

**Affirmative Action Program for
Minorities & Women**

HealthCare Access Maryland

Baltimore, MD

**Affirmative Action Program
for
Minorities and Women**

**July 1, 2016 through June 30, 2017
Plan Year**

CONFIDENTIAL, TRADE SECRET, and PRIVATE MATERIAL

This Affirmative Action Plan contains confidential, trade secret, commercial, and private information of HCAM which is protected from disclosure by the Office of Federal Contract Compliance Programs pursuant to the Trade Secrets Act, 18 U.S.C. § 1905. The release of this information could cause substantial harm to HCAM or its employees within the meaning of the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552 (b)(3), (4), and (7) and the Trade Secrets Act. FOIA protects information in this document from mandatory disclosure to FOIA requestors. See, e.g., *Chrysler v. Brown*, 441 U.S. 281 (1979). Furthermore, release of any trade secret, confidential statistical or commercial information would be arbitrary and capricious in violation of the Administrative Procedure Act. See, e.g., *CNA Financial Corp. v. Donovan*, 830 F.2d 1132, 1144 (D.C. Cir.), cert. denied, 485 U.S. 977 (1988).

**HealthCare Access Maryland
Baltimore, MD**

**AFFIRMATIVE ACTION PROGRAM
FOR
MINORITIES AND WOMEN**

**July 1, 2016 through June 30, 2017
Plan Year**

TABLE OF CONTENTS

INTRODUCTION	1
REAFFIRMING COMMITMENT TO EQUAL EMPLOYMENT OPPORTUNITY	1
INTERNAL DISSEMINATION OF EEO POLICY	2
EXTERNAL DISSEMINATION OF EEO POLICY	2
ESTABLISHMENT OF RESPONSIBILITY FOR IMPLEMENTATION OF THE AAP	4
IDENTIFICATION OF AREAS FOR DISCUSSION	6
NARRATIVE DISCUSSION OF GOALS	7
DEVELOPMENT & EXECUTION OF ACTION-ORIENTED PROGRAMS	8
INTERNAL AUDIT AND REPORTING SYSTEM	10
GUIDELINES FOR PREVENTION OF SEX DISCRIMINATION	11

Introduction

HealthCare Access Maryland (HCAM) has prepared this Affirmative Action Program (AAP) for the period of July 1, 2016 through June 30, 2017, reaffirming its commitment to the spirit and letter of affirmative action law, including those administered by the U. S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP). Through the implementation of this AAP HCAM continues its efforts to comply with appropriate government regulations and to make the best possible use of personnel while contributing to the betterment of society and the community.

In developing this AAP HCAM recognizes its duty to ensure equal employment opportunity. The following statement of policy reinforces that belief.

Reaffirming Commitment to Equal Employment Opportunity

In setting forth this AAP HCAM reaffirms its belief in equal employment opportunity for all employees and applicants for employment in all terms and conditions of employment.

Traci Kodeck, President/CEO of HCAM, designated Kimberly Prescott as the Equal Employment Opportunity Administrator (EEO Administrator). Kimberly Prescott oversees the AAP development, modification, implementation, and reporting requirements and conducts management updates. The EEO Administrator also analyzes HCAM's selection process to further the principles of equal employment opportunity.

As part of HCAM's commitment to this overall process, it will seek to ensure affirmative action to provide equality of opportunity in all aspects of employment, and that all personnel activities, such as the recruitment, selection, training, compensation, benefits, discipline, promotion, transfer, layoff and termination processes remain free of illegal discrimination and harassment based upon race, color, religion, sex, sexual orientation, gender identity, and national origin. Regular review by HCAM, as described in this AAP, helps to ensure compliance with this policy.

Internal Dissemination of EEO Policy

41 C.F.R. § 60-1.42

HCAM posts copies of the equal employment opportunity notices that comply with 41 C.F.R. § 60-1.42(a) in conspicuous places (including, where applicable, electronic websites) available to employees, applicants for employment, and (if applicable) representatives of each labor union or other organization representing its employees with which HCAM has a collective-bargaining agreement or other contract or understanding. The following exemplify the methods and locations HCAM may use in its ongoing efforts to ensure continuing dissemination of its policy and AAP, although HCAM may not always use each or any of the below methods, and it may use other methods not listed below:

1. Internal employee manuals contain the policy statement.
2. The policy statement is posted on bulletin boards accessible to employees.
3. HCAM references the policy and progress in its annual report, newspaper, magazine and other publications.
4. Orientation meetings for new employees and in-house employment-related training include references to HCAM's policy.
5. HCAM publications, if any, including those with photographs, generally feature individuals of diverse gender, race, color, and national origin, where feasible.
6. Pertinent portions of HCAM's Affirmative Action Program are available during regular business hours for inspection by employees and applicants for employment.

External Dissemination of EEO Policy

41 C.F.R. § 60-1.41; 41 C.F.R. § 60-1.5

1. In solicitations or advertisements for employees placed by or on its behalf, HCAM complies with at least one of the following methods regarding the dissemination of its equal employment opportunity clause:
 - a. HCAM states expressly in the solicitations or advertising that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin. 41 C.F.R. § 1.41(a).
 - b. HCAM uses a single advertisement, and the advertisement is grouped with other advertisements under a caption which clearly states that all employers in the group assure all qualified applicants equal consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin. 41 C.F.R. § 1.41(c).

