

Civil Rights Task Group Report

Introduction

The Civil Rights (CR) Director position became vacant in May 2006. Prior to initiating recruitment, the Administrator established a Task Group to affirm the scope of responsibilities and qualifications sought for the new Director, review and assess CR functions in ARS, define what kind of CR program will best serve ARS, and to make recommendations for program content, program management, and organizational structure and placement of CR staff. The task Group's Charter is Appendix A.

Dr. Knipling desires to have a vital CR program in the Agency, that is, where civil rights is an integral part of every ARS employee's every day work. Dr. Knipling wants to be sure that the ARS CR program is fulfilling CR program requirements of USDA and the Equal Employment Opportunity Commission (EEOC), while shifting emphasis from complaints to proactive efforts to achieve diversity in the workforce, use special emphasis programs to ARS' advantage to address skills gaps, and to create a situation in which the CR staff serve as advisors to managers and supervisors in creating a workplace environment open to diversity and free from barriers.

The Task Group examined program content, current workload of the CR Staff (CRS), organizational structure of the CRS including the Area CR Managers (ACRM), relationship and interaction with the ARS Recruitment Office (RO) and the Human Resources Division (HRD), organizational placement of the CRS, resources available, and centralization of the functions vs. decentralization.

Input was sought from staff of the CRS, the ACRMs, the Administrator's Council (AC), the Administrative and Financial Management Council (AFMC), Recruitment Officer, and others. The task Group also looked at the CR mission, vision, and structure of other organizations.

Civil Rights Program Requirements

Civil Rights programs in the Federal government must cover the following:

CR and Diversity Training

Procurement equal opportunity

Complaints

Compliance – Executive Orders and directives from EEOC

Compliance – programs/institutions receiving Federal financial assistance

Special Emphasis Programs

Reasonable accommodation (disabled; religious)

Equal opportunity in employment (selection, promotion, awards)

Alternative Disputes Resolution (ADR)

MD-715 – implementation and reporting, including workforce analysis and barrier analysis

No FEAR Act – implementation and reporting

Quarterly, Annual reporting to the Department

Civil Rights Impact Analysis (CRIA)

Program Evaluation

White House Initiatives/capacity building grants, educational outreach
Title VI (of the Civil Rights Act of 1964) (financial assistance)
Title IX (of the Education Amendments of 1972)

A detailed summary of CR program requirements set forth in the Code of Federal Regulations (CFR), USDA Departmental Regulations (DR), EEOC Directives, Legislations, and Executive Orders is found in Appendix B.

The Task Group's review indicates that the ARS CR Program encompasses all the required components. The staff represents ARS at Departmental meetings e.g., Departmental Agency Outreach Coordinators meetings, 1890 Executive Team meetings. In addition, the staff serves as "lead" for the REE Mission Area for formal complaints and often represents REE at Departmental and interagency meetings and councils as well.

The Program in the past has focused heavily on complaints: intake, counseling (including EEO ADR), investigation, settlement discussion or EEOC hearing, and compliance with settlement agreement or court order. The staff has done a good job in reducing timeframes for processing complaints (in line with EEOC and USDA guidelines). The number of complaints has significantly dropped in the last year or two, requiring less staff support for these activities.

Task Group Discussion

The Task Group collected information and discussed all aspects of the CR Program. The following 5 topics were discussed in detail (Reporting Relationships; Organizational Name Change; Special Emphasis Programs; Area Civil Rights Managers; Relationship with Other Offices):

1. Reporting Relationships:

The CR Director position currently reports to the ARS Administrator, and a "box" for the CR Staff appears on the ARS organization chart. Several Task Group members believe it is mandatory (CFR 1614 and EEOC Directives) that CR Directors report to agency heads, and important that they have direct access to advise the agency head. Additionally, many Task Group members believe the current organizational placement provides visibility to the CR Staff, and indicates the importance of civil rights in the agency.

The Assistant Secretary for Civil Rights has previously advised agency civil rights directors that "agency head" in CFR 1614 refers to the head of an executive department, e.g., the USDA Secretary; there is no requirement for CR Director positions to report to their Administrators. The important thing is that CR Directors have access to their Administrators to discuss and advise on important or sensitive issues which arise.

(Note: Because the CR Director is a direct report to the Administrator, positions reporting to the Director would have the Administrator as the reviewing official for performance evaluation and other administrative purposes. To alleviate this situation, the position staffing plan (PSP) for the CRS shows all employees reporting to the Deputy CR Director as the supervisor, with the Director as the reviewing official.)

The Task Group also discussed the reporting relationship of the Area Civil Rights Managers (ACRM). The various ACRMs report to their Area Director, Associate Area Director, or Deputy Area Director (DAD), depending on the Area. Several Task Group members believe the ACRM must report to the Area Director. Regardless of direct reporting, the reviewing official for the ACRMs should be the CR Director. This is the model being used by the AFMC – the DADs report to their Area Director and the Deputy Administrator, AFM serves as their reviewing official.

2. Organizational Name Change for the Civil Rights staff

The Task Group discussed various titles for the organization. During the discussion we acknowledged that “Civil Rights” has a negative connotation for some people (they think “complaints”). The 3 agencies we benchmarked use the following titles:

National Institutes of Health: Office of Equal Opportunity and Diversity Management (OEODM)
National Science Foundation: Office of Equal Opportunity Programs (OEOP)
National Aeronautics and Space Administration: Office of Diversity and Equal Opportunity (ODEO)

The following are possible new organizational names for this organization in ARS, based on expanded program coverage (which is discussed in more detail later in this report):

Office of Diversity Management and Civil Rights Compliance (ODMCRC)
Civil Rights Office and Workforce Diversity (CROWD)
Civil Rights, Outreach, and Workforce Diversity (CROWD)
Recruitment and Civil Rights Staff (RCRS)
Recruitment, Diversity Management, and Civil Rights Staff (RDMCRS)
Civil Rights, Recruitment, and Diversity Management Staff (CRRDMS)
Civil Rights and Recruitment Staff (CRRC)
Office of Civil Rights and Workforce Diversity (OCRWD)
Civil Rights and Workforce Diversity Staff (CRWDS)
Recruitment, Diversity, and Civil Rights Office (RDCRO)

3. Special Emphasis Programs (SEP)

USDA’s DR4230-2 recognizes 6 Special Emphasis Programs:

Federal Women’s Program
Hispanic Employment Program
Disabled Employment Program
Asian/Pacific Islander Program
African American Program
American Indian/Alaskan Native Program

As outlined in the DR, the primary responsibilities of a SEP Manager are:

1. to enhance the recruitment, employment, and advancement opportunities for women, minorities, and persons with disabilities, by assisting managers and supervisors to

identify under-representation, employment, and advancement programs affecting a particular groups, and;

2. to develop and implement special employment program initiatives that will enhance the understanding of the various cultures in our workforce and increase the recruitment and employment participation by all groups.

The current delivery of SEP and responsibility for SEP in ARS is primarily accomplished by 1 SEP Manager position on the CRS and the 10 Area/NAL/HQ ACRMs. Others in ARS also are involved in varying degrees:

One (1) position in HRD shares responsibility with the CRS for Disabled Employment (the decision to set it up this way is based on the fact that there are special appointing authorities associated with disabled employment);

At least 2 Senior Executive employees are involved in outreach to American Indian schools and organizations based on their particular personal connections;

Each Area has a Diversity Committee, EEO Advisory Committee, or other grouping within the Area which address SEP issues.

The Task Group believes the HQ SEPM position is needed to establish program policy and procedures, guidance, and parameters for the agency's SEPs. The Task Group further believes the ACRMs are spread thin by trying to work in all 6 SEPs for their Area; their skills and efforts can be leveraged by having each of them take the lead on one or two of the 6 programs (there will be overlapping) on behalf of ARS. They could take the lead in developing networking relationships with one or more under-represented populations and coordinate with their diversity committee on a more focused approach. Relationships take time, and in the current situation with the ACRMs trying to cover all 6 under-represented groups, there is hardly enough time to develop a meaningful relationship with any of them. Since each ACRM would be working on behalf of ARS, this would also serve to expand the ACRMs knowledge of ARS programs and organization.

The Task Group believes the two primary responsibilities of the SEPMs involve education: education of outside groups about the ARS mission and job opportunities in the agency, and how to apply; and education internally of managers, supervisors, and employees to create an environment where diversity is understood and valued. The SEPM would also take the lead in developing relationships with USDA liaisons at the 1890s schools and HSIs (they are USDA employees).

