Montana State University Bozeman

Bozeman, MT

Affirmative Action Plan for Minorities and Women

January 1, 2017 through December 31, 2017
Plan Year
Montana State University Bozeman

Bozeman, MT

AFFIRMATIVE ACTION PLAN
FOR
MINORITIES AND WOMEN

January 1, 2017 through December 31, 2017
PLAN YEAR

AAP Approved by:

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Introduction

Montana State University Bozeman sets forth this Affirmative Action Plan (AAP) for the period of January 1, 2017 through December 31, 2017, reaffirming its commitment to the spirit and letter of affirmative action law, including those administered by the U. S. Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP). Through the implementation of this plan MSU Bozeman continues its efforts to comply with appropriate government regulations and to make the best possible use of personnel while contributing to the betterment of society and the community.

MSU Bozeman Profile

Mission Statement
MSU Bozeman, the state’s land-grant institution, educates students, creates knowledge and art, and serves communities by integrating learning, discover and engagement.

Vision
MSU Bozeman is as remarkable as its setting. Created as a land-grant institution, it is a welcoming, adventurous community of students, faculty and staff distinguished by its commitment to address the world's greatest challenges. The university energizes individuals to discover and pursue their aspirations. It inspires people to engage with the university to improve the human prospect through excellence in education, research, creativity and civic responsibility.

Values
Respect - Value respect for diversity in all its dimensions. Respect and civility foster collaboration and open communication, which in turn create productive local, regional, and global communities.
Integrity - Value honesty and professionalism in all work. Each individual is personally accountable for his/her work and behavior.
Student Success - Value all students and believe in creating an environment in which they can be successful and reach their full potential.
Excellence - Belief in challenging the MSU community in the pursuit of the highest quality that can be attained.

Please visit www.montana.edu/strategicplan/ for more information regarding MSU Bozeman and the MSU Strategic Plan.

History and Background of MSU Bozeman and Its Commitment to Equal Opportunity and Affirmative Action
MSU Bozeman is a unit of the Montana University System and is the land-grant University of the State of Montana. Under the 1972 revision of the Montana Constitution, the governance and control of the Montana University System is vested in the Board of Regents of Higher Education which has full power, responsibility, and authority to control the higher education system. The Board of Regents (Regents or BOR) has the responsibility for coordinating the delivery of publicly supported post-secondary education in Montana. Accordingly, the Regents, with the Commissioner of Higher Education, sets the role and scope of each campus in the system, determines statewide educational needs, and provides leadership and support in meeting those needs.

Effective July 1, 1994, the Board of Regents combined units and created two universities of the Montana University System: the University of Montana and MSU Bozeman. The campuses of Montana State
University are MSU Bozeman (Flagship Campus in Bozeman), MSU Bozeman Billings, MSU Bozeman-Northern, and Great Falls College MSU. At present, each of these units is responsible for developing and implementing its own Affirmative Action Plan (AA Plan or Plan). This is the Affirmative Action Plan for MSU Bozeman, Gallatin College and the Extension Service and the Montana Agricultural Experiment Station agencies.

Founded in 1893 as Montana State College, Montana State University Bozeman has become a comprehensive post-secondary educational institution with an enrollment of over 15,000 students and a total workforce of approximately 3,200, including tenurable and non-tenurable academic faculty, University executives and administrators, contract professional, classified FLSA exempt and non-exempt employees working in MSU Extension offices, Agricultural Research Centers, and Extended Nursing campuses across the state. MSU Bozeman offers a broad range of professional certificates and associate, baccalaureate and graduate degrees.

**Human Rights Commitments of the State of Montana**
The Constitution of the State of Montana speaks directly to the equal opportunity and affirmative action commitments of the University:

> We the people of Montana grateful to God for the quiet beauty of our state, the grandeur of our mountains, the vastness of our rolling plains, and desiring to improve the quality of life, equality of opportunity and to secure the blessings of liberty for this and future generations do ordain and establish this constitution.

**Section 4. Individual dignity continues:**
The dignity of the human being is inviolable. No person shall be denied the equal protection of the laws. Neither the state nor any person, firm, corporation, or institution shall discriminate against any person in the exercise of his civil or political rights on account of race, color, sex, culture, social origin or condition, or political or religious ideas.

**Section 35** speaks directly to the state’s obligations to those who have served in the Armed Forces:

> The people declare that Montana servicemen, servicewomen, and veterans may be given special considerations determined by the legislature.

Finally, **Article X, Section 1** states the duties of the University as an educational provider:

**Section 1. Educational goals and duties.** (1) It is the goal of the people to establish a system of education which will develop the full educational potential of each person. **Equality of educational opportunity is guaranteed to each person of the state.** (2) The state recognizes the distinct and unique cultural heritage of the American Indians and is committed in its educational goals to the preservation of their cultural integrity. (Emphasis added.)

**Non-Discrimination Policies of the Board of Regents and MSU Bozeman**
The Non-Discrimination Policies and Discrimination Grievance Procedures is the document that codifies the University’s commitment to equal opportunity and affirmative action. These policies have been revised numerous times since they were first written in 1976 in order to reflect changes in state and federal law and Regents policy. The most recent revision is available on the University’s home page at:

http://www2.montana.edu/policy/affirmative_action/aa100.html#100.00_Non-Discrimination_Policies.
History of Affirmative Action at the University

In 1975, several faculty women filed a complaint of sex discrimination against the University and the Regents. In February 1976, Federal Judge W.D. Murray found the University "guilty of sex discrimination in four specific cases and in a class action involving all female faculty working at MSU in 1976 and the three preceding years." The university prepared a Master Plan which was approved by the court which resulted in:

1. Improvement of the Affirmative Action Plan,
2. Inclusion of females in the decision-making apparatus of the University,
3. Correction of promotion and tenure criteria and policy to eliminate built-in sex discrimination, and
4. Correction of equal pay violations and payment of damages for past pay and promotion inequities.

All reports or any concerns about conduct that may be discriminatory, may violate the University’s policies against discrimination and harassment, and/or conduct that may be retaliatory should be reported to the Office of Institutional Equity. The University’s Title IX and 504 Coordinator is:

Jyl Shaffer
Director and Title IX Coordinator
Office of Institutional Equity
MSU Bozeman
(406) 994-5326
oie@montana.edu
PO Box 172430
Hamilton Hall Room 114
Bozeman, MT 59717-2430
www.montana.edu/equity
Pronouns: she/her
Reaffirming Commitment to Equal Employment Opportunity

MSU is committed to equal employment opportunity for all employees and applicants in all terms and conditions of employment and will actively carry out all Federal and state regulations and executive orders.

Waded Cruzado, President of MSU Bozeman, has designated the Chief Human Resource Officer (CHRO) as the Equal Employment Opportunity Administrator (EEO Administrator). The CHRO oversees the plan development, modification, implementation, and reporting requirements and conducts management updates. The EEO Administrator also assure that the university periodically examines its selection process to further the principles of equal employment opportunity.

MSU Bozeman is committed to equality of opportunity in all aspects of employment, including the recruitment, selection, training, compensation, benefits, discipline, promotion, transfer, layoff and termination, and that such activities are free of illegal discrimination based upon race, color, religion, sex, sexual orientation, gender identity and national origin. Further, in accordance with Section 86.9 of the regulations implementing Title IX of the Education Amendments of 1972 ("Title IX"), it is the policy of MSU Bozeman not to discriminate on the basis of sex in admission to any education program or activity administered by this institution. This policy extends to employment, admission, and access to programs and activities. Also, in accordance with Titles VI and VII of the Civil Rights Act of 1964 (respectively, “Title VI” and “Title VII”) and other applicable state and local laws, it is the policy of MSU Bozeman not to discriminate on the basis of race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran’s status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation to any education program or activity administered by this institution or in any aspect of employment.

Internal Dissemination of EEO Policy
41 C.F.R. § 60-1.42

MSU Bozeman posts equal employment opportunity notices that comply with 41 C.F.R. § 60-1.42(a) in conspicuous places (including websites) available to employees, applicants for employment, and representatives of each labor union which represents MSU Bozeman employees.