- c. HCAM uses a single advertisement in which appears in clearly-distinguishable type the phrase “an equal employment opportunity employer.” 41 C.F.R. § 1.41(d). When pictures are included in these media, where feasible, efforts will be made to include pictures of individuals of diverse gender, race, and national origin.
- 2. The following exemplify the methods and locations HCAM may use in its ongoing efforts to ensure continuing dissemination of its policy and AAP, although HCAM may not always use all of the below methods, and it may use other methods not listed below:
 - a. HCAM notifies subcontractors, suppliers and vendors of the policy about both its obligations to equal employment opportunity and about HCAM’s AAP.
 - b. HCAM advises recruitment sources, minority and female organizations, community agencies, leaders, secondary schools and colleges annually in writing of its commitment to this policy and AAP. HCAM informs these sources that job applicants will be treated fairly without regard to their race, color, religion, sex, sexual orientation, gender identity, and national origin.
 - c. HCAM communicates with the state employment security office in writing regarding the policy.
 - d. HCAM advises prospective employees of the existence of the AAP and makes pertinent portions of it available upon request, during regular business hours.
- 3. In addition, HCAM incorporates by reference the equal employment opportunity and affirmative action clauses into each of its covered federal contracts and subcontracts, including federal agency bills of lading, transportation requests, and such other covered contracts and covered subcontracts as required by law, purchase orders, lease agreements, Government contracts, and other covered contracts (and modifications thereof if not included in the original contract) in accordance with 41. C.F.R. § 60-1.4 (a) – (c) (unless exempted under 41 C.F.R. § 60-1.5).

Establishment of Responsibility for Implementation of the AAP

41 C.F.R. § 60-2.17(a)

A. Identification and Responsibilities of EEO Administrator

Overall responsibility for HCAM's AAP rests with the EEO Administrator, Kimberly Prescott. Kimberly Prescott ensures that the AAP complies with all applicable laws, orders and regulations, including but not limited to, Executive Orders 11246, 13496, and their progeny. Specifically, Kimberly Prescott or the designated representative's duties include:

1. Developing, maintaining and, where appropriate, modifying HCAM's AAP to ensure compliance with the EEO/AA law.
2. Developing and, where appropriate, modifying procedures for effectively communicating the AAP and its elements both internally and externally.
3. Advising management on EEO/AA progress, reporting potential EEO/AA problem areas, and assisting management in finding equitable solutions, where feasible, to any identifiable EEO/AA problem areas.
4. Evaluating the effectiveness of HCAM's AAP on a regular basis, and reporting to management.
5. Designing, implementing, and overseeing audit and reporting systems that periodically measures the effectiveness of the total affirmative action program. 41 C.F.R. § 2.17 (d)(1)-(4), identifying need for remedial action, and determining the degree to which objectives have been achieved.
6. Acting as Company representative and liaison with any government agencies regarding this AAP.
7. Monitoring Company policies and procedures with regard to terms and conditions of employment to attempt to ensure compliance with affirmative action obligations.
8. Auditing the content of HCAM's bulletin board and electronic policies, as appropriate, to ensure compliance information is posted and up to date.
9. Keeping management up to date on the latest developments in the areas of EEO and affirmative action.
10. Serving as a liaison between HCAM and organizations, such as minority organizations and women's organizations.
11. When necessary, developing sales and management training programs to increase protected-group participation.
12. Assisting in the investigation, handling and disposition of employee harassment and discrimination complaints.

13. Discussing EEO/AA policies with all personnel, including management, to ensure that HCAM's policies and the need for their support are understood at all levels.
14. Reviewing HCAM's AAP for qualified women and minorities with all managers and supervisors to ensure the policy is understood and followed in all personnel actions.
15. Conducting periodic reviews of offices to ensure compliance in the areas of proper display of posters and notices, comparable facilities for both sexes, and opportunity for participation in Company-sponsored recreational, educational and social activities.
16. Auditing training programs, hiring, and promotion patterns.

B. Management Responsibilities

Line and upper management share responsibility for the AAP, including but not limited to the following:

1. Assisting in auditing AAP progress, including identifying problem areas, formulating solutions, establishing appropriate goals, and developing necessary training programs.
2. Reviewing the qualifications of applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner in hiring, promotion, transfers, and termination actions.
3. Making available career counseling, when appropriate.
4. Reviewing the job performance of each employee to assess whether personnel actions are justified based on the employee and his or her duties.
5. Reviewing position descriptions of the jobs in the manager's area or department to see that they adequately reflect the job to be performed.
6. Assisting subordinates and upper management in the prevention of harassment.

Identification of Areas for Discussion

41 C.F.R. § 60-2.17(b)

HCAM's commitment to fully implement this policy and AAP include periodic reviews of mission critical workforce factors in a number of ways, including performing an in-depth analysis of its total employment process to determine whether and where impediments to equal employment opportunity exist. These analyses include:

1. The workforce by organizational unit and job group of minority or female utilization and distribution;
2. Personnel activity to determine whether there are selection disparities;
3. Compensation systems to determine if there are gender-, race-, or ethnicity-based disparities;
4. Selection, recruitment, referral, and other personnel procedures to determine whether they result in employment or placement disparities of minorities or women; and,
5. Any other areas that might impact the success of the affirmative action program. 41 C.F.R. § 2.17 (b)(1)-(5), including, for example, HCAM's review of:
 - a. The workforce composition by race and sex to compare it to the availability of these groups;
 - b. HCAM's applicant flow compared to the availability for the protected groups;
 - c. A comparison of hires to applicants pertaining to minorities and women;
 - d. Selection forms, such as applications for employment, to ensure they comply with federal and state employment laws;
 - e. Processes to ensure there are no artificially-created barriers or restrictive seniority provisions; and,
 - f. Training opportunities to ensure they are available to minorities and women.

Identification of problem areas are discussed in the next section titled Narrative Discussion of Goals.

Narrative Discussion of Goals

The Baltimore, MD plan has 158 employees, including 136 minorities and 127 females. There were no goals for minorities and/or women in this plan.

- 1.1 - Executives/Senior Level Officials and Managers - This group consists of 4 employees, of whom 2 are minorities and 3 are females. There is no need to set a placement goal at this time for minorities or females.
- 1.2 - First/Mid-Level Officials and Managers - This group consists of 27 employees, of whom 19 are minorities and 23 are females. There is no need to set a placement goal at this time for minorities or females.
- 2 - Professionals - This group consists of 56 employees, of whom 48 are minorities and 48 are females. There is no need to set a placement goal at this time for minorities or females.
- 5 - Administrative Support Workers - This group consists of 71 employees, of whom 67 are minorities and 53 are females. There is no need to set a placement goal at this time for minorities or females.

