



UNIVERSITY OF WISCONSIN-MILWAUKEE

Affirmative Action Plan for Individuals with Disabilities

AAP Start Date: October 31, 2021

AFFIRMATIVE ACTION PLAN FOR INDIVIDUALS WITH DISABILITIES

I. PURPOSE, POLICY, AND DEFINITIONS

The University of Wisconsin-Milwaukee (UWM) is committed to providing equal employment opportunity for all applicants and employees who may be individuals with a disability. UWM will provide equal employment opportunity in recruitment, selection, hiring, promotion, transfer, demotion, layoff, recall from layoff, leaves of absence, training, termination, benefits, compensation, and in any other term, condition, or privilege of employment. To help achieve these objectives, UWM has prepared this affirmative action plan (AAP) for individuals with disabilities. This AAP has been designed to help UWM achieve the following objectives:

- A. Ensure that there is no discrimination against any employee or applicant for employment because of disability status in any position for which the employee or applicant is qualified.
- B. Take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment.
- C. Comply with all applicable rules, regulations, and relevant orders of the Secretary of Labor regarding non-discrimination concerning individuals with disabilities.

The following definitions shall apply in this document:

“The Act” – the Rehabilitation Act of 1973, as amended.

“Individual with a Disability” – any person who (1) has a physical or mental impairment that substantially limits one or more major life activities for such individual, (2) has a record of such impairment, or (3) is regarded as having such an impairment.

“Qualified Individual With a Disability” – an individual with a disability who satisfies the requisite skill, experience, education, and other job-related requirements of the position such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position.

II. GENERAL PURPOSE AND APPLICABILITY OF THE AFFIRMATIVE ACTION PROGRAM (41 CFR 60-741.40)

This AAP is a management tool designed to ensure equal employment opportunity and to foster employment opportunities for individuals with disabilities. UWM’s affirmative action plan includes measurable objectives, quantitative analyses, and internal auditing and reporting systems that measure the university’s progress toward achieving equal employment opportunity for individuals with disabilities.

This AAP will be reviewed and updated annually. If there are any significant changes in procedures, rights, or benefits as a result of the annual updating, those changes will be communicated to employees and applicants for employment.

III. AVAILABILITY OF AFFIRMATIVE ACTION PROGRAM (41 CFR 60-741.41)

This AAP will be made available to applicants and employees upon request. The AAP may be reviewed by applicants and employees during normal business hours at the Office of Equity/Diversity Services (EDS). Portions of the AAP are also made available online at the EDS website. All parts of the AAP will be made available except those parts that contain specific information that may relate to individual employees or that may otherwise constitute trade secrets or other information protected under Wisconsin's Public Record law.

IV. INVITATION TO SELF-IDENTIFY (41 CFR 60-741.42)

UWM invites applicants and employees who believe themselves covered by the Act to identify themselves. At any time that UWM solicits information on disability status, UWM uses the "Voluntary Self-Identification of Disability" form created by the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP). The form used as an invitation to self-identify indicates that completion of the form is voluntary, that information will be kept confidential, and that refusal to provide information will not subject an applicant or employee to any adverse treatment.

Applicants and employees are provided with an invitation to self-identify at the following times:

- A. During the pre-offer stage of the selection process.
- B. After an offer of employment has been made to the applicant and before the applicant begins his or her job duties.
- C. UWM conducts a re-survey of the workforce in order to provide each employee an opportunity to self-identify as an individual with a disability. UWM may re-survey for other demographic information at the same time that the re-survey concerning disability status is conducted. UWM conducted such a re-survey of its workforce in October 2019.
- D. Employees will be informed of the opportunity to update information on their disability status at least once in the intervening years between the re-surveys of the workforce.

