

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS DIRECTIVE	1510.1	1/25/01
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**EQUAL OPPORTUNITY NOTIFICATION ON MATERIAL
FOR THE PUBLIC**

I. PURPOSE

This directive establishes the policy for ensuring positive and continuing notification of FSIS equal opportunity to the public.

II. (RESERVED)

III. REASON FOR ISSUANCE

This directive announces the requirement to use:

A. USDA's nondiscrimination statement within information distributed to the public.

B. Proactive outreach methods.

C. Positive examples of the protected classes in material reflecting employment opportunities and program participation.

IV. REFERENCES

A. FSIS Directive 4713.1, Equal Employment Opportunity.

B. FSIS Directive 4713.2, Prevention of Discrimination on Grounds of Political Affiliation or Marital Status.

C. 5 CFR 720, Affirmative Employment Programs.

D. 7 CFR 15, USDA Nondiscrimination Regulations.

E. 28 CFR 42.401 et seq, Department of Justice Guidelines for Coordination of Enforcement of Nondiscrimination in Federally Assisted Programs.

F. 29 CFR Part 1614, Federal Sector Equal Employment Opportunity.

DISTRIBUTION:

All Offices

OPI:

CRD – Program Planning, Analysis and
Compliance Branch

G. 5 U.S.C. 2014, Section 403 of the Vietnam Era Veterans Readjustment Assistance Act of 1974.

H. 5 U.S.C. 3112, Section 307 of the Civil Service Reform Act of 1978.

I. 29 U.S.C. 633a, Age Discrimination in Employment Act.

J. 29 U.S.C. 701, 794, Section 501, 504, and 505, The Rehabilitation Act of 1973.

K. 42 U.S.C. 2000d, 2000e-16, Titles VI and VII of the Civil Rights Act of 1964, as amended.

L. PL 101-336, Americans With Disabilities Act of 1990.

M. PL 92-318, Title IX of the Education Amendments of 1972, as amended.

N. USDA Department Regulation 4300-3, Equal Opportunity Public Notification Policy (November 16, 1999).

V. **ABBREVIATIONS AND FORMS**

The following appears in their shortened form:

CRD	Civil Rights Division
EEO	Equal Employment Opportunity

VI. **POLICY**

It is FSIS policy:

A. To ensure that no person is discriminated against on the basis of race, color, national origin, gender, religion, age, disability, marital status, family status, sexual orientation, or political beliefs, in employment or in any FSIS funded program or activity.

B. To reach out in proactive ways to persons who have not participated equally in Agency programs and activities in the past. All public contacts will reflect this policy.

C. Not to participate in any public meeting in which persons are illegally discriminated against because of their race, color, national origin, gender, religion, age, disability, marital status, family status, sexual orientation, or political beliefs.

D. To use positive examples of employment and program participation by protected classes in audio and visual public information materials.

VII. DEFINITIONS

- A. **Beneficiary.** The individual receiving program services or benefits.
- B. **Discrimination.** The unfavorable or unfair treatment of a person or a class of persons, compared with others, who are not members of the protected class because of race, color, national origin, gender, religion, age, disability, marital status, family status, sexual orientation, political beliefs, or reprisal, opposition to discriminatory practices, or participation in the employment or program complaints process.
- C. **Materials.** Includes print and non-print (audio, video, Internet, etc.) information.
- D. **Protected Class.** Groups protected from employment discrimination by law, including men and women on the basis of gender; any group which shares a common race, religion, color or national origin; people over 40; and people with physical or mental disabilities. Every U.S. citizen is a member of a class, and is entitled to the benefits of applicable civil rights laws, regulations, and policies.
- E. **Recipient.** Any State, political subdivision of any State, or instrumentality of any State or political subdivision, any public or private agency, institution, or organization, or other entity, or any individual in any State, who receives Federal financial assistance, directly or through another recipient, for any program, including any successor, assignee, or transferee.

VIII. USDA NONDISCRIMINATION STATEMENT

A. **All offices** must post the nondiscrimination statement in a prominent place within the USDA office. The nondiscrimination statement, in full or in part, is a mandatory part of any material produced for public information, public education, or public distribution. The statement lists all the prohibited bases for discrimination contained in the USDA Civil Rights Policy Statement. The statement appears in English and other languages appropriate to the local population, and in alternative means of communication (Braille, large print, or audiotape).

1. The following is the full statement:

"The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (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 USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer."

2. If the material is too small to permit the full statement, include the following statement in print size no smaller than the text:

"The USDA is an equal opportunity provider and employer."

B. **Office managers** must display the USDA poster, "**AND JUSTICE FOR ALL**" in a prominent place in the USDA office. Contact the Program Planning, Analysis and Compliance Branch, CRD, to obtain posters by telephone at (301) 504-7756 or mail request to:

USDA FSIS OM CRD
MAILDROP 5261
5601 SUNNYSIDE AVENUE
BELTSVILLE MD 20705

C. **Recipients** receive a nondiscrimination statement for posting that contains only those bases referred to in the applicable Federal law. Recipients should post the nondiscrimination statement within their office and include the statement, in full, on all recipient program materials produced for public information, public education, or public distribution.

1. The following is the nondiscrimination statement appropriate for recipients use:

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)"

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer."

2. If the material is too small to permit the full statement, include the following statement in print size no smaller than the text:

"This institution is an equal opportunity provider."

IX. RESPONSIBILITIES

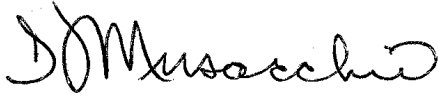
A. Director, Civil Rights Division:

1. Consults with the Office of Civil Rights on the appropriate content of new or revised non-discrimination statements.
2. Ensures that management officials and recipients are complying with public notification requirements through established compliance reviews.
3. Provides policy guidance to FSIS officials and program recipients upon request.
4. Reviews and monitors all FSIS public information materials for compliance with the established policy in this directive.
5. Provides solutions to queries on this directive and serves as the official Agency liaison to the USDA Office of Civil Rights and Office of Communications on equal opportunity notification policy.

B. Management Officials.

1. Consult with the CRD on the appropriate content of proposals for new or revised nondiscrimination statements.
2. Obtain and distribute materials reflecting employment opportunities and program participation in languages appropriate to the local population. Include the appropriate nondiscrimination statement, in full, on all materials produced by FSIS or recipients for public information, public education or public distribution.
3. Provide materials in alternative means of communication (Braille, large print, audiotape, etc.) upon request.
4. Assure appropriate references to USDA equal opportunity policy and nondiscrimination on all materials for public information, education, or distribution, and in public speeches and meetings.
5. Establish local outreach programs to ensure that all persons, especially those who previously may not have participated fully, know about the availability of FSIS and recipient programs, employment opportunities, and information/ educational materials.

6. Do not participate in meetings with the knowledge that the meeting is convened to avoid compliance with applicable nondiscrimination requirements.

A handwritten signature in black ink, appearing to read "J. Musacchio". The signature is written in a cursive style with a large initial "J" and "M".

for Deputy Administrator
Office of Management