

**Wisconsin Department of Military
Affairs**

Equity and Inclusion Program

**for the Vietnam Era Veterans
Readjustment Assistance Act
(VEVRAA) And Individuals With
Disabilities (IWD)**

**DEPARTMENT OF MILITARY AFFAIRS
(DMA)
EQUITY AND INCLUSION PROGRAM
(EIP) FOR PROTECTED VETERANS AND
INDIVIDUALS WITH DISABILITIES**

(November 1, 2022, to December 31, 2024)

This EIP is designed to satisfy the Wisconsin Department of Military Affairs' (DMA) equal employment opportunity and affirmative action responsibilities under the (1) Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, which requires that government contractors not discriminate against and take affirmative action to employ and advance in employment disabled veterans, recently separate veterans, active duty wartime or campaign badge veterans, and Armed Forces service medal veterans; and (2) Section 503 of the Rehabilitation Act of 1973, as amended, which requires that government contractors not discriminate against and take affirmative action to employ and advance in employment, qualified individuals with disabilities. Separate equity and inclusion plan for other protected classes have been adopted by DMA.

I. Table of Contents

I. Table of Contents.....	3
II. Policy Statement on Equal Employment Opportunity for Protected Veterans and Individuals With Disabilities [41 CFR 60- 300.44(a)].....	4
III. Review of Personnel Processes [41 CFR 60-300.44(b)]	5
IV. Review of Physical and Mental Job Qualification Standards [41 CFR 60-300.44(c)]	7
V. Reasonable Accommodation [41 CFR 60-300.44(d)].....	7
VI. Anti-Harassment Procedures [41 CFR 60-300.44(e)].....	9
VII. External Dissemination of Policy [41 CFR 60-300.44(f)]	10
VIII. Outreach and Positive Recruitment [41 CFR 60-300.44(f)]	11
a. Department of Military Affairs (DMA) Outreach and Positive Recruitment Activities.....	11
b. Future Assessment of External Outreach and Recruitment Efforts [41 CFR 60-300.44(f)(3)]	11
IX. Internal Dissemination of Policy [41 CFR 60-300.44(g)]	12
X. Audit and Reporting System [41 CFR 60-300.44(h)]	13
XI. Responsibility for Implementation of EIP [41 CFR 60-300.44(i)]	14
XII. EEO and Affirmative Action Training [41 CFR 60-300.44(j)]	15
XIII. Applicant and Hiring Data [41 CFR 60-300.44(k)]	16
XIV. Hiring Benchmarks [41 CFR 60-300.45]	17
a. Establishment of Hiring Benchmark.....	17
XV. Recordkeeping [41 CFR 60-300.80].....	17

II. Policy Statement on Equal Employment Opportunity for Protected Veterans [41 C.F.R. § 60-300.44(a)] and Individuals with Disabilities [41 C.F.R. 60-741.44(a)].

As the head of the Wisconsin Department of Military Affairs (DMA), I am committed to the principles of affirmative action and equal employment opportunity for protected veterans and individuals with disabilities. Therefore, it is DMA's policy not to discriminate because of protected veteran status or on the basis of disability and to take affirmative action to employ and advance in employment qualified protected veterans and individuals with disabilities at all levels within the company. DMA will ensure that all employment actions, including but not limited to recruitment, hiring, selection for training, promotion, transfer, demotion, layoff, recall, termination, rates of pay or other forms of compensation, will be administered without regard to status as a protected veteran or an individual with a disability. DMA will also provide qualified applicants and employees who are disabled veterans and individuals with disabilities with needed reasonable accommodations, as required by law, and will ensure that all employment decisions are based only on valid job requirements.

DMA prohibits harassment of employees and applicants because they are protected veterans or individuals with disabilities or on the basis of disability and will conduct training to try to prevent any harassment or discrimination before it occurs. DMA also prohibits retaliation against employees and applicants for filing a complaint, opposing any discriminatory act or practice, assisting, or participating in any manner in a review, investigation, or hearing or otherwise seeking to obtain their legal rights under any Federal, State, or local EEO law requiring equal employment opportunity for protected veterans and individuals with disabilities. Prohibited retaliation includes, but is not limited to, harassment, intimidation, threats, coercion, or other adverse actions that might dissuade someone from asserting their rights.

