

United States Department of Agriculture
Marketing and Regulatory Programs
Animal and Plant Health Inspection Service
Grain Inspection, Packers and Stockyards Administration

Directive

CIVIL RIGHTS

MRP 4713.1

11/1/96

This Directive:

- a. Provides the Marketing and Regulatory Programs' (MRP) policy on civil rights covering all employees in the Animal and Plant Health Inspection Service and the Grain Inspection, Packers and Stockyards Administration; and
- b. Provides employees with guidelines for ensuring equal opportunity in employment on the basis of merit and fitness and for prohibiting discrimination in employment on the basis of irrelevant factors.

2. AUTHORITIES

- a. Title 29, Code of Federal Regulations (CFR), Part 1614, Federal Sector Equal Employment Opportunity (EEO), relates to Agency programs to promote EEO.
- b. Title VI of the Civil Rights Act of 1964, as amended. Title VI states that no person in the United States shall, on the "grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." If Federal departments and/or agencies determine that any program or activity does not comply with established requirements for nondiscrimination in program delivery, termination of or refusal to grant or to continue Federal assistance under such program or activity may result.
- c. Title VII of the Civil Rights Act of 1964, as amended. Title VII prohibits discrimination based on race, color, religion, gender (sex), national origin, and reprisal in all terms, conditions, privileges, and compensations of employment. The Civil Rights Act of 1991 extended coverage to all Federal employees,

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including coverage of the House of Representatives and the agencies of the legislative branch, to deter unlawful harassment and intentional discrimination in the workplace.

- d. The Age Discrimination in Employment Act of 1967 (P.L. 93-259), as amended. This Act protects applicants and employees in the Federal government who are 40 years of age or older in such matters as hiring, discharge, compensation, and other terms, conditions, and privileges of employment. Agencies are required to ensure that all personnel actions are free from age discrimination.
- e. Executive Order 11478, August 8, 1969. This Order amends Executive Orders 11246 (established the basis of race, creed, color, or national origin) and 11375 (added gender/sex as a basis) providing for strengthening EEO programs in the Federal government by expressly prohibiting discrimination on the bases of race, color, religion, gender, or national origin and to promote the full realization of EEO through establishing and maintaining a continuing affirmative program in each executive department and agency. This EEO policy applies to and must be an integral part of every aspect of personnel policy, practice, and systems in the employment, development, advancement, and treatment of civilian employees of the Federal government.
- f. EEO Act of 1972 (Public Law (P. L.) 92-261). As a result of the enactment of the EEO Act on March 24, 1972, the Civil Rights Act of 1964 was amended to extend Title VII, Nondiscrimination in Employment, to Federal employees. Accordingly, agency heads within the Federal Service were obligated by statute to comply with civil rights laws, orders, instructions, and regulations.
- g. Rehabilitation Act of 1973, as amended, Section 501 (P. L. 93-112). This Act ensures that all Federal agencies give full consideration to the hiring, placement, and advancement of qualified persons with a mental or physical disability. It also ensures that reasonable accommodations to the known physical and mental disabilities of individuals are made, and restricts the use of pre-employment or employment criteria that would screen out persons with disabilities.
- h. Rehabilitation Act of 1973, as amended, Section 504 (P.L. 93-112). This Act ensures that no *otherwise qualified* handicapped individual in the United States, solely by reason of his/her handicap (disability), is excluded from the participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance.
- i. Civil Service Reform Act of 1978 (P.L. 95-454). This Act requires that the Office of Personnel Management implement, by regulations applicable to all executive departments and agencies, a minority recruitment program, and that all agencies

conduct continuing programs for the recruitment of minorities to eliminate underrepresentation in Federal employment, establish Federal Employment Opportunity Recruitment Plan (FEORP) Systems, and review and evaluate the effectiveness of such programs. FEORP plans must be a part of each agency's Affirmative Employment Program Plan.