External Dissemination of EEO Policy
41 C.F.R. § 60-1.41; 41 C.F.R. § 60-1.5

1. In solicitations or advertisements for employees placed by or on its behalf, MSU Bozeman complies with the following method regarding the dissemination of its equal employment opportunity clause:

   a. MSU Bozeman states expressly in the solicitations or advertising that all qualified applicants will receive consideration for employment without regard to race, color, religion, creed, political ideas, sex, gender identity, sexual orientation, age, marital status, physical or mental disability, national origin, or ancestry. 41 C.F.R.§ 1.41(a).
When pictures are included in these media, where feasible, efforts will be made to include pictures of individuals of diverse sex, race, and national origin.

2. In addition, MSU Bozeman incorporates by reference the equal employment opportunity and affirmative action clauses into each of its covered Government contracts and subcontracts, including Government bills of lading, transportation requests, contracts for deposit of Government funds, and contracts for issuing and paying U.S. savings bonds and notes and such other contracts and subcontracts as required by law, purchase orders, lease agreements, Government contracts, and other covered contracts (and modifications thereof if not included in the original contract) in accordance with 41. C.F.R. § 60-1.4 (a) – (c) (unless exempted under 41 C.F.R. § 60-1.5).

Establishment of Responsibility for Implementation of the Plan
41 C.F.R. § 60-2.17(a)

A. Identification and Responsibilities of EEO Administrator

Overall responsibility for MSU Bozeman's plan rests with the EEO Administrator. The EEO Administrator ensures that the plan complies with all applicable laws, orders and regulations, including but not limited to, Executive Orders 11246, 13496, and their progeny. Specifically, the designated representative's duties include:

1. Developing, maintaining and, where appropriate, modifying MSU Bozeman's plan to ensure compliance with the EEO/AA law.

2. Developing, and where appropriate, modifying procedures for effectively communicating the plan and its elements both internally and externally.

3. Advising on EEO/AA progress, reporting potential EEO/AA problem areas, and assisting management in finding equitable solutions, where feasible, to any identifiable EEO/AA problem areas.

4. Evaluating the effectiveness of MSU Bozeman's plan on a regular basis, and reporting to management.

5. Overseeing audit and reporting systems that periodically measure the effectiveness of the total affirmative action program. 41 C.F.R. § 2.17 (d)(1)-(4), identifying need for remedial action, and determining the degree to which objectives have been achieved.

6. Acting as MSU Bozeman’s representative and liaison with any government agencies regarding this plan.

7. Monitoring MSU Bozeman’s policies and procedures with regard to terms and conditions of employment to attempt to ensure compliance with affirmative action obligations.

8. Auditing the content of electronic policies, as appropriate, to ensure compliance information is posted and up to date.

9. Keeping management up to date on the latest developments in the areas of EEO and affirmative action.
10. Serving as a liaison between MSU Bozeman and organizations, such as minority organizations and women's organizations.

11. Communicating EEO/AA policies with all personnel, including management, to ensure that MSU Bozeman's policies and the need for their support are understood at all levels.

12. Auditing training programs, hiring, and promotion patterns.

**B. Responsibilities of MSU Bozeman’s Leadership, which shall include all levels of management, including, but not limited to: Provost, Vice Presidents, Associate Vice Presidents, Deans, Department Heads and Chairs, Directors and Managers.**

MSU Bozeman’s leadership share responsibility for the plan, including but not limited to the following:

1. Assisting in auditing plan progress, including identifying problem areas, formulating solutions, establishing appropriate goals, and developing necessary training programs.

2. Preparing oversight of personnel procedures and decision within area of responsibility to ensure qualified individuals are treated in a nondiscriminatory manner in hiring, promotion, transfers, and termination actions.

3. Reviewing the job performance of each employee to assess whether personnel actions are justified based on the employee and his or her duties.

4. Reviewing position descriptions of the jobs in the manager’s area or department to see that they adequately reflect the job to be performed.

5. Assisting subordinates and upper management in the prevention of harassment.
Identification of Areas for Discussion
41 C.F.R. § 60-2.17(b)

MSU Bozeman will conduct periodic reviews of mission critical workforce factors in a number of ways, including performing an in-depth analysis of its total employment process to determine whether and where impediments to equal employment opportunity exist. These analyses include:

1. The workforce by organizational unit and job group of minority or female utilization and distribution;

2. Personnel activity to determine whether there are selection disparities;

3. Compensation systems to determine if there are sex-, race-, or ethnicity-based disparities;

4. Selection, recruitment, referral, and other personnel procedures to determine whether they result in employment or placement disparities of minorities or women; and,

5. Any other areas that might impact the success of the affirmative action program. 41 C.F.R. § 2.17 (b)(1)-(5), including, for example, MSU Bozeman’s review of:

   a. The workforce composition by race and sex to compare it to the availability of these groups;

   b. MSU Bozeman’s applicant flow compared to the availability for the protected groups;

   c. A comparison of hires to applicants pertaining to minorities and women;

   d. Compensation system(s) to determine whether there are sex-, race-, or ethnicity-based disparities;

   e. Selection forms, such as applications for employment, to ensure they comply with federal and state employment laws;

   f. Processes to ensure there are no artificially-created barriers or restrictive seniority provisions; and,

   g. Training opportunities to ensure they are available to minorities and women. Identification of problem areas are discussed in next section titled Narrative Discussion of goals.
Development & Execution of Action-Oriented Programs
41 C.F.R. § 60-2.17(c)

MSU Bozeman has programs designed to eliminate any problem areas, should they exist, in accordance with § 60-2.17(b), and to help achieve specific affirmative action goals. MSU Bozeman also makes a good-faith effort to remove identified barriers, expand employment opportunities, and produce measurable results. These programs may include the following items:

1. Conducting periodic reviews of job descriptions attempting to ensure they accurately reflect job-related duties and responsibilities.

2. Reviewing job qualifications by department and job title for job-relatedness, and using job performance criteria as positions are recruited for or other personnel activities take place.

3. Making job vacancy announcements including qualifications available to recruiting sources and to all members of management involved in the recruiting, screening, selection, and promotion processes.

4. Making good-faith efforts to select the most qualified candidates. MSU Bozeman will make good faith efforts to remedy any statistically significant underutilization of minorities and women it identifies. Accordingly, MSU Bozeman commits to evaluating the total selection process to ensure that decisions are made in a nondiscriminatory manner through:

   a. Reviewing the job applications and other pre-employment forms to ensure information requested is job-related;

   b. Evaluating selection methods that may have a disparate impact to ensure that they are job-related and consistent with business necessity;

   c. Providing assistance, such as training and guidance on proper interviewing techniques and EEO training, to employees, management, and supervisory staff, including, but not limited to, those who are involved in the recruitment, selection, discipline and other related processes, so that personnel actions remain neutral; and

   d. Reviewing selection techniques and employment standards.

5. Employing appropriate methods to attempt to improve recruitment and increase the flow of qualified minorities and women applicants in its recruiting process, including a number of the following actions:

   a. Including the phrase at a minimum, “Equal Opportunity Employer, Veterans/Disabled Employer” in printed employment advertisements;

   b. Placing help-wanted advertisements, when appropriate, in minority news media and women’s interest media;
c. Disseminating information on job opportunities to organizations representing minorities, women, and employment development agencies when job opportunities occur;
d. Requesting employment agencies to refer qualified minorities and women.
e. Considering special employment programs designed to deal with underutilization. Business conditions and other feasibility matters remain the key factor in any decision to develop/implement such programs.
f. Participating in job fairs, career days, youth-motivation programs and other programs that foster exposure for qualified minorities and women whenever feasible and appropriate.
g. Encouraging minorities and women to participate in University sponsored activities and programs.

