

**Revisions Proposed by EEO/AA Office and  
Academic Staff Council and Faculty Affairs Committee  
Approved by Faculty Senate 04-16-03; Approved by the Chancellor 05-01-03**

# **Handbook of EEO/AA Procedures for Recruitment and Hiring**

**(Unclassified Positions)**



***Note: Committee chair must collect all records (files on candidates, search committee member's notes, etc.) at the conclusion of the search and keep them for seven years.***

**University of Wisconsin-Stevens Point  
Equity & Affirmative Action (EAA) Office  
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**NOTE: UWSP Recruitment & Hiring Handbook, Checklists, Forms and Samples are all available in the Public Folders.** (Outlook://Public Folders\All Public Folders\University Offices, Services and Governance\Chancellor's Office\Equity and Affirmative Action Office).

Letter From the Chancellor

Dear Colleagues:

Thank you for your willingness to participate as a member of a search and screen committee. You will play an exceedingly important role in recruiting and hiring individuals that will ensure the continuing success of the University.

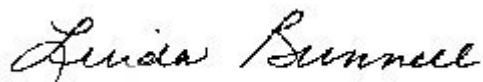
A diverse, highly qualified staff is the foundation of quality academic and administrative programs and services. Each teacher, researcher, administrator, adviser, program manager, program assistant or member of the maintenance crew is critical to our educational mission. That is why your responsibility to attract, identify, interview, and eventually hire these individuals is so important. I'm confident that you will take this role seriously

We ask you to strengthen our efforts to recruit faculty and staff of all genders, races and ethnicities. *"We seek a university diverse in color, gender, backgrounds, ideas, thoughts, and experiences. In a diverse environment, students learn about the world around them, society and its nature, values and differences. Diversity can serve to connect teaching and learning, curriculum, assessment, campus community, climate, student success and advising to better prepare students to be successful in their communities and in society at large."* (Plan 2008)

Please be aware also that the many search and screen processes conducted each year involve hundreds of applicants whose only impression of UWSP will be through their connection to committees like yours. A process that is courteous, clear, timely, and professional in all forms of communication will enhance the reputation and image of the University.

The importance of your service on this committee to the department and the University can not be overstated, nor do we take your service for granted. We realize that your participation is in addition to your normal duties and responsibilities. We trust, however, that you will find the experience satisfying knowing how essential your participation is to the future of the University. Thank you once again for your willingness to serve.

Sincerely,

A handwritten signature in cursive script that reads "Linda Bunnell". The ink is dark and the handwriting is fluid and legible.

Linda Bunnell  
Chancellor

## **I. EQUAL EMPLOYMENT OPPORTUNITY/ AFFIRMATIVE ACTION STATEMENT**

The 1990s have created new opportunities and challenges in the recruitment of new faculty and staff in higher education. During the next decade, nearly 30 per cent of faculty will retire from the University of Wisconsin System. If we are to prepare students to work in an increasingly diverse and global work place we must take this opportunity to prepare recruitment, retention and promotion plans that will: increase the quality and diversity of our faculty and staff; be responsive to changing needs of our nation, state and local community; be equitable; and withstand the increasing scrutiny from our constituencies, legislators, regents and others.

This handbook for faculty and staff recruitment and hiring is intended to provide the overall framework of policies and procedures to guide search and screen committees, departments, deans and others in continuing to advance our goals of quality and diversity.

It is expected that the implementation of the procedures that follow will result in a more diverse faculty/staff and a more expansive view of the characteristics of a well-qualified faculty or staff member. While the University is obligated to develop and sustain a program of affirmative action, we undertake these actions and adopt these policies, not only because we are required to, but because it is right and proper that we do so.

The principle behind affirmative action requires the University to identify and reward groups of people formerly excluded from full consideration in employment and education (women, persons of color and the disabled) to a degree consistent with their availability and merit, and determine whether any failure to do so can be traced to specific discriminatory policies or actions. When these groups of persons are underrepresented, the University will recruit with a goal of also employing them in accordance with their increasing availability. The premise of this commitment is that the effects of systematic exclusion, inattention, and discrimination cannot be remedied in appropriate ways and in a reasonable time by a posture of neutrality with respect to all individuals. The goal of affirmative action is to achieve equal employment opportunity and a representative workforce through specific and result-oriented programs and by exercising every good faith effort to achieve that goal.

### **Equal Employment Opportunity**

Equal Employment Opportunity means that all job candidates, external and internal must be treated equally in the hiring process and in advancement on the job. Each person is to be evaluated as an individual on his or her merits. In the public sector of our society, this means that all persons, regardless of race, color, gender, age, religion, ~~or~~ national origin, marital status, ancestry, sexual orientation, disability, Vietnam era veteran, or ethnicity [protected classes] shall have equal access to positions, limited only by their ability to do the job. Such equal access has frequently been denied to members of these protected groups. The remedy for this past discrimination is two-fold. On the one hand, vigorous enforcement of the law is essential. But equally important are voluntary efforts on the part of employers to assure that positions are genuinely and equally accessible to qualified persons without regard to protected class status.

Equal employment and affirmative action, while enjoying a close relationship, are not synonymous. Equal employment opportunity (EEO) laws and regulations require nondiscrimination in all employment matters. All terms and conditions of employment are administered without regard to protected class status. Personnel actions which discriminate on the basis of membership in a

protected class (e.g., constitute unlawful acts if less favorable treatment of similarly situated individuals occurs (disparate treatment) or treatment appears to be neutral but has a disparate impact on a protected group. When disparate *treatment* occurs, the focus is on the motives of the employer; when disparate *impact* occurs, the focus is on the consequences of the employment practice in question.

EEO may be viewed as the overarching umbrella under which many laws and regulations fall. Those include:

- 1963 Equal Pay Act
- 1964 Title VI of the Civil Rights Act of 1964  
Title VII of the Civil Rights Act of 1964
- 1965 Executive Order 11246
- 1972 Title IX of the Educational Amendments
- 1973 Section 503 and 504 of the Rehabilitation Act
- 1974 Vietnam Era Veterans' Readjustment Assistance Act  
Age Discrimination in Employment Act (Amended 1986)
- 1978 Revised Order No. 4  
Uniform Guidelines on Employee Selection Procedures
- 1987 Immigration Reform and Control Act  
Civil Rights Restoration Act
- 1990 Americans With Disabilities Act
- 1991 Civil Rights Act of 1991  
Wisconsin Fair Employment Act (Ch 111, Wisconsin Statutes).

