

University of Arkansas at Little Rock  
Affirmative Action Plan

# University of Arkansas at Little Rock Affirmative Action Plan

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# **AFFIRMATIVE ACTION PLAN**

## **University of Arkansas**

### **Little Rock Campus**

#### **I. INTRODUCTION**

The following document is the revised Affirmative Action Plan for the Little Rock campus of the University of Arkansas, as of June 30, 2004. The plan is designed to comply with applicable portions of the Equal Pay Act of 1963, as amended; Title VI and Title VII of the Civil Rights Act of 1964; the Age Discrimination Act of 1967, as amended; Title IX of the Education Amendments of 1972; Executive Orders No. 11246 and No. 11375; Revised Order No. 4; Sections 503 and 504 of the Rehabilitation Act of 1973; the veterans' Readjustment Assistance Act of 1974; the Americans with Disabilities Act; the Civil Rights Act of 1991; the Arkansas Veterans Preference Law; State of Arkansas Executive Order 89-1; State of Arkansas Act 99 of 1989; State of Arkansas Act 426 of 1993; the Arkansas Civil Rights Act of 1993; and other pertinent state and federal laws and regulations. The plan will be reviewed regularly and revised as necessary. Supporting documents will be revised on at least an annual basis in order to accurately reflect the position and status of affected categories of employees in the University as well as progress toward the achievement of affirmative action goals.

This Affirmative Action Plan applies to the Little Rock campus of the University of Arkansas. It applies to all employees on that campus and to all employees of the University of Arkansas located at satellite locations within the state which 1) are included in the Little Rock campus personnel/payroll system and 2) have direct reporting authority to the Little Rock Chancellor position. Specifically excluded from coverage under this Plan are the UALR Benton Center and University Center at WestArk in Fort Smith, Arkansas and/or positions within the University of Arkansas System Office.

#### **II. GUIDELINES**

For the purposes of affirmative action, the following definitions are used, in accordance with federal guidelines:

##### **A. Minorities Guidelines**

An individual will be reported in the minority group to which he or she appears to belong, is regarded in the community as belonging, or categorizes himself or herself as belonging. The race/ethnic designations used in affirmative action reporting do not denote scientific definitions of anthropological origins.

Non-U.S. citizens are counted in the appropriate racial/ethnic categories along with citizens of the United States if they are resident aliens who hold permanent visas. Non-citizens with temporary (including students' and visitors') visas are counted as "Non-resident Aliens," "Other," "Other Minority" or "White and Other," depending on the categories used on the particular federal report form.

1. American Indian or Alaskan Native: A person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

2. Asian or Pacific Islander: A person having origins in any of the original peoples of the Far East, Southeast Asia, the Pacific Islands or the Indian subcontinent. This area includes, for example, China, India, Japan, Korea, the Philippine Islands and Samoa.
3. Hispanic: A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin - regardless of race.
4. Black, not of Hispanic Origin: A person having origins in any of the Black racial groups of Africa.
5. White, not of Hispanic Origin: A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

#### B. Persons with Disabilities Guidelines

1. An individual is considered to have a disability if he or she has a physical or mental impairment, which substantially limits one or more of his or her major life activities, has a record of such impairment or is regarded as having such an impairment.
2. For purposes of definition, an individual with a disability is "substantially limited" if he or she is likely to experience difficulty in securing, retaining, or advancing in employment because of a disability.
3. "Qualified individual with a disability" means a person with a disability who meets the skill, experience, education, and other job-related requirements of a position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of a job.

#### C. Veterans with Disabilities and Vietnam Era Veterans Guidelines

1. "Veteran with a disability" means a person entitled to disability compensation under laws administered by the Veterans Administration for disability rated at 30% or more, or a person whose discharge or release from active duty was for a disability incurred or aggravated in the line of duty.
2. "Qualified veteran with a disability" means a veteran with a disability who is capable of performing a particular job, with or without reasonable accommodation to his or her disability.
3. "Veteran of the Vietnam Era" means a person who served on active duty for more than 180 days between February 28, 1961 and May 7, 1975, and was discharged or released with other than a dishonorable discharge or was discharged or released from active duty for service-connected disability.

#### D. Arkansas Veterans Preference Law

The Arkansas Veterans Preference Law and State of Arkansas Executive Order 89-1 direct that veterans of military conflict, including Vietnam era veterans ("qualified veterans"), be given preference in appointment, employment, promotion, and retention over other applicants, as follows:

1. If examinations are used to establish employment lists, five points must be added to the final scores of qualified veterans, and ten points must be added to the final scores of qualified disabled veterans.
2. If an examination is not used, qualified veterans must be given preference over other "substantially equally qualified applicants."

3. The hiring authority must be able to justify in clear and unambiguous language the valid job-related reason or reasons why a qualified veteran was not selected or appointed to the position, if requested to do so by the qualified veteran.

#### E. Sex Discrimination Guidelines

It is a policy of the University of Arkansas, Little Rock not to discriminate on the basis of sex in any term or condition of employment, benefit, training and promotional opportunities, and wages and hours.

Vigorous recruitment efforts will be made to attract female applicants to all job levels, particularly in areas which have an affirmative action goal or which have shown historical patterns of female underutilization. All employment practices apply equally to members of either sex.

Special attention is paid to insuring that women are not in any way penalized in their employment because of marital status or time spent away from employment due to childbearing which is treated as any other illness or temporary disability under the Family Medical Leave Act.

The University of Arkansas Sexual Harassment policy is in full force and effect and applies to all employees. Harassment on the basis of gender and sexuality is not tolerated. The Office of Human Relations offers counseling for these and related concerns and is the designated Compliance Officer for such matters.

#### F. Religion and National Origin Guidelines

The University's affirmative action and equal opportunity policies cover discrimination on the basis of religion or national origin. All allegations or evidence of such discrimination will be investigated thoroughly. Any employee who needs assistance regarding possible allegations of discrimination may receive counseling from the Office of Human Relations.

The University, where feasible and where no undue hardship exists, will provide reasonable accommodation to the religious observance or practices of employee or prospective employee. The University will consider the following factors when determining the extent of undue hardship: business necessity, financial costs, and expenses, potential for minimizing personnel problems.

#### G. Age Discrimination Guidelines

In accordance with the amended Age Discrimination in Employment Act of 1967, and the Age Discrimination Act of 1975, and Executive Order 11141, it is the University of Arkansas, Little Rock policy not to discriminate on the basis of age in any term or condition of employment, benefits, training and promotional opportunities, terminations, and wage and hours.

### III. POLICY STATEMENT

It is the policy of the University of Arkansas at Little Rock to provide equal employment opportunity to all qualified persons; to prohibit discrimination against any employee or applicant for employment because of race, color, religion, sex, age, national origin, sexual orientation, marital or parental status, veteran's status, or disability, and to promote the full realization of equal employment opportunity through a positive, continuing program of affirmative action.

This policy will be followed in recruiting, hiring, determination of pay, promotions, University-sponsored training programs, transfers, layoffs, returns from layoff, demotions, terminations, social and recreational programs, use of University facilities, fringe benefits, and treatment as individuals. It is to be implemented throughout the campus and is the responsibility of all departments and all personnel, supervisory and non-supervisory. Compliance with this policy shall be promoted and monitored by the Office of Human Relations.

In the vocabulary of equal employment opportunity, affirmative action signifies a positive, continuing, result-oriented program developed by an employer to assure meaningful employment opportunities to all segments of the community and more specifically to minority group members, women and others who have been discriminated against in the past. It contrasts with simple non-discrimination, which implies a more passive observance of equal opportunity. The concept of affirmative action assumes that discrimination in employment is likely to be a structural problem built into policies and practices which on the surface do not appear to be discriminatory, but which in fact have created barriers to employment and promotion for women and minority groups. The Affirmative Action Plan sets forth specific result-oriented procedures to which the University commits itself in order to overcome such institutional barriers to equal employment opportunity. It also establishes an organizational structure for developing future goals and procedures and for assuring that all efforts are made to meet these goals on an on-going basis.

The University commits itself to a policy of equal employment opportunity and to a program of affirmative action not solely because of legal requirements but also because it believes that such practices are basic to human dignity.

#### Reaffirmation of Policy

The Office of Human Relations will insure that the Chancellor of the University of Arkansas at Little Rock provides for reaffirmation of this policy by the Board of Trustees of the University of Arkansas System. Departments and individuals responsible for the implementation of this policy do confirm their commitment to the affirmative action and equal opportunity ideals and practices set forth in this document.

### IV. DISSEMINATION OF POLICY

Communication of the University's equal employment opportunity policy is an essential part of the Affirmative Action Plan. Internal and external knowledge of the University's policy of non-discrimination is critical to its effective implementation. The Office of Human Relations will implement the following measures to ensure wide dissemination and adoption of the policy:

#### A. Internal Dissemination

1. Briefings and training sessions with management and supervisory personnel in the University to discuss this policy and their individual responsibilities for effective implementation.

