

Equal Employment Opportunity

**EQUAL EMPLOYMENT OPPORTUNITY (EEO)
AND
AFFIRMATIVE EMPLOYMENT PROGRAM (AEP)**

BY ORDER OF THE DIRECTOR



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AUTHORITY: Defense Commissary Agency Directives Management Program is established in compliance with DoD Directive 5105.55, Defense Commissary Agency (DeCA), November 1990, and the Federal Information Resources Management Regulations (FIRMR).

MANAGEMENT CONTROLS: This directive contains Management Control provisions that are subject to evaluation and testing as required by DeCAD 70-2, Management Control Program, and as scheduled in DeCAD 70-3, Management Control Plan. The Management Control Review checklist to be used by assessable unit managers to conduct the evaluation and test management controls is at Appendix A.

APPLICABILITY: This directive applies to the Defense Commissary Agency (DeCA) activities.

HOW TO SUPPLEMENT: Regions may not supplement this directive.

HOW TO ORDER: Directive will be included on DeCA Intranet.

SUMMARY: This directive establishes the DeCA's Equal Employment Opportunity (EEO) Program at all DeCA components and organizations.

SUPERSEDES: DeCAD 50-10, September 25, 1992, and DeCAD 50-14, dated July 30, 1993.

OFFICE OF PRIMARY RESPONSIBILITIES (OPR): HQ DeCA EE

COORDINATORS: HQ DeCA EDS, DF, DP, GC, IG, IR, PL, PA, SAA, and Regions.

DISTRIBUTION: E

TABLE OF CONTENTS

	PARA	PAGE
Purpose.....	1-1	1-1
References.....	1-2	1-1
Policy.....	1-3	1-1
Definition.....	1-4	1-2
Responsibilities.....	1-5	1-3
Program Operations.....	1-6	1-7
Affirmative Employment Program for Minorities, Women and People with Disabilities	1-7	1-8
Nondiscrimination on the Basis of Disability in Programs and Activities..... Assisted or Conducted by the Department of Defense	1-8	1-9
Honorary Recognition for Achievement in Equal Employment Opportunity....	1-9	1-9
Information Requirements.....	1-10	1-9
Effective Date and Implementation.....	1-11	1-10
Management Control Review Checklist	A-1	A-1
Definitions.....	B-1	B-1

INTRODUCTION

1-1. PURPOSE. This directive establishes DeCA's equal employment opportunity (EEO) program and policy, which prohibits discrimination based on race, color, religion, sex, age, national origin, and disability. The EEO program is designed to provide opportunity for everyone and attract people with ability, dedication and capacity for growth. In addition, it is designed to create affirmative employment opportunities for minorities, women, and people with disabilities. This directive authorizes, as an integral part of the EEO program, the establishment of Special Emphasis Programs (SEP), the Federal Women's Program (FWP), Hispanic Employment Program (HEP), Black Employment Program (BEP), Program for People with Disabilities (PPD), Asian/Pacific Islander Employment Program (AEP), and American Indian/Alaskan Native Employment Program (AIEP) within DeCA. It prescribes policies, objectives and responsibilities for the Defense Commissary Agency (DeCA) employees and components.

1-2. REFERENCES. This directive implements and/or references the following public laws, regulations, DoD directives and guidance:

- a. Title VII of the Civil Rights Act of 1964, as amended, and the Civil Rights Act of 1991.
- b. Age Discrimination in Employment Act of 1967 (ADEA).
- c. American with Disabilities Act of 1990 (ADA).
- d. Rehabilitation Act of 1973, Section 501.
- e. Equal Pay Act of 1963.
- f. 29 CFR part 1614, Federal Sector Equal Employment Opportunity, July 12, 1999.
- g. DoD Directive 1440, DoD Civilian Equal Employment Opportunity (EEO) Program, May 21, 1987.
- h. DoD Human Goals Charter, July 24, 1998.
- i. Federal Equal Opportunity Recruitment Program (5 CFR 720), April 13, 1979.
- j. Executive Order No. 11478.