A SEP Council could be established to coordinate efforts and enhance communication among the various employees responsible or associated with SEP:

SEPM in the CRS at HQ
ACRMs
HR Disabled and student employment coordinator
Recruitment Officer
HRD Deputy for Operations or an Operations Branch Chief

Another model for accomplishing Special Emphasis Programs would be to identify individuals within the agency for a collateral duty assignment. The assignment would be added to the individual's performance appraisal (and performance plan) for 20% of time, for a specified term (e.g., 3 years). During their term, the employee would be designated as a Special Emphasis Program Manager, would attend job fairs and participate in other recruitment activities, initiate and maintain contact with the USDA liaisons on 1890s and HSI campuses, and perform similar duties related to SEP. (This model is not being recommended at this time, but could be considered in the future as a way to get additional employees involved in helping ARS address diversity and recruitment).

4. ACRMs

The ACRMs work closely with their Area Director in determining priorities and emphases. Generally, ACRMs are all deeply involved in their Area diversity committees. There are four major areas of concentration:

- 1) Program Analysis - primarily compilation of their Area's MD-715 (workforce profile, identification of barriers and proposed solutions to barriers);
- 2) Management of Area workforce recruitment and retention, particularly recruitment of historically under-represented populations; support of EEO programs; and expansion of diversity efforts;
- 3) Outreach Coordination - coordinate with both the ARS Recruitment Office, ARS Outreach Office, and the ARS Civil Rights Office; student employment programs; coordination with HBCU, HSI, TCU schools; internship programs, etc.), and
- 4) Civil Rights Awareness - training; advice to Area Director; Area contact for EEO/CR questions; and leadership to Area employees and management on EEO/CR issues.

The ACRM reporting relationships and work as SEPMs have been discussed above.

The operational aspects of the ACRMs' work could be facilitated by having data compilation done by the HQ staff (e.g. someone at HQ pull reports from NFC for all the Areas; currently each ACRM is pulling reports and some data calls from the locations). The ACRM, then, could perform analysis of the data for their Area and use it to enhance their SEPM activities.

The chart showing the array of grade levels and reporting relationships is Appendix C.

5. Relationships with Other Offices

The interface between CRS and the Recruitment Office (RO) is at the ACRM level. There is currently extensive collaboration between ACRMs and the ARS RO, and that office has been effective in distributing materials relevant to expanding recruitment efforts to further diversify the workforce. Additionally, the RO has effectively positioned itself to be included in strategic planning of recruitment efforts, from advertising to interviewing. The RO prepares the Federal Equal Opportunity Recruitment Plan (FEORP) – both the Plan and report of accomplishments.

The CRS and Human Resources Division (HRD) both have a role in the REE Human Capital Plan and workforce planning, and in responding to the MD-715, including merit promotion (selection and promotion) and awards reporting. Both the CRS and HRD operate ADR programs and because employee relations actions can result in EEO complaints, coordination is required between the CRS and Employee Relations Branch in HRD. As mentioned above, both CRS and HRD have a Disabled Employment Program role (appointment authorities v. reasonable accommodation).

Acquisition and Property Division has a major role in the Agency's CR program as the Department and EEOC (MD-715) have specific requirements for minority, disabled, and disabled veterans procurements. Likewise, Facilities Division (FD) reports on construction contracts; requirements of recent Executive Orders/White House Initiatives require educating the public that Federal Funds are available and the access issues surrounding that (EAD). Civil Rights questions are included in CARE and HCMA reviews.

Civil Rights Program of the Future

As mentioned in the Introduction to this report, the ARS casework related to EEO complaint is significantly reduced. Therefore staff resources can be redeployed to more positive and proactive aspects of a civil rights program – this represents a fundamental shift from complaints to proactive prevention of complaints. Understanding and valuing diversity can now become the focus of the Civil Rights program. Compliance will remain an integral part of the civil rights office, however, emphasis on diversity, education, outreach and workplace environments are becoming increasingly important. The Civil Rights Office of the future should take the lead in initiating meaningful discussions about diversity, recommend events that will showcase diversity, identify sources for recruiting under-represented populations. It is imperative that diversity efforts go beyond the designated SEPM populations to recognize all aspects of diversity, i.e., that diversity is represented by all races, ethnicities, religions, age, backgrounds, etc. One rapidly emerging trend to be addressed as a diversity issue is the growing multi-generational workforce.

With these trends in mind, the Task Group's vision for the CR program of the future includes the following:

1. Revitalize the Special Emphasis Programs as described above.
2. The CR staff should take the lead in identifying appropriate training beyond the mandatory annual training. Training could be offered to educate managers, supervisors, and employees that diversity is more than EEO and Affirmative Action. The training could include:
 - Conflict Resolution
 - Dealing with Difficult People
 - Different Working Styles
 - Diversity in the workforce (Multigenerational Work Place; Gender, Race, Ethnic Influences) and Global marketplace.

In addition to training, the staff should be able to make presentations to educate managers and supervisors on what the new directives and policies means, and present recommendations on how they should be implemented in ARS. The staff could implement a “Train the Trainer” program for ACRMS and other interested employees.

3. CR staff to have a presence at AC, and AFMC, and Area Leadership meetings to present training, results of data analysis, and recommendations.
4. CR HQ staff to serve as management advisors and be more visible within the agency.
5. Continue to compile the MD 715 and follow-through with the barrier analysis; apply results to formulate plans to help the agency improve its workforce profile.
6. Increase coordination with RO and HRD – to increase the use of SCEP as a recruitment strategy (educating managers on the use of SCEP to potentially result in permanent employment), establish mentoring programs to increase retention, increase diversity in leadership development programs, and deliver “preventive” training.
7. Assist Area/HQ staffs to establish mentoring programs/relationships to increase assimilation and retention, and for leadership development
8. Increase communication and input from ACRMs – clear lines of communications to be established between the CRS and the ACRMs and that the ARS CRS actively solicit feedback and involvement from ACRMs in the decision making process concerning issues that directly affect Areas. By virtue of their Area position, the ACRMs have a field perspective and appreciation of location challenges that the CRS does not have. The quarterly reports are one example where ACRMs could provide a great deal of advice on the gathering of information and the reporting format.
9. Develop a CR Strategic Plan for the agency: include CR in the Agency Strategic Plan, and beyond that, develop a specific strategic plan for the ARS CR program and associated business plans and performance goals.

What the Task Group envisions is that the CRS and the ACRMs take the lead in effecting culture change in ARS and take the lead in defining diversity and what that means for ARS, in order to help the agency create an environment in which diversity is valued, ultimately to enhance the accomplishment of the ARS mission.

This CR program for the future can be achieved in a number of organizational configurations. Five options are provided – see Appendix D.

Recommendations

1. Any of the organizational options would work, but the name of the office should be changed from Civil Rights Staff to Recruitment, Diversity, and Civil Rights Office (RDCRO).
2. Redescribe Director position – Appendix E. Use KSAs and recruitment strategy to search for a candidate who possesses KSAs and competencies of EEO/CR/Affirmative Action and workforce analysis, recruitment strategies, strategic planning.
3. Establish the ACRM career path as GS-9 (entry level) through GS-12 (full performance level). Proposed position description is Appendix F. Have individual ACRMs focus on one or two SEPs on behalf of ARS and build networks with USDA liaisons at 1890 institutions and HSIs.
4. ACRMs report to the Area Director with the Director, RDCRO as the reviewing official.
5. Combine Recruitment Office (currently reports to Associate Administrator) and the Cooperative Resolution Program currently in the HRD, Employee Relations Branch, into the new CR structure.
6. Refocus CR program in ARS toward training, recruitment, accessibility, program evaluation, and follow-up on HCMA and CARE findings; less emphasis on complaints. Conduct regular meetings and conference calls to create good working relationship between HQ staff and ACRMs.
7. Reduce the counseling staff as opportunities arise since the number of complaints has dropped. Consider contracting for counseling services.
8. Enhance the CR website for use as a communication and training tool for managers, supervisors, and employees.
9. Establish a Strategic Plan for Recruitment, Diversity, and Civil Rights in ARS.