### **Affirmative Action**

Affirmative action represents a step beyond the concept of equal employment opportunity. It is a responsibility of covered employees under Executive Order No. 11246, 11375, Revised Order No. 4, and other regulations. More than ensuring employment neutrality -- which tends to perpetuate indefinitely the status quo, with regard to protected classes -- affirmative action requires additional efforts to recruit, employ and promote qualified members of a protected class formerly excluded from such employment opportunities. Where, through a systematic plan based on sound organizational analysis, problems are identified that suggest barriers to access to employment opportunities (i.e., underrepresentation), the university is obligated to act affirmatively to remove these artificial and unlawful barriers as a means of achieving genuine equal employment opportunity. UWSP annually updates its written Affirmative Action Plan, which is designed to assist in determining where problems may exist and to assess progress in achieving full equal employment opportunity. The UWSP Affirmative Action Plan is available for review in the Equity & Affirmative Action (EAA) Office and the library.

## Affirmative Action Programs

In those areas in which, through self analysis, affected groups have been identified, narrowly tailored and time-limited activities may be instituted to achieve an expressed goal. "An affirmative action program is a set of specific and result-oriented procedures to which an employer commits itself to apply every good faith effort. The objective of those procedures and activities is equal employment opportunity. **Procedures without effort to make them work are meaningless; effort, undirected by specific and meaningful procedures, is inadequate.** (41CFR 60-2.10)

### **Purpose of Recruitment and Selection Procedures**

The following recruitment and selection procedures are intended to provide the overall framework of policies and procedures to guide search and screen committees, departments, deans, and others in achieving the university's goal of diversity through managed change; more specifically, the recruitment and ultimate retention of a well-qualified and diverse community of teacher-scholars and professional staff.

Principles of fairness and equity play an integral role in all personnel decisions. Sound decisions based upon an applicant's knowledge, abilities, and achievements are expected. Another important consideration is the individual's potential to contribute to the academic endeavor of the university. To enhance the likelihood for fairness and equity, the principles of equal employment opportunity and affirmative action are always prime considerations in the context of the conscientious evaluation of the background, preparation, and potential an individual brings to the university.

It is expected that the implementation of the procedures that follow will result in a more diverse faculty and academic staff and a more expansive view of the characteristics of a well-qualified individual.

### **Planning**

Departments, on an annual basis, should assess their staffing needs for the foreseeable future. While it is sometimes difficult to know precisely the areas in which a discipline is expanding and those areas in which it is not, general trends can be discerned. On a regular basis, within the department and between the department and the dean's office or appropriate director and line officer, discussions should occur regarding the changes that affect the discipline(s) within the department and future needs, including estimate as to when and in what direction a department ought to grow and change to meet the needs of the students to stay current and to meet the changing needs of the institution. A reality of today's world is that departments will have to adapt in order to remain competitive in the academic market place.

## **Establishing The Position**

### Faculty and Category B Academic Staff

Departments cannot search for a faculty member to fill a position until there is an actual vacancy and the Vice Chancellor has given approval to begin preparations for a search.

### Categories A and C Academic Staff

Departments cannot search for a staff member to fill a position until there is an actual vacancy and the Chancellor, Vice/Assistant Chancellor (or appropriate line officer) has given approval and an approved Hayes-Hill Title has been assigned to the position (please see Executive Secretary of Hayes-Hill Titling Committee). This is an opportune time to review the Position Questionnaire (PQ) for the position and make necessary changes or write a new one if this is a new position.

## **II. THE SEARCH**

### Initial Steps

A search and screen committee typically consists of tenured faculty, probationary faculty, students, academic and/or classified staff and possibly a member of the community or other professional capable of providing an added perspective to the search and screen process. Departmental rules and/or University Handbook procedures must be followed. Department chairs may serve on faculty search and screen committees.

Once a search and screen committee has been established and a chair has been appointed, the Director for Equity & Affirmative Action will meet with the committee at its first meeting in order to:

1. Review the search and screen process.
2. Discuss diversity issues.
3. Provide guidance and assistance in conducting recruitment. Assist the committee in developing a recruitment plan or strategy (advertisements, personal contacts, conferences, etc.).
4. Respond to any questions or other related matters.

## **Search and Screen Committee Activities For Faculty and Academic Staff Searches**

### Preliminary Duties of Search and Screen Committee

- \_\_\_ Develop position announcement
- \_\_\_ Develop timelines for search and target dates for submitting recommendations. Rolling deadlines are encouraged in ads, i.e. “open until filled” to avoid inability to consider applications received late during the search and screen process.
  
- \_\_\_ Determine materials to be submitted by candidates:
  - \_\_\_ Cover letter expressing interest and describing qualifications
  - \_\_\_ Resume or vitae
  - \_\_\_ Letters of recommendation and/or names and phone numbers (letters required from finalists)
  - \_\_\_ List of references (number required)
  - \_\_\_ Transcripts (copies rather than originals until finalists are selected)
  - \_\_\_ Statement of philosophy/goals
  - \_\_\_ Other \_\_\_\_\_

### Duties of Search and Screen Chair

- \_\_\_ Send written recruitment plan to Equity & Affirmative Action (EAA) Office for approval, with minority contacts noted on the plan and proposed ads attached.
- \_\_\_ Be named in advertisement as person to whom applications are sent
- \_\_\_ Place approved advertisements
- \_\_\_ Acknowledge applications and send out Equal Employment Opportunity (EEO) information request forms, university and community information, position announcement, etc.
- \_\_\_ Inform candidates of the court-ordered open records requirement and procedure
- \_\_\_ Act as primary communicator with applicants on behalf of search committee

### General Tasks

- \_\_\_ Review the charge to the committee
- \_\_\_ Review committee expectations regarding confidentiality and attendance
- \_\_\_ Schedule meeting with the Director for Equity & Affirmative Action (ext. 2002) regarding process and legal considerations
- \_\_\_ Develop a committee meeting schedule
- \_\_\_ Develop the position description according to guidelines in Section III

