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## Quarterly Quote~

"If we are to achieve a richer culture, rich in contrasting values, we must recognize the whole gamut of human potentialities, and so weave a less arbitrary social fabric, one in which each diverse gift will find a fitting place."

— Margaret Mead

## Celebrating "Louisiana's Firsts"

*-Burnell Muse, Black Special Emphasis Program Manager*

February was Black History Month and the theme for 2012 was "Black Women in American Culture and History".

Over the years, it has become customary for NRCS to solicit employee participation in Black History and other special observances by giving everyone the opportunity to express their creativity in national poster contests.

However, this year's poster contest was hit with a few road blocks because NRCS has tightened its policy on the use of copyrighted photos and materials downloaded from the internet. So to save the day, BEPMs came up with the ideal way to promote Black history within NRCS by designing the Celebrating "The First" Black Women in NRCS poster.

You probably noticed that no one from Louisiana is included on the poster. Don't worry; the poster will be updated throughout 2012.

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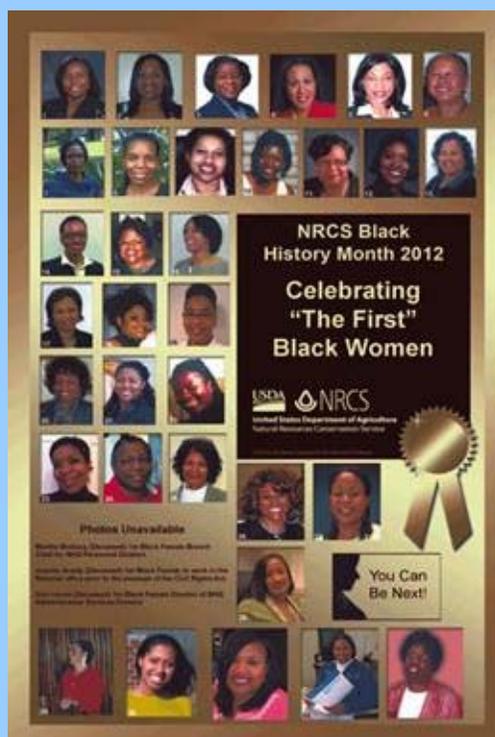
[Adele Swearingen](#)

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In researching Louisiana's firsts, one name came up in several positions in the field. Jeanette J. Bradley was the first black female soil scientist (St. Tammany, Orleans, St. Bernard, Washington and St. Helena Parishes), first black female soil conservationist (Franklinton Field Office) and first black female district conservationist (New Roads Field Office). Ms. Bradley also served as the first black female resource soil scientist for Southern Mississippi, first female assistant state soil scientist in Arkansas and first black female to head the NRI/ Remote Sensing Lab for the South Central Region at Fort Worth. Jeanette retired from NRCS in 2010 with over 30 years of service.

Please join everyone in celebrating Jeanette Bradley as one of "NRCS Louisiana's First".



## Women's History Month March 2012

-Amanda York, Federal Women's Special Emphasis Program Manager

In March we celebrated National Women's History Month. This year's theme was, "Women's Education-Women's Empowerment." The purpose of the theme was to honor the 40<sup>th</sup> year anniversary of the passing of Title IX of the Education Code, which dramatically changed the American system of public education and improved the lives of countless women and men.

Title IX was passed into law on June 23, 1972. The primary focus was to prevent sex discrimination in education by programs that receive federal financial assistance. It

was patterned after Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the grounds of race, color, or national origin in any program or activity receiving federal financial assistance. The legislation covers programs such as admissions, recruitment, financial aid, academic programs, physical education, athletics, grading, discipline, housing, and employment in school districts, colleges, and universities, and for-profit schools that receive federal money. It was drafted and introduced by Congresswoman Patsy T. Mink, with the assistance of Congresswoman Edit Green.

