



**AFFIRMATIVE ACTION PLAN  
FOR INDIVIDUALS WITH  
DISABILITIES AND PROTECTED  
VETERANS**

**Planetary Science Institute  
1700 E. Ft. Lowell Road, Suite 106  
Tucson, AZ 85719**

**For Plan Year  
February 1, 2010 to January 31, 2011**

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*Title:* Human Resources Specialist  
*Phone:* 520-465-7179

*Signature:* \_\_\_\_\_

*Plan approved by:* Mark V. Sykes, Ph.D., J.D.  
*Title:* Chief Executive Officer and Director

*Signature:* \_\_\_\_\_

*Date approved:* \_\_\_\_\_

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## **STATEMENT OF PURPOSE**

This Affirmative Action Plan (referred to herein as “Plan”) is written with the intention of meeting the requirements of a contractor’s obligations with Section 402 of the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, and Section 503 of the Rehabilitation Act of 1973, both as amended. The Planetary Science Institute (“PSI”) is not a Section 504 beneficiary of government funds.

This Plan is presented in recognition of the rights of employees, appointees and applicants for employment to be treated on a nondiscriminatory basis. PSI recognizes its obligations to take affirmative action to foster opportunity in the employment and advancement of disabled individuals and covered veterans. PSI’s purpose in adopting this Plan is to encourage the employment of qualified disabled employees and covered veterans and to allow them to function at their full potential at all levels in the organization.

## STATEMENT OF CORPORATE POLICY

### STATEMENT OF CORPORATE POLICY CONCERNING INDIVIDUALS WITH DISABILITIES, DISABLED VETERANS, AND OTHER COVERED VETERANS

It has been a long-standing policy of PSI to employ and promote qualified personnel without discrimination against any employee, appointee or applicant for employment because of a physical or mental disability, disabled veteran status, or other protected veteran status. As a government contractor, PSI is required under certain federal laws to do more than just refrain from illegal discrimination. We are required as part of our contracts with the government to take affirmative steps to seek out individuals with disabilities and veterans who are protected by these laws and ensure that they receive an equal opportunity to compete for jobs for which they are qualified, to advance in employment, and to otherwise be treated without discrimination in the employment process. Our affirmative action obligation does not mean that individuals covered under these laws are given a preference in employment, or that PSI must meet hiring or promotion quotas, or that we must hire persons who are not qualified to perform a job.

We have instituted an "Affirmative Action Plan for Individuals with Disabilities and Protected Veterans" (referred to as "Plan"). This Plan applies to individuals with disabilities and covered veterans and commits PSI to practicing affirmative action in all employment-related practices and procedures. All PSI personnel who are involved in making employment-related decisions are responsible for being aware of and implementing PSI's affirmative action obligations. We will continually educate personnel involved in recruitment, screening, selection, promotion, discipline, and other human resources processes about the commitments we have as a federal contractor under our Plan.

To ensure the effectiveness of the Plan, PSI has appointed Linda Rueger as PSI's Equal Employment Opportunity/Affirmative Action Administrator. A copy of the Plan may be inspected during normal business hours by contacting Ms. Rueger at 520-622-6300.

All applicants, employees and appointees who are disabled or protected veterans are invited to identify themselves to PSI through Mr. Rueger. Such information is provided voluntarily, is kept confidential, and will not subject the person to any adverse treatment.

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Mark V. Sykes, Ph.D., J.D.  
CEO and Director  
February 1, 2010

## **AFFIRMATIVE ACTION PLAN COVERAGE**

Applicants, employees and appointees who believe themselves covered under this Plan for disabled individuals and protected veterans may advise PSI at any time that they wish to benefit under this Plan. This information will not be used to exclude or otherwise limit the employment opportunity of qualified disabled individuals or protected veterans.

Linda Rueger, as designated in the corporate policy statement, has the overall responsibility for the development and direction of affirmative action for disabled individuals and protected veterans. Ms. Rueger has the full support of Dr. Sykes and other top management in carrying out the following responsibilities:

- Developing programs and internal and external communications regarding affirmative action for these protected classes.
- Implementing an audit and review system that will:
  - Measure the effectiveness of the Plan.
  - Indicate the need for any action.
  - Determine the degree to which PSI's objectives have been met.
- Ensuring that the guidelines of the Plan are being followed.
- Serving as liaison between PSI and enforcement agencies.