1-3. POLICY. It is DeCA policy to:

- a. Provide equal opportunity in employment and to recognize affirmative employment programs as essential elements that are vital to the accomplishment of DeCA's mission.

b. Develop and implement action-oriented affirmative employment programs to achieve the objectives of DeCA's Affirmative Employment Program, Affirmative Action Plan, and Strategic Plan. The objective is to have a civilian work force in which the representation of minorities, women, and people with disabilities at all grade levels and in all occupational series is commensurate with the representation specified in Equal Employment Opportunity Commission (EEOC) and Office of Personnel Management (OPM) guidance.

c. Develop procedures and implement an Affirmative Employment Program for the continued federal employment of minorities, women, and people with disabilities who lose their jobs at DeCA components because of contracting decisions made because of an A-76 project, downsizing, and/or base realignment and closure.

d. Assess progress toward meeting established EEO objectives and goals identified at Headquarters DeCA, the regions and assigned activities.

e. Promote the hiring and advancement of groups who are conspicuously absent or show a manifest imbalance in the work force.

f. Prohibit discrimination based on race, color, religion, age, sex, national origin, and mental or physical disability, in all civilian personnel decisions and actions. Ensure that the basic principles of the EEO program are fully integrated into the civilian personnel management system. Eliminate artificial barriers that impede full realization of equal employment opportunity for DeCA employees and applicants. Equal employment opportunity is the objective of affirmative action programs.

g. Promote a work environment free from sexual harassment.

h. Make reasonable accommodation to the religious needs of applicants and employees when such accommodations can be made without hardship on the business of DeCA or other employees.

i. Make reasonable accommodation for qualified employees with disabilities unless to do so would impose an undue hardship. Reasonable accommodation includes making facilities accessible, providing computers and adaptive devices, training, restructuring jobs, modifying work schedules and providing readers, and interpreters, etc.

j. Administer an honorary EEO Award Program for achievement in Equal Employment Opportunity, presented to employees who have made a significant contribution to the accomplishment of EEO program goals.

1-4. DEFINITIONS. Terms used in this Directive are defined in **Appendix B.**

1-5. RESPONSIBILITIES.

a. The Director of the Defense Commissary Agency shall:

- (1) Have total responsibility for the Agency's EEO program, and ensure compliance with affirmative employment program instructions issued by EEOC.
- (2) Provide leadership in the establishment and enforcement of policy supporting EEO, affirmative employment and the prevention of sexual harassment in the work place.
- (3) Issue a letter of support affirming his/her commitment to the EEO program.
- (4) Ensure that EEO staff members are qualified and sufficiently trained to develop, manage, and direct a result-oriented EEO program.
- (5) Provide sufficient resources to administer and maintain an effective EEO program throughout DeCA.
- (6) Establish, enforce, and monitor managerial and supervisory performance to ensure a continuing affirmative EEO program application and policy.
- (7) Provide recognition to employees demonstrating significant contribution to the achievement of the EEO program objectives and goals.
- (8) Provide for the prompt, fair, and impartial consideration and disposition of complaints involving issues of discrimination based on race, color, religion, sex, age, national origin, reprisal and mental or physical disability. Ensure the issuance of final agency decisions on formal complaints of discrimination forwarded to Headquarters, DeCA for decision. The policy and procedures for addressing complaints of discrimination are addressed in DeCA Directive 55-1, EEO Discrimination Complaints Processing Program.
- (9) Provide a system for periodically evaluating the effectiveness of the agency's overall EEO program effort.
- (10) Participate in special emphasis program observances, where appropriate, at all levels of DeCA, to observe nationally proclaimed or other specially designated community activities that broaden the communication, understanding, awareness, and contributions made by minorities, women, and people with disabilities.

b. Executive Director for Support, DeCA, shall:

- (1) Through personal leadership, support and promote the EEO program.
- (2) Demonstrate proactive actions to promote a positive EEO environment to include Special Emphasis Programs and Prevention of Sexual Harassment policies.

(3) Ensure compliance with EEO regulatory requirements of DoD, EEOC, and DeCA Directives.

(4) Ensure that personnel management policies and decisions are practiced fairly and equitably, free of discrimination, and that merit system principles are followed in the selection, hiring, promotion, advancement, employee recognition, disciplinary, and separation processes.

(5) Monitor the EEO program to determine effectiveness and demonstration of good faith efforts by managers and supervisors, in being responsible for program implementation and resolving issues that impede the progress of the EEO program.

c. Director, Human Resources (DP), DeCA, shall:

(1) Conduct periodic appraisal of the personnel management system to assure conformity with DeCA EEO policy.

(2) Work closely with the Director, EEO, on matters dealing with personnel management and equal employment opportunity.

(3) Monitor the DeCA components to assure that EEO is included as a critical element in the performance standards of all supervisors, managers, and other DeCA personnel with EEO responsibilities in accordance with DoD Directive 1440.1.

