



OFFICE OF DIVERSITY AND EQUAL OPPORTUNITY

Endeavor

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NASA News

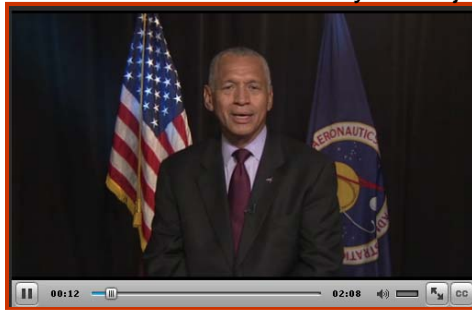
NASA Holds Senior Management Forum on EO and Diversity

By David Chambers

On September 21-22, 2011, NASA held a Senior Management Forum dedicated to EO and diversity participated in by Agency Officials-in-Charge and Center Directors. The Forum, which took place at Headquarters, was held at the request of the Administrator and organized jointly by the Office of Diversity and Equal Opportunity and the Office of Human Capital Management.

The day-and-a-half long Forum was designed to bring together the Agency's senior leadership to engage in a frank and open discussion about where NASA stands with respect to diversity and EO at this critical juncture in the Agency's history, and to identify and prioritize

areas of needed change and next steps. In addition to Administrator Charlie Bolden and Deputy Administrator Lori Garver, the Forum was attended by all 10 Center Directors and many of



Video from the Administrator on Diversity and Inclusion, September 23, 2011. [Click](#)

the Agency's Officials-in-Charge at HQ, as well as the Center EO and HR Directors.

The Administrator opened the Forum with remarks on the history of diversity and EO at NASA, including early efforts to create a diverse Astronaut Corps and the lessons learned over the years on the need for diver-

sity and inclusion leadership within the Agency. He stated that his goal for the Forum was for Agency leadership to make a commitment to being the best in the world for equity, just as we are committed to being the best in the world for science, space exploration and aeronautics. Deputy Administrator Lori Garver spoke about the Agency's current strengths and challenges. According to the most recent Employee Viewpoint Survey, the Agency is doing very well in regard to support for work/life balance (89% of respondents in agreement) and employees' commitment to their work (98% of respondents in agreement), but falls short when it comes to taking steps to deal with

poor performers (32% in agreement that such steps are taken). The Deputy Administrator also spoke about the need for a continuing and meaningful collaboration between labor and management, as well as the importance of leadership acting on the many opportunities to grow a diverse workforce and recognize

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individuals for outstanding performance.

Participants also heard presentations from top Agency leadership as well as from EEOC and OPM officials. Dexter Brooks, Director, Office of Federal Operations at the U.S. Equal Employment Opportunity Commission provided an overview of discrimination theories, including disparate treatment and disparate impact. He also spoke about the need for employers to raise awareness around unconscious biases that can negatively impact the workplace environment.

Sharon Wong, Deputy Director for Policy and Planning, Office of Diversity and Inclusion,

OPM, provided remarks on the new Government-wide initiative on diversity and inclusion (see below). Under this initiative each Federal agency will issue a strategic plan aligned with an overall government plan focused on three main areas: workforce diversity, workplace inclusion, and leadership accountability.

On the Forum's second day, participants reviewed the current Agency posture and trends related to hiring, promotions, awards, performance ratings, and similar "equity indicators" by such factors as race, ethnicity, age, gender, grade level, supervisory status, and other measures of diversity. Agency and Center management discussed actions taken to date, and relative levels

of success in addressing diversity and EO related concerns. The work done by the leadership at the Forum will be used to help shape the Agency's diversity and inclusion efforts going forward.

To learn more about the Agency diversity and inclusion efforts view the Administrator's Message (see video), visit the ODEO Web site at <http://odeo.hq.nasa.gov/diversityframework.html> or OPM's Web site at: <http://www.opm.gov/diversityandinclusion/index.aspx>.

Obama Administration Launches Government-Wide Diversity-Inclusion Initiative

By Barbara Spotts

On August 18, 2011, President Obama launched an unprecedented Government-wide initiative on diversity and inclusion (D&I) with Executive Order 13583 which establishes for the first time a coordinated government-wide effort to promote D&I in the Federal workplace.

