



**Title: Equal Opportunity, Non-Discrimination, and Affirmative Action Policy Statement**

**ID: UA- 64**

**Administrative Division: Academic Affairs**

**Unit: N/A**

**Effective Date: 5/31/2017**

**Contact:**

**Revision Date:**

**Purpose:**

The University of Alabama (UA) is committed to compliance with all applicable laws regarding the concept and practice of equal opportunity, non-discrimination (including anti-retaliation and reasonable accommodation) and affirmative action in all aspects of employment practice. All managers and supervisors are required to take an active part in following this policy to ensure that all qualified applicants and employees who are women, minorities, have disabilities, or have protected veteran status are considered and treated in a non-discriminatory manner with respect to all employment-related decisions.

**POLICY:**

**EQUAL OPPORTUNITY** UA provides equal opportunity in education and employment for all qualified persons regardless of race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, pregnancy, age, genetic or family medical history information, disability, protected veteran status or any other legally protected basis. UA makes employment decisions based only on valid job-related requirements. UA does not discriminate on the basis of a physical or mental disability or an individual's status as a disabled veteran or any other protected veteran with regard to application for employment and any terms and conditions of employment, provided the individual is qualified, with or without reasonable accommodations, to perform the essential functions of the job.

**NON-DISCRIMINATION NOTICE** UA complies with applicable laws prohibiting discrimination, harassment and retaliation, including but not limited to Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, Executive Order 11246, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Vietnam Era Veterans' Adjustment Assistance Act, as amended by the Jobs for Veterans Act of 2002 (VEVRAA), the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), the Age Discrimination Act of 1975, the Americans with Disabilities Act (ADA) of 1990, the ADA Amendments Act of 2008, and the Genetic Information Nondiscrimination Act of 2008. Consistent with those laws and UA's Sexual Misconduct, Harassment and other policies, UA prohibits discrimination on the basis of genetic or family medical history information, race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, pregnancy, age, disability, protected veteran status or any other legally protected basis in admission or access to, or treatment of employment in, its programs and services. These prohibitions against discrimination apply to recruitment, application, selection, hiring, appointment, transfer, demotion, promotion, tenure, job assignments, classification, compensation, benefits, leaves of absence, sick leave or any other leaves, job training and development, tuition assistance, participation in UA-sponsored educational, social, and recreational programs, discharge, layoff, and/or any other term, condition or privilege of employment. Inquiries or concerns regarding UA's Title IX or gender-related compliance may be directed to UA's Title IX Coordinator, Ms. Beth Howard, 107 Burke Hall West, Box

870300, Tuscaloosa, AL 35487-0300, (205) 348-5496, gbhoward@ua.edu. All other inquiries and concerns related to discrimination, harassment, or retaliation, except those regarding Section 1557 of the Affordable Care Act discussed below, may be directed to Dr. Gwendolyn Hood, University Compliance Officer and Director of the Office of Equal Opportunity Programs, 107 Burke Hall West, Box 870300, Tuscaloosa, AL 35487-0300, (205) 348-5855 (Voice), (205) 348-5573 (TDD), ghood@alan.ua.edu.

NON-DISCRIMINATION IN HEALTH CARE PROGRAMS/ACTIVITIES: UA also complies with Section 1557 of the Affordable Care Act, which prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in certain University health care programs and activities and UA's group health plans and wellness programs. Additional information and contact information for inquiries and concerns related to compliance with Section 1557 is available at <https://compliance.ua.edu/aca1557>.

**ANTI-RETALIATION** Consistent with applicable laws and UA policies, employees and applicants will not be subjected to harassment, intimidation, threats, coercion, discrimination, reprisals and/or adverse actions because they have engaged in, or may engage in any of the following activities: (i) filed a complaint pursuant to an equal employment opportunity or affirmative action law or applicable UA policy; (ii) assisted or participated in an investigation, compliance review, hearing or other activity related to the administration of an equal opportunity or affirmative action law or applicable UA policy; (iii) opposed any act or practice prohibited by an equal opportunity or affirmative action law or applicable UA policy; or (iv) exercised any other right protected by an equal opportunity or affirmative action law or applicable UA policy.