- j. Americans with Disabilities Act of 1990, (P.L. 101-336). This Act ensures equal employment opportunities for, and nondiscrimination of, qualified individuals with disabilities in the private sector and in State and local governments.
- k. Civil Rights Act of 1991 (P.L. 102-166). This Act amends the Civil Rights Act of 1964 to strengthen and improve Federal civil rights laws by adding additional protections to deter unlawful harassment and intentional discrimination in the workplace, i.e., to provide for damages in cases of intentional employment discrimination, to clarify provisions regarding disparate impact actions, etc.
- l. Executive Order 12989, February 11, 1994, Environmental Justice. This Order commits the Federal government to environmental justice principles. Federal agencies are directed to incorporate environmental justice as part of their overall mission's policies, programs, and activities by identifying and addressing disproportionately high and adverse human health and environmental effects of programs, policies, and activities on minority populations and low-income populations. The Order establishes the Environmental Justice Interagency Working Group to provide guidance to the agencies on identifying environmental justice problems, and to work with each agency to develop corrective strategies and strategic plans.

3. BACKGROUND

- a. In MRP, civil rights is an integral part of every aspect of personnel policy and practices involving the employment, development, retention, advancement, and treatment of employees. Periodically, MRP evaluates program efforts to achieve civil rights goals and the extent to which they comply with Federal laws, regulations, guidelines, and policies on equal opportunity. Program changes are made where desirable or necessary. Reports on MRP's progress and accomplishments relating to affirmative employment and other civil rights activities are submitted periodically to Civil Rights, United States Department of Agriculture (USDA); Departments of Justice and Health and Human Services; and the Equal Employment Opportunity Commission (EEOC).
- b. The goal of MRP is to ensure a fully integrated, diverse workforce in all organizational units and job classification series, at all grade levels, and in all

geographical locations, both at headquarters and in the field.

4. DEFINITIONS

- a. **Affirmative Action.** The term was first used in Federal civil rights law when President Kennedy issued Executive Order 10925 in 1961, requiring Federal contractors to "take affirmative steps to ensure" equal employment opportunity. This Order also established a President's Committee on Fair Employment Practices, directed the Committee to study the Government's employment practices, and recommended additional affirmative steps that agencies within the Executive Branch of the Government should take to "realize more fully the national policy of nondiscrimination."
- b. **Affirmative Employment.** A legal concept which requires agencies to do more than ensure nondiscrimination in employment practices. It requires managers and supervisors to make good faith efforts to recruit, employ, and promote qualified members of EEO groups and to identify and remove barriers that impede employment opportunities.
- c. **Collateral-duty Assignment.** An alternative to a full-time position, e.g., Special Emphasis Program Manager, Affirmative Employment Program Liaison, etc., with the following characteristics: a collateral-duty assignment is not the primary purpose for establishing or continuing the employee's official position-of-record; the assignment does not constitute a grade-controlling duty or responsibility; in MRP, collateral duties normally constitute up to 20 percent, but cannot exceed 50 percent of the employee's time; management of the assignment is not a critical performance element; and the assignment may be discontinued, at management's discretion, without complying with adverse action procedures.
- d. **Complaint.** There are 3 different types of complaints as explained below:
 - (1) Class Complaint. A formal, written allegation of discrimination filed on behalf of a class (group of employees, former employees, or applicants for employment) by the agent (class representative/member) of the class alleging that they have been adversely affected by an agency personnel management policy or practice which discriminates against the group on the basis of their common race, color, religion, gender, national origin, age, or disability (handicapping condition). (29 CFR §1613.601 (b).)
 - (2) Individual Complaint. A formal allegation of employment discrimination and/or retaliation filed by an aggrieved employee with the appropriate person designated to receive complaints at the agency pursuant to 29 CFR,

§1614.103(a). Discrimination is prohibited by Title VII of the Civil Rights Act of 1964, as amended, on the basis of race, color religion, gender, and national origin; the Age Discrimination in Employment Act, on the basis of age when the aggrieved individual is at least 40 years of age; the Rehabilitation Act, on the basis of disability; or the Equal Pay Act, gender-based wage discrimination.