(4) Review all awards and management training programs to ensure that minorities, women, and people with disabilities are considered and receive full equitable treatment.

(5) Monitor all personnel management involvements (i.e., hiring, selections, promotions, awards, training, disciplinary actions, and separations, etc.) to ensure that minorities, women, and people with disabilities are considered and received fair treatment.

(6) Evaluate employment policies, practices and patterns; identify and correct any institutional barriers that restrict opportunities for employment, advancement, training, and recognition of minorities, women, and people with disabilities.

(7) Maintain and implement a DeCA Federal Equal Opportunity Recruitment Program (FEORP) for minorities and women, and a comparable special recruitment program for people with disabilities.

(8) Develop and implement staffing initiatives, training, developmental programs, and upward mobility programs designed to increase the representation of qualified minorities, women, and people with disabilities at all levels of employment positions, grades GS-9 and above, and job series where there is an existing manifest imbalance or conspicuous absence.

(9) Conduct staff visits to DeCA regions to monitor and evaluate the effectiveness of DeCA's personnel management policies and practices, and to ensure personnel matters are in compliance with the agency's EEO program efforts.

- (10) Provide civilian personnel data for EEO program special analysis and reports.
- (11) Provide follow-up of OPM and EEOC on-site evaluation reports, as appropriate.

d. Director, Equal Employment Office, DeCA, shall:

- (1) Serve as principal staff advisor to DeCA's Director, management officials and employees on EEO matters.
- (2) Develop and implement an EEO program, which complies with DoD, EEOC, and OPM guidance.
- (3) Develop and evaluate DeCA policies, procedures, and guidance regarding the Program for People with Disabilities.
- (4) Establish a Special Emphasis Program in accordance with this directive and DoDD 1440.1.
- (5) Develop and implement an Agency-wide multi-year AEP and AAP, prepare annual up-date and accomplishment reports, and evaluate regional AEPs for regulatory and technical sufficiency prior to submission to appropriate EEOC offices.
- (6) Provide leadership, advice and assistance to subordinate components and perform program evaluation of DeCA region or component programs (**Appendix A**, Management Control Review Checklist).
- (7) Implement a program to eliminate sexual harassment in the work place.
- (8) Ensure a program is in place to evaluate supervisors' and manager's contributions to and support of the DeCA EEO program. Specifically, SES and all management level personnel shall have EEO responsibilities defined as a critical element in their performance standards.
- (9) Ensure dissemination of DeCA EEO policies and monitor to determine that they are understood and implemented at all levels within the organization.
- (10) Establish and implement a continuing EEO educational program (including training in the prevention of sexual harassment) for all employees and individuals who supervise employees.
- (11) Administer an EEO award program, for DeCA-wide participation in recognition of significant achievements in EEO.

e. Office of the General Counsel, DeCA, shall: Provide legal interpretation of equal employment opportunity and affirmative action regulatory requirements, policy and procedures, and complaint processing procedures.

f. Region Directors, DeCA, shall:

(1) Provide leadership in the development and implementation of the Region's EEO program. Ensure full implementation of this directive, monitor progress of the EEO program at region and store level and take appropriate action to resolve identified or potential deficiencies.

(2) Ensure sufficient resources are provided to execute the EEO programs through preparation, approval and implementation of affirmative employment plans, and promotion of special emphasis programs. Provide for periodic training (i.e., national training or conferences, training conducted by professional consultants and organizations, etc.) of the Region Equal Employment Manager, managers and supervisors to receive adequate training to appropriately manage the EEO program.

(3) Issue policy statements to identify and express EEO program commitment and expectations regarding full support of all employees, particularly managers and supervisors.

(4) Provide a system for periodically evaluating the effectiveness of the region's overall EEO program effort.

(5) Monitor, evaluate, and enforce managerial and supervisory performance to ensure a viable and effective Region EEO program regarding all personnel management practices and decisions, affirmative employment of minorities, women, and people with disabilities.

(6) Ensure the prompt, fair, and impartial disposition of complaints of discrimination based on race, color, religion, sex, age, national origin, mental or physical disability, and reprisal.

(7) Encourage and allow employees to attend and participate in host installations EEO/SEP program activities.

(8) Designate collateral duty SEP Managers to implement the FWP, HEP, BEP, AEP, AIEP, PPD programs, and Commissary EEO Assistants to assist, when necessary, the Store Director.

