



Lawrence Berkeley National Laboratory

**EXECUTIVE ORDER 11246
AFFIRMATIVE ACTION PROGRAMS (AAP)**

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**AAP FOR COVERED VETERANS AND
PERSONS WITH DISABILITIES**

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Lawrence Berkeley National Laboratory

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The material set forth in the AAP is deemed to constitute trade secrets, operations information, confidential statistical data, and other confidential commercial and financial data, within the meaning of the Freedom of Information Act, U.S.C. 552, Title VII of the Civil Rights Act of 1964 (as amended), 42 U.S.C. 2000e et seq., the Trade Secrets Act, 18 U.S.C. 1905, and 44 U.S.C. 3508, the disclosure of which is prohibited by law and would subject the individual making the disclosure to criminal and/or civil sanctions.



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Under the Affirmative Action obligations imposed by Section 503 of the Rehabilitation Act of 1973 and Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), as amended, it is the policy of Lawrence Berkeley National Laboratory (LBNL) to provide Equal Employment Opportunities and to advance in employment qualified individuals with a disability as well as qualified protected veterans. This policy is designed to employ and advance all qualified individuals with a disability and qualified protected veterans at all levels of employment, including the executive level. LBNL's policy of providing Equal Employment Opportunities to qualified persons with a disability and qualified protected veterans shall apply to all employment practices including, but not limited to: upgrading, demotion or transfer, layoff or termination, rates of pay or other forms of compensation, and selection for training. The company attempts to comply with all of the rules, regulations, and relevant orders of the Secretary of Labor and the Office of Federal Contract Compliance Programs (OFCCP), issued pursuant to Section 503 of the 1973 Rehabilitation Act and the 1974 Vietnam Era Veterans' Readjustment Assistance Act, as amended. LBNL's Affirmative Action Program for qualified persons with a disability and qualified protected veterans is reviewed and updated annually. If there are any significant changes in the company's procedure, or if employee rights or benefits are modified as a result of an annual updating, these changes are communicated to employees and to applicants for employment.

On a strictly voluntary basis, LBNL invites all qualified protected veterans who are either employees or applicants (after a conditional offer of employment has been made) for employment, and employees who have a disability, and who wish to benefit under LBNL's Affirmative Action Program to identify themselves to either their immediate supervisor or to the Diversity & Inclusion Manager (***Appendix G, Self-Declaration Form***). Any individual who identifies himself/herself will not be subjected to any form of harassment or retaliation based on his/her status or self-identification. Further, this self-identification will be kept confidential.

Employees and applicants shall not be subjected to harassment, intimidation, threats, coercion or discrimination because they have engaged in or may engage in any of the following activities: (1) filing a complaint; (2) assisting or participating in an investigation, compliance review, hearing, or any other activity related to the administration of Section 503 of the Rehabilitation Act of 1973, as amended, VEVRAA, as amended, or any other Federal, State or local law requiring equal opportunity for disabled persons or qualified protected veterans or; (3) opposing any act or practice made unlawful by Section 503 of the Rehabilitation Act of 1973, VEVRAA or its implementing regulations in this part or any other Federal, State or local law requiring equal opportunity for disabled persons or for qualified protected veterans; or (4) exercising any other right protected by Section 503 of the Rehabilitation Act of 1973, or its implementing regulations in this part or any other right protected by VEVRAA or its implementing regulations in this part.

II. REVIEW OF PERSONNEL PROCESSES 41.C.F.R. §§ 60-250.44(b); 60-300.44(b); 60-741.44(b)

Personnel Practices and Procedures

Lawrence Berkeley National Laboratory (LBNL) reviews annually its personnel processes to determine whether its present procedures ensure careful, thorough and systematic consideration of the qualifications of known qualified individuals with disabilities and qualified protected veterans. This review covers all procedures related to the filling of job vacancies either by hire or by promotion, as well as all training opportunities offered or made available to employees.

