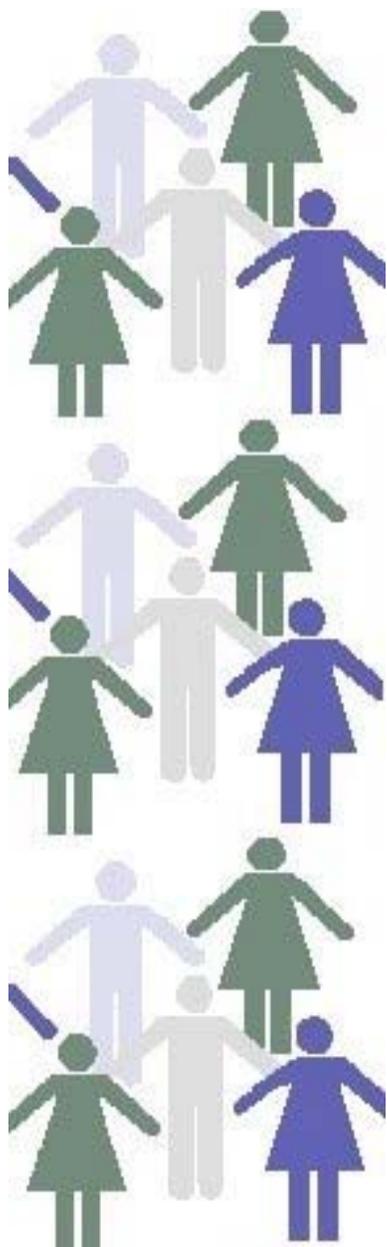




**United States Department of Agriculture**  
Natural Resources Conservation Service



**IOWA FIELD OFFICE**

**CIVIL RIGHTS COMPLIANCE**  
**REVIEW GUIDE**

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This guide will be updated periodically. Please send comments and/or suggested revisions to:

USDA NRCS, Attn: Tricia Mootz  
210 Walnut Street, Room 693  
Des Moines, IA 50309

## **INTRODUCTION**

### **1. PURPOSE AND SCOPE**

This guide provides direction and conveys policy and procedures to be followed by NRCS personnel when conducting Civil Rights compliance reviews of all United States Department of Agriculture (USDA) Federally conducted and assisted programs and activities.

### **2. POLICY**

It is NRCS policy to ensure that all persons participating in USDA Federally conducted and assisted programs, employees, applicants for employment, or former employees are not subjected to prohibited discrimination, based on race, color, national origin, sex (including gender identity and expression), religion, age, disability, marital status, familial status, parental status, sexual orientation, genetic information, or because all or a part of an individual's income is derived from any public assistance program.

- Measuring the effectiveness of compliance in Program Delivery (Title VI) and NRCS Equal Employment Opportunity (Title VII) in the State Office and Field Offices,
- Recognizing commitment, leadership, creative and innovative management of the Civil Rights program,
- Ensuring that programs are administered in a fair and equitable manner to all NRCS customers,
- Determining the extent that NRCS employees understand their program delivery and equal opportunity responsibilities,
- Identifying program delivery and equal opportunity deficiencies,
- Providing assistance and guidance to fulfilling NRCS program delivery and equal opportunity goals and objectives, and
- Systematically evaluating whether and the extent to which USDA conducts its programs and activities in a manner consistent with applicable Federal and USDA Civil Rights requirements.

No person shall be subjected to reprisal or harassment because he or she filed a discrimination complaint, participated in or contributed to the identification, investigation, prosecution or resolution of a Civil Rights violation in or by any USDA conducted program or activity; or otherwise aided or supported the enforcement of Federal or USDA Civil Rights laws, rules, regulations or policies. Any person, who believes that he, she, or any specific class of individuals has been subjected to discrimination by any USDA agency, may file a complaint personally or through a designated representative.

