
University of Kentucky **Affirmative Action Plan**



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This Affirmative Action Plan, effective October 1, 2021, is issued as a revision of the University of Kentucky Affirmative Action Plan first issued in 1968. It supersedes all earlier plans.

An Equal Opportunity University

University of Kentucky Affirmative Action Plan

Effective October 1, 2021 through September 30, 2022



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POLICY OF THE UNIVERSITY OF KENTUCKY

The University of Kentucky Governing Regulations (Part XIV.B.1) states the University of Kentucky nondiscrimination policy:

The University of Kentucky complies with the federal and state constitutions, and all applicable federal and state laws, regarding nondiscrimination. The University provides equal opportunities for qualified persons in all aspects of University operations, and does not discriminate on the basis of race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with University policy concerning smoking. All University members are expected to comply with the institution's nondiscrimination policy. All University members are expected to comply with the institution's nondiscrimination policy.

Eli Capilouto
President
University of Kentucky

9/20/21

Date



**University of Kentucky
Affirmative Action Plan**

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INTRODUCTION

The University of Kentucky (the University), a land grant, Rank 1 research institution located in Lexington, Kentucky, is the flagship of the Commonwealth of Kentucky's public postsecondary education system. As such the University accepts a unique mission in education, research, and service to the people of the Commonwealth of Kentucky and the greater community. The Governing Regulations as set forth by the University of Kentucky Board of Trustees (the Board of Trustees) establish a fundamental guiding commitment to equal opportunity. The University has developed policies and procedures that guide its employment processes to ensure objective, affirmative, and nondiscriminatory practices based on merit.

The [University of Kentucky 2015-2020 Strategic Plan](#), as adopted by the Board of Trustees on October 24, 2015, outlines specific objectives. Goal 3 of the five strategic objectives states the University will enhance the diversity and inclusivity of our University community through recruitment and retention of an increasingly diverse population of faculty, staff, and students, and by implementing initiatives that provide rich diversity-related experiences for all to help ensure their success in an interconnected world. The strategic initiatives include:

- ❖ Foster a diverse community of engaged students;
- ❖ Improve workforce diversity and inclusion;
- ❖ Engage diverse worldviews and perspectives by increasing awareness of diversity and by communications across campus that address these issues.

The [2015-2020 Strategic Plan](#) also includes action steps and metrics that the University will use to demonstrate achievement of the goals and to show the commitment to equal opportunity. The Strategic Plan metrics for Goal 3: *Diversity and Inclusivity* include:

- ❖ Enrollment percentage of under-represented undergraduate and graduate students.
- ❖ Graduation rate for under-represented students.
- ❖ Faculty employment.
- ❖ Executive, Administrative and Managerial employment.
- ❖ Professional employment.

This document seeks to set forth the [University of Kentucky Affirmative Action Plan](#) (AAP) as required by Executive Order 11246, as amended, and detail the ongoing efforts to fulfill the University's stated equal opportunity commitment. The University annually commits itself to make good faith efforts to attain its affirmative action and equal opportunity goals, including initiatives that assist in building and sustaining a

welcoming and inclusive University community – a community where everyone shares a sense of belonging, and everyone's contribution is respected and equally valued.

AFFIRMATIVE ACTION FEDERAL EXECUTIVE ORDER 11246

The Civil Rights Act of 1964, [42 U.S.C. 2000e-2](#) prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin. The Act was amended in 1972 to apply to employment by state agencies, to education institutions, and to faculty employment. To carry out this national policy, the President of the United States directed by [Executive Order 11246](#), and amended by [Executive Order 11375](#), that all federal agencies should place an “affirmative action clause” in every contract in excess of \$50,000. Anyone entering a contract with the United States, even if not otherwise obligated by law, must agree to comply with the substance of the Civil Rights Act of 1964.

As a federal contractor, the University is mandated by federal [Executive Order 11246](#), as amended, to have a written affirmative action plan for women, all minority groups, individuals with disabilities, and protected veterans. The University in good faith affirms the components of this affirmative action plan are as required in [Executive Order 11246](#) and as detailed in the implementing regulations, [41 CFR Chapter 60](#) by the Department of Labor Office of Federal Contract Compliance Programs.

The included statistical and narrative analyses, identification of problem areas, and establishment of goals and timetables are required components as set out in the aforementioned regulations. Terms used in the context of implementing regulations in no way should be read as an admission of violation of any statute, federal or state, or violation of any University regulation. Goals and timetables established in the context of the affirmative action program are not established as fixed quotas but rather as guidelines to support the underlying University commitment to equal opportunity for all persons, regardless of membership or lack of membership in a protected group. Nothing in the University’s affirmative action program is intended to sanction the discriminatory treatment of any person.

KENTUCKY COUNCIL ON POSTSECONDARY EDUCATION DIVERSITY POLICY

Adjunct to the AAP is the [Kentucky Council on Postsecondary Education Diversity Policy](#). The University's commitment to the provision of equal opportunity must include objectives related to student body diversity and student success, workforce diversity, and the creation of a campus environment where all students, faculty, and staff live and work in openness and acceptance and feel secure and welcome.

In 1981 the U.S. Department of Education Office for Civil Rights (OCR) determined that the Kentucky public higher education system had failed to eliminate vestiges of its former de jure racially dual system of public higher education. In 1982 the Kentucky Council on Higher Education developed the 1982-1987 Commonwealth of Kentucky Higher Education Desegregation Plan. The Kentucky Plan for Equal Opportunities in Higher Education was then created for 1990-1995.

In 1992 Kentucky Senate Bill 398 was passed, codified as [KRS 164.020\(19\)](#), which afforded public postsecondary education institutions limited waiver options for approval to submit requests for new academic programs annually when failing to meet established equal opportunity objectives or make continuous progress.

The third iteration of a state equal opportunity plan, the 1997-2002 Kentucky Plan for Equal Opportunities in Postsecondary Education, continued the narrowly tailored focus of previous plans to include Kentucky resident African American students, and African American faculty and staff employees in response to identified deficiencies.

The U.S. Department of Education Office for Civil Rights notified Kentucky Governor Steve Beshear on January 2, 2009, that the Commonwealth was ruled in compliance with Title VI of the Civil Rights Act of 1964 and its implementing regulations.

The Kentucky Council on Postsecondary Education (CPE) adopted an action plan for the development of a new statewide diversity policy on January 16, 2009, through a collaborative process involving CPE staff, CPE Committee on Equal Opportunities, and postsecondary education institutions. At each phase of development, the diversity policy was shared with institution Presidents and others for comment. In September 2010 per [KRS 164.020\(9\)](#) CPE adopted the Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development. This Diversity Policy, revised by CPE April 2014, set forth a Diversity Definition, and Vision and Guiding Principles.

To implement this Diversity Policy, CPE required each public institution to submit a campus diversity plan draft by March 2011. The campus-based diversity plan draft was required to be five (5) years in duration and address four areas including I. Student Body Diversity, II. Student Success, III. Workforce Diversity,

and IV. Campus Climate. The workforce diversity area of the Diversity Policy intends to accomplish the compelling governmental interest in the educational benefits that accrue from having diverse faculty, staff, and administrative officials.

On June 9, 2011, the draft University of Kentucky 2011-2015 Diversity Plan (Diversity Plan) was reviewed and approved by the CPE Committee on Equal Opportunities. On June 14, 2011, the Board of Trustees adopted the new Diversity Plan. Institutional diversity plans then received final approval by CPE in September 2011. The University of Kentucky 2011-2015 Diversity Plan established student objectives consistent with the UK 2009-2014 Strategic Plan, and employment objectives based on the annual AAP. The Diversity Plan contained a narrative describing many programs, services, and initiatives that support the attainment of institutional objectives.

While similar in intent and overlapping in specific employment categories, the scope of Executive Order 11246 and the CPE Diversity Policy differ. Focused solely on equal employment opportunities Executive Order 11246 requires affirmative action for women, all minority groups, individuals with disabilities, and protected veterans by federal contractors. Goals related to the CPE Diversity Policy are based on an institution's mission, values, and compelling interest in the educational benefits of diversity. Embracing and nurturing diversity as an essential value is the responsibility of every member of the University community. The primary student focus of the Diversity Plan included Black or African American and Hispanic or Latino students. For employment, the Diversity Plan groups are consistent with the AAP groups.

In September 2016 CPE adopted a new diversity policy, [Kentucky Public Postsecondary Education Policy for Diversity, Equity, and Inclusion](#). Under this new policy, CPE set forth a very broad definition of diversity, and institutions were required to create diversity plans that addressed, at a minimum, the following: I. Student body diversity that mirrors the diversity of the Commonwealth or the institution's service area, II. Closing of achievement gaps, III. Workforce diversity, and IV. Campus climate. Institutional plans must also align with the 2016-2021 Strategic Agenda for Postsecondary and Adult Education. The duration of this policy is five (5) years with the evaluation of the effectiveness of the policy itself commencing during the fifth year.

This statewide policy is grounded on the premise that to truly prepare students for life and work in an increasingly diverse society, public postsecondary institutions within the Commonwealth shall develop a plan to embrace diversity and equity within constitutional and legal parameters, commit to improving academic achievements for all students, create an inclusive campus environment, and produce culturally competent graduates for the workplace. Diversity is defined as people with varied human characteristics, ideas, world views, and backgrounds. Diversity in concept expects the creation by institutions of a safe, supportive, and nurturing environment that honors and respects those differences.

In congruence with CPE's Strategic Agenda, this policy identifies three (3) focus areas: OPPORTUNITY – Recruitment, and Enrollment of Undergraduate and Graduate Diverse Students; SUCCESS – Student Success for Retention, Graduation Rates, and Degrees Conferred to Underrepresented Minority and Low-Income Students, and; IMPACT – Campus Climate, Inclusiveness and Cultural Competency including Workforce.

To implement this policy, each institution created a campus-based plan for diversity, equity, and inclusion, which addresses the goals and strategies in the three (3) focus areas and outlines an appropriate plan for an annual assessment. The University formed a Diversity Plan Committee consisting of faculty, staff, students, and administrators. The Diversity Plan Committee developed a draft institutional plan that was submitted to CPE for review in April 2017. Subsequently, a CPE review team visited the University in May 2017 to provide recommendations for the draft plan.

The final [University of Kentucky 2017-2022 Diversity Plan](#) (UK Diversity Plan) was approved by the Board of Trustees in September 2017 and submitted to CPE for final approval in November 2017.

Every goal and strategy must be assessed annually. CPE reviews institutional assessment reports using a scored rubric. Institutions that do not meet the standards of the rubric are not eligible to submit requests for new academic programs during the calendar year. To receive consideration by CPE to become eligible during each calendar year when continuous progress standards are not attained, a Request for Waiver which includes a Remediation Plan is required.

In principle, the UK Diversity Plan is consistent with the 2015-2020 UK Strategic Plan, and employment objectives that are measured in the AAP. This plan received approval from the Board of Trustees during their September 2017 meeting. The UK Diversity Plan contains strategies and methods of assessment. Under IMPACT, the University states it will:

- Increase the racial and ethnic diversity of its faculty and staff.
- Promote equity and inclusion.
- Produce culturally competent students, faculty, and staff.

Each goal has associated strategies and metrics. Included are:

- [Impact Strategy 3.1](#): Educate search committees on implicit biases and their impact on hiring decisions.
- [Impact Strategy 3.2](#): Ensure that tenure and promotion policies support faculty diversity.

- Impact Strategy 3.7: Train staff members in the issue of diversity and inclusion through a variety of Human Resources training topics.

The UK Diversity Plan is available in its entirety at [Diversity-Plan.pdf \(uky.edu\)](#).

The University's unique role as the Commonwealth's land grant educational institution and its mission related to equal educational opportunity cannot be overlooked in this document. Success in providing equal opportunity in student enrollment, retention, and graduation is an essential corollary to the equal employment opportunity at the University, the greater community, and state and national labor markets.

The AAP as outlined in this document is put forth as evidence of the institution's good faith effort to meet all the requirements of a federal contractor as prescribed in [Executive Order 11246](#), as amended, and as detailed in the implementing federal regulations [41 CFR §60](#). This document reaffirms the University's commitment to equal opportunity as defined by federal and state statutes. Further, the AAP is the University's reaffirmation of the commitment to equal opportunity as defined by the Board of Trustees in the University's [Governing Regulations](#) and proffered as a supporting document to the [University of Kentucky 2015-2020 Strategic Plan](#).

Under Strategic Objective – Diversity and Inclusivity's Strategic Initiative 2: **Improve Workforce Diversity and Inclusion**, the University will take the following steps:

- Action Step 1: Provide formal inclusiveness and diversity professional development for all faculty, staff, managers, and supervisors, including training on explicit (conscious) and implicit (unconscious) bias and training on how to structurally create inclusive working and learning environments.
- Action Step 2: Increase diversity in number, proportion, and retention in all workforce position categories including faculty, where representation is less than proportionate, to create a more inclusive work environment.

REAFFIRMATION OF EQUAL EMPLOYMENT OPPORTUNITY POLICY

The University hereby reaffirms its commitment to the principle of equal employment opportunity in its personnel policies and procedures. University [Governing Regulations Part XIV.B.1](#), governing both instructional and non-instructional personnel, states the University's nondiscrimination policy:

The University of Kentucky complies with the federal and state constitutions, and all applicable federal and state laws, regarding discrimination. The University provides equal opportunities for qualified persons in all aspects of University operations and does not discriminate on the basis of race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with University policy concerning smoking.

All University members are expected to comply with the institution's nondiscrimination policy. The President is responsible for the development of an affirmative action plan by which full implementation of this policy shall be effected in the University.

The revised [Governing Regulations Part I.D](#), adopted by the Board of Trustees on June 14, 2005, added a statement on diversity:

The University is committed to diversity as a vital characteristic of an optimal education and workplace. The University maintains a firm conviction that it must strengthen the diversity of its communities, support free expression, reasoned discourse, and diversity of ideas; and take into account a wide range of considerations, including but not limited to, ethnicity, race, disability, and sex when making personnel and policy decisions. The University is committed to periodically evaluating progress made toward diversity and to communicating the results of such evaluations. Based upon these assessments, the University will give diversity factors consideration to ensure achievement of its mission of instruction, research, and service and gain the broadest benefits for the University community.

[Governing Regulation Part X.A.1](#) establishes merit as the only criteria for academic employment:

All appointments shall be made strictly on the basis of merit. An applicant for a position shall not be discriminated against because of race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with University policy concerning smoking.

Further delineation of this fundamental governing regulation is made in [Human Resource Policy Number 2.0](#) entitled "Equal Opportunity, Discrimination, and Harassment" which states:

All employment decisions shall be made uniformly on the basis of merit. Equal opportunities shall be provided for all persons throughout the University in recruitment, appointment, promotion, payment, training, and other employment practices without regard to race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with University policy concerning smoking.

