**AFFIRMATIVE ACTION POLICY FOR**

**EMPLOYMENT OF DISABLED VETERAN, ARMED FORCES SERVICE MEDAL VETERAN, OR OTHER PROTECTED VETERAN**

# 41 CFR 60-300

## 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 status as a Disabled Veteran, Armed Forces Service Medal Veteran, Recently Separated Veteran or Other Protected Veteran.

The College will take action to ensure that applicants and employees are treated without regard to their status as a Disabled Veteran, Armed Forces Service Medal Veteran, Recently Separated Veteran or Other Protected Veteran. 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 the status of Disabled Veteran, Armed Forces Service Medal Veteran, Recently Separated Veteran or Other Protected Veteran. It is the goal of this College to achieve representation of employees in these groups that reflects their availability in the recruitment area.

Adoption of this policy is in compliance with Section 402 of the Vietnam Era Veteran's Readjustment Act of 1974 and the Veterans Employment Opportunities Act of 1998.

## Definitions

Disabled Veteran -- (1) A veteran of the U.S. military, ground, naval or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or (2) A person who was discharged or released from active duty because of a service-connected disability.

Recently Separated Veteran -- 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.

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

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

The information required to make a determination is available on the web at <http://www.opm.gov/veterans/html/vgmedal2.htm> or in the Office of Human Resources, 216 Bray Hall.

## Invitation to Self-Identify

Employees or applicants who believe they are covered by Section 408 of the Vietnam Era Veteran's Readjustment Act of 1974 or the Veterans Employment Opportunity Act of 1998 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 identified as Disabled Veterans, Armed Forces Service Medal Veterans, Recently Separated Veterans or Other Protected Veterans 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 Disabled Veterans, 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. 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 Disabled Veterans, Armed Forces Service Medal Veterans, Recently Separated Veterans or Other Protected Veterans.

As Disabled Veterans, Armed Forces Service Medal Veterans, Recently Separated Veterans or Other Protected Veterans are considered for employment, only those portions of the military and discharge papers pertinent to the specific job qualifications may be reviewed by the Office of Human Resources.

## 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 Disabled Veterans, Armed Forces Service Medal Veterans, Recently Separated Veterans or Other Protected Veterans. 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 Special Disabled Veterans. 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. Disabled Veterans 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 a Disabled Veterans, Armed Forces Service Medal Veterans, Recently Separated Veterans or Other Protected Veterans, 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 Disabled Veterans, Armed Forces Service Medal Veterans, Recently Separated Veterans or Other Protected Veterans.

In addition, the Office of Human Resources will send vacancy announcements to agencies that serve Disabled Veterans, Armed Forces Service Medal Veterans, Recently Separated Veterans or Other Protected Veterans.

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 qualified Disabled Veterans, Armed Forces Service Medal Veterans, Recently Separated Veterans or Other Protected Veterans. 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 Veterans.

## 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 Disabled Veterans, Armed Forces Service Medal Veterans, Recently Separated Veterans or Other Protected Veterans have had the opportunity to participate in all College-sponsored educational, training, recreational, and social activities.

## Vets-100 report

The College files a Vets-100 report on an annual basis.