AFFIRMATIVE ACTION PROGRAMS

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Southwest Tennessee Community College

AFFIRMATIVE ACTION PROGRAM

for

INDIVIDUALS WITH DISABILITIES
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Southwest Tennessee Community College

AFFIRMATIVE ACTION PROGRAM FOR
INDIVIDUALS WITH DISABILITIES

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I. Equal Employment Opportunity (EEO) Policy Statement (41 CFR 60-741.44(a))

The EEO Policy statement on the following page is posted on the college's bulletin board along with the required employment posters and is viewable by both employees and applicants. The "EEO is the Law" poster is also available on the Careers Website for viewing by online applicants.
Southwest Tennessee Community College
EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

It is the policy of Southwest Tennessee Community College not to discriminate against any employee or applicant for employment because of his or her race, color, religion, sex, or national origin or because he or she is an individual with a disability or disabled veteran, Armed Forces service medal veteran, recently separated veteran, or active duty wartime or campaign badge veteran, or thereinafter referred collectively as "protected veterans." It is also the policy of Southwest Tennessee Community College to take affirmative action to employ and to advance in employment, all persons regardless of their status as individuals with disabilities or protected veterans, and to base all employment decisions only on valid job requirements. This policy shall apply to all employment actions, including but not limited to recruitment, hiring, upgrading, promotion, transfer, demotion, layoff, recall, termination, rates of pay or other forms of compensation and selection for training, including apprenticeship, at all levels of employment.

Employees and applicants shall not be 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; (2) Assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to the administration of Section 503 of the Rehabilitation Act of 1973, as amended (Section 503) or any other Federal, State or local law requiring equal opportunity for individuals with disabilities; (3) Opposing any act or practice made unlawful by section 503 or its implementing regulations in this part or any other Federal, State or local law requiring equal opportunity for disabled persons; or (4) Exercising any other right protected by section 503 or its implementing regulations in this part.

As President of Southwest Tennessee Community College, I am committed to the principles of Affirmative Action and Equal Employment Opportunity. In order to ensure dissemination and implementation of equal employment opportunity and affirmative action throughout all levels of the college, I have selected Paul D. Thomas as the Human Resources and Affirmative Action Officer for Southwest Tennessee Community College. One of the Human Resources and Affirmative Action Officer's duties will be to establish and maintain an internal audit and reporting system to allow for effective measurement of Southwest Tennessee Community College's programs.

In furtherance of Southwest Tennessee Community College's policy regarding Affirmative Action and Equal Employment Opportunity, Southwest Tennessee Community College has developed a written Affirmative Action Program which sets forth the policies, practices and procedures that Southwest Tennessee Community College is committed to in order to ensure that its policy of nondiscrimination and affirmative action for qualified individuals with disabilities and qualified protected veterans is accomplished. This Affirmative Action Program is available for inspection by any employee or applicant for employment upon request between 9:00 AM to 4:00 PM in the Human Resources Department. Any questions should be directed to me, your supervisor, or Paul D. Thomas, Human Resources and Affirmative Action.

Nathan L. Essex
Southwest Tennessee Community College
November 1, 2014
II. Review of Personnel Processes (41 CFR 60-741.44(b))

Southwest Tennessee Community College periodically reviews personnel processes to determine whether its present processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees with known disabilities. This review covers all procedures related to the filling of job vacancies either by hire or by promotion, as well as all training opportunities offered or made available to employees. Southwest Tennessee Community College ensures that applicants and employees with disabilities have equal access to its personnel processes, including those implemented through information and communication technologies. Whenever requested, the college will provide necessary reasonable accommodation to ensure applicants and employees with disabilities receive equal employment opportunity in the operation of personnel processes.

Southwest Tennessee Community College will not stereotype individuals with disabilities in a manner which limits their access to all jobs for which they are qualified. The college periodically reviews its employment processes and will make any necessary modifications, if needed, to ensure that these obligations are carried out. The present personnel procedures are adequate and, at this time, modifications are not necessary.

The following is a set of procedures used to meet the requirements of §60-741.44(b):

1. The application or personnel form of each known applicant with a disability is annotated to identify each vacancy for which the applicant was considered, and the form should be quickly retrievable for review by the Department of Labor and the contractor's personnel officials for use in investigations and internal compliance activities.

