

4-11278
DEPARTMENT OF
HOMELAND
SECURITY
U. S. COAST GUARD
CG-4229 (Rev. 3-03)

DIGEST

W. J.
APPROVAL:
SIGNATURE:
INFORMATION:

From: G-W
To: G-C
Via: (1) G-CV

DEC 14 2004

Re: FALL 2004 DIVERSITY ADVISORY COUNCIL (DAC) MEETING FINAL REPORT

1. The enclosed DAC report is forwarded for your review and comments. It summarizes three new issues raised during the fall 2004 meeting.

Kenneth Venuto
K. T. VENUTO

Enclosed: Fall 2004 DAC Report

Copy: G-CCS

SIGNER'S COMMENTS

A-17278

2004-000 7044

DEPARTMENT OF
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APPROVAL
SIGNATURE
INFORMATION

From: CG-8D *[Signature]* FEB 16 2005

To: G-C

Thru: CG-8 *pal 2.15*

G-CCS *[Signature]*

G-CV *[Signature]*

Subj: Use of Appropriated funds in support of Cultural Awareness Events - New Policy

1. As requested, a meeting between G-H (Mr. Larry Houston) and CG-843 (LT Mark Haag) was conducted to discuss formulation and publishing of official policy concerning the use of appropriated funds in support of cultural awareness events.

2. It was agreed that as the program office for EEO and cultural awareness policy, G-H is responsible for publishing this policy while CG-843 provides fiscal policy on proper use of Coast Guard appropriated funds. Therefore, G-H will incorporate into the Equal Opportunity (EEO) Manual (COMDTINST M5350.4) a new section that encourages support for the various cultural awareness programs conducted throughout the Coast Guard. Additionally a new section will be developed in the Financial Resource Management Manual (FRMM) (COMDTINST M7100.3C), use of funds section (5.K) that provides specific fiscal policy concerning support of these events.

3. The promulgation of these two policy statements will provide field units with the policy guidance needed to conduct an effective EEO program while ensuring that the support meets the necessary expense doctrine for use of federally appropriated funds.

Encl: (1) Policy in support of Cultural Awareness Events to be included in the Financial Resource Management Manual, COMDTINST M7100.3C, change 1

(2) Policy in support of Cultural Awareness Events to be included in the Equal Opportunity Manual, COMDTINST M5350.4, change 1

SIGNER'S COMMENTS

Subj: FALL 2004 DIVERSITY ADVISORY COUNCIL (DAC)
MEETING FINAL REPORT

5050

- Encl: (1) Long Versions of Each Current Issue
(2) G-CCS Memo of 27 Apr 04, "Rules/Responsibilities Regarding Outreach
(3) Flag Voice 165 "A Multilingual Workplace?"

Current Issues and Recommendations – Fall 2004

Ethnic Subcommittee

Topic: FUNDING POLICY FOR CULTURAL OBSERVANCES PROGRAM.

Opened: Fall 2004

Action Office: G-H/CG-8

DISCUSSION:

Some units in an attempt to promote Cultural Observances have submitted procurement requests for such things as guest speakers, cultural activities and live entertainment. It has been reported that some comptrollers are disapproving funding requests based on a narrow interpretation of the Financial Resource Management Manual (FRMM), COMDTINST M7100.3C, which appears to only authorize food sampling. Consequently, many members of Team Coast Guard are missing valuable opportunities to increase their cultural awareness through these observances. NO, BUT THE TAXPAYERS JUST ARE NOT PROVIDING TO FOR IT.

Our research efforts discovered the existence of appropriations law that authorizes federal agencies to use appropriated funds to procure entertainment (food, honorariums, artistic and cultural activities, etc.) towards cultural awareness programs. In fact, the Comptroller General of the Government Accountability Office (GAO) addressed Cultural Awareness Program expenditures in a 1981 decision (60 comp. Gen. 303):

"We now take the view that we will consider a live artistic performance as an authorized part of an agency's EEO effort if, as in this case, it is part of a formal program determined by the agency to be intended to advance EEO objectives, and consists of a number of different types of presentations designed to promote EEO training objectives of making the audience aware of the culture or ethnic history being celebrated." (ref: GAO/OGC-91-5 Appropriations Law-Vol. I)

Properly funding ethnic observances is an essential element to the success of the Special Emphasis Program. Thus, by broadening the funding policy, the Coast Guard would enhance cross-cultural awareness for all of its personnel.

CCS WANTS TO ABJEST FRMM.
WE BETTER CONTROL THIS OR COSTS WILL
BE EXTENSIVE AS CO.'S COMPETE TO BE
THE "MOST" POLITICALLY CORRECT.