June 12, 2006

SUBJECT: Review of ARS Civil Rights Functions

TO: Administrator's Council
Administrative and Financial Management Council

FROM: Edward B. Knipling /s/
Administrator

In my April 28 memo in which I announced the Acting Director of the ARS Civil Rights (CR) Staff, I indicated my intention to undertake a special internal review of the civil rights functions, placement, and balance within ARS. I recently appointed an ad hoc task group for this purpose.

Members of the Task Group are: Darrell Cole, South Atlantic Area (co-chair); Karen Brownell, Human Resources Division (co-chair); Helena Thompson, ARS CR Staff; Barbara King, Northern Plains Area; Susan Flanagan, Natural Resources Conservation Service; and Farook Sait, USDA Office of Civil Rights.

The Task Group first met on June 6 and will continue its work over the next 45 days. They may call upon you or other resource persons in ARS for input. Also, you are encouraged to volunteer your unsolicited thoughts and suggestions to any of the Task Group members relevant to their charge which is further discussed below.

Over time, civil rights functions and responsibilities in Government organizations, including ARS', have changed emphasis. Initial emphasis on compliance and complaints gave way to inclusion of special emphasis programs, outreach, and diversity. The issuance of Management Directive (MD) 715 by the Equal Employment Opportunity Commission (EEOC) in late 2003 signaled a change in EEOC's expectations of agencies' CR/EEO programs. Our staff has done a good job in shifting emphasis in our own program, improved the process within ARS for responding to complaints, and incorporated into our program alternative dispute resolution, reasonable accommodation, recruitment and outreach, and diversity awareness.

Prior to initiating recruitment to fill the recently vacated CR Director position, I think it is important to review the ARS CR Program from an Agency perspective and to make sure our program will meet our needs as we grapple with broader workforce issues such as recruiting a diverse workforce, developing leadership, using the special emphasis programs to ARS' advantage to address skills gaps and other workforce issues.

In addition to reviewing current functions and placement, I have asked this group to define what kind of CR program will best serve ARS in the future. I have also asked for recommendations on program content, program management, and organization structure and placement, taking into account interactions with Area CR Managers, the Recruitment Office, Human Resources Division, and other staffs, and to define position requirements and qualifications for the Director position.

Please share this announcement with appropriate members of your staffs. Thank you.

cc: Task Group Members

CHARTER

Statement of Background and Purpose

The Director position of the ARS Civil Rights Staff (CRS) currently is vacant. As a prelude to launching a competitive recruitment action, the ARS Administrator seeks to affirm the scope of responsibilities and qualifications sought for the new Director. The Purpose of the task group is to review and assess Civil Rights (CR) functions in ARS, to define what kind of CR program will best serve ARS, and to make recommendations for program content, program management, and organizational structure and placement of the CR staff.

Objectives

- Review law, regulation, and policy to define what functions and services a CR staff must perform.
- Assess how CR functions/responsibilities are currently carried out in ARS, where the functions are located, and what support structures are in place.
- Envision and define what CR means in ARS – what should the ARS CR program look like? Determine the appropriate balance among complaints processing, compliance reporting, and broader workforce issues such as recruiting a diverse workforce, developing leadership, using the special emphasis programs to ARS' advantage to address skills gaps and other workforce issues.
- Determine where functions can/should be placed in the ARS organization, i.e. retained in the CR Staff or assigned elsewhere, considering the role of the Area CR Managers, the Recruitment Office, and the Human Resources Division, and other staffs as appropriate.
- Determine the appropriate position requirements and qualifications for the Director, CRS.

Membership

The task group will comprise the following:

- 1 Area Director
- HR Director
- 1 representative from the USDA CR Office
- 1 representative from the ARS CR Staff
- 1 Area Civil Rights Manager
- 1 CR Manager from another USDA agency

The ARS Administrator will designate the task group chair.

Timeframe

The task group will convene for an in-person kick-off meeting before June 9, 2006. The task group report will be completed and submitted to the Administrator within 45 days of the initial meeting.

Resource Materials

- ARS and CRS organizational structures
- CRS budget and staffing plan
- CRS Director current job description
- Description of related functions, positions, organizational structures currently located elsewhere in ARS, i.e. Area Civil Rights Managers, Recruitment Offices, AFM Human Resources Division – Employee Relations, Special Emphasis Programs

Deliverable

Task Group Report which contains:

- Recommended vision statement and functional components of the ARS Civil Rights program
- Recommended structure and options for the organizational structure and placement of the CR functions within ARS
- Recommended job description and required KSA's for the position of Director, CRS

Required Components of a Civil Rights Program

There are many different regulations and directives governing what must/should be included in a civil rights program: Departmental Regulations (DR) issued by USDA, the Code of Federal Regulations, and Management Directives issued by EEOC are the primary sources. In addition, the USDA Civil Rights Performance Plan indicates what USDA will measure in their evaluation of agency civil rights programs.

The following is a summary of sources and requirements:

Departmental Regulations (DR) on Civil Rights Programs (most were published in the late 1990's)

Annual civil rights and diversity training

Set measurable goals and timetables to address civil rights in:

Program delivery (customer or recipient participation)

Employment

Procurement

Complaints management

Special Emphasis Programs

Full-time civil rights director

Single civil rights office located in D.C.

Sufficient operating funds; sufficient number of trained qualified staff

Compliance - nondiscrimination in programs and activities receiving Federal financial assistance from USDA

Complaints

Reasonable Accommodation

Alternative Dispute Resolution

The DR published in 2000 titled USDA Civil Rights Policy:

1. Hold managers, supervisors, employees accountable for how they treat customers and other employees
2. Ensure equal access and equal delivery
3. Eliminate under-representation
4. Provide sufficient staff level and resources to institute an effective CR program
5. ensure equal opportunity in procurement and contracting

24 CFR1614.102 Agency Program (agency means USDA)

Affirmative program to promote equal opportunity and eliminate discrimination

- 1) sufficient resources
- 2) prompt, fair, impartial processing of complaints
- 3) eradicate discrimination from personnel policies and procedures
- 4) communicate eeo policy, employment needs to all sources of job candidates
- 5) review and evaluate managerial and supervisory performance and provide training to them on EEO policy and program
- 6) discipline employees who discriminate
- 7) reasonable accommodation – religion
- 8) reasonable accommodation – physical or mental
- 9) recognition to employees, supervisors, managers, and units for eeo accomplishments
- 10) periodic program evaluation for effectiveness
- 11) provide opportunities for skills enhancement
- 12) inform employees and unions of eeo policy and program; enlist cooperation
- 13) participate in community with other employers, with schools and universities, and other groups, to improve employment opportunities and community conditions that affect employability.

To do the above, agencies shall:

- 1) develop plans and procedures
- 2) establish ADR (pre-complaint and formal complaint)
- 3) appraise personnel policies to assure conformity with CFR 1614 and MD-715 (and other MD's)
- 4) establish EEO Director (at Dept), EEO Officers, SEPMs
- 5) provide and post written information to all employees and applicants on eeo and remedial procedures
- 6) ensure employees cooperate (e.g. with investigators) when eeo investigations/appeals occur
- 7) publicize contact information of EEO Counselors, time limits, SEPMs

EEOC Management Directives

MD-110

Complaints process

Special Emphasis Programs

Neutrality of EEO officer and staff

MD-715

Essential Elements of a Model EEO Program

- 1) Demonstrated commitment from Agency leadership
 - EEO policy statements publicized to all employees and vigorously enforced;
 - workplace free of discrimination, harassment, and reprisal;
 - resolve problems at earliest opportunity;
 - allocate resources to EEO;
 - provide religious and disabled reasonable accommodation;
 - train employees and supervisors

2) Integration of EEO into Agency's Strategic Mission

- Reporting structure provides authority (including over field or second level eeo staff) and resources to EEO directors;
- train the eeo staff;
- sufficient budget for reasonable accommodation, publicity materials, building modifications for access, training employees and supervisors; ADR and complaints process;
- regular communication with top management and with employees, prepare civil rights impact assessment;
- sufficient number of eeo staff;
- statutory eeo SEPs sufficiently staffed (Federal Women's Program, Hispanic Employment Program, People with Disabilities Program)

3) Management and Program Accountability

- develop and implement EEO Plans;
- regular reporting;
- review Merit Promotion Program, Awards, Employee Development for systemic barriers;
- discipline when there's a finding;
- compliance with EEOC, MSPB, FLRA orders

4) Proactive Prevention

- identify barriers, trend analysis of workforce profile by RNOSD regarding grade level, occupation, awards;
- ADR offered and participaton

