

OFFICE OF DIVERSITY AND EQUAL OPPORTUNITY

Endeavor

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NASA Rated on Merit Principles, Work Environment

on its work environment, including commitment to merit principles in personnel actions, though some challenges remain, according to the U.S. Merit Systems Promotions Board.

NASA, along with 24 other Federal agencies, participated in the Merit Principles Survey 2005. The report of this survey, issued in February 2007, examined employee's perceptions of their jobs, work environments, supervisors and agencies, and looked at such issues as conflict in the workplace, effectiveness of communication, and employee perceptions of fairness and equitable treatment.

“Overall, the survey responses re-enforced the notions that fair and equitable treatment and successful communication are critical to building trust between managers and employees.”

The survey showed that NASA ranked highest of all the agencies on job satisfaction, with nearly 80% of NASA employees responding that they are generally satisfied with their job. However, NASA did not rank as highly regarding

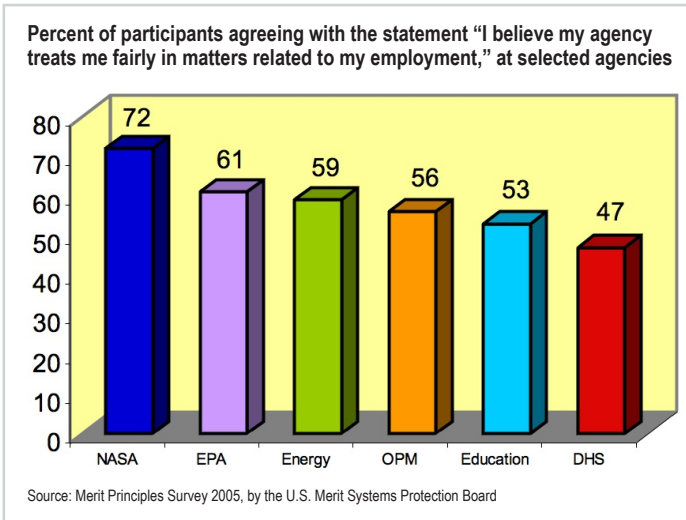
NASA News

NASA rates highly overall

job security, with 55% reporting that they felt their jobs were secure. While NASA ranked at the top regarding conflict resolution, only 48% of NASA employees surveyed

culture in which there is trust between managers and their employees. The report found that employees tended to trust their immediate supervisors more than upper management. However, a majority of NASA employees (72%) reported that they believed they were treated fairly in matters of employment. Also, the number of Federal employees reporting prohibited personnel practices in the last two was lower than at any time in the past two decades. Overall, the survey responses re-enforced the notions that fair and equitable treatment and successful communication are critical to building trust

between managers and employees. To read the MSPB report, visit www.mspb.gov



agreed that the agency currently responds constructively to workplace conflict.

The report also found that conflict in the workplace, which the survey defined as separate from instances of individual mistreatment such as bullying or sexual harassment, is common, with nearly half of all supervisors reporting that they deal with at least one conflict during the year, and 37% of employees indicating that they had experienced a serious conflict in their work units in the past 2 years. The report also found that the most important mechanisms for resolving conflict are communication between people and establishing an organizational

Points of Interest

- Center Spotlight: Diversity at NASA-Ames Research Center
- NASA Highlights from the Federal Dispute Resolution Conference
- Disabled Veterans Program Highlights
- Top-rated Companies for Diversity

Inside Endeavor

NASA News.....1
 Equal Opportunity Programs.....2
 Center Spotlight.....3
 Case Law Update.....4
 Diversity Forum.....4

NASA Participates in Operations Warfighter, Coming Home to Work Programs

by Elizabeth Walker,
NASA Disabled Veterans'
Program Manager

program and the Department of Veterans Affairs Coming Home to Work Initiative Program. The NASA Office of Diversity and Equal Opportunity (ODEO) and the Office of Human Capital Management (OHCM) are working together to implement the two programs agency wide.

The Headquarters Equal Opportunity and Diversity Division (HQ EODM) is implementing the programs at NASA HQ. After interviewing several candidates, the HQ EODM is proud to introduce Sgt. Spencer K. Foster, a native of Washington, D.C., as the first participant in the innovative Coming Home to Work Initiative. Sgt. Foster is a veteran of the U.S. Air Force

Equal Opportunity Programs

NASA is participating in the Department of Defense Operations Warfighter pro-

whose areas of expertise include Acquisitions, Procurement and Contract Management. Spencer is currently working with the Agency's Small and Disadvantage Business Utilization Office as a Program Analyst.

