



**MARICOPA  
COMMUNITY  
COLLEGES®**

**2015 AFFIRMATIVE ACTION  
PROGRAM  
FOR  
PROTECTED VETERANS**

## **Purpose of this Program**

As required by its covered federal contracts, the Maricopa County Community College District (MCCCD) has developed this affirmative action program in accordance with the requirements of the Vietnam Era Veterans Readjustment Assistance Act (VEVRAA), as amended by the Jobs for Veterans Act (JVA) and the recently revised regulations set forth at 41 CFR 60-300.44. This transitional update contains the actions that MCCCD has taken - and will take - to implement the additional actions now required.

**"Protected Veterans"** are:

**Disabled veterans** - Veterans of the U.S. military, ground, naval or air service who are 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 who were discharged or released from active duty because of a service-connected disability.

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

**Armed forces service medal veterans** - Veterans 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.

**Recently separated veterans** - 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.

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**Section I      Equal Employment Opportunity Policy**

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MCCCD will not discriminate against any employee or applicant for employment because he/she is a disabled veteran, recently separated veteran, active duty wartime/campaign badge veteran, or Armed Forces service medal veteran in regard to any position for which the employee or applicant for employment is qualified.

MCCCD will take affirmative action to employ, advance in employment and otherwise treat qualified individuals without discrimination based on their status as a protected veteran at all levels of employment, including its executive level and in all of its employment processes and practices.

MCCCD will make effective efforts to recruit qualified disabled and other protected veterans.

MCCCD will recruit, hire, train and promote persons in all job titles, and ensure that all other personnel actions are administered, without regard to protected veteran status.

MCCCD will ensure that all employment decisions are based only on valid job requirements.

MCCCD will ensure that its personnel processes provide for the careful, thorough, and systematic consideration of the job qualifications of applicants and employees who are known protected veterans for job vacancies filled either by hiring or promotion, and for all training opportunities.

MCCCD will periodically review all of its physical and mental job qualification requirements to ensure that, to the extent that qualifications standards tend to screen out disabled veterans, they are job-related for the position in question and consistent with business necessity.

MCCCD will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified disabled veteran unless the accommodation would impose an undue hardship.

MCCCD invites applicants who are protected veterans and wish to benefit from this affirmative action program to voluntarily identify themselves.

MCCCD will train all personnel involved in recruitment, screening, selection, promotion, disciplinary, and related personnel processes to ensure that this policy and these commitments are implemented.

MCCCD will maintain a monitoring and reporting system to measure the effectiveness of this program.

MCCCD takes actions to ensure that employees and applicants are not subjected to harassment, intimidation, threats, coercion or discrimination because they have (1) filed a complaint; (2) assisted or participated in an investigation, compliance evaluation, hearing, or any other activity related to the administration of the affirmative action provisions of VEVRAA or any other Federal, state or local law requiring equal opportunity for protected veterans; (3) opposed any act or practice made unlawful by VEVRAA or its implementing regulations in this part or any other Federal, state or local law requiring equal opportunity for protected veterans; or (4) Exercised any other right protected by VEVRAA or its implementing regulations.

Dr. Deric Hall, MCCCD's Senior Manager of EEO & AA, has been assigned the overall responsibility for the implementation of the affirmative action activities described in this program.

MCCCD's Chancellor Dr. Rufus Glasper supports the fulfillment of MCCCD's obligations under the Vietnam Era Veterans Readjustment Assistance Act, as amended, and the commitments in this affirmative action program.

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**Section II      Review of Personnel Processes**

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Employees who are protected veterans are given careful, thorough, and systematic consideration for promotion opportunities that they apply for and meet the qualifications.

Training opportunities are equally available to all of MCCCCD's employees upon request. No employee is denied an opportunity for training that they request unless there is no availability when they enroll. The employee can reapply when the training is available.

Hiring, promotions, and training are conducted using standardized and non-biased procedures that document that MCCCCD's personnel processes and procedures provide careful, thorough and systematic consideration of the qualifications of disabled and other protected veterans.

When a protected veteran is considered for employment opportunities, MCCCCD's officials rely only on that portion of the individual's military record, including discharge papers that are relevant to the requirements of the position.

MCCCCD will continue to ensure that its personnel processes do not stereotype protected veterans in a manner that limits their access to all jobs for which they are qualified.

