



# Civil Rights Chronicle

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On August 14, 1997, new executive guidelines aimed at protecting religious exercise and religious expression was unveiled. These guidelines apply to all officials and employees in the Federal workplace. While Title VII of the Civil Rights Act of 1964 permits religious expression by all federal employees, supervisors and managers, it prohibits religious harassment.

Supervisors and managers must reasonably accommodate an employee's sincerely held religious beliefs or practices, when an accommodation is requested, unless doing so would impose an undue hardship on operational activity. A reasonable religious accommodation is any adjustment to the work environment that will allow the employee to practice his/her religion. For example, in a private work area an employee may keep a Bible or Koran on his/her private desk and read it during breaks. Or certain employees can gather on their own time for prayer and Bible study in an empty conference room that employees are generally free to use on a first-come first-served basis. Such gatherings may not be subject to discriminatory restrictions because of its religious content.

Employees must also be permitted to wear religious garb such as a crucifix, a yarmulke, or a head scarf, if wearing such during the work day is part of the employee's religious practice or expression. These expressions are permitted as long as it does not interfere with the agency's ability to carry out its official responsibilities.

It is important to remember that although religious harassment may not occur as frequently as sexual or racial harassment, it is still unlawful.



## THE DO'S & DON'TS OF HUMOR IN THE WORKPLACE



There's a time to be funny and there's a time *not* to be funny in the workplace.

For most people it takes only basic common sense to know the difference. But sometimes people may use humor inappropriately. In most situations it's not the use of humor that's inappropriate but rather the *type* of humor.

Telling off-color jokes in a professional setting or harassing sensitive people in order to get a laugh at their expense are examples of humor that will often be considered *inappropriate*.

Does this mean that humor has no place in a professional setting? Not at all. It has been found that office humor can be an effective way to reduce job stress, boost employee morale and quite

often ward off burnout. However, it can also alienate people and create a more hostile work environment.

Since there is a thin line between offensive and appropriate workplace humor, how can employees enjoy the stress relieving benefits of humor and laughter without the damaging affects of offensive jokes? Here are some tips to remember when you're telling jokes around the workplace:

- ◆ Think of The Message: Ask yourself what is the point or underlying message of your joke;
- ◆ Leave Serious Topics Alone: Don't joke about topics that are controversial or painful to someone else;

- ◆ Be Careful of Politics: Avoid making political jokes that would offend someone of a different ideology if they're part of the group; and

- ◆ When In Doubt, Leave it Out: If you're not sure how a joke will be received, it is best not to tell it.

When dealing with people who use workplace humor offensively, stand up for yourself or others and change the subject. Your co-workers should appreciate it and you'll be creating a more friendly work environment.

**MANAGERS AND SUPERVISORS: NINE BASIC RULES FOR AVOIDING DISCRIMINATION**



Did you know that there are Nine basic rules for avoiding discrimination in the workplace? Equal employment opportunity should be incorporated in everything managers and supervisors do from recruitment, hiring, promoting, retention, recognition to disciplinary actions.

Use the following tips as a guide in your daily decision making and application of personnel practices and policies in the workplace:

1. Get Formal Training in EEO/Civil Rights and Train your Staff– training can recognize and prevent discrimination and harassment;
2. Treat all Staff Fairly– The way managers and supervisors conduct themselves contributes to the perception of unfairness;
3. Document, Document, Document– It could become important later;
4. Make a Paper Trail– A paper trail will help to reconstruct what occurred should someone question your decisions;
5. Give Evaluations that Reflect Actual Performance– Give timely and accurate performance evaluations;

- 6.. Consult Human Resources Before Taking any Adverse Actions– Be fair and consistent when taking an action;
7. Use Discretion with your E-mail Messages – Know that emails can be retrieved in litigation and in the “discovery” process;
8. Control what you say about Current and Former Employees– Think “privacy” at all times; and
9. Exercise Sound Judgment in Making Public Presentations– Avoid using terms, statements or pictures that may be perceived as discriminatory.

**TIPS ON IMPROVING WORK RELATIONSHIPS**

Since there are no rules that say you will enjoy and effectively work with every co-worker, what can you do to make it a positive experience? The following suggestions are valuable ways to create and/or improve your work relationships:

- \* Develop a positive attitude by avoiding negative thoughts and criticism. Try to be less judgmental and accepting of others;
- \* Do not jump to conclusions. Gather as much information as possible before reacting defensively to situations without knowing the whole story;
- \* Improve your communication skills by listening carefully and focus on the speakers message; and
- \* Treat ALL co-workers with respect and be courteous and professional regardless of the situation. Try not to lash out or be rude. Be open and honest about your feelings and allow others to do the same.

**FALL CAREER FAIRS**



In an effort to fulfill our goal of making NRCS a model EEO agency, the Civil Rights Division will sponsor five Hispanic career fairs this Fall. The goal is to increase the Agency’s Hispanic employment representation.

Teams lead by NRCS Special Emphasis Program Managers will attend career fairs at the University of New Mexico at Las Cruces, September 16-17, 2008; the University of Texas at El Paso, September 18-19, 2008; the University of Puerto Rico at Mayaguez, September 25-27, 2008; Texas A&M, Kingsville, October 7, 2008 and the University of California Pomona, October 16, 2008.

Team members will consist of Special Emphasis Program Managers and Human Resource personnel from the states. Together they will visit students in the classroom, interview students, and determine qualifications for positions available within the Agency. A database of qualified and available students will be created and distributed to all states who will be able to contact students for employment.

