



**MARICOPA
COMMUNITY
COLLEGES®**

**2015 AFFIRMATIVE ACTION
PROGRAM**

FOR

**INDIVIDUALS WITH
DISABILITIES**

Purpose of this Program

As required by its covered federal contracts, the Maricopa County Community College District (MCCCD) has developed this affirmative action program update in accordance with the recently revised regulations set forth at 41 CFR 60-741.44. This transitional update contains the actions that MCCCD has taken - and will take - to implement the newly required actions, recordkeeping, and analyses.

TABLE OF CONTENTS

<u>Section</u>	<u>Title</u>
I	Equal Employment Opportunity Policy
II	Review of Personnel Processes
III	Review of Physical and Mental Requirements
IV	Accommodations for Physical and Mental Limitations
V	Anti-Harassment Procedures
VI	External Dissemination of Policy
VII	Outreach and Positive Recruitment
VIII	Internal Dissemination of Policy
IX	Internal Audit and Reporting
X	Responsibility for Implementation
XI	Affirmative Action Training
XII	Data Collection and Analysis

Section I Equal Employment Opportunity Policy

MCCCD will take affirmative action to employ and advance qualified individuals with disabilities. Specifically:

- MCCCD will hire, upgrade, train, and promote in all job classifications without regard to disability and ensure that all employment decisions are based only on valid job requirements.
- MCCCD will make good faith efforts to recruit qualified individuals with disabilities.
- MCCCD will invite applicants and employees who believe they may be covered by Section 503 of the Rehabilitation Act to voluntarily identify themselves if they wish to benefit from this affirmative action program.
- MCCCD ensures that its personnel processes provide for the careful, thorough, and systematic consideration of the job qualifications of applicants and employees with known disabilities for vacancies filled either by hiring or promotion and equal access to training opportunities.
- MCCCD periodically reviews its physical and mental job qualification requirements to ensure that, to the extent that qualification standards tend to screen out qualified individuals with disabilities, they are job-related and consistent with business necessity.
- MCCCD will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability unless it can demonstrate that the accommodation would impose an undue hardship.
- MCCCD will take actions to ensure that applicants and employees are not harassed because of their disabilities.
- MCCCD will ensure that employees and applicants are not subjected to harassment, intimidation, threats, coercion, or discrimination because they have:
 - Filed a complaint;
 - Assisted and/or participated in an investigation, compliance evaluation, or any other activity related to the administration of the Act or any federal, state or local law requiring equal opportunity for individuals with disabilities;
 - Opposed any act or practice made unlawful by Section 503, its implementing regulations or any federal, state or local law requiring equal opportunity for individuals with disabilities; or
 - Exercised any other right protected by Section 503 of the Rehabilitation Act or its implementing regulations
- MCCCD will train all personnel involved in its recruitment, screening, selection, promotion, disciplinary, and related personnel processes to ensure that this policy and the commitments contained in its written affirmative action program are implemented
- MCCCD has an internal audit & reporting system to measure the effectiveness of this program.

Dr. Deric Hall, MCCCD's Senior Manager of EEO & AA, has been assigned the responsibility to coordinate the implementation of this policy and affirmative action activities. Dr. Rufus Glasper, MCCCD's Chancellor, supports this program and will ensure that Dr. Hall has the authority, resources, support of and access to top management that he needs to fulfill this responsibility.

Section II Review of Personnel Processes

MCCCD has implemented the following recordkeeping procedures to ensure that its personnel processes and procedures assure the careful, thorough and systematic consideration of the qualifications of known applicants and employees with known disabilities:

- The personnel records of each known employee with a disability contain the identification of each promotion for which the employee is considered and the identification of each training program in which the employee enrolls.
- The personnel records of each known employee with a disability will contain the identification of each training program in which the employee enrolls.
- Training opportunities are equally available to all of MCCCD's employees upon request. No employee is denied an opportunity for training that they request unless there is no availability when they enroll. The employee is able to reapply when the training becomes available again.
- When an employee or applicant with a known disability is rejected for employment or promotion, MCCCD's officials prepare a statement of the reason for rejection and a description of the accommodations considered.
- Descriptions of accommodations considered and provided are treated as confidential medical records. These materials are made available to the applicant or employee upon request.
- When applicants or employees are selected for hire or promotion and MCCCD undertakes any accommodation to place an individual with a disability, a record is made containing a description of the accommodation and treated as a confidential medical record.
- MCCCD's applicant tracking system records each vacancy for which each known applicant with a disability is considered. This system is maintained for review by appropriate federal government officials and MCCCD's officials for use in investigations and internal compliance activities.
- Hiring, promotion, and training records are maintained and available for review by MCCCD or by appropriate federal government officials.
- MCCCD periodically reviews its personnel processes to ensure they don't screen out individuals with disabilities. Its most recent review was completed in 2014. The next review will be conducted in 2017.

Section III Review of Physical and Mental Requirements

MCCCD's officials periodically review all physical and mental job qualification requirements. Its most recent review was completed in 2014. A follow up review will be conducted in 2017. If the job qualification requirements screen out otherwise objectively qualified individuals with disabilities, MCCCD is prepared to demonstrate that the requirements are job related for the position and consistent with business necessity.

Section III Review of Physical and Mental Requirements (Continued)

If an employee with a known disability presents a significant risk of substantial harm to his/her health or the safety of others that cannot be eliminated or reduced by a reasonable accommodation, an individualized assessment will be conducted to determine if he/she can perform the essential job functions based on a reasonable medical judgment that relies on the most current medical knowledge and objective evidence.

Section IV Accommodations for Physical and Mental Limitations

MCCCD makes reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability unless the accommodation would impose an undue hardship on its business operations.

MCCCD has made its IT technologies accessible. Individuals with Disabilities have equal access to its application and personnel processes.

MCCCD has a process for applicants and employees to request ADA accommodations. When an employee notifies his/her supervisor of a need for accommodation, the employee's supervisor refers him/her to MCCCD Human Resources for assistance to ensure that appropriate reasonable accommodations are provided.

Accommodations may include:

- Making existing facilities used by employees readily accessible to - and usable by - individuals with disabilities
- Job restructuring
- Part time or modified work schedules
- Reassignment to a vacant position
- Acquisition or modification of equipment or devices
- Appropriate adjustment or modification of examinations, training materials, or policies
- Use of qualified readers or interpreters
- Notifications to applicants of how they can request an accommodation in the online application process
- Modifications or adjustments to a job application process
- Modifications or adjustments to the work environment or to the manner or circumstances under which the position held or desired is customarily performed
- Modifications or adjustments that enable individuals with disabilities to enjoy equal benefits and privileges of employment
- Adjustment or modifications of examinations, training materials, or policies

If an employee with a known disability is having significant difficulty performing assigned job tasks and it is reasonable to conclude that the performance problem may be related to his/her disability, MCCCD will confidentially inquire whether the performance issue is related to his/her disability.

Section IV Accommodations for Physical and Mental Limitations (Continued)

If the employee responds affirmatively, further inquiry will be made to determine whether he/she needs reasonable accommodation; the accommodation will be provided unless it creates an undue hardship.

Section V Anti-Harassment Procedures

MCCCD has internal complaint procedures that ensure allegations of harassment are promptly investigated and will take appropriate disciplinary action, up to and including involuntary termination, against any employees found to have harassed any individual with a disability.

In accordance with the new requirements of 41 CFR 60-300.44(e), MCCCD will develop and disseminate an anti-harassment policy, specifically with regard to individuals with disabilities, to ensure applicants and employees are not harassed because of a disability. This policy will be communicated to employees on the MCCCD Human Resources website, each college campus, the District Office, and in internal and external media.

Section VI External Dissemination of Policy

MCCCD has publicized its commitment to take affirmative action to employ and advance in employment qualified individuals with disabilities by including it in internal and external media and posting its policy on its Human Resources website and applicant portals.

MCCCD has advised applicants and employees that this affirmative action program, with the exception of the metrics, is available for inspection at the District Office during normal business hours and that to review the program, employees can contact MCCCD's EEO/AA Office.

MCCCD has provided written notification of its policy to each of its subcontractors whose product or service is necessary in whole or in part to its fulfillment of its federal contracts.