## COMMUNICATION OF POLICY

The Plan year, February 1, 2010 through January 31, 2011, is PSI's first Plan for veterans and individuals with disabilities. While it has always been PSI's policy to employ and promote qualified personnel without discrimination, a separate policy statement has been prepared setting forth PSI's policy on employment of disabled individuals and protected veterans. During the Plan year, this policy will be disseminated to recruiting sources, applicants, our supervisory and management personnel, appointees, and employees in the following ways:

- Our policy will be included in our company policy manual and will encourage the hiring of disabled individuals and protected veterans. This policy will be explained to employees and management personnel and to new hires.
- PSI has developed internal procedures to ensure implementation of the policy, including an internal procedure to handle complaints (see Exhibits A and B, which are posted on our bulletin board).
- PSI will inform applicable recruiting sources of the policy.
- PSI incorporates the required affirmative action clauses addressing the Rehabilitation Act of 1973, as amended, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, in all covered contracts and purchase orders.
- Written notification is sent to subcontractors informing them of this policy.
- We will publicize our policy on the PSI website.

## RECRUITMENT

When appropriate hiring opportunities occur, PSI will request that employment agencies and other recruiting sources refer qualified disabled individuals and protected veterans for consideration.

- Recruiting sources will be informed of PSI's policy of nondiscrimination and affirmative action.
- PSI recruits applicants for employment on the basis of their demonstrated ability and competence and without regard to the applicant's physical or mental disability where that disability does not interfere with the applicant's ability to perform the job.
- Personnel involved in the recruitment, screening, selection, promotion, disciplinary and related employment processes will be made aware of our commitment.
- Sources likely to yield qualified disabled veterans and other covered veterans as applicants will be identified and included in our recruiting efforts. The veterans' representatives at the state workforce agency, state job bank, or other appropriate employment service delivery system in the state where the opening occurs will be notified of suitable open positions as appropriate.
- This policy will be discussed with PSI employees and management.

## **POLICY OF NONDISCRIMINATION**

PSI does not discriminate against any applicant, employee or appointee because of physical or mental disability or military service. However, the applicant, employee or appointee must be qualified for the position. PSI's commitment to equal employment opportunity includes, but is not limited to, the following areas: hiring, promoting, recruitment or recruitment advertising, termination, all forms of compensation, selection for training or education, seniority, or leave of absence.

PSI will ensure that the physical and mental job qualification requirements are related to the specific job or jobs for which the person is being considered and are consistent with business necessity and safe performance of the job.

## **JOB QUALIFICATIONS**

PSI will regularly review its personnel procedures to ensure that careful and thorough consideration is given to the job qualifications of disabled individuals and protected veteran applicants and employees.

Job qualifications are evaluated to ensure that they are based on sound business considerations and do not unjustifiably screen out disabled individuals or protected veterans. If it is determined that modification of personnel procedures is necessary, new procedures will be designed and implemented.

## **ACCOMMODATION**

PSI is prepared to make reasonable accommodation to the physical and mental limitations of qualified disabled individuals and special disabled veterans unless it poses an undue hardship or financial burden on the conduct of the business or endangers safe performance of the job.

## **INTERNAL COMPLAINT PROCEDURE**

PSI's Director and Affirmative Action Administrator will hear all complaints referred to them and will fairly and expeditiously investigate them. The investigation will be kept confidential and will be completed in a reasonable period of time. PSI encourages any employee, appointee or applicant to utilize this internal procedure. A copy of this notice is attached as Exhibit B.

PSI recognizes that any employee, appointee or applicant who alleges that a violation has occurred may personally, or through an authorized representative, file a written complaint with the Director of the OFCCP or the Veterans' Employment and Training Service of the U.S. Department of Labor, or his or her designee, at the local state employment office. This complaint must be filed within 300 days of the date of the alleged violation.

