

Disabled Veterans Policy

Louisiana State University Health Sciences Center will not discriminate against any individual because of a physical or mental disability or because of Vietnam Era/disabled veteran status. Further, it is the policy of the Louisiana State University Health Sciences Center to take affirmative action in the employment of qualified individuals with a disability, Vietnam Era, and disabled veterans. This will include all employment practices. Reasonable accommodation will be provided whenever possible in an effort to advance employment opportunities for individuals with a disability and disabled veterans.

Employees or applicants are protected from coercion, intimidation, interference or discrimination for filing a complaint or assisting in an investigation under the acts covering these individuals.

The Director of Human Resource Management and EEO/AA Programs has been designated to oversee these programs.

The affirmative action program for individuals with a disability and Vietnam Era/disabled veterans may be reviewed by an employee or applicant in the Office of Human Resource Management Monday through Friday between the hours of 9:00 a.m. and 4:30 p.m.

A. Definitions of disabled persons

1. A disabled person is any person who:

- a. has a physical or mental impairment which substantially limits one or more major life activities.
- b. has a record of such an impairment.

"Has a record of such an impairment" means has a history or has been classified as having a mental or physical impairment that substantially limits one or more major life activities.

- c. is regarded as having such an impairment.

"Is regarded as having an impairment" means has a physical or mental impairment that does not substantially limit major life activities but that is treated as constituting such a limitation; has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or has none of the impairments defined above, but is treated as having such an impairment.

2. Major life activity

Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel,

bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

3. Qualified Disabled Person

With respect to employment, a qualified disabled person is a disabled person who, with reasonable accommodation, can perform the essential functions of the job in question.

4. Reasonable Accommodation

Reasonable accommodation includes actions such as making facilities used by employees accessible and purchasing or modifying equipment or devices necessary as auxiliary aids to the disabled. Reasonable accommodations for employees may include job restructuring through part-time or modified work schedules, special equipment, etc., and will be determined by (1) Business necessity, and (2) financial cost and expenses.

B. Definitions of Veterans

1. A disabled veteran means a person entitled to disability compensation under the laws administered by the Veterans Administration for disability rated at 30 per centum or more, or a person whose discharge or release from active duty was for a disability incurred or aggravated in the line of duty.
2. Qualified disabled veteran means a disabled veteran as defined above who is capable of performing a particular job with reasonable accommodation to his or her disability.
3. Veteran of the Vietnam era means a person who (1) served on active duty in the Republic of Vietnam for a period of more than 180 days, any part of which occurred between February 28, 1961, through May 7, 1975, and from August 5, 1964 through May 7, 1975, in all other cases, and who (a) was discharged or released there from with other than a dishonorable discharge, or was (b) discharged or released from active duty for a service connected disability if any part of such activity duty was performed between August 5, 1964 and May 7, 1975, and who (2) was discharged or released within 48 months preceding the alleged violation to the Act, the affirmative action clause, and/or the regulations issued pursuant to the Act ("Act" here refers to the Vietnam Era Readjustment Assistance Act).

- C. Proper consideration of qualification for disabled workers, disabled veterans and veterans of the Vietnam era. Louisiana State University Health Sciences Center will review its personnel processes to determine whether its present procedures assure careful, thorough, and systematic consideration of the job qualifications of known disabled persons, disabled veterans, and veterans of the Vietnam era who are applicants and employees for job vacancies filled by either hiring or promotion, for training opportunities offered or available. To the extent that it is necessary to modify its personnel procedures, the Health Sciences Center shall include the development of new procedures for this purpose in the affirmative action programs. The procedures will be designed toward equal employment opportunity for disabled workers, disabled veterans and veterans of the Vietnam era, as well as all others, in the goals of fairness to all. *Note: In the revision of the 41 CFR 60-250.2, the 48 month time period from discharge or

D. release to alleged violations of the Act must be deleted and replaced with "No veteran may be considered to be a veteran in the Vietnam Era after December 31, 1991.

