

National Civil Rights Committee

Civil Rights Advisory Committee Training

**NCRC Summer Meeting
Wichita, Kansas
August, 2005**

Presented By
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National Federal Women's Program Manager and NCRC Member

Some topics we will discuss:

- What is Civil Rights?
- Civil Rights Training
- Civil Rights Structure
- Benefits
- Your Turn

What is Civil Rights?

- A compilation of rules, regulations, and laws that govern Agency actions related to program delivery and employment concerns.
- Included are Title VI and Title VII of the 1964 Civil Rights Act, NRCS General Manual Title 230, Parts 401-405, USDA Departmental Regulation (DR) 4330-3, Departmental Memorandum (DM) 4300-1, and others.

Title VI and Title VII

Title VI of the Civil Rights Act of 1964 is a federal law that prohibits discrimination on the basis of race, color or national origin in programs and activities that receive federal financial assistance. (PROGRAMS)

Title VII of the Civil Rights Act of 1964 is a federal law that prohibits discrimination on the basis of race, color or national origin in employment. (EMPLOYMENT)

What is Discrimination?

Unequal or unfair treatment

Non Discrimination Statement

- The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities 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 part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (Voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Protected Bases Enforced by USDA

- Race, color, national origin
- Disability
- Political beliefs/affiliation
- Sexual orientation
- Religion/religious creed
- Marital status
- Familiar/parental status
- Genetic info
- Retaliation
- Sex
- Age
- Limited English Proficiency

Who are the responsible officials

- The Chief of the NRCS has overall responsibility and serves as the Equal Opportunity Officer
- Associate Chief, Regional Assistant Chiefs, State Conservationists, National Directors of Centers, Divisions, Caribbean and Pacific Basin Areas, serve as Deputy Equal Opportunity Officers (DEOO)
- All Managers and Supervisors

Civil Rights Training

- Mandatory For All Employees
 - Stopping Sexual Harassment Before it Starts
 - Diversity in the Workplace

(September 2005 deadline, on the AgLearn System)

Training . . . What employees should know

- Employee Rights
 - Complaint Process
 - Workforce Diversity
 - Sexual Harassment
 - Program Delivery
 - Outreach To Others
- Provided during employee and partner meetings.
- Included on agendas for general staff meetings.
- Planned and documented in IDPs.

Civil Rights Structure at USDA

- Office of the Assistant Secretary for Civil Rights
- OCR – USDA
- NRCS – CRD
- NRCS-NRCR
- State CRAC

Office of the Assistant Secretary for Civil Rights

On March 7, 2003 USDA established the position of Assistant Secretary for Civil Rights. The Assistant Secretary for Civil Rights is responsible for leadership and oversight of USDA civil rights, equal employment opportunity, outreach, alternative dispute resolution, diversity councils and the USDA/1890 Initiative.

The office ensures compliance with applicable laws, regulations, and policies for USDA customers and employees regardless of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, protected genetic information, or because all or part of an individual's income is derived from any public assistance program. (Not all bases apply to all programs.)

Vernon Parker is Assistant Secretary for Civil Rights

Offices

- Conflict Prevention and Resolution Center
- Office of Civil Rights
- Office of Outreach
- Secretary's Diversity Advisory Council
- USDA/1890's Program

USDA - OCR

- Sadhna True, Director
- **DIRECTOR** Administers and facilitates USDA's civil rights programs in: (1) employment, and (2) USDA federally-assisted and conducted programs.
- **DEPUTY DIRECTOR** Administers and facilitates USDA's civil rights programs in: (1) employment, and (2) USDA federally-assisted and conducted programs.
- **Employment- Customer Service Unit** Handle all incoming telephone calls and inquiries relating to USDA Employment discrimination complaints

Office of Civil Rights - USDA

- **Programs- Customer Service Unit** Handle all incoming telephone calls and inquiries relating to USDA Programs discrimination complaints
- **Policy, Resource Management Division** Establishes USDA civil rights policy and regulations. Provides support to civil rights in: budget oversight, human resources, facilities, and space management
- **Tracking Applications and Analysis Division** Manages civil rights information technology, and automated applications
- **Program Complaints Division** Processes and conducts investigations of all USDA program complaints

Office of Civil Rights – USDA, con't.

- **Program Adjudication Division** Adjudicates USDA program discrimination complaints.
- **Employment Complaints Division** Processes all USDA formal EEO complaints. Provides EEO counseling to the Office of the Secretary and Departmental Administration employees and applicants.
- **Employment Adjudication Division** Adjudicates USDA formal EEO complaints.
- **Employment/ Program Compliance and Technical Assistance Division** Implements USDA affirmative programs including: special emphasis, employment compliance, and affirmative employment (AEP). Processes required actions to ensure USDA compliance with civil rights for federally-assisted and federally conducted programs and activities.

