



Veterans and Disability Survey Request FAQ

Q: *Why am I being asked to designate my veterans and disability status in employment?*

A: On September 24, 2013, the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) published a Final Rule that makes changes to the regulations implementing Section 503 of the Rehabilitation Act of 1973 and VEVRAA. As a Federal Contractor, the University of Wisconsin Green Bay is required by law to collect and survey information from all employees on their veterans and disability status. These new regulations became effective on March 24, 2014. You can view the new regulations on the OFCCP Web site at www.dol.gov/ofccp/503Rule & www.dol.gov/ofccp/VEVRAARule.

Q: *Why did the Federal Government revise its VEVRAA (veterans' compliance) regulations?*

A: The Federal Government revised the VEVRAA regulations to update and strengthen contractors' (UW Green Bay is a federal contractor) affirmative action and nondiscrimination responsibilities. The framework articulating a contractor's responsibilities with respect to affirmative action has remained unchanged since the VEVRAA implementing rules were first published in 1976. Meanwhile, increasing numbers of veterans are returning from tours of duty in Iraq, Afghanistan, and other places around the world, and many face substantial obstacles to finding employment upon leaving the service. Gulf War-era II veterans, in particular, have an unemployment rate far higher than the national average.

- In 2012, according to BLS data on the employment situation of veterans for that year, about 2.6 million of the nation's veterans had served during Gulf War-era II. The unemployment rate for this category of veterans was 9.9 percent, compared to nonveterans at 7.9 percent.
- In this same year, the unemployment rate for male Gulf War-era II veterans age 18 to 24 was 20.0 percent, higher than the rate for nonveterans of the same age group (16.4 percent).

Several factors contribute to limiting the ability of veterans to seek, find, keep, and thrive in jobs. The existence of an outdated framework that does not reflect the realities of today's workplace is one factor. Other factors include, bias or discrimination, the inability of employers to translate military skills and abilities, process and institutional barriers, and data collection issues. These all contribute to veterans being underutilized in the federal contractor workforce.

Addressing the barriers veterans face upon returning to civilian life is the focus of a number of federal efforts, including these revised VEVRAA regulations. The new regulations will help to ensure that contractors: have the data they need to measure and tailor their outreach and recruitment of veterans; and take other necessary actions to employ and advance in employment these veterans.

As a federal contractor, the new regulations require that UW-Green Bay strive to establish an 8% hiring benchmark for veterans.

Q: Why did the Federal Government revise its Section 503 (disability) regulations?

A: The Federal Government revised the Section 503 regulations to update and strengthen contractors' (UW Green Bay is a federal contractor) affirmative action and nondiscrimination responsibilities. The framework articulating contractors' Section 503 responsibilities has been in place since the 1970's. However, both the unemployment rate of working age individuals with disabilities and the percentage of working age individuals with disabilities that are not in the labor force remain significantly higher than for those without disabilities. A substantial disparity in the employment rate of individuals with disabilities continues to persist despite years of technological advancements that have made it possible for people with disabilities to apply for and successfully perform a broad array of jobs.

Several factors contribute to limiting the ability of individuals with disabilities to seek, find, keep, and thrive in jobs. The existence of an outdated framework that does not reflect the realities of today's workplace or current disability rights law; the persistent unemployment and underutilization of individuals with disabilities; and certain institutional and process barriers are all limiting factors. It is these factors, and others, that highlight the need for new regulations.

As a federal contractor, the new regulations require that UW-Green Bay strive to establish a workforce that includes 7% who identify as having a disability.

Q: Who will have access to this information?

A: Responses to this survey are confidential, and your response can only be accessed by the Office of Human Resources professionals who create the affirmative action plan.

Q: Do the new regulations require that employers elicit voluntary employee self-identification for their veterans and disability status?

A: Yes. There is now a requirement that contractors regularly invite all of their employees to voluntarily self-identify as an individual with a disability using the self-identification form provided by the Federal Government. Contractors must invite their employees to self-identify every five years, beginning the first year that they become subject to the Section 503 & VEVRAA voluntary self-identification requirements. In addition, at least once during the years between these invitations, contractors must remind their employees that they may voluntarily update their disability status at any time.

Through the new invitation and reminder to employees to self-identify, contractors can capture data on employees who become disabled while employed, as well as those with existing disabilities or veterans' status who may feel more comfortable self-identifying once they have been employed for some time. It also allows contractors to monitor and improve their practices regarding placement, retention, and promotion.

Q: Is the form I am completing for self-identification of a disability the same as a request for an accommodation due to a disability?

A: No. The form you are completing through self-service is not the same as a request for an accommodation. Federal law requires employers to provide reasonable accommodations to qualified individuals with a disability. If you would like to request a reasonable accommodation, that process can be initiated by completing and submitting this [form](#) to the Office of Human Resources.

Q: What will this information be used for?

A: A Federal Contractor's obligations and requirements have been increased to include veterans and individuals with disabilities. This information will be included as part of an Affirmative Action plan to develop a statistical analysis of whether an organization needs to increase their outreach and inclusion efforts. Personal information on specific individuals will not be disclosed as part of the Affirmative Action plan or process of information dissemination.

Q: I believe I have a disability but it isn't listed on the survey. How were the disabilities listed on the form chosen and can we change them? How do I know if I have a disability?

A: The form that we are using to ask employees to self-identify was created by the Federal Government and by law cannot be modified. Employers were not consulted on the list of disabilities indicated and have no control over the ones that were chosen for the form. The listing of disabilities on the form is not meant to be all-inclusive however, and is just listing some examples. There are many more disabilities than are indicated on the form itself.

According to the Americans with Disabilities Act, an individual with a disability is a person who:

- Has a physical or mental impairment that substantially limits one or more major life activities;
- Has a record of such impairment: or
- Is regarded as having such an impairment that is not both transitory and minor.

Do you have another question that we didn't answer? Contact the Human Resources Office. We are happy to help!