## DEVELOPMENT AND EXECUTION OF AFFIRMATIVE ACTION PLAN

Affirmative action practices and requirements for disabled individuals are described in 41 CFR 60-741, and appear for veterans at 41 CFR 60-300. Outlined below are PSI's definitions of individuals with disabilities and protected veterans.

### A. Individuals with Disabilities

An individual with disabilities is any individual who:

- has a physical or mental disability that substantially limits one or more of such person's major life activities;
- has a record of such impairment, or
- is regarded as having such impairment.

The phrase "major life activities" may be considered to include:

- Speaking
- Walking
- Self-care
- Socialization
- Receiving education or vocational training
- Working
- Transportation
- Adapting to housing

The phrase "substantially limits" means the degree to which the impairment affects employability. An individual who is disabled and who is likely to experience difficulty in securing, retaining, or advancing in employment is considered substantially limited.

The phrase "has a record of such impairment" includes:

- Individuals who may be completely recovered from a previous physical or mental impairment.
- Individuals who may have been erroneously classified as disabled in the past. This part of the definition is included because such individuals may have experienced discrimination based on misclassification.

The phrase "is regarded as having such impairment" refers to individuals who:

- Are perceived as having a disability, whether impairment exists or not.
- Are regarded as disabled by employers, because of attitudes or any other reason, where this may have an effect on employment.

(cont'd)

## DEVELOPMENT AND EXECUTION OF AFFIRMATIVE ACTION PLAN (cont'd)

The more common types of disabilities can be grouped according to five categories, but not limited to these:

- Disabilities related to mental function, intellectual and emotional abilities:
  - Mental retardation
  - Emotional disorders
  - Brain injury
  - Specific learning disabilities
- Disabilities related to special senses or the functions by which we receive information about the world around us:
  - Visual disorders
  - Hearing disorders
  - Other sensory disorders
- Disabilities relating to motor functions or the ability to move the arms, legs, head, and trunk:
  - Paralysis or weakness
  - Spasticity
  - Lack of coordination
  - Abnormal movement
- Structural disabilities that affect the structure and function of the body:
  - Amputation
  - Deformity
  - Abnormal size
  - Limited range of movement
  - Rheumatism
- Hidden disabilities – not readily apparent to the casual observer:
  - Heart disease
  - Kidney disorders
  - Diabetes
  - Epilepsy
  - Cancer
  - Allergies
  - Infections
  - Arthritis
  - Learning disabilities

### **B. Disabled Veteran**

The term “disabled veteran” means 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 a person who was discharged or released from active duty because of a service-connected disability.

(cont'd)

## **DEVELOPMENT AND EXECUTION OF AFFIRMATIVE ACTION PLAN (cont'd)**

### **C. Recently Separated Veteran**

Defined as 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.

### **D. Armed Forces Service Medal Veterans**

Defined as 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 for which an Armed Forces service medal was awarded pursuant to Executive Order 12985.

### **E. Other Protected Veterans**

Defined as 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, and under the laws administered by the Department of Defense.

## **REPORT ON THIS PLAN YEAR'S AFFIRMATIVE ACTION ACTIVITIES**

As of January 31, 2010, PSI employed a total of 81 employees, including appointee scientists, of whom one has self-identified as a disabled individual, disabled veteran, or other protected veteran.

Plan year February 1, 2010 to January 31, 2011 is PSI's first Plan. We sent notification to all employees, including appointee scientists, encouraging them to self-identify as disabled individuals, disabled veterans, or other protected veterans.

This year's plans for affirmative action for disabled individuals, disabled veterans, and other protected veterans include:

- Posting the policy on bulletin boards and other appropriate areas within the facility and on PSI's website.
- Communicating the policy to employees and managers.
- Reviewing selection practices.
- As we write job descriptions for all positions, we will ensure that the actual requirements of the job are reflected in the descriptions so that there are no unrealistic barriers to the placement of disabled individuals or disabled veterans.

## EXHIBIT A – EMPLOYEE AND APPLICANT POLICY LETTER

**To: All Employees, Appointees, and Post-Offer Applicants for Employment**

Planetary Science Institute (PSI) is an Equal Opportunity/Affirmative Action employer and complies with all federal and state regulations. Employees and appointees are treated during employment and qualified applicants are considered for employment without regard to race, color, religious creed, age, national origin, ancestry, sex, sexual orientation, gender identity, pregnancy, marital status, or disability.