V. POLICY STATEMENT (41 CFR 60-741.43 and 41 CFR 60-741.44(a))

UWM has developed an Equal Employment Opportunity Policy statement that outlines its commitment to applicants and employees. The policy statement is posted online and on UWM bulletin boards. When requested, the policy statement will be provided in a form that is accessible to an applicant or employee with a disability. The policy statement indicates that this affirmative action plan has the full support of UWM's Chancellor. A copy of the policy statement is attached to this AAP as Exhibit 1.

VI. REVIEW OF PERSONNEL PROCESSES (41 CFR 60-741.44(b))

UWM's personnel processes provide for a proper assessment of the job qualifications of applicants and employees who are known individuals with disabilities. These personnel processes are reviewed on a periodic basis, and necessary revisions are made in order to help UWM meet its equal employment opportunity and affirmative action obligations. UWM will ensure that there is no stereotyping of individuals with disabilities. UWM has reviewed its personnel processes as

part of the completion of this AAP and has discovered no specific issues that adversely affect the employment of individuals with disabilities.

VII. PHYSICAL AND MENTAL QUALIFICATIONS (41 CFR 60-741.44(c))

UWM reviews physical and mental job qualifications at the time positions open to ensure that those qualification are job-related and consistent with business necessity and the safe performance of the job.

To the extent that physical or mental job qualifications screen out or tend to screen out qualified individuals with disabilities in the selection of individuals for employment or changes in employment status such as promotion or training, UWM ensures that the requirements are related to the specific job(s) for which an individual is being considered and are consistent with business necessity and the safe performance of the job.

VIII. REASONABLE ACCOMMODATION (41 CFR 60-741.44(d))

UWM has in place a Reasonable Accommodations Policy and Procedures for Employees, a copy of which is attached to this AAP as Exhibit 2. The policy explains the rights of applicants and employees with disabilities, and details the process for requesting a reasonable accommodation and the appeals process for any applicant or employee with a disability. UWM will provide reasonable accommodation for the disability of any job applicant or employee unless such an accommodation would create an undue hardship.

Employees may request accommodations in different ways. In some instances, an employee might not make a direct request for an accommodation and instead may simply indicate that their condition is causing difficulties on the job. Supervisors are to consider all such requests—both direct and indirect—as requests for an accommodation of a disability. Records relating to disability accommodation requests are maintained in confidential files, kept separate from the employee's official or unofficial personnel files.

When an employee known to be an individual with a disability is demonstrating significant performance issues, and such issues may be related to their disability, the employee is confidentially notified of the performance issue. In such cases, the employee is made aware of the options for making a reasonable accommodation request. The employee is also made aware of UWM's confidential employee assistance provider, which can provide services to employees who may be experiencing problems that are affecting their work performance.

IX. HARASSMENT (41 CFR 60-741.44(e))

UWM prohibits the harassment of any applicant or employee based on membership in any protected class, including disability status. UWM will take all necessary steps to ensure that no person intimidates, threatens, coerces, or discriminates against any individual for the purpose of interfering with the filing of a complaint, furnishing information, or assisting or participating in any manner in any activity related to the administration of the Act. See Exhibit 3 for a copy of UWM's Discriminatory Conduct Policy which contains more information on this subject.

X. EXTERNAL DISSEMINATION OF POLICY, OUTREACH, AND POSITIVE RECRUITMENT (41 CFR 60-741.44(f)1 and 2)

UWM makes appropriate outreach and positive recruitment efforts that may assist in the recruitment of individuals with disabilities. The full scope and nature of UWM's outreach efforts may vary from year to year as UWM analyzes its success in finding qualified individuals with disabilities.

A. External Dissemination of Policy

UWM undertakes various actions in order to disseminate its Equal Employment Opportunity Policy to those outside UWM. One of the actions UWM takes is an annual distribution of a notification of UWM's policy to all vendors and subcontractors that may be covered by the Act. A copy of this notification is included with this AAP as Exhibit 4.

