

AFFIRMATIVE ACTION PROGRAM AAA Tooling & Machining Company (sample company)

SUMMARY

The following document is a sample Affirmative Action Plan for metalworking businesses. It was recently revised and approved by NTMA's attorneys to include females in the plan. The plan has also been updated to comply with the new Americans with Disabilities Act. The contents of this plan are to be considered a basic prototype for meeting federal requirements. Generally, the Office of Federal Contract Compliance Programs wishes to see more specific information than can be presented in a sample plan. This plan does, however, provide the basic information.

STATEMENT OF COMPANY POLICY

The following policy of AAA Tooling & Machining Company is personally endorsed by the president.

We desire to afford equal employment and advancement opportunity to all equally qualified individuals regardless of their race, creed, religion, color, sex, age, national origin, handicap, disability, status as a disabled veteran, or status as a Vietnam era veteran.

We will establish and maintain the following conditions:

- Utilization of the broadcast qualified sources of applicants to insure equal consideration of qualified individuals.
- Equal consideration of all qualified individuals in questions of promotion, demotion, transfer, training, and upgrading based on each individual's ability, aptitude and proficiency.
- Maintenance of company facilities on a non-segregated basis.
- Full cooperation with authorized individuals and agencies responsible for administering laws and regulations in the areas of equal employment opportunity and fair employment practices.
- Prompt resolution of any efforts to impede or prevent compliance with this Policy.

This Policy extends to all employees and all aspects of the employment relationship including hiring of new employees, and promotion, transfer, training, compensation and benefits

of existing employees. All personnel will carry out the spirit and intent of this Policy.

Periodic analysis and spot checks of personnel actions are to be conducted to insure actual implementation of these policies.

DISSEMINATION OF COMPANY POLICY

Internal:

The Policy titled "Equal Employment Opportunity - Affirmative Action Program" is distributed to all management persons, and heads of departments.

The heads of departments will, on a continuing basis, include discussions of EEO items, and particularly the current status of Affirmative Action Program, as part of their customary meetings with their subordinates.

Special meetings and information discussions shall supplement Item 2, above, in which EEO responsibilities are clearly identified and understood by middle and first line managers and supervisors, and by individual employees.

New employees will be made aware of the company's Equal Employment Policy during induction orientation. The Policy, along with other equal employment opportunity posters, have been prominently displayed on company bulletin boards.

External:

All recruitment sources shall be informed, at least annually and in writing of the company's Equal Employment Opportunity Policy, and of the company's firm intention to comply

with this Policy and further that all positions are open to both sexes. These intentions shall be reaffirmed in consistent verbal dialogue between these sources and company recruitment representatives.

Written notification of company EEO Policy and required compliance actions will be sent in writing to all subcontractors, vendors and suppliers, on orders of \$50,000 or more, or if they have more than 50 employees; and appropriate action on their parts will be required.

Also, the equal opportunity clauses shall be included, either by reference or in its entirety, in all purchase orders and contracts.

The "Equal Opportunity Employer" line shall be included in all recruitment and advertising.

Recruitment advertising will be expanded to include area female and minority group news media, where practical.

We will notify minority and women's organizations, community agencies, community leaders, secondary schools and colleges, of company policy and vacancies.

Communication will be made to prospective employees of the existence of our Affirmative Action Program and we will make available such elements of this program that will enable such prospective employees to know of and avail themselves of its benefits.

ASSIGNMENT OF RESPONSIBILITIES

Vice President (Name) has been designated to direct the establishment of and to monitor the implementation of personnel procedures to guide our Affirmative Action Program.

This official is charged with designing and implementing audit and reporting systems that will keep management informed on a regular basis of the status of Equal Employment Opportunity.

His or her other responsibilities shall be, but not limited, to the following:

Periodic audit to insure that the facility is in compliance in areas such as:

- Posters are properly displayed.
- Female and minority employees are afforded a full opportunity and are encouraged to participate in all company sponsored educational, training, recreational, and social activities.

Developing Policy statements, affirmative action programs, and internal as well as external communication techniques.

