



MEMORANDUM

TO: All UNM Staff and Faculty

FROM: Robert G. Frank, University President *RGF*

DATE: March 9, 2015

RE: UNM's Commitment to Affirmative Action and Equal Employment Opportunity and New Responsibilities Regarding Individuals with Disabilities and Protected Veterans

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**UNM's Commitment to Affirmative Action and Equal Employment Opportunity:**

This year marks the 50<sup>th</sup> anniversary of the Civil Rights Act of 1964, referred to by many as one of the most significant civil rights achievements in United States history. The law made it illegal to discriminate on the basis of race, color, religion, sex or national origin; it ended school, work and public facility discrimination; and it barred unequal application of voter registration requirements.

It has long been the policy of the University of New Mexico, in fulfilling its dual tasks of educating and providing public service, to demonstrate leadership in eliminating discrimination and providing equal opportunities in employment and education. The University is committed to creating and maintaining a community in which students, staff and faculty can learn and work together in an atmosphere that enhances productivity and draws on the diversity of its members. An important and effective tool for redressing the injustices of discrimination against women, minorities and other groups facing discrimination is affirmative action. When properly administered, affirmative action merely enables people who might otherwise be shut out to get their foot in the door by permitting factors such as race, gender, national origin, disability or veteran status to be considered when hiring or admitting qualified applicants. The University's use of affirmative action programs to achieve equal opportunity focuses on opportunity. Our affirmative action programs are meant to break down barriers, both visible and invisible, to level the playing field, and to make sure everyone is given an equal break. They are not meant to guarantee equal results; but instead proceed on the notion that if equality of opportunity is a reality, women, minorities and other groups facing discrimination will be fairly represented in the nation's work force and educational institutions. Through this Memorandum, the administration of the University of New Mexico is reaffirming its commitment to eliminating discrimination and the continued use of affirmative action programs to achieve equal opportunity. To review UNM's policies on Equal Employment Opportunity/Affirmative Action, Disability/Americans with Disabilities Act, Misconduct and Retaliation, Performance Management and Sexual Harassment, use this link to the OEO website <http://www.unm.edu/~oeounm/policies.html> . **As a reminder, any form of discrimination including retaliation, is prohibited.**

## **New Responsibilities Regarding Individuals with Disabilities and Protected Veterans:**

Nationwide, a substantial disparity in the employment rate of individuals with disabilities continues to persist despite years of technological advancements that have made it possible for individuals with disabilities to apply for and successfully perform a broad array of jobs. Additionally, increasing numbers of veterans returning from tours of duty in Iraq, Afghanistan, and other places around the world face substantial obstacles to finding employment upon leaving the service. Factors including bias or discrimination, the inability of employers to translate military skills and abilities, and process and institutional barriers all contribute to veterans being underutilized in the workforce.

The Office of Federal Contract Compliance Programs (OFCCP), a division of the United States Department of Labor, recently released its final rules for changes in the regulations pertaining to Section 503 of the Rehabilitation Act and the Vietnam Era Veterans Readjustment Assistance Act (VEVRAA). These rule changes mean increased affirmative action requirements relating to individuals with disabilities and veterans, and require the University to make significant changes to its applicant tracking, self-identification, self-assessment, training and record keeping efforts. The new regulations help to ensure that UNM lists its jobs so that individuals with disabilities and veterans can know about and apply for them; has available the data to measure and tailor our outreach to and recruitment of individuals with disabilities and veterans; and takes other necessary actions to employ and advance in employment individuals with disabilities and veterans. Of particular note, OFCCP has created a utilization goal for individuals with disabilities as 7% of employees in each job category and an annual hiring benchmark for veterans in a protected category of 8%. While failing to meet either the goal or the benchmark is not a violation, the University must assess its efforts on an annual basis to measure their effectiveness and implement corrective actions if needed.

UNM has identified recruitment resources to support these efforts and is providing access to talent pipelines including targeted recruitment resources for minorities, individuals with disabilities and veterans. Additionally, UNM is required to invite applicants and incumbent employees to self-identify as a protected veteran, an individual with a disability or both. Employees may self-identify by accessing the veteran and disability surveys in [LoboWeb](#). Information regarding recruitment resources for hiring officials and instructions regarding self-identification are listed on the staff and faculty employment websites. Finally, UNM hiring committees, both at the staff and faculty levels, should know that they are permitted to, and indeed should, consider factors such as disability or veteran status when determining who to hire amongst otherwise qualified applicants. Through this Memorandum, the administration of the University of New Mexico reaffirms its commitment to hiring qualified individuals with disabilities and veterans; knowing that the University will continue to benefit greatly from the skills, talents and loyalty qualified individuals with disabilities and veterans bring to the workplace.

Any staff questions may be directed to your Human Resources Consultant and faculty questions may be directed to either the Main Campus Office of Faculty Affairs and Services or the Health Sciences Center Office of Faculty Contracts.