(9) Ensure that surveys are conducted to identify architectural barriers in DeCA facilities that impede employees and applicants with disabilities.

g. Management and supervisor officials, DeCA, shall:

(1) Be responsible for the implementation of an effective EEO program.

(2) Serve as a role model with acceptable behavior.

(3) Provide sufficient resources to have an effective EEO program, collateral duty EEO counselors, etc.

(4) Communicate EEO program expectations to work force.

(5) Act promptly to prevent or to correct situations that may give rise to complaints of discrimination.

- (6) Take corrective action against those that engage in discriminatory practices.
- (7) Hold subordinates accountable for their behavior and upholding EEO program objectives.
- (8) Monitor EEO program efforts to determine progress or needed improvement.
- (9) Know the EEO complaint process, provide a reasonable amount of duty time to complainants and their representative to process a complaint of discrimination.

1-6. PROGRAM OPERATIONS.

a. Region Equal Employment Managers (REEMs) will have direct access to Region Directors or their designees to ensure implementation of the EEO program. When necessary, the Director, DeCA EEO, may be contacted for advice and assistance.

b. Evaluation of the Region EEO program will be periodically conducted by the REEM and EEO representative from HQ DeCA-EE Office. These evaluations may include on-site reviews and surveys.

c. Each region will appoint one individual as the region Special Emphasis Programs Manager (SEPM). This individual will serve as the point of contact on various issues affecting the employment of women, minorities and people with disabilities. Appointments will be on a collateral-duty basis. SEPM duties will be reflected in the employee's position description. Sufficient time will be allotted for the administration of the special emphasis programs.

d. Each commissary store will designate one individual as an Equal Employment Opportunity Assistant (EEOA). Appointments will be on a collateral duty basis. The EEOA will be selected by the Store Director and will serve as the coordinator and point of contact on EEO matters, except EEO complaints or grievances, within the store. The EEOA will receive guidance from the REEM. The EEOA will assist commissary officials in meeting EEO program requirements by posting items pertinent to EEO policy on an official bulletin board; circulating appropriate EEO information to commissary officials and employees; working closely with the REEM while preparing the commissary store mini-plan; where necessary, working closely with servicing EEO and civilian personnel office officials to complete reports and/or gather EEO work force profile data; attending host-installation EEO meetings and/or special observances; and briefing the Store Director on EEO information and issues that have arisen within the store or EEO program concerns or requirements. EEOA duties will be reflected in the employee's position description.

- e. Individuals selected as SEPMs or EEOAs should have the potential to:
- (1) Understand the causes and effects of discrimination.
 - (2) Understand civilian personnel administration policies and procedures.
 - (3) Be able to relate and deal with individuals of various ethnic groups and assist in resolving problems that affect these groups.

(4) Have good organizational skills and normally be at the GS-5 level and above.

f. Collateral duty EEO personnel will work closely with the REEM, servicing EEO officials (if applicable), and be granted sufficient time to administer and support the EEO program.

g. Individuals assigned EEO responsibilities at DeCA components may meet with employees, management officials, community leaders and representatives of organizations representing minorities, women, and people with disabilities, to discuss and gather information on how to improve conditions affecting the employability of these individuals. DeCA components may support community improvement projects.

h. DeCA employees will receive mandatory training on prevention of sexual harassment in the work place. DeCA supervisory personnel will attend appropriate EEO training when initially assuming a supervisory position and as necessary thereafter. EEO and Personnel Offices will monitor the training needs of DeCA employees in this critical area.

1-7. AFFIRMATIVE EMPLOYMENT PROGRAM (AEP) FOR MINORITIES, WOMEN, AND PEOPLE WITH DISABILITIES

a. HQ, DeCA will implement affirmative employment programs which contribute to the achievement of EEO for all DeCA employees, not only when hired, but also as they advance within the work force. DeCA is committed to working toward the elimination of barriers that impede the advancement of minorities, women, and people with disabilities. DeCA will support the development of effective AEPs by DeCA regions that meet the requirements and comply with Department of Defense (DoD) and the Equal Employment Opportunity Commission (EEOC) Management Directives.

b. The multi-year Affirmative Employment Plan, Update and Accomplishment Report for minorities and women will be issued in accordance with instructions from HQ DeCA-EE and other appropriate authorities, and will be designed to eliminate practices that have adverse effects on employees and applicants for employment because of race, color, religion, national origin, sex, age, or disability.