### People, Roles and Tasks

- \_\_\_ Select search and screen committee chair
- \_\_\_ Identify tasks to be completed by the committee chair
- \_\_\_ Identify **contact person** for the search and screen committee (usually chair of search and screen committee)
- \_\_\_ Select the affirmative action representative\*
- \_\_\_ Identify the affirmative action representative’s role
- \_\_\_ Identify tasks to be completed by the search and screen committee
- \_\_\_ Identify who will coordinate the committee’s correspondence, travel arrangements and itineraries for candidates who visit the campus

### Diversity and Affirmative Action

- \_\_\_ Review current minority and female representation in your department (as indicated on your Recruitment Plan). At the meeting with the Committee the EAA Director may discuss the candidate pool based on the recruitment area.
- \_\_\_ Discuss issue of bias and ways to insure its elimination from all steps in search and screen process
- \_\_\_ Check with the EAA Office for the ethnic, racial, gender, disability, and Vietnam-era veteran composition of the candidate pool based on your recruitment area (i.e. local, state, national)
- \_\_\_ Identify strategies to ensure the widest possible pool of candidates

Assessment

- \_\_\_ Develop evaluation tool for candidates' initial review and for the formal interview which may involve a demonstration class/seminar
- \_\_\_ Participate in final evaluation and formulation of recommendation to hiring supervisor

\* Faculty Senate Resolution #88-89 100 states that:

*Either the Chair of the Search and Screen Committee appoints a member of the committee or the Chair of the Equity & Affirmative Action (EAA) Committee adds an affirmative action representative to accept the responsibility for affirmative action concerns during committee deliberations.*

**Recommend that Faculty Senate Resolution@ 88-89 100 be amended so that the phrase “Chair of the Equity and Affirmative Action Committee” is changed to “Director of the Equity and Affirmative Action office.”**

**Reason: The Equity and Affirmative Action Committee is not directly involved with Search and Screen Committee activities.**

## Specifics About the Search and Screen Procedure

***Affirmative Action Requirement:*** *At least one member of the committee who is not the chair must have a demonstrated knowledge of and expressed willingness to accept responsibility for affirmative action policies and procedures. The Chancellor and/or the Chair of the Equity & Affirmative Action Committee shall ensure that this requirement is met either through the regular selection/appointment process or through the addition of an affirmative action representative*

### A. Technical Considerations

1. Searches for department chairperson, associate dean/department head, director of university library, ranked faculty librarians, and classroom teaching personnel: Check your specific departmental procedures for search and screen procedures.
2. Administrative/ and all other Academic Staff Searches: Check the **University Handbook** (Chapter 3, Section 6) for search and screen procedures. See grid on following page for composition of search and screen committees:
3. The search and screen committee insofar as possible should be balanced to include women and persons of color.
4. The search and screen committee chair becomes the contact between the committee members and the dean and/or department chair/director (if the department chair is not a member of the committee) and the Director for Equity & Affirmative Action.
5. Communications to and from the committee should go through the chairperson of the search and screen committee, including inquiries from applicants. The committee members should refer all inquiries to the chairperson for response to assure consistency in responses.

### B. Augmenting a Search and Screen Committee for department chairperson, associate dean/department head, director of university library, ranked faculty librarians, and classroom teaching personnel

1. When a department has fewer than three tenured members, the department should consider augmenting the search and screen committee with additional members who shall participate in the search and screen process and speak freely about their views on candidates, but defer voting to departmental personnel.
2. Departments with no diversity (e.g., gender or minority representation) should consider augmenting the search and screen committee with additional members (such as instructional academic staff members in department or faculty from another department, etc.) who shall participate in the search and screen process and speak freely about their views on candidates, but defer voting to departmental personnel.

## Composition of Search and Screen Committees

Position	Initiates Process	Composition	Appointing Authority	Nominating Authority
Provost/Vice Chancellor	Nominations and Elections Subcommittee	6 Faculty 1 Undergraduate 1 Graduate 1 Dean 1 Classified 1 Person 1-2 if needed <sup>1</sup>	Election Student Senate Student Senate Deans' Council Personnel Dir. Chancellor	Faculty SGA President SGA President Deans ---- ----
Vice Chancellor for Business Affairs and Student Affairs	Chancellor	3 Faculty 1 Undergraduate 1 Graduate 1 Dean 1 Classified 4 Persons <sup>2</sup> 1-2 if needed <sup>1</sup>	Senate Chair Student Senate Student Senate Deans' Council Personnel Dir. Chancellor Fac. Senate Chair	Exec. Comm. SGA President SGA President Deans ---- ---- ----
Associate and Assistant Vice Chancellor	Vice Chancellor	6 Faculty 1 Undergraduate 1 Graduate 1 Dean 1 Classified 1 Person 1-2 if needed <sup>1</sup>	Election Student Senate Student Senate Deans' Council Personnel Dir. Vice Chancellor Fac. Senate Exec.	Faculty SGA President SGA President Deans ---- ---- ----
Dean	Vice Chancellor	Up to 7 Faculty 1 Undergraduate 1 Graduate 1 Classified 1 Person 1-2 if needed <sup>1</sup>	Election Student Senate Student Senate Personnel Dir. Vice Chancellor Fac. Senate Exec.	Faculty SGA President SGA President ---- ---- ----
Associate and Assistant Dean	Dean	Up to 7 Faculty 1 Undergraduate 1 Graduate 1 Classified 1 Person 1-2 if needed <sup>1</sup>	Election Student Senate Student Senate Personnel Dir. Dean Fac. Senate Exec.	Faculty SGA President SGA President ---- ---- ----
Instruction & Administrative Positions including Assoc. Dean/Head	Supervisor	Department, Division, School, or Unit Policy	Department, Division, School, or Unit Policy	Department, Division, School, or Unit Policy
All Other Unclassified Positions at Director Level or Above <sup>3</sup>	Supervisor	At least 7 including: 1or > Inside Peer 1 or > Outside Peer 1 Classified 1 Student 3-4 Persons (including women-minority representative)	Supervisor Supervisor Personnel Dir Student Senate Supervisor	SGA President ---- ---- ---- ----
All Other Unclassified Positions Funded by General Purpose Revenue <sup>3</sup>	Supervisor	At least 5 including: 1or > Inside Peer 1 or > Outside Peer 1 Student	Supervisor Supervisor Student Senate	---- ---- SGA President
All Other Unclassified Positions Funded by Program Revenue <sup>3</sup>	Supervisor	At least 4 (one of whom may be the supervisor) including: 1or > Inside Peer 1 or > Outside Peer	Supervisor Supervisor	---- ----

<sup>1</sup>If no minority or women are represented, the Executive committee of Faculty Senate may appoint one of each.