The University's [Strategic Plan](#) states:

[Strategic Objective: Diversity and Inclusivity](#). Enhance the diversity and inclusivity of the University community through recruitment and retention of an increasingly diverse population of faculty, administrators, staff, and students, and by implementing initiatives that provide rich diversity-related experiences for all to help ensure their success in an interconnected world.

The University will achieve this by working collaboratively to create an environment where all of our students, faculty, and staff live or work in an environment of openness and acceptance, and in which people of all backgrounds, identities, and perspectives can feel secure and welcome.

This strategy extends beyond employment, to the matriculation of students at all levels of academic endeavor. Equal opportunity for students at the University is delineated in the student handbook entitled [Code of Student Conduct](#), which states:

Right to be Free from Discrimination/Harassment

1. UK complies with the federal and state Constitutions, and all applicable federal and state laws, regarding nondiscrimination. Students and applicants for admission to UK, or for financial aid or scholarship, will not be discriminated against because of race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with UK policy concerning smoking. (See [Governing Regulation XIV.B.1, Ethical Principles and Code of Conduct](#)).
2. Consistent with [Administrative Regulation 6.1, Policy on Discrimination and Harassment](#), Students have the right to be free from harassment, including sexual harassment, by UK Employees, and other Students. For purposes of the Code, harassment means conduct so severe, pervasive, and objectively offensive that it substantially interferes with the ability of a person to work, learn, live, or participate in, or benefit from services, activities, or privileges provided by UK. Sexual harassment – a form of sex discrimination – includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical actions of a sexual nature when submission to such conduct is made explicitly or implicitly a term or condition of the Student's status in a course, program or activity; or is used as a basis for academic or other decisions affecting such Student; or when such conduct has the purpose or effect of substantially interfering with the Student's academic performance, or creates an intimidating, hostile, or offensive environment. This provision shall not be used to discipline students for speech protected by the First Amendment.

The Office of Institutional Equity and Equal Opportunity (Institutional Equity) is the University office responsible for the development of policy and monitoring of compliance with all University equal opportunity commitments. Institutional Equity is responsible for the ongoing analysis and reporting under the AAP. Anyone having questions or comments regarding the University's equal opportunity and affirmative action policies should contact Institutional Equity.

DISSEMINATION OF THE EQUAL OPPORTUNITY POLICY

Regulation pertinent to this portion of the AAP is 41 CFR § 60-2.13(b)

Internal Dissemination

- ❖ The Equal Opportunity Policy statement is posted in University employment offices, placement offices, and other appropriate areas as well as disseminated electronically.
- ❖ The policy statement is included in all appropriate University publications including all employee handbooks and policy books, which are available to all employees on the web. New employees receive copies of the statement and other information about the University's policy of equal opportunity at orientation programs.
- ❖ Training sessions are conducted by Institutional Equity with departments and colleges to highlight the University's commitment to diversity, equal opportunity, and affirmative action. All new supervisors are required to attend discrimination and harassment training through SuperVision.
- ❖ Institutional Equity conducts annual meetings with University officials to review their responsibility for effective implementation of the University's Equal Opportunity Policy.
- ❖ University brochures, newsletters, annual reports, and other publications reiterate the University's commitment to equal opportunity.
- ❖ The equal opportunity policy is included in all purchase orders, requisitions, and contracts covered by Executive Order 11246 (as amended) and implementing regulations.

External Dissemination

- ❖ The University communicates to prospective employees in all employment advertisements that it is an Equal Opportunity Employer.
- ❖ All contractors, subcontractors, vendors, and suppliers have been notified of the University's Equal Opportunity Policy and are required to comply with Executive Order 11246 (as amended) and its implementing regulations. The University has agreed to transact business only with firms adhering to these practices.
- ❖ All recruiting sources and other referral sources have been advised of the University's Equal Opportunity Policy.

DISSEMINATION OF THE AFFIRMATIVE ACTION PLAN

The University of Kentucky Affirmative Action Plan (AAP) as detailed in this document must be submitted upon request to the United States Department of Labor Office of Federal Contract Compliance Programs (OFCCP). The AAP, in accordance with Executive Order 11246, as amended, Section 503 of the Rehabilitation Act of 1973, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), may be viewed in Institutional Equity. The AAP is available from 9:00 am until noon and from 1:00 pm until 4:00 pm Monday through Friday when the University is officially in session. The AAP can also be viewed on the Institutional Equity website at <https://www.uky.edu/eeo>. A hard copy of the plan is kept at the reference desk for checkout at the William T. Young Library.

UNIVERSITY ANALYSES

ORGANIZATIONAL PROFILE

Regulation pertinent to this portion of the AAP is 41 CFR § 60-2.11

The University organizational profile is completed annually as a required component of the AAP. This information is provided upon request to the OFCCP. The profile is an organizational display similar to the organizational structure of the University. It identifies each organizational unit at the University and the relationship to other units within the University. The organizational display includes the name of the unit or college, the job title, gender, race, and ethnicity of the unit or college head administrator, the total number of male and female incumbents; and the total number of male and female incumbents in each of the following groups: Black or African American, Hispanic, Asian, Pacific Islander/Native Hawaiian, and American Indian/Alaskan Native.

The organizational profile for the University may be found as a separate document entitled “University of Kentucky Affirmative Action Plan Organizational Profile” and located in Institutional Equity. The profile is available from 9:00 am until noon and from 1:00 pm until 4:00 pm Monday through Friday when the University is officially in session. The AAP along with the organizational profile can be viewed on the Institutional Equity website at www.uky.edu/eeo/federal-reporting.

JOB GROUP ANALYSIS

Regulation pertinent to this portion of the AAP is 41 CFR § 60-2.12(c).

The University reports thirteen (13) job groups with separation of campus units and University HealthCare (UKHC) units. Data is collected from the University Information Technology Enterprise Application Group under the auspices of the Provost, using primary occupational activity definitions corresponding with the specific job functions represented at the University for the purposes of availability, placement goals, and ratio impact analyses.

This analysis of job functions and division into job groups by campus units and UKHC units was the result of the 2016 Department of Labor Office of Federal Contract Compliance Program labor compliance review.

Definitions of the thirteen job groups for the University may be found in AAP Appendix A.

PLACEMENT OF INCUMBENTS IN JOB GROUPS
Regulation pertinent to this portion of the AAP is 41 CFR § 60-2.13

Executive Order 11246 requires an annual analysis of all job groups at the University. The contractor must place all employees into a job group and state the percentage of minorities and women in each group. Placement goals must be established where availability is determined to be greater than the current percentage of women or minorities reported in each job group. To determine where placement goals are required it is first necessary to determine availability.

JOB GROUP AVAILABILITY ANALYSIS
Regulation pertinent to this portion of the AAP is 41 CFR § 60-2.14

Availability is determined by estimating the number of qualified minorities and women available for employment in each job group by completing a two-factor analysis; 1) the percentage of minorities or women with requisite skills in geographic areas where the university can reasonably recruit, and 2) the percentage of minorities or women among those promotable, transferable, and trainable within the organization. The estimate is expressed as a percentage of all qualified persons available for employment in the job group and is described specifically in the pertinent regulation 41 CFR § 60-2.14. The contractor is given the responsibility of weighting each of these factors to determine the importance of employment in every job group. The job group being examined, and the primary occupational activities of each group determine reputable sources of availability. The contractor is required to use the most current and reliable statistical information available. The availability of faculty personnel in higher education is unique; therefore, an explanation and determination must be made separate from non-instructional personnel. This must be done for both minorities and women.

In determining faculty availability in the University, careful consideration was given to the academic disciplines represented in the total faculty. Availability was considered by discipline and the numerical representation of each discipline weighed as part of the whole. University faculty are recruited nationally and currently represent universities conferring terminal degrees across the nation and from around the world.

The following sources were consulted for the determination of faculty and staff availability:

- ◆ Chronicle of Higher Education Report on Current Trends in Higher Education
- ◆ U.S. Department of Education, National Center for Educational Statistics
- ◆ U.S. Department of Labor, Bureau of Labor Statistics
- ◆ U.S. Official Census Data

Regarding faculty employment, the factors were evaluated in the following way:

1. The availability of minorities or females having requisite skills in an area in which the contractor can reasonably recruit.

This is the only relevant factor in determining the availability of women and minorities for faculty employment. The University recruits faculty on a national basis, making national employment and availability data the proper basis for comparison with university faculty employment. The University recruits faculty from a national pool of candidates with terminal degrees in the specific fields where there are available positions.

Weight: -100-

2. The availability of promotable, transferable, and trainable minorities/females within the contractor's organization.

At the University, employees holding staff positions do not normally fill faculty positions. The University does not normally hire its own graduates for faculty positions. As a matter of educational policy, the preference is to foster diversity of background in university faculty. Terminal degrees awarded by the University are recognized in national degree statistics.

Weight: -0-

The University exerts its best efforts to obtain current and accurate data concerning the availability of women and minorities for faculty positions. The analysis required by the federal regulations contains certain assumptions inapposite to academic appointments, namely, that faculty are employed from other categories of employees. There is, therefore, only one factor, which has any bearing in the determination of faculty availability. This is the number or proportion of women or minorities in the workforce having the requisite credentials in an area of reasonable recruitment. Normally, new faculty are hired as assistant professors from the ranks of those recently conferred terminal degrees. Although there are occasional exceptions, these are so infrequent and so few that no significant changes in availability determination should be planned.

The analyses of the factors relevant to non-instructional staff have been evaluated in the following way:

1. The availability of minorities/females having requisite skills in an area in which the contractor can reasonably recruit.

The University weighs this factor for the recruitment of women and minorities in all staff job categories. The University necessitates a broad employment spectrum for the executive, administrative, managerial, and professional position categories, using national, regional, and local searches. Recruitment for office and clerical, technical and paraprofessional, skilled crafts, and service and

maintenance position categories has a more limited reasonable recruitment area, drawing primarily from the Lexington Metropolitan Service Area and the surrounding communities.

Weight: - 0 to 75 - All staff positions

2. The availability of promotable, transferable, and trainable minorities/females within the contractor's organization.

The University weighs this factor in all staff position categories. The promotion of employees in the executive job group is weighed less than those in administrative, managerial, and professional exempt positions. The development of the University's human resources through affirmative actions is strategic to institutional success.

Weight: - 0 to 75 - All staff positions

While the regulation assumption is somewhat more correct in staff than in faculty employment, the internal workforce is not generally the main pool for new employees for executive positions. It is accurate to say, as the individual weighing indicates, that there is more of an internal pool for other staff positions. The broad spectrum of positions and educational and experience requirements even within a job group makes any assumptions made regarding a particular group subject to some exceptions. The outside availability of minorities and women is also tempered by the small number of positions filled in the executive, administrative, managerial categories in any annual plan year. The factors discussed are the best indicators of availability for the job group, and the most reliable sources of staff employment data.

As previously detailed, the analyses undertaken have been conducted for women, African American, Hispanic, and Asian faculty and staff to determine the availability where that information is available. In the job groups where the relevant recruitment area is local or regional, the American Indian/Alaskan Native, Pacific Islander/Native Hawaiian, and Multiple races showed minor availability and were not calculated. In faculty availability where recruitment is from a limited but national pool, the availability of African Americans demonstrates a more significant variance from the assessed availability for all minorities. This dual availability and analysis are established to respond to the University's federal affirmative action commitments while being mindful of the commitments to the CPE Diversity Policy.

The availability analysis by job group for the University is included as AAP Appendix B.

COMPARING INCUMBENCY TO AVAILABILITY

Regulation pertinent to this portion of the AAP is 41 CFR § 60-2.15

Having established availability using the factors as prescribed, placement goals are established in any job group where the percentage of women and minorities in the workforce falls below the expected availability. Utilization analysis is conducted and communicated to the President and executive-level administrators at least annually at the University. Areas with placement goals are communicated to these executive officers and Deans responsible for the organizational units and colleges of the University so affirmative action goals and efforts may be reevaluated considering both federal and state commitments.

The University workforce is evaluated by campus units and UKHC units.

The University has conducted availability analyses for females, African Americans, Hispanics, and Asians. If underutilization has occurred goals have been set for those job groups. If the availability in a recruitment area was less than one percent (1%), an availability analysis was not conducted for that job group. Details of the University utilization analysis are included as AAP Appendix C which can also be found at www.uky.edu/eeo/federal-reporting.

ESTABLISHMENT OF PLACEMENT GOALS

Regulation pertinent to this portion of the AAP is 41 CFR § 60-2.16

Full utilization is defined in the AAP as having the same representation in each job group as the calculated availability of women and all minorities, including African Americans, Hispanics, and Asians in the area where each facility can reasonably expect to recruit. The University has established as its placement goal full utilization as demonstrated in the utilization analyses presented.

University and college utilization analyses are used as guides for administrators, charged with affirmative action program implementation, in developing strategies that may most effectively contribute to the successful attainment of the University's goals.

The Department of Labor Office of Federal Contract Compliance Programs (OFCCP) requires an annual Affirmative Action Plan. The University acknowledges that full utilization may not be a realistic one-year goal and has established goals to coincide with the University of Kentucky 2015-2020 Strategic Plan as a five-year goal. Full utilization of job groups where there is low turnover, no anticipated addition of positions, or a reduction in force may take an extended period to achieve even when women and minorities are selected at optimal rates. OFCCP guidance provides that goals should not be strict numerical tenets but rather guidelines directing good faith affirmative action efforts. All employment decisions must be made in a non-discriminatory manner. Set-aside programs for certain groups are illegal. Affirmative action

programs do not require employers to “hire a less qualified person in preference to a more qualified one.”
41 CFR § 60-2.16(4) The OFCCP also reminds us that quotas are illegal.

The University, therefore, established for itself a five-year goal of full utilization or continuous progress toward full utilization within five years and maintaining utilization in those job groups where it has previously been achieved. The University of Kentucky Strategic Plan, approved by the Board of Trustees, established strategic objectives to be realized by 2020. Goal 3 of the five major strategic plan goals states the University will *Enhance Diversity and Inclusivity* as follows:

- ❖ Foster a diverse community of engaged students;
- ❖ Improve workforce diversity and inclusion;
- ❖ Engage diverse worldviews and perspectives by increasing awareness of diversity and by communications across campus that address these issues.

ESTABLISHMENT OF RESPONSIBILITIES FOR IMPLEMENTATION OF THE AFFIRMATIVE ACTION PROGRAM

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-2.17(a)

The responsibility for directing the University policies in employment, as in many other areas, has been assigned to the President of the University by the Board of Trustees. The President has designated responsibility for the oversight and administration of all the University's equal opportunity commitments to the Associate Vice President for Institutional Equity. The Associate Vice President for Institutional Equity is the University officer responsible for overseeing the development of the AAP and recommending policies and procedures for its implementation. This designation of responsibility includes all equal opportunity commitments for the University. This charge addresses faculty, staff, and student concerns and necessarily transcends department and college boundaries.