### **3. AUTHORITIES**

#### **A. Statutory**

- Title VI of the Civil Rights Act of 1964, as amended, ‘Nondiscrimination in Federally Assisted programs’.
- Title VII of the Civil Rights Act of 1964, as amended, ‘Equal Employment Opportunity’.
- Title IX of the Civil Rights Act of 1964, as amended, ‘Intervention and Procedure after Removal in Civil Rights cases’; 1972 addition to Title IX “No person in the U.S. shall, on the basis of sex be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal aid.”
- Rehabilitation Act of 1973, as amended; Section 504 and Section 508.
- 5 USC 301, Authority to Prescribe Departmental Regulations.
- Equal Credit Opportunity Act of 1974, Title VII of the Consumer Protection Act of 1974, as amended, Section 701 of the Equal Credit Opportunity Act of 1974, Public Law 93-49, 15 USC 1691.
- Age Discrimination in Employment Act of 1967, as amended.
- Equal Pay Act of 1963.
- Americans with Disabilities Act of 1990, as amended; Americans with Disabilities Act of 2008.
- Architectural Barriers Act of 1968.
- Civil Rights Restoration Act of 1987.

#### **B. Regulatory and Executive Orders**

- 7 CFR Part 2, Subpart P, Delegation of Authority by the Assistant Secretary of Agriculture.
- 7 CFR Part 15d, Nondiscrimination in Programs or Activities Conducted by the Department of Agriculture.
- 7 CFR Part 15e, Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Agriculture.
- 12 CFR Part 202, Equal Credit Opportunity Regulation B.
- 28 CFR Parts 42.401 – 42.415, Department of Justice Regulation, Subpart F, Coordination of Enforcement of Non-discrimination in Federally Assisted Programs.
- 29 CFR Part 1614, Federal Sector EEO.
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP).
- Executive Order 13160, Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Parental Status in Federally Conducted Education and Training Programs.
- Executive Order 13125, Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs.

- Executive 13087, Provides that, as a matter of Federal policy, an individual's sexual orientation should not be the basis for the denial of an employment or promotional opportunity.
- Executive Order 13145, Prohibits discrimination in Federal employment based on genetic information.
- Executive Order 13152, Provides for a uniform policy within the Federal Government to prohibit discrimination based on an individual's status as a parent.

**C. Departmental Regulations/Policy**

- DR 1010-001, Organization, dated July 20, 2006.
- DR 4030-001, Section 508 Implementation – Final Guidance, dated July 23, 2003.
- DR 4300-003, Equal Opportunity Public Policy, dated January 8, 2001.
- DR 4300-005, Agency Civil Rights Programs, dated January 14, 1998.
- DR 4300-006, Civil Rights Policy for USDA, dated June 30, 2000.
- DR 4300-007, Processing EEO Complaints of Discrimination, dated March 3, 1999.
- DR 4300-009, EEO Complaints, dated January 9, 2001.
- DR 4330-001, Procedures for Processing Discriminations Complaints and Conducting Civil Rights Compliance Reviews in USDA Conducted Programs and Activities, dated October 18, 2001.
- DR 4330-003, Nondiscrimination in Programs and Activities, dated March 3, 1999.
- DR 4120-001, Annual Civil Rights Training.
- DR 4230-002, Special Emphasis Programs.
- DR 4360-001, Communicating with Underserved Communities.
- DR 4360-002, Coordination of Request for USDA Support for Outreach Activities.
- DR 5600-002, Environmental Justice, dated December 15, 1997.
- DM-4300-001, EEO Complaint Processing Procedure.
- DM 4300-002, Reasonable Accommodations Procedures.

**D. NRCS POLICY**

- (1) eDirectives - General Manual, Title 230
- (2) Civil Rights Compliance Review Guide

#### 4. NOTICE – (USDA NONDISCRIMINATION STATEMENT)

“The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers. If you believe you experienced discrimination when obtaining services from USDA, participating in a USDA program, or participating in a program that receives financial assistance from USDA, you may file a complaint with USDA. Information about how to file a discrimination complaint is available from the Office of the Assistant Secretary for Civil Rights. USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex (including gender identity and expression), marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual’s income is derived from any public assistance program. (Not all prohibited bases apply to all programs.)”