In determining the qualifications of veterans, LBNL limits its consideration of a qualified protected veteran's military record, including discharge papers, to only that portion of the record, which is relevant to the specific job qualifications for which the veteran is being considered.

HR Staff involved in recruitment, screening, selection, promotion, disciplinary, and related processes are carefully selected and trained to ensure that the commitments in the Laboratory's Affirmative Action Program are implemented.

Based upon LBNL's review of its personnel processes, LBNL will modify the personnel processes when necessary, and will include the development of new procedures in this Affirmative Action Program to ensure Equal Employment Opportunity.

III. Physical and Mental Qualifications 41.C.F.R. §§ 60-250.44(c); 60-300.44(c); 60-741.44(c)

The physical and mental job qualifications of all jobs have been reviewed and are reviewed as new ones are established to ensure that, to the extent that such qualification requirements tend to screen out qualified individuals with disabilities and qualified disabled veterans, job qualifications are consistent with business necessity and the safe performance of the job.

No qualification requirements were identified which had a screening effect. All job qualification requirements were found to be job-related and consistent with business necessity and safety. LBNL will continue to review physical and mental job qualification requirements whenever a job is vacated and the company intends to fill it through hiring, promotion or transfer and will conduct a qualifications review whenever job duties change.

If at any time LBNL should inquire into an employee's physical or mental condition or should conduct a medical examination prior to a change in employment status, LBNL affirms that information obtained as a result of the inquiry will be kept confidential, except as otherwise provided for in Section 503 of the Rehabilitation Act of 1973 regulations. The results of the examination or inquiry will be used in accordance with the aforementioned regulations:

1. Supervisors, managers, and company officials may be informed regarding restrictions and accommodations for the work or duties of individuals with a disability.
2. Employees familiar with first aid may be informed, where and to the extent appropriate, if an individual with a disability might require emergency treatment.
3. OFCCP officials investigating compliance with either the 1973 Rehabilitation Act or VEVRAA, as amended.

IV. Reasonable Accommodation to Physical and Mental Limitations 41 C.F.R §§ 60-250.44(d); 60-300.44(d); 60-741.44(d)

LBNL will make every effort to provide reasonable accommodations to physical and mental limitations of applicants and employees with disabilities or who are disabled veterans unless it can demonstrate that the accommodations would impose an undue hardship on the operation of business, taking into account the impact of the accommodation on LBNL's ability to conduct business, the nature and net cost of the accommodation needed, the overall financial resources for providing reasonable accommodation, and the impact of the accommodation on the ability of other employees to perform their duties.

Internal and external applicants can request accommodation by telephone at 510-486-4232, by email to accommodation@lbl.gov or by U.S. mail at EEO/AA Office, One Cyclotron Road, MS90R-2121, Berkeley, CA 94720. For employees, the following are examples of accommodations that may be made:

Job Restructuring

LBNL will accommodate a qualified individual with a disability by carefully reviewing the employee's abilities and limitations and making every effort to provide appropriate accommodation that is reasonable so that the employee can perform the essential functions of his or her present position.

Flexible Work Hours

It is LBNL's policy to make flexible working hours available to all employees through the implementation of flextime which allows employees to redistribute their work hours within a framework defined by management. Flextime makes it possible for LBNL to accommodate the special needs of employees with a disability (i.e., time off for rehabilitative treatment or therapy).

Reasonable Accommodation and Disability Management

LBNL has a Return-to-Work Specialist/ADA Coordinator to provide consultation in job modification, job transfer, and transitional-duty and return-to-work services to employees who are medically restricted from performing all the essential functions of their job. The Specialist may assist with disability management, and also acts as facilitator to HR staff, supervisors and managers during the interactive process to determine reasonable accommodation of qualified employees with disabilities.

The Return-to-Work Specialist/ADA Coordinator is available to employees and to their departments for consultation on the specifics of reasonable accommodation, Americans with Disabilities Act (ADA) & Fair Employment & Housing Act (FEHA). Written guidelines for implementing the employment provisions of the ADA and FEHA are available to administrators, managers, and supervisors at LBNL via the Return-to-Work Procedures posted on Health Services' website.