<sup>2</sup>At least two of the Chancellor's appointees must represent the affected unit.

<sup>3</sup>Detail found in *University Handbook*, (Chapter 3, Section 6).

3. Applicants who will be interviewed for a position shall be notified if the search and screen committee has been augmented for personnel purposes. They shall also be

apprised of the qualifications of the members who are augmenting the search and screen committee and of the rules by which the augmented search and screen committee operates.

#### C. Development of Recruitment Materials

Position descriptions form the basis for position announcements but they are not identical. The Search and Screen Committee establishes the minimum qualifications necessary to fill the position at the designated title/rank. Consideration should be given to the minimum education, knowledge, skills, and relevant experience needed to successfully perform the stated duties and responsibilities of the position. If there are certain special characteristics that are preferred and/or highly desirable, but not required for the position, these should be described and included in the qualifications as well. The position description should identify essential job functions. *Under no circumstances*, can qualifications be added after the position vacancy is advertised.

The Search and Screen Committee now prepares a proposed recruitment plan with ads attached. This is forwarded by the committee chair to the department chair/unit head and Director for Equity & Affirmative Action for approval.

### **The Search and Screen Process**

As soon as the position is announced, the department should be prepared to receive and promptly respond to an applicant's material and inquiries. Even at this early stage, it is important to keep in mind that everyone involved in the search has a responsibility to keep the information they receive confidential. Nothing said or written pertaining to the evaluation of an applicant's qualifications is "off the record." The highest ethical and professional standards are expected of everyone.

Applicants begin to form impressions of the department and the University from the moment the position is announced. The University is judged by what it does more than by what it says it will do. Applicant files should be handled carefully and kept in a secure place away from the general office files. Only committee members, and others participating in the consultation/selection process have access to the files. Access can be extended to other faculty members who will review the applicant's qualifications as part of the consultation process. The interview protocol may allow for input from department faculty and/or staff not serving as members of the search and screen committee. It is recommended that all faculty and/or staff be given the opportunity to meet prospective colleagues and to comment upon their credentials and promise. The search and screen committee has the ultimate responsibility to make recommendations to the Dean, Director, Assistant Chancellor, Vice Chancellor or the Chancellor.

**REMINDER:** It is the responsibility of the Search and Screen Committee Chair to carefully supervise the clerical process associated with the recruitment process. This responsibility should not be delegated to the clerical support staff. The development of a complete and accurate applicant pool is critical at the earliest stage of the search and screen process.

### **III. DEVELOPING THE POSITION DESCRIPTION**

#### Position Announcement

- \_\_\_ Develop or review position description upon input from appropriate personnel.
- \_\_\_ Identify and list essential and marginal functions of this job by examining duties actually performed.
- \_\_\_ Identify minimum (required) and preferred qualifications, corresponding with essential functions of the job.
- \_\_\_ Analyze the position description to eliminate any bias against protected groups.
- \_\_\_ Consider the position description as a tool that can widen the pool of candidates by eliminating unnecessary qualifications. If qualification is preferred rather than required, indicate this on the position description.
- \_\_\_ Identify the person to whom applications should be sent.
- \_\_\_ Prepare position announcement using the Position Announcement Form. Guidelines for completing the form and samples of completed forms are included in the Forms packet. The Equity & Affirmative Action (EAA) Office will assign a position number, sign and forward the form to the appropriate line officer for remaining signature.

### **IV. ADVERTISING AND RECRUITMENT**

#### Developing the Advertisement

1. The advertisement should be constructed based on the completed Position Announcement and include:
  - a. The position description
  - b. The position requirements
  - c. Application information including the closing date
  - d. An AA/EEO statement
2. Additional information that should be included if space and budget permit:
  - a. Terms of employment
  - b. Description of the university and department or program

Checklist for Advertisements

	Yes	No	N/A
1. Is the advertisement specific about the position description?	___	___	___
2. Are required qualifications for the position specific enough to discourage the unqualified from applying?	___	___	___
3. For instructional positions, are additional duties (committee work, office hours, research and publication expectations, etc.) noted if important?	___	___	___
4. Is rank noted? (e.g., assistant, associate, full professor)	___	___	___
5. Is salary range noted? (Negotiable language acceptable)	___	___	___
6. Are there any personal qualifications or attributes noted (environmental concerns, foreign language ability, computer literacy, social problem awareness, etc.)?	___	___	___
7. Are tenure, non tenure, or length of contract noted?	___	___	___
8. Is there encouragement for women and minorities to apply?	___	___	___
9. Is there a description of the college and student population?	___	___	___
10. Is there some mention of the community?	___	___	___

Example of Advertisement:

*VICE PRESIDENT FOR STUDENT AFFAIRS*

## Timber University

*Timber University is a comprehensive university located five miles from downtown Buffalo. Student enrollment is 3,000 with approximately 25% of the students from minority groups and 60% over the age of 25.*

*The major areas of responsibility of the Vice President are admissions, registration data distribution, counseling, enrollment management, records, testing, financial aid, student services (extra-curricular as well as co-curricular), placement and alumni services and intercollegiate athletics.*

*The candidate should have an earned doctorate from an accredited institution with an emphasis in student personnel services. Related experience in college administration is required.*

*All materials including a cover letter addressing the qualifications, copies of transcripts and letters of recommendation should be directed to: Dr. Ken Balsic, Chair, Vice President-Student Affairs Search, Timber University, Timber NY 55555. Initial screening of applications will begin on by July 1, 19--, and position will remain open until filled.*

### Comments on Preceding Advertisement:

1. Unofficial transcripts of undergraduate and graduate work and references are requested with initial application. This requirement tends to reduce the number of applicants. Consider asking for a copy of transcript and names and phone numbers of references. Finalists are required to provide official transcripts.
- 3.2. The information provided about the university is adequate.