c. Affirmative action for hiring, placement, and advancement of people with disabilities is an integral part of DeCA's ongoing personnel management programs. Employment policies, practices and patterns that restrict opportunities for people with disabilities, to include disabled veterans, will be identified and corrected. This includes provisions for making reasonable accommodations and removal of architectural barriers. DeCA will ensure that disabled persons and employees who become disabled, during employment, have equal opportunity to be hired, or placed and advanced in the DeCA work force. DeCA supports the DoD goal to increase employment of persons with targeted disabilities. DeCA will provide placement assistance for people with disabilities, and disabled veterans, who lose their jobs with DeCA because of contracting out, transfer of functions, reduction-in-force or have become disabled due to injury or illness and are unable to perform the duties of their current position.

d. The DeCA Facilities Director will be responsible for surveys of facilities for accessibility and establishing priorities for barrier removal. Those portions of facilities that may constitute hazardous work areas for certain types of disabilities must be identified and corrected.

e. DeCA will participate in the Computer/Electronic Accommodations Program (CAP). The CAP office provides assistive technology and services to support DoD employees and persons with

disabilities. DeCA Affirmative Employment Program Manager will manage the People with Disabilities Program, and will act as the point-of-contact (POC) and liaison between DeCA and CAP. Region Equal Employment Managers and commissary store EEOAs will act as the local POC and will contact HQ DeCA-EE to coordinate and arrange for CAP services.

1- 8. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS AND ACTIVITIES ASSISTED OR CONDUCTED BY THE DEPARTMENT OF DEFENSE

a. No qualified disabled person shall be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance disbursed by a DoD Component or under any federal program or activity that is conducted by a DoD Component as prescribed by DoDD 1020.1. Operation of commissary stores is an activity conducted by DoD and subject to the DoD Directive in so far as such activity affects disabled persons in the United States.

b. No qualified person with disabilities shall, on the basis of their disability, be excluded from participation in, or be denied the benefit of, or otherwise be subjected to discrimination under any program or activity that is conducted at a DeCA facility. Employees and patrons of DeCA commissary stores, who are disabled will have the opportunity to participate in or benefit from the aid, benefits or services equal to that afforded others. All such employees and patrons will enjoy the rights, privileges, advantages or opportunities granted to non-disabled individuals.

c. Complaints of discrimination brought by patrons of a DeCA commissary store should be filed in accordance with DeCA regulatory guidelines and applicable procedures.

1-9. HONORARY RECOGNITION FOR ACHIEVEMENT IN EQUAL EMPLOYMENT OPPORTUNITY. This directive encourages the annual recognition of people or organizations to be recognized for significant contribution to the accomplishments of EEO program goals or personal achievements within the EEO program IAW DeCAD 50-8.

1-10. INFORMATION REQUIREMENTS.

a. HQ DeCA will:

(1) Submit copies of affirmative employment program plans, updates and accomplishment reports for minorities, women and people with disabilities to EEOC and ASD (FM&P), when required.

(2) Publicize the EEO program initiatives, progress, or special recognition in the Agency-wide news release or magazine.

b. Region Directors will:

(1) Submit copies of affirmative employment program plans, updates and accomplishment reports for minorities, women, and people with disabilities to HQ DeCA-EE and EEOC, when required.

(2) Submit information regarding Special Emphasis Program initiatives, programs, and results following special events or observances conducted by the region.

(3) Publicize the EEO program initiatives, progress, or special recognition in Region and Agency-wide newsletter or magazine.

1-11. EFFECTIVE DATE AND IMPLEMENTATION. This directive is effective immediately.

**APPENDIX A
MANAGEMENT CONTROL REVIEW CHECKLIST**

Management Control Review
Checklist (Page 1 of 9 pages)

TASK: Equal Employment Opportunity Program Management

SUBTASK: Affirmative Employment

THIS CHECKLIST: Agency Commitment, Leadership, and Action

ORGANIZATION: DeCA, Equal Employment Opportunity Office

ACTION OFFICER:

REVIEWER:

DATE COMPLETED:

ASSESSABLE UNIT: The assessable unit managers responsible for completing this checklist are the HQ DeCA, Director, EEO, EEO staff program managers, and Region Equal Employment Managers.

EVENT CYCLE 1: Program design and policy execution

Step 1: Program management and application.

Risk: Lack of commitment, leadership, and visible action will demonstrate an ineffective EEO program and subject the Agency to violation of regulatory guidance of the Department of Defense (DoD), Equal Employment Opportunity Commission (EEOC), and Office of Personnel Management (OPM).