E. Physical and mental qualifications of disabled workers

1. Louisiana State University Health Sciences Center makes known its policy regarding the physical and mental qualifications of disabled workers, disabled veterans, and veterans of the Vietnam era and;
 - a. Will not discriminate against any employee or applicant for employment because of a physical or mental impairment. We will take affirmative action to employ, advance in employment and otherwise treat qualified disabled individuals, disabled veterans and veterans of the Vietnam era without discrimination based upon their physical or mental impairment in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff, termination, rates of pay or other forms of compensation, selection for training and tenure.
 - b. Will comply with the rules, regulations and relevant orders of the Secretary of Labor issued pursuant to Section 503 of the Vocational Rehabilitation Act of 1973, and Section 402 of the Vietnam Era Readjustment Act of 1974.
 - c. Will review its present personnel procedures to insure that careful, thorough and systematic consideration of the job qualification of known disabled persons, disabled veterans and veterans of the Vietnam era who are applicants and employees for vacancies filled either by hiring or by promotion, and for all training opportunities offered or available. To this extent we will modify present, or develop new personnel procedures.

F. Accommodations to physical and mental limitations of employees

Louisiana State University Health Sciences Center does now and will continue to make a reasonable accommodation to the physical and mental limitations of a disabled worker, disabled veterans, and veterans of the Vietnam era, either who are now employed or who will be employed in the future. In determining the extent of accommodation obligations, the following factors, as well as others, will be considered: (1) business necessity, and (2) financial costs and expenses. The Medical Center will continue its present policy of reasonable accommodation of the physical and mental limitations of its employees.

G. Outreach, positive recruitment and external dissemination policy

Louisiana State University Health Sciences Center reviews its employment practices to determine whether its personnel programs provide the required affirmative action for employment and advancement of qualified disabled workers, disabled veterans, veterans of the Vietnam era. The Health Sciences Center will undertake appropriate outreach and positive recruitment activities, to ensure equal opportunity for all, such as some of the following:

1. Developing internal communication of its obligation to engage in affirmative action efforts to employ qualified disabled workers, disabled veterans and veterans of the Vietnam era in such a way as to foster understanding, acceptance and support among executives, management, supervisors and all other employees and to encourage such persons to take necessary action to assist in meeting its obligation.
 2. Informing all employees and prospective employees of its commitment to engage in affirmative action to increase employment opportunities for qualified disabled workers, disabled veterans and veterans of the Vietnam era.
 3. Engaging in recruitment activities at education institutions which participate in training of the disabled, such as schools for the blind, deaf or retarded.
 4. Including disabled workers, disabled veterans and veterans of the Vietnam era when employees are pictured in consumer, promotional or help wanted advertising.
 5. Taking positive steps to attract qualified disabled persons, disabled veterans and veterans of the Vietnam era not currently in the workforce who have requisite skills and can be recruited through the affirmative action measures.
 6. Undertaking appropriate outreach and positive recruitment activities to ensure employment opportunity for disabled workers, disabled veterans and veterans of the Vietnam era.
- H. Internal dissemination of policy for disabled workers, disabled veterans and veterans of the Vietnam era.

A strong outreach program will be ineffective without adequate internal support from supervisory and management personnel and other employees. In order to assure greater employee cooperation and participation in our efforts we will adopt, implement and disseminate this policy internally as follows:

1. Include in the policy statements, our commitment for compliance of equal employment opportunity and its affirmative action program for disabled workers, disabled veterans and veterans of the Vietnam era.
2. Continue to publicize its commitment in employees handbooks and other media.
3. Conduct special meetings with administrative and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation, making clear the agency's attitude.
4. Schedule special meetings with all employees to discuss policy and explain individual employee responsibilities.
5. Discuss the policy thoroughly in both employee orientation and administrative meetings.
6. Post the policy on agency's bulletin boards, including a statement that employees and applicants are protected from coercion, intimidation, interference or discrimination for filing a complaint or assisting an investigation under Section 503 of the Rehabilitation Act of 1973, or Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974.

7. Include in employee publications, the disabled employees, disabled veterans and the veterans of the Vietnam era, when employees are pictured or featured.
 8. Disseminate its policy internally to assure equal employment opportunity for disabled workers, disabled veterans and veterans of the Vietnam era and fulfill its commitment to affirmative action compliance.
- I. Responsibilities for implementing equal employment opportunity programs including disabled workers, disabled veterans and veterans of the Vietnam era.

Louisiana State University Health Sciences Center is primarily responsible for this Affirmative Action Plan and assuring that disabled workers, disabled veterans and veterans of the Vietnam era are appropriately considered in this plan.