### Expanding the Pool of Candidates

- \_\_\_ Identify strategies to insure the widest possible pool of candidates.
- \_\_\_ Identify and advertise in publications that target populations designated for affirmative action (women, ethnic minorities, persons with disabilities, Vietnam era veterans, etc.).
- \_\_\_ Talk with departmental faculty or staff for help in identifying candidates or additional ways to tap into different populations.
- \_\_\_ Contact minority/protected group caucuses of professional organizations.
- \_\_\_ If appropriate, consider reviewing lists of graduates from your department who might qualify for the position.
- \_\_\_ Make personal calls across the country to colleagues who could identify potential candidates.
- \_\_\_ Personally encourage potential candidates to apply, including internal candidates when possible.

## Affirmative Action Statement for Advertisements

The process of recruitment and selection for University positions requires that advertisements be placed with journals and newspapers. As an equal opportunity, affirmative action employer, it is extremely important that all advertisements for University positions are in compliance with the University affirmative action program and with state and federal regulations.

The following statement is the approved tag line that should be used in all recruitment advertisements. If it is not feasible to place the entire statement in the advertisement, then it should be included in the first correspondence with the applicant.

***The University of Wisconsin-Stevens Point is an Equal Opportunity, Affirmative Action Employer. Women, minorities, Vietnam era veterans, disabled veterans and individuals with disabilities are encouraged to apply. Names of all final candidates must be revealed according to a court order.***

or

***The University of Wisconsin-Stevens Point is an EEO/AA employer.***

The Equity & Affirmative Action (EAA) Office is available to provide assistance in preparing recruitment advertisements. Should you have any questions, please call the UWSP EAA Office (715) 346-2002.

## V. EVALUATION OF CANDIDATES

### Communication with Candidates

Keep in mind that the way you treat all candidates says a great deal about the University of Wisconsin-Stevens Point community.

- \_\_\_\_\_ Send all candidates who apply for specific positions an Equal Employment Opportunity Information Request Form (with appropriate section(s) filled out by the department).  
Note: New OFCCP (Office of Federal Contract Compliance) regulations now require that the EEO Information Request form not inquire about veteran status or disabilities until the post-hire, pre-employment stage. Separate forms for EEO and Veteran/disability disclosures are furnished to departments by the EEO office.
- \_\_\_\_\_ Insure that all persons communicating information about the search have accurate and updated information regarding the search and screen process and position.
- \_\_\_\_\_ Keep all candidates informed in a courteous and timely manner about the progress of the search. Inform candidates as soon as they are definitely eliminated, rather than waiting until the end of the search. If there is any doubt about the appropriateness of eliminating and contacting selected candidates, consult the EAA Office. It is important that efforts be made to insure that the remaining pool be diverse with respect to protected classes.
- \_\_\_\_\_ Send all persons nominated an invitation to apply.
- \_\_\_\_\_ Talk with candidates to identify the appropriate time for reference checks.

- \_\_\_\_\_ Send candidates who have been invited for interviews informational material on Stevens Point and the faculty minority recruitment publication furnished by the Office of Equity and Affirmative Action.
- \_\_\_\_\_ Be prepared to offer assistance to spouses or partners desiring employment. For example, refer them to UWSP Personnel Office as well as other large employers in Stevens Point.

### Selection Criteria

- \_\_\_\_\_ Determine, prioritize and document search and screen criteria based on position duties.
- \_\_\_\_\_ Make criteria objective and consistent with the essential functions of the job.
- \_\_\_\_\_ Screen for criteria which would unnecessarily exclude individuals on the protected class status.
- \_\_\_\_\_ Collect and review documentation from interviews, reference checks and written materials, relating the material to previously established criteria.
- \_\_\_\_\_ Evaluate candidates for the full range of strengths and contributions they can give to the University in support of its teaching, research and service mission.

### Reference Letters

- \_\_\_\_\_ Determine the stage of the search and screen process at which reference letters will be requested. (At time of application or after finalists are identified.)
- \_\_\_\_\_ Request reference letters. (At least two if primary reference check is by phone.)
- \_\_\_\_\_ Design Reference Letter Evaluation Form to insure consistency evaluating references.

### Checking References

- \_\_\_\_\_ Determine the appropriate time or stage in the process for reference checks.
- \_\_\_\_\_ Confirm with candidates that references will be checked.
- \_\_\_\_\_ Inform candidates if blind references will be checked.
- \_\_\_\_\_ If a final candidate has requested a closed file, inform candidate that she or he is now a finalist and receive permission to contact blind references.
- \_\_\_\_\_ Identify individuals who will personally conduct reference checks.
- \_\_\_\_\_ Review handout on guidelines for asking questions during search and screen process with individuals who are checking references.
- \_\_\_\_\_ Determine and standardize questions to be asked of references.
- \_\_\_\_\_ Design "Reference Check" Form to insure consistency of questions and documentation of reference checks.
- \_\_\_\_\_ Identify approximate time frame for reference check (i.e. 20-30 minutes), to ensure equity and consistency of reference checks for all candidates.

## Selection of Final Candidates

- \_\_\_\_\_ Develop mechanisms for screening applications, including record-keeping mechanisms to indicate why an applicant was rejected or screened out. Use the form entitled Unclassified Applicant Log to rank candidates from 1 to 4 dependent upon qualifications and state the reasons for the ranking.
- \_\_\_\_\_ Complete initial screening of all candidates/nominees to identify those who do and do not meet minimum qualifications.
- \_\_\_\_\_ Determine the number of persons to be interviewed by telephone and in person.
- \_\_\_\_\_ Review materials submitted by each candidate.
- \_\_\_\_\_ Rate materials based upon previously established search and screen criteria and be aware of affirmative action goals (provided by EAA Office).
- \_\_\_\_\_ Critically review the selected group to ensure a diverse pool of final candidates (the EAA Office can assist as the pool narrows).
- \_\_\_\_\_ If the pool itself is small, consider reopening the search to get more candidates (especially in a position where some groups are underutilized).
- \_\_\_\_\_ If there is not strong representation of protected groups, consider re-examining the candidate pool to identify additional qualified candidates (consult with Director for EAA).

## Interviewing

- \_\_\_\_\_ Carefully design interview process and campus visit so as to eliminate bias.
- \_\_\_\_\_ Identify all persons and groups to be involved in the interview process.
- \_\_\_\_\_ Develop the interview format for each interview including:
  - Welcome
  - Questions asked of the candidate
  - Questions from the candidate
  - Closing and review of the rest of the process
- \_\_\_\_\_ Develop questions which relate to the position, based upon updated job description.
- \_\_\_\_\_ Insure that the interview protocol is not biased.
- \_\_\_\_\_ Develop interview evaluation sheet based on questions and position description.

