

NUMBER: 4.5.01**DATE: 09/14/2000****REVISION: 10/23/2009; 04/16/2014; 11/12/2015; 06/09/2020****PAGE: 1 of 4****SECTION: HUMAN RESOURCES****AREA: EMPLOYMENT****SUBJECT: AFFIRMATIVE ACTION****PURPOSE**

To establish the University of Arkansas for Medical Sciences' ("UAMS") commitment to take positive, good-faith efforts to recruit, employ, and promote qualified minorities, women, individuals with physical or mental disabilities, and protected veterans.

SCOPE

This policy applies to all UAMS employees, faculty and staff.

DEFINITIONS

Minorities: shall include African Americans, Hispanic/Latino Americans, Asian Americans, Native Hawaiian or other Pacific Islander Americans, Native Americans, and Alaskan Natives.

Protected veterans: shall include Pre-JVA veterans, disabled veterans, recently separated veterans, active duty wartime or campaign badge veterans, Armed Forces service medal veterans, a person honorably discharged for a tour of active duty, other than active duty for training only, with the armed forces of the United States; or any person who has served honorably in the National Guard or reserve forces of the United States for a period of six (6) years, whether the person has retired or been discharged.

Individuals with physical or mental disabilities: shall include any person who (i) has a physical or mental impairment which substantially limits one or more of such person's major life activities; (ii) has a record of such an impairment; or (iii) is regarded as having such an impairment without reference to any mitigating measures available to the person.

POLICY

The University of Arkansas for Medical Sciences does not discriminate against individuals on the basis of their race, sex, sexual orientation, gender identity, religion, color, national or ethnic origin, age, disability, military service, or genetic information in its administration of educational policies, programs, or activities; admissions policies; scholarship and loan programs; or University-administered programs; or employment. UAMS will comply with and enforce all applicable federal and state laws regarding equal employment opportunity and affirmative action, including Title VII of the Civil Rights Act of 1964 (as amended), Executive Order 11246 (as amended), the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (as amended), 38 U.S.C. 4212, (VEVRAA) the Uniformed Services Employment and Reemployment Rights Act (USERRA) (38 U.S.C. 4301, *et seq.*) (as amended), the Jobs for Veterans Act; Sections 503 and 504 of the

Rehabilitation Act of 1973 (as amended), the American with Disabilities Act of 1990, the ADA Amendments Act (ADAAA) of 2008 (as amended), the Genetic Information Nondiscrimination Act of 2008, US Federal Court Decree in the Adams Cases of 1973, Arkansas Code Annotated sections 21-3-302 and 303 (as amended) and Act 99 of 1989 of the Arkansas General Assembly. UAMS will take affirmative, positive actions to overcome institutional forms of exclusion and discrimination.

Our affirmative action program ensures equal employment opportunity by establishing our commitment to equality in every aspect of the employment process. UAMS commits itself to a policy of equal employment opportunity and to a program of affirmative action not solely because of legal requirements, but because UAMS believes such practices are basic to human dignity.

This policy will be followed in recruitment, hiring, compensation, promotions, University-sponsored training programs, transfers, layoffs, returns from layoff, demotions, terminations, social and recreational programs, use of UAMS facilities, fringe benefits, and treatment as individuals. It is to be implemented throughout the campus, and its implementation is the responsibility of all departments and all supervisory and non-supervisory personnel. Compliance of this policy shall be monitored by the Senior Director of Employee Relations. (See Administrative Guide Policy 4.5.17 Employee Transfer/Promotion)

The ability of UAMS to meet its mission will increasingly depend upon constructively incorporating diversity and inclusion in its faculty and staff.

