AFFIRMATIVE ACTION POLICY FOR

EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES

# 41 CFR 60-741

## Policy Statement

As part of the Equal Employment Opportunity and Affirmative Action Program, the College will provide equal opportunity and will not discriminate against any applicant for employment because of his/her disability.

The College will take action to ensure that applicants and employees are treated without regard to their disability. Such action shall include, but not be limited to the following: employment, promotion, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training.

The College will take affirmative action, which is a positive, ongoing effort to employ and advance individuals with disabilities. It is the goal of this College to achieve representation of employees in this group that reflects their availability in the recruitment area.

Adoption of this policy is in compliance with Section 503 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act of 1990.

## Invitation to Self-Identify

Employees or applicants who believe they are covered by Section 503 of the Rehabilitation Act of 1973, and/or the Americans With Disabilities Act of 1990,and who wish to benefit under the Affirmative Action Program, are invited to identify themselves on the Employee Questionnaire form at the time of hire or through periodic update of the employee’s personnel file in the Office of Human Resources, 216 Bray Hall.

The College will make every effort to assist employees with disabilities to reach their full employment potential. Self-identification shall be voluntary, and refusal to provide it will not subject a person to any adverse treatment. Information obtained concerning individuals shall be kept confidential except that (a) supervisors may be informed regarding restrictions on the work or duties of individuals with disabilities, and regarding necessary accommodations: (b) first aid and safety personnel may be informed, when and to the extent appropriate, should the condition require emergency treatment, and (c) government officials involved in enforcing laws administered by Office of Federal Contract Compliance Programs, or enforcing the Americans with Disabilities Act, may be informed.

## Review of Personnel Processes

The Office of Human Resources continually reviews personnel processes to ensure that applicants and employees are afforded equal employment opportunity in all areas of employment. This review is described in Part 3 of this Affirmative Action Program under Action-Oriented Programs and Internal Audit and Reporting. In addition, the College will review its self-identification process for individuals with disabilities.

## Physical and Mental Qualifications

For every vacancy, the Office of Human Resources reviews job descriptions/postings to ensure that they are in compliance with the New York State Department of Civil Service job specifications, and SUNY Classification Standards. In addition, the Office of Human Resources reviews the physical and mental job qualification standards to ascertain whether they tend to screen out qualified individuals with disabilities. If such a tendency is identified, these job qualifications will be further reviewed to determine their job-relatedness and their consistency with business necessity and the safe performance of jobs.

Reasonable Accommodations to Physical and Mental Limitations

The College will follow the requirements of the Americans with Disabilities Act and the Rehabilitation Act of 1973 in making reasonable accommodations for individuals with disabilities. In addition, the College will follow the Procedures for Implementing Reasonable Accommodations in New York State Agencies; this procedure incorporates the broader provisions of the Human Rights Law regarding reasonable accommodation. Individuals with disabilities may request information and a Request for Reasonable Accommodation form through the Office of Human Resources.

Harassment

Employees are ensured a work environment free from harassment. For complaints charging discrimination or harassment on the basis of status as an individual with a disability, the State University of New York Complaint Procedure for Review of Allegations of Unlawful Discrimination/Harassment is used. Complaints can also be filed with external enforcement agencies such as the NYS Division of Human Rights, the Equal Employment Opportunity Commission, or the Office of Federal Contract Compliance Programs of the Department of Labor.

External Dissemination of Policy, Outreach and Positive Recruitment

The Action-Oriented Programs in Section 3 of the Affirmative Action Program describe outreach and positive recruitment efforts that the College will make, which include individuals with disabilities.

In addition, the Office of Human Resources will send vacancy announcements to agencies that serve individuals with disabilities.

Internal Dissemination of Policy/Responsibility

The College will post on official bulletin boards, notices of the College's obligation and intent to employ and advance in employment individuals with disabilities. In addition, this information will be provided to new employees during orientation. The College officials listed on page 3 have responsibility for the College’s Affirmative Action Program including this portion of the program pertaining to individuals with disabilities.

## Audit and Reporting System

In addition to the Internal Audit and Reporting procedure in Section 3 of the Affirmative Action Program, the College will conduct an annual review to determine whether known individuals with disabilities have had the opportunity to participate in all College-sponsored educational, training, recreational, and social activities.