The Executive Order, titled "Establishing a Coordinated Government-wide Initiative to Promote Diversity and Inclusion in the Federal Workforce," states at the outset that: "Our Nation derives strength from the diversity of its population and from its commitment to equal opportunity for all. We

are at our best when we draw on the talents of all parts of our society, and our greatest accomplish-



President Obama Signing Executive Order 13583 on Diversity and Inclusion in the Federal Workforce on August 18, 2011.

ments are achieved when diverse perspectives are brought to bear to overcome our greatest challenges." The Executive Order requires a strategic and coordinated government-

wide effort to create agency cultures that encourage collaboration, flexibility, and fairness to enable individuals to participate to their full potential. Agencies are required to "develop and implement a more comprehensive, integrated, and strategic focus on diversity and inclusion as a key component of their human resources strategies."

Consistent with this vision for D&I, the Executive Order sets an aggressive change agenda regarding D&I in the Federal workplace. A Government-wide D&I Strategic Plan and Guidance was issued by OPM on November 18, 2011. Agencies

then have four months from that date to issue their own agency-specific D&I Strategic Plans.

NASA provided extensive comments on the draft Government-wide Plan and Guidance. In the coming months the Agency will finalize and begin implementation of its own D&I plan.

To learn more about the President's Government-wide D&I initiative visit <http://www.opm.gov/diversityandinclusion/index.aspx>.

NASA to Launch Diversity and EO eLearning Initiative

By Fred Dalton

The Office of Diversity and Equal Opportunity (ODEO) is pleased to announce its e-Learning Institute, with course offerings now available in SATERN, and the forthcoming ODEO Information Resource Guide.

ODEO eLearning Institute

The ODEO eLearning Institute is designed to provide the NASA family with real-time education and awareness opportunities on various aspects of EO, diversity and inclusion at NASA. To this end, ODEO has developed a host of user-friendly materials and information that will allow all NASA employees to add to their SATERN learning history with valuable credits in diversity and EO.

Currently, the Institute is comprised of three e-learning modules, which enable employees to explore EO and conflict management topics anywhere, at any time. The Alternative Dispute Resolution (ADR) module explains the benefits of utilizing mediation to resolve equal employment opportunity (EEO) matters both at the informal and formal stages of the EEO process. Informational materials are provided in a variety of formats, including a video depiction of mediation in action.

The Anti-Harassment course shows how the NASA policy and procedures can help to quickly address and resolve allegations of harassing conduct. Informational materials include videos depicting how a harassment allegation can arise and be resolved through the Agency anti-harassment process.

The Conflict Management (CM) Refresher course is a follow-on to the Basic classroom training. It reviews the core sources of workplace conflict and emotional responses to conflict. Informational materials include a video portrayal of various conflict management styles and communication skills in action.

ODEO Information Resource Guide

In early 2012, ODEO will launch its Information Resource Guide, a companion to the eLearning Institute's course offerings. The Resource Guide is designed to be a one-stop-shopping tool for helping managers and employees to better understand general diversity and EO concepts, learn more about NASA's efforts to become

a model agency for EEO, address specific topics, such as Special Emphasis Programs or EEO complaints processing, or simply to survey the valuable information provided. The Guide will be frequently updated to reflect the ever evolving state of diversity and EO, including new legislation, regulations, Executive orders, and

relevant NASA policy and procedures. In the area of diversity and inclusion, ODEO will continue to provide updates, in collaboration with the Offices of Human Capital, Education, Small Business Programs, and other stakeholders.

The Information Resource Guide and the eLearning Institute course offerings will both be accessible in early 2012 through the Agency's main Web Portal (www.nasa.gov).

For more information contact Fred Dalton, ODEO Training Manager at fdalton@nasa.gov.



ADAAA Regulations Issued

By David Chambers

EEOC has issued regulations under the Americans with Disabilities Act Amendments Act (ADAAA). The law, passed by Congress on September 25, 2008, enacted sweeping amendments to the Americans with Disabilities Act of 1990. Under the new regulations, which took effect May 24, 2011, EEOC provided implementing guidelines for the ADAAA. Some highlights of the new regulations:

“The regulations identify examples of specific impairments that should easily be concluded to be disabilities, such as deafness, blindness, cancer, HIV infection, bipolar disorder, and post-traumatic stress syndrome.”

