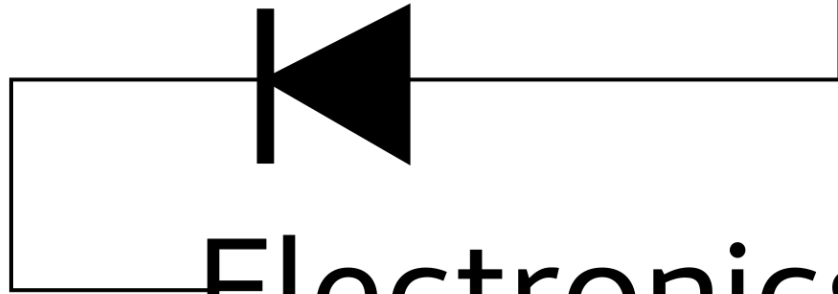


American



Electronics

Since 2015

# Employee Handbook

February 8, 2018

## **Welcome Letter**

### **Welcome to American Electronics!**

Whether you recently joined our team or you're an established team member, we are confident that you will enjoy our dynamic, innovative and rewarding company.

This manual serves as a guide to policies and procedures for employer/employee relationships and should be used as a guideline to understanding your rights and responsibilities as a valued team member.

We believe that each employee's contributions directly affect our growth and productivity. We look forward to having you as a part of our team and thank our current employee's for their hard work.

Welcome,

Human Resources, American Electronics

## **Table of Contents**

<a href="#"><u>Purpose Statement</u></a>	4
<a href="#"><u>Professionalism</u></a>	5
<a href="#"><u>EEOC Statement</u></a>	5
<a href="#"><u>Evaluation</u></a>	6
<a href="#"><u>Attendance Policy</u></a>	6
<a href="#"><u>Inclement Weather</u></a>	7
<a href="#"><u>FMLA</u></a>	8
<a href="#"><u>USERRA</u></a>	9
<a href="#"><u>Jury Duty</u></a>	10
<a href="#"><u>General Discipline</u></a>	11
<a href="#"><u>Sexual Harassment</u></a>	12
<a href="#"><u>Alcohol and Substance Abuse</u></a>	13
<a href="#"><u>Signature</u></a>	14
<a href="#"><u>Additional Information</u></a>	15

## **Purpose Statement**

This American Electronics employee handbook establishes policies, procedures, and working conditions that will be followed by all American Electronics employees as a condition of their employment at the company.

This American Electronics employee handbook is not a contract of employment; it is not intended to create contractual obligations for American Electronics of any kind.

The policies and procedures outlined in this handbook will be applied at the discretion of American Electronics. American Electronics reserves the right to deviate from the policies, procedures, and working conditions described in this handbook.

Furthermore, American Electronics reserves the right to withdraw or change the policies, procedures, and working conditions described in this handbook at any time, for any reason, and without prior notice.

American Electronics will make every effort to notify employees when an official change in policy or procedure has been made but employees are responsible for their own up-to-date knowledge about American Electronics policies, procedures, and working conditions.

No provision in this employee handbook and expected standards of conduct can be waived without written permission from American Electronics' president, or designee.

American Electronics strives to provide an employee-friendly environment in which goal-oriented individuals thrive as they achieve ever more demanding challenges. American Electronics commitment to serving customers and to providing quality services at competitive prices is unwavering.

American Electronics values the talents and abilities of our employees and seeks to foster an open, cooperative, and dynamic environment in which employees and American Electronics can thrive. American Electronics provides an open-door policy in which employees are encouraged to take problems to the next level of management if they are unable to resolve a situation with their current supervisor.

Your employment with American Electronics is a voluntary one, and is subject to termination by you or American Electronics at will, with or without cause, and with or without notice, at any time.

The only exception to this policy is a written employment agreement approved at the discretion of the President of American Electronics.

## **Professionalism**

All employees will be expected to behave in a professional manner at all times during work. As part of this, the following activities are prohibited during work hours, excluding breaks:

- Personal phone calls
- Cell phone use (excluding business-related calls and messages)
- Internet access not related to tasks currently being performed

A minimal dress code is also enforced:

- No open-toed shoes
- Excessive and/or obscene tattoos must be covered
- No obscene text or graphics on clothing
- No hats or hooded shirts

Failure to abide by these policies will be considered grounds for disciplinary action.

