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United States Department of Agriculture  
Animal and Plant Health Inspection Service  
Civil Rights Enforcement and Compliance

Civil Rights Program Guide



**Civil Rights Program Guide  
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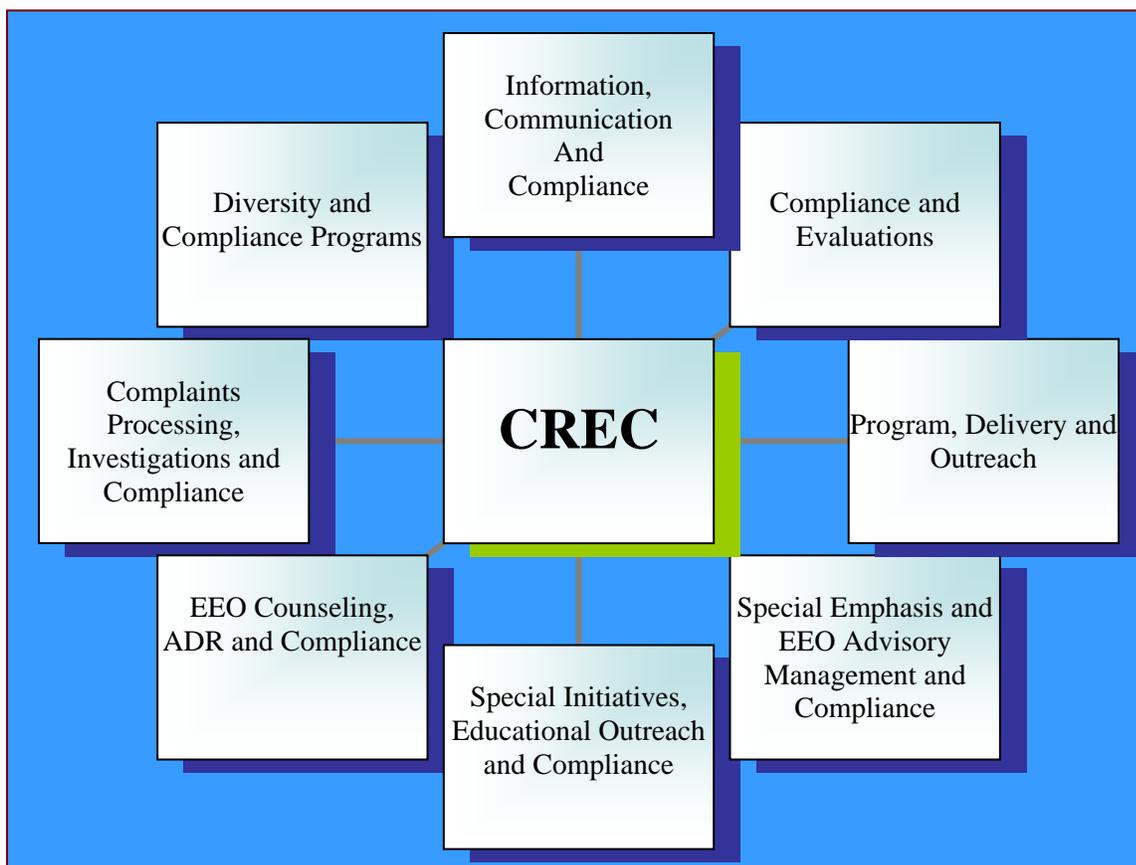
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## **Introduction**

The purpose of this guide is to provide technical guidance and procedures on the APHIS Civil Rights Program. This guide should be used as a resource by managers, supervisors, and employees including employees serving in collateral duty assignments, i.e. Special Emphasis Program managers, Equal Employment Opportunity (EEO) Advisory Committee members, and National Civil Rights Leadership Committee members. The following chart shows the major components of the program that this manual will be describing.

## **The APHIS Civil Rights Program Functions**



You may also obtain information directly from the Civil Rights Enforcement and Compliance (CREC) office. CREC contact information is:

- (301) 734-6312 -- EEO Program, Special Programs
- (301) 734-6317 – Alternative Dispute Resolution (ADR) Center - EEO Counseling/ADR
- 1-800-342-7231 — ADR Center Informal Counseling/ADR (toll free)
- (202) 720-6312—Formal Complaints Processing Team
- 1-800-372-7428--Manager's EEO Helpline

## **Chapter I -- EEO Program Guidelines and Policies**

The Equal Employment Opportunity Commission (EEOC) makes equal employment opportunity policy, and is responsible for conducting EEOC enforcement litigation under Title VII of the Civil Rights Act of 1964 (Title VII), the Equal Pay Act (EPA), the Age Discrimination in Employment Act (ADEA), and the Americans with Disabilities Act (ADA). The EEOC has 5 Commissioners and a General Counsel appointed by the President and Confirmed by the Senate. The Commissioners are appointed for five-year, staggered terms, the term of the General Counsel is 4 years. The President designates a Chair and a Vice Chair. The Chair is the Chief Executive Officer.

The Assistant Secretary for Civil Rights (ASCR) provides overall leadership, coordination, and direction for USDA’s civil rights programs, including matters related to program delivery, compliance and equal employment opportunity. ASCR ensures compliance with applicable federal civil rights laws such as:

- Titles VI and VII of the Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- The Age Discrimination Act of 1975
- Section 504 of the rehabilitation Act of 1973

ASCR is composed of three offices, the Office of Outreach and Diversity, the Conflict Prevention and Resolution Center, and the Office of Adjudication and Compliance. The delegations of authority by the Secretary of Agriculture to the Assistant Secretary for Civil Rights are found in USDA regulations at 7 CFR Part 2, 2.25.

Agency Civil Rights Programs – USDA Policy (Departmental Regulation 4300-005), requires the establishment of a full-time civil rights director within each agency who must, unless exempted by (by ASCR) report to the agency head or staff office director. Sufficient resources are to be provided by the agency head for the development and implementation of a comprehensive civil rights program that includes full time EEO Counselors and staff dedicated to program planning, and evaluation and compliance.

Agencies are required to demonstrate that its services are available in a nondiscriminatory manner. Public information, notification and outreach procedures in conjunction with ASCR (Office of Outreach are to ensure that all eligible customers are informed of agency program benefits and encouraged to participate.

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Departmental Officials and Agency Heads – are responsible for taking the necessary steps to implement a viable civil rights program by reporting annually to the Assistant Secretary for Civil Rights on the implementation of the 4 USDA Civil Rights Goals:

- Goal 1: Commitment of Agency Leadership/Strategic Plan Integration
- Goal 2: Program Delivery: Proactive Management and Legal Compliance
- Goal 3: EEO Program: Proactive Management and Legal Compliance
- Goal 4: Procurement

Civil Rights in APHIS - One of the Organizational Priorities in the APHIS Strategic Plan (2007 – 2012) is to “Value and Invest in Employees”. A Key Supporting Initiative is to develop a Model Civil Rights Organization which will include a Diverse Workforce, a Positive Work Environment; Complaints Reduction; and, Impartial Program Delivery.

