# THE UNIVERSITY OF MICHIGAN

## STANDARD PRACTICE GUIDE

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| **SECTION:** | Human Resources & Affirmative Action | Number: | 201.84 |
| | | Revised: | 3/1/95 |
| **SUBJECT:** | EEO/Affirmative Action Policy for Individuals with Disabilities | Date Issued: | |
| | | Attachment(s) | 0 |

**APPLIES TO:**

**ISSUED BY:** Human Resources & Affirmative Action

**I. Purpose**:

To affirm and describe the University's commitment to the principles of equal employment opportunities for individuals with disabilities*; to set forth the action to be taken by the University and its employees concerning employment opportunities for qualified individuals with disabilities**; and to provide for implementation, self-monitoring and a measure for achievement through a comprehensive affirmative action program.

**II. General Policy of the University--Employment of Individuals with Disabilities:**

The University will not discriminate in its employment practices against applicants who have a disability. Placement will be commensurate with ability to perform assigned work. Employees with disabilities will receive the same regular compensation as those with no disabilities for like work.

**III. Specific Policy - Employment:**

1.0 The University will not discriminate against any employee or applicant for employment because of disability in regard to any position for which the employee or applicant for employment is qualified.

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* A "disability" is a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment, or being regarded as having one even if the person does not actually have the condition.

** A "qualified individual with a disability" is a person with a disability who meets the skill, experience, education and other job-related requirements and who, with or without reasonable accommodation, can perform the essential functions of the job.

2.0 The University, to ensure its commitment to equal employment opportunities for individuals with disabilities, will take affirmative action to employ, advance in employment, and otherwise treat known qualified individuals with disabilities without discrimination based upon their disability in all employment practices, including but not limited to the following: application, testing, hiring, work assignments, evaluation, promotion, transfer, disciplinary actions, recruitment or recruitment advertising, layoff/recall, termination or demotion, rates of pay or other forms of compensation, and selection for training, including apprenticeships.

3.0 The University will provide, upon request, reasonable accommodation to employees with disabilities, if that is needed to enable them to perform their job duties. Employees may request such accommodation by contacting their immediate supervisor.

**IV. Dissemination of Policy:**

1.0 To ensure understanding, acceptance and support among the University's executives, managers, supervisors, and all other employees, and to encourage such persons to take the necessary action to assist the University in meeting its obligations to individuals with disabilities, the University will communicate information on its nondiscrimination policy and its affirmative action program on a periodic basis to all University employees through University publications and other media. The University will post its nondiscrimination/affirmative action policy on appropriate University bulletin boards.

2.0 The University will communicate its obligation and commitment to engage in affirmative action efforts to employ qualified individuals with disabilities to all executive, managerial and supervisory personnel and will give its obligation under all applicable laws and regulations high priority at appropriate managerial, supervisory, and special employee meetings, and at all employee orientation programs. Periodically, it will be an item on the agendas of the Regents of the University, the Executive Officers and other managerial and supervisory meetings.

3.0 The University will reproduce this policy in its Standard Practice Guide.

4.0 University publications shall feature articles covering the University's affirmative action program for individuals with disabilities, including progress reports, promotions and accomplishments of men and women with disabilities. Employee handbooks or similar publications with pictures will include individuals with disabilities. Additionally, the University will provide information on its affirmative action program for individuals with disabilities to specific publications intended for such individuals.

5.0 Community organizations, such as the Ann Arbor Commission on Disability Issues, news media other than those referred to in 1.0 and above, secondary schools, colleges, all recruiting sources, vendors and suppliers will be informed in writing about the University's nondiscrimination/affirmative action program for individuals with disabilities.

6.0 All University publications relating to employment and advertisements for employment opportunity shall include the phrase, "A Nondiscriminatory/Affirmative Action Employer." Pictures of employees used in employment advertising will include individuals with disabilities.