6. MSU Bozeman reviews promotion criteria and procedures so that job qualifications form the basis for the promotional decisions without regard to race, color, religion, creed, political ideas, sex, gender identity, sexual orientation, age, marital status, physical or mental disability, national origin, or ancestry. MSU Bozeman will monitor promotion rates for minorities and women and, when necessary, may employ one or more of the following procedures:
a. Maintaining an inventory of current minority and women employees. b. Providing job training, job-related courses or certificate programs.
c. Reviewing work specifications and job qualifications to ensure job-relatedness. d. Reviewing promotion decisions for possible impact on women or minorities.
e. Informing employees about educational programs and other opportunities available to improve their employment prospects.
f. Reviewing seniority practices for possible impact on women and minorities.
g. Reviewing MSU Bozeman-sponsored social and recreational activities to ensure non-discriminatory participation and availability.
h. Ensuring that all employees are given equal opportunity for promotion. This is achieved by:

1. Generally posting or otherwise announcing most promotional opportunities.
2. Assisting employees in identifying promotional opportunities, training and educational programs to encourage and enhance professional growth.

3. Evaluating job requirements for promotion.

**Internal Audit and Reporting System**

**41 C.F.R. § 60-2.17(d)**

1. MSU Bozeman's EEO Administrator maintains an internal audit system to oversee MSU Bozeman's Affirmative Action Plan and assess progress. The EEO Administrator is responsible for ensuring that the formal AAP documents are developed and prepared and for the effective AAP implementation; however, responsibility is likewise vested with each department manager and supervisor, depending upon the specific responsibility. The audit system is designed and implemented to measure the effectiveness of the total affirmative action program [41 C.F.R. § 2.17 (d)(1)-(4)], including:

   a. Monitoring records of all personnel activity, including: promotions, terminations, and compensation, at all levels, to ensure the nondiscriminatory policy is carried out,

   b. Requesting internal reporting on a scheduled basis as to the degree to which equal employment opportunity and organizational objectives are attained,

   c. Reviewing reports at all levels of management; and

   d. Advising top management of the program’s effectiveness and submitting recommendations to improve unsatisfactory performance. 41 C.F.R. § 2.17 (d)(1)-(4).

2. MSU Bozeman reviews various employment decisions, such as hiring decisions, promotions, and terminations. MSU Bozeman maintains summary data where necessary and feasible, and conducts regular reviews at least annually.

3. There is no "de facto" (in practice without being officially established) segregation. Further, MSU Bozeman ensures that facilities, as broadly defined in 41 C.F.R. § 60-1.8, provided for employees are provided in such a manner that segregation on the basis of race, color, religion, creed, political ideas, sex, gender identity, sexual orientation, age, marital status, physical or mental disability, national origin, or ancestry cannot result, provided that separate or single-user restrooms and necessary dressing or sleeping areas shall be provided to ensure privacy between the sexes.

4. MSU Bozeman complies with required records retention provisions set forth in 41 C.F.R.§60-1.12 and elsewhere in the applicable OFCCP regulations, and maintains a) employment applications; b) summary data of applicant flow by identifying, at least, total applicants, total minority applicants, and total female applicants, where necessary and feasible, and conducts regular reviews at least annually; c) applicant flow showing the name, race, sex, date of application, job title, interview status, and the action taken for all individuals applying for job opportunities, and the relevant applicant/hire decisions; d) summary data
of external job offers and hires, promotions, resignations, terminations, and layoffs by job 
group 
and by sex and minority group identification; e) and records pertaining to its 
compensation system.

5. Provide needed reports to managers and supervisors regarding the results of the audit 
as well as MSU Bozeman's overall progress in the area of EEO/AA. Any 
recommended actions should be made as well. Reports shall be made to senior 
management on at least a biennial basis.
Montana State University Bozeman

Bozeman, MT

Affirmative Action Program
For Protected Veterans

January 1, 2017 through December 31, 2017
Plan Year
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Introduction

Montana State University Bozeman (MSU Bozeman) sets forth this affirmative action program (“AAP”) for the year from January 1, 2017 – December 31, 2017 reaffirming its commitment to the spirit and letter of affirmative action law. Through the implementation of this plan MSU Bozeman continues its efforts to comply with appropriate government regulations and to make the best possible use of personnel while contributing to the betterment of society and the community.

In developing this AAP, MSU Bozeman recognizes its duty to ensure equal employment opportunity. The following statement of policy reinforces that belief.

The Montana Veterans Employment Preference Act requires public employers to provide point or other preference in employment to eligible veterans, disabled veterans, and certain relatives of veterans. To claim preference, the veteran, disabled veteran or relative of a disabled veteran must indicate in the Voluntary Demographic section of the online applicant tracking system or use the form when a paper application is accepted, electronically available from the Office of Human Resources.

The State of Montana prohibits any state agency or post-secondary educational institution from employing any person who meets the selective service registration requirement of the Military Service Act, 50 U.S.C. Appendix 451 ff, et seq, and but has failed to register. Effective July 1, 2001, the Montana University System does not employ or provide financial assistance to any person who is required to register with the selective service but has failed to do so.

Equal Employment Opportunity Policy Statement

41 C.F.R. § 60-300.44(a)

In setting forth this plan MSU Bozeman reaffirms its belief and commitment in equal employment opportunity for all employees and applicants for employment in all terms and conditions of employment. The Chief Human Resources Officer (CHRO), as the EEO Administrator, oversees the plan development, modification, implementation, and reporting requirements and conducts management updates.

MSU Bozeman provides for an audit and reporting system regarding MSU Bozeman’s affirmative action responsibilities under the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended (‘‘VEVRAA’’) regulations, and assigns overall responsibility for the implementation of affirmative action responsibilities under these regulations.

MSU Bozeman recruits, hires, trains and promotes persons in all job titles, and ensures that all personnel actions are administered without regard to protected veteran status; and ensures that all employment actions are based only on valid job requirements. MSU Bozeman’s employees and applicants are not subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in or may engage in any of the following activities:

1. Filing a complaint with MSU Bozeman or with Federal, state, or local agencies regarding the status covered under this AAP;

2. Assisting or participating in any investigation, compliance review, hearing, or any other
activity related to the administration of any Federal, State, or local law requiring equal employment opportunity for protected veterans;

3. Opposing any act or practice made unlawful by VEVRAA or its implementing regulations, or any other Federal, State or local law requiring equal opportunity for protected veterans; or

4. Exercising any other right protected by VEVRAA or its implementing regulations.
MSU Bozeman’s full AAP, absent the data metrics required by 41 CFR § 60-300.44(k), is available for inspection upon request at the location and during the hours that are posted at MSU Bozeman’s establishment at MSU Bozeman’s Human Resources Office.

Definitions. For the purposes of this AAP, the term “Protected Veteran” shall be defined as follows, according to the VEVRAA regulations:

Active Duty Wartime or Campaign Badge Veteran means a veteran who served on active duty in the U.S. military, ground, naval, or air service during a war or in a campaign or expedition for which a campaign badge has been authorized, under the laws administered by the U. S. Department of Defense.

Armed Forces Service Medal Veteran means any veteran who, while serving on active duty in the U.S. military, ground, naval, or air service, participated in a United States military operation to which an Armed Forces service medal was awarded pursuant to Executive Order 12985.

Disabled Veteran means:

1. A veteran of the U. S. military, ground, naval, or air service 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 Secretary of Veterans Affairs, or

2. A person who was discharged or released from active duty because of a service-connected disability.

Protected Veteran means a veteran who is protected under the non-discrimination and affirmative action provisions of VEVRAA; specifically, a veteran who may be classified as a “disabled veteran,” “recently-separated veteran,” “active duty wartime or campaign badge veteran,” and/or an “Armed Forces Service Medal Veteran” as defined by this AAP and VEVRAA.

Recently-Separated Veteran means any veteran during the three-year period beginning on the date of such veteran’s discharge or release from active duty in the U.S. military, ground, naval, or air service.

Pre-JVA veterans are those who would be protected by 41 C.F.R. Part 250 if it were not rescinded, but would not be protected under 41 C.F.R. Part 300, and if MSU Bozeman is found to still be signatory to any federal contracts signed on or before November 30, 2003 and which have not since been amended, modified and/or extended.
Review of Personnel Processes
41 C.F.R. § 300.44(b)

1. MSU Bozeman ensures its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees who are known protected veterans for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available.

2. MSU Bozeman also ensures that when a protected veteran is considered for employment opportunities, MSU Bozeman relies only on that portion of the individual’s military record, including his or her discharge papers, relevant to the requirements of the opportunity in issue.

3. MSU Bozeman ensures that its personnel processes do not stereotype protected veterans in a manner which limits their access to all jobs for which they are qualified.