Civil Rights is the responsibility of all APHIS employees. The Civil Rights program is managed by the Civil Rights Enforcement and Compliance Staff (CREC). The Mission of CREC is “To provide leadership, direction, coordination, evaluation and support to the Civil Rights efforts of APHIS. This Mission will be accomplished through full implementation of the following Civil Rights Goals:

- Goal 1: To implement a Civil Rights Program that is fully compliant with all Civil Rights Laws, rules and regulations including EEOC’s Management Directive (MD) 715 and USDA and APHIS regulations, policies and guidelines.
- Goal 2: Strengthen and expand educational programs and continue to ensure that the APHIS workforce reflects the Nation’s diversity.
- Goal 3: Develop and implement programs, strategies, and initiatives designed to close, settle or mediate active complaints and prevent new complaints.

### **What are the EEO reporting requirements for APHIS?**

*APHIS is required to report the progress of the Civil Rights Program to the Equal Employment Opportunity Commission (EEOC). Certain information must also be made available to the public and is accessible through the APHIS website.*

**EEOC Management Directive 715** This directive applies to all executive agencies. The objective of this Directive is to ensure that all employees and applicants for employment enjoy equality of opportunity in the federal work place regardless of race, sex, national origin, color, religion, disability or reprisal for engaging in prior protected activity.

#### **MD 715 Requirements**

- **An annual written policy statement that expresses a firm commitment to equal employment opportunity and a workplace free of discrimination and harassment**
- **An annual self-assessment to monitor progress, identify barriers to equal employment opportunity, and develop strategic plans to eliminate those barriers**
- **Effective systems for evaluating the impact and effectiveness of their EEO programs**

**USDA Civil Rights Performance Report:**

The Assistant Secretary for Civil Rights (ASCR) requires that each agency report annually on progress in meeting the 4 USDA Civil Rights Goals. The ASCR reviews this report and provides the Administrator an overall agency civil rights rating.

**Note: All managers and supervisors will be held accountable through their annual performance evaluations. Any manager or supervisor who tolerates or promotes discriminatory conduct, behavior or reprisal will be held personally accountable.**

**EEOC 462 Report:** One of the reports required by the EEOC is the Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints, also known as the EEOC Form 462 Report. This report is prepared by each agency, and is an assessment tool used to gauge the discrimination complaint activity of federal agencies from the informal complaint stage through the formal processing stage, to closure. The USDA automated complaints management system “iComplaints” generates data for this report. CREC staff enters the data into a password controlled data base managed by the EEOC.

**“No FEAR” Act Report:** The Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act) is the first civil rights law of the 21<sup>st</sup> century. Effective October 2003, each Federal agency is required to post quarterly, on its public website, statistical data relating to federal sector equal employment opportunity complaints filed with each agency.

**The No Fear Report may be found at:**  
<http://www.usda.gov/nofear/aphis>

**What are Special Emphasis Programs (SEP’s)?**

*Special Emphasis Programs consist of 6 authorized programs that address the unique concerns and ensure equal employment of minorities and individuals with disabilities: Federal Women’s Program, African American Program, the Native American Program, the Asian American/Pacific Islander Program, the Hispanic Employment Program, and the Disability Employment Program.*

**Volunteers representing all of APHIS, organizationally, geographically, and functionally, manage APHIS SEP’s; i.e., SEP managers include representation from all mission areas and support units, headquarters and regional offices, and from a broad range of professional, administrative, technical and clerical occupations.**

Special Emphasis Programs (SEPs) are an integral part of the overall civil rights, human resource and program delivery functions. The purpose of SEPs is to provide oversight, guidance, direction, and assistance to enhance opportunities for women, minorities, and people with disabilities in all employment activities.

- Federal Women’s Program\*
- Hispanic Employment Program\*
- Disability Employment Program\*

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- African American Program
- Asian American/Pacific Islander Program
- American Indian/Alaska Native Program

*\*Programs mandated by Executive Order*

Disability Employment Program (DEP) ensures compliance with legal obligations under Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 791), 29 CFR 1614.203, and Section 3112 of Title 5 U.S.C., and Title 38 U.S.C. 2014. This program is designed to promote the recruitment, employment, advancement and retention of people with disabilities, particularly those with targeted disabilities, and disabled veterans with special emphasis on outreach activities for disabled veterans with 30 percent or more compensable service connected disability.

### **What are the roles and responsibilities of the Special Emphasis Programs?**

- To identify and assist in removing discriminatory practices and procedures and other barriers to equal opportunity on all employment and program delivery activities.
- To initiate and conduct programs and other activities to increase the representation of women, minorities, and persons with disabilities where these groups are under-utilized. Programs and other activities include outreach endeavors, a comprehensive public notification system, effective monitoring and evaluation systems, special observance and educational and awareness activities.
- To continually improve hiring, training retention and advancement opportunities for all qualified individuals that would result in a diverse workforce.
- To assist the program in reviewing the [APHIS Merit Promotion Plan](#) and determine what additional steps can be taken that will result in the reduction of complaints citing “non-selection” as the issue.
- To improve the program composition or workforce profile to reflect the population served.
- To utilize the knowledge, skills and abilities of all qualified individuals to include participation on boards, committees, and task groups, upward mobility programs, special projects, details, temporary promotions, and career enhancing opportunities.
- To provide an effective channel of communication to management, regarding equal employment.
- To focus on customer service and expand the customer base to include all qualified individuals and entities.

**Collateral Duty Assignments:** Deputy Administrators, Regional Directors, and Division and Laboratory Directors may appoint any permanent employee to serve as a collateral duty Special Emphasis Program Manager (SEPM). There are no grade or occupational series requirements for these positions. Employees should be appointed without regard to race, gender, age, color, national origin, religion or disability. Collateral duty appointments allow employees to spend up to 20% of their official duty time implementing the goals and objectives of the assigned program. All SEPMs should be appointed to serve a 2-3 year term with an option of extension. CREC should be contacted prior to the extension of any appointment. The assignments should be documented as an addendum to the employee’s official position description. The performance of SEPM’s must be evaluated based on a separate element. Managers and supervisors should obtain input from CREC for the appraisal of the SEPM’s performance.

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Managers and supervisors should obtain input from CREC for the appraisal of the SEPM's performance

**USDA Authorized Special Emphasis Programs SEPM Directive.** This directive, [USDA DR 4230-2](#), was published on October 24, 1995.

### **What is an EEO Advisory Committee?**

*The Civil Rights (EEO) Advisory Committees serve as links between managers and employees and have been established for each program area.*

Civil Rights (EEO) Advisory Committees are established in each program area. Each committee has a Chairperson, Vice Chairperson or EEO Liaison (optional positions), Charter, and Mission Statement, and functions independently of each other. The major functions of the Advisory Committee are, but are not limited to the following:

1. Develop an annual work plan that includes goals to accomplish Equal Employment action items and submit the plan to the Deputy Administrator, Regional Director, or Division Director for approval. The SEPMs will work with the EEO Liaison, Civil Rights EEO Advisory Committee and CREC National SEPMs to develop the plan.
2. Develop a Communication Plan to network within the established program and with other Civil Rights Advisory Committees located in headquarters or field and CREC National Special Emphasis Program Managers.
3. Communicate goals and objectives of the assigned program to employees in the region and/or unit.
4. Review Civil Rights data and become familiar with the employment status of minorities, women and people with disabilities within the assigned program.
5. Develop strategies to overcome any identified barriers to the full employment of minorities, women, and people with disabilities with emphasis on the assigned program.
6. Recommend training or programs for the unit or activity that will enhance awareness of the assigned program.
7. Serve as a resource in the workplace and in the community for information on hiring opportunities and outreach sources.
8. Provide technical assistance to committees planning special observances.
9. To assist the program in reviewing the [APHIS Merit Promotion Plan](#) and determine what additional steps can be taken that will result in the reduction of complaints citing “*non selection*” as the issue.
10. Submit *Quarterly Activity Reports* to the APHIS National Special Emphasis Program Team Leader by the requested due dates.
11. Convene quarterly briefings with Managers and Supervisors to give status reports on the program's employment activity.