2. Orientation for each University search committee to discuss the policy and measures for its implementation.
3. Information for all employees about the policy and their individual responsibilities under the Plan through the faculty handbook and the staff handbook.
4. University publications and news will report appointments, accomplishments, promotions, etc., of minority, and women employees, and other affected employees.
5. University publications will feature pictures of minority and women employees, and other affected categories of employees.

#### B. External Dissemination

1. The statement "The University of Arkansas is an Equal Opportunity/Affirmative Action Institution" will be included in appropriate University publications.
2. When the University uses external recruiting sources and employment agencies, it will inform them of this policy and of its intent to seek out qualified applicants without regard to race, color, religion, sex, age, national origin, veteran's status or disability, and stipulate that these sources actively recruit and refer minorities, persons with disabilities, veterans, and women for all positions listed.
3. Minority and women's organizations, community agencies, community leaders, secondary schools and colleges will be notified about the University's policy.
4. Applicants for employment will be informed about federal laws relating to equal employment opportunity and the University's affirmative action policy through posters and other notices in the Office of Human Resource Services and as a part of the Office of Human Relations recruitment plan procedures.
5. Minorities, women, and other affected categories of employees will be shown when employees are pictured in external communications and publications.
6. The University's policy on Affirmative Action is printed on all purchase orders and is used to inform vendors and suppliers of the policy.
7. The Office of Human Relations will communicate with organizations representing minorities, women, people with disabilities, Vietnam era and disabled veterans, and community agencies and leaders about the Affirmative Action Plan and the University's Policy.
8. Copies of the Affirmative Action Plan will be filed with the University of Arkansas at Little Rock Ottenheimer Library and the Law Library and with all off campus locations.

The Director of Human Relations will be responsible for the implementation of these policy dissemination measures.

#### V. RESPONSIBILITY FOR IMPLEMENTATION

The responsibilities for development, implementation, and monitoring of the Affirmative Action Plan have been delegated by the Chancellor of the University of Arkansas, Little Rock, according

to the administrative structure described below. However, effective implementation will require the involvement, participation, and support of all members of the University community. Positive good faith efforts will be required of all employees, each of whom must accept the commitment to equal employment opportunity and to equitable and non-discriminatory practices throughout the University. Special responsibility rests with those persons who are responsible for recruiting, interviewing, hiring, paying and promoting others.

#### A. Director of Human Relations

The Director of Human Relations will be a full-time employee responsible for oversight of the program and identification of problems relating to equal opportunity and affirmative action. The director will report to the Chancellor.

The responsibilities of the Director of Human Relations include but are not limited to:

1. Develop and maintain the Affirmative Action Plan for the Little Rock campus of the University of Arkansas.
2. Assist in the development of policies, procedures, and guidelines for implementing and sustaining the University's affirmative action program.
3. Provide assistance to administrative officials in arriving at goals and timetables to remedy any known deficiencies.
4. Develop and administer a system of continuous monitoring that will determine the effectiveness of the University's affirmative action program.
5. Maintain records of the affirmative action process for internal audit and for monitoring by external compliance agencies.
6. Identify problem areas and facilitating appropriate solutions and/or corrective actions.
7. Receive and pursue individual and group complaints and recommending corrective actions.
8. Act as liaison between the University and enforcement agencies.
9. Respond to formal complaints filed with enforcement agencies and, in cooperation with the Associate General Counsel, to charges of discrimination by the University.
10. Remain knowledgeable about and capable of interpreting the official federal guidelines and laws governing equal employment opportunity.
11. Monitor compliance with provisions of Title IX of the Education Amendments of 1972 and serving as the campus Title IX compliance officer.
12. Monitor compliance with provisions of the Rehabilitation Act of 1973 and serving as the campus Section 504 compliance officer.
13. Monitor compliance with Act 99 of 1989 and Act 426 of 1993.

14. Monitor compliance with the Arkansas Veterans Preference Law; State of Arkansas Executive Order 89-1 and monitoring compliance with other state and federal legislation and regulations which relate to equal opportunity and affirmative action.
15. Serve as liaison between the University and minority organizations, women's organizations, and community action groups.
16. Serve as the University's agent for labor certification of non-resident alien employees.
17. Represent the University at regional and national meetings regarding matters of equal employment and affirmative action.

## B. Vice Chancellor and Provost for Academic Affairs

The Vice Chancellor and Provost for Academic Affairs is responsible for the area of academic employment. The Vice Chancellor will implement this Plan and the procedures and actions described herein and monitor and report as to its progress in the academic area.

In order to accomplish these actions, the Vice Chancellor for Academic Affairs will work through deans and directors and will supervise their involvement in the program and its actions.

Deans and directors of academic personnel will exercise direct management of the program through department heads or chairpersons and other academic supervisory personnel. The latter group will be responsible for initiating specific personnel actions and for keeping records for their respective areas of action.

## C. Director of Human Resource Services

The Director of Human Resource Services is responsible for all areas of employment, which come under the state classification plan. He or she will implement the Plan and procedures as they relate to the classified employment areas, and implement and/or recommend modifications of procedures, as appropriate, in compliance with Affirmative Action and will work in conjunction with the Director of Human Relations.

In order to accomplish these actions, the Director of Human Resource Services will work through deans, directors, and heads or chairpersons of departments concerning classified personnel and will supervise their involvement in the program and its actions.

Deans, directors, and other designated heads of units will exercise direct management of the program through supervisory personnel. Supervisors will be responsible for initiating specific personnel actions and for keeping records as indicated in this Plan. Directors and other designated heads of units will be responsible for monitoring the program in their respective areas of action in the non-academic sectors.

## VI. UNIVERSITY POLICIES AND PRACTICES

### A. General Policies and Procedures

UALR strictly adheres to the Affirmative Action policies set forth in this plan.

### B. Community Involvement and Programs

The Office of Human Relations has continuing involvement in the delivery of information, awareness, and motivation programs, working with other departments such as the Office of Human Resource Services.

There is a continuing commitment to community involvement by faculty and staff in equal employment opportunity and affirmative action related interest groups and programs, particularly those with concern for the interests of women, minorities, Vietnam era veterans, and people with disabilities.

### C. Consideration of Minorities and Women Not in the Work force

The University of Arkansas, Little Rock will make every effort to contact minorities and women not currently in the work force having requisite skills who can be recruited through affirmative action measures.

Purposeful outreach is being developed and undertaken at all levels of employment within the following areas:

1. The Office of Human Resource Services will distribute job notices to community groups representing minorities, women, Vietnam era veterans and people with disabilities.
2. The Office of Human Resources distributes job notices to local Employment Security Division offices.
3. Deans, department heads, and the Director of Human Relations attend relevant regional and national meetings and conferences. The Director of Human Relations encourages fellow employees to recruit through community associations, professional affiliations, and social activities.

## VII. RECRUITMENT AND SELECTION PROCEDURES

The University procedures for the recruitment, selection and appointment of employees and for documentation of affirmative action efforts are separate for classified staff and for faculty, administrative and professional staff.

### A. Classified Staff

#### 1. Recruitment

Recruitment of classified staff is conducted by the Office of Human Resource Services. To ensure widespread communication of employment opportunities, Human Resources:

- a. Places general advertisements concerning classified job opportunities in local and, where appropriate, statewide and regional newspapers.

Advertisements for specific positions are placed by university departments.

- b. Lists positions open on UALR's website and through telephone jobline.
- c. Distributes weekly a list of positions for which applications are being taken, including the location, a summary of job qualifications, and the starting salary, to all University departments.
- d. Maintains a list of positions open and book of job descriptions in the Office of Human Resource Services.

Prospective applicants for classified positions, including those who are recruited by departments or who first make contact with a department, must complete a standard application form and go through an initial screening interview in the Office of Human Resource Services.

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## 2. Application Forms

The standard application form used by the Office of Human Resource Services is reviewed periodically to ensure that all questions are necessary and job-related and that the form complies in all respects with pertinent federal laws and regulations.

## 3. Referral Process

When an impending vacancy becomes known, the appropriate supervisor submits a "Personnel Requisition and Essential Job Functions (ADA Standards) with a Position Classification Questionnaire for Staff Employees and other information to the Office of Human Resource Services. The forms provide detailed information about the position, including minimum qualifications and duties. Upon approval of the job classification and transmittal forms, the Office of Human Resources begins advertising the vacancy. After the position has been advertised for at least one week and has been closed, the Office of Human Resource Services sends a list of all applicants referred to the hiring department. The Affirmative Action Review Form must be reviewed and approved by the Office of Human Relations before an offer is extended. The Office of Human Resource Services refers all current applicants who meet the established criteria for the position and who request referral to the hiring department. In no case, except where sex or age is a bona fide occupational qualification, are applicants referred on the basis of their sex, age, race, veteran's status or disability.