4. MSU Bozeman periodically reviews such processes and makes any necessary modifications to ensure that these obligations are carried out. A description of the review and any necessary modifications to personnel processes or development of new processes is included in this AAP.

5. MSU Bozeman designs procedures that facilitate a review of the implementation of this requirement by MSU Bozeman and the Government. The procedures MSU Bozeman uses are as follows:

   a. The application or profile in the applicant tracking system of each known applicant who is a protected veteran is annotated to identify each vacancy for which the applicant was considered, and the information is quickly retrievable for review by the Department of Labor and MSU Bozeman’s personnel officials for use in investigations and internal compliance activities.

   b. Where applicants or employees are selected for hire, promotion, or training and MSU Bozeman undertakes any accommodation which makes it possible for it to place a disabled veteran on the job, MSU Bozeman makes a record containing a description of the accommodation. The record is treated as a confidential medical record in accordance with § 60-300.23(d).

Physical and Mental Job Qualifications
41 C.F.R. § 300.23 and 44(c)

1. MSU Bozeman adheres to a schedule for the periodic review of all physical and mental job qualification standards to ensure that, to the extent qualification standards tend to screen out qualified disabled veterans, they are job-related for the position and are consistent with job necessity.
2. Whenever MSU Bozeman applies physical or mental qualification standards in the selection of applicants or employees for employment or other change in employment status such as promotion, demotion or training, to the extent that qualification standards tend to screen out qualified disabled veterans, the standards shall be related to the specific job or jobs for which the individual is being considered and consistent with business necessity. MSU Bozeman reviews its job descriptions and qualifications to ensure they accurately reflect job duties and responsibilities. The schedule is as follows as job openings become available; as new job qualifications are established; and/or, when new equipment is installed.

3. No pre-employment physical examinations or questionnaires are used by MSU Bozeman prior to a job offer contingent on such examinations and other requirements.

4. MSU Bozeman may use as a defense to a violation of its obligations in Paragraph 2 above that an individual poses a direct threat to the health or safety of the individual or others in the workplace.

5. When MSU Bozeman conducts a medical examination or inquiry of a protected veteran it will do so according to the terms and conditions of the VEVRAA and Section 503 regulations, and the results of such an examination or inquiry are kept confidential according to federal regulations, which includes the following exceptions:

   a. Supervisors and managers may be informed regarding restrictions on the work or duties of the applicant or employee and necessary accommodations;

   b. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and,

   c. Government officials engaged in enforcing the laws administered by the OFCCP regarding individuals with disabilities or protected veterans, or enforcing The Americans with Disabilities Act (“ADA”) and The Americans with Disabilities Act Amendment Act of 2008 (“ADAAA”), shall be provided relevant information on request.
Reasonable Accommodation
41 C.F.R. §60-300.44(d)

1. It is MSU Bozeman's policy as a matter of nondiscrimination to make reasonable accommodation to the known physical and mental limitations of all otherwise qualified disabled veterans unless it can demonstrate that the accommodation would impose an undue hardship on MSU Bozeman's business, in accordance with the terms and conditions of Section 503 regulations. Undue hardship will be determined by its definition under applicable regulations under Section 503 including, but not limited to the following: Undue hardship means, with respect to the provision of an accommodation, significant difficulty or expense incurred by the contractor, when considered in light of the factors set forth in 41 CFR § 60-300.2 (aa)(2), such as the overall financial resources of the facility and the impact of the accommodation upon the operation of the facility (this is not an all-inclusive list).

2. As a matter of affirmative action, if an employee who is known to be a disabled veteran is having significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, MSU Bozeman confidentially notifies the employee of the performance problem and inquires whether the problem is related to the employee’s disability.

3. If the employee responds affirmatively, MSU Bozeman confidentially inquires whether the employee is in need of a reasonable accommodation.

Anti-Harassment Procedures
41 C.F.R. § 60-300.44(e)

MSU Bozeman has developed and implemented procedures to ensure its employees are not harassed because of their status as a protected veteran.
External Dissemination of Policy, Outreach, and Positive Recruitment
41 C.F.R. § 300.44(f)

1. MSU Bozeman sends written notification of its policy related to affirmative action efforts to all subcontractors, including subcontracting vendors and suppliers, requesting appropriate action on their part.

2. MSU Bozeman undertakes appropriate outreach and positive recruitment activities such as some of those listed below that are reasonably designed to effectively recruit protected veterans. It is not contemplated that MSU Bozeman will necessarily undertake all the activities listed below or that its activities will be limited to the items listed below. The scope of MSU Bozeman’s efforts shall depend upon all circumstances, including MSU Bozeman’s size and resources and the extent to which existing employment practices are adequate.
   a. Enlisting the assistance and support of the following persons and organizations in recruiting, and developing on-the-job training opportunities for veterans to fulfill its commitment to provide meaningful employment opportunities for such veterans:
      i. The Local Veterans’ Employment Representative in the local employment service office (i.e. the Job Service) nearest MSU Bozeman’s establishment;
      ii. The Department of Veterans Affairs Regional Office nearest MSU Bozeman’s establishment;
      iii. The veterans' counselors and coordinators (“Vet-Reps”) on college campuses;
      iv. The service officers of the national veterans' groups active in the area of MSU Bozeman’s establishment;
      v. Local veterans' groups and veterans' service centers near MSU Bozeman’s establishment;
      vi. The Department of Defense Transition Assistance Program (TAP), or any subsequent program that, in whole or in part, might replace TAP; and
      vii. Any organization listed in the Employer Resources section of the National Resource Directory (http://www.nationalresourcedirectory.gov/), or any future service that replaces or complements it.
   b. MSU Bozeman also considers taking the actions listed below, as appropriate, to fulfill its commitment to provide meaningful employment opportunities to protected veterans:
      i. Formal briefing sessions should be held, preferably on MSU Bozeman’s premises, with representatives from recruiting sources.
ii. MSU Bozeman’s facility tours, clear and concise explanations of current and future job openings, position descriptions, worker specifications, explanations of the company's selection process, and recruiting literature are an integral part of the briefing. At any such briefing sessions, the MSU Bozeman official in charge of its affirmative action program is in attendance when possible. Formal arrangements should be made for referral of applicants, follow up with sources, and feedback on disposition of applicants.

iii. MSU Bozeman’s recruitment efforts at all educational institutions incorporate special efforts to reach students who are protected veterans.

iv. An effort is made to participate in work-study programs with Department of Veterans Affairs rehabilitation facilities which specialize in training or educating disabled veterans.

v. Protected veterans are made available for participation in career days, youth motivation programs, and related activities in their communities.

vi. MSU Bozeman takes any other positive steps it deems necessary to attract qualified protected veterans not currently in the work force who have requisite skills and can be recruited through affirmative action measures. These persons may be located through the local chapters of organizations of and for any of the classifications of protected veterans.

vii. MSU Bozeman, in making hiring decisions, considers applicants who are known protected veterans for all available positions for which they may be qualified when the position(s) applied for is unavailable.

viii. MSU Bozeman considers listing its job openings with the National Resource Directory's Veterans Job Bank, or any future service that replaces or complements it.

3. MSU Bozeman documents all activities it undertakes to comply with the obligations of this section, and retain these documents for a period of three (3) years.

Assessment of External Outreach and Recruitment Efforts

41 C.F.R. § 300.44(f)(3)

1. MSU Bozeman, on an annual basis, reviews the outreach and recruitment efforts it has taken over the previous twelve months to evaluate their effectiveness in identifying and recruiting qualified protected veterans. MSU Bozeman documents each evaluation, including at a minimum the criteria it used to evaluate the effectiveness of each effort and MSU Bozeman’s conclusion as to whether each effort was effective. Among these criteria shall be the data collected pursuant to 41 C.F.R. § 60-300.44(k) for the current year and the two most recent previous years. If MSU Bozeman concludes the totality of
its efforts were not effective in identifying and recruiting qualified protected veterans, it shall identify and implement alternative efforts listed in paragraphs (f)(1) or (f)(2) of this section to fulfill its obligations.