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**Who should the EEO Advisory Committees report to organizationally?** The committee should report to the Deputy Administrator, Regional Directors, and Division and Laboratory Directors depending on the level of the committee. The committees are required to provide CREC with quarterly accomplishments reports to ensure compliance with EEO program goals and objectives.

**How are Collateral Duty Assignments documented?** A signed memorandum of understanding (MOU) between the appointee and his/her immediate supervisor is required. The MOU should be sent to the Director CREC for signature during the first 30 days of the appointment.

### **What is an EEO Workforce Profile?**

*An EEO Workforce Profile provides a snapshot view of the employment make up of a given program area or unit for a specified period of time.*

Data contained in the workforce profile includes the following charts and narrative: summary of employment by race, gender and national origin; employment change comparison of current year to previous year; new hires; grade distribution; promotions; separations; number of persons with targeted and reported disability; APHIS major occupations summary; and retirement eligibility. The workforce profile also includes participation rates for EEO groups which includes the percent of the group in the agency as compared with the percent of the same group in the Civilian Labor Force (CLF).

**Participation rates are an overall snapshot of the degree of the Agency's employment to the Civilian Labor Force (CLF).**

**How to obtain the EEO Profile for your unit?** The EEO data profile can be requested from CREC in writing by EEO Advisory Committee members, work unit Directors, and other senior managers (or their designees). These data do not include names and are based on the “self identification” of each employee. Employees may not be asked their racial identification nor should racial data by name be collected and maintained within any program or unit.

**General categories of reasonable accommodations may include modifications:**

- (1) to a job application process**
- (2) to the work environment**
- (3) to the manner or circumstances under which the position held or desired is customarily performed**

### **What is a Reasonable Accommodation?**

*Title I of the Americans with Disabilities Act of 1990 (the “ADA”) requires an employer to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment, unless to do so would cause undue hardship.*

In general, a reasonable accommodation is a change in the work environment or the application process that enables a person with a disability to enjoy equal employment opportunities.

**How can a reasonable accommodation for a disability be requested?** Departmental Regulation 4300-002 requires that the request for accommodation be submitted to the supervisor and be written or oral and need not mention the specific disability. Either the employee or supervisor should contact the APHIS Mission Area Designee, MRPBS, at (301) 734-7489 for information on obtaining a reasonable accommodation. MRPBS may ask for medical documentation and then after determining whether the employee meets the definition of an employee with a disability, MRPBS will advise the supervisor and engages in an interactive process to determine the most effective and cost efficient accommodation. All medical documentation will be kept separate from the employee’s personnel file and in a secure area.

### **What is a Civil Rights Performance Element and who is required to have one?**

*Like other performance elements, the civil rights element consists of one or more duties and responsibilities, which contribute toward accomplishing civil rights goals and objectives. Different requirements relative to the Civil Rights Performance Element, depending on one’s management responsibilities, are described in this section.*

**Regulations governing the Civil Rights Performance Element:** The USDA SES Performance Management Systems Handbook, dated April 28, 2004, requires a mandatory separate civil rights element for Agency Heads and Staff Office Directors. Because of the importance of civil rights in all aspects of an executive's performance, civil rights expectations will be included in all performance elements. All other senior executives have civil rights performance requirements accounted for within all elements, as appropriate. Rating officials may also establish an optional, separate civil rights element for any executive.

**EEO/Civil Rights Performance Element for Managers and Supervisors:** Performance plans must have an EEO/Civil Rights Element weighted at 10% that includes the following:

The manager/supervisor “Performs all duties and responsibilities in a manner that is consistent with civil rights and equal opportunity laws and regulations prohibiting discrimination, retaliation, harassment and reprisal. Demonstrates equal employment opportunity for all employees and applicants for employment by taking actions to prevent and resolve EEO complaints at the earliest possible stage. Ensures that APHIS programs and activities are implemented in nondiscriminatory manner to reach all eligible beneficiaries.”

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**Non-supervisory employees’ performance plans must have a critical EEO/Civil Rights element that includes language similar to the following:**

*Treats all employees, stakeholders, program beneficiaries and the general public with fairness, dignity and respect consistent with agency goals for civil rights and equal opportunity.*

*A sample performance element for non-supervisory employees can be found in the CREC APHIS Civil Rights Performance Report, FY 2007. This performance element sample includes:*

**GS-6**

**SAMPLE PERFORMANCE ELEMENT**

**Equal Employment Opportunity and Civil Rights**

**ELEMENT DESCRIPTION AND ALIGNMENT**

Consistently demonstrates fairness, cooperation, and respect toward coworkers and others in the performance of all official business, including program delivery.

This element supports program goals and objectives to value and invest in employees and by facilitating civil rights as an integral part of program activities.

**PERFORMANCE STANDARD: RESULTS AND MEASURES FOR “FULLY SUCCESSFUL” RATING**

Performs duties in a manner which consistently demonstrates fairness, cooperation, and respect toward coworkers, office visitors and others in the performance of all administrative duties

Demonstrates an awareness of Equal Opportunity and Civil rights responsibilities of the goals of valuing a diverse, yet unified workforce by:

- Following EEO and Civil Rights principles to value diversity
- Creating and maintaining a positive work environment
- Maintaining a fair and impartial program delivery

**PERFORMANCE STANDARD: RESULTS AND MEASURES FOR “EXCEPTIONAL” RATING**

**GS-6 Sample Performance Element 1**

## Chapter I – EEO Program Guidelines and Policies

**Some examples of major EEO program activities.** *Major EEO program functions and responsibilities include Communication, Complaints Reduction and Prevention, Recognition of Employee Civil Rights Accomplishments, and Disability Employment, Special Programs, and Utilization of EEO Advisory Committees and Councils, and Outreach.*

**Communication:** Title 29 CFR Part 1614.102 (a) (5), (a) (12), (b)(5), and (b)(7) requires that Agencies communicate information about the EEO program to employees and provide orientation, training and advice to managers and supervisors.

APHIS CREC regularly provides this information to employees through posters, policy statements, letters sent to employees' homes in their employee earning statements, mass email publications (Civil Rights Update), briefings (the Civil Rights Information Academy), new supervisor training, and through material on the internet and intranet.

EEOC Management Directive 715 requires agency heads, at the beginning of their tenure, to issue a signed policy statement declaring the agency's position against discrimination on any protected basis.

**Complaints Reduction and Prevention:** The Complaints Reduction Initiative began in FY 1998. During the Initiative, formal complaint filings reached their peak in FY 2003 with 130 complaints filed. The lowest number filed, 42 was in FY 2006. During the 9 year period a total of 771 Formal EEO Complaints were filed and a total of 916 complaints were closed.

Today complaint prevention and resolution activities continue; ADR is offered to all participants in the informal and formal EEO complaint process, complaint resolution is encouraged throughout the formal EEO complaint process, and reviews are still conducted to ensure that APHIS offices and work sites are in compliance with civil rights laws and regulations.

