



*United States Department of Agriculture*



*Animal and Plant Health Inspection Service*

***Civil Rights Performance Report***

***Fiscal Year 2010***

*(Period Covering July 1, 2009 – July 30, 2010)*

*Cindy J. Smith* 8/2/10

*Cindy J. Smith, Administrator*

*Date*

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## EXECUTIVE SUMMARY

The APHIS Civil Rights Performance Report illustrates progress in the implementation of the USDA Civil Rights Performance Plan. The report is consistent with EEOC's Management Directive 715, the Department of Justice Executive Order 12250, and Departmental Regulation 4300-010, Civil Rights Accountability Policy and Procedures.

The due date for this report is August 9, 2010 and covers the period July 1, 2009 through July 30, 2010. To ensure accuracy, computations for Civil Rights EEO Complaints was based on Fiscal Year 2010 data (10/01/09 – 07/30/10), the source for this data is the USDA Enterprise System "*iComplaints*". Below is a summary of our actions and results in support of the Department's Civil Rights goals and objectives.

### GOAL 1. Commitment of Agency Leadership/Strategic Plan Integration

One of the key areas in the APHIS Strategic Plan (Organizational Priority 1: Value and Invest in APHIS Employees) is to become a model civil rights organization. In so doing, the goal is to value and invest in employees, to have a diverse workforce free of discriminatory practices, a positive work environment; and to deliver APHIS programs and services in a fair and equitable manner to all customers. APHIS continues to successfully implement the Civil Rights Strategic Plan goals which are aligned with the APHIS Strategic Plan (*See Appendix 1, page 65*).

During the first quarter of the reporting period, the Civil Rights Policy Statements were distributed to all employees that reaffirm the Agency's commitment to equal employment opportunity and a workplace free of discriminatory harassment (*See Appendices 2 & 3, page 66-67*). The Departmental Regulation 4300-010, Civil Rights Accountability Policy and Procedures were also distributed and are available to all employees and customers under the on-line USDA Directives System. Employees hired after the initial distribution receive this information as a part of their new employees information packet.

As of this report, no Findings of Discrimination have been rendered against the agency. Early involvement by managers during the pre-complaint process has resulted in early resolution of many informal complaints. APHIS will continue to work closely with managers, supervisors, and employees to ensure accountability and compliance with respect to USDA Civil Rights policy, legal requirements, EEO settlement agreements, and EEO decisions.

Managers and supervisors are evaluated annually on their support of USDA's commitment to civil rights and equal employment opportunity, and adherence to APHIS civil rights policies and procedures. The APHIS performance plans outline the requirements to accomplish the Agency's civil rights program objectives, integrate civil rights policies, and ensure a discrimination free work environment at all levels. (*See Appendix 5 - Samples of Performance Plans with EEO Element GS-15, GS-14, GS-13, GS-12, GS-9-11, GS-1-8, page 69*).

The Administrator recognizes managers, supervisors and employees for leadership and contributions in support of civil rights and equal employment opportunity through the Administrator's Civil Rights Awards Program. During the first quarter of the reporting period the Administrator's Eleventh Annual Civil Rights Awards Ceremony was held and there were a total of 11 award recipients. The purpose of the Civil Rights Award is to:

1. Demonstrate the value which management places upon employees, supervisors, and managers who actively and effectively contribute to the APHIS Civil Rights Program.
2. Give due and proper honor and distinction to those who excel in providing equal opportunity to others seeking employment or employees currently in the Federal Service.

3. Effectively give impetus to the Civil Rights program by publicizing the superior accomplishments of the award recipients and recognize the positive impact these accomplishments have had upon other individuals seeking equal opportunity.

CRIAs were conducted for 8 rules and 4 notices for committee renewals and it was determined that there was no evidence to establish or infer an adverse civil rights impact. All CRIAs were timely submitted with the clearance package. APHIS provided the requested updated information to OASCR regarding the Human Resources Division organizational change within the specified time frame. APHIS also conducted CRIAs on internal actions to include 1 organizational change, 3 directives, 2 closures, 2 proposed closures, 4 relocations, 1 RIF, and 1 Handbook/Manual.

## **GOAL 2. Program Delivery: Proactive Management and Legal Compliance**

The Agency committed approximately \$3.6 million for Native American program-delivery initiatives relating to wildlife management, pest and disease surveillance and control, Homeland Security emergency-response work, National Animal Disease Traceability (ADT) cooperative agreements, and other programs and activities.

APHIS' support for the American University's Washington Internships for Native Students (WINS) program continued with \$63,000 in funding to sponsor six interns who earned 6 hours of credit towards their college degrees. Support for this program has continued for the past 18 years with students working directly with APHIS employees on various projects and tasks. Student work experiences this year included hogweed-chopping, Port of Baltimore operations, goose roundup and Federal career seminar. One student was converted to a stay-in-school work study participant for her 2009-2010 academic year. APHIS is one of the most active agencies within USDA in terms of support of this program and is committed to maintain that level of support in the future.

APHIS funded a \$38,000 cooperative agreement for a 2-week summer internship program based at the Tohono O'odham Nation in Arizona. The program focused on familiarizing Indian youth with agricultural science and encouraged them to attend college. Two land-grant institutions cooperate in this program: the Tohono O'odham Community College in Sells, AZ, and the University of Arizona, in Tucson.

APHIS continued to utilize its Civil Rights Information Academy to provide guidance to employees on the importance of equal opportunity in program delivery. Civil rights webinars were provided throughout the country and included briefing modules for Program Delivery, Outreach, and Compliance. (*See Appendix 6 for a list available webinars, page 70*).

The Agency hired 5 students for summer employment through the Martin Luther King Jr. Essay Contest. Of the 5 students 3 graduated and will be attending a 4 year college/university in the fall. In the 11 years since the contest has offered summer employment to the winners, approximately 45 students have accepted employment (*including the 2010 winners*). Students are hired at the GS-01 grade level for 8 weeks during the summer. The MLK Educational Contest is designed to inspire students to reflect on the life of Dr. Martin Luther King, Jr. and share their thoughts and insights in an essay or pictorial format.

APHIS initiated the process for Office of Management and Budget (OMB) approval to allow for the collection of data pertinent to the applicant selection for the APHIS Ag-Discovery program. The request was posted on the Federal Register for comment during FY 2009. OMB approved APHIS Form 119 dated January 2010 and the form was used during the 2010 Ag-Discovery application process. The collected data is reviewed by a selected panel, and used to aid in the selection of the Ag-Discovery program participants.

The Ag-Discovery summer outreach program was held on 10 university campuses (*three more than last year*) during FY 2010. In preparation for this year's Ag-Discovery programs APHIS distributed 12,000 informational leaflets nationwide. To reach a wider geographic audience, APHIS also makes these leaflets and Ag-Discovery

application packages available on the APHIS and USDA Web sites and the Web sites of the participating universities. The ten FY 2010, Ag-Discovery programs were funded at a cost of approximately \$355,000. Ag-Discovery is an outreach program designed to introduce student's ages 12–17 to careers in agriculture.

APHIS participated in FAPACs 25<sup>th</sup> National Leadership Training Conference which was held in National Harbor, Maryland, May 3-7, 2010. APHIS was a \$10,000.00 sponsor for this event and many of the Agency's program areas attended the conference and participated in the workshops and had an exhibit booth. APHIS' continues to strengthen its partnership with FAPAC by establishing a Memorandum of Understanding (MOU). FAPAC and APHIS mutually agree to work together to conduct outreach to APA communities and to identify employment and internship opportunities for APAs.

As of this report three program complaints were filed against APHIS during this reporting period. Agency Position Statements (APS) for two of the complaints were timely submitted. An extension of 7 days to complete the APS was requested from and approved by OASCR for the other complaint. One program complaint against APHIS was closed during this reporting period with no findings of discrimination.

### **GOAL 3. EEO Program: Proactive Management and Legal Compliance**

The Annual EEO Program Status Report includes effective strategies for improving diversity, eliminating barriers to equal employment opportunity. The APHIS Federal Equal Opportunity Recruitment Program (FEORP) Plan includes recruitment, hiring and community outreach strategies. Reports include specific action items, realistic goals, and target dates to demonstrate efforts to improve and ensure diversity in the workforce. The Disabled Veterans Affirmative Action Program (DVAAP) plan strives to increase the representation of disabled veterans, especially those who are 30 percent or more disabled. For more detailed information the reports are located on the CREC website at: [www.aphis.usda.gov/about\\_aphis/programs\\_offices/civil\\_rights/](http://www.aphis.usda.gov/about_aphis/programs_offices/civil_rights/)

As of this report APHIS has a total population of **9,046** employees. This is a net increase of **(+122)** compared to the total population of **8,924** in FY 2009. Under-representation remains in the following Races/Genders categories: Black Males, Black Females, Hispanic Females, White Females and Persons with Targeted Disabilities.

APHIS had a total of **786** new hires. Of that total, **297**(37.8%) were Women and **489**(62.2%) were men. The Agency established a goal to increase the number of Veterans by 100 (10%) this year. Of the 786 new hires there were a total of **94** newly hired Veteran employees. As of this report the Agency has met 90% of its 10% hiring goal for Veterans.

Although APHIS is below the Federal initiative goal (2.0%) for Persons with Targeted Disabilities, currently the Agency has hired **6** or (.75%) Persons with Targeted Disabilities (APHIS has succeeded its annual goal of hiring 5 individuals with targeted disabilities) which brings the Agency's total population of Persons with a Targeted Disability to **69** (.76%). APHIS increased its hiring goal for persons with Targeted Disabilities to +10 per year for FY 2010 – 2012.

To meet this year's annual Civil Rights mandatory training requirement, APHIS Civil Rights Enforcement and Compliance staff and the Human Resources Division developed an interactive AgLearn course about the Americans with Disabilities Act (ADA) Amendment Amendments Act of 2008. The AgLearn course offers a unique learning experience that focuses on the Reasonable Accommodation process and discusses the importance of the ADA Amendments Act for all APHIS employees. As of this report **3,998** (44%) of the employees have completed the training which includes the **750** employees that participated in the Agency's in-house face-to-face training.

APHIS also included a 1 ½ day civil rights modules presented by an EEOC administrative judge, as part of the "Fundamentals of APHIS Human Resource Management" for supervisors in Raleigh, NC; Ames, IA; and Minneapolis, MN.

Civil Rights information is regularly distributed to all employees via email messages. As of this report APHIS has published 2 Civil Rights Updates, 1 special edition and e-mail blasts as needed. The Civil Rights Update is a newsletter that provides civil rights information highlighting various topics, such as, Informal and Formal Complaints, MD-175, Alternative Dispute Resolution, Civil Rights in Program Delivery, Special Program Initiatives, etc. A copy of the Civil Rights Update is available at CREC's website:  
[http://www.aphis.usda.gov/civil\\_rights/downloads/Civil\\_Rights\\_Update.pdf](http://www.aphis.usda.gov/civil_rights/downloads/Civil_Rights_Update.pdf)

APHIS publishes Special Editions packed with in-depth coverage of topics deemed to be important and critical to developing and maintaining a knowledgeable APHIS workforce. Lotus Notes is used to distribute the Civil Rights Updates and houses the Civil Rights Conversations database, which allows both managers and employees to ask questions, provide comments, and receive immediate feedback from CREC. Copies of the Civil Rights Updates and Special Editions; as well as other announcements are posted on the database.

During this reporting period, APHIS conducted 84 compliance reviews (desk audit and onsite), and surveyed nearly 1,700 APHIS managers, supervisors and employees. This represents a 25% increase in compliance reviews since FY 2009. The increase resulted from the implementation of APHIS' new strategy to conduct reviews to cover a larger part of the organization to include individual state offices by region (Southwest, Northwest and Southeast).

From July 1, 2009 through July 30, 2010, APHIS presented 16 webinars (combined computer-based/teleconference-based broadcasts) on various topics, such as the EEO complaint process (*formal/informal*), preventing complaints of reprisal and the NoFEAR Act; 699 employees participated.

As of this report, APHIS processed 74 contacts, issued 30 NORFs and uploaded EEO Counselor Reports for 29 formal complaints which were filed. Zero complaints were beyond the ECD request date. Of the 74 contacts, the majority (99%) were processed within the 90-days time frame and 46 complaints were closed. Three cases were engaged in settlement negotiations which resulted in signed settlement agreements.

#### **GOAL 4. Utilization of Alternative Dispute Resolution**

APHIS continues to promote the use of ADR by offering all informal contacts the option of utilizing mediation as a tool to process informal complaints. While mediation is the primary choice of ADR, APHIS offers a variety of methods for employees located across the United States such as Video Conferencing, Telephonic Mediation, Facilitation, and Settlement Conferences.

APHIS also sponsored a 3-day ADR training for managers and supervisors. The training was titled *Mediation in Workplace Disputes* and was provided by the Justice Center of Atlanta, Inc. In addition, the ADR webinar modules are offered to all employees, supervisors and managers every quarter.

APHIS maintains both an EEO and non-EEO Alternative Dispute Resolution (ADR) function for its employees. The formal non-EEO ADR function is located within the Human Resource Division (HRD), Workplace Resolutions and Wellness Branch (WRWB). HRD also provides other related coaching and support services to its leadership through the APHIS, Human Resources, Executive Support and Leadership Services (ESLS). Much of those services are focused at providing leaders with the tools they need to effectively communicate and deal with challenging employment situations.

The HRD, WRWB is composed of three key functional areas, aligned to provide prompt and effective support for all APHIS employees. The WRWB is comprised of the Collaborative Resolution Branch (*See Appendix 11, page 76-77, Collaborative Resolution Brochure*), the Reasonable Accommodation Program and Work life Wellness Program. Each functional area provides support to the other and enhances the overall quality of the resolution services offered to our APHIS customers (*See significant EEO and non-EEO ADR on pages 45-50*).

## **GOAL 5. Procurement**

As of this report, APHIS is exceeding in five of the six mandatory small business categories: Small Business (SB), 8(a), Small Disadvantaged Business (SDB), Woman-Owned (WO), and the Service Disabled Veteran-Owned Business (SDVOSB). However, the data reveals that APHIS is under served in the Hubzone category. (*See 3<sup>rd</sup> Quarter AbilityOne and Small Business Accomplishments Chart in Section 5.1a for a detailed listing and status*). APHIS also continues to participate in meetings hosted by OSDBU and participates in many outreach efforts.

## **GOAL 6. Secretary's Commitment**

Cultural transformation is an important goal and APHIS is committed to creating a work environment where there is equity of opportunity and all employees are empowered to reach their full potential. This includes effective management and leadership; clearly communicated information about expectations, direction, and priorities; developmental opportunities to gain needed skills and knowledge; performance feedback, including rewards and recognition; and human resources policies that recognize APHIS' critical responsibilities and employees' personal needs.

APHIS and MRP sister agencies hosted the Department's three follow-up listening sessions to hear employees' concerns and ideas for cultural transformation; and offered/encouraged employees to participate in the MRP Management Review Follow-up Survey. The survey addresses the roles and responsibilities of supervisors and employees in creating a diverse, inclusive, and high performing organization.

APHIS has made strong efforts to identify and address problems associated with civil rights, equal opportunity, human capital management and development initiatives to provide employees with the skills and tools to carry out the APHIS mission. The Agency developed an action plan to address issues in the following areas:

1. *Employee Satisfaction and Engagement;*
2. *Leadership and Knowledge Management*
3. *Results Oriented Culture and Performance Management.*

APHIS plans cascades from the Department's plan and builds upon the initiatives the Agency has been implementing and dovetails with the work being done as part of the Department's Cultural Transformation Initiative. Key elements of the plan include improved communication between HQ and Headquarters through the use of the new APHIS portal—active engagement with leadership on issues of importance, the town halls, coaching/mentoring, and succession planning (*See Goal Indicator: 6.1 (a) for significant accomplishments on pages 58-63*).

The recently published APHIS Succession Plan 2010-2014 identifies the organization's anticipated leadership gaps over the next five years and includes several broad strategies to close them. It includes needs and supply forecasting, gap analysis, gap closure strategies, implementation and communication plans, and establishes performance measures to evaluate plan efficacy. The Plan is designed to bring together in one controlling document information from the Agency's program specific succession plans, and builds upon a number of previously implemented Agency-wide initiatives that support succession planning strategies (*See Goal Indicator: 6.1 (a) for significant succession planning, coaching, training and development activities on pages 58-63*).

**Animal and Plant Health Inspection Service**

**Civil Rights Performance Plan and Accomplishment Report**

**July 1, 2009 – June 30, 2010**

**GOAL: 1. Commitment of Agency Leadership/Strategic Plan Integration:**

Incorporated the USDA civil rights policy and other related requirements through the Agency/Staff Office operations to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations.

<p><b>PERFORMANCE OBJECTIVE: 1.1</b> <b><u>Leadership:</u></b></p> <p>Held managers, supervisors and other employees accountable for ensuring that USDA's customers and employees were treated in accordance with USDA civil rights policy and applicable legal requirements.</p>	<p><b>GOAL INDICATOR: 1.1 (a)</b> <b><u>Inclusion in Strategic Plan:</u></b></p> <p>Documented commitment to USDA's civil rights goals and obligations in the Agency's Strategic Plan.</p> <p>Agencies must have incorporated the requirements of the Departmental Regulation (DR) 4300-010 "Civil Rights Accountability Policy and Procedures," issued January 18, 2006.</p> <p>Additionally, Agencies were required to notify all employees of the requirements of this policy, and managers and supervisors were responsible and accountable for maintaining a civil rights program that accomplishes the strategic civil rights goals.</p> <p>Agencies are required to submit portions of the Strategic Plan that reflect civil rights goals and to provide a succinct narrative rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 3**

APHIS management officials will continue to ensure that the civil rights goals and obligations in the strategic plan are fully implemented. This will include the annual issuance of the Civil Rights Policy Statement and the Anti-Harassment Policy Statement, holding managers and supervisors accountable through their performance plans and adherence to all Civil Rights Laws, rules and regulations including EEOC's MD-715.

One of the key areas in the APHIS Strategic Plan (Organizational Priority 1: Value and Invest in APHIS Employees) is to become a model civil rights organization. In so doing, the goal is to value and invest in employees, to have a diverse workforce free of discriminatory practices, a positive work environment; and to deliver APHIS programs and services in a fair and equitable manner to all customers. APHIS continues to successfully implement the Civil Rights Strategic Plan goals which are aligned with the APHIS Strategic Plan (*See Appendix 1, page 65*). The Departmental Regulation 4300-010, Civil Rights Accountability Policy and Procedures, effective January 18, 2006, was distributed to all APHIS employees electronically. New hires receive this information as part of their new employee orientation packet. This information is also available to all employees and customers under the on-line USDA Directives System. This regulation can also be obtained on line at [www.aphis.usda.gov/civil\\_rights/downloads/dr4300-010.pdf](http://www.aphis.usda.gov/civil_rights/downloads/dr4300-010.pdf)

The Civil Rights Policy Statement and the Anti-Harassment Policy Statement are electronically distributed to employees annually, with the most current issuance date of December 4, 2009 (see *Appendices 2 & 3, page 66-67*). The policy statements demonstrate and reaffirm the agency's commitment to EEO and a workplace free of discriminatory harassment as mandated by Management Directive 715. These policy statements are available in poster size for easy display and viewing, and can also be obtained through the CREC website at [www.aphis.usda.gov/civil\\_rights](http://www.aphis.usda.gov/civil_rights).

**GOAL: 1. Commitment of Agency Leadership/Strategic Plan Integration:**

Incorporated the USDA civil rights policy and other related requirements through the Agency/Staff Office operations to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations.