PSI is a government contractor subject to Section 503 of the Rehabilitation Act of 1973 and Section 402 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, both as amended. It is our policy to take affirmative action to foster opportunities in the employment and advancement of qualified disabled individuals, disabled veterans, and other protected veterans. If you have a disability or are an eligible veteran and would like to be considered under the Plan, please tell us by completing the attached Voluntary Self-Identification Form. You may inform us of your desire to benefit under the Plan at this time or at any time in the future. This information is voluntary, and refusal to provide it will not subject you to discharge or disciplinary treatment.

Any information obtained from you shall be kept confidential and will only be used in accordance with the provisions of applicable laws, executive orders, and regulations. Supervisors and managers may be informed, where necessary, regarding restrictions on the work or duties of disabled individuals and information regarding required accommodations.

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Mark V. Sykes, Ph.D., J.D.  
CEO and Director  
February 1, 2010

**EMPLOYEE, APPOINTEE, AND POST-OFFER APPLICANT  
VOLUNTARY SELF-IDENTIFICATION FORM**

I am voluntarily self-identifying and requesting coverage under PSI's Affirmative Action Plan for Veterans and Individuals with Disabilities.

**VETERAN STATUS: (select all that apply)**

I am a veteran      Date of Discharge or Release from Active Duty: \_\_\_\_\_  
War/Campaign/Expedition: \_\_\_\_\_

Disabled Veteran  
A disabled veteran is: (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 the laws administered by the Secretary of Veterans Affairs, or (2) was discharged or released from active duty because of a service-related disability.

Other Protected Veteran  
This term refers to 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 Department of Defense. For a list of officially recognized campaigns, please see <http://www.opm.gov/veterans/html/vgmedal2.asp>.

Armed Forces Service Medal Veteran  
This is a veteran who, while serving on active duty in the U.S. military, ground, naval or air service, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985 (61 FR 1209) <http://www.opm.gov/veterans/html/vgmedal2.asp>.

I have the following special skill: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**INDIVIDUAL WITH DISABILITY**

I am an individual with a disability.  
The Americans with Disability Act guides PSI in defining a person with a disability as a person who: (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) has a record of such impairment, or (3) is regarded as having such impairment.

My disability is: \_\_\_\_\_

If there are any positions or types of positions for which you should not be considered, or job duties that you cannot perform because of physical or mental disability, please describe them for us. Such description should include what accommodation, if any, PSI could reasonably make to enable you to perform jobs that you may be qualified for properly and safely.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Printed Name (please print clearly): \_\_\_\_\_

**QUESTIONS:** Linda Rueger, PSI HR Specialist, 520-622-6300

**PLEASE RETURN TO:** Linda Rueger

**CONFIDENTIAL FAX:** 1-800-910-6507

**EMAIL AS AN ATTACHMENT:** [rueger@psi.edu](mailto:rueger@psi.edu)

**POSTAL MAIL:** Linda Rueger, PSI Human Resources, 1700 E. Ft. Lowell Road, Suite 106, Tucson AZ 85719

## EXHIBIT B – INTERNAL COMPLAINT SYSTEM

### **ATTENTION: All Job Applicants, Employees and Appointees with Disabilities, Disabled Veterans, and Other Protected Veterans**

PSI has an internal complaint procedure to resolve employee complaints and alleged violations of nondiscrimination laws, including Section 503 of the Rehabilitation Act of 1973 and Section 402 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, both as amended.

Any applicant for employment, employee or appointee who feels he or she has been discriminated against on the basis of disability or veteran status shall first file a complaint with PSI's Director (Mark Sykes) or PSI's Affirmative Action Administrator (Linda Rueger).

Our Plan for disabled individuals, disabled veterans, and other protected veterans is available for inspection to any employee, appointee, or applicant for employment upon request to Ms. Rueger. A copy of the Plan may be inspected during normal business hours.

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Mark V. Sykes, Ph.D., J.D.  
CEO and Director  
February 1, 2010