**Complaints of Employment Discrimination:** The EEO discrimination complaints process is an avenue that any current or former employee or applicant for employment may utilize to seek mediation, counseling, or file a discrimination complaint, if they believe they have been subjected to employment discrimination on the basis of race, color, religion, national origin, age, sex, disability, marital or familial status, sexual orientation and/or reprisal. ((301) 734-6317 or 1-800-342-7231 – ADR and Traditional EEO Counseling)

**Civil Rights Accountability:** The Assistant Secretary for Civil Rights (ASCR) established a civil rights accountability process to implement the action items in the USDA Civil Rights Performance Plan, and to measure and report civil rights performance in an Annual Report to the ASCR. If a "Finding of Discrimination" is rendered, customarily, APHIS, Human Resources Division and the USDA Office of Human Resource Management jointly conduct a review of the Report of Investigation for a determination of appropriate disciplinary and/or corrective action.

**Note:** Managers and supervisors are responsible for setting the tone for workplace behavior, and are held accountable through their annual performance evaluations. Any manager or supervisor who tolerates or promotes discriminatory conduct/behavior or reprisal will be held personally accountable, and subject to disciplinary and/or corrective action.

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**Awards/Recognition:** APHIS encourages managers/supervisors to recognize the accomplishments of employees for leadership and contributions in support of Civil Rights and Equal Opportunity. Annually, the Administrator publicizes Civil Rights Awards to recognize these individuals. Other means of recognition include The Performance Appraisal and Cash Award System.

**Special Programs:** APHIS supports and participates in several specially-focused initiatives created and sponsored by various Departmental Task Forces and Committees in response to the White House Initiatives Office and Presidential Orders. APHIS Special Programs and Initiatives consist of:

- USDA/1890 National Scholars Program
- Summer Intern Program
- Washington Internships for Native American Students (WINS)
- Workforce Recruitment Program (WRP)
- Hispanic Association of Colleges and Universities (HACU) National Internship Program
- USDA-APHIS Public Service Leaders Scholarship Program
- Career Intern Program
- Thurgood Marshall College Fund/Career Program
- Ag-Discovery Program

For additional information on these programs, please refer to Chapter VIII, Special Programs.

**Utilization of EEO Advisory Committees and Councils:** The Civil Rights Advisory Committees serve as links between managers and employees<sup>1</sup>.

The Advisory Committee may be utilized to:

- Communicate within the established program and with other Civil Rights Advisory Committees located in headquarters or field and CREC National Special Emphasis Program Managers. An example of communication includes the goals and objectives of the assigned program (African American, Hispanic, etc).
- Review the employment status of the assigned program and works with managers to develop strategies to overcome any identified barriers to full employment.
- Recommend training or programs for the unit or activity that will enhance awareness of the assigned program.
- Provide information on hiring opportunities and outreach sources.
- Assist the program in reviewing the [APHIS Merit Promotion Plan](#) and determine what additional steps can be taken that will result in the reduction of complaints citing “non selection” as the issue.

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<sup>1</sup> **EEO advisory committees are not authorized to handle discrimination complaints or related matters. Such complaints are handled through the APHIS ADR Center.**

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*The next two areas of EEO are managed primarily by MRPBS-HR; however, CREC becomes involved if an employee files a complaint based on religious accommodation or reasonable accommodation for a disability.*

**Religious Accommodation:** Every employee and/or applicant has a right to individual religious beliefs and expression. Title VII of the Civil Rights Act of 1964, as amended in 1967, prohibits discrimination based on religion and religious beliefs. An employer is required to reasonably accommodate the religious beliefs and practices of an employee or prospective employee, unless such accommodation would impose an undo hardship on the employer.

**Reasonable accommodation for a disability:** Title I of the Americans with Disabilities Act of 1990 (the “ADA”) requires an employer to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment, unless to do so would cause undue hardship. In general, a reasonable accommodation is a change in the work environment or the application process that enables a person with a disability to enjoy equal employment opportunities.

## **Chapter II — Informal EEO Discrimination Complaints**

The EEO Discrimination Complaints Process is an avenue that any current or former employee or applicant for employment may utilize to seek ADR or traditional EEO counseling before filing a discrimination complaint. The first step in the EEO complaint process is to contact the APHIS Intake Specialist.

### **How do you file an informal complaint of employment discrimination?**

*You may initiate an informal EEO complaint by calling (301) 734-6317 or (800) 342-7231, within 45 calendar days of the date of the alleged discriminatory act or, if a personnel action is involved, within 45 calendar days of its effective date.*

The informal complaint process must be completed within 30 days; unless an extension is granted. Counselors may request an extension of up to 60 days, which brings the total time that the complaint may be in this stage to 90 days. If resolution is unsuccessful, the assigned EEO Counselor will issue the aggrieved individual a Notice of Right to File (NRF) a formal EEO complaint along with the appropriate formal complaint form outlining the rights to file a formal complaint and the appropriate time frames for doing so.

#### **Important Deadline**

**The aggrieved person must contact EEO within 45 calendar days of the date of the alleged discriminatory act or, if a personnel action is involved, within 45 calendar days of its effective date.**

**What's the phone number?**

**(301) 734-6317 or (800) 342-7231**

The complaint may be expressed orally or in writing and should include all of the following information:

- Your name, address, and telephone number.
- A brief description of the problem and the date on which it arose.
- Your request for anonymity during the EEO counseling process if you so desire.

### **Class Action Complaints:**

Class action complaints must be presented by an agent of the class within 45 calendar days of the alleged discriminatory act or, if a personnel action is involved, within 45 calendar days of its effective date. Prior to filing a class action, you may contact the ADR Center. The counselor will explain appropriate regulatory guidelines effecting class action complaints.

**Election Letters:** You may choose either traditional counseling or ADR mediation. The following are examples of the two types of election letters: one for electing traditional counseling and one for electing ADR mediation.

**Chapter II – Informal EEO Discrimination Complaints**

TO \_\_\_\_\_  
EEO Counselor



**Election Form for Traditional EEO Counseling**

I have read the information guide and Appendix A explaining my rights and responsibilities in the EEO Complaint Process and would like to have my allegation of employment discrimination pursued through traditional EEO counseling. I have been informed that EEO Specialist, \_\_\_\_\_ will be handling my informal EEO Complaint Number \_\_\_\_\_. I understand that the election to proceed through counseling vs. ADR is final. However, if my concern(s) is not resolved during this informal process, I will be given a final interview and issued a Notice of Right to File a Formal Complaint of Discrimination (NRF) in accordance with 29 CFR 1614.

I acknowledge that I have been advised of:

- My right to anonymity during the counseling stage,
- My right to be accompanied, represented, and advised during counseling and at any stage of the process to my complaint by a representative of my choice designated in writing.

Please initial the appropriate line(s) and sign the form in the space identified below.

\_\_\_\_\_ I give permission for my name to be used during the counseling process.  
(anonymity waived)

\_\_\_\_\_ I request anonymity during the counseling process.

\_\_\_\_\_ I do not have a representative at this time.

\_\_\_\_\_ I have a representative:

\_\_\_\_\_  
Name Daytime Telephone

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Print Name Date

\_\_\_\_\_  
Client Signature

TO: \_\_\_\_\_  
Mediator/EEO Specialist



**Election to Engage in Mediation**

I have read the informational guide and have discussed this matter with an Intake Specialist. I have been informed that EEO Specialist, \_\_\_\_\_ has been assigned to process my informal EEO Complaint Number \_\_\_\_\_. I understand that if mediation is not successful, I will be given a final interview and issued a Notice of Right to File a Formal Complaint of Discrimination (NRF) in accordance with 29 CFR 1614.