HCAM will use alternate recruitment sources when necessary to attract more qualified external applicants. In those instances where statistical disparities are indicated, HCAM will take action as outlined in the Action-Oriented Programs Section to monitor and eliminate any problem areas, as well as other similar actions.

Development & Execution of Action-Oriented Programs

41 C.F.R. § 60-2.17(c)

HCAM has instituted action-oriented programs designed to eliminate any problem areas, should they exist, in accordance with § 60-2.17(b), and to help achieve specific affirmative action goals. HCAM will make good-faith efforts to remove identified barriers, expand employment opportunities, and produce measurable results. These programs may include items such as:

1. Conducting periodic reviews of job descriptions attempting to ensure they accurately reflect job-related duties and responsibilities.
2. Reviewing job qualifications by department and job title for job-relatedness, and using job performance criteria.
3. Making job descriptions and qualifications available to recruiting sources and to all members of management involved in the recruiting, screening, selection, and promotion processes.
4. Making good-faith efforts to select the most qualified candidates. Accordingly, HCAM evaluates its total selection process to ensure selections are made in a nondiscriminatory manner through:
 - a. Annual reviews of job applications and other pre-employment forms to ensure information requested is job-related;
 - b. Annual evaluations of selection methods that may result in statistical disparities to ensure they are non-discriminatory;
 - c. Annual provisions of assistance, such as training and guidance on proper interviewing techniques and EEO training, to employees, management, and supervisory staff, including, but not limited to, those who are involved in the recruitment, selection, discipline and other related processes, so that personnel actions are made in a nondiscriminatory manner; and
 - d. Annual review of selection techniques and employment standards.
5. HCAM employs appropriate methods to attempt to improve recruitment and increase the flow of qualified minorities and women applicants in its recruiting process, including a number of the following actions:
 - a. Placing employment openings, when appropriate, in local minority news media and women's interest media;
 - b. Disseminating information on job opportunities to organizations representing minorities, women, and employment development agencies when job opportunities occur;
 - c. Encouraging all employees to refer qualified applicants;

- d. Actively recruiting in secondary schools, junior colleges, colleges and universities with predominantly minority or female enrollments where underutilization exists in such areas, and
 - e. Requesting employment agencies to refer qualified minorities and women.
 - f. HCAM considers using special employment programs designed to deal with job groups that have established placement goals. Business conditions and other feasibility matters remain the key factor in any decision to develop/implement such programs.
 - g. Whenever feasible and appropriate, HCAM participates in job fairs, career days, youth-motivation programs and other programs that foster exposure for qualified minorities and women.
 - h. HCAM encourages minorities and women to participate in Company-sponsored activities and programs.
 - i. HCAM utilizes various community organizations and schools as referral sources.
6. HCAM reviews promotion criteria and procedures so that job qualifications form the basis for the promotional decisions. HCAM monitors promotion rates for minorities and women and, when necessary, may employ one or more of the following procedures:
- a. Maintaining an inventory of current minority and women employees to determine special job-related talents, skills and experience.
 - b. Providing job training, job-related courses or certificate programs.
 - c. Reviewing work specifications and job qualifications to ensure job-relatedness.
 - d. Conducting career counseling, where appropriate, during performance evaluations.
 - e. Informing employees about educational programs and other opportunities available to improve their employment prospects.
 - f. Reviewing Company-sponsored social and recreational activities to ensure non-discriminatory participation and availability.
 - g. Ensuring that all employees are given equal opportunity for promotion. This is achieved by:
 - 1. Generally posting or otherwise announcing most promotional opportunities.
 - 2. Offering counseling to assist employees in identifying promotional opportunities, training and educational programs to enhance promotions and opportunities for job rotation or transfer; and
 - 3. Evaluating job requirements for promotion.

Internal Audit and Reporting System

41 C.F.R. § 60-2.17(d)

1. Kimberly Prescott, HCAM's EEO Administrator, maintains an internal audit system to attempt to oversee HCAM's Affirmative Action Program and assess progress. The EEO Administrator is responsible for ensuring that the formal AAP documents are developed and prepared and for the effective AAP implementation; however, responsibility is likewise vested with each department manager and supervisor, depending upon the specific responsibility. The audit system is designed and implemented to measure the effectiveness of the total affirmative action program [41 C.F.R. § 2.17 (d)(1)-(4)], including:
 - a. Monitoring records of all personnel activity, including: referrals, placements, transfers, promotions, terminations, and compensation, at all levels, to ensure the nondiscriminatory policy is carried out,
 - b. Requiring internal reporting on a scheduled basis as to the degree to which equal employment opportunity and organizational objectives are attained,
 - c. Reviewing reports at all levels of management; and
 - d. Advising top management of the program's effectiveness and submitting recommendations to improve unsatisfactory performance. 41 C.F.R. § 2.17 (d)(1)-(4).
2. HCAM reviews various employment decisions, such as job referrals, hiring decisions, transfers, promotions, and terminations. HCAM maintains summary data where necessary and feasible, and conducts regular reviews at least annually.
3. There is no "de facto" (in practice without being officially established) segregation. Further, HCAM ensures that facilities, as broadly defined in 41 C.F.R. § 60-1.8, provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin cannot result, provided that separate or single-user restrooms and necessary dressing or sleeping areas shall be provided to ensure privacy between the sexes.
4. HCAM complies with required records retention provisions set forth in 41 C.F.R. § 60-1.12 and elsewhere in the applicable OFCCP regulations, and maintains a) employment applications (generally for two years); b) summary data of applicant flow by identifying, at least, total applicants, total minority applicants, and total female applicants, where necessary and feasible, and conducts regular reviews at least annually; c) applicant flow showing the name, race, sex, date of application, job title, interview status, and the action taken for all individuals applying for job opportunities, and the relevant applicant/hire decisions; d) summary data of external job offers and hires, promotions, resignations, terminations, and layoffs by job group and by sex and minority group identification; e) and records pertaining to its compensation system.