Control Objectives: Visibility of management support and administration.

Control Techniques:

1. Top management written affirmation and policy statements concerning the EEO program, Affirmative Employment, and the Prevention of Sexual Harassment.
2. DoD Directive, Number 1440.1, DoD Civilian Equal Employment Opportunity (EEO) Program.
3. DeCAD 55-2, Equal Employment Opportunity (EEO) and Affirmative Employment Program (AEP).
4. DeCA's Multi-Year Affirmative Employment Program Plan for Minorities and Women, and the Annual Affirmative Program Accomplishment Report.

- 5. DeCA's Annual Agency-wide Plan Update for Hiring and Advancement of People with Disabilities.
- 6. DeCA's Federal Equal Opportunity Recruitment Program (FEORP).
- 7. Establishment of EEO as a critical element of performance standards of managers and supervisors.

Test Questions:

1. Does the Region Director provide leadership and guidance to managers and supervisors regarding their role in the Affirmative Employment Program pursuant to DeCAD 55-2 May 2000?

Response: YES _____ NO _____ NA _____

Remarks. *

2. Is there a personal policy statement by the Region Director which commits the organization to fully support all aspects of the EEO/AEP program available and posted on the employee bulletin board pursuant to DeCAD 50-2?

Response: YES _____ NO _____ NA _____

Remarks. *

3. Does the personal policy statement of Region Director address EEO principles, strategy, and course of action for the attainment of EEO goals and objectives?

Response: YES _____ NO _____ NA _____

Remarks. *

4. Is there a prevention of sexual harassment policy statement posted on the bulletin boards?

Response: YES _____ NO _____ NA _____

Remarks. *

5. Is there a program designed to eliminate sexual harassment in the workplace or has prevention of sexual harassment training been provided to supervisors, managers, and employees?

Response: YES _____ NO _____ NA _____

Remarks. *

6. Do the Region Director, Zone Manager, and the EEO Managers meet periodically to discuss EEO program objectives, accomplishments, strategies, and training?

Response: YES _____ NO _____ NA _____

Remarks. *

7. Does the Region Director ensure that the Region EEO Manager is provided with clerical, secretarial or administrative support?

Response: YES _____ NO _____ NA _____

Remarks. *

8. Have newly appointed managers and supervisors attended a training program (i.e., "Managing DeCA Employees", "Leading DeCA Work Teams", and Managing Your EEO Responsibilities"), which covers the EEO program?

Response: YES _____ NO _____ NA _____

Remarks. *

9. Do managers and supervisors accept and practice EEO program principles and concepts, and are there effective coordination and cooperative efforts being displayed between managers/supervisors and EEO program officials?

Response: YES _____ NO _____ NA _____

Remarks. *

10. Are managers and supervisors held accountable for progress made toward achieving program objectives regarding the Affirmative Employment Program Plan?

Response: YES _____ NO _____ NA _____

Remarks. *

11. Is EEO a critical element of performance standards of managers and supervisors?

Response: YES _____ NO _____ NA _____

Remarks. *

12. Does the Region EEO Manager meet periodically with the Chief, Personnel Division to discuss personnel issues, which impact EEO?

Response: YES _____ NO _____ NA _____

Remarks. *

13. Does the Region EEO Manager review the referral packages to advise on manifest imbalance or conspicuous absence of minorities and women during the selection process for a Store Director position, GS 1144-12 and above, and targeted positions where there is a disparity?

Response: YES _____ NO _____ NA _____

Remarks. *

14. Does the Region EEO Manager conduct staff assistance visits at selected commissary stores to assess EEO program progress and accomplishments in increasing representation of minorities and women in selections, training, assignments, and awards?

Response: YES _____ NO _____ NA _____

Remarks. *

15. Are awards equitably distributed based on performance without regard to race, color, religion, national origin, age, sex, or a physical/mental disability?

Response: YES_____ NO_____ NA_____

Remarks. *

16. Does the activity assess and evaluate disciplinary actions to ensure that they are not taken for reasons of race, color, religion, national origin, sex, age, or physical/mental disability?

Response: YES_____ NO_____ NA_____

Remarks. *

17. Are collateral duty EEO Counselors, Special Emphasis Program Managers, and commissary EEO Assistants trained or scheduled to be trained to handle the EEO program for which they have responsibility?