\_\_\_\_\_  
PRINT NAME DATE

\_\_\_\_\_  
COMPLAINANT SIGNATURE

I plan to have a representative accompany me during the mediation process, the person's name, address, and daytime telephone number is listed below:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Relationship to you (attorney, union Representative Etc.)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State and Zip Code

## Chapter II – Informal EEO Discrimination Complaints

### **What is Alternative Dispute Resolution (ADR)?**

*The Administrative Dispute Resolution Act defines "alternative means of dispute resolution" as any procedure that is used to resolve issues in controversy, including, but not limited to, conciliation, facilitation, mediation, fact finding, mini-trials, arbitration, and use of ombudsmen, or any combination thereof. While most individuals are familiar with the ADR process during the informal counseling stage, ADR is also an approach to resolution used during the formal process as well. In fact, resolution through ADR may be entertained at any stage in the EEO process.*

**What are the authorized ADR Methods and which are used in APHIS?** The most common ADR processes are:

- Mediation – The parties involved are brought together and concerns, which gave rise to the allegations, are addressed in a non-threatening environment. This technique may be conducted face-to-face, or on a case by case basis and in certain circumstances telephonically. Everyone may present any documentation necessary to support his or her position. All information conveyed during the mediation will be kept confidential, except those matters required by Departmental policy or by law, i.e., fraud, waste and abuse or criminal activity.
- Telephonic Facilitation – The parties involved are brought together via teleconference and with guidance of the facilitator, the group moves through the problem-solving process together to arrive at a jointly agreed upon resolution.
- Settlement Conference – The parties involved are brought together via teleconferencing with the EEO Specialist and are provided with possible settlement ranges for their consideration.

### **What is Traditional EEO Counseling?**

*In traditional EEO counseling, the EEO counselor acts as the intermediary between the aggrieved person and the responsible management official. The aggrieved person may remain anonymous. However, informal resolution may be impacted by the selection of anonymity.*

**What is the role of the EEO counselor?** The role of the EEO counselor is to provide objective advice to the participants in the informal EEO complaint process, facilitate resolution of the complaint, issue written communication of rights and document the outcome of the process.

#### Some of the Responsibilities of the EEO Counselor

- 1) Contact the aggrieved employee to obtain further clarification of the basis and issue of the case
- 2) Provide advice about the EEO complaint process
- 3) Seek resolution at the lowest possible level
- 4) Document the terms in a settlement agreement
- 5) Advise the complainant of their right to file a formal complaint

**What is the role of the person seeking counseling?** The employee or applicant for employment has the responsibility of participating and cooperating during counseling by providing as much information as possible about the issue/issues, basis/bases and circumstances.

#### Responsibilities of the Person Seeking Counseling

- 1) Select either traditional counseling session or mediation during the EEO process
- 2) Provide specific information about the alleged discrimination.
- 3) If resolution is not achieved within 30 calendar days from initial contact, decide whether to authorize (in writing) an extension of counseling, not to exceed 60 days.
- 4) Respond to any offers of resolution.

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**What is the role of the responsible management official (RMO)?** The RMO should be cooperative and responsive during the counseling process. The EEO counselor is required to solicit the views of the RMO. The counselor will inform the RMO of the nature of any allegations and accusations that have been made. The RMO has the right to have a representative present during the interview to provide advice on how to respond to any questions the counselor may ask.

### Responsibilities of the Responsible Management Official

- 2) Listen to the counselor.
- 3) Try to understand the nature of the allegations.
- 4) Work steadily with the counselor towards expeditious resolution.

If you believe that you have been discriminated against, contact the APHIS ADR Center for Assistance at (301) 734-6317 or (800) 342-7231

## How to File a Discrimination Complaint

**WHO?** Any present or former APHIS employee or applicant for employment who feels that he or she has been discriminated against in an employment matter because of race, color, religion, national origin, sex, sexual orientation, age (40+), marital status, physical or mental disability, or in retaliation for past EEO activity, or involvement in protected EEO complaint activity, may request EEO counseling or Alternative Dispute Resolution.

**WHEN?** Within 45 calendar days of the date of the alleged discriminatory act or, if a personnel action is involved, within 45 calendar days of its effective date. Class action problems must be presented by an agent of the class within 45 calendar days of the alleged discriminatory act or, if a personnel action is involved, within 45 calendar days of its effective date. The counselor will explain appropriate regulatory guidelines effecting class action complaints.

**HOW??** A request for counseling may be oral or in writing and should include all of the following information:

- Your name, address, and telephone number.
- A brief description of the problem and the date on which it arose.
- You may request anonymity during the EEO counseling process, if you so desire. However, at this stage it is not an Investigation process, anonymous calls to the ADR Center are not permissible.

**WHERE?** Contact the ADR Center on (301) 734-6317 or (800) 342-7231 for information. Our address is: USDA, APHIS, CREC; 4700 River Road, Unit 92; Riverdale, MD 20737. Federal Relay Service (Voice/TTY/ASCII/Spanish) 1-800-877-8339.

## **Chapter III—Formal EEO Discrimination Complaints**

The formal complaint process is comprised of several stages, or steps. The entire process from start to finish should be completed within 180 days. Resolution may be entertained at any step in the process, up to and including a hearing before EEOC. The procedures detailed below apply to any and all formal EEO discrimination complaints.

### **How do you file a Formal Complaint of Discrimination?**

*The formal complaint process is comprised of several stages, or steps. The entire process from start to finish should be completed within 180 days. Resolution may be entertained at any step in the process, up to and including a hearing before EEOC.*

- Step 1: Once you have received your Notice of Right to File, you must decide, within 15 days, whether or not to file a formal complaint. In order to file a formal complaint, you must complete the complaint form provided by the EEO Counselor along with your Notice of Right to File and send it to the USDA ASCR OAC (formerly known as the USDA Office of Civil Rights).
- Step 2: The USDA ASCR OAC will provide you with a written acknowledgement of receipt of your complaint and either acceptance or dismissal of your complaint. If the USDA ASCR OAC dismisses your case, a detailed explanation and appeal rights will be provided to you (identified as the “Complainant”) in writing.
- Step 3: Once notified that your case has been accepted, the APHIS CREC office will assign your case to an independent contract EEO investigative firm for investigation of the accepted issues. The investigator will meet with you either in person or telephonically to obtain your affidavit, and begin interviewing other individuals who can provide relevant testimony regarding the alleged issue(s). Supporting documents will be gathered at this time as well.
- Step 4: CREC reviews the completed Report of Investigation for sufficiency, which usually takes no more than 3-5 business days, depending upon the size of the report. CREC provides the report to you, along with your processing options.
- Step 5: You are provided the option of withdrawing your case in its entirety, proceeding with either a hearing before an EEOC Administrative Judge, or forwarding the complaint to USDA ASCR OAC for a Final Agency Decision rendered on the merits of the case. You must make an election within 30 days from the date of receipt of the report or USDA ASCR OAC will render a Final Agency Decision.