For more information about National Women's History Month 2012, visit the Louisiana Federal Women's Program Webpage at:

<http://www.la.nrcs.usda.gov/about/federalwomensprogram/index.html>

## Does Age Really Matter?

*-Johanna Pate, Civil Rights Chairperson*

Stereotypes about older people abound in our culture, but employers are not allowed to indulge in them when making workplace decisions. A number of state and federal laws prohibit employers from discriminating against employees and applicants on the basis of age. Two of those laws are the Age Discrimination in Employment Act of 1967 (ADEA) and the Age Discrimination Act of 1975.

The **Age Discrimination in Employment Act of 1967 (ADEA)** protects individuals who are 40 years of age or older from employment discrimination based on age. The ADEA's protections apply to both employees and job applicants. Under the ADEA, it is unlawful to discriminate against a person because of his/her age with respect to any term, condition, or privilege of employment. This includes hiring, firing, promotion, layoff, compensation, benefits, job assignments and training.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminated based on age or for filing an age discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under the ADEA.

The ADEA applies to employers with 20 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as to the federal government.

### **Job Notices and Advertisements**

The ADEA generally makes it unlawful to include age preferences, limitations, or specifications in job notices or advertisements. A job notice or advertisement may specify an age limit only in the rare circumstances where age is shown to be a "bona fide occupational qualification" reasonably necessary to the normal operation of the business.

### **Pre-Employment Inquiries**

The ADEA does not specifically prohibit an employer from asking an applicant's age or date of birth. However, because such inquiries may deter older workers from applying for employment or may otherwise indicate possible intent to discriminate based on age, requests for age information will be closely scrutinized to make sure that the inquiry was made for a lawful purpose, rather than for a purpose prohibited by the ADEA. If the information is needed for a lawful purpose, it can be obtained after the employee is hired.

**The Age Discrimination Act of 1975** prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance. The Act, which applies to all ages, permits the use of certain age distinctions and factors other than age that meet the Act's requirements.

## Understanding Affirmative Employment Plan (AEP) Comparison Data

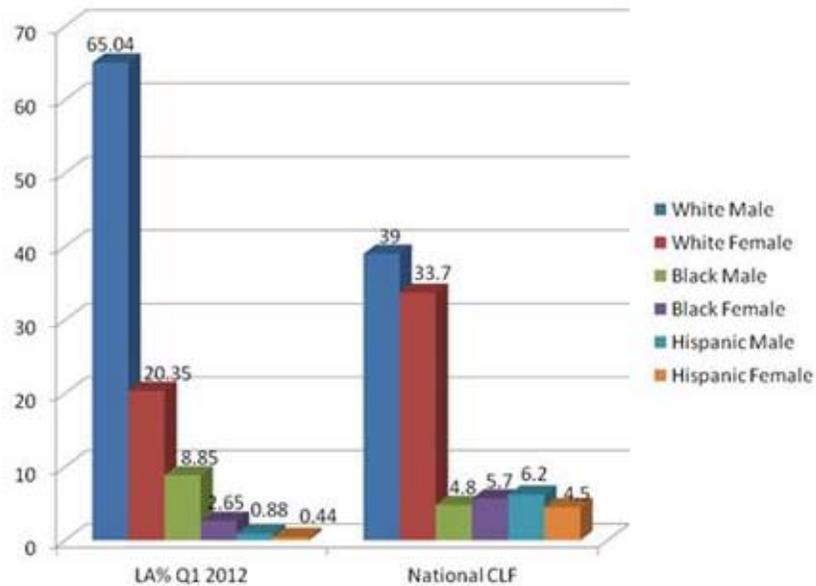
*-Adele Swearingen, Content Editor*

To understand the Affirmative Employment Comparison Data, one must first understand the basics of affirmative employment. Affirmative employment is a legal concept that requires federal agencies do more than ensure that equal opportunity is a part of its practices. The goal of affirmative employment is to achieve a federal workforce representative of the nation's population.

