



United States Department of Agriculture



Animal and Plant Health Inspection Service

Civil Rights Performance Report

Fiscal Year 2008

(Period Covering July 1, 2007 – June 30, 2008)

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Cindy J. Smith, Administrator

7/21/08

Date

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EXECUTIVE SUMMARY

The APHIS Civil Rights Performance Report illustrates progress in the implementation of the USDA Civil Rights Performance Plan. It is consistent with the EEOC Management Directive 715, the Department of Justice Executive Order 12250, and Departmental Regulation 4300-010, Civil Rights Accountability Policies and Procedures.

The due date for this report is August 1, 2008 and covers the period July 1, 2007 through June 30, 2008. The following is the summary of Fiscal Year 2008 actions and results in support of the USDA Civil Rights Goals and Objectives. To ensure accuracy, Computations for Civil Rights Performance for EEO Complaints was based Fiscal Year 2008 data (*October 1, 2007 – June 25, 2008*), the source for these data is the USDA Enterprise System “iComplaints”.

GOAL 1. Commitment of Agency Leadership/Strategic Plan Integration

Organizational priority one in the APHIS Strategic Plan (*2007-2011*) requires that APHIS become a model civil rights organization. In so doing, the goal is to value and invest in employees, to have a diverse workforce free of discriminatory practices; and to deliver our programs and services in a fair and equitable manner to all customers. APHIS continues to successfully implement its **3 Civil Rights Strategic Plan Goals** which are aligned with the APHIS Strategic Plan and with the broader direction provided by the Department’s Civil Rights Strategic Plan.

Goal 1: To implement a Civil Rights Program that is fully compliant with all Civil Rights Laws, rules and regulations including EEOC’s 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.

Managers and supervisors are evaluated annually on their support of USDA’s commitment to civil rights and equal employment opportunity, and adherence to APHIS civil rights policies and procedures. The APHIS performance plans outline the requirements to accomplish the agencies civil rights program objectives, integrate civil rights policies, and ensure a discrimination free work environment at all levels. (*See Appendix 8 - Samples of Performance Plans with EEO Element GS-15, GS-14, GS-13, GS-12, GS-9-11, GS-1-8.*)

The Civil Rights Policy Statement and the Anti-Harassment Policy Statement is electronically distributed to employees annually, with its most current issuance date of November 26, 2007 (*see Appendices 2 & 3*). The policy statements demonstrate and reaffirm the agency’s commitment to Civil Rights and Equal Employment Opportunity as mandated by Management Directive 715. The policy statements are also posted on the CREC website at http://www.aphis.usda.gov/civil_rights.

GOAL 2. Program Delivery: Proactive Management and Legal Compliance

The following primary statutory authorities for APHIS regulatory programs and enforcement activities do not contain language authorizing APHIS to collect RSNOD data from persons who are subject to inspections, licensing and regulatory enforcement

- Animal Welfare Act and Horse Protection Act
- Plant Protection Act
- Animal Health Protection Act
- Public Health and Bio Terrorism Act

The Department's 2005 submission of a regulation to authorize collection of RSNOD data by all USDA agencies continues under review at the Office of Management and Budget. APHIS' enforcement of regulations and delivery of its programs would not allow for such data to be collected in a practical manner, even with an approved regulation from the Department.

During FY 2008, APHIS committed approximately \$3.47 million for Native American outreach initiatives relating to wildlife management, surveillance, Homeland Security, National Animal Identification System cooperative agreements, and other programs and activities.

In FY2008, as has been the case for the past 16 years, APHIS collaborates with American University through the Washington Internships for Native Students (WINS) offering 6-8 weeks employment opportunities to Native American students in the Washington, DC area. The students also earn 6 credit hours for academic studies. Six students were selected by APHIS this year.

In November 2007, the Deputy Administrator gave a presentation on leadership in USDA at the Thurgood Marshall College Fund (TMCF) 20th Anniversary Awards Event in New York City. APHIS was among the many financial sponsors of the event; providing \$40,000 to the TMCF.

APHIS funded six Ag-Discovery programs, via cooperative agreements with the universities, at an approximate cost of \$210,000.00. Ag-Discovery is a two to three week summer outreach program that teaches youth about agricultural science, including plants and animals, wildlife management, veterinary medicine, and agricultural biotechnology. Students reside on the college campus during this period. The Ag-Discovery program reaches groups and persons who have not traditionally participated in programs or mission related activities.

The APHIS Civil Rights Enforcement and Compliance staff in conjunction with the APHIS Outreach Coordinators work with managers and supervisors to ensure full accounting and reporting of outreach activities in the annual report developed for the APHIS Management Team and the Department's Office of Outreach.

GOAL 3. EEO Program: Proactive Management and Legal Compliance

The Annual EEO Program Status Report includes effective strategies for improving diversity, eliminating barriers to equal employment opportunity; and the APHIS Federal Equal Opportunity Recruitment Program (FEORP) includes recruitment, hiring and community outreach strategies. Reports include specific action items, realistic goals, and target dates to demonstrate efforts to improve and ensure diversity in the workforce. Both reports are posted on the CREC website. As of this report, *see attached Analysis of Workforce Profiles*.

Participation Rates - APHIS improved its participation rate for persons with targeted disabilities. Currently with a total workforce of **8,777** employees (**5,947** permanent, **1,656** temporary and **1,174** indefinite), **APHIS** is underrepresented in the following areas: African American males and females and Hispanic females. *See the APHIS Federal Equal Opportunity Program Plan for FY 2008 Recruitment, Hiring and Community Outreach Strategies. The plan is posted on the CREC website: http://www.aphis.usda.gov/civil_rights/downloads/CivilRightsPerformancePlan.pdf. Also posted on the CREC website is the APHIS FY 2008 EEO Program Status Report.*

Within the total population, total employment for people with targeted disabilities is **63**. This is a participation rate of **.72%**.

New Hires – As of this report, APHIS has a total of **997** new hires. Of this total, **5(.50%)** are employees with a targeted disability.

APHIS provides annual guidance regarding its requirements for mandatory civil rights training and developed a plan to ensure that the total permanent workforce completes the civil rights training. In addition to the mandatory training APHIS provided frequent briefings and learning opportunities to employees and managers. The briefings were provided in face-to-face classroom style sessions, presentations at meetings, and webinars.

Civil Rights information is regularly distributed to all employees via email messages. As of June 12, 2008, the Agency published 4 Civil Rights Updates, 3 Special Bulletins, and a Civil Rights Program Guide through the email system.

The number of discrimination complaints filed continues to decline with a total of 40 new complaints filed from October 1, 2007 to the closing date for this report June 25, 2008. For the same period, 85 employees contacted the APHIS Alternative Dispute Resolution (ADR) Center 52% of these contacts were closed. All EEO Specialists managing the formal and informal complaint processes are Certified Mediators and received training in FY 08. ADR was offered in writing to all 85 employees/applicants contacting the ADR Center; and again to several complainants at the formal stage resulting in 16 ADR sessions. In addition to the Civil Rights Director serving as a full member of the APHIS Management Team and having weekly one on one meetings with the Associate Administrator, we attribute the decline in EEO Complaints to several factors, including consultation with supervisors via the EEO Helpline; discussions and briefings with Deputy Administrators, Managers and Resolving officials when trends that could cause complaints are identified; and a close working relationship with all Human Resources Officials.

GOAL 4. Procurement

APHIS is currently exceeding in all of its small business preference categories including the *AbilityOne*. All of the small business preference categories have an average distribution of awards, therefore data reflects proper use of rotation of vendors in all categories. See agency response for performance indicator 4.1 (a) on page 41 for a detailed listing and status.

APHIS continues to attain small disadvantaged business program goals by providing maximum opportunities for small businesses to participate in contracting activities. APHIS managers have continued to support minority and women owned businesses from which they procure services and supplies.

**Animal and Plant Health Inspection Service
Civil Rights Performance Plan and Accomplishment Report
July 1, 2007 – June 30, 2008**

GOAL: 1. Commitment of Agency Leadership/Strategic Plan Integration:

Incorporated the USDA civil rights policy and other related requirements through the Agency/Staff Office operations to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations.

<p>PERFORMANCE OBJECTIVE: 1.1 <u>Leadership:</u></p> <p>Held managers, supervisors and other employees accountable for ensuring that USDA’s customers and employees were treated in accordance with USDA civil rights policy and applicable legal requirements.</p>	<p>GOAL INDICATOR: 1.1 (a) <u>Inclusion in Strategic Plan:</u></p> <p>Documented commitment to USDA’s civil rights goals and obligations in the Agency’s Strategic Plan.</p> <p>Agencies must have incorporated the requirements of the Departmental Regulation (DR) 4300-010 “Civil Rights Accountability Policy and Procedures,” issued January 18, 2006.</p> <p>Additionally, Agencies were required to notify all employees of the requirements of this policy, and managers and supervisors were responsible and accountable for maintaining a civil rights program that accomplishes the strategic civil rights goals.</p> <p>Agencies are required to submit portions of the Strategic Plan that reflect civil rights goals and to provide a succinct narrative rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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Table 1 - Goal: 1

AGENCY RESPONSE

Organizational priority one in the APHIS Strategic Plan (2007-2011) requires that APHIS become a model civil rights organization. In so doing, the goal is to value and invest in employees, to have a diverse workforce free of discriminatory practices; and to deliver our programs and services in a fair and equitable manner to all customers. APHIS continues to successfully implement its **3 Civil Rights Strategic Plan Goals** which are aligned with the APHIS Strategic Plan and with the broader direction provided by the Department’s Civil Rights Strategic Plan.

APHIS Civil Rights Strategic Plan Goals

- Goal 1:** To implement a Civil Rights Program that is fully compliant with all Civil Rights Laws, rules and regulations including EEOC's 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.

The Departmental Regulation 4300-010, Civil Rights Accountability Policy and Procedures, effective January 18, 2006, were distributed to all APHIS employees electronically and are available to all employees and customers under the on-line USDA Directives System. This system is the on-line repository of all USDA Departmental Regulations, Notices, Manuals, and Secretary Memoranda.

Managers and supervisors are evaluated annually on their support of USDA's commitment to civil rights and equal employment opportunity, and adherence to APHIS civil rights policies and procedures. The APHIS performance plans outline the requirements to accomplish the agencies civil rights program objectives, integrate civil rights policies, and ensure a discrimination free work environment at all levels. *(See Appendix 8 - Samples of Performance Plans with EEO Element SES, GS-15, GS-14, GS-13, GS-12, GS-9-11, GS-1-8.)*

The Civil Rights Policy Statement and the Anti-Harassment Policy Statement are electronically distributed to employees annually, with the most current issuance date of November 26, 2007 (see Appendices 2 & 3). The policy statements demonstrate and reaffirm the agency's commitment to Civil Rights and Equal Employment Opportunity as mandated by Management Directive 715.

