

**Affirmative Action Program for Individuals with  
Disabilities and for Protected Veterans**

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**August 1, 2020 to July 31, 2021**

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## **Policy Statement on Behalf of Protected Veterans and Individuals with a Disability - 41 CFR §§ 60-300.44(a), 741.44(a)**

August 1, 2020

It is the policy of Hofer Wysocki not to discriminate against any employee or applicant for employment because he or she is a qualified individual with a disability, a disabled veteran, a newly separated veteran, a campaign veteran, or an armed forces service medal veteran (i.e., qualified protected veterans). It is also Hofer Wysocki's policy to take affirmative action to employ and to advance in employment all persons regardless of their status as qualified individuals with disabilities or qualified protected veterans, and to base all employment decisions only on valid job requirements. This policy shall apply to all employment actions including, but not limited to: recruitment, hiring, upgrading, promotion, transfer, demotion, layoff, recall, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship, at all levels of employment.

Employees of and applicants to Hofer Wysocki will not be subject to harassment, intimidation, threats, coercion, or discrimination because they have engaged or may engage in filing a complaint, assisting in a review, investigation, or hearing or have otherwise sought to obtain their legal rights related to any federal, state, or local law regarding equal employment opportunity for qualified individuals with disabilities or qualified protected veterans.

As Principal-In-Charge, I am committed to the principles of affirmative action and equal employment opportunity. In order to ensure dissemination and implementation of equal employment opportunity and affirmative action throughout all levels of the company, I have selected Chris Andersen, as the Equal Employment Opportunity (EEO) Officer for Hofer Wysocki. One of his duties will be to establish and maintain an internal audit and reporting system to allow for effective measurement of the organization's programs.

To further our policy regarding affirmative action and equal employment opportunity, Hofer Wysocki has developed the written Affirmative Action Program for Individuals with Disabilities and Protected Veterans that sets forth the policies, practices, and procedures, which we are committed to applying in order to ensure that our policy of non-discrimination and affirmative action for qualified individuals with disabilities and qualified protected veterans is accomplished. The Affirmative Action Program for Individuals with Disabilities and Protected Veterans is available for inspection by any employee or applicant for employment upon request, during normal business hours. Interested persons should contact the EEO Officer, Chris Andersen, or the Director of Human Resources, Tanya Wilson.

Mitchell Hofer  
CEO

## **REVIEW OF PERSONNEL PRACTICES – 41 CFR §§ 60-300.44(B), 741.44(B)**

HWA reviews its personnel processes to determine whether its present procedures assure careful, thorough, and systematic consideration of the qualifications of individuals with disabilities and protected veterans. This review covers procedures related to the filling of job vacancies either by hire or promotion, as well as all available training opportunities. Based on its review of personnel processes, HWA will modify those processes when necessary, and will include the development of new procedures in this Affirmative Action Program.

HWA provides necessary reasonable accommodations to ensure applicants and employees with disabilities and disabled protected veterans receive equal opportunity in the operation of personnel processes. HWA also ensures that its personnel processes do not stereotype individuals with disabilities or protected veterans in a manner that limits their access to jobs for which they are qualified.

When applicants or employees are selected for a hire, a promotion, or training, and HWA undertakes any accommodation that makes it possible to place an individual with a disability or disabled veteran on the job, the organization will make a record containing a description of the accommodation. The record is treated with appropriate confidentiality and is not included in employee personnel files.

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

## **REVIEW OF PHYSICAL AND MENTAL JOB QUALIFICATIONS – 41 CFR §§ 60-300.44(C), 741.44(C)**

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

No qualification requirements were identified that had a screening effect. All job qualification requirements were found to be job-related and consistent with business necessity and safety.

HWA will continue to review physical and mental job qualification requirements whenever a job is vacated and the organization intends to fill it through either hiring or promotion, as well as whenever there is a significant change in job duties. In addition, any jobs that are not reviewed due to recruitment activity will typically be reviewed at least every 24 months to ensure the physical and mental job qualification requirements are accurate.

