

PART 404 – CIVIL RIGHTS ADVISORY COMMITTEE

404.0 Purpose and Scope

The Chief of NRCS serves as the Equal Opportunity Officer (EOO) for the Agency and delegates the overall responsibility of administering its civil rights program to the Director of Civil Rights Staff (CRS). The NRCS civil rights program encompasses all program delivery and equal opportunity-related matters. The deputy chiefs, State conservationists, and directors of the Caribbean and Pacific Basin areas, in coordination with the Director, CRS, will serve as the Deputy Equal Opportunity Officers (DEOO) for their respective jurisdictional areas.

Each DEOO will establish a Civil Rights Advisory Committee (CRAC), which will advise them on all matters related to program delivery and equal opportunity by ensuring equity and participation in all NRCS programs, activities, and initiatives in their respective jurisdictional areas.

The CRAC is designed to provide management officials and employees with a vehicle that will enhance and fulfill their equal opportunity and program delivery responsibilities. Members of the CRAC are to carry out their responsibilities consistent with USDA policies, procedures, and practices regarding program delivery and employment, which are nondiscriminatory with regard to race, color, national origin, sex, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, protected genetic information, or because all or a part of an individual's income is derived from any public assistance program. The CRAC provides assistance in the areas of policy formulation, program direction and administration.

404.1 National Civil Rights Committee (NCRC)

The NCRC is responsible to the Equal Opportunity Officer for the NRCS. The Chief of NRCS is the Equal Opportunity Officer. The Committee serves the following functions by:

- A. Serving as an advisory body to the NRCS Chief to promote and assist in meaningful and effective affirmative action consistent with the goals and objectives set forth by management;
- B. Providing feedback on agency performance in equal opportunity and civil rights compliance, identifying areas of weakness, and making recommendation for improvement;
- C. Identifying emerging areas needing special attention by the Chief and NRCS top management; and
- D. Making recommendations to the Chief regarding policies, practices, and procedures as they affect equal opportunity NRCS-wide.

404.2 Composition of the National Civil Rights Committee

A. The Chair of the NCRC is appointed by the Chief of NRCS and serves at his or her discretion. The Committee members are to be representative of all employees in various occupations, grade levels, sex, race, and geographical locations within the organizational unit. Members can either be selected or appointed at the discretion of the Chief of NRCS, keeping in mind the above factors, and the diversity of the organizational unit workforce.

B. The membership of the Committee shall consist of either a State conservationist, a director of the Pacific Basin or Caribbean Area, a regional conservationist, or a National Headquarters division director as chair; and a male and female from each of the following groups: White, Black, Hispanic, American Indian/Alaskan Native, Asian American/Pacific Islander, and people with disability.

C. The NCRC will annually distribute a list of the current membership and announce the vacancies that will occur.

404.3 National Requirements

The National Civil Rights Committee (NCRC) is appointed by the NRCS Chief:

A. To assess and advise top management on the agency's civil rights program effectiveness;

B. To establish and maintain contact with NRCS employees in order to receive and address concerns;

C. To identify civil rights issues, develop solutions, and make recommendations to NRCS management for appropriate courses of action; and

D. To interact with NRCS employee organizations and other Federal agency representatives.

404.4 Composition of the National Headquarters, Regional, and State Committees

A. National Headquarters and regional offices may establish and maintain Civil Rights Advisory Committees like the States, which will be appointed by DEOs, to assist and advise on all matters related to that organizational unit's civil rights program. These committees maintain copies of the minutes of each meeting and forward a copy to their respective DEO.

B. The Committee is to be representative of all employees in various occupations, grade levels, sex, race, national origin, and geographical locations within the organizational unit. Members can either be selected or appointed at the discretion of the DEO, keeping in mind the above mentioned factors, and the diversity of the organizational unit workforce.

C. Special Emphasis Program Managers (SEPMs) should serve in the State CRAC as members and provide leadership in their area of responsibility.

D. Additional advisors should include, but not be limited to, outreach coordinators, human resource managers, educational or cultural liaisons, and members of organizational unit leadership teams.

E. Members are to serve overlapping terms, so that no more than one-third to one-half of the Committee membership is replaced each year. The CRAC is to meet as often as necessary, and at least, quarterly.

404.5 Responsibility

A. The NHQ, regions, and States advise and assist the DEOO in carrying out the objectives of the civil rights program. The Committee establishes lines of communication between employees and management through which employees' views on civil rights issues may be brought to the attention of management, provides management with feedback on the performance of the civil rights program, identifies weaknesses, and recommends ways in which the program can be improved. Recommendations are to be reported in writing to the DEOO for appropriate consideration and follow-up action.

B. The Committee does not receive, investigate, or in any way adjudicate individual or class complaints of discrimination.

404.6 Role of the Committee

The Committee serves as an advisory body to the DEOO by:

A. Identifying and bringing to management's attention any trends, problems, issues, or concerns;

B. Monitoring recruitment practices and making recommendations for ensuring that under represented groups are made aware of employment opportunities for career positions, temporary summer employment, or special appointment;

C. Focusing the attention of management on specific personnel practices or problems of an EEO nature that are producing or could produce dissension and dissatisfaction among employees (e.g., merit promotion and procedures; selection for training and assignments; criteria, nomination, and distribution of awards, etc.);

D. Monitoring the policies and overall effectiveness of the Affirmative Employment and Federal Equal Opportunity Recruitment Programs with regard to recruitment, hiring, promotion, and retention;

E. Providing training resources for various workshops, seminars, and meetings;

F. Acting as a forum for an exchange of ideas and action proposals on sensitive issues, matters, or concerns of a civil rights nature;

G. Encouraging, supporting, or assisting in the development of projects or activities associated with civil rights needs or opportunities;

H. Contributing to the development and implementation of strategies designed to improve and increase awareness of and participation in NRCS programs and activities by under served groups, individuals, and communities; and

I. Promoting and communicating the efforts of management to achieve and operate a realistic and ongoing civil rights program.

404.7 Documenting Collateral Assignment

Membership on the CRAC is to be documented in each member's official position description. A memorandum of understanding must be signed by the employee, the employee's immediate supervisor, and the DEOO. Employees' contributions to the Committee will be noted in their individual performance appraisals.

Each Committee chair's performance appraisal must contain a stand alone critical element addressing his or her committee responsibilities. The Committee chairs may be selected or appointed by the DEOO.

404.8 Guidelines

A. Committee members are to be trained in and become familiar with the various aspects of EEO and personnel policies and procedures. For a list of recommended training courses, refer to 230-GM, Part 403, Section 403.1(c).

B. Committee members are to have complete access to all regulations governing employment policies and practices, including Government-wide regulations and internal agency rules and procedures, and the Agency's Statistical Data Report (DN-714). Members should jointly establish and amend committee bylaws, operating procedures, and any strategic guidelines deemed appropriate.

C. Develop business plans which include long term goals, objectives, and actions of the Committee.