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EEOC FORM  
715-01 PART E  
*U.S. Equal Employment Opportunity Commission*

**ANNUAL EEO PROGRAM STATUS REPORT**

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U.S. Department of Agriculture – Agricultural Research Service

For Period Covering October 1, 2011 to September 30, 2012

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**EXECUTIVE SUMMARY**

**USDA – Agricultural Research Service  
EEOC Management Directive 715 Employment Opportunity Program Plan  
FY 2012**

The purpose of this report is to identify trends and barriers impacting the Agricultural Research Service's (ARS) efforts to be a model Equal Employment Opportunity (EEO) employer. This report analyzes workforce data by race, gender, and employees with targeted disabilities (TD). One trend that we are not required to monitor, but provides a backdrop to our analysis, is age. **Fifty-six percent** of the ARS workforce is **age 50 or over** (increase of two percent from 2011). **Fifty-three percent** (3,248) of the total permanent workforce (6,075) are **eligible for retirement between 2012 and 2021** (5 percent decrease since 2011 report). Of the 53 percent, **23 percent** (1,409) are **grades 13-SES** (2 percent decrease) in the identified major occupations. Many questions need to be asked: Have we made efforts to recruit and retain a younger generation of future leaders? Are we prepared to lose our workforce expertise? and Are we prepared for the clash of generations occurring in our workplace now?

Part E (continued)

**MISSION AREA:** Research, Education, and Economics (REE)

The ARS conducts research to develop and transfer solutions to agricultural problems of high national priority and provide information access and dissemination to ensure high-quality, safe food, and other agricultural products; assess the nutritional needs of Americans; sustain a competitive agricultural economy; enhance the natural resource base and the environment, and provide economic opportunities for rural citizens, communities, and society as a whole.

This report is more than just numbers. With each targeted group, we compared our numbers to the Civilian Labor Force (CLF). As this report explains in detail, ARS continues to be underrepresented in Hispanic males and females, White females, African American males and females, and persons with targeted disabilities (PWTB). One may ask, “Why does ARS care about representation and being inclusive?” The answer is that we care about this because it is one way, however, not the only way, to ensure diversity exists in our workforce and that our representation strives to reflect the population that we serve. **ARS cares about representation and inclusion** because it allows a broader range of intellectual decision making to solve and conduct research to develop and transfer solutions to agricultural problems, establishes parity for all groups that will strengthen and enrich our workforce, employees will see others like themselves, and feel comfortable about entering and staying in our workforce and every employee will feel respected and acknowledged.

This report does not lose sight of goals of diversity and inclusion. And although this report certainly focuses on the data, the purpose of our analysis is to answer the question “why?” Of the underrepresented groups, **why are** Hispanic, African American, and White females and American Indian males leaving ARS faster than they are being hired? Why are Asian males and females encountering a glass ceiling at the SES level? Why are fully qualified employees with TD not being hired?

**SUMMARY OF ARS SELF-ASSESSMENT** (Parts G and H)

Part G of the MD-715 contains the agency’s self-assessment checklist with approximately 122 measurement items, subdivided into six essential elements as defined by EEOC to create a “model EEO workforce”. **Note:** EEOC requires agencies to complete Part H to explain deficiencies found in the six elements that may prevent ARS to be a model EEO workforce or to include the explanations in Part G.

Since the reporting period in 2011, ARS has corrected the deficiencies determined in Elements C regarding the review of merit promotion and employee recognition awards program policy and procedures (details on page 7).

For this reporting period, ARS reports two deficiencies – (1) Element D that supervisors and managers are not required participating in the ADR process. The supervisors and managers are encouraged to participate in the ADR process and the participation rate is

Part E – Self-assessment (continued)

approximately 75 percent and (2) Element E regarding the lack of means to track applications. Part H was not prepared, however, details can be found on pages 15 for Element D and page 18 for Element E.

The following summarizes ARS's effort to meet the EEOC's six essential elements:

**Essential Element A: Demonstrated Commitment from Agency Leadership**

No deficiencies were identified in this area.

ARS **continues to demonstrate** a strong commitment to equal opportunity for all employees, applicants, and service recipients. The Administrator issues the Diversity/Equal Employment Opportunity Policy Statement (see TAB 5) annually aligning with the Secretary's Civil Rights Policy Statement. The policy statement holds employees accountable to be proactive in creating and maintaining a competitive and qualified diverse workforce that reflects the diversity of today's society and states that disciplinary action will be taken for conduct or behavior that indicates discrimination, sexual or non-sexual harassment, and retaliation. Suggestions of being proactive are utilizing the Cooperative Resolution Program (CRP), which offers effective techniques for dispute resolution such as mediation, conflict coaching, and team building. This program is an excellent management tool for settling disputes and resolving work issues. Also, employees are encouraged to participate in mentoring/career development programs, special emphasis programs, serving on EEO/Diversity Committees, and getting involved in other innovative activities to help prevent and eliminate barriers hindering our diversity goal.

The Sexual Harassment Policy was reviewed and revised and distributed to all employees.

Managers and supervisors are evaluated through their performance plans regarding their commitment to ARS EEO policies and principles.

All ARS employees completed the Reasonable Accommodation training approved by the USDA Assistant Secretary for Civil Rights. The ARS Disability Program Manager (DPM) conducted Reasonable Accommodation training at the following: New Employee Orientation Sessions, New Research Leader Session, National Agricultural Statistics Service EEO Advisory Committee Meeting and National Institute of Food and Agriculture. The DPM also coordinated a Reasonable Accommodation webinar for REE Mission area employees conducted by the Senior Attorney, Equal Employment Opportunity Commission. New employees are provided the training upon arrival to the Agency. The Administrator continues to advise managers and supervisors of their responsibilities regarding reasonable accommodation through the Administrator's Council teleconferences and quarterly face-to-face meetings.

Part E – Element D (continued)

**Cultural Transformation at ARS**

ARS's Cultural Transformation (CT) Goal for EEO is to provide civil rights leadership to its employees, applicants, and customers reducing civil rights complaints and increasing the use of Alternative Dispute Resolution (ADR).

ARS continues to use the “Your Two Cents” (Y2C) initiative to provide ARS employees with an uncensored direct communication line to senior leadership. Now in place for over two years (designed by REE mission area leaders), this web site tool continues to provide a forum where employees speak directly to Agency leaders to share information on current business processes, work challenges and/or concerns. The Y2C initiative embodies the following values: (1) **accessible** to all ARS employees from animal caretakers to Area Directors; (2) **anonymous** – employees have the option whether to identify themselves or not, so they feel confident the system can be used without retribution; (3) **constructive** – this is not a complaint system and does not address issues regarding EEO; leave and benefits; alternative dispute resolution; and waste, fraud, and abuse; (4) **shared** – input is shared with appropriate audiences; discussion is valued; (5) **transparent** – obvious as to response process; and **sustainable** – through changing Administrations.