(3) Mixed Case Complaint. A formal allegation of employment discrimination filed by an aggrieved employee with a Federal agency based on race, color, religion, gender, national origin, age, or disability related to or stemming from an action that can be appealed to the Merit Systems Protection Board (MSPB). The complaint may contain only an allegation of employment discrimination, or it may contain additional allegations that the MSPB has jurisdiction to address. (29 CFR §1614.302(a).)

- e. **Federal Employment Opportunity Recruitment Plan (FEORP)**. The FEORP is an equal opportunity recruitment program. It is designed to eliminate under-representation of minorities, women, and people with disabilities in the various categories of civil service employment within the Federal Service, via the establishment of hiring objectives defined by agency management officials. Special efforts are directed at recruiting in minority communities, in educational institutions, and from other sources whereby minorities, women, and people with disabilities can be recruited. (References: 5 CFR, Part 720.201, Subpart A; Civil Service Reform Act of 1978.)
- f. **Grievances**. Requests by an employee, or by a group of employees acting as individuals, for personal relief in a matter of concern or dissatisfaction relating to the employment of the employee(s) under the control of MRP management. (Reference: 5 CFR 771.201, et. seq., and 5 CFR 430.407(e).)
- g. **Marketing and Regulatory Programs (MRP)**. Marketing and Inspection Services was reorganized and renamed Marketing and Regulatory Programs (MRP) on October 20, 1994. MRP consists of the Animal and Plant Health Inspection Service (APHIS), Agricultural Marketing Service (AMS), and Grain Inspection, Packers and Stockyards Administration (GIPSA) officials. The MRP Management Services Team, chaired by the MRP Deputy Administrator, oversees cross-servicing arrangements within MRP to ensure quality, consistency, and service to all agencies.
- h. **Most Populous Occupational Series**. A personnel classification series which has 50+ employees in a designated organizational unit or group.

- i. **People with Disabilities.** People who: a) have a physical and/or mental impairment that substantially limits one or more of life's major activities; b) have a record of such an impairment; or c) are regarded as having such an impairment. Major life activities include caring for oneself, performing manual tasks, walking, standing, hearing, speaking, breathing, learning, seeing, working, etc.
- j. **Prohibited Discrimination.** Prejudiced or prejudicial outlook, action, or treatment of individuals or groups on a basis other than individual merit. Discrimination is prohibited by section 717 of the Civil Rights Act of 1964, as amended; section 501 of the Rehabilitation Act of 1973, as amended; and sections 12 and 15 of the Age Discrimination in Employment Act of 1967, as amended.
- k. **Qualified Individual with a Disability.** An individual with a disability who satisfies the requisite skill, experience, education, and other job-related requirements of the position and who, with or without reasonable accommodation, can perform safely and adequately the essential functions of the position.
- l. **Reasonable Accommodation.** Modifications or adjustments to a job or an application process that enable a qualified applicant with a disability to be considered for the position; or modifications or adjustments to the work environment or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to safely and adequately perform the essential functions of that position; or modifications or adjustments that enable an employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other employees without disabilities (reference 29 CFR, Part 1630.2, Definitions).
- m. **Responsible Officials.** Executives, managers, supervisory officials, and personnel and EEO staff members, whose responsibilities include implementing employment/recruitment policies and practices.
- n. **Special Emphasis Programs (SEP's).** SEP's are an integral part of the overall USDA civil rights (EEO) programs. SEP's enhance opportunities for women, minorities, and persons with disabilities in all employment areas and program delivery activities. SEP's authorized within the Department are the Federal Women's Program, Hispanic Employment Program, Disability Compliance Program and Employment Programs, African American Program, Asian/Pacific American Program, Native American Program, and Small and Limited Resource Farmer's Initiative.
- o. **Underrepresentation.** This exists when the percent of representation of minority group members and women in an agency is less than the percent of representation

of the same group in the U.S. civilian labor force. The two types of underrepresentation are: conspicuous absence and manifest imbalance. Conspicuous absence refers to a particular group of women or minorities that is nearly or totally nonexistent from a particular occupational series or grade level in the workforce. Manifest imbalance refers to a situation where an EEO group is substantially below the representation in the civilian labor force.