---

## **EEOC Statement**

The EEOC enforces Title VII of the Civil Rights Act of 1964 (Title VII) which prohibits employment discrimination based on race, color, religion, sex, or national origin. This Enforcement Guidance is issued as part of the Commission's efforts to eliminate unlawful discrimination in employment screening, for hiring or retention, by entities covered by Title VII, including private employers as well as federal, state, and local governments.

It is the policy of American Electronic to provide equal employment opportunities to all qualified persons, and to recruit, hire, train, promote, and compensate persons in all jobs without regard to race, color, religion, sex, national origin, disability, gender identity, or sexual orientation.

## **Evaluation**

American Electronics has evaluations on several levels throughout employment. There are One-on-One meetings done monthly, an evaluation after 90 days and biannual. All evaluations must have a human resources representative present.

One-on-One meetings will be held monthly between an employee and their immediate supervisor. Some topics that could be discussed at a One-on-One meeting are:

- Project updates
- Project goals
- Feedback

An evaluation will be held after a 90 day period, after that it will be held biannually. This evaluation will be between an employee, their immediate supervisor, and a human resources representative. Some topics that could be discussed at an evaluation are:

- Work performance
- Feedback
- Personal Goals

---

## **Attendance Policy**

All employees must notify their supervisor by phone or email before the scheduled start time of their shift if they will be late or absent for their shift. If an employee is late or absent without notice, the following actions will be taken:

- First offense: Verbal warning
- Second and third offense within 60 days: Written warning
- Fourth offense within 60 days: 24-hour unpaid suspension
- Fifth offense within 60 days: 7-day unpaid suspension
- Sixth offense within 60 days: Termination

In addition, any employee that is not present for three consecutive shifts without notice is considered to have abandoned their position and will be subject to termination.

## **Inclement Weather**

American Electronics recognizes the fact that inclement weather and other emergencies can affect the company's ability to open for business and the employee's ability to get work done. The safety of our employees is paramount in any emergency situation.

### **Company Closure**

- Over a foot of snow falls
- Electricity is out
- Heat in the winter is not available
- Flooding affects transportation
- The governor declares a weather emergency and asks people to stay off the roads

### **Pay for Employees**

During the time when American Electronics is closed, exempt employees will receive their full salary for their normal hours worked for up to one work week.

Nonexempt employees and interns will receive their hourly pay for their normally scheduled hours for up to one work week. Meaning, if an employee's normal work hours are 40 in one work week, the employee will receive their hourly pay for 40 hours. If an intern's normal schedule calls for 10 hours, the employer will pay for 10 hours. **NO OVERTIME WILL BE PAID TO ANY EMPLOYEE DURING THIS TIME.**

For an unlikely emergency that extends beyond one work week, at the end of the one work week, employees will be expected to use paid time off to cover additional days the company may be closed to ensure that they continue to receive their pay. **NO OVERTIME WILL BE PAID TO ANY EMPLOYEE DURING THIS TIME.**

### **Notification**

In an emergency, managers will make every effort to notify employees by phone of the closure through departmental call trees. The closing will be announced by local radio and television stations, employees will be emailed, and the closing will be posted on the website.

All of these assume that all or some employees have access to electricity and phones. Employees are encouraged to own, for example, a radio that runs on batteries so that they do not lose contact with the outside world. But, in a regional power outage, recognize that the employer's best efforts to notify employees of the closure may not work.

When the employer is unable to notify employees of the closure, employees are asked to use common sense and make their best assessment of the safety and practicality of the situation. In a regional power outage, for example, employees will know that the company is likely to have no power. If 18' of snow falls, employees should come into work only if they can make it safely.

NO PRESSURE IS EXTENDED FROM THIS EMPLOYER, AMERICAN ELECTRONICS, AT ANY TIME, THAT WOULD ENCOURAGE EMPLOYEES TO TAKE UNSAFE CHANCES TO ATTEND WORK.

---

## **FMLA**

### **When can I use FMLA Leave?**

If you work for an employer that is covered by the FMLA, and you are an eligible employee, you can take up to 12 weeks of FMLA leave in any 12-month period for a variety of reasons, including:

#### Serious Health Condition

You may take FMLA leave to care for your spouse, child or parent who has a serious health condition, or when you are unable to work because of your own serious health condition. The most common serious health conditions that qualify for FMLA leave are:

- Conditions requiring an overnight stay in a hospital or other medical care facility.
- Conditions that incapacitate you or your family member (for example, unable to work or attend school) for more than three consecutive days and require ongoing medical treatment (either multiple appointments with a health care provider, or a single appointment and follow-up care such as prescription medication).
- Chronic conditions that cause occasional periods when you or your family member are incapacitated and require treatment by a health care provider at least twice a year.
- Pregnancy (including prenatal medical appointments, incapacity due to morning sickness, and medically required bed rest).