GOAL: 1. Commitment of Agency Leadership/Strategic Plan Integration:

Incorporated the USDA civil rights policy and other related requirements through the Agency/Staff Office operations to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations.

<p>PERFORMANCE OBJECTIVE: 1.1 <u>Leadership:</u></p> <p>Held managers, supervisors and other employees accountable for ensuring that USDA’s customers and employees were treated in accordance with USDA civil rights policy and applicable legal requirements.</p>	<p>GOAL INDICATOR: 1.1 (b) <u>Employee’s Performance Plan:</u></p> <p>Incorporated the requirements of the DR 4300-010, “Civil Rights Accountability Policy and Procedures,” issued January 18, 2006.</p> <p>DR-4300-010 requires that annual performance appraisals for managers and supervisors shall include an evaluation of their contributions to USDA’s commitment to civil rights and equal opportunity, and adherence to its civil rights policy.</p> <p>In addition, agencies are required to send a copy of a representative sampling of performance plans showing evidence of EEO elements for SES, GS-15, GS-14, GS-13, GS-12, GS-9-11, and GS-1-8.</p> <p>Agencies must provide a succinct narrative rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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Table 2 - Goal: 1

AGENCY RESPONSE

All APHIS managers and supervisors are responsible for ensuring that the Agency meets its civil rights goals and objectives. The implementation of the APHIS performance plans ensures a discrimination free work environment at all levels. The 4-level rating system as provided in the current performance appraisal packages is aligned with the organizations goals and provides sufficient and credible measures for assessing employee performance. Ongoing monitoring mechanisms are in place to ensure that plans for new employees are also aligned with the standards for each Fiscal Year.

Our web-based training continues to provide executives, managers, and supervisors with the necessary training and resources to develop credible measures to accurately assess employee performance and align performance plans with organizational goals. EEO Civil Rights Performance Element for Managers, Supervisor and Non-Supervisory Employees are attached (*See Appendix #4*).

GOAL: 1. Commitment of Agency Leadership/Strategic Plan Integration:

Incorporated the USDA civil rights policy and other related requirements through the Agency/Staff Office operations to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations.

<p>PERFORMANCE OBJECTIVE: 1.1 <u>Leadership:</u></p> <p>Held managers, supervisors and other employees accountable for ensuring that USDA’s customers and employees are treated in accordance with USDA civil rights policy and applicable legal requirements.</p>	<p>GOAL INDICATOR: 1.1 (c) <u>Disciplinary Actions</u></p> <p>To ensure accountability, disciplinary or corrective actions were taken when discriminatory conduct relating to civil rights violations or retaliation occurred.</p> <p>Agencies are required to provide the number of employee cases where disciplinary or corrective action was taken relating to civil rights or retaliation and indicate the time frame in which the disciplinary or corrective action was taken.</p> <p>Agencies incorporated the requirements of the DR-4300-010, “Civil Rights Accountability Policy and Procedures” issued January 18, 2006.</p> <p>Agencies must provide a succinct narrative rationale with evidence as to how Agency determined its self-assessment point value.</p>
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Table 3 - Goal: 1

AGENCY RESPONSE

For the period of July 1, 2007 through June 30, 2008, one Finding of Discrimination was issued on an EEO Complaint filed in fiscal year 1997. Due to the circumstances surrounding the case and the age of the case, no disciplinary action was taken. The case is currently pending decisions by OAC on compensatory damages and attorney fees.

GOAL: 1. Commitment of Agency Leadership/Strategic Plan Integration:

Incorporated the USDA civil rights policy and other related requirements through the Agency/Staff Office operations to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations.

<p>PERFORMANCE OBJECTIVE: 1.1 <u>Leadership:</u></p> <p>Held managers, supervisors and other employees accountable for ensuring that USDA’s customers and employees are treated in accordance with USDA civil rights policy and applicable legal requirements.</p>	<p>GOAL INDICATOR: 1.1 (d) <u>Civil Rights Impact Analyses:</u></p> <p>Conducted effective Civil Rights Impact Analyses (CRIA).</p> <p>Agencies are required to provide the number of CRIAs submitted to the Office of the Assistant Secretary for Civil Rights (ASCR).</p> <p>Agencies must provide a succinct narrative rationale with evidence of how the Agency determined self-assessed point value.</p>
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Table 4 - Goal: 1

AGENCY RESPONSE

APHIS Civil Rights Enforcement and Compliance’s working relationship with APHIS’ Regulatory Analysis and Development (RAD) unit provides for RAD to send a written request to CREC to conduct a CRIA to submit with the rule (proposed or final). The completed CRIA is forwarded to RAD and becomes part of the significant docket clearance package sent thru APHIS and USDA. CRIAs were conducted for each of the 17 rules and 1 committee renewal and determined that there was no evidence to establish or infer an adverse civil rights impact. All CRIAs were timely submitted with the clearance packages and no additional information has been requested by the ASCR. The rules are as follows:

- Tuberculosis: Require Approved Herd Plans Prior to Payment of Indemnity
- Special Needs Requests Under the Plant Protection Act
- Importation of Plants for Planting: Establishing a Category for Planting Not Authorized for Importation Pending Pest Risk Analysis
- Trichinae Certification Program
- Highly Pathogenic Avian Influenza
- Bovine Tuberculosis
- Handling of Animals: Contingency Plans
- Viruses, Serums, Toxins, and Analogous Products; Packaging and Labeling
- Phytosanitary Certificates for Fruits and Vegetables Imported in Air Passenger Baggage
- Tuberculosis in Cattle and Bison; Tuberculosis Status of Foreign Regions and Requirements for Importing Cattle and Bison Packaging and Labeling
- General Conference Committee of the National Poultry Improvement Plan; Intent to Renew

- Scrapie in Sheep and Goats

Agency Response - Civil Rights Impact Analyses (*continue*)

- Importation of Lemons from Northwest Argentina
- Regulation of Genetically Engineered Animals
- User Fees, Export Certification for Plant and Plant Products
- Bovine Spongiform Encephalopathy; Importation of Bovines and Bovine Products
- Viruses, Serums, Toxins, and Analogous Products; Packing and Labeling
- Movement of Certain Genetically Engineered Organisms

APHIS also conducted CRIAs on internal actions to include 4 manuals/directives, 2 transfer/relocations, 1 National Area Support Staff study, and 1 Organizational Change within MRP Human Resources Division.

GOAL: 2. Program Delivery: Proactive Management and Legal Compliance:

Ensured all customers equal opportunity to access programs, activities, and services delivered or funded by USDA.

<p><u>PERFORMANCE OBJECTIVE: 2.1 Program Delivery/Legal Compliance:</u></p> <p>Delivered Agency programs in compliance with civil rights laws, Departmental regulations, policy, and goals.</p>	<p><u>GOAL INDICATOR: 2.1 (a) Collection and Analysis of Program Applicant/Participant Data:</u></p> <p>Reviewed and incorporated civil rights program analysis by collecting and analyzing data on applicants and participants by race, ethnicity, sex, national origin, disability, and (RSNODA)* status. Agencies are required to provide evidence for each program that it collects and provides analyses of applicant and participant data by RSNODA.</p> <p>RESNODA is required by the Farm Security and Rural Investment Act of 2002. “Transparency and Accountability for Socially Disadvantaged Farmers and Ranchers: Public Disclosure Requirements for County Committee Elections, Section 10708, Public Law 107-171 (7USC 7901). In this law Congress requires an annual report of the participation rate of socially disadvantaged farmers and ranchers – as a percentage of all farmers and ranchers – for each program of the Department of Agriculture established for farmers and ranchers, according to race, ethnicity and gender, by county and state.</p> <p>For agencies that currently collect data, please indicate the total number of programs administered and the number of programs where data are collected.</p> <p>For agencies that currently do not collect applicant/and or participant data by RESNODA, please state the reasons why.</p> <p>Agencies are required to provide a succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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Table 5 - Goal: 2

*Please note that these bases for collection of data are different than those used by EEOC for employment purposes.

AGENCY RESPONSE

The following primary statutory authorities for APHIS regulatory programs and enforcement activities do not contain language authorizing APHIS to collect RSNOD data from persons who are subject to inspections, licensing and regulatory enforcement

- Animal Welfare Act and Horse Protection Act
- Plant Protection Act
- Animal Health Protection Act
- Public Health and Bio Terrorism Act

The Department's 2005 submission of a regulation to authorize collection of RSNOD data by all USDA agencies continues under review at the Office of Management and Budget. APHIS' enforcement of regulations and delivery of its programs would not allow for such data to be collected in a practical manner, even with an approved regulation from the Department.

GOAL: 2. Program Delivery: Proactive Management and legal Compliance:

Ensured all customers equal opportunity to access programs, activities, and services in the delivery of USDA programs and services.

<p><u>PERFORMANCE OBJECTIVES: 2.1 Program Delivery/Legal Compliance:</u></p>	<p><u>GOAL INDICATOR: 2.1 (b) Increased Service Delivery Goals, Removed Barriers, and Increased Program Delivery:</u></p>
<p>Delivered Agency programs in compliance with civil rights laws, Departmental regulations, policy, and goals.</p>	<p>Created or enhanced program service delivery by (a) Taking affirmative steps to remove barriers to ensure equal opportunity in participation, (b) Increasing service delivery goals, and (c) Increasing diversity on program committees and boards.</p> <p>Agencies are required to provide evidence of how they met each of these requirements.</p> <p>Agencies must provide a succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p> <p><u>N.B.:</u> Effective FY 2008, Agencies will be responsible for submitting a copy of their Compliance Review Plan/Schedule to ASCR compliance staff at the beginning of the FY or as soon as it is finalized.</p>

Table 6 - Goal: 2

AGENCY RESPONSE

For FY 2008, APHIS committed approximately \$3.47 million for Native American program-delivery initiatives relating to wildlife management, pest and disease surveillance and control, Homeland Security emergency-response work, National Animal Identification System cooperative agreements, and other programs and activities.

Two full-time APHIS tribal liaisons and the newly appointed APHIS Native American Program-Delivery Manager, along with members of the APHIS Native American Working Group (ANAWG), continued their active work with federally recognized Native American tribes to ensure they receive their fair share of APHIS programs and resources. Seventy field-based employees volunteered to act as points of contact for tribal officials in their States in a collateral-duty capacity. The ANAWG held its biennial training event for these tribal liaisons in May 2008 in Yakima, WA. Biotechnology Regulatory Services appointed a State and tribal liaison who devotes about half her time to improving BRS' record of consulting with potentially affected tribes when biotechnology-permit-related work is being done near reservation lands.

