

Subpart G - Black Emphasis Program

403.110 Purpose

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

403.111 Policy

It is NRCS policy to conduct a positive and continuing BEP that provides equal employment opportunity for African Americans/Blacks in all personnel management policies and practices and in NRCS-sponsored programs and activities.

403.112 Authorities

- A. Title VII of the Civil Rights Act of 1964, as amended, and the Civil Rights Act of 1991, Equal Employment Opportunity.
- B. 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.
- C. 29 CFR Part 1614, "Federal Sector Equal Employment Opportunity."
- D. Executive Order 11478, Equal Employment Opportunity in Federal Government (August 12, 1969) (superseded Executive Order 11246 and parts of Executive Order 11375 applicable to the Federal Government), as amended by Executive Orders 13087 (May 28, 1998) and 13152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).
- E. U.S. Equal Employment Opportunity Commission Management Directive 110.
- F. U.S. Equal Employment Opportunity Commission Management Directive 715.
- G. USDA Departmental Regulation 4230-002, Special Emphasis Programs (June 4, 2009).

403.113 Program Objectives

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

- (1) Ensure that African Americans/Blacks receive equal treatment in all aspects of employment.
- (2) Increase the number of African Americans/Blacks 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 African Americans/Blacks in all NRCS-sponsored programs and activities.
- (5) Provide a network of professional support for African Americans/Blacks.
- (6) Provide mentoring support to African Americans/Blacks in the workforce.
- (7) Educate all NRCS employees by raising the level of awareness of African American/Black workplace issues and concerns.

403.114 Organizational Structure

The BEP is an integral part of the overall equal opportunity program in NRCS. It is coordinated through the collateral duty national Black Emphasis Program manager (BEPM), 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 African Americans/Blacks.

403.115 Appointment of the Collateral Duty National BEPM

- A. The collateral duty national BEPM vacancy is announced every 3 years, or on an as-needed basis, through a national bulletin and filled through a competitive process. The position is a collateral assignment and appointed by the director of the O&A Division.
- B. The national BEPM serves 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. The collateral duty national BEPM is required to dedicate 20 percent of his or her official time performing national BEPM-related assignments.

403.116 Duties and Responsibilities of the Collateral Duty National BEPM

The collateral duty national BEPM is responsible for providing program leadership and direction for agencywide activities related to the BEP. Specifically, the collateral duty national BEPM—

- (1) Formulates and implements the general direction of the overall NRCS Black Emphasis

Program and evaluates the effectiveness of activities and programs toward achieving BEP objectives.

- (2) Provides training, guidance, information, and assistance to National Headquarters, regions, State managers, supervisors, and collateral duty State and center BEPMs concerning their BEP responsibilities. In addition, the collateral duty national BEPM serves as the principal resource person and staff advisor on legislation, affirmative employment programs, and unique concerns and problems related to equal opportunities for African American/Black 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.
- (4) Establishes and strengthens relationships with organizations and groups representing the African American/Black community.
- (5) Maintains relationships with BEPMs from other agencies and African American/Black organizations for the mutual exchange of ideas, advice, best practices, and information.
- (6) Serves as the NRCS representative on the Department's BEP 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).

403.117 Appointment of Collateral Duty State and Center BEPMs

- A. Deputy equal opportunity officers (DEOOs) appoint collateral duty State and center BEPMs within their jurisdictional areas. The collateral duty BEPMs report directly to the DEOOs on issues impacting African Americans/Blacks.
- B. A collateral duty BEPM should devote 20 percent of his or her time to the program. It is recommended that the BEPM 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 sensitivity to the African American/Black community, ability to function effectively under pressure, and commitment to EEO and the BEP.

403.118 Duties and Responsibilities of Collateral Duty State and Center BEPMs

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

- (1) Advise the directors and State Conservationists on matters affecting the employment and advancement of African Americans/Blacks.
- (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 African Americans/Blacks are addressed. BEPMs 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, training seminars, or other types of programs such as BEP historical observances).
- (4) Maintain close contact with community organizations for possible job referrals of African American/Black applicants and stay attuned to concerns of the African American/Black producer 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 BEPM informed of field activities affecting African Americans/Blacks in the workplace.
- (7) Serve as local representative at national, regional, and State meetings concerning African American/Black workplace issues.
- (8) Serve as a communication link between employees and the national BEPM, keeping State employees aware of BEP activities and developmental opportunities through electronic messages, memos, bulletins, newsletters, and other appropriate means.
- (9) Perform other duties related to the BEP as identified by the DEOO, national BEPM, and BEP committees, as appropriate.

403.119 Documenting State and Center BEPM Collateral Assignments

- A. The State or center BEPM'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 the DEOO, equal opportunity liaison officer and the immediate supervisor.

- (3) Percentage of official time to be spent on the BEP.
- (4) Specific duties and responsibilities of the collateral assignment.

B. In addition, the DEEO, 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 BEP assignments?
- (2) What percentage of official time will be spent on the BEP, and how will adjustments be made to meet BEP 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?

403.120 Definition

A Black or African American is a person having origins in any of the black racial groups of Africa.

403.121 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 State and center BEPMs will develop results-oriented annual business plan of operations. The annual plan should contain realistic and achievable action items in accordance with this subpart.

403.122 Reports

A. Collateral duty State and center BEPMs will submit quarterly activity reports to the collateral duty national Black Emphasis Program manager.

B. Collateral duty State and center BEPMs will submit an annual report to the collateral duty national Black Emphasis Program manager highlighting major accomplishments during the fiscal year.