<p><b>PERFORMANCE OBJECTIVE: 1.1</b> <b><u>Leadership:</u></b></p> <p>Held managers, supervisors and other employees accountable for ensuring that USDA's customers and employees were treated in accordance with USDA civil rights policy and applicable legal requirements.</p>	<p><b>GOAL INDICATOR: 1.1 (b)</b> <b><u>Employee's Performance Plan:</u></b></p> <p>Incorporated the requirements of the DR 4300-010, "Civil Rights Accountability Policy and Procedures," issued January 18, 2006.</p> <p>DR-4300-010 requires that annual performance appraisals for managers and supervisors shall include an evaluation of their contributions to USDA's commitment to civil rights and equal opportunity, and adherence to its civil rights policy.</p> <p>In addition, agencies are required to send a copy of a representative sampling of performance plans showing evidence of EEO elements for SES, GS-15, GS-14, GS-13, GS-12, GS-9-11, and GS-1-8.</p> <p>Agencies must provide a succinct narrative rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 3**

APHIS continues to ensure managers and supervisors are held accountable for implementing the Agency civil rights goals through their performance plans by annually evaluating their contributions to the Agency's civil rights and EEO program, and ensuring compliance with DR 4300-010, "Civil Rights Accountability Policy and Procedures.

APHIS holds its managers and supervisors accountable for ensuring that the Agency is in compliance with DR 4300-010 "Civil Rights Accountability Policy and Procedures", and that the Agency meets its civil rights goals and objectives. Through the implementation of their performance plans, managers and supervisors are held accountable to provide a work place free from discrimination at all levels. The APHIS organizational goals and the current performance appraisal system are aligned to provide effective and sufficient measures for assessing employee performance. Plans for new hires are also aligned with the standards and are annually regularly monitored for implementation.

Managers and supervisors are evaluated annually on their support of USDA's commitment to civil rights and equal employment opportunity, and adherence to APHIS civil rights policies and procedures. The APHIS performance plans outline the requirements to accomplish the agencies civil rights program objectives, integrate civil rights policies, and ensure a discrimination free work environment at all levels. (See Appendix 4, page 68, Language for Required EEO Element).

Senior executives, managers and supervisors continue to utilize the agency's web-based training as a resource to develop credible measures to accurately assess employee performance and align performance plans with the Agency's organizational goals and strategic plan. EEO Civil Rights Performance Elements for Managers, Supervisor and Non-Supervisory Employees are attached. *(See Appendix 5 - Samples of Performance Plans with EEO Element GS-15, GS-14, GS-13, GS-12, GS-9-11, GS-1-8., page 69).*

**GOAL: 1. Commitment of Agency Leadership/Strategic Plan Integration:**

Incorporated the USDA civil rights policy and other related requirements through the Agency/Staff Office operations to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations.

<p><b>PERFORMANCE OBJECTIVE: 1.1</b> <b><u>Leadership:</u></b></p> <p>Held managers, supervisors and other employees accountable for ensuring that USDA's customers and employees are treated in accordance with USDA civil rights policy and applicable legal requirements.</p>	<p><b>GOAL INDICATOR: 1.1 (c)</b> <b><u>Disciplinary Actions</u></b></p> <p>To ensure accountability, disciplinary or corrective actions were taken when discriminatory conduct relating to civil rights violations or retaliation occurred.</p> <p>Agencies are required to provide a list and identify actual finding of each employee case where disciplinary or corrective action was taken relating to civil rights or retaliation and indicate the timeframe in which the disciplinary or corrective action was taken.</p> <p>Agencies incorporated the requirements of the DR-4300-010, "Civil Rights Accountability Policy and Procedures" issued January 18, 2006.</p> <p>Agencies must provide a succinct narrative rationale with evidence as to how Agency determined its self-assessment point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 3**

As of this report, no Findings of Discrimination have been rendered against the agency; therefore no disciplinary or corrective actions have been taken against any management or supervisory officials. Early involvement by managers during the pre-complaint process has resulted in early resolution of many informal complaints. The Agency fully supports the Departmental Regulation (DR) 4300-010, "Civil Rights Accountability Policy and Procedures", and in doing so, the APHIS Administrator issued the agency's Civil Rights Policy Statement, dated December 4, 2009, to all agency employees. This policy reinforces the agency's commitment to promoting nondiscrimination and equal access in all APHIS programs and services and ensures all managers and supervisors are held accountable for immediately addressing employment issues and concerns. The agency also works directly with program units that need assistance with workplace disputes before they become serious issues.

APHIS will continue to work closely with managers, supervisors, and other employees to ensure accountability and compliance with respect to USDA Civil Rights policy, legal requirements, EEO settlement agreements, and EEO decisions. Should a Finding of Discrimination be rendered against the agency, in accordance with DR 4300-010, information will be provided to the authorized agency Human Resources office to determine if disciplinary or other corrective action is appropriate.

**GOAL: 1. Commitment of Agency Leadership/Strategic Plan Integration:**

Incorporated the USDA civil rights policy and other related requirements through the Agency/Staff Office operations to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations.

<p><b>PERFORMANCE OBJECTIVE: 1.1</b> <b><u>Leadership:</u></b></p> <p>Held managers, supervisors and other employees accountable for ensuring that USDA's customers and employees are treated in accordance with USDA civil rights policy and applicable legal requirements.</p>	<p><b>GOAL INDICATOR: 1.1 (d)</b> <b><u>Civil Rights Impact Analyses:</u></b></p> <p>Conducted effective Civil Rights Impact Analyses (CRIA).</p> <p>Agencies are required to provide a list by title of all CRIAs submitted to the Office of the Assistant Secretary for Civil Rights (OASCR).</p> <p>Agencies must provide a succinct narrative rationale with evidence of how the Agency determined self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 3**

APHIS Civil Rights Enforcement and Compliance continues to work closely with APHIS' Regulatory Analysis and Development (RAD) to provide civil rights impact analyses for rules, regulations and notices developed to implement APHIS programs and activities. As of this report, CRIAs were conducted for each of the 8 rules and 4 notices for committee renewals and it was determined that there was no evidence to establish or infer an adverse civil rights impact. All CRIAs were timely submitted with the clearance packages. APHIS provided the requested updated information to OASCR regarding the Human Resources Division organizational change within the specified time frame. The titles of the CRIAs are as follows (each title is taken from the title of the rule for which the analysis was conducted):

- ✓ Handling of Animals; Contingency Plans-Final Rule
- ✓ Sharing Certain Business Information Regarding the Introduction of Genetically Engineered Organisms with State and Tribal Government Agencies-Proposed Rule
- ✓ Lacey Act Implementation Plan; Definitions for Exempt and Regulated Articles – Proposed Rule
- ✓ Viruses, Serums, Toxins, and Analogous Products; Packaging and Labeling - Proposed Rule
- ✓ Creation of a Secretary's Advisory Committee on Animal Health-Notice of Intent
- ✓ Renewal of the General Conference Committee of the National Poultry Improvement Plan (NPIP)-Notice of Intent
- ✓ Secretary's Advisory Committee on Animal Health-Notice of Solicitation for Membership
- ✓ Secretary's Advisory Committee of the General Conference Committee of the National Poultry Improvement Plan (NPIP)-Notice of Solicitation for Membership

APHIS also conducted CRIAs on internal actions to include:

- 1 organizational change
- 3 directives
- 2 closures,
- 2 proposed closures
- 4 relocations
- 1 RIF
- Handbook/Manual.

**GOAL: 2. Program Delivery: Proactive Management and Legal Compliance:**

Ensured all customers equal opportunity to access programs, activities, and services delivered or funded by USDA.

<p><b>PERFORMANCE OBJECTIVE: 2.1</b> <b><u>Program Delivery/Legal Compliance:</u></b></p> <p>Delivered Agency programs in compliance with civil rights laws, Departmental regulations, policy, and goals.</p>	<p><b>GOAL INDICATOR: 2.1 (a)</b> <b><u>Collection and Analysis of Program Applicant/Participant Data:</u></b></p> <p>Reviewed and incorporated civil rights program analysis by collecting and analyzing data on applicants and participants by race, ethnicity, sex, national origin, disability, and age (RESNODA)* status. Agencies are required to provide evidence for each program that it collects and provides analyses of applicant and participant data by RESNODA.</p> <p>RESNODA is required by the Farm Security and Rural Investment Act of 2002. <i>"Transparency and Accountability for Socially Disadvantaged Farmers and Ranchers: Public Disclosure Requirements for County Committee Elections, Section 10708, Public Law 107-171 (7USC 7901)."</i> In this law Congress requires an annual report of the participation rate of socially disadvantaged farmers and ranchers – as a percentage of all farmers and ranchers – for each program of the Department of Agriculture established for farmers and ranchers, according to race, ethnicity and gender, by county and state.</p> <p>For agencies that currently collect data, please indicate the total number of programs administered and the number of programs where data are collected.</p> <p>For agencies that currently do not collect applicant/and or participant data by RESNODA, please state the reasons why.</p> <p>Agencies are required to provide a succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 2**

In accordance with the April 29, 2009 memo signed by Secretary Vilsack, Action # 6 - A New Civil Rights Era for USDA stated that a corporate proposal for data collection across USDA will be developed. APHIS is prepared to implement the corporate proposal for collecting such data once that proposal is approved.

For all appropriated rules and regulations, APHIS provides a cost benefit analysis to include an analysis of the potential economic impact on small entities. APHIS also provided the ASCR office reviewing the civil rights impact analysis with data from the National Agricultural Statistics Service.

APHIS initiated the process for Office of Management and Budget (OMB) approval to allow for the collection of data pertinent to the applicant selection for the APHIS Ag-Discovery program. The request was posted on the Federal Register for comment during FY 2009. OMB approved the Ag-Discovery application form, (*APHIS Form 119*) dated January 2010 and the form was used during the 2010 Ag-Discovery application process. APHIS will continue to use Form 119 to facilitate the application process and to collect information pertinent to participation in the Ag-Discovery program. The collected data is reviewed by a selected panel, and used to aid in the selection of the Ag-Discovery program participants.

The following primary statutory authorities for APHIS regulatory programs and enforcement activities do not contain language authorizing APHIS to collect RESNODA data from persons who are subject to inspections, licensing and regulatory enforcement.

- Animal Welfare Act and Horse Protection Act
- Plant Protection Act
- Animal Health Protection Act
- Public Health and Bio Terrorism Act

**GOAL: 2. Program Delivery: Proactive Management and legal Compliance:**

Ensured all customers equal opportunity to access programs, activities, and services in the delivery of USDA programs and services.

<p><b>PERFORMANCE OBJECTIVES: 2.1</b> <b><u>Program Delivery/Legal Compliance:</u></b></p> <p>Delivered Agency programs in compliance with civil rights laws, Departmental regulations, policy, and goals.</p>	<p><b>GOAL INDICATOR: 2.1 (b)</b> <b><u>Increased Service Delivery Goals, Removed Barriers, and Increased Program Delivery:</u></b></p> <p>Created or enhanced program service delivery by (a) Taking affirmative steps to remove barriers to ensure equal opportunity in participation, (b) Increasing service delivery goals, and (c) Increasing diversity on program committees and boards.</p> <p>Agencies are required to provide evidence of how they met each of these requirements.</p> <p>Agencies must provide a succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p> <p><b><u>N.B.:</u></b> Effective FY 2008, Agencies will be responsible for submitting a copy of their Compliance Review Plan/Schedule to ASCR compliance staff at the beginning of the FY or as soon as it is finalized.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 3**

APHIS continues to expand its outreach commitment each year by providing funding and technical assistance for projects and initiatives. This level of commitment is carried out at all levels of the APHIS organization and aided by the ANAWG, Outreach Council Member and Outreach Coordinators group.

For FY 2010, APHIS committed approximately \$3.6 million for Native American program-delivery initiatives relating to wildlife management, pest and disease surveillance and control, Homeland Security emergency-response work, National Animal Disease Traceability (ADT) cooperative agreements, and other programs and activities. APHIS offered cooperative agreements funds to tribes for the following surveillance programs: Animal Disease Traceability cooperative agreements totaling \$377,300 were offered to (34) Tribes; Viral Hemorrhagic Surveillance cooperative agreements totaling \$494,000 were offered to (21) Tribes and the Great Lakes Indian Fish and Wildlife Commission; and \$600,000 in cooperative agreements were offered to (43) Tribes and Native American Fish and Wildlife Society for Chronic Wasting Surveillance. APHIS plans to fund next year's non-ADT-related commitments in Indian Country at levels similar to those described here.

Two full-time APHIS tribal liaisons, one part-time tribal liaison, and the Native American Program-Delivery Manager, along with members of the APHIS Native American Working Group (ANAWG), continued their active work with federally recognized Native American tribes to ensure they receive their fair share of APHIS programs and resources. Seventy field-based employees volunteered to act as points of contact for tribal officials in their States in a collateral-duty capacity. The ANAWG will be conducting a comprehensive training meeting in Albuquerque, NM during August 23-27, 2010.

APHIS' support for the American University's Washington Internships for Native Students (WINS) program continued with \$63,000 in funding to sponsor six interns who earned 6 hours of credit towards their college degrees. Support for this program has continued for the past 18 years with students working directly with APHIS employees on various projects and tasks. Student work experiences this year included hogweed-chopping, Port of Baltimore operations, goose roundup and Federal career seminar. One student was converted to a stay-in-school work study participant for her 2009-2010 academic year. APHIS is one of the most active agencies within USDA in terms of support of this program and is committed to maintain that level of support in the future.

APHIS continued to utilize its Civil Rights Information Academy to provide guidance to employees on the importance of equal opportunity in program delivery. Civil rights webinars were provided throughout the country and included briefing modules for Program Delivery, Outreach, and Compliance. The briefings included review of civil rights statutes, regulations, directives, and other guidance pertaining to equal opportunity in program delivery. Other subjects covered included limited English proficiency, program complaint processing, and accessibility to program and activities by disabled persons. The briefings are a standard component of the Fundamentals of APHIS Human Resources Management (FAHRM) courses open to potential and newly appointed supervisors. The Civil Rights Enforcement and Compliance Staff continue to support HR in the FAHRM courses. APHIS will continue to offer briefings about Program Delivery, Outreach and Compliance; as well as address these subjects in the APHIS Civil Rights Update (e-newsletter). (See Appendix 6 , page 67 for a list of Webinar Modules)

Five students were hired for summer employment through the FY2010 annual Dr. Martin Luther King, Jr., Education Contest. Of the 5 students 3 graduated and will be attending a 4 year college/university in the fall. In the 11 years since summer employment has been offered to the winners, approximately 45 students have accepted employment (including the 2010 winners). Students are usually hired at the GS-01 grade level, at \$10.60 per hour, or approximately \$3,600 for each student for the summer. The program continues to inspire students to reflect on the life and dream of Dr. King and share their thoughts in either essays or pictorial presentations on a preselected theme.

APHIS funded ten Ag-Discovery programs (three more than last year) at a cost of approximately \$355,000 at the following locations:

<i>Florida A&amp;M University</i>	<i>June 7-19, Tallahassee, FL</i>
<i>South Carolina State University</i>	<i>June 6-19, Orangeburg, SC</i>
<i>University of Arkansas</i>	<i>June 12-25, Pine Bluff, AR</i>
<i>Alcorn State University</i>	<i>June 13-25, Alcorn State, MS</i>
<i>Kentucky State University</i>	<i>June 13-26, Frankfort, KY</i>
<i>University of Arizona</i>	<i>June 21-July 2, Tucson, AZ</i>
<i>Delaware State University</i>	<i>July 5-18, Wilmington, DE</i>
<i>Iowa State University</i>	<i>July 11-24, Ames, IA</i>
<i>University of Maryland</i>	<i>July 11-30, College Park, MD</i>
<i>North Carolina State University</i>	<i>July 12-23, Raleigh, NC</i>

Ag-Discovery is a 2 week summer outreach program that teaches youth about agricultural science, including plants and animals, wildlife management, veterinary medicine, and agricultural biotechnology. Students reside on a college campus during this period. The program is designed to reach persons who have not traditionally participated in APHIS programs and activities. The Ag-Discovery programs are conducted via cooperative agreements with universities and include APHIS employees' providing classroom and lab work for the students. In preparation for the FY2010 Ag-Discovery programs APHIS distributed 12,000 informational leaflets nationwide. To reach a wider geographic audience, APHIS also makes these leaflets and Ag-Discovery application packages available on the APHIS and USDA Web sites and the Web sites of the participating universities.

The Plant Protection and Quarantine (PPQ) unit of APHIS established a 2-week summer internship similar to the Ag-DISCOVERY programs but based at the Tohono O'odham Nation in Arizona. The program focuses on familiarizing Indian youth with agricultural science and encourages them to attend college. In FY2010, the Administrator funded a \$38,000 cooperative agreement that funded for the course. Thirteen students and two "peer educators" (former participants) attended. For the first time, the 2010 class included three Latino students from Arizona as well as one white participant. The nine tribal students came from San Carlos Apache, Hopi, and Navajo tribes as well as the Tohono O'odham Nation. Two land-grant institutions cooperate in this program: the Tohono O'odham Community College in Sells, AZ, and the University of Arizona, in Tucson. Since 2009, the APHIS Native American Program-Delivery Manager has managed the program. The availability of this educational experience was publicized with a color leaflet and Web version (see [www.aphis.usda.gov/anawg](http://www.aphis.usda.gov/anawg) and click on the course information in the blue box at the right-hand margin).

APHIS continued to prepare and distribute stakeholder newsletters as part of an effort to promote communications among a diversity of stakeholders. APHIS began the issuance of these newsletters in FY 2004. Throughout the reporting period, the agency prepared and distributed newsletters to stakeholders on various topics including the proposed 340 regulatory changes, organizational changes, the Biotechnology Quality Management System (BQMS), public meetings, and the deregulation of specific biotechnology products.

APHIS was represented at over 80 stakeholder meetings, and made over 90 presentations on such diverse topics as animal behavior, IACUC and research training, and emergency management and disaster planning were presented.

The agency published numerous Federal Orders to notify the public, stakeholders, and U.S. Industry of emergency quarantine measures for weeds, plant pests, and plant diseases including an interim rule to support the Federal Quarantine Order on two *Lygodium* spp., confirming Federal Order by adding two species to the Federal Noxious Weed list, a propose rule revising 7 Code of Federal Regulation 360/361 and adding 7 new species to the Federal Noxious Weed list, an Interim Rule and an Affirmation of the Interim Rule to amend Karnal Bunt regulated areas. The following public notices were also published: Increase of user fee for export certification, completion of environmental assessment and potential treatment for grasshopper/Mormon crickets. In the Western Region, public notices were distributed in four North Dakota newspapers and the local media in regards to the grasshopper program.

Fifty tribal officials were invited to participate in the ADT workshop in Kansas City in March 2010 – the first time Native American representatives have been invited to the table along with representatives from State Government in order to work jointly on the creation of State-based protocols for the new ADT effort. In support of this initiative, \$220,000 was committed by the agency, and an additional \$660,000 was also committed to support the Native American Fish and Wildlife Society CWD programs and additional awards to approximately 30 tribes.

Emerald Ash borer state and national outreach initiatives were designed to establish partnership with internal and external stakeholders to increase compliance and slow artificial movement of pest, approximately \$46,000 in agreements were awarded to tribal organizations to work with tribes affected by Emerald Ash borer, \$189,000 was awarded in a cooperative agreement to Nez Perce Biological Control Center. Additionally, the agency committed over \$560,000 for programs including Grasshopper, Pest Survey, Pink Bollworm Rearing Facility and Eradication Programs (including distribution of sterilized moths), Karnal Bunt, Onionweed, associated with the following tribes and reservations: Kaibab-Paiute Indian Reservation, San Carlos Apache Indian Reservation, Navajo Nation, Hopi Reservation, White River Apache Indian Reservation, Hualapai Indian Reservation, Havasupai Tribe, Quechan Indian Tribe, Colorado River Indian Tribe, Salt River Pima-Maricopa Indian Community, Gila River Indian Community and Tohono O'odham Nation.

Asian Longhorned Beetle state and national outreach initiatives are designed to gain citizen support to identify and report new infestations, permit the agency access to private property, and discourage artificial movement.

APHIS Program Information to the Public Stakeholders is communicated through public awareness/outreach campaigns on Asian Citrus, Avian Influenza (AI), Emerald Ash borer, and Asian Longhorned Beetle.

APHIS' selected a 1994 Tribal Scholar. The scholar is attending the Tohono O'odham Community College and is a member of the tribe.