5) Efficiency

- adequately trained eeo staff to conduct the analyses required in MD-715;
- adequate tracking systems established, including complaint tracking; - audits of field facilities/units
- disability reasonable accommodations – dedicated staff and timely process;
- required training of EEO counselors;
- timely processing of complaints and timely compliance implementation of decisions and settlement agreements;
- ADR;
- agency evaluate impact and effectiveness of its EEO programs;
- separate investigation and adjudication from legal defense office (EEO neutrality)

6) Responsiveness and Legal Compliance

- timely compliance with order issued by EEOC AJ;
- pay attorney fees;
- process awards, backpay, compensatory damages, training, restore leave;
- post notice of violation

FY2006 USDA Civil Rights Performance Plan

(Self-assessment (scoring) and used by USDA Office of Civil Rights to evaluate agencies' programs and for input into Administrator's annual performance rating)

Goal 1. Commitment of Agency Leadership/Strategic Plan Integration

- hold managers accountable through performance standards and appraisals;
- discipline for violations;
- CRIA

Goal 2. Program Delivery – Proactive Management and Legal Compliance

- Collect/analyze RNOSD data on applicants and participants in agency programs;
- increased program delivery to under-represented groups and remove barriers;
- conduct civil rights compliance review of federally-assisted programs;
- timely implement corrective actions on program complaint findings

Goal 3. EEO Program: proactive Management and Legal Compliance

- Model EEO program: eliminate barriers, increase representation, improve retention, meet hiring goal for targeted disabilities, improve timeliness in complaint processing, promote workplace free of discrimination;
- civil rights training for all employees;
- systematic compliance reviews and corrective action;
- NO FEAR Act compliance;
- complete EEO investigation within 90 days; timely submit EEO Counselors' reports;
- efficient use of ADR for EEO and disputes;
- efficient complaint process – monitor complaints, corrective actions, settlement agreements

Goal 4. Procurement

- Increased procurement with business owned and operated by women, minorities, service disabled vets, small and disadvantaged businesses, American Indians/Alaska Natives, persons with disabilities (JWOD).

Appendix C

Area and HQ Civil Rights Manager Positions (positions not on ARS Civil Rights Staff)

Area/HQ	Position Title	Series/Grade(FPL)	Supervisor's Signature on Position Description
HQ	Program Analyst	GS-343-12 (13)	Deputy Director, Civil Rights Staff
BA	Equal Employment Specialist	GS-260-11 (11)	DAD
NAA	Equal Employment Specialist	GS-260-11 (11)	Associate Area Director
MWA	Equal Employment Manager	GS260-13 (13)	Area Director
SPA	Equal Employment Specialist	GS-260-11 (11)	DAD
SAA	Equal Employment Manager	GS-260-13 (13)	Associate Area Director
MSA	Equal Employment Specialist	GS-260-9 (11)	Area Director
PWA	Equal Employment Specialist	GS-260-11 (11)	Associate Area Director
NPA	Equal Employment Specialist	GS-260-11 (11)	Area Director
NAL	Equal Employment Specialist (Civil Rights Manager & Outreach Coordinator)	GS-260-9/11 (vacant)	Director, NAL

Org Chart 1

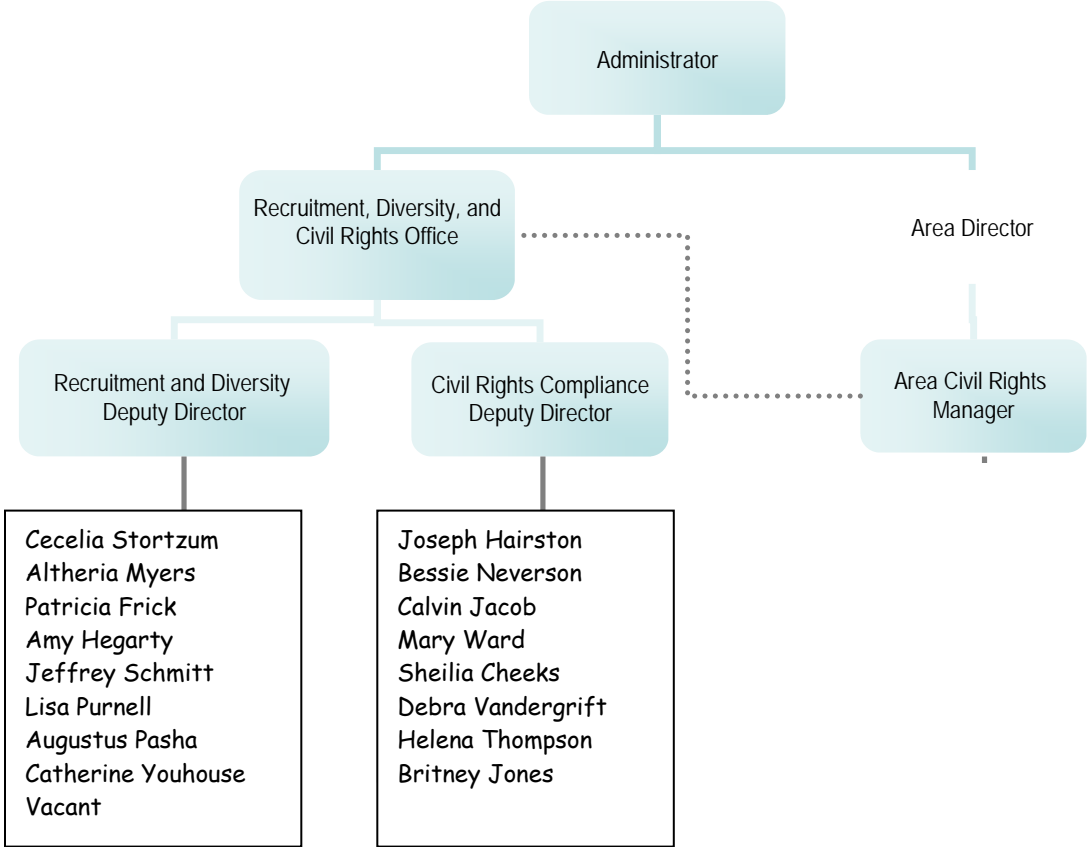


Chart #1

The Civil Rights Staff continues to report to the Administrator.

The Recruitment Office, Special Emphasis Programs (SEP), and Alternative Disputes Resolution (ADR) functions are combined. There is one deputy for Recruitment and Diversity and one deputy for Civil Rights Compliance (these units are similar to Branches, and the supervisor's title could be Branch Chief). The functional line-up is:

Civil Rights Compliance: Complaints

- Prepare MD-715 responses and reports
- CRIA (Civil Rights Impact Assessment)
- ADA Reasonable Accommodations
- Training
- Capacity-building Grants
- Procurement compliance

Recruitment and Diversity: Recruitment planning (use MD-715 data as basis)

- Student programs (STEP, SCEP, 1890 scholars, internships, Miami-Dade, NPA's Native American program)
- ADR and Conflict Resolution program management
- Outreach (career fairs, professional organizations, etc).
- SEP Functions

Pros:

1. Retains visibility of CR function in Administrator's Office
2. CR Director serves as second level supervisor of staff
3. Recruitment and SEP functions combined to facilitate coordination
4. Recruitment Office better aligned with ACRMs
5. Management of EEO ADR program and non-EEO ADR combined

Cons:

1. Perception of CR as a stand-alone HQ organization

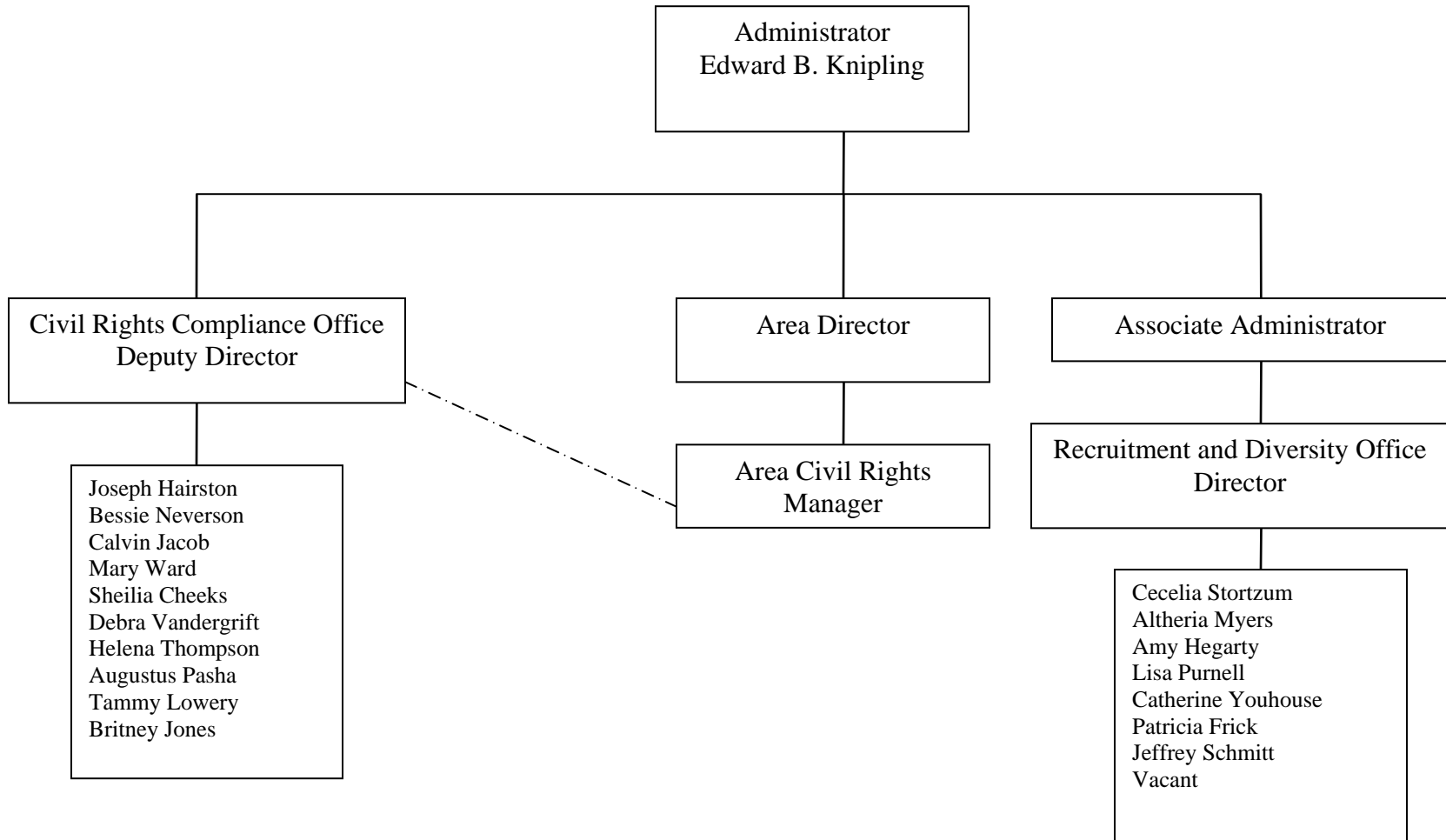


Chart #2

Special Emphasis Program (SEP) functions combined with Recruitment Office reporting to the Associate Administrator

Pros:

1. Retains visibility of CR function in Administrator's Office
2. Recruitment and SEP functions combined to facilitate coordination
3. Recruitment Office better aligned with ACRMs
4. Management of EEO ADR program and non-EEO ADR combined

Cons:

1. Separates SEP from Civil Rights
2. Additional employees reporting to the Associate Administrator
3. Administrator is second-level supervisor to the CR staff