**Contributing Writer: Sharyn Alvarez**

## SECTION 508 UPDATE



All NRCS employees will be able to view the updated Section 504 under Title 230 Part 405 Subpart C of the General Manual (GM) that will be posted on the Civil Rights Division's (CRD) website.

In addition, for the first time, we will also post Section 508 as Subpart D of the GM from the CRD website where NRCS will be required to meet the mandatory civil rights compliance review starting in Fiscal Year (FY) 2009.

Unfortunately most states are not in compliance. Section 508 was enacted to eliminate barriers in electronic and information technology (EIT) thus creating new opportunities for people with disabilities; and to encourage the development of technologies that will achieve these goals.

The training will be provided by Information Technology Division (ITD) for webmasters and/or those with access to their network. Currently there are 2 modules available to employees via the AgLearn at [www.aglearn.usda.gov](http://www.aglearn.usda.gov).

### What is section 508?

Section 508 refers to a statutory section in the Rehabilitation Act of 1973 (found at 29 U.S.C. 794d). Congress significantly strengthened section 508 in the Workforce Investment Act of 1998. Its primary purpose is to provide access to and use of Federal executive agencies' electronic and information technology (EIT) by individuals with disabilities. The statutory language of section 508 can be found at [www.section508.gov](http://www.section508.gov).

### What does section 508 require?

Section 508 generally requires Federal agencies to ensure that their procurement of EIT takes into account the needs of all end users – including people with disabilities. Doing so enhances the ability of Federal employees with disabilities to have access to and use of information and data that is *comparable* to that provided to others.

### Should EIT be compatible with assistive technology?

Yes, as a general matter. The goal of section 508 is that EIT be compatible with assistive technology. In some cases, the standards require that the acquired EIT be readily usable without the need for assistive devices. For example, products covered by section 1194.25, Self Contained, Closed Products, must have the access features built into the product. These products, such as information kiosks, copiers, or other similar products that do not permit a user to install or connect assistive technology, must be designed so that an end user can operate the product, without having to modify it. Also, multimedia presentations that require captioning and descriptive video, must have these features built into the product, as it is impractical to expect end users to add on their own captions or descriptions. However, for most products -- such as software, web pages, and computers -- achieving compatibility with assistive technology is the goal of the standards.

**Contributing Writer:**

**David SanSoucie**

### NATIONAL HEPM VACANCY



The Civil Rights Division has announced the vacancy of the National Hispanic Emphasis Program Manager’s (NHEPM) position, GS-260 - 11/12/13.

The NHEPM serves as program manager for the Agency's Hispanic Emphasis Program and as a resource person and principle staff advisor in matters which affect employment and advancement of Hispanics.

This includes managing the program through the maintenance of effective network of the HEP managers at the Department and State levels in order to assure equal opportunities for Hispanics throughout the Agency.

The NHEPM also advises management on the unique concerns, problems and barriers to equal opportunity for Hispanics and recommends viable solutions to overcome such barriers or problems.

The NHEPM reviews the Agency's affirmative action program plans and monitors progress in achieving goals and objectives of the plan and evaluates results.

The NHEPM plans and conducts outreach initiatives to achieve the objectives of the HEP and mentors and advise employees on career matters.

The vacancy announcement opened August 4, 2008, and will close on September 4, 2008.

This position is located at National Headquarters, Civil Rights Division in Beltsville, Maryland. It is a full time position and relocation expenses will be paid.

**Contributing Writer:**  
**Sharyn Alvarez**



### The Director’s Corner



As we rapidly approach the end of the fiscal year, we would like to take this opportunity to reinforce the Department’s mission on Workplace Diversity and Inclusion. A work environment that utilizes the talents and contributions of all employees will increase the effectiveness of the organization. One of our efforts to reach this goal encompasses our upcoming Lunch and Learn training session on Workforce Diversity. This workshop is designed to increase an understanding of the positive effects of diversity in the workplace. Participants will learn to identify the impact of individual differences in communications, expectations, and interactions with one another. The training will also develop and practice strategies for maximizing efforts and results towards creating a more positive climate for diversity. Information regarding this training may be obtained by accessing the CRD website at <http://www.nrcs.usda.gov/about/civilrights/CRD-Announcement-Training.html>

Another enhanced effort to reach our goal of increasing diversity is the utilization of our Special Emphasis Program Managers (SEPM’s). SEPM’s will continue to remain as a valuable tool as we strive to support USDA’s and NRCS’ initiatives to create, respect and embrace a more diverse workplace. They are an indispensable resource for supporting agencies in obtaining and increasing a diverse consortium of employees.

A model NRCS workforce should reflect all of our customers and partners. As a result of this, upcoming initiatives for the new fiscal year will include the need to enhance an affiliation with elementary, junior high and high schools. This initiative will serve to educate and increase the student’s knowledge of NRCS and agriculture as a whole. It will also present a lucrative and effective strategy for recruitment, hiring and most importantly the retention of a diverse workforce.

Last but not least, we would like to welcome to the Civil Rights Division Samora Bennerman, Compliance Branch Chief; Camille Kimbrough, Program Analyst and Barbara Taylor, Equal Employment Opportunity Specialist. We look forward to the invaluable service these employees will provide to the staff.

As always, we invite you to submit success stories, comments and suggestions to make this an all inclusive newsletter. Remember, a more diverse and inclusive work environment can yield greater productivity and help improve individual and organizational performance. **Joseph E. Hairston**

If you are interested in submitting an article for future publication, please contact: **Giavanna D. Pullen** at: [giavanna.pullen@wdc.usda.gov](mailto:giavanna.pullen@wdc.usda.gov)