B. Examples of Outreach and Positive Recruitment

- UWM informs all major recruiting sources both orally and in writing of its commitment to employ individuals with disabilities.
- All job advertisements contain a statement indicating that UWM is an equal opportunity employer of individuals with disabilities.
- Applicants are provided with opportunities to view the federal "EEO is the Law" poster and the poster supplement on UWM bulletin boards and on the relevant pages of UWM's website.
- UWM has posted its Equal Employment Opportunity Policy statement on bulletin boards and on its website as a way to ensure that applicants can view the policy statement.
- UWM carefully scrutinizes each vacancy announcement to ensure that minimum qualifications represent the basic requirements needed to perform the duties of the position and that all qualifications (both minimum and preferred) are carefully stated to ensure that applicants with alternative but equally valuable experiences are not excluded from consideration. In particular, each qualification is analyzed to make sure that it does not have the effect of deterring or screening out individuals with disabilities.
- EDS maintains and updates a list of veteran and disability community resources and potential referral sources. EDS provides this list to human resource personnel and encourages them to advertise with some of the resources identified on this list.

XI. ASSESSMENT OF OUTREACH AND RECRUITMENT EFFORTS (41 CFR 60-741.44(f)3)

Each division, school, and college conducts an annual assessment of outreach and recruitment efforts to evaluate their effectiveness in identifying and recruiting qualified individuals with disabilities. UWM has collected information from these units and has reviewed the following information as part of this year's assessment of outreach and recruitment efforts:

- A. Recruitment Sources:** UWM has reviewed the number and nature of recruitment sources used to find individuals with disabilities. While each division, school, and college has a different approach to the recruitment of individuals with disabilities, each unit is committed to the recruitment and selection of individuals with disabilities. Among the recruitment sources used to find individuals with disabilities were the following:

- The State of Wisconsin Division of Vocational Rehabilitation, a unit within the Department of Workforce Development that is focused specifically on helping individuals with disabilities find employment;
- The Association on Higher Education and Disabilities (AHEAD) and its Wisconsin affiliate (WI-AHEAD);
- The UW System listserv for Coordinators of Disability Services;
- *IndependenceFirst*, a non-profit organization that provides various services to individuals with disabilities;
- Milwaukee Center for Independence, a non-profit organization that serves individuals with disabilities;
- AbilityJOBS.com, a website focused on providing employment opportunities for individuals with disabilities;
- DisabilityScoop.com, a website with a dedicated job board for professionals working in the area of developmental disability.

B. Other Programs: The various divisions, schools, and colleges take a number of additional actions to more effectively recruit individuals with disabilities. Among these efforts were the following:

- Placement of vacancy announcements in areas of the UWM campus where there is a high concentration of students with disabilities, such as the School of Education and the School of Social Welfare;
- The work of diversity committees in places such as the UWM Libraries, where the Diversity and Outreach Librarian leads the diversity effort.

C. Assessment of Data Collected on Individuals with Disabilities: UWM has reviewed the data it has collected on applicants, job openings, jobs filled, and hires during the last three years. This data suggests that there were a number of known individuals with disabilities who expressed interest in openings during the last AAP year. Known individuals with disabilities constituted approximately 6.5% of the total population of persons who expressed interest in open positions. This represents an increase from the previous AAP year, when roughly 4.9% of applicants were known individuals with disabilities.

There were 23 known individuals with disabilities who were “hired” (i.e., who came into the workforce through an external hire or who were promoted to a new position) during the last AAP year. This is a significant increase from the 10 individuals with disabilities who were “hired” in the previous AAP year, and also represents a significant increase in the percentage of “hired” individuals who identified as disabled: this year, individuals who affirmatively identified as disabled constituted approximately 7.4% of the total number of individuals who were “hired,” while that percentage was 3.2% in the previous AAP year. The College of Letters & Science had the most success in attracting known individuals with disabilities for open positions during the last AAP year, followed by the School of Architecture & Urban Planning; the Department of Human Resources; and the Division of Enrollment Management.