***The above items should be completed before applications are received and reviewed, so as to eliminate bias towards any specific candidate.***

- \_\_\_\_\_ Consider having each candidate teach a class, make a presentation or perform other relevant job skills during the interview.
- \_\_\_\_\_ Review interview process with all interviewers:
  - Provide relevant information about the position, position description, essential functions of the job, necessary areas of inquiry.
  - Responsibility for emphasizing the positive aspects of UWSP. As candidates are interviewed and evaluated, they are also assessing UWSP.
  - Structure of the interview.
  - Confidentiality expectations.
  - Evaluation sheets and timeline for return of evaluation sheets.

- \_\_\_\_\_ Schedule and reserve appropriate spaces for interview and communicate times and place to final candidates.
- \_\_\_\_\_ Confirm final candidates and campus visits with letter, including information packet about position, department and UWSP; explain interview process to final candidate.
- \_\_\_\_\_ Conduct interviews.
- \_\_\_\_\_ Provide transportation to and from airport and hotel and a search and screen committee member to escort the candidate to and from interviews.
- \_\_\_\_\_ Collect and synthesize evaluation sheets for all final candidates.
- \_\_\_\_\_ Treat all internal candidates the same as external candidates, except that campus tours can be eliminated for existing internal candidates.

## VI. APPROPRIATE AND INAPPROPRIATE INTERVIEW QUESTIONS

<u>Subject</u>	<u>Appropriate</u>	<u>Inappropriate</u>
<b>AGE</b>	None	Questions about age, requests for birth certificate
<b>ARREST RECORD</b>	Wisconsin law permits questions on pending charges if related to job, i.e., security or sensitive jobs	Questions about pending charges for jobs other than those mentioned
<b>CITIZENSHIP</b>	May ask questions about legal authorization to work in the specific position if all applicants are asked	May not ask if person is a U.S. citizen
<b>CONVICTIONS</b>	May ask about record of convictions of felony or misdemeanor offenses if all applicants are asked	Questions about convictions unless the information bears on job performance
<b>EDUCATION</b>	Inquiries about degrees or equivalent experience	Questions about education that are not related to job performance
<b>HANDICAP/ DISABILITY*</b>	May ask about applicant's ability to perform job-related functions and whether accommodation is requested, only if the question is asked of all applicants	Whether applicant is handicapped or has a disability
<b>MARITAL AND FAMILY STATUS</b>	Whether applicant can meet work schedule or job requirements. Should be asked of both sexes.	Any inquiry about marital status, children, pregnancy or child care plans
<b>NAME</b>	May ask current legal name	Questions about national origin, ancestry, or prior marital status
<b>NATIONAL ORIGIN</b>	May ask all applicants if legally authorized work in this specific position	Whether applicant is legally eligible to work in the United States
<b>ORGANIZATIONS</b>	Inquiries about professional organizations related to the position	Inquiries about organizations indicating protected class status
<b>RACE OR COLOR</b>	None	Comments about complexion, color of skin, height or weight
<b>RELIGION</b>	Describe the work schedule and ask whether applicant can work that schedule. Also suggest that accommodations to schedule are possible	Inquiries on religious preferences, affiliations or denominations
<b>WORK EXPERIENCE</b>	Applicant's previous employment experience	Inquiries of protected group members based on generalizations or stereotypes of that group

**\*For information about UWSP disability accommodation policies, contact the ADA Coordinator.**

**NOTE: If applicant states that s/he has a spouse looking for employment, you can then discuss how you might be able to help.**

## VII. DOCUMENTING THE SEARCH

From *University Handbook*, Chapter 3, Page 48:

### Candidates for Interviews

- Procedures: The Committee shall determine the procedures by which it will screen the candidates and select the list of candidates to be invited for interviews.
- Selection: After the closing date for applications, the committee shall select the candidates to be invited for interviews.
- Interviews: Normally, interviews shall continue until the committee agrees upon not less than three/no more than five finalists it is willing to recommend to the supervisor.

Selection of a Candidate: Normally, the supervisor offers the position to one individual from among the finalists recommended. The supervisor may reject all finalists and ask the committee to continue or reopen the search.

- \_\_\_\_\_ Design a form which tracks each candidate at each step of the search and screen process.
- \_\_\_\_\_ Create a file for each candidate. Include candidate tracking form, all correspondence, materials submitted, and documentation which pertains to the candidate.
- \_\_\_\_\_ Provide a secure (locked) location for files to insure confidentiality throughout the search and screen process.
- \_\_\_\_\_ Keep minutes of Search and Screen Committee meetings.
- \_\_\_\_\_ Develop form letters for each stage of the search and screen process [See Packet of Sample Letters].
- \_\_\_\_\_ Send initial thank you letters to all candidates. Include the UWSP Equal Employment Opportunity Information Request Form (with appropriate sections completed).
- \_\_\_\_\_ Send rejection letters to candidates who do not meet minimum criteria, and who will not possibly be considered.
- \_\_\_\_\_ Place all candidate files in order, including candidate tracking form, correspondence, materials submitted, and any documentation which pertains to the candidate.
- \_\_\_\_\_ Insure that documentation provides rationale for Search and Screen Committee decisions and recommendations.
- \_\_\_\_\_ **Maintain all written records of the search and screen process for SEVEN (7) years** (per UWSP Faculty Senate decision).

**Keep in mind:** All correspondence to applicants should be clear and precise in meaning. Many letters sent to applicants have a legal or quasi legal significance. Letters which set forth position description, qualifications, employment conditions and/or search and selection timetable may be interpreted by applicants as agreements on both substance and procedure. Clearly written, courteous letters give applicants the message that the search and screen process is legitimate and that the university is well administered. Unclear and/or discourteous messages, failure to acknowledge applications, and lack of notification of the results of the search and screen may present the college or department as discourteous and uncaring.

## VIII. THE UW SYSTEM UNCLASSIFIED PERSONNEL GUIDELINES #6

### 6.01 Interinstitutional Recruiting Protocol for Unclassified Staff

Before an employing unit of one institution of the UW System reaches the point of interviewing for possible employment of an unclassified staff member in another UW System institution, the official responsible for initiating such action must first notify the appropriate vice chancellor (or Center dean) of the other institution.