**Internal Dissemination of Policy**

**41 C.F.R. § 60-300.44(g)**

1. MSU Bozeman recognizes that a strong outreach program will be ineffective without adequate internal support from supervisory and management personnel and other employees.

2. MSU Bozeman implements and disseminates this policy internally as follows:

   a. includes it in MSU Bozeman’s policy manual or otherwise make the policy available to employees; and

   b. if MSU Bozeman is party to a collective bargaining agreement, it notifies union officials and/or employee representatives to inform them of MSU Bozeman's policy, and request their cooperation.

3. Further, to assure greater employee cooperation and participation in MSU Bozeman’s efforts, MSU Bozeman has developed the internal procedures listed in this section of the AAP for communication of its obligation to engage in affirmative action efforts to employ and advance in employment qualified protected veterans. It is not contemplated that MSU Bozeman’s activities will be limited to those listed. These procedures shall be designed to foster understanding, acceptance and support among MSU Bozeman’s executive, management, supervisory and other employees and to encourage such persons to take the necessary actions to aid MSU Bozeman in meeting this obligation. MSU Bozeman additionally considers implementing and disseminating this policy internally as follows:

   a. Informing all employees and prospective employees of its commitment to engage in affirmative action to increase employment opportunities for protected veterans;

   b. Publicizing it in MSU Bozeman’s newspaper, magazine, annual report and other media;

   c. Conducting special meetings with executive, management, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation, making clear the chief executive officer's support for the affirmative action policy;

   d. Discussing the policy thoroughly in both employee orientation and management training programs; and
e. When employees are featured in employee handbooks or similar publications for employees, including disabled veterans.

**Audit and Reporting System**

**C.F.R. § 60-300.44(h)**

1. MSU Bozeman has designed and implemented an audit and reporting system that:
   a. Measures the effectiveness of MSU Bozeman’s AAP;
   b. Indicates any need for remedial action;
   c. Determines the degree to which MSU Bozeman’s objectives have been attained;
   d. Determines whether known protected veterans have had the opportunity to participate in all of MSU Bozeman’s sponsored educational, training, recreational and social activities;
   e. Measures MSU Bozeman's compliance with the AAP's specific obligations; and
   f. Documents the actions taken to comply with the obligations of paragraphs (i) through (v) above, and retain these documents as employment records for three years subject to the recordkeeping requirements of § 60-300.80.

2. Where the affirmative action program is found to be deficient, MSU Bozeman undertakes necessary action to bring the program into compliance.

**Responsibility for Implementation of the Plan**

1. **Identification and Responsibilities of EEO/AA Administrator**

   **41 C.F.R. § 60-300.44(i)**

   In furtherance of MSU Bozeman’s commitment to Affirmative Action and Equal Employment Opportunity, overall responsibility for implementing MSU Bozeman’s AAP rests with its EEO/AA Administrator, whose identity should appear on all internal and external communications regarding MSU Bozeman’s AAP. The EEO/AA Administrator shall be given top management support and staff to manage the implementation of this program as it pertains to all applicable laws, orders and regulations, including VEVRAA. Specifically, CHRO or the designated representative's duties include:

   a. Ensures that MSU Bozeman lists its job openings in accordance with the requirements of 41 C.F.R. § 300.5.

   b. Ensuring MSU Bozeman posts in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the OFCCP Director provided by or through the contracting officer. Such notices shall state the rights of applicants
and employees as well as MSU Bozeman’s obligation under the law to take affirmative action to employ and advance in employment qualified employees and applicants who are protected veterans.

c. Ensuring MSU Bozeman’s applicants or employees who are disabled veterans are provided the notice in a form that is accessible and understandable to the individual applicant or employee at their request in an alternative format, or when MSU Bozeman knows that an applicant or employee is unable to read because of a disability. MSU Bozeman may provide the posting in alternate means as long as the format provided enables the individual who is disabled veteran to access its contents.

d. Ensuring that, with respect to employees, if any, who do not work at a physical location of MSU Bozeman, MSU Bozeman satisfies its posting obligations by posting such notices in an electronic format, provided that MSU Bozeman provides computers, or access to computers, that can access the electronic posting to such employees, or MSU Bozeman has actual knowledge that such employees otherwise are able to access the electronically posted notices.

e. Ensuring electronic notices for employees are posted in a conspicuous location and format on MSU Bozeman’s intranet or sent by electronic mail to employees. An electronic posting is used by MSU Bozeman to notify job applicants of their rights if MSU Bozeman utilizes an electronic application process. Such electronic applicant notice are conspicuously stored with, or as part of, the electronic application.

f. Ensuring that to the extent this requirement is applicable to MSU Bozeman, MSU Bozeman notifies labor organizations of its EEO policy as required by 41 C.F.R. § 60-300.44(g).

g. Ensuring MSU Bozeman includes the provisions of this clause in every subcontract or purchase order in excess of $100,000, unless exempted by the rules, regulations, or orders of the Secretary of Labor pursuant to VEVRAA, so that such provisions will be binding upon each subcontractor or vendor, under the terms and conditions of 41 CFR § 60-300.5(a).

h. Ensuring that all solicitations or advertisements for employees placed by or on behalf of MSU Bozeman, state that all qualified applicants will receive consideration for employment without regard to their protected veteran status.

i. Developing, maintaining and, where appropriate, modifying MSU Bozeman's AAP for protected veterans, policy statements, personnel policies, internal and external communication techniques including discussions with managers, supervisors and employees to ensure MSU Bozeman’s policies are followed, and monitoring the effectiveness of these actions.

j. Advising supervisors that they are responsible to prevent harassment of employees due to their status as a protected veteran.

k. Identifying problem areas with line management in the implementation of the program, and helping management develop solutions to any identifiable problem area.

l. Designing, implementing and overseeing an audit and reporting system to monitor the progress
of the Company and the AAP’s effectiveness, including auditing the contents of MSU Bozeman’s electronic process on a regular basis to ensure that compliance information that is posted is up to date.

m. Serving as liaison between MSU Bozeman and governmental enforcement agencies, community groups, vocational rehabilitation organizations, and organizations for protected veterans.

n. Evaluating the effectiveness of MSU Bozeman’s plan on a regular basis, and reporting to management.

o. Monitoring policies and procedures including the selection, evaluation, promotion and training process with regard to the various terms and conditions of employment to attempt to ensure compliance with affirmative action obligations.

p. Assisting in ensuring that MSU Bozeman has processes and procedures: a) to ensure career counseling for employees who are protected veterans, when requested and appropriate; and, b) to review personnel actions, policies, procedures, and employee and applicants’ qualifications to ensure protected veterans are treated in accordance with anti-discrimination laws when hiring, promotion, transfer, and termination actions occur.

q. Keeping management up to date on the latest developments in the areas of EEO and affirmative action.

r. Assisting in the investigation, handling and disposition of employee discrimination and harassment complaints.

s. Conducting periodic reviews of offices to ensure compliance in the areas of proper display of posters and notices, and opportunity for participation in Company-sponsored recreational, educational and social activities.

t. Overseeing and ensuring that the below self-identification procedures are conducted as set forth in the VEVRAA regulations, using the language and manner prescribed by the OFCCP Director and published on the OFCCP Web site, as follows:

i. Pre-offer self-identification invitation procedures for MSU Bozeman’s job applicants as set forth in 41 C.F.R. § 60-300.42 (a); and

ii. Post-offer identification procedures for MSU Bozeman’s job applicants as set forth in 41 C.F.R. § 60-300.42 (a).

Further, MSU Bozeman does not compel or coerce an individual to self-identify as a protected veteran. MSU Bozeman keeps all information on self-identification confidential, and maintains it in a data analysis file (rather than in the medical or personnel files of individual employees) as set forth in 41 C.F.R. § 60-300.23(d). MSU Bozeman only uses the self-identification information in accordance with the VEVRAA regulations.

u. Ensuring that MSU Bozeman complies with its obligations under 41 C.F.R. § 60-300.45, which requires that MSU Bozeman establish benchmarks for hiring, the purpose of which is to create a
quantifiable method by which MSU Bozeman can measure its progress toward achieving equal employment opportunity for protected veterans. The benchmarks will be set on an annual basis and will be documented also as set forth in this AAP.

v. If an applicant identifies himself or herself as a disabled veteran in the post-offer self-identification detailed above, MSU Bozeman inquires of the applicant whether an accommodation is necessary, and, if so, engages with the applicant regarding reasonable accommodation. MSU Bozeman may make such inquiries to the extent they are consistent with the Americans with Disabilities Act. MSU Bozeman maintains a separate file in accordance with Section 60-300.23(d) on persons who have self-identified as disabled veterans.

