

**POLICY STATEMENT ON EMPLOYMENT OPPORTUNITY FOR  
INDIVIDUALS WITH DISABILITIES, SPECIAL DISABLED  
VETERANS, AND VIETNAM ERA VETERANS**

It is the continuing policy of this Laboratory to recruit and offer equal opportunity in employment to qualified individuals with disabilities, special disabled veterans, and Vietnam era veterans and to ensure that all of our personnel policies and activities are administered in a nondiscriminatory manner. This philosophy reflects a continuing commitment to equal employment under the guidelines of the Rehabilitation Act of 1973, the Vietnam Era Veteran's Readjustment Act of 1974, both as amended, and the Americans with Disabilities Act of 1990 and the Veteran's Employment Opportunities Act of 1998. These federal regulations require government contractors, such as Fermilab, to take affirmative action to recruit, employ, and upgrade employment of individuals with disabilities, special disabled veterans, and Vietnam era veterans.

Fermilab has developed an Affirmative Action Program concerning employment of individuals with disabilities and the veteran. This program is available for review. Persons who believe they are protected by these regulations are encouraged to identify themselves through the HR Department. The Personal Data form has been prepared for this purpose.

Submission of information is entirely voluntary. In addition, all data obtained will be kept confidential, with the following exceptions:

- 1) Supervisors and managers may be informed regarding restrictions in the work or duties of individuals with disabilities and with respect to necessary accommodations.
- 2) First aid and safety personnel may be informed, where and to the extent appropriate, if the condition may require emergency treatment.
- 3) Government officials investigating compliance with Section 503 of the Rehabilitation Act of 1973, Section 402 of the Vietnam Era Veteran's Readjustment Assistance Act of 1974, American's with Disabilities Act of 1990, and the Veteran's Employment Opportunities Act of 1998 shall be informed.

Kay Van Vreede, Head  
Workforce Development and Resources Section  
February 1, 2008

## **Definitions – Individuals with Disabilities, Special Disabled Veterans, Vietnam Era Veterans and Other Eligible Veterans**

### **A. Definition of “Individual with a Disability”**

An individual with a disability is defined as: “Any 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 an impairment. An individual with disability is "substantially limited" if he or she is likely to experience difficulty in securing, retaining, or advancing employment because of a disability.

### **B. Definition of “Special Disabled Veteran”**

A disabled veteran is a person entitled to disability compensation under laws administered by the Veterans Administration for a disability rate at 10% or 20% or a person whose discharge or release from active duty was for a disability incurred or aggravated in the line of duty.

### **C. Definition of “Vietnam Era Veteran”**

A veteran of the Vietnam era means (1) “(a) a person who served on active duty in the Republic of Vietnam for a period of more than 180 days, any part of which accrued between February 28, 1961 through May 7, 1975, as well as all veterans who served from August 5, 1964 through May 7, 1975, and was discharged or released therefrom with other than an dishonorable discharge, or (b) was discharged or released from active duty for a service connected disability if any part of such active duty was performed between February 28, 1961, and May 7, 1975 and (2) who was so discharged or released with 48 months, preceding the alleged violation of the (Vietnam Era Veterans’ Readjustment Act of 1974), the affirmative action clause, and/or the regulations pursuant to the act.”

### **D. Definition of “Other Eligible Veterans”**

The general category of Other Eligible Veterans includes two key veteran groups. The first includes veterans who served in a “war” Since the last declaration of war issued by Congress and initiated World War II, **veterans with active duty service between 12/7/41 and 4/28/52** are included in this section. The second veteran group in this category includes those **veterans who served in a campaign or on an expedition for which a campaign badge, a service medal or an expeditionary medal has been awarded.** This includes a number of military engagements that are listed here.

NAME OF EMPLOYEE \_\_\_\_\_

CURRENT POSITION \_\_\_\_\_

DIVISION/DEPARTMENT \_\_\_\_\_

**“I have read the definitions supplied with this form and wish to be considered under the affirmative action program for the category or categories checked below”**

A.  Person with a Disability

Brief description of any accommodation required:

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

B.  Disabled Veteran

Date disability incurred: month \_\_\_\_\_ year \_\_\_\_\_

Disability rating: \_\_\_\_\_ percent

My discharge or release from active duty was for a disability incurred or aggravated in the line of duty

yes  no

C.  Vietnam Era Veteran

Period of service: From \_\_\_/\_\_\_/\_\_\_ to \_\_\_/\_\_\_/\_\_\_

D.  Other Eligible Veteran

❖ (Service between 12/7/41 & 4/28/52)

Period of service: From \_\_\_/\_\_\_/\_\_\_ to \_\_\_/\_\_\_/\_\_\_

❖ (Service in a campaign or expedition)

Period of service: From \_\_\_/\_\_\_/\_\_\_ to \_\_\_/\_\_\_/\_\_\_

**I understand that this response is voluntary, and that no adverse employment will result for failure to supply this information, and that the information provided is to be handled confidentially as stated in the Notice to Employees.**

Date \_\_\_\_\_

Signature of employee \_\_\_\_\_

Employee Number \_\_\_\_\_