**What is the role of the USDA ASCR OAC in the formal EEO complaint process?** The role of the USDA ASCR OAC in the formal EEO complaint process is to review your formal complaint and determine to accept or dismiss your claim, notify you and the agency of their decision; and should you elect a Final Agency Decision, the ASCR OAC will write the decision based upon the information contained in your Report of Investigation.

### ***Chapter III – Formal EEO Discrimination Complaints***

**What is the role of APHIS CREC in the formal EEO complaint process?** The role of the APHIS CREC staff in the formal complaint process is to monitor accepted and dismissed cases; and facilitate the resolution of active cases. Activities include:

1. Monitor all formal complaint activity from filing through closure
2. Track in the database all written communication to the complainant and/or EEOC
3. Assign accepted complaints for investigation by an independent, neutral contract investigative firm
4. Analyzes each case to determine the strengths/weaknesses and feasibility of resolution
5. Work with the complainant and identified management official to facilitate resolution, on a case-by-case basis
6. Notifies the Chief, Assessment and Litigation Branch when a complainant elects an EEOC hearing
7. Provides assistance to the Office of the General Counsel in EEO cases.

**What to do if you are named as the Responsible Management Official in an EEO Complaint?** The identified agency Responsible Management Official must fully cooperate throughout the process. You may be contacted by the EEO Counselor (in the informal complaint process), a CREC EEO Specialist, EEO contract investigator, assigned agency representative, etc. You would be expected to:

1. Participate in mediation, settlement negotiations, and/or in the hearing process
2. Provide an affidavit to the EEO contract investigator as well as documentation for the report
3. Authorize official time for employees participating in the EEO complaint process.

### **Is an employee allowed to work on a complaint during normal business hours?**

*Currently, employees are authorized time to participate in EEO Counseling, ADR, EEO Investigations, Administrative Hearings, etc.*

CREC developed [Guidelines for Use of Official Time and Agency Resources – Equal Employment Opportunity \(EEO\) Complaints](#) which provides information about granting official time and examples of reasonable time allotments for various EEO purposes.

### **What is the APHIS Manager’s EEO Helpline?**

*The APHIS Manager’s EEO Helpline (1-800-372-7428) connects managers to members of the CREC Management Team and Complaint Specialists quickly and efficiently.*

Through the Helpline, managers may request assistance in resolving EEO employment and program discrimination complaints and answers to general EEO issues and concerns.

## **Chapter IV—Program Delivery**

In addition to the EEO Program, Civil Rights laws and regulations govern civil rights as incorporated into government programs. These regulations cover Federally Conducted programs as well as Federally Assisted programs. Both types of programs fall under the general heading of Program Delivery.

All APHIS employees are obliged to proactively provide equitable and discrimination-free access to the public and to focus on external organizations that have not received benefits from APHIS programs. In addition to the EEO Program, civil rights laws and regulations apply to our relationships with customers, partners and the general public. These statutes and regulations cover Federally conducted programs and activities as well as Federally assisted programs and activities. These programs and activities fall under the general heading of Program Delivery.

### **What is the relationship between Program Delivery and Civil Rights?**

In USDA programs and activities, the Title VI of the Civil Rights Act of 1965 along with other relevant statutes and regulations, prohibit discrimination on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Therefore, we, as an agency, may not exclude from participation in, deny the benefits of, or subject to discrimination any person in the United States under any program or activity conducted by the USDA.

**What are Federally conducted programs and activities?** The term “Federally conducted” refers to those programs and activities that APHIS conducts or provides directly to a beneficiary. One example is that APHIS and its employees provide permits and inspections directly to beneficiaries. Discrimination in conducted programs and activities is prohibited by 7 CFR Part 15d.

**What are Federally assisted programs and activities?** The term “Federally assisted” refers to programs and activities that are provided to beneficiaries by a recipient that received Federal financial assistance from APHIS. The recipient that received Federal financial assistance from APHIS may be a state or local government entity, partner or contractor. A recipient must provide the program or activity on a nondiscriminatory basis, and APHIS must ensure that the recipient is in compliance with nondiscrimination statutes and regulations for Federally assisted programs and activities. An example is APHIS awarding a grant to an organization. With APHIS’ help, this organization will assist its members in registering their premises in the National Animal Identification System (NAIS).

**What are some of the relevant statutes and regulations regarding civil rights and program delivery?** The following civil rights statutes and regulations apply to Federally conducted or Federally assisted APHIS programs and activities:

- Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in all Federally assisted programs and activities.
- Title IX Education Amendments of 1972 prohibits discrimination on the basis of sex in all Federally assisted programs and activities (education and training programs only).
- Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in all USDA programs and activities.
- Age Discrimination Act of 1975 prohibits discrimination on the basis of age in all Federally assisted programs and activities.
- Title 7 Code of Federal Regulations Part 15d (7 CFR Part 15d) states that no agency, officer, or employee of the United States Department of Agriculture (USDA) shall, on the ground of race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, or disability, or because all or part of an individual's income is derived from any public assistance program, exclude from participation in, deny the benefits of, or subject to discrimination any person in the United States under any program or activity conducted by the USDA (Federally Conducted).

**What are APHIS responsibilities under Sections 504 and 508 of the Rehabilitation Act of 1973, as amended?** Sections 504 and 508 of the Rehabilitation Act of 1973, 7 CFR 15b (4) require all offices and electronic communications to be accessible to persons with disabilities.

**What is the difference between a Program and an EEO Discrimination Complaint?** A program discrimination complaint may be characterized as a verbal or written allegation of discrimination which declares that an USDA program or activity excluded from participation in, denied the benefits of, or subjected to discrimination any person in the United States

Examples of program discrimination allegations:

1. Direct denial of service.
2. Failure to act timely on an application.
3. Applying rules to some and not to others.
4. Failure to act timely on an application.
5. Applying rules to some and not to others.
6. Unfavorable location of facility.
7. Serving all beneficiaries in English when the primary language in service area may be different.

Please note that it does not matter whether the program provider was APHIS (Federally conducted) or a recipient (Federally assisted). For example – APHIS awards a grant to an organization (recipient). This organization denies assistance to a person. This person believes that this organization made its decision was based on his age. This person may file a program discrimination complaint with the USDA against this organization. (The complaint process is discussed below.)

An **EEO discrimination complaint** involves any USDA employee or applicant for employment who believes that he or she has been discriminated against based on one of the covered protected bases.

**What is the role of the USDA ASCR Office of Adjudication and Compliance (OAC) in the program discrimination complaint process?** The OAC (not APHIS) reviews and issues decisions on complaints of discrimination against programs operated or assisted by USDA agencies.

If person, organization or company submits a written complaint alleging discrimination or unfair treatment to an APHIS employee or office, immediately fax the complaint to CREC (fax number 202-720-2365). CREC will then forward the complaint to the OAC.

**If a person, organization, or company verbally indicates that they want to file a complaint of discrimination, or if they are seeking information on complaints already filed, you should refer them to:**

- **USDA ASCR OAC website:**  
[http://www.ascr.usda.gov/complaint\\_filing\\_program.html](http://www.ascr.usda.gov/complaint_filing_program.html) or
- **USDA ASCR OAC toll free number 866-632-9992**

**What are the manager's and supervisor's roles with respect to program discrimination complaints?** Managers and supervisors, as well as employees, are obligated to proactively provide equitable and discrimination-free access to the public and to focus on external organizations that have not received benefits from APHIS programs.

To achieve these goals, managers and supervisors must train their employees regarding the program discrimination complaint process to ensure that all APHIS programs and activities are delivered in a nondiscriminatory manner.