APHIS participated in FAPACs 25<sup>th</sup> National Leadership Training Conference which was held in National Harbor, Maryland, May 3-7, 2010. APHIS was a \$10,000.00 sponsor for this event and many of the Agency's program areas attended the conference and participated in the workshops and had an exhibit booth. APHIS' continues to strengthen its partnership with FAPAC by establishing a Memorandum of Understanding (MOU). FAPAC and APHIS mutually agree to work together to conduct outreach to APA communities and to identify employment and internship opportunities for APAs.

APHIS continued its' capacity building support (\$500,000) of Florida A&M University (an 1890 Land Grant University) to establish a Veterinary Technology program. This program will help fill the void by increasing the pool of veterinary technologist available to APHIS and the animal healthy industry.

APHIS continued its' capacity building support (\$312,500) of Fort Valley State University (an 1890 Land Grant University). Under the terms of this continuation agreement, Fort Valley State University provides public awareness of animal diseases that relate to USDA's National Animal Health System (NAHMS). Activities include: identification and classification of diseases; taking tissue samples; disposing of animal carcasses; and cleaning and disinfecting contaminated premises.

APHIS is establishing an Outreach Council who will work with the outreach coordinators from each program area and office. Each year, all APHIS program areas are required to submit detailed reports. These reports are based on the following APHIS Outreach Categories: 1) Educational (initiatives with HBCU, HACU, 1994 Native American Colleges); 2) Delivery of Programs and Initiatives to Native American Tribes/Tribal Organizations (via technical assistance, meetings, projects and other activities utilizing the APHIS Native American Working Group with designated liaison in each state), 3) Communicating APHIS Program Information to the Public/Stakeholders (via meetings, listening sessions, workshops) and 4) Delivery of Programs and Initiatives to Small and Socially Disadvantaged Farmers and Ranchers.

APHIS invested \$100,000 and entered into a partnership with the Federation to assist APHIS in conducting outreach to socially disadvantaged farmers and ranchers (SDFR) in the Black Belt region of the southeastern United States. The Federations outreach activities will help SDFRs more aware of APHIS programs will increase the likely hood that they will access APHIS' programs in their operations.

Additionally, APHIS provided a \$5,000 sponsorship of the Federation of Southern Cooperatives/Land Assistance Fund 42<sup>nd</sup> Annual Meeting August 2009. The Federation of Southern Cooperatives/Land Assistance Fund is a non-profit 501 (c) (3) community based organization. The Federation's programs include land retention, cooperative development, marketing, outreach, technical assistance, research, and training. They work primarily with Socially Disadvantage Farmers and Ranchers, in the black Belt Region (13 states in the southern region) of the United States.

APHIS invested \$5,000 in a sponsorship of the Patriots Technology Training Center (PTTC) 2010 Summer Camp. PTTC is a 501(c) (3) charitable and educational organization dedicated to *"Empowering Students through Technology"*. PTTC has been in existence for twelve years. PTTC accomplishes its mission by providing students (grades 5 through 12) with training and exposure to professionals in the areas of science, mathematics, engineering, and computer technology. PTTC students are encouraged to obtain a college education and/career in technology and interrelated fields.

APHIS invested \$30,000 in the Hispanic Leaders in Agriculture and the Environment (HLAE) at Texas A&M University, Texas AgriLife Research to sponsor a Ph. D. Graduate student. The Ph. D student will conduct a research project to help eradicate cattle fever tick (*Boophilus annulatus*) and the southern cattle tick (*Boophilus microplus*), collectively referred to as cattle fever ticks CFT. In recent years, CFT have been expanding their range outside of the 8 southwestern counties of Texas. In addition to their capacity as vectors, the normal feeding activity of ticks on heavily infested cattle results in a significant cost to cattle producers due to reductions in weight gain, calf production, and milk production.

APHIS invested \$10,000 in a sponsorship of the 2009 The Professional Agricultural Workers Conference (PAWC). The Conference is sponsored by Tuskegee University and is committed to a world that values and promotes equal opportunity, equitable access to information and technology for sustainable development of communities and natural resources.

The Conference is attended by 300 to 400 professionals working in the field of agriculture. The Conference program is designed to enhance the skills and contributions of agricultural and related professionals (business, government, university and community professionals) involved in discovery, dissemination and use of emerging technologies, information, problem solving, policy formulation and strategy development for the advancement of people and communities.

APHIS invested \$25,000 in a sponsorship of the TMCf's 9th Annual Leadership Institute and Recruitment Fair. This event is designed to provide students with four days of professional and personal development, and networking opportunities with recruiters and executives from federal government agencies as well as America's leading corporations. The conference is attended by approximately 300 students attending 47 Historically Black Colleges and Universities across the United States.

The TMCf's mission is to develop and prepare a new generation of leaders by providing resources, opportunities and advocacy to public Historically Black Colleges and Universities, students and alumni.

APHIS invested \$128,000 in the continuation of its partnership with 1890 Land- Grant Universities. Sixteen Students pursuing degrees in agriculture and related disciplines at nine of the eighteen 1890 Land-Grant Institutions were awarded scholarships. After completing their undergraduate degrees, the scholars will be offered permanent employment with APHIS. Their employment will assist APHIS in its efforts to introduce more students to agriculture and increase the diversity of its workforce.

APHIS participates in the Office of Advocacy planning meetings.

**GOAL: 2. Program Delivery: Proactive Management and Legal Compliance:**

Ensured all customers equal opportunity to access programs, activities, and services in the delivery of USDA programs and services.

<p><b>PERFORMANCE OBJECTIVE: 2.1 <u>Program Delivery/Legal Compliance:</u></b></p> <p>Delivered Agency programs in compliance with civil rights laws, Departmental regulations, policy, and goals.</p>	<p><b>GOAL INDICATOR: 2.1 (c) <u>Compliance Reviews/Corrective Actions:</u></b></p> <p>Agencies conducted regular and systematic civil rights compliance reviews of Federally assisted and conducted programs in accordance with Departmental Regulations and other guidance, including:</p> <ul style="list-style-type: none"><li>a) Analyzed trends in complaints to target compliance reviews</li><li>b) Conducted appropriate compliance review(s) vis-à-vis, the types of programs and activities conducted by the Agency (e.g., Federally assisted and/or conducted)</li><li>c) Identified basis(es) upon which compliance review(s) was/were conducted (e.g., race)</li><li>d) Identified issue(s) to be reviewed during the compliance review(s) (e.g., access to services, methods of administration)</li><li>e) Conducted appropriate number of compliance review(s) to ascertain that Federally assisted and conducted programs/activities are delivered in compliance with regulatory and other requirements</li><li>f) For Federally assisted compliance reviews, Agency documented compliance with review guidance from Department of Justice (DOJ) (i.e., choosing recipients for reviews).</li></ul>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 4**

APHIS implemented a new strategy to conduct reviews to cover a larger part of the organization to include individual state offices by region (Southwest, Northwest, Southeast and Northeast). During the reporting period, APHIS completed a total of 84 compliance reviews (desk audit and on-site) and surveyed nearly 1,700 managers, supervisors and employees covering both employment and programs for: Veterinary Services, Plant Protection and Quarantine, Wildlife Services, Animal Care and the APHIS Native American Working Group (ANAWG). This number represents a 25% increase in compliance reviews conducted since FY 2009.

The increase in compliance review resulted from the implementation of APHIS' new strategy to conduct reviews to cover a larger part of the organization to include individual state offices by region (*Southwest, Northwest and Southeast*). This method was pivotal in providing a broader scope of review and permitted the agency to assess civil rights compliance at the state office level.

APHIS Civil Rights Compliance Reviews of selected programs and locations include tools to assess both employment and program delivery. Two types of reviews are conducted, On-Site and Desk Audit. APHIS utilizes a web-based automated survey system in conjunction with direct interviews that allows employee input into the compliance review process. APHIS believes that surveying employees is a valuable and broad-based resource because it allows employees to offer confidential observations and comments on civil rights compliance. Each survey contains questions specifically designed to obtain information on the following employment categories-Commitment, Performance Management, Career Development Training, Employee Recognition, EEO in the Agency's Strategic Mission, Diversity and Equal Opportunity, Special Emphasis Programs, Special Programs and Initiatives, EEO Process and Policy Awareness. Program delivery categories include public notification and outreach, program complaint processing, and Limited English Proficiency.

The review process also includes a comprehensive analysis of the Employment Workforce which includes data on workforce profile, grade distribution, disability representation in workforce, promotions, cash/time-off/ quality step awards, new hires, separations and complaints of discrimination. Compliance review reports and briefings are provided to the appropriate manager and/or member of the APHIS Management Team.

A trend analysis, based on survey responses, found the predominant issues to be Career Development and Training. More specifically, the APHIS Leadership Toolkit is rarely being discussed with employees and is seldom being used to establish career goals and assess current proficiency levels. The analysis also revealed that although APHIS employees completed the mandatory civil rights training requirements, few continue to receive periodic training in EEO and civil rights and most Individual Development Plans/Learning Contracts lack training in civil rights. In addition many employees are unfamiliar with the process for handling program discrimination complaints and have not received training in this area within the past three years. APHIS continues to broadcast and provide quarterly webinar training sessions on civil rights issues that are available to all APHIS employees.

APHIS continues to implement and correct the following actions that were identified in the compliance review process:

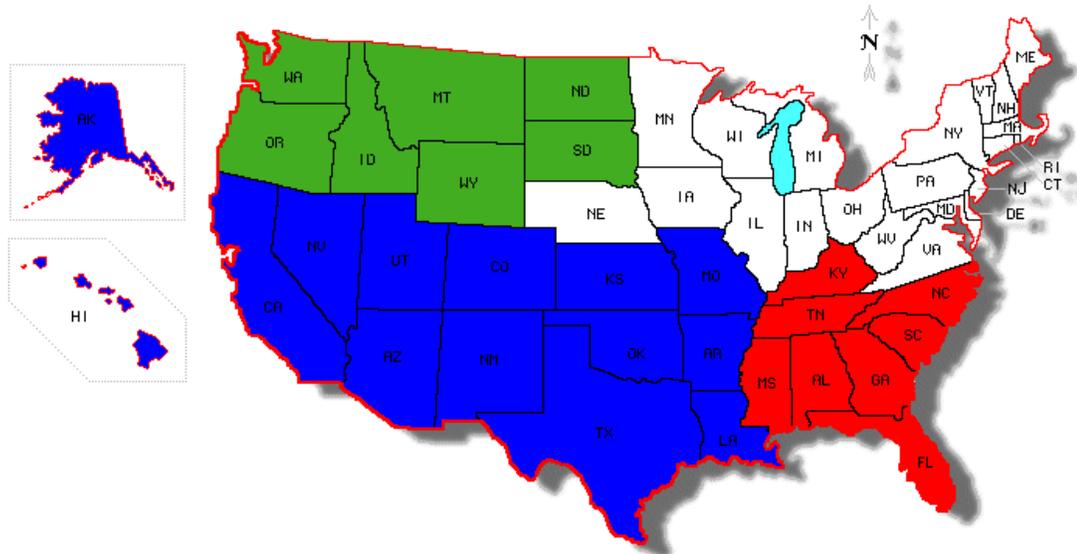
- Sufficiently discuss the APHIS Leadership Development Toolkit with employees;
- Work closely with the APHIS Human Resources Recruiting Office and the EEO Advisory Committee to explore various methods of recruiting;
- Develop recruitment strategies to address under representation;
- Explore the use of hiring authorities to ensure persons with a targeted disability have equal access to positions;
- Contact the APHIS Civil Rights Enforcement and Compliance Office to participate in quarterly civil rights webinar training;
- Ensure policy statements are posted appropriately and prominently;
- Issue memo providing guidance for processing complaints of program discrimination; and,
- Periodically discuss EEO and civil rights with employees during staff meetings and individual meetings throughout the fiscal year.

APHIS area offices are submitting responses to the corrective actions, and have begun to implement the recommended actions. Responses show program units are scheduling special meetings to discuss the APHIS Leadership Toolkit, identifying target areas of recruitment, registering for civil rights webinar sessions, discussing civil rights during Area field staff conference calls and staff meetings, updating recruitment plans and visibly posting policy statements for employee and visitor viewing.

During the reporting period June 1, 2009 – July 30, 2010, APHIS completed desk audits for the following programs, which are also illustrated by state/region in the map below. Two or more states listed together indicate one state office serving those states.

## FY 2010 State Office Reviews by Region

- - Southwest
- - Southeast
- - Northwest



NOTES:  
The Northwest State Offices (WA, OR, ID, MT, WY, ND and SD), and APHIS Federally Assisted Programs compliance reviews are scheduled for review in FY 2010/Quarter 4.

7-23-10

### ▪ Veterinary Services State Offices/Operations

#### *(Southwest Offices)*

- Missouri
- Arkansas
- Arizona
- Louisiana
- Kansas
- Oklahoma
- Texas
- Colorado
- New Mexico
- Utah
- California/Nevada

#### *(Southeast Offices)*

- North Carolina
- South Carolina
- Kentucky
- Tennessee
- Mississippi
- Alabama
- Georgia
- Florida

### ▪ Plant Protection and Quarantine State Offices/Operations

#### *(Southwest Offices)*

- Missouri
- Arkansas
- Arizona
- Louisiana
- Kansas
- Oklahoma
- Texas
- Colorado
- New Mexico
- Utah
- Nevada
- California

*(Southeast Offices)*

- North Carolina
- South Carolina
- Kentucky
- Tennessee
- Mississippi
- Alabama
- Georgia
- Florida
- Hawaii

▪ **Wildlife Services State Offices/Operations**

*(Southwest Offices)*

- Missouri
- Arkansas
- Arizona
- Louisiana
- Kansas
- Oklahoma
- Texas
- Colorado
- New Mexico
- Utah
- California/Nevada

*(Southeast Offices)*

- North Carolina
- South Carolina
- Kentucky/Tennessee
- Mississippi
- Alabama
- Georgia
- Florida

▪ **Animal Care Western Region** (all employees report to the Western Regional Office in Fort Collins, Colorado)

- Washington
- Idaho
- Oregon
- California
- Arizona
- New Mexico
- Texas
- Louisiana
- Arkansas
- Oklahoma
- Missouri
- Kansas

- Colorado
- Utah
- Nevada
- Iowa
- Nebraska
- Wyoming
- South Dakota
- North Dakota
- Montana
- Alaska

- **APHIS Native American Working Group - ANAWG** (*all APHIS state representatives and voting members were included in the review*).

In June 2010, APHIS completed on-site compliance review activity for the following programs. *Report completion is in progress.*

- **Veterinary Services Eastern Regional Office/Follow-up Review** - Raleigh, North Carolina
- **Veterinary Services North Carolina State Office** - Raleigh, North Carolina
- **Plant Protection and Quarantine Arizona State Office** - Phoenix, Arizona

Compliance reviews represent over 70% completion rate. The Northwest State Offices and APHIS Federally Assisted Programs compliance reviews are scheduled for review in FY 2010/Quarter 4. A compliance review schedule was developed for FY 2010 and is found under Goal Indicator 3.2(a). The compliance review schedule can also be accessed through the CREC website at: [http://www.aphis.usda.gov/civil\\_rights/compliance\\_reviews\\_schedule.shtml](http://www.aphis.usda.gov/civil_rights/compliance_reviews_schedule.shtml)

APHIS is currently working to develop a monitoring system to improve and augment the implementation of corrective actions.

**GOAL: 2. Program Delivery: Proactive Management and Legal Compliance:**

Ensured all customers equal opportunity to access programs, activities, and services in the delivery of USDA programs and services.

<p><b>PERFORMANCE OBJECTIVE: 2.1 <u>Efficient Program Complaint Process:</u></b></p> <p>Delivered Agency programs in compliance with civil rights laws, Departmental regulations, policy, and goals.</p>	<p><b>GOAL INDICATOR: 2.1 (d) <u>Compliance with Notification Requirements:</u></b></p> <p>Complied with civil rights laws, regulations, and policies, to ensure that all notification requirements were posted on appropriate documents and publications, including the Internet; and compliance with Section 508.</p> <p>Notification requirements:</p> <ol style="list-style-type: none"><li>(1) Posted and published up-to-date nondiscrimination statements,</li><li>(2) Posted and published complaint filing information,</li><li>(3) Posted and published information for individuals with disabilities as to how to obtain information in alternative format,</li><li>(4) Posted and published information for individuals with limited English as to how to obtain information in alternative languages,</li><li>(5) Policy, training, and information dissemination as to the provisions of auxiliary aids and services, and</li><li>(6) Compliance with Section 504 (auxiliary and services) and Section 508 (electronic and information technology) while meeting these obligations.</li></ol> <p>Provide written certification that these statements are posted and included on all forms and publications, as well as other materials deemed necessary that are for or used by recipients, beneficiaries, and the public.</p> <p>Agencies are required to provide evidence (e.g., copies of memos, policy and procedures addressing items 1-6 listed above) to demonstrate compliance with the notification requirements, including information. Agencies must provide a succinct written rationale with evidence as to how the agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 3**

The Civil Rights policy statement signed by the APHIS Administrator on December 4, 2009 included language referring to providing equal opportunity for delivery of programs and activities to the public. The policies are posted on the APHIS CREC website ([www.aphis.usda.gov/civil\\_rights](http://www.aphis.usda.gov/civil_rights)) and at locations throughout APHIS offices.

APHIS continues to provide the standard USDA non-discrimination statement on all appropriate public documents.

APHIS main page web site includes a link to the USDA web page with the USDA non-discrimination statement. In addition, the USDA Accessibility Statement includes several resources for individuals to enable individuals to obtain information in alternative formats.

The APHIS Civil Rights Enforcement and Compliance webpage includes the following ([www.aphis.usda.gov/civil\\_rights](http://www.aphis.usda.gov/civil_rights)):

- Links to USDA's Non-Discrimination Statement and USDA's Information on How to File an Employment and Program Discrimination Complaint
- APHIS Administrator's Civil Rights Policy Statement which includes language reference equal opportunity for delivery of programs and activities
- Modified APHIS agency version of the Department of Justice's "Limited English Proficiency-Know Your Rights" brochure.

In addition to the Administrators Civil Rights Policy Statement and the USDA Non-discrimination Statement, the following information is communicated to APHIS managers and supervisors on an annual basis:

- "And Justice For All" Posters (for federally assisted and federally conducted programs) are being revised. These posters were usually sent out continuously to newly appointed managers and as requested from current managers. Instructions are included on where to post in APHIS offices and to provide to recipients of Federal financial assistance from APHIS.
- APHIS Civil Rights Information Academy briefings include information on accessibility, Limited English Proficiency and additional notifications/information on program delivery.
- The APHIS Civil Rights compliance review process includes questions of employees as to the knowledge and use of the Federal Relay Service and Limited English Proficiency.
- Links are included in the APHIS CREC website for persons to access complaint filing information for both employment and programs.
- APHIS has developed informational brochures for both program complaint filing and LEP. These brochures are provided to managers and supervisors in training sessions and upon request.
- APHIS maintains the capacity to provide information to the public in 12 different languages.
- APHIS provided 6 Program Delivery and Compliance webinars managers, supervisors and employees to provide information on the requirements in the Americans with Disabilities Act Amendments Act.
- APHIS managed several specially funded outreach campaigns on critical agency initiatives, including:
  - Outreach/education campaign supporting citrus greening and Asian citrus psyllid. The campaign was launched to educate consumers purchasing citrus online. Consumers searching citrus-related terms saw catchy banner pop-up advertisements that directed them to the Save Our Citrus website for information and educational opportunities on citrus greening and Asian citrus psyllid. APHIS is also using several social media tools in this campaign, including Facebook, Twitter, and Flickr. The site received 20,000 unique visitors in just the first month alone, with the majority

from Florida, Louisiana, Arizona, Alabama, California, and Texas. The campaign continued in the Spring during the landscaping and gardening season when the movement of citrus plants is high.