#### Military Family Leave

The FMLA also provides certain military family leave entitlements. You may take FMLA leave for specified reasons related to certain military deployments. Additionally, you may take up to 26 weeks of FMLA leave in a single 12-month period to care for a covered service member with a serious injury or illness.

#### Expanding Your Family

You may take FMLA leave for the birth of a child and to bond with the newborn child, or for the placement of a child for adoption or foster care and to bond with that child. Men and women have the same right to take FMLA leave to bond with their child but it must be taken within one year of the child's birth or placement and must be taken as a continuous block of leave unless the employer agrees to allow intermittent leave (for example, a part-time schedule).



## **How Do I Request FMLA Leave?**

To take FMLA leave, you must provide your employer with appropriate notice. If you know in advance that you will need FMLA leave (for example, if you are planning to have surgery or you are pregnant), you must give your employer at least 30 days advance notice. If you learn of your need for leave less than 30 days in advance, you must give your employer notice as soon as you can (generally either the day you learn of the need or the next work day). When you need FMLA leave unexpectedly (for example, if a family member is injured in an accident), you **MUST** inform your employer as soon as you can. You must follow your employer's usual notice or call-in procedures unless you are unable to do so (for example, if you are receiving emergency medical care). While you do not have to specifically ask for FMLA leave for your first leave request, you do need to provide enough information so your employer is aware it may be covered by the FMLA. Once a condition has been approved for FMLA leave and you need additional leave for that condition (for example recurring migraines or physical therapy appointments), your request must mention that condition or your need for FMLA leave. If you don't give your employer enough information to know that your leave may be covered by the FMLA, your leave may not be protected. You do not have to tell your employer your diagnosis, but you do need to provide information indicating that your leave is due to an FMLA-protected condition (for example, stating that you have been to the doctor and have been given antibiotics and told to stay home for four days).

---

## **USERRA**

USERRA protects civilian job rights and benefits for veterans and members of the military reserve. It establishes the cumulative length of time that an individual may be absent from work for military duty and retain reemployment rights (up to five years.) USERRA also protects disabled veterans, and the employer must provide a reasonable effort to place the employee in a comparable position.

USERRA requires that returning service members are reemployed in the job that they would have had if they not been absent for military service, with the same seniority, status and pay, as well as other rights and benefits determined by seniority. The company may also be required to provide retraining.

USERRA does not discriminate against a person's past, present, or future employment opportunities.

An employer must re-employ service members returning from a period of service if they meet these criteria:

- The employee must have been absent from their employment and in active status in military service.
- The employee must provide an advance notice to the employer before leaving for military service, if possible.
- The absence of the employee must not be more than five years.
- The employee must not be discharged from their active duty in the military services due to dishonorable conduct.
- If possible, the employee must report back to the employer within a reasonable time.

The time limits for returning to work are as follows: following an absence of 30 days or less, report back to your next regularly scheduled shift. You must take an eight hour rest period before you return to your employer. If absent between 31 and 180 days, you must reapply no later than 14 days after you have returned from military service. If you have left for 181 days or more, you must apply no more than 90 days after returning from service. If you have injuries resulting from being in active service, these time periods may be extended to up to two years.

---

## **Jury Duty**

American Electronics recognizes that jury duty is a civic responsibility of our employees. You must provide a copy of the jury summons to Human Resources and your manager within one day of receiving the summons.

Occasionally, the summons to jury duty will occur at a time when the employee or employer might experience a significant impact on customers or staffing from the loss of the employee to jury duty. In these instances, the employer may write a letter to the court requesting the postponement of the employee's jury duty.

American Electronics provides paid leave when an employee must serve on a jury. Due to Iowa law, jurors receive \$30 a day for serving up to seven days and are entitled to reimbursement for travel to and from the courthouse, and for parking expenses. Jurors receive \$50 per day for each day that exceeds seven days of jury duty. We will compensate your salary or hourly wage while serving on jury duty.