The number of soldiers coming back from the wars in Afghanistan and Iraq as disabled veterans currently stands at over 26,000. These brave women and men have served our country and protected our freedoms with honor and pride. NASA continues to make supporting disabled veterans a priority and to invest in programs like Coming Home to Work and Operations Warfighter.

To help in fulfilling its mission of service to disabled veterans and their families, NASA recruiters and those with hiring authority have available two programs with special appointing authorities, that may be

used to appoint an eligible veteran without competition. These are the Veterans' Recruitment Appointment (VRA) and the 30 percent or more Disabled Veteran Program.



For more information on Disabled Veterans' programs at NASA contact Elizabeth Walker at 202-358-0957.

NASA Highlights from the Federal Dispute Resolution Conference

by Judy Phillips,
EODM Compliance
Manager

Francisco, California. Among those invited to speak at the conference were Donald King, Acting Director, Complaints Management Division, ODEO and Headquarters' Equal Opportunity and Diversity Management (EODM) Division Director Ralph Suris and Equal Employment Manager Judy Phillips.

Mr. King, along with Alan Robinson from the USDA, gave a presentation on handling contingent worker complaints. Mr. King discussed the issues involved in making a determination of whether a contingent worker is entitled to have a discrimination complaint processed under Federal Sector EEO regulations. According to Mr. King, "Processing an EEO complaint involving a contingent worker re-

NASA's EEO community was well represented at the recent Federal Dispute Resolution Conference in San

quires a complex analysis of issues, including determining whether it was the agency or the contractor employee who held control over the means and manner of the contractor's work."

Mr. King also discussed unresolved policy issues, such as whether Federal agencies' responsibility for ensuring against discriminatory behavior in the workplace extend to the contractor workforce and if so, what are the practical limits of an agency's responsibility to act in this context. "These policy issues have been left to agencies to resolve on their own, because to date, there hasn't been sufficient guidance from EEOC," stated Mr. King.

Mr. Suris and Ms. Phillips presented on the topic of EODM's Self-Assessment Program. Mr. Suris explained all government agencies are required to regularly assess the effectiveness of their EEO efforts, and EODM implemented its self-assessment program as a means of ensuring that Headquarters works

effectively towards the goal of becoming a model EEO employer.



Ms. Phillips explained that the self-assessment process involves EODM staff meeting one-on-one with managers, supervisors, and employees throughout Headquarters to measure their familiarity with EEO. "The meetings provide a means of assessing how well our office is doing with educating our workforce about EEO issues, and determining how we can improve our services for Headquarters employees . . . [I]t's a way to show that EEO offices can operate in a proactive mode and provide educational information before it is needed."

NASA leadership is committed to creating a work environment that values and utilizes employee contributions at all levels. At Ames Research Center (ARC), we have carried out this commitment by implementing several diversity initiatives to ensure that we continue to foster a workforce culture at our Center that honors excellence, teamwork, fairness, equity and inclusion.

ARC Diversity and Equal Opportunity Board (DEOB)

In the spring of 2005 we reestablished the Ames Diversity and Equal Opportunity Board (DEOB). The DEOB is chaired by our Center Director, Dr. Pete S. Worden, and its membership is comprised of all Directorate heads, the Director of Diversity and Equal Opportunity, Chief Counsel, Director of Human Capital, a representative from the Ames Federal Employees Union, and a representative from each of the Ames employee advisory groups.

The DEOB is required to engage in continuous learning on diversity issues and trends at the national level and at Ames. Additionally, they must: closely monitor the impact of such issues and trends at the Center; promote Center diversity policies, programs and practices; and help to demonstrate commitment to such policies, programs and practices throughout all levels at the Center.

Ames Diversity Implementation Plan

On October 27, 2006, Ames issued its Diversity Implementation Plan, which we consider a major step toward ensuring a working environment which values and utilizes employee contributions at all levels. Dr. Worden rolled out the Plan in November 2006 at a Center all-

hands meeting, in which he spoke about diversity foremost as “a way to solve problems.” Dr. Worden pointed out that when a group is not all of one mind, more possibilities for ideas and solutions exist.

The Plan established an overarching structure for managing the implementation of diversity initiatives. This included objectives within the following four elements: Assessment, Awareness, Accountability and Action. The Plan calls for four working teams, one for each of the four elements, to work toward the strategic goals and objectives through specifically identified activities. These include:

Diversity Education and Awareness Activities—designed to provide on-going opportunities to enhance the knowledge level and depth of understanding among employees and organizations through the use of leadership, communication, activities, training, and other organizational and management tools.

Over the past several years, three diversity training sessions have been conducted at the Center. We continue to hold a variety of diversity events and activities to enhance employee knowledge and awareness of diversity concepts and principles.

Diversity Assessment Survey – to provide periodic assessments of how the workforce exhibits awareness and support for Center diversity programs, practices and policies.