In furtherance of DMA's policy regarding affirmative action and equal employment opportunity, DMA has developed a written Equity and Inclusion Program (EIP) that sets forth the policies, practices and procedures to which DMA is committed to ensure that its policy of nondiscrimination and affirmative action for qualified protected veterans and individuals with disabilities is accomplished. This EIP is available for inspection by any employee or applicant for employment upon request, during normal business hours, in DMA's Human Resources Department office located 2400 Wright Street, Madison, WI. Interested persons should contact the Human Resources Office DMASHR@WIDMA.gov for assistance.

In order to ensure employment opportunity and affirmative action throughout all levels of DMA, I have designated DMA's Director of Human Resources as the Equal Employment Opportunity (EEO) Officer for DMA. The EEO Officer will establish and maintain an internal audit and reporting system that will track and measure the effectiveness of DMA's EIP and show where additional action is needed to meet DMA's objectives.

Major General Paul E. Knapp

Department of Military Affairs

November 1, 2022

III. Review of Personnel Processes (41 CFR 60-300.44(b) and [41 CFR 60-741.44(a)].

To comply with the requirement to “periodically review” its personnel processes, DMA reviews its personnel processes annually to determine whether its present procedures assure careful thorough and systematic consideration of the qualifications of known protected veterans and individuals with disabilities. As part of this review, DMA also ensures that its personnel processes do not stereotype veterans or individuals with disabilities in a manner which limits their access to all jobs for which they are qualified. This review covers all procedures related to the filling of job vacancies either by hire or by promotion, as well as to all training opportunities offered or made available to employees. In conducting this review, DMA uses the procedures suggested in Appendix C to 41 C.F.R. § 60-300.

1. Ensure accessibility of personnel processes.

DMA will ensure that applicants and employees who are disabled veterans and individuals with disabilities have equal access to all of its personnel processes. DMA believes that taking these steps now will help minimize the need for future reasonable accommodations and facilitate ready access to key systems for many applicants and employees with disabilities. Also, as part of the upgrading of our job application system, DMA will ensure that human resources office contact information is prominently displayed to facilitate requests for reasonable accommodation from applicants with disabilities.

2. Invite all applicants to voluntarily self-identify as a protected veteran before an offer of employment is made.

All applicants are invited to voluntarily inform DMA that they are protected veterans and individuals with disabilities before an offer of employment is made, in compliance with 41 CFR 60-300.42(a) and 41 CFR 60-741.42(a), as applicable. The form for self-identification will be provided to applicants along with its paper applications and has created a fillable self-identification form to be submitted, if desired, along with an electronic application. DMA will also continue to invite applicants to self-identify as protected veterans and individuals with disabilities post-offer in compliance with 41 CFR 60-300.42(b) and 41 CFR 60-741.42 using the forms attached as Appendices A and B. DMA also created a separate electronic file where it stores all self-identification information separate from employment applications, personnel records, and employee medical files.

3. Invite self-identification of disability from all DMA employees annually.

In compliance with 41 CFR 60-741.42(c), DMA invites all current employees to voluntarily inform DMA whether they are individuals with disabilities via an email sent annually. The email contains a reminder that employees may update their disability status at any time, contains a link to the electronic self-identification form, and indicates to employees that paper self-identification forms are available from

DMA's human resources office. Employees are given a date to reply by. The next reminder will be sent to employees in May 2023.

4. Applicant and hiring data.

DMA recognizes that it must collect applicant and hiring data to comply with the requirements of 41 CFR 60-300.44(k) and 60-741.44(k) and will modify its applicant flow logs as necessary.

IV. Review of Physical and Mental Job Qualification Standards (41 CFR 60-300.44(c)) and [41 CFR 60-741.44(c)]

DMA strives to use only job qualification standards that are job-related and consistent with business necessity. To comply with the requirement to “periodically review” its physical and mental job qualification standards, DMA has appropriately trained personnel review the physical and mental job qualifications of each job opening before it is publicly posted to ensure that, to the extent that such qualification requirements tend to screen out qualified disabled veterans and individuals with disabilities, they are related to the job(s) in question and consistent with business necessity and the safe performance of the job. Similarly, DMA will review physical and mental job qualification requirements accordingly whenever the duties of a particular job change.

DMA will conduct a periodic review of all job qualification standards (except for those job qualification standards that DMA has reviewed within the previous twelve months) to ensure that, to the extent that such qualification requirements tend to screen out qualified individuals with disabilities, they are job-related and consistent with business necessity.

Any inquiries into an applicant’s physical or mental condition and any required medical examinations will be conducted in accordance with the VEVRAA and Section 503 regulations. Any information obtained as a result of the inquiry or exam will be kept confidential, except as otherwise provided for in the VEVRAA or 503 regulations. The results of the inquiry or examination will only be used in accordance with the VEVRAA and 503 regulations.