2. Management Responsibilities
41 C.F.R. § 60-300.44(i)

Line and upper management are advised of their responsibilities for MSU Bozeman’s AAP regarding protected veterans within his or her area of responsibility, including but not limited to their obligations to:

a. Review MSU Bozeman’s AAP for protected veterans with subordinate managers and supervisors to ensure they are aware of the policy, understand their obligation to comply with it in all personnel actions and understand the need for support at all levels.

b. Assist in the auditing of plan progress, identification of problem areas, formulation of solutions, establishment of departmental goals and objectives, and development of training programs, when appropriate.

c. Review the qualifications of applicants and employees in their area of responsibility to ensure protected veterans are treated in a nondiscriminatory manner when hire, promotion, transfer, and termination actions occur.

d. Review employees’ performance to ensure that illegal discrimination regarding protected veterans does not occur.

e. Make available career counseling to employees who are protected veterans, when so requested, and as appropriate.

f. Review position descriptions to see that they adequately reflect the job to be performed.

g. Audit training programs, hiring, and promotion patterns.

h. Assist subordinates and upper management in the prevention of harassment.

i. Show support for this AAP.
Affirmative Action Training
41 C.F.R. § 60-300.44(j)

MSU Bozeman provides training to all personnel involved in the recruitment, screening, selection, promotion, disciplinary and other related processes to ensure its AAP commitments are implemented.
Montana State University Bozeman
Bozeman, MT

Affirmative Action Program
for
Individuals with Disabilities

January 1, 2017 through December 31, 2017
Plan Year
Montana State University Bozeman
Bozeman, MT

AFFIRMATIVE ACTION PROGRAM
FOR
INDIVIDUALS WITH DISABILITIES

January 1, 2017 through December 31, 2017
Plan Year

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Introduction

Montana State University Bozeman (MSU Bozeman) sets forth this Affirmative Action Program (“AAP”) for the year from January 1, 2017 through December 31, 2017, reaffirming its commitment to the spirit and letter of affirmative action law. Through the implementation of this plan MSU Bozeman continues its efforts to comply with Section 503 of the Rehabilitation Act of 1973 (“Section 503”) and its implementing regulations, as amended, and to make the best possible use of personnel while contributing to the betterment of society and the community.

In developing this plan, MSU Bozeman recognizes its duty to ensure equal employment opportunity for, and to prevent discrimination against, individuals with disabilities. The following statement of policy reinforces that belief.

Equal Employment Opportunity Policy Statement
41 C.F.R. § 60-741.44(a)

In setting forth this plan MSU Bozeman reaffirms its belief and commitment in equal employment opportunity for all employees and applicants for employment in all terms and conditions of employment. The Chief Human Resources Officer (CHRO), as the EEO Administrator, oversees the plan development, modification, implementation, and reporting requirements and conducts management updates. MSU Bozeman’s top U.S. executive supports MSU Bozeman’s AAP.

MSU Bozeman provides for an audit and reporting system regarding MSU Bozeman’s affirmative action responsibilities under Section 503 regulations, and assigns overall responsibility for the implementation of affirmative action responsibilities under these regulations.

MSU Bozeman recruits, hires, trains and promotes persons in all job titles, and ensures that all personnel actions are administered without regard to disability; and ensures that all employment actions are based only on valid job requirements. MSU Bozeman’s employees and applicants are not subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in or may engage in any of the following activities:

1. Filing a complaint with MSU Bozeman or with Federal, state, or local agencies regarding the status covered under this AAP;

2. Assisting or participating in any investigation, compliance review, hearing, or any other activity related to the administration of any Federal, State, or local law requiring equal employment opportunity for individuals with disabilities;

3. Opposing any act or practice made unlawful by Section 503 or its implementing regulations, or any other Federal, State or local law requiring equal opportunity for individuals with disabilities; or

4. Exercising any other right protected by Section 503 or its implementing regulations in this part.
MSU Bozeman’s full AAP, absent the data metrics required by 41 CFR § 60-741.44(k), shall be available for inspection upon request at the location and during the hours that are posted at MSU Bozeman’s establishment at MSU Bozeman’s Human Resources Office.

Review of Personnel Processes
41 C.F.R. § 741.44(b)

1. MSU Bozeman ensures its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees with known disabilities for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available.

2. MSU Bozeman also ensures its personnel processes do not stereotype individuals with disabilities in a manner which limits their access to jobs for which they are qualified.

3. MSU Bozeman also ensures its applicants and employees with disabilities have equal access to its personnel processes, including those implemented through information and communications technologies.

4. MSU Bozeman provides necessary reasonable accommodation to ensure applicants and employees with disabilities receive equal opportunity in the operation of personnel processes. MSU Bozeman periodically reviews such processes and makes any necessary modifications to ensure that these obligations are carried out. MSU Bozeman designs procedures that facilitate a review of the implementation of this requirement by MSU Bozeman and the Government. A description of the review and any necessary modifications to personnel processes or development of new processes are included in this AAP, and are as follows:

   a. The application or profile in the applicant tracking system of each known applicant who is an individual with a disability is annotated to identify each vacancy for which the applicant was considered, and the information is quickly retrievable for review by the Department of Labor and MSU Bozeman’s personnel officials for use in investigations and internal compliance activities.

   b. Where applicants or employees are selected for hire, promotion, or training and MSU Bozeman undertakes any accommodation which makes it possible for him or her to place an individual with a disability on the job, MSU Bozeman makes a record containing a description of the accommodation. The record is treated as a confidential medical record in accordance with § 60-741.23(d).

Review of Physical and Mental Job Qualifications
41 C.F.R. § 60-741.44(c)

1. MSU Bozeman has the following schedule for its review of physical and mental job qualification standards to ensure that, to the extent qualification standards tend to screen out qualified people with disabilities, such qualifications are job-related
for the position in question and consistent with business necessity, and adheres to this schedule. The schedule is as follows annually; as new job qualifications are established; and/or, when new equipment is installed.

2. Whenever MSU Bozeman applies physical or mental qualification standards in the selection of applicants or employees for employment or other changes in employment status such as promotion, demotion or training, to the extent that qualification standards tend to screen out qualified individuals on the basis of disability, the standards are related to the specific job or jobs for which the individual is being considered and consistent with business necessity.

3. MSU Bozeman may use as a defense to a violation of its obligations in Paragraph 2 above that an individual poses a direct threat to the health or safety of the individual or others in the workplace.

4. No pre-employment physical examinations or questionnaires are used by MSU Bozeman prior to a job offer contingent on such examinations and other requirements.

5. When MSU Bozeman conducts a medical examination or inquiry of a person with a disability, it will do so according to the terms and conditions of the Federal Regulations implementing Section 503, and the results of such an examination or inquiry are kept confidential according to Federal regulations, which includes the following exceptions:

   a. Supervisors and managers may be informed regarding restrictions on the work or duties of the applicant or employee and necessary accommodations;

   b. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and,

   c. Government officials engaged in enforcing the laws administered by the OFCCP regarding individuals with disabilities, or enforcing The Americans with Disabilities Act (“the ADA”) and The Americans with Disabilities Act Amendment Act of 2008 (“the ADAAA”), shall be provided relevant information on request.
Reasonable Accommodation to Physical and Mental Limitations
41 C.F.R. § 60-741.44(d)

1. It is MSU Bozeman's policy, as a matter of nondiscrimination, to make reasonable accommodation to the known physical and mental limitations of all otherwise qualified individuals with a disability, unless MSU Bozeman can demonstrate that the accommodation would impose an undue hardship on MSU Bozeman's business. Undue hardship will be determined by its definition under applicable regulations under Section 503 including, but not limited to the following: Undue hardship means, with respect to the provision of an accommodation, significant difficulty or expense incurred by the contractor, when considered in light of the factors set forth in 41 CFR § 741.2 (aa)(2), such as the overall financial resources of the facility and the impact of the accommodation upon the operation of the facility (this is not an all-inclusive list).