5. Provide needed reports to managers and supervisors regarding the results of the audit as well as HCAM's overall progress in the area of EEO/AA. Any recommended actions should be made as well. Reports shall be made to senior management on at least an annual basis.

Guidelines for Prevention of Sex Discrimination

41 C.F.R. § 60-20.1 et seq.

HCAM supports the promotion and ensuring of equal employment opportunity of its employees and applicants without regard to sex, and endorses and complies with the following policy statements.

1. HCAM employment advertisements do not express a sex preference nor does HCAM place advertisements in columns designated "males" or "females", unless sex is a bona fide occupation obligation. 41 C.F.R. §60-20.2(a).
2. Employees of both sexes at HCAM shall have an equal opportunity to any available job that he or she is qualified to perform, unless sex is a bona fide occupation obligation. 41 C.F.R. §60-20.2.
3. HCAM maintains gender-neutral personnel policies that expressly indicate that there shall be no unlawful discrimination against employees based on sex, sexual orientation, and/or gender identity. The terms and conditions of any written collective bargaining agreements shall not be inconsistent with these guidelines. 41 C.F.R. §60-20.3(a).
4. HCAM makes no distinction based upon sex in employment opportunities, wages, hours, or other conditions of employment. 41 C.F.R §60-20.3(c).
5. HCAM will not make any distinction between married and unmarried persons of one sex that is not made between married and unmarried persons of the opposite sex, or deny employment to women with young children unless it has the same exclusionary policies for men, or terminate the employment of an employee of one sex in a job classification upon reaching a certain age unless the same rule is applicable to members of the opposite sex. 41 C.F.R. § 60.20.3(d).
6. HCAM will not deny a female employee the right to any job she is qualified to perform in reliance on a State "protective" law regarding, for example, prohibiting women from performing work such as a bartender, or for working at jobs requiring more than a certain number of hours or lifting above a certain weight. 41 C.F.R. § 60-20.3(f).
7. HCAM endorses and complies with the 1978 Pregnancy Discrimination Act, as it amended Title VII of the Civil Rights Act of 1964. HCAM applies any leave of absence policy uniformly, regardless of sex. 41 C.F.R. § 60-20.3(g).
8. HCAM must not specify any differences for male and female employees on the basis of sex in either mandatory or optional retirement age. 41 C.F.R. § 60-20.3(h).

9. HCAM's seniority lines and lists are not segregated by sex, sexual orientation, and/or gender identity. 41 C.F.R. § 60-20.4.
10. HCAM's wage schedules are not related to or based on the sex, sexual orientation, and/or gender identity of an employee. 41 C.F.R. § 60-20.5(a). Further, HCAM does not discriminatorily restrict one sex to certain job classifications, and instead makes jobs available to all qualified employees in all classifications without regard to sex, sexual orientation, and/or gender identity. 41 C.F.R. § 60-20.5(b); 41 C.F.R. § 60-1.4.
11. When appropriate, HCAM makes affirmative efforts to increase the number and percentage of women in the workforce, including, but not limited to the following:
 - a. HCAM recruits women and encourages existing women employees to apply for positions historically labeled by society as "traditionally male".
 - b. HCAM guarantees equal, gender-neutral access to training and tuition reimbursement programs, including management training, and other types of workplace training programs.
 - c. HCAM informs management of its affirmative action responsibilities. 41 C.F.R § 60-20.6.

Policy with Respect to Religion/National Origin

41 C.F.R. § 60-50.1 et seq.

Pursuant to the guidelines prohibiting discrimination on the basis of religion and/or national origin, 41 C.F.R. § 60-50.1, et seq., HCAM hereby reaffirms that it does not discriminate against employees, or applicants for employment, because of religion or national origin. HCAM takes affirmative action to seek to ensure that employees or applicants for employment are treated without regard to their religion or national origin in all aspects of the terms and conditions of employment, such as upgrading, demotion, transfer, recruitment, recruitment advertising, layoff, termination, rates of pay (or other forms of compensation), and selection for training.

HCAM has reviewed its employment practices and determined that its employees, including those who belong to religious or ethnic groups, have received fair consideration for job opportunities. Based upon its review, and depending upon the circumstances, HCAM will undertake appropriate actions, which may include one or more of the following activities:

1. Issuing a policy directive to employees reaffirming HCAM's obligation to provide equal employment opportunity without regard to religion or national origin. This policy will be communicated in such a manner as to foster understanding, acceptance, and support among executives, managers, supervisors, and other employees, and to encourage such persons to take the necessary action to aid HCAM in meeting its obligations.
2. Developing internal procedures to seek to ensure that HCAM's obligation to provide equal employment opportunity, without regard to religion or national origin, is being fully implemented. Specifically, employment activities are reviewed by the EEO Administrator.
3. Informing management annually of its commitment to equal employment opportunity, without regard to religion or national origin.
4. Enlisting the assistance and support of recruitment sources for this commitment.

HCAM acknowledges its responsibility to make reasonable accommodations for the religious observances and practices of its existing or prospective employees under the terms of Title VII of the Civil Rights Act of 1964. An accommodation for religious purposes will be denied should HCAM determine that it would have to suffer undue hardship. During this accommodation evaluation, the following factors will continue to be considered by HCAM:

1. Business necessity;
2. Financial costs and expenses; and
3. Resulting personnel problems.

Organizational Profile

Contractors and subcontractors are required to include in their AAPs an organizational profile of their workforce using either a “workforce analysis” or “organizational display” that provides detailed data reflecting staffing patterns within the establishment. 41 C.F.R. § 60-2.11. An organizational profile shows the staffing pattern within a contractor’s establishment. This profile assists an employer in identifying where, in the workforce of its site which is the subject of this AAP, women or minorities are underrepresented or concentrated. A workforce analysis is used in this AAP, which lists each job title from the lowest paid to the highest paid within each department or similar organizational unit.

