

CREC MISSION STATEMENT

To provide leadership, direction, coordination, evaluation, and support to the Civil Rights efforts of the Animal and Plant Health Inspection Service.

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**A Second Look at
FY 2008 Administrator's Civil Rights
Award Recipients**



1st Row: Cindy Smith, Scott Healey, Martina Sawicki, Ashley Dinh, Carol Belzer, Andrea Morgan, Kevin Shea. 2nd Row: Thurman Booth, Robert Willging, Willie Harris, Carlos Martinez, Howard Price, Todd Duenckel.

On Thursday, November 6, 2008 APHIS held its 10th Annual Administrator's Civil Rights Awards Ceremony in Riverdale, MD. Cindy Smith, APHIS Administrator, and Kevin Shea, APHIS Associate Administrator, recognized this year's select managers, supervisors, programs, groups, and employees for leadership and contributions in support of Civil Rights. At the close of the ceremony, Administrator Smith presented the Associate Administrator, Kevin Shea, with a much deserved Civil Rights award. This presentation was greeted with a standing ovation from APHIS employees.

The following is a summary of the accomplishments of the award winners:

Dr. Carol Belzar, Microbiologist, VS-CVB, for having been involved in civil rights throughout her life and career including but not limited to the following:

- ◆ Served as the Chair of the VS National Civil Rights Leadership Committee (NCRLC)
- ◆ Actively involved in Iowa's Diversity Initiative
- ◆ Obtained and disseminated information related to careers available within VS, CVB and NVSL for the National Recruitment Brochure
- ◆ Provided information to NVSL/CVB employees on various EO/CR issues

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Award Recipients continued:

- ◆ Included Gay/Lesbian/TransGender issues in a National EEO/CR Symposium agenda
- ◆ Hosted four NC pre-vet student interns in 2007 and six in 2008 so that they could achieve their veterinary contact hours for veterinary school application. One of the first four students was accepted into Veterinary School this year.
- ◆ Sent Ag-Discovery brochures to 45 middle and/or high schools and to 9 Iowa children servicing agencies
- ◆ Gave the opening ceremony speech and taught animal diagnostic techniques for the Ag-Discovery in MS
- ◆ Arranged for three NVSL employees to attend and present laboratory techniques at the new Ag-Discovery in KY

Dr. Bruce A. Carter, Area Veterinarian in Charge, VS-AZ for leadership and contributions in support of Civil Rights and Equal Opportunity including the following

- ◆ Worked on his own time to research and address EEO issues that were brought to the NCRLC and developed a response which was approved by the NCRLC
- ◆ Attended Ag-Discovery in KY and gave a speech at the closing ceremony
- ◆ Provided employment information to a 3rd-year Veterinary student at Tuskegee
- ◆ Attended the USDA Civil Rights Disability Awareness Conference in Fresno, CA and encouraged management to hire individuals with disabilities.
- ◆ Consistently demonstrated sensitive treatment of the diverse employee population he advises, attended training courses, and participated in EEOCR sponsored activities
- ◆ Championed several handicapped individuals with discretion and compassion

Matina K. Sawicki, Program Analyst, PPD for providing consultation to the Assistant Secretary for Civil Rights in the area of outreach that emphasizes the importance of fair and equitable treatment. She assisted the Acting Program Manager of the 1994 (American Indian/Alaska Native) Program develop a USDA/1994 Strategic Plan that engaged the Presidents, faculty and staff of 1994 Land Grant Colleges and Universities. This required learning about and understanding the culture and included a lengthy trust building process.

GROUPS

Plant Protection and Quarantine (PPQ), Eastern Region EEO/CR Partnership Committee for establishing a Memorandum of Understanding (MOU) to

develop a formal relationship with the National Urban League. The MOU was established in order to meet goal #2 of the APHIS Civil Rights Strategic Plan (strengthen and expand educational programs). The committee extended the MOU throughout APHIS resulting in APHIS managers from PPQ, Animal Care (AC) and Legislative and Public Affairs (LPA) attending the National Urban League's Urban League's Black Executive Exchange Program (BEEP) Leadership Conference during which they mentored students. Some APHIS employees have already visited HBCU's and others have made commitments to support the MOU by visiting HBCU's as visiting professors in the near future.

PPQ Miami Inspection Station for creating a nursing mother's room. During the last three years, seven babies to female employees and there were no other facilities to meet the needs of returning mothers. When returning mothers requested such a room, the staff at the PPQ Miami Inspection Station created the construction plans, plumbing, and electrical requirements while remaining fiscally prudent. The room was completed in January of 2008, just a few months after the initial request, and all of the new mothers returned to work after completion of their maternity leave.