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**Section III      Review of Physical and Mental Requirements**

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MCCCCD periodically reviews its physical and mental job qualification requirements to ensure that, if they screen out qualified disabled veterans, the requirements are job related and consistent with business necessity. Its most recent review of these requirements was completed in 2014. A follow up review will be conducted in 2017.

If an employee is a known disabled veteran and presents a significant risk of substantial harm to his/her health or safety of others that cannot be eliminated or reduced by reasonable accommodation, an individualized assessment will be conducted to determine his/her ability to perform essential job functions based on a reasonable medical judgment that relies on the most current medical knowledge and objective evidence.

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**Section IV      Accommodations for Physical and Mental Limitations**

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MCCCCD will make a reasonable accommodation for disabled veteran applicants and employees unless the accommodation would impose an undue hardship or burden.

MCCCCD has a process for applicant and employees to request an ADA accommodation. When an employee notifies his/her supervisor of a need for accommodation, the employee's supervisor refers the request to MCCCCD Human Resources for assistance.

MCCCCD will continue to make information regarding accommodation requests available to the applicant or employee upon request. These records are maintained for at least two (2) years in a manner that facilitates a review by MCCCCD and appropriate governmental officials during investigations and internal compliance activities.

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**Section IV Accommodations for Physical and Mental Limitations (Continued)**

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Accommodations may include:

- Making existing facilities readily accessible and usable
- Job restructuring
- Part time or modified work schedules
- Reassignment to a vacant position
- Acquisition or modification of equipment or devices
- Appropriate adjustment or modification of examinations, training materials, or policies
- Use of qualified readers or interpreters
- Notifications to applicants of how they can request an accommodation in the online application process
- Modifications or adjustments to a job application process
- Modifications or adjustments to the work environment or to the manner or circumstances under which the position held or desired is customarily performed
- Modifications or adjustments that enable disabled veteran employees to enjoy equal benefits and privileges of employment
- Adjustment or modifications of examinations, training materials, or policies
- Other reasonable accommodations needed by qualified disabled veterans

If an employee who is known to be a disabled veteran is having significant difficulty performing assigned job tasks, and it is reasonable to conclude that the performance problem may be related to his/her disability, MCCCCD will confidentially inquire whether the performance issue is related to his/her disability. If the employee responds affirmatively, further inquiry will be made to determine whether the employee needs a reasonable accommodation. The accommodation will be provided unless it creates an undue hardship.

MCCCCD will permit a spouse, son, daughter, parent, or next of kin to take up to 26 work weeks of leave to care for a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or on the temporary disability retired list for a serious injury or illness.

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**Section V Actions to Prevent Harassment**

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MCCCCD has internal complaint procedures that ensure allegations of harassment are promptly investigated.

MCCCCD will take appropriate disciplinary action, up to and including involuntary termination, toward any employee found to have harassed a Protected Veteran because of his/her military service.

In accordance with the new requirements of 41 CFR 60-300.44(e), MCCCCD will develop and disseminate an anti-harassment policy, specifically with regard to protected veterans, that will be communicated to employees on its Human Resources website, on each campus, in its District Office, and in internal and external media.

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**Section VI External Dissemination of Policy**

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MCCCD has publicized its commitment to take affirmative action to employ, advance in employment and otherwise treat qualified individuals without discrimination based on their status as a Protected Veteran at all levels of employment, including its executive level and in all employment practices by including the statement in internal and external media and posting it on its Human Resources web page and applicant portals.

MCCCD will communicate its policy to applicants who are disabled veterans in a form that is accessible (e.g., providing Braille or large print versions of the notice and by posting the policy in a manner that ensures visual accessibility to persons in wheelchairs).

The policy contained in Section 1 of this program, the location and hours when an applicant or employee may inspect this affirmative action program plan, and how applicants may request an accommodation in the online application process will be posted on MCCCD's Human Resources website, on each campus, in the District Office, and in other facilities frequented by applicants and employees.

MCCCD has provided written notification of its policy to each of its subcontractors whose product or service is necessary in whole or in part to the fulfillment of its federal contracts.

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**Section VII Outreach and Positive Recruitment**

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MCCCD invites applicants who are protected veterans and wish to benefit from this program to voluntarily identify themselves. MCCCD also extends this invitation after employment offers have been made and before the employee begins his/her job.

Applicants who identify themselves as protected veterans are asked whether they need an accommodation.

MCCCD lists all of its external openings with the local office of the State of Arizona's employment service.

MCCCD has engaged in recruitment and outreach efforts to attract veterans through job fairs and job postings with various agencies for veterans.