In no case shall a formal offer be extended until the vice chancellors of the home and hiring institutions have conferred, and no offer shall be made after May 1 for the following fiscal year unless the vice chancellors (or Center deans) agree in writing.

Where an offer is being extended under the above protocol and the home institution's employing unit already has made a salary increase recommendation for the person involved for the subsequent fiscal year, the hiring institution cannot offer the person involved a salary rate exceeding the new rate recommended by the home Institution for what is essentially a lateral transfer or a rank promotion. This limitation does not apply where a major change in duties and responsibilities is involved (e.g., from teaching faculty position to deanship, from a professional academic staff position to an administrative director position, etc.)

## **IX. RELATED FEDERAL AND STATE POLICIES**

### **Sex Discrimination Guidelines**

- A. Policy Statement  
The University of Wisconsin-Stevens Point complies with all aspects of Title 41, Part 60-20 regarding the implementation of Executive Order, as amended. (See EEO/AA Policy Statement.)
  
- B. Recruitment and Advertisement  
Employees of both genders are sought to fill all vacancies at the University of Wisconsin-Stevens Point. Advertisements do not specify a gender preference.
  
- C. Job Policies and Practices  
Written policies and labor contracts expressly prohibit discrimination on the basis of gender. Employment opportunities, hours and other conditions of employment are established without regard to childbearing, and absences for childbearing purposes are treated as other temporary medical disability and are outlined in Sick Leave Policies for Unclassified Staff (UW System Policy) and in the Rules of the Administrator (Classified Staff). The Wisconsin Teachers' Retirement System and Wisconsin Retirement Fund guarantee equal benefits or equal contributions, depending upon which of several options is selected by the employee. Appropriate physical facilities are available to members of both sexes and the availability of facilities is not a consideration in the decision to hire or to promote. Any existing state protective legislation does not affect opportunities for women at UWSP.

D. Discriminatory Wages

All unclassified women's wages and salaries have been reviewed for equity and continuing reviews for equity are part of the annual budget process. Individual salary reviews may also be requested using the grievance process. Wages for classified staff are determined using a compensation structure implemented by the State Division of Merit and Recruitment. Following an extensive comparable worth study, adjustments were made in some job titles and classifications on a statewide basis in the late 1980s. Staff members are not restricted to specific job classifications or specifications on the basis of gender.

E. Affirmative Action/Diversity Efforts

Wherever women and/or minorities are underutilized in terms of availability, goals have been established. Areas which have few or no men are strongly encouraged, when a position is open, to actively recruit qualified men into the applicant pool. This effort is made as a part of the university-wide effort to employ a diverse faculty and staff.

**Religion and National Origin Guidelines**

A. Equal Employment Policy

It is the policy of the University of Wisconsin-Stevens Point not to discriminate against applicants or employees on the basis of national origin and religion. The university will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their religion or national origin. Such action includes, but is not limited to, the following: employment, promotion, demotion, transfer, recruitment, layoff or termination, rate of pay, and selection for training.

B. Outreach and Recruitment

UWSP does not engage in employment recruitment on the basis of national origin or religion. Records are not maintained for purposes of determining religious affiliation, nor are they retrieved for purposes of determining national origin. Recruitment sources are notified of our equal employment policy. Internal grievance procedures are available for processing discrimination charges and are widely distributed. The employment of foreign nationals is dependent upon the issuance of permission to work through the appropriate visa.

During the search and screen process, there should be absolutely no inquiry into national origin or citizenship. The institution, through its outreach and recruiting, does not want to give even the perception that there is some bias toward anyone. **Key:** *Only after an offer is extended may we require proof of the legal right to work. The right to work is not contingent upon citizenship; i.e., persons who are lawfully in the United States as legal immigrants or those who have visas which permit employment can be considered for employment.*

C. Accommodation

The university reasonably accommodates the religious observances and practices of employees and prospective employees. The following factors are considered in determining the extent of the obligation: (a) business necessity, (b) financial costs and expenses, and (c) resulting personnel problems.

**Persons With Disabilities, Disabled Veterans and Vietnam Era Veterans**

A. Policy Statement

UW-Stevens Point complies with Title 41, Parts 60-250 and 741, regarding the implementation of 38 USC 4212 of the Vietnam Era Readjustment Act of 1974 and with Section 503 of the Rehabilitation Act of 1973 to take affirmative action to employ and advance in employment qualified disabled veterans, veterans of the Vietnam era, and persons with disabilities at all levels of employment, including the executive level. Policies on “disabled veteran,” “qualified disabled veteran,” “veterans of the Vietnam era,” and “qualified individuals with a disability” are in the UWSP Affirmative Action Plan.

B. Proper Consideration of Qualifications

UW-Stevens Point reviews at the time of each hire its personnel process for unclassified and classified staffs to assure careful consideration of applicants who self-identify as disabled veterans, Vietnam era veterans, or persons with disabilities, regardless of whether the job vacancy is to be filled by hiring or promotion.

C. Physical and Mental Qualifications

UW-Stevens Point reviews each job description and position announcement as vacancies occur to ensure that qualifications and requirements do not screen out qualified persons with disabilities or disabled veterans.

UW-Stevens Point is free to conduct a comprehensive medical examination post-offer to employment provided the results of such examination are used only in accordance with the requirements of this section. Whenever UW-Stevens Point inquires into an applicant’s or employee’s physical or mental condition or conducts a medical examination prior to employment or change in employment status, information obtained in response to such inquiries or examinations shall be kept confidential except that:

1. persons with line responsibility may be informed regarding restrictions on the work or duties of disabled veterans or persons with disabilities and may be informed regarding accommodation, and

2. first aid safety personnel may be informed, when and to the extent appropriate, if the condition might require emergency treatment, and
3. government officials investigating compliance with either of these three acts shall be informed.

D. Accommodation to Physical and Mental Limitations of Employees

UWSP will provide reasonable accommodations for persons with disabilities (including veterans) to ensure equal access to employment when it can be demonstrated that such an accommodation would impose undue hardship on the conduct of business. In determining the extent of its accommodation obligations, the following factors are considered:

1. business necessity, and
2. financial costs and expenses.