In FY2008, as has been the case for the past 16 years, APHIS collaborated with American University through its Washington Internships for Native Students (WINS) program. WINS offers 6–8 weeks of paid employment to Native American students in the Washington, DC, area. The students work in Federal agencies and also attend a night-school class at the university, where they earn 6 hours of credit that transfers back to their home institution. This year, APHIS sponsored six WINS interns at a total cost of about \$59,000.

Strong levels of diversity in membership continue to exist in boards and committees administered by APHIS. The Secretary's Advisory Committee of Foreign Animal and Poultry Diseases has 17% minority representation and 17% female representation. Designated appointees to the National Wildlife Services Advisory Committee will comprise 15% minority representation and 30% female representation.

APHIS continued to utilize its Civil Rights Information Academy to provide guidance to employees on the importance of equal opportunity in program delivery. Civil rights briefings were held at various locations around the country and included briefing modules for Program Delivery, Outreach, and Compliance. The briefings included review of civil rights statutes, regulations, directives, and other guidance pertaining to equal opportunity in program delivery. Other subjects covered included limited English proficiency, program complaint processing, and accessibility to program and activities by disabled persons. The briefings are a standard component of the Fundamentals of APHIS Human Resources Management (FAHRM) courses open to potential and newly appointed supervisors. Two FAHRM classes were held in Savannah, GA, and Detroit, MI, for approximately 50 supervisors. Other briefings that covered program delivery were presented at APHIS facilities in Ames, IA (20 employees), Boise, ID (20 employees) and Greenbelt, MD (40 employees).

The annual Dr. Martin Luther King, Jr., Education Contest continues to inspire students to reflect on the life and dream of Dr. King and share their thoughts in either essays or pictorial presentations on a preselected theme. Of the first-, second-, and third-place winners, those who are high school seniors are offered summer employment with APHIS. In FY 2008, six students were hired for summer employment: four from Montgomery Blair High School, and two from Northwestern High School. Other schools participating in the contest were Hyattsville Elementary and Hyattsville Middle School. In the 9 years since the contest has offered summer employment to the winners, approximately 36 students have accepted employment (including the 2008 winners). APHIS has six summer intern students from the 2008 MLK contest. Students are usually hired at the GS-01 grade level, at \$9.87 per hour, or approximately \$3,300 for each student for the summer.

Ag-Discovery is a 2 week summer outreach program that teaches youth about agricultural science, including plants and animals, wildlife management, veterinary medicine, and agricultural biotechnology. Students reside on a college campus during this period. The program is designed to reach persons who have not traditionally participated in APHIS programs and activities. The Ag-Discovery programs are conducted via cooperative agreements with universities and include APHIS employees' providing classroom and lab work for the students. In the area around all the participating universities, APHIS distributed 5,100 informational leaflets to public schools. To reach a wider geographic audience, APHIS

also makes these leaflets and Ag-Discovery application packages available on the APHIS and USDA Web sites and the Web sites of the participating universities. During FY 2008, APHIS funded six Ag-Discovery programs (one more than last year) at a cost of approximately \$210,000 at the following locations:

Florida A&M University June 8–27, Tallahassee, FL
Alcorn State University June 16–28, Alcorn State, MS
Kentucky State University June 15–28, Frankfort, KY
University of Maryland July 13–25, College Park, MD
North Carolina State University July 21–Aug 1, Raleigh, NC
University of Arkansas July 13–24, Pine Bluff, AR

In November 2007, the APHIS Biotechnology Regulatory Services Deputy Administrator attended the Thurgood Marshall College Fund (TMCf) 20th Anniversary Awards Event in New York City. APHIS was a sponsor of the event, providing \$40,000 to the TMCf. The Deputy Administrator gave a presentation on leadership in USDA. The 2007 Honorees received TMCf's highest honors for Corporate Leadership, Education Leadership, Community Service, and Alumni Leadership for their dedicated support of the TMCf. Over the last 20 years, the college fund has provided more than \$68 million in scholarships and programmatic and capacity support that has enabled over 6,000 students to attend public Historically Black Colleges and Universities.

APHIS Outreach Coordinators are selected by their individual program area. These coordinators monitor and report outreach activities. APHIS Civil Rights Enforcement and Compliance works with the coordinators and managers and supervisors to ensure detailed accounting of outreach activities. An annual report of each fiscal year's outreach activities is provided to the APHIS Management Team and the Department's Office of Outreach. All outreach information is stored in a database for future reference.

During a special outreach campaign urging citizens of Chicago to help find the last Asian Longhorned beetle (ALB) as part of the countdown to ALB eradication, APHIS Public Affairs (PA) and the Asian Longhorned Beetle Program reached out to Hispanic workers in Chicago-area landscaping businesses. PA created "Countdown to Eradication" posters that contained information about the ALB, how to identify infestations, and where to report any signs of infestation. The information was printed in English on one side of the poster and in Spanish on the other.

PA distributed at least two posters to each landscaping and gardening business that had been subject to regulatory oversight over the course of the ALB infestation in Illinois, for use in their offices and for their tailgate trainings.

PA printed ALB pest alerts in Spanish, Yiddish, Russian, Polish, Korean and Chinese. These were distributed door to door when ALB survey technicians were in the field working in neighborhoods where the information would be needed.

When advertising in newspapers to share ALB information and where to report infestations, PA typically uses Spanish newspapers, Chinese language newspapers, and Korean language newspapers. Also, ads have been translated for use on these publications' Web sites.

PA will be producing a 30-second informative public service announcement on ALB in Spanish by the end of 2008 for use in the New York and New Jersey television markets during 2009.

PA has made all of the National Animal Identification System (NAIS) "Take the First Step" factsheets available in English and Spanish.

The general "Take the First Step" leaflet has been revised and issued in versions with an African-American focus and a Native-American focus. Pull-up displays are available in English and Spanish, as well as general, African-American focused, and Native-American focused versions.

PA and NAIS staff held audience-specific outreach meetings with African-American, Native American, and Hispanic partners/community leaders/educational institutions, and continues to focus on outreach to these underserved communities.

NAIS offered up to \$1.8 million in cooperative agreement funds to educational institutions (1890 and 1994 land-grant universities and Hispanic-serving institutions) and tribal organizations, in conjunction with their partnering with community-based organizations for NAIS-related outreach and education in their communities. Two cooperative agreements have been signed (announcement coming soon), and several others are in review.

PA will participate in the Emerald Ash Borer (EAB) program's clinic for Native American and First Nation tribal members, July 8–10, 2008. Fourteen tribes will be represented from four States (Michigan, Minnesota, New York, Wisconsin) and Ontario, Canada. The 2-day clinic will include program presentations, field demonstrations, and hands-on experiences in destructive sampling and specimen detection/collection. In addition, a tribal basket maker will give a presentation on how EAB impacts Native American culture, artistry and traditions, and a representative from the Bureau of Indian Affairs (BIA) will address the role of the BIA when invasive pests are detected in Native American timber resources.

APHIS is also providing funding support and will participate in USDA's Fifth Annual Community-Based Organization Partners Conference on August 6-8, 2008 in Arlington, Virginia.

GOAL: 2. Program Delivery: Proactive Management and Legal Compliance:

Ensured all customers equal opportunity to access programs, activities, and services in the delivery of USDA programs and services.

<p><u>PERFORMANCE OBJECTIVE: 2.1 Program Delivery/Legal Compliance:</u></p> <p>Delivered Agency programs in compliance with civil rights laws, Departmental regulations, policy, and goals.</p>	<p><u>GOAL INDICATOR: 2.1 (c) Compliance Reviews/Corrective Actions:</u></p> <p>Agencies conducted regular and systematic civil rights compliance reviews of Federally assisted and conducted programs in accordance with Departmental Regulations and other guidance, including: (a) Analyzed trends in complaints to target compliance reviews, (b) Conducted appropriate compliance review(s) vis-à-vis, the types of programs and activities conducted by the Agency (e.g., Federally assisted and/or conducted); (c) Identified basis(es) upon which compliance review(s) was/were conducted (e.g., race); (d) Identified issue(s) to be reviewed during the compliance review(s) (e.g., access to services, methods of administration); (e) Conducted appropriate number of compliance review(s) to ascertain that Federally assisted and conducted programs/activities are delivered in compliance with regulatory and other requirements; and (f) For Federally assisted compliance reviews, Agency documented compliance with review guidance from Department of Justice (DOJ) (i.e., choosing recipients for reviews).</p>
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Table 7 - Goal: 2

AGENCY RESPONSE

APHIS Civil Rights Compliance Reviews of selected programs and locations include tools to measure both employment and program delivery. The review process gathers information to assess both employment and program delivery compliance on each review. For program delivery compliance reviews, APHIS utilizes a web-based automated survey system in conjunction with direct interviews that allows employee input into the compliance review process. APHIS believes that surveying employees is a valuable and broad-based resource because it allows employees to offer confidential observations and comments on civil rights compliance. Each survey contains questions specifically designed to obtain information on program delivery compliance and employee awareness of critical aspects of civil rights for programs delivery, including but not limited to public notification and outreach, program complaint processing, Limited English Proficiency, civil rights requirements for Federally

conducted and Federally assisted programs and accessibility. Compliance review reports and briefings are provided to the appropriate manager and/or member of the APHIS management team.

Agency Response – Compliance Reviews/Corrective Actions (continue)

During the period July 1, 2007 thru July 30, 2008, APHIS completed on-site civil rights compliance reviews for the following programs/number of employees covered by review and date of report completion:

Plant Protection and Quarantine Western Region Office Fort Collins, Colorado Report - Completed September 2007

Animal Care Western Region Office Fort Collins, Colorado Report - Completed September 2007

Veterinary Services Fort Collins, Colorado Report – Completed September 2007

Wildlife Services Fort Collins, Colorado Report - Completed September 2007

Marketing and Regulatory Business Programs Fort Collins, Colorado Report -Completed September 2007

-Employee Services Division
-Human Resources Division
-Information Technology Division

Wildlife Services Colorado Office (38 employees) Lakewood, Colorado Report - Completed September 2007

Plant Protection and Quarantine Report – Completed May 2008

APHIS completed the following civil rights desk audits for the period July 1, 2007 thru July 30, 2008:

- APHIS Ag-Discovery Report - Completed September 2007
- Recruitment, Relocation and Retention Incentives Report - Completed September 2007
- Veterinary Services Eastern Region Report - Completed March 2008
- Cooperative Agreements (Completed June 2008)

GOAL: 2. Program Delivery: Proactive Management and Legal Compliance:

Ensured all customers equal opportunity to access programs, activities, and services in the delivery of USDA programs and services.