Diversity Plan Action Coordination - to monitor diversity tasks performed by the diversity work teams, as well as the status of implementation of the Diversity Implementation Plan.

Benefits Realization

With the diversity infrastructure that Ames now has in place, we believe that we are well on our way toward realizing a number of benefits that come with understanding, recognizing and appreciating divergent ideas, perspectives, and culture. These include an environment of increased morale and productivity, greater respect for each other’s differences, more open dialogue and valuing of individual ideas, and greater innovation and problem solving capabilities by drawing from a wider knowledge base and variety of perspectives.

We believe it is imperative that we continue to embrace diversity across the Agency because as NASA moves toward the implementation of the President’s vision for space exploration, a highly diverse and competent workforce will be vital to the success of the Agency’s mission. There will be phenomenal challenges and opportunities ahead for Ames, and we understand that we must be prepared to effectively and appropriately meet those challenges and grab opportunities to expand diversity

and ensure inclusion at every level and facet of our organization.

We have learned that diversity is a catalyst for stimulating innovation, creativity, and technological advancement from our workforce. Isn’t that what NASA is all about?

For more information on diversity at NASA Ames, visit http://www.nasa.gov/centers/ames/astrogram/2007/01_diversityplan.html



Work team leads for the Ames Diversity Implementation Plan.

Supreme Court Limits Timeframe for Pay Discrimination Cases

by Veronica R. Hill, Esq.
Equal Opportunity
Manager

Case Law Update

4

Recently, on May 29, 2007, a sharply divided U.S. Supreme Court issued a decision in *Ledbetter v. Goodyear Tire & Rubber Co.*, 127 S. Ct. 2162 (2007), which makes it harder for employees to sue employers for pay discrimination under Title VII of the Civil Rights Act of 1964.

Recently, on May 29, 2007, a sharply divided U.S. Supreme Court issued a decision in *Ledbetter v. Goodyear Tire & Rubber Co.*, 127 S. Ct. 2162 (2007), which makes it harder for employees to sue employers for pay discrimination under Title VII of the Civil Rights Act of 1964.

What happened?

Lilly Ledbetter was a manager at Goodyear Tire and Rubber Company from 1979 until retirement in 1998. Toward the end of her employment, she was the only woman working as an area manager and the discrepancy between her pay and that of her 15 male counterparts was extreme. She was paid \$3,727 per month; while the pay of the male area managers ranged from \$4,286 to \$5,236 per month. Upon retirement, she filed a formal EEOC charge and later a lawsuit in Federal

District Court alleging unequal pay based on her sex in violation of Title VII.

What did the Supreme Court say?

The Court held that a new time limit for filing a charge of discrimination under Title VII (which is 300 or 180 days, depending on the jurisdiction) does not start each time an employee receives a pay check, even if the amount of the check is lower than it should be based on a past discriminatory pay decision. The initial pay decision constitutes the discriminatory act and the time limit for filing starts running when the employee learns of that decision. The Court pointed out that it would be difficult for an employer to defend itself against alleged discrimination that occurred many years ago. In fact, one of the supervisors whom Ledbetter accused of discrimination had passed away by the time she filed her lawsuit.

What does this decision mean for Federal Employees?

This decision leaves Federal employees with a short timeframe—45 days—to raise pay discrimination allegations with an EEO Counselor at the agency they believe has subjected them to discrimination. Employees who wait to challenge suspected pay discrimination run the very real risk of forfeiting their right to any relief whatsoever.



Power and Privilege Workshops at NASA/GSFC

by Terri Yancy

Diversity Forum

When you hear the term “power and privilege,” what comes to

mind? Do you think of people who are at the higher echelons of their organizations or the social ladder? Do you think of the wealthy? Do you think of yourself? Is it about whether you're a scientist or a secretary? Or what color or race or gender you are?

Goddard Space Flight Center is exploring the concept of power and privilege as it relates to diversity at Goddard. These conversations, which include a diverse group of people, are intended to raise awareness, increase understanding of power and privilege, identify who has it, and what it means to have or not have it. Using a systems approach, Goddard is examining

the impact of earned and unearned power and privilege, as well as the conscious and unconscious influences in organizations and on our working relationships.

The first few workshops have focused on power and privilege in the context of race (“Power & Privilege: The Impact of Race”) but

there are many other dimensions that impact power and privilege. This workshop has received highly favorable reviews from participants who describe it as “thought provoking” and “educational.”

“There are many dimensions that impact power and privilege.”



For more information on Goddard’s “Power and Privilege” workshops contact Sharon Wong, Special Assistant to the Director for Diversity at Sharon.m.wong@nasa.gov.