Assisting in the identification of problem areas. Assisting plant management in arriving at solutions to problems. Designing and implementing audit and reporting systems that will:

- Measure effectiveness of the Program.
- Indicate need for remedial action.
- Determine the degree to which goals and objectives have been attained.

Serve as liaison between the plant and those governmental agencies concerned with these programs.

Keep management informed of latest developments in the entire equal opportunity area.

Line responsibilities should include, but not limited to, the following:

- Assistance in the identification of problem areas and establishment of local goals and objectives.
- Active involvement with local minority organizations, women's organizations, community action groups, and community service programs.

Periodic audit hiring and promotion patterns to remove impediments to the attainment of goals and objectives.

Regular discussions with supervisors and employees to be certain policies are being followed.

Review of the qualifications of all employees to insure all employees are given full opportunities for transfers and promotions based on individual performance, ability, qualifications and aptitude.

It shall be a responsibility of supervisors to take action to prevent reprisals against employees placed through affirmative action efforts.

PROGRAM DEVELOPMENT AND EXECUTION

The following programs will be undertaken in an effort to correct any outstanding deficiencies:

A continuing analysis will be made on a yearly basis of all position descriptions to determine if they actually reflect the job function.

A continuing analysis will be made of all selection and placement techniques in an effort to get a better dispersion of females and minorities throughout the company.

Recruitment of minorities and females will be conducted on a non-discriminatory basis.

All promotions, layoffs, and recalls from layoffs are made on the following basis:

All supervisory and management personnel have been made aware of the goals established in this AAP.

Deficiencies, if any, will be eliminated as follows:

- Recruitment

Assurances will be made that all references, from whatever source, are made on a non-discriminatory basis.

- Selection/Placement

The selection process has been designed to remove any possible discriminatory practice and insure the selection of capable and trained personnel to implement the company policy. Position description and gender specifica-

tion are not used. The absence of these items do not allow the screening out of an individual because of race, creed, religion, color, sex, age, national origin, handicap, disability, status as a disabled veteran, or status as a Vietnam era veteran.

- Promotion/Transfer

Transfer and promotional opportunities, are afforded all employees on a non-discriminatory basis.

- Training

The Company provides informal training to assist the employee in acquiring skills necessary for effective job performance. On the Job Training (O.J.T.) is the procedure used.

IDENTIFICATION OF PROBLEM AREAS

An analysis by organizational units and job groups will be made to include the following elements:

- Composition of the work force by minority status and sex.
- Composition of applicant flow by minority status and sex.
- Selection process.
- Transfer and promotion practices.
- Facilities and company sponsored events.
- Training programs.

If any unbalance is discovered by this above mentioned analysis toward minority groups or women, corrective action will be taken.

INTERNAL AUDIT AND REPORTING

Every program established will be continually monitored by the EEO Coordinator to determine progress. In addition, reports will be forwarded on the following areas to the corporate president at the frequencies indicated:

1. Applicant flow date (Minority-Female-White)

Rejection Ratio: _____
Report Due: Semi-annually

2. Referrals (Minority-Female-White)

Rejection Ratio: _____
Report Due: Semi-annually

3. Selection and Placement (Minority-Female-White)

Report Due: Semi-annually

4. Promotions (Minority-Female-White)

Report Due: Semi-annually

5. Transfer (Minority-Female-White)

Report Due: Semi-annually

6. Terminations

Report Due: Semi-annually

Other reports as required will be forwarded to corporation president.

Top management will review program effectiveness and suggest recommendations to improve unsatisfactory performance.

SUPPORT OF ACTION PROGRAMS

This facility will:

Encourage key members of management, including minority and female members, to serve on various community action boards that promote the hiring of minority and female individuals.

Encourage all employees to actively participate in community development programs.

Aggressively pursue its present activity and support all of the above mentioned programs during our AAP period.

ADDITIONAL POLICIES

We will afford equal employment and advancement opportunity to all equally qualified individuals regardless of, and will not discriminate due to race, creed, religion, color, sex, age, national origin, handicap, disability, status as a disabled veteran; or status as a Vietnam veteran.