<p><u>PERFORMANCE OBJECTIVE: 2.2</u> <u>Efficient Program Complaint Process:</u></p> <p>Delivered Agency programs in compliance with civil rights laws, Departmental regulations, policy, and goals.</p>	<p><u>GOAL INDICATOR: 2.1 (d)</u> <u>Compliance with Notification Requirements:</u></p> <p>Complied with civil rights laws, regulations, and policies, to ensure that all notification requirements were posted on appropriate documents and publications, including the Internet; and compliance with Section 508.</p> <p>Notification requirements:</p> <ul style="list-style-type: none">(a) Posted and published up-to-date nondiscrimination statements,(b) Posted and published complaint filing information,(c) Posted and published information for individuals with disabilities as to how to obtain information in alternative format,(d) Posted and published information for individuals with limited English as to how to obtain information in alternative languages,(e) Policy, training, and information dissemination as to the provisions of auxiliary aids and services, and(f) Compliance with Section 508 while meeting these obligations. <p>These statements must be posted on all forms and publications, as well as other materials deemed necessary that are for or used by recipients, beneficiaries, and the public.</p> <p>Agencies are required to provide evidence of compliance with the notification requirements, including information. Agencies must provide a succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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Table 8 - Goal: 2

AGENCY RESPONSE

The Civil Rights policy statement signed by Administrator November 26, 2007 included language referring to providing equal opportunity for delivery of programs and activities to the public. An Anti-Harassment policy statement was also signed that same date. Both policies were sent to all employees in one of their leave and earnings statement. The policies are posted on the APHIS CREC website.

APHIS Legislative and Public Affairs provides the standard USDA non-discrimination statement on all appropriate public documents.

APHIS main page web site includes a link to the USDA web page with the USDA non-discrimination statement. And the USDA Accessibility Statement which includes several resources for individuals to enable individuals to obtain information in alternative formats.

The APHIS Civil Rights Enforcement and Compliance webpage includes the following:

- Links to USDA's Non-Discrimination Statement and USDA's Information on How to File an Employment and Program Discrimination Complaint
- APHIS Administrator's Civil Rights Policy Statement which includes language reference equal opportunity for delivery of programs and activities
- Modified APHIS agency version of the Department of Justice's "Limited English Proficiency-Know Your Rights" brochure.

The following information is communicated to APHIS managers and supervisors on an annual basis:

- Administrator's Civil Rights Policy Statement and Secretary's Policy Statement, along with information on how to file a complaints of discrimination. This information is to be posted on employee bulletin boards.
- And Justice For All Posters (for federally assisted and federally conducted programs) are continuously sent out to newly appointed managers and as requested from current managers. Instructions are included on where to post in APHIS offices and to provide to recipients of Federal financial assistance from APHIS.
- APHIS Civil Rights Information Academy briefings include information on accessibility, Limited English Proficiency and additional notifications/information on program delivery.
- The USDA Non-discrimination statement is included on all appropriate documents by APHIS' Legislative and Public Affairs.
- APHIS Legislative and Public maintains the capacity to provide information to the public in 12 different languages.
- APHIS' Public Affairs (PA) staff translated nearly every document created for the Biosecurity For Birds outreach and education program into Spanish, including a mirror web site completely in Spanish, which will be live by mid-summer. PA also translated two other documents into Traditional Chinese, Vietnamese, and Tagalog based on requests

from public affairs counterparts in the States. PA translated one or two documents into Arabic and is currently translating another into Dari and Pashto at the request of a Veterinary Services veterinarian.

- Materials done for the Live Bird Marketing System program have also been translated into Spanish, and one document, a poster used in markets when testing is going on, is in four languages plus English -- Spanish, Chinese, Vietnamese and Arabic
- PA works cooperatively with APHIS state counterparts through the Communicators of State Departments of Agriculture (COSDA). COSDA provides translated materials to their employees and cooperators.

GOAL: 2. Program Delivery: Proactive Management and Legal Compliance:

Ensured all customers equal opportunity to access programs, activities, and services in the delivery of USDA programs and services.

<p><u>PERFORMANCE OBJECTIVE : 2.2</u> <u>Efficient Program Complaint Process:</u></p> <p>Maintained an effective process for handling civil rights program complaints.</p>	<p><u>GOAL INDICATOR: 2.2 (a)</u> <u>Agency Position Statements Received Timely for Program Complaints:</u></p> <p>Provided Agency Position Statements for program complaints of discrimination within 24 calendar days from receipt of request from ASCR.</p> <p>Agencies are required to provide the number of Agency Position Statements given to the ASCR and indicate what percentage was submitted timely.</p> <p>Agencies must provide a succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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Table 9 - Goal: 2

AGENCY RESPONSE

One complaint was filed against APHIS in FY2008. That complaint was closed for failure to pursue, therefore, no Agency Position Statements were requested by the ASCR in FY2008.

GOAL: 2. Program Delivery: Proactive Management and Legal Compliance:

Ensured all customers equal opportunity to access programs, activities, and services in the delivery of USDA programs and services.

<p><u>PERFORMANCE OBJECTIVE 2.2</u> <u>Efficient Program Complaint Process:</u></p> <p>Maintained an effective process for handling civil rights program complaints.</p>	<p><u>GOAL INDICATOR: 2.2 (b)</u> <u>Complaint Non-Compliance/Corrective Actions:</u></p> <p>Provided the number of program complaints investigated during the FY where corrective actions were identified, including conciliation agreements.</p> <p>Provided a copy to ASCR of each Corrective Action Plan/Conciliation Agreement.</p> <p>Promptly implemented the terms of each Corrective Action Plan/Conciliation Agreement, and</p> <p>Responded timely to requests for non-compliance/corrective action-related information (e.g., data, analyses, reports, recommendations, and status reports) from ASCR.</p> <p>Agencies must provide succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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Table 10 - Goal: 2

AGENCY RESPONSE

Three complaints against APHIS were closed with no findings of discrimination, therefore, there were no corrective actions identified or required of APHIS in FY2008.

GOAL: 3. EEO Program: Proactive Management and Legal Compliance:

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p>PERFORMANCE OBJECTIVE : <u>3.1 Model EEO Program:</u></p> <p>Took affirmative steps to ensure that the Agency addressed EEO Plan Objectives to Eliminate Barriers and provide civil rights training to employees.</p>	<p>GOAL INDICATOR: 3.1 (a) <u>Analysis of Workforce and Elimination of Barriers:</u></p> <p>Used various tools, including, but not limited to, the EEO objectives of MD-715; the recruitment initiative of the Federal Equal Opportunity Recruitment Plan (FEORP), Disabled Veterans Affirmative Action Plan (DVAAP), and the hiring, promotion and retention requirements for persons with targeted disabilities in Part J of MD-715. Specifically, the Agency:</p> <p>a) Took affirmative steps to ensure that the Agency addressed EEOC’s “EEO Plan Objectives to Eliminate Barriers: through: i) Increased representation, ii) Advancement opportunities, and iii) Retention of groups with low participation rates by race, sex, and national origin</p> <p>b) Established and met hiring, advancement, and retention objectives for employees with targeted disabilities, as required by EEOC MD-715, Part J, “Special Program Plan for the Recruitment, Hiring, Advancement of Individuals with Targeted Disabilities”</p> <p>c) Promoted a workplace free of reprisal or harassment</p> <p>This process should be achieved through:</p> <p>(1) Assessment of workforce to determine low participation of groups by race, sex, national origin, and disability to improve recruitment, advancement, and retention of those identified with low participation rates (i.e., below civilian labor force or Federal-high rate for persons with targeted disabilities)</p> <p>(2) Conducted barrier analyses to determine policy, practices, or procedures that may limit or tend to impede employment opportunities for members of a particular race, sex, national origin, or based on an individual’s disability status</p>
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Table 11 - Goal: 3

GOAL: 3. EEO Program: Proactive Management and Legal Compliance (continue):

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p>PERFORMANCE OBJECTIVE : 3.1 <u>Model EEO Program:</u></p> <p>Took affirmative steps to ensure that the Agency addressed EEO Plan Objectives to Eliminate Barriers and provide civil rights training to employees.</p>	<p>GOAL INDICATOR: 3.1 (a) <u>Analysis of Workforce and Elimination of Barriers (continued):</u></p> <p>(3) Determination of objectives for targeted improvement to ensure equal employment for all groups</p> <p>(4) Comparison of workforce statistics by race, sex, national origin, and targeted disability status in FY 06 to FY 07 to demonstrate measurable improvement in groups with low participation rates</p> <p>(5) Promoted a workplace free of reprisal or harassment</p> <p>Agencies are required to provide a summary analysis as to how they determined low participation rate of groups by race, sex, national origin, and disability (RSNOD), identified planned objectives, and the status of the implementation of objectives to improve employment profiles for identified low participation groups. Agencies are required to provide a succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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Table 12 - Goal: 3

AGENCY RESPONSE

The Annual EEO Program Status Report includes effective strategies for improving diversity, eliminating barriers to equal employment opportunity; and the APHIS Federal Equal Opportunity Recruitment Program (FEORP) includes recruitment, hiring and community outreach strategies. Reports include specific action items, realistic goals, and target dates to demonstrate efforts to improve and ensure diversity in the workforce. Both reports are posted on the CREC website. As of this report, see attached Analysis of Workforce Profiles - *Appendix #6.*

Participation Rates - APHIS improved its participation rate for persons with targeted disabilities. Currently with a total workforce of **8,777** employees (**5,947** permanent, **1,656** temporary and **1,174** indefinite), the Agency is underrepresented in the following areas: African American males and females and Hispanic females. Within the total population, APHIS has a total employment of **63** employees with targeted disabilities. This is a participation rate of **.72%**.

The following chart shows the Agency's 3-Year Hiring Goal for Persons with Targeted Disabilities.

FY 2006 APHIS Employees With Targeted Disabilities 67 or .78%	3 -Year Hiring Goal 2007 - 2010	Fiscal Year Increase
Fiscal Year 2007	72 or .84%	+5
Fiscal Year 2008	77 or .90%	+5
Fiscal Year 2009	82 or .96%	+5

Table 13 - 3-Year Hiring Goal

Grade Distribution of Employees with Targeted Disabilities – With a total of **63** employees with a targeted disability (**37** males and **26** females), the majority of employees are concentrated in grades GS-5 thru GS-8 with 20 or 32 percent; followed by grades GS-10 thru GS-12 with 16 or 25 percent and grades GS-2 thru GS-4 with 14 or 22 percent.

New Hires – As of this report, APHIS has a total of **997** new hires. Of this total, **5(.50%)** are employees with a targeted disability.

