

## Subpart D - Hispanic Emphasis Program

### 403.50 Purpose

This subpart provides guidance and direction to NRCS organizational units on the development and implementation of the Hispanic Emphasis Program (HEP). The purpose of the program is to provide focus on issues such as employment, retention, promotion, training, career development, and advancement opportunities affecting Hispanic applicants and employees at NRCS.

### 403.51 Policy

It is NRCS policy to conduct a positive and continuing HEP that provides equal employment opportunity for Hispanics in all personnel management policies and practices and in NRCS-sponsored programs and activities.

### 403.52 Authorities

- A. In 1970, President Nixon issued a comprehensive 16-Point Federal employment plan aimed at increasing employment of Hispanic in the Federal workforce. In 1973, the program was renamed "Spanish-Speaking Program" to emphasize bilingual skills, and in 1978, the program was again renamed to what it is known as today, the "Hispanic Employment Program."
- B. Additional authorities and guidance on HEP and establishing HEPM positions appear in Federal Personnel Manual (FPM) Letters 713-18 and 713-23.
- C. In 1997, the Office of Personnel Management (OPM) launched its nine-point plan to recruit qualified Hispanics for Government service and improve their opportunities to advance.
- D. In October 2000, President Clinton issued Executive Order 13171, Hispanic Employment in the Federal Government. This order instructed Federal agencies to ameliorate disparities in Hispanic employment in the Federal government.
- E. In furtherance of Executive Order 13171, OPM has issued annual reports to the President on the progress of efforts to increase Hispanic employment in the Federal government.
- F. Title VII of the Civil Rights Act of 1964, as amended, and the Civil Rights Act of 1991, Equal Employment Opportunity.
- G. The Civil Service Reform Act of 1978 requires "fair and equitable" treatment in all aspects of personnel management without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or disabling condition.
- H. 29 CFR Part 1614, Federal Sector Equal Employment Opportunity.
- I. Executive Order 11478, Equal Employment Opportunity in Federal Government (August 12, 1969) (superseded Executive Order 11246 and parts of Executive Order 11375 applicable to the Federal Government), as amended by Executive Orders 13087 (May 28, 1998) and 13152 (May 2, 2000).
- J. U.S. Equal Employment Opportunity Commission Management Directive 110.
- K. U.S. Equal Employment Opportunity Commission Management Directive 715.
- L. Departmental Regulation 4230-002, Special Emphasis Programs (June 4, 2009).

### 403.53 Program Objectives

The Hispanic Emphasis Program is an integral part of the overall equal employment opportunity (EEO) program and is designed to—

- (1) Ensure that Hispanics receive equal treatment in all aspects of employment.
- (2) Increase the number of Hispanics employed in all professional, administrative, technical, clerical, and other categories, series, and grade levels.
- (3) Provide opportunities to participate in training, career development, and leadership programs.
- (4) Encourage the participation of Hispanics in all NRCS-sponsored programs and activities.
- (5) Provide a network of professional support for Hispanics.
- (6) Provide mentoring support to Hispanics in the workforce.
- (7) Educate all NRCS employees by raising the level of awareness of Hispanic workplace issues and concerns.

### 403.54 Organizational Structure

The HEP is an integral part of the overall equal opportunity program in NRCS. It is coordinated through the national Hispanic Emphasis Program manager (HEPM), who is assigned to the Outreach and Advocacy (O&A) Division and serves as the principal staff advisor to the director of the O&A Division on legislation, policies, employment, and program issues impacting Hispanics.

### 403.55 Appointment of the National HEPM

The national HEPM position is filled through competitive appointment on a permanent full-time basis.

#### **403.56 Duties and Responsibilities of National HEPM**

The national HEPM provides program leadership and direction for agencywide activities related to the HEP. Specifically, the national HEPM—

- (1) Formulates and implements the general direction of the overall NRCS Hispanic Emphasis Program and evaluates the effectiveness of activities and programs toward achieving HEP objectives.
- (2) Provides training, guidance, information, and assistance to National Headquarters, regions, State managers, supervisors, and collateral duty HEPMs concerning their HEP responsibilities. In addition, the national HEPM serves as the principal resource person and staff advisor on legislation, affirmative employment programs, and unique concerns and problems related to equal opportunities for Hispanic employees.
- (3) Analyzes and evaluates employment policies, practices, procedures, and workforce profile data to determine if barriers or potential barriers to full participation exist and reports findings to the appropriate officials with recommendations for corrective action. This includes participation in the development and monitoring of the agency's civil rights program, plans, and reports (e.g., EEOC's MD-715, EEO Program Status Report, and reports relating to Hispanics in the Federal Government).
- (4) Establishes and strengthens relationships with organizations and groups representing the Hispanic community.
- (5) Maintains relationships with HEPMs from other agencies and Hispanic organizations for the mutual exchange of ideas, advice, best practices, and information.
- (6) Serves as the NRCS representative on the Department's HEP committee.
- (7) Participates in studies and reviews to identify possible forms of discrimination and barriers to equal opportunity in employment activities (e.g., recruitment, hiring, development, promotion, recognition and awards, and retention).
- (8) Serves as the principal resource for the director of the O&A Division by providing assistance on national reporting requirements and tasks related to special emphasis programs and provides training, guidance, and assistance to the collateral duty national special emphasis program managers.