**Affirmative Action Program for
Protected Veterans**

HealthCare Access Maryland

Baltimore, MD

**Affirmative Action Program
For Protected Veterans**

**July 1, 2016 through June 30, 2017
Plan Year**

CONFIDENTIAL, TRADE SECRET, AND PRIVATE MATERIAL

This Affirmative Action Plan contains confidential, trade secret, commercial, and private information of HCAM which is protected from disclosure by the Office of Federal Contract Compliance Programs pursuant to the Trade Secrets Act, 18 U.S.C. § 1905. The release of this information could cause substantial harm to HCAM or its employees within the meaning of the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552 (b)(3), (4), and (6) and the Trade Secrets Act. FOIA protects information in this document from mandatory disclosure to FOIA requestors. See, e.g., *Chrysler v. Brown*, 441 U.S. 281 (1979). Furthermore, release of any trade secret, confidential statistical or commercial information would be arbitrary and capricious in violation of the Administrative Procedure Act. See, e.g., *CNA Financial Corp. v. Donovan*, 830 F.2d 1132, 1144 (D.C. Cir.), cert. denied, 485 U.S. 977 (1988).

**HealthCare Access Maryland
Baltimore, MD**

**AFFIRMATIVE ACTION PROGRAM
FOR PROTECTED VETERANS**

**July 1, 2016 through June 30, 2017
Plan Year**

TABLE OF CONTENTS

INTRODUCTION	1
EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT	1
REVIEW OF PERSONNEL PROCESSES	3
PHYSICAL AND MENTAL JOB QUALIFICATIONS	3
REASONABLE ACCOMMODATION	5
ANTI-HARASSMENT PROCEDURES	5
EXTERNAL DISSEMINATION OF POLICY, OUTREACH, AND POSITIVE RECRUITMENT	6
ASSESSMENT OF EXTERNAL OUTREACH AND RECRUITMENT EFFORTS	7
INTERNAL DISSEMINATION OF POLICY	8
AUDIT AND REPORTING SYSTEM	9
RESPONSIBILITY FOR IMPLEMENTATION OF THE PLAN	9
AFFIRMATIVE ACTION TRAINING	13

Introduction

HealthCare Access Maryland (HCAM) sets forth this affirmative action program (“AAP”) for the year from July 1, 2016 through June 30, 2017, reaffirming its commitment to the spirit and letter of affirmative action law. Through the implementation of this plan HCAM continues its efforts to comply with appropriate government regulations and to make the best possible use of personnel while contributing to the betterment of society and the community.

In developing this AAP, HCAM recognizes its duty to ensure equal employment opportunity. The following statement of policy reinforces that belief.

Equal Employment Opportunity Policy Statement

41 C.F.R. § 60-300.44(a)

In setting forth this plan HCAM reaffirms its belief and commitment in equal employment opportunity for all employees and applicants for employment in all terms and conditions of employment. Kimberly Prescott, as the EEO Administrator, oversees the plan development, modification, implementation, and reporting requirements and conducts management updates. HCAM’s top U.S. executive supports HCAM’s AAP.

HCAM provides for an audit and reporting system regarding HCAM’s affirmative action responsibilities under the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended (“VEVRAA”) regulations, and assigns overall responsibility for the implementation of affirmative action responsibilities under these regulations.

HCAM recruits, hires, trains and promotes persons in all job titles, and ensures that all personnel actions are administered without regard to protected veteran status; and ensures that all employment actions are based only on valid job requirements. HCAM’s employees and applicants are not 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 with HCAM or with Federal, state, or local agencies regarding the status covered under this AAP;
2. assisting or participating in any investigation, compliance review, hearing, or any other activity related to the administration of any Federal, State, or local law requiring equal employment opportunity for protected veterans;
3. opposing any act or practice made unlawful by VEVRAA or its implementing regulations, or any other Federal, State or local law requiring equal opportunity for protected veterans; or
4. exercising any other right protected by VEVRAA or its implementing regulations.

HCAM's full AAP, absent the data metrics required by 41 CFR § 60-300.44(k), is available for inspection upon request at the location and during the hours that are posted at HCAM's establishment at HCAM's Human Resources Office.

Definitions. For the purposes of this AAP, the term "Protected Veteran" shall be defined as follows, according to the VEVRAA regulations:

Active Duty Wartime or Campaign Badge Veteran means a veteran 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, under the laws administered by the U. S. Department of Defense.

Armed Forces Service Medal Veteran means any veteran who, while serving on active duty in the U.S. military, ground, naval, or air service, participated in a United States military operation to which an Armed Forces service medal was awarded pursuant to Executive Order 12985.

Disabled Veteran means:

1. A veteran of the U. S. military, ground, naval, or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or
2. A person who was discharged or released from active duty because of a service-connected disability.

Protected Veteran means a veteran who is protected under the non-discrimination and affirmative action provisions of VEVRAA; specifically, a veteran who may be classified as a "disabled veteran," "recently-separated veteran," "active duty wartime or campaign badge veteran," and/or an "Armed Forces Service Medal Veteran" as defined by this AAP and VEVRAA.

Recently-Separated Veteran means any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty in the U.S. military, ground, naval, or air service.

Pre-JVA veterans are those who would be protected by 41 C.F.R. Part 250 if it were not rescinded, but would not be protected under 41 C.F.R. Part 300, and if HCAM is found to still be signatory to any federal contracts signed on or before November 30, 2003 and which have not since been amended, modified and/or extended.