The specific responsibilities of Institutional Equity may include, but are not limited to, the following:

- ❖ Develop and review policies regarding equal opportunity compliance
- ❖ Implement the AAP
- ❖ Advise University personnel of the requirements of federal and state regulations
- ❖ Report to the President and the Executive Vice President for Finance and Administration on the progress related to the University's commitments to equal opportunity including the AAP
- ❖ Keep abreast of the legal decisions and legislative changes, both state and federal, affecting the University's affirmative action / equal opportunity responsibilities
- ❖ Keep abreast of regulatory changes and guidance statements from federal and state agencies
- ❖ Recommend changes in University policy and procedure considering changing legal and regulatory compliance requirements
- ❖ Develop and offer training on the University's equal opportunity and non-discrimination policies and related federal and state statutes
- ❖ Serve as the University's Americans with Disabilities Act (ADA) Compliance Coordinator
- ❖ Serve as the University's Title IX Compliance Coordinator
- ❖ Help administrators identify qualified employees with disabilities and appropriate accommodations
- ❖ Serve on University, college, and departmental equal opportunity and diversity committees
- ❖ Work in conjunction with the Vice President for Institutional Diversity on University diversity objectives

- ❖ Serve as liaison and respondent between the University and federal and state enforcement agencies
- ❖ Work with UK HealthCare leadership for attainment of UKHC Enterprise Diversity and Inclusion Goal Metrics
- ❖ Chair the University's Equal Opportunity Committee
- ❖ Develop internal and external communication techniques to disseminate University equal opportunity policy
- ❖ Assist administrators to identify potential problem areas, solutions, and preventative techniques
- ❖ Respond to concerns from faculty, staff, and students regarding alleged violations of University non-discrimination and sexual misconduct policies, and work closely with other University officials receiving such concerns to assure appropriate response, investigation, and resolution
- ❖ Design and implement an audit and reporting system to measure the effectiveness of the University's affirmative action / equal opportunity programs
- ❖ Serve as counselor to employees regarding work-related equal opportunity matters
- ❖ All other institutional appointments and assignments as requested.

The University has provided support for the implementation of the University's equal opportunity commitments. Since 1996, a professional position provides education, coordination, and oversight of technical compliance for the affirmative action / equal opportunity programs at the University as well as develops the AAP annually. This position responds to inquiries and trains University personnel in regulatory compliance issues.

The Equal Opportunity Committee

The Equal Opportunity Committee (Committee) is an administrative standing committee of the University of Kentucky, which is appointed to advise the President or other University officers regarding the provision of equal opportunity. The charge to the Committee found at [Administrative Regulation 3:12](#), states, "The Equal Opportunity Committee provides advice on all University-wide matters of equal opportunity. The Equal Opportunity Committee nurtures an environment free of discrimination and inequity in accordance with University of Kentucky Governing and Administrative Regulations, UK Strategic Plan, and federal and state equal opportunity statutes."

The Committee is appointed by the University's President and reports to the Executive Vice President for Finance and Administration. Committee membership shall be comprised of representatives from faculty, staff, and students. The chair and ex officio members are designated by the President. Committee

members, other than those with student or ex officio status, normally shall have staggered three-year appointments. Students normally have one-year appointments. Members may be reappointed to the Committee.

The specific responsibilities of the Equal Opportunity Committee include:

1. Monitoring plans and programs that ensure equal opportunity throughout the University;
2. Facilitating the development and implementation of equal opportunity and equity perspectives in all student, workforce, and University affairs;
3. Recommending processes to assist University officials in exercising their responsibility to ensure equal opportunity and a supportive campus environment; and
4. Assessing provision of equal opportunities throughout the University and fostering an environment of inclusiveness.

Each year the committee selects specific topics for in-depth analysis. During the 2020-2021 academic year, the Committee addressed the following:

- International Students: Promote initiatives related to creating and sustaining a sense of belonging for undergraduate, graduate, and professional international students.
- Student Employment: Implement strategies to increase awareness of University employment opportunities for students and assist departments in navigating the procedures for hiring students employees.
- Athletics Compliance: Provide equal opportunities in UK Athletics including UK Athletics staff employment, student-athletes, and regulatory compliance.
- Disabled Students Awareness: Implement strategies that improve services provided to University disabled students.
- Campus Safety: Ensure affirmative measures that provide a safe campus environment for all members of the University community.
- Sexual Misconduct: Inform the University community of policies, procedures, and outreach initiatives for handling allegations of sexual assault, stalking, dating violence, domestic violence, and sexual exploitation.
- Diversity, Equity, and Inclusion: UK Diversity, Equity, and Inclusion Implementation Plan.

The Committee has proposed the following topics for in-depth analysis during the 2021-2022 academic year:

- Diversity, Equity, and Inclusion (DEI) Update
- Provision of Equal Opportunity in UK Procurement
- Economic Development Collaborative; Equitable Economic Development
- Community Engagement Collaborative with Lexington-Fayette Urban County Government
- Recruitment and Retention of Underrepresented Students
- Mental Health and Wellness Resources for Students, Employees, UK HealthCare Providers
- Accommodations for Disabled Students and Employees

The Committee maintains minutes of meetings and prepares an annual report for the Executive Vice President for Finance and Administration.

Office of the Vice President for Institutional Diversity

The Office of the Vice President for Institutional Diversity (Institutional Diversity), founded in July 2008 as part of the University's endeavor to promote diversity and inclusion, is responsible for promoting collaboration among faculty, staff, administration, and students in earnest pursuit of UK's diversity goals. Institutional Diversity strives to offer a welcoming and nurturing environment where all students, faculty, staff, and visitors feel a sense of belonging and can realize their full potential. The Vice President for Institutional Diversity (VPID) advises the President and Provost on all academic, fiscal, and administrative policy decisions regarding the University's diversity goals; with developing, implementing, and evaluating the University's diversity plan; and with active community involvement around diversity, inclusion, belonging, and engagement issues. Several units within Institutional Diversity focus on student retention, development, and graduation:

- ❖ [Office for Community Engagement](#) supports and creates community engagement opportunities that meet the economic, health, and educational needs of the community.
- ❖ [Center for Graduate and Professional Diversity Initiatives \(CGPDI\)](#) (formerly Health Colleges Student Diversity Services) is committed to supporting an inclusive community of scholars by recruiting and retaining underrepresented students in graduate and professional programs; and aiding in the cultural diversity development of all students, faculty, and staff.
- ❖ [Martin Luther King Center](#) supports the University's diversity goals by developing and offering programs and experiences designed to prepare all students for the social, cultural, and political challenges of an increasingly complex multicultural, global community.

- ❖ [**The Kentucky – West Virginia Louis Stokes Alliance for Minority Participation \(KY-WV LSAMP\)**](#) is a consortium of colleges and universities working together to create, enhance, and expand programs designed to broaden participation and increase the quality and quantity of students from underrepresented populations who receive degrees in science, technology, engineering, and mathematics (STEM) disciplines.
- ❖ [**The Office of Inclusive Excellence and Diversity Education \(IEDE\)**](#) serves the University as a centralized educational unit for expanding diversity, equity, and inclusion initiatives. Their work is rooted in an organized effort to create a campus community invested in exposing, challenging, and minimizing the effects of interpersonal and institutionalized discrimination.
- ❖ [**Office of Lifelong Learning \(OLLI\)**](#) at the University offers educational and enrichment courses, forums, shared interest groups, trips, events, and more for adults 50 years and older. More than 1,500 adult learners participate annually.

IDENTIFICATION OF PROBLEM AREAS

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-2.17(b)

As part of the University's AAP a thorough analysis is conducted for the reporting year preceding the effective date of this plan. Careful ongoing consideration is given to changing legislation and regulations, agency guidance, and legal precedent in determining the direction of the University's employment goals and action-oriented programs. The University has experienced mandated state general fund budget reductions and still upheld primary focus on employment of women and minorities. Following are the issues identified and evaluated to foster the provision of equal opportunity throughout the University:

- ❖ The composition of the workforce by sex and minority status is completed annually as detailed in the utilization analysis. A detailed discussion of the University of Kentucky total workforce analysis may be found in AAP Appendix D at www.uky.edu/eeo/federal-reporting.
- ❖ The applicant flow and ratio analysis by sex and minority status is completed annually, in accordance with regulatory guidance, to determine if significantly different hiring rates occur for women or minorities in any job group. This analysis for the University's overall workforce, campus workforce, and UK HealthCare workforce may be found in AAP Appendix E at www.uky.edu/eeo/federal-reporting.
- ❖ Regular review is conducted to determine if significantly higher numbers of women or minorities are being adversely affected in the employment processes, including promotions. A detailed discussion of the applicant flow analysis for the University may be found in AAP Appendix F at www.uky.edu/eeo/federal-reporting.
- ❖ A ratio analysis by sex and minority status is completed annually, in accordance with regulatory guidance, to determine if significantly different termination rates occur for women or minorities in any job group. This analysis for the University's overall workforce, campus workforce, and UK HealthCare workforce may be found in AAP Appendix G at www.uky.edu/eeo/federal-reporting.
- ❖ Regular review is conducted to determine if significantly higher numbers of women or minorities terminate employment. This analysis may be found in AAP Appendix H at www.uky.edu/eeo/federal-reporting.
- ❖ The selection process for faculty at the University is detailed in the [Governing Regulations Part X.B](#) and is procedurally distinct from staff employment. The Provost and deans have been delegated responsibility for faculty employment. The deans are delegated authority to approve faculty appointments below the rank of associate professor. The approval authority set out in the procedures for the appointment, promotion, granting of tenure, and termination is contained in [Administrative Regulation 2: Academic Appointment \(Faculty\)](#).
- ❖ The requirements for the retention of records about faculty employment are communicated to college administrators.

- ❖ The Institutional Equity Technical Compliance Officer is available to all colleges for consultation on the recommended hiring process and guidance on the affirmative action program before and during new faculty or staff searches.
- ❖ Human Resources policy and procedures at the University are continually evaluated. Examined are employment, performance evaluation, job classification, and compensation systems for regular staff positions. Included in this ongoing effort was the development of a job analysis questionnaire to describe positions and the development of a University-wide philosophy of performance management. All positions are reviewed for appropriate placement in the compensation structure. The University intends to attract and retain qualified employees by maintaining a compensation system that is both externally competitive and internally consistent.
- ❖ Institutional Equity provides regular training for Human Resource's Employment personnel on the affirmative action program including the results of ongoing analyses.
- ❖ All facilities, programs, services, and benefits at the University are made available without regard to protected group status consistent with stated policy.
- ❖ Training programs are made available to all employees for professional and skill development. These are advertised widely and utilized by significant numbers of women, minorities, protected veterans, and persons with disabilities.
- ❖ The University policies on equal opportunity are communicated in ways designed to reach all employees and others in the wider community.
- ❖ The EEO policy poster is displayed in a prominent and accessible location in the Human Resources office.
- ❖ Notification of the University's policy and obligations under Executive Order 11246 are included on all contracts and agreements entered into with subcontractors and suppliers.
- ❖ The University's AAP is regularly evaluated, and reports are made to the President and other administrators on its effectiveness and the progress toward established goals.
- ❖ The University is a recognized equal opportunity employer in the community.
- ❖ The University is located in an urban county area where the availability of accessible housing is not believed to be a detriment to the employment of either women or minorities.
- ❖ The University is readily accessible by public transportation from the Lexington/Fayette County area. This transportation is available regularly and is accessible to persons with disabilities.
- ❖ The University asserts in good faith that de facto segregation does not exist at the University.

DEVELOPMENT AND EXECUTION OF ACTION ORIENTED PROGRAMS

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-2.17(c)

The University affirmatively supports its equal opportunity policies. To encourage action-oriented programming:

- ❖ Details of the utilization analysis for staff and faculty in each organizational unit and college are distributed to the administrator responsible for the implementation of its affirmative action program with the objective that action-oriented programs are established that contribute to the University's goal of full utilization.
- ❖ Details of the applicant flow and ratio analysis are communicated to Human Resource's Employment personnel with the objective that they, with hiring officials, develop recruitment of representative pool action plans designed to impact applicant flow where a need has been identified.
- ❖ Institutional Equity will examine any job group where either adverse ratio analysis and/or underutilization occur. Meetings may be scheduled with appropriate organizational units or colleges to discuss applicable affirmative action.
- ❖ Institutional Equity will evaluate terminations to determine if adverse impact exists based on sex or minority status. Further analysis will be completed as necessary to ensure equal opportunity compliance.
- ❖ Each college is given the objective to evaluate its faculty utilization and action-oriented programs to contribute to the University's goal of full utilization and the diversification of its educational programs.
- ❖ Search committees are encouraged to consult with the Institutional Equity Technical Compliance Officer for guidance on the University's affirmative action program before initiating a search.
- ❖ Institutional Equity monitors on an ongoing basis employment and compensation processes and new policy developments to ensure equal opportunity compliance.
- ❖ Institutional Equity is available to meet with search committees, search firms, hiring officials, and academic and administrative units requesting additional information on the University's goals and equal opportunity commitments.
- ❖ Institutional Equity participates in new faculty orientations at the beginning of and throughout each academic year to acquaint new employees with the benefits of the office and outreach.
- ❖ Institutional Equity provides Discrimination, Harassment, and Sexual Misconduct training to all new supervisors through SuperVision.

- ❖ Training and outreach on all the University equal opportunity commitments are available by contacting Institutional Equity or visiting the website at www.uky.edu/eeo/training. This office is responsible for advising University officials and discussing ways to affirmatively impact University's goals.
- ❖ The Office of Institutional Diversity provides University representation and special reports to the CPE Committee on Equal Opportunities (CEO) that monitor the University's compliance with CPE Diversity Policy student enrollment, student success, workforce, and campus climate objectives.
- ❖ The Associate Vice President for Institutional Equity and Vice President for Institutional Diversity meets quarterly with UK HealthCare and College of Medicine executive leaders to review initiatives and progress made towards the achievement of the UK HealthCare "Diversity and Inclusivity: Enterprise Goal."
- ❖ University policy and procedures are examined regularly with regulatory guidance from the U.S. Department of Labor Office of Federal Contract Compliance Programs (OFCCP), the Uniform Employee Selection Guidelines, other enforcement agency guidance, and Human Resources to ensure the University in practice and spirit is an inclusive employer, without the disparate impact of any protected group or affiliation.
- ❖ The University has also established a Supplier Diversity Procurement Program. The Supplier Diversity Procurement Program was established to ensure that small, women-owned, and minority-owned firms have full opportunity to compete for the University's business.
- ❖ Human Resources added a Diversity Talent Recruiter position to invoke affirmative recruitment initiatives in the Executive Vice President for Finance and Administration area.

The Vice President for Human Resources and specifically the Human Resources Employment Office proactively collaborate with hiring departments across the university to educate, guide, and ensures applicant pools have a diverse candidate representation including minorities, females, veterans, and individuals with disabilities.