For the purpose of the AEP Comparison Data, under representation exists when minorities or women constitute a smaller percentage in an employment category than the group's percentage in the applicable labor force. Using a formula that compares the agency's work force with the National Civilian Labor Force, a figure called the "under representation index" or UI, is calculated. **The lower the index, the more severe the under representation.**

Below is a chart showing a snapshot of the AEP Comparison Data for Louisiana NRCs. Not all groups are represented in this snapshot.

Goal: Our  
Workforce Reflects  
Our Population



	White		Black		Hispanic	
	Male	Female	Male	Female	Male	Female
LA % of Workforce in FY 2012 Q1	65.04	20.35	8.85	2.65	.88	.44
National CLF	39	33.7	4.8	5.7	6.2	4.5

The first step is to look at the % of Workforce and the CLF percentage. Where the **employment percentage is greater than the CLF percentage, there is no under representation.**

At this time, there is no under representation in Louisiana NRCS in white males or black males. No further calculations are necessary.]

The second step is to calculate under representation by dividing the employment percentage by the CLF percentage. The resulting number is then multiplied by 100 to get the UI.

Once calculated using the above formula, the UI for the various groups listed above in Louisiana's NRCS workforce are as follows:

- White Female – 60.39
- Black Female - 46.49
- Hispanic Male – 14.19
- Hispanic Female – 9.78

Now that the UI has been calculated it will be used in several ways:

- To trigger affirmative recruitment activities.
- To give an indication of the severity of under representation which will be used in setting recruitment priorities.
- To serve as a “quantifiable index” by which progress toward eliminating under representation may be measures.

In this case, efforts to recruit would be prioritized according to the severity of under representation.

## Reasonable Accommodations

*-Adele Swearingen, Content Editor*

Reasonable accommodations should be provided to people with disabilities, upon request, at all public meetings, conferences, tours, or other events hosted by NRCS and partners. The reasonable accommodations statement must be included in the meeting notice posted in the community, news releases sent to the media, newspaper articles, and/or in the meeting registration form. The reasonable accommodations statement does not replace the nondiscrimination statement. Both statements are required.

The following statement is to be included on all printed materials describing the public meeting or event: “The NRCS provides reasonable accommodations for individuals with disabilities. To request special accommodation(s), contact (insert name and telephone number) at least ten days prior to the date of the meeting or event.”

If space constraints on the materials are severe, you may use the following abbreviated statement: “Persons with disabilities who anticipate needing reasonable accommodations or who have questions about physical access may contact (insert name and telephone number) prior to the meeting or event.”

## Civil Rights Training

*-Corby Moore, District Conservationist, Deridder*

Louisiana NRCS has hosted three sessions of “Civil Rights Compliance in Program Delivery” this year in Lafayette, Monroe, and Alexandria. The trainings were held to educate NRCS employees about their responsibilities regarding civil rights while working for NRCS and administering NRCS programs. The trainers for each of the sessions were Johanna Pate and Corby Moore.

Johanna Pate instructed the classes on Title VI and Title VII of the Civil Rights Act of 1964 and how they are the legal backdrop for the NRCS Civil Rights Implementation Plan. She also discussed Title IX of the Education Amendments of 1972 that prohibits discrimination on the basis of sex in providing programs and services. She then covered Section 508 of the Rehabilitation Act of 1973 that requires access for all employees or members of the public with disabilities to electronic and information technology provided by the federal government, and The Age Discrimination Act of 1975 that prohibits discrimination on the basis of age in providing programs and services to clients. Johanna also discussed diversity and the relationship of cultural values to diversity.

Corby Moore instructed the class on methods helpful in indentifying racial-ethnic and special groups within our Louisiana work area and discussed components of effective outreach programs. Corby Moore also taught the

classes how to use NRCS Management tools to incorporate civil rights responsibilities into all programs, operations, and other management functions. He also discussed the local soil and water conservation district board's role and way to encourage diverse representation on the board. The classes also learned how to apply the program evaluation process used in Civil Rights Compliance reviews, and how to handle program discrimination complaints.

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