V. Reasonable Accommodation (41 CFR 60-300.44(d) and 41 CFR 60-741.44(d))

DMA will continue its longstanding commitment to making reasonable accommodation to the known physical or mental limitations of qualified disabled veterans and individuals with disabilities unless such accommodation would impose an undue hardship on the conduct of its business. DMA also commits to engaging in an interactive process with the person requesting the accommodation (or their representative), as needed, to determine an appropriate accommodation. Undue hardship will be determined by assessing whether the requested accommodation, and any other potential accommodations, would cause significant difficulty or expense, as provided for in the VEVRAA and Section 503 regulations.

When an employee with a known disability has significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, the employee is confidentially notified of the performance problem and asked if the problem is related to the disability. If the employee indicates that the performance problems are related to his or her

disability, the employee is asked if reasonable accommodation is needed.

DMA will also ensure that all requests for reasonable accommodation and any medical or disability-related information provided to DMA will be treated as confidential medical records and maintained in a separate medical file.

VI. Anti-Harassment and Retaliation Procedures (41 CFR 60-300.44(e) and 41 CFR 60-741.44(e)).

Employees and applicants of DMA will not be subject to harassment because of their status as a protected veteran or an individual with a disability. Any employee or applicant who believes that they have been subject to harassment because of such status should promptly contact a manager in their chain of command or the Director of Human Resources at 608-242-3163 for assistance. Employees or applicants may also file a written complaint with the office of the Director of Human Resources, DMASHRCOMPLAINTS@widma.gov

Retaliation, including intimidation, threat, coercion, or discrimination, against an employee or applicant because they have objected to discrimination, engaged or may engage in filing a complaint, assisted in a review, investigation, or hearing, or have otherwise sought to obtain their legal rights under any federal, state, or local EEO law regarding protected veterans and individuals with disabilities is prohibited. Any employee or applicant who believes that they have been subject to retaliation should contact the Director of Human Resources at 608-242-3163 for assistance.

This anti-harassment policy is communicated to all employees and managers annually via e-mail, and a notice is posted on official DMA Employee Information bulletin boards and on the DMA website.

Additionally, guidance is provided annually on the identification and prevention of harassment based on protected veteran or individual with disability status to all of DMA's employees. Furthermore, DMA monitors its environment for the presence of any forms of harassment, intimidation, or coercion and, where warranted, takes corrective action.

VII. External Dissemination of Policy (41 CFR 60-300.44(f) and 41 CFR 60-741.44(f))

DMA provided written notification of DMA's EIP regarding the employment of protected veterans and individuals with disabilities to all current subcontractors, vendors, and suppliers on October 31, 2022, and will continue to do so on an annual basis. DMA will also provide such written notification to new subcontractors, vendors, and suppliers upon entering into a relationship with them.

DMA informs its recruiting sources of its policy concerning the employment of qualified protected veterans and individuals with disabilities and will notify them of employment opportunities as they become available. DMA actively recruits and refers qualified persons for job opportunities.

Pursuant to the requirements under 41 C.F.R. §60-300.5 and 41 C.F.R. §60-741.5, DMA will include the equal opportunity clause concerning the employment of qualified protected veterans and individuals with disabilities in all non-exempt contracts, subcontracts and purchase orders or modifications, renewals and extensions of existing contracts, subcontracts and purchase orders.

VIII. Outreach and Positive Recruitment (41 CFR 60-300.44(f) and 41 CFR 60-741.44(f))

a. DMA's Outreach and Positive Recruitment Activities

DMA has always engaged in positive outreach and recruitment for protected veterans and individuals with disabilities as required by Office of Federal Contract Compliance Programs (OFCCP) regulations. Outreach and recruitment activities may include job fairs focused on veteran populations or those with disabilities; working with state agencies that help provide employment placement of individuals with disabilities or veterans, using an established recruitment outreach listing of resources that promote employment opportunities with veteran and individuals with disabilities populations among other recruitment activities. DMA is also considering teaming with the [Disabled Veterans' Outreach Program Specialists \(DVOPS\) & Local Veterans' Employment Representatives \(LVERs\)](#) in the area to explore the creation of an on-the-job training and mentorship program for protected veterans and individuals with disabilities. DMA will also explore if there are any disability inclusive groups or websites that attract applicants with disabilities.