As of May 31, 2012 Y2C has received over 1,127 total individual ideas (increase of 37 percent from 2011) and 715 total comments on those ideas (increase of 30 percent). We find that the most frequent topics are business process improvement; telework; technician/support scientist recognition; travel; and purchasing processes. There are currently 144 actions on the site (an increase of 23 percent since 2011), 125 (87 percent) of which are completed. The ‘completed’ list consists of a myriad of items from minor facility issues to substantive, high-level, Agency-wide policy change and implementation. None of these would be possible without the commitment of the Associate Administrator as the Agency’s chief operations officer.

The ARS CT web site is also used as an area for Agency best practices to be shared, as well as for communication via employee blogs, links to training courses, and video submissions from employees describing their own cultural transformation successes in their work centers. Employees from all levels of the Agency are encouraged to submit blogs and videos on the monthly theme (examples of themes are work/life balance, managing work in virtual environments, inclusion and community outreach) which are designed around the Secretary’s CT pillars. Incentives for individuals to promote cultural transformation activities in their work locations are in the works as well.

Part E - Element A (continued)

**Results/Impact:** The following displays the number of offers and acceptances regarding the ADR process for informal and formal EEO complaints (ADR usage has decreased 15 percent since 2011):

Informal: 40 offered and 6 accepted  
(15 percent – increase of 3 percent from 2011), 1 settlement

Formal: 13 offered and 8 accepted  
(62 percent – decrease of 18 percent), 1 settlement

**Essential Element B: Integration of EEO into the Agency’s Strategic Mission**  
No deficiencies were identified in this area.

The Administrator approved to make Civil Rights a goal rather than a Management Initiative within the Plan. ARS achieved 81 percent of the below goals.

**Strategic goals and accomplishments:**

1. *Review and issue annual policy statements regarding EEO/civil rights, anti-harassment, and sexual harassment to promote an environment free from discrimination, sexual or non-sexual harassment, and retaliation to 100 percent of ARS employees.*

**Accomplishment** (100 percent): The EEO/civil rights, anti-harassment, and sexual harassment policies were reviewed, revised and distributed to all employees and published on the ARS home page.

2. *Develop and submit annual EEO Program Status reports to EEOC and the Department aimed at eliminating barriers to hire women, underrepresented groups based on the Civilian Labor Force (CLF), and persons with disabilities.*

**Accomplishment** (100 percent): ARS develops and submits the annual EEO Program Status Report (Management Directive 715) to the EEOC and the Department (quarterly reports are submitted to the Department). The report is sent nationwide to the Area ODEO Program Managers, Area Directors, and Business Service Center Directors.

3. *Expand outreach activities in K-12 schools, universities/colleges, minority servicing institutions and organizations that cater to persons with disabilities providing education about scientific research to include percentage of underrepresented groups based on the CLF. ARS’s goal is to increase the annual percentage of permanent new hires by 75 percent of the groups under the Civilian Labor Force (goal is noted in parentheses):*

*White females (49); Hispanic male (3); Hispanic female (2); African American male (11); African American female (18); and persons with targeted disabilities (1).*

Below, the goal is noted in parentheses and percentage reflects employees hired of the goal]:

White females (49) – 12 or 24 percent (538 temporary)  
Hispanic male (3) – 3 or 100 percent (50 temporary)  
Hispanic female (2) – no hires (68 temporary)

Part E - Element B (continued)

African American male (11) – 2 or 18 percent (79 temporary)

African American female (18) – 7 or 39 percent (80 temporary)

Persons with targeted disabilities (1) – 1 or 100 percent (4 temporary)

**Status:** **47 percent** of the 75 percent goal was accomplished (hiring freeze from October 1, 2011 until May 23, 2012).

4. *Use Schedule A hiring authority for persons with disabilities and Veteran Hiring Authorities as part of strategy to recruit and retain a diverse workforce. ARS's goal is to increase the annual percentage of veteran new hires by 75 percent or 62 veterans.*

**Status:** Not met, however, since September 30, 2011, ARS has hired or converted 7 individuals under the Schedule A hiring authority. ARS hired 30 veterans (63 percent decrease from 2011). ARS employs 606 veterans.

5. *Provide EEO/civil rights information and counseling and advice to 100 percent of employees requesting the information through a variety of sources to reduce EEO complaints.*

**Accomplishment** (100 percent): All employees requesting EEO/civil rights information and guidance regarding the complaint process are referred to the Agency's web site or provided the Frequently Asked Questions and/or additional information as needed.

6. *Ensure that all employees complete mandatory and recommended EEO training.*

**Accomplishment** (98 percent): Per AgLearn, 99.8 percent of ARS employees completed No Fear Refresher Training and 96.2 percent completed the No Fear Comprehensive Training (some of the individuals on the list of not completing the latter is no longer with the agency, but had not been removed, plus some employees have taken the training and AgLearn erroneously were counting them as not completing).

Although not mandatory, other training offered was Reasonable Accommodation. Approximately 75 percent of the agency employees participated in those sessions.

Seventy (70) percent of ARS General Schedule permanent employees completed Diversity and Inclusion (D&I) training. In addition, 58 percent or 21 of 36 Senior Leadership completed the D&I training.

7. *Conduct civil rights impact analyses as required.*

**Accomplishment** (100 percent).

ARS prepared two CRIAs in FY 2012 (Mid South Area – Chestertown, MD and Southern Plains – Weslaco, Texas), which was approved by the Office of the Assistant Secretary for Civil Rights with recommendations. Four CRIAs were prepared for internal purposes (did not require the 1010 process) – Administrative and Financial Management, Beltsville Area, National Agricultural Library, and South Atlantic Area – Fort Pierce, Florida.

Part E - Element B (continued)

8. *Offer the Alternative Dispute Resolution (ADR) process to all employees in all states of the EEO complaint process. ARS' goals are to increase the annual usage of ADR by 50 percent or 18.*

**Accomplishment** (100 percent): The "EEO/ADR Mediation Fact Sheet" is distributed to complainants in the informal and formation EEO complaint process stage. The "Informal EEO Complaint Process Notification of Complainant's rights, Duties, and Responsibilities" is given to complainants in the informal complaint process stage to be signed certifying they have read and understood the "complainant's rights, duties, and responsibilities." ARS continues to educate and emphasize to managers, supervisors and employees that the ADR process is timely, cost effective, and efficient, following the Department of Agriculture's policy on the use of ADR.

Informal: 40 offered and 6 accepted  
(15 percent – increase of 3 percent from 2011), 1 settlement

Formal: 13 offered and 8 accepted  
(62 percent – decrease of 18 percent), 1 settlement

**Reporting to the Agency Head**

The Director of the ARS, Outreach, Diversity, and Equal Opportunity (ODEO) reports directly to the Administrator. The Director serves as an advisor to the Administrator and Associates and retains a seat on the Administrator's Council (senior management team), thereby preserving visibility and influence at the Agency level. Also in FY 2012, the Director began serving as the first-line (was second-line in FY 2011) reviewing official for the Area ODEO Program Managers, whom provides ODEO assistance to the 100 plus locations throughout the United States. The ODEO Director and staff continue to provide information to employees and customers regarding recruitment strategies, vacancy projections, succession planning, selections for training/career development opportunities, and other workforce changes.

After the submission of the MD-715, the ODEO Director presents the state of the EEO program to the Administrator.