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

## **REASONABLE ACCOMMODATION OF PHYSICAL AND MENTAL LIMITATIONS – 41 CFR §§ 60-300.44(D), 741.44(D)**

HWA commits to making a reasonable accommodation to the known physical and mental limitations of qualified individuals with disabilities and qualified disabled veterans unless such accommodation would impose an undue hardship on the conduct of its business. In determining the extent of its obligation, business necessity and financial costs, among other factors will be considered.

HWA does not deny employment opportunities to qualified job applicants, employees with a disability, or disabled veterans, based on the need to make reasonable accommodations for an individual's physical or mental limitations.

Reasonable accommodations also extend to HWA's use of electronic or online job application. The organization has information prominently displayed that serves the purpose of notifying job candidates that may need an accommodation to participate in the recruitment process whom to contact for assistance.

As a matter of affirmative action, if an employee who has a known disability or an employee who is a known 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 their known disability, HWA will confidentially notify the employee of the performance problem and inquire whether the problem is related to the employee's disability. If the employee responds affirmatively, HWA will inquire confidentially whether the employee is in need of a reasonable accommodation.

Employees may also contact the EEO Officer, Christopher Andersen, or the Human Resources Director, Tanya Wilson, at (913) 307-3885, at any time to request an accommodation.

During the previous year there were no accommodations requested.



## PROCEDURES TO PREVENT HARASSMENT – 41 CFR §§ 60-300.44(E), 741.44(E)

Employees of and applicants to HWA will not be subject to harassment, intimidation, threats, coercion, or discrimination because they have engaged or may engage in filing a complaint, assisting in a review, investigation, or hearing or have otherwise sought to obtain their legal rights related to any federal, state, or local law regarding equal employment opportunity for qualified individuals with disabilities or qualified protected veterans. Any employees or applicants who feel that they have been subject to harassment, intimidation, threats, coercion, or discrimination because of their disability or status as a qualified protected veteran should contact HWA's EEO Officer or the Human Resources Director at (913) 307-3885 for assistance.

A summary of HWA's Anti-Harassment policy follows:

### ***Anti-Harassment:***

The Equal Employment Opportunity Commission (EEOC) and the Office of Federal Contract Compliance Programs (OFCCP) have defined sexual harassment as: unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when (a) submission to such conduct is made either explicitly or implicitly a term or condition of 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, hostile, or offensive work environment. HWA adheres to this definition.

1. HWA strongly disapproves of sexual harassment and will not condone it in any way. Appropriate action will be taken against any manager, supervisor, and/or employee who engages in such conduct.
2. HWA has an internal complaint mechanism accessible to all employees who feel they may have been discriminated against on the basis of sex.

HWA also prohibits harassment on the basis of disability, status as a protected veteran, and any other characteristics protected by law. As with sexual harassment, HWA will not condone harassment and will take appropriate action against any manager, supervisor, and/or employee who engages in such conduct.

HWA has an internal complaint mechanism accessible to all employees who feel they may have been discriminated against or harassed based on the basis of disability, status as a protected veteran, or by any other characteristic protected by law.

## **EXTERNAL DISSEMINATION OF POLICY, OUTREACH AND POSITIVE RECRUITMENT - 41CFR §§ 60-300.44(F), 741.44(F)**

HWA undertakes appropriate outreach and positive recruitment activities designed to effectively recruit qualified individuals with disabilities and protected veterans. The organization evaluates its effectiveness to identify and recruit qualified individuals with disabilities annually. The evaluation is contained in a separate report.