Veterinary Services (VS), Eastern Region, Tennessee Area Office for participating in the VS Tennessee (VSTN) Veterinary Careers Program (VCP), which is designed to fulfill field exposure and experience requirements needed for admission to a College of Veterinary Medicine. The program exposes minority students to various career opportunities in public service, regulatory veterinary medicine, and production animal practice in APHIS. VSTN also hosted an intern, who worked in the Area Office for one week and with field employees during the second week, to gain a thorough understanding of the work performed by VS employees and Tennessee Department of Agriculture employees.

MANAGERS AND SUPERVISORS

Thurman Booth, WS, State Director, AR for supporting the initial University of Arkansas Pin Bluff (UAPB) Ag-Discovery Program and sponsoring a UAPB Student Career Experience Program (SCEP). Mr. Booth selected students for potential career opportunities, motivated students to develop wildlife biology interests, provided presentations to promote WS and assumed a leadership role in organizing Ag-Discovery and SCEP programs.

For the Ag-Discovery program, Mr. Booth assisted with the student application review and selection process, participated in opening and closing ceremonies, and was on-site daily for student interaction opportunities and attended multiple student functions.

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APHIS EEO Complaint Statistics FY 2008



Balance from FY 2007.....	111
Findings of Discrimination	0
Complaints filed in FY 08	55
Complaint filers	52
Repeat filers.....	3
Complaints Consolidated	2
Complaints Closed	54
Complaints Pending, September 30, 2008	110

Complaint bases

Race.....	12
Color.....	2
Religion	3
Sex	15
National Origin	4
Disability	10
Age	13
Retaliation	30
Non-EEOC reportable	9

Complaint issues

Assignment of duties.....	4
Awards.....	2
Disciplinary Action (Reprimand 3, Suspension 4, Removal 2)	9
Duty Hours.....	1
Evaluation Appraisal.....	7
Harassment (Non-Sexual).....	19
Harassment (Sexual).....	1
Pay (Including Overtime)	1
Promotion/Non-Selection.....	15
Reassignment Denied.....	1
Reasonable Accommodation.....	2
Termination	1
Terms and Conditions of Employment.....	3
Training	3
Other	3

Awards Recipients continued:

For the SCEP program, Mr. Booth developed and posted the announcement and participated in subsequent applicant screening, interview and selection. Mr. Booth served as a student mentor and supervisor. Mr. Booth designed work that complimented the student's academic curriculum, was consistent with WS' mission and provided leadership opportunities for future placement in a WS position.

Dr. Andrea M. Morgan, VS, Associate Deputy Administrator for consistently encouraging participation in activities that provide equal opportunity. Since October 2007, Dr. Morgan provided superior counseling and guidance to the NCRLC and effectively encouraged and assisted the committee in achieving goals. For example, Dr. Morgan assisted the NCRLC in eliminating an impediment in their application process so that individuals would not be excluded from applying. She consistently demonstrated sensitive treatment of the diverse employee population she supervises and oversees on the NCRLC. Dr. Morgan has displayed her even-tempered concern, fairness, and encouragement of the NCRLC by providing opportunities across the board for training courses, and participating in EEOCR sponsored activities. She has established and maintained a high level of respect and confidence of the under represented groups, and encouraged the NCRLC in recruitment and outreach activities that increase work force diversity.

Ronald Scott Healey, WS, District Supervisor, MD for his outstanding efforts on behalf of the Ag-Discovery program for the last 3 years, for hiring and supervising 4 female employees, for supervising an Hispanic female summer intern, for working with VS summer interns to expose them to WS work, for assisting a female student get accepted at John's Hopkins University and work out a suitable schedule, and for stressing the importance of adhering to Civil Rights policy in his training of those who answer the Toll Free Wildlife Information Line. Of the 4 female employees who Mr. Healey hired, 3 are still with the Agency and have been promoted. The other employee left to work with marine wildlife with the help of Mr. Healey.

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Award Recipients continued:

Robert Willging, WS, District Supervisor WI for working with Wisconsin Native American tribes (8 in this district) on wolf management and beaver management projects. Mr. Willging also participated in meetings of the Voight Task Force, which is made up of Native Americans from 11 tribes that represent the ceded territory in northern Minnesota, Wisconsin, and Michigan. Mr. Willging recruited and hired a Native American summer intern and established an MOU with the Environmental Stewardship Academy to educate a variety of young students about APHIS.