**Essential Element C: Management and Program Accountability**

In 2011 the following deficiency was reported: Time-tables or schedules have not been established to review the Merit Promotion Program Policy and Procedures. The deficiency has been corrected.

**Accomplishment/Update:**

- **Merit Promotion:**

The ARS Human Resources Division (HRD) underwent a new Departmental and Office of Personnel and Management Human Accountability Review in FY 2012, which supersedes the need for internal audits.

Part E – Element C (continued)

- **Employee Recognition Awards Program:**  
Annually, the HRD Performance and Awards Staff (PAS) reviews and evaluates recognition programs to ensure fairness and equal opportunity for all employees. Additionally, PAS is implementing an automated system in FY 2013 (testing phase will begin January) to capture demographic data of participants to determine and identify trends that may not closely reflect the agency's population. PAS continues to work towards creating an organization culture that recognizes employees for their contributions and accomplishment toward meeting the agency's mission.
  
- **Employee Development Training Program:**  
Annually, HRD Employee and Leadership Development Staff (ELDS) reviews and evaluates demographic data of participants in offered Training Programs for emerging trends that may not closely reflect the agency's population. To date, current data has not reflected disparity. All ELDS' training courses are evaluated to ensure that the training delivered is in an all inclusive manner. This includes the consideration of cultural differences and is 508 compliant.

**ARS Holding Managers and Supervisors Accountable for Achieving a Diverse Work Force**

It is ARS's goal to ensure leadership accountability for hiring and retaining a diverse workforce. To achieve this goal, ARS has implemented the USDA Diversity Road Map by accomplishing the following:

***Leadership Accountability and Commitment***

- The Director of ODEO is the ARS Diversity Officer.
  
- ARS has National Special Emphasis Program Managers (SEPM) serving advisory councils for Asian American and Pacific Islanders; African Americans; Persons with Disabilities; Hispanics; Gay, Lesbian, Bisexual and Transgendered; Native Americans; Women; and Veterans (newly designated in the first quarter of FY 2012). Additionally, each of the nine Areas have SEPMs in place (the Pacific Area has SEPMs in each location).
  
- All ARS SES members had goals related to the Secretary's CT and USDA Diversity Roadmap added to their performance requirements under their mission results performance element.
  
- Successfully transitions new hires into the position by promptly providing an orientation into the workforce and establishing performance elements and standards. Supervisor provides ongoing feedback and coaching, and makes appropriate use of the probationary period to assess the new hire's ability to perform in the position.

Part E – Element C (continued)

ARS' commitment to transitioning new hires is reflected in our full implementation of the Department's On-boarding Requirements. In compliance with the On-boarding requirements, all supervisors are utilizing the Supervisor's On-boarding checklist to ensure that all new employees are provided essential information. In addition, all new employees are being assigned a sponsor to assist them. In addition to the basic On-boarding requirements, ARS re-visited our new employee orientation materials to ensure field offices were consistently providing essential orientation information; developed a new handout for new employees to point out things they should have received as new employees; and developed and assigned to all new employees an AgLearn training module to provide new employees with basic information important to their understanding Federal employment and managing their Federal career.

Implements retention strategies that focus on key internal processes (e.g., work environment, employee orientation, executing Individual Development Plans for all employees--subject to bargaining obligations, coaching, development, and mentoring, etc.) and that promote employee growth, support the health of the workforce and drive the future success of the organization's people and infrastructure.

In FY 2012, ARS continued to deliver key segments of its supervisory training curriculum, namely Crucial Conversation and Myers Briggs Type Indicator training. These courses are the building blocks for frontline supervisors, with a view toward their continuation in the managerial career track. This contributes to our overarching goal of succession planning: assuring leadership continuity from first line supervisor to Senior Executive in ARS. Crucial Conversations has been widely adopted within ARS and is used by OPM's Management Development Centers.

The ARS Administrator is committed to building a stronger workforce through cultivating and nurturing employees' growth and career development that will help shape and drive the future success of the organization's people and infrastructure. Examples are marketing various leadership programs, detail opportunities, toastmasters, brown bag luncheons, mentoring programs and maintaining a collaborative partnership with supervisors to appropriately plan for employee development against core leadership and/or technical competencies necessary for career advancement. Leadership training programs provided by ARS are comprehensive training programs developed by the Graduate School USA or the Office of Personnel Management. This also provides an avenue for employee networking and enhances employee engagement with the agency.

The Administrator strongly supports the establishment and implementation of the Individual Development Plan (IDP) which is a tool

Part E – Element C (continued)

that helps facilitate employee development and creates a partnership between employee and their manager on what is needed to help them grow. The IDP is used as a tool to help drive leadership development and serves as visible, tangible evidence that leadership development is taking place. IDP establishment is monitored and tracked as a measure of progress and used as a way to drive accountability for development. All ARS employees have an IDP, which exceeding USDA's goal of 95 percent for FY 2012.

- Until April 2012, ARS submitted monthly reports to the Director of the OHRM, Recruitment, Diversity, Wellness and Worklife, Mediation, Disability, and Veterans Employment Division on overall demographics (total workforce including veterans and persons with disabilities), hires, promotions (competitive and non-competitive by grade only), separations, awards (templates from the National Finance Center's Reporting Center), executive summary identifying the gaps in underrepresentation and action items that are being pursued according to the Part I of the MD-715, attrition. ARS HRD submits weekly reports regarding students and career interns.
- The Agency has established diversity hiring goals, which have been incorporated into leadership performance metrics. More importantly, the Agency has established a quarterly reporting regimen that tracks performance against these targets in a format that is visible and easy to use.
- Through the Management Directive 715, Affirmative Employment Program Report process, ARS conducts workforce analysis to identify areas of underrepresentation at all grade levels and occupations, with emphasis on GS-13 to SES positions and mission critical occupations. **Result:** ARS employees with targeted disabilities slightly increased in representation; however, they are still 0.85 percent below 2 percent required by the Equal Employment Opportunity Commission. ARS continues to conduct outreach activities to educate possible applicants on ARS career opportunities focusing on broadening diversity in the applicant pool.

White males and females continue to dominate the GS-13 to SES positions. The following groups met or were above their total workforce representation:

GS-13: Asian male and female and White male.

GS-14: White male and Asian male.

GS-15: White male, Asian male and American Indian male and female.

Part E – Element C (continued)

White employees continue to dominate the mission critical occupations.

- End-Year funds are utilized to develop initiatives to increase representation in groups that do not meet the CLF as necessary to enhance professional development. The Administrator and the Deputy Administrator for Administrative and Financial Management (AFM) continue to stress to the Administrator's Council (ARS senior management) the importance of utilizing the career development and mentoring programs.  
**Result:** ARS showed a 17 percent increase in the underrepresented groups in the career development programs since 2011.
  
- Although ARS does not have formal established partnerships with the Federally Employee Women, the Federal Asian Pacific American Council, American Association of People with Disabilities, Blacks in Government, Asian American Government Executive Network, League of United Latin American Citizens, Gay, Lesbian, Bisexual and Transgendered, National Image Inc., Society of American Indian Government Employees, and Student Veterans of America, ARS has continuously supported their annual training events to include shared exhibit space with USDA-wide conference coordination and provided information about the Agency as well as encouraged the general memberships to apply for vacancies.