**AFFIRMATIVE ACTION PROGRAM** To further ensure UA's commitment to equal employment opportunity, UA, as a federal contractor, maintains an affirmative action program in accordance with applicable laws, regulations, executive orders, and government directives. UA has taken and will continue to take, consistent with applicable laws, affirmative action to recruit, employ, advance and not discriminate against qualified women, racial and ethnic minorities, qualified individuals with disabilities and protected veterans.

**AFFIRMATIVE ACTION PLAN** As part of UA's affirmative action program, UA prepares annual affirmative action plans (AAPs) for women and minorities and for protected veterans and individuals with disabilities. Those plans are available for inspection upon request and during regular business hours in the Office of Equal Opportunity Programs located on campus in 107 Burke Hall West, (205) 348-5855 (Voice), (205) 348-5573 (TDD).

**VOLUNTARY SELF-IDENTIFICATION** To gather data necessary to report data and perform analysis required by applicable law in its AAPs, UA invites: (i) job applicants to voluntarily self-identify their race, ethnicity, gender, disability status or protected veteran status at the pre-offer stage of the hiring process; (ii) job applicants to voluntarily self-identify their disability or veteran status at the post-offer; and (iii) employees to voluntarily self-identify their disability or protected veteran status post-employment. The information is requested on a voluntary basis, and will be used and kept confidential in accordance with federal law. Refusal to provide this information will not subject any applicant or employee to any adverse treatment. The information is used solely for affirmative action purposes; therefore, individuals who self-identify as having a disability who also require reasonable accommodations to perform the essential functions of their job must follow UA's Reasonable Accommodations Policy for Applicants and Employees.

**REASONABLE ACCOMMODATIONS** UA makes reasonable accommodations to the known physical or mental impairments of an applicant or employee who is a qualified individual with a disability or is a qualified disabled veteran, unless such accommodations would impose an undue administrative or financial hardship on the operation of UA's business or fundamentally alter UA's program and services. UA will not deny employment opportunities based on its need to make a reasonable accommodation to such an individual's physical or mental impairment. However, an employee must be able to perform the essential functions of the job, with or without an accommodation. Additional information about UA's commitment to individuals with disabilities, the provision of reasonable accommodations, and contact information for the Human Resources ADA Coordinator is available at <http://eop.ua.edu/disabilities.html> and <http://hr.ua.edu/ada>.

**Scope (Policy applies to the following audience):**

- Students
- Faculty
- Staff
- Contractors
- Volunteers
- Other – Specify: Enter other scope description here.

**Definitions, Procedures, and/or References:**

**RESPONSIBILITY FOR IMPLEMENTATION** The President of UA and other senior executive officers of UA have the ultimate responsibility for implementing UA's equal opportunity policy and affirmative action programs. The President, Dr. Stuart Bell, has reviewed and fully supports this policy. His annual reaffirmation memorandum, posted on-line at <http://eop.ua.edu/law.html>, reiterates his endorsement and urges every employee to comply with this policy. Dr. Gwendolyn Hood, University Compliance Officer and Director of the Office of Equal Opportunity Programs, has been designated to oversee implementation of UA's equal opportunity and affirmative action program. She is responsible for reviewing and updating annually UA's affirmative action programs and implementing an auditing and reporting system that a) measures the effectiveness of UA's affirmative action program; b) indicates the need for remedial action; c) determines the degree to which UA's objectives have been attained; d) determines whether minorities, women, known individuals with disabilities, and/or protected veterans have had the opportunity to participate in UA-sponsored educational, training, recreational and social activities; e) measures UA's compliance with its affirmative action program's specific obligations; and f) documents actions to comply with applicable federal regulations. Dr. Hood is assisted in these audit and reporting duties by an Academic Compliance Officer and a Non-Academic Compliance Officer and their designees.

**Approved by: President Bell, May 31, 2017**