Response: YES_____ NO_____ NA_____

Remarks. *

18. Is there a copy of DoD Directive 1440.1, DoD Civilian Equal Employment Opportunity (EEO) Program available and on file?

Response: YES_____ NO_____ NA_____

Remarks. *

19. Is there a copy of DeCAD 55- 2, Equal Employment Opportunity (EEO) and Affirmative Employment Program available and on file?

Response: YES _____ NO _____ NA _____

Remarks. *

20. Is there a current copy of DeCA Agency-wide and Region Multi-Year Affirmative Employment Program Plan for Minorities and Women available and on file pursuant to EEOC Management Directive 714?

Response: YES _____ NO _____ NA _____

Remarks. *

21. Is there a current copy of DeCA Agency-wide and Region Multi-Year Affirmative Employment Program Plan for Minorities and Women Annual Accomplishment Report and Update available and on file?

Response: YES _____ NO _____ NA _____

Remarks. *

22. Is there a current copy of DeCA Agency-wide and Region Affirmative Action Program Plan Annual Accomplishment Report and Update for Hiring and Advancement of People with Disabilities available and on file pursuant to EEOC Management Directive 713?

Response: YES _____ NO _____ NA _____

Remarks. *

23. Have surveys been conducted to identify architectural barriers in DeCA facilities that impede the employment of people or applicants with disabilities?

Response: YES _____ NO _____ NA _____

Remarks. *

24. Are qualified disabled applicants referred when there are vacancies as a matter of routine personnel practice?

Response: YES _____ NO _____ NA _____

Remarks. *

EVENT CYCLE 2: Special Emphasis Programs

Step 1: Establishment of special emphasis programs entitled the Federal Women's Program, Hispanic Employment Program, Black Employment Program, Program for People with Disabilities, Asian/Pacific Islander Employment Program, and American Indian/Alaskan Native Employment Program.

Risk: Lack of special emphasis programs will contribute to the ineffectiveness of the EEO program and is in violation of DoD Directive 1440.1, DoD Civilian Equal Employment Opportunity Program.

Control Objectives: Develop and implement special emphasis programs to promote equal opportunity in employment for minorities, women, and people with disabilities, at all grade levels and occupational series, commensurate with the guidance established by the Equal Employment Opportunity Commission.

Control Techniques:

1. Develop goals and objectives that will incorporate the special emphasis programs into the overall EEO planning effort.
2. Designate and/or appoint collateral duty special emphasis program managers and EEO Assistants to assist in EEO program administration, monitor the implementation and measure its effectiveness.
3. Coordinate, arrange, and/or participate in the special celebrations, observances, and programs to highlight or promote special emphasis programs.

Test Questions:

1. Has a special emphasis program been established as an integral part of the overall EEO program?

Response: YES _____ NO _____ NA _____

Remarks. *

2. Do the special emphasis program manager or the employees organize, arrange, and/or participate in the organization's or host installations/bases' activities to celebrate or recognize special observances (i.e., Black History Month, Birthday of Dr. Martin Luther King, Jr., Federal Women's Month, Hispanic Heritage Month, etc)?

Response: YES _____ NO _____ NA _____

Remarks. *

3. Has management supported, participated, and attended special emphasis program activities of the organization?

Response: YES _____ NO _____ NA _____

Remarks. *

4. Is there in place any special emphasis or innovative EEO program efforts being conducted to increase representation of minorities, women, and people with disabilities where there is a manifest imbalance or conspicuous absence exists?

Response: YES _____ NO _____ NA _____

Remarks. *

5. Are problems (i.e., artificial barriers, inaccessible facilities, and inadequate equipment, etc) relating to the special emphasis program(s) identified and appropriate action being taken to alleviate them?

Response: YES _____ NO _____ NA _____

Remarks. *

* Explain rationale for YES response or provide cross-references where rationale can be found. For NO responses, cross-reference to where corrective action plans can be found. If NA, explain rationale.

I attest that the above-listed management controls provide reasonable assurance that DeCA resources are adequately safeguarded. I am satisfied that if the above controls are fully operational, the management controls for this subtask throughout DeCA are adequate.

Director, Equal Employment Opportunity

I have reviewed this subtask within my organization and have supplemented the prescribed management control review checklist when warranted by unique environmental circumstances. The controls prescribed in this checklist, as amended, are in place and operational for my organization.