ARS is also committed to building strong research collaborations that are necessary to address growing and complex challenges related to food production, human nutrition, agricultural sustainability, and natural resource protection. In this regard, ARS has established two goals for FY 2011: (1) Improve the Agency's collaborative agreements management & tracking processes (through Six Sigma) in order to increase the Agency's capacity to collaborate and innovate; and (2) Established Stakeholder and Customer Liaison Committees at ARS laboratory locations to assure Agency research is focused on solving high-priority agricultural problems across the country.

Part E – Element C (continued)

***Outreach and Funding to Minority-Serving Institutions included:  
African American:***

- Historically Black Colleges and Universities – \$956,236
  
- Thurgood Marshall  
For the past several years, ARS has sponsored and participated in the Thurgood Marshall College Fund (TMCF) Leadership Institute and Career Fair. ARS' sponsorship for FY12 was \$10,000. The TMCF Leadership Institute is the only organization in the United States that represents all of the Nation's public HBCUs.

**USDA/1890 National Scholars Program**

ARS uses the USDA/1890 National Scholars Program to enhance its partnership between of the ARS and the eighteen 1890 Historically Black Land-Grant Universities. The program awards annual scholarships to students attending 1890 institutions, pursuing a bachelor's degree in agriculture, food, natural resource sciences, or related academic disciplines, and demonstrates the Agency's continued support of the 1890 partnership and community. ARS has a long history of supporting this program including converting students to full time positions upon graduation. In FY 2012, ARS provided scholarship and financial support for eight students, and successfully converted one student a graduate of the USDA/1890 program. This student completed his law degree at the University of Arkansas while working with the National Agricultural Library is now employed in the USDA Office of the General Council. Another 1890 scholar completed her undergraduate degree, and is currently enrolled in master's program. This premier USDA scholars program not only strengthens the long-term partnerships between ARS and the 1890 Land-Grant Universities but assists ARS in meeting the requirements of MD-715 and the Government wide Diversity and Inclusion Strategic Plan.

**American Indian:**

- Tribal Colleges and Universities – \$7,739
  
- USDA/1994 National Scholars Program  
This year, ARS successfully hired the Agency's first USDA/1994 National Scholar. The student recently graduated from Salish Kootenai, a two-year 1994 Institution and is currently enrolled at Washington State University. The student is majoring in chemistry and is currently assigned to the Beltsville Agricultural Research Center in the animal parasitological laboratory.

Part E – Element C (continued)

**Asian:**

- Conference on Asian Pacific American Leadership (CAPAL) – ARS maintained its partnership since 2008 with CAPAL to provide young Asian Pacific American leaders an opportunity to gain exposure to career opportunities within the Federal government in general and ARS in particular. ARS is committed to provide \$10,000 annually until 2013. In 2012, ARS hosted two CAPAL interns in the DC Metropolitan Area: Sophomore at the University of Rochester, majoring in Financial Economics and Mathematics interning with REE Undersecretary’s Office and one Senior majoring in Food Science and Nutrition interning with the Food Quality Laboratory at the Beltsville Agricultural Research Center, attending the University of Hawaii at Manoa.

**Hispanic:**

- Supported seven (7) interns from Hispanic Association of Colleges and Universities (4 Southern Plains Area, 2 Midwest Area, and 1 Pacific West Area).

The Agency also provided financial support for numerous minority students through student recruitments, student tuition assistance, scholarships, and other aid. The Agency also continues to lead the Department in student intern initiatives including the Secretary’s Wallace-Carver Intern Program, and the REE Mission Area through training programs and workshops such as the REE Intern Workshop to increase recruitment and retention of student interns. The 2012 class had 16 interns; with ARS sponsoring 50 percent of the program. The eight interns are worked at various ARS labs across the country. The summer internship started with an annual orientation workshop in Washington, DC to include their attendance and recognition at the State Department for the Annual announcement of the World Food Prize. Following the orientation, the interns started their eight to twelve weeks assignments to include analyzing agricultural and economic policy; assisting in the management of food, nutrition and rural development programs; and many took part in groundbreaking field and laboratory-based research. ARS also continued its support of the Ag Outlook’s Student Diversity Program, and extended its high school outreach and recruitment to include support of the University of Maryland’s Career Awareness, Career Exploration (CACE) program. CACE is part of the University of Maryland’s Institute for Minority Achievement and Urban Education (MIMAUE) and the program provides an opportunity for a number of high school minority students during the fall as interns/student mentees from Baltimore City. The internship/shadowing program is a component of a grant received by the Institute on CACE and focuses on job shadowing in order to provide professional work experiences for underserved/underrepresented students. Through the grant, students receive a small stipend for transportation and other expenses from University of Maryland, and they must complete a minimum of 40 hours during their internship/mentorship assignment. ARS mentored 3 students in the summer of 2012. ARS’

Part E – Element C (continued)

continued support of the Adopt-A-Scientist program which provides high achieving students from a predominately minority high school in the local area to work year round with scientists at BARC.

***Recruitment and Hiring***

- ARS continues to conduct outreach activities in K-12 schools, 1862 Universities and Colleges, Tribal Colleges and Universities (TCUs), Historically Black Colleges and Universities (HBCUs), 1890 Land Grant Institutions, Hispanic Serving Institutions (HSIs), and minority serving organizations [i.e., Society for Advancement of Chicanos/Latinos and Native Americans in Science (SACNAS); Minorities in Agriculture, Natural Resources and Related Sciences (MANRRS), Federal Asian Pacific American Council (FAPAC), and League of United Latin Americans Citizens (LULAC) ], and the Workforce Recruitment Program (WRP), etc. ARS also provides internships and mentorship for high achieving high school students through our continued partnerships with high schools.

The ODEO Outreach and Recruitment Branch continues to encourage supervisors and managers and HR specialists to utilize all available resources to market vacancies including both paid and non-paid advertisements, contacts with colleagues and peers, stakeholders who can help push the vacancy announcements out to broader audiences. The Branch also provided assistance with the REE Recruitment Agreement with hiring officials as part of the new hiring process. ARS maintains a list serve that promotes the most recent positions that are updated weekly in USAJobs. The listserv is distributed on a weekly basis.

ARS utilized the Department's request for summer student hiring statistics (including RNO data) to remind managers of the requirement to remain cognizant of diversity in their summer student hiring efforts. ARS' minority total student employment is 35 percent (increase of 8 percent since FY 2011). ARS will continue to analyze the diversity rates of student hires to develop additional outreach programs and hiring manager guidance. One of the ways we hope to increase hiring of persons with targeted disabilities is the increased utilization of the OPM Shared List of People with Disabilities (also referred to as the Bender List).

Throughout the fiscal year, HRD has reminded hiring managers of the hiring flexibilities and resources available to them for hiring persons with targeted disabilities. Early in the fiscal year, HRD provided hiring managers with the OPM Shared List of People with Disabilities. When the list became available to hiring managers and supervisors through the Max Federal Community in March, we encouraged managers and

## Part E – Element C (continued)

supervisors to access and review the lists on their own. Finally, in August 2011, as a part of implementing the USDA 80-day hiring timeline hiring reform initiatives, ARS mandated the review of the OPM Shared List of People with Disabilities mandatory for all hiring managers planning to recruit to fill positions. All managers must certify that they have reviewed the OPM Shared List of People with Disabilities before staff members of Human Resources will move forward with the competitive recruitment procedures.