Based on the assessment above, UWM intends to take the following actions during the current AAP year:

- UWM will assess its current recruitment sources to determine whether they are having success in providing qualified individuals with disabilities.
- UWM will examine its applicant tracking system to determine whether the process being used to acquire self-identification information from individuals with disabilities needs modification in order to encourage more individuals with disabilities to self-identify.
- UWM will review the results of recent recruitments to assess which recruitment sources are referring individuals with disabilities, and to assess whether recruitment sources that should be able to refer individuals with disabilities are, in fact, providing any candidates.
- UWM will review whether the process used to collect disability information from persons who are considered hires is providing accurate data.

UWM has considered that part of the reason there are a limited number of individuals with disabilities appearing in data on employees is that individuals with disabilities have been reluctant to self-identify. It is possible that UWM has a significantly larger number of individuals with disabilities in its workforce than is currently being reported, and that UWM has been hiring a larger number of individuals with disabilities than is currently being reported.

XII. INTERNAL DISSEMINATION OF POLICY (41 CFR 60-741.44(g))

UWM undertakes various actions in order to disseminate its Equal Employment Opportunity Policy to employees. Among the actions UWM takes are the following:

- A. UWM makes the policy available online at its Human Resources webpage and on the webpage for the Office of Equity/Diversity Services.
- B. UWM posts the policy, as well as the federal “EEO is the Law” poster and the poster supplement, on UWM bulletin boards.
- C. UWM has established both an Americans with Disabilities Act Coordinator (called the Disabilities in Employment Coordinator or DEC), who promotes awareness of UWM’s Equal Employment Opportunity Policy and the university’s reasonable accommodation policy. UWM also has an Americans with Disabilities Act Advisory and Accessibility Committee (ADAAAC), which assists the university in developing a campus that is universally accessible and complying with relevant disability laws.

XIII. AUDIT AND REPORTING SYSTEM (41 CFR 60-741.44(h))

UWM has an audit and reporting system that will:

- Measure the effectiveness of this affirmative action plan;
- Indicate the need for remedial action;
- Determine the degree to which UWM’s objectives have been attained;
- Determine whether individuals with disabilities have had the opportunity to participate in all university sponsored educational, training, recreational, and social activities;
- Measure the compliance with this AAP’s specific obligations.

UWM documents actions taken to comply with the obligations noted above.

XIV. RESPONSIBILITY FOR IMPLEMENTATION (41 CFR 60-741.44(I))

The Director of the Office of Equity/Diversity Services is designated as the Equal Employment Opportunity Coordinator for UWM. The Equal Employment Opportunity Coordinator has the support of his supervisor and other members of management in the implementation of this plan. The Equal Employment Opportunity Coordinator, in conjunction with the Department of Human Resources, is responsible for overseeing the implementation of UWM's affirmative action activities. Various communications note that applicants and employees may contact EDS in order to learn about UWM's affirmative action plan.

The Disabilities in Employment Coordinator is responsible for ensuring the monitoring of affirmative action activities for employees with disabilities. The Coordinator's monitoring efforts include, but are not limited to:

- Holding periodic internal discussions with managers, supervisors and employees to ensure that UWM's policies regarding individuals with disabilities are being followed;
- Monitoring requests for reasonable accommodations and working with the appropriate supervisors to ensure compliance with applicable state and federal laws and UWM policies;
- Advising supervisors about preventing the harassment of individuals with disabilities;
- In conjunction with management, supervisors and employees with disabilities, identifying problems and developing training to address issues;
- Developing solutions to challenges for individuals with disabilities, particularly in regard to accommodation;
- Auditing disabilities-related programs to measure their effectiveness, determine the need for remedial action, identify progress toward meeting UWM's objectives, and ensure that the university is in compliance with this affirmative action plan;
- Working with EDS to develop partnerships with community organizations that could assist employees with disabilities;
- Keeping management informed about developments in the equal employment opportunity and affirmative action realm related to issues concerning disabilities.