**V. Implementation Responsibility:**

A. Executive Officers

1.0 Ultimate responsibility for the implementation of this policy and the University's affirmative action programs rests with the Executive Officers (the President, Vice-Presidents and the Chancellors of the University of Michigan-Dearborn and of the University of Michigan-Flint). Each Executive Officer is responsible for the administration of this policy and the University's affirmative action programs within his/her area of responsibility.

B. Deans, Directors, Department Heads

1.0 Each school, college, major institute, center or other major operating unit headed by a Dean, Director, or Department Head will designate a person who is responsible for authorizing expenditures for reasonable accommodations needed by employees with disabilities.

2.0 Units are responsible for compliance with the Americans with Disabilities Act (ADA), as well as other nondiscrimination/affirmative action legislation, including the provision of funds to make reasonable accommodations for individuals with disabilities.

C. Executive Director of Human Resources and Affirmative Action

1.0 The Executive Director of Human Resources and Affirmative Action is responsible for directing and coordinating the University's affirmative action programs. He or she will provide guidance to operating units to:

2.1 Ensure that appropriate accommodations are made for qualified individuals with disabilities.

2.2 Identify problem areas and make specific recommendations to overcome them.

2.3 Review and update programs to provide assistance to applicants and employees with disabilities.

2.4 Design and implement auditing and reporting systems.

2.5 Provide advice, counsel and assistance on all matters regarding equal opportunity, accommodations, and accessibility for individuals with disabilities.

2.6 Coordinate data gathering, consolidate data, analyze data and prepare any required reports.

D. ADA Coordinator

1.0 The ADA Coordinator will coordinate University programs and responsibilities to assure compliance with the ADA and other federal and state laws and regulations pertaining to individuals with disabilities. In order to carry out this responsibility the ADA Coordinator shall:

2.1 Provide information, advice and assistance to units to enable them to meet requirements related to individuals with disabilities.

2.2 Develop and conduct educational materials and programs regarding the requirements of the ADA and other laws pertinent to individuals with disabilities.

2.3 Act as the central contact person for individuals with disabilities who allege noncompliance with the ADA.

2.4 Maintain liaison with governmental agencies, officials and other organizations concerned with affirmative action programs and individuals with disabilities.

2.5 Arrange for the active involvement by University representatives in the community service programs of local organizations of and for people with disabilities.

2.6 Maintain liaison with the Council for Disability Concerns, Employee Rehabilitation Program, Faculty and Staff Assistance Program, Risk Management Office, Services for Students with Disabilities, and Michigan Rehabilitation Services.

27. Make periodic reports to the University community on the progress of the programs and on the latest developments in the entire affirmative action area.

E. Human Resources Administrators

1.0 Human Resources Administrators, each within his/her area of responsibility, are responsible for assisting the Executive Director of Human Resources and Affirmative Action and the ADA Coordinator in fulfilling their responsibilities, and specifically in reviewing the developing policies and practices that assure careful, thorough and systematic consideration of the job qualifications of employees and applicants with disabilities.

F. Other Supervisors and Managers

1.0 Every other member of supervision and management is responsible within his/her area of responsibility for conducting activities in a manner which will ensure compliance with this policy and the affirmative action programs.

**VI. Recruitment:**

1.0 The University will not discriminate in its recruitment activities against a qualified applicant because of a disability.

2.0 All recruitment sources will be advised in writing of the University's policy and commitment to equal employment opportunities for individuals with disabilities.

3.0 The University will provide job postings in a variety of media, such as board postings, large print, on-line computer postings, or telephone job lines, so that information about open positions will be available to individuals with a wide range of disabilities. In addition, the Employment Offices will provide special assistance in accessing job postings to individuals with disabilities who request it.

4.0 The University will take positive steps to attract qualified individuals with disabilities not currently in the workforce. In this respect, it will work closely with recruiting sources, such as the Ann Arbor Center for Independent Living, the Michigan Employment Security Commission, Michigan Rehabilitation Services, Michigan Commission for the Blind and other vocational rehabilitation agencies or facilities, and social service organizations serving individuals with disabilities.