**Result:** These actions may present the opportunity to increase the potential pool of minority applicants and persons with targeted disabilities available for employment. ARS hired 30 veterans.

### **Essential Element D: Proactive Prevention**

No deficiencies were identified in this area.

In order to gauge ARS' effectiveness in addressing career advancement opportunities for its employees, we contracted with a private company that specializes in workforce and organizational climate assessments. The results will be displayed in early 2013.

The EEO/Diversity and Sexual Harassment policies were reviewed and revised in 2012. The Diversity/EEO policy is issued on an annual basis, as the other policies are not done as frequently (Anti-Harassment policy was updated in 2011). In addition to each employee receiving a copy of the statements, policy(s) are also posted on the web site of the Office of Outreach, Diversity, and Equal Opportunity. (i.e. <http://www.afm.ars.usda.gov/ODEO/policystatements.htm>) Furthermore, each Area Office posts on their internal web sites. ARS' Administrator requires that all policy statements be posted in all work areas visible to ARS employees ensuring they are aware of and promote its civil rights.

The majority of requests for reasonable accommodations were fulfilled with review and approval from the USDA Medical Officer.

In compliance with Departmental Regulation 4710-001, Alternative Dispute Resolution (ADR), ARS continues to demonstrate good efforts to resolve EEO complaints utilizing ADR (voluntary) and non-EEO related workplace disputes utilizing the voluntary Cooperative Resolution Program (CRP) at the earliest stage possible. ARS provided thorough and timely reports of ADR activities to the ASCR Conflict Prevention and Resolution Center.

All complainants are offered ADR in the beginning of the informal process stage and throughout the formal process stage (ARS, Office of General Counsel, EEOC, etc.) within the timeframes set by EEOC regulations. The "EEO/Alternative Dispute Resolution Mediation Fact Sheet" is distributed to complainants in the informal and formal EEO complaint process stage. The complainant is encouraged to sign and return the fact sheet agreeing/disagreeing to participate in the mediation process. The complainant has the option to elect between counseling and mediation. Most complainants do not return the form or if

Part E – Element D (continued)

they mark “no”, they do not provide a reason for declining to engage in the ADR process. Some responses are: I prefer counseling; mediation was not effective with others having EEO issues; ADR cannot mend, neutralize, or rectify irreparable damages caused by malicious intentions/actions; does not believe it will work, has been done before; numerous attempts have previously been made. The “Informal EEO Complaint Process Notification of Complainant’s Rights, Duties, and Responsibilities” is given to complainants in the informal complaint process stage to be signed certifying they have read and understood the “complainant’s rights, duties, and responsibilities.” Complainants are offered several opportunities to accept ADR throughout the complaint process (ARS, Office of General Counsel, EEOC, etc.). ARS continues to educate and emphasize to managers, supervisors and employees that the ADR process is timely, cost effective, and efficient, following the Department of Agriculture’s policy on the use of ADR. Managers, supervisors and employees are encouraged to participate in the ADR process. Approximately 75 percent participate.

The following displays the number of offers and acceptances regarding the ADR process for informal and formal EEO complaints:

Informal:	40 offered and 6 accepted (15 percent – increase of 3 percent from 2011), 1 settlement
Formal:	13 offered and 8 accepted (62 percent – decrease of 18 percent), 1 settlement

The ARS ODEO staff continues to educate all employees and customers about improving communication through the utilization of our non-EEO early resolution ADR services. Thirty one sessions have been conducted (279 supervisors and 1,149 non-supervisors).

**Mediations** (67 percent resolution of those conducted)

24 offers

- 16 resolved
- 5 did not result in resolution
- 3 pending

**Facilitated Dialogues** (75 percent resolution of those conducted)

12 offers

- 9 conducted
- 3 withdrawn

**Recruitment and Retention of Veterans**

**1. Establishing a structure dedicated to employing Veterans**

The Administrator issues the Diversity/Equal Employment Opportunity Policy Statement annually aligning with the Secretary’s Civil Rights Policy Statement. The policy statement holds employees accountable to be proactive in creating and

Part E – Element D (continued)

maintaining a competitive and qualified diverse workforce that reflects the diversity of today's society and states that disciplinary action will be taken for conduct or behavior that indicates discrimination, sexual or non-sexual harassment, and retaliation. The statement reflects the Agency's affirmative commitment to employment of eligible disabled veterans. It is ARS's policy to create a work environment which promotes and encourages the recruitment, hiring, retention, career development and advancement of all disabled Veterans.

ARS ensures that disabled employees have accommodations needed to assist in carrying out the duties assigned for their positions. Employees with disabilities are regularly consulted on any barriers that may impair their ability to compete in the workplace because of disability.

ARS hired 30 veterans in FY 2012 (decrease of 63 percent since 2011). ARS employs 606 veterans.

**2. Providing employment counseling and skill training to transitioning service members**

ARS includes a name and number of a human resources specialist on all of our vacancy announcements so applicants have someone to contact if they have questions or concerns or want to obtain reasonable accommodation for any part of the application process. Announcements include OPM's Vet Guide web site address and directions on how to access veterans' information.

ARS allocates sufficient resources for training opportunities and education programs designed to provide maximum opportunities for disabled employees to advance. Supervisors and managers are very mindful of the ARS disability program obligation and continue to demonstrate a firm commitment to help disabled employees reach their potential. Career counseling is available.

ARS conducts periodic assessment to monitor progress, identifies areas where barriers may exist to exclude disabled employees, and develops plans to eliminate those barriers.

**3. Implementing a marketing campaign to inform Veterans about ARS employment opportunities**

ARS continued to use a variety of recruitment sources such as conferences, hiring, fairs, briefings, vocational rehabilitation, Facebook and Twitter as outreach and recruitment sources to employ veterans and disabled veterans. Recruitment sources and activities are listed in Part J (TAB 8).

ARS is the only agency in the REE mission area that has the authority to recruit outside hires through the Demonstration Project (DEMO authority). The use of

Part E – Element D (continued)

DEMO authority gives veterans greater preference than the preference given to them by standard OPM hiring procedures.

**4. Building a mechanism to provide timely employment information and resources to Veterans**

ARS includes a name and number of a human resources specialist on all of our vacancy announcements so applicants have someone to contact if they have questions or concerns or want to obtain reasonable accommodation for any part of the application process. Announcements include OPM's Vet Guide web site address and directions on how to access veterans' information.

ARS promoted the referral for noncompetitive consideration of all qualified disabled Veterans and supported Federal and Departmental initiatives, which included exploring all employment opportunities that integrated veterans into the workforce. ARS will continue to:

- Ensure that recruitment efforts are consistently coordinated in order to obtain maximum effectiveness and efficiency where appropriate.
- Ensure that recruitment announcements and literature reflect the Agency's desire to reach all segments of potential workforce, including eligible disabled candidates.
- Proactively look for opportunities to use the Veterans Readjustment Authority to fill vacancies.
- Strengthen and expand resources for obtaining resumes of disabled veterans.
- Publish vacancy announcement that include information indicating expanded eligibility for preference eligible in accordance with the Veterans Employment Opportunities Act.

**Essential Element E: Efficiency**

**Deficiency:** The agency does not track the information required by the MD-715: A&B7, Applications and Hires (Note: The ARS obtains the data for applicants (Tables A&B7) via the USA Staffing, however, wage grade (WG) employees and scientists (SY) because the electronic system is not used to accept online applications for WG and SY positions. ARS will transition to the One USDA eRecruit system in FY 2013 and anticipate using it to recruit for all positions.

Currently, USA Staff does not collect disability information from applicants. OPM and EEOC are working to create the categories and create a form to collect disability information, and then it would work similarly to the other RNO data in USAJOBS where the reports would be pulled through USA Staffing. Until this feature is built into USAJOBS, agencies are unable to collect and report applicant's disability information.

Part E – Element E (continued)

A&B9, Selections for Internal Competitive Promotions for Major Occupations

A&B11, Internal Selections for Senior Level Positions

A&B12, Participation in Career Development

Note: Per the USA Staffing Program Officer, the current memorandum of understanding between USDA and USA Staffing is that aggregate data can only be sent to the USDA's two points of contact (Monshi Ramdass and staff). The Office of the Chief Financial Officer (OCFO) has brought this problem to the attention of the USDA main point of contact for applicant data to include the data in future reports.

**Status for FY 2012 Complaints**

<b>Informal complaints filed:</b>	40
<b>Formal complaints filed:</b>	30
<b>Alternate Dispute Resolution (ADR):</b>	2 (1 informal settled and 1 formal settled)
<b>Monetary Payouts:</b>	\$109,753
<b>Investigative costs:</b>	\$54,586

**Essential Element F: Responsiveness and Legal Compliance**

ARS follows USDA/EEOC reporting requirements and complies with EEO orders or directives.

The NFC is responsible for payroll processing. Therefore, ARS has no control over the complaint payment process.

Part E (continued)

**SUMMARY OF WORK FORCE PROFILES INCLUDING NET CHANGE**

All ARS employees are included in this report. The data is based on information as of September 30, 2012. It represents the workforce demographics of ARS's permanent workforce by race, gender, and disability in the format required by Equal Employment Opportunity Commission (EEOC) Management Directive 715.

Based on the EEOC classifications, ARS's reportable employee population is displayed in the following table from largest to smallest (*see Tables A&B1 for details*):

<b>RNO/Gender</b>	<b>FY 2011 Population</b>	<b>FY 2012 Population</b>	<b>Agency representation %/ Net change*</b>	<b>CLF</b>
White male	3,138	2,845	46.83 -9.34	39
White female	2,113	1,907	31.39 -9.75	33.7
African American female	377	340	5.6 -9.81	5.7
Asian male	301	297	4.89 -1.33	1.9
African American male	240	214	3.52 -10.83	4.8
Hispanic male	179	149	2.45 -16.76	6.2
Asian female	178	174	2.86 -2.25	1.7
Hispanic female	106	88	1.45 -16.98	4.5
Persons with TD	74	70	1.15 -5.41	2
American Indian female	26	20	0.33 -23.08	0.3
American Indian male	22	17	0.28 -22.73	0.3
Native Hawaiian or Other Pacific Islander female	4	5	0.08 +25	0.1
Two or More Races male	4	7	0.12 +75	0.8
Native Hawaiian or Other Pacific Islander male	3	4	0.07 +33.33	0.1
Two or More Races female	3	8	0.13 +166.67	0.8
<b>TOTAL**</b>	<b>6,885</b>	<b>6,652</b>	<b>100 -3.38</b>	

Part E – Workforce analysis (continued)

\*Net change is the representation difference between the fiscal years.

\*\*Person with TD are included in the other groups.

	<b>Variance</b> (number in parentheses was reported in 2011)
<b>Groups below CLF</b>	
Hispanic male	228 (236)
Hispanic female	186 (193)
White female	140 (149)
African American male	78 (80)
African American female	7 (5)
Persons with TD	52 (60)

**Grade Distribution – GS-13 – SES** (highest to lowest representation based on the grade representation – *see Tables A&B42 for details*). White males and females continue to dominate the GS-13 to SES positions. **Note:** The single asterisk indicates that the groups were distributed in the subject grade level at less than their total workforce representation.

Grade	RNO/Gender	Number and Percent within Grade
13 (615 – decrease of 74 since 2011)	White male	288 (46.83)
	White female*	165 (26.83)
	Asian male	62 (10.08)
	Asian female	33 (5.37)
	African American female*	27 (4.39)
	African American male*	21 (3.41)
	Hispanic male*	12 (1.95)
	Persons with TD	8 (1.30)
	Hispanic female*	6 (0.98)
	American Indian male*	1 (0.16)
	<i>Two or more races male and female and American female not represented</i>	

Part E – Workforce analysis (continued)

14 (671 – decrease of 25)	White male	392 (58.42)
	White female*	118 (17.59)
	Asian male	91 (13.56)
	Hispanic male	17 (2.53)
	Asian female*	17 (2.53)
	African American male*	14 (2.09)
	African American female*	10 (1.49)
	Hispanic female*	7 (1.04)
	Persons with TD*	2 (0.30)
	American Indian male	2 (0.30)
	Two or More Races male	2 (0.30)
	Two or More Races female	1 (0.15)
<i>American Indian females not represented.</i>		
15 (669 – increase of 4)	White male	478 (71.45)
	White female*	86 (12.86)
	Asian male	62 (9.27)
	Hispanic male*	14 (2.09)
	African American male*	13 (1.94)
	Asian female*	6 (0.9)
	Persons with TD*	5 (0.75)
	African American female*	4 (0.6)
	Hispanic female*	3 (0.45)
	American Indian female*	1 (0.15)
	American Indian male*	1 (0.15)
Two or More Race female	1 (0.15)	
<i>Two or More Races male not represented.</i>		
SES (36 – increase of 1)	White male	20 (55.56)
	White female*	8 (22.22)
	Asian male	5 (13.8)
	American Indian female	1 (2.78)
	Hispanic female	1 (2.78)
	African American female	1 (2.78)
<i>Persons with TD not represented</i>		

Part E – Workforce analysis (continued)

**Mission Critical Occupations** – White males and females continue to dominate the mission critical occupations. The following are the groups that fall below the relative labor force (*see tables A&B 6 for details*):

0404, Biological Technician (1,373 or 22.6 percent of the ARS total current permanent workforce)

Hispanic male and female, African American male and female, Asian male and female, American Indian male, and Two or More Races male. No representation for Native Hawaiian or Pacific Islander male and female and Two or More Races male. Since 2011, there is representation for the American Indian female.

0401, General Biological Science (352 or 5.79 percent)

Hispanic male and female, White female, and American Indian male, Two or More Races male and female. No representation Native Hawaiian or Other Pacific Islander male and female and Two or More Races male and female. Since 2011, the African American male is above the relative labor force and the American Indian female is represented.

1320, Chemistry (278 or 4.57 percent)

White male and female, African American male, Asian female. No representation for Hispanic female, Native Hawaiian or Other Pacific Islander males and females, American Indian female, Two or More Races male and female and Asian male. Since 2011, Hispanic male and American Indian male is above the relative labor force.

0440, Genetics (252 or 4.14 percent)

Hispanic male and female, White female, African American male, Asian female, and American Indian male. No representation for African American female, Native Hawaiian or Other Pacific Islander male and female, American Indian female, and Two or More Race male and female.

0403, Microbiology (234 or 3.85 percent)

White female, African American female, and Asian female. No representation for Hispanic male and female, Native Hawaiian or Other Pacific Islander male and female and American Indian male. Since 2011, there is representation for American Indian female and Two or More Races male and female.

Part E – Workforce analysis (continued)

**ARS** is the **USDA’s chief scientific research agency**. Therefore, it is imperative to acknowledge our scientific (SY) workforce. The SY occupation is contained in the occupational categories “Professionals” and “Officials and Managers.” In 2012, ARS employed 1,837 SYs or 30 percent (increase of 1 percent since 2009-2011) of the total ARS workforce (6,075).

The ARS’s SY population is displayed in the following table from largest to smallest of current year (*see Tables A&B1a for details*):

<b>RNO/Gender</b>	<b>2011 Population</b>	<b>2012 Population</b>	<b>Net Change %</b>
White males	1,248	1,156	-7.37
White females	323	306	-5.26
Asian males	212	210	-0.94
Asian females	54	52	-3.7
Hispanic males	51	48	-5.88
African American males	33	33	0
Hispanic females	17	17	0
American Indian males	5	6	-20
African American females	6	4	-33.33
American Indian females	2	1	-50
Two or More Races male	1	2	+100
Native Hawaiian or Other Pacific Islander males	1	1	0
Two or More Races female	0	1	0
Persons with Targeted Disabilities	13	14	+7.69

No representation for Two or More Races male.

**New Hires** (permanent)

The following groups continue to be hired at less than their availability in the CLF are Hispanic males, White females, and African American males. No hires for Hispanic females, Asian females, Native Hawaiian or Other pacific Islander males or females, American Indian males or females, and Two or More Races males.

**Veteran Hires** (permanent)

ARS hired 30 veterans (63 percent decrease from 2011). ARS employs 606 veterans.

Part E – Workforce analysis (continued)

**Promotions**

**Total employees eligible for Career Ladder Promotions**

676 (334 males and 342 females):

The following groups were distributed in separations at more than their availability in the workforce:

Total male, Hispanic female, White male, Asian male and female, American Indian female, and persons with TD.

**Time in grade in excess of minimum 1-12 months**

114 (54 males and 60 females):

The following groups were distributed in separations at more than their availability in the workforce:

Total female, White female, African American female, Asian male, and American Indian male.

**Time in grade in excess of minimum 13-24 months**

104 (58 males and 46 females):

The following groups were distributed in separations at more than their availability in the workforce:

Total male, White male, African American male, Asian female, and persons with TD.

**Time in grade in excess of minimum 25+ months**

340 (165 males and 175 females):

The following groups were distributed in separations at more than their availability in the workforce:

Total female, Hispanic male, White females, Asian male and female, and American Indian male and female.

**Note:** ARS will conduct further research to ensure that promotions are made in an even-handed and non-discriminatory fashion, and that developmental assignments and training are provided to assist with career mobility.

**Separations** (*see Tables A&B14 for details*):

Voluntary - The following groups continue to separate at more than their representation: Hispanic males, White males and females, African American males and females, American Indian males and females, and Two or More Races females.

Involuntary – Hispanic males and females, American Indian females, and person with TD continue to separate at more than their representation.

**Note:** ARS and HRD plan to meet by the end of FY 2013 to discuss the implementation of an exit interview survey.

Part E – Workforce analysis (continued)

**Awards** (see Tables A&B13 for details):

The following groups received awards (highest to lowest):

**Time-off – 1-8 hours** (362 employees)

White female (129 or 35.64 percent), White male (120 or 33.15 percent), African American female (73 or 20.17 percent), Asian female (15 or 4.14 percent), African American female (11 or 3.04 percent), Asian male (9 or 2.49 percent), Persons with TD (8 or 2.21 percent) and Hispanic female (3 or 0.83 percent). **Note:** No awards for Native Hawaiian or Other Pacific Islander males and females, American Indian males and females, and Two or More Race males and females.

**Time-off – 9+ hours** (984 employees)

White male (413 or 41.97 percent), White female (392 or 39.84 percent), African American female (70 or 7.11 percent), Asian male (20 or 2.03 percent), Asian female (20 or 2.03 percent), Hispanic female (18 or 1.83 percent), Persons with TD (18 or 1.83 percent), Hispanic male (17 or 1.73 percent), American Indian male 3 or 0.3 percent) American Indian female (2 or 0.2 percent), and Two or More Races female (1 or 0.1 percent). **Note:** No awards for Native Hawaiian males and females, and Two or More Race males.

**Cash Awards - \$100-\$500** (1,102 employees)

White male (439 or 39.84 percent), White female (343 or 31.13 percent), African American female (91 or 8.26 percent), African American male (74 or 6.72 percent), Hispanic male (49 or 4.45 percent), Asian male (36 or 3.27 percent), Hispanic female (31 or 2.81 percent), Asian female (26 or 2.36), Persons with TD (18 or 1.63 percent), American Indian female (7 or 0.64 percent), American Indian male (5 or 0.45 percent), and Two or more races female (1 or 0.09 percent). **Note:** No awards for Native Hawaiian males and females, and Two or More Race males.

**Cash Awards - \$501+** (3,903 employees)

White male (1,931 or 49.47 percent), White female (1,204 or 30.85 percent), Asian male (192 or 4.92 percent), African American female (180 or 4.61 percent), Asian female (104 or 2.66 percent), African American male (99 or 2.54 percent), Hispanic male (97 or 2.49 percent), Hispanic female (61 or 1.56 percent), Persons with TD (33 or 0.85 percent), American Indian female (13 or 0.33 percent), American Indian male (8 or 0.2 percent), Native Hawaiian or Other Pacific Islander female (5 or 0.13 percent), Native Hawaiian male (3 or 0.08 percent), Two or More Races male (3 or 0.08 percent), and Two or More Races female (3 or 0.08 percent).

Part E – Workforce analysis (continued)

**Quality Step Increases** (634 employees)

White female (268 or 42.27 percent), White male (203 or 32.02 percent), African American female (57 or 8.99 percent), Asian male (31 or 4.89 percent), Asian female (30 or 4.73 percent), African American male (16 or 2.52 percent), Hispanic male (12 or 1.89 percent), Hispanic female (12 or 1.89 percent), American Indian (2 or 0.32 percent), and American Indian female (2 or 0.32 percent). **Note:** No awards for Native Hawaiian females, and Two or More Race males and females.

**Note 1:** Amount of persons with targeted disabilities is included in the total by race.

**Note 2:** ARS will conduct a more comprehensive research on the award distribution.

**Status for FY 2012 Complaints**

<b>Informal complaints filed:</b>	40
<b>Formal complaints filed:</b>	30
<b>Alternate Dispute Resolution (ADR):</b>	2 (1 - informal settled and 1 – formal settled)
<b>Monetary Payouts:</b>	\$109,753
<b>Investigative costs:</b>	\$54,586

**Counseling Process**

In 2011, ARS continued to make progress in improving the efficiency of its complaint processing.

I. **Counseling**

- a. ARS timely processed 95 percent of the 40 pre-complaint counseling completed in FY 2012
- b. ARS will continue to monitor the agencies’ counselor training requirements.
- c. The following displays the number of offers and acceptances regarding the ADR process for informal and formal EEO complaints:

*Informal:* 40 offered and 6 accepted  
*Formal:* 13 offered and 8 accepted

Part E – Counseling process (continued)

- d. The following displays the number of offers and acceptances regarding the ADR process for non-EEO, workplace conflicts conducted by the CRP.

**Mediations** (67 percent resolution of those conducted)

- 24 offers
  - 16 resolved
  - 5 did not result in resolution
  - 3 pending

**Facilitated Dialogues** (75 percent resolution of those conducted)

- 12 offers
  - 9 conducted
  - 3 withdrawn

CRP continues to take a more informal approach to addressing one-on-one issues by conducting more facilitated dialogues rather than mediation.

In FY 2012, CRP saved the agency an estimated \$6.2 million in costs associated with unresolved workplace conflict using a variety of ADR techniques (i.e., mediation, consultation, coaching, etc.) to resolve workplace disputes.

CRP calculated the **average cost of each conflict** is approximately: **\$285,000**. Cost factors include: wasted time; lower job motivation/productivity; lost performance/absenteeism; loss investment in skilled employees; management restructuring around the problem; and health costs.

II. **Bases of Complaints Filed**

- a. The bases of alleged discrimination most raised were (listed from most raised to least): reprisal, age, race, and sex.
- b. Of the 30 formal complaints filed, 18 contained allegations of reprisal, 12 contained allegations of race (3 African American, 2 Hispanic, 5 White, and 2 Asian), 15 contained allegations of age, and 9 contained allegations of sex (female).

III. **Complaint Processing Times**

**Note:** Timelines of investigations being completed in 180-day-timeframe depends on the timely issuance of the acceptance letter by the Department and also the scope of the investigation based on the issues involved.

- a. ARS completed 10 investigations in the 180-day timeframe.
- b. ARS's average processing time for all complaint closures increased from 388 days in FY 2011 to 4,388 days in FY 2012.  
**Note:** Closures include FAD, settlements, and withdrawals.

Part E – Counseling process (continued)

IV. **Cost**

ARS expended a total of \$71,200 for 10 complaint investigations for an average expenditure of \$7,210.

<b>ARS Use of ADR for EEO Dispute Resolution in FY 2012</b>	<b>Complaints</b>
Completed/Ended Counseling/Complaint Closures	40
Total Number Offered ADR	40
ADR Offer rate	100%
ADR Participation Rate	15% (6) – decrease of 12%
Total ADR Settlements	2 (100% increase)
Total ADR Settlements Amount	\$27,500

	<b>Total #</b>	<b>#Timely</b>	<b>%</b>
All Pre-complaint Counseling	40	38	95 (+6.5%)
All Investigations	21	10	47.6 (+4.1%)
All Complaint Closures	27		
Merit Decisions (no AJ)	8 (-67%)	0	0
Dismissal Decisions (no AJ)	3	0	0

\*APD = Average Processing Days

<b>Outcome of Complaints in FY 2012</b>						
	<b>Complaint Closures</b>		<b>FAD* (no AJ Decision)</b>		<b>Final Order (AJ Decision Fully Implemented)</b>	
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
Total Complaints Filed	30 (increase of 12 or 67%)**		12	40	5	17
Total Closures	27 (same)					
Settlements	7	26 (-7%)				
Withdrawals	3	11 (same)				
Total FADS	17	63 (+30)				
Dismissals	3	11.1 (+3.7%)				
Merit Decisions	9	33.3 (+6.3%)				
Finding Discrimination	1	3.7 (-3.7%)				
Finding No Discrimination	8	30 (-11%)				

\*FAD = Final Agency Decision

Part E – Counseling process (continued)

\*\*The increase appears to be based on race, reprisal and age related complaints. ARS will continue to conduct trainings on these topics.

- A. FAD processing – FADs are administered by the Department’s Office of the Assistant Secretary for Civil Rights.
- B. EEO Investigations – Over five years ago the Department turned over the administration of the EEO investigations to the Agencies. The Department determines the allegations to be accepted for investigation. Timelines of investigations being completed in 180 day timeframe depends on the timely issuance of the acceptance letter by the Department and also the scope of the investigation based on the issues involved.
- C. Settlement Agreements – ARS does not receive feedback from the Department. If a settlement is reached at the informal stage, the Agency obtains guidance from OGC. At the formal stage, an OGC representative works with management to finalize the terms of the agreement.  
Note: ARS Civil Rights Office manages the EEO process completely separate from OGC.
- D. ARS submitted timely submissions of all reports associated with the requirement of the No FEAR Act. ARS’ No FEAR data can be accessed via ODEO’s website <http://www.afm.ars.usda.gov/ODEO> with a link to the USDA’s website <http://www.usda.gov/nofear/ars/indexars.html>.  
**Note:** Complaint processing data is based on the 462 report.

## **Summary of EEO Plan Objectives to Eliminate Identified Barriers (Part I)**

### **Increase representation and improve retention of underrepresented groups**

ODEO and HRD will collaborate to determine the best method on how to recruit and retain employees in the underrepresented groups.

ODEO will develop a matrix for a baseline to assist in the evaluation of Area Directors on their commitment to removing barriers to workforce diversity through the annual review.

### **Determine why employees of underrepresented groups are separating at a higher rate than being hired**

ODEO and HRD will discuss the implementation of an exit interview process to determine why employees are leaving the Agency.

### **Increase advancement opportunities for underrepresented groups**

Ensure that promotions are made in an even-handed and non-discriminatory fashion, and that developmental assignments and training are provided to assist with career mobility.

**Accomplishment:** Completed action item “Establish and implement a Quality of Life Survey for current employees.” In order to gauge ARS’ effectiveness in addressing career advancement opportunities for its employees, we contracted with a private company that specializes in workforce and organizational climate assessments to conduct a survey. The purpose of the survey is to seek specific feedback from all employees to improve the Agency’s optimization of staffing practices and strategies. The results will be shared with the Administrative Council (senior leadership) in February 2013.

### **Promote a workforce free of reprisal or harassment**

Continue to provide training to managers, supervisors, and other employees. Continue to encourage the use of the ADR process to resolve workplace and EEO concerns.

## **Summary of EEO Plan Objectives to Eliminate Identified Barriers (Part J)**

1. Increase the number of hires for persons with TDs by 1 percent.
2. The REE Recruitment Program Staff is developing a recruitment brochure for persons with TDs that will be shared during recruitment trips to colleges and universities as well as special recruitment events geared to people with disabilities. It will also be shared with hiring managers and available on the Agency’s recruitment web site. Projected completion date is December 2012.