- The ADAAA does not apply retroactively. However, the ADAAA would apply to denials of reasonable accommodation where a request was made (or an earlier request was renewed) or to other alleged discriminatory acts that occurred on or after January 1, 2009 (the effective date of the law).
- The ADAAA and the final regulations define a disability using a three-pronged approach: 1) a physical or mental impairment that substantially limits one or more major life activities (sometimes referred to in the regulations as an “actual disability”), or 2) a record of a physical or mental impairment that substantially limited a major life activity (“record of”), or 3) when a covered entity takes an action prohibited by the ADA because of an actual or perceived impairment that is not both transitory and minor (“regarded as”). [Section 1630.2(g)]

- Examples of major life activities are: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. The final regulations also state that major life activities include the operation of *major bodily functions*, including functions of the immune system, special sense organs and skin, normal cell growth, digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions.
- The regulations identify examples of specific impairments that should easily be concluded to be disabilities and examples of major life activities (including major bodily functions) that the impairments substantially limit. The impairments include: deafness, blindness, intellectual disability (formerly known as mental retardation), partially or completely missing limbs, mobility impairments requiring use of a wheelchair, autism, cancer, cerebral palsy, diabetes, epilepsy, HIV infection, multiple sclerosis, muscular dystrophy, major depres-

sive disorder, bipolar disorder, post-traumatic stress disorder, obsessive-compulsive disorder, and schizophrenia.

The regulations clarify that while the ameliorative effects of so-called “mitigating measures,” for example, medication, medical equipment and devices, prosthetic limbs (this does not apply to people whose vision is corrected with ordinary eyeglasses or contact lenses), may not be considered in determining whether an individual has a disability and is thus covered under the law, the negative effects of such measure, for example, medication that makes one feel sicker such as chemotherapy, may be considered.

- Both positive and negative effects of mitigating measures may be considered when assessing whether someone is entitled to reasonable accommodation or poses a direct threat
- An employer may not require an employee to avail himself or herself of mitigating measures.

To learn more about the ADAAA regulations visit EEOC’s Web site at: http://www.eeoc.gov/laws/regulations/ada_qa_final_rule.cfm



OPM Issues Guidance on Transgender Issues in the Workplace

By David Chambers

The U.S. Office of Personnel Management issued guidance to Federal agencies on handling issues regarding transgender employees. The guidance, issued on May 27, 2011, states that it is the policy of the Federal Government to treat all of its employees with dignity and respect and to provide a workplace that is free from discrimination whether that discrimination is based on race, color, religion, sex (including gender identity or pregnancy), national origin, disability, political affiliation, marital status, membership in an employee organization, age, sexual orientation, or other non-merit factors.

The purpose of this memorandum is not to address legal rights and remedies, but instead to provide guidance to address some of the common questions that agencies have raised with OPM regarding the employment

of transgender individuals in the federal workplace. Because the guidance is of necessity general in nature, managers, supervisors, and transitioning employees should feel free to consult with their human resources offices and with the Office of Personnel Management to seek



advice in individual circumstances. While general in nature, the guidance does provide definitions for core concepts such as "gender identity," and "transition," as well as general information on the transitioning process, including matters such as confidentiality and privacy, dress and appearance, appro-

priate use of names and pronouns, sanitary and related facilities, recordkeeping, and insurance benefits.

The guidance directs agencies to review their anti-discrimination policies to ensure that they afford a non-discriminatory working environment to employees irrespective of their gender identity or perceived gender non-conformity.

To read the guidance in its entirety visit: <http://www.opm.gov/diversity/Transgender/Guidance.asp>

For further guidance on these issues, contact the Diversity Program Manager, Office of Diversity and Inclusion, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415, at (202) 606-0020.

Case Law

Supreme Court Ruling on Wal-Mart Class Action

By Aisha Moore

In Wal-Mart v. Dukes, a massive class action employment discrimination law suit against Wal-Mart, the Supreme Court ruled in favor of Walmart, overturning the class certification and preventing the suit from moving forward.

The suit claimed that Wal-Mart's policies and practices led to countless discrimina-

"[I]n order to sue as a single class, the women would have to point to a discriminatory policy that affected all of them."

tory decisions over pay and promotion, with women being paid less than male counterparts, and having to wait longer time periods to receive promotions.