Education & Training

- ❖ The Hiring Enhancement Program, established in January 2009, continues to provide training, resources, and tools for hiring officials. The program is intended to educate hiring officials on effective and legally credible hiring practices. A variety of trainings are offered annually which include Legal Considerations – The Dos & Don'ts of Interview Questions; How to Develop an Effective Job Posting; Behavior-Based Interviewing Series; and UK's Hiring Fundamentals and Interviewing Techniques. A couple of new trainings have been added in support and complement the University-wide Unconscious Bias Awareness initiative. Since July of 2016, training on

Unconscious Bias Awareness for Faculty Search Committees has been continuously offered and beginning in July 2019, the Mitigating Bias in the Hiring and Selection process training is offered throughout the year. The Human Resources Employment Office also conducts the interviewing and selecting portion of the University's SuperVision course offered regularly to all new supervisors. This program has five dedicated Employment Consultants who offer multiple customized resources including behavior-based interview guides (phone, in-person, and/or reference checks); department consultations; and customized training options. A website has been developed to provide quick access to all hiring and selection tools for hiring officials wherever they are in the hiring process.

Employment Advertising Improvements

- ❖ In 2015, Graystone Group Advertising services were acquired through the University procurement process (RFP) to enhance the University's employment branding and effective advertising capabilities through heightened exposure and visibility. The original term of the contract was February 1, 2015, through January 31, 2017, with renewal options through 2020. A subsequent renewal was executed with a term from June 15, 2020, through June 14, 2021, with an extension through June 14, 2022. A renewal option is now in place through 2025. Graystone provides options that target specific advertising needs for requested employment searches with the goal of increasing the diversity and qualifications of each applicant pool. To assist in meeting the OFCCP reporting and outreach requirements, the Human Resources Employment Office continues to purchase a variety of targeted job boards to advertise staff and faculty positions. These job boards include HigherEdJobs.com, Higher Education Resource Consortium, Diverse Issues in Higher Education, Academic Keys, Latinos in Higher Education, Hospital Careers, and recruitment platforms of JobTarget's OneClick and DiversityJobs.com. JobTarget posts positions to Kentucky's state job board (Kentucky Focus Talent). JobTarget and DiversityJobs allow the University to directly post on a vast network of job boards which has expanded our diversity and veteran-focused outreach, these job sites include:

- African American Hires (<http://www.africanamericanhires.com>)
- All Bilingual Jobs (www.allbilingualjobs.com)
- All Hispanic Jobs (www.allhispanicjobs.com)
- All LGBT Jobs (www.alllgbtjobs.com)
- Asian Hires (www.asianhires.com)
- Black Perspective (www.blackperspective.com)
- Disability Jobs (www.disabilityjobs.net)
- Disability Solutions (www.disabilitytalent.org)

- disABLED Person (www.disabledperson.com)
- Diversity Jobs (www.diversityjobs.com)
- EmployDIVERSITY (www.employdiversity.com)
- Hire Our Heros (www.hireourheroes.com)
- Hispanic Today (www.hispanic-today.com)
- Job Opportunities for Disabled American Veterans (www.jofdav.com)
- Latino Jobs (www.latinojobs.org)
- Military Vet Jobs (www.militaryvetjobs.com)
- Native Jobs (www.nativejobs.org)
- Over Fifty Jobs (www.overfiftyjobs.com)
- RallyPoint (www.rallypoint.com)
- tapAbility (www.tapability.org)
- US Military Pipeline (www.usmilitarypipeline.com)
- Veteran Jobs (www.veteranjobs.net)
- Veterans Enterprise (www.veteransenterprise.com)
- We Hire Women (www.wehirewomen.com)
- Women for Hire (www.womenforhire.com)
- Women in Business and Industry (www.wib-i.com)

Each job board will automatically upload positions from the [UK Jobs](http://UKJobs.com) website daily allowing the University to reach a broader applicant audience. The University has a dedicated profile on HigherEdJobs.com, [Higher Education Recruitment Consortium](http://HigherEducationRecruitmentConsortium.com), and HospitalCareers.com job boards to provide additional information on the University's mission and vision as well as details on living in Lexington and the Bluegrass Region.

In addition, the Human Resources Employment staff routinely encourages hiring officials to participate in broader employment advertising for any position in a job category that is underrepresented in minorities and/or females. Human Resources Employment coordinates targeted advertising research for interested departments to provide a cost analysis as well as suggested niche site advertising options for hard-to-fill positions as requested.

To continue to support the University's strategic plan, Human Resources Employment continuously promotes the University's commitment to a community of inclusion and equal employment opportunities on each job requisition posted on the online employment job board ([UK Jobs](#)). This enhanced verbiage highlights the dedication to a diverse and inclusive workforce for all students, faculty, and staff working in an environment of openness and acceptance.

Summer Youth Program

- ❖ The Human Resources Employment Office coordinates a six-week program that is designed to expose high school students from disadvantaged backgrounds to the academic and work environment at the University. Financial support is provided by the Office of the President for the annual program, which allows 10 students to work in University departments over the summer to gain valuable work readiness skills. The program began in 2001 and continues to be a valuable opportunity for University staff to support the Lexington community by coaching and developing assigned Summer Youth employees. During the six weeks, there are several training classes for the students to improve their customer service skills and learn general business etiquette as well as interview techniques and professional development. In 2019, the program also incorporated various tours and chats with professionals to highlight the various employment options at the University. The program continues to be a successful student and employee recruitment tool.

Supportive Work Environment

- ❖ Human Resources' Work-Life leads efforts to recognize the diverse professional and personal needs of employees and enables the University to better adapt to a changing workforce and address operational needs. Work-Life advocates for and/or provides resources on the following: flexible work, including remote work; childcare and parenting support; lactation support; mental health counseling at no cost to employees; caring for an aging parent or relative, and much more. A few highlighted offerings include:
 - ◆ **Elder Care:** The Elder Care specialist provides support for employees caring for an aging parent or relative. Through individual consultations, referrals, resource guides, workshops, conferences, and seminars on everything from meeting daily care needs, understanding Medicaid to types of housing for seniors, the Elder Care specialist provides employees with needed assistance. Assistance is offered for relatives no matter where they live across the country. <https://www.uky.edu/hr/work-life-and-well-being/elder-care>.
 - ◆ **Work+Life Connections Employee Counseling Office:** This voluntary counseling, confidential benefit offers five (5) free sessions for all faculty, regular staff (FTE 0.50 or greater), spouses/partners, children unmarried up to the age of 26. Licensed clinical social workers are available to help individuals dealing with issues such as depression, anxiety, grief, divorce,

trauma, substance abuse, and stress at work or home. <https://www.uky.edu/hr/work-life-and-well-being/mental-health>.

- ◆ **Workplace Flexibility:** Depending on an employee's position and responsibilities, schedule or location flexibility may be an option. The University offers remote and hybrid work as well as flexible/adjusted schedules and seasonal reduced hours. <https://www.uky.edu/hr/work-life-and-well-being/flexible-work>.
- ◆ **Parenting and Child Care:** The University provides support for parents in multiple ways, including parental leave, a new parents checklist, working parents network, dependent flexible spending accounts, help with finding care at a local center, sitter referrals for kids and pets, and an annual summer camps fair. <https://www.uky.edu/hr/work-life-and-well-being/working-parents>.
- ◆ **Lactation Resources:** The Office of Work-Life provides lactation resources and information for mother's rooms across campus to encourage and support mothers who choose to breastfeed after returning to work. <https://www.uky.edu/hr/work-life-and-well-being/working-parents/breastfeeding-and-lactation-needs>.

The University has established action-oriented programs to recruit, retain, and promote the best-qualified faculty, staff, and students, especially women and minorities. Colleges develop individual strategies specific to their disciplines while other initiatives are employed more widely across disciplines. For the AAP this detailing will be separated into faculty and staff initiatives but should not be considered an exhaustive list. The University provides individual colleges with direction and support in their recruiting efforts for qualified minority and women candidates, especially in disciplines where women or minorities have traditionally been underrepresented. Recruiting faculty is an important but limited first step. Developing and promoting excellent instructional and research faculty are integral parts of the programs developed for a successful research institution. Some of the action-oriented programs being employed by the University to recruit, retain, and promote the best qualified instructional and research faculty are:

- ❖ Postdoctoral diversity fellowship funds are available through the Office of the Vice President for Research that gives consideration to minorities and women in under-represented professions.
- ❖ The University participates in the Southern Regional Education Board Doctoral Scholars Program to encourage minorities in doctoral programs.
- ❖ Faculty mentoring and collaboration by established researchers.
- ❖ Regular meetings with untenured faculty to discuss promotion and tenure issues.
- ❖ Taking advantage of special hiring opportunities when they appear, utilizing funds made available by the President and the Provost for such opportunities.

- ❖ Active participation in national professional organizations designed to recruit women and minorities to faculty positions in underrepresented professions.
- ❖ Making available when possible professional development and travel funds for junior faculty.
- ❖ Financially supporting, when possible, a professional meeting each year.
- ❖ The utilization of personal contacts, professional websites, and national meetings for recruitment.
- ❖ The Center for the Enhancement of Learning and Teaching (Center) fosters excellence in education throughout the University by providing academic support services for faculty that enhance student learning, promote scholarship, and facilitate teaching innovations. Through workshops, conferences, lectures, and individual consultations the Center has become a support unit for both new and experienced faculty.
- ❖ Faculty recruiting activities include meeting with faculty being recruited to discuss both internal and external research opportunities at the University.
- ❖ Faculty orientation includes meeting with minority faculty to discuss research and creative activities and provide support when possible.
- ❖ The Office for Faculty Advancement manages the Dual Career Partners Services Program that connects incoming University faculty with employment and relocation professionals to assist in the transition, tips on how to search for University jobs, information about potential employers in the area, and related guidance and support.
- ❖ Providing support to minority faculty through individual consultations and workshops.
- ❖ The Women's Executive Leadership Development (WELD) Program seeks to develop a new generation of leaders of higher education who can adeptly navigate a complex environment and successfully chart the future of the University. The program is designed to provide insights into many issues faced by higher education and to form a cohort of supportive, emerging leaders.
- ❖ A university-wide committee coordinates programs in the University's efforts toward inclusive learning; promotes positive inter-campus relations across diverse groups; and offers mediation services during incidents of intolerance.
- ❖ Executive Leadership in Academic Medicine (ELAM) program seeks to develop the professional and personal skills required to lead and manage the complex health care environment for women faculty in schools of medicine, dentistry, public health, and pharmacy.
- ❖ Community-based faculty serve as mentors, role models, and teachers for all health-professional students

- ❖ Active campaigns have been conducted to recruit individuals to the campus including advertisement in various publications, targeted mailings, numerous phone calls, and recruitment at national meetings.

The recruitment and professional development for staff employees is encouraged at the institutional level with opportunities offered for all staff employees and more specific opportunities offered within the specific departments of the University. Many staff development opportunities serve as recruitment tools for the University, offering educational and professional development opportunities in conjunction with employment and benefits. Other recruitment strategies are implemented by the hiring official and the Employment Specialists when the recruitment action plan is determined as outlined by the employment policy. Options may include advertising in specific publications, locally, or to a broader audience. Recruitment action plans may be developed based on the type of position being filled and the expected qualified internal applicants. Employment Specialists are aware of areas of underutilization and are expected, as outlined by policy, to send hiring officials representative pools of applicants for consideration. All open staff positions are available to employees and the public on the online employment system at <https://ukjobs.uky.edu/>. Employment opportunities at the University now may be accessed from computers at homes, state agencies, public libraries, and University Cooperative Extension Services county offices across Kentucky. Applications may be completed, and other documents electronically attached from computers around the world.

Staff development opportunities are available to all employees without regard for membership in any protected group consistent with University policy. While initially intended for staff development, it should be noted that the following programs are also open to faculty where beneficial. The programs available to all employees are as listed:

- ❖ Training on Discrimination and Harassment, the Americans with Disabilities Act, the AAP, Title IX Compliance, and other sessions on the provisions of equal opportunity at the University are available online and through Institutional Equity for faculty, staff, and student audiences.
- ❖ [SuperVision](#), offered through HR Training & Development (HRTD), is a workshop aimed at new supervisors and open to all existing supervisors at the University. The curriculum is designed to address supervisory issues such as workplace communication, performance evaluation, conflict resolution, interviewing and selecting employees, and documentation of discipline. University policies are reviewed, and equal opportunity issues are addressed.
- ❖ The [Essential Leader Program \(ELP\)](#) consists of 80 hours over a two-year period that is offered by HRTD and created specifically for employees who want to become better leaders and learn key leadership skills.

- ❖ eTraining & Development is the University's online technology training system available to staff, faculty, and students at no charge. The courses provide technology training to enhance individual technical skill development.
- ❖ Basic Computer Instruction is offered for employees seeking basic computer literacy training.
- ❖ Resume/Application assistance, career assessments, and interview coaching are offered through HRD Career Development for employees seeking to update or prepare resumes for the University's Employment Services.
- ❖ Assistance is offered onsite at the Human Resources Employment Computer Lab for employees to review and apply for employment opportunities advertised online through the University's Online Employment System.
- ❖ The University offers employees the opportunity to continue in higher education through its [Employee Educational Program \(EEP\)](#). The University will provide each employee up to eighteen credit hours of tuition assistance per year for courses at the University. Employees may take up to eighteen credit hours annually tuition-free at the University.
- ❖ The University in conjunction with the Southern Association of College and University Business Officers (SACUBO) offers the College Business Management Institute (CBMI) at the University each summer. This three-year institute attracts hundreds of business staff from colleges and universities nationally and abroad. University employees are eligible to participate, and some scholarship opportunities are available.

Opportunities for staff are also made available through individual departments. Various contributions are made by auxiliary departments making opportunities accessible to staff. Some of those include, but are not limited to, the following:

- ❖ Teleconferences and other one-time speakers and programs are made available for faculty, staff, and students by different organizations and on a variety of topics as part of the ongoing educational environment at a major research university. Many of these events are offered at no charge, others with very nominal admission charges. Staff employees may be sent from departments or may be invited to attend events specific to their areas of expertise or responsibility. All staff employees are encouraged to take advantage of as many offerings as possible for professional and personal enrichment.
- ❖ Job families, where applicable, have been developed with a specific process and criteria for promotions.
- ❖ Areas identify flextime, altered schedules, telecommuting, and other options allowing employees to meet personal and professional development needs while still assuring that the work of the unit is completed.

- ❖ Transportation Services makes available accessible parking and bus transportation for faculty, staff, and students. This allows access to the many professional development activities available on campus that may otherwise be unavailable to individuals with disabilities.
- ❖ Staff employees were surveyed to determine their interests in various professional development courses.
- ❖ Participation in regular campus offerings, campus seminars, and teleconferences is encouraged. A regular series of staff development programs are offered to both professional and support staff.
- ❖ The International Center has developed international programs encouraging staff participation and enhancing staff knowledge of the world.
- ❖ Decisions are made in each department and approved by the dean for travel and professional development opportunities beyond the University.
- ❖ The Physical Plant Division, both in healthcare and on the main campus, encourages employee development and promotion by offering on-site training and supporting employees' off-site training.
- ❖ The Disability Resource Center offers in-service training and consultation as requested regarding disability and accessibility issues so that quality educational and occupational opportunities are available for everyone.