5.0 The University will use the phrase, "A Nondiscriminatory/Affirmative Action Employer," on all recruiting, employment, and advertising publications.

6.0 The University will strengthen and develop new recruiting sources from among those specializing in and/or oriented toward individuals with disabilities and maintain contact with other appropriate social service organizations, agencies, or facilities for such purposes as advice and technical assistance.

7.0 The University's Employment Offices will participate in the annual career fairs for students with disabilities.

8.0 Search committees will utilize methods which will most likely result in the inclusion of qualified individuals with disabilities in the pool of candidates.

**VII. Employment and Placement:**

1.0 Qualified applicants with disabilities will be considered and placed for employment on the basis of their abilities. Reasonable accommodations will be provided upon request.

2.0 Selection for employment, training, or promotion will be on the basis of valid objective criteria and the ability to do assigned work.

3.0 The University will provide specially-monitored, subsidized temporary employment placements for appropriately qualified individuals with disabilities on Long Term Disability. Upon successful completion, these individual placements may become regular. The University will evaluate candidates, assist hiring departments in making necessary accommodations, and monitor the employment experiences of such individuals who have disabilities. For individuals with other types of health-related leaves, rehabilitation services are also available to assist with counseling regarding self-management of medical conditions, worksite assessments, coordination of job search efforts, and coordination of job accommodations.

4.0 The University may allow employees with disabilities to return to work in temporary accommodated positions while their conditions stabilize, in order to permit such employees to continue in the workforce and to maximize their abilities prior to a full release for a return to work, or to reduce the length of time between an on-the-job injury and a return to work for employees who are eligible for Worker's Compensation. However, permanent removal of an essential function of a position shall not be considered a reasonable accommodation. Department heads may authorize light duty positions, when practicable, which allow employees to continue working following an injury which has resulted in a disability.

5.0 Upon request, the University will arrange for career counseling for employees with disabilities and for counseling about University job opportunities for applicants with disabilities.

6.0 The University will maintain in confidence, to the extent required by applicable regulations, information provided by applicants or employees who identify themselves as having a disability.

**VIII. Training:**

1.0 Qualified applicants with disabilities will be considered and placed for training on the basis of their abilities. Reasonable accommodations will be provided upon request.

**IX. Promotions, Demotions, Layoffs, Recalls and Transfers:**

1.0 Promotions, demotions, layoffs, recalls, and transfers will be consistent with an employee's qualifications and service. Reasonable accommodation will be provided if necessary.

2.0 In some cases, transfer of an employee with a disability into a vacant position for which he/she is qualified will constitute a reasonable accommodation. Reassignment may be made to a vacant position which is at the same or lower pay grade as the position currently held by the employee. Whenever reassignment to a vacant position is the only way in which an employee with a disability can be reasonably accommodated, the employee with a disability will be given priority for placement into that vacant position.

**X. Facilities and Activities:**

1.0 The University will make reasonable accommodation to the known limitations of a qualified employee or applicant with a disability. Accommodation can be provided in a variety

of ways, such as eliminating architectural barriers in existing facilities and future construction, creating accessible parking, modifying job stations, altering work schedules, or restructuring a job by redistributing marginal job functions.

**XI. Union Relations:**

1.0 The University will notify all labor organizations representing its employees of its nondiscrimination/affirmative action obligations to individuals with disabilities, in an effort to secure the cooperation of these organizations.

2.0 All labor contract provisions will be reviewed to ensure they are not discriminatory.

**XII. Human Resource Policies:**

1.0 Human Resource policies and practices, such as compensation and benefit programs, are the subject of periodic review to ensure that they are consistent with applicable and current legal requirements and that they are administered without regard to a qualified applicant's or employee's disability.

**XIII. Subcontractors:**

1.0 All subcontractors on government contracts will be informed of the University's commitments under relevant state and federal laws and regulations.

**XIV. Reports and Records:**

1.0 The University will maintain, for a period not less than one year, records regarding complaints and action taken.