Examples of HWA's outreach and recruitment activities include:

1. Recruiting sources, including job services, are notified of our policy concerning equal employment opportunity.
2. When recruiting externally, the positions are listed with the appropriate local office of the State Employment Service. In addition, priority veteran referrals are requested.
3. HWA's employment application, recruiting advertisements/listings, and career website page include appropriate tag-lines that include individuals with disabilities and protected veterans.
4. Prospective employees and applicants for employment are notified of the Affirmative Action Program for Individuals with Disabilities and Protected Veterans. The Program is available for review upon request.
5. In accordance with 41 C.F.R. §§ 60-300.42, 741.42, HWA invites all applicants for employment who believe themselves covered by the Act, and who wish to benefit under the Affirmative Action Program for Individuals with Disabilities and Protected Veterans, to identify themselves as a protected veteran and/or an individual with a disability. Individuals will again be requested to identify after an offer of employment, and at least every five years during employment employees will be given the opportunity to self-identify as an individual with a disability.
6. HWA will review its outreach and recruitment efforts on an annual basis to evaluate its effectiveness in identifying and recruiting qualified individuals with disabilities.
7. Vendors and suppliers will be provided notification of HWA's policy on equal opportunity and affirmative action of individuals with disabilities and protected veterans.



## **INTERNAL DISSEMINATION OF POLICY - 41 CFR §§ 60-300.44(G), 741.44(G)**

HWA recognizes that even a strong outreach program may be ineffective without adequate internal support from supervisors, management personnel, and other employees who may have had limited contact with individuals with disabilities or protected veterans in the past. A copy of HWA's Affirmative Action Program for Individuals with Disabilities and Protected Veterans will be made available for inspection to any employee or applicant upon request in an effort to promote understanding, acceptance, and support.

The Affirmative Action Program Policy Statement on Equal Employment Opportunity for Qualified Individuals with Disabilities and Qualified Protected Veterans is posted with federal, state, and local employment posters at the facility, including the "EEO is the Law" poster and supplement. These documents are also on the company website and company intranet.

All applicants who believe they are a qualified individual with a disability, as defined in Section 503 of the Rehabilitation Act of 1973, as amended, or who are a qualified protected veteran under the equal employment opportunity provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, have been invited to identify themselves if they wish to benefit under the organization's Affirmative Action Program for Individuals with Disabilities and Protected Veterans. Employees will be requested to complete Form CC-305 (Voluntary Self-Identification of Disability) at least once every five years. In between the five-year periods, employees will be reminded that they can update their forms at any time.

Training/education/briefing sessions are held for managers and supervisors to better understand the applicable regulations of equal employment opportunity and affirmative action. Topics such as recruitment, goals, and reasonable accommodations will be addressed.

## **INTERNAL AUDIT AND REPORTING SYSTEMS - 41 CFR §§ 60-300.44(H), 741.44(H)**

HWA's EEO Officer holds responsibility for overseeing the development and implementation of the Affirmative Action Plan for Individuals with Disabilities and Protected Veterans and implementing the audit and reporting system, which is designed to:

- Measure the effectiveness of the Affirmative Action Program for Individuals with Disabilities and Protected Veterans.
- Indicate any need for remedial action.
- Determine the degree to which HWA's objectives are being attained.
- Determine whether individuals with known disabilities and protected veterans have had the opportunity to participate in all organization-sponsored educational, training, recreational, and social activities.
- Document the actions HWA undertakes to comply with the obligations above, and appropriately retain the relevant documents.

The following activities are reviewed at least annually to ensure freedom from stereotyping qualified individuals with disabilities and qualified protected veterans in any manner, including that which may limit their access to any job for which they are qualified:

- Recruitment, advertising, and job application procedures;
- Hiring, promotion, upgrading, award of tenure, layoffs;
- Self-assessment of outreach and recruiting efforts;
- Data collection analysis and comparison to goals;
- Rates of pay and any other forms of compensation including fringe benefits;
- Job assignments, job classifications, position descriptions (position descriptions will be reviewed at least once every 24 months);
- Sick leave, leaves of absence, or any other leave;
- Training, educational opportunities;
- Any other term, condition, or privilege of employment, and
- Compliance with recordkeeping, obtaining and analyzing documents, and retention guidelines.