The University's AAP as described, under the regulatory guidance of the OFCCP, includes all full-time and part-time employees including the employees of the College of Agriculture, Food and Environment Cooperative Extension Service (CES). These employees also are included in the affirmative action program required and monitored under the auspices of the U.S. Department of Agriculture.

CES serves as a link between the counties of the Commonwealth and the University. An off-campus branch of the College of Agriculture, Food and Environment, CES conducts educational programs in each of Kentucky's 120 counties. CES is committed to building a more diverse workforce and to ensuring its programs are available to all citizens. Action steps by CES in this area include:

- ❖ A Diversity Advisory Committee meets quarterly to review progress made in achieving a more diverse applicant pool and the hiring of a more diverse staff.
- ❖ A Diversity Network was established to serve and support extension professionals with diverse backgrounds as they work to meet the needs of Extension clientele.
- ❖ An intern program provides on average 35 college students with a twelve-week placement in a County Extension Office during the summer. Interns learn about Extension as a career through this experience.
- ❖ Diversity in programming is recognized each year by the Cooperative Extension Diversity Award.

- ❖ Each county annually updates an Affirmative Action Plan in conjunction with the development of the plan of work. The plans include an evaluation of present audiences reached and goals to reach underserved audiences.
- ❖ CES professionals host and co-chair the annual National Land-Grant Diversity Conference and Pre-Conference with Extension Professionals from Kentucky State University, Purdue University, Central State University, and the Ohio State University.
- ❖ CES arranged a team of extension leaders to conduct a review of county programs every five years to ensure the programs are following a plan of work and reaching all constituents of each 120 counties.
- ❖ CES placed two representatives as an advisor on the College of Agriculture, Food and Environment student organization Minorities in Agriculture, Natural Resources, and Related Sciences (MANRRS) to mentor and work with students and encourage them to apply for extension internships and opportunities.
- ❖ Over 90% of the college faculty and staff have been trained in Unconscious Bias Training
- ❖ CES has arranged a team of agents and administrators to conduct diversity/civil rights training in each of the seven CES districts every three years.
- ❖ CES has included a diversity representative (Assistant Dean and Director for Diversity) in the hiring of administrator and agent positions.
- ❖ CES has contributed staff and resources in the implementation and planning of a statewide Pre-college diversity outreach program through 4-H and Jr. MANRRS. Jr. MANNRS is a program that targets middle school and high school youth and introduces traditionally underserved and under-represented youth to extension and the College of Agriculture, Food and Environment.
- ❖ CES has an annual Cultural Understanding workshop for its new employees at Core Training.
- ❖ The UK CAFE Office of Diversity led a diversity, inclusion, and leadership training for over 700 youth that attended 4-H Teen Conference.

DESIGN AND IMPLEMENTATION OF INTERNAL AUDIT AND REPORTING SYSTEM

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-2.17(d).

Institutional Equity has the responsibility of auditing and reporting on the effectiveness of the AAP. The following procedures are in place for the University to monitor the program, measure its effectiveness, and report to the University:

- ❖ Responsibility for the maintenance of employment records on non-instructional staff positions is assigned to the Vice President and Chief Human Resources Officer. Accurate records of all employment actions must be maintained. This information includes gender, minority, disability, and veteran status when voluntarily self-disclosed by the applicant for employment. Reports detailing employment activity by gender, minority, disability, and veteran status including applicants, hires, and promotions are reviewed and provided to Institutional Equity for analysis. 41 CFR § 60-2.17(d)(1)
- ❖ Ad hoc reports may be requested from Human Resources through the SAP administrative system as needed for analysis. 41 CFR § 60-2.17(d)(2)
- ❖ The academic departments within each college maintain faculty employment records. 41 CFR § 60-2.17(d)(2)
- ❖ As of July 1, 2015, colleges began posting all full-time faculty positions through the University's Integrated Employment System. With this change, accurate reporting data for gender, race, protected veterans, and individuals with disabilities data can be collected for faculty positions. 41 CFR § 60-2.17(d)(1)
- ❖ The University's Information Technology Services Enterprise Application group (EA) is responsible for providing formal reports on a regular schedule. These reports include but are not limited to IPEDS and Vets-4212 reports and detail the utilization of both staff and faculty personnel by sex, minority, protected veteran, and individual with disability status. 41 CFR § 60-2.17(d)(2)
- ❖ All appointments to tenured positions and other positions as designated by regulation must receive the approval of the Board of Trustees and are officially reported by that body. 41 CFR § 60-2.17(d)(2)
- ❖ Presentations detailing progress toward the goals of the AAP are made for the executive officers and administrators at the University, Human Resources, UK HealthCare, and CES. In addition, any unit may schedule a presentation or request information by contacting Institutional Equity. 41 CFR § 60-2.17(d)(3)
- ❖ Regular updates are presented to executive officials on the progress of the AAP. Recommendations are made for goal setting and overcoming deficiencies where identified. 41 CFR § 60-2.17(d)(4)
- ❖ When problems are alleged or identified, the appropriate university official is advised, and recommendations are made to ensure full compliance with the University's affirmative action / equal opportunity commitments. 41 CFR § 60-2.17(d)(4)
- ❖ The official disposition of an enforcement agency investigation is forwarded to appropriate University officials. As necessary, recommendations are made to ensure full compliance with the

University's affirmative action / equal opportunity commitments, including the terms of any conciliation agreement reached in the disposition of an agency matter. 41 CFR § 60-2.17(d)(4)

- ❖ Statistics are provided to University executives on the volume and type of activity by department or college being monitored by Institutional Equity. Comparisons with statistics from the same period of the previous years may also be available. 41 CFR § 60-2.17(d)(4)

COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES

Regulation pertinent to this portion of the AAP is 41 CFR § 60-20

The OFCCP requires that a contractor include a special section dealing with sex discrimination problems in an affirmative action program. The University has undertaken initiatives to address concerns of female employees as part of its overall evaluation and development of an affirmative action program. In doing so, it has taken action that is consistent with those steps described in 41 CFR § 60-20, which are:

- ❖ All advertisements for positions at the University contain an equal opportunity employer statement. 41 CFR § 60-20.2
- ❖ Personnel policies contained in the University's Governing and Administrative Regulations expressly prohibit discrimination on the basis of sex. 41 CFR § 60-20.3
- ❖ The University's wage and salary administration program for staff employees evaluates positions according to specific criteria and not on the basis of the sex of the incumbent or applicant. 41 CFR § 60-20.4(a)
- ❖ The University's benefits programs are administered in accordance with federal and state law. Contributions to pension programs are equal for men and women receiving equal income. 41 CFR § 60-20.4(e)
- ❖ The University's employment policy does not permit discrimination based on marital status. The University administers its policies and procedures without regard for marital or familial status regardless of sex.
- ❖ The University provides appropriate physical facilities to both sexes.
- ❖ The Commonwealth of Kentucky has revised its law to extend "protective" legislation to men or to abolish such "protection." Applicants for employment are therefore to be evaluated on the basis of individual capabilities.
- ❖ The retirement age for employees, including early retirement, is the same for men and women.
- ❖ The University's maternity leave policy permits women to take accumulated temporary disability leave for delivery and recovery. Any additional time, which is requested, for childcare is available either as vacation leave or leave without pay. The best interest of the University is a consideration in any leave without pay, including childcare leave. 41 CFR §60-20.5(d)
- ❖ Any employee, whether or not she has accrued leave, may take leave without pay following delivery of a child without loss of her job, as detailed in the Temporary Disability Leave and Family Medical Leave Act (FMLA) policies. 41 CFR § 60-20.5 (3-Disparate Impact)
- ❖ Any employee, meeting the eligibility criteria in the FMLA, may take leave without pay following the delivery or adoption of a child without loss of their job, as detailed in the FMLA policy.

- ❖ The University, overall, does not base employment decisions on any “seniority system.” Therefore, sex-based seniority systems do not exist, and action is not necessary. 41 CFR § 60-20.4
- ❖ The University prohibits discrimination in salary administration on the basis of sex. 41CFR § 60-20.4
- ❖ Affirmative action is and has been underway since 1972 to locate and employ women as described in the University’s AAP.
- ❖ All staff development and training programs are open to employees regardless of sex as stated in University policy.
- ❖ University officials review all policies and procedures for handling complaints of sexual harassment in light of changing legal and enforcement agency guidance, including compliance with Title IX of the Education Amendments of 1972 that prohibits discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance.
- ❖ Educational programming is offered by Institutional Equity to provide faculty, students, and staff more information regarding discrimination and harassment. The material included in training sessions is updated, as legal and enforcement agency guidance becomes available.
- ❖ The [Center for Research on Violence Against Women](#) advances research into the clinical, legal, cultural, and other complexities presented by intimate partner violence, rape, stalking, and related crimes against women.
- ❖ The [Violence Intervention and Prevention Center \(VIP\)](#) provides comprehensive support and services to anyone who has been impacted by power-based personal violence (PBPV) including sexual assault, partner violence, and stalking.
- ❖ The University’s policy prohibiting discrimination and harassment, including sexual harassment, is disseminated internally and externally on the internet at <http://www.uky.edu/eo/discrimination-harassment>
- ❖ Institutional Equity has developed a comprehensive web-based training entitled *Discrimination, Harassment, and Sexual Misconduct: What You Need to Know* that delivers a basic understanding of university policy regarding what constitutes discrimination, harassment, and sexual misconduct. It is an interactive course, available online to faculty, staff, and students. It is required of all new employees before the end of their 90-day new employee orientation period.

COMPLIANCE WITH RELIGIOUS AND NATIONAL ORIGIN DISCRIMINATION GUIDELINES

Regulation pertinent to this portion of the AAP is 41 CFR § 60-50.

The University has long employed persons on the basis of merit, regardless of religion or national origin. As a state institution, it does not and will not require or collect information concerning the religious preference (if any) of its faculty or staff. The University has taken the following actions: 41 CFR § 60-50.2

- ❖ Enunciated a policy prohibiting employment discrimination on the basis of religion or national origin.
- ❖ Disseminated to each employee the policy prohibiting employment discrimination on the basis of religion or national origin.
- ❖ Developed and circulated a brochure regarding harassment on the basis of race, religion, or national origin.
- ❖ Evaluates salary administration to assure that discrimination on the basis of national origin is not practiced.
- ❖ Developed procedures to investigate and resolve complaints of violation of these policies.
- ❖ Advertised, and will continue to advertise, vacant positions in public media to which persons of any religious group or national origin should have access.
- ❖ Disseminates internally and externally the University of Kentucky policies prohibiting religious and national origin discrimination on the internet at <http://www.uky.edu/eeo/discrimination-harassment>

The University is conscious of its obligations to make reasonable accommodation to an employee's religious beliefs. In most instances shifts in work schedules for religious reasons can be accomplished without undue hardship; in the event this cannot be achieved in a particular position, efforts are made to locate the employee in a different position. In the case of religious holidays, e.g., Yom Kippur, Good Friday, etc., classes may be rescheduled, or vacation or other leave may be taken without jeopardy to employment. 41 CFR § 60-50.3.

AFFIRMATIVE ACTION AND NONDISCRIMINATION OBLIGATIONS OF FEDERAL CONTRACTORS AND SUBCONTRACTORS REGARDING INDIVIDUALS WITH DISABILITIES

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741

The University has developed this AAP for any “qualified individual with a disability” holding or desiring employment and the benefits thereof and/or previously admitted or desiring admission to any University of Kentucky program, activity, or service. For the purposes of this AAP, the definition of a “qualified individual with a disability” is any individual who:

- i. has a physical or mental impairment substantially limiting one or more major life activity,
- ii. has a record of such an impairment, or
- iii. is regarded as having such an impairment; and who can, with or without accommodation, otherwise perform the essential functions of the position, held or desired, or meet the technical standards of the program to which admission is granted or desired.

A qualified individual with a disability must satisfy all the requisite skills, education, experience, and/or admission criteria that the desired position or program requires. All definitions and exclusions in § 503 and § 504 of the Rehabilitation Act of 1973, as amended, and the more expansive Americans with Disabilities Act of 1990 (ADA) and the ADA Amendments Act of 2008 shall apply. No person may be denied any benefit of the University of Kentucky based solely on disability.

The written AAP, including the AAP for Individuals with Disabilities, in accordance with Executive Order 11246, Section 503 of the Rehabilitation Act of 1973, and The Vietnam Era Veterans’ Readjustment Assistance Act of 1974 (VEVRAA), may be viewed in Institutional Equity. The AAP is available from 9:00 am until noon and from 1:00 pm until 4:00 pm Monday through Friday when the University is officially in session. The AAP can also be viewed on the Institutional Equity website at www.uky.edu/eeo/federal-reporting.

INVITATION TO SELF-IDENTIFY

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741.42

On March 24, 2014, the University of Kentucky began inviting all applicants to voluntarily self-disclose whether they consider themselves an individual with a disability (IWD). Human Resources provides the required self-id form through the University’s Integrated Employment System (IES). The form is offered with the demographic data of gender, race, and veteran status. It is optional for the applicant to fill out. Once an applicant is hired the employee is again invited to voluntarily self-disclose their status as an IWD. The new hire is given the required form with the I-9 packet Human Resources administers. The employee may fill out the required self-id form and turn it in to the Human Resources Employment Office. There is limited access to this form and is only used for reporting purposes by Institutional Equity.

The University invited the workforce in October 2014 to voluntarily self-identify whether they consider themselves as an individual with a disability via a university-wide email. The email contained instructions on how to access the electronic form through the University's operating system, SAP. Institutional Equity will extend the invitation to the University's workforce at five-year intervals even though employees can fill the form out at any time. The self-id form along with other demographic data is stored electronically and separate from the employment applications, personnel records, and employee medical files. This information is kept confidential and is not used for any hiring or employment decisions. The data is collected annually and used to identify the effectiveness of recruitment and outreach efforts as required by OFCCP.

AFFIRMATIVE ACTION POLICY

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741.43

The University hereby reaffirms its commitment to the principle of equal employment opportunity in its personnel policies and procedures. University [Governing Regulations Part XIV.B.1](#), governing both instructional and non-instructional personnel, states the University's nondiscrimination policy:

The University of Kentucky complies with the federal and state constitutions, and all applicable federal and state laws, regarding discrimination. The University provides equal opportunities for qualified persons in all aspects of University operations and does not discriminate on the basis of race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with University policy concerning smoking.

All University members are expected to comply with the institution's nondiscrimination policy. The President is responsible for the development of an affirmative action plan by which full implementation of this policy shall be effected in the University.