State law limits the circumstances for which the court may excuse a person from jury duty. A person has the right to be excused from service if the person submits written documentation to the court's satisfaction that:

- The person is solely responsible for the daily care of a person with a permanent disability living with the person's home and that performance of jury service would cause substantial risk of injury of the health of the disabled person; or
- The person is breast feeding her child and is not employed outside the home.

In order to be excused from jury service, you should file a written request with the clerk of court as soon as possible after you receive the summons to serve.

Iowa law prohibits American Electronics from threatening an employee or terminating the employment of the employee due to serving or being called to serve as a juror.

## **General Discipline**

### 1. VERBAL WARNING

- Employee will be given a verbal warning regarding the undesirable behavior or action.
- Employee will be given an explanation of when and how the behavior or action took place. This will include the reason as to why the behavior or action was unacceptable
- Employee will be given an opportunity to explain the situation and their actions. This should be his/her opportunity to give their side of the story.
- Employee will be given a description the desirable and/or acceptable behavior or actions.
- Employee will be informed that further disciplinary action, up to and including termination, will follow if unacceptable behavior continues.

### 2. WRITTEN WARNING

- Employee will be given a written warning regarding his/her undesirable behavior or action in the event that the behavior or action had either been discussed in a previous verbal warning or the behavior or action was considerably severe in nature.
- Employee will be given an explanation of when and how the undesirable behavior or action took place. This will include the reason why the behavior or action was unacceptable.
- Employee will be given an opportunity to explain the situation and his/her actions. This should be his/her opportunity to give their side of the story.
- Employee will be given a description of the desirable and/or acceptable behavior or actions.
- Employee will be provided with a copy of the written warning and another will be placed in the employee's file.
- Employee will sign the document as proof that he/she has received it.
- Employee will be explained that future disciplinary problems will be addressed with further progressive disciplinary actions up to and including termination.

### 3. SUSPENSION

- Employee will be given written documentation regarding the suspension in relation to the undesirable behavior or action in the event that the behavior or action had either been discussed in a previous verbal or written warning or the behavior or action was considerably severe in nature.
- The documentation will include information on the offence and the length of the term of suspension and why the employee has been suspended.
- Employee will be given an explanation of when and how the undesirable behavior or action took place. This will include the reason why the behavior or action was unacceptable.
- Employee will be given a description of the desirable and/or acceptable behavior or actions.
- Employee will be provided a copy of the suspension and another copy will be placed in the employee's file.
- Employee will sign the document as proof that he/she has received it.
- Employee will be explained that future disciplinary problems will be addressed with further progressive disciplinary actions up to and including termination.

### 4. TERMINATION

- Employee will be given written documentation regarding his/her termination and the undesirable behavior or action leading to and justifying the termination.

- Documentation should include information on the offence and previous disciplinary communications with the employee.
- Employee will be given a description of when and how the unacceptable behavior or action took place. This will include the reason why the behavior or action was unacceptable.
- Employee will be given a description of the desirable and/or acceptable behavior or actions.
- Employee will be provided with a copy of the termination notice and another copy will be placed in the employee's file.
- Employee will be escorted from the location maintaining the dignity of the terminated employee by not making obvious to other employees that the employee has been terminated and for what reasons.

---

## **Sexual Harassment**

### **Objective**

American Electronics is committed to respecting human rights. We respect human rights by seeking to avoid infringing on the rights of others and working to address adverse human rights impacts with which we are involved. American Electronics also commits to promoting human rights. We do this by harnessing the beneficial power of technology to help realize and sustain human rights everywhere. We expect employees, partners, suppliers, customers and governments to share this commitment to ensure that information technology and our business respects and promotes human rights.

### **Sexual Harassment**

Sexual harassment is discrimination and is illegal under federal, state, and local laws. For this policy, "Sexual Harassment" is defined as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual is used as the basis for an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, or hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual Harassment may include subtle and not-so-subtle behaviors or acts that may involve individuals of any gender. Depending on circumstances these behaviors may include, but is not limited to, unwanted sexual advances, requests for sexual favors, sexual jokes, verbal abuse of sexual nature, commentary about an individual's body; leering, whistling or touching, insulting or obscene comments or gestures, display sexually suggestive objects or pictures in the workplace, and other physical, verbal or visual conduct of a sexual nature.

## **Reporting**

American Electronics encourages reporting of all perceived incidents of sexual harassment. Individuals who believe that they have been the victim of such conduct should contact their immediate supervisor or any human resources employee.

