

EQUAL OPPORTUNITY PROGRAM FOR DISABLED EMPLOYEES AND VIETNAM ERA/DISABLED VETERANS

Equal Opportunity Policy

The University of North Carolina at Chapel Hill reaffirms the policy of this institution with respect to equal opportunity. Employment at the University is administered without regard to race, color, national origin, religion, creed, sex, sexual orientation, age, veteran status, or handicap status. The University's non-discrimination policy extends to recruitment, selection, hiring, compensation, promotion, training, and all other aspects of employment. The University's policy is in keeping with Title VII of the Civil Rights Act of 1964, as amended, Executive Order 11246, as amended, the Rehabilitation Act of 1973, as amended, the Civil Rights Restoration Act of 1988, as amended, the Americans with Disabilities Act (1990), as amended, N.C.G.S. 126-16 and 126-17, and other applicable Federal and State laws. The University bases employment decisions on the principle of equal opportunity, and ensures that promotion decisions are in accord with principles of equal opportunities. The University further ensures that all personnel actions such as compensation, benefits, transfers, layoffs, terminations, sponsored training, education, tuition assistance, social and recreational programs, and the like are administered without regard to race, color, religion, sex, sexual orientation, national origin, age, handicap status, or veteran status.

In furtherance of this Policy, the University's prohibits retaliatory action against any employee or applicant for employment who makes a charge of employment discrimination, testifies, assists or participates in any manner at a hearing, proceeding, or investigation of a discrimination in employment complaint.

Responsibility

The development of the University's **Equal Opportunity Plan** and implementation of the equal opportunity program are primarily the responsibilities of University senior administrators, especially supervisors and managers who are authorized to make employment related decisions. The equal opportunity program and **Equal Opportunity Plan** are evaluated annually.

The University is committed to equal opportunity. Further, the University has developed specific policies to address concerns of disabled employees and Vietnam Era and/or disabled veterans.

EQUAL OPPORTUNITY FOR DISABLED PERSONS

The University of North Carolina at Chapel Hill will not discriminate against any employee or applicant for employment because of physical or mental handicap in regard to any position for which the employee or applicant for employment is otherwise qualified. The University agrees to take equal opportunity to employ, advance in employment and otherwise treat qualified handicapped individuals without discrimination based upon their physical or mental handicap in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. [41 CFR 60-741.5(a)].

Definition of Handicapped Person - For purposes of this Program, the term "handicapped person" means any person who (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) has a record of such impairment or (3) is regarded as having such an impairment. For purposes of this definition, "major life activity" means any mental or physical function or activity, which, if impaired, created a substantial barrier to employment.

Dissemination of this policy and university publications in which it appears is the same as for the overall equal opportunity policy statements. Senior administrators, managers and supervisors have the same responsibilities to ensure equal employment opportunities for handicapped employees as they have for non-handicapped employees.

The Administration of The University of North Carolina at Chapel Hill believes that this policy meets the requirements of the Rehabilitation Act of 1973, as amended, and 41 CFR, Part 60-741 and the Americans with Disabilities Act of 1990, as amended.

VIETNAM ERA/DISABLED VETERANS POLICY

The University of North Carolina at Chapel Hill will not discriminate against any employee or applicant for employment because he or she is a disabled veteran or veteran of the Vietnam Era in regard to any position for which the employee or applicant for employment is qualified. The University agrees to take equal opportunity to employ, advance in employment and otherwise treat qualified disabled veterans and veterans of the Vietnam Era without discrimination based upon their disability or veteran's status in all employment practices such as the following: Employment upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. [41 CFR 60-250.4(a)].

"VETERANS OF THE VIETNAM ERA" means any person (1) who served on active duty for a period of more than 180 days, any part of which occurred between August 5, 1964 and May 7, 1975 and was discharged or released there from with other than a dishonorable discharge, or was discharged or released from active duty for a service connected disability if any part of such duty was performed between August 5, 1964 and May 7, 1975, and (2) who was so discharged or released within 48 months preceding the alleged violation of the Act, the equal opportunity clause or the regulations issued pursuant to the Act.

"DISABLED VETERAN" means a person entitled to disability compensation under laws administered by the Veterans Administration for disability rated at 30 percent or more or a person whose discharge or release from active duty due to a service connected disability.

The University maintains a Veterans and Certification Service Office in Room 105 Hanes Hall, Campus Box 2100, 962-8292, which is available to assist veterans. A Veterans Service Officer is specifically assigned to provide assistance to veterans.

The Administration of the University of North Carolina at Chapel Hill believes that this policy meets the requirements of the Vietnam Era Veteran's Readjustment Act of 1972, as amended, and 41 CFR, part 60-250.

OUTREACH

I. The University ensures that available positions - Faculty, EPA Non Faculty and Staff are widely advertised. The effort to ensure that this

information is available to disabled individuals and veterans is accomplished by maintaining current electronic listings of all available positions: Faculty, EPA Non-Faculty and staff.

II. All individuals applying for available positions are encouraged to self-identify voluntarily any disabled and/or veterans status. Only applicants for Staff positions are required to complete an application for employment. The Applicant Log of the application specifically provides an opportunity for the applicant confidentially and voluntarily to inform the University of his or her veteran or disabled status. For Staff employees, this information is retained in the Employment Division - Human Resources Office and is not forwarded to the department advertising the opening. This ensures the confidentiality of the information and that the information does not become a factor in the selection process.

III. **The University is an Equal Opportunity Employer**

IV. Internal Communication

All University policies pertaining to equal opportunity are broadly disseminated. All revisions of current policies and/or newly developed policies are printed in the **University Gazette**, which is published bi-weekly, and a copy forwarded to each employee. It is covered in a formal orientation program for all new permanent Staff employees and is contained in the Staff employee handbook.

V. The University makes reasonable efforts to accommodate disabled individuals and/or veterans who are applicants for available positions or current employees. All employees' accommodations are based on an employee's personal physician or other health care provider. The Equal Opportunity/ADA Officer in consultation with other University offices is responsible for ensuring that appropriate accommodations are available for disabled self-identified employees.

VI. Complaint Procedure

The University realizes that differences may arise which may affect a disabled employee's job performance. Employees with complaints alleging discrimination because of his or her disability and/or veterans status are encouraged to utilize the conciliation and grievance procedure (s) currently in effect in the University. The following offices are available to assist a disabled employee who believes that she/he has been treated differently due to his/her disability. Faculty and EPA Non Faculty employees or applicants for these positions should address their concerns to:

Equal Opportunity/ADA Office

CB# 9160, 100 Pettigrew Hall

(919) 966-3576

Staff employees or applicants for Staff positions should address their concerns to:

Office of Human Resource Counseling Services

CB# 1045, 104 Airport Drive

(919) 962-2656

The University is committed to resolving disagreements at the early stage and the Equal Opportunity/ADA Office and the Office of Human Resource Counseling Services will provide assistance. If resolution is not possible, these offices will provide assistance to the employee in filing a grievance under the appropriate grievance procedure. Applicants for employment are prohibited from utilizing the internal grievance procedures.

The University realizes that some complaints will not be resolved to the satisfaction of the employee or applicant. In those instances when a complaint is filed with an appropriate federal or state agency, the University will respond in a timely and cooperative manner with the investigating agency.

Revised June 27, 2005