The revised [Governing Regulations Part I.D](#), adopted by the Board of Trustees on June 14, 2005, added a statement on diversity:

The University is committed to diversity as a vital characteristic of an optimal education and workplace. The University maintains a firm conviction that it must strengthen the diversity of its communities, support free expression, reasoned discourse, and diversity of ideas; and take into account a wide range of considerations, including but not limited to, ethnicity, race, disability, and sex when making personnel and policy decisions. The University is committed to periodically evaluating progress made toward diversity and to communicating the results of such evaluations. Based upon these assessments, the University will give diversity factors consideration to ensure achievement of its mission of instruction, research, and service and gain the broadest benefits for the University community.

[Governing Regulation Part X.A.1](#) establishes merit as the only criteria for academic employment:

All appointments shall be made strictly on the basis of merit. An applicant for a position shall not be discriminated against because of race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual

orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with University policy concerning smoking.

Further delineation of this fundamental governing regulation is made in [Human Resource Policy Number 2.0](#) entitled “Equal Opportunity, Discrimination, and Harassment” which states:

All employment decisions shall be made uniformly on the basis of merit. Equal opportunities shall be provided for all persons throughout the University in recruitment, appointment, promotion, payment, training, and other employment practices without regard to race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with University policy concerning smoking.

The Strategic Plan of the University states:

[Strategic Objective: Diversity and Inclusivity](#). Enhance the diversity and inclusivity of the University community through recruitment and retention of an increasingly diverse population of faculty, administrators, staff, and students, and by implementing initiatives that provide rich diversity-related experiences for all to help ensure their success in an interconnected world.

The University will achieve this by working collaboratively to create an environment where all of our students, faculty, and staff live or work in an environment of openness and acceptance, and in which people of all backgrounds, identities, and perspectives can feel secure and welcome.

This strategy extends beyond employment, to the matriculation of students at all levels of academic endeavor. Equal opportunity for students at the University is delineated in the student handbook entitled [Code of Student Conduct](#), which states:

Right to be Free from Discrimination/Harassment

1. UK complies with the federal and state Constitutions, and all applicable federal and state laws, regarding nondiscrimination. Students and applicants for admission to UK, or for financial aid or scholarship, will not be discriminated against because of race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with UK policy concerning smoking. (See [Governing Regulation XIV.B.1, Ethical Principles and Code of Conduct](#)).
2. Consistent with [Administrative Regulation 6.1, Policy on Discrimination and Harassment](#), Students have the right to be free from harassment, including sexual harassment, by UK Employees, and other Students. For purposes of the Code, harassment means conduct so severe, pervasive, and objectively offensive that it substantially interferes with the ability of a person to work, learn, live, or participate in, or benefit from services, activities, or privileges provided by UK. Sexual harassment – a form of sex discrimination – includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical actions of a sexual nature when submission to such conduct is made explicitly or implicitly a term or condition of the Student’s status in a course, program or activity; or is used as a basis for academic or other decisions affecting such Student; or when such conduct has the purpose or effect of substantially interfering with the Student’s academic performance, or creates an intimidating,

hostile, or offensive environment. This provision shall not be used to discipline students for speech protected by the First Amendment.

Institutional Equity is the University office responsible for the development of policy and monitoring of compliance with all University equal opportunity commitments. Institutional Equity is responsible for the ongoing analysis and reporting under the AAP. Anyone having questions or comments regarding the University's equal opportunity and affirmative action policies should contact Institutional Equity.

REVIEW OF PERSONNEL PROCESS

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741.44 (b)

All persons applying for employment, faculty, or staff, at the University, are considered based on their qualifications to perform the functions of the position for which their documentation is completed.

Staff positions at the University are filled with applicant pools made up of those individuals who have met the definition of an applicant as detailed in the employment policy. Applicant pools are determined based on submitted documentation of qualifications and forwarded to the hiring official for consideration. Hiring officials are instructed in the proper consideration of qualifications and interviewing techniques.

The University has a policy of considering persons for faculty appointments based on merit. Individual contribution to the academic programs of the University is the primary consideration in all faculty appointments. Faculty promotion decisions are made on established academic performance criteria.

Qualified persons with disabilities may request reasonable accommodations at any time in their employment process. The University's request for reasonable accommodation form may be requested through Institutional Equity or located online at www.uky.edu/eeo/ada-compliance. This information is filed in a location separate from the employee's employment record and is maintained confidentially.

The University's benefits program is available to employees, without regard to disability. Health, life, and other insurance options are available to all employees meeting certain length-of-service requirements. An offering of basic single health insurance options is provided for employees, without regard for pre-existing conditions. Likewise, the University's compensation policy is administered for all employees without regard to disability.

In January 2009, the University established the Hiring Enhancement Program to provide training, resources, and tools for hiring officials. The program is intended to educate hiring officials on effective and legally credible hiring practices. A variety of trainings are offered annually which include Legal Considerations -- The Dos & Don'ts of Interview Questions; How to Develop an Effective Job Posting; Behavior-Based

Interviewing Series; and UK's Hiring Fundamentals and Interviewing Techniques. Human Resources also conducts the interviewing and selecting portion of the University's SuperVision course offered regularly to all new supervisors. This program has three dedicated Employment Consultants that offer multiple customized resources including behavior-based interview guides (phone, in-person, and/or reference checks); department consultations; and training. A website has been developed to provide tools to hiring officials wherever they are in the hiring process.

Participants evaluate the training provided through the Hiring Enhancement Program. A standardized form is used to solicit specific feedback as well as obtain future learning opportunities. This feedback is reviewed, and changes are implemented to evolve the training. Multiple tools and resource guides have been developed based on this feedback.

Additionally, an annual survey is distributed to hiring officials to assess the hiring process and all selection tools provided by Human Resources. The results are analyzed to determine improvement priorities for the following year. This annual survey has been in place since 2008.

In 2015, comprehensive training on Unconscious Bias was introduced. The initiative is intended to train students, faculty, administrators, and staff on the concept of Unconscious Bias and how to mitigate these biases in everyday interactions. These trainings have since expanded to address Unconscious Bias within the hiring and selection process.

PHYSICAL AND MENTAL QUALIFICATIONS

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741.44 (c)

Staff positions are evaluated to determine the physical and mental requirements of each using a job analysis questionnaire. The University regularly reevaluates staff positions requiring, in part, the analysis of physical and mental qualifications and the essential functions of all positions.

In 2014, the position description evaluation form was modified to reflect the position requirements more accurately, including, but not limited to the following:

- ❖ Knowledge and skills
- ❖ Problem-solving
- ❖ Independent action, judgment, and analytical skills
- ❖ Resource and employee management
- ❖ Occupational/physical risk exposure

Simultaneously, the posting details were updated to include a new field listing the position's "Physical Requirements." This allowed more transparency regarding the physical and mental requirements of the

job. It is also important to note that the Physical Requirements field is reviewed by Human Resources each time the job is posted.

A best practice identified through the Hiring Enhancement Program is to ensure the “Essential Function” question is asked of every candidate interviewed to ensure the individual can perform all job duties with or without reasonable accommodations. Hiring officials are referred to Institutional Equity if a candidate, new hire, or employee inquires about potential accommodations.

Faculty positions apply this same manner of evaluation by their focus on academic contribution. Every faculty opening must be evaluated based on the needs of the academic program and may widely vary among, and even within, academic disciplines. While mental qualifications are influenced by strict educational credential requirements, reasonable accommodations can and are made for faculty with both mental and physical limitations when requested.

The technical standards of individual academic programs are evaluated to determine the qualifications for participation. All programs, like employment positions, are encouraged to reevaluate periodically or whenever there has been a change in technical standards.

REASONABLE ACCOMMODATION TO PHYSICAL AND MENTAL LIMITATIONS

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741.44 (d)

The University is committed to reasonable accommodations for qualified faculty, staff, and students with disabilities. Accommodations take many forms at the University for known disabilities, both physical and mental. Experts in accommodations, adaptive technology, special education, mental and physical health, vocational rehabilitation counseling, and rehabilitation engineering are available on campus and are utilized as needs are identified. Outside agencies and contacts are maintained as additional expert resources.

Employees, both faculty and staff, may request accommodations in their respective departments or may make requests in Institutional Equity. Employee Relations Specialists refer employees and supervisors to the Institutional Equity when assistance in determining appropriate accommodations may be needed, especially when work performance problems may be related to a disability. The process includes filling out an ADA Reasonable Accommodation Form and submitting it to Institutional Equity for review. After an interactive process, upon approval of reasonable accommodations, Institutional Equity works with the employee and the department for implementation.

The University’s Disability Resource Center (DRC) provides essential services for the accommodation of students with disabilities. The accommodated disabilities are diverse including students with chronic health conditions, temporary disabilities, and permanent disabilities encompassing those with physical, learning,

and psychological disabilities. In addition to direct services such as interpreter services or accessible textbook services, the DRC is a campus resource for the entire University community who has questions about assisting students with disabilities. In recent semesters, the DRC has seen an increase in students requesting services, especially students with psychological conditions. Likewise, the number of students requesting exam accommodations has significantly increased. With the University offering distance learning classes, the DRC has adapted to a relatively new role of accommodating students who have disabilities from remote locations.

HARASSMENT

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741.44 (e)

Institutional Equity is available to the University to answer questions and concerns regarding the provisions of the ADA and reasonable accommodations. Training is developed and updated to respond to concerns and questions regarding the equal opportunity for faculty, staff, and students with disabilities. Special effort is expended to address those stereotypes that may limit access to equal opportunity in employment or education.

Complaints alleging harassment or denial of reasonable accommodations are investigated and remedies, where appropriate, are recommended. Any employee or applicant for employment who believes that the University has discriminated against them because they have a disability may contact Institutional Equity. A representative from this office will investigate the complaint and recommend appropriate administrative action.

OUTREACH AND POSITIVE RECRUITMENT

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741.44 (f)

The University has established a reputation as an educational institution accessible to people with disabilities. Meaningful contacts are maintained with service organizations and groups of disabled persons. Students and potential employees have been identified and referred to the University because of these contacts. The University began posting positions with outside agencies that specialize in assisting individuals with disabilities in July 2015.

In 2015, Graystone Group Advertising services were acquired through the University procurement process (RFP) to enhance the University's employment branding and effective advertising capabilities through heightened exposure and visibility. The original term of the contract was February 1, 2015, through January 31, 2017, with renewal options through 2020. A subsequent renewal was executed with a term from June 15, 2020, through June 14, 2021, with an extension through June 14, 2022. A renewal option is now in place through 2025. Graystone provides options that target specific advertising needs for requested

employment searches with the goal of increasing the diversity and qualifications of each applicant pool. To assist in meeting the OFCCP reporting and outreach requirements, the Human Resources Employment Office continues to purchase a variety of targeted job boards to advertise staff and faculty positions. These job boards include HigherEdJobs.com, Higher Education Resource Consortium, Diverse Issues in Higher Education, Academic Keys, Latinos in Higher Education, Hospital Careers, and recruitment platforms of JobTarget's OneClick and DiversityJobs.com. JobTarget posts positions to Kentucky's state job board (Kentucky Focus Talent). JobTarget and DiversityJobs allow the University to directly post on a vast network of job boards which has expanded our diversity and veteran-focused outreach, these job sites include:

- African American Hires (<http://www.africanamericanhires.com>)
- All Bilingual Jobs (www.allbilingualjobs.com)
- All Hispanic Jobs (www.allhispanicjobs.com)
- All LGBT Jobs (www.allgbtjobs.com)
- Asian Hires (www.asianhires.com)
- Black Perspective (www.blackperspective.com)
- Disability Jobs (www.disabilityjobs.net)
- Disability Solutions (www.disabilitytalent.org)
- disABLED Person (www.disabledperson.com)
- Diversity Jobs (www.diversityjobs.com)
- EmployDIVERSITY (www.employdiversity.com)
- Hire Our Heros (www.hireourheroes.com)
- Hispanic Today (www.hispanic-today.com)
- Job Opportunities for Disabled American Veterans (www.jofdav.com)
- Latino Jobs (www.latinojobs.org)
- Military Vet Jobs (www.militaryvetjobs.com)
- Native Jobs (www.nativejobs.org)
- Over Fifty Jobs (www.overfiftyjobs.com)
- RallyPoint (www.rallypoint.com)
- tapAbility (www.tapability.org)

- US Military Pipeline (www.usmilitarypipeline.com)
- Veteran Jobs (www.veteranjobs.net)
- Veterans Enterprise (www.veteransenterprise.com)
- We Hire Women (www.wehirewomen.com)
- Women for Hire (www.womenforhire.com)
- Women in Business and Industry (www.wib-i.com)

Each job board will automatically upload positions from the [UK Jobs](http://UKJobs) website daily allowing the University to reach a broader applicant audience. The University has a dedicated profile on HigherEdJobs.com, [Higher Education Recruitment Consortium](http://HigherEducationRecruitmentConsortium), and HospitalCareers.com job boards to provide additional information on the University's mission and vision as well as details on living in Lexington and the Bluegrass Region.

In addition, the Human Resources Employment staff routinely encourages hiring officials to participate in broader employment advertising for any position in a job category that is underrepresented in minorities and/or females. Human Resources Employment coordinates targeted advertising research for interested departments to provide a cost analysis as well as suggested niche site advertising options for hard-to-fill positions as requested.

To continue to support the University's strategic plan, Human Resources Employment continuously promotes the University's commitment to a community of inclusion and equal employment opportunities on each job requisition posted on the online employment job board ([UK Jobs](http://UKJobs)). This enhanced verbiage highlights the dedication to a diverse and inclusive workforce for all students, faculty, and staff working in an environment of openness and acceptance.

Although tracking the success of this online recruiting is challenging, the University proactively asks individuals to disclose "how they heard about the job opportunity". This advertising data is reviewed annually to ensure financial investments are positively impacting our applicant pools as well as hiring metrics.

In September 2016, the University expanded the language in all postings to emphasize its commitment to a diverse and inclusive workforce. This language complements the standard EEO statement at the footer of each posting as well as aligns with the University's strategic plan. Please see below for the specific verbiage:

University Community of Inclusion

- ❖ The University of Kentucky is committed to a diverse and inclusive workforce by ensuring all our students, faculty, and staff work in an environment of openness and acceptance. We strive to foster a community where people of all backgrounds, identities, and perspectives can feel secure and welcome. We also value the well-being of each of our employees and are dedicated to creating a healthy place to work, learn and live. In the interest of maintaining a safe and healthy environment for our students, employees, patients, and visitors the University of Kentucky is a Tobacco & Drug-Free campus.

As an Equal Opportunity Employer, we strongly encourage veterans, individuals with disabilities, women, and all minorities to consider our employment opportunities.

Any candidate offered a position may be required to pass pre-employment screenings as mandated by University of Kentucky Human Resources. These screenings may include a national background check and/or drug screen.