RECOMMENDATION:

Recommend revising current policy within the FRMM to read:

"Ethnic observances are conducted to enhance cross-cultural awareness among all members and their families. These observances recognize the achievements and contributions made by members of specific racial, ethnic, or gender groups in our society. The observances should also promote understanding, teamwork, harmony, pride, and esprit de corps among all groups, not just within the specific group being honored."

Appropriated funds may be spent on activities and publications, which are intended to promote cross-cultural harmony and awareness. Examples of permissible expenditures include guest speakers, artistic or cultural activities, food exhibits or samples (samples are not intended as meals or refreshments). Additionally, funds may be allocated to commercial entertainment as part of an educational awareness program. Commanders will ensure that projected events amplify the contributions made to the Coast Guard and to society by the featured ethnic, gender or racial group."

G-W Comments:
Concur with DAC recommendation.

but don't expect
we need better
examples

G-H Comments:
Concur with DAC recommendation. My staff will work with responsible program managers in amending current FRMM language. This change should facilitate funding authorization for a variety of events during cultural observances.

Current Issues and Recommendations - Fall 2004

Equal Opportunity Subcommittee

Topic: UNIT LEVEL INFORMAL "ENGLISH ONLY" POLICIES IN THE WORKPLACE.

Opened: Fall 2004

Action Office: G-W

DISCUSSION:

We have been receiving reports through various means (Equal Opportunity Reviews, Equal Opportunity Surveys, fleet-wide feedback to DAC members, and comments to G-WP Policy Advisors) that unit level informal "English Only" policies in the workplace continue to impact unit cohesion and workplace climate. HUH? COMMON SENSE SUGGESTS THAT PEOPLE SPEAKING MULTIPLE LANGUAGES WOULD DO FAR GREATER HARM TO UNIT COHESION The EEOC has issued a government wide policy statement on this topic that recognizes the need for English Only policies during certain activities for safety reasons, but not as a blanket policy in all workplace situations. ✓

By being required to speak only English in the workplace, multi-lingual members or employees feel devalued. On the other hand, when an operation requires their multi-lingual skills, they are requested to fill the gap in Coast Guard communications.

The lack of a Coast Guard policy on this topic has led to different policies at different units or work groups, as supervisors are free to establish workplace rules that make sense to them. They are not always written or clear, causing confusion and miscommunication. Absent a Coast Guard policy consistent with the EEOC policy, the leadership burden falls to each multi-lingual person (often a junior person) to assert themselves at their command to ensure policies are fair and face the consequences of that action (both good and bad) or just put up with an unwelcoming workplace climate.

WE SHOULD THINK ABOUT THIS - "IN THE WORK PLACE IS DIFFERENT FROM "AT" THE WORKPLACE. I.E. ON THE GROUNDS, IN THE EXCHANGE, IN THE MESS HALL SPEAK WHATEVER LANGUAGE YOU WANT. IN THE WORK PLACE SPEAK ENGLISH.

RECOMMENDATION:

The Commandant should communicate appropriate policy on the use of languages other than English in the CG workplace. We recommend this be done via a COMDT ALCOAST. We have prepared a suggested text and will provide it to G-W for further review and action. We recommend the ALCOAST make the following points:

- a. There are situations that mandate English only
- b. Implement a "reasonable person" standard. In other words, before deciding if a language other than English would be appropriate, ask yourself: "Would a reasonable person be offended by the use of a language other than English in this situation?" If the answer is yes, use English. THIS WOULD BE CLEAR AS MUD
- c. Consistent with the new Foreign Language Program, recognize the value and absolute necessity for our service to communicate in languages other than English
- d. English only speakers should be aware of the rights of a Multi-language speaker to express and celebrate their cultural diversity and to develop their proficiency in this skill vital to the CG THIS IS NOT ABOUT THIS IS NOT ABOUT THIS DOES NOT SOLVE

G-W Comments:

In November 2001, RADDM Ames issued a Flag Voice on this topic. I will work with G-H to develop an updated Flag Voice on this issue and clear it through your office prior to release. We will consult with G-H on any Coast Guard policy that may be developed on this issue to incorporate it into the Personnel Manual,

G-H Comments:

As requested at the DAC out-brief, we will work to quantify the magnitude of this problem during our Equal Opportunity Reviews and assist G-W in setting an official CG policy statement if warranted. In the meantime, we recommend another Flag Voice be issued on the topic.

