

**Sam Houston State University**  
**A Member of The Texas State University System**

**Finance & Operations Human Resources Policy ER-5**  
**Affirmative Action for Disabled Workers and Vietnam Era Veterans**

- SUBJECT:** Affirmative Action for Disabled Workers and Vietnam Era Veterans.
- PURPOSE:** To provide a working environment of non-discrimination and affirmative action for disabled workers and Vietnam Era Veterans at Sam Houston State University (SHSU).
- POLICY:** Sam Houston State University will not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. Sam Houston State University will take affirmative action to employ, advance in employment, and otherwise treat qualified disabled and Vietnam Era Veteran individuals without discrimination based upon their physical or mental disability in all employment practices. Sam Houston State University will comply with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Rehabilitation Act of 1973 as amended.
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**1. Responsibility for Implementation**

The President of Sam Houston State University has delegated the responsibility for implementing the affirmative action for disabled workers and Vietnam Era Veterans to the Director of Human Resources. He will be given top management support and staff to manage the implementation of this program, including the following activities:

- a. Develop policy statements, affirmative action programs, and internal and external communication techniques.
- b. Identify problem areas in conjunction with line management and known disabled and Vietnam Era Veteran employees, in the implementation of the affirmative action programs, and development of solutions.
- c. Design and implement audit and reporting systems.
- d. Serve as liaison between the University and enforcement agencies.
- e. Serve as liaison between organizations of and for disabled persons and Vietnam Era Veterans.
- f. Keep management informed of the latest developments in the area of affirmative action.
- g. Arrange for career counseling for known disabled persons and Vietnam Era Veterans.

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**2. Dissemination of Policy**

Sam Houston State University will take the following affirmative actions to disseminate its policy for employment and advancement of disabled individuals and Vietnam Era Veterans.

- a. Sam Houston State University will notify the Texas Rehabilitation Commission and other agencies dealing with disabled persons of its affirmative action program for disabled workers.
- b. The affirmative action policy for disabled employees and Vietnam Era Veteran employees will be documented in the University's policy manuals.
- c. The President of Sam Houston State University will stress the importance of affirmative action for disabled persons and Vietnam Era Veterans in faculty meetings.
- d. Promotion of affirmative action for disabled persons and Vietnam Era Veterans will be done through various communication channels such as: meetings with executive, management and supervisory personnel, and school newsletters and bulletins.
- e. Written notification of Sam Houston State University's policy on affirmative action for disabled and Vietnam Era Veteran workers and a request for appropriate action on their part will be given to all sub-contractors, vendors and suppliers.

**3. Development and Execution of Affirmative Action for Disabled Workers and Vietnam Era Veterans**

The following programs and practices are in operation, or are being developed, to meet the needs of Sam Houston State University.

- a. Employment Practices -- Sam Houston State University makes it a policy to practice affirmative action in all phases of the employment process. The following is a breakdown of affirmative actions that are being employed as a means of assuring that disabled workers and Vietnam Era Veterans are not being discriminated against in employment.
  - (1) Recruiting: The following affirmative actions are being taken to improve the applicant flow of qualified disabled workers and Vietnam Era Veterans:
    - (a) Contact with organizations which offer help in referring disabled persons and Vietnam Era Veterans.
    - (b) Contact with the Texas Rehabilitation Commission.
    - (c) Recruiting at schools for the disabled.
    - (d) Include affirmative action for disabled persons and Vietnam Era Veterans statement in help wanted advertising.
  - (2) Selection: It is the practice of Sam Houston State University to select employees on the basis of their qualifications in relation to the requirements of the job. In no case is a qualified applicant rejected because of a physical or mental disability. To assure that the selection process is unbiased, the following affirmative actions are being taken.
    - (a) All personnel interviewers are carefully selected and trained to objectively evaluate each disabled and Vietnam Era Veteran applicant's qualifications in relation to their ability to perform the work with reasonable accommodations to physical and mental limitations.
    - (b) All tests used in selection of employees have been validated as work related.

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- (c) Selection techniques other than tests are continuously being reviewed to assure that Disabled persons and Vietnam Era Veterans are receiving proper consideration of their qualifications for job openings.
- (d) Job requirements, job descriptions, and job specifications are being reviewed to assure that disabled persons and Vietnam Era Veterans are not being eliminated from consideration because of inappropriate qualification requirements.
- b. Physical and Mental Qualifications -- Sam Houston State University maintains a regular program of auditing jobs as they come open to assure that all physical and mental job qualifications are job related and are consistent with business necessity and safe performance of the job. The physical and mental requirements determined in the job audit are used in the selection of applicants for employment or other change in employment status such as promotion, demotion or training.
- c. Qualified Individuals with Disabilities -- An individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activities; a record of such an impairment; or, is regarded as having such an impairment. The Americans With Disabilities Act of 1990 (Public Law 101-336) Title I describes a "qualified individual" as a person with a disability who "satisfies the requisite skill, experience, education and other job related requirements of the employment position, and who with or without reasonable accommodation, can perform the essential functions of such position."
- d. Requesting Accommodation -- Persons with disabilities must make their need for accommodation known to their supervisor or to the Director of Human Resources. The request must be in writing including a medical certification that contains a diagnosis, prognosis, and major life function that is impaired and affects the person's ability to perform duties and must identify the specific accommodation the individual is requesting relative to the disability. The University will attempt to provide reasonable accommodation for all disabilities which meet the standards established by the Americans With Disabilities Act. The University maintains the right to review the requested accommodation and determine if the request can be facilitated; if the accommodation will enable the qualified individual to attain the same level of performance; or if the request would impose an undue hardship upon the University business operations, cost factors, or safety concerns for all employees.
- e. Compensation -- Sam Houston State University will not reduce the amount of compensation offered because of any disability income, pension or other benefit the applicant or employee receives from another source.
- f. Employee Development -- Sam Houston State University has established an in-house training program as a means of up-grading staff personnel at all levels. While it is recognized that the training program is established to help all employees, it is also recognized that disabled individuals and Vietnam Era Veterans may be in need of greater assistance than others in achieving growth. It is realized therefore, that if the objectives of the affirmative action program are to be achieved, greater emphasis must be placed upon meeting their needs. With this in mind, we have created an employee development program which will:
  - (1) Encourage employees to come forth and express their ambitions.
  - (2) Provide counseling to help the employee set realistic and obtainable career goals, and to set a reasonable time frame for accomplishing these goals.
  - (3) Provide for individualized training plans to show the employee what self-improvement is necessary to accomplish their goals.
  - (4) Provide continued counseling and evaluation during training.
  - (5) Assist the employee in finding a suitable position upon completion of training.

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- g. Job Bidding -- All job openings are posted to give any employee who feels qualified the opportunity to be considered for a better job. Disabled workers and Vietnam Era Veterans are encouraged to use this as a method of career advancement.
  
- h. Grievances -- Sam Houston State University has established a grievance procedure whereby any employee who feels treated in a discriminatory manner may bring it to the attention of the President of the University.

Reviewed by: David L. White, Interim Director of Human Resources – 02/01/2009  
Next review: 02/01/2010