

Title VII

Equal Employment Opportunity

General Manual 230 Part 401

Employment Discrimination

Unequal or unfair treatment

on

Prohibited Practices

No Discrimination on the basis of:

- Race
- Color
- National Origin
- Sex (sexual harassment)
- Religion
- Age (40 +)
- Disability (Physical or Mental)

No Discrimination on the basis of:

- Retaliation (for prior EEO compliant)
- Sexual orientation
- Marital or Family Status
- Political Belief
- Parental Status
- Protected genetic information

Key “Can’t” items:

- Refuse to consider applicants
- Limit opportunities for training, assignments, etc
- Apply different standards
- Use discriminatory preferences
- Meet in segregated facilities

EEO Complaint Process

1. Information process (pre-complaint) 45 days after the event
2. Formal Process
15 days after informal process (notice of final interview with EEO counselor)

<http://www.nrcs.usda.gov/about/civilrights/docs/EEOChart.doc>

How Do I Contact an EEO Counselor?

- http://www.nrcs.usda.gov/about/civilrights/Complaints_Branch.html
- Federal Relay Service:
 - 1-800-877-8339 (Voice or TTY)

Reasonable Accommodations: Executive Order 13164

NRCS will make reasonable accommodations for employees with disabilities, unless undue hardship to the agency

Request can be made by:

- Employee
- Family member
- Immediate supervisor
- Medical provider
- Other representative

Accommodation Request

- 30 days to handle request
- Process kept confidential
- Request can be oral or in writing



**Civil Rights Advisory Committee
provides recommendations to
State Conservationist
on Title VI & VII**

Special Emphasis Programs:

Legislated

- Federal Women's Program
- Hispanic Emphasis Program
- Disability Emphasis Program
- Veterans Emphasis Program

Special Emphasis Programs

Mandated

- Asian American/Pacific Islander
- American Indian/Alaskan Native
- Black

Special Emphasis Program Manager (SEPM)

- Collateral duties to manage special emphasis program
- Reports to State Conservationist
- Addresses employment related concerns of NRCS employees

Section 508

Rehabilitation Act of 1973 requires:

- Persons with disabilities to have same access to information as that of non-disabled.
- Applies mainly to communication media

Section 508

- Applies to both internal and external activity
- Includes electronic and information technology
- Applies only to Federal agencies

Section 508

- Does not apply to private sector unless receiving federal funds to provide service.



American with Disabilities Act (ADA)

ADA

1. Employment: Discrimination against qualified individuals with disabilities.

ADA

2. Public Access to our offices, services and programs

ADA

3. Public meetings & facilities:
Be accessible, translations, sign language, etc.

The background of the slide is a solid orange-brown color with a pattern of stylized, semi-transparent autumn leaves in various shades of brown and orange. The leaves are scattered across the frame, some overlapping, creating a textured, seasonal feel.

Sexual Harassment

Sexual Harassment

Is dependent on how the person (s) are affected.

It is not about the harasser's intent!!

Examples of Conduct or Behaviors that Constitute Sexual Harassment

1. **Physical** – Unwelcome touching, leaning over, cornering, pinching, patting/rubbing against, stroking, neck massages, or other physical contact of a sexual nature
2. **Verbal** - Unwelcome teasing, insults, innuendoes, jokes, remarks, comments, questions, or stories of a sexual nature

Examples of Conduct or Behaviors that Constitute Sexual Harassment (cont'd)

3. **Nonverbal** – Poster, calendars, cartoons, or other material of a sexual nature
 - Making unwelcome facial expressions
 - Displaying sexually explicit pictures, videos, or computer displays
 - Giving unwelcome personal gifts

What should you do if harassed?