Managers and supervisors are asked to immediately report to the EEO Officer or the Human Resources Director any current or foreseeable equal employment opportunity problem areas and are asked to outline their suggestions/recommendations for solutions.

HWA's audit system will include providing information to the Chief Executive Officer addressing the efforts to achieve equal employment opportunity and affirmative action responsibilities.

## **ESTABLISHMENT OF RESPONSIBILITIES FOR IMPLEMENTATION - 41 CFR §§ 60-300.44(I), 741.44(I)**

The Chief Executive Officer is ultimately accountable for the Affirmative Action Program. The Chief Executive Officer will provide direction to subordinates as necessary to carry out all actions required to meet the commitments in HWA's Affirmative Action Program for Individuals with Disabilities and Protected Veterans.

Responsibilities for overseeing the program, monitoring progress, and reporting to the Chief Executive Officer are assigned to HWA's EEO Officer, Christopher Andersen. These responsibilities include:

1. Overseeing the development of the Affirmative Action Program for Individuals with Disabilities and Protected Veterans, policy statements, personnel policies and procedures, internal and external communication of the policy, and monitoring the effectiveness of these actions;
2. Reviewing personnel actions, policies, and procedures to ensure compliance with HWA's affirmative action obligations;
3. Serving as a liaison with external groups concerned with equal employment opportunities for disabled persons and veterans;
4. Serving as resource person to HWA on affirmative action and equal employment opportunity issues;
5. Assisting in the identification of problem areas and the development of solutions to those problems;
6. Monitoring the effectiveness of the program on a continuing basis through the development and implementation of an internal audit- and reporting-system that measures the effectiveness of the program;
7. Providing information, at least annually, to the Chief Executive Officer on affirmative action and equal employment opportunity progress and problem areas; and
8. Auditing the contents of company bulletin boards annually to ensure that compliance information is posted and up-to-date.

Supervisors and managers will be responsible for:

1. Complying with equal employment/affirmative action guidelines in personnel actions under their jurisdiction;
2. Ensuring that individuals with disabilities and protected veterans are given opportunity for jobs, transfers and promotions;
3. Assisting in the identification of problem areas, formulation of solutions, and assisting in the establishment of department goals and objectives when necessary; and
4. Preventing harassment of individuals with disabilities and protected veterans.

**TRAINING TO ENSURE AAP IMPLEMENTATION - 41 CFR §§  
60-300.44(J), 741.44(J)**

Training/education/briefing sessions are provided to personnel involved in the recruitment, screening, hiring, promotion, disciplinary and related employment processes. This helps ensure obligations are known and that progress is made toward meeting the commitments made in HWA's Affirmative Action Program for Individuals with Disabilities and Protected Veterans. In the last year training was conducted on equal employment opportunity/affirmative action, anti-harassment/non-discrimination, and reasonable accommodations, as well as informal training on various topics in monthly meetings.

## **DATA COLLECTION AND ANALYSIS – 41 CFR §§ 60-300.44(K), 741.44(K)**

At a minimum HWA will maintain the following for at least **three** years:

- The number of applicants who self-identified as protected veterans and/or as individuals with disabilities;
- The total number of job openings and the total number of jobs filled;
- The total number of applicants;
- The number of protected veteran and individuals with disabilities applicants hired, and
- The total number of applicants hired.

The documents will be retained in a separate “Data Analysis” file.

A separate report, which is not included in the Affirmative Action Program for Individuals with Disabilities and Protected Veterans, will contain the results of the analysis.

## **SECTION 503 AND VEVRAA GOALS 41 CFR §§ 60-300.45, 741.45**

The goals for HWA for the coming affirmative action plan year are:

- Hiring benchmark for protected veterans found at <http://www.dol-esa.gov/errd/VEVRAA.jsp> – 5.7%;
- Utilization goal of individuals with disabilities in each EEO job group – 7.0%