Disabled Veterans - APHIS continues its outreach efforts to recruit disabled Veterans into the Federal workforce. On June 25, 2008, APHIS participated in the “Hiring Heroes” Career Fair at the Walter Reed Army Facility in Washington, DC. This career fair was sponsored by the Department of Defense Civilian Personnel Services Branch and was designed to provide opportunities for injured service members and their families to network and receive information which will assist the services members’ transition to civilian life. APHIS advertised all vacancies in USAJobs.gov and actively recruited Career Intern Positions for a writer/editors and contract specialists.

Of the **997** new hires in FY 2008, APHIS has a total of **430** new hires which have Veterans Preference. The breakdown and explanation of the veterans code system is as follows:

**Fiscal Year 2008
Animal and Health Inspection Service
of Veteran New Hires**

PROGRAM	VET PREF CODE 1	VET PREF CODE 2	VET PREF CODE 3	VET PREF CODE 4	VET PREF CODE 5	VET PREF CODE 6	TOTAL
OA	1	0	0	0	0	0	1
PPD	2	0	0	0	0	0	2
LPA	3	0	0	0	0	0	3
MRPBS	21	1	0	0	1	1	24
IS	0	0	0	0	0	0	0
PPQ	212	8	0	1	0	2	223
VS	43	2	0	1	0	3	49
AC	4	0	0	0	0	1	5
WS	116	5	0	0	0	0	121
BRS	2	0	0	0	0	0	2
TOTAL	404	16	0	2	1	7	430

Table 14 - Goal: Veteran New Hires

VET PREF CODES:

- 1=None
- 2=5 Point
- 3=10 Point (Disability)
- 4=10 Point (Compensable Disability)
- 5=10 Point (Other)
- 6=10 Point (30% Compensable Disability)

GOAL: 3. EEO Program: Proactive Management and Legal Compliance:

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p>PERFORMANCE OBJECTIVE : 3.1 <u>Model EEO Program:</u></p> <p>Took affirmative steps to ensure that the Agency addressed EEO Plan Objectives to Eliminate Barriers: Increased representation of minorities and women in the workforce; improved retention of minorities; increased advancement opportunities for minorities and women; established and met hiring and retention goals for employees with targeted disabilities; improved timeliness in complaint processing; and promoted a workplace free of reprisal or harassment. These objectives are identified in the EEOC Form 715-01 (MD-715), EEO Program Status Report.</p>	<p>GOAL INDICATOR: 3.1 (b) <u>Civil Rights Training:</u></p> <p>Conducted employee civil rights training to increase awareness, understanding, and appreciation for workforce diversity, and civil rights requirements.</p> <p>Agencies are required to provide a copy of their FY 2007 Civil Rights Training Plan and identify training that was completed in FY 2007, and state reasons why any required training was not completed.</p> <p>During FY 2007, Agencies were to have completed, as soon as possible, any NoFEAR Act training that was not completed in calendar year 2006.</p> <p>Agencies must provide a succinct written rationale with evidence of how the agency determined its self-assessed point value.</p>
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Table 15 - Goal: 3

AGENCY RESPONSE

APHIS developed an online course on *Disability Rights* for FY 2007. It was available on AgLearn as well as on CD for those with slow connections. There was also a classroom based training that was made available as well as a self-study version for those with special needs. The AgLearn report shows that 4,317 APHIS employees completed the on-line Disability Rights course between 1/1/07 and 12/31/07. Additionally, 1,743 APHIS employees completed the Reasonable Accommodations and Recognizing and Preventing Reprisal between 1/1/08 and 4/1/08 (*the period designated by the Department. as acceptable for the 2007 USDA course*).

For FY 2008, an online module called *Re-inventing Diversity for Today's USDA* will be the required civil rights training. It has been completed and will be loaded on AgLearn after a few technical issues have been sorted out. The training for 2009 has not yet been announced. APHIS developed a plan to ensure that the total permanent workforce completes the civil rights training. The plan includes the following:

- Monitor the Agency's AgLearn System to ensure that Mandatory Civil Rights Training is available to all permanent employees
- Improve reporting capability to ensure accurate and comprehensive results
- Enter the module with a due date in all permanent employees' learning plan as soon as it is available
- Provide status reports of those employees who have not taken the training at APHIS top management meetings
- Require that managers' civil rights elements include ensuring that all permanent employees on their staffs have taken the mandatory civil rights training

In addition to the mandatory training, APHIS provided frequent briefings and learning opportunities to employees and managers. The briefings were provided in face-to-face classroom style sessions, presentations at meetings, and webinars. Webinar and classroom style briefings were announced throughout the Agency. From that announcement, APHIS received 15 requests for Webinar briefings and 4 requests for classroom style briefings from various programs and locations throughout the Agency.

The Webinar briefings were scheduled from February 2008 through September 30, 2008, for managers, supervisors, employees and EEO Advisory Committees. APHIS provided Webinar briefings to 1 participant in Wildlife Services (WS) from Colorado, 6 participants in Veterinary Services (VS) from Ohio, and 83 participants in the Plant Protection and Quarantine (PPQ) program units from Modena, Avoca, and JFK, New York; and Florida. There are 11 Webinars briefings confirmed for the remainder of FY 08 for offices in PPQ, VS, and WS. APHIS provided face-to-face classroom or meeting style briefings to a total of 148 employees: 68 in NY, 30 in AZ, 19 in ID, 11 in FL and 20 in MD. APHIS offered 11 Modules, which covered the following topics:

- Module 1 - Civil Rights Laws, Rules, and Regulations —Foundation of the Civil rights program;
- Module 2 - Federal EEO Discrimination Complaint Process —Types of discrimination, Class Action complaints, EEO Counseling, Alternative Dispute Resolution (ADR), and the role and responsibilities of managers;
- Module 3 - APHIS EEO Complaints Processing — Discusses 29 CFR 1614, the rights and responsibilities of managers and complainants, and steps of the process;
- Module 4 - Equal Employment Opportunity (MD-715) — Requirements of Management Directive 715 and how to have a Model EEO Program;
- Module 5 - Program Delivery and Outreach — Federally Conducted and Federally Assisted Programs, cooperative agreements, program delivery complaints, Limited English Proficiency, and Civil Rights Impact Analyses;
- Module 6 - EEO Programs—EEO Advisory Committees, Special Emphasis Programs, and the Special Programs and Initiatives including student internships and scholarships;
- Module 7 - Program and Employment Compliance — Agency policy and practices involved in conducting employment and program delivery civil rights compliance reviews;
- Module 8 - Ag-Discovery — The APHIS Ag-Discovery Program including the history, objectives, and recruitment process;

- Module 9 - Alternative Disputes Resolution (ADR) —Forms of ADR, advantages and disadvantages, and how and when ADR may be used;
- Module 10 - Reducing Reprisal & Retaliation Complaints — The definition of reprisal and strategies for preventing and responding to allegations of reprisal; and
- Module 11 - Reducing Reasonable Accommodation Complaints —Definition of Reasonable Accommodation, the USDA regulated process, and the manager’s role in the process.

APHIS offered training with an outside facilitator, an attorney and judge, on the topic of “Moving Beyond Impasse: The Role of the Resolving Official in the APHIS EEO Complaint Process.” This training session was specifically designed to prepare supervisors and managers to be able to effectively navigate the EEO complaint process, address negotiation and settlement strategies, deal with sensitive and sometimes difficult issues, and work through requests for reasonable accommodation. There were a total of 33 participants. This brings the total number of employees receiving civil rights briefings to 271, with 11 webinars planned for the remainder of the year. (The number of participants will not be known until after completion of this report.).

APHIS also included civil rights presentations as part of other Agency training: 4 sessions of the “Fundamentals of APHIS Human Resource Management” for supervisors (CA, MI, CO, GA), 2 sessions of “Preparing APHIS Team Leaders” (NC & CO), and 2 sessions of “Jump Start” for clerical support assistants (MD).

Civil Rights information was regularly distributed to all employees via email messages. As of June 12, 2008, the Agency published 4 Civil Rights Updates, 3 Special Bulletins, and a Civil Rights Program Guide through the email system. Simultaneously, APHIS provided civil rights information to employees through the Civil Right Conversations database which is a central location on the Agency e-mail system where employees can read information and immediately post questions or comments and civil rights experts may post responses. The Agency also posted a wealth of information on the intranet and internet.

GOAL: 3. EEO Programs: Proactive Management and Legal Compliance:

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p><u>PERFORMANCE OBJECTIVE: 3.2</u> <u>Comprehensive EEO Evaluation</u> <u>Program:</u></p>	<p><u>GOAL INDICATOR: 3.2 (a)</u> <u>Compliance Reviews/Corrective Actions:</u></p> <p>Agencies conducted regular and systematic civil rights compliance reviews in accordance with Departmental Regulations and other guidance.</p> <p>Agencies are required to provide to ASCR: (1) A copy of their original FY 2007 Compliance Review Plan/Schedule, (2) Number of compliance reviews that were completed, (3) Number and explanation as to why any compliance reviews were not conducted/completed, and (4) Status of all corrective actions identified, implemented, and completed for each compliance review.</p> <p>Agencies must provide a succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p> <p><u>N.B.:</u> Effective FY 2008, Agencies will be responsible for submitting a copy of their Compliance Review Plan/schedule to ASCR compliance staff at the beginning of the FY or as soon as it is finalized.</p>
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Table 16 - Goal: 3

AGENCY RESPONSE

APHIS Civil Rights Compliance Reviews included components to evaluate employment compliance based on analysis of workforce profile to include total and by grade group representation in the workforce, reported and targeted disability, promotions, cash awards, quality step increases, new hires and separations, complaints of discrimination, and training. The reviews also analyzed progress in meeting the EEOC's six essential elements for a model EEO program.

APHIS utilizes a web-based automated survey system to obtain employee input into the compliance process. This system allows each employee in the program/office under review to offer confidential observations and comments on equal opportunity. The compliance review team reviews the results of the surveys prior to going on-site to help identify issues for closer review. Compliance review reports and briefings are provided to the manager and/or member of the APHIS Management Team.