- Outreach/education supporting Biosecurity for Birds outreach continued to backyard owners on the importance of keeping their birds disease-free with the Biosecurity for the Birds campaign. Printed and feedsack advertising activities are continuing to pull interest within our target audiences. APHIS completed two focus groups with 4-H youth that provided valuable information and possible strategies for how to better engage 4-H and FFA in community-level outreach efforts around the nation.
- Emerald ash borer (EAB) campaign to increase awareness about this invasive beetle, support regulatory initiatives and encourage the public not to move firewood. As part of this effort, APHIS utilized a variety of communications tools to reach residents, including billboard advertising, public service announcements and a web site. They also led an EAB awareness week in May with a radio media tour covering affected and at-risk states, the distribution of the new matte release included an online search marketing and display advertising strategy three Weather.com, MapQuest.com, and web sites that cater to outdoor enthusiasts. These efforts are designed to reach millions of people with the EAB message. Additionally, APHIS coordinated with state partners and led community-level outreach efforts by distributing radio public service announcements, television, and printed material customized for each state along with yard signs and t-shirts supporting EAB awareness week. APHIS received an average of 18,000 visitors to the campaign site each month since May.
- Outreach/education supporting the Asian Longhorned Beetle (ALB) campaign aimed at building grass roots support for the ALB program in affected states, with a focus on Massachusetts. A new public awareness program "Spot It, Report It!" was launched which included a new Beetle Buster.information microsite and a variety of paid and PSA advertising, including billboards, movie theater ads, and cable and radio spots. In the first three weeks of this campaign, APHIS received over 30 reports of possible ALB sightings from citizens that had seen the campaign.
- Outreach/education campaign to educate California residents on invasive species and their effect on agriculture and the environment. APHIS designed, with contractor support this multi-tiered awareness outreach campaign. In March the first phase of the campaign was launched aimed at creating a forum for enhanced and informal dialogue about invasive species and the methods used to control and eradicate them. This phase included the creation and launch of the HungryPests.com campaign site that includes information on all the invasive pests attacking California resources, along with several social networking tools including the HungryPests Twitter feed, the HungryPests Facebook cause group, and the HungryPests blog. Over the summer, APHIS also created a coalition of organizations in California that will lead community-level outreach efforts. Coalition members include a wide array of producer groups, environmental organizations, and academia. In August the print and TV advertising portion of the campaign was launched, resulting in a significant increase in online activity and discussion on the HungryPest web site and social media channels.

APHIS will continue to provide funding and technical assistance to the most diverse range of the public, stakeholders and other interested parties.

**GOAL: 2. Program Delivery: Proactive Management and Legal Compliance:**

Ensured all customers equal opportunity to access programs, activities, and services in the delivery of USDA programs and services.

<p><b>PERFORMANCE OBJECTIVE : 2.2 <u>Efficient Program Complaint Process:</u></b></p> <p>Maintained an effective process for handling civil rights program complaints.</p>	<p><b>GOAL INDICATOR: 2.2 (a)</b> <b><u>Agency Position Statements Received Timely for Program Complaints:</u></b></p> <p>Provided Agency Position Statements for program complaints of discrimination within 24 calendar days from receipt of request from OASCR.</p> <p>Agencies are required to provide the number of Agency Position Statements given to the OASCR and indicate what percentage was submitted timely.</p> <p>Agencies must provide a succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 3**

Three program complaints were filed against APHIS during this reporting period. Agency Position Statements (APS) for two of the complaints were timely submitted. An extension of 7 days to complete the APS was requested from and approved by OASCR for the remaining complaint.

APHIS maintains an automated program discrimination complaint tracking system to enable prompt preparation of Agency Positions Statements. APHIS Managers and Supervisors are reminded in training sessions and program delivery briefings of the importance of responding to program discrimination complaints.

**GOAL: 2. Program Delivery: Proactive Management and Legal Compliance:**

Ensured all customers equal opportunity to access programs, activities, and services in the delivery of USDA programs and services.

<p><b>PERFORMANCE OBJECTIVE 2.2</b> <b><u>Efficient Program Complaint Process:</u></b></p> <p>Maintained an effective process for handling civil rights program complaints.</p>	<p><b>GOAL INDICATOR: 2.2 (b)</b> <b><u>Complaint Non-Compliance/Corrective Actions:</u></b></p> <p>Provided the number of program complaints investigated during the FY where corrective actions were identified, including conciliation agreements.</p> <p>Provided a copy to OASCR of each Corrective Action Plan/Conciliation Agreement.</p> <p>Promptly implemented the terms of each Corrective Action Plan/Conciliation Agreement, and</p> <p>Responded timely to requests for non-compliance/corrective action-related information (e.g., data, analyses, reports, recommendations, and status reports) from OASCR.</p> <p>Agencies must provide succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 2**

APHIS continues to maintain an automated program discrimination complaint tracking system to track all aspects of complaint processing. APHIS also continues to participate with the OASCR Program Complaints Division in using the Program Complaint Management System and any changes to that system. Civil Rights training sessions for APHIS managers, supervisors and employees include a section on the importance of the public's right to file such complaints and the need to process them according to Department guidelines for agencies.

One program complaint against APHIS was closed during the reporting period for this report with no findings of discrimination. The complaint was closed for no jurisdiction, therefore, no corrective actions were identified or required of APHIS.

**GOAL: 3. EEO Program : Proactive Management and Legal Compliance:**

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p><b>PERFORMANCE OBJECTIVE : 3.1</b> <b><u>Model EEO Program:</u></b></p> <p>Took affirmative steps to ensure that the Agency addressed EEO Plan Objectives to Eliminate Barriers and provide civil rights training to employees.</p>	<p><b>GOAL INDICATOR: 3.1 (a)</b> <b><u>Analysis of Workforce and Elimination of Barriers:</u></b></p> <p>Used various tools, including, but not limited to, the EEO objectives of MD-715; the recruitment initiative of the Federal Equal Opportunity Recruitment Plan (FEORP), Disabled Veterans Affirmative Action Plan (DVAAP), and the hiring, promotion and retention requirements for persons with targeted disabilities in Part J of MD-715. Specifically, the Agency:</p> <ul style="list-style-type: none"><li>a) Took affirmative steps to ensure that the Agency addressed EEOC's "EEO Plan Objectives to Eliminate Barriers: through: i) Increased representation, ii) Advancement opportunities, and iii) Retention of groups with low participation rates by race, sex, and national origin</li><li>b) Established and met hiring, advancement, and retention objectives for employees with targeted disabilities, as required by EEOC MD-715, Part J, "Special Program Plan for the Recruitment, Hiring, Advancement of Individuals with Targeted Disabilities"</li><li>c) Provided annual civil rights and diversity training; and</li><li>d) Promoted a workplace free of reprisal or harassment</li></ul> <p><b>This process should be achieved through:</b></p> <p>(1) Assessment of workforce to determine low participation of groups by race, sex, national origin, and disability to improve recruitment, advancement, and retention of those identified with low participation rates (i.e., below civilian labor force or Federal-high rate for persons with targeted disabilities)</p> <p>(2) Conducted barrier analyses to determine policy, practices, or procedures that may limit or tend to impede employment opportunities for members of a particular race, sex, national origin, or based on an individual's disability status</p>
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**GOAL: 3. EEO Program : Proactive Management and Legal Compliance (continued):**

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p><b>PERFORMANCE OBJECTIVE : 3.1</b> <b><u>Model EEO Program:</u></b></p> <p>Took affirmative steps to ensure that the Agency addressed EEO Plan Objectives to Eliminate Barriers and provide civil rights training to employees.</p>	<p><b>GOAL INDICATOR: 3.1 (a)</b> <b><u>Analysis of Workforce and Elimination of Barriers (continued):</u></b></p> <p>(3) Determination of objectives for targeted improvement to ensure equal employment for all groups</p> <p>(4) Comparison of workforce statistics by race, sex, national origin, and targeted disability status in FY 09 to FY 10 to demonstrate measurable improvement in groups with low participation rates</p> <p>(5) Providing annual civil rights and diversity training; and</p> <p>(6) Promoted a workplace free of reprisal or harassment</p> <p>Agencies are required to provide a summary analysis as to how they determined low participation rate of groups by race, sex, national origin, and disability (RSNOD), identified planned objectives, and the status of the implementation of objectives to improve employment profiles for identified low participation groups. Agencies are required to provide a succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 6**

1. The Annual EEO Program Status Report includes effective strategies for improving diversity, eliminating barriers to equal employment opportunity. The APHIS Federal Equal Opportunity Recruitment Program (FEORP) Plan includes recruitment, hiring and community outreach strategies. Reports include specific action items, realistic goals, and target dates to demonstrate efforts to improve and ensure diversity in the workforce. The Disabled Veterans Affirmative Action Program (DVAAP) plan strives to increase the representation of disabled veterans, especially those who are 30 percent or more disabled. For more detailed information the reports are located on the CREC website at:  
[www.aphis.usda.gov/about\\_aphis/programs\\_offices/civil\\_rights/](http://www.aphis.usda.gov/about_aphis/programs_offices/civil_rights/)

As of this report APHIS has a total population of **9,046** employees. This is a net increased of **(+122)** compared to the total population of **8,924** in FY 2009. Under-representation remains in the following Races/Genders Categories: Black Males, Black Females, Hispanic Females, White Females and Persons with Targeted Disabilities. (For a more detailed breakdown see the Workforce Analysis chart in Appendix 7, page 71-72).

2. As of this report APHIS has a total of **786** New Hires. Of that total, **297(37.8%)** are Women and **489(62.2%)** are men. Although APHIS is below the Federal initiative goal (2.0%) for Persons with Targeted Disabilities, the Agency has hired **6(.75%)** Persons with a Targeted Disabilities this fiscal year. APHIS has succeeded its annual goal of hiring 5 individuals with targeted disabilities, which brings the Agency's total population of Persons with a Targeted Disability to **69 (.76%)**. APHIS continues to

actively promote the Workforce Recruitment Program and gave three presentations to management officials during FY 2010. (See Appendix 8, page 73)

The following chart shows the Agency's 3-Year Hiring Goal for Persons with Targeted Disabilities.

FY 2009 APHIS Employees With Targeted Disabilities 67 or .73%	3 -Year Hiring Goal 2010 - 2012	Fiscal Year Increase
Fiscal Year 2010	77	+10
Fiscal Year 2011	87	+10
Fiscal Year 2012	97	+10

3. To date the Agency has made **109** new hires under student appointments. The breakdown is as follows:

<b>CIP</b>	<b>10</b>
SCH B 213.3202 (O)	10
 <b>SCEP</b>	 <b>6</b>
SCH B 213.3202 (A) GRAD	1
SCH B 213.3202 (B) ASSO	2
SCH B 213.3202 (B) BA/BS	3
 <b>STEP</b>	 <b>93</b>
SCH B 213.3202 (A) HS	7
SCH B 213.3202 (A) VOC	1
SCH B 213.3202 (A) ASSO	6
SCH B 213.3202 (A) GRAD	12
SCH B 213.3202 (A) BA/BS	67
 <b>Total</b>	 <b>109</b>

4. APHIS' mandatory Civil Rights Training for FY2010 is the Americans with Disabilities Act Amendments Act of 2008 and is available to all employees on-line through the APHIS Ag-Learn system and on CD. As of this report 3,998 (44%) of the employees has completed the training.

5. APHIS has conducted the following diversity training in FY 2010:

- The APHIS Training and Development Branch collaborated with the USDA Office of Civil Rights to develop the online course *ADA Amendments Act of 2008*. The training is available on AgLearn as well as on CD for those with slow connections. There was also a self-study version for those APHIS employees without access to a computer and those with special needs. The AgLearn report shows that 2,490 APHIS employees have completed the on-line course between April 13, 2010 and June 22, 2010. The Reasonable Accommodation Program Coordinator provided classroom training for 750 employees and supervisors in various locations, as of July 30, 2010.
- In addition to the mandatory training, APHIS provided frequent briefings and learning opportunities to employees and managers. The briefings were provided in face-to-face classroom style sessions, presentations at meetings, and webinars. During the 4<sup>th</sup> Quarter of FY 2009 and the first three quarters of FY 2010, APHIS presented 16 modules each quarter to a total of 699 participants (328 more than was reported last year).
- APHIS sponsored a 3-day ADR training to managers and supervisors. The training was titled *Mediation in Workplace Disputes* and was provided by the Justice Center of Atlanta, Inc. In addition, the ADR webinars module was offered to all employees, supervisors and managers every quarter.
- APHIS also included 1 ½ day civil rights modules presented by an EEOC administrative judge, as part of the "Fundamentals of APHIS Human Resource Management" for supervisors in Raleigh, NC; Ames, IA; and Minneapolis, MN.

- Civil Rights information was regularly distributed to all employees via email messages. As of June, the Agency has published 2 Civil Rights Updates, 1 special edition and e-mail blasts as needed. Simultaneously, APHIS provided civil rights information to employees through the Civil Right Conversations database which is a central location on the Agency e-mail system where employees can read information and immediately post questions or comments and civil rights experts may post responses. The Agency has also posted a wealth of information on the intranet and internet.
6. APHIS also included civil rights presentations as part of other Agency training: 5 sessions of the "Fundamentals of APHIS Human Resource Management (FAHRM)" for supervisors were planned and 4 have been completed (Raleigh, NC, Riverdale, MD, Ames, IA and Minneapolis, MN, Fort Collins, CO). To date 93 managers have completed the training, a total of 155 are scheduled for the training.
  7. An agency wide barrier analysis is conducted annually in conjunction with the preparation of the Management Directive 715 report. Over 350 managers and supervisors are surveyed and their responses are analyzed and summarized to help identify deficiencies and barriers. Workforce profile data is also analyzed to help identify under representation. Feedback is provided to managers along with action items to correct deficiencies and barriers.
  8. APHIS continues to promote a workplace free of reprisal and harassment. The following Policy Statements are distributed throughout the Agency:
    - ✓ Secretary Vilsack's Civil Rights Policy Statement
    - ✓ Administrator's Civil Rights Policy Statement and Anti Harassment Policy Statement

## Veterans and Disabled Veterans

APHIS continues its outreach efforts to recruit Veterans and Disabled Veterans in the Federal workforce. In addition to continuing existing efforts, the agency launched its Veterans Emphasis Program (VEP) during the first quarter. The VEP in partnership with the Disability Employment Program (DEP) and the Talent Acquisitions and Recruitment (TA & R) Branch allowed the agency to extend its outreach efforts for Veterans and Disabled Veterans.

Attended Event	Location	Date
Operation Warfighter Recruitment Workshop	Washington, DC	12/15/2009
Employer Summit for Returning Veterans	Towson, MD	1/13/2010
Quantico Career Fair Mini-Brief (Seperatees)	MCB Quantico, Va	2/26/2010
Operation Warfighter Recruitment Workshop	Washington, DC	3/10/2010
M&T Bank Baltimore Veteran Opportunity Expo	Baltimore, MD	3/18/2010
Hiring Heroes Recruitment Fair	Washington, DC	5/16/2010
VETS, Multicruit, and WWP Virtual Career Fair	Online	7/15/2010
Quantico Career Fair Mini-Brief (Seperatees)	MCB Quantico, VA	07/16/2010
Operation Warfighter Career Fair	Washington DC	7/20/2010
Upcoming Event	Location	Date
Quantico Career Fair Mini-Brief (Retirees)	MCB Quantico, VA	7/30/2010
M&T Bank Baltimore Veteran Opportunity Expo	Baltimore, MD	8/19/2010
Quantico Career Fair Mini-Brief (Seperatees)	MCB Quantico, VA	08/06/2010
Quantico Career Fair Mini-Brief (Seperatees)	MCB Quantico, VA	08/20/2010
Quantico Career Fair Mini-Brief (Seperatees)	MCB Quantico, VA	09/17/2010
Quantico Career Fair Mini-Brief (Seperatees)	MCB Quantico, VA	10/08/2010
Quantico Career Fair Mini-Brief (Retirees)	MCB Quantico, VA	10/22/2010
Quantico Career Fair Mini-Brief (Seperatees)	MCB Quantico, VA	11/04/2010
Quantico Career Fair Mini-Brief (Seperatees)	MCB Quantico, VA	12/10/2010

Fort Meade Community Job Fair	Fort Meade, MD	09/15/2010
Fort Meade Veterans Job Fair	Fort Meade, MD	11/17/2010
MacDill Career Fair	MacDill AFB, Key West, FL	08/10/2010

(See Appendix 9, page 74, for additional recruitment and outreach events)

Of the 786 APHIS new hires there were a total of 94 newly hired employees who entered the agency under Veterans Preference. The breakdown and explanation of the Veterans Preference Code System is as follows:

**Fiscal Year 2010  
Animal and Plant Health Inspection Service  
# of Veteran New Hires for FY2010  
As of 07/08/2010**

PROGRAM	VET PREF CODE 1	VET PREF CODE 2	VET PREF CODE 3	VET PREF CODE 4	VET PREF CODE 5	VET PREF CODE 6	TOTAL
OA	0	0	0	0	0	0	0
PPD	2	1	0	0	0	0	3
LPA	6	0	0	0	0	0	6
MRPBS	44	5	0	3	0	5	57
IS	6	0	0	0	0	0	6
PPQ	339	18	2	8	0	12	379
VS	98	13	0	4	0	4	119
AC	10	1	0	0	0	0	11
WS	180	16	0	1	0	0	197
BRS	7	0	0	1	0	0	8
<b>TOTAL</b>	<b>692</b>	<b>54</b>	<b>2</b>	<b>17</b>	<b>0</b>	<b>21</b>	<b>786</b>

VET PREF CODES:

1=None

2=5 Point

3=10 Point (Disability)

4=10 Point (Compensable Disability)

5=10 Point (Other)

6=10 Point (30% Compensable Disability)

APHIS continues to implement strategies to improve the workforce's under-representation. Collaboration will continue with Civil Rights staff members and Human Resources/Recruitment staff members to provide collective input to ensure that the Agency continues to implement sufficient measures to recruit and retain persons with disabilities. EEO program implementation including barrier analysis is a critical performance element for the EEO Specialist.

**GOAL: 3. EEO Programs: Proactive Management and Legal Compliance:**

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p><b>PERFORMANCE OBJECTIVE: 3.2</b> <b><u>Comprehensive EEO Evaluation Program:</u></b></p> <p>Assess employment policies and practices.</p>	<p><b>GOAL INDICATOR: 3.2 (a)</b> <b><u>Compliance Reviews/Corrective Actions:</u></b></p> <p>Agencies conducted regular and systematic civil rights compliance reviews in accordance with Departmental Regulations and other guidance.</p> <p>Agencies are required to provide to ASCR: (1) A copy of their original FY 2010 Compliance Review Plan/Schedule, (2) Number of compliance reviews that were completed, (3) Number and explanation as to why any compliance reviews were not conducted/completed, and (4) Status of all corrective actions identified, implemented, and completed for each compliance review.</p> <p>For the agencies that were subject to the requirements of the Settlement Agreement of the <i>Basu</i> class complaint, please report specific actions taken to implement them. Please include supporting documents that were used in regard to outreach efforts involving scholarships, job fairs, and the Development Opportunity Placement Program.</p> <p>Agencies must provide a succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 4**

Civil rights compliance reviews were completed for the Southeast and Southwest state offices of Veterinary Services, Plant Protection and Quarantine, Wildlife Services, Animal Care and the APHIS Native American Working Group. During the reporting period a total of 84 reviews were completed, covering nearly 1,700 employees (see list under Goal Indicator 2.1(c)).

APHIS continues to implement and correct the following actions that were identified in the compliance review process:

- Sufficiently discuss the APHIS Leadership Development Toolkit with employees;
- Work closely with the APHIS Human Resources Recruiting Office and the EEO Advisory Committee to explore various methods of recruiting;
- Develop recruitment strategies to address under representation;
- Explore the use of hiring authorities to ensure persons with a targeted disability have equal access to positions;
- Contact the APHIS Civil Rights Enforcement and Compliance Office to participate in quarterly civil rights webinar training sessions;
- Ensure policy statements are posted appropriately and prominently;
- Issue memo providing guidance for processing complaints of program discrimination; and,

- Periodically discuss EEO and civil rights with employees during staff meetings and individual meetings throughout the fiscal year.

APHIS area offices are submitting responses to the corrective actions, and have begun to implement the recommended actions. Responses show program units are scheduling special meetings to discuss the APHIS Leadership Toolkit, identifying target areas of recruitment, registering for civil rights webinar sessions, discussing civil rights during Area field staff conference calls and staff meetings, updating recruitment plans and visibility posting policy statements for employee and visitor viewing.