## 4. Interviews

Each applicant for employment is interviewed by the Office of Human Resource Services before being referred to prospective employers within the University. The purpose of the initial interview is to ascertain the nature, extent and level of the applicant's training, skills and previous work experience. That information enables the recruitment manager to refer applicants to those positions for which they are best qualified. The hiring department may screen applications further to

determine which applicants will be interviewed. The recruitment manager maintains a log of applicants interviewed, including name, race, sex, an indication of whether the person is an internal or external applicant and the position in which the applicant is interested. Copies of the log are forwarded when the Office of Human Relations receives the Affirmative Action Review Form.

## 5. Affirmative Action Reports

In order to appoint a new classified employee, a completed "Affirmative Action Review Form and Disposition Form" must be sent to the Office of Human Relations. The Disposition Form, a copy of which is appended, lists the name, race, and sex of each applicant, indicates whether the applicant was interviewed, and the reason the applicant was not selected. The form lists the candidate selected and specific reason for selection, also the unsuccessful candidates and reasons for non-selection.

### B. Faculty, Administrative, and Professional Staff

The recruitment and hiring of faculty, administrative personnel, and professional staff is monitored by the Office of Human Relations. The recruitment process is divided into three stages: (1) pre-advertising (2) Affirmative Action Review, and (3) Pre-offer review. At each of the foregoing stages of the recruitment process, it is the responsibility of the Office of Human Relations to review the activities of the department to insure that the University equal opportunity and affirmative action responsibilities under the Equal Pay Act of 1963 as amended; Title VI and VII of the Civil Rights Act of 1964; the Age Discrimination Act of 1967, as amended; Title IX of the Education Amendments of 1972; Executive Orders 11246 and 11375; Revised Order No. 4; Sections 503 and 504 of the Rehabilitation Act of 1973; the Readjustment Assistance Act of 1974; the Americans with Disabilities Act; The Civil Rights Act of 1991; the Arkansas Veterans Preference Law; State of Arkansas Executive Order 89-1; State of Arkansas Act 99 of 1989; State of Arkansas Act 426 of 1993; the Arkansas Civil Rights Act of 1993; and other pertinent state and federal laws and regulations are satisfied. While the department or other hiring unit is responsible for the advertising of positions, screening of applications, interviewing and selection of candidates, the department may not advertise, interview, and/or select a candidate for a faculty or non-classified position without the prior approval of the Office of Human Relations.

The recruitment process for faculty and non-classified positions is governed by the provisions of the Affirmative Action Recruitment Procedures, which has been incorporated into the Affirmative Action Plan, a copy of which is attached as an exhibit to this Affirmative Action Plan. The Affirmative Action Recruitment Procedures is provided to all Vice Chancellors, Associate Vice Chancellors, Deans, Directors, Department Chairs, and Search Committee Chairs. In addition, the Office of Human Relations conducts training sessions for each of the foregoing individuals and/or their designated representatives upon request to insure compliance with the terms of the Affirmative Action Recruitment Procedures.

In order to ensure equal employment opportunity and good faith affirmative action efforts in the hiring of faculty, administrative staff and other top-level employees, the following system of reporting, documenting and monitoring has been established.

## PRE-ADVERTISING REVIEW

As a general rule faculty and non-classified positions must be advertised for a minimum of thirty (30) days before an applicant can be offered the position. The scope of advertising will vary depending upon a number of factors including availability, classification, duration, rank, salary and qualifications. Positions will be advertised in academic and/or professional journals; newspapers; newsletters; professional job listings; electronic bulletin boards and/or by mailings to other colleges, universities, or government agencies.

Before a position can be advertised it must be authorized by the appropriate department head, dean and/or vice chancellor. Authorization includes approval of the budgetary requirements by a department's chain of command and approval of the ad and recruitment plan by the Office of Human Relations.

Recruitment plan approval is accomplished through completing and transmitting a Recruitment Plan, through a department's chain of command to the Office of Human Relations. The Recruitment Plan must be accompanied by:

- (1) position announcement describing the position and stating the basic and desirable qualifications for the position, and,
- (2) a list of proposed publications with contact information.
- (3) copy of the position announcement should be sent or e-mailed to the secretary in the Office of Human Relations.

The Office of Human Relations will forward a copy of the position announcement to the Office of Human Resources where the position will be posted in the University of Arkansas Academic, Administrative, and Professional Openings Book. The approval will be followed by a recruitment packet sent to the departmental contact person. The packet will include:

- (1) Affirmative Action Policy Statement
- (2) Recruitment Guide for Search Committees
- (3) Applicant Flow Data Sheet
- (4) Recruitment Procedures
- (5) Ad Format
- (6) Protected Class Data (PCD) blue cards and envelopes
- (7) Guidelines for Recruitment Expenditures
- (8) Affirmative Action Review Form
- (9) Procedures for Entering New Employees
- (10) Affirmative Action Report Form

Upon receipt of appropriate approvals, advertisements may be e-mailed, mailed or faxed to designated advertisers. The departmental receipt of the recruitment packet signals the end of the Pre-Advertising Review by the Office of Human Relations.

## AFFIRMATIVE ACTION/REVIEW

An Affirmative Action Review is an examination of data submitted by the applicants and departments to the Office of Human Relations. The purpose of the review is to determine, before candidates are brought to the campus for interviews, whether the exclusion of a protected class applicant can be justified on the basis of the advertised qualifications. No candidate for a position may be brought to campus for an interview without an affirmative action review. Interviews conducted without the benefit of a review can result in voiding of the search.

The protected class data cards (PCD) (blue cards) are designed to provide all applicants with the opportunity to report information with regard to the federally protected categories of age, disability, gender, race, and veterans status. Applicant flow data sheets, are designed to provide the department with a tool to record all applicants and provides the Office of Human Relations with a tool to examine the treatment of federally protected individuals during the recruitment process. Completion of the blue card is optional on the part of the applicant. Whether or not an applicant returns a blue card cannot be considered in the evaluation of applications. Additional blue cards and applicant flow data sheets can be obtained as needed from the Office of Human Relations by calling 569-8675.

Immediately upon receipt of an application or a letter of interest each applicant must be sent a blue card (and a pre-paid return envelope addressed to the Office of Human Relations). The position name must be on each blue card so that the Office of Human Relations can identify the position. The blue card must be returned to the Office of Human Relations where they will be filed and held until such time as the department is ready to request permission to interview candidates. If blue cards are erroneously returned to the department or members of the search committee they should be forwarded unopened to the Office of Human Relations.

In order to initiate the affirmative action review the department must submit the following items to the Office of Human Relations.

- (1) completed affirmative action review forms requesting approval to interview recommended applicants.
- (2) a properly completed applicant flow data sheet and,
- (3) the resume for each applicant recommended for interview.

Each applicant for the position must be listed on the applicant flow data sheet. Each applicant must be rated on: (1) the advertised basic and desirable qualifications and (2) the related work experience as indicated in the resumes, transcripts, letters of recommendation, letters of application or other documents submitted in support of the proposed interviewee's candidacy.

After the affirmative action review form is received, the Office of Human Relations will complete the applicant flow data sheet. This data is obtained from the PCD cards returned to the Office of Human Relations by applicants. The Office of Human Relations will then review the pool to determine how individuals who fall into one or more federally protected categories compare to the individuals recommended for interview. Using the qualifications and related experience advertised by the department.

If there are no concerns regarding the exclusion of protected class applicants from the interview list the contact person will be notified by telephone, campus, mail and/or

electronic mail of the approval to proceed with the interviews. These requests will normally be processed in one (1) working day.

If there are concerns regarding the exclusion of protected class applicants from the interview list the contact person will be notified by telephone and/or electronic mail and will also be responsible for providing the additional information needed.

When it appears that there are qualified federally protected individuals in the pool within the range of the proposed interviewees, the department may be required to submit additional documentation justifying the exclusion of the protected class applicants from the list of proposed interviewees.

Additional documentation may include:

- (1) resumes of protected class applicants.
- (2) a narrative comparison of the proposed interviewees and the excluded protected class applicants.
- (3) other search committee documents used to rate applicants.

When the exclusion of protected class candidates is not justified the search committee may resolve the problem by: (1) adding the protected class individuals to the interview list (2) deleting one or more of the proposed interviewees (3) voiding the search. If it is necessary to void a search, the decision of the Office of Human Relations may be appealed to the Chancellor. If a search is voided and the department still wishes to fill the position, a new search will be required.