1. The LSU Health Sciences Center's Personnel Section will:
 - a. Develop policy statements, the Affirmative Action Program, internal and external communication techniques.
 - b. Be available to discuss and seek solution to the problems of any employee who believes that he or she has been subject to discrimination based on race, color, religion, age, sex, national origin, disability, marital status, or status as disabled veteran of the Vietnam era.
 - c. Assist in the identification of problem areas.
 - d. Assist line management in arriving at solutions to problems.
 - e. Thoroughly indoctrinate all supervisory and management personnel in all aspects of the agency's equal opportunity policy and Affirmative Action Plan.
 - f. Design and implement audit and report systems that will:
 1. measure the effectiveness of affirmative action
 2. indicate need for remedial action
 3. determine the degree to which goals and objectives have been attained.
 - g. Serve as liaison between the LSU Health Sciences Center and compliance agencies.
 - h. Serve as liaison between the LSU Health Sciences Center and minority organizations, women's organizations, veteran's organizations, and organizations for the disabled, disabled veterans and veterans of the Vietnam era.
 - i. Keep management informed of the latest developments in the entire Equal Employment Opportunity area.
2. Line Responsibilities
 - a. Assist in the identification of problem areas and the establishment of local goals and objectives.
 - b. Insure that local minority organizations, women's organizations, veteran's groups, veteran's service centers, organizations for the disabled, community service organizations have been notified that the Louisiana State University Health Sciences Center is an Equal Opportunity Employer.

- c. Conduct discussions with administrators, supervisors, and employees, to be certain that Equal Employment Opportunity policies are being followed.
 - d. Review qualifications of all employees to insure that minorities, females, disabled workers, disabled veterans, and veterans of the Vietnam era are given full opportunities for transfers and promotions.
 - e. Conduct career counseling for employees who request the same, and make known to them the availability of such counseling.
 - f. Conduct periodic reviews to insure that each agency is in compliance in such areas as:
 - 1. The policy posters are properly displayed on bulletin boards.
 - 2. That all facilities are in fact desegregated both in policy and use.
 - 3. Minority, female, disabled, disabled veterans and veterans of the Vietnam era employees are afforded a full opportunity to participate in an agency sponsored recreational activity.
 - g. Insure that all supervisors understand that their work performance is evaluated on the basis of their Equal Employment Opportunity efforts and results as well as other criteria.
 - h. Insure that supervisors are directed to take necessary action to prevent the harassment of any employee placed, hired, transferred, or promoted through our Affirmative Action efforts.
3. Development and execution of affirmative action program for disabled workers, disabled veterans and veterans of the Vietnam era.

Louisiana State University Health Sciences Center will make every good faith effort toward the development and execution of an affirmative action program for disabled workers, disabled veterans and veterans of the Vietnam era which will offer an employment opportunity basis for the hiring, promotion and upgrading of qualified disabled persons, disabled veterans, veterans of the Vietnam era who are applicants for employment of employees already in our agency, who are qualified disabled workers, disabled veterans or veterans of the Vietnam era. In the establishment of this affirmative action program for disabled workers, disabled veterans and veterans of the Vietnam era the following guidelines will be followed:

- a. Job qualification requirements will be reviewed when a vacancy occurs and modified where necessary to adhere to the affirmative action program of action for disabled workers, disabled veterans and veterans of the Vietnam era, per the stipulation of CFR 60-741, and CFR 60-250, and will be made available to all members of management involved in the recruiting, screening, selection and promotion process.
- b. LSU Health Sciences Center will evaluate the total selection process including training and promotion to ensure freedom from stereotyping disabled persons,

- c. disabled veterans and veterans of the Vietnam era in a manner which limits their access to all jobs for which they are qualified.
- d. All personnel involved in recruitment, screening, selection, promotion, disciplinary, and related processes will be carefully selected and trained to ensure that the commitment in affirmative action programs are implemented.
- e. Recruiting sources will be advised of the affirmative action program for disabled workers, disabled veterans and veterans of the Vietnam era and assistance requested in the recruitment and placement of qualified disabled workers, disabled veterans and veterans of the Vietnam era.
- f. LSU Health Sciences Center will make a special effort to include qualified disabled persons, disabled veterans and veterans of the Vietnam era on its personnel relations staff.
- g. LSU Health Sciences Center will publicize its affirmative action program in recruitment programs.
- h. LSU Health Sciences Center will review all physical or mental job qualification requirements of position description once every two years or as positions become vacant or experience substantial change.