To file a complaint of discrimination, complete, sign, and mail a program discrimination complaint form, available at any USDA office location or online at [www.ascr.usda.gov](http://www.ascr.usda.gov), or write to:

USDA  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW.  
Washington, DC 20250-9410

Or call toll free at (866) 632-9992 (voice) to obtain additional information, the appropriate office or to request documents. Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay service at (800) 877-8339 or (800) 845-6136 (in Spanish). USDA is an equal opportunity provider, employer, and lender.

Persons with disabilities who require alternative means for communication of program information (e.g., Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

Alternative version of statement - “An Equal Opportunity Provider and Employer”

## **5. GOAL OF THE CIVIL RIGHTS REVIEW:**

To provide an educational opportunity for field and area staff to increase awareness and understanding of civil rights requirements.

### **Prior to the Review:**

- Schedule the review with the field office at a time when the review team (ASTC-FO as much as possible, AMA, SEPM and CRAC Area Representative as required in PAW) and local office staff are available. It is encouraged to invite the Division of Soil Conservation (DSC) Field Representative to field office reviews.
- Send either the entire Iowa Field Office Civil Rights Compliance Review Guide or, at a minimum, the Questions for District Conservationist and Questions for All Employees Interview to the field office staff prior to the review. This will enable them to prepare and optionally answer the questionnaires.
- Set the expectation that all local staff (federal, state, and partner) will be available for the first hour of the review. After that, the District Conservationist (DC), District Secretary, Resource Conservationist (RC) (where applicable), and Soil Conservationist (SC) (as a training opportunity for a future DC position) should remain for the review.

### **During the Review**

- The ASTC-FO or main reviewer will share the goal of the review as shown above.
- During the first hour, the review team will utilize applicable portions of the Iowa Field Office Civil Rights Compliance Review Guide with all local staff. Applicable portions will be determined locally.
- Complete the remainder of the review with the DC, District Secretary, RC, and SC.
- Conduct an exit interview or report of findings with the above staff.

**TITLE VI - PROGRAM DELIVERY**

**1. CIVIL RIGHTS RESPONSIBILITIES AND RECORDS**

**Requirements**

**USDA Regulation 7 CFR Part 15, Non-discrimination in Federally Assisted Programs, requires agencies to develop plans, procedures, and directives necessary to manage their Civil Rights programs. NRCS offices are required to manage their Civil Rights activities through Handbooks, Reports, Notices and Correspondence.**

**NOTE:** Examine whether Civil Rights files have been established and updated to include NRCS Civil Rights Management directives, policies, bulletins, memos, complaints, etc.

**Questions:**

- List the civil rights responsibilities in your job description. (What civil rights responsibilities are in your job description?) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Do you comply with the USDA policy of not assisting and/or attending meetings of organizations or groups that exclude minorities, women, gay, lesbian, bisexual, transgender persons and persons with disabilities from membership or participation?  
Yes \_\_\_\_\_ No \_\_\_\_\_

**2. PUBLIC NOTIFICATION**

**Requirements**

**7 CFR 15.5d, Nondiscrimination in Programs or Activities Conducted by the Department of Agriculture; Departmental Regulation 4300-3, Equal Opportunity Public Policy; and NRCS GM 230 Part 405, Civil Rights Compliance in Program Delivery, require NRCS offices to establish programs to ensure that all persons know about the availability and use of NRCS program services and are encouraged to participate. The purpose is to inform participants and applicants of their program rights and responsibilities, the policy of nondiscrimination, and the procedures for filing a complaint. The data collection determines how the Agency is reaching concerned groups.**

**Examples of how notification is provided include:**

- |                            |                        |                      |
|----------------------------|------------------------|----------------------|
| * <i>publications</i>      | * <i>news releases</i> | * <i>posters</i>     |
| * <i>personal contacts</i> | * <i>meetings</i>      | * <i>newsletters</i> |
| * <i>electronic media</i>  | * <i>fact sheets</i>   | * <i>videos</i>      |