Compliance reviews represent over 70% completion rate. The Northwest State Offices and APHIS Federally Assisted Programs compliance reviews are scheduled for review in FY 2010/Quarter 4. A compliance review schedule was developed for FY 2010 and is attached below. The compliance review schedule can also be accessed through the CREC website at: [http://www.aphis.usda.gov/civil\\_rights/compliance\\_reviews\\_schedule.shtml](http://www.aphis.usda.gov/civil_rights/compliance_reviews_schedule.shtml)

APHIS is currently working to develop a monitoring system to improve and augment the implementation of corrective actions.

### **Basu v. Johanns Class Settlement Agreement**

APHIS, in accordance with the terms of the Basu Settlement Agreement, was required to obligate funds, as determined by the USDA, Office of the Chief Financial Officer for resolution of claims of discrimination subsumed in the class complaint and associated administrative costs. APHIS fulfilled this obligation in September 2005 with the obligation of funds totaling over \$100,000.

APHIS was also required under the terms of the settlement agreement, to establish a Development Opportunity Placement Program (DOPP) for a 3-year period, beginning June 2005 through June 2008. APHIS was required to make available two opportunities annually for this period. DOPP opportunities were provided to all eligible and qualified employees to participate in developmental assignments. These assignments were to be filled for a minimum of 31 days at all grade levels and are the result of an actual vacancy or special need. Solicitations for employees interested in these opportunities were posted on a USDA website. As previously submitted by APHIS in its Final Report on Implementation of the Basu v. Johanns Settlement Agreement addressed to then Basu Departmental Liaison David King on May 21, 2008, APHIS reported the following:

APHIS fulfilled its obligation for Fiscal Years 2006, 2007 and 2008 as follows:

- In Fiscal Year 2006 employment opportunities were identified, posted and filled for the Biotechnology Regulatory Services (BRS) and Plant Protection and Quarantine (PPQ) programs, Wildlife Services (WS) and Veterinary Services (VS) programs identified and posted employment opportunities;
- In Fiscal Year 2007, however, despite extensive efforts to solicit interest, there were no applicants.
- In Fiscal Year 2008, the final year of the Basu settlement APHIS exceeded its obligation to provide employment opportunities by providing an additional two opportunities. The Policy and Program Development (PPD) program identified and posted two opportunities, a Writer-Editor position and a Management Analyst position, for which there were no applicants. The International Services (IS) program identified and posted two opportunities, a Program Assistant position and a Management Assistant position, which resulted in the receipt of an applicant. (See *Appendix 10, page 75, for supporting documentation*)

Additionally, it should be noted, that although not required, the APHIS, Marketing and Regulatory Programs Business Services, Human Resources Division, Recruitment Staff participated with the Department in several planning meetings for two USDA career fairs. The APHIS, Human Resources Recruitment Staff participated in the USDA Career Fair at University of Wisconsin at Madison on September 25, 2007 as part of a consolidated effort between USDA agencies. The Recruitment Staff also marketed the Graduate Scholarship at all attended career fairs for FY 2007.

**Employment and Program  
Compliance Review Schedule  
Fiscal Year 2010**

<b>QUARTER</b>	<b>REGION</b>	<b>PROGRAM</b>	<b>STATE(S)</b>	<b>TYPE OF REVIEW</b>
1 <sup>st</sup>	All Regions	ANAWG	All State Reps	Desk Audit
2 <sup>nd</sup>	Southeast State Offices	PPQ, WS and VS	North Carolina, South Carolina, Kentucky, Tennessee, Mississippi, Alabama, Georgia and Florida	Desk Audit & On-site Reviews
3 <sup>rd</sup>	TBD	* Recipient/Beneficiaries of APHIS Assistance Program (2 reviews)	TBD	On-site Reviews
3 <sup>rd</sup>	Eastern Region Follow-up	VS	North Carolina	On-site Reviews
4 <sup>th</sup>	Northwest State Offices	PPQ, WS and VS	Washington, Oregon, Idaho, Montana, Wyoming, North Dakota and South Dakota	Desk Audit & On-site Reviews

\* CREC will identify 1 cooperator receiving federal financial assistance from APHIS in each of the following programs – Plant Protection and Quarantine and Veterinary Services

**GOAL: 3. EEO Programs: Proactive Management and Legal Compliance:**

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p><b>PERFORMANCE OBJECTIVE: 3.2</b> <b><u>Comprehensive EEO Evaluation</u></b> <b><u>Program:</u></b></p> <p>Assessed employment policies and practices.</p>	<p><b>GOAL INDICATOR: 3.2 (b)</b> <b><u>NoFEAR Act:</u></b></p> <p>Provided timely Agency submissions to be used in the Department's Annual Report, and other items as requested by the OASCR.</p> <p>Agencies must provide a succinct written rationale along with documentation as to how the Agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 1**

APHIS continues to maintain its practice of providing the Department with timely submissions of documents, reports, or information as requested for complaint processing, NoFEAR reporting, and compliance reports. The Agency closely adheres to all timeframes for requests of information from the Department. CREC performed daily entries in the Department's iComplaints data base which is the source for the EEO complaint data for the USDA NoFEAR Act Report. Since the iComplaints data base generates the reports required by the NoFEAR Act, CREC updates the iComplaints data base on a daily basis to provide the Office of Adjudication (OA) with accurate data for its Annual Report. APHIS works closely with OA to reconcile any discrepancies with the complaint data.

As required, the Agency completed and submitted the Annual NoFEAR Report for FY 2009 to the Department on March 8, 2010, within the instructed timeframe. The annual report included a detailed analysis of noted trends based on comparison of the data for FY 2008 and 2009.

APHIS has taken additional steps to create a workplace free of discrimination. Toward that end, in FY 2010, APHIS conducted classroom presentations during Fundamentals of APHIS Human Resource Management (FAHRM) training sessions. These training sessions are presented several times each year to new managers and supervisors in APHIS offices throughout the nation. The "cornerstones" and the purpose of the NoFEAR Act are addressed during these sessions. Furthermore, from July 2009 through June 2010, APHIS presented 16 webinars (combined computer-based/teleconference-based broadcasts) on various topics, such as the EEO complaint process and preventing complaints of reprisal; 699 employees participated. Several webinars, including the "Formal Complaint Processing" webinar include information on the NoFEAR Act.

**GOAL: 3. EEO Programs: Proactive Management and Legal Compliance:**

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p><b>PRFORMANCE OBJECTIVE: 3.3</b> <b><u>Efficient EEO Complaint Process:</u></b></p> <p>Managed an effective complaint processing program.</p>	<p><b>GOAL INDICATOR: 3.3 (a)</b> <b><u>Timely submitted EEO Counselor's Reports:</u></b></p> <p>Submitted timely EEO Counselor's Reports within 15 calendar days from giving complainant a Notice of Right to File.</p> <p>Agencies are required to provide the number of EEO Counselors' Reports and the percentage completed in a timely manner.</p> <p>Agencies must provide a succinct written rationale with evidence on how the agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 4**

APHIS continues to adhere to the guidelines provided in MD-110 by preparing a report sufficient to document that the EEO Counselor undertook the required counseling actions and to resolve any jurisdictional questions that arise. APHIS Standard Operating Procedures for EEO Counselor/Mediators require the development of an EEO Counselor's report or Mediation Summary within 5 work days after the issuance of the Notice of Right to file.

As of this report, APHIS processed 74 contacts. Twenty-nine formal complaints were filed and all of the Counselor Reports were uploaded into the system prior to the ECD request date. APHIS utilize EEOC's module report format and ensures that all reports provide the qualifying details, the details of the allegations, and the results of the fact-finding session.

Report Writing is a Critical Performance Element for the APHIS Counselor/Mediators. The Agency will continue to monitor to ensure submissions are in compliance with MD 110. APHIS will also continue to require the development of EEO Counselor's Reports and Mediation Summaries with 5 work days of the issuance of the NORF.

**GOAL: 3. EEO Programs: Proactive Management and Legal Compliance:**

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p><b>PERFORMANCE OBJECTIVE: 3.3</b> <b><u>Efficient EEO Complaint Process:</u></b></p> <p>Managed an effective complaint-processing program.</p>	<p><b>GOAL INDICATOR: 3.3 (b)</b> <b><u>Completed EEO Investigations within 90-days:</u></b></p> <p>Completed investigations and distributed Reports of Investigation (ROI) within the 90 calendar day timeframe (beginning the date OASCR notified the Agency of the complaint).</p> <p>Agencies are required to provide the number of investigations and the percentage completed in a timely manner.</p> <p>Agencies must provide a succinct written rationale as to how the Agency determined its self-assessed value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 4**

Completed investigations and Reports of Investigation were produced and distributed in accordance with USDA policy and federal regulation. The Department's iComplaints data base (*Investigation by Acceptance Letter*) shows that APHIS received and distributed 24 Reports of Investigation in FY 2010 to date. iComplaints shows that 92% (22/24) of the Reports of Investigation were distributed within 90 calendar days. Specifically, 22 out of these 24 Reports of Investigations were received and distributed within 90 calendar days from the date OASCR notified the agency of the complaint. In two instances, the Reports of Investigations were not distributed within 90 calendar days because both investigations required revisions.

Information on the remaining ROIs received and distributed for the remainder of this fiscal year will be reported in the EEOC 462 Report covering EEO complaint activity for FY 2010.

**GOAL: 3. EEO Programs: Proactive Management and Legal Compliance:**

Provided a workplace free of unlawful discrimination and enhance the diversity of the workforce.

<p><b>PERFORMANCE OBJECTIVE: 3.3</b> <b><u>Efficient EEO Complaint Process:</u></b></p> <p>Managed an effective complaint processing program.</p>	<p><b>GOAL INDICATOR: 3.3 (c)</b> <b><u>Complaint Non-compliance/Corrective Actions:</u></b></p> <ul style="list-style-type: none"><li>• Provided the average number of days to respond to requests for information from EEO Counselors, Investigators, and Adjudicators by type of request;</li><li>• Provided the average number of days to fully implement the terms of settlement agreements, including terms of the <u>Basu</u> settlement agreement, where applicable; and</li><li>• Provided the number of requests for non-compliance/corrective action-related information (e.g. data, analyses, reports, recommendations, and status reports) from OASCR, and the average number of days to respond to each type of request.</li></ul> <p>Agencies must also provide succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 3**

APHIS responded timely to all requests for information from EEO Counselors, Investigators, and Adjudicators, and OASCR compliance staff. APHIS responded within 24 hours or the next working day to all requests from EEO Counselors, Investigators, and Adjudicators, and within the requested timeframes to all requests from OASCR compliance staff.

APHIS closely adhered to all timeframes provided by requestors of information from the Department, Adjudicators, Investigators, and the Office of General Counsel. During FY 2010 to date, there were no complaints of record from the Department, Adjudicators, Investigators, or the Office of General Counsel that the Agency was late in providing requested information, data, or reports.

APHIS was required, under the terms of the Basu v. Johanns settlement agreement, to provide "opportunities" through the Development Opportunity Placement Program (DOPP) established by the USDA Office of the Assistant Secretary for Civil Rights. Through the DOPP, opportunities were provided to all eligible and qualified employees to participate in developmental assignments. These assignments were to be filled for a minimum of 31 days, at all grade levels. Solicitations for employees interested in these opportunities were posted by the USDA Office of the Assistant Secretary for Civil Rights on their website. Under this program, APHIS was required to post DOPPs and select two individuals for opportunities for each year, for a three-year period beginning in Fiscal Year 2006.

APHIS timely fulfilled its obligation for Fiscal Years 2006, 2007 and 2008 as follows:

- In Fiscal Year 2006 (October 1, 2005 thru September 30, 2006) as employment opportunities were identified, posted and filled for the Biotechnology Regulatory Services (BRS) and Plant Protection and Quarantine (PPQ) program.
- In Fiscal Year 2007 (October 1, 2006 thru September 30, 2007), Wildlife Services (WS) and Veterinary Services (VS) programs timely identified and posted employment opportunities.
- In Fiscal Year 2008 (October 1, 2007 thru September 30, 2008), the final year of the Basu settlement implementation, APHIS again timely identified and posted opportunities for the Policy and Program Development (PPD) program and the International Services (IS) program. (*See Appendix 10, page 75, for supporting documentation*)

In FY 2010 to date, there were 11 settlement agreements which represented 27% (11/41) of the complaints closed. Payments and other terms of the settlement agreements were processed and implemented within the negotiated timeframe stipulated within each settlement agreement. On average, it takes about 60 calendar days to fully implement the terms of a settlement agreement.

The agency filed a compliance report associated with each settlement agreement. Each compliance report was delivered to Geraldine Herring, Acting Chief, Compliance Division, within the appropriate timeframe, and also uploaded onto iComplaints.

To date, there were no allegations of non-compliance with any FY 2010 settlement agreement, as the agency implemented all settlement terms within the respective timeframes. However, there was one allegation of non-compliance related to a FY 2007 settlement agreement. The agency responded both verbally and in writing to the OASCR Office of Compliance, within the appropriate timeframes. The agency's response included evidence that it had acted in good faith and was, in fact, in compliance with all terms of the FY 2007 agreement.

The CREC Director meets on a weekly basis with the APHIS Associate Administrator to discuss and report on agency complaint closures under the USDA Resolution Initiative. On a weekly basis, APHIS also submits a caseload summary to the Department, reporting on agency's complaint closures under the USDA Resolution Initiative. The percent of agency formal complaints closed to date in FY 2010 is 66% since (41) formal complaints were closed and (62) complaints are currently in the formal complaints inventory.

APHIS Standard Operating Procedures for EEO Counselor/Mediators require that all requests are responded to within 2 business days. Reports of compliance of a settlement agreement, status reports, data, analyses, or recommendations are provided timely, often prior to the requested timeframe.

Of the 46 contacts closed during the informal process, 3 were closed with settlement agreements. All 3 agreements were sent to Office of Human Resources Management (OHRM), in accordance with the memo dated May 5, 2010, from Karen A. Messmore, Director, OHRM. The reports were uploaded into iComplaints and a compliance report submitted to show full implementation of the terms negotiated.

APHIS will continue to implement settlement agreements in accordance with the terms set forth in the agreement. All agreements will be sent to OHRM in a timely manner in adherence to the request. Compliance reports will be submitted in a timely manner for each settlement agreement.

**GOAL: 4. Utilization of Alternative Dispute Resolution:**

Alternative Dispute Resolution (ADR) can provide effective tools to aid in the resolution of discrimination complaints. Most common among the techniques employed at USDA are mediation, conciliation, coaching, and facilitation. It is also important to regularly assess the effectiveness of the ADR programs. This can be done through reporting on program activities, implementation of standard operating procedures, and compliance reviews that measure adherence to applicable regulations such as the USDA ADR regulation, DR 4701-001.

<p><b>PERFORMANCE OBJECTIVE: 4.1</b> <b><u>Efficient Use of ADR for EEO Workplace and Program Disputes:</u></b></p> <p>The Agency provided alternate and effective tools to aid in the resolution of discrimination complaints through the use of alternative dispute resolution process.</p>	<p><b>GOAL INDICATOR: 4.1 (a)</b> <b><u>Utilization of ADR:</u></b></p> <p>Demonstrated good faith ADR efforts to resolve EEO complaints and other disputes especially early in the process and/or before a complaint/action was initiated.</p> <ol style="list-style-type: none"><li>1) All offerings of ADR were documented, and decisions not to offer ADR were documented per federal and USDA regulations.</li><li>2) Resolving Officials' good faith efforts to resolve complaints and other disputes were documented.</li><li>3) ADR services were effectively developed to eliminate barriers.</li><li>4) Demonstrated general compliance with other federal and USDA ADR regulatory requirements.</li></ol>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 3**

APHIS continues to promote the use of ADR by offering all informal contacts the option of utilizing mediation as a tool to process informal complaints. In accordance with 29 CFR 1614, Management Directive 110, and DR 4701-001, all contacts were advised in writing of their choice between counseling and ADR. In addition, each individual is provided with a written guide on the EEO process, which outlines the ADR process expectations and the time limits for processing. APHIS ensures the complainants are knowledgeable of the objectives of ADR and recognize that their participation is voluntary and does not obviate their rights under other processes. While mediation is the primary choice of ADR, APHIS offers a variety of methods for employees located across the United States such as Video Conferencing, Telephonic Mediation, Facilitation, and Settlement Conferences. When a contact presents a conflict of interest, APHIS contracts to GSA approved vendors. FY 2010, as of June 30, 2010, 6 individuals elected ADR out of 74 Informal contacts. Mediation has occurred for 3 individuals and 3 are pending. Of the 3 mediations held 2 were closed with settlement agreements. APHIS will continue to ensure that all mediations are conducted within the 90-day timeframe for those who elect ADR as an alternative method.

APHIS has a cadre of Resolving Officials (RSO) designated by Program Areas. Because of the continual involvement at the earliest stages of the complaint process, these appointed individuals have Senior Management support, understands the organization's mission and provide Mediators with priority responses to workplace disputes. APHIS managers were provided with Mediation in Workplace Disputes hands on experience by Justice Center of Atlanta. It provided managers an overall experience of face-to-face mediation in an effort to better prepare them in making good faith efforts in resolving complaints. Justice Center of Atlanta

has provided dispute training, as well as, certification for Mediators throughout the Department of Agriculture since 1995.

As of July 12, 2010, APHIS Human Resources, WRWB, has conducted twenty two (22) mediation/conciliation sessions where agreements were entered into between the parties. In addition, WRWB completed seventy eight (78) sessions including a total of 196 participants where employment issues were addressed but no agreement was entered into between the parties. In these facilitated discussions, a trained mediator encourages all participants to take an active role in resolving employment concerns. The Mediator assists the parties with identifying the barriers and problems to be solved, and creating options to resolve their issues. If an agreement is reached, the terms are included in the Mediation Agreement and signed by the parties.

In situations where larger groups of individuals need assistance, HRD, WRWB provides Team Collaboration Services. This fiscal year, HRD, WRWB completed fifty nine (59) sessions including a total of 614 participants. A trained Mediator can help teams deal with conflicts, misunderstandings, and other sensitive issues that may impede a team's ability to work together effectively. The Mediator does this by helping team members to better manage how they communicate and share information, identify and remain focused on the relevant issues, and make decisions in an inclusive and collaborative manner.

APHIS will continue to support its increase use of ADR by continuing to educate employees and customers, as well as, going out to the program areas to further promote mediation an alternative method to resolve disputes. APHIS will also continue to offer ADR mediation to all employees and customers in an effort to resolving disputes at the earliest possible level, unless the complaint meets the merit based identified exception for not offering ADR.

**GOAL: 4. Utilization of Alternative Dispute Resolution:**

Alternative Dispute Resolution (ADR) can provide effective tools to aid in the resolution of discrimination complaints. Most common among the techniques employed at USDA are mediation, conciliation, coaching, and facilitation. It is also important to regularly assess the effectiveness of the ADR programs. This can be done through reporting on program activities, implementation of standard operating procedures, and compliance reviews that measure adherence to applicable regulations such as the USDA ADR regulation, DR 4701-001.

<p><b>PERFORMANCE OBJECTIVE: 4.1</b> <b><u>Efficient Use of ADR for EEO Workplace and Program Disputes:</u></b></p> <p>The Agency provided alternate and effective tools to aid in the resolution of discrimination complaints through the use of alternative dispute resolution process.</p>	<p><b>GOAL INDICATOR: 4.1 (b)</b> <b><u>ADR Training:</u></b></p> <p>Compliance with the USDA ADR regulation, DR 4701-001, and initiatives aimed at training ADR practitioners, employees and customers in order to increase conflict management competence at USDA.</p> <ol style="list-style-type: none"><li>1) Agency demonstrated that ADR training was made available to all customers and employees.</li><li>2) Agency demonstrated cooperation with departmental ADR leadership initiatives, activities, and functions.</li><li>3) Agency demonstrated use of qualified neutrals, i.e. considered qualified per departmental regulations.</li></ol>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 3**

APHIS provides training to ADR practitioners, employees, and customers to increase their knowledge of the use of ADR as an alternate and effective tool to aid in the resolution of EEO discrimination complaints and workplace disputes at the earliest possible level. APHIS has a cadre of Resolving Officials (RSO) designated by Program Areas. Because of their continual involvement at the earliest stages of the complaint process, these appointed individuals have Senior Management support, understands to organization's mission and receives training on an as needed basis or annually by CREC and /or GSA approved vendors experienced in Negotiations, Conflict Prevention and Federal Discrimination Complaint Processes and other training deemed appropriate to their role as RSO. APHIS sponsored a 3-day ADR training to managers and supervisors. The training was titled *Mediation in Workplace Disputes* and was provided by the Justice Center of Atlanta, Inc. In addition, the ADR webinars module was offered to all employees, supervisors and managers every quarter.