An individual who is disabled is defined by the Wisconsin Fair Employment Law as:

Efforts to provide reasonable accommodations include, but are not limited to:

1. making facilities accessible,
2. acquisition or modifications of equipment, or
3. assignment of an employee who becomes disabled and unable to perform his or her original duties to an alternative position with comparable pay.

**University of Wisconsin Policies**

A. Equal Opportunities in Employment

In 1975 the Board of Regents adopted a policy of Equal Opportunity and Affirmative Action. This was amended on May 7, 1982 and requires a yearly report of compliance to the President of the UW System.

B. Equal Opportunities in Education

On April 6, 1973 the Board of Regents endorsed a resolution which prohibits discrimination on the basis of gender in educational programs and activities.

## **Policy Regarding Arrest/Conviction Record**

The University of Wisconsin-Stevens Point complies with the following statutory requirements regarding arrest and conviction records:

- A. Does not request information regarding any arrest record other than a record of a pending charge except when employment depends upon bondability.
- B. Ensures that departments do not refuse to hire, employ, bar or terminate any person from employment, be discriminatory in regard to promotion, compensation, terms, conditions or privileges of employment or otherwise discriminate because of a person's arrest or conviction record except when:
  - 1. The person has either a pending criminal charge or a conviction, the circumstances of which substantially relate to the circumstances of the job the person holds or is applying for,
  - 2. The person is not bondable where bondability is required by law, regulation, or established business practice.

## **Confidentiality**

All records pertaining to the search and screen process must be maintained for seven (7) years. These files are confidential and are created for the purpose of assisting in the recruitment and hiring process. The files are open to members of the search and screen committee and departmental faculty eligible to vote in the hiring process and to administrative officers having a legal reason to be informed. No unauthorized persons may have access to the files.

All discussions concerning candidates should be conducted in closed meetings of the committee. Members of the search committee are expected to maintain confidentiality until the formal announcement is made by the administrator as to who the finalists are.

## **Freedom of Information Act**

An applicant may make a written request to view his/her personnel file. However, nothing may be removed from the file. Applicants may copy information from their files under close supervision of two witnesses. A record must be made and placed in the file containing the following information:

- 1. List of the items copied
- 2. Date and time
- 3. Signature of the applicant
- 4. Signature of the two witnesses

No applicant may see the files of other candidates or receive lists of those who have applied (with the exception of the names of finalists, if requested in writing). No information is to be given to anyone not directly involved in the search and screen process.

Any questions should be directed to the Equity & Affirmative Action (EAA) Office (ext. 2002).

## **X. THE LEGAL BASIS FOR NON DISCRIMINATION**

The University of Wisconsin-Stevens Point has long recognized its moral and ethical responsibility to ensure equal opportunity in the workplace. University policy strictly prohibits discrimination against any individual for reasons of race, color, creed, religion, sexual orientation, national origin, gender, age, disability, or Vietnam veteran status. Equal access to employment opportunities, admissions, educational programs, and all other University activities is to be extended to all. The University is pledged to promote equal opportunity in employment through a positive and continuing affirmative action program.

Numerous federal and state laws and executive orders give legal force to the prohibition against discrimination of various types in the workplace. Among the more important pieces of legislation which provide a legal basis for the goals of equal employment opportunity and affirmative action are the following (adapted from "Federal Administrative Requirements for Colleges and Universities," National Association of College and University Business Officers):

**Immigration Reform and Control Act of 1986.** This revision of the U.S. Immigration law requires employees to verify the identify and employment authorization of EVERY employee, including U.S. citizens hired after November 6, 1986.

**Title I of the Americans With Disabilities Act (ADA) of 1990.** (For information about UWSP disability accommodation policies, contact the ADA Coordinator) This act prohibits employment discrimination against qualified applicants and employees with disabilities and requires employers to provide reasonable accommodations unless undue hardship would result.

**Title II of the Americans With Disabilities Act (ADA) of 1990.** (For information about UWSP disability accommodation policies, contact the ADA Coordinator) This act prohibits discrimination against qualified individuals with disabilities and requires all programs and activities be accessible.

**Title VII of the Civil Rights Act of 1964, as amended.** This act prohibits discrimination in employment (including hiring, upgrading, salaries, fringe benefits, training, treatment of pregnancy, and other conditions of employment) on the basis of race, color, religion, national origin, or gender.

**Title IX of the Education Amendments of 1972, as amended.** This act prohibits discrimination on the basis of gender in all educational programs and activities receiving federal funds.

**Executive Order 11246, as amended.** This presidential executive order prohibits federal contractors and subcontractors (like UWSP) from discrimination in employment (including hiring, upgrading salaries, fringe benefits, training, and other conditions of employment) on the basis of race, color, religion, national origin, or gender.

**Equal Pay Act of 1963, as amended.** This act prohibits discrimination in salaries (including almost all fringe benefits) on the basis of gender.

**Age Discrimination in Employment Act of 1967.** This act prohibits discrimination against applicants and employees who are 40 or more years of age.

**Vietnam Era Veterans Readjustment Assistance Act of 1974.** This act prohibits discrimination in employment practices (including hiring, upgrading, demotion or transfer, recruitment, layoff or termination, rate of pay, or other forms of compensation and selection for training) on the basis of being either a disabled veteran or a veteran of the Vietnam era.

**Section 503 of the Rehabilitation Act of 1973, as amended.** This act sets affirmative action obligations of federal contractors and subcontractors with respect to employees and for the advancement in employment of disabled individuals.

**Section 504 of the Rehabilitation Act of 1973, as amended.** This act prohibits discrimination against any qualified applicants, students, or employees on the basis of disability in all programs and activities receiving federal funds.

**The Retirement Equity Act of 1984.** This act is designed to provide greater pension equity for women and for all workers, their spouses, and dependents by taking into account changes in work patterns and in the status of marriage (child care leave) as an economic partnership.

**The Wisconsin Fair Employment Act (Chapter 111, Wisconsin Statutes).** This act protects the rights of all individuals to obtain employment and to enjoy privileges free from employment discrimination because of age, race, creed, color, handicap, marital status, gender, national origin, ancestry, sexual orientation, and arrest or conviction record.

None of these statutes, executive orders, and regulations automatically insures equity and equality in employment. That can only be achieved by the full and enthusiastic support of the ideals and goals of affirmative action by all members of the university community. Ultimately, we all have ownership of affirmative action. For more information, contact the Office of Equity & Affirmative Action (EAA) (346-2002).