- p. **Under-utilized.** This term refers to not utilizing employees to their full potential based on their skills, knowledge, and abilities in support of the mission and goals of the organization/agency.

5. POLICY

It is MRP policy to establish a continuing, active civil rights program designed to promote equal opportunity for all persons and to prohibit discrimination on the basis of race, color, religion, age, national origin, political affiliation, marital status, disability, and gender (including sexual harassment and sexual orientation) and promote the full realization of equal opportunity through a continuing affirmative employment program.

6. RESPONSIBILITIES

APHIS and GIPSA Officials of the MRP Management Services Team will ensure that managers and supervisors promote equal opportunity for all persons in the following categories:

- a. Career Enhancement.
 - (1) Utilize, to the fullest extent, the present skills of all APHIS and GIPSA employees.
 - (2) Identify under-utilized APHIS and GIPSA employees, especially at the lower levels, and provide them with work opportunities commensurate with their abilities, training, and education.
 - (3) Provide developmental opportunities for APHIS and GIPSA employees to enhance their skills, e.g., through on-the-job training, work-study programs, and other training measures, so they may perform at their highest potential and advance in accordance with their abilities.
 - (4) Apply all of the principles of equal opportunity when selecting personnel for training and/or career development programs.
- b. Communication.

- (1) Inform APHIS and GIPSA employees and recognized employee organizations of the affirmative employment program and other civil rights programs and enlist their cooperation and support.
- (2) Inform APHIS and GIPSA employees of methods for contacting civil rights officials and groups, such as:
 - (a) MRP and USDA Civil Rights Officials;
 - (b) Civil Rights (EEO) Advisory Committees;
 - (c) SEP Managers;
 - (d) Issues Councils and Organizations; and
 - (e) Civil Rights (EEO) Counselors/Mediators.
- (3) Make copies of civil rights policies and regulations and Affirmative Employment Program Plans available to employees in APHIS and GIPSA.

c. Community Outreach.

- (1) Participate at the community level with other employers, schools and universities, and other public and private groups in cooperative action to improve employment opportunities in APHIS and GIPSA and community conditions that affect employability.
- (2) Implement employment/recruitment efforts, policies, and practices for APHIS and GIPSA.

d. Complaints of Employment Discrimination.

- (1) Provide for the prompt, fair, and impartial consideration and disposition of MRP complaints involving issues of discrimination on the basis of race, color, religion, gender, national origin, age, or disability.
- (2) Ensure that MRP employees are free from any and all restraint, interference, coercion, or reprisal on the part of their colleagues, management, and/or supervisors in:

- (a) Initiating any complaint or appeal;
- (b) Serving as representatives for a complainant;
- (c) Appearing as witnesses; or
- (d) Seeking information.

The aforementioned principles apply with equal force after a complaint is resolved or settled.

- (3) Inform MRP employees and applicants that equal opportunity counseling and mediation services are provided by the Civil Rights Enforcement and Adjudication Staff, Office of Operations, USDA.
- (4) Inform all employees within MRP that the APHIS Disputes Resolution Branch, Civil Rights Enforcement and Compliance (CREC), assists Civil Rights Enforcement and Adjudication, USDA, in administering the system for processing formal complaints of employment discrimination filed by MRP employees or applicants who allege discrimination.

e. Discrimination.

- (1) Conduct a continuing campaign in APHIS and GIPSA to eliminate from personnel policies/practices and working conditions all forms of prejudice, retaliation, and discrimination.
- (2) Take appropriate disciplinary action against APHIS and GIPSA employees who engage in discriminatory practices.
- (3) Inform employees that all public information materials must include the standard USDA statements regarding non-discrimination as follows:

“The United States Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, gender, religion, age, disability, marital or familial status, or political beliefs. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotope, etc.) should contact the USDA Office of Communications at 202-720-5881 (voice) or 202-720-7808 (TDD).

“To file a complaint, write the Secretary of Agriculture, USDA,

Washington, DC 20250, or call 202-720-7327 (voice) or 202-720-1127 (TDD). USDA is an equal employment opportunity employer.”

