

APPENDIX D

## EQUAL EMPLOYMENT OPPORTUNITY

**1. Purpose.** This appendix supplements the guidelines provided in main body of the Quality Management Plan (QMP) for the execution of quality assurance (QA) and quality control (QC) activities in the Equal Employment Opportunity (EEO) program.

**2. Objectives.** The principal objectives of EEO quality control are as follows:

a. Assure that activities of all components of the EEO program are carried out in accordance with the standards published in the referenced documents and supplementary guidance issued by the Department of Defense (DoD), Department of the Army (DA), the Equal Employment Opportunity Commission (EEOC), HQ, Corps of Engineers (USACE), Great Lakes and Ohio River Division (LRD) and the Detroit District.

b. Provide a base upon which actions may be initiated to improve the quality of the EEO program and services.

c. Assure linkage between the EEO operational efforts and the Corps' Vision, CELRD Campaign Plan and the District Business Plan.

**3. Applicability.** These QC activities apply to EEO program management and administration as prescribed by Federal laws, policies and regulations.

### **4. References**

a. AR 690-12, Equal Employment Opportunity and Affirmative Action, dated 4 March 1988

b. AR 690-600, Interim Army Regulation on Equal Employment Opportunity Discrimination Complaints, dated 18 September 1989

c. CEIG Report on EEO, dated 23 May 1997

d. DOD Directive 1440.1, Civilian Equal Employment Opportunity Program, dated 21 May 1987

e. EEOC Management Directive 110, Equal Employment Opportunity Management, dated 22 October 1992

f. EEOC Management Directive 714, EEOC Instructions for the Development and Submission of Federal Affirmative Employment Multi-Year Program Plans, Annual Accomplishment Reports, and Annual Plan Updates, dated 6 October 1987

- g. ER 690-1-693, Corps of Engineers Early Resolution Program, dated 23 July 1997
- h. ER 690-1-967, Federal Equal Opportunity Recruitment Program, dated 1 June 1988
- i. Federal Personnel Manual Letter 713-37, Documenting EEO Collateral Duties in Official Position Descriptions, dated 20 May 1977
- j. Title 29, Code of Federal Regulation (CFR), Part 1607, Uniform Guidelines on Employee Selection Procedures, dated 1978.

## **5. Definitions**

- a. Internal Customer. Detroit District employees who request or benefit from the services or products provided by the EEO Office.
- b. External Customers. Members of the community who participate in EEO programs offered by the EEO Office; members of community organizations which have EEO implications and where the District seeks to maintain cooperative relationships to further its EEO goals; and members of third party review teams who periodically review the EEO program for performance and compliance, e.g., Inspector General, DoD, and EEOC.

## **6. Responsibilities**

- a. General. The District Commander is ultimately responsible for equal employment opportunity within the District. Some of these responsibilities are delegated to Senior Leaders, Managers, Career Program Managers, and as appropriate, Project Managers. They are each responsible for ensuring equal opportunity and a discriminatory-free work environment in their assigned areas or among teams.
- b. Equal Employment Opportunity Officer. Responsible for providing advisory services to the Commander and managers to assist in carrying out their EEO responsibilities, and in dealing with specific individual and systemic problems. In addition, the EEO Officer provides leadership and guidance for EEO full-time and collateral-duty staff and represents the District in communications with community organizations that have EEO implications or interest. The EEO Officer is responsible through quality checks and reviews for compliance with applicable laws and regulations. The EEO Officer shall be responsible for establishing Quality Control over the internal and external EEO program products and services in accordance with the standards published in the referenced documents and supplementary guidance published by higher command.

**7. Quality Process.** According to Title 29 of the Code of Federal Regulations (CFR), Part 1614.101(a), “It is the policy of the Government of the United States to provide equal opportunity in employment for all persons, to prohibit discrimination in employment because of race, color, religion, [gender], national origin, age or [disability] and to promote the full realization of equal employment opportunity through a continuing affirmative program in each agency.” District managers are to consider employment principles when acquiring, training, and retaining a workforce that is reflective of the nation’s diversity. In this vein, quality control and quality assurance are difficult to measure in that a low number of EEO discrimination complaints are not necessary indicative of a healthy or unhealthy environment. However, the Corps of Engineers Early Resolution Program (CEERP) is a proactive approach that is used to resolve workplace disputes early before they elevate to the formal complaint level.

The following specific activities are to embrace quality control in all functional elements of the EEO program:

a. Complaints

(1) Trends and Effectiveness of Resolution. The EEO Officer will meet with Alternative Dispute Resolution (ADR) team to assess and evaluate each complaint to determine the cause for existence, basis for resolution, and any need for change in local practices and or operations. Quarterly analysis of complaints is briefed to the Commander and staff during District Command Management Review (CMR).

