

THE UNIVERSITY OF ALABAMA IN HUNTSVILLE
EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY
INTERIM

Number 01.03.02

Division Office of the President – Title IX/EEO Office

Date January 17, 2013; Reviewed/Revised April 25, 2025

Purpose The University of Alabama in Huntsville (“UAH” or “University”) is committed to compliance with all applicable laws regarding the concept and practice of equal opportunity and non-discrimination (including anti-retaliation and reasonable accommodation) in all aspects of its employment practices and educational programs and activities.

Policy **EQUAL OPPORTUNITY**

UAH provides equal opportunity in education and employment for all qualified persons regardless of race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, pregnancy, age, genetic or family medical history information, disability, protected veteran status, or any other legally protected basis. UAH makes educational and employment decisions based only on individuals' abilities and qualifications. UAH does not discriminate on the basis of a physical or mental disability or an individual's status as a protected veteran with regard to application for employment or any terms and conditions of employment, provided the individual is qualified, with or without reasonable accommodations, to perform the essential functions of the job.

All personnel actions and educational programs and activities shall be administered in accordance with this Policy.

These prohibitions against discrimination apply to recruitment, application, selection, hiring, appointment, transfer, demotion, promotion, tenure, job assignment, classification, compensation, benefits, leaves of absence, sick leave or any other leave, job training and development, tuition assistance, participation in UAH sponsored education, social, and recreational programs and activities, discharge, layoff, and/or any other term, condition, or privilege of employment or education.

NON-DISCRIMINATION NOTICE

UAH complies with applicable laws, UA System Board Rules, and institutional policies prohibiting protected class discrimination or harassment and related retaliation. Applicable laws, rules, and policies include, but are not limited to, those specified in the “Authority” section of this Policy. In these respects, the University affirms its desire to create a work environment for all employees and

a learning environment for all students that is fair, humane, and responsible - an environment that supports and rewards career and educational goals on the basis of such relevant factors as ability and employment or academic performance.

With regard to students, such discrimination and/or harassment is unlawful when it unreasonably interferes with or limits the student's ability to participate in or benefit from services, activities, or privileges provided by the educational institution. A violation also occurs when, through such harassment, an educational institution has created or is responsible for a hostile learning environment so severe, pervasive, or persistent that it adversely affects the student's ability to participate in or benefit from the institution's educational program.

REASONABLE ACCOMMODATION

The University will provide reasonable accommodation for applicants or employees with disabilities to perform the essential job functions of their position unless the accommodation would impose an undue hardship on the University. The Title IX/EEO Office, Office of Human Resources, and the hiring/employing department/unit are responsible for working collaboratively to identify and implement reasonable accommodations whenever and wherever such accommodations are possible without undue hardship to the University.

The University will provide reasonable accommodation to students with disabilities, upon request and where such accommodation does not present an undue hardship for the university or fundamentally alter the nature of the educational program or activity, for access to educational programs and activities. The University's Title IX/EEO Office, Disability Support Services, Academic Affairs, Athletics, and Student Affairs offices, as appropriate to the request, are responsible for working collaboratively to identify and implement reasonable accommodations whenever and wherever such accommodations are possible without undue hardship to the University or without fundamentally altering the nature of the program or activity.

Pregnancy Accommodations

Employees: In accordance with the Pregnant Workers Fairness Act (PWFA) and any other relevant law or University policy, UAH will provide reasonable accommodations to qualified employees with known limitations related to pregnancy, childbirth, or related medical conditions, unless doing so would cause undue hardship to University programs, activities, or operations.

Students: Eligible students who are pregnant or have pregnancy-related conditions may request reasonable modification from the Title IX / EEO Office. UAH will provide reasonable accommodation unless doing so would cause undue hardship to University programs, activities, or operations.

Religious Beliefs

UAH provides reasonable accommodations for sincerely held religious beliefs or practices of employees, applicants, or students unless doing so would

create an undue hardship on the conduct of UAH programs, activities, or operations.

Employees: Employees should submit religious accommodation requests through the Human Resources Office.

Students: Students may request an accommodation related to their religious belief from the Title IX / EEO Office, which will coordinate such requests with the relevant University educational program offices.

INDIVIDUALS WITH DISABILITIES AND PROTECTED VETERANS

To further ensure the UAH commitment to equal employment opportunity, UAH, as a federal contractor, complies with applicable laws, regulations, executive orders, and government directives. UAH has taken and will continue to take, consistent with applicable laws, action in the employment context to recruit, employ, advance, and not discriminate against qualified individuals with disabilities and protected veterans. UAH's compliance with Federal laws should not be construed as a justification to extend a preference to any individual, select an individual, or adversely affect an individual's employment status on the basis of that person's race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, pregnancy, age, genetic information, disability, protected veteran status, or any other legally protected basis.

Review of Individuals with Disabilities Plan or Protected Veterans Plan

UAH prepares annual plans for protected veterans and individuals with disabilities. Those plans are available for inspection upon request and during regular business hours in the Title IX / EEO Office located on campus in Shelbie King Hall room 358; titleix@uah.edu; (256) 824-7854.

Voluntary Self-Identification

To gather data necessary to report on and perform any data analysis required by applicable law, UAH invites: (i) job applicants to voluntarily self-identify their disability status or protected veteran status at the pre-offer stage of the hiring process; (ii) job applicants to voluntarily self-identify their disability or veteran status at the post-offer stage of the hiring process, and (iii) employees to voluntarily self-identify their disability or protected veteran status post-employment.