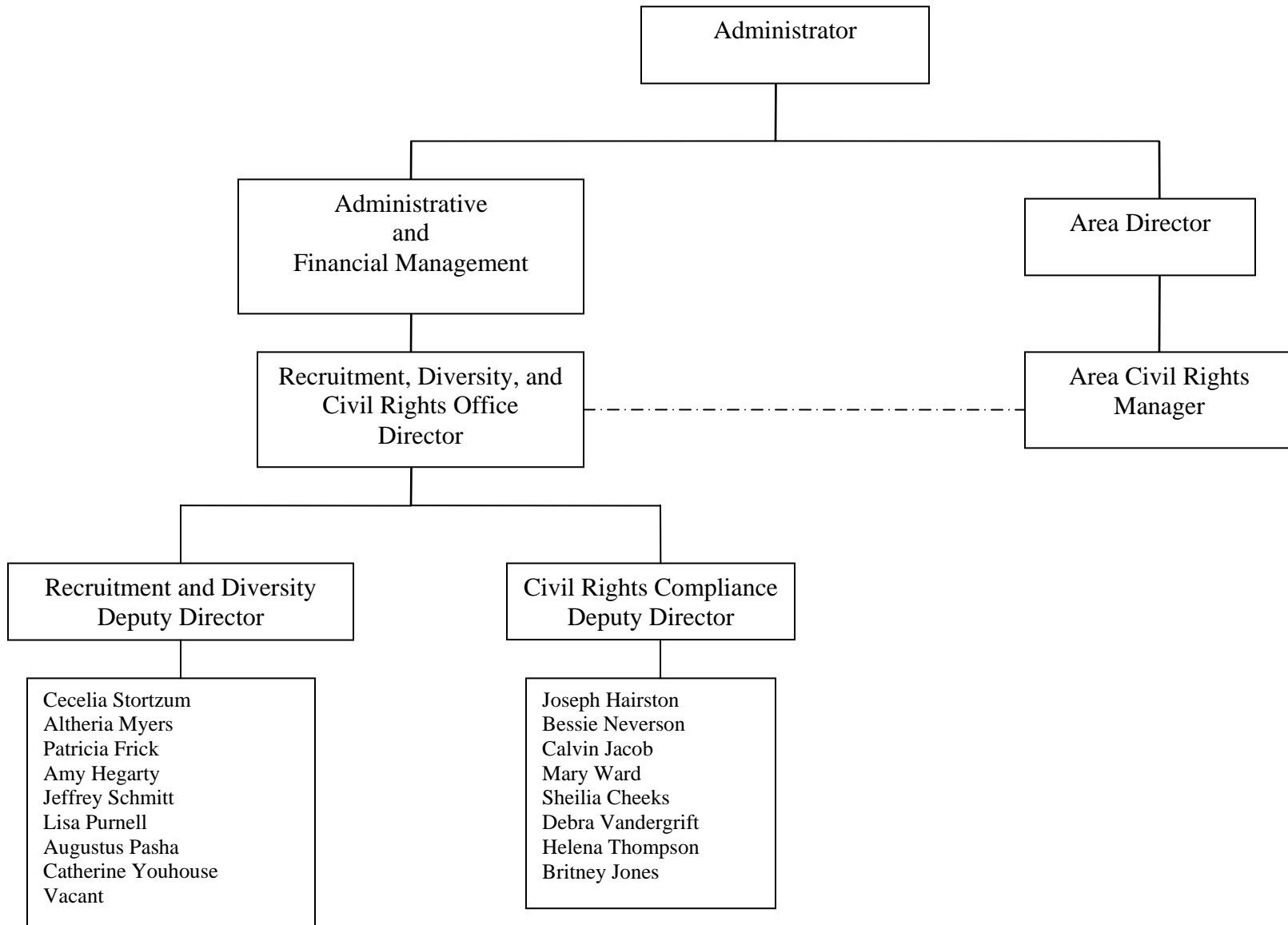


Chart #3

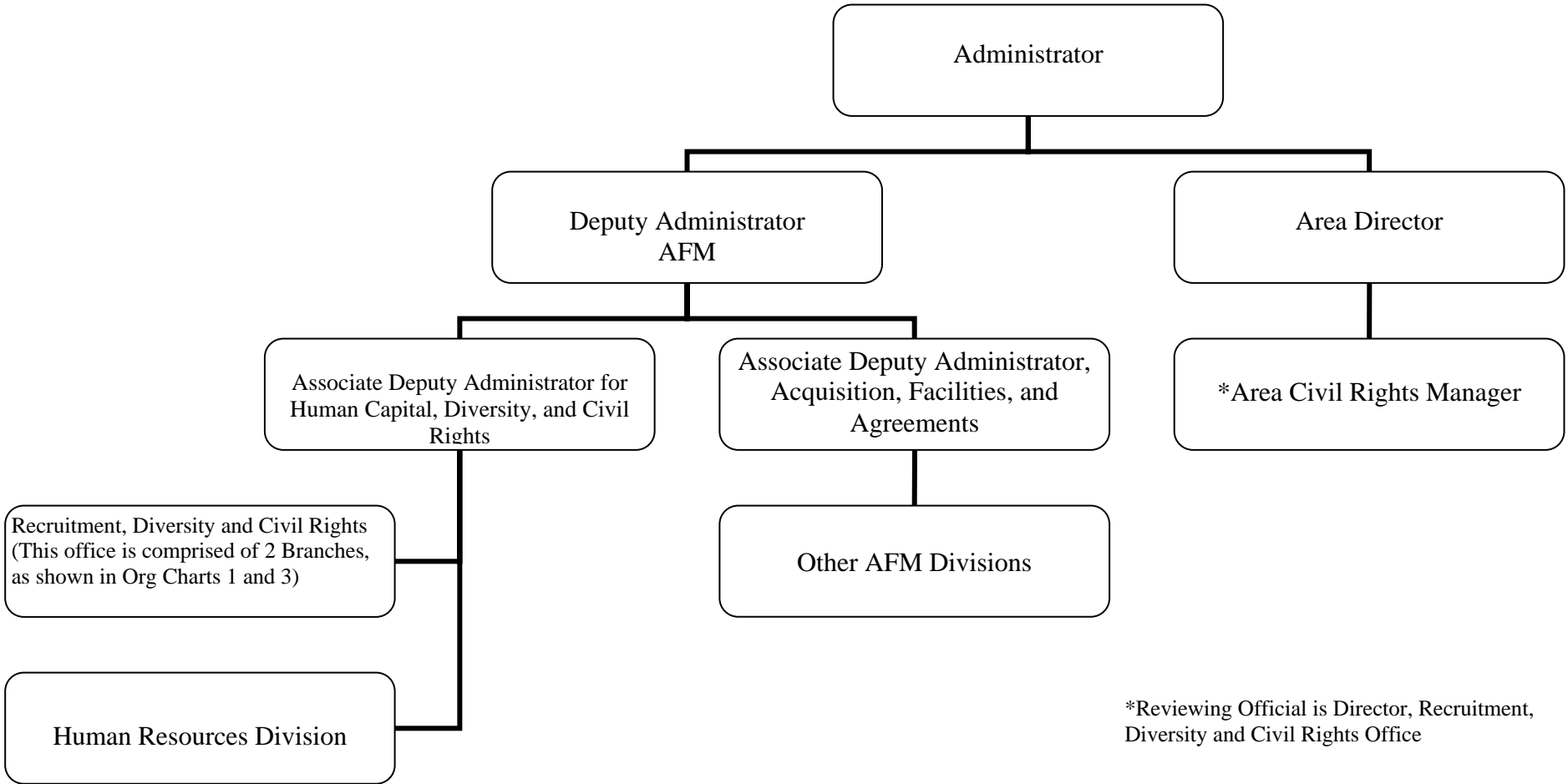
Civil Rights and Recruitment moved into AFM

Pros:

1. One less direct report to the Administrator
2. One less direct report (Recruitment Office) to the Associate Administrator
3. CR and diversity issues aligned into AFM to facilitate coordination with HR and other AFM functions
4. ADR combined with EEO ADR
5. Recruitment and SEP functions combined to facilitate coordination

Cons:

1. Loss of visibility of CR in the Administrator's Office
2. Expands the scope of DAAFM's supervisory responsibility
3. Support received from NAL's administrative office shifts to AFM
4. Requires submission of "1010" reorganization package to the Department and may require adjustments to AFM's client package for the REE agencies.



*Reviewing Official is Director, Recruitment, Diversity and Civil Rights Office

Chart #4

Civil Rights and Recruitment moved into AFM with supporting management structure

Pros:

1. One less direct report to the Administrator
2. One less direct report (Recruitment Office) to the Associate Administrator
3. CR and diversity issues aligned into AFM to facilitate coordination with HR and other AFM functions
4. ADR combined with EEO ADR
5. Recruitment and SEP functions combined to facilitate coordination
6. Establishing an SES position for CR is a bold statement of CR's importance in the Agency.
7. Establishing an SES position addresses the issue of expanded scope of DAAFM's supervisory responsibility.

Cons:

1. Loss of visibility of CR in the Administrator's Office
2. Expands the scope of DAAFM's supervisory responsibility
3. Support received from NAL's administrative office shifts to AFM
4. Requires submission of "1010" package to the Department and may require adjustments to AFM's client package for the REE agencies.

Equal Employment Manager –GS-260-15

Working Title: Director, Recruitment, Diversity, and Civil Rights Office (RDCRO)

A. INTRODUCTION

Incumbent serves as Director, Recruitment, Diversity, and Civil Rights Office (RDCRO), Agricultural Research Service. This position oversees two branches of the RDCRO: Civil Rights; Recruitment and Diversity Management. Provides leadership and expertise in civil rights, recruitment principles, diversity management, and outreach. Responsible for managing the development and implementation of the agencywide Civil Rights Program which encompasses: policy, compliance and reporting, diversity in employment, outreach initiatives, program evaluation and compliance reviews, complaint management, alternative dispute resolution, and training to engender an environment in which all employees can accomplish the agency mission and reach their full potential without systemic barriers and free from discrimination.

B. MAJOR DUTIES

Directs a broad and comprehensive EEO program for nearly 8,000 employees of a complex and geographically dispersed research organization representing over 100 professional, scientific, administrative, technical, clerical and wage occupations.

Serves as the expert and chief advisor to the Administrator and the Administrator's Council on a broad range of complex, highly sensitive and confidential issues and problems pertaining to the implementation of the agency EEO effort.

Develops the ARS civil rights strategic plan which is aligned with agency mission, goals, and structure. Develops annual business plans in line with this strategic plan and the USDA CR Performance Plan, to ensure strategic goals and initiatives are implemented.

Identifies complex, systemic problems and barriers to employment, awards, promotions, and access, through systematic program review, and works with Agency management to implement action to eliminate the barriers.

Works with HRD and the Recruitment Office to analyze recruitment and employment data, and develops recruitment strategies through the Special Emphasis Programs to attract a diverse population of qualified candidates for ARS vacancies.

Plans, organizes, and directs the agencies' informal and formal complaints program, including counseling, the EEO/Alternative Dispute Resolution Program, and the non-EEO ADR. Represents the Administrator/Area Directors at EEOC hearings. Participates in settlement agreement negotiation and ensures agreements are timely implemented.

Leads the agency's outreach efforts with historically Black colleges and universities, Hispanic serving institutions, and Native American colleges and universities.

Manages and coordinates the agency initiative with historically Black colleges and universities and 1890 land grant institutions. Provides technical assistance to and cooperates with the National Program Staff (NPS) as the liaison with faculty, deans, directors of research, and 1890's college presidents. Compiles the ARS annual performance report to the Department as well as the annual plan of action.

Provides leadership to the Area Civil Rights Managers and serves as the reviewing official of their performance.

Establishes agency policy for the implementation of the Special Emphasis Programs: Women's Program, Hispanic Employment Program, Native American Program, Asian Program, and Disability Program.

Provides training to supervisors, managers, and employees on civil rights issues, diversity in the workplace and how to eliminate barriers preventing full and equal employment.

Responsible for motivating and guiding employees, ensuring staff is appropriately utilized and developed and adapting leadership style to various situations. As a first-and second-line supervisor, provides administrative and technical supervision for the RDCRO staff which consists of approximately 15 EEO managers and technical and clerical personnel engaged in EEO and Civil Rights work in support of the agency.

Supervisory duties include interviewing candidates for positions and making selections, promotion or reassignment to such positions; planning, scheduling, and assigning work; reviewing work; approving/disapproving leave; evaluating performance; establishing priorities; counseling and advising employees on both work and administrative matters; hearing and resolving complaints for employees; effecting disciplinary measures; identifying training and developmental needs of employees and arranging for training; developing implementing, evaluating, and improving work processes and procedures to monitor the effectiveness and efficiency of the programs directed/managed. Assures equal opportunity is extended to all employees supervised and all candidates for employment without regard to race, color, religion, sex, national origin, age, or nondisqualifying handicapping condition. Assures affirmative implementation of Equal Employment Opportunity plans of action and applicable Civil Rights provisions which includes full consideration of eligible minority group members and women in filling vacant positions; providing career counseling and orientation; enhancing career opportunities through training and development, job redesign, and/or similar techniques; and ensuring full consideration of these employees in recommending promoting, awards, and other forms of special recognition.

