Office of the EEO Coordinator;
9. UNC Pembroke's Affirmative Action policy and EEO poster and the EEO is the Law Supplemental Poster are all posted on bulletin boards located throughout our facilities and work areas. These posters, as well as other required labor posters, are also posted on "Careers at UNC Pembroke" section of the website for applicants and employees.

10. All employees who believe they are an individual with a disability, as defined in Section 503 of the Rehabilitation Act of 1973, as amended, have been invited to identify themselves if they wish to benefit under this Affirmative Action Program. Such invitation has been posted on bulletin boards throughout the facility and work areas.

XII. Audit and Reporting Systems (41 CFR 60-741.44(h))

The university has designed and implemented audit and reporting systems that:

1. Measure the effectiveness of the university's affirmative action program;
2. Identify any problem areas where remedial action is needed;
3. If any problem areas are identified, the university will undertake necessary action to bring the program into compliance;
4. Determine the degree to which UNC Pembroke's AAP goals and objectives have been attained;
5. Determine whether known individuals with disabilities have had the opportunity to participate in all university sponsored educational, training, recreational and social activities;
6. Measure the university's compliance with the affirmative action program's specific obligations;
7. Document the actions taken to comply with obligations mentioned above and retain these documents as employment records subject to recordkeeping requirements; and
8. The online and electronic application systems are reviewed to determine if they are accessible to individuals with disabilities. The website does have a prominent statement displayed which gives applicants with disabilities information on how to request an accommodation in order to apply if they are in need of assistance.

The following activities are reviewed at least annually to ensure freedom from stereotyping individuals with disabilities in any manner, including that which may limit their access to any job for which they are qualified:

1. Recruitment, advertising, and job application procedures;
2. Hiring, promotion, upgrading, layoff, recall from layoff;
3. Rates of pay and any other forms of compensation including fringe benefits. In offering employment or opportunities to individuals with disabilities, the university is aware that the amount of compensation offered cannot be reduced because of any income based upon a disability-related pension or other disability-related benefit the applicant or employee receives from another source;

4. Job assignments, job classifications, job descriptions, and seniority lists;
5. Sick leaves, leaves of absence, or any other leave;
6. Training, attendance at professional meetings and conferences; and
Any other term, condition, or privilege of employment.

UNC Pembroke's audit system includes periodic reports documenting UNC Pembroke's efforts to achieve its EEO/AAP responsibilities. Managers and supervisors are asked to report any current or foreseeable EEO problem areas and are asked to outline their suggestions/ recommendations for solutions. During the reporting, the following occurs:

1. The Assistant VC of Human Resources will discuss any problems relating to significant rejection ratios, EEO charges, etc., with management; and
2. The Assistant VC of Human Resources will report the status of the university's AAP goals and objectives to management. The Assistant VC of Human Resources will recommend remedial actions for the effective implementation of the AAP.

XIII. Responsibility for Implementation (41 CFR 60-741.44(i))

Responsibilities of EEO Officer:

The Assistant VC for Human Resources is responsible for the overall execution, implementation and monitoring of the Affirmative Action Program for persons with a disability with the support of all management. The Assistant VC for Human Resources has full support from senior management and staff needed to manage the implementation of the program.

Those responsibilities shall include, but not be limited to, the following:

1. The development of the AAP for individuals with disabilities, policy statements, personnel policies and procedures, internal and external communication of the policy, and monitoring the effectiveness of these actions;
2. Reviewing all personnel actions, policies, and procedures to ensure compliance with UNC Pembroke's Affirmative Action obligations;
3. Reviewing the qualifications of all applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner when hiring, promotion, transfer and termination actions occur;
4. Assisting in the identification of problem areas and the development of solutions to those problems;
5. Monitoring the effectiveness of the program on a continuing basis through the development and implementation of an internal audit- and reporting- system that measures the effectiveness of the program;

6. Inform management of equal opportunity progress and problems within the university through, at a minimum, periodic reports;
7. Providing department managers with a copy of the AAP for Individuals with Disabilities and reviewing the program with them on an annual basis to ensure knowledge of their responsibilities for implementation of the program;
8. Reviewing the university's AAP for individuals with disabilities with all managers and supervisors at all levels to ensure that the policy is understood and is followed in all personnel activities;
9. Auditing the contents of university bulletin boards annually to ensure that compliance information is posted and is up-to-date;
10. Serving as a liaison between UNC Pembroke and enforcement agencies; and
11. Serving as a liaison between UNC Pembroke and organizations for individuals with disabilities.

Responsibilities of Managers and Supervisors:

Managers and supervisors are advised annually of their responsibilities under the university's AAP for individuals with disabilities and of their obligations to:

1. Review the university's Affirmative Action policy for individuals with disabilities with subordinate managers and supervisors to ensure that they are aware of the policy and understand their obligation to comply with it in all personnel actions;
2. Assist in the identification of problem areas, formulate solutions, and establish departmental goals and objectives when necessary;
3. Review the qualifications of all applicants and employees to ensure individuals with disabilities are treated in a nondiscriminatory manner when hire, promotion, transfer, and termination actions occur; and
4. Review all employees' performance to ensure that non-discrimination is adhered to in all personnel activities.

XI. Training (41 CFR 60-741.44(j))

All personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes shall be trained to ensure that the commitments in the university's Affirmative Action Program are implemented.