All employment practices will be based on each individual's ability aptitude and proficiency.

Females shall be granted reasonable leaves of absence on account of childbearing. The conditions to such leaves and to the females' return to employment shall be in accordance with our standard leaves of absence policy. No seniority list or system will be maintained solely on sex. Sex will not be considered in pay and promotion decisions.

Where not impracticable, we will accommodate to the religious observances and practices of our employees.

AFFIRMATIVE ACTION PLAN FOR THE HANDICAPPED

General:

The AAA Tooling & Machining Company supports community programs designed to provide employment opportunities for the handicapped. Recognizing that handicapped individuals are a valuable human resource, the company has formalized its support of these programs by implementing an affirmative action plan for the employment and advancement of qualified physically and mentally disabled individuals.

Definition of Handicapped Applicants and Employees

The law defines "Handicapped Individual" as any person who (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) has a record of such impairment, or (3) is regarded as having such an impairment. For purposes of this part, a handicapped individual is "substantially limited;" if he or she is likely to experience difficulty in securing, retaining or advancing in employment because of a disability. The terms "handicapped" and "disabled" are intended to have the same meaning within this Plan.

Consideration of Qualifications

1. All applicants applying for employment with the company are invited to voluntarily identify themselves as disabled and indicate any reasonable accommodation that can be made to enable them to perform a job that they would not otherwise be able to do.
2. Whenever disabled applicants are considered for employment, the employment applications are annotated to identify positions for which they are considered.
3. If a disabled applicant or employee is not selected for employment, promotion or training, the reason for the non-selection is documented and maintained in the personnel file, or with the application.
4. Whenever an accommodation is made for the hire, promotion or training of a disabled individual, a description of the accommodation is documented and kept with the personnel file, or with the application.

Physical and Mental Requirements

1. Selection processes involved in hiring, promotions and training opportunities are reviewed annually to ensure that no qualified disabled individual is screened out.
2. Job requirements are reviewed and updated periodically to ensure that they are realistic and do not contain unnecessary qualifications which serve to screen out disabled individuals.

Accommodations to Physical and Mental Limitations of Employees

The AAA Tooling & Machining Company will try to reasonably accommodate the physical and mental limitations of qualified, disabled applicants or employees so as to ensure that each one is afforded equal opportunity for employment and advancement. In determining the degree of accommodations that may be reasonably undertaken, business necessity and expenses will be considered with such other related factors as: efficiency, health and safety, the essential functions of each specific job, etc. Each decision regarding the accommodations will be determined on an individual basis.

The company will consider the following types of accommodations:

1. Architectural modifications including:
 - a. Curb accessibility
 - b. Entrance door accessibility
 - c. Ramps
 - d. Distance from parking lot to building entrance
 - e. Restroom facilities which accommodate wheelchairs
2. Work Environment Modifications:
 - a. Lowered or raised work surfaces
 - b. Special lighting
 - c. Rearranged shelves
3. Work Schedule Modifications
 - a. Flex time
 - b. Off shifting
 - c. Part-time schedules
4. Job Task Modifications
 - a. Sequencing changes
 - b. Functional rearrangements
5. Equipment Modifications
 - a. Telephone equipped with amplifiers
 - b. Altered controls to accommodate left or right hand or foot operation.

Compensation

When offering employment or promotion to a qualified disabled person, the company will not consider disability income, pension income, or other benefits received by the applicant or employee as relevant to determination of his/her salary. No deductions from company pay will be made for any other income of that nature.

Outreach and Positive Recruitment

1. The company works with local recruiting sources and special service agencies to ensure that disabled individuals are aware of openings and are submitting applications. These agencies include:
 - a. The State Employment Development Department
 - b. Social Services Department
 - c. Skills and Career Development Centers
 - d. State Department of Rehabilitation
 - e. And other rehabilitation centers
2. All company recruiters, interviewers and supervisors responsible for employment decisions have been given special training for interviewing the disabled.
3. The EEO Administrator serves on the board of the Regional Occupation Program.

4. Our employment records are reviewed periodically to determine the availability of promotable and transferable disabled employees. Additionally, the same review is made to determine whether disabled employees' present and potential skills are being utilized and/or developed.