Return-to-Work Procedure and Policy

LBNL's Return-to-Work Procedure defines the role of the employee, supervisor and the department head. Where possible and medically indicated, the worker is returned to work by providing transitional or temporary restricted-duty work. This program is coordinated with the assistance of the Integrated Disability Management's Return-to-Work Specialist, Benefits Coordinator, as well as Health Services' Clinical Staff.

Transitional Return-To-Work (TRTW) Program

The procedure and guidelines for implementing the Transitional Return-to-Work (TRTW) Program for employees who have temporary, restricted-duty limitations and have a medical release to return to work is posted on Health Services' website.

Integrated Disability Management Group (Health Services)

LBNL's Integrated Disability Management Group in Health Services provides consultation in the coordination of disability benefits and medical leaves of absences. The group includes the Disability Management Analyst, the Family Medical Leave Act (FMLA) Disability Leave Coordinator and the Return-to-Work Specialist/ADA Coordinator. The team approach ensures the application of all available resources at the Laboratory to the job accommodation and stay-at-work/return-to-work efforts, while ensuring the coordination of all benefits for the employee.

Special Selection Procedure

LBNL has initiated a special selection procedure which provides employees who can no longer perform their usual and customary duties due to medical reasons with a preferential access to open positions for which they are qualified. The procedure involves a coordinated multidisciplinary effort for both industrial and non-industrial cases. The process is outlined in the Return-to-Work Procedure.

Employee Assistance Program (EAP)

CARE Services, the Laboratory-contracted Employee Assistance Program, is available to all employees, their spouses or domestic partners, and their dependents. Non-LBNL employees, such as UC faculty, Graduate Student Research Assistants, and students will be connected to their appropriate campus resources. CARE Services provides free and confidential assistance for personal, emotional, and work-related challenges that include: anxiety, depression, relationship or family difficulties, problems with children or teenagers, alcohol, drug, gambling, or other addictions, work-related stress or conflict, organizational and job challenges, workplace violence concerns, traumatic events, grief, and loss, financial pressures, domestic abuse, health and disability concerns, balancing work and personal demands, elder and dependent adult care concerns.

LBNL maintains a medical service facility to treat injuries and minor ailments and to advise employees on conditions that should be discussed with or treated by an outside physician or through a referral to the EAP. The Laboratory's EAP programs and services are posted on the Health Services' website.

Sign-Language Interpreting Services

A purchase order was initiated in FY83 and has been renewed annually to provide interpreting services for hearing-impaired Laboratory employees and job applicants. This blanket purchase order utilizes the services of Purple Languages Services. Upon request, the agency will send out an interpreter and charge the Laboratory for the services rendered.

Tele-communication Devices for the Deaf

Telecommunications Devices for the Deaf (TDD), acquired by LBNL several years ago, are now being used by hearing-impaired employees. When a person is making a telephone call, the phone receiver is placed on the TDD and a signal is carried over the telephone lines. The person being called is alerted when the light on the device goes on. The message can be read either from an LCD display or printout of the conversation. By having the TDD available, hearing-impaired employees can call in to report absences or convey other necessary information to their supervisors; conversely, they can be reached at home, if necessary.

Technical Assistance

Advice and technical assistance on proper placement, training, and accommodation possibilities for qualified workers with a disability may be sought from the State of California Department of Rehabilitation, social service agencies, and nonprofit organizations like the Center for Independent Living (CIL) that serve individuals with disabilities. For example, for advice on assistive devices and sign language interpreters for hearing-impaired employees or applicants, the Laboratory utilizes external the services.

Purchase Orders

To ensure all its subcontractors and suppliers know of and prescribe to its policy, the Laboratory, consistent with the requirements of the regulations implementing Executive Order 11246, Section 503 of the Rehabilitation Act of 1973, and Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of , as amended, has incorporated clauses in its procurement documents (including requests for quotations, purchase orders, and subcontracts – *see Appendix F, Contract Compliance*) that prohibit unlawful discrimination; promote equal employment opportunity and affirmative action in employment for women and minorities, persons with a disability, and covered veterans; and encourage utilization of small businesses owned and controlled by socially and economically disadvantaged individuals.