- f. Employee Organizations. Ensure that membership in all APHIS and GIPSA employee organizations is "inclusive" or open to all employees, and that membership is not based on age, race, color, religion, gender, national origin, sexual orientation, or disability.
- g. Employee Recognition of Civil Rights Accomplishments.
 - (1) Provide recognition to APHIS and GIPSA employees, supervisors, managers, and units demonstrating outstanding accomplishment(s) in civil rights.
 - (2) Ensure that recognition for outstanding accomplishments in civil rights is an integral part of the APHIS and GIPSA incentive awards programs.
 - (3) Incorporate the recognition process within planned civil rights efforts to complement the APHIS and GIPSA to complement the civil rights program.
- h. Non-Federal Facilities. Inform all APHIS and GIPSA employees that non-Federal facilities may not be used for official functions or sponsored activities unless full access is available to all personnel, including persons with disabilities, on a nondiscriminatory basis.
- i. Reasonable Accommodation. Make reasonable accommodations for APHIS and GIPSA employees and applicants with physical or mental disabilities, unless the accommodation would impose an undue hardship on the operation of an agency's program(s).
- j. Recruitment. Communicate civil rights program and employment needs to all sources of APHIS and GIPSA job candidates without regard to race, color, religion, age, gender, or national origin and solicit their recruitment assistance on a continuing basis.
- k. Religious Needs. Make reasonable accommodations, when requested, for religious needs of applicants and employees when those accommodations can be made without undue hardship on the business of APHIS and GIPSA. Accommodations can be made by using another employee, granting leave, or other means.

7. CIVIL RIGHTS (EEO) RESPONSIBILITIES

- a. Department. The Assistant Secretary for Administration is the USDA Civil Rights Officer. The Directors, Civil Rights and Office of Operations, USDA, provide leadership, direction, and coordination for USDA's civil rights program, including program compliance, EEO, special emphasis programs, civil rights counseling and mediation, and complaints adjudication.
- b. MRP. Responsibility for the operation of the Civil Rights Program in APHIS and GIPSA is as follows:
 - (1) The Administrators of APHIS and GIPSA, jointly:
 - (a) Exercise personal leadership and provide sufficient resources to administer and maintain an effective joint Civil Rights Program for APHIS and GIPSA.
 - (b) Ensure the implementation of regulations, policies, and guidelines from the EEOC within APHIS and GIPSA, including the development of Agency-specific EEO guidelines and policies.
 - (c) Provide for a system within APHIS and GIPSA for periodically evaluating the effectiveness with which the policy of Executive Order 11478, Equal Opportunity Employment, is implemented.
 - (d) Ensure accountability of APHIS and GIPSA management and supervisory officials through the Performance Management System. Managerial and supervisory performance will be reviewed, evaluated, and controlled, in such a manner as to ensure a continuing affirmative application and vigorous enforcement of, and compliance with, EEO policies.
 - (e) Ensure the implementation of an APHIS and GIPSA system for processing program-delivery complaints and an MRP system for complaints of discrimination in employment on the basis of race, age, color, religion, gender, or national origin that provide for impartial consideration of the complaints within the agency and appeal procedures.
 - (2) The Director, Civil Rights Enforcement and Compliance, MRP:
 - (a) Administers, monitors, and evaluates the MRP Civil Rights (EEO) Program for APHIS and GIPSA.
 - (b) Ensures compliance with Federal and USDA civil rights (EEO)

regulations and policies by evaluating program status and establishing internal monitoring systems and on-site compliance assistance and reviews for APHIS and GIPSA.

- (c) Ensures equal opportunity in all aspects of employment and in the delivery of APHIS and GIPSA programs and services to the public.
- (d) Assists in the review of civil rights performance accomplishments for APHIS and GIPSA employees in the Senior Executive Service.
- (e) Provides oversight of SEP managers' issues councils or organizations for APHIS and GIPSA.
- (f) Provides direction, orientation, and advice to APHIS and GIPSA management officials on day-to-day civil rights matters, achievement of affirmative employment objectives, and how to implement civil rights-related programs and activities.
- (g) Recommends initiatives to improve program effectiveness and conducts activities to enhance APHIS and GIPSA program support and awareness.
- (h) Establishes technical guidelines and procedures for APHIS and GIPSA employees who perform civil rights duties on a collateral-duty basis.
- (i) Ensures that an aggrieved MRP employee or potential complainant is able to access a Civil Rights (EEO) Counselor/Mediator, so that resolution, on an informal basis, may be achieved.
- (j) Recommends a decision for resolution and/or settlement on formal complaints of discrimination.