For faculty positions, if questions remain as to the exclusion of protected class candidates the matter will be forwarded to the Vice Chancellor and Provost for Academic Affairs for resolution. For non-classified positions the matter will be forwarded to the appropriate Vice Chancellor for resolution.

Again, the Office of Human Relations will notify the contact person by telephone immediately upon approval of the affirmative action review form. The telephone approval will be followed by a copy of the approved review form signed by the appropriate person in the Office of Human Relations. Campus interviews may now be scheduled.

## PRE-OFFER REVIEW

The Pre-Offer Review is the final stage of the review process. The purpose of this review is twofold. First, it is important to insure that all finalists for the position have been evaluated on the basis of the basic and desirable qualifications for the position. Second, it is important to insure that the offer letter has been reviewed and approved for terms and conditions of employment such as salary, start up costs, equipment, moving expenses, summer support. The search committee chair will write a narrative interview summary. This summary must discuss the evaluation of each interviewee based upon the basic and desirable qualifications for the position. The pre-offer review allows the search committee to consider how the interviewees performed during the interview. The interviewees must be listed in the order of preference beginning with the best and concluding with the least qualified interviewee. If any of the interviewees are found to be unqualified for the position as a result of the interview or information obtained during the review process the concerns must be noted in the narrative summary. The Affirmative Action Review Form, narrative summary, and draft offer letter should then be forwarded to the appropriate Vice Chancellor for approval.

The deliberations of the search committee are essential to the process and must be treated as confidential for both legal and practical reasons. The direct or indirect passing of information regarding the evaluation, ranking or selection of interviewees outside of the search committee can cause irreparable harm to the ability to select the best available candidate. The communication of information pertaining to the selection of a candidate and/or details of the offer letter prior to the approval of an offer being made is a serious violation and can result in the voiding of the search and disciplinary action against the offending employee.

## 1. Advertisements

Advertisements submitted to the Office of Human Relations for placement must include the following information:

- a. The title of the position
- b. The department or division in which the position is located
- c. A description of the duties involved
- d. The salary range, if established
- e. The date the duties will commence
- f. An indication of whether the position is full-time or part-time; a nine-month or twelve-month appointment
- g. A list of basic and desirable qualifications for the position
- h. The person(s) to whom applications should be submitted

A copy of an advertisement for the position may be substituted if it contains all the information requested above. All advertisements must carry, as a minimum, the statement that "The University of Arkansas is an Equal Opportunity/Affirmative Action Employer" or its equivalent. To make a stronger statement of the University's commitment to diversity, departments may substitute the following statement: The University of Arkansas at Little Rock is an equal opportunity affirmative action employer and actively seeks the candidacy of minorities, women and persons with disabilities. Under Arkansas law, all applications are subject to disclosure. Persons hired must have proof of legal authority to work in the United States.

A representative of the Office of Human Relations shall attend the first search committee meeting and will inform the search committee of the affirmative action goals for minority group members and/or women where underutilization exists in the field or job category in which a position is sought

## 2. Posting and Dissemination

A copy of each position announcement is kept on file in the Office of Human Relations and is made available to persons who call or visit the office. Position announcements are placed on the HigherEdJobs.com, nationjob.com and arkansasonline.com websites. Also copies are sent to the Arkansas Employment Security Division in Little Rock, for inclusion in its state-wide computer network. New listings are also mailed to various organizations and agencies. All additional advertising is the responsibility of the department or other

unit doing the hiring. Positions must be advertised for a minimum of thirty calendar days. Unless there is good cause for limiting the search to a smaller geographic region, all full time faculty, and administrative positions are advertised nationally. Professional staff positions are advertised in the appropriate local, regional, or national recruitment area.

### 3. Recruitment Sources

A list of proposed recruitment sources, including places where the position will be advertised, must be submitted to the Office of Human Relations for approval. The Office of Human Relations may suggest additional resources, particularly for recruiting minorities and women.

Departments generally advertise positions in publications, which reach large segments of the higher education community, such as *The Chronicle of Higher Education* and/or in discipline-specific journals or job-listings, such as *Jobs in Geography*, *Chemical and Engineering News* or the *Job List of the Modern Language Association*.

The Office of Human Relations will assist the persons responsible for filling positions in identifying alternative or non-traditional recruiting resources, which are likely to reach qualified women and minority applicants.

### 4. Screening and Interviewing Applicants

Because of the large number of applications for most faculty, administrative and professional positions, preliminary screening and rating of applications is necessary. During the preliminary screening the search committee, chair of the search committee and/or other designee of the department must complete an Applicant Flow Data Sheet listing each applicant who has applied for the position: (a) name (b) date of application. The size of the pool does not relieve or alter the responsibility of the department to provide to the Office of Human Relations the foregoing data for each applicant in the pool or to receive approval from the Office of Human Relations prior to scheduling on campus interviews.

A qualified candidates' contribution to the diversity of the department or University may constitute one criterion but may not be the sole criterion during the selection process. A candidate must be determined to be qualified prior to the consideration of the contribution to diversity.

If a search committee is used in the selection process, its membership should include representation of women and minorities.

### C. Emergency Appointments

When a position becomes vacant unexpectedly (for example, when an employee becomes ill or is injured and is not expected to return to work, when an employee resigns without giving adequate notice, or when an employee is terminated for cause and removed immediately from the workplace) and the department or other unit must have someone immediately to do the work, a temporary worker may be hired on an hourly basis while the job is being advertised. An agency that provides temporary workers may be used, the University's work-study coordinator may identify students eligible for positions that can use work-study employees, or the Office of Human Resource Services may provide a list of persons available for temporary employment. The temporary worker may be an applicant for the advertised position. However, temporary employment does not ensure permanent appointment to the position.

For non-classified positions, the department or hiring unit may submit to the appropriate Vice Chancellor and to the Office of Human Relations an emergency recruitment plan. The plan must document the nature of and cause for the emergency, show how applicants will be solicited or recruited during a specified shortened advertising period, show how minority and women candidates will be identified, and identify measures to ensure that the vacancy is publicized as extensively as possible. If the plan is approved by both the Vice Chancellor and the Office of Human Relations, the search will differ from standard procedures only in the shortened recruitment period and the additional efforts to publicize the vacancy.

A documented record of the search procedure, including all efforts made to identify candidates, must be submitted to the Office of Human Relations before the employment offer is made.

The position will not be readvertised once the appointment is made.

If a department has adequate notice of a pending vacancy to comply with the standard two weeks advertising period for classified positions or thirty days advertising period for non-classified positions, the emergency procedures may not be used.

## VIII. OTHER PERSONNEL ACTIONS

### A. Salaries

Salaries for most University personnel are governed by the provisions of the Higher Education Uniform Classification and Compensation Act, administered by the State of Arkansas Department of Finance and Administration. The act establishes employee classifications, which are assigned to specific grades in a biennial compensation plan. The 1999/2001 revision of the scale contains 26 grades and four pay levels within each grade. A new employee or an employee promoted to a higher classification begins at level one of the appropriate pay grade. Level four is the maximum pay for each grade. Levels two and three are advanced entry market levels for new hires with exceptional qualifications. A starting salary up to level two may be approved by the Arkansas Office of Personnel Management. Starting salaries above level two and up to level three must also be approved by the Legislative Subcommittee on Personnel. Employees may be granted merit pay increases on the recommendation of the department head or other designated supervisor, provided funds are available. The date of eligibility for step increases is normally determined by the employee's date of hire. The eligibility date for employees who were already working for the University when the institution became subject to the Uniform Classification and Compensation Act is July 1, 1977.

Maximum salaries for employees who do not come under the classification system of the Higher Education Uniform Classification and Compensation Act are determined each biennium by the Arkansas General Assembly. Actual salaries, which may not exceed the legislated maximum, are set at the beginning of each new appointment period, in accordance with the recommendation of the appropriate administrative officials. Faculty salaries, for example, are recommended by the academic departments, reviewed by the academic deans and the Vice Chancellor for Provost and approved by the Chancellor.

### B. Promotion

When a position becomes vacant, an employee in the same department or unit who meets all of the qualifications for the position, may be promoted to fill the vacancy. The head of a department has the choice of deciding to promote a current employee without the position being advertised external to the campus. In such a case, the position made vacant

by the promotion, rather than the position filled by promotion, would be advertised. Externally, the promotion may also be the result of an employee being promoted through a pool of applicants from an advertised position.

Current employees may also be promoted by applying for a position of greater responsibility and increased compensation, which becomes vacant elsewhere in the University and for which they are qualified. All job openings are advertised internally as well as externally, and current employees may apply for University positions in other units at the same time that off-campus applications are taken.

#### C. Transfer

An employee may transfer from a position in one department or other unit to a position with the same title and responsibilities or to a position with a different title and responsibilities but classified at the same pay grade, either in the same unit or in another University unit. Such lateral transfers do not result in any change in pay. A lateral transfer may be accomplished through any of the methods described, above, for promotion. Transfers of faculty from one department to another or from one college to another may occur when the change is in the best interest of the academic programs of the University.