PROCEDURE

1. UAMS will actively recruit, employ, and retain qualified minorities, women, individuals with physical or mental disabilities, and protected veterans.
2. UAMS will implement positive and innovative efforts to enhance the quantity and the quality of the minority and female applicant pool.
3. UAMS will engage in recruitment designed to identify and attract qualified individuals with physical or mental disabilities and protected veterans.
4. UAMS will implement positive and innovative efforts to measure its progress toward achieving equal opportunity for individuals with physical or mental disabilities and protected veterans.
5. UAMS will advertise in publications that focus on minority/female/veteran/disability issues, if appropriate. Advertisements must include, at a minimum, the phrase “UAMS is an Affirmative Action and Equal Opportunity Employer of individuals with disabilities and protected veterans and is committed to excellence.” The use of the abbreviation “EOE/AA” is not sufficient notice. All job openings must be posted for a minimum of 7 days on the UAMS job website. Positions identified as “hard to fill” or in an under-utilized category will be posted for 30 days. (See Administrative Guide Policy 4.5.09, Job Vacancy Posting)
6. UAMS will not use quotas or set-asides for specific groups.
7. When appropriate, UAMS will establish placement goals, plus develop and execute action-oriented programs as a means to apply good-faith efforts to measure progress toward achieving equal employment opportunity. All employment decisions will be made in a non-

discriminatory manner. In the event that finalists for a position are equally qualified, the hiring authority will be mindful of incorporating constructive diversity in the workplace.

8. Applicants will be given the opportunity to voluntarily self-identify their status as an individual with a disability and/or protected veteran at the application and post-offer stage. Employees will be invited to voluntarily self-identify their status as an individual with a disability and/or protected veteran on a regular basis.
9. UAMS will comply with the Arkansas Office of Personnel Management (OPM) Policy No. 30.20 that mandates preference be given to certain qualified veterans, their spouses, or the surviving spouse of a deceased qualified veteran on questions of hiring, promotion, and retention of employees.
10. UAMS will continue to recruit, employ, and advance in employment qualified minorities, women, individuals with disabilities and protected veterans to areas where they either do not exist or are present in numbers less than represented in the relevant labor markets, utilization goals and/or benchmark levels.
11. UAMS will take remedial steps and affirmative action to eliminate occurrences of disparate impact, which have or may have resulted from previous policies and practices.
12. Publications, when appropriate, will include language indicating that accommodations may be provided for individuals with a physical or mental disability, if needed, and the telephone number of Ask Recruitment (501-686-6432) for the candidate to call for accommodation requests.
13. The statement “UAMS is an inclusive Affirmative Action and Equal Opportunity Employer of individuals with disabilities and protected veterans and is committed to excellence,” will be printed on all official letterhead and included in UAMS publications.
14. When UAMS uses external recruiting sources and employment agencies, it will inform them of this policy and of its intent to seek out qualified applicants without regard to race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), status as a protected veteran, sex, age, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. UAMS will stipulate that these sources actively recruit and refer qualified women, minorities, individuals with physical or mental disabilities, and protected veterans for all positions listed.
15. Written notification of UAMS’ policy will be sent annually to all subcontractors, vendors, and suppliers of the Purchasing Department, requesting appropriate action on their part.
16. The Senior Director of Employee Relations will communicate with and notify organizations representing women, minorities, individuals with disabilities, protected veterans, community agencies, community leaders, secondary schools and colleges about the UAMS Affirmative Action program and UAMS policy.
17. The Office of Human Resources shall maintain UAMS Affirmative Action plans as required by federal law.

Questions regarding the affirmative action program should be referred to the Senior Director of Employee Relations, OHR.

REFERENCES

Title VII of the Civil Rights Act of 1964, as amended

Executive Order 11246, as amended
Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA)
Section 503 and 504 of the Rehabilitation Act of 1973, as amended
Americans with Disabilities Act of 1990, as amended
ADA Amendments Act of 2008
Uniformed Services Employment and Reemployment Rights Act (USERRA)
Genetic Information Nondiscrimination Act of 2008
OPM Policy 30.20, codified as Arkansas Code Annotated Sections §§21-3-302, 21-3-303.
UAMS Administrative Guide Policy 4.5.09, Job Vacancy Posting
UAMS Administrative Guide Policy 4.5.11, Job Ad Requests
UAMS Administrative Guide Policy 4.5.17, Employee Transfer/Promotion

Signature:  _____

Date: June 9, 2020