1. Confront the harasser
2. Keep a record
3. Notify a supervisor or management official
4. Contact other sources of help

**Applies in any work related
environment. i.e.**

Field office

Off-site work related meetings

CD supervisors & staff

Producers

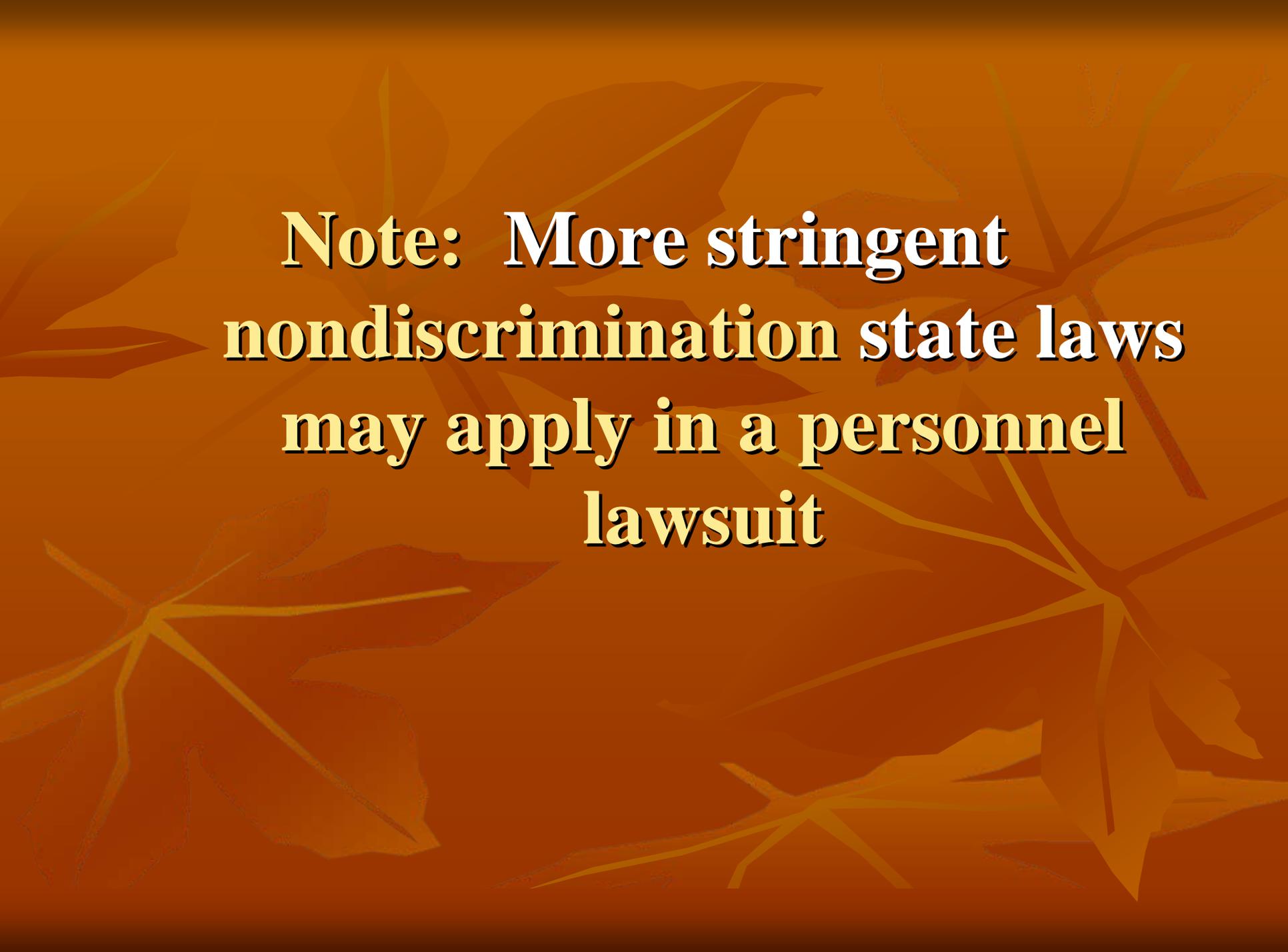
On travel status

Advice for Supervisors

- Make sure everyone knows your sexual harassment policy
- Set the tone for the office work environment
Your are responsible for your FO work environment
- Never ignore sexual harassment
- Treat every incident seriously
- Always keep matters confidential
- Seek help



**Individuals can sue
agency for any
violations**



**Note: More stringent
nondiscrimination state laws
may apply in a personnel
lawsuit**

Summary

You have now completed the EO component of your Civil Rights Training.

You should be aware of the considerations of creating and maintaining a productive workplace that respects the dignity of all employees.