**Questions:**

- Describe how you inform potential and non-traditional program beneficiaries (particularly minorities, females, and persons with disabilities) about NRCS programs and activities \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- What local organizations within your community do you and your staff work with to increase opportunities for public notification to a larger audience? :  
\_\_\_\_\_  
\_\_\_\_\_
- Are you using the nondiscrimination statement when you disseminate program information? Yes\_\_\_ No\_\_\_ (Reviewer to check all publications on display)
- Where can your customers find the nondiscrimination statement in your district newsletter, fact sheets, and publications? \_\_\_\_\_
- Do public meeting announcements or notices include availability of accommodations for persons with disabilities? Yes\_\_\_ No\_\_\_ (Provide examples
- Do you work with or utilize any media outlets whose target audience is females, minorities, or persons with disabilities? Yes\_\_\_\_\_ No\_\_\_\_\_ Comments: \_\_\_\_\_  
\_\_\_\_\_
- See Attached Checklist: Mandatory Civil Rights Policy Statements are prominently posted, clearly visible to program participants or persons seeking NRCS assistance, and posted in languages appropriate for the local population: USDA Secretary’s CR Policy Statement; NRCS Civil Rights Policy Statement; and NRCS Anti-Harassment Policy; “And Justice for All”; USDA EEO is the Law; USDA Sexual Harassment is Illegal; and NRCS EEO Counseling posters.

### 3. PROGRAM OUTREACH

#### Requirements

7 CFR 15.5a, Nondiscrimination in Federally Assisted Programs; Departmental Regulation 4360-001, Communicating with Underserved Communities; Departmental Regulation 4360-002, Coordination of Request for USDA Support for Outreach Activities; and NRCS GM 230 Part 406, National Outreach Policy require the establishment of outreach programs at the local level to ensure that all persons know about the availability of NRCS program services effectively and are encouraged to participate. Executive Order 13166 requires federal agencies to provide Limited English Proficiency (LEP) persons with meaningful opportunity to participate in programs and activities conducted by USDA.

*Examples of how notification is provided include:*

- ❖ *Newsletters*
- ❖ *Publications*
- ❖ *News releases*
- ❖ *Meetings*
- ❖ *Through Grassroots Organizations representing minorities, women, and persons with disabilities.*
- ❖ *Posters*
- ❖ *Personal contacts*
- ❖ *Fact sheets*
- ❖ *Videos*

#### Questions:

- List the nontraditional and underserved customers and potential customers in your geographic area of service \_\_\_\_\_  
\_\_\_\_\_
- How does your partnership with locally-led organizations in your county assist NRCS in reaching nontraditional and under-served customers? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Give examples of your outreach activities for minorities, women, and persons with disabilities and other customers that are members of civil rights protected groups.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Is there a need for bilingual staffing assistance for your office? Yes \_\_\_ No \_\_\_
  - If Yes – have you requested assistance? Are you receiving assistance?  
\_\_\_\_\_  
\_\_\_\_\_

- What materials have been developed for you to meet the needs of producers with disabilities or who are non-English speaking customers in your county? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Are all staff aware of statistical information for the county to assist with program delivery? (ag statistics, limited resource and beginning farmer data, etc.) Yes \_\_\_ No \_\_\_
- Can staff define limited resource farmer, beginning farmer, and socially disadvantaged farmer sufficiently enough to be able to explain the program qualifications to a customer? Yes \_\_\_ No \_\_\_ (Please define)
- Are outreach methods evaluated to determine effectiveness and revised if needed? Yes \_\_\_ No \_\_\_ (Provide example)

#### 4. PROGRAM COMPLAINTS OF DISCRIMINATION

##### Requirements

**28 CFR 42.408, Complaint Procedures; 7 CFR 15.6, Complaints; NRCS GM 230 Part 405, Civil Rights Compliance in Program Delivery, and the “*And Justice for All*” poster provide instructions for customers filing complaints of discrimination in program and/or service delivery. These regulations should be on file and the poster displayed in a prominent location.**

##### Questions:

- Do you and other employees know the difference between a Program Delivery complaint (Title VI) and an Equal Employment Opportunity complaint (Title VII)? Yes \_\_\_ No \_\_\_ (Please explain) \_\_\_\_\_
- Have you discussed the complaint procedures with your staff? Yes \_\_\_ No \_\_\_
- Do employees know how to locate the instructions that explains how customers file a program civil rights discrimination complaint? Yes \_\_\_ No \_\_\_
  - Where are these instructions located?  
\_\_\_\_\_  
\_\_\_\_\_
- How many complaints of discrimination have you received in the past two years? \_\_\_\_\_