#### **403.57 Appointment of Collateral Duty HEPMs**

- A. Deputy equal opportunity officers (DEOOs) appoint collateral duty HEPMs within their jurisdictional areas. The collateral duty HEPMs report directly to the DEOOs on issues impacting Hispanics.
- B. A collateral duty HEPM should devote 20 percent of his or her time to the program. It is recommended that the HEPM serve on a collateral duty basis for a 3-year term. At the end of the 3-year term, the incumbent may reapply and if selected may be renewed for an additional 3-year term.
- C. Criteria for selection should include bilingual or bicultural background (where possible), sensitivity to the Hispanic community, ability to function effectively under pressure, and commitment to EEO and the HEP.

#### **403.58 Duties and Responsibilities of Collateral Duty HEPM**

Collateral duty HEPMs provide program leadership and support the national HEPM in implementing a viable HEP agencywide. The national HEPM provides technical guidance, and the collateral duty HEPM ensures that HEP activities are integrated into the overall equal opportunity program in the organizational unit. In their organizational units, the collateral duty HEPMs—

- (1) Advise the directors and State Conservationists on matters affecting the employment and advancement of Hispanics.
- (2) Serve as members to the civil rights committee in their organizational units to ensure that all NRCS activities are free from discrimination and that barriers to the recruitment, employment, and advancement of Hispanics are addressed. HEPMs assist in evaluating the effectiveness of the overall equal opportunity program in their organizational units and assist in identifying new and changing program needs.
- (3) Coordinate or conduct educational programs (e.g., workshops, seminars, or other types of programs, such as HEP observances).
- (4) Maintain close contact with community organizations for possible job referrals of Hispanic applicants and stay attuned to concerns of the Hispanic population.
- (5) Attend job fairs or other functions at local high schools, colleges, and universities to obtain names of applicants and provide information on job opportunities; send recruitment literature to schools and community groups; sponsor workshops and speakers, information booths at conferences, career days, and other training programs.
- (6) Keep the national HEPM informed of field activities affecting Hispanics.
- (7) Serve as local representative at national, regional, and State meetings concerning Hispanic issues.
- (8) Serve as a communication link between employees and the national HEPM, keeping State employees aware of HEP activities and developmental opportunities through electronic

messages, memos, bulletins, newsletters, and other appropriate means.

(9) Perform other duties related to the HEP as identified by the DEOO, national HEPM, and HEP committees, as appropriate.

#### **403.59 Documenting HEPM Collateral Assignments**

A. The HEPM's collateral duty will be described in writing as part of his or her position description and show—

- (1) Scope of responsibility.
- (2) Supervisory roles of DEOO, equal opportunity liaison officer, and the immediate supervisor.
- (3) Percentage of official time to be spent on the HEP.
- (4) Specific duties and responsibilities of the collateral assignment.

B. In addition, the DEOO, equal opportunity liaison officer, and the immediate supervisor will prepare a memorandum of understanding (see subpart J) that responds to the following questions regarding working conditions:

- (1) How and when will the appointee receive HEP assignments?
- (2) What percentage of official time will be spent on the HEP, and how will adjustments be made to meet HEP objectives?
- (3) Who will appraise the appointee's performance, and how will the appraisals be completed?
- (4) Who will provide clerical support and office facilities, if needed?

#### **403.60 Definition**

A Hispanic, Latino, or Latina is a person of Mexican, Puerto Rican, Cuban, South or Central American, or other Spanish culture or origin, regardless of race. People who identify their origin as Spanish, Hispanic, or Latino may be of any race or color.

#### **403.61 Annual Business Plan of Operation**

A. Annual business plans of operation are important management tools that are effective in gauging progress in meeting short- and long-term goals and in scheduling annual program activities. They also provide the basis for determining the performance of managers in specific areas of responsibility.

B. Collateral duty HEPMs will develop results-oriented annual business plan of operations. The annual plan should contain realistic and achievable action items in accordance with this subpart.

#### **403.62 Reports**

A. Collateral duty HEPMs will submit quarterly activity reports to the national Hispanic Emphasis Program manager.

B. Collateral duty HEPMs will submit an annual report to the national Hispanic Emphasis Program manager highlighting major accomplishments during the fiscal year.