Employees are also periodically reminded of the invitation to self-identify. Voluntary self-identification forms can be found on the UAH Human Resources web site. The information is requested on a voluntary basis and will be used and kept confidential in accordance with federal law. Refusal to provide this information will not subject any applicant or employee to any adverse treatment. The information is used solely for inclusion in action plans and for other legally required reporting purposes; therefore, individuals who self-identify as having a disability who also require reasonable accommodations to apply to or perform the essential functions of their job must follow UAH's applicant or employee procedures for requesting

reasonable accommodations, which are accessible on the Human Resources web site.

ANTI-RETALIATION AND ENFORCEMENT

The University prohibits retaliation against employees or students who engage in protected activities. Protected activities include making, in good faith, a complaint of discrimination or harassment, assisting others in making a complaint, otherwise opposing such acts or practices, or participating in an investigation, proceeding, or lawsuit. Threats, intimidation, reprisals, and/or other adverse actions related to one's employment or academic status constitute retaliation if they may dissuade a reasonable employee or student from exercising his/her right to complain about perceived discrimination or harassment. Consult the Duty to Report and Protection from Retaliation Policy (06.09.03) for additional information.

A University employee or student who is found, under established University policies, to have been guilty of discriminatory or retaliatory conduct with respect to another member of the campus community in violation of these policies will be subject to discipline, up to and including possible dismissal or expulsion, by the University.

Potential violations of this policy will be evaluated from the perspective of a reasonable person in the complainant's situation, taking into account the totality of the circumstances. The University may consider discriminatory conduct, including but not limited to harassment, occurring off campus as a violation of this policy, when the effects of such discriminatory conduct may affect the campus educational or work environment.

Complaints of sex discrimination and sexual harassment, and any other complaint falling under Title IX, are handled through the institutional Title IX Sex Discrimination, Sexual Exploitation, Sexual Harassment, and Sexual Violence Policy (01.03.01; "Title IX Policy").

AUTHORITY

These commitments are designed to meet nondiscrimination and action requirements imposed by federal and state sources of legal or regulatory obligation, University of Alabama System Board Rules, and University policies. These statutory authorities include, but are not limited to: Titles VI and VII of the Civil Rights Act of 1964 (as amended); Title IX of the Education Amendments of 1972 (Title IX); Sections 503 and 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990 (ADA); the Equal Pay Act of 1963; the Age Discrimination in Employment Act of 1967; the Age Discrimination Act of 1975; the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRA); the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA); the Immigration Reform and Control Act of 1986; the Genetic Information Nondiscrimination Act of 2008; the U.S. Constitution; the Alabama Age Discrimination in Employment Act of 1997; and the Alabama Constitution of 1901.

The University's equal opportunity policies pertaining to its employees and students include specific administrative procedures and implementing measures designed to carry out these pledges and to ensure compliance with the foregoing laws.

REPORTING

Complaints of illegal discrimination other than those covered under the Title IX Policy will be handled in accordance with the University's Non-Discrimination and Harassment Complaint Resolution Policy (01.03.03). Complaints relating to Title IX will be handled through the University's Title IX Policy.

Any University community member or individual who is directly involved in, observes, becomes aware of, or reasonably believes that this Policy has not been followed may submit a report to the Office of Title IX & Equal Opportunity online at uah.edu/makeareport, by telephone to 256.824.7854, by email to titleix@uah.edu, or in person at The University of Alabama in Huntsville, Shelbie King Hall, Room 357, 301 Sparkman Drive, Huntsville, AL 35899.

Any University supervisor, manager, and/or responsible reporting authority that observes, becomes aware of, or reasonably believes that this Policy has not been followed must submit a report to the Office of Title IX & Equal Opportunity. This may be done online at uah.edu/makeareport, by telephone to 256.824.7854, by email to titleix@uah.edu, or in person at The University of Alabama in Huntsville, Shelbie King Hall, Room 357, 301 Sparkman Drive, Huntsville, AL 35899.

Any person may report discrimination in employment based on Protected Class and/or related retaliation online at uah.edu/makeareport, by telephone to 256.824.7854, by email to titleix@uah.edu, or in person at The University of Alabama in Huntsville, Shelbie King Hall, Room 357, 301 Sparkman Drive, Huntsville, AL 35899.

Anonymous reporting: Any person may submit a report to the University of Alabama System's anonymous Ethics Hotline reporting system at <https://uas.tnwreports.com/> or by telephone to 866.362.9476.

Inquiries or complaints concerning the application of this policy and these non-discrimination requirements should be directed to the following person:

TITLE IX/EEO COORDINATOR
Shelbie King Hall 358
256.824.7854
title-ix@uah.edu

In the event of the unavailability of the Title IX/EEO Coordinator, or where that person may have a conflict of interest or be the subject of a discrimination-related complaint, reports and inquiries may be made to one of the following individuals:

DEPUTY TITLE IX COORDINATOR FOR EMPLOYEES & THIRD
PARTIES
CHIEF HUMAN RESOURCES OFFICER
Shelbie King Hall 114
256.824.2285
longl@uah.edu

DEPUTY TITLE IX COORDINATOR FOR STUDENTS
ASSISTANT DEAN OF STUDENTS
Charger Union 223
256.824.6235
scott.royce@uah.edu

TRAINING

In order to meet state and federal requirements, University faculty, staff, contractors, volunteers, and student-employees may be required to successfully complete mandatory training on specific topics including legally protected class non-discrimination and equal opportunity. Mandatory compliance training topics may have annual course and/or refresher course completion obligations. Failure to timely complete training may subject the individual to discipline up to and including termination or removal.

Review

The Title IX/EEO Coordinator is responsible for the review of this policy every five years (or whenever circumstances require).