## **Procedure**

Individuals who perceive that they have been victims of conduct prohibited by this policy or have witnessed such conduct should discuss their concerns with their immediate supervisor or any human resources employee.

American Electronics encourages the prompt reporting of complaints or concerns so that quick and effective action can be taken. There is no fixed reporting period, and early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of sexual harassment.

Any reports will be taken seriously and will be promptly investigated. The investigation may include individual interviews with the parties involved, and, if necessary, with individuals who may have observed the conduct or may have other relevant knowledge.

American Electronics will maintain confidentiality throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting sexual harassment or for participating in the investigation of sexual harassment is a serious violation of this policy and will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

## **Discipline**

Misconduct constituting sexual harassment or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling, or disciplinary action such as a warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as American Electronics believes appropriate under the circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to American Electronics executive director or chief operating officer.

False and malicious complaints of sexual harassment (as opposed to complaints that, even if erroneous, are made in good faith) may be subject of appropriate disciplinary action.

---

## **Alcohol and Substance Abuse**

American Electronics is a drug and alcohol free workplace. Using, being under the influence of, or the sale of drugs or alcohol while at work is unacceptable behavior and leads to the inability to perform work safely and in turn exposes your co-workers to an unsafe working environment.

## American Electronics Employee Handbook

The use, possession, distribution or sales of controlled substances such as drugs or alcohol, being under the influence of such controlled substances (Drugs or Alcohol) or testing positive for any illegal drugs or alcohol is strictly prohibited while on company property as well as while operating company equipment or vehicles.

Our company participates in pre-employment drug screening as well post-accident and random drug and alcohol testing. If you become injured on company property or in company vehicles, you are expected to participate immediately following the injury. Disciplinary actions will follow upon positive test results for drugs or alcohol.

## American Electronics Employee Handbook

I have read and been informed about the content, requirements, and expectations of all policies for employees at American Electronics. I have received a copy of the policy and agree to abide by the policy guidelines as a condition of my employment and my continuing employment at American Electronics.

I understand that this handbook's policies are intended only as guidelines, not as a contract of employment. I understand that my employment is on "at-will" terms and therefore subject to termination, with or without notice or obvious reason, by myself or American Electronics. Changes to my "at-will" status may only take the form of a written agreement signed by an authorized member of American Electronics as well as myself. This agreement supersedes all prior/contemporaneous inconsistent agreements.

I understand that if I have questions, at any time, regarding the policies, I will consult with my immediate supervisor or a human resources staff member.

I understand that American Electronics may change its policies, procedures and benefits at any time at its discretion, as well as interpret or vary them however it deems appropriate.

I have read and agree to abide by all policies and procedures contained herein.