#### D. Career Ladders

The Arkansas Legislature has authorized more than 250 job titles for use by the University. A current list of authorized titles is maintained by the Office of Human Resource Services. For a number of the titles there is no standard career ladder. In many other cases, the titles themselves reflect the normal career ladders. Thus, the career ladder for an Applications Programmer may be from Applications Programmer I to Applications Programmer II, to Applications Programmer III. Likewise, a Custodial Worker I might be promoted to Custodial Worker II, and then to Custodial Supervisor. An Accounting Asst. I might become an Accounting Asst. II, then an Accountant I, Accountant II, Accounting Supervisor I and Accounting Supervisor II. While the above examples reflect possible career ladders there are no state regulations requiring strict adherence to following any standard career ladder within any field or discipline. As discussed in further detail below any employee may apply for any job for which he/she is minimally qualified. In addition, it is possible for employees to cross career ladders, thus gaining further opportunities for promotion and job mobility. An employee, who completes additional education requirements, completes a training program, or who gains expertise otherwise may advance within the University by applying for positions for which he or she is then qualified.

Similar patterns of job mobility would be applicable for those positions to which there is no standard career ladder, but for which an employee might become eligible by completing relevant training or educational programs. All University employees are eligible to apply for positions, which become open and will be considered, along with other applicants, on the basis of their qualifications. Both the Office of Human Resource Services and the Office of Human Relations can provide information to employees about minimum qualifications for positions to which they would like to advance.

The usual career ladder for faculty is from assistant professor to associate professor to professor. Details concerning minimum qualifications for each rank are included in the Faculty Handbook and are available in more specific detail from the department chairpersons and the academic deans.

## E. Training

The University offers the following training and/or educational activities, which may enhance promotional opportunities for employees:

1. At the discretion of his or her supervisor, the employee may be provided released time, to the extent allowed by policy, in order to enroll in courses, which will improve his or her occupational skills.
2. Inter-Agency Training Programs for Arkansas State Employees are offered on a quarterly basis. The programs are designed to meet the continuing needs for employee development and improved job performance.

## F. Evaluation

Employees should be evaluated, at least annually, on the basis of objective criteria; classified employees must be evaluated to be eligible for merit salary increases. Departments or other units must use the evaluation format specified in the Arkansas Performance Evaluation System for classified employees. Evaluation instruments developed by the department or other unit may be used for non-classified employees who are not faculty. The annual evaluation should be discussed with and signed by the employee being evaluated before being placed in the employee's personnel file. The performance of each faculty member is reviewed annually, by the department faculty and chairperson, the academic dean, the Vice Chancellor and Provost and the Chancellor. Specific criteria for evaluation are determined by the departments and colleges, and include a review of teaching, research, and public service activities. Records of the annual review of faculty are maintained by the departments.

## G. Termination

Detailed explanations of University policies and procedures for voluntary termination, non-reappointment and dismissals of employees are contained in the Faculty Handbook and the Staff Classified Employee Handbook.

# IX. UNIVERSITY ANALYSES

## A. Basic Data File

The University maintains a computerized data file on all employees. Among information elements contained in the employee file which may be used for affirmative action purposes are the following:

1. Name
2. Identification
3. Gender
4. Racial or ethnic identification
5. Citizenship or residency status
6. Date of birth
7. Current salary
8. Period of appointment
9. Percent appointment
10. Current job title
11. EEO-6 category for job title
12. Date of hire
13. Employment status

14. Educational level or highest degree
15. Organizational unit where employed
16. Necessity for work related accommodation due to disability.

Other data elements are maintained in addition to those listed above. All reasonable precautions are taken to ensure confidentiality of the data. Employees who work with the data file are to be informed by their supervisors that data on individual employees are to be used for University analyses only and are not for general dissemination. Employees are required to sign a statement of confidentiality. Individual employees are not legally bound to report information about their gender or race, but supervisors are required to make such identification on the basis of their best knowledge of the employee.

## B. Availability Studies

### 1. Academic Personnel

Availability figures for faculty are derived from Professional Women and Minorities: A Total Human Resource Data Compendium, tenth edition, (June, 1997), published by the Commission on Professionals in Science and Technology. This resource is usually revised regularly, and newer editions will be used as they become available. Other sources of availability data for faculty may be used, especially when they provide more up-to-date or detailed figures; examples include studies published by associations within the academic disciplines.

Full-time, tenure-track faculty are recruited on a national basis, and national availability data are used to determine utilization rates. Doctoral-level availability data are used for all academic disciplines except those in which the doctorate is not considered the terminal degree. Availability data used for those fields will be for persons holding the appropriate master's or other professional degree.

Utilization of faculty by the University is compared annually with national availability, by academic department and by college. Hiring goals are updated accordingly by the Office of Human Relations in cooperation with the academic departments.

### 2. Non-Academic Personnel

Availability data for all job families other than faculty, executive/administrative/managerial and professional non-faculty have been derived from the report entitled Labor Market Information for Affirmative Action Programs, prepared by the Research and Analysis Section of the Arkansas Employment Security Division. In particular, the data for Pulaski County has been used, representing the county area including and surrounding the Little Rock campus. Data for the Little Rock Metropolitan Statistical Area or the State of Arkansas is used when it is more appropriate. This area constitutes the most probable employment area for classified personnel, and corresponds to the area in which nearly all current classified staff actually reside.

Executive/administrative/managerial employees are recruited on a national basis, and availability figures for that category are derived from the 1990 Census. Employees in the professional non-faculty category may be recruited on a statewide, regional, or national basis. However, since most are recruited

nationally and since national availability figures reflect most accurately the labor market pool, national data has been used in determining availability for employees in this category.

## C. Work Force Analyses

A work force analysis for full time employees has been developed, in accordance with the format specified by the Office of Federal Contract Compliance Programs (OFCCP) of the U.S. Department of Labor. The tables list employees by organizational unit, by salary code in descending order, and by minority status and gender within each title.

Organizational unit tables are grouped by Vice Chancellors headed by the Chancellor to indicate the reporting and operating structure of the University. For instance the colleges within the University are located within the broad division of the Vice Chancellor of Academic Affairs.

The work force analysis will be updated at least annually and is supplemented by annual EEO-6 reports.

The faculty statistics within the work force analysis is reviewed at least annually in relation to national availability data to identify under utilization of women and minorities. It is also used to identify any clustering of women and minority faculty in particular academic ranks.

The non-academic staff statistics within the work force analysis is reviewed at least annually in relation to area availability data to identify under utilization of women and minorities. It is also used to identify any clustering of women and minority staff in particular salary ranges or job categories.

## D. Salary Analyses

### 1. Academic Personnel

Academic salaries are analyzed periodically for equity, with particular attention to the salaries of women and minorities. Any apparent discrepancies are investigated on an individual basis and adjustments are made where appropriate.

### 2. Non-Academic Personnel

Since July 1, 1977, salaries for most non-academic employees have been governed by the Higher Education Uniform Classification and Compensation Act of the State of Arkansas. The Act establishes a compensation plan for classified staff which assigns each position title to one of twenty-six salary grades. Employees normally begin at level one of the appropriate grade. The titles, the grades to which they are assigned and the compensation rates for the various grades are reviewed biennially by the Arkansas General Assembly and may be revised at that time and at other times when revision is necessary to bring the compensation plan into compliance with federal minimum wage guidelines or to make other adjustments. The purpose of the Higher Education Uniform Classification and Compensation plan is to ensure that employees will be paid equitable salaries, comparable to those of other employees who perform the same or similar work.

Some non-academic titles are not assigned to specific grades in the compensation plan. However, the General Assembly establishes biennially a maximum annual salary rate for each of those titles. The biennial appropriations bill also specifies the maximum number of employees who may hold any given title, including those assigned to pay grades in the compensation plan, among those employees who are included in the University of Arkansas, Little Rock budget.

E. Promotion Analysis

Records of all non-academic promotions and their effective dates are maintained, by race and gender, in the Office of Human Resource Services. Academic promotions must be approved by the Board of Trustees and normally take place only once a year, in the Spring semester. Records of academic promotions are maintained by the Vice Chancellor for Academic Affairs.

F. Tenure Analysis

Tenure is granted to faculty with the approval of the Board of Trustees and in compliance with University tenure policy.

G. Termination Analysis

A list of terminated employees is retained in the Office of Human Resource Services.

H. New Hires Analysis

Affirmative action review forms of classified and professional staff positions approved to be filled are maintained in the Office of Human Relations.