2. The personnel or application records of each known individual with a disability includes (i) the identification of each promotion for which the employee with a disability was considered, and (ii) the identification of each training program for which the individual with a disability was considered.

3. In each case where an employee or applicant who is an individual with a disability is rejected for employment, promotion, or training, a statement is prepared with the reason as well as a description of the accommodations considered. The statement of the reason for rejection (if the reason is medically related), and the description of the accommodations considered, is treated as confidential medical records in
accordance with §60-741.23(d). These materials are available to the applicant or employee concerned upon request.

4. Where applicants or employees are selected for hire, promotion, or training and the person is given an accommodation which makes it possible for him or her to place an individual with a disability on the job, a record is made containing a description of the accommodation. The record is treated as a confidential medical record in accordance with §60-741.23(d).
III. Physical and Mental Qualifications (41 CFR 60-741.44(c))

The physical and mental job qualification standards of all jobs are reviewed periodically. They are also reviewed as new jobs are established or job requirements are modified to ensure that, to the extent that such qualification requirements tend to screen out qualified individuals with disabilities, job qualifications are consistent with business necessity and the safe performance of the job.

No qualification requirements were identified which had a screening effect. All job qualification requirements were found to be job-related and consistent with business necessity and safety. If the college finds that any qualification standards tend to screen out qualified individuals with disabilities, it understands that it carries the burden to demonstrate qualification standards that tend to screen out qualified individuals with disabilities are job-related and consistent with business necessity.

Southwest Tennessee Community College will continue to review physical and mental job qualification requirements whenever a job is vacated and the college intends to fill it through hiring, promotion or transfer and will conduct a qualifications review whenever job duties change or a change in work environment occurs.

If at any time Southwest Tennessee Community College should inquire into an employee's physical or mental condition or should conduct a medical examination prior to a change in employment status, Southwest Tennessee Community College affirms that information obtained as a result of the inquiry will be kept confidential, except as otherwise provided for in Section 503 of the Rehabilitation Act of 1973 regulations. The results of the examination or inquiry will be used in accordance with the aforementioned regulations:

1. Supervisors, managers, and college officials may be informed regarding restrictions and accommodations for the work or duties of individuals with a disability.
2. Employees familiar with first aid may be informed, where and to the extent appropriate, if an individual with a disability might require emergency treatment.
3. OFCCP officials investigating compliance with either the 1973 Rehabilitation Act or VEVRAA, as amended.
IV. Reasonable Accommodation to Physical and Mental Limitations (41 CFR 60-741.44(d))

It is the college’s policy to make a reasonable accommodation to the physical and mental limitations of any employee with a disability and qualified applicants with a disability unless his/her accommodation imposes an undue hardship on the operation of the college’s business. 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, the employee will confidentially be notified of the performance problem and the manager may inquire whether the problem is related to the employee’s disability. If the employee responds affirmatively, the college will confidentially inquire whether the employee is in need of a reasonable accommodation.

In determining the extent of the college’s accommodation obligations, the following factors, among others, are considered:

1. Business necessity; and
2. Financial cost and expense.

Each applicant or employee’s case is reviewed on an individual basis. Reasonable accommodations are made whenever possible.
V. Harassment Prevention Procedures and Prohibition Against Retaliation (41 CFR 60-741.44(e))

Employees and applicants of Southwest Tennessee Community College will not be subject to harassment, intimidation, threats, coercion, or discrimination because they have engaged or may engage in filing a complaint, assisting in a review, investigation, or hearing or have otherwise sought to obtain their legal rights related to any Federal, State, or local law regarding EEO for individuals with disabilities. Any employees or applicants who feel that they have been subject to harassment, intimidation, threats, coercion, or discrimination because of their disability should promptly contact a manager in their chain of command, or promptly contact the Affirmative Action Officer for assistance.
VI. External Dissemination of Policy, Outreach, and Positive Recruitment (41 CFR 60-741.44(f))

Southwest Tennessee Community College undertakes appropriate outreach and positive recruitment activities that are reasonably designed to effectively recruit qualified individuals with disabilities. The college also notifies vendors, suppliers, and recruiting sources of their potential obligations due to conducting business with a federal contractor. This notification is done through use of purchase orders, contracts, Certificate of Compliance, and/or other means of notification.