2. As a matter of affirmative action, if an employee with a known disability is having significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, MSU Bozeman shall confidentially notify the employee of the performance problem and inquire whether the problem is related to the employee's disability. If the employee responds affirmatively, MSU Bozeman shall confidentially inquire whether the employee is in need of a reasonable accommodation.

Anti-Harassment Procedures
41 C.F.R. § 60-741.44(e)

MSU Bozeman has developed and implemented procedures to ensure that its employees are not harassed on the basis of disability.

External Dissemination of Policy, Outreach, and Positive Recruitment
41 C.F.R. § 60-741.44(f)

1. MSU Bozeman undertakes appropriate outreach and positive recruitment activities that are reasonably designed to effectively recruit qualified individuals with disabilities. It is not contemplated that MSU Bozeman will necessarily undertake all the activities listed in Paragraph (f)(2) of this section or that its activities will be limited to those listed. The scope of MSU Bozeman's efforts shall depend upon all the circumstances, including the contractor's size and resources and the extent to which existing employment practices are adequate.

2. Examples of outreach and recruitment activities. Below are examples of outreach and positive recruitment activities MSU Bozeman may undertake in accordance with Paragraph 1 of this section.

   a. Enlisting the assistance and support of the following persons and organizations in recruiting, and developing on-the-job training opportunities for individuals with disabilities, to fulfill its commitment to provide equal employment opportunity for such individuals:
i. The State Vocational Rehabilitation Service Agency ("SVRA"), State mental health agency, or State developmental disability agency in the area of the contractor's establishment;

ii. The state Job Service or American Job Center nearest the contractor's establishment;

iii. The Department of Veterans Affairs Regional Office nearest MSU Bozeman’s establishment (www.va.gov);

iv. Entities funded by the Department of Labor that provide recruitment or training services for individuals with disabilities, such as the services currently provided through the Employer Assistance and Resource Network (EARN) (www.earnworks.com);

v. Local Employment Network ("EN") organizations (other than MSU Bozeman, if MSU Bozeman is an EN) listed in the Social Security Administration's Ticket to Work Employment Network Directory (www.yourtickettowork.com/endir);

vi. Local disability groups, organizations, or Centers for Independent Living (CIL) near the contractor's establishment;

vii. Placement or career offices of educational institutions that specialize in the placement of individuals with disabilities; and

viii. Private recruitment sources, such as professional organizations or employment placement services that specialize in the placement of individuals with disabilities.

b. In addition, MSU Bozeman has considered taking the actions listed below to fulfill its commitment to provide equal employment opportunities to individuals with disabilities. It is not contemplated that MSU Bozeman will necessarily undertake all of the activities listed below.

i. Formal briefing sessions held, preferably on MSU Bozeman’s premises, with representatives from recruiting sources. MSU Bozeman’s facility tours, clear and concise explanations of current and future job openings, position descriptions, worker specifications, explanations of MSU Bozeman’s selection process, and recruiting literature are an integral part of any such briefing. At any such briefing sessions, MSU Bozeman’s official in charge of MSU Bozeman’s AAP should be in attendance when possible. Formal arrangements are made for referral of applicants, follow up with sources, and feedback on disposition of applicants, from any such briefings.
ii. MSU Bozeman’s recruitment efforts at all educational institutions incorporate special efforts to reach students who are individuals with disabilities.

iii. MSU Bozeman makes an effort to participate in work-study programs for students, trainees, or interns with disabilities in programs found through outreach, such as to State and local schools and universities, and through EARN.

iv. Individuals with disabilities may be made available for participation in MSU Bozeman’s career days, youth motivation programs, and related activities in MSU Bozeman’s communities.

v. MSU Bozeman takes any other positive steps it deems necessary to attract individuals with disabilities not currently in the work force who have requisite skills and can be recruited through affirmative action measures. These individuals may be located through State and local agencies supported by the U.S. Department of Education's Rehabilitation Services Administration (RSA) (http://rsa.ed.gov/), local Ticket-to-Work Employment Networks, or local chapters of groups or organizations that provide services for individuals with disabilities.

vi. MSU Bozeman, in making hiring decisions, considers applicants who are known to have disabilities for all available positions for which they may be qualified when the position(s) applied for is unavailable.

3. MSU Bozeman sends written notification of its policy relating to its affirmative action efforts to all its covered federal subcontractors, including covered subcontracting vendors and suppliers, requesting appropriate action on their part.

4. MSU Bozeman documents all activities it undertakes to comply with the obligations of this section, and retains these documents for a period of three (3) years.

Assessment of External Outreach and Recruitment Efforts
41 C.F.R. § 60-741.44(f)(3)

1. MSU Bozeman on an annual basis, reviews the outreach and recruitment efforts it has taken over the previous twelve months to evaluate its effectiveness in identifying and recruiting qualified individuals with disabilities. MSU Bozeman documents each evaluation, including at a minimum the criteria it used to evaluate the effectiveness of each effort and MSU Bozeman’s conclusion as to whether each effort was effective. Among these criteria shall be the data MSU Bozeman collected pursuant to 41 C.F.R. § 741.44(k) for the current year and the two most recent previous years. If MSU Bozeman concludes the totality of its efforts were
not effective in identifying and recruiting qualified individuals with disabilities, it identifies and implements alternative efforts listed in Paragraph 2 above to fulfill its obligations.

**Internal Dissemination of Policy**

41 C.F.R. § 60-741.44(g)

1. MSU Bozeman recognizes that even a strong outreach program for individuals with disabilities may be ineffective without adequate internal support from its supervisors and employees. Therefore, to ensure greater employee cooperation and participation in MSU Bozeman’s efforts regarding its obligation to engage in affirmative action efforts to employ and advance in employment qualified individuals with disabilities, MSU Bozeman has developed the following internal procedures. These procedures have been designed to foster understanding, acceptance and support among MSU Bozeman’s executive, management, supervisory, and other employees to encourage such persons to take the necessary actions to aid the contractor in meeting this obligation.

2. MSU Bozeman implements and disseminates this policy internally as follows:

   a. Includes the policy in MSU Bozeman’s policy manual or otherwise makes the policy available to employees; and

   b. Where MSU Bozeman is a party to a collective bargaining agreement, it notifies union officials and/or employee representatives of the contractor's policy and request their cooperation;

3. Below are some of the other methods MSU Bozeman may additionally use to implement and disseminate this policy internally:

   a. Informs all employees and prospective employees of MSU Bozeman’s commitment to engage in affirmative action to increase employment opportunities for individuals with disabilities;

   b. Periodically schedules special meetings with all employees to discuss the policy and explain individual employee responsibilities;

   c. Publicizes the policy in MSU Bozeman’s newspaper, magazine, annual report and other media;

   d. Conducts special meetings with executive, management, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation making clear MSU Bozeman’s chief executive officer’s support for the affirmative action policy;

   e. Discusses the policy thoroughly in both employee orientation and management training meetings;
f. Includes articles on accomplishments of individuals with disabilities in MSU Bozeman’s publications; and

g. Includes individuals with disabilities when employees are featured in employee handbooks and similar publications,

Audit and Reporting System
41 C.F.R. § 60-741.44(h)

MSU Bozeman has designed and has implemented an audit and reporting system that:

1. Measures the effectiveness of MSU Bozeman’s affirmative action program.
2. Indicates any need for remedial action.
3. Determines the degree to which MSU Bozeman’s affirmative action objectives have been attained.
4. Determines whether known individuals with disabilities have had the opportunity to participate in all company sponsored-educational, training, recreational and social activities.
5. Measures MSU Bozeman’s compliance with the AAP’s specific obligations.
6. Documents the actions taken to comply with the obligations of Paragraphs (1) through (5) of this section, and retain these documents as employment records for a period of three years from the date of making of the record.
7. Where MSU Bozeman, upon its review, finds its AAP to be deficient and need further progress, MSU Bozeman undertakes necessary action to bring the program into compliance.