X. IDENTIFICATION OF PROBLEM AREAS

At least annually, the University's work force is analyzed by the Office of Human Relations in order to identify such problems as the clustering of women or minorities in particular job categories, occupations, academic ranks, departments, colleges or divisions. Problems of under utilization are also identified as are any apparent disparities in the granting of tenure, the awarding of promotions, the granting of off-campus duty assignments, or the treatment of employees or applicants for employment in any other category of personnel action. Whenever problems are identified, appropriate corrective measures will be taken.

XI. GRIEVANCE PROCEDURES

Separate grievance procedures have been established for academic and non-academic staff, and are contained in the Faculty Handbook and in the Staff Handbook. In addition to using the formal grievance procedures for faculty and staff, employees may also present affirmative action-related grievances to the Director of Human Relations.

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Chancellor

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Director, Office of Human Relations

## **Affirmative Action Plan Under the Rehabilitation Act of 1973**

### **I. INTRODUCTION**

The following is the University of Arkansas, Little Rock's non-discrimination and affirmative action policy and the regulations of the U.S. Department of Labor, Office of Federal Contract Compliance Programs for the purpose of complying with Section 503 of the Rehabilitation Act of 1973.

It is the policy of the University of Arkansas that no applicant or employee shall be discriminated against because of any physical or mental disability with regard to any position for which the individual is qualified. The written Affirmative Action policy is designed to employ, advance in employment, train, and otherwise treat people with disabilities without discrimination based on any physical or mental disability.

The University is committed to the prohibition of any policy or practice, which has the effect of discriminating against people with disabilities. The university is committed to insuring that every individual is entitled to an opportunity equal to his or her abilities.

Considerate treatment of applicants and employees is essential to good human relations and the development of good morale among employees. These practices directly affect and improve the quality of employment at the University of Arkansas, Little Rock and create the kind of atmosphere which fosters a successful operation.

The University realizes that an individual with a disability is not a liability and is committed to providing people with disabilities the opportunity to grow, become employed, participate in activities, and benefit from programs at all levels within the institution.

The non-discrimination policy covers all aspects of employment at all locations within the University of Arkansas, Little Rock's authority. Affirmative action obligations imposed by the Rehabilitation Act of 1973 require the University to employ and advance in employment qualified individuals with disabilities at all levels of employment. The obligations apply to all employment practices including, but not limited to wages, University sponsored training, selection for training, education tuition benefits, transfer, demotion, layoff, return to work, recruitment, hiring, promotion, granting of tenure, compensation, employee benefits, discipline, termination, and all other, terms, conditions or privileges of employment, or other employment benefits.

### **II. DEFINITIONS**

Section 7(6) of the Rehabilitation Act defines the term "handicapped individual" as "a 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 impairment."

"Life activities" may be considered to include communication, ambulation, self-care, socialization, education, vocational training, employment, transportation, and adapting of housing, etc. For the purpose of Section 503 of the Act, primary attention is given to those life activities that effect employability.

The phrase "substantially limits" means the degree that the impairment affects employability. An individual with a disability who is likely to experience difficulty in securing, retaining, or advancing in employment, would be considered substantially limited.

The phrase "has a record of such an impairment" means that an individual may be completely recovered from previous physical or mental impairment. It is included because the attitude of employers, supervisors, and co-workers toward individuals with an impairment may result in an individual experiencing difficulty in securing, retaining, or advancing in employment. The mentally restored and those who have had heart attacks or cancer, often experience such difficulty. Also, this part of the definition would include individuals who have been erroneously classified and may experience discrimination based on this wrong classification. This group may include persons such as those who have been wrongly classified as mentally retarded or mentally restored.

The phrase "is regarded as having a disability", whether an impairment exists or not, but who, because of attitudes or for any other reason, are regarded as having a disability by employers, or supervisors who have an affect on the individual securing, retaining, or advancing employment.

### III. DISSEMINATION OF POLICY

Communication of the University's equal employment opportunity policy is an essential part of the Affirmative Action Plan. Internal and external knowledge of the University's policy of non-discrimination is critical to its effective implementation. The following measures will be taken to ensure wide dissemination of the policy:

#### A. Internal Dissemination

1. Briefings and training sessions with management and supervisory personnel in the University to discuss this policy and their individual responsibilities for effective implementation.
2. Orientation for each University search committee to discuss the policy and measures for its implementation.
3. Information for all employees about the policy and their individual responsibilities under the Plan through the faculty handbook, the staff handbook.
4. Communication to new employees during orientation session held shortly after their appointment.
5. University publications and news will report appointments, accomplishments, promotions, etc., of minority, and women employees, and other affected employees.
6. University publications will feature pictures of minority and women employees, and other affected categories of employees.

#### B. External Dissemination

1. The statement "The University of Arkansas at Little Rock is an Equal Opportunity/Affirmative Action Institution" will be included in appropriate University publications.
2. When the University uses external recruiting sources and employment agencies, it will inform them of this policy and of its intent to seek out qualified applicants without regard to race, color, religion, sex, age, national origin, veteran's status or disability, and stipulate that these sources actively recruit and refer minorities, persons with disabilities, veterans, and women for all positions listed.

3. Minority and women's organizations, community agencies, community leaders, secondary schools and colleges will be notified about the University's policy.
4. Applicants for employment will be informed about federal laws relating to equal employment opportunity and the University's affirmative action policy through posters and other notices in the Office of Human Resource Services and as a part of the Office of Human Relations recruitment plan procedures.
5. Minorities, women, and other affected categories of employees will be shown, when employees are pictured in external communications and publications.
6. The University's policy on Affirmative Action is printed on all purchase orders and is used to inform vendors and suppliers of the policy.
7. The Office of Human Relations will communicate with organizations representing minorities, women, people with disabilities, Vietnam era and disabled veterans, and community agencies and leaders about the Affirmative Action Plan and the University's Policy.
8. Copies of the Affirmative Action Plan will be filed with the University of Arkansas at Little Rock Ottenheimer Library and the Law Library.

The Director of Human Relations will be responsible for the implementation of these policy dissemination measures and will maintain records of all appropriate actions taken.

#### IV. RESPONSIBILITY FOR IMPLEMENTATION

The responsibilities for development, implementation, and monitoring of the Affirmative Action Plan have been delegated by the Chancellor of the University of Arkansas, Little Rock, according to the administrative structure described below. However, effective implementation will require the involvement, participation, and support of all members of the University community. Positive good faith efforts will be required of all employees, each of whom must accept the commitment to equal employment opportunity and to equitable and non-discriminatory practices throughout the University. Special responsibility rests with those persons who are responsible for recruiting, interviewing, hiring, paying and promoting others.

##### A. Director of Human Relations

The Director of Human Relations will be a full-time employee responsible for oversight of the program and identification of problems relating to equal opportunity and affirmative action. The director will report to the Chancellor.

The responsibilities of the Director of Human Relations include but are not limited to:

1. Developing and maintaining the Affirmative Action Plan for the Little Rock campus of the University of Arkansas.
2. Assist in the developing of policies, procedures, and guidelines for implementing and sustaining the University's affirmative action program.
3. Provide assistance to administrative officials in arriving at goals and timetables to remedy any known deficiencies.

4. Develop and administer a system of continuous monitoring, that will determine the effectiveness of the University's affirmative action program.
5. Maintain records of the affirmative action process for internal audit and for monitoring by external compliance agencies.
6. Identify problem areas and arriving at appropriate solutions and/or corrective actions.
7. Receive and pursue individual and group complaints and recommending corrective actions.
8. Act as liaison between the University and enforcement agencies.
9. Respond to formal complaints filed with enforcement agencies and, in cooperation with the Associate General Counsel, to charges of discrimination by the University.
10. Remain knowledgeable about and capable of interpreting the official federal guidelines and laws governing equal employment opportunity.
11. Monitor compliance with provisions of Title IX of the Education Amendments of 1972 and serving as the campus Title IX compliance officer.
12. Monitor compliance with provisions of the Rehabilitation Act of 1973 and serving as the campus Section 504 compliance officer.
13. Monitor compliance with Act 99 of 1989 and Act 426 of 1993.
14. Monitor compliance with the Arkansas Veterans Preference Law; State of Arkansas Executive Order 89-1 and monitoring compliance with other state and federal legislation and regulations which relate to equal opportunity and affirmative action.
15. Serve as liaison between the University and minority organizations, women's organizations, and community action groups.
16. Represent the University at regional and national meetings regarding matters of equal employment and affirmative action.

**B. Vice Chancellor for Academic Affairs**

The Vice Chancellor for Academic Affairs is responsible for the area of academic employment. The Vice Chancellor will implement this Plan and the procedures and actions described herein and monitor and report as to its progress in the academic area.

In order to accomplish these actions, the Vice Chancellor for Academic Affairs will work through deans and directors and will supervise their involvement in the program and its actions.

