

Beacon Group, LLC
Staffing & HR Solutions

**AFFIRMATIVE ACTION PLANS:
ACCESS TO EMPLOYMENT PROCESURES**



This form doesn't help without time to follow-through options carefully.

The laws are constantly changing and changes may apply which are not shown in this sample. Consult with an HR professional and/or attorney for questions about a specific situation. When you become a Beacon Group client, the laws for this particular topic may apply differently to your organization.

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Government contractors are required to make their employment processes accessible to individuals with disabilities and to special disabled veterans. This means that the personnel office, training programs, counseling facilities, job posting systems, and other employment services must be designed so that they can be used by people with physical disabilities.

Often the accommodations needed to provide accessibility entail such measures as modifying parking areas, eliminating steps, remodeling restrooms, lowering telephones, installing Braille signs, and adding an elevator. Under the regulations, accommodations of this kind are mandatory unless they would impose undue hardship on the conduct of the employer's business. The Office of Federal Contract Compliance Programs has rarely, if ever, exempted a contractor from the accessibility responsibility on the basis of hardship.

A contractor may use alternatives to full accessibility, but the OFCCP does not encourage their use unless the removal of architectural barriers is absolutely impossible. However, the regulations require only that the employment process and job opportunities be accessible. Thus, if the building is inaccessible but the employment process is conducted by mail and the interview is conducted at some other accessible site, the regulations would not be violated.

AUDIT CHECKLIST: Accessibility of buildings or facilities

In order to determine what accessibility is required, it is first necessary to analyze the employer's situation to determine which buildings or facilities are used during the employment process. The following questions should generate the needed information:

- 1. Are applications being accepted? If there is no active employment process under way, the inaccessibility of the process is irrelevant.
- 2. Where are people actually hired? If there are multiple locations, each should be examined individually.
- 3. Do people fill out application forms at the facility? Access to the facility may not be required if hiring is done only through a third party or if applicants only send in resumes by mail.
- 4. Do applicants make appointments or simply drop by? If appointments are always made, the employer can make special arrangements when the need arises.
- 5. Is visitor parking provided? If visitor parking is provided, at least one space should be accessible as defined in the applicable standard (ANSI A117.1). If visitor parking is not provided, the alternatives should be explored, since the automobile is the primary means of transportation for mobility-impaired people.
- 6. Do people come by any other mode than automobile? If there is accessible public transportation, the path from the transportation stop to the facility should be accessible, having no steps.
- 7. Are applicants interviewed by a personnel specialist? If so, where does the interview take place? The answer to this question will help determine what areas must be accessible. Alternatively, the interviewer could be moved to an accessible area.
- 8. Are applicants given a tour? This question also helps define areas that should be accessible.
- 9. Are applicants introduced to prospective supervisors at the job site? This practice, common in industry, may expand the number of areas that should be accessible.

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- _____ 10. How long are applicants on site for each visit? The length of the visit determines the need for accessible restroom facilities. If a visit takes more than 30 minutes, restroom facilities should be accessible, but this rule-of-thumb is contingent on the availability of accessible facilities in the surrounding area.
- _____ 11. Has an applicant ever been hired without setting foot on the premises? If this were the case and it occurred with any regularity, an alternative to accessibility might be appropriate.
- _____ 12. Is there even one job in the facility that a person who uses a wheelchair could do if minor accommodations were made? While not all accessibility problems involve wheelchairs, accommodation of wheelchairs usually takes care of most major access problems.
- _____ 13. When was the last time there was an opening for the kind of job(s) named in response to the last question? Zero turnover in the foreseeable future or the existence of a seniority system may mean, in effect, that there are no job openings of this kind. There would be no hiring process.

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