Managers and supervisors must ensure that

- Employees treat allegations of discrimination or unfair treatment seriously, and immediately fax any written complaint to the APHIS Civil Rights Enforcement and Compliance office in Washington, DC. (fax number 202-720-2365).
- Keep any records associated with the complaint; continue to provide normal service to the complainant, and refer any verbal complaints or questions about complaints already filed to USDA's OAC.
- Assist OAC and CREC during the processing of the program complaint.

## **Chapter V—Outreach**

Outreach is a critical part of the APHIS civil rights program. Departmental regulations require that all USDA agencies reach out in proactive ways to persons (beneficiaries or customers of APHIS programs and activities) who have not traditionally participated in APHIS programs and activities.

### **What does the APHIS Outreach Program Involve?**

*APHIS programs and activities should conduct outreach at the local, state, regional and national level to reach the broadest possible number of current and potential beneficiaries. APHIS' vision for outreach is to be the leader among Federal agencies in delivering programs and services in the most equitable manner to all current and potential beneficiaries.*

The major objectives for the APHIS outreach program include:

- Improve the delivery of programs and services to existing customers
- Develop and increase program delivery outreach efforts to under served customers
- Ensure that internal policies, practices and systems support fair and equitable delivery of programs and services
- Ensure that managers, supervisors and employees are accountable for program delivery outreach

#### **Manager's role in Conducting Outreach**

- **Know your customers (beneficiaries), current and potential. Find the best way to get information to them; participate in meetings and events they attend, and factor in outreach in your everyday operations. Make outreach a priority for your program and personnel.**
- **Make sure your policies and practices allow you to reach all your customers.**
- **Document outreach efforts and be ready to respond when CREC requests outreach activities for the APHIS Annual Outreach Report**

At the end of each fiscal year, CREC asks all managers for their outreach activities to include in the APHIS Annual Outreach Report. The report is provided to the USDA Office of Civil Rights and the APHIS Management Team.

## **Chapter VI—Civil Rights Impact Analysis (CRIA)**

USDA civil rights policy requires each agency to analyze the civil rights impact(s) of policies, actions, or decisions that will affect the USDA work force or federally conducted and federally assisted programs and activities. A civil rights impact analysis (CRIA) facilitates the identification of the effects of eligibility criteria, methods of administration, or other agency-imposed requirements that may adversely and disproportionately impact employees or program beneficiaries based on their membership in a protected group. Proper follow-up actions based on CRIA findings can eliminate or substantially alleviate these negative effects.

### **What is a CRIA?**

*An CRIA is an evaluation to determine whether an agency action may adversely and disproportionately impact employees or program beneficiaries based on their membership in a protected class (race, color, gender, etc.). The CRIA may include plans to mitigate adverse civil rights impact.*

**When is a CRIA required?** APHIS must complete written CRIA's and those CRIA's must be reviewed by USDA ASCR OAC for the following types of actions:

- New, revised, or interim rules and notices to be published in the Federal Register and the Code of Federal Regulations;
- Charters for advisory committees, councils, or boards managed by the agencies on behalf of the Secretary;
- Departmental regulations, manuals, and notices;
- Proposed reorganizations requiring Departmental approval prescribed in DR 1010-1, Section 6a;
- Reductions-in-force and transfer of function proposals; and
- At the discretion of the Director, CR, other policy, program, or activity documents that have potentially adverse civil rights impacts.

APHIS must also complete written CRIA's on internal policy, program and activity documents. Although USDA ASCR OAC does not review CRIA's for these actions, a copy of the analysis should be maintained in the file. Some examples<sup>2</sup> are listed below:

- Agency-specific instructions, notices and directives.
- Advisory Boards not mandated by statute.
- 1010 packages requiring notice to Dept.
- Special Projects (national, state, local).

**What is the APHIS process for CRIA clearance?** For actions reviewable by the USDA ASCR OAC, the CRIA will be included with the USDA's clearance package. The USDA ASCR OAC will

#### **Manager's role in the CRIA process? (Employment)**

- Request CRIAs for all appropriate actions prior to the implementation of the action.
- Consult with CREC if there is a question as to whether a CRIA is required.
- Provided CREC with all information requested for the CRIA and ensure that the CRIA is part of the clearance package and file for the action.

<sup>2</sup> *Actions other than those listed may require a CRIA. APHIS personnel should contact the CREC Program Delivery staff if they have any questions as to whether a civil rights impact analysis should be conducted on any particular action.*

review the CRIA as part of its review of the action.

For actions not reviewed by the USDA, the file should contain a copy of the CRIA to record that APHIS did conduct a CRIA of the action, and management was aware of the analysis. The CRIA will be addressed to the manager of the program or office that is taking the action.

## **Chapter VII—EEO and Program Delivery Complaints Prevention**

EEOC Federal Sector Regulations found at Title 29 Code of Federal Regulations (CFR) 1614.103(c)(2) require that agencies evaluate the sufficiency of the total agency program for equal employment opportunity. USDA DR 4300-005 -- Agency Civil Rights Programs directs agencies to ensure civil rights for program delivery via evaluation and compliance. Reviews are conducted to ensure that APHIS and recipients of Federal financial assistance from APHIS are in compliance with civil rights laws and regulations.

### **What is a Compliance Review?**

*In APHIS, a Civil Rights compliance review is a process used by CREC to evaluate APHIS employment and program delivery processes, policies and functions to determine civil rights compliance, and to provide direction, guidance and technical assistance to APHIS managers and supervisors to correct any civil rights compliance deficiencies.*

**What is the compliance review process?** The review process examines equal opportunity and nondiscrimination in both employment and program delivery and includes evaluation of many sources of information covering a variety of civil rights functions.

**Areas Compliance Review Teams examine include, but are not limited to:**

<b>Data Sources</b>	<b>Civil Rights Requirements</b>
<ul style="list-style-type: none"><li>• Survey Responses from employees (&amp; managers)</li><li>• Interviews with Employees and/or Program Beneficiaries</li><li>• Workforce Profile by Race, National Origin, Sex, Disability, Age, Grade</li><li>• Data that is already available from the work unit/program under review: employee rosters, . requests for accommodations, training, civil rights related memorandum or guidance, complaints from the public, etc</li></ul>	<ul style="list-style-type: none"><li>• Effectiveness of EEO Advisory Committees and Special Emphasis Programs</li><li>• Barriers to Equal Opportunity in Employment</li><li>• EEOC's Six Essential Elements for a Model EEO Program</li><li>• Recipients of Federal financial assistance from APHIS</li><li>• Process to ensure that persons with Limited English Proficiency (LEP) can apply/participate in programs and/or activities.</li><li>• Knowledge of the process for receiving program complaints of discrimination</li><li>• All regulations, actions, and decisions appropriate for civil rights impact analysis</li><li>• Outreach to current and potential beneficiaries</li><li>• Nondiscrimination in Program Delivery</li></ul>

### **Data Sources - Civil Rights Requirements 1**

Each fiscal year, CREC identifies work units, programs or offices for review and prepares a schedule. Several factors are considered in identifying and scheduling work units/programs for review, including the size of the work unit, time since last reviewed, new or unique program, or

## ***Chapter VII—EEO and Program Delivery Complaints Prevention***

other information that might indicate potential civil rights issues. Managers will be notified at least 30 days prior to the start of a compliance review of their work unit/program.