Deans and directors of academic personnel will exercise direct management of the program through department heads or chairpersons and other academic supervisory personnel. The latter group will be responsible for initiating specific personnel actions and for keeping records for their respective areas of action.

### C. Director of Human Resource Services

The Director of Human Resource Services is responsible for all areas of employment which come under the state classification plan. He or she will implement the Plan and procedures as they relate to the classified employment areas, and implement and/or recommend modifications of procedures, as appropriate, in compliance with Affirmative Action and will work in conjunction with the Director of Human Relations. Serving as the University's agent for labor certification of non-resident alien employees.

In order to accomplish these actions, the Director of Human Resource Services will work through deans, directors, and heads or chairpersons of departments concerning classified personnel and will supervise their involvement in the program and its actions.

Deans, directors, and other designated heads of units will exercise direct management of the program through supervisory personnel. Supervisors will be responsible for initiating specific personnel actions and for keeping records as indicated in this Plan. Directors and other designated heads of units will be responsible for monitoring the program in their respective areas of action in the non-academic sectors.

## V. POLICIES AND PRACTICES

All policies, procedures and practices specified in the University of Arkansas, Little Rock Affirmative Action Plan will have full force and effect in all personnel actions involving disabled individuals.

### A. Disability Self-Identification

Each year or as required to maintain viable statistics, a Personnel Data Form is distributed by the Department of Human Resources to provide employees the opportunity to voluntarily review and update their personnel records. A copy of this form is available from the Office of Human Resource Services. Information received from this form pertaining to a disability is treated confidentially. If a special accommodation is needed or if employees have a disability and do not wish to indicate this on the form, they may contact the Office of Human Relations.

Refusal to provide the information will not subject the employee to any adverse treatment, and the information will only be used in accordance with the regulations implementing the Rehabilitation Act of 1973.

Information gathered from the Personnel Data Form is maintained for federal, state and internal reports and analysis. The federal government requires the collection of certain data, such as sex, race, veteran status, and disabilities and is used for designing programs and facilities to aid staff members with disabilities.

### B. General Requirements

The following guidelines are intended to assist supervisors, managers, and staff in their employment policies and practices in working with employees and applicants with disabilities.

1. No otherwise qualified individual with a disability, shall, on the basis of the disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to, discrimination in any aspect of the employment process of the University of Arkansas, Little Rock.

2. The University of Arkansas, Little Rock takes affirmative action to employ and advance in employment qualified individuals with disabilities.
3. The University makes reasonable accommodations to known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation or request for services would impose an undue hardship on the employing unit.
4. The University does not knowingly participate in a contractual or other relationship that has the effect of subjecting applicants or employees with disabilities to discrimination.
5. The University does not knowingly use employment selection criteria that is discriminating. Arrangements may be made for alternative testing or selection criteria that impair sensory, manual, or speaking skills for people with disabilities.
6. Information concerning a disability, medical condition, or medical history may be necessary to determine whether the disability is job related. Any employee or applicant to whom such an inquiry is directed shall be provided the opportunity to explain why the disability either is not related to the requirements of the job or what reasonable accommodations can be made.
7. Alcoholism, drug addiction, and aids are recognized as disabilities as defined by the Americans with Disabilities Act. However, the term "Qualified individual with a disability" shall not include any employee or applicant who is currently engaging in the illegal use of drugs.

#### C. Accommodations

All employees in similar situations are evaluated using the same criteria. In considering employees with disabilities, evaluations are made in terms of actual job requirements and possible accommodations that will enable them to do the job. Evaluations may involve matching their combination of strengths and weaknesses to do the job.

The Office of Human Relations may assist employees with disabilities in arranging for accommodations and locating adaptive equipment. Employees or department heads or supervisors may contact the Office of Human Relations for information or assistance concerning accommodations. Accommodations will be handled on a case-by-case basis working with the needs of the employee.

Reasonable accommodations must be made unless the employer can demonstrate that such an accommodation would impose an undue hardship. In determining the extent of the obligation to the accommodation, business necessity and financial cost and expenses are considered.

#### D. Review of Physical and Mental Qualifications

A review of all physical and mental job qualification requirements is performed by the Office of Human Resource Services as job descriptions are reviewed and/or updated periodically. This ensures that qualification requirements do not screen out qualified individuals with disabilities, that job requirements are job-related, and that they are consistent with business necessity and safe performance of the job.

## E. Documentation

Information concerning a disability or medical history of an employee shall be treated as medical records and are retained through the use of forms accorded confidentiality as medical records. Exceptions may include:

1. Supervisors and managers may be informed regarding restrictions on the work or duties of employees with disabilities and regarding accommodations.
2. First Aid and Safety Personnel may be informed, where and to the extent appropriate, if the condition might require emergency treatment.
3. Government officials investigating compliance with the Act shall be informed.

If an employee claims to have a disability, medical documentation may be required. Any information obtained from such medical inquiries must be used in accordance with job related standards.

## VI. GRIEVANCE PROCEDURES

Separate grievance procedures have been established for academic and non-academic staff, and are contained in the Faculty Handbook and in the Staff Handbook. In addition to using the formal grievance procedures for faculty and staff, employees may also present affirmative action-related grievances to the Director of Human Relations

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Chancellor

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Director, Office of Human Relations

**Affirmative Action Plan Under the Vietnam Era Veterans'  
Readjustment Assistance Act of 1974, 38 U. S. C. 2012**

**I. INTRODUCTION**

This policy complies with the regulations section 402 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U. S. C. 2012

This Affirmative Action Plan for veterans with disabilities and veterans of the Vietnam era is reviewed and will be updated each year by the Office of Human Relations in conjunction with other parts of the University's overall affirmative action plan.

**II. POLICY STATEMENT**

It is the policy of the University of Arkansas at Little Rock to provide equal employment opportunity to all qualified persons; to prohibit discrimination against any employee or applicant for employment because of race, color, religion, sex, age, national origin, sexual orientation, marital or parental status, veteran's status, or disability, and to promote the full realization of equal employment opportunity through a positive, continuing program of affirmative action.

This policy will be followed in recruiting, hiring, determination of pay, promotions, University-sponsored training programs, transfers, layoffs, returns from layoff, demotions, terminations, social and recreational programs, use of University facilities, fringe benefits, and treatment as individuals. It is to be implemented throughout the campus and is the responsibility of all departments and all personnel, supervisory and non-supervisory. Compliance with this policy shall be monitored by the Office of Human Relations.

In the vocabulary of equal employment opportunity, affirmative action signifies a positive, continuing, result-oriented program developed by an employer to assure meaningful employment opportunities to all segments of the community and more specifically to minority group members, women and others who have been discriminated against in the past. It contrasts with simple non-discrimination which implies a more passive observance of equal opportunity. The concept of affirmative action assumes that discrimination in employment is likely to be a structural problem built into policies and practices which on the surface do not appear to be discriminatory, but which in fact have created barriers to employment and promotion for women and minority groups. The Affirmative Action Plan sets forth specific result-oriented procedures to which the University commits itself in order to overcome such institutional barriers to equal employment opportunity. It also establishes an organizational structure for developing future goals and procedures and for assuring that all efforts are made to meet these goals on an on-going basis.

The University commits itself to a policy of equal employment opportunity and to a program of affirmative action not solely because of legal requirements, but because it believes that such practices are basic to human dignity.

**III. DEFINITIONS**

The following definitions from 41 CFR 61-250.2 are provided for a better understanding of the law and the University's commitment.

"Special disabled veteran" means 1) a veteran 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 Veterans Administration for a disability (A) rated at 30 percent or more, (B) rated at 10 or 20 percent in the case of a veteran who has been determined under section 1506 of Title 38, U. S. C.,

to have a serious employment handicap: (ii) a person who was discharged or released from active duty because of a service-connected disability.

"Veteran of the Vietnam era" means a veteran, any part of whose active military, naval, or air service was during the period August 5, 1964, through May 7, 1975, who - (i) served on active duty for a period of more than 180 days and was discharged or released therefrom with other than a dishonorable discharge, or (ii) was discharged or released from active duty because of a service connected disability.

No veteran may be considered to be a veteran of the Vietnam era under this paragraph after December 31, 1994.

#### IV. DISSEMINATION OF POLICY

Communication of the University's equal employment opportunity policy is an essential part of the Affirmative Action Plan. Internal and external knowledge of the University's policy of non-discrimination is critical to its effective implementation. The following measures will be taken to ensure wide dissemination of the policy:

##### A. Internal Dissemination

The Office of Human Relations will meet with management and supervisory personnel in the University to discuss this policy and their individual responsibilities for effective implementation.

The Office of Human Relations will meet with University search committees to discuss the policy and measures for its implementation.