DMA will document each outreach and recruitment activity to comply with the requirements of the applicable regulations and will evaluate the effectiveness of its efforts.

During an assessment, DMA will evaluate the results of each outreach and recruitment activity in the 12-month look-back period using the following criteria, which includes data collected under 41 CFR 60-300.44(k) and 41 CFR 60-741.44(k), to see if it is producing measurable results:

1. To what extent did the activity attract qualified protected veterans and individuals with disabilities
2. To what extent did the activity result in the hiring of qualified protected veterans and individuals with disabilities?
3. To what extent did the activity expand DMA's outreach to protected veterans and individuals with disabilities in the community?
4. To what extent did the activity increase DMA's capacity/capability to include protected veterans and individuals with disabilities in its workforce?

If DMA concludes that the totality of its efforts were not effective in identifying and recruiting qualified protected veterans and individuals with disabilities, DMA will explore and implement alternative outreach and recruitment methods. DMA will document its outreach and recruitment activities and its assessments of these activities and retain these documents pursuant to Section XVI (Recordkeeping).

IX. Internal Dissemination of Policy [41 CFR 60-300.44(g)] and [41 CFR 60-741.44(g)]

DMA has developed internal procedures to communicate its obligation to engage in affirmative action efforts to employ and advance in employment qualified protected veterans and individuals with disabilities. DMA's procedures are designed to foster understanding, acceptance, and support among all employees and to encourage them to help DMA meet this obligation.

DMA makes copies of this document and other equity and inclusion plans available for inspection to any employee or applicant upon request and posts them, along with EEO posters, throughout its facilities and office work areas, as well as on its website. DMA will also incorporate Equity and Inclusion and equal employment opportunity policies into the DMA Employee Manual when finalized and will update this manual as needed. The policies are available to all employees on the DMA website.

DMA managers and supervisors are provided with affirmative action and EEO training upon taking their management roles and are reminded annually of these policies.

X. Audit and Reporting System [41 CFR 60-300.44(h)] and [41 CFR 60-741.44(h)]

The DMA Director of Human Resources has the responsibility for developing and preparing the formal documents of the EIP. The Director of Human Resources is responsible for the effective implementation of the EIP; however, responsibility is likewise vested with each directorate manager and supervisor.

DMA will conduct an annual audit of personnel activities to ensure such activities are free from discrimination against, or stereotyping of, protected veterans and individuals with disabilities in any manner. The audit will strive to measure the effectiveness of the EIP, indicate any need for remedial action, determine the degree to which objectives have been obtained and measure compliance with specific obligations.

During the self-audit, the following activities may be reviewed:

- Recruitment, advertising, and job application procedures;
- Implementation of hiring, promotion, upgrading, award of tenure, layoff, and recall from layoff practices;
- Rates of pay and any other forms of compensation including fringe benefits;
- Job assignments, job classifications, job descriptions, and seniority lists;
- Implementation of reasonable accommodation policies and procedures;
- Awarding of sick leave, leaves or absence, or implementation of any other leave policies;
- Participation in training, mentoring, or apprenticeship programs, and attendance at professional meetings and conferences; and
- Application of any other term, condition, or privilege of employment, including participation in company-sponsored educational, training, recreational, and social activities.

The following documents are maintained pursuant to Section XVI (Recordkeeping) as a component of DMA's internal audit process:

1. Documentation of self-audit;
2. Summary data of personnel activity including external job offers and hires, promotions, resignations, terminations, and layoffs relating to protected veterans and individuals with disabilities [withheld from distribution or public inspection to ensure confidentiality]; and
3. An applicant flow log showing the name, protected veteran status, disability, date of application, job title, interview status and the action taken for all individuals applying for job opportunities. This documentation shall be held confidential.

XI. Responsibility for Implementation of AAP [41 CFR 60-300.44(i)] and [41 CFR 60-741.44(i)]

The Director of Human Resources has been designated to direct the activities of the EIP. His/her identity should appear on all internal and external communications regarding the EIP. The Director has the full support of The Adjutant General (TAG) and has the responsibility for designing and ensuring the effective implementation of DMA's EIP. These responsibilities include, but are not limited to:

1. The development of the EIP for protected veterans and individuals with disabilities, policy statements, personnel policies and procedures, internal and external communication of the policy, and monitoring the effectiveness of these actions.
2. Reviewing and updating this EIP on an annual basis pursuant to 41 CFR 60-300.40-42 and 41 CFR 60-741.40-42.
3. Reviewing all personnel actions, policies, and procedures to ensure compliance with DMA's equity and inclusion obligations.
4. Reviewing the qualifications of all applicants and employees considered/eligible for hiring promotion, transfer, or layoff/reduction in force to ensure qualified protected veterans and individuals with disabilities are treated in a nondiscriminatory manner when hiring, promotion, transfer, or layoff/reduction in force occur.
5. Developing solutions for any identified problem areas.
6. Auditing the contents of company bulletin boards to ensure that required information is posted and up-to-date.
7. Serving as a liaison between DMA and outreach and recruitment sources for protected veterans and individuals with disabilities.