(3) Deputy Administrators/Directors:

- (a) Assist the MRP Deputy Administrator's Management Services Team, in providing leadership and resources to administer and maintain an effective Civil Rights Program in APHIS and GIPSA.
- (b) Assist in ensuring accountability of management and supervisory officials through the Performance Management System in APHIS and GIPSA.

- (c) Ensure that special efforts are directed toward recruitment based on the most populous occupational series and grade levels in which women and minorities are underrepresented in APHIS and GIPSA.

(4) Regional, Division, and Staff Directors:

- (a) Provide leadership and resources to maintain an effective Civil Rights Program within respective organizational units of APHIS and GIPSA.
- (b) Ensure that the APHIS and GIPSA civil rights policies and procedures are implemented and supported by the managers and supervisors within their respective organizational units.
- (c) Implement and monitor civil rights program commitments established by APHIS and GIPSA in their annual civil rights plans.
- (d) Authorize civil rights training for supervisors and employees who perform civil rights duties on a collateral-duty basis within APHIS and GIPSA.
- (e) Ensure that civil rights performance is appropriately addressed in the performance appraisals of supervisory personnel and other APHIS and GIPSA employees with assigned civil rights responsibilities.
- (f) Take appropriate action to identify civil rights-related barriers and resolve civil rights issues within APHIS and GIPSA.

(5) Managers and Supervisors:

- (a) Ensure a continuing affirmative application and vigorous enforcement of and compliance with APHIS and GIPSA civil rights policies and regulations.
- (b) Administer the APHIS and GIPSA Civil Rights Program goals within their respective units in a positive and effective manner.
- (c) Demonstrate accountability for exercising APHIS and GIPSA civil rights principles in all employment/personnel decisions, e.g., staffing, promotions, training, reassignments, details, and awards.
- (d) Take positive action to ensure that women, minorities, and persons

with disabilities are provided with opportunities equal to other employees in the APHIS and GIPSA workforce to acquire work experience and specialized training needed to apply for and advance in jobs, and receive career development training to ensure full utilization of their skills and abilities.

- (e) Support APHIS and GIPSA employees assigned to perform civil rights duties on a collateral-duty basis.
- (6) Civil Rights Collateral-Duty Employees and Civil Rights (EEO) Advisory Committees:
 - (a) Provide support and assistance to staff of APHIS and GIPSA, Regional Directors, Directors, Deputy Administrators, and other managers on civil rights matters.
 - (b) Coordinate the development and submission of civil rights reports, annual work plans, and accomplishments within APHIS and GIPSA.
 - (c) Participate in and/or coordinate APHIS and GIPSA community outreach activities.
 - (d) Maintain liaison with the APHIS and GIPSA civil rights specialists.

8. REPLACEMENT HIGHLIGHTS

This Directive replaces APHIS Directive 401.4, Individual Discrimination Complaint Procedures, dated 4/11/80; AMS Directive 309-5, Rev. 1, Equal Employment Opportunity Program and EEO Discrimination Complaint Procedures - Exhibits A, B, C, and D, dated 9-30-75; and AMS/FGIS Directive 320-3, Rev. 1, AMS/FGIS Affirmative Action Plan for the Employment of Handicapped and Disabled Veterans, Exhibits A, B, and C, dated 2-22-79.

9. INQUIRIES

Specific roles and responsibilities for APHIS and GIPSA employees are located in the "Guidelines for Special Emphasis Program Managers, Civil Rights (Affirmative Employment Program) Liaisons, and Civil Rights (EEO) Advisory Committee Chairs," available from the CREC staff, APHIS. Call 202-720-6312 in Washington, DC; or 301-734-6312 in Riverdale, Maryland, for copies. For additional information, contact Clarence Lemon, CREC, APHIS, at either of the above numbers; or Eugene Bass, Office of the Administrator, GIPSA: 202-720-0216.