During the period July 1, 2007 thru July 30, 2008, APHIS completed on-site civil rights compliance reviews for the following programs/number of employees covered by review and date of report completion:

- Plant Protection and Quarantine Western Region Office (68 employees) Fort Collins, Colorado Report - Completed September. 2007
- Animal Care Western Region Office (17 employees) Fort Collins, Colorado Report Completed - September 2007
- Veterinary Services (34 employees) Fort Collins, Colorado Report Completed Sept. 2007
- Wildlife Services (17 employees) Fort Collins, Colorado Report Completed Sept. 2007
- Marketing and Regulatory Business Programs (38 employees) Fort Collins, Colorado Report Completed Sept. 2007
 - Employee Services Division
 - Human Resources Division
 - Information Technology Division
- Wildlife Services Colorado Office (38 employees) Lakewood, Colorado Report Completed Sept. 2007
- Plant Protection and Quarantine (all employees approximately 3,200) Report Completed May 2008

APHIS completed the following civil rights desk audits for the period July 1, 2007 thru July 30, 2008:

- APHIS Ag-Discovery Report Completed Sept. 2007
- Recruitment, Relocation and Retention Incentives Report Completed Sept. 2007
- Veterinary Services Eastern Region (575 employees) Report Completed March 2008

GOAL: 3. EEO Programs: Proactive Management and Legal Compliance:

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p>PERFORMANCE OBJECTIVE: 3.2 <u>Comprehensive EEO Evaluation Program:</u></p>	<p>GOAL INDICATOR: 3.2 (b) <u>NoFEAR Act:</u></p>
<p>Assessed employment policies and practices.</p>	<p>Provided timely Agency submissions to be used in the Department’s Annual Report, and other items as requested by the ASCR.</p>
	<p>Agencies must provide a succinct written rationale along with documentation as to how the Agency determined its self-assessed point value.</p>

Table 17 - Goal: 3

AGENCY RESPONSE

The Agency conducted monthly internal audits of the “*No Fear Act*” reporting data. Data is reconciled and all discrepancies are immediately brought to the attention of the appropriate personnel within USDA Office of the Assistant Secretary for Civil Rights (ASCR), Office of Adjudication and Compliance (OAC). USDA, OAC has timely posted the Agency’s No Fear Act data fro the first two quarters of this fiscal year, to date.

As required by the No Fear Act, APHIS completed and submitted its Annual “No Fear Act” Report for FY 2007 to the USDA, ASCR on February 8, 2008. This annual report required the agency to provide a detailed analysis of noted trends based on comparison of the No Fear data for fiscal years 2006 and 2007.

No Fear Act Notification and Training

The No Fear Act requires that Agencies provide **annual** written notification of the rights and protection available to Federal employees and applicants, under applicable discrimination and whistleblower protection laws covered by the Act; and conduct training for all employees **every two years**. In meeting this obligation, APHIS provided a written, comprehensive overview of the No Fear Act to all APHIS employees (*including new employees*). Additionally, a “*Special Edition*” newsletter providing the No Fear Act overview was electronically distributed to all employees, and the APHIS website was also updated to include direct links to this legislation.

GOAL: 3. EEO Programs: Proactive Management and Legal Compliance:

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p><u>PERFORMANCE OBJECTIVE: 3.3</u> <u>Efficient EEO Complaint Process:</u></p> <p>Managed and effective complaint processing program.</p>	<p><u>GOAL INDICATOR: 3.3 (a)</u> <u>Timely submitted EEO Counselor's Reports:</u></p> <p>Submitted timely EEO Counselor's Reports within 15 calendar days from giving complainant a Notice of Right to File.</p> <p>Agencies are required to provide the number of EEO Counselors' Reports and the percentage completed in a timely manner.</p> <p>Agencies must provide a succinct written rationale with evidence on how the agency determined its self-assessed point value.</p>
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Table 18 - Goal: 3

AGENCY RESPONSE

In fiscal year 2008 (as of June 25, 2008), a total of 85 employees contacted the APHIS ADR Center to request EEO Counseling or Mediation. It is the policy of the ADR that the EEO Counselor's report be prepared and uploaded in iComplaints within 5 days of the issuance of the Notice of Right to File. The iComplaints data show that of the 84 contacts, 40 resulted in the filing of a formal complaint. EEO Counselors reports were prepared for 35 of the 40 formal complaints; 2 cases were settled at Counseling; 2 are being processed at the writing of this report; and, 1 was late due. This calculates to 97% of the 36 EEO Counselor's reports were prepared, and uploaded into iComplaints within 15 calendar days.

GOAL: 3. EEO Programs: Proactive Management and Legal Compliance:

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<u>PERFORMANCE OBJECTIVE: 3.3</u> <u>Efficient EEO Complaint Process:</u>	<u>GOAL INDICATOR: 3.3 (b)</u> <u>Completed EEO Investigations within 90-days:</u>
Managed an effective complaint-processing program.	Completed investigations and distributed Reports of Investigation (ROI) within the 90 calendar day timeframe (beginning the date ASCR notified the Agency of the complaint). Agencies are required to provide the number of investigations and the percentage completed in a timely manner. Agencies must provide a succinct written rationale as to how the Agency determined its self-assessed value.

Table 19 - Goal: 3

AGENCY RESPONSE

Data from the iComplaints System, as of June 23, 2008, show a total 40 formal complaints filed since October 1, 2007, 21 investigations were conducted at a cost of \$90,163.00. Since October 1, 2007, the time span between the actual filing of the 40 complaints to acceptance by OAC has ranged from a low of 21 days to a high of 427 days. The time span between the date APHIS is notified of the acceptance and the date the investigation is requested ranged from 1 day to 28 days. This time variance is dependant upon the approval of a “task order” by the APHIS contracting officer which is required for each complaint. Of the 21 complaints sent for investigation, 4 were closed while the investigation was in process and 10 investigations are in progress at the writing of this report. Of the 10 completed Investigations, 20% were processed within 90 days and 80% were processed in 97 to 113 days. Extensions were requested by contractors and approved by the CREC Director whenever circumstances beyond the contractors control cause a delay in the investigation. Information on the remaining investigations and those occurring between June 23rd and September 30th will be reported in the EEOC 462 report covering EEO Complaint activity for Fiscal Year 08.

GOAL: 3. EEO Programs: Proactive Management and Legal Compliance:

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p><u>PERFORMANCE OBJECTIVE: 3.3</u> <u>Efficient EEO Complaint Process:</u></p>	<p><u>GOAL INDICATOR: 3.3 (c)</u> <u>Efficient Use of ADR for EEO and Disputes:</u></p>
<p>Managed an effective complaint processing program.</p>	<p>Demonstrated good faith efforts to resolve EEO complaints, and workplace disputes, especially early in the process or before an EEO complaint was initiated.</p> <p>(a) Assured good faith resolution attempts were a high priority for all, (b) Provided opportunity to resolve workplace conflicts at any stage, and (c) Assured compliance with the provisions of the ADR regulation, including offers of ADR to all informal complainants, and documentation of non-offers of ADR at the formal complaint stage.</p> <p>Assured participation in Department-wide ADR initiatives aimed at training ADR practitioners, ADR awareness, and other efforts to increase conflict management competence at USDA.</p> <p>(a) Educated, trained, and informed employees of conflict management practices and the availability of ADR assistance, (b) Assured that managers received training to constructively address workplace conflict and discrimination complaints, and (c) Assured a core group of managers and supervisors were trained and available to serve as Resolving Officials for discrimination complaint mediations,</p> <p>Provided thorough and timely reports of ADR activities to the ASCR Conflict Prevention and Resolution Center (CPRC).</p> <p>Agencies are required, as a minimum, to provide the number of (a) informal and (b) formal cases.</p> <p>Agencies must also provide succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>

Table 20 - Goal: 3

AGENCY RESPONSE

Title VII ADR

As required by EEOC Regulations, ADR was offered in writing to all 85 complainants contacting the APHIS ADR Center between October 1, 2007 and June 25, 2008; 7% of the complainants elected in writing to participate in ADR which included 3 sessions at the informal process (*data source: iComplaints Custom Report 6/25/08*). All ADR offers are documented, contractors are also used. No offers of ADR were declined in FY 2008.

In APHIS, Resolving Officials and Responding Management officials are advised by the ADR Center of their responsibility to participate in the Mediation session in “good faith”. A handbook/guide outlining the roles and responsibilities of participants in the EEO Complaints and Mediation processes was recently completed with issuance planned for August 2008. All specialists involved in the EEO Complaint process are certified mediators and conduct the majority of the agency ADR sessions.

Resolving Officials are designated by Deputy Administrators. In complex cases involving Deputy Administrators, the Associate Administrator or an OGC Attorney or both may participate in an ADR Session. The Civil Rights Director routinely meets with resolving officials.

In FY 2008, managers and supervisors receive training in the EEO Process including ADR through a number of vehicles, i.e. training for new supervisors “Fundamentals of Human Resource Management”, the new session for pre supervisors “So you want to be a Supervisor”; “Webinars” or computer based sessions presented by the Civil Rights Staff; and annual sessions (*2 each year*) sponsored by the Administrator, organized by the Civil Rights Director. Managers and supervisors may also request specific training in avoiding conflict that may occur with entrance of new leadership through the APHIS Leadership Transition program.

Collaborative and Team Development (CRTD)

APHIS’ Early Intervention Program has the following data that represents services from October 2007 through June 2008.

APHIS’ Early Intervention Program (EIP) has been instrumental in resolving Non-EEO related mediations and facilitated discussions at the lowest level, typically other avenues of redress have not been sought to resolve these issues. We have experienced an influx of requests for communication training and coaching around difficult conversations. The numbers of complaints have decreased as a result of purposeful efforts geared towards communicating more effectively.

APHIS' EIP is a critical link in the Administrative Grievance Processes, which allows employees to elect informal mediation as a method to resolve their concern. Mediations have generally resulted in the request to withdraw the original Administrative Grievance.

Non-EEO Mediation:

16 – Completed (38 participants)

Facilitated Discussions:

33 – Completed (70 participants)

Facilitated Meetings:

11 – Completed (160 participants)

As an EIP the staff has promoted the use of Leadership Transitions for new managers and leaders entering the respective positions. This facilitative format is viewed as a vehicle the new leader and teams expectations. This facilitated process has been proactive in setting teams up for success and enhancing team effectiveness.

Leadership Transitions:

35 – Completed (347 participants)

APHIS' EIP has been actively partnered with the Training and Development Staff to develop training modules consistent with Office of Personnel Management's Core Competencies as it relates to Conflict Management for Agency Supervisory and Team Leader Training. The Early Intervention Program has partnered with the Professional Development Staff within APHIS to develop Conflict Management and Myers-Briggs Type Indicator training courses for employees at different levels within the organization as a lens to understand and appreciate each others' differences.

Myers Briggs Type Indicator workshop Assessments:

22 – Completed (282 participants)

Conflict Management and Communication Training is offered to intact teams to enhance team effectiveness.

Conflict Management Training:

11 – Completed (105 participants)

Conflict Management Training	# completed	# participants
	11	105

Table 21 - CMT

Team Building	# completed	# participants
	6	66

Table 22 - Team Building

GOAL: 3. EEO Program: Proactive Management and Legal Compliance:

Provided a workplace free of unlawful discrimination and enhanced the diversity of the workforce.