CIVIL RIGHTS PROGRAM ACHIEVEMENTS

Ashley T. Dinh, MRPBS-FMD, Accountant, for her leadership and contribution to the advancement of equality in the APHIS workforce. Since May of 2006, Ms. Dinh has served as the Asian American and Pacific Islander Special Emphasis Program Manager for MRPBS in Minneapolis, MN. This year, after noticing that the special observance events in the past had not been well attended by non-Asians, she decided to convert the event into a Diversity Day and invited employees of all cultures and heritages to participate. The event was held in May and all seven continents were represented with a booth and most offered donated homemade food samples. This event was attended by well over 100 of the 200 employees in MN.

Howard Price, MRPBS-ASD, Director, for his personal initiative and unwavering devotion to duty to support the agency's Civil rights Program, particularly his leadership role in supporting the small business socio-economic programs. Since 2006, Mr. Price has sponsored annual recognition ceremonies that support small business socio-economic programs. Specially, he has recognized the

Ability One program and the Service Disabled Veteran Owned Small Business Program. With Mr. Price's passion and promotion of small business socio-economic programs, there has been a continued increase in contract awards to these small businesses. He developed processes that call for comprehensive compliance of awarding contract actions to capable small business within the socio-economic programs. As a result, APHIS has exceeded each of seven socio-economic goals and has been recognized annually at the USDA Office of Small and Disadvantaged Business Utilization awards ceremony.

Mr. Price has made reasonable accommodations for employees with disabilities, which included meeting with the MRP Mission Area Designee for Reasonable Accommodations and developing a work plan with assignments, approved telework and physical modification to the worksite that met the needs of the employees. As a result, the employees have been able to accomplish organizational objectives.

Did You Know?

That Harassment, sexual and non-sexual, is prohibited in the workplace. See the [Administrator's Anti-Harassment policy statement](#).

Animal and Plant Health Inspection Service Civil Rights Enforcement and Compliance (CREC) *Best Practices*

What is a "best" practice?

A "best" practice as defined by the U.S. Equal Employment Opportunity Commission (EEOC) is a practice that comports with the requirements of the law, as manifested in the Commission's statutory mandates: Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Equal Pay Act of 1963, and the applicable sections of the Civil Rights Act of 1991. A best practice promotes equal employment opportunity and addresses one or more barriers that adversely affect equal employment opportunity. Not only does a best practice present serious commitment from management to EEO objectives, but it also addresses management accountability for equal employment opportunity. Effective communication between management and the intended beneficiaries of the practice, as well as with all other employees, is another consistent best practice trait. A best practice embraces fairness to all employees. Finally, a best practice is implemented conscientiously and shows noteworthy results.

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CREC Best Practices continued:

The following are the best practices utilized by APHIS CREC:

The EEO Compliance Team...

- o Trains managers and all employees on EEO laws--contents, enforcement and accountability
- o Promotes an inclusive culture in the workplace by fostering an environment of professionalism and respect for personal differences.
- o Fosters open communication and early dispute resolution
- o Monitors EEO compliance by conducting self-analyses through the annual EEO Report to determine whether current employment practices are compliant with EEO laws, policies and procedures
- o Adopts strong Civil Rights Policy and Anti-Harassment Policy Statements which are embraced at the top levels of the agency
- o Addresses the declining number of employees in minority groups in APHIS
- o Works closely with APHIS' EEO Advisory Committees to increase awareness and inclusion
- o Addresses the declining number of employees with targeted disabilities in APHIS
- o Appointed a Disability Program Manager to increase the participation rate of individuals with disabilities within the agency and inform hiring managers about agency goals for hiring individuals with disabilities
- o Works closely with APHIS HR on human capital planning and recruitment
- o Develops the potential of employees, supervisors, and managers with EEO in mind, by providing training that offers employees of all backgrounds the opportunity, skill, experience, and information necessary to perform well, and ascend to upper-level jobs
- o Promotes workplace diversity by implementing special programs and initiatives to attract and recruit a diverse workforce

The CREC Alternative Dispute Resolution Center...

- o At the point of initial contact, informs complainants of the benefits of mediation in the EEO process
- o At the point of the initial contact, asks complainants to outline definitively how they feel they have been discriminated against (i.e., factors of discrimination and the issues in the case), and helps them understand the difference between being discriminated against and having a workplace conflict
- o Ensures that preliminary details are captured as to what happened, when it happened, discriminatory intent and responsible management officials