The following organizations are contacted in order to fulfill Southwest Tennessee Community College’s commitment to provide equal employment opportunity for individuals with disabilities:

1. The State Vocational Rehabilitation Service Agency (SVRA), State mental health agency, or State developmental disability agency;
2. The Employment One-Stop-Career Center or American Job Center;
3. The Department of Veterans Affairs Regional Office;
4. The Employer Assistance and Resource Network (EARN);
5. Local Employment Network organizations listed in the Social Security Administration’s Ticket to Work Employment Network Directory (www.yourtickettowork.com/endir);
6. Local disability groups, organizations, or Centers for Independent Living;
7. Placement or career offices of educational institutions that specialize in the placement of individuals with disabilities; and
8. Private recruitment sources or employment placement services that specialize in the placement of individuals with disabilities.

Southwest Tennessee Community College also undertakes or considers the following activities in order to promote equal employment opportunities for individuals with disabilities:

1. Formal briefing sessions to invite representatives from recruitment sources and placement agencies to tour the facility, discuss current and prospective position openings, job descriptions and required qualifications and explanations of the college’s selection procedures.
2. In the event that educational institutions are utilized as part of the recruitment efforts, a special effort is made to reach students who are individuals with disabilities.
3. Participate in work-study programs for students, trainees, or interns with disabilities.

4. Whenever the college participates in career days, youth motivation programs and related community activities, individuals with disabilities are encouraged to participate.

5. Other efforts are made to attract individuals with disabilities not currently in the workforce who have requisite skills. The State and local agencies supported by the U.S. Department of Education's Rehabilitation Services Administration, local Ticket-to-Work Employment Networks and other local chapters of groups or organizations that provide services for individuals with disabilities are contacted.

6. Whenever job openings are posted, the appropriate EEO tag line is utilized which indicates individuals with disabilities are invited to apply.

At a minimum, the college reviews the outreach and recruitment efforts over the affirmative action plan period to evaluate the effectiveness in identifying and recruiting qualified individuals with disabilities.
VII. Internal Dissemination of Policy (41 CFR 60-741.44(g))

In an effort to promote positive Affirmative Action for individuals with a disability, the college has developed internal communications that foster understanding, acceptance, and support among the college's executive, management, and supervisory personnel. Additionally, all other college employees have been notified and encouraged to take the necessary action to aid the college in meeting its Affirmative Action obligations. The college has informed its employees and applicants for employment of its commitment to engage in Affirmative Action to increase the employment opportunities for individuals with a disability.

The college realizes that a strong outreach program is ineffective without the adequate internal support from management personnel and other employees. In order to ensure greater employee cooperation and participation in the college's Affirmative Action efforts, Southwest Tennessee Community College has adopted and disseminated an internal policy. This policy's dissemination may include but is not limited to the following:

1. Include it in the college's policy manual or make the policy available to employees;
2. Inform all employees and applicants of its commitment to engage in affirmative action to increase employment opportunities for individuals with disabilities. The college schedules special meetings with all employees to discuss policy and explain individual employee responsibilities;
3. Publicize it in the college newspaper, magazine, annual report and other media;
4. Conduct 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;
5. Discuss the policy thoroughly in both employee orientation and management training programs;
6. Include articles on accomplishments of individuals with disabilities in college publications;
7. When employees are featured in employee handbooks or similar publications for employees, include individuals with disabilities;
8. Copies of our AAP for Individuals with Disabilities will be made available for inspection to any employee or applicant upon request to promote understanding, acceptance and support;
9. Southwest Tennessee Community College’s Affirmative Action policy and the EEO poster are posted on bulletin boards located throughout our facilities and work areas.

10. All employees who believe they are an individual with a disability, as defined in Section 503 of the Rehabilitation Act of 1973, as amended, have been invited to identify themselves if they wish to benefit under this Affirmative Action Program. Such invitation has been posted on bulletin boards throughout the facility and work areas.
VIII. Audit and Reporting Systems (41 CFR 60-741.44(h))

The college has designed and implemented audit and reporting systems that:

1. Measure the effectiveness of the college's affirmative action program;
2. Identify any problem areas where remedial action is needed;
3. If any problem areas are identified, the college will undertake necessary action to bring the program into compliance;
4. Determine the degree to which Southwest Tennessee Community College's AAP goals and objectives have been attained;
5. Determine whether known individuals with disabilities have had the opportunity to participate in all college sponsored educational, training, recreational and social activities;
6. Measure the college's compliance with the affirmative action program's specific obligations;
7. Document the actions taken to comply with obligations mentioned above and retain these documents as employment records subject to recordkeeping requirements; and
8. The online and electronic application systems are reviewed to determine if they are accessible to individuals with disabilities. The website does have a prominent statement displayed which gives applicants with disabilities information on how to request an accommodation in order to apply if they are in need of assistance.