Section VII Outreach and Positive Recruitment

MCCCD informs all applicants of its commitment to affirmative action for individuals with disabilities and publicizes its policy in internal and external media.

Since March 24, 2014, MCCCD has invited and will continue to invite applicants who believe they are covered by the Act and wish to benefit from this program to voluntarily identify themselves.

MCCCD has engaged in recruitment and outreach efforts to attract individuals with disabilities through job fairs and job postings with various agencies.

Section VII Outreach and Positive Recruitment (Continued)

In 2015, MCCCCD will engage in the following targeted outreach and recruitment activities to effectively recruit objectively individuals with disabilities for all of its openings:

- MCCCCD will establish a list of recruitment sources in Maricopa County that specialize in the referral and placement of individuals with disabilities and will make systematic efforts to establish effective referral arrangements with these organizations.
- MCCCCD will work with college and university programs that assist individuals with disabilities and enlist their assistance to effectively recruit objectively qualified applicants for its openings that require a college degree.
- MCCCCD will monitor the results of these referral arrangements, ensure that referrals from these resources are given careful, thorough and systematic consideration for vacancies they are referred for, and include applicant and hire activity from these sources as part of its affirmative action program monitoring.

Section VIII Internal Dissemination of Policy

To meet its obligations imposed under Section 503 of the Rehabilitation Act, as amended, MCCCCD will take the following actions:

- Inform all employees of MCCCCD's commitment to affirmative action for qualified individuals with disabilities and publicize its policy in internal and external media;
- Communicate its policy in a form that is accessible and understandable to individuals with disabilities (e.g., providing Braille or large print versions of the notice, or posting the notice for visual accessibility to persons in wheelchairs); and
- Discuss its policy and commitments in employee orientation and management training programs

Section IX Internal Audit and Reporting

MCCCCD will maintain personnel and employment records for a period of not less than two years from the date that the records are made or personnel action is taken, whichever is longer.

These records will cover at least the following:

- Hiring
- Assignment
- Promotion
- Transfer
- Lay-off or termination
- Rates of pay or other forms of compensation
- Training records
- Requests for reasonable accommodation
- Results of physical examinations
- Postings
- Resumes
- Tests and test results
- Employment/promotion selection interview notes

Section IX Internal Audit and Reporting (Continued)

MCCCD will keep involuntarily terminated employees' personnel records for at least two (2) years after the date of termination.

MCCCD will preserve all personnel records relevant to any complaint of discrimination, compliance evaluation or enforcement action until final disposition.

MCCCD will monitor and track the results of its recruitment efforts and actions, offers, hires, accommodations, transfers, promotions, training, and terminations of known individuals with disabilities.

MCCCD will review and report the number of applicants referred by - and hired - from each disability recruitment source.

Prior to the annual update of this program, the MCCCD EEO/AA Office will issue an internal report to its Chancellor and all College Presidents that summarizes the results of the actions listed, assesses program effectiveness, and will make recommendations to improve program performance.

Section X Responsibility for Implementation

Dr. Deric Hall, MCCCD's Senior Manager of EEO & AA, has been assigned the responsibility to coordinate the implementation of this policy and MCCCD's affirmative action activities for individuals with disabilities. Dr. Hall's name and title will appear on all internal and external communications regarding this program.

Dr. Rufus Glasper, MCCCD's Chancellor, will ensure that Dr. Hall has the authority, resources, support of - and access to - top management necessary to fulfill this responsibility.

Section XI Affirmative Action Training

To ensure that commitments of this program are implemented, personnel involved in recruitment, screening, selection, promotion, training, disciplinary action, and related processes will receive initial training and annually thereafter.

Section XII Data Collection and Analysis

MCCCD will compile and review the following data:

- The raw number of referrals of individuals with disabilities
- The total number of referrals
- The ratio of referrals of individuals with disabilities to total referrals
- The number of applicants who self-identified as individuals with disabilities (or are otherwise known to be)
- The total number of job openings and total number of jobs filled
- The ratio of jobs filled to job openings
- The total number of applicants for all jobs
- The ratio of individuals with disabilities to all applicants
- The number of applicants with known disabilities hired
- The total number of applicants hired
- The ratio of individuals with disabilities hired to all hires (hiring ratio)