

September 11, 2000

TO: All Supervisors and Managers
Food Safety and Inspection Service
/S/
FROM: Jeanne O. Axtell
Acting Deputy Administrator
Office of Management
SUBJECT: Civil Rights Performance Element

This memorandum responds to the numerous requests employees have made to the Civil Rights Division seeking clarification of the application of the Civil Rights (CR) performance element. You may recall some years ago, under a cloud of allegations of discrimination, the United States Department of Agriculture (USDA) issued a memorandum (6/12/86) emphasizing its commitment and accountability for equal opportunity and civil rights. That memorandum is in itself unprecedented. It took a bold stand in stating its zero tolerance of any type of discriminatory practice, thus signaling the beginning of an indepth look of every program, policy, and service that USDA provides to customers and employees.

From the issuance of the Department's Framework for Change: "Workforce Diversity and Delivery of Programs (5/90)" to the "Civil Rights at the USDA: A Report by the Civil Rights Action Team (2/97)," Food Safety and Inspection Service (FSIS) has implemented many changes to ensure that all our customers and employees are treated fairly, equitably, and with dignity and respect. A couple of changes in particular, the revised Guidelines for Applying Civil Rights Performance Elements for Nonsupervisory Employees and the Civil Rights Performance Plan have significantly impacted the application of the Civil Rights Performance Element.

In FY1995, the Agency implemented new guidelines for developing and applying civil rights performance elements for nonsupervisory, nonbargaining unit employees. These guidelines gave agencies the flexibility to integrate civil rights expectations for nonsupervisory employees into existing performance elements(s) related to customer service, program delivery or other interpersonal contacts. Once integrated, the element then becomes critical; or as an option, a new critical element could be developed that pulls together items from other elements in the areas of communication, customer service, and interpersonal relations. This approach created a more effective link to job performance and program delivery by having employees design, along with their supervisors, the most appropriate ways for expressing civil rights goals through their ongoing work. The change to an integrated critical element applied to nonsupervisory, nonbargaining employees only. All supervisory employees continued to be required to have a separate stand-alone critical EO/CR element.

Today, USDA agencies are required to have a Civil Rights Performance Plan that identifies specific goals that agencies would achieve. (This year's plan identifies objectives in the areas of accountability, program delivery, workforce diversity, and procurement.) Last year, FSIS amended its civil rights performance element for Grade 13 through 15 employees to reflect the

goals of its yearly Civil Rights Performance Plan. In addition, the current USDA Civil Rights policy makes it clear that employees across the Department will be held accountable for civil rights through their individual performance standards.

Enclosed you will find examples of general indicators of performance for evaluating the civil rights element as exceeds, meets or does not meet the expected level (fully successful) of performance. The examples are not all-inclusive; other indicators of performance at these levels are possible. Supervisors and employees may wish to refer to these examples when discussing the civil rights element.

FSIS civil rights goals and objectives have been interwoven into every program, policy, and service this Agency provides. The stand alone EO/CR critical element for supervisors and the integrated EO/CR critical element for nonsupervisory, nonbargaining unit employees has been, and will continue to be, instrumental in achieving the Agency civil rights goals and objectives. I encourage each of you to share this memorandum with your employees. After all, the ability to ensure that customers and employees are treated fairly, equitably, and with dignity and respect rests with each and every one of us in FSIS.

Enclosure