Implements USDA and EEOC policies and directives (e.g. MD-715) and provides required reports.

C. EVALUATION FACTORS

Factor 1. Knowledge Required by the Position

FLD 1-9 (1850 points)

NOTE: Asterisks indicate KSA's for the vacancy announcement.

Mastery and thorough knowledge of the principles, policies, precedent decisions and concepts of Federal EEO and Civil Rights laws and regulations, sociological implications, and history of the field to act as expert EEO consultant for the agency and as liaison to the Department.

Broad knowledge of the Federal Human Resources management system, workforce analysis, HR authorities and flexibilities.

Skill in developing or designing a broad and complex national EEO program.

Supervisory skills and ability to lead and manage employees who are physically situated in locations removed from the Director's immediate office. Ability to respond effectively to all levels of employees.

Ability to forge working relationships with a variety of other offices external to RDCRO (e.g. HRD, Area Offices, Departmental and REE offices, etc.).

*Knowledge of emerging trends in civil rights, particularly workforce diversity, and ability to provide training programs on EEO, Affirmative Action, diversity, conflict resolution, and outreach, including "Train the Trainer" initiatives.

Knowledge of recruitment principles and retention strategies and ability to design and oversee comprehensive recruitment and retention initiatives.

*Ability to lead (plan, set priorities, organize, direct, staff, carry out, and evaluate) a broad and intensive Civil Rights program involving coordinated affirmative action, recruitment, workforce analysis, program evaluation, compliance, and complaint adjudication activities of such breadth that they require direction by subordinate managers at various levels throughout the organization.

Comprehensive knowledge of the overall agency research programs and mission.

Analytical ability to respond to significant management demands in solving complex managerial and technical problems.

*Ability to allocate program resources, set program priorities, delegate authority, review and evaluate program activity, make major technical and program management decision, and select, train, and supervise subordinate staff.

Skill in negotiating with senior officials, managers and administrators to resolve substantive problems with the potential to adversely impact the agency's EEO program.

Ability to communicate logically with clarity and conciseness with top level managers, employee, attorneys, organizations outside the Department, the general public, and individuals or groups from diverse backgrounds, in a variety of situations.

Factor 2. Supervisory Controls

FLD 2-5 (650 points)

Supervision is in the form of administrative and policy guidance, in terms of broad goals and objectives and in defining budget and personnel limits. The incumbent is responsible for independently managing, planning, and leading the agency's EEO/CR program. Work is considered to be technically authoritative and normally accepted without change. If completed work is reviewed, the review concerns such matters as fulfillment of program objectives, or the overall effectiveness of the program.

Factor 3. Guidelines

FLD 3-5 (650 points)

Guidelines are broadly stated and nonspecific to assigned work. They include directives from EEOC, the Code of Federal Regulations, governmentwide policies, and USDA directives, plans, policy statements, and requirements. The incumbent must research guidelines and use judgment in interpreting their applicability to agency programs and its organizational subdivisions.

Factor 4. Complexity

FLD 4-6 (450 points)

Decisions regarding what needs to be done are based on the incumbent's comprehensive analysis of the work force, the agency's management policies and practices, and EEO requirements. Incumbent has full responsibility for managing broad EEO functions and processes such as program goal setting, long-term and short-term planning, recommending levels of resources and program organization, and eliminating barriers to a broad and significant EEO program in a complex multilayered organization. Advisory responsibilities include recommendations to the Administrator and agency senior executives to resolve very difficult and complex individual and/or organizational problems, to change management policies, and to develop and to oversee development of equal opportunity and access plans. Decisions regarding what must be done include major areas of uncertainty in approach, method, and interpretation resulting from continuing shifts in EEO program policy governmentwide; changing organization conditions; conflicts between program requirements and long-standing policies and practices. The incumbent must continually make difficult decisions regarding the allocation and reallocation of program resources to constantly changing program priorities. The work requires a high degree of judgment in solving interrelated complex programs that have been unyielding to past systematic efforts at solution.

Factor 5. Scope and Effect

FLD 5-6 (450 points)

Agency programs include basic and applied research involving a broad spectrum of science at over 100 geographic locations world-wide. The EEO program impacts nearly 8,000 agency employees as well as fundamental agency employment at management policies and practices. The incumbent represents the agency (which is a major component of USDA) on Departmental initiatives affecting overall USDA policy and practice. The work directly impacts the agency's ability to accomplish its mission.

Factor 6. Personal Contacts

FLD 6-4 (110 points)

Routine contacts include all levels of ARS management, i.e., the Administrator, Associate Administrator, Deputy Administrators, Area Civil Rights Managers, and other senior level executives, as well as Research Leaders and other supervisors, and employees. In addition, incumbent often deals with other USDA Agency Administrators, Assistant Secretaries, and the Deputy Secretary of Agriculture in the REE Mission Area by serving on numerous advisory boards, committees, task forces, and working groups. Works with 1890 and 1994 institution presidents, deans of agriculture, and research directors, as well as officials of Native American colleges; contacts are not routine in nature and consist of presenting agency policies and programs. Contacts are also with ranking officials from other Federal agencies, officers in major national civil rights organizations, and with administrative law judges at EEOC hearing.

Factor 7. Purpose of Contacts

FLD 7-4 (220 points)

The purpose is to resolve difficult and complex EEO/CR problems, provide technical and administrative supervision, provide advice and counseling, obtain agreement and/or necessary action concerning agency employment policies, negotiate fundamental changes in long-established agency policies and practices affecting EEO/CR in employment, justify or defend decisions on major controversial issues, and educate managers, supervisors, and employees on creating an environment receptive to diversity and free from barriers and discrimination.

Factor 8. Physical Demands

FLD 8-1 (5 points)

Work is sedentary except for occasional brief periods of standing or walking. Travel is required.

Factor 9. Work Environment

FLD 9-1 (5 points)

Work is performed in an office setting, or in visited work sites, conferences, meeting rooms, or research laboratories. Involves everyday risks and discomforts and requires normal precautions.

TOTAL POINTS – 4390=GM-15 (grade rage – 4055-up points)

Equal Employment Specialist GS-260

A. INTRODUCTION

This position serves as Area Civil Rights Manager for the _____ Area, Agricultural Research Service. Incumbent is responsible for providing program coordination, technical advice, and counsel to the Area Director (AD), managers and supervisors regarding Equal Employment Opportunity (EEO) and Civil Rights (CR), and staff assistance to the AD in implementing, promoting, administering, and evaluating Area-wide EEO/CR activities. Incumbent also serves as Special Emphasis Program (SEP) Manager for one or more SEPs, on behalf of the agency, and leads efforts in their respective SEP(s) as part of the national network of SEP Managers in ARS.

The _____ Area is geographically dispersed and includes ___#___ locations in ___#___ states. The Area includes approximately ___#___ permanent employees in numerous professional, administrative, technical, clerical, and wage grade occupations at ___#___ locations, and over ___#___ temporary employees (students, post docs, and others).

B. MAJOR RESPONSIBILITIES

Directs the affirmative action program for the Area. Has full responsibility for the development of the Area Affirmative Employment Program Plans (AEPP) as required. The incumbent has full authority and responsibility for effectively designing, planning, organizing, directing, coordinating, and executing the Area's EEO/CR activities.

Formulates and devises plans, policies, and procedures for the implementation and direction of Equal Employment Opportunity Commission (EEOC) Management Directive 715 (MD-715), the USDA EEO/CR Performance Plan, and the agency CR Strategic Plan, within the Area. Publicizes requirements of these directives and engages Location employees in their implementation. Works closely with Area management and HQ EEO/CR Staff in assessing human resource management including recruitment, selection, position management, training, performance evaluation, awards, and discipline to identify and minimize any barriers to EEO/CR. Develops action plans to reduce/eliminate barriers.

Conducts workforce analyses, barrier analyses, and other studies required for interpretation of EEOC, USDA, and Agency directives in terms of Area initiatives. Defines problem areas, identifies reasons for the problems, and proposes specific action to remedy the situation. Analyzes management practices, organizational structures, and employment, promotion, and award patterns, to determine their impact on equal employment. Analyzes retention patterns and exit interview data to determine reasons for losses in the workforce.