<p>PERFORMANCE OBJECTIVE: 3.3 <u>Efficient EEO Complaint Process:</u></p> <p>Managed an effective complaint processing program.</p>	<p>GOAL INDICATOR: 3.3 (d) <u>Complaint Non-Compliance/Corrective Actions:</u></p> <p>Provided the average number of days to respond to requests for information from EEO Counselors, Investigators, and Adjudicators by type of request.</p> <p>Provided the average number of days to fully implement the terms of settlement agreements, including terms of the <u>Basu</u> settlement agreement, where applicable.</p> <p>Provided the number of requests for non-compliance/corrective action-related information (e.g., data, analyses, reports, recommendations, and status reports) from ASCR, and the average number of days to respond to each type of request.</p> <p>Agencies must provide succinct written rationale and evidence as to how the Agency determined its self-assessed point value.</p> <p><u>N.B.:</u> Effective FY 2008, the data requested in this indicator relative to EEO will also be required for program civil rights compliance.</p>
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Table 23 - Goal: 3

AGENCY RESPONSE

Staff complaints specialists and EEO Counselor/Mediators as well as staff managers respond to requests for information requested by OAC staff immediately and document the response.

In July 2007, Non Compliance was filed by an attorney representing an estate on one complex EEO Complaint filed in 1997, payments are pending the compensatory damages and attorney fees decisions are pending in OAC. A total of 7 complaints were closed with corrective actions including 3 requiring the payment of back pay; a lump sum payment. Payments were processed within the timeframe stipulated by the agreement. A total of \$78,421.00 was paid to date (6/24/08). To date, there have been no requests received for non-compliance /corrective action-related information from APHIS.

Although no allegations of non-compliance with settlement terms has been raised by a complainant, CREC EEO Specialists prepare “Compliance Reports for Settlement Agreements” required by CR. All Compliance Reports are provided to CR within the specified 30-day timeframe.

APHIS, in accordance with the terms of the Basu Settlement Agreement, was required to obligate funds, as determined by the USDA, Office of the Chief Financial Officer for resolution of claims of discrimination subsumed in the class complaint and associated administrative costs. APHIS fulfilled this obligation in September 2005 with the obligation of funds totaling over \$100,000. APHIS was also required under the terms of the settlement agreement, to establish a Development Opportunity Placement Program (DOPP) for a 3-year period, beginning June 2005 through June 2008. APHIS was required to make available two opportunities annually for this period. Through the DOPP opportunities were provided to all eligible and qualified employees to participate in developmental assignments. These assignments were to be filled for a minimum of 31 days at all grade levels and are the result of an actual vacancy or special need. Solicitations for employees interested in these opportunities were posted on a USDA website. In compliance with the settlement agreement, APHIS has not only fulfilled its obligation, but in this fiscal year exceeded it, with the posting for four opportunities. The following actions were taken:

Year 1 – Two opportunities were identified and posted in Fiscal Year 2006 with the Biotechnology Regulatory Services (BRS) and Plant Protection and Quarantine (PPQ) programs. The Expression of Interest was posted on the ASCR website multiple times in an effort to solicit in the detail which resulted in two applicants.

Year 2 – Two opportunities were identified and posted in Fiscal Year 2007 with the Wildlife Services (WS) and Veterinary Services (VS) programs. Despite extensive efforts to solicit interest, there were no applicants.

Year 3 – Two opportunities were identified and posted in Fiscal Year 2008 with the Policy and Program Development (PPD) and two opportunities were identified and posted with the International Services (IS) programs. Efforts to solicit interest resulted in one applicant.

Additionally, though not required, the APHIS, Marketing and Regulatory Programs Business Services, Human Resources Division, Recruitment Staff participated with the Department in several planning meetings for two USDA career fairs. The Recruitment Staff participated in the USDA Career Fair at University of Wisconsin at Madison in September 2007, as part of a consolidated effort between USDA agencies. The Recruitment Staff also marketed the Graduate Scholarship at all attended career fairs for Fiscal Year 2007.

GOAL: 4. Procurement:

Ensured equal opportunity for minorities, women-owned, small and disadvantaged, service disabled veterans, American Indians/Alaska Natives, and persons with disabilities (*AbilityOne, also known as the Javits-Wagner-O’Day Act or “JWOD”*) in all USDA contracting activities.

<p>PERFORMANCE OBJECTIVE: 4.1 <u>Procurement Goals:</u></p> <p>Took affirmative steps to increase procurement with businesses owned and operated by women, minorities, service disabled veterans, small and disadvantaged businesses, American Indians/Alaska Natives, and persons with disabilities (AbilityOne (JWOD) non-profit service providers).</p>	<p>GOAL INDICATOR: 4.1 (a) <u>Accomplishment of Goals:</u></p> <p>Developed and implemented effective strategies for improving participation by women, minorities, service disabled veterans, small and disadvantaged businesses, American Indians/Alaska Natives, persons with disabilities (AbilityOne (JWOD) service providers) and for accomplishing all goals.</p> <p>Agencies are required to provide procurement goal targets for each major category and the associated percentage achieved for each goal.</p> <p>Agencies must provide succinct written rationale and evidence as to how the Agency determined its self-assessed point value.</p>
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Table 24 - Goal: 4

AGENCY RESPONSE

The AbilityOne and the six small business categories reported on are: Small Business (SB), 8(a), Small Disadvantaged Business (SDB), Women-Owned (WO), Hubzone (HUB) and Service Disabled Veteran-Owned (SDVO). This report will continue to be issued quarterly with the accumulative representation of the Agency's status.

APHIS is currently exceeding in all of its small business preference categories including the AbilityOne. All of the small business preference categories have an average distribution of awards; therefore data reflects proper use of rotation of vendors in all categories.

GOAL: 4. Procurement: - (continue)

The following chart reflects the agencies procurement services distributed to multiple external customers during October 1, 2007 through June 15, 2008 (Qtr 1, Qtr 2 and Qtr 3).

Business Category	Qtr 1 10/01/07 thru 12/31/07	% of Total	Qtr 2 10/01/07 thru 03/31/08	% of Total	Qtr 3 10/01/07 thru 06/31/08	% of Total
Total Accumulative Dollars	28,882,664.76	100%	60,992,445.15	100%	80,363,982.79	100%
Small Business Concern (SB)	18,936,467.77	65.5	42,600,104.6 1	68.8	52,548,921.5 8	57%
Small Disadvantaged Business (SDB)	2,442,167.55	8.4	6,597,675.25	10.8	9,435,746.64	11.7
Women-Owned (WO)	2,838,069.41	9.8	4,339,515.83	7.1	5,139,670.81	6.3
Hubzone (HUB)	444,417.85	1.5	2,099,366.75	3.4	3,217,058.33	4.0
Veteran-Owned (VO)	2,223,186.33	7.6	4,840,727.21	7.9	6,950,021.95	8.6
Service Disabled Veteran Owned (SDVO)	785,364.10	2.7	3,042,508.04	4.9	3,499,135.55	4.3
8(a)	420,398.44	1.4	2,093,710.26	3.4	2,147,890.94	2.6
JWOD/AbilityOne	197,912.07	.6	405,623.16	.66	442,354.88	.55
Historically Black Colleges & Univ. (HBCU)	-2,498.05	- 0.008	-7498.05	-0.01	-7498.05	-0.0009
Educational Inst.	3,049,190.58	10.5	3,830,218.10	6.2	4,148,710.72	5.16
Asian Pacific	530,478.95	1.8	1,453,386.55	2.3	1,801,837.72	2.2
Minority Institutions	22,501.95	.07	62,501.95	.10	67,501.95	.08
Local Government	48,693.24	.10	63,433.24	.10	87,807.98	.10
State Government	2,458,043.58	8.5	2,807,997.65	4.6	3,097,360.32	3.8
Tribal Government	0.0	0.0	0.0	0.0	0.00	0.00
American Indian	26,465.86	.06	37,638.86	.067	97,493.48	0.12
Native American Indian	36,465.86	.12	68,143.86	0.11	912,622.76	1.13
Asian Indian	356,810.65	1.2	464,506.95	0.7	898,756.02	1.11
Minority Owned	4,025,709.11	13.9	7,556,309.63	12.3	10,843,715.3 2	13.4
Black Owned	1,318,068.12	4.5	3,205,813.51	5.2	4,475,889.87	5.5
Hispanic-Owned	1,531,478.17	5.3	1,740,377.47	2.8	1,965,331.82	2.4
Non-Profit Organization	1,596,740.76	5.5	1,866,855.32	3.0	2,273,577.55	2.8
Emerging Small Business	592,683.95	2.0	2,032,369.07	3.33	2,185,270.14	2.7
Hospitals	294,679.79	1.0	294,679.79	.48	0.00	0.00

Table 25 - Procurement

NOTE: Obligations can apply to one or more categories listed above. All data was available from the Federal Procurement Data System – New Generation (FPDS-NG System). Query was under “Funding Report”.

Findings:

1. The Agency is currently meeting the 8(a) goal and Exceeding in all other Small Business Categories, including AbilityOne.
2. Data reflects an increase of Large Business Dollars by 4% which have resulted in a decrease of Small Business dollars in the 3rd Qtr.
3. Overall, data reflects an average distribution of Small Business awards; therefore, there is proper rotation of vendors in all small business categories.