On a local level, the University has developed a working relationship with Employment Solutions. The Employment Solutions group encompasses several divisions including the College for Technical Education, Bluegrass Career Services, and Employment Solutions Personnel. Employment Solutions Personnel works to train individuals with disabilities or other barriers to employment while Bluegrass Career Services works to find these individuals jobs after they have graduated from the training. Human Resources also directly works with the Unemployment Office which is a division of the Kentucky Career Center to maintain open lines of communication and post job opportunities.

As for communicating to contractors and subcontractors regarding the University's commitment to providing equal employment opportunities to IWDs, the below verbiage has been embedded in the General Terms and Conditions for every contract.

❖ Section 503: Disabilities

- ◆ This contractor and subcontractor shall abide by the requirements of 41 CFR 60-741.5(a). This regulation prohibits discrimination against qualified individuals on the basis of disability and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified individuals with disabilities.

The University encourages enrollment of students with disabilities by making available accessible housing options and student support services. The University by its commitment to equal educational opportunity for persons with disabilities returns to the greater community well-educated potential employees.

The University has established design guidelines for the campus that meet the accessibility requirements of the ADA and accommodate individuals with disabilities but avoid awkward, isolating elements intended only for people with disabilities. It is the University's intention, as outlined by the University architect, to "make the campus accessible by considering necessary site and building elements early in the design

process and finding graceful and natural solutions that are appropriately integrated with the rest of the campus setting.”

The University considers program accessibility for students, faculty, staff, and visitors using campus facilities. To cite just one example, several facilities have been equipped with assistive listening devices to provide accessible programs for hearing impaired individuals. Memorial Coliseum, Memorial Hall, Singletary Center for the Arts, and the Fine Arts Building are equipped as described. Constituent needs and the burgeoning developments in adaptive technology are continually assessed to improve both physical and programmatic access.

The University makes some services and programs available on the website at www.uky.edu. These web pages and other online access to the programs at the University are meant to be accessible under § 508 of the Rehabilitation Act and the implementing guidance.

Transportation Services strongly supports the concept of fair and equitable facilities for persons with disabilities. Transportation Services provides students and employees with disabilities an equitable and uniform system of administrative, enforcement, and design standards. This helps to ensure the lawful use of parking spaces and the availability of dependable transit service with lift-equipped buses. When designing new parking spaces and bus stops on campus for everyone, especially people with disabilities, the distance to final destinations along accessible routes is a priority. Applications for parking from persons with disabilities are given full consideration by administrative and medical personnel to assure compliance with all applicable equal opportunity regulations.

The University is accessible by public transportation from Lexington/Fayette County. This transportation is available regularly and is accessible to persons with disabilities. Lextran operates a paratransit system, WHEELS, for people with disabilities unable to access other forms of transportation in the community. This service is regularly on campus with both student and employee users.

ASSESSMENT OF EXTERNAL OUTREACH AND RECRUITMENT EFFORTS

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741.44 (f)(3)

To continue to support the University’s strategic plan, Human Resources Employment continuously promotes the University’s commitment to a community of inclusion and equal employment opportunities on each job requisition posted on the online employment job board ([UK Jobs](#)). This enhanced verbiage highlights the dedication to a diverse and inclusive workforce for all students, faculty, and staff working in an environment of openness and acceptance.

In addition to the unlimited postings on HigherEdJobs.com, the HR Employment Office purchased Affirmative Action (AA) e-mails that can be utilized with designated job postings. When an AA e-mail is

used, an e-mail will be sent to approximately 250,000 job seekers featuring the job posting along with other postings from universities that are actively recruiting candidates under affirmative action or diversity plans. Although tracking the success of this online recruiting is challenging, we proactively ask individuals to disclose “how they heard about the job opportunity.” This advertising data is reviewed annually to ensure financial investments are positively impacting our applicant pools as well as hiring metrics.

The University needs to expand its outreach and recruitment efforts for IWDs. Human Resources participation in job fairs directed at assisting individuals with disabilities should be attended frequently along with meeting with state agencies that assist in providing employment resources for individuals with disabilities

Appendix AAP G reflects the analysis of disclosed individuals with a disability within the University of Kentucky workforce.

DISSEMINATION OF POLICY

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741.44 (g)

Internal Dissemination

- ❖ The Equal Opportunity Policy statement is posted in University employment offices, placement offices, and other appropriate areas as well as disseminated electronically.
- ❖ The policy statement is included in all appropriate University publications including all employee handbooks and policy books, which are available to all employees on the web. New employees receive copies of the statement and other information about the University's policy of equal opportunity at orientation programs.
- ❖ Training sessions are conducted by Institutional Equity with departments and colleges to highlight the University's commitment to diversity, equal opportunity, and affirmative action. All new supervisors are required to attend discrimination and harassment training through SuperVision.
- ❖ Institutional Equity conducts annual meetings with University officials to review their responsibility for effective implementation of the University's Equal Opportunity Policy.
- ❖ University brochures, newsletters, annual reports, and other publications reiterate the University's commitment to equal opportunity.
- ❖ The equal opportunity policy is included in all purchase orders, requisitions, and contracts covered by Executive Order 11246 (as amended) and implementing regulations.

External Dissemination

- ❖ The University communicates to prospective employees in all employment advertisements that it is an Equal Opportunity Employer.
- ❖ All contractors, subcontractors, vendors, and suppliers have been notified of the University's Equal Opportunity Policy and are required to comply with Executive Order 11246 (as amended) and its implementing regulations. The University has agreed to transact business only with firms adhering to these practices.
- ❖ All recruiting sources and other referral sources have been advised of the University's Equal Opportunity Policy.

AUDITING AND REPORTING SYSTEM

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741.44 (h)

Institutional Equity is the office responsible for developing and managing the AAP on an annual basis. Information and data for the AAP are collected from numerous departments throughout the University. The Human Resources Employment office is responsible for outreach and recruitment initiatives brought on by the new federal regulations for individuals with disabilities. Institutional Equity met with all levels of administration to inform them of the new regulations and discuss the necessary outreach initiatives. Although the regulations have been put in place there is still work to be done. For future auditing, Institutional Equity needs to take a more active role in reviewing personnel activities to ensure such activities are free from discrimination and assist with outreach and recruitment efforts towards individuals with disabilities. Through data collection and documentation, Institutional Equity needs to track the efforts that have been set forth. The University will take all necessary action to bring the program into compliance if found to be deficient. Although Institutional Equity is responsible for the implementation of the AAP; the responsibility is likewise vested with each administrator, department manager, and supervisor.

RESPONSIBILITY FOR IMPLEMENTATION

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741.44 (i)

Institutional Equity is the University office responsible for the development of recommendations on policy and compliance with all the University affirmative action / equal opportunity commitments, including the ADA and § 503, § 504, and §508 of the Rehabilitation Act of 1973, as amended.

UTILIZATION GOAL

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-741.45

The OFCCP has established a utilization goal of 7.0 percent for each job group in the workforce for qualified individuals with disabilities.

The University evaluates the University's workforce as a whole when assessing the underutilization of individuals with a disability in each job group on an annual basis.

This analysis may be found in AAP Appendix I at www.uky.edu/eeo/federal-reporting.

**AFFIRMATIVE ACTION AND NONDISCRIMINATION OBLIGATIONS OF FEDERAL CONTRACTORS
AND SUBCONTRACTORS REGARDING DISABLED VETERANS, RECENTLY SEPARATED
VETERANS, ACTIVE-DUTY WARTIME OR CAMPAIGN BADGE VETERANS, AND ARMED FORCES
SERVICE MEDAL VETERANS**

Regulation pertinent to this portion of the AAP is 41 CFR §60-300

The Vietnam-Era Veterans Readjustment Act of 1974 and the Jobs for Veterans Act require certain federal contractors to take affirmative action for the employment of disabled veterans, recently separated veterans, active-duty wartime or campaign badge veterans, and Armed Forces Service Medal Veterans. The procedures described in this AAP are designed to achieve the objectives of these Acts. The procedures described in this AAP apply to full-time and part-time staff positions of the University. All staff positions are posted on the University's online employment system with the qualifications needed for each. The online employment system is available to all state employment services, vocational rehabilitation services, and veteran's affairs offices. The University intends to continue to provide employment opportunities for disabled veterans, recently separated veterans, active-duty wartime or campaign badge veterans, and Armed Forces Service Medal Veterans.

INVITATION TO SELF-IDENTIFY

Regulation pertinent to this portion of the AAP is 41 CFR §60-300.42

Human Resources invites voluntary self-disclosure of an applicant's status as a protected veteran in the pre-offer stage of employment. Disabled veterans may disclose a disability at any time during the employment process and request a reasonable accommodation. Human Resources also invites voluntary self-disclosure to the employee's status as a protected veteran based on the specific categories of disabled veterans, recently separated veterans, active-duty wartime or campaign badge veterans, Armed Forces Service Medal Veterans, after an offer of employment has been made. This information is kept confidential and is not used for any hiring or employment decisions. The data is collected annually and used to identify the effectiveness and recruitment of outreach efforts as required by OFCCP. In October 2016, the University invited the workforce to voluntarily self-identify as a protected veteran based on the new categories.

AFFIRMATIVE ACTION POLICY

Regulation pertinent to this portion of the AAP is 41 CFR §60-300.43

The University agrees not to discriminate against disabled veterans, recently separated veterans, active-duty wartime or campaign badge veterans, Armed Forces Service Medal Veterans and shall take affirmative action to employ and advance in employment qualified disabled veterans, recently separated veterans, active-duty wartime or campaign badge veterans, Armed Forces Service Medal Veterans at all levels of employment, including the executive level.

The University hereby reaffirms its commitment to the principle of equal employment opportunity in its personnel policies and procedures. University [Governing Regulations Part XIV.B.1](#), governing both instructional and non-instructional personnel, states the University's nondiscrimination policy:

The University of Kentucky complies with the federal and state constitutions, and all applicable federal and state laws, regarding discrimination. The University provides equal opportunities for qualified persons in all aspects of University operations and does not discriminate on the basis of race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with University policy concerning smoking.

All University members are expected to comply with the institution's nondiscrimination policy. The President is responsible for the development of an affirmative action plan by which full implementation of this policy shall be effected in the University.

The revised [Governing Regulations Part I.D](#), adopted by the Board of Trustees on June 14, 2005, added a statement on diversity:

The University is committed to diversity as a vital characteristic of an optimal education and workplace. The University maintains a firm conviction that it must strengthen the diversity of its communities, support free expression, reasoned discourse, and diversity of ideas; and take into account a wide range of considerations, including but not limited to, ethnicity, race, disability, and sex when making personnel and policy decisions. The University is committed to periodically evaluating progress made toward diversity and to communicating the results of such evaluations. Based upon these assessments, the University will give diversity factors consideration to ensure achievement of its mission of instruction, research, and service and gain the broadest benefits for the University community.

[Governing Regulation Part X.A.1](#) establishes merit as the only criteria for academic employment:

All appointments shall be made strictly on the basis of merit. An applicant for a position shall not be discriminated against because of race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with University policy concerning smoking.

Further delineation of this fundamental governing regulation is made in [Human Resource Policy Number 2.0](#) entitled "Equal Opportunity, Discrimination, and Harassment" which states:

All employment decisions shall be made uniformly on the basis of merit. Equal opportunities shall be provided for all persons throughout the University in recruitment, appointment, promotion, payment, training, and other employment practices without regard to race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with University policy concerning smoking.

The University's [Strategic Plan](#) states:

[Strategic Objective: Diversity and Inclusivity](#). Enhance the diversity and inclusivity of the University community through recruitment and retention of an increasingly diverse population of faculty, administrators, staff, and students, and by implementing initiatives that provide rich diversity-related experiences for all to help ensure their success in an interconnected world.

The University will achieve this by working collaboratively to create an environment where all of our students, faculty, and staff live or work in an environment of openness and acceptance, and in which people of all backgrounds, identities, and perspectives can feel secure and welcome.

This strategy extends beyond employment, to the matriculation of students at all levels of academic endeavor. Equal opportunity for students at the University is delineated in the student handbook entitled [Code of Student Conduct](#), which states:

Right to be Free from Discrimination/Harassment

1. UK complies with the federal and state Constitutions, and all applicable federal and state laws, regarding nondiscrimination. Students and applicants for admission to UK, or for financial aid or scholarship, will not be discriminated against because of race, color, national origin, ethnic origin, religion, creed, age, physical or mental disability, veteran status, uniformed service, political belief, sex, sexual orientation, gender identity, gender expression, pregnancy, marital status, genetic information, social or economic status, or whether the person is a smoker or nonsmoker, as long as the person complies with UK policy concerning smoking. (See [Governing Regulation XIV.B.1, Ethical Principles and Code of Conduct](#)).
2. Consistent with [Administrative Regulation 6.1, Policy on Discrimination and Harassment](#), Students have the right to be free from harassment, including sexual harassment, by UK Employees, and other Students. For purposes of the Code, harassment means conduct so severe, pervasive, and objectively offensive that it substantially interferes with the ability of a person to work, learn, live, or participate in, or benefit from services, activities, or privileges provided by UK. Sexual harassment – a form of sex discrimination – includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical actions of a sexual nature when submission to such conduct is made explicitly or implicitly a term or condition of the Student's status in a course, program or activity; or is used as a basis for academic or other decisions affecting such Student; or when such conduct has the purpose or effect of substantially interfering with the Student's academic performance, or creates an intimidating, hostile, or offensive environment. This provision shall not be used to discipline students for speech protected by the First Amendment.

The Office of Institutional Equity and Equal Opportunity (Institutional Equity) is the University office responsible for the development of policy and monitoring of compliance with all University equal opportunity commitments. Institutional Equity is responsible for the ongoing analysis and reporting under the AAP. Anyone having questions or comments regarding the University's equal opportunity and affirmative action policies should contact Institutional Equity.

REVIEW OF PERSONNEL PROCESSES

Regulation pertinent to this portion of the AAP is 41 CFR §60-300.44 (b)

Human Resources personnel study position descriptions to assure those job requirements are related to essential job functions. The purpose of this assessment is to assure those job requirements are related to business necessity and the safe performance of the job. The University is prepared to make reasonable accommodations to disabled applicants consistent with legitimate position requirements.

In January 2009, the University established the Hiring Enhancement Program to provide training, resources, and tools for hiring officials. The program is intended to educate hiring officials on effective and legally credible hiring practices. A variety of trainings are offered annually which include Legal Considerations -- The Dos & Don'ts of Interview Questions; How to Develop an Effective Job Posting; Behavior-Based Interviewing Series; and UK's Hiring Fundamentals and Interviewing Techniques. Human Resources also conducts the interviewing and selecting portion of the University's SuperVision course offered regularly to all new supervisors. This program has three dedicated Employment Consultants that offer multiple customized resources including behavior-based interview guides (phone, in-person, and/or reference checks); department consultations; and training. A website has been developed to provide tools to hiring officials wherever they are in the hiring process.

Participants evaluate the training provided through the Hiring Enhancement Program. A standardized form is used to solicit specific feedback as well as obtain future learning opportunities. This feedback is reviewed, and changes are implemented to evolve the training. Multiple tools and resource guides have been developed based on this feedback.