The Director may delegate some of the responsibilities to the Deputy Director or other members of the Human Resources/Equity Inclusion Team as appropriate.

XII. EEO and EIP Training [41 CFR 60-300.44(j)] and [41 CFR 60-741.44(j)]

Managers, supervisors, and human resources staff involved in recruiting, screening, selection, promotion, disciplinary, and other related employment processes receive annual training regarding DMA's EIP and their role in its implementation.

During the annual training, managers and supervisors are advised of their responsibilities under DMA's EIP for protected veterans and individuals with disabilities and of their obligations to:

- Assist in the identification of problem areas, formulate solutions, and establish departmental goals and objectives when necessary;
- Ensure qualified applicants and employees who are protected veterans and individuals with disabilities are treated in a nondiscriminatory manner in all employment practices, including when making selection decisions, such as for hire, promotion, training, or to receive awards or bonuses;
- Provide reasonable accommodation to the known physical or mental limitations of qualified disabled veterans and individuals with disabilities unless such accommodation would impose an undue hardship on the conduct of its business;
- Maintain confidentiality of any information regarding self-identification of protected veteran status; and
- Ensure that nondiscrimination is adhered to in all personnel activities.

XIII. Applicant and Hiring Data [41 CFR 60-300.44(k)] and [41 CFR 60-741.44(k)]

[Withheld from distribution or public inspection to ensure confidentiality]

DMA collects employee data pertaining to protected veterans and individuals with disabilities in order to assess the effectiveness of the company's outreach and recruitment efforts. DMA invites applicants to voluntarily inform the company whether they believe they are protected veterans and individuals with disabilities in compliance with the VEVRAA requirements. All such data is retained pursuant to Section XVI (Recordkeeping).

XIV. Hiring Benchmarks (41 CFR 60-300.45)

a. Establishment of Hiring Benchmark

DMA has adopted the national percentage of veterans and individuals with disabilities in the civilian labor force provided by OFCCP, currently 5.5%, as its hiring benchmark for the 2023 EIP year. In its EIP update on January 1, 2024, DMA will analyze its success in hiring protected veterans during the course of this EIP year based on this benchmark and use that analysis as one of the criteria in its assessment of the effectiveness of its outreach and recruitment efforts.

XV. Recordkeeping (41 CFR 60-300.80 and 41 CFR 60-741.80)

Pursuant to the requirements under 41 C.F.R. §60-300.80 and 41 C.F.R. §60-741.80, DMA maintains all personnel or employment records made or kept by it for a period of at least two years from the date of the making of the record or the date of the personnel action involved, whichever occurs later, except as noted. These records include the following:

- (1) Records relating to requests for reasonable accommodation;
- (2) Results of any physical examination;
- (3) Job advertisements and postings;
- (4) Applications and resumes;
- (5) Tests and test results;
- (6) Interview notes; and
- (7) Other records having to do with hiring, assignment, promotion, demotion, transfer, lay-off, termination, rates of pay or other terms of compensation, and selection for training or apprenticeship.

If DMA receives notice that a complaint of discrimination based on status as a protected veteran or individual with a disability has been filed, that a compliance review under VEVRAA, as amended, or Section 503, as amended, has been undertaken, or that an enforcement action under the laws has been initiated, DMA shall preserve all personnel records relevant to the complaint, compliance review, or enforcement action until its final disposition.

Pursuant to Section 503 and VEVRAA regulations, the following records will be maintained for three years:

- (1) Evaluation of outreach and recruitment efforts required by 41 C.F.R. 60-300.44(f) and 41 C.F.R. 60-741.44(f)(4);
- (2) Data collection analysis required by 41 C.F.R. 60-300.44(k) and 41 C.F.R. 60-741.44(k); and
- (3) VEVRAA hiring benchmark required by 41 C.F.R. 60-300.45(c).

Records identified in this Section may have to be retained for a longer period of time pursuant to applicable record retention schedules.