APHIS presented 16 modules each quarter to 1,424 participants. These modules serve as a learning tool for new employees and managers, as well as, a refresher course for current employees and managers. As of the 3<sup>rd</sup> quarter of Fiscal Year 2010, the ADR Center presented the ADR Module via Webinars to 85 employees in the Headquarters and Regional offices. An overview Webinar Module on "Navigating the EEO Process" was developed as an introduction to pre-existing modules of both the informal and formal process. In addition, a module on the Federal EEO Discrimination Process – Mixed Cases was developed and presented during FY 2010. The Module provided employees a better understanding of mixed cases and the overlapping jurisdiction of the Equal Employment Opportunity Commission (EEOC) and the MSPB. APHIS actively participated in the development of the Agency's FY 2010 Mandatory Civil Rights training on Reasonable Accommodations. In addition, APHIS, Human Resources provided training on "Mobbing in the Workplace".

APHIS participates in the USDA, ADR Leadership Group (ADLRG) meeting when they were held during this Fiscal Year 2010. As well as participated in the Awareness Training sessions; "Anger Management: How to Recognize your Hot Buttons" and "Workplace Bullying". APHIS CREC also participated in training session entitled "Mobbing in the Workplace sponsored by APHIS Human Resources.

Where opportunity permits, HRD, WRWB conducts conflict management training. This is a proactive approach to help employees learn how to effectively manage conflict. The training is a mix of lecture, discussion, and group exercises designed to examine what conflict is and how to manage it. Our Mediation Specialist will design each training session to meet the needs of the work unit. This training is available upon request. This year, HRD, WRWB conducted twelve (12) training sessions including 291 participants.

Any employee facing a challenging situation or conflict is encouraged to request advice from the HRD, WRWB. In these instances, the Mediator will listen to the person's concerns, what he/she has done and plans to do, and help him/her use new approaches to deal with the situation. The Mediator can also help an employee develop a strategy or better understand his/her own contribution to the conflict. As with the mediation and facilitated discussion processes, the coaching process is voluntary and confidential. Today, HRD, WRWB has provided assistance to 235 APHIS employees.

In addition to the support provided through APHIS, HRD, WRWB, APHIS, Human Resources, Executive Support and Leadership Services (ESLS) has launched an internal coaching program designed to better prepare the agency to meet the succession needs by passing on institutional knowledge and developing our leaders. ESLS has solicited the ranks of GS-14s and above to identify who wants to serve APHIS in the "Leave a Legacy" coaching capacity. We also solicited the same pool of talent to identify interest in having an APHIS coach. Our coaches recently participated in best practices and orientation by ESLS through an InsideOut GROW coaching workshop. In establishing the relationships each coachee received three best matches based on data collected from both coaches and coachees in the initiation process. Coaches were encouraged to interview all three potential coaches as part of the selection process. This internal process, leader as coach approach has provided APHIS leaders with an active vehicle to further invest in each others' development. As leaders are providing coaching, mentoring, and guidance to other leaders sharing best in class practices and preserving institutional knowledge. These are typically six month long engagements. This service is intended, among other things, to provide APHIS leadership with continuing support to effectively deal with challenging situations. While not traditional ADR, it is a method to continuing leadership education aimed at strengthening APHIS' leaders to effectively deal with challenging employment situations. Currently there are 40 APHIS managers and supervisors that are matched with APHIS Leaders through this engagement process.

APHIS has instituted a process that alerts us to movement in the ranks of APHIS leadership every pay period. With this awareness, ESLS contacts individuals who have begun transition to their new role to offer assistance in optimizing their performance. This may include an organizational briefing, situational coaching, a Leadership Transition Workshop, or team building, to name a few. Again, APHIS is committed to providing continuous leadership development to, among other things, help them effectively deal with challenging employment situation.

Beginning FY 2010, one hundred and twelve (112) employees were identified as being in transition either by entering a leadership new position, new to the agency, or through reassignment. ESLS has contacted and offered transitional coaching and support to each of these managers.

As part of transitional coaching, ESLS has also offered Leadership Transitions for new managers to provide them with enhanced tools to effectively deal with employment challenges. APHIS recognizes the growing challenges of adapting to new leadership. Therefore, this opportunity is created to better cultivate an effective

bond between leaders and employees. APHIS strives to head efforts in making transitions for leaders seamless while maintaining a harmonious balance within the organization.

New leaders often bring with them many new agendas for change, new styles of operating, communicating and decision making and foremost, many new leaders bring a new philosophy with how to manage a team. In the Leadership Transition Workshop, immediate priorities and long-term issues and goals for your work together are discussed. These goals include but are not limited to:

- Clarify the new leader's history, agenda, philosophy, practices.
- Explore the team's history, strengths, challenges, and area of development
- Develop an understanding of one another's personality styles, preferences and needs
- Set an agenda for furthering and completing the transition process; including helping the new leader become grounded in the operation of the team perhaps implementing a new vision.

This fiscal year, APHIS has conducted 25 leadership transitions.

HRD, ESLS provides just in time coaching focused on a particular challenge or situation that a leader may be facing. The coaching process tends to be for a limited period of time and supports the leader in exploring previously unseen possibilities that lay embedded in their existing circumstances. Some leaders have found it would be useful to gain a different perspective when handling a challenging situation. Beginning FY 2010, we have consulted with managers to provide situational in time guidance to leaders to help improve communication, explore expectations and clarify work challenges, to date we have provided fulfilled 300 situational requests.

Finally, HRD, ESLS provides quality control for external coaching services available for senior leaders. We work with five coaching firms and a cadre of fifty professional coaches to be "on call" to meet the external coaching needs of APHIS leaders, including those associated with dealing with conflict, and other employment challenges. HRD ESLS has held two live coaching showcases and one virtual designed to get this cadre the information they need to be successful as coaches in our organization. Included in these showcases are an organizational briefing, our 360 process and other developmental tools, our APHIS Roadmap and development philosophy, and our ECQs. These relationships are 6-12 month long engagements. Currently we have eight (8) leaders that are engaged and utilizing external coaches.

APHIS provides both direct non-EEO ADR and other collaborative resolution services for all employees in addition to support and services for leaders to help them communicate effectively deal with challenging employment situations and make strategic HR decisions.

**GOAL: 4. Utilization of Alternative Dispute Resolution:**

Alternative Dispute Resolution (ADR) can provide effective tools to aid in the resolution of discrimination complaints. Most common among the techniques employed at USDA are mediation, conciliation, coaching, and facilitation. It is also important to regularly assess the effectiveness of the ADR programs. This can be done through reporting on program activities, implementation of standard operating procedures, and compliance reviews that measure adherence to applicable regulations such as the USDA ADR regulation, DR 4701-001.

<p><b>PERFORMANCE OBJECTIVE: 4.1</b> <b><u>Efficient Use of ADR for EEO Workplace and Program Disputes:</u></b></p> <p>The Agency provided alternate and effective tools to aid in the resolution of discrimination complaints through the use of alternative dispute resolution process.</p>	<p><b>GOAL INDICATOR: 4.1 (c)</b> <b><u>Reporting to Early Resolution and Conciliation Division (ERCD):</u></b></p> <p>Provide accurate, complete, and timely reports of all ADR activities to OASCR's ERCD.</p> <ol style="list-style-type: none"><li>1) Report includes the number of documented written offers as well as non-offers of ADR at the formal state of the EEO process.</li><li>2) Report includes the number of formal complaints filed.</li><li>3) All reported data for ADR activities were consistent.</li><li>4) ADR information and databases were maintained and reported on a continuing up-to-date basis.</li></ol>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 3**

APHIS closely adheres to all timeframes for requests for information from the Department. APHIS performed daily entries in the Department's iComplaints data base which is the source for the EEO complaint data for the EEO 462 and NoFEAR Reports. Since the iComplaints data base generates the NoFEAR and EEO 462 Reports, APHIS updates the iComplaints data base on a daily basis to provide the Office of Adjudication (OA) with accurate data for its Annual Report. APHIS works closely with OA to reconcile any discrepancies with the complaint data.

APHIS will maintain its practice of providing the Department with timely submissions of documents, reports, or information as requested for complaint processing, No FEAR and EEO 462 reporting, and compliance reports.

**GOAL: 5. Procurement:**

The Agency must take affirmative steps to increase procurement with businesses owned and operated by small business, small disadvantaged business, service disabled veterans, HUBZone, and persons with disabilities (AbilityOne, previously referred to as the Javits-Wagner-O'Day Act or "JWOD")

<p><b>PERFORMANCE OBJECTIVE: 5.1 <u>Procurement Goals:</u></b></p> <p>The Agency ensured equal opportunity for small business, small disadvantaged business, service disabled veterans, HUBZone, and persons with disabilities (AbilityOne, previously referred to as the Javits-Wagner-O'Day Act or "JWOD") in all USDA contracting activities.</p>	<p><b>GOAL INDICATOR: 5.1 (a) <u>Accomplishment of Goals:</u></b></p> <p>The agency developed and implemented effective strategies for improving participation by small business, small disadvantaged business, service disabled veterans, HUBZone, and persons with disabilities (AbilityOne, previously referred to as the Javits-Wagner O'Day Act or "JWOD") and for accomplishing all goals.</p> <p>Agencies are required to provide procurement goal targets for each major category and the associated percentage achieved for each goal. Agencies must provide succinct written rationale and evidence as to how the Agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 4**

This report provides the acquisition community with a status on how the Agency is doing in meeting goals for achieving contract awards under the areas of the ***AbilityOne (previously JWOD) and six mandatory Small Business Goals. The achievements in these areas are elements measured under the Agency's Administrator's Performance Elements and, the Agency Scorecard which is issued quarterly by the USDA Office of Small Disadvantaged Business Utilization (OSDBU).***

The AbilityOne and the six small business categories being reported are: Small Business (SB), 8(a), Small Disadvantaged Business (SDB), Women-Owned (WO), Hubzone (HUB) and Service Disabled Veteran-Owned (SDVO). This report will continue to be issued quarterly with the accumulative representation of the Agency's status. This report **does not** include commodity buys reported by the Agricultural Marketing Service (AMS).

Business	* FY Goal 2010/2011	QTR 1 -Awards 10/01/09 – 12/15/09	Agency Status > = over < = below	Qtr 2-Awards 10/01/09 -3/15/10	Agency Status > = over < = below	Qtr 3-Awards 10/01/09 -6/30/10	Agency Status > = over < = below
Total Dollars		24,452,754.21		50,909,529.39		89,540,863.23	
Total Small Business Dollars		16,165,630.98		31,262,095.76		56,141,764.84	
ABILITYOne	.84	.70	< .14	.71	< .13	.64	< .20

Small Business	50.00	62.0	> by 12.0	72.1	> 22.1 (wow!)	*62.6	> *12.6
8(a)	6.00	8.3	> by 2.3	19.6	> 13.6	9.1	> 3.1
SDB	9.00	14.0	> by 5.0	26.5	> 17.5	15.5	> 6.5
WOB	8.00	3.3	< by 5.0	3.6	< 4.4	8.8	> .8
Hubzone	3.00	1.7	< by 1.3	1.7	< 1.3	1.06	< 1.94
SDVO	4.00	12.5	> by 8.5	9.6	> 5.6	7.2	>3.2

### 3rd Qtr FY 2010 - AbilityOne and Small Business Accomplishments: 09/01/09 thru 6/24/2010

Note: All data was available from the USDA, OSDDBU Office and/or reports pulled from the Federal Procurement Data System – New Generation (FPDS-NG System). The "Funding" and "Goaling" reports utilized represent % of dollars obligated under each category. As award data continues to be reported in the FPDS-NG system by servicing Agencies, new data for Qtr 3 may alter previously reported results either upward or downward and, in all or some small business categories.

#### Findings:

- 1. Critical - \* Small Business Dollars decreased more than 10% this quarter; this indicates award trends are being credited by Large Businesses. This equates to approximately \$8,9 million contract awards have gone to Large Businesses since March 2010 reporting. High Risk - If the Agency continues to award to Large Businesses and reduces this to an additional 10% for Qtr 4 purchasing activity, there is a high probability the Agency will not meet multiple mandatory small business goals.*
- 2. Currently the Agency has maintained meeting Agency goals in the 8(a), SDB, WO, and SDVO categories this fiscal year; fluctuation of contract awards to Large Business has reduced contract percentages in these very same categories. The Critical finding #1 above will directly put these categories at risk to be met for Quarter 4.*
- 3. The Agency has historically NOT met the Hubzone category and this remains inactive. This category has slightly decreased as a result of contract award fluctuation.*
- 4. The AbilityOne category has not been met and has decreased as a result Critical note #1.*

#### Recommendations:

- Contracting Officers and Cardholders can aggressively set-aside procurements under the Small Business Program for 4th Qtr and directly increase the Agency activity for achieving the mandatory small business goals for the fiscal year if active for Quarter 4.
- Agency use of General Services Administration (GSA), Federal Supply Schedules (FSS) to set-aside to small businesses is highly encouraged as outlined in the **USDA Directive 5090-001 - USDA Small Business Programs - Full Small Business Participation & Clearance Process for Contracts Not Se-Aside or Reserved for Small Business Participation** - The overall message to fully consider small businesses under USDA guidance is included below as an excerpt from the DR:

**"All USDA employees involved in the acquisition planning, strategy, and execution phases must fully consider and utilize small businesses when identifying contractors that can meet USDA requirements to achieve USDA program goals."**

3. Contracting Officers/Cardholders strongly consider validating FPDG-NG entries are accurate and complete. Incorrect entries coding to Large Businesses when they should in fact be Small, directly effects the reporting of awards.

NOTE: For the past four Fiscal Years, the Agency has been one of the lead Agencies recognized by the USDA Office of Small and Disadvantaged Business Utilization (OSDBU) for consistently meeting at least 5 of the Small Business Categories ; APHIS administration expectation is to continue with this trend and support the equitable distribution of contract awards to the Small Business community.

**GOAL: 5. Procurement:**

The Agency must take affirmative steps to increase procurement with businesses owned and operated by small business, small disadvantaged business, service disabled veterans, HUBZone, and persons with disabilities (AbilityOne, previously referred to as the Javits-Wagner-O'Day Act or "JWOD")

<p><b>PERFORMANCE OBJECTIVE: 5.1 <u>Procurement Goals:</u></b></p> <p>The Agency ensured equal opportunity for small business, small disadvantaged business, service disabled veterans, HUBZone, and persons with disabilities (AbilityOne, previously referred to as the Javits-Wagner-O'Day Act or "JWOD") in all USDA contracting activities.</p>	<p><b>GOAL INDICATOR: 5.1 (b) <u>Outreach:</u></b></p> <p>Created or enhanced its outreach efforts to increase procurement with businesses owned and operated by small business, small disadvantaged business, service disabled veterans, HUBZone, and persons with disabilities (AbilityOne, previously referred to as the Javits-Wagner-O'Day Act of "JWOD").</p> <ul style="list-style-type: none"> <li>a) Participated in meetings (monthly, quarterly, and semi-annually) hosted by OSDBU;</li> <li>b) Engaged and informed OSDBU on business opportunities offered by the agency, proactively increasing viability of OSDBU's role in agency's contracting activities; and</li> <li>c) Provided necessary resources to conduct outreach efforts with OSDBU.</li> </ul> <p>Agencies are required to provide evidence of how they met each of these requirements. Agencies must provide a succinct written rationale with evidence as to how the Agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 2**

- I. **Introduction:** This report will support FY 2010 Civil Rights Contract Award Accomplishments, on an accumulative basis, for the Animal and Plant Health Inspection Service (APHIS). Data reflects APHIS as the funding Agency for procurement services distributed to multiple external customers during October 1, 2009 thru June 30, 2010 (Qtr 1, Qtr 2 and 3).

Business Category	Qtr 1 10/01/09 thru 12/31/09	% of Total	Qtr 2 10/01/09 thru 03/31/10	% of Total	Qtr 3 10/01/09 thru 06/30/10	% of Total
<b>Total Accumulative Dollars</b>	<b>28,779,694.49</b>	<b>100%</b>	<b>60,866,410.29</b>	<b>100%</b>	<b>89,111,105.48</b>	<b>100%</b>
Small Business Concern (SB)	20,256,870.27	60.0	37,946,971.64	62.3	55,315,424.15	62.0
Small Disadvantaged Business (SDB)	3,632,526.78	12.6	6,138,918.41	10.0	8,274,263.85	9.2
Women-Owned (WO)	1,165,543.79	4.0	3,157,168/59	5.1	8,191,236.75	9.1
Hubzone (HUB)	203,245.00	.70	375,974.51	.6	672,281.32	.7

Veteran-Owned (VO)	3,685,601.34	12.8	5,753,662.30	9.4	9,192,436.94	10.3
Service Disabled Veteran Owned (SDVO)	2,990,001.98	10.3	4,249,935.49	6.9	6,299,140.08	7.0
8(a)	3,118,844.61	10.8	5,184,768.42	8.5	6,919,491.84	7.7
JWOD/AbilityOne	394,067.30	1.3	390,338.40	.6	390,338.40	.4
Historically Black Colleges & Univ. (HBCU)	35,000.00	.12	35,000.00	.05	35,000.00	.03
Educational Inst.	1,564,658.14	5.4	1,986,056.71	3.2	2,409,794.64	2.7
Asian Pacific	571,447.26	1.9	1,785,586.10	2.9	2,427,470.82	2.7
Minority Institutions	24,456.96	.08	28,988.96	.04	28,988.00	.03
Local Government	53,715.11	.18	66,338.44	.62	74,922.27	.08
State Government	1,218,993.64	4.2	1,710,402.47	2.8	2,177,304.25	2.4
Tribal Government	0.0	0.0	0.0	0.0	0.0	0.0
American Indian	55,296.75	.1	164,567.17	.2	719,728.50	.8
Native American Indian	114,502.76	.03	362,895.69	.5	962,363.16	1.0
Asian Indian	135,736.49	.4	512,260.23	.8	677,420.02	.7
Minority Owned	3,931,209.70	13.6	6,874,975.72	11.2	10,852,556.99	12.1
Black Owned	1,985,759.31	6.8	2,916,961.06	4.7	3,570,615.13	4.0
Hispanic-Owned	964,716.53	3.3	1,089,493.72	1.7	2,903,567.24	3.2
Non-Profit Organization	1,280,683.72	4.4	1,747,700.84	2.8	2,076,862.96	2.3
Emerging Small Business	2,207,492.82	7.6	2,348,673.02	3.8	2,751,274.10	2.1
<b>Hospitals</b>	<b>31,450.11</b>	<b>.1</b>	<b>31,450.11</b>	<b>.05</b>	<b>31,450.11</b>	<b>.03</b>

*NOTE: Obligations can apply to one or more categories listed above. All data was available from the Federal Procurement Data System – New Generation (FPDS-NG System). Query was under “Funding Report”.*

**II. Servicing Federal Agencies Reporting Obligations:** The following Service Centers have reported obligation activity for the Funding Agency:

1. Animal and Plant Health Inspection Service (APHIS) – 12K3
2. Public Building Service (4740)
3. Office of Policy and Budget (OPPD) – 1406
4. Department of the Army (2100)
5. State Department of (1900)
6. National Institutes of Health (7529)

**III. Frequency of Reports:** The MRP will continue to report funding obligation activity, as follows:

1. Qtr 1 – October 1, 2009 – December 31, 2009
2. Qtr 2 – October 1, 2009 – March 31, 2010
3. **Qtr 3 –October 1, 2009 – June 30, 2010**
4. Qtr 4 – October 1, 2009 – September 30, 2010

### **APHIS Procurement Accomplishments FY 2010:**

#### Office of Small and Disadvantaged Business Utilization

**Vendor Outreach Sessions** – The Agency had a representative attend nine monthly Vendor Outreach Session (VOS) sponsored by the USDA Office of Small Disadvantaged Business Utilization for the Fiscal Year 2010

(October thru June). The VOS allows small business vendors the opportunity to highlight their services for future agency contract awards.