Additionally, an annual survey is distributed to hiring officials to assess the hiring process and all selection tools provided by Human Resources. The results are analyzed to determine improvement priorities for the following year. This annual survey has been in place since 2008.

In 2015, comprehensive training on Unconscious Bias was introduced. The initiative is intended to train students, faculty, administrators, and staff on the concept of Unconscious Bias and how to mitigate these biases in everyday interactions. These trainings have since expanded to address Unconscious Bias within the hiring and selection process.

PHYSICAL AND MENTAL QUALIFICATIONS

41 CFR§ 60-300.44 (c)

Staff positions are evaluated to determine the physical and mental requirements of each position using a job analysis questionnaire. The University regularly reevaluates staff positions requiring, in part, the analysis of physical and mental qualifications and the essential functions of all positions.

In 2014, the position description evaluation form was modified to reflect the position requirements more accurately, including, but not limited to the following:

- ❖ Knowledge and skills
- ❖ Problem-solving
- ❖ Independent action, judgment, and analytical skills
- ❖ Resource and employee management
- ❖ Occupational/physical risk exposure

Simultaneously, the posting details were updated to include a new field listing the position's "Physical Requirements." This allowed more transparency regarding the physical and mental requirements of the job. It is also important to note that the Physical Requirements field is reviewed by Human Resources each time the job is posted.

Faculty positions apply this same manner of evaluation by their focus on academic contribution. Every faculty opening must be evaluated based on the needs of the academic program and may widely vary among, and even within, academic disciplines. While mental qualifications are influenced by strict educational credential requirements, reasonable accommodations can and are made for faculty with both mental and physical limitations when requested.

The technical standards of individual academic programs are evaluated to determine the qualifications for participation. All programs, like employment positions, are encouraged to reevaluate periodically or whenever there has been a change in technical standards.

REASONABLE ACCOMMODATION TO PHYSICAL AND MENTAL LIMITATIONS

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-300.44 (d)

The University is committed to reasonable accommodations for qualified faculty, staff, and students with disabilities. Accommodations take many forms at the University for known disabilities, both physical and mental. Experts in accommodations, adaptive technology, special education, mental and physical health, vocational rehabilitation counseling, and rehabilitation engineering are available on campus and are utilized as needs are identified. Outside agencies and contacts are maintained as additional expert resources.

Employees, both faculty and staff, may request accommodations in their respective departments or may make requests in Institutional Equity. Employee Relations Specialists refer employees and supervisors to the Institutional Equity when assistance in determining appropriate accommodations may be needed, especially when work performance problems may be related to a disability. The process includes filling out an ADA Reasonable Accommodation Form and submitting it to Institutional Equity for review. After an interactive process, upon approval of reasonable accommodations, Institutional Equity works with the employee and the department for implementation.

The University's Disability Resource Center (DRC) provides essential services for the accommodation of students with disabilities. The accommodated disabilities are diverse including students with chronic health conditions, temporary disabilities, and permanent disabilities encompassing those with physical, learning, and psychological disabilities. In addition to direct services such as interpreter services or accessible textbook services, the DRC is a campus resource for the entire University community who has questions about assisting students with disabilities. In recent semesters, the DRC has seen an increase in students requesting services, especially students with psychological conditions. Likewise, the number of students requesting exam accommodations has significantly increased. With the University offering distance learning classes, the DRC has adapted to a relatively new role of accommodating students who have disabilities from remote locations.

HARASSMENT

Regulation pertinent to this portion of the AAP is 41 CFR §60-300.44 (e)

Any employee or applicant for employment who believes that the University has discriminated against them because they are a Vietnam-era veteran, disabled veteran, Armed Forces Service Medal Veteran, recently separated veteran and other protected veteran, or any veteran of uniformed military status may contact Institutional Equity. A representative from this office will investigate the complaint and recommend appropriate administrative action.

OUTREACH AND POSITIVE RECRUITMENT

41 CFR §60-300.44 (f)

The Human Resources Employment Office participates in community activities to inform people and support employment opportunities at the University. Federal and state benefit programs for veterans and eligible dependents are coordinated through the Office of the Registrar which provides staffing to assist with Veterans Administration benefits. Information is also communicated and solicited to eligible veterans on a University listserv managed by the Veterans Affairs office.

- ❖ In 2015, Graystone Group Advertising services were acquired through the University procurement process (RFP) to enhance the University's employment branding and effective advertising

capabilities through heightened exposure and visibility. The original term of the contract was February 1, 2015, through January 31, 2017, with renewal options through 2020. A subsequent renewal was executed with a term from June 15, 2020, through June 14, 2021, with an extension through June 14, 2022. A renewal option is now in place through 2025. Graystone provides options that target specific advertising needs for requested employment searches with the goal of increasing the diversity and qualifications of each applicant pool. To assist in meeting the OFCCP reporting and outreach requirements, the Human Resources Employment Office continues to purchase a variety of targeted job boards to advertise staff and faculty positions. These job boards include HigherEdJobs.com, Higher Education Resource Consortium, Diverse Issues in Higher Education, Academic Keys, Latinos in Higher Education, Hospital Careers, and recruitment platforms of JobTarget's OneClick and DiversityJobs.com. JobTarget posts positions to Kentucky's state job board (Kentucky Focus Talent). JobTarget and DiversityJobs allow the University to directly post on a vast network of job boards which has expanded our diversity and veteran-focused outreach, these job sites include:

- African American Hires (<http://www.africanamericanhires.com>)
- All Bilingual Jobs (www.allbilingualjobs.com)
- All Hispanic Jobs (www.allhispanicjobs.com)
- All LGBT Jobs (www.alllgbtjobs.com)
- Asian Hires (www.asianhires.com)
- Black Perspective (www.blackperspective.com)
- Disability Jobs (www.disabilityjobs.net)
- Disability Solutions (www.disabilitytalent.org)
- disABLED Person (www.disabledperson.com)
- Diversity Jobs (www.diversityjobs.com)
- EmployDIVERSITY (www.employdiversity.com)
- Hire Our Heros (www.hireourheroes.com)
- Hispanic Today (www.hispanic-today.com)
- Job Opportunities for Disabled American Veterans (www.jofdav.com)
- Latino Jobs (www.latinojobs.org)
- Military Vet Jobs (www.militaryvetjobs.com)
- Native Jobs (www.nativejobs.org)

- Over Fifty Jobs (www.overfiftyjobs.com)
- RallyPoint (www.rallypoint.com)
- tapAbility (www.tapability.org)
- US Military Pipeline (www.usmilitarypipeline.com)
- Veteran Jobs (www.veteranjobs.net)
- Veterans Enterprise (www.veteransenterprise.com)
- We Hire Women (www.wehirewomen.com)
- Women for Hire (www.womenforhire.com)
- Women in Business and Industry (www.wib-i.com)

Each job board will automatically upload positions from the [UK Jobs](http://UKJobs.com) website daily allowing the University to reach a broader applicant audience. The University has a dedicated profile on HigherEdJobs.com, [Higher Education Recruitment Consortium](http://HigherEducationRecruitmentConsortium.com), and HospitalCareers.com job boards to provide additional information on the University's mission and vision as well as details on living in Lexington and the Bluegrass Region.

In addition, the Human Resources Employment staff routinely encourages hiring officials to participate in broader employment advertising for any position in a job category that is underrepresented in minorities and/or females. Human Resources Employment coordinates targeted advertising research for interested departments to provide a cost analysis as well as suggested niche site advertising options for hard-to-fill positions as requested.

To continue to support the University's strategic plan, Human Resources Employment continuously promotes the University's commitment to a community of inclusion and equal employment opportunities on each job requisition posted on the online employment job board ([UK Jobs](http://UKJobs.com)). This enhanced verbiage highlights the dedication to a diverse and inclusive workforce for all students, faculty, and staff working in an environment of openness and acceptance.

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In September 2016, the University expanded the language in all postings to emphasize its commitment to a diverse and inclusive workforce. This language complements the standard EEO statement at the footer

of each posting as well as aligns with the University's strategic plan. Please see below for the specific verbiage:

University Community of Inclusion

- ❖ The University of Kentucky is committed to a diverse and inclusive workforce by ensuring all our students, faculty, and staff work in an environment of openness and acceptance. We strive to foster a community where people of all backgrounds, identities, and perspectives can feel secure and welcome. We also value the well-being of each of our employees and are dedicated to creating a healthy place to work, learn and live. In the interest of maintaining a safe and healthy environment for our students, employees, patients, and visitors the University of Kentucky is a Tobacco & Drug-Free campus.

As an Equal Opportunity Employer, we strongly encourage veterans, individuals with disabilities, women, and all minorities to consider our employment opportunities.

Any candidate offered a position may be required to pass pre-employment screenings as mandated by University of Kentucky Human Resources. These screenings may include a national background check and/or drug screen.

On a local level, the University has developed a working relationship with Employment Solutions. The Employment Solutions group encompasses several divisions including the College for Technical Education, Bluegrass Career Services, and Employment Solutions Personnel. Employment Solutions Personnel works to train individuals with disabilities or other barriers to employment while Bluegrass Career Services works to find these individuals jobs after they have graduated from the training. Human Resources also directly works with the Unemployment Office which is a division of the Kentucky Career Center to maintain open lines of communication and post job opportunities.

As for communicating to contractors and subcontractors regarding the University's commitment to providing equal employment opportunities to IWDs, the below verbiage has been embedded in the General Terms and Conditions for every contract.

Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRA)

- ❖ This contractor and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a). This regulation prohibits discrimination against qualified protected veterans and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans.

ASSESSMENT OF EXTERNAL OUTREACH AND RECRUITMENT EFFORTS

Regulation pertinent to this portion of the AAP is 41 CFR§ 60-300.44 (f)(3)

The University has always invited applicants and employees to self-identify their veteran status based on the VETS-100 report categories. Beginning September 2015, the University's operating system, SAP, was updated to reflect the new VETS 4212-form which collects data based on the new protected veteran categories. Appendix AAP J reflects the analysis of disclosed protected veterans within the University of Kentucky workforce. Appendix AAP J can be located at www.uky.edu/eeo/federal-reporting.

The University needs to expand its outreach and recruitment efforts for protected veterans. Human Resource participation in job fairs directed at assisting protected veterans should be attended frequently along with meeting with state agencies that assist in providing employment resources for protected veterans.

DISSEMINATION OF POLICY

41 CFR §60-300.44 (g)

Internal Dissemination

- ❖ The Equal Opportunity Policy statement is posted in University employment offices, placement offices, and other appropriate areas as well as disseminated electronically.
- ❖ The policy statement is included in all appropriate University publications including all employee handbooks and policy books, which are available to all employees on the web. New employees receive copies of the statement and other information about the University's policy of equal opportunity at orientation programs.
- ❖ Training sessions are conducted by Institutional Equity with departments and colleges to highlight the University's commitment to diversity, equal opportunity, and affirmative action. All new supervisors are required to attend discrimination and harassment training through SuperVision.
- ❖ Institutional Equity conducts annual meetings with University officials to review their responsibility for effective implementation of the University's Equal Opportunity Policy.
- ❖ University brochures, newsletters, annual reports, and other publications reiterate the University's commitment to equal opportunity.
- ❖ The equal opportunity policy is included in all purchase orders, requisitions, and contracts covered by Executive Order 11246 (as amended) and implementing regulations.

External Dissemination

- ❖ The University communicates to prospective employees in all employment advertisements that it is an Equal Opportunity Employer.
- ❖ All contractors, subcontractors, vendors, and suppliers have been notified of the University's Equal Opportunity Policy and are required to comply with Executive Order 11246 (as amended) and its implementing regulations. The University has agreed to transact business only with firms adhering to these practices.
- ❖ All recruiting sources and other referral sources have been advised of the University's Equal Opportunity Policy.

AUDIT AND REPORTING SYSTEM

Regulation pertinent to this portion of the AAP is 41 CFR §60-300.44 (h)

Institutional Equity is the office responsible for developing and managing the AAP on an annual basis. Information and data for the AAP is collected from numerous departments throughout the University. The Human Resources Employment Office is responsible for all outreach and recruitment initiatives brought on by the new federal regulations for protected veterans. Institutional Equity met with all levels of administration to inform them of the new regulations and the outreach effort initiatives. Although the regulations have been put in place there is still work to be done. For future auditing, Institutional Equity needs to take a more active role in reviewing personnel activities to ensure such activities are free from discrimination and assists with outreach and recruitment efforts towards protected veterans. Through data collection and documentation, Institutional Equity needs to track the efforts that have been set forth. The University will take all necessary action to bring the program into compliance. Although Institutional Equity is responsible for the implementation of the AAP the responsibility is likewise vested with each administrator, department manager, and supervisor.

RESPONSIBILITY FOR IMPLEMENTATION

41 CFR §60-300.44 (l)

The Associate Vice President for Institutional Equity has been designated the University official to direct this and the University's other affirmative action programs.

Available for Inspection

The written AAP, including the AAP for Veterans, in accordance with Executive Order 11246, Section 503 of the Rehabilitation Act of 1973, The Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), and the Jobs for Veterans Act, may be viewed in Institutional Equity. The AAP is available from 9:00 am until noon and from 1:00 pm until 4:00 pm Monday through Friday when the University is officially

in session. The AAP can also be viewed on the Institutional Equity website at <https://www.uky.edu/eeo/federal-reporting>. A hard copy of the plan is kept at the reference desk for checkout at the William T. Young Library.

BENCHMARK FOR HIRING

Regulation pertinent to this portion of the AAP is 41 CFR §60-300.45

The OFCCP establishes a benchmark equaling the national percentage of veterans in the civilian labor force on an annual basis that federal contractors can use to measure progress. The current national percentage is 5.7%.

The University evaluates the University's workforce as a whole to assess veteran recruitment.

This analysis may be found in AAP Appendix J at www.uky.edu/eeo/federal-reporting.

CONCLUSION

The University of Kentucky Affirmative Action Plan (AAP) as outlined in this document is put forth as evidence of the University's good faith efforts to meet all the requirements of a federal contractor as prescribed in Executive Order 11246, as amended, and as detailed in the implementing federal regulations 41 CFR § 60. This document reaffirms the University's commitment to equal opportunity as defined by federal and state statutes.

Furthermore, the AAP is a reaffirmation of the University's commitment to equal opportunity for faculty, staff, students, and the greater community as defined by the Board of Trustees in the [Governing Regulations](#) and proffered as a supporting document to the [University of Kentucky 2015-2020 Strategic Plan](#).

This document was authored with information submissions from across the University, further demonstrating an institutional commitment to the value of equal opportunity in a major research and educational institution. Institutional Equity, under the direction of the Associate Vice President for Institutional Equity, expresses appreciation to all individuals assisting in the preparation of the AAP.

**To view the
University of Kentucky
Affirmative Action Plan
Appendices**

Visit:

<http://www.uky.edu/eeo/federal-reporting>