**5. EVALUATION OF PROGRAM DELIVERY**

**Requirements**

**28 CFR Part 42.406, Data and Information Collection, requires federal agencies to collect data from applicants of recipients of federal assistance to enforce Title VI; Executive Order 12250, Leadership and Coordination of Nondiscrimination Laws; 28 CFR Part 42.408, Complaint Procedures; 7 CFR Part 15.5, Nondiscrimination in Federally Assisted Programs; Departmental Regulation 4330-2, Activities Receiving USDA Financial Assistance; and NRCS GM 230 Part 405, Civil Rights in Program Delivery, require: the monitoring and evaluation of programs in order to ensure that they are administered in a nondiscriminatory manner and the collection and evaluation of race, sex, national origin, and disability (RSNOD) participation and eligibility data for programs.**

**Data is necessary to determine both quantitatively and qualitatively how effectively agency programs are reaching all potential beneficiaries. Executive Order 13166 requires federal agencies to provide Limited English Proficiency (LEP) persons with meaningful opportunity to participate in programs and activities conducted by USDA.**

**Questions:**

- **Please provide the following information for the *last three fiscal years* by Race, Sex, National Origin and Disability (RSNOD):**

- a) Program participation **reports** and **parity reports** from the Performance Results System (PRS).
- b) Current list of Conservation District Board members. (Give examples of the diversity of the group). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- **Provide the number of land users receiving USDA program payments last fiscal year for installing conservation practices and participating in any of the following programs (those that are applicable).**

- ✓ AWEF – Agricultural Water Enhancement Program \_\_\_\_\_
- ✓ CFO – Conservation Farm Option \_\_\_\_\_
- ✓ CPI – Conservation Partnership Initiative \_\_\_\_\_
- ✓ CPMC – Conservation Plant Material Center \_\_\_\_\_
- ✓ CSP – Conservation Security Program \_\_\_\_\_
- ✓ CSP08 – Conservation Stewardship Program \_\_\_\_\_
- ✓ CTA – Conservation Technical Assistance \_\_\_\_\_
- ✓ EQIP – Environmental Quality Incentives Program \_\_\_\_\_
- ✓ EWP – Emergency Watershed Protection Program \_\_\_\_\_
- ✓ FRLPP – Farm and Ranch Land Protection Program \_\_\_\_\_
- ✓ GRP – Grassland Reserve Program \_\_\_\_\_
- ✓ CPGL – Conservation of Private Grazing Land \_\_\_\_\_
- ✓ HFRP – Healthy Forest Reserve Program \_\_\_\_\_
- ✓ NCSS – National Cooperative Soil Survey Program \_\_\_\_\_
- ✓ SSP – Soil Survey Programs \_\_\_\_\_
- ✓ WHIP – Wildlife Habitat Incentives Program \_\_\_\_\_
- ✓ WFPF – Watershed Protection and Flood Prevention Operations Program \_\_\_\_\_
- ✓ WRP – Wetland Reserve Program \_\_\_\_\_

**6. PARTNERSHIP RESPONSIBILITY**

**Requirements**

**7 CFR Part 15.5, Compliance; Departmental Regulation 4330-2, Activities Receiving USDA Financial Assistance; and NRCS GM 230 Part 405, Civil Rights in Program Delivery, set forth the recipients responsibilities in program delivery, i.e. increase the diversity of representation on partnership boards and councils, adhere to Agency rules and regulations with respect to Equal Opportunity, develop plans, procedures, and directives necessary to manage Civil Rights programs, ensure that all offices be accessible to persons with disabilities, and establish, maintain, and carry out an effective equal opportunity employment program.**

**Questions Related to SWCD Boards:**

- Have you encouraged the board to recruit and or appoint minorities, females, or persons with disabilities to serve on the board/council? Yes\_\_\_ No\_\_\_
  
- How do you develop your outreach activities to encourage eligible females and minorities to serve as board members? \_\_\_\_\_  
\_\_\_\_\_
  
- What are the qualifications for membership on the board? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- How do you inform the public about the board membership? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- Does the current board makeup reflect the community's diversity? Yes\_\_\_ No\_\_\_  
(Please explain) \_\_\_\_\_  
\_\_\_\_\_
  
- How often do you discuss the following with your district board members?
  - a) EEO policy \_\_\_\_\_
  - b) Prevention of Sexual Harassment \_\_\_\_\_
  - c) Civil Rights policy \_\_\_\_\_ (Is it documented in board minutes and filed in the 230 file?)