The following activities are reviewed at least annually to ensure freedom from stereotyping individuals with disabilities in any manner, including that which may limit their access to any job for which they are qualified:

1. Recruitment, advertising, and job application procedures;
2. Hiring, promotion, upgrading, layoff, recall from layoff;
3. Rates of pay and any other forms of compensation including fringe benefits. In offering employment or opportunities to individuals with disabilities, the college is aware that the amount of compensation offered cannot be reduced because of any income based upon a disability-related pension or other disability-related benefit the applicant or employee receives from another source;
4. Job assignments, job classifications, job descriptions, and seniority lists;
5. Sick leaves, leaves of absence, or any other leave;
6. Training, attendance at professional meetings and conferences; and
7. Any other term, condition, or privilege of employment.

Southwest Tennessee Community College’s audit system includes periodic reports documenting Southwest Tennessee Community College’s efforts to achieve its EEO/AAP responsibilities. Managers and supervisors are asked to report any current or foreseeable EEO problem areas and are asked to outline their suggestions/recommendations for solutions. During the reporting, the following occurs:

1. The Human Resources and Affirmative Action Officer will discuss any problems relating to significant rejection ratios, EEO charges, etc., with management; and
2. The Human Resources and Affirmative Action Officer will report the status of the college’s AAP goals and objectives to management. The Human Resources and Affirmative Action Officer will recommend remedial actions for the effective implementation of the AAP.
IX. Responsibility for Implementation (41 CFR 60-741.44(i))

A. Responsibilities of the Affirmative Action Officer:

Paul D. Thomas, the Human Resources and Affirmative Action Officer is responsible for the overall execution, implementation and monitoring of the Affirmative Action Program for persons with a disability with the support of all management. The Human Resources and Affirmative Action Officer has full support from senior management and staff needed to manage the implementation of the program.

Those responsibilities shall include, but not be limited to, the following:

1. The development of the AAP for individuals with disabilities, policy statements, personnel policies and procedures, internal and external communication of the policy, and monitoring the effectiveness of these actions;

2. Reviewing all personnel actions, policies, and procedures to ensure compliance with Southwest Tennessee Community College's Affirmative Action obligations;

3. Reviewing the qualifications of all applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner when hiring, promotion, transfer and termination actions occur;

4. Assisting in the identification of problem areas and the development of solutions to those problems;

5. Monitoring the effectiveness of the program on a continuing basis through the development and implementation of an internal audit- and reporting- system that measures the effectiveness of the program;

6. Keeping management informed of equal opportunity progress and problems within the college through, at a minimum, periodic reports;

7. Providing department managers with a copy of the AAP for Individuals with Disabilities and reviewing the program with them on an annual basis to ensure knowledge of their responsibilities for implementation of the program;

8. Reviewing the college’s AAP for individuals with disabilities with all managers and supervisors at all levels to ensure that the policy is understood and is followed in all personnel activities;

9. Auditing the contents of college bulletin boards annually to ensure that compliance information is posted and is up-to-date;

10. Serving as a liaison between Southwest Tennessee Community College and enforcement agencies; and
11. Serving as a liaison between Southwest Tennessee Community College and organizations for individuals with disabilities.

B. Responsibilities of Managers and Supervisors:

Managers and supervisors are advised annually of their responsibilities under the college's AAP for individuals with disabilities and of their obligations to:

1. Review the college's Affirmative Action policy for individuals with disabilities with subordinate managers and supervisors to ensure that they are aware of the policy and understand their obligation to comply with it in all personnel actions;

2. Assist in the identification of problem areas, formulate solutions, and establish departmental goals and objectives when necessary;

3. Review the qualifications of all applicants and employees to ensure individuals with disabilities are treated in a nondiscriminatory manner when hire, promotion, transfer, and termination actions occur; and

4. Review all employees' performance to ensure that non-discrimination is adhered to in all personnel activities.
X. Training (41 CFR 60-741.44(j))

All personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes shall be trained to ensure that the commitments in the college's Affirmative Action Program are implemented.