Phyllis B. York
Deputy Administrator
for Management and Budget

Attachment

Criteria for APHIS and GIPSA Employee Recognition of Civil Rights Accomplishments

APHIS and GIPSA will provide recognition to employees, supervisors, managers, and units demonstrating superior accomplishment(s) in civil rights (EEO). Recognition for superior accomplishments in civil rights should be an integral part of APHIS and GIPSA's incentive awards program. The process should be incorporated within and directed to complement the planned civil rights efforts of APHIS and GIPSA.

APHIS and GIPSA civil rights recognition could be granted on a periodic or ad hoc basis as follows:

- 1) *Periodic.* APHIS and GIPSA civil rights recognition could be granted quarterly, semiannually, or annually. The identification of superior performance through annual performance evaluations or management review lends itself to the granting of periodic recognition.
- 2) *Ad hoc.* APHIS and GIPSA civil rights awards could be granted on an ad hoc basis whenever these nominations are appropriate, based on superior accomplishments in fostering civil rights, e.g., the completion of an outstanding project or other assignment which advances civil rights. Consideration should be given to obtaining input into recognition from special emphasis groups, civil rights staff personnel, recruitment personnel, and/or the incentive awards administrator.

To confer distinctive recognition within APHIS and GIPSA, honorary awards may be in the form of a distinctive wall/desk plaque, a special citation, or other appropriate symbol of honor. However, cash awards should not be precluded as a complementary recognition to those outstanding cases in which the entire contribution extends beyond civil rights to include other benefits to the Government.

Criteria for persons within programs, projects, or activities having APHIS and GIPSA civil rights implications includes persons whose work is not specifically civil rights related, but who, through superior accomplishments in training, recruitment, or other activities advances civil rights in the Federal sector and spans the entire grade range of staff and operating personnel.

Examples of Achievements/Accomplishments within APHIS and GIPSA --

- 1) The person who provides excellence in leadership and creative development of successful training programs for lower grade and under-utilized employees.
- 2) The person who achieves outstanding success in working with educational institutions to encourage qualified minorities, women, and persons with disabilities to apply for middle or higher level or shortage category jobs where few of these people are now employed.
- 3) The person who works with unusually high effectiveness with educational institutions on curricula development activities which help students better prepare themselves for Federal employment.
- 4) The person who provides outstanding managerial leadership and full participation in activities within or outside his/her organization which foster civil rights in the Government.

Criteria for APHIS and GIPSA civil rights program leaders includes persons who have specific responsibilities for civil rights within the Federal government, such as civil rights officers and/or special emphasis program managers.

Examples of Achievements --

- 1) The person who provides superior counseling and guidance to employees which effectively encourages and assists them with planning and achieving occupational training, or educational/career goals related to the needs of the employee, APHIS and GIPSA, and the Federal government.
- 2) The person who provides outstanding service through effective resolution of employee discrimination complaints by developing rapport with employees; offering helpful guidance in the discussion of their complaints; and building a reputation for prompt, effective action.
- 3) The person who provides leadership in the development and implementation of a civil rights action plan or activity which leads to significant changes or improvements in the Federal Civil Rights Program.
- 4) The person who establishes and maintains a high level of respect and the confidence of minority group's or women's organizations and thus advances APHIS and GIPSA Civil Rights Programs.
- 5) The person who achieves outstanding success in working in support of economic opportunity or other community action programs directed to advance civil rights in Government.

Criteria for APHIS and GIPSA achievers within non-Federal activities includes those employees whose excellence in fostering the Civil Rights Program through non-Federal activities merits recognition.

Examples of Recognition --

- 1) The person who provides outstanding leadership and actively supports community activities whose objectives are directed to useful and constructive solutions to community problems affecting civil rights.
- 2) The person who provides outstanding contributions to economic opportunity programs such as the neighborhood youth corps, adult experience programs, or other volunteer programs which contribute to civil right objectives.