Works with Area management and HQ CR Staff to define training needs and to identify vendors and training resources and/or participate in development of the training. Makes presentations and/or presents training e.g., at Area Leadership Meetings, Locations, or at Office Professional

or Location Administrative Officer conferences. Develops web content for posting on the Area's website to publicize the Civil Rights Program, Special Emphasis Programs, initiatives and accomplishments. Analyzes data, develops interpretations of data and develops reports for the Area's AEPP in accordance with agency, Departmental, and EEO instructions. Advises Area managers on the implementation of the plans. Devises methods of monitoring progress of minorities, women, and disabled employees in hiring and promotions. Where necessary, monitors and coordinates the efforts of others in monitoring actions. Advises the AD on specific employment data. Compiles statistical reports on gains and losses in targeted occupations using a variety of methods. Compiles the Area AEP Annual Accomplishment Report.

Establishes contact with the USDA Liaisons at 1890's schools and HSI institutions, or with equivalent level contact persons at Historically Black Colleges and Universities (HBCU), Native American educational institutions, and Hispanic Association of Colleges and Universities (HACU) for the purpose of identifying sources of recruitment and educating these contacts of employment opportunities available in ARS. Establishes similar contacts with representatives of disabled-serving organizations.

Serves as SEP Manager for one or more SEPs on behalf of the agency. Establishes goals for improving recruitment, publicizing employment opportunities in ARS to the Special Emphasis targeted populations, and establishes communication and outreach mechanisms in order to develop the kind of relationships needed to attract a diverse applicant pool. Identifies issues encountered with hiring/retaining employees who are members of special emphasis groups, and educates ARS managers, supervisors, and employees on methods to attract and retain a diverse workforce (mentoring, career development, training opportunities, use of career enhancement program and various appointing authorities, etc.). Establishes collaboration with internal ARS staff (Human Resources, Recruitment Office) to further the goals of the SEPs.

Provides periodic and annual reports as required by EEOC and USDA.

Provides advice to and coordinates activities of all EEO advisory committees (and collateral duty employees, if applicable) operating with the Area. Provides technical leadership and direction to them in development of goals and plans for the SEPs and insures alignment with agency SEP goals, insures they receive training to perform committee/collateral assignments, and assists them in evaluating progress made against the goals and objectives of the SEPs.

Leads and coordinates the Area's Research Apprenticeship Program and Summer Intern Program. Recruits students, works with mentor scientists on proposals and student placements; and evaluates student and mentor scientist questionnaires. Analyzes impact of program and conducts follow-up on student progress and placement; maintains contact with students as possible candidates for future permanent employment.

Monitors use of the Student Career Experience Program (SCEP) in the Area. Encourages the use of this program as a recruitment tool; educates supervisors on the advantages of the SCEP's non-competitive conversion features. Follows up with students and their supervisors on their progress, and education and career goals.

C. EVALUATION FACTORS

Knowledge of Federal, USDA, and Agency regulations and policies, Executive Orders, EEO manuals, management directives, and relevant decisions on civil rights and equal employment opportunity in order to implement Special Emphasis Programs, evaluates EEO/CR activities, and advice managers.

General knowledge of Federal personnel administration, policies, and practices including appeals and grievances, labor relations, position classification, position management and organizational structure, recruitment and selection to know when to obtain expert technical advice or assistance to answer questions, solve problems, or understand technical personnel issues.

Knowledge of Special Emphasis Program requirements and ability to develop and implement plans for SEP.

Thorough knowledge of the kinds of management actions and employment practices and conditions that constitute barriers to equal employment opportunity (such as improper supervisory practices) to develop staff recommendations to management, to develop an annual affirmative action plan, to resolve problems and to advise managers on appropriate courses of action.

Skill in communicating effectively, orally and in writing, to a diverse audience. In particular, the ability to explain program provisions and requirements, develop and present training sessions, provide program interpretations to Locations, and draft EEO/CR policy statements, handbook materials, and reports.

Skill in independently collecting, analyzing, summarizing, and preparing reports required for MD-715, Affirmative Employment Program (AEP), Federal Equal Opportunity Recruitment Program (FEORP), and the USDA CR Performance Plan.

Ability to manage a program including organizing an office, problem solving, and motivating others to take necessary actions and providing justification for various outreach programs; communication skills to make presentations, conduct training seminar, compile reports, and develop EEO/CR policy statements.

Factor 2. Supervisory Controls

The Area Director provides direction on assignments in terms of generally stated policies and broad objectives. The incumbent independently designs, plans, and organizes the program; plans and performs day-to-day work; determines the general approach and methods to use; monitors progress; and evaluates program accomplishments. The work is reviewed in terms of achievement of broad programs goals.

Factor 3. Supervisory Guidelines

Guidelines include the applicable laws, Agency regulations, Executive Orders, federal policies, management directives, EEO manuals, and other precedent situations and courses of action. Guidelines are often general and do not apply exactly to many equal employment opportunity program areas. The employee uses considerable judgment and ingenuity in interpreting guidelines to formulate agency-wide equal employment opportunity policies and to design the program in the context of the agency's organization and functions to meet specific equal employment opportunity goals for the agency. The incumbent is recognized as an authority on processing transactions or completing assignments in accordance with precedents.

Factor 4. Complexity

Performs the full range of functions including designing, planning, directing, and evaluating program activities and developing program goals and making long-range program plans. The program focuses on identifying and changing significant policies and practices to eliminate barriers to equal employment opportunities. Deals with matters such as under representation of minorities, women, and people with disabilities in professional and managerial positions; career mobility and full utilization of skills in lower and middle level positions; exploration of sources for recruitment for managerial and professional positions; recommends modification of existing positions to increase employment/advancement opportunities of targeted and underrepresented groups (women, minorities, and people with disabilities). Advisory recommendations include agency-wide goals and objectives, action plan items designed to eliminate the underlying causes of problems, and attempts to resolve individual EEO/CR problems.

Determining what needs to be done is based on broad and in-depth analysis of the workforce and agency policies practices that affect employment. Advice is made in context of conflicts between existing management policies and practices and EEO/CR program requirements, and the need to set priorities within the resources available to the EEO/CR program.

The work requires a high degree of judgment in establishing the direction and priorities of the Area's programs to achieve maximum results and creativity is required in deciding and recommending actions to achieve best results throughout the agency, as each situation is different and requires unique resolution. This involves making major modifications to methods and approaches to problem areas as conditions warrant and sorting relevant facts from a vast array of information.

Factor 5. Scope and Effect

The purpose of the work is to provide management support and administrative direction to the Areas in program planning and evaluation, and workforce planning and utilization. The advice, guidance, and recommendations provided result in or are used by the Area Director in the establishment of overall policy and in specific responses to unusual issues and non-routine requests. The work of this position affects the Area's and Agency's success in achieving a diverse workforce where every employee's contribution is valued. This counsel significantly affects decision-making of management at the Location and Area level in the announcement,

recruitment, and retention of staff, and also impacts long range policy and planning activities of the Civil Rights Staff with respect to minority recruitment and diversity outreach to the Agency. As SEP Manager for one or more SEPs on behalf of ARS, scope and effect is Agency-wide.

Factor 6. Personal Contacts

Personal contacts are with other EEO/CR staff members, top and middle managers, supervisors, individual employees, union representatives within the Area, and professional peers within ARS. Additional contacts outside the Agency include universities/community colleges, community and other public/private groups. The nature of each contact is different depending on the person contacted and the situation.

Factor 7. Purpose of Contacts

The purpose of contacts is to acquire or provide advice, guidance, and assistance on recruitment and outreach issues, on programmatic and procedural issue, on gathering information and analysis of data for reports, and on training needs and activities; to persuade managers and supervisors to adopt new procedures or attitudes; and to develop long-term relationships with USDA liaisons at 1890's and HSI's, and others in similar positions, to establish a network of stakeholders who will refer candidates for ARS vacancies.

Factor 8. Physical Demands

Regular and recurring work performed involves sitting at a desk, sitting in conferences and meeting, or riding in an automobile or public transportation. No special physical demands are involved in performing this work.

Factor 9. Work Environment

Regular and recurring work is performed in a work environment that involves normal everyday low risks or discomfort typical of offices. Work areas are adequately lighted, headed, and ventilated. Travel is required.

D. EEO RESPONSIBILITIES

The incumbent is responsible for knowing and supporting equal opportunity and civil rights policies; performing assigned duties in full compliance with the letter and spirit of equal opportunity and civil right laws and regulations; assuring bias-free written and oral communications; respecting and valuing difference of others.