- o Ensures that complainants are adequately informed of the EEO process and guidelines
- o Ensures that complainants know their rights and responsibility as it relates to the EEO process
- o Directs all complainants to the Informational Package that explains the process fully, and assists with any questions
- o Has an intake specialist in a stand-alone position which enables immediate trend analysis. The intake specialist briefs the counselors when applicable of any developments or trends.
- o Employs full-time counselor/mediators who listens carefully to all parties involved in the dispute of their issues and concerns, and are patient with the complainant
- o Assists complainants in fully understanding management's response and what their options are
- o Maintains thorough knowledge of the regulations in order to properly counsel complainants on their issues and basis and reference specific authoritative information for further clarification
- o Maintains internal communication among counselors about commonalities in cases that are being brought into the EEO process to arrive at the best approach in counseling
- o Maintains confidentiality
- o Has a sense of ownership and ensures that the case is processed through informal closure
- o Alerts the Deputy Administrator so that he or she may potentially be able to aid in early resolution of the case
- o Upon receipt of the initial EEO ADR request, enters the case into the Entellitrak system accurately and timely (This system is a required USDA tracking system.)
- o Addresses any factors what are perceived to be barriers in reporting effectively through the Entellitrak system
- o Ensures that all reporting requirements are met in a timely fashion

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CALENDAR OF EVENTS 2009

JANUARY

DAY

6-8

2nd Quarter Civil Rights Information Academy Webinar Registration

27

Martin Luther King Jr., Essay Contest Awards Ceremony, Riverdale, MD

FEBRUARY

Black History Month

DAY

TBD

APHIS Black History Observance, Opening Ceremony, Riverdale, MD

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CREC Best Practices continued:

The CREC Formal Complaints Processing Team...

- o Develops written substantive guidance for the formal complaint process which serves as a “road map” for all agency employees
 - o Makes arrangements to offer Alternative Dispute Resolution, as appropriate, to complainants/their representative
 - o All formal complaint specialists are trained in mediation
 - o If the offer for Alternative Dispute Resolution is accepted, provides written notification of all arrangements for all participants
 - o If a contractor is utilized, provides him or her with all the necessary information
 - o Informs agency managers participating in mediation to make prior arrangements with their respective Human Resource specialists so they are available for consultation at the time of mediation in the event there are questions about specific proposed settlement terms (This will ensure that all proposed settlement terms comply with federal employment regulations or agency practices.)
 - o Notifies the appropriate responding manager(s) and agency personnel of the start of an EEO investigation to provide ample lead time for the production of required documentation and to enlist full cooperation with the assigned EEO investigator
 - o Provides investigative firms with all essential documents per the USDA Statement of Work to frame the investigative report and develop an accurate and thorough Investigative Plan
 - o Requires that the investigator submit an Investigative Plan prior to the start of the investigation
 - o Monitors the EEO complaint investigation throughout the process to ensure that all relevant requested documentation and affidavits are included
- o in the Report of Investigation (ROI), the assigned EEO investigator receives current agency personnel contact information if needed, and that the investigation is progressing within the established time frame
 - o Reviews the draft ROI to ensure compliance with the USDA Statement of Work and the Investigative Plan
 - o Works closely with the investigative firm to make any needed corrections or additions
 - o Carefully reviews copies of the approved ROI to ensure proper sanitization, labeling, inclusion of all pages
 - o Reviews all completed Reports of Investigations (ROI) in an effort to identify, address and work toward resolving underlying issues which may have given rise to the initial EEO complaint
 - o Develops case analyses to evaluate the strengths and weaknesses of cases; and consults with the CREC Director to make recommendations for Alternative Dispute Resolution or to advise of agency liability based on the evidence contained in the ROI
 - o Utilizes the Office of General Counsel’s settlement template for all settlement agreements
 - o Works closely with appropriate agency personnel to implement provisions of settlement agreements; and keeps records of agency implementation of the settlement terms
 - o Makes all appropriate Event entries in iComplaints (a required USDA tracking system)
 - o Checks the iComplaint data base regularly each day to obtain updated information on complaint filings, acceptances, amendments and Final Agency Decisions
 - o Works closely with Office of Adjudication and Compliance personnel to address any discrepancies in iComplaint entries
 - o Maintains an internal tracking mechanism for all formal EEO complaint cases, which enables the agency to accurately manage the progression of its own cases throughout the EEO process

Do you have a question or comment? Look us up in your Lotus Notes data base, post a “topic” or “response” and we will get back to you promptly. **Click on this link to be transported to the Civil Rights Conversations database immediately:** - <Notes:///852573390063E973>

Or, you can call us:

(800) 342-7231 APHIS Alternative Dispute Center (ADR) (301) 734-6317

If you believe you have been discriminated against, contact the APHIS ADR Center for assistance.

APHIS Manager’s EEO Helpline 1-800-372-7428

The EEO Help Line is an opportunity for managers to obtain EEO and Civil Rights assistance quickly and efficiently. Through the Helpline, managers request assistance in resolving EEO and program discrimination complaints and answers to general EEO issues and concerns.