In 2004, a federal judge determined that the suit could be a class action. That determination, upheld in both 2007 and 2010, meant the class could potentially

affect millions of current and former employees and could cost Wal-Mart tens of billions of dollars. The Supreme Court considered whether the certification of the plaintiff class was consistent with Federal Rules and determined that it was not. Writing for the majority, Justice Antonin Scalia said that in order to sue as a single class, the women would have to point to a discriminatory policy that af-

Case Law

fectured all of them, and they could not do that. Indeed, Scalia noted that the company has a specific corporate policy against discrimination. The Court was also unanimous in saying that the plaintiffs' lawyers had improperly sued under a part of the class-action rules that was not primarily concerned with monetary claims.



Many experts saw the ruling as a

broad brushed rejection of large employment discrimination class action suits. The ruling could make it more difficult for women to come together as a group against discrimination, but also more difficult to find lawyers willing to represent their cases. On the other hand, some have pointed out the ruling was narrowly construed to the Wal-Mart

case and the large number of plaintiffs, who were not united under some clear discriminatory policy or practice, but suffered numerous different adverse actions, in different job positions by different managers. Additionally, plaintiffs in the Wal-Mart case still have recourse, individually, at the state and local levels. So while the large class action suit has been halted, individual suits against Wal-Mart based on gender discrimination can and will still be fought.

Diversity Forum

An Interview with Astronaut Jeanette Epps

By Sarah Cloud and Sharon Wagner

At NASA, we strive to create diverse and inclusive workplaces throughout our Agency. This means valuing and leveraging all of the individual attributes our employees bring to their work, such as their educational and professional backgrounds, their life experiences, and career aspirations. What does this mean for members of our Astronaut corps? We talked to one of our current Astronauts, Dr. Jeanette Epps, a former scientific researcher for Ford Motor Com-

pany and Technical Intelligence Officer for the CIA, and recent graduate of NASA Astronaut Training, to find out how her individual attributes contribute to her career at NASA.

Endeavor: Did you always know you wanted to be an astronaut? If not, how did you make the decision to become an Astronaut candidate?

JE: No, I always wanted to be a scientist. I thought becoming an astronaut would be impossible. I was always afraid to apply until Leland Melvin encouraged me and persisted. After more encouragement from him and others, it dawned on me that now might be the last chance and this was the time to do it, so I decided to go ahead and apply.

Endeavor: What got you interested in the field of science originally?

JE: I always wanted to be a scientist. As a kid, I had a brother in college who always encour-

aged me to pursue a degree in science. He would monitor my achievements in science and math. One day he told me I was doing so well in school, that I should study aerospace – and that I could probably be an astronaut someday. That little seed, planted into my heart, stuck with me all these years, and here I am.

Endeavor: How has your experience in science and technology in both government and private sector affected or helped you as an astronaut candidate?

JE: Working at Ford, I gained a lot of insight into the amount of work that went into making just one product; it was amazing to see one car roll off the line. It's the same thing in the space industry – it takes a lot of people and a lot of work to get the shuttle ready. With the government, I learned more about the operational side – becoming a user of the things produced. This was a challenge for someone who had worked in the lab her whole life, designing and developing. A lot of people



Dr. Jeanette Epps

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don't appreciate the difference in the mindset that is required for the operational and the production side. You need both as an astronaut.

Endeavor: How do you balance training to be an astronaut with your family and personal life?

JE: A good work/life balance requires consistency. I work every day so that when I want to take a break I can do that and spend time with my family. I make sure I am always slightly

ahead of things and don't fall behind. I like to know I have things done so that when I need some time away for my family, etc., it won't be a problem.

Endeavor: What are you most looking forward to about working as an astronaut?

JE: Now I am working to become a CAPCOM, the person who talks directly to the crew. I'm

[My brother] told me I was doing so well in school, that I should study aerospace – and that I could probably be an astronaut someday.

gaining insight into how they live day to day and how they work in space. It's exciting to think about living in space and doing science in space that will help future exploration missions. I recently got to participate in NEMO 15, and how

they are looking at operational ways of going to an asteroid. Being a part of that and doing EVAs is very exciting. I would love to do an EVA someday. There's somewhat of a misconception about the space suit being

too small for most women. Smaller people can wear the suit, but there are just more air pockets and space around you that you have to learn to work with. These things are only a challenge on Earth though, in space, you don't have to worry about it. I have grown to love scuba diving and that has helped a lot with learning to work in the space suit. I have done

some pretty tough work in the neutral buoyancy lab – very challenging, but very doable.