**Vendor Meetings** - The MRP Small Business Coordinator has met with approximately Two Hundred Small Business Vendors one-on-one since October 1, 2009. Meeting with vendors prompt the purpose for the Agency to provide advocacy support to the Small Business community to guide them on how to do business with the Programs. Business opportunity matching and technical contacts have been provided to promote increase in Contract awards to small businesses. Ultimately, meeting with vendors and assisting them in navigating through the Agency, result in meeting the Agency's mandatory small business goals.

**Third Quarter AbilityOne and Small Business Goals** - The Small Business Coordinator (SBC) generated 3rd Quarter accomplishments on June 25, 2010. This report provides the acquisition community with the status on how the Agency is doing in meeting goals for achieving contract awards under the areas of the AbilityOne and six mandatory Small Business Goals. The Agency is currently meeting four of the Goals; Small Business at 62%; 8(a) at 3%; Small Disadvantaged Business at 6.5%; Women-Owned at 8%; and Service Disabled Veteran-Owned at 7%. The Agency reduced Small Business Awards since mid year by approximately 11% which shifted contract awards to Large Businesses with still reducing and yet meeting Small Business Goals. Critical alert was issued to the Acquisition Community to maintain small business goals. Next report will be issued for September 15, 2010, activity.

**Agency 5th Annual Service Disabled Veteran-Owned (SDVO) Awareness Event** - The Agency delivered the 5th Annual SDVOSB Awareness Event on June 15, 2010, at the USDA Riverdale Facility, Riverdale, Maryland location. Remarks were delivered by the Cindy Smith, APHIS Administrator; Keynote Speaker was addressed by Tyrone Lassiter, Veterans Administration (VA); Panel Members Billy Jenkins, Small Business Administration (SBA) and Tony Eiland, General Services Administration (GSA) discussed Agency resources for Vendor community attending the event. Additional Presentation during afternoon activities was presented by Bob Hesser, Chairman Vet Force. A total of Twenty One vendors were in attendance at the event to network with Agency reps.

### Mission Support

**MRP 5<sup>th</sup> Annual AbilityOne Awareness Event:** ASD coordinated and hosted the Agency's 5<sup>th</sup> Annual AbilityOne Awareness Event on March 17, 2010. This yearly event promotes awareness of the federally mandated program to purchase goods and services from small businesses whom employ people who are blind and severely disabled. Federal funds set-aside to vendors who fall under this category are directly measured against the agency's Scorecard issued by the USDA Office of Small and Disadvantaged Business Utilization (OSDBU). The Master of Ceremony was Howard G. Price, Director, and MRP Head of the Contracting Activity, Designee. The program included opening remarks by Cindy Smith, APHIS Administrator; Keynote Speaker was Brenda Sheaffer from Melwood Industries; Liaison representatives from The National Institute for the Blind (NIB), and the National Institute for the Severely Handicapped (NISH); and USDA Office of Small and Disadvantaged Business Utilization Associate Director, Belinda Ward. There was also a vendor fair following the ceremony. Ten vendors were on hand to discuss their supplies and services under the AbilityOne program.

### Customer Focus

**General Services Administration (GSA) Newsletter** – The MRP BS forwarded multiple newsletters during the Fiscal Year to MRP Branch Chiefs and Field Small Business Coordinators (SFBC). Monthly newsletters are necessary and valuable to the Agency acquisition workforce to continue to be maintained and updated on changes occurring in the Small Business Program.

**MRP Purchase Card Program Presentation:** The Agency Program Coordinator (APC) provided a brief introductory presentation on the Purchase Card Policy for the Administrative Processes Training that was held the week of May 17<sup>th</sup>. Local Agency Program Coordinators (LAPC) from the Minneapolis Financial Operations Branch (MFOB) continued the presentation with operational information and a demonstration of Access<sup>®</sup>Online.

APHIS will continue to increase procurement goals by continuing to do outreach and formulate strategies to meet goals for contract awards under the areas of AbilityOne and the six mandatory Small Business Goals.

**GOAL: 6. Secretary's Commitment:**

Secretary Vilsack called for a cultural transformation at USDA. He has developed a Transformation Task Force, comprised of a diverse group of USDA leadership, and the team has begun meeting and developing a draft plan to reach the Secretary's goal.

<p><b><u>PERFORMANCE OBJECTIVE: 6.1 Secretary's Commitment:</u></b></p> <p>Took affirmative steps to implement each of the areas illustrated by the Secretary.</p>	<p><b><u>GOAL INDICATOR: 6.1 (a) Accomplishment of Goals:</u></b></p> <p>The Secretary's commitment of successful transformation includes:</p> <ol style="list-style-type: none"><li>1. An inclusive workplace environment where there is equity of opportunity and all employees are empowered to reach their full potential;</li><li>2. Modernization of technology and systems that will enable us to provide the highest level of service;</li><li>3. A commitment by USDA employees to improving USDA's past and future record of civil rights, including expanded outreach efforts to socially-disadvantaged farmers and ranchers;</li><li>4. Systems of accountability that encourage all employees to achieve high standards of performance and customer services; and</li><li>5. A renewed commitment to creating diversity in the workforce and succession planning.</li></ol> <p>Agencies must provide succinct written rationale and evidence as to how the Agency determined its self-assessed point value.</p>
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**AGENCY RESPONSE**

**Agency Self-Assessed Point Value: 8**

Cultural transformation is an important goal and APHIS is committed to creating a work environment where there is equity of opportunity and all employees are empowered to reach their full potential. This includes effective management and leadership; clearly communicated information about expectations, direction, and priorities; developmental opportunities to gain needed skills and knowledge; performance feedback, including rewards and recognition; and human resources policies that recognize APHIS' critical responsibilities and employees' personal needs.

APHIS and MRP sister agencies hosted the Department's three follow-up listening sessions to hear employees' concerns and ideas for cultural transformation; and offered/encouraged employees to participate in the MRP Management Review Follow-up Survey. The survey addresses the roles and responsibilities of supervisors and employees in creating a diverse, inclusive, and high performing organization.

APHIS has made strong efforts to identify and address problems associated with civil rights, equal opportunity, and human capital management and development initiatives to provide employees with the skills and tools to carry out the APHIS mission. The Agency developed an action plan to address issues in the following areas:

- Employee Satisfaction and Engagement;
- Leadership and Knowledge Management
- Results Oriented Culture and Performance Management.

APHIS plans cascades from the Department's plan and builds upon the initiatives the Agency has been implementing and dovetails with the work being done as part of the Department's Cultural Transformation Initiative. Key elements of the plan include improved communication between HQ and Headquarters through the use of the new APHIS portal—active engagement with leadership on issues of importance, the town halls, coaching/mentoring, and succession planning.

### **APHIS Succession Plan**

The recently published APHIS Succession Plan 2010-2014 identifies the organization's anticipated leadership gaps over the next five years and includes several broad strategies to close them. It includes needs and supply forecasting, gap analysis, gap closure strategies, implementation and communication plans, and establishes performance measures to evaluate plan efficacy. The Plan is designed to bring together in one controlling document information from the Agency's program specific succession plans, and builds upon a number of previously implemented Agency-wide initiatives that support succession planning strategies. For example, the plan's recruitment strategies highlight the importance of ensuring that the APHIS leadership contingent is diverse and reflective of the public the Agency serves. The plan highlights APHIS' ongoing efforts to adopt specific leadership competency based human resources practices in hiring, developing and managing the performance of the organization's supervisory and managerial personnel. It continues the Agency's longstanding commitment to employing talented individuals who possess not only technical or scientific acumen, but the leadership competencies necessary to carry the Agency forward into the future. It focuses Agency efforts on developing a decision support infrastructure to assist supervisors and managers in carrying out their employee development responsibilities. In following the lead of the Secretary's Cultural Transformation effort, the Plan represents a conscious effort by current APHIS leadership to shape the competency profiles of future Agency leaders, and, by extension, the organization's work culture. While activities related to the adoption of Plan strategies have only recently gotten underway, APHIS managers have engaged in a number of activities such as:

- *Regularly using the APHIS Leadership Roadmap and the APHIS Leadership Development Toolkit to facilitate discussions with employees on their career aspirations and developmental goals;*
- *Encouraging and supporting employee participation in the APHIS Basic, Intermediate and Advanced Leadership Development Programs; and*
- *Promoting the use of developmental assignments or details where appropriate;*

### **Workforce Planning Guide**

In addition to its Succession Plan, APHIS has also recently developed an APHIS Workforce Planning Guide that provides information and processes that can be applied to ensure a systematic approach to workforce planning throughout APHIS. Use of the Guide is currently being piloted in several programs within the Agency. It defines fundamental steps to develop and implement workforce plans as well as identifies resources available to assist in the overall process. This Guide is intended to:

- Assist in creating a high quality, diverse workforce;
- Provide a clear linkage between strategies for recruitment, training, employee development, retention and other HR programs and the organization's short- and long-term goals and objectives;
- Help the organization meet its workforce competency and skills needs by examining workforce competencies now and in the future, and evaluating how organizational practices will maintain and develop these competencies;
- Provide focus and context for the examination of workforce demographics, and retirement projections; and
- Help in identifying various partnering, de-layering and reorganizing opportunities.

### **Distance Learning Activities**

While the Workforce Planning Guide and the Succession Plan have only recently been introduced, a number of other activities relating to leadership, supervisory and workforce training and development have been underway for some time, and are indicative of APHIS' support of the Secretary's Cultural Transformation effort. For example, APHIS regularly has employed distance learning capabilities using USDA's AgLearn learning platform, video conferencing and web based technologies to broaden the reach and scope of the organization's training and development efforts. A recent example of this is the Agency's current mandated civil rights training available to all employees via AgLearn which focuses on the 2008 Amendments to Americans with Disabilities Act. In addition, elements of APHIS' required supervisory training—the Fundamentals of APHIS Human Resources Management (FAHRM)—have been offered via webinar or through AgLearn for the past seven years. Likewise APHIS' Administrative Processes Training for clerical and administrative support staff is conducted through video teleconferencing on a regular basis and is currently in the process of conversion to webinar format. Similarly, APHIS in-house leadership development programs (*Basic, Intermediate and Advanced Leadership Development*) contain segments that are both AgLearn and web based. In fact, HR staff and others in APHIS regularly engage in impromptu training sessions for their customers using Food Shield or Sametime Connect software. Several of the more important, formal training modules planned for delivery via distance learning techniques over the next several months address topics such as *Hiring Reform, HR Flexibilities and Recruiter Training*.

### **Internal Coaching Program**

In addition to typical training activity, APHIS is engaged in a number of other developmental and support activities. One example is the recently launched internal coaching program designed to facilitate the passing of institutional knowledge from seasoned Agency leadership to individuals who are in the process of developing their leadership capacity. Coaches signing up for the program participate in a best practices orientation and coaching workshop. Employees wishing to be paired with a coach received three best matches based on data collected from both coaches and participants in the program. This leader as coach approach has provided APHIS leaders with an active vehicle to further invest in the organization through the development of its future leaders. In addition to this more formal and extended process, APHIS also provides just in time coaching services that focus on a particular challenge or situation a leader may be facing. The coaching process tends to be for a limited period of time and supports the leader in exploring previously unseen possibilities that lay embedded in their existing circumstances. Some leaders have found it useful to gain a different perspective when handling a challenging situation. Finally, APHIS manages a contract for external coaching services available for Agency senior leaders. Currently, five coaching firms and a cadre of fifty professional coaches are "on call" to meet the external coaching needs of APHIS leaders.

### Transition Management Services

In addition to coaching, APHIS also offers transition management services to new leaders. Members of APHIS' Human Resources Division regularly contact newly hired supervisors and managers and offers their services to help these new leaders more easily assume their role and improve their chance of success. The services typically offered include an organizational briefing, situational coaching, a Leadership Transition Workshop, or team building.

### Recruitment

In addition to APHIS' planning, and training and development activity, a number of events and programs in the Agency illustrate support for the Secretary's Cultural Transformation effort. For instance, over the past year, APHIS has had a substantial presence at numerous recruitment events targeting various under-represented groups. Most recently, APHIS recruiters participated in the 81<sup>st</sup> League of United Latin American Citizens (LULAC) Conference, in Albuquerque, NM. While at the event APHIS staff planned, organized, managed, and facilitated a 90- minute workshop titled, "*What does USDA really do to protect our food and environment?*"

Shortly after the President's Executive Order on "Employment of Veterans in the Federal Government," was signed, APHIS hosted a Veterans employment recruitment and hiring event. Speakers from military transition offices in the Departments of Defense and Veterans Affairs as well as HR professionals shared information on hiring flexibilities, outreach efforts and employment opportunities for Veterans. The event also included testimonials from Veterans throughout the Agency's workforce.

*As of this report APHIS had a total of 786 New Hires. Of the 786 new hires there were a total of 94 newly hired Veteran employees. The Agency has met 90% of its 10% hiring goal for Veterans.*

In further support of the Veterans hiring initiative, APHIS has recently made a number of resources available to help Veterans already in its workforce. For instance, the Agency recently sponsored presentations to newly hired Veteran employees through the Federal Occupational Health EAP counselor with tips on transitioning from active duty back into the workforce. In addition, The APHIS Civil Rights and Compliance (CREC) staff has created the Veterans Emphasis Program (VEP) and the Human Resources Division established a veteran action planning team to assist with providing better support to veterans. Some additional resources and support for APHIS Veteran employees include:

- **Buddy System:**  
The VEP offers a buddy system where current APHIS Employees can assist incoming Veteran employees who desire assistance during their federal civilian acclimation process.
- **Support and Information:**  
The VEP serves as a professional and social support group for APHIS incoming and current Veteran employees. The program provides a network of Veteran employees and non-Veteran employees who understand the needs of Veterans in the workplace. The program also provides information about external Veterans groups and organizations. Whether the need is great or small, the VEP makes every effort to provide professional support for all Veteran employees. Additionally, the VEP provides a variety of information resources for APHIS Veteran employees.

With the advent of the recently signed Presidential Order on hiring of people with disabilities APHIS is planning to launch a similar events and programs to bring attention to this group of potential employees.

### **APHIS' Talent Management and Leadership Development Board (TMLDB)**

The Board developed an agency-wide succession plan. The strategies outlined in the plan seek to increase the diversity in APHIS' leadership cadre and create the infrastructure necessary to support and direct Agency succession planning and employee development activity. The Board serves as the Champion for 3 major succession planning strategies:

1. Leveraging the resources and knowledge base of the Recruitment and Operations functions of Human Resources and Civil Rights Enforcement and Compliance to more precisely target Agency recruitment efforts. The Agency will also strive to develop new relationships and enhance existing associations with organizations representing minorities, Veterans, women, the disabled, and other targeted groups.
2. Providing better support to managers and supervisors in developing leaders through the creation of a system that:
  - 1) captures employee interest in leadership as a career path,
  - 2) documents employees' development and development experiences, and
  - 3) provides supervisors with the information and support necessary to carry out their responsibilities for identifying, assessing, and developing the Agency's future leaders.
3. Conducting an inventory the competencies of employees in the Agency's current development pipeline using existing data, survey methods or data calls. The data generated will help determine the depth of organizational bench strength, quantify employee competency and/or experiential gaps, and guide the formation of additional competency tracking methods.

### **Internal/External Communications**

Recognizing social media's benefits in terms of external communication and engagement, APHIS is utilizing Web 2.0 tools to provide information to, and receive feedback from, stakeholders. Launched this FY, APHIS already has 661 Twitter followers and 730 Facebook fans and members of its campaign pages, along with more than 2125 views of its YouTube page (*which now hosts 12 videos*). These social media platforms are enabling the Agency to share information to a wider audience and collect a range of feedback from the public, which, in turn, will be used to develop better Agency policies and programs.

APHIS has launched a new internal web portal for Agency employees. The portal provides, for the first time, a space where communications from the APHIS Administrator's Office and other key Agency guiding documents are consolidated for employees. Through a leadership blog, opportunities to comment on that blog, and various feedback options, including a new employee collaboration site called *Up the Chain*; the portal also encourages and creates opportunities for dialog between employees and their leaders. These efforts support the Secretary's goal of tapping employee engagement to transform USDA into a model agency.

APHIS also continues efforts to increase engagement with nontraditional stakeholders, a key priority for the Administration. A key outcome is the recent launching of a new engagement Website, *Tell APHIS that* enables the Agency to interact transparently with stakeholders and seek their feedback and input. The Agency also recently convened the first APHIS/consumer group call in which nontraditional stakeholders—members of the safe food coalition—could ask APHIS questions and learn more about APHIS' role in issues of interest to them.

APHIS is seeking to increase stakeholder engagement throughout the entire policy making process. The Agency, for instance, convened a 2-day forum for more than 120 State and Tribal animal health officials on APHIS' new framework for animal disease traceability. The input obtained at this event, as well as an ongoing series of public meetings across the country, is now being use to help develop a proposed traceability regulation.

A similar effort is underway to coordinate State and Federal activities around the movement of invasive pests on firewood. APHIS planning efforts have led to the creation of the National Firewood Task Force, a group comprised of multiple State and Federal officials that is providing input to APHIS on the key elements of a national strategy to mitigate the movement of invasive forest pests on firewood.

APHIS continues aggressive efforts to reduce the Agency's backlog of pending FOIA requests, leading to increased transparency of Agency activities. Thus far in (FY) 2010, APHIS' FOIA office has reduced the cases in backlog by 29 percent (274 cases currently in backlog). APHIS continues to make closing the oldest cases a priority; 12 of the 15 oldest cases have been closed as part of a 65 percent reduction in the number of cases in backlog at the start of the FY dating to FY09 and older.

#### **Program Delivery Outreach Plans**

To ensure a diverse membership on the various Secretary's' Advisory Committees, APHIS developed program delivery outreach plans which are included in the CRIA clearance package. Outreach plans includes strategies for communicating with a diverse group of individuals, advocacy groups, community based organizations and Tribal Nations to solicit their assistance in ensuring a diverse group of nominations for the Committee. Agency Outreach plans also includes working closely with the Department's Office of Advocacy and Outreach.

# **APPENDICES**

APHIS Civil Rights Strategic Plan Goals and Objectives  
FY 2007 - FY 2011

**Goal 1:** To implement a Civil Rights Program that is fully compliant with all Civil Rights Laws, rules and regulations including EEOC's MD-715 and USDA and APHIS regulations, policies, and guidelines.

- **Objective 1:** Meet the EEO Standards for a Model Federal Agency Equal Opportunity Program.
- **Objective 2:** Ensure that employees and managers have access to current and accurate information about key civil rights issues.
- **Objective 3:** Strengthen Program Delivery and Outreach
- **Objective 4:** Implement a comprehensive compliance review program to assess adherence to and compliance with USDA and EEOC Civil Rights program requirements.
- **Objective 5:** Establish long-term hiring goals to reach the "*Federal High*" for persons with "targeted disabilities"

**Goal 2:** Strengthen and expand educational programs and continue to ensure that the APHIS workforce reflects the Nation's diversity.

- **Objective 1:** Strengthen and assist 1890 land Grant Colleges and Universities, Historically Black Colleges and Universities, and Hispanic Serving Institutions in building the capacity that will enable them to support the APHIS mission.
- **Objective 2:** Implement programs designed to provide training, internships, authorized scholarships and full employment to all college and university students with a focus on institutions with significant populations of minorities, women, and students with disabilities.
- **Objective 3:** Monitor APHIS diversity at all levels of the organization including the full employment of persons with disabilities.
- **Objective 4:** Implement and maintain special programs and initiatives that are in compliance with regulations and guidelines.
- **Objective 5:** Facilitate the workforce planning process by providing a cadre of students who, upon graduation, are qualified and eligible for future employment.
- **Objective 6:** Monitor recruitment and hiring to ensure the workforce reflects the Nation's Diversity.