Dissemination

(See above)

Responsibility for Implementation

(See above)

Development and Execution of Affirmative Action Programs

1. At least annually, all aspects of selection, training and promotion are reviewed to ensure freedom from stereotyping disabled persons which limits their access to jobs for which they are qualified.
2. Schools from which we recruit are informed of our commitment to employ disabled individuals.
3. Disabled employees are encouraged to participate in community-sponsored programs designed to provide career-related information.

AFFIRMATIVE ACTION PLAN FOR DISABLED VETERANS AND VETERANS OF THE VIETNAM ERA

General

The AAA Tooling & Machining Company supports community programs designed to provide employment opportunities for disabled veterans and veterans of the Vietnam Era. Recognizing that veterans are a valuable human resource, the company has formalized its support of these programs by implementing an affirmative action plan for the employment and advancement of qualified disabled veterans and veterans of the Vietnam Era.

Definition of Disabled Veterans and Veterans of the Vietnam Era

The law defines "disabled veterans" as a person entitled to disability compensation under laws administered by the Veterans' Administration for disability rated at thirty percent (30%) or more, or a person whose discharge or release from active duty was for a disability incurred or aggravated in the line of duty.

The law defines "Veteran of the Vietnam Era" as a person (1) who served on active duty for a period of more than 180 days, any part of which occurred between August 5, 1964 and May 7, 1975, and was discharged or released with other than a dishonorable discharge, or (2) who was discharged or released from active duty for a service-connected disability if

any part of such active duty was performed between August 5, 1964 and May 7, 1975.

Consideration of Qualifications

1. Each applicant applying for employment with the company is invited to voluntarily identify himself as a disabled veteran or veteran of the Vietnam Era and to indicate any reasonable accommodation that can be made to enable him to perform a job that he would not otherwise be able to do.
2. Whenever disabled veterans or veterans of the Vietnam Era are considered for employment, the employment applications are annotated to identify positions for which they were considered.
3. If a disabled veteran or veteran of the Vietnam Era is not selected for employment, promotion or training, the reason for the non-selection is documented and maintained in the personnel file, or with the application.
4. Whenever an accommodation is made for the hiring, promotion or training of the disabled veteran, a description of the accommodation is documented and kept with the personnel file, or with the application.

Physical and Mental Requirements

1. Selection processes involved in hiring, promotions and training opportunities are reviewed annually to ensure that no qualified disabled veteran is screened out.
2. Job requirements are reviewed and updated annually to ensure that they are realistic and do not contain unnecessary qualifications which would serve to screen out qualified disabled veterans.

Compensation

When offering employment or promotion to a disabled veteran or veteran of the Vietnam Era, the company will not consider disability income, pension income, or other benefits received by the applicant or employee as relevant to determination of his/her salary. No deduction from company pay will be made of any other income of that nature.

Outreach and Positive Recruitment

1. The company works with local recruiting sources and social service agencies to ensure that disabled veterans and veterans of the Vietnam Era are aware of openings and are submitting applications. These agencies include:
 - a. The State Employment Department
 - b. Skills and Career Development Centers
 - c. Social Services Department
 - d. Veterans' Assistance Center
 - e. Veterans' Administration

2. All company recruiters, interviewers and supervisors responsible for employment decisions have been given special training for interviewing disabled veterans.
3. Our employment records are reviewed annually to determine the availability of promotable and transferrable disabled veterans and veterans of the Vietnam Era. Additionally, the same review is made to determine whether veteran employees' present and potential skills are being fully utilized and/or developed.
3. Disabled veterans and veterans of the Vietnam Era are encouraged to participate in community-sponsored programs designed to provide career-related information.
4. The company meets its annual obligation to file a VETS-100 reporting form showing the number of veterans in our workforce.

SUMMARY

This Affirmative Action Program has been voluntarily adopted and is intended to ensure a strong audit of our employment and promotional procedures and practices.