Review of Personnel Processes

41 C.F.R. § 300.44(b)

1. HCAM ensures its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees who are known protected veterans for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available.
2. HCAM also ensures that when a protected veteran is considered for employment opportunities, HCAM relies only on that portion of the individual's military record, including his or her discharge papers, relevant to the requirements of the opportunity in issue.
3. HCAM ensures that its personnel processes do not stereotype protected veterans in a manner which limits their access to all jobs for which they are qualified.
4. HCAM periodically reviews such processes and makes any necessary modifications to ensure that these obligations are carried out. A description of the review and any necessary modifications to personnel processes or development of new processes is included in this AAP.
5. HCAM designs procedures that facilitate a review of the implementation of this requirement by HCAM and the Government. The procedures HCAM uses are as follows:
 - a. The application or personnel form of each known applicant who is a protected veteran is annotated to identify each vacancy for which the applicant was considered, and the form will be quickly retrievable for review by the Department of Labor and HCAM's personnel officials for use in investigations and internal compliance activities.
 - b. Where applicants or employees are selected for hire, promotion, or training and HCAM undertakes any accommodation which makes it possible for it to place a disabled veteran on the job, HCAM makes a record containing a description of the accommodation. The record is treated as a confidential medical record in accordance with § 60-300.23(d).

Physical and Mental Job Qualifications

41 C.F.R. § 300.23 and 44(c)

1. HCAM adheres to a schedule for the periodic review of all physical and mental job qualification standards to ensure that, to the extent qualification standards tend to screen out qualified disabled veterans, they are job-related for the position and are consistent with job necessity.
2. Whenever HCAM applies physical or mental qualification standards in the selection of applicants or employees for employment or other change in employment status such as

promotion, demotion or training, to the extent that qualification standards tend to screen out qualified disabled veterans, the standards shall be related to the specific job or jobs for which the individual is being considered and consistent with business necessity. HCAM reviews its job descriptions and qualifications to ensure they accurately reflect job duties and responsibilities. The schedule is as follows as job openings become available; as new job qualifications are established; and/or, when new equipment is installed.

3. No pre-employment physical examinations or questionnaires are used by HCAM prior to a job offer contingent on such examinations and other requirements.
4. HCAM may use as a defense to a violation of its obligations in Paragraph 2 above that an individual poses a direct threat to the health or safety of the individual or others in the workplace.
5. When HCAM conducts a medical examination or inquiry of a protected veteran it will do so according to the terms and conditions of the VEVRAA and Section 503 regulations, and the results of such an examination or inquiry are kept confidential according to federal regulations, which includes the following exceptions:
 - a. Supervisors and managers may be informed regarding restrictions on the work or duties of the applicant or employee and necessary accommodations;
 - b. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and,
 - c. Government officials engaged in enforcing the laws administered by the OFCCP regarding individuals with disabilities or protected veterans, or enforcing The Americans with Disabilities Act (“ADA”) and The Americans with Disabilities Act Amendment Act of 2008 (“ADAAA”), shall be provided relevant information on request.

Reasonable Accommodation

41 C.F.R. §60-300.44(d)

1. It is HCAM's policy as a matter of nondiscrimination to make reasonable accommodation to the known physical and mental limitations of all otherwise qualified disabled veterans unless it can demonstrate that the accommodation would impose an undue hardship on HCAM's business, in accordance with the terms and conditions of Section 503 regulations. Undue hardship will be determined by its definition under applicable regulations under Section 503 including, but not limited to the following: Undue hardship means, with respect to the provision of an accommodation, significant difficulty or expense incurred by the contractor, when considered in light of the factors set forth in 41 CFR § 60-300.2 (aa)(2), such as the overall financial resources of the facility and the impact of the accommodation upon the operation of the facility (this is not an all-inclusive list).
2. As a matter of affirmative action, if an employee who is known to be a disabled veteran is having significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, HCAM confidentially notifies the employee of the performance problem and inquires whether the problem is related to the employee's disability.
3. If the employee responds affirmatively, HCAM confidentially inquires whether the employee is in need of a reasonable accommodation.

Anti-Harassment Procedures

41 C.F.R. § 60-300.44(e)

HCAM has developed and implemented procedures to ensure its employees are not harassed because of their status as a protected veteran.

External Dissemination of Policy, Outreach, and Positive Recruitment

41 C.F.R. § 300.44(f)

1. HCAM sends written notification of its policy related to affirmative action efforts to all subcontractors, including subcontracting vendors and suppliers, requesting appropriate action on their part.
2. HCAM undertakes appropriate outreach and positive recruitment activities such as some of those listed below that are reasonably designed to effectively recruit protected veterans. It is not contemplated that HCAM will necessarily undertake all the activities listed below or that its activities will be limited to the items listed below. The scope of HCAM's efforts shall depend upon all circumstances, including HCAM's size and resources and the extent to which existing employment practices are adequate.
 - a. Enlisting the assistance and support of the following persons and organizations in recruiting, and developing on-the-job training opportunities for veterans to fulfill its commitment to provide meaningful employment opportunities for such veterans:
 - i. The Local Veterans' Employment Representative in the local employment service office (i.e. the One-Stop) nearest HCAM's establishment;
 - ii. The Department of Veterans Affairs Regional Office nearest HCAM's establishment;
 - iii. The veterans' counselors and coordinators ("Vet-Reps") on college campuses;
 - iv. The service officers of the national veterans' groups active in the area of HCAM's establishment;
 - v. Local veterans' groups and veterans' service centers near HCAM's establishment;
 - vi. The Department of Defense Transition Assistance Program (TAP), or any subsequent program that, in whole or in part, might replace TAP; and
 - vii. Any organization listed in the Employer Resources section of the National Resource Directory (<http://www.nationalresourcedirectory.gov/>), or any future service that replaces or complements it.
 - b. HCAM also considers taking the actions listed below, as appropriate, to fulfill its commitment to provide meaningful employment opportunities to protected veterans:
 - i. Formal briefing sessions should be held, preferably on HCAM's premises, with representatives from recruiting sources.

