

University of Central Florida
Equal Opportunity and Affirmative Action Programs
Discrimination: Descriptions, Prevention
DISCRIMINATION BASED ON VETERAN STATUS

The University of Central Florida promotes access to its educational programs and activities, including employment, consistent with federal and state statutes as well as UCF Regulation 3.001, *Non-Discrimination; Affirmative Action*. The University takes prompt action to investigate complaints of discrimination based on veteran status, providing corrective actions when appropriate.

Discrimination based on veteran status involves treating an individual less favorably because he or she completed service in the United States military. Under federal law, the protected class includes individuals known to have served in the military when that information is used as a basis for the negative action.

Just as with other protected classes, complaints still may be valid even though the alleged discriminating official also is a veteran. “Sharing the same protected class” is not a valid defense to the prohibited conduct.

That conduct includes decisions to hire, terminate, set a particular salary, assign certain tasks, promote, lay off, train, or any other term or condition of employment. Common examples of discrimination based on veteran status include:

- Excluding an individual from a program or service based on veteran status
- Refusing to recognize employment in the military as work experience
- Failing to provide a reasonable accommodation when a disabled veteran documents the disability and requests something reasonable (see “Disability” section of this website for specific details)

The best systems for employment decisions consider job-related factors such as qualifications, experience, education, interview success, reference-check results, performance in current and previous positions, potential for success in higher-level or reorganized positions, abilities, and interest. UCF incorporates those factors into employment selection decisions (as an example), using the Faculty Hiring Guide, A&P Hiring Guide, Search and Screen Guidelines, pre- and post-hire monitoring of rationale, and training programs for hiring officials, search committee members, and interviewers.

Harassment based on veteran status is more of a pattern than specific acts of discrimination. It may take the form of “joking around” or “teasing.” If it substantially interferes with an employee’s performance, however, it is an area for the University to take action.

**The following example may contain offensive material
because it is provided as an example of a hostile or offensive environment.**

If the “jokes” can be stopped by the target early in the pattern because it is a miscommunication about what is funny, the target may be able to tell the individual, “Hollering ‘Ma’am, yes ma’am’ every time I ask about a project is getting old. Why don’t we go back to when I was still Pria.” If the pattern stops, there is no basis for a harassment claim.

If the nicknaming relating to veteran status continues, and colleagues join in despite requests to stop, and colleagues start using precise, loud, clipped speech patterns they sarcastically attribute to military mannerisms, and they ask if she has any further orders for them this afternoon: the individual is responsible for reporting this pattern of harassment based on veteran status and the University is responsible for addressing it. It is unlawful when it is so severe or persistent or pervasive that it creates a hostile or offensive working environment.

The University’s non-discrimination regulation prohibits acts of retaliation, as well as harassment, within the definition of discrimination. Retaliation consists of an adverse action, taken against an individual who complained or threatened to complain or who served as a witness in a discrimination complaint, based on that individual’s involvement.

For additional questions and resources for filing a report, complaint, or discrimination grievance, utilize the following contact information:

EEO@ucf.edu
Millican Hall 330, University of Central Florida
Orlando, FL 32816-0030
(407) UCF-1EEO (823-1336)
<http://www.eeo.ucf.edu/>

UCF EO/AA 6/11, updated 11/12