THIS IS PROBLEM

THIS IS NOT ABOUT THIS IS NOT ABOUT THIS DOES NOT SOLVE

Concur with CV comment (green water)

this was held in mind

Key issues? How do you discuss language in the manual? Where we work can't be required, individual units can't

Current Issues and Recommendations – Fall 2004

Gender Subcommittee

Topic: CONCERN IN THE FIELD OF INEQUITY IN THE PHYSICAL FITNESS STANDARDS IN PLACE FOR VARIOUS ASSIGNMENT AND QUALIFICATIONS WITHIN THE COAST GUARD.

Opened: Fall 2004

Action Office: G-W

DISCUSSION:

During focus groups conducted by the Gender Policy Advisor's Staff during the summer of 2004, the perception from some in the field was that women were held to a lower standard than men on physical fitness tests for given positions and billets.

The Gender Advisory Subcommittee had the opportunity to meet with program representatives from G-OCS, OPC, OCU, OPL, OCA, and MOA, to discuss the fitness policies for their respective programs. The Boat Crew, Strike Team, Boarding Officer and Boarding Team member standards have evolved from the Cooper Institute Standards and have met the needs of the Service over time. These standards are stratified based on gender and age to measure a general level of fitness.

The Aviation and Dive communities have had success with their physical fitness requirements for screening, training, and recertification of their members. The standards have been based on a combination of physical fitness requirements and a selected number of task specific requirements that a rescue swimmer or dive team member must complete regardless of gender or age.

The MSSST physical fitness standards are currently being developed and will look to build on the fitness standards required for Boarding Officers and the task related requirements for the new roles and tasks required of MSSST members.

THIS IS AN EDUCATION ISSUE. SOME WILL
HAVE VIEW THE "STATIFIED" STANDARDS AS
"EQUAL" STANDARDS.

RECOMMENDATION:

Continue the policy of concurrent clearance through G-W for all policies requiring fitness standards. G-W involvement ensures consistency from program to program and incorporation of the latest standards and techniques.

As policy containing physical fitness standards are written or revised, recommend information be provided in the background section of the instruction to address the origin and validity of the standards (e.g. The Cooper Institute, etc.). Also, recommend the standards be defined as "Fitness Standards" or "Performance Fitness Standards."

Fitness Standards would be associated with jobs requiring a level of fitness required to perform successfully in a given position; e.g. Boat Crew, Boarding Team, or Strike Team member.

G-W Comments:

Other than for accession points, there is no policy on how to establish or who governs fitness standards. I recommend that you designate G-W as the approving authority to establish all fitness standards to meet fitness or performance requirements identified by program managers. This will ensure all future policies or revisions to existing policies that include general fitness standards or performance-based fitness standards shall be vetted for consistency, validity, and workforce impact.

Diversity Advisory Council (DAC) Fall 2005
Issues brought forward for consideration

1. Minority assignment limitations due to social climate issues. (Ethnic) ✓
 - G-CR has issued guidance to address social climate issues in the new EO manual.
 - DAC will continue to monitor
2. Status of the Reserve Diversity Plan. (Workforce) ✓
 - Will be presented as an issue in the DAC report
3. Clarification on the changes to the CGA AIM program. (Workforce) ?
 - Obtained information needed
4. CG Auxiliary needs to recruit younger and more diverse members. (Workforce) *a recruiting challenge*
 - Program working on this item; DAC will continue to monitor
5. Keep the information flow current and constant on the new MAX HR rules. (Workforce) ✓
 - Info being released as it is available
6. Accommodation for members to observe religious holidays. (Equal Opportunity)
 - No evidence of widespread problem *unclear*
7. Request update on recruiting trends from this past year. (Gender) ✓
 - Obtained information needed
8. Training is requested on communications between men and women in the workplace. (Gender)
 - Issue not being pursued at this time
9. Can DAC members assist Areas in conducting unit EO reviews? (Equal Opportunity) *concern*
 - Not recommended, as DAC members are not available for additional time away from units
 - Also requires significant amount of training to conduct the EO reviews
10. It appears that more minorities and women are applying for Coast Guard civilian jobs, but there is not a similar increase in the number of women and minorities that are hired. (Equal Opportunity)
 - Program manager is working on this issue, need to allow time to show progress ✓
 - New data system allows tracking of this info; DAC will review data again in Fall 06 ✓
11. Are minority members being rated fairly in the enlisted evaluation system? (Is there any systemic disparity in average marks between majority and minority members?) (Equal Opportunity)
 - This item is complicated to assess; not being pursued at this time ✓
12. Are personal awards based on actual performance or are they awarded based on rank? (Workforce)
 - Not being pursued; more of a leadership issue than a DAC issue ✓
13. Do majority members have better access to mentorship than minorities and women? (Ethnic)
 - This question was directed at enlisted members *answer ??*