(2) Processing. The EEO Officer will utilize a checklist developed to determine staff conformance to regulatory time frames, content of correspondence, coordination, and eligibility for submission of complaints to DA or EEOC for further processing.

b. Complaints Files Maintenance

(1) Complaints and Appeal Tracking System (CATS) Maintenance. CATS is a monitoring system designed to track the status and progress of complaints. Senior EEO staff members will assure through periodic reviews of data sheets, and by spontaneous observation of data entry that the EEO staff assigned this responsibility conforms to requirements for updating CATS.

(2) Case Files. Case files will be reviewed twice to assure they are adequate for potential processing by investigative and judicial levels. First review will be accomplished by the EEO administrative assistant using the DA Table of Contents as a checklist to assure quality of documents and sufficiency of technical filing. A senior staff member will make a final quality review using the Department of the Army (DA) Chronology of Individual Complaints or Chronology of Class Complaints checklist, as applicable.

c. Affirmative Employment Program (AEP)

(1) Plan Development. The EEO Officer will assemble a Diversity Committee comprising select senior leaders, Special Emphasis Program managers, a representative from the Civilian Personnel Advisory Center (CPAC), as well as a local union representative to actively assist in the planning and development process. The EEO Officer will take the lead in conducting barrier analysis, developing goals and objectives; and determining target dates and responsible officials to assure the quality of the plan and linkage to the District's business operations goals. The team will meet annually to complete the product by the suspense date provided. Quarterly analysis of affirmative action is briefed to the Commander and staff during the District's CMR for select focus areas.

(2) Implementation. Each senior leader will participate in QC activities to determine progress towards affirmative action goals by compiling and analyzing results in respective organizational units. The EEO Officer will provide statistical data to assist in departmental analysis. This information will be provided to the EEO staff and/or Diversity Committee for assessment and determination of future actions for the District.

d. Special Emphasis Program Management and Administration

(1) Documentation of Assignment. The EEO Officer will assure that appointments of collateral-duty Special Emphasis Program Managers (SEPM) are documented in Official Personnel Folders (OPF) and duties amended on job descriptions by periodically requesting written verification from the CPAC. A copy of all documents will be retained in the EEO Office. In addition, the EEO Officer will assure a formal agreement between the manager and the EEO Office is obtained and updated. This agreement provides and understanding of the utilization of the SEPM's services, time considerations, reporting requirements and performance considerations. It will be updated as necessary.

(2) Contribution to the Attainment of EEO Goals. SEPMs are empowered to manage respective programs by developing mini-plans based upon workforce analysis and surveys results from members of their respective group. These goals and objectives will be incorporated into the annual affirmative employment plan, as appropriate, and monitored using tools developed by the SEPM.

(3) Control of EEO Finances. SEPMs and SEP committee members will complete a timesheet and provide a brief narrative relative to services performed or activities conducted when charging EEO codes in CEFMS. The timesheet should be submitted to the EEO officer for approval prior to the CEFMS entry.

e. Management Execution of EEO Responsibilities

(1) Performance. Performance plans of each manager must contain specific actions that will assure equality of opportunity and a discriminatory free work environment. The Commander has issued a guide to aid managers in developing and monitoring initiatives to attain the District EEO goals and objectives. In addition, this guide serves to reinforce management and leadership accountability through uniformed management practices and quality measurement of initiatives.

(2) Compliance. The EEO Officer will be involved in the annual review of performance standards to assure they are clearly measurable and attainable. The Commander and managers/ rating officials are responsible for determining the exact quantity of measurement for EEO performance objectives as well as quality analysis and interpretation of input provided by the EEO office.

f. Workforce EEO Training. The EEO Office will utilize evaluation forms to receive feedback on EEO-related training over two hours. The evaluations will be directed towards determining effectiveness of the training as well as the presenter.

g. Customer Care. Customers will be surveyed annually to assess the quality of EEO services and provide feedback and suggestions for improvement.

h. Tools Used. On-site inspections of area and District HQ facilities to assure that Commander's policies are posted, along with procedures for filing complaints and listing of current EEO Counselors. Face-to-face discussions with employees and managers to assess the EEO climate; electronic and/or hard-copy customer surveys. The following checklists and evaluative documents will also be utilized to support quality control and assure consistency in the application of published standards:

- (1) Chronology of Individual EEO Complaints (DA 5495-R)
- (2) Chronology of EEO Class Complaints (DA 5496-R)
- (3) Pre-complaint Matters Not Subject to Corps of Engineers Early Resolution Program (CEERP) Mediation (ENG Form 5048-R)
- (4) CEERP EEO Officer's Evaluation (ENG Form 5049-3-R)
- (5) CEERP Participant's Evaluation (ENG Form 5049-4-R)
- (6) CEERP Mediator's Evaluation (ENG Form 5049-5-R)