- ii. HCAM's facility tours, clear and concise explanations of current and future job openings, position descriptions, worker specifications, explanations of the company's selection process, and recruiting literature are an integral part of the briefing. At any such briefing sessions, the HCAM official in charge of its affirmative action program is in attendance when possible. Formal arrangements should be made for referral of applicants, follow up with sources, and feedback on disposition of applicants.
 - iii. HCAM's recruitment efforts at all educational institutions incorporate special efforts to reach students who are protected veterans.
 - iv. An effort is made to participate in work-study programs with Department of Veterans Affairs rehabilitation facilities which specialize in training or educating disabled veterans.
 - v. Protected veterans are made available for participation in career days, youth motivation programs, and related activities in their communities.
 - vi. HCAM takes any other positive steps it deems necessary to attract qualified protected veterans not currently in the work force who have requisite skills and can be recruited through affirmative action measures. These persons may be located through the local chapters of organizations of and for any of the classifications of protected veterans.
 - vii. HCAM, in making hiring decisions, considers applicants who are known protected veterans for all available positions for which they may be qualified when the position(s) applied for is unavailable.
 - viii. HCAM considers listing its job openings with the National Resource Directory's Veterans Job Bank, or any future service that replaces or complements it.
3. HCAM documents all activities it undertakes to comply with the obligations of this section, and retain these documents for a period of three (3) years.

Assessment of External Outreach and Recruitment Efforts

41 C.F.R. § 300.44(f)(3)

1. HCAM, on an annual basis, reviews the outreach and recruitment efforts it has taken over the previous twelve months to evaluate their effectiveness in identifying and recruiting qualified protected veterans. HCAM documents each evaluation, including at a minimum the criteria it used to evaluate the effectiveness of each effort and HCAM's conclusion as to whether each effort was effective. Among these criteria shall be the data collected pursuant to 41 C.F.R. § 60-300.44(k) for the current year and the two most recent previous years. If HCAM concludes the totality of its efforts were not effective in identifying and recruiting qualified protected veterans, it shall identify and implement

alternative efforts listed in paragraphs (f)(1) or (f)(2) of this section to fulfill its obligations.

Internal Dissemination of Policy

41 C.F.R. § 60-300.44(g)

1. HCAM recognizes that a strong outreach program will be ineffective without adequate internal support from supervisory and management personnel and other employees.
2. HCAM implements and disseminates this policy internally as follows:
 - a. includes it in HCAM's policy manual or otherwise make the policy available to employees; and
 - b. if HCAM is party to a collective bargaining agreement, it notifies union officials and/or employee representatives to inform them of HCAM's policy, and request their cooperation.
3. Further, to assure greater employee cooperation and participation in HCAM's efforts, HCAM has developed the internal procedures listed in this section of the AAP for communication of its obligation to engage in affirmative action efforts to employ and advance in employment qualified protected veterans. It is not contemplated that HCAM's activities will be limited to those listed. These procedures shall be designed to foster understanding, acceptance and support among HCAM's executive, management, supervisory and other employees and to encourage such persons to take the necessary actions to aid HCAM in meeting this obligation. HCAM additionally considers implementing and disseminating this policy internally as follows:
 - a. Informing all employees and prospective employees of its commitment to engage in affirmative action to increase employment opportunities for protected veterans;
 - b. Publicizing it in HCAM's newspaper, magazine, annual report and other media;
 - c. Conducting special meetings with executive, management, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation, making clear the chief executive officer's support for the affirmative action policy;
 - d. Discussing the policy thoroughly in both employee orientation and management training programs; and
 - e. When employees are featured in employee handbooks or similar publications for employees, including disabled veterans.

Audit and Reporting System

C.F.R. § 60-300.44(h)

1. HCAM has designed and implemented an audit and reporting system that:
 - a. Measures the effectiveness of HCAM's AAP;
 - b. Indicates any need for remedial action;
 - c. Determines the degree to which HCAM's objectives have been attained;
 - d. Determines whether known protected veterans have had the opportunity to participate in all of HCAM's sponsored educational, training, recreational and social activities;
 - e. Measures HCAM's compliance with the AAP's specific obligations; and
 - f. Documents the actions taken to comply with the obligations of paragraphs (i) through (v) above, and retain these documents as employment records for three years subject to the recordkeeping requirements of § 60-300.80.
2. Where the affirmative action program is found to be deficient, HCAM undertakes necessary action to bring the program into compliance.

Responsibility for Implementation of the Plan

1. Identification and Responsibilities of EEO/AA Administrator

41 C.F.R. § 60-300.44(i)

In furtherance of HCAM's commitment to Affirmative Action and Equal Employment Opportunity, overall responsibility for implementing HCAM's AAP rests with its EEO/AA Administrator, whose identity should appear on all internal and external communications regarding HCAM's AAP. The EEO/AA Administrator shall be given top management support and staff to manage the implementation of this program as it pertains to all applicable laws, orders and regulations, including VEVRAA. Specifically, Kimberly Prescott or the designated representative's duties include:

- a. Ensures that HCAM lists its job openings in accordance with the requirements of 41 C.F.R. § 300.5.
- b. Ensuring HCAM posts in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the OFCCP Director provided by or through the contracting officer. Such notices shall state the rights of applicants and employees as well as HCAM's obligation under the law to take affirmative action to

employ and advance in employment qualified employees and applicants who are protected veterans.