There are two types of review: desk audit and on-site. Desk audits are interim levels of review; interviews are conducted by telephone, no CREC travel to the worksite. Generally speaking, desk audits are of a more routine nature.

On-site reviews are the highest level of review whereby CREC personnel travel to the work unit or program location. Direct observation of employment and program delivery practices is conducted. This type of review is generally used for reviews of work locations with large numbers of employees or significant program delivery activity. On-site reviews may also be conducted when analyses or information reveal compliance issues with significant negative impact on equal opportunity in employment and/or program delivery.

At the conclusion of the review CREC will prepare a draft written report of compliance, which provides analysis, findings and recommendations. The manager will be provided with the opportunity to review the document prior to its formal issuance. CREC will carefully consider any comments, suggestions, or corrections submitted by the manager.

### **Manager's role in the compliance review process?**

- **Provide CREC with data/documents requested and assist with review logistics (interview scheduling, opening briefing, etc.)**
- **Encourage employees to participate fully in the review process and convey any concerns or issues to the review team.**
- **If necessary, work with CREC to implement recommendations and other actions related to the report.**

CREC will monitor the implementation of any recommendations in the compliance review report. CREC will periodically request the APHIS entity provide information documenting actions related to the report and its recommendations. CREC is available to provide technical assistance.

## **Chapter VIII—Special Programs**

*APHIS has several special programs that fall under the management of the Civil Rights Enforcement and Compliance Staff.*

**What are Special Programs?** Special programs are APHIS proactive outreach tools designed to ensure that its programs and services are known, understood, and accessible to all *constituents* and potential constituents, including the *underserved*. These programs include scholarships and internship programs designed to make students aware of careers opportunities in APHIS.

**What is the USDA 1890 National Scholars' Program?** The USDA/1890 National Scholars Program offers scholarships to U.S. citizens who are seeking a bachelor's degree at one of the seventeen Historically Black Land-Grant Institutions and Tuskegee University to study agriculture, food, or natural resource sciences and related majors. The program helps to strengthen the partnership between USDA and the 1890 institutions; helps to increase the number of students studying and related disciplines; and offers career opportunities at USDA.

Applications and brochures can be obtained on-line from the website: <http://1890scholars.program.usda.gov>, or contact Kenneth E. Johnson, Agency Coordinator on (301) 734-5353

**What is the Public Service Leaders Scholars Program?** The U.S. Department of Agriculture's (USDA) Public Service Leaders Scholarship Program (PSLS) offers scholarships to U.S. Citizens who are seeking a bachelor's degree at a Hispanic Serving Institution. The scholarships are offered in an effort to provide access to higher education for undergraduate and graduate students at Hispanic Serving Institutions.

Applications and brochures can be obtained on-line from the website: <http://www.usdascholarships.com/applications>, or contact Kenneth E. Johnson, Agency Coordinator on (301) 734-5353

**What is the Thurgood Marshall College Fund?** The Thurgood Marshall College Fund (TMCF) was established in 1987 to carry on Justice Marshall's legacy of equal access to higher education by supporting exceptional merit scholars attending America's Public Historically Black Colleges and Universities (HBCUs). The office for the Advancement of Public Black Colleges (OAPBC) created the TMCF with Justice Marshall's support. OAPBC is an information and advocacy unit of the National Association of State Universities and Land-Grant Colleges (NASULGC) in cooperation with the American Association of State Colleges and Universities. Today, 47 schools are members of the TMCF, including many of the nation's largest and most prestigious institutions of higher education.

For additional information, please contact: Kenneth E. Johnson, Agency Coordinator on (301) 734-5363

**What is the Hispanic Association of Colleges and Universities (HACU) National Internship Program?** The HACU National Internship Program was developed under Executive Order

13171 “Employment of Hispanics within the Federal Government” which urges federal agencies to increase their outreach to the Hispanic community, as well as support programs that help address under-representation of Hispanics in the federal workforce. This program provides college students from institutions with significant enrollment of Hispanic students the opportunity to explore a potential Federal Service career.

**For additional information, please contact:  
Kenneth E. Johnson, Agency Coordinator  
on (301) 734-5353**

**What is the Career Intern Program?** This program provides recent college graduates and experienced professionals with a paid internship in the professional, administrative and technical career fields. A 2-year training plan must be developed for program participants. Upon successful completion of the internship, the students must be converted to career-conditional appointments without further competition.

**For additional information on the program  
please contact:  
Jacqueline Wynn-Bryant on (301) 734-3778.**

**What is the Summer Intern Program?** USDA offers paid summer internships involving substantive work assignments to college students/high graduates who have been accepted by a college or university. This program is intended to help agencies attract and recruit exceptional individuals into the federal workforce. Managers participating in this program utilize the Recruitment Announcement Form to advertise their vacancies.

**For additional information on how to become  
a part of the APHIS Summer Intern the  
program please contact:  
Jacqueline Wynn-Bryant on (301) 734-3778.**

**What is the Washington Internships for Native American Students (WINS) Program?** WINS provides an opportunity for Native American and Alaskan Native students to live in Washington D.C., gain professional work experience through an internship, and earn academic credits. The program is offered free of charge to eligible students through a scholarship grant funded by American University and sponsoring organizations including APHIS.

**Applications can be obtained on-line @  
[www.wins@american.edu](mailto:www.wins@american.edu) or contact  
Gwendolyn Smith, APHIS National Native  
American Program Manager on (301) 734-5584.**

**What is the Workforce Recruitment Program (WRP) for College Students with Disabilities?** The WRP is a recruitment and referral program that connects federal sector employers nationwide with highly motivated post-secondary students and recent graduates with disabilities who are eager to prove their abilities in the workplace through summer or permanent jobs. The program is co-sponsored by the U.S. Department of Labor’s Office of Disability Employment Policy (ODEP) and the U.S. Department of Defense with the participation of many other federal agencies.

**For additional information,  
please contact:  
Sophia Kirby, APHIS National  
Disability Employment Program  
Manager on (301) 734-5366**

**What is the Ag Discovery Program?** Ag-Discovery is an outreach partnership program between APHIS and Universities to help teenagers 12 to 17 years old learn about careers in plant science and veterinary medicine. The program allows students to live on a college campus and learn about science from university professors, practicing veterinarians, entomologists, and animal health technicians.

**For additional information on the program please contact:**

**Terry Henson, EEO Specialist**  
[Terry.A.Henson@USDA.GOV](mailto:Terry.A.Henson@USDA.GOV)  
(301) 734-5555

**Beatrice Jacobs, EEO Specialist**  
[Beatrice.F.Jacobs@USDA.GOV](mailto:Beatrice.F.Jacobs@USDA.GOV)  
(301) 734-5595

**What is the APHIS Dr. Martin Luther King Jr. Essay Contest Program?** The Martin Luther King, Jr. (MLK) Educational Contest is an essay/pictorial contest that provides high school contestant winners summer employment. The contest is designed to inspire students to reflect on the life of Dr. Martin Luther King, Jr. and to share their thoughts and insights in an essay or picture. Local area Elementary, Middle, and High School Students, participate in the contests. Awards are made to the 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> place winners at each school levels. High School winners, 16 years of age or older are offered summer employment with APHIS.

**For additional information on the MLK Educational Contest, please contact:**  
**Terry Henson, APHIS National African American Program Manager on (301) 734-5555.**