**Goal 3:** Develop and implement programs, strategies, and initiatives designed to close, settle or mediate active complaints and prevent new complaints.

- **Objective 1:** Provide training and information resources to managers that will reduce EEO Complaints.
- **Objective 2:** Utilize various ADR techniques to resolve EEO Complaints.
- **Objective 3:** Promote essential & appropriate training and education on ADR to agency personnel.

Animal and Plant Health Inspection Service Civil Rights Policy Statement

December 4, 2009

APHIS Anti-Harassment Policy Statement

December 4, 2009

Language for Required EEO Element for Managers and Supervisors

ELEMENT WEIGHT WILL BE 10%

Performs all duties consistent with civil rights and equal opportunity laws and regulations prohibiting discrimination. Demonstrates equal employment opportunity for all employees and applicants for employment. Is held accountable for results in the prevention and resolution of EEO and Program complaints; participation in the EEO complaint process; actively supports diversity in hiring, selection, recruitment and outreach programs. Provides for appropriate disability and religious based accommodations. Communicates promptly with employees to address problems and disagreements in the workplace. Ensures that APHIS external programs and activities are implemented in a non discriminatory manner to reach all eligible beneficiaries.

Recommended civil rights/equal opportunity language to incorporate in Non-supervisory employees' EEO element (stand-alone element for EEO not required, language may be incorporated into customer service, teamwork, or similar element.

Treat all employees, stakeholders, program beneficiaries and the general public with fairness, dignity and respect consistent with agency goals for civil rights and equal opportunity.

This information can also be obtained from the CREC website at:  
[http://www.aphis.usda.gov/civil\\_rights/element\\_for\\_managers\\_and\\_supervisors.shtml](http://www.aphis.usda.gov/civil_rights/element_for_managers_and_supervisors.shtml)

SAMPLES OF PERFORMANCE PLANS WITH EEO ELEMENT

## Civil Rights Information Academy Webinar Modules

**Prerequisite:** Civil Rights Laws, Rules, Regulations, and USDA Directives, — Information from the EEOC website is provided prior to the session.

### Navigating Through the Complaint Process

#### Topic A: The Federal Equal Employment Opportunity (EEO) Discrimination Complaint Process

- Module 1 - Alternative Disputes Resolution (ADR) —Forms of ADR, advantages and disadvantages, and how and when ADR may be used.
- Module 2 – EEO Counseling —Types of discrimination, Class Action complaints, EEO Counseling, Alternative Dispute Resolution (ADR), and the role and responsibilities of managers.
- Module 3 – Formal Complaint Processing — Discusses 29 CFR 1614, the rights and responsibilities of managers and complainants, and steps of the process.
- Module 4 – The Prevention of Reprisal & Retaliation Complaints — The definition of reprisal and strategies for preventing and responding to allegations of reprisal.
- Module 15 – Mixed Case -- The definition of a "Mixed Case", roles of the Merits Systems Protection Board (MSPB) vs. the Equal Employment Opportunity Commission (EEOC), the laws that govern the MSPS, and the process that is utilized in filing an appeal to the MSPB.

#### Topic B: Federal EEO Programs

- Module 5 - Equal Employment Opportunity (MD-715) — Requirements of Management Directive 715 and how to have a Model EEO Program.
- **\*\*Module 6 – Special Emphasis Programs (SEP)** — Goals of the SEP and Special Observances that are mandated and recognized by the Agency
- **\*\*Module 7 - EEO Advisory Committees (EEOAC)** – Goals of the EEOAC and roles & responsibilities of collateral duty managers.
- **\*\*Module 8 – Student Programs** - Special Programs and Initiatives including Student internships and scholarships.

#### Topic C: Reasonable Accommodation for People with Disabilities

- Module 9 – Preventing EEO Complaints based on Denial of a Reasonable Accommodation —Definition of Reasonable Accommodation, the USDA regulated process, and the manager's role in the process.

#### Topic D: Compliance Reviews

- Module 10- Employment Compliance — Agency policy and practices evaluated in Title VII civil rights employment compliance reviews.
- Module 11 - Program Compliance - Agency policy and practices evaluated in Title VI civil rights program compliance reviews.

#### Topic E: Special Programs

- Module 12 – The APHIS Ag-Discovery — The APHIS Ag-Discovery Program including the history, objectives, and recruitment process.
- Module 16 – Veteran's Emphasis Program – Cover recruiting and retaining Veterans in the Agency.

#### Topic F: Program Delivery and Outreach

- Module 13 - Federally Conducted and Federally Assisted Programs – Covers APHIS" and its cooperators/grantee civil rights responsibilities with respect to programs and services offered to the public.
- Module 14 – Outreach Customers/Beneficiaries - Ensure that the delivery of all programs and services are provided to our customers and beneficiaries.

## APHIS Workforce Profile Analysis

As of this report - Analysis of Workforce Profiles

**Workforce Profile** – Currently in FY 2010, APHIS has a total population of **9,046** employees. This is a net increased of **(+122)** compared to the total population of **8,924** in FY 2009. Under-representation remains in the following Races/Genders: Black Males, Black Females, Hispanic Females, White Females and Persons with Targeted Disabilities.

See the APHIS Federal Equal Opportunity Program Plan for FY 2009 Recruitment, Hiring and Community Outreach Strategies. The plan is posted on the CREC website: [www.aphis.usda.gov/civil\\_rights](http://www.aphis.usda.gov/civil_rights). Also posted on the CREC website is the APHIS FY 2009 EEO Program Status Report.

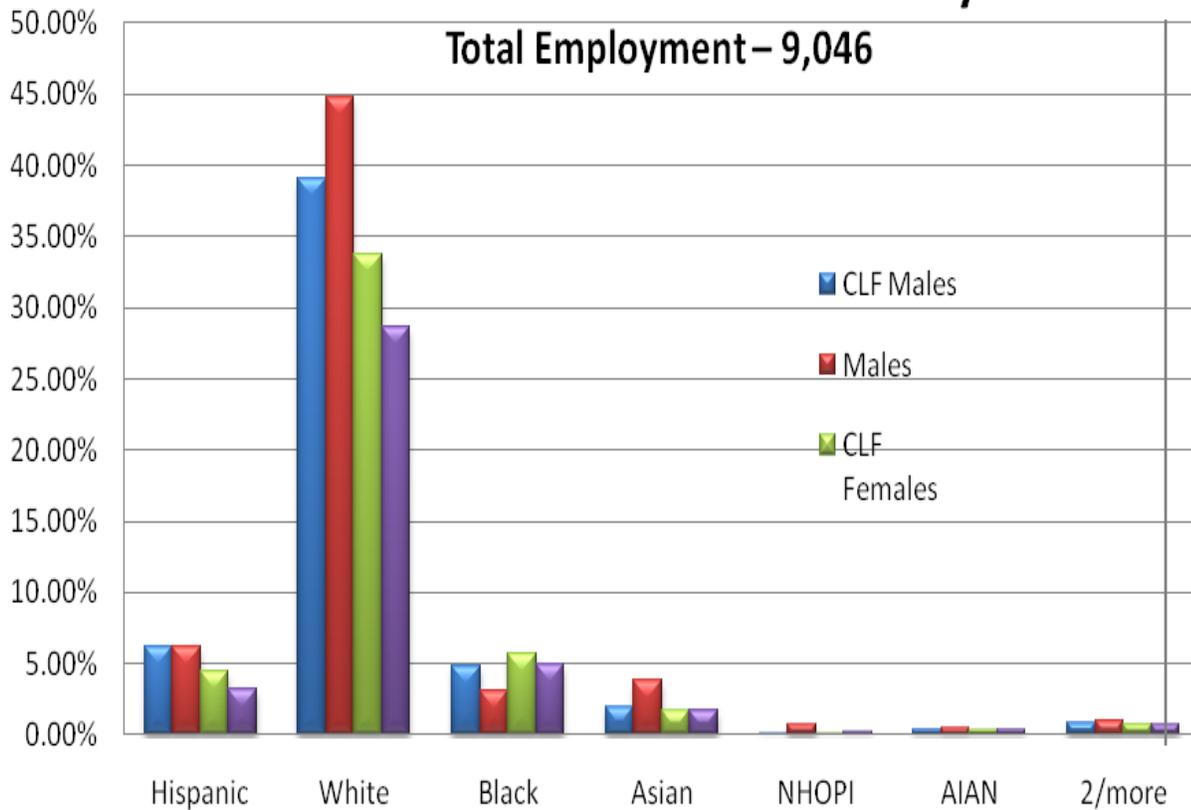
**Occupational Categories** - APHIS is recognized by the Department as having **10** major occupation job series. At the beginning of the 4th Quarter of FY 2010, the total number of APHIS employees (*males/females*) in each major job category is as follows:

Occupational Job Series	Total Employees	Male	Female
0201 Personnel Management	106	32	74
0301 Misc. Admn. and Program Analysis	229	65	164
0343 Management and Program Analysis	200	57	143
0401 Gen Biolcl Sci	1355	942	413
0404 Biolcl Techncn	1440	1181	259
0421 Plt Protection Techncn	1196	789	407
0486 Wildlife Biology	422	373	49
0701 Veterinary Medical Science	672	394	278
0704 Animal Health Techncn	454	322	132
2210 Information Tech Specialist	305	203	102

**Distribution by Grade** – The majority of APHIS employees 2,877 are at the GS-9 through GS-12 grade level, followed by 2,582 employees at the GS-5 through GS-8 grade level. At the GS-01 through GS-04 grade level there are 1,383 employees, and 1,543 at the GS-13 through GS-15 grade level. In Executive/Senior Level positions there are 38 employees (*26 men and 12 women*). White men and White women represent 81.6% and minorities represent 18.4% of this category.

Data Source: NFC On-Line Reporting Center

## APHIS FY 2010 Workforce Profile by Race



Total	Male (Total)	Female (Total)	Minorities (Total)	HM	HF	WM	WF	BM	BF
<b>9046</b>	5431	3615	2410	556	291	4048	2589	277	453
<b>%</b>	60.0	40.0	26.64	6.15	<b>3.21</b>	44.76	<b>28.62</b>	<b>3.06</b>	<b>5.01</b>
<b>CLF</b>	<b>53.23</b>	<b>46.77</b>		<b>6.17</b>	<b>4.52</b>	<b>39.03</b>	<b>33.74</b>	<b>4.84</b>	<b>5.66</b>

AM	AF	NHOPI M	MHOPI F	AIAN M	AIAN F	2/more M	2/more F	Un-disclosed M	Un-disclosed F
342	157	67	20	48	34	93	69	0	2
% 3.78	1.74	0.74	0.22	0.53	0.38	1.03	0.76	0	2
<b>CLF 1.92</b>	<b>1.71</b>	<b>0.06</b>	<b>0.05</b>	<b>0.34</b>	<b>0.32</b>	<b>0.88</b>	<b>0.76</b>		



## APHIS Promotes the FY 2010 WRP Program

### What Is the Workforce Recruitment Program?

Attention Employers! The Workforce Recruitment Program for College Students with Disabilities (WRP) is a recruitment and referral program ready to help you fill your summer or permanent hiring needs with talented college students with disabilities. The WRP database contains profiles of student job candidates from more than 200 colleges and universities nationwide, representing all majors, and ranging from college freshmen to graduate students and law students.

### What Does the Program Offer Employers?

- Job candidates pre-screened through face-to-face, onsite interviews
- One-page summary about each applicant's qualifications and career interest
- Referral pools tailored to specific job requirements and critical mission occupations
- Easy access to candidates across the Nation, by state or job category
- Flexibility in hiring for summer internships, co-op, or permanent positions
- Opportunity to evaluate summer interns for permanent staffing needs

### What Can Summer Interns Do for You?

- Undertake special projects postponed for lack of time or resources
- Assist permanent staff with key projects
- Share specialized knowledge and innovative current technical skills
- Assume responsibilities of staff on vacation or leave of absence
- Prove that qualified people with disabilities make excellent employees
- Contribute in a wide variety of areas, including business, communications, engineering, science, computer science and administrative support

### How Does the Program Work?

Annually, trained recruiters from Federal agencies conduct personal, onsite interviews with interested students at college and university campuses. From these interviews, a database is compiled containing more than **1,500 diverse college students** and recent graduates seeking employment. The recruiter's interview comments are included in each student's profile. The searchable database is categorized by job interest, degree program, geographic location, and many other factors. The hiring agencies are responsible for paying the student's salary. Agencies may add other benefits, such as housing and transportation stipends, to the intern's job offer. WRP students' required assistive technology will be provided free of charge to employers.

### To Access the Database:

- The WRP database, [www.wrp.gov](http://www.wrp.gov), is available to Federal Human Resource Specialists, Equal Opportunity Employment Specialists, and other interested hiring officials. Log on to request an ID and password to access the database.

### For More Information about the Program:

Contact your Agency Disability Employment Program Manager, Sophia Kirby on (301) 734-5366, or USDA WRP Coordinator: David A. Dissinger USDA Disability Employment Program Manager, (202) 690-3420 voice, or by Email: [david.dissinger@dm.usda.gov](mailto:david.dissinger@dm.usda.gov)

## FY2010 Recruitment and Outreach Events

<b>American Indian Science &amp; Engineering Society (AISES) Conference</b> October 29 – 31, 2009 Portland, OR
<b>Hispanic Association of Colleges and Universities (HACU) Conference</b> October 31 – November 2, 2009 Orlando, FL
<b>Thurgood Marshall College Fund Leadership &amp; Recruitment Conference</b> October 23 – 26, 2009 New York, NY
<b>Operation Warfighter</b> December 14, 2009 and January 12, 2010 Washington, DC
<b>NAACP Professional &amp; Executive Diversity Career Fair</b> March 2, 2010 Washington, DC
<b>RecruitMilitary</b> March 18, 2010 Baltimore, MD
<b>MANRRS</b> March 24 – 27, 2010 Orlando, FL
<b>Careers &amp; the DisABLED</b> March 26, 2010 Washington, DC
<b>Presidential Management Fellows Career Fair</b> March 31 – April 1, 2010 Washington, DC
<b>National Indian and Native American Employment and Training Conference (NINAETC)</b> April 25 – 30, 2010 Albuquerque, NM
<b>Professional Diversity Career Fair</b> May 11, 2010 Washington, DC
<b>Senior Community Service Employment Program Career Fair</b> May 13, 2010 Washington, DC
<b>Hiring Heroes Career Fair</b> June 9, 2010 Washington, DC
<b>League of United Latin American Citizens (LULAC) National Convention &amp; Exposition</b> July 12 – 17, 2010 Albuquerque, NM
<b>Public Service Career and Internship Fair</b> July 14, 2010 Washington, DC
<b>National Association of Asian American Professionals (NAAAP)</b> August 12 – 15, 2010 San Francisco, CA
<b>Society of the Advancement of Chicanos and Native Americans in Science (SACNAS)</b> September 30 – October 3, 2010 Anaheim, CA

**Implementation of the Basu v. Johanns Settlement Agreement  
Developmental Opportunities Placement Program (DOPP)  
Supporting Documents**

The documents listed below detail the agency's compliance with the above-referenced settlement agreement and timely implementation. All required DOPPs were provided to Ms. Carolyn Whitaker, Office of Human Capital Management, and advertised on the USDA Assistant Secretary for Civil Rights (ASCR) website. These documents can also be accessed on the APHIS website at:

[www.aphis.usda.gov/civil\\_rights/downloads/CR\\_Perf\\_Goal\\_Indicator\\_3.2\(a\)\\_appendix\\_docs.pdf](http://www.aphis.usda.gov/civil_rights/downloads/CR_Perf_Goal_Indicator_3.2(a)_appendix_docs.pdf)

<b>Attachment I:</b>	<b>September 14, 2006</b> – APHIS FY 2006 Annual Status Report Memo from APHIS Administrator W. Ron DeHaven to Sadhna True, Director, Office of Civil Rights, Agency obligation met.
<b>Attachment II:</b>	<b>October 3, 2007</b> – Memo from Office of Adjudication and Compliance Acting Director, Michael Watts, requesting FY 2007 Annual Status Report;  <b>October 26, 2007</b> – APHIS FY 2007 Annual Status Report memo from APHIS, CREC Director, Anna Grayson to Michael Watts, Agency obligation met.
<b>Attachment III:</b>	<b>March 26, 2008</b> – APHIS FY 2008 Status Report memo to David King, Departmental Liaison, Basu Class Settlement Implementation, Agency obligation met.
<b>Attachment IV:</b>	<b>May 21, 2008</b> – APHIS Final Report on Implementation of the Basu v. Johanns Settlement Agreement;  Memo to David King, Departmental Liaison, Basu Class Settlement Implementation

## Collaborative Resolution Program



### *Anyone may contact Collaborative Resolution*

Any employee involved in a conflict, misunderstanding, or other challenging situation with another employee, supervisor, or manager should contact the Collaborative Resolution Program for assistance.

### *What our Customers Say -*

*"The Mediator was very professional and made the discussion comfortable."*

*"The session was really helpful in clearing up communication difficulties."*

*"The Mediator kept us focused on the issues at hand."*

*"It is great to have support like you folks. Thanks for all you do."*



**Collaborative Resolution Program**  
USDA - Animal and Plant Inspection Service  
Marketing and Regulatory Programs  
Workplace Resolutions and Wellness Branch  
4700 River Road, Unit 5, 1C-04  
Office: (301) 734-4950  
Fax: (301) 734-4938

Website: [http://www.aphis.usda.gov/mrpbs/hr/hrd\\_collaborative\\_resolutions.shtml](http://www.aphis.usda.gov/mrpbs/hr/hrd_collaborative_resolutions.shtml)

*Having  
Conflict at  
Work?*



*You've Come  
to the Right  
Place:*

*Collaborative  
Resolution  
Program*

*Working with you to foster  
respect, communication and  
collaboration within your  
workplace.*

- Have you recently had a disagreement with your subordinate, supervisor, or co-worker?
- Did this disagreement result in intense feelings about what happened?
- Did you feel like you were right and the other person was wrong?

If you answered "yes" to any of these questions, the Collaborative Resolution (CR) Program may be able to help you.



### ***What is the Collaborative Resolution Program?***

The CR Program provides Alternative Dispute Resolution (ADR) services for all APHIS employees (except EEO-related issues). ADR is a process by which a trained Mediator works with two or more people to help them resolve a conflict or disagreement. The ADR processes used are completely confidential and voluntary. Through the ADR process, the Mediator helps individuals improve their communication and assists them in reaching an agreement. Solutions to the issues will be determined by the parties involved in the conflict.

### ***What is the difference between the CR Program and the EEO Counseling/ADR Program?***

The CR Program is an informal and confidential early intervention program for workplace issues and concerns that do not involve claims of discrimination under Federal EEO regulations and guidelines.

#### ***CR Program Goals -***

- Create an environment of open communication;
- resolve concerns informally within shortened timeframes, with a wide range of creative solutions;
- build the capacity for employees to take responsibility for and learn from the resolution of conflicts; and
- strengthen the ability of the Agency to carryout its mission.



#### ***What services do we offer?***

##### ***Mediation/Conciliation***

- A non-adversarial, informal, voluntary, confidential, problem-solving process
- Parties, with assistance of Mediator, work together to create their own resolution
- Can be initiated by any employee at any level
- Effective in improving communication and building relationships

- Not litigation or a legal proceeding, not to determine who is right or wrong
- Focused on the future
- May result in an agreement, signed by both parties

##### ***Team Collaboration Services***

- Help teams deal with conflicts, misunderstandings, and other sensitive issues that may impede a team's ability to work together effectively
- Help teams communicate better, identify and remain focused on relevant issues, and make decisions in an inclusive and collaborative manner

##### ***Conflict Advice/Guidance***

- Work with customers one on one to reflect on their challenges or concerns and help build capacity to manage difficult situations
- Available to any employee who is facing a challenging situation or conflict in the workplace but does not feel that the situation currently warrants a mediation or facilitated discussion
- A Mediation Specialist will listen to the employee's concern, and discuss with the employee options for addressing his/her concern.

##### ***Conflict Management Training***

- Includes diversity awareness, managing conflict creatively and identifying communication styles for increased self awareness
- Target audiences: APHIS managers, supervisors, employees and teams
- Mix of lectures, discussions, and group exercises