MRPBS Procurement Accomplishments FY 2008:

- 1. Hispanic Business Roundtable Forum (in conjunction with Hispanic Heritage Month - , Riverdale, Md.** – sponsored by Civil Rights Enforcement and Compliance, October 10, 2007.
- 2. AbilityOne Annual Event** - The MRP AbilityOne (formally known as JWOD) Liaison conducted the Agency's 3rd Annual awareness event on Thursday, January 30, 2008, at the USDA Riverside Conference Center. This year's program of presenters included the MRP AbilityOne Liaison, Estela M. Diaz; Master of Ceremonies, Mark Benedict, Food Safety and Inspection Service; ServiceSource, the USDA AbilityOne Contractor of the Year for 2007, lead the Pledge of Allegiance; opening remarks were provided by Dr. Gregory Parham, Deputy Administrator, MRPBS and James E. House, Director, OSDBU; the Keynote Speaker was Christine Harrison, NISH/AbilityOne Business Solutions Network; Special Presentations were provided by George E. Aarons, NIB Senior National Account Manager; Special Acknowledgments by Suzette Gross, NISH HQ AbilityOne USDA Interagency Team; and closing remarks were provided by Howard G. Price, Head of the Contracting Activity, Designee, MRPBS. The event this year highlighted NIB/NISH new Documents Imaging initiative. There were also sixteen vendors present who provided supplies and services under the AbilityOne program.
- 3. USDA First Tuesday Association Breakfast** - APHIS hosted the monthly event on February 4, 2008. The event is intended to create technical and administrative exchange of Agency information with small businesses and APHIS management. The speakers for the APHIS were the Acting OCIO, Marilyn Holland and the Agency Small Business Coordinator.
- 4. Service Disabled Veteran-Owned Small Business Outreach** - The Animal and Plant Health Inspection Service (APHIS) held its 2nd Annual Service Disabled Veteran-owned Small Business (SDVOSB) Vendor Recognition Day on March 12, 2008, coordinated by the MRP Small Business Coordinator (SBC). The Master of Ceremony was Howard Price, Director, Administrative Services Division (Head of Contracting Activity, Designee); Opening Remarks were given by Dr. Gregory Parham, Deputy Administrator for Management and Linda Epstien, USDA Veterans Program Manager; Military Experience in the Federal Government were represented by Daniel Hurley, Director, Critical Infrastructure Protection,

U.S. Department of Commerce; Cliff Graham, Director, Management and Personal Services International Services; and Cheryle Cannady, Chief of Staff, International Services. The Guest Speaker was Billy Jenkins, Veterans Program Manager, Office of Veterans Affairs (VA) Business Development, delivered a moving presentation on the importance of contracting with SDVOSBs. Mr. Jenkins commended USDA on its progress towards achieving the 3 percent goal for and commended leadership for its commitment to the Service Disabled Veteran-Owned Small Business Program. In addition, Twenty-one SDVOSBs vendors participated and were involved in one-on-one counseling sessions. In addition, Ms. Diaz held an interactive training session on best practices for contracting with APHIS. Vendors attended in an invaluable panel discussion with Marilyn Holland, Acting, Chief Information Officer; Dan Stoltz, Director, Information Technology and Coordination, Plant Protection and Quarantine; and Dr. Carlo Broglio, Director, Information Systems Support Staff, Veterinary Services. This highly instructive discussion provided information on APHIS' upcoming opportunities, the type of skill sets required for participation and made attendees aware of the challenges APHIS faces. These SDVOSBs now have a good opportunity to provide solutions to project managers.

5. Small Business Conference – The MRP Small Business Coordinator (SBC) attended the U. S. Women's Chamber of Commerce (USWCC) Small Business Conference on March 27, 2008. The event took place at the Washington Plaza Hotel-10 Thomas Circle, Washington, D.C. The Agency participated in vendor outreach sessions with Women-Owned Businesses to increase contract awards within this category.

6. Agency Tour of Digital Scanning Services – The MRP Small Business Coordinator participated in a tour of the Columbia Lighthouse for the Blind to see the new services they now offer under AbilityOne Program. The tour was considered part of the Acquisition Planning Phase for an upcoming Data Scanning Project for the Agency.

APPENDICES

APPENDIX 1

APHIS Civil Rights Strategic Plan Goals and Objectives FY 2007 - FY 2011

Goal 1: To implement a Civil Rights Program that is fully compliant with all Civil Rights Laws, rules and regulations including EEOC's MD-715 and USDA and APHIS regulations, policies, and guidelines.

- **Objective 1:** Meet the EEO Standards for a Model Federal Agency Equal Opportunity Program.
- **Objective 2:** Ensure that employees and managers have access to current and accurate information about key civil rights issues.
- **Objective 3:** Strengthen Program Delivery and Outreach
- **Objective 4:** Implement a comprehensive compliance review program to assess adherence to and compliance with USDA and EEOC Civil Rights program requirements.
- **Objective 5:** Establish long-term hiring goals to reach the "Federal High" for persons with "targeted disabilities"

Goal 2: Strengthen and expand educational programs and continue to ensure that the APHIS workforce reflects the Nation's diversity.

- **Objective 1:** Strengthen and assist 1890 Land Grant Colleges and Universities, Historically Black Colleges and Universities, and Hispanic Serving Institutions in building the capacity that will enable them to support the APHIS mission.
- **Objective 2:** Implement programs designed to provide training, internships, authorized scholarships and full employment to all college and university students with a focus on institutions with significant populations of minorities, women, and students with disabilities.
- **Objective 3:** Monitor APHIS diversity at all levels of the organization including the full employment of persons with disabilities.
- **Objective 4:** Implement and maintain special programs and initiatives that are in compliance with regulations and guidelines.
- **Objective 5:** Facilitate the workforce planning process by providing a cadre of students who, upon graduation, are qualified and eligible for future employment.
- **Objective 6:** Monitor recruitment and hiring to ensure the 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.

- **Objective 1:** Provide training and information resources to managers that will reduce EEO Complaints.
- **Objective 2:** Utilize various ADR techniques to resolve EEO Complaints.
- **Objective 3:** Promote essential & appropriate training and education on ADR to agency personnel.

APPENDIX 2

Animal and Plant Health Inspection Service Civil Rights Policy Statement

November 26, 2007

APPENDIX 3

APHIS Anti-Harassment Policy Statement

November 26, 2007

APPENDIX 4

APHIS Civil Rights Enforcement and Compliance

Recommended Language for Required EEO Element for Managers and Supervisors ELEMENT WEIGHT WILL BE 10%

Performs all duties consistent with civil rights and equal opportunity laws and regulations prohibiting discrimination. Demonstrates equal employment opportunity for all employees and applicants for employment. Is held accountable for results in the prevention and resolution of EEO and Program complaints; participation in the EEO complaint process; actively supports diversity in hiring, selection, recruitment and outreach programs. Provides for appropriate disability and religious based accommodations. Communicates promptly with employees to address problems and disagreements in the workplace. Ensures that APHIS external programs and activities are implemented in a non discriminatory manner to reach all eligible beneficiaries.

Recommended civil rights/equal opportunity language to incorporate in Non-supervisory employees' EEO element (stand-alone element for EEO not required, language may be incorporated into customer service, teamwork, or similar element.

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

APPENDIX 5

APHIS Compliance Review Schedule Fiscal Year 2008

During the period of July 1, 2007 through June 30, 2008, APHIS completed on-site civil rights compliance reviews for the following programs:

Program	Location	# of Employees	Report Completion Date
<i>On-Site Reviews</i>			
Plant Protection & Quarantine	Western Region Office	68	Fort Collins, CO September 2007
Animal Care	Western Region Office	17	Fort Collins, CO September 2007
Veterinary Services	Fort Collins, CO	34	Fort Collins, CO September 2007
Wildlife Services	Fort Collins, CO	17	Fort Collins, CO September 2007
Marketing & Regulatory Programs Business Services	Fort Collins, CO	38	Employee Services Division; Human Resources Division; Information Technology Division September 2007
Wildlife Services	Colorado Office	38	Lakewood, CO September 2007
Plant Protection & Quarantine	All employees	3,200	May 2008

Table 26 – On-site Compliance Review Schedule

APHIS completed the following Civil Rights Desk Audits for the period July 1, 2007 through June 30, 2008:

APHIS Ag-Discovery	Report completed September 2007
Recruitment, Relocation and Retention Incentives	Report completed September 2007
Veterinary Services Eastern Region (575 Employees)	Report completed March 2008

Table 27 - Compliance Review Desk Audits

APPENDIX 6

APHIS Workforce Profile Analysis

As of this report - Analysis of Workforce Profiles

Participation Rates – A comparison of FY 08 and FY 07 shows a net change in the total APHIS workforce of 3.00%, a difference of +260 employees, with FY 08 total employment at 8777 and FY 07 total employment of 8517. The participation rate for women in FY 08 (40.4%) compared to FY 07 (40.6%), but lower than the comparable U.S. Civilian Labor Force (CLF) rate of 46.8%. The participation rate for Hispanic or Latino men (6.8%) is above the CLF rate of 6.20%. However, the participation rate of Hispanic women is 3.7% which is well below the CLF of 4.5%. The participation rate of African American men is 3% which is below the CLF rate of 4.8%; for African American women the rate is 5.3% compared with the CLF rate of 5.70%. The participation rate for Asian men and women is above the CLF rate with Asian men showing a participation rate of 5.3% compared with a CLF of 1.90%. The participation rate for Native American men and women is .5% and .4% respectively. The comparable CLF rate is .30% for both Native American men and women. *See the APHIS Federal Equal Opportunity Program Plan for FY 2008 Recruitment, Hiring and Community Outreach Strategies. The plan is posted on the CREC website:* http://www.aphis.usda.gov/civil_rights/downloads/program_delivery_andhttp://www.aphis.usda.gov/civil_rights/downloads/APHISFY2007outreachreport.pdf_outreach_compliance.shtml. Also posted on the CREC website is the APHIS FY 2008 EEO Program Status Report.

Occupational Categories - APHIS is recognized by the Department as having **10** major occupation job series. At the end of the 3rd Quarter of FY 2008, the total number of APHIS employees (*males/females*) in each major job category is as follows:

Occupational Job Series	Total Employees	Male	Female
0201 Personnel Management	99	27	72
0301 Misc. Admn. and Program Analysis	211	53	158
0343 Management and Program Analysis	175	50	125
0401 Gen Biolcl Sci	1318	924	394
0404 Biolcl Techncn	1349	1090	259
0421 Plt Protection Techncn	1214	789	425
0486 Wildlife Biology	378	334	44
0701 Veterinary Medical Science	664	419	245
0704 Animal Health Techncn	491	343	148
2210 Information Tech Specialist	275	185	90

Table 28 - Major Occupation job series

Distribution by Grade – The majority of APHIS employees 2,775 are at the GS-9 through GS-12 grade level, followed by 2,535 employees at the GS-5 through GS-8 grade level. At the GS-01 through GS-04 grade level there are 1,423 employees, and 1,401 at the GS-13 through GS-15 grade level. In Executive/Senior Level positions there are 34 employees (*26 men and 8 women*). White men and White women represent 79.4% and minorities represent 20.6% of this category.

New Hires – There were a total of 997 employees hired in FY 2008 (*258 permanent, 587 temporary, and 152 indefinite*). Women out numbered men in permanent hires with 141 hires compared to 117 for men. Of the total number of permanent hires White women had the highest participation rate at 38.0% followed by White men with 30.6%. There were a total of 46 African Americans hired to permanent positions (*19 males and 27 females*); and 17 permanent Hispanic employees (10 males and 7 females). Of the 587 temporary employees hired 73% were White, 12% Hispanic and 6% African American. Of the 152 indefinite employees hired 102 or 67% were male and 50 or 33% were female.

Data Source: NFC On-Line Reporting Center as of 06/25/2008

APPENDIX 7

APHIS Ad for Disabled Veterans and WRP Program

APPENDIX 8

SAMPLES OF PERFORMANCE PLANS WITH EEO ELEMENT