During 2015, MCCCD will engage in the following actions to recruit qualified protected veterans:

- MCCCD will enlist the assistance of the State of Arizona's Local Veteran's Employment Representative (LVER) and work with this and other appropriate officials to identify appropriate recruitment sources for qualified protected veterans to apply for each of its external job postings and to develop on the job training opportunities.
- MCCCD will ensure that all of its sources are fully aware of its commitment to take affirmative action for protected veterans and of the specific nature of its employment opportunities and application processes.
- MCCCD will work with college and university programs that assist veterans and enlist their assistance to effectively recruit qualified protected veterans for its openings that require a college degree.

MCCCD will document all of its outreach and recruitment activities and its annual review of these activities, and will retain these records for three (3) years.

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## **Section VIII Internal Dissemination of Policy**

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MCCCD takes the following actions to disseminate its policy internally:

- Posts the policy contained in Section 1 of this program on its web page
- Informs all employees of MCCCD's commitment to engage in affirmative action for protected veterans and publicize its policy in media
- Discusses its policy thoroughly in employee orientation and management training programs
- Communicates its policy to employees who are disabled veterans in a form that is accessible and understandable to the disabled veteran (e.g., providing Braille or large print versions of the notice, or posting the notice for visual accessibility to persons in wheelchairs)

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## **Section IX Internal Audit and Reporting**

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MCCCD will maintain and monitor personnel and employment records for a period of not less than two (2) years from the date that records are made or personnel action is taken, which ever is longer. These records will cover at least the following:

- Hiring
- Assignment
- Promotion
- Transfer
- Lay off or termination
- Rates of pay or other forms of compensation
- Requests for reasonable accommodation
- Results of physical examinations
- Job advertisements and postings
- Resumes
- Tests and test results
- Employment/promotion/training selection interview notes.

MCCCD will keep the personnel records of involuntarily terminated employees for at least two (2) years after the date of termination.

MCCCD will preserve all personnel records relevant to any complaint of discrimination, compliance evaluation or enforcement action until final disposition.

MCCCD will document all of actions taken to comply with audit and reporting requirements and retain the documentation as employment records.

MCCCD will document and review the number of known protected veterans who are referred by each veteran recruitment source.

MCCCD will conduct an annual review of each of its activities undertaken to recruit qualified protected veterans. Each activity will be evaluated based on: (1) whether the activity attracted qualified applicants who are protected veterans, (2) whether the activity resulted in the hiring of protected veterans, (3) whether the activity expanded MCCCD's outreach to protected veterans in the community.



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**Section IX Internal Audit and Reporting** (continued)

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MCCCD will maintain all records and analyses of its efforts to recruit protected veterans for a period of not less than three (3) years.

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Prior to the annual update of this program, the MCCCD's EEO/AA Office will prepare and transmit a formal annual internal report to MCCCD's Chancellor and College Presidents. The report will summarize the results of the actions taken during the past year, assesses program effectiveness, and provide recommendations to improve performance.

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**Section X Training**

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To ensure the commitments of this program are implemented, all personnel involved in recruitment, screening, selection, promotion, training, disciplinary, and related processes will receive initial training and annually thereafter.

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**Section XI Responsibility for Implementation**

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Dr. Deric Hall, MCCCD's Senior Manager of EEO & AA, has been assigned the responsibility for coordinating the implementation of this policy and MCCCD's affirmative action activities for veterans. Dr. Hall's name and title will appear on all internal and external communications regarding this program.

Dr. Rufus Gasper, MCCCD's Chancellor, will ensure that Dr. Hall has the authority, resources, support of - and access to - top management needed to fulfill this responsibility.

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**Section XII Data Collection Analysis**

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MCCCD will document the following computations or comparisons pertaining to applicants and hires on an annual basis and maintain the data for a period of three (3) years:

- The number of applicants who self-identified as protected veterans pursuant to § 60-300.42(a), or who are otherwise known as protected veterans
  - The total number of job openings and total number of jobs filled
  - The total number of applicants for all jobs
  - The number of Protected Veteran applicants hired
  - The total number of applicants hired
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**Section XIII 2015 Hiring Benchmark**

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MCCCD has established the 7.2% hiring benchmark for 2015 required by the regulations at 41 CFR 60-300.45. This benchmark is a quantifiable method by which the contractor can measure its progress toward achieving equal employment opportunity for protected veterans.