We intend to follow the procedures set forth herein and to vigorously pursue our EEO Program and audit our AAP to determine progress in order to eliminate any deficiencies. If our methods do not show the desired results, then new approaches will be taken and assistance will be sought.

We consider this complete AAP a statement of Company Policy and firm commitment.

Dissemination

(See above)

Responsibility for Implementation

(See above)

Development and Execution of Affirmative Action Programs

1. At least annually, all aspects of selection, training and promotion are reviewed to ensure freedom from stereotyping disabled veterans and veterans of the Vietnam Era in a manner which limits their access to jobs for which they are qualified.
2. Schools from which we recruit are informed of our commitment to employ disabled veterans and veterans of the Vietnam Era.

This BMA was prepared by NTMA Labor Relations Counsel, Alan Berger, Partner; McMahan, Berger, Hanna, Linihan, Cody & McCarthy, St. Louis, MO.

SAMPLE

TO: A. Adams, President

 B. Baker, Vice President Manufacturing

 C. Charles, Plant Superintendent

SUBJECT: EEO-Affirmative Action Program

Attached is a copy of our Equal Employment Opportunity, Affirmative Action Program.

This Policy extends to all employees and to all aspects of the employment relationship including hiring of new employees, and promotions, transfers, training, compensation and benefits of existing employees. All personnel will carry out the spirit and intent of this Policy.

As a company, we are thoroughly committed to a Program of Equal Employment Opportunity in employment, training and promotion because such a program is sound business management. We intend to pursue this program vigorously.

I urge you to assist in every way possible to ensure that our POLICY is demonstrated by AFFIRMATIVE ACTION. I hope that each and every employee will do his or her utmost to promote both the spirit and the letter of the Policy. Results in this effort will be reviewed as a part of our periodic audit of EEO activities and progress.

Very truly yours,

D. Duncan
Vice President, Personnel

SAMPLE

TO: Employment Agencies:

This is to state that AAA Tooling & Machining Company is an Equal Employment Opportunity employer, and that we have a non-discrimination policy with regard to race, creed, religion, color, sex, age, national origin, handicap, disability, status as a disabled veteran, or status as a Vietnam era veteran.

In accordance with our Affirmative Action Program, we request that you refer candidates to our company for any and all job openings on a non-discriminatory basis.

Sincerely,

D. Duncan
Vice President, Personnel

Date

SAMPLE

19() Review

A. Utilization Analysis. AAA Tooling & Machining Company is a _____ shop with _____ primary departments or work groups:

- (1) Office; (2) _____ ; (3) _____ ;

Each of these work groups have various related job groupings:

- (1) Office
a. _____
b. _____
c. _____ etc.

- (2)
a. _____
b. _____
c. _____ etc.

- (3)
a. _____
b. _____
c. _____ etc.

The attached Workforce Analysis demonstrates the breakdown of these major groups and jobs, annotated by minority and female utilization.

B. Availability Analysis: AAA Tooling & Machining Company is located in _____ and the primary hiring market for all types of personnel is a _____ County area consisting of: _____, _____, _____, _____, and _____ Counties.

The data used for our availability analysis was provided by _____. A summary of the availability is as follows:

- Total Workforce _____
Total Minority Workforce _____
Percentage Minority _____
Total Female Workforce _____
Percentage Female _____

C. Application Log. An application has been established to measure our minority and female applicant flow and will be audited semi-annually to determine problem areas. Copy of log form attached.

D. Goals and Timetables. A conscientious effort will be made to bring the plant personnel figures to such a position that minority and female employees are proportionately represented to their respective availability in the relevant S.M.S.A. Present plans include, among other things, as intention to hire on a 1-for-1 basis, i.e., one minority employee for each non-minority employee hired, and one female employee for each male employee hired, until such desired goal is obtained.

E. Summary. In reviewing the Workforce Analysis at AAA Tooling & Machining Company, it is very obvious that the execution of the Affirmative Action Plan has been carried out to the fullest degree. Of the _____ person workforce, _____ or _____% of the workforce is minority. This is _____% above the availability level in our statistical area. Of the _____ person workforce, _____ or _____% of the workforce is female. This is _____% above the availability level in our statistical area.