Responsibility for Implementation of the Plan
41 C.F.R. § 60-741.44(i)

1. Identification and Responsibilities of the EEO/AA Administrator. 41 C.F.R. § 60-741.44(i)

In furtherance of MSU Bozeman’s commitment to Affirmative Action and Equal Employment Opportunity, overall responsibility for implementing MSU Bozeman's AAP rests with its EEO/AA Administrator, whose identity appears on all internal and external communications regarding MSU Bozeman’s AAP. The EEO/AA Administrator has been given the necessary senior management support and staff to manage the implementation of this AAP. Specifically, the CHRO or the designated representative's duties include the following, all of which are administered in accordance with the Section 503 regulations:

a. Ensuring MSU Bozeman posts in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the OFCCP Director provided by or through the contracting officer. Such notices shall state the rights of applicants and employees as well as MSU Bozeman’s obligation under the law to take affirmative action to employ and advance in employment qualified employees and applicants with disabilities.
b. Ensuring MSU Bozeman’s applicants or employees who are disabled veterans are provided the notice in a form that is accessible and understandable to the individual applicant or employee at their request in an alternative format, or when MSU Bozeman knows that an applicant or employee is unable to read because of a disability. MSU Bozeman may provide the posting in alternate means as long as the format provided enables the individual who is disable veteran to access its contents.

c. Ensuring that, with respect to employees, if any, who do not work at a physical location of MSU Bozeman, MSU Bozeman satisfies its posting obligations by posting such notices in an electronic format, provided that MSU Bozeman provides computers, or access to computers, that can access the electronic posting to such employees, or MSU Bozeman has actual knowledge that such employees otherwise are able to access the electronically posted notices.

d. Ensuring electronic notices for employees are posted in a conspicuous location and format on MSU Bozeman’s intranet or sent by electronic mail to employees. An electronic posting is used by MSU Bozeman to notify job applicants of their rights if MSU Bozeman utilizes an electronic application process. Such electronic applicant notice are conspicuously stored with, or as part of, the electronic application.

e. Ensuring that to the extent this requirement is applicable to MSU Bozeman, MSU Bozeman notifies labor organizations of its EEO policy as required by 41 C.F.R. § 60-741.44(g).

f. Ensuring MSU Bozeman includes the provisions of this clause in every subcontract or purchase order in excess of $10,000 under the terms and conditions of 41 CFR 60-741.5(a).

g. Ensuring that all solicitations or advertisements for employees placed by or on behalf of MSU Bozeman, state that all qualified applicants will receive consideration for employment and will not be discriminated against on the basis of disability.

h. Developing, maintaining and, where appropriate, modifying MSU Bozeman's AAP for individuals with disabilities, policy statements, personnel policies, internal and external communication techniques including discussions with managers, supervisors and employees to ensure MSU Bozeman’s policies are followed, and monitoring the effectiveness of these actions.

i. Advising supervisors that they are responsible for preventing harassment of employees due to their status as individuals with disabilities.

j. Ensuring affirmative action training is conducted in accordance with 41 C.F.R. § 60-741.44(j).

k. Identifying problem areas with line management in the implementation of the program, and helping management develop solutions to any identifiable problem area.
l. Designing, implementing and overseeing an audit and reporting system to monitor the progress of MSU Bozeman and the AAP’s effectiveness, including auditing the contents of MSU Bozeman’s electronic process on a regular basis to ensure that compliance information that is posted is up to date and accessible to applicants and employees with disabilities.

m. Serving as liaison between MSU Bozeman and governmental enforcement agencies, community groups, vocational rehabilitation organizations, and organizations for individuals with disabilities.

n. Evaluating the effectiveness of MSU Bozeman's plan on a regular basis, as described in this AAP, and reporting to management.

o. Monitoring policies and procedures including the selection, evaluation, promotion and training process with regard to the various terms and conditions of employment to attempt to ensure compliance with affirmative action obligations.

p. Overseeing MSU Bozeman’s processes and procedures: a) to ensure that career counseling for employees with known disabilities, when requested and appropriate; and, b) to review personnel actions, policies, procedures, and employee and applicants’ qualifications to ensure individuals with disabilities are treated in accordance with anti-discrimination laws when hiring, promotion, transfer, and termination actions occur.

q. Keeping management up to date on the latest developments in the areas of EEO and affirmative action.

r. Assisting in the investigation, handling and disposition of employee discrimination and harassment complaints.

s. Conducting periodic reviews of offices to ensure compliance in the areas of proper display of posters and notices, and opportunity for participation in Company-sponsored recreational, educational and social activities.

t. Overseeing and ensuring that the below self-identification procedures are conducted as set forth in the Section 503 regulations, using the language and manner prescribed by the OFCCP Director and published on the OFCCP Web site, as follows:

i. Pre-offer self-identification invitation procedures for MSU Bozeman’s job applicants as set forth in 41 C.F.R. § 60-741.42 (a);

ii. Post-offer identification procedures for MSU Bozeman’s job applicants as set forth in 41 C.F.R. § 60-741.42 (a); and

iii. Self-identification invitation procedures for MSU Bozeman’s employees as set forth in 41 C.F.R. § 60-741.42 (a).

u. Ensuring that MSU Bozeman does not compel or coerce an individual to self-identify as an individual with a disability, and that MSU Bozeman keeps all information on self-identification confidential, and maintains it in a data analysis file (rather than in the medical files of individual employees) as set forth in 41
C.F.R. § 60-741.23(d). MSU Bozeman only uses the self-identification information may be used only in accordance with the Section 503 regulations.

v. Ensuring that MSU Bozeman annually evaluates its utilization of individuals with disabilities in each job group, or in its entire workforce in accordance with 41 C.F.R. § 60-741.45, including the following:

i. Ensuring that when the percentage of individuals with disabilities in one or more job groups, or in MSU Bozeman’s entire workforce, as applicable, is less than the utilization goal established in the Section 503 regulations, MSU Bozeman takes steps to determine whether and where impediments to equal employment opportunity exist. When making this determination, MSU Bozeman assesses its personnel processes, the effectiveness of its outreach and recruitment efforts, the results of its affirmative action program audit, and any other areas that might affect the success of its AAP.

ii. Ensuring that MSU Bozeman develops and executes action-oriented programs designed to correct any identified problem areas. These action-oriented programs may include the modification of personnel processes to ensure equal employment opportunity for individuals with disabilities, alternative or additional outreach and recruitment efforts from among those listed in 41 CFR § 60-741.44 (f)(1) and (f)(2), and/or other actions designed to correct the identified problem areas and attain the established goal.

2. Management Responsibilities 41 C.F.R. § 60-741.44(i)

Line and upper management are advised of their responsibilities for MSU Bozeman’s AAP regarding individuals with disabilities within his or her area of responsibility, including but not limited to their obligations to:

a. Review MSU Bozeman’s AAP for individuals with disabilities with subordinate managers and supervisors to ensure they are aware of the policy, understand their obligation to comply with it in all personnel actions and understand the need for support at all levels.

b. Assist in the auditing of plan progress, identification of problem areas, formulation of solutions, establishment of departmental goals and objectives, and development of training programs, when appropriate.

c. Review the qualifications of applicants and employees in their area of responsibility to ensure qualified individuals with disabilities are treated in a nondiscriminatory manner when hire, promotion, transfer, and termination actions occur.

d. Review employees’ performance to ensure that illegal discrimination regarding individuals with disabilities does not occur.
e. Make available career counseling to employees with known disabilities, when so requested, and as appropriate.

f. Review position descriptions to see that they adequately reflect the job to be performed.

g. Audit training programs, hiring, and promotion patterns.

h. Assist employees and other members of management in the prevention of harassment.

i. If an employee with a known disability is having significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, confidentially notify the employee of the performance problem and inquire whether the problem is related to the employee's disability. If the employee responds affirmatively, MSU Bozeman shall confidentially inquire whether the employee is in need of a reasonable accommodation.

j. Show support for MSU Bozeman’s AAP.

**Affirmative Action Training**  
**41 C.F.R. § 60-741.44(j)**

MSU Bozeman provides training and guidance to all personnel who are involved in the recruitment, screening, selection, promotion, disciplinary and other related processes to ensure that its AAP commitments are implemented.