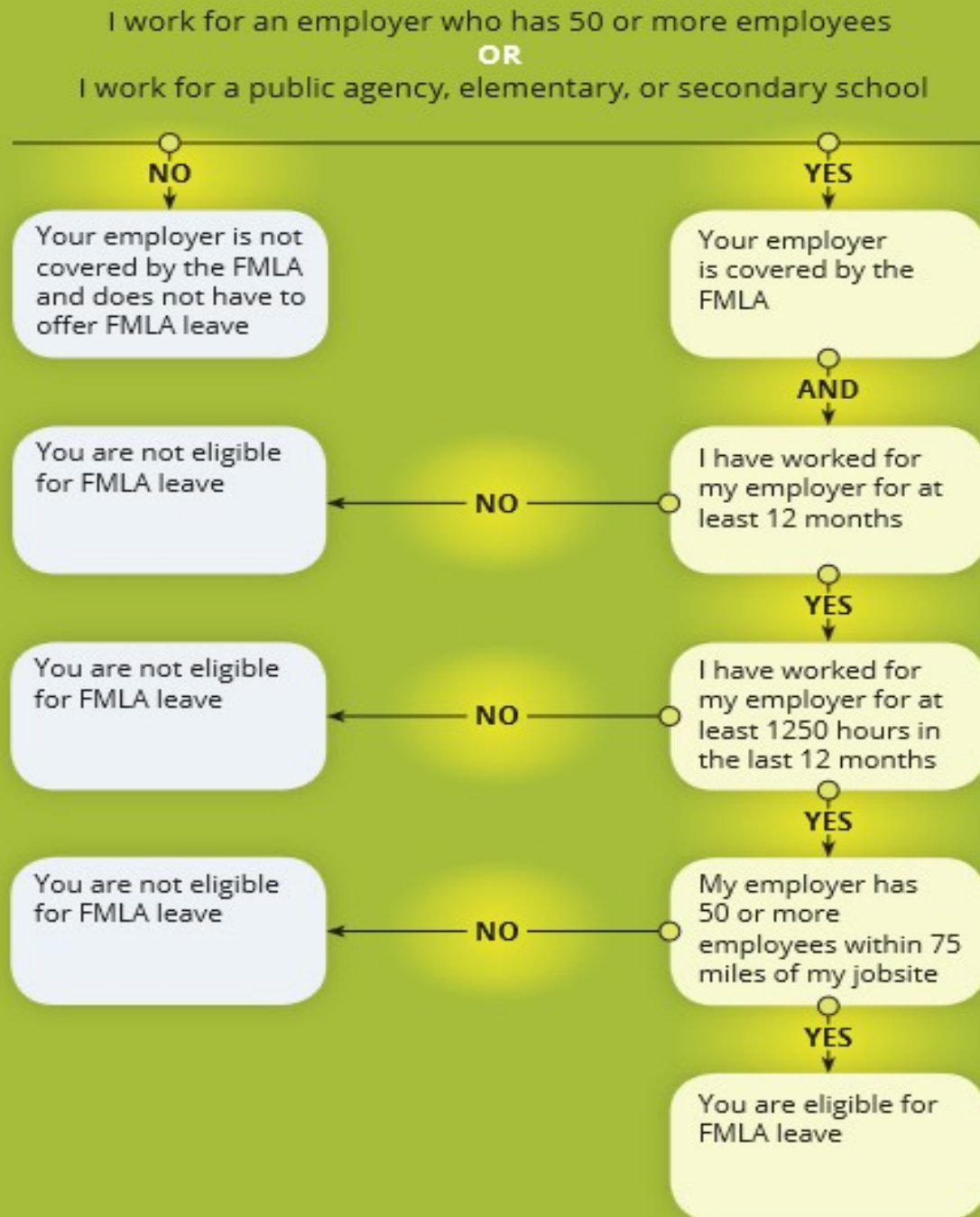
Employee Signature: \_\_\_\_\_

Employee Printed Name: \_\_\_\_\_

Receipt By: \_\_\_\_\_

Date: \_\_\_\_\_

# Am I Eligible for FMLA Leave?





## **USERRA Checklist**

<b>Service Member Obligations</b>	<b>Yes</b>	<b>No</b>	<b>Reference</b>
<b>1.</b> Did you hold a job other than one that was brief, nonrecurring? (Exception would be discrimination cases.)			<i>See: "Who's Eligible for Reemployment?" on page 4.</i>
<b>2.</b> Did you notify the employer that you would be leaving the job for military training or service?			<i>See: "Advance Notice" on page 5.</i>
<b>3.</b> Did you exceed the 5-year limit on periods of service? (Exclude exceptions identified in the law.)			<i>See: "Duration of Service" on page 5.</i>
<b>4.</b> Were you discharged under conditions other than disqualifying under section 4304?			<i>See: "Disqualifying Service" on page 8.</i>
<b>5.</b> Did you make an application or report back to the pre-service employer in a timely manner?			<i>See: "Reporting Back to Work" on page 9.</i>
<b>6.</b> When requested by your employer, did you provide readily available documentation showing eligibility for reemployment?			<i>See: "Documentation Upon Return" on page 11.</i>
<b>7.</b> Did your military leave exceed 30 days and did you elect to continue health insurance coverage?			<i>See: "Health Benefits" on page 22.</i>

# Equal Employment Opportunity is THE LAW

## Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

### **DISABILITY**

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

### **AGE**

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

### **SEX (WAGES)**

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

### **GENETICS**

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

### **RETRALIATION**

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

### **WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED**

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected:

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments), EEOC field office information is available at [www.eeoc.gov](http://www.eeoc.gov) or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at [www.eeoc.gov](http://www.eeoc.gov).

---

## Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

### **INDIVIDUALS WITH DISABILITIES**

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

### **DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS**

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within

three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

### **RETALIATION**

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at [OFCCP-Public@dol.gov](mailto:OFCCP-Public@dol.gov), or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

---

## Programs or Activities Receiving Federal Financial Assistance

### **RACE, COLOR, NATIONAL ORIGIN, SEX**

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

### **INDIVIDUALS WITH DISABILITIES**

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.