- c. Ensuring HCAM's applicants or employees who are disabled veterans are provided the notice in a form that is accessible and understandable to the individual applicant or employee (e.g., providing Braille or large print versions of the notice, or posting a copy of the notice at a lower height for easy viewing by a person using a wheelchair) when an applicant or employee requests the poster in an alternative format, or when HCAM knows that an applicant or employee is unable to read the poster because of a disability. HCAM may also provide the poster to an applicant or employee who is a disabled veteran in other alternate means, such as on disc or in audio recording, as long as the format provided enables the individual who is a disabled veteran to access the contents of a poster.
- d. Ensuring that, with respect to employees, if any, who do not work at a physical location of HCAM, HCAM satisfies its posting obligations by posting such notices in an electronic format, provided that HCAM provides computers, or access to computers, that can access the electronic posting to such employees, or HCAM has actual knowledge that such employees otherwise are able to access the electronically posted notices.
- e. Ensuring electronic notices for employees are posted in a conspicuous location and format on HCAM's intranet or sent by electronic mail to employees. An electronic posting is used by HCAM to notify job applicants of their rights if HCAM utilizes an electronic application process. Such electronic applicant notice are conspicuously stored with, or as part of, the electronic application.
- f. Ensuring that to the extent this requirement is applicable to HCAM, HCAM notifies labor organizations of its EEO policy as required by 41 C.F.R. § 60-300.44(g).
- g. Ensuring HCAM includes the provisions of this clause in every subcontract or purchase order in excess of \$100,000, unless exempted by the rules, regulations, or orders of the Secretary of Labor pursuant to VEVRAA, so that such provisions will be binding upon each subcontractor or vendor, under the terms and conditions of 41 CFR § 60-300.5(a).
- h. Ensuring that all solicitations or advertisements for employees placed by or on behalf of HCAM, state that all qualified applicants will receive consideration for employment without regard to their protected veteran status.
- i. Developing, maintaining and, where appropriate, modifying HCAM's AAP for protected veterans, policy statements, personnel policies, internal and external communication techniques including discussions with managers, supervisors and employees to ensure HCAM's policies are followed, and monitoring the effectiveness of these actions.
- j. Advising supervisors that they are responsible to prevent harassment of employees due to their status as a protected veteran.
- k. Identifying problem areas with line management in the implementation of the program, and helping management develop solutions to any identifiable problem area.

- l. Designing, implementing and overseeing an audit and reporting system to monitor the progress of the Company and the AAP's effectiveness, including auditing the contents of HCAM's electronic and hard copy bulletin boards on a regular basis to ensure that compliance information that is posted is up to date.
- m. Serving as liaison between HCAM and governmental enforcement agencies, community groups, vocational rehabilitation organizations, and organizations for protected veterans.
- n. Evaluating the effectiveness of HCAM's plan on a regular basis, and reporting to management.
- o. Monitoring policies and procedures including the selection, evaluation, promotion and training process with regard to the various terms and conditions of employment to attempt to ensure compliance with affirmative action obligations.
- p. Assisting in ensuring that HCAM has processes and procedures: a) to ensure career counseling for employees who are protected veterans, when requested and appropriate; and, b) to review personnel actions, policies, procedures, and employee and applicants' qualifications to ensure protected veterans are treated in accordance with anti-discrimination laws when hiring, promotion, transfer, and termination actions occur.
- q. Keeping management up to date on the latest developments in the areas of EEO and affirmative action.
- r. Assisting in the investigation, handling and disposition of employee discrimination and harassment complaints.
- s. Conducting periodic reviews of offices to ensure compliance in the areas of proper display of posters and notices, and opportunity for participation in Company-sponsored recreational, educational and social activities.
- t. Overseeing and ensuring that the below self-identification procedures are conducted as set forth in the VEVRAA regulations, using the language and manner prescribed by the OFCCP Director and published on the OFCCP Web site, as follows:
 - i. Pre-offer self-identification invitation procedures for HCAM's job applicants as set forth in 41 C.F.R. § 60-300.42 (a); and
 - ii. Post-offer identification procedures for HCAM's job applicants as set forth in 41 C.F.R. § 60-300.42 (a).

Further, HCAM does not compel or coerce an individual to self-identify as a protected veteran. HCAM keeps all information on self-identification confidential, and maintains it in a data analysis file (rather than in the medical or personnel files of individual employees) as set forth in 41 C.F.R. § 60-300.23(d). HCAM only uses the self-identification information in accordance with the VEVRAA regulations.

- u. Ensuring that HCAM complies with its obligations under 41 C.F.R. § 60-300.45, which requires that HCAM establish benchmarks for hiring, the purpose of which is to create a

quantifiable method by which HCAM can measure its progress toward achieving equal employment opportunity for protected veterans. The benchmarks will be set on an annual basis and will be documented also as set forth in this AAP.

- v. If an applicant identifies himself or herself as a disabled veteran in the post-offer self-identification detailed above, HCAM inquires of the applicant whether an accommodation is necessary, and, if so, engages with the applicant regarding reasonable accommodation. HCAM may make such inquiries to the extent they are consistent with the Americans with Disabilities Act. HCAM maintains a separate file in accordance with Section 60-300.23(d) on persons who have self-identified as disabled veterans.

2. Management Responsibilities

41 C.F.R. § 60-300.44(i)

Line and upper management are advised of their responsibilities for HCAM's AAP regarding protected veterans within his or her area of responsibility, including but not limited to their obligations to:

- a. Review HCAM's AAP for protected veterans with subordinate managers and supervisors to ensure they are aware of the policy, understand their obligation to comply with it in all personnel actions and understand the need for support at all levels.
- b. Assist in the auditing of plan progress, identification of problem areas, formulation of solutions, establishment of departmental goals and objectives, and development of training programs, when appropriate.
- c. Review the qualifications of applicants and employees in their area of responsibility to ensure protected veterans are treated in a nondiscriminatory manner when hire, promotion, transfer, and termination actions occur.
- d. Review employees' performance to ensure that illegal discrimination regarding protected veterans does not occur.
- e. Make available career counseling to employees who are protected veterans, when so requested, and as appropriate.
- f. Review position descriptions to see that they adequately reflect the job to be performed.
- g. Audit training programs, hiring, and promotion patterns.
- h. Assist subordinates and upper management in the prevention of harassment.
- i. Show support for this AAP.

Affirmative Action Training

41 C.F.R. § 60-300.44(j)

HCAM provides training to all personnel involved in the recruitment, screening, selection, promotion, disciplinary and other related processes to ensure its AAP commitments are implemented.

ASSESSMENT OF EXTERNAL OUTREACH AND RECRUITMENT EFFORTS

Assessment: HCAM evaluated the effectiveness of outreach and recruitment efforts for qualified veterans during its prior AAP year. During that period, of the applicants who chose to complete the self-identification form, 0.00% self-identified as a protected veteran. As a result, HCAM will continue to review and analyze its existing outreach efforts and commit to continue to identify viable partners throughout the year.