NRCS Civil Rights Division

Director

Policy, Compliance, Investigations, Complaints, NSEPMS

Responsibilities

Compliance reviews
Investigations
Policy development
Complaints processing
Workforce Analysis

Civil Rights Division - NRCS

VISION

- Equity for People and Programs.

MISSION

- Ensure compliance with Agency policies for conservation and equal opportunity programs, and accountability for the delivery of quality and timely services to our customers.

National Civil Rights Committee

- The National Civil Rights Committee is responsible to the Equal Opportunity Officer for the Natural Resources Conservation Service (NRCS). The Chief of the NRCS is the Equal Opportunity Officer. The Committee serves the following functions:
- Serves as an advisory body to the NRCS Chief to promote and assist in meaningful and effective affirmative action consistent with the goals and objectives set forth by management.
- Provides feedback on the performance in equal employment opportunity and civil rights compliance, identifies areas of weakness, and makes recommendations for improvement.
- Identifies emerging areas needing special attention by the Chief and NRCS top management.
- Makes recommendations to the Chief regarding policies, practices, and procedures as they affect equal opportunity NRCS-wide.

Service

- Chair – serves at the pleasure of the Chief

Vacancies on the committee are announced
Members review and make selection, Chief approves and announces them.

- Members- three year terms, staggered

State Civil Rights Advisory Committees

- Purpose and Scope
- Composition of Committee
- Role and Responsibility
- Documenting and Evaluation of Collateral Duty
- Guidelines

Purpose and scope

- Each DEEO will establish a CRAC
- The CRAC is designed to provide management officials and employees with a vehicle that enhances and fulfills their equal employment and program delivery responsibilities.

Composition of the committee

- CRAC's will be representative of the unit's workforce. Members are selected at the discretion of the DEEO.
- SEPMs, HR, Outreach Coordinators *will* serve as members.
- Leadership team may serve as members
- CRAC chair may be selected by the DEEO
- CRAC appointments are made for a minimum of three years and may be extended at the discretion of the DEEO. No more than 1/2 of the membership should be replaced each year.

The Role of CRAC

- Identify
- Monitor
- Focus
- Provide
- Act
- Encourage
- Contribute
- Promote
- participate
- Trends, problems, issues or concerns,
- Recruitment practices
- Management practices
- Training resource
- Exchange of ideas
- Compliance reviews
- AEP
- Recruitment, hiring, promotion and retention

Responsibilities of CRAC

- Advisor to the DEEO
- Communicate employees views
- Identify weaknesses
- Maintain minutes
- Meet as often as necessary, at least quarterly
- Does not receive, investigate or adjudicate individual or class complaints of discrimination.

Document and Evaluate Collateral Assignments

- MOU (employee, immediate supervisor and DEEO)
- Note to your PD
- Stand alone "critical" element in performance appraisal
- Contributions noted in performance appraisal

Guidelines

- Must receive training within 6 months of initial selection
- Must have complete access to all regulations governing equal employment opportunity and program delivery policies and practices, including agency statistical data reports.
- Required to develop business plans that include long term goal, objectives and actions.

Civil Rights Glossary

- AEP – Affirmative Employment Plan
- MD-715 – Management Directive – 715
- FEORP-Federal Equal Opportunity Recruitment Plan
- 462-quarterly report on complaints activity
- Protected Bases-groups protected by law and department
- Accessibility-being able to enter and move around a public building
- Reasonable Accommodation-make sure employees have the tools, equipment to do their job in spite of a disability.

Benefits of Being a CRAC Member --to the agency

- Facilitate change
- Improve moral
- Provide education
- Help Agency stay in Compliance
- Information exchange

Benefits of Being a CRAC Member --to you

- Personal development
- Career enhancement
- Career enrichment
- Skills development
- KSA material

Professional Demeanor

- Serving as a Civil Rights Advisory Committee member is a serious and important position and should be treated as such.
- Civil Rights Advisory Committee Members should represent themselves in a professional manner at all times.

Education

- CRAC Members should be part of : Civil Rights Compliance Reviews, All-Employee meetings, EEO/CR training, and any other formal agency training to which agendas cover employee needs.

Your National Program Managers

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|-----------------------|---|
| • Sharyn Alvarez | Federal Women's Program |
| • Cliff Denshire | Disability/Veterans Emphasis Program |
| • Gilbert Guerrero | Hispanic Emphasis Program |
| • * Thaddeus Hamilton | Black Emphasis Program |
| • * Gerald Rouse | American Indian/Alaska Native
Emphasis Program |
| • Virginia C. Lewis | Asian American/Pacific Islander
Emphasis Program |

* *Serving as Collateral Duty*