The ADAAC assists in overseeing compliance with the Americans with Disabilities Act by acting as an advisory body to the Chancellor and the Disabilities in Employment Coordinator. Other functions of the committee include:

- Developing and recommending policies pertaining to campus compliance with the Americans with Disabilities Act and other disability laws;
- Lending influence, direction and support to efforts regarding campus-wide education about disabilities and universal access; and
- Supporting continuous awareness of legal obligations regarding disability issues at all levels throughout the university.

XV. TRAINING (41 CFR 60-741.44(j))

Personnel involved in recruitment, screening, selection, promotion, discipline, and other personnel actions will be trained on UWM's regulatory obligations under the Act and the commitments in this AAP.

XVI. DATA COLLECTION (41 CFR 60-741.44(k))

UWM has collected and analyzed the following information from the last three AAP years:

- The number of applicants who are individuals with disabilities
- The total number of job openings and total number of jobs filled
- The total number of applicants for all jobs
- The total number of individuals with disabilities hired
- The total number of applicants hired

A copy of the analyses for the last two years is attached to this AAP as Exhibit 5. UWM will maintain this data for a least three (3) years.

XVII. UTILIZATION GOAL FOR INDIVIDUALS WITH DISABILITIES (41 CFR 60-741.45)

UWM has established a 7.0% utilization goal for individuals with disabilities for each of the affirmative action job groups associated with UWM's AAP for minorities and women. The 7.0% utilization goal for each job group is not a rigid or inflexible quota which must be met. Instead, it is a target that UWM uses to measure its effectiveness in providing equal employment opportunity for individuals with disabilities. UWM annually compares the percentage of employees in each of its job groups who have indicated they are individuals with disabilities against the 7.0% utilization goal. A copy of this analysis is attached to this AAP as Exhibit 6.

Following a comparison of the 7.0% utilization goal to the percentage of individuals in each job group who have indicated that they are individuals with disabilities, UWM has determined that there are 15 job groups—A04, A07, A11, D01, D04, E03, FT11, FT17, FTT10, H02, I06, P02, S01, T01, and V04—where the university is meeting the 7.0% utilization goal. A review of the circumstances surrounding the job groups which are not meeting the utilization goal suggests the following:

- There are a number of job groups where there have been no recent openings, and thus there were no opportunities to add qualified individuals with disabilities.
- UWM has made outreach efforts to recruit and hire qualified individuals with disabilities, but these efforts have not produced a sufficient number of qualified individuals with disabilities to meet the relevant utilization goals.
- There may be individuals with disabilities in the workforce who have chosen not to self-identify as such, and thus the percentage of individuals in the workforce may actually be significantly closer to the utilization goal than the current figures suggest.

UWM will take a number of actions in order to increase the number and percentage of individuals with disabilities in its workforce. Some of these actions are outlined in other sections of this AAP. For example, UWM will expand the recruitment sources it is using to find individuals with disabilities in order to provide the university with more opportunities to add these individuals to the workforce. UWM will also make efforts to ensure that surveys used to collect information from applicants and employees are provided in such a way as to encourage individuals with disabilities to self-identify.

XVIII. PURCHASE ORDER, POLICIES, AND REPORTS

A. Purchase Order

UWM includes language in its purchase order making it clear that vendors and suppliers may be obligated to follow the provisions of the Act.

B. Medical Leave of Absence

UWM allows leaves of absence for employees, including employees with disabilities, to care for medical conditions consistent with federal and state family and medical leave acts.

EXHIBITS

1. Equal Employment Opportunity Policy Statement
2. UWM Reasonable Accommodation Policy and Procedures for Employees
3. UWM Discriminatory Conduct Policy
4. Notice to Vendors and Suppliers
5. Data Collection Analyses
6. Utilization Analysis