An astronaut on an EVA

Endeavor: Do you have any advice or lessons learned for NASA employees, and especially for women who want to be astronauts or work in the space-related fields?

JE: Young women need to be consistent and persistent and not give up on their dream. This is what my mother taught me. Learn to be yourself and others will respect you. Not everyone will like you, but they will respect you. When people tell me they wish they could be an astronaut, I always ask if they have ever applied. Most of the time, they haven't! If you want to be an astronaut, you have to apply. You can't ever realize your dream if you don't give yourself a chance.

Diversity Forum

The NASA FIRST Program: Leadership Training In the Age of Diversity and Inclusion

By Stacey Brock-Watkins

On September 24, 2011, the NASA Foundations of Influence, Relationships, Success, and Teamwork (FIRST) 2011 GSFC/WFF/HQ Team, consisting of Stacey Brock-Watkins (HQ), Monica Allen (GSFC), Rebecca Powell (WFF), Michelle Gordon (GSFC), and



The ECHO Team members

Marcello Rodriguez (GSFC) held their 'Encouraging Change by Helping Others (ECHO)' event at GSFC. NASA FIRST is an Agency wide leadership program for aspiring young leaders. As a requirement of the program, the participants from the different NASA Centers are

tasked with completing a Center project which incorporates all aspects of FIRST program outcomes including learning about the Agency, self, and teams. Hence, the ECHO program emerged.

The idea for the ECHO pilot program was inspired by the White House Council for Women and Girls initiative around community-based men-

The NASA FIRST Program: Leadership Training In the Age of Diversity and Inclusion

By Stacey Brock-Watkins

toring and the Agency's commitment to public outreach and diversity. We used this platform to reach out to a sector of the community NASA generally had not targeted. The result was collaboration with a non-profit organization in the greater DC area called *Hope and a Home* which services underprivileged and low income families. *Hope and a Home* offer families ways to make lasting changes in their lives and emphasize the importance of education through their Higher Education for All (HEFA) program. The team goal was to educate and inspire untapped talent and diversify NASA's interactions in our community.

We invited *Hope and a Home* to Goddard Space Flight Center for a day-long event full of occupational and STEM related activities for adults and children of all ages. Around thirty participants from the organization joined us for the event along with several gracious volunteers from Goddard. Prior to the event in September, we invited members of this organization to the Explore! Goddard Day Event on May 14, 2011. This was a great way for us to get acquainted and have a better understanding of how to plan our ECHO event. We found that to be more effective we would break down the group into different age groups: the Shuttle Group (Ages 3-7), the Rocket Group (Ages 8-12), the Moon Group (Ages 13-17), and the Galileo Group (Adults). The activities for the Shuttle Group included building Moon Buggies out of marshmallows, Oreo cookies, Starburst, chocolate

bars, Marshmallow fluff (ie the glue) and vanilla wafers, assembling and launching pop rockets, and assembling Lego Moon Rovers which were kindly donated by the Lego company. The Rocket Group embarked on a scavenger hunt throughout the GSFC Visitor's Center,

conducted a UV beads experiment, and built stomp rockets. The Moon Group enjoyed a speech given by a GSFC scientist on how science can be fun which included her experiences from her Aurora research, and completed a learning videogame called SELENE (collaboration between the Wheeling Jesuit University and NASA) where the kids learned how to build a moon. The Galileo Group toured the GSFC I & T facilities, along with the Moon Group, and participated in a rewarding roundtable discussion forum with GSFC guest speakers where they provided examples of what they do at NASA and how they turned their dreams into reality.

Grace Dickerson from Hope and a Home commented "You helped a community of people care more deeply about our earth and universe."

Dalia Johnson from Hope and a

Home added "I know that countless other children would benefit greatly from this outreach program."



The ECHO Team and event participants

We felt that there is a continued need for NASA to target all sectors of the community and this program is a great way to accomplish this. Currently

the team is communicating with other organizations within the Agency with hopes to continue this program. The way this program is able to contribute to NASA is by engaging a non-traditional outreach audience to increase their awareness about NASA and provide a positive image of the things we do to support humankind. In addition, we can use this to spark curiosity and excitement in STEM related fields and inspire and empower both kids and adults to think big on education and the diverse opportunities in a variety of career fields.

Special Thanks to the Endeavor Team:

David Chambers, Sarah Cloud, Fred Dalton, Aisha Moore, Bonita Soley, and Barbara Spotts