ASSESSABLE UNIT MANAGER (Signature/Date)

APPENDIX B DEFINITIONS

- a. Affirmative Action. A program of self-analysis, problem identification, data collection, policy statements, reporting systems, and elimination of discriminatory policies and practices, past and present. A tool to achieve equal employment opportunity.
- b. Affirmative Employment Program (AEP). A program designed to provide equal employment opportunity to everyone, regardless of race, color, sex, religion, national origin, disability, or age, and provide an opportunity for everyone to rise to as high a level of responsibility as possible, dependent only on individual talent and diligence.
- c. Artificial Barrier. Personnel principles, policies or practices which restrict or tend to limit the representative employment of applicants and employees, especially minorities, women and persons with disabilities.
- d. Age. For the purpose of this directive, persons protected under age discrimination provisions are those 40 years of age or older, except when a minimum age requirement has been established by statute or OPM.
- e. Conspicuous Absence. An EEO group that is nearly or totally nonexistent from a particular occupation or grade level in the work force.
- f. Discrimination. Illegal treatment of a person or group based on race, color, national origin, religion, sex, age, or disability.
- g. Equal Employment Opportunity (EEO). The right of all persons to work and advance on the bases of merit, ability, and potential, free from social, personal, or institutional barriers of prejudice and discrimination.
- h. EEO Groups/Protected Members. African American/Black men, African American/Black women, Hispanic men, Hispanic women, Asian American/Pacific Islander men, Asian American/Pacific Islander women, American Indian/Alaskan Native men, American Indian/Alaskan Native women, White men, White women, and men and women with disabilities.
- i. Federal Equal Opportunity Recruitment Program (FEORP). A targeted recruitment program for minorities and women based upon a determination of a manifest imbalance or conspicuous absence in the various PATCOB categories of civil service employment.
- j. Manifest Imbalance. Representation of EEO groups in a specific occupational grouping or grade level in the work force that is substantially below its representation in the appropriate civilian labor force.
- k. Minorities. All persons classified as Black (not of Hispanic origin), Hispanic, Asian or Pacific Islander, and American Indian or Alaskan Native.

l. National Origin. An individual's place of origin or his or her ancestors' place of origin or the possession of physical, cultural or linguistic characteristics of a national origin group.

m. PATCOB. Acronym for Professional, Administrative, Technical, Clerical, and Other white-collar occupational categories and the Blue-collar category.

n. Person with a Disability. A person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. For purposes of this Directive, such term does not include any individual who is an alcoholic or drug abuser and whose current use of alcohol or drugs prevent such individual from performing the duties of the job in question, or whose employment, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or to the safety of others. As used in this paragraph:

(1) Physical or mental impairment. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculo-skeletal and special sense organs; respiratory including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(2) Major life activities. Functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(3) Has a record of such impairment. Has a history of, or has been erroneously classified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) Is regarded as having an impairment. Has:

(a) A physical or mental impairment that does not substantially limit major life activities but are treated by an employer as constituting such a limitation.

(b) A physical or mental impairment that substantially limits major life activities only as a result of the attitude of others toward such impairment.

(c) None of the impairments defined above but is treated by an employer as having such an impairment.

o. Race. For purposes of this Directive, all persons are classified as Black (not of Hispanic origin), Hispanic, Asian or Pacific Islander, American Indian or Alaskan Native, and White, as follows:

(1) Black (not of Hispanic origin): A person having origin in any of the Black racial groups of Africa.

(2) Hispanic Origin: A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin regardless of race.

(3) **Asian or Pacific Islander:** A person having origin in any of the original people of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.

(4) **American Indian or Alaskan Native:** A person having origin in any of the original people of North America, and who maintains cultural identification through tribal affiliation or community recognition.

(5) **White (not of Hispanic origin):** A person having origin in any of the original people of Europe, North Africa or the Middle East.

p. **Religion.** Traditional systems of religious belief and moral or ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views.

q. **Sexual Harassment.** A form of sex discrimination that involves unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

(1) Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career; or

(2) Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or

(3) Such conduct interferes with an individual's performance or creates an intimidating, hostile, or offensive environment. Any person in a supervisory or command position who uses or condones implicit or explicit sexual behavior to control, influence, or affect the career, pay, or job of a military member or civilian employee is engaging in sexual harassment. Similarly, any military member or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature is also engaging in sexual harassment.

r. **Special Emphasis Program (SEP).** Programs established as an integral part of the overall EEO program to enhance the employment, training and advancement of a particular minority group, women, or disabled persons.