Disabled Lift

A disabled lift is available for use by persons with a disability for access from the parking lot to the Cafeteria and Building 70.

Shuttle Bus

LBNL's shuttle bus service provides all bus operators with training on transporting passengers with special needs. Providing such a service complies with the requirements of the Rehabilitation Act of 1973, which specifies that a contractor must make services available to other individuals with disabilities, unless the contractor can show that the accommodations would create an undue hardship on the business.

Parking Spaces

At some locations, there are parking spaces identified as reserved for persons with a disability. In addition, reserved parking privileges for employees with a physical disability may be authorized by LBNL's Parking Services Manager when the need is verified by the Laboratory's Health Services staff.

LBNL Lactation Room Locations:

Below is a list of buildings with a lactation room for employees that are nursing. Each lactation room comes with a comfortable couch or chair. The rooms come with a locking door or curtain to allow for privacy. Water and/or electrical outlet are either in the room or nearby. Buildings with Designated* Lactation Rooms that satisfy all requirements come with chair, locking door, sink, and electrical outlet. Lactation rooms in other locations will be established as the need arises. See Also Policies and Services in Support of Employees.

Designated* Lactation Locations

- Bldg 90-30453rd Floor - Women's Restroom annex – newly remodeled lactation room
- Bldg. 978-4243 (JBEI) - 'Quiet Room' designated for lactation; sink located in break room across the hall
- Bldg. 977-2nd Fl (Potter Street) - women shower area which has a locking door
- Building 62-331A - 3rd floor women's restroom annex
- Building 83-106 - women's restroom shower/locker area

Facility Modification

LBNL has evaluated the accessibility of facilities commonly shared by guests and employees. As a result of this evaluation, the following facilities were made ADA compliant by administrative or structural changes:

- Building 50, Administration
- Building 50, Auditorium
- Building 54, Cafeteria
- Building 65, Reception Center

The Facilities Division is responsible for design and construction of new buildings, additions, and modifications. All new facilities will be constructed in full compliance with Title 24 of the California Administrative Code, which includes ADA requirements.

Disability-Accessible Buildings at LBNL

Completed projects covering new facilities and modifications to existing facilities designed to meet the then-current barrier-free access requirements for persons with a disability are shown below:

Building	Description
2	Access, Toilets and Parking
3	Access, Toilets, Automatic Door, Parking
6	Light Source Addition - Access, Toilets and Parking
15	Toilets, Automatic Door, Parking
16	Addition - Access
26	Health Services - Access, Toilets and Parking
31	Access, Toilets and Parking
46	Access, Toilets and Parking
46A	Access, Toilets and Parking
48	Fire Station – Access, Toilets and Parking
50	Auditorium Access, Toilets, Wheelchair Clearance and Parking
50A, 50B, 55, 70A, 72 and 90	Elevator Improvements and Control Panels
50A, 50B, 50E, and 50F	Access, Parking and Toilets; Access to and Toilet for Auditorium
50C	Access and Parking
54	Cafeteria - Access, Toilets and Parking
55	Access, Toilets and Parking
62	Access, Toilets and Parking
65	Reception Center Access and Toilets
66	Access, Toilets and Parking
67	Access, Toilets and Parking
69	Access, Toilets and Parking
70	Access, Toilets and Parking
70A	Access, Toilets and Parking
71	Second Floor - Access
72	ARM Addition - Access, Toilets, and Parking in Support Laboratory
74	Laboratory Addition - Access and Parking
75B	Access, Toilets and Parking
77	Access and Women's Toilet
77A	Phase I - Access and Parking
83	Access, Toilets and Parking
90	Access, Toilets and Parking
90	Trailer Complex - Access, Toilets and Parking
Phone Access	Various Locations at the Laboratory
Shuttle Buses	Equipped with AA Accessibility