The Office of Human Relations will inform employees about the policy and their individual responsibilities under the Plan through the faculty handbook, and the staff handbook.

The Office of Human Relations will ensure that the University's policy will be communicated to new employees during the orientation session shortly after their appointment.

The Office of Human Relations will ensure that appointments, accomplishments, promotions, etc., of minority, and women employees, employees with disabilities, and other affected employees will be publicized through University publications and press releases.

##### B. External Dissemination

1. The statement "The University of Arkansas is an Equal Opportunity/Affirmative Action Institution" will be included in appropriate University publications.
2. When the University uses external recruiting sources and employment agencies, it will inform them of this policy and of its intent to seek out qualified applicants without regard to race, color, religion, sex, age, national origin, veteran's status or disability, and stipulate that these sources actively recruit and refer minorities, persons with disabilities, veterans, and women for all positions listed.
3. Minority and women's organizations, community agencies, community leaders, secondary schools and colleges will be notified about the University's policy.

4. Applicants for employment will be informed about federal laws relating to equal employment opportunity and the University's affirmative action policy through posters and other notices in the Office of Human Resource Services and as a part of the Office of Human Relations recruitment plan procedures.
5. Minorities, women, and other affected categories of employees will be shown, when employees are pictured in external communications and publications.
6. The policy on Affirmative Action is printed on all purchase orders and is used to inform vendors and suppliers of the policy.
7. The Office of Human Relations will communicate with organizations representing minorities, women, people with disabilities, Vietnam era and disabled veterans, and community agencies and leaders about the Affirmative Action Plan and the University's Policy.
8. Copies of the Affirmative Action Plan will be filed with the University of Arkansas Ottenheimer Library and the Law Library and with all off campus locations.

The Director of Human Relations will be responsible for the implementation of these policy dissemination measures and will maintain records of all appropriate actions taken.

## V. RESPONSIBILITY FOR IMPLEMENTATION

The responsibilities for development, implementation, and monitoring of this Affirmative Action Plan have been delegated by the Chancellor of the University of Arkansas, Little Rock, according to the administrative structure described below. However, effective implementation will require the involvement, participation, and support of all members of the University community. Positive good faith efforts will be required of all employees, each of whom must accept the commitment to equal employment opportunity and to equitable and non-discriminatory practices throughout the University. Special responsibility rests with those persons who are responsible for recruiting, interviewing, hiring, paying and promoting others.

### A. Director of Human Relations

The Director of Human Relations will be a full-time employee responsible for oversight of the program and identification of problems relating to equal opportunity and affirmative action. The director will report to the Chancellor.

The responsibilities of the Director of Human Relations include but are not limited to:

1. Develop and maintain the Affirmative Action Plan for the Little Rock campus of the University of Arkansas.
2. Assist in developing, policies, procedures, and guidelines for implementing and sustaining the University's affirmative action program.
3. Provide assistance to administrative officials in arriving at goals and timetables to remedy any known deficiencies.
4. Develop and administer a system of continuous monitoring, that will determine the effectiveness of the University's affirmative action program.

5. Maintain records of the affirmative action process for internal audit and for monitoring by external compliance agencies.
6. Identify problem areas and arriving at appropriate solutions and/or corrective actions.
7. Receive and pursue individual and group complaints and recommending corrective actions.
8. Act as liaison between the University and enforcement agencies.
9. Respond to formal complaints filed with enforcement agencies and, in cooperation with the Associate General Counsel, to charges of discrimination by the University.
10. Remain knowledgeable about and capable of interpreting the official federal guidelines and laws governing equal employment opportunity.
11. Monitor compliance with provisions of Title IX of the Education Amendments of 1972 and serving as the campus Title IX compliance officer.
12. Monitor compliance with provisions of the Rehabilitation Act of 1973 and serving as the campus Section 504 compliance officer.
13. Monitor compliance with Act 99 of 1989 and Act 426 of 1993.
14. Monitor compliance with the Arkansas Veterans Preference Law; State of Arkansas Executive Order 89-1 and monitoring compliance with other state and federal legislation and regulations, which relate to equal opportunity and affirmative action.
15. Serve as liaison between the University and minority organizations, women's organizations, and community action groups.
16. Represent the University at regional and national meetings regarding matters of equal employment and affirmative action.

**B. Vice Chancellor for Academic Affairs**

The Vice Chancellor for Academic Affairs is responsible for the area of academic employment. The Vice Chancellor will implement this Plan and the procedures and actions described herein and monitor and report as to its progress in the academic area.

In order to accomplish these actions, the Vice Chancellor for Academic Affairs will work through deans and directors and will supervise their involvement in the program and its actions.

Deans and directors of academic personnel will exercise direct management of the program through department heads or chairpersons and other academic supervisory personnel. The latter group will be responsible for initiating specific personnel actions and for keeping records for their respective areas of action.

**D. Director of Human Resource Services**

The Director of Human Resource Services is responsible for all areas of employment which come under the state classification plan. H or she will implement the Plan and procedures as they relate to the classified employment areas, and implement and/or recommend modifications of procedures, as appropriate, in compliance with Affirmative Action and will work in conjunction with the Director of Human Relations.

In order to accomplish these actions, the Director of Human Resource Services will work through deans, directors, and heads or chairpersons of departments concerning classified personnel and will supervise their involvement in the program and its actions.

Deans, directors, and other designated heads of units will exercise direct management of the program through supervisory personnel. Supervisors will be responsible for initiating specific personnel actions and for keeping records as indicated in this Plan. Directors and other designated heads of units will be responsible for monitoring the programs in their respective areas of action in the non-academic sectors.

## VI. UNIVERSITY POLICIES AND PRACTICES

### A. General Policies and Procedures

UALR strictly adheres to the Affirmative Action policies as set forth in this plan.

### B. Veteran's Self-Identification

Each year or as required to maintain viable statistics, a Personnel Data Form is distributed by the Department of Human Resources to provide employees the opportunity to voluntarily review and update their personnel records. A copy of this form is available from the Office of Human Resource Services. Information received from this form pertaining to a veteran with a disability or a Vietnam era veteran is treated confidentially. If a special accommodation is needed or if employees have a disability and do not wish to indicate this on the form, they may contact the Office of Human Relations. A file of special accommodations is being developed for employees who are accorded these accommodations.

Refusal to provide the information will not subject the applicant or employee to any adverse treatment, and the information will only be used in accordance with the regulations implementing 38 U. S. C. 2012.

Information gathered from the Personnel Data Form is maintained for federal, state and internal reports and analysis. The federal government requires the collection of certain data, such as sex, race, veteran status, and disabilities and is used for designing programs and facilities to aid staff members with disabilities.

In determining the qualifications of a covered veteran, the University considers only that portion of the military record, including discharge papers, relevant to the specific job qualifications for which the veteran is being considered or holds.

### C. Reporting Requirements

Federal contractors must report at least annually the number of special veterans with disabilities and veterans of the Vietnam era in their workplace by job category and hiring location and the total number of employees and the number of special veterans with disabilities and veterans of the Vietnam era hired during the reporting period.

The report, referred to as the Vets 100 Report" is completed by the Office of Institutional Research.

#### D. Recruitment and Selection Procedures

The University procedures for the recruitment, selection and appointment of employees and for documentation of affirmative action efforts are separate for classified staff and for faculty, administrative and professional staff. Recruitment procedures for all categories of employee within the University of Arkansas, Little Rock may be found in the Affirmative Action Plan for minorities and women and have full force and affect as it applies to veterans covered under this plan.

A listing of all position vacancies is regularly sent by the Office of Human Relations to the Employment Security Division for recruitment purposes. The Office of Human Relations will provide local veterans organizations with the same listing and on the same schedule with a request to have the listing posted in a prominent place for all members.

#### E. Documentation

The documentation provisions, policy and procedures applicable to people with disabilities cited in the Rehabilitation Act of 1973 section of this plan apply equally to veterans with disabilities.

Information concerning a disability or medical history of an employee shall be treated as medical records and are retained through the use of forms accorded confidentiality as medical records. Exceptions may include:

Supervisors and managers may be informed regarding restrictions on the work or duties of employees with disabilities and regarding accommodations.

First Aid and Safety Personnel may be informed, where and to the extent appropriate, if the condition might require emergency treatment.

Government officials investigating compliance with the Act shall be informed.

If an employee claims to have a disability, but there is reasonable cause to doubt the employee, medical documentation can be required. Any information obtained from such medical inquiries must be used in accordance with job related standards.

### VII. GRIEVANCE PROCEDURES

Separate grievance procedures have been established for academic and non-academic staff, and are contained in the Faculty Handbook and in the Staff Handbook. In addition to using the formal grievance procedures for faculty and staff, employees may also present affirmative action-related grievances to the Director of Human Relations.

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Chancellor

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Director, Office of Human Relations