## 7. ACCESS TO ALL NRCS FACILITIES BY PERSONS WITH DISABILITIES

### Requirements

***The Architectural Barriers Act of 1968 (P.L. 90-480) requires that all buildings and facilities be accessible to people with disabilities if, since 1968, they were designed, built, or altered with certain Federal funds, or if they are leased for occupancy by Federal agencies. The Uniform Federal Accessibility Standards (UFAS) provide the guidelines for architectural compliance with the Act. If a lease is renewed after May 2008, buildings must comply with The Architectural Barriers Act Accessibility Standards (ABAAS).***

***Section 504 and 508 of the Rehabilitation Act of 1973, as amended; USDA Regulation 7 CFR Part 15(e), Enforcement of Non-discrimination on the Basis of Handicap in Programs or Activities conducted by the United States Department of Agriculture;; and the NRCS GM-230 Part 405, Civil Rights in Program Delivery, require that all offices and electronic communications are accessible to persons with disabilities.***

### Questions:

- Do you believe your workspace accommodates persons with disabilities such as wheel chair bound, hearing impaired, visually impaired? Yes\_\_\_ No\_\_\_

### Attach copies of the most recent BUILDING/SITE ACCESSIBILITY COMPLIANCE CHECKLIST

***The AD-2056 shall be used for all buildings, with any deficiencies noted. If the new leases, lease renewal, lease extension, major renovations, or new building construction commenced after February 6, 2007, the AD-2056 standards must be met. If the lease commenced before that date, the FSA-830 and the 830 addendum standards shall be met. All offices will utilize the Form AD-2056 Building/Site Accessibility Compliance Checklist for reviews and follow guidance provided by the Architectural Barriers Act Accessibility Standard (ABAAS).***

***If deficiencies are found as reviews are conducted, corrective action to comply with the AD-2056 is required, with the following exception. If deficiencies are found in offices with a current lease (leases renewed before February 6, 2007), the procedure shown below will be followed (corrective action in all other situations must comply with the AD-2056).***

***If the deficiency does not comply with the AD-2056, but does comply with the FSA-830 plus addendum, no immediate corrective action is required. When the lease is up for renewal, corrective action to meet the AD-2056 will be required.***

***If the deficiency does not comply with the AD-2056 or the FSA-830 plus addendum, corrective action is required to comply with the FSA-830 plus addendum at this time. When the lease is up for renewal, corrective action is required to comply with the AD-2056. On a voluntary basis, the landlord can choose to comply with the AD-2056 at this time.***

## TITLE VII – EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

### 1. WORKFORCE ANALYSIS

#### Requirements

Executive Order 11478, Equal Employment Opportunity in the Federal Government; and 29 CFR 1614, Federal Sector Equal Employment Opportunity, require that the head of each agency exercise personal leadership by establishing, maintaining, and carrying out plans, procedures, and directives necessary to manage an effective EEO program that promotes equality in employment, development, advancement, and treatment of employees. NRCS offices are required to manage their EEO activities through handbooks, directives, reports, notices, and correspondence.

#### Questions:

- How does your office inform the public about vacancy announcements for federal and partner positions? (where do you post vacancy announcements?) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- What methods do you use for recruitment to increase the number of applicants who are women, minorities and persons with disabilities for NRCS and Partner vacancies?  
\_\_\_\_\_  
\_\_\_\_\_

### 2. RECRUITMENT

#### Requirements

29 CFR 1614.102(a)(4), Agency Program; and NRCS GM 230 Part 401.5, Equal