V. HARASSMENT PREVENTION PROCEDURES
41 C.F.R §§ 60-250.44(e); 60-300.44(e); 60-741.44(e)

Employees of and applicants to Lawrence Berkeley National Laboratory will not be subject to harassment, intimidation, threats, coercion, or discrimination because they have engaged or may engage in filing a complaint, assisting in a review, investigation, or hearing or have otherwise sought to obtain their legal rights related to any Federal, State, or local law regarding EEO for qualified individuals with disabilities or qualified protected veterans.

Any employees or applicants who feel that they have been subject to harassment, intimidation, threats, coercion, or discrimination because of their disability or status as a qualified protected veteran should contact the Diversity & Inclusion Office or Employee/Labor Relations (ELR) Office for assistance. This policy is posted for employees and applicants to view.

VI. DISSEMINATION OF POLICY, OUTREACH, AND POSITIVE RECRUITMENT 41 C.F.R. §§ 60-250.44(g); 60-300.44(g); 60-741.44(g)

A. Internal Dissemination of Policy

LBNL undertakes affirmative action regarding women and minorities, individuals with disabilities, and covered veterans¹. Pursuant to 41 C.F.R Part §60-250.44(e), §60-300.44(e) and §60-741.44(e), LBNL has developed and implemented procedures to ensure employees are not harassed due to their status as a covered veteran or individual with a disability. These measures include stating the LBNL's nondiscrimination and harassment policies in LBNL's Regulations and Procedures Manual (RPM), addressing nondiscrimination and harassment in supervisor and manager training courses, and providing a variety of formal and informal complaint resolution options.

The Laboratory policy on Nondiscrimination prohibits discrimination against or harassment of any persons employed by or seeking employment with the Laboratory on the basis of race, color, national origin, religion, sex, gender, gender expression, gender identity, pregnancy², physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services.³ This policy applies to all employment practices, including recruitment, selection, promotion, transfer, merit increase, salary, training and development, demotion, and separation. This policy is intended to be consistent with the provisions of applicable State and Federal laws and Laboratory policies.

LBNL policy prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. This policy also prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliations include threats, intimidation, reprisals, and /or adverse actions related to employment.

LBNL disseminates its Equal Employment Opportunity/Affirmative Action policies both internally and externally through the following practices:

¹ Covered veterans includes veterans with disabilities, recently separated veterans, Vietnam era veterans, veterans who served on active duty in the U.S. Military, Ground, Naval or Air Service during a war or in a campaign or expedition for which a campaign badge has been authorized, or Armed Forces service medal veterans.

² Pregnancy includes pregnancy, childbirth, and medical conditions related to pregnancy or childbirth.

³ Service in the uniformed services includes "service in the uniformed services" as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as well as state military and naval service.

Posters

In commonly used areas, EEO/AA labor notifications are posted in areas where they can readily be seen by employees and job candidates. Among these notices are (a) the U.S. Department of Labor poster which informs applicants and employees in English and in Spanish of employment rights of Qualified Individuals with a Disability and covered veterans on the Family Medical Leave Act, (b) the U.S. Equal Employment Opportunity Commission's poster "Equal Employment Opportunity is the Law," and (c) Department of Fair Employment and Housing poster in English and Spanish prohibiting discrimination in employment.

Availability of plan

This written Affirmative Action Program for covered veterans and qualified individuals with a disability is available for all employees or job applicants upon request during regular business hours at the Diversity & Inclusion Office. A copy of the program is posted on the LBNL's website.

Update

The Affirmative Action Program is reviewed and updated annually. If there are any significant changes in procedures, rights or benefits as a result of the annual updating, those changes will be communicated to employees and applicants for employment.

Responsibility for Implementing Policy.

Refer to *Section VIII, Responsibility for Implementation* .F.R. §§ 60-250.44(i); 60-300.44(i); 60-741.44(i)

B. External Dissemination of Policy

Publications

The commitment to affirmative action is publicized by setting forth the policy statement annually and in material/publications used for recruitment purposes. Reasonable Accommodation is described in the Regulations & Procedures Manual (RPM) which includes information on special selection procedures for employees with a disability.

Recruiting Sources

LBNL enlists numerous recruiting sources, including targeted internet sites, non-profit organizations, state agencies and relevant publications. Recruiters also participate in on-going job fairs targeting Veterans and persons with disabilities.

To augment its efforts related to the employment and advancement of qualified individuals with a disability and/or covered veterans, LBNL conducts outreach through the State of California Employment Development Department (EDD), Department of Rehabilitation, educational/training agencies, and organizations for individuals with a disability and covered veterans.

2011 COMMUNITY /RECRUITMENT OUTREACH ACTIVITIES

2011	Veterans/Disabled Community Outreach
June	<ul style="list-style-type: none"> • <i>6/29 Department of Rehabilitation, Mock Interview(s)</i>. As part of the HR Community Outreach Initiative for Individuals with Disabilities, HR staff conducted a one day Mock Interview workshop for participants from the Department of Rehabilitation. The workshop provided participants feedback and tips and techniques on how to interview for a job.
July	<ul style="list-style-type: none"> • <i>7/5 Swords to Plowshares (STP) Orientation Resume Writing Workshop</i>. As part of the HR Community Outreach for Veterans: HR Staff attended the STP Orientation in an effort to learn more about the organization and the clients it serves. • <i>7/8 Swords to Plowshares (STP) Resume Writing Workshop</i>. HR Staff conducted a resume writing workshop for STP at its Oakland office. Veterans learned how to write and format your resume, job search vs. applicant tracking guidelines, and networking tips.
September	<ul style="list-style-type: none"> • <i>9/12 Wounded Warrior Project Hired Director Gwen Ford</i> gave a talk on the types of programs and services her organization provides to disable veterans. • <i>9/23 Department of Rehabilitation – Job Placement Circle</i> provides Employers access to qualified, ready-to-work jobseekers to create staffing solutions. LBNL recruiters gave a brief introduction of the types of jobs available at the lab and met with DOR participants.
November	<ul style="list-style-type: none"> • <i>11/30 UCB Veterans Outreach program – recruiting</i>. In partnership with Program Director Ron Williams of the UC Berkeley Re-entry and Student Veterans Services Program, Berkeley Lab staff held an information session with the Cal student veterans. Resume workshop with Dept of Rehab (cancelled)

LBNL will continue to enlist the assistance and support of appropriate recruiting sources, including State Employment Development Department, vocational rehabilitation agencies or facilities, college disabled students' placement offices, educational/ training agencies, and organizations of or for individuals with a disability and covered veterans.

In addition to the activities previously mentioned, the Laboratory continues to utilize the following measures to promote equal employment opportunity/affirmative action for qualified individuals with a disability and covered veterans.

Compensation 41 C.F.R. §§ 60-250.21(i); 60-300.21(i); 60-741.21(i)

Offers of Employment

The Laboratory does not reduce the amount of compensation in its employment offers to disabled individuals and covered veterans due to disability income, pension, or any other benefit.

Benefits

Employees who are covered veterans or who have disabilities receive the same benefits as other employees.

Training and Educational Opportunities

Employees with known disabilities and covered veterans are provided the opportunity to participate in all company sponsored educational, training, recreational, and social activities.

VII. AUDIT AND REPORTING SYSTEMS

41 C.F.R. § 60-2.17(d); 41 C.F.R. §§ 60-250.44(h); 60-300.44(h); 60-741.44(h)

LBNL maintains an audit and reporting system to determine overall compliance with its equal employment opportunity mandates and to respond to any specific complaints applicants or employees file with the Laboratory. Overall responsibility for the implementation of the Laboratory's equal employment opportunity programs and for affirmative action compliance activities is assigned to the Laboratory's Diversity & Inclusion Manager.

Employment records of individual HR actions on qualified individuals with disabilities and covered veterans are maintained. The Human Resources (HR) Department maintains all manual files on HR actions. The Human Resources Information System (HRIS) Group in HR maintains electronic files on HR actions. Records of numbers of individuals with disabilities and covered veterans involved in HR actions are maintained.

LBNL has implemented an audit and reporting system that measures the effectiveness of the affirmative action programs that indicates any need for remedial action and measures compliance with specific program obligations. If any aspect of the affirmative action program is found to be deficient, the Laboratory will undertake necessary action to bring the program into compliance.

Self-Analysis, Internal Audit & Job Qualification Requirements

On an ongoing basis, as job requisitions are received, Human Resources Department staff reviews the physical and mental job qualification standards of each position to ensure qualifications are job-related for the position in question, and are consistent with business necessity. As required by the Americans with Disabilities Act (ADA) and the Fair Employment & Housing Act (FEHA), all job postings identify essential and marginal job requirements.

Data Records

LBNL captures and can identify HR actions of individuals with disabilities and covered veteran job applicants and employees. LBNL maintains records of complaints involving employees with disabilities and covered veterans for at least one year.

VIII. RESPONSIBILITY FOR IMPLEMENTATION
41 C.F.R. §§ 60-250.44(i); 60-300.44(i); 60-741.44(i)

A. Responsibilities of Diversity & Inclusion Manager:

The Diversity & Inclusion Manager is responsible for the overall execution, implementation and monitoring of the Affirmative Action Program for qualified persons with a disability and qualified protected veterans with the support of all management.

Those responsibilities shall include, but not be limited to, the following:

1. The development of the AAP for individuals with disabilities and qualified protected veterans, policy statements, personnel policies and procedures, internal and external communication of the policy, and monitoring the effectiveness of these actions;
2. Reviewing all personnel actions, policies, and procedures to ensure compliance with Lawrence Berkeley National Laboratory's Affirmative Action obligations;
3. Reviewing the qualifications of all applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner when hiring, promotion, transfer and termination actions occur;
4. Assisting in the identification of problem areas and the development of solutions to those problems;
5. Monitoring the effectiveness of the program on a continuing basis through the development and implementation of an internal audit- and reporting- system that measures the effectiveness of the program.
6. Keeping management informed of equal opportunity progress and problems within the company through, at a minimum, periodic reports;
7. Providing department managers with a copy of the AAP for Qualified Individuals with Disabilities and Qualified Protected Veterans and reviewing the program with them on an annual basis to ensure knowledge of their responsibilities for implementation of the program;
8. Reviewing the company's AAP for qualified individuals with disabilities and qualified protected veterans with all managers and supervisors at all levels to ensure that the policy is understood and is followed in all personnel activities;
9. Auditing the contents of company bulletin boards annually to ensure that compliance information is posted and is up-to-date;
10. Serving as a liaison between Lawrence Berkeley National Laboratory and enforcement agencies; and
11. Serving as a liaison between Lawrence Berkeley National Laboratory and organizations for individuals with disabilities and protected veterans.

B. Responsibilities of Managers and Supervisors:

Managers and supervisors are advised annually of their responsibilities under the company's AAP for qualified individuals with disabilities and qualified protected veterans and of their obligations to:

1. Review the company's Affirmative Action policy for qualified individuals with disabilities and qualified protected veterans with subordinate managers and supervisors to ensure that they are aware of the policy and understand their obligation to comply with it in all personnel actions;
2. Assist in the identification of problem areas, formulate solutions, and establish departmental goals and objectives when necessary;
3. Review the qualifications of all applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner when hire, promotion, transfer, and termination actions occur; and
4. Review all employees' performance to ensure that non-discrimination is adhered to in all personnel activities.

IX. TRAINING

41 C.F.R. §§ 60-250.44(j); 60-300.44(j); 60-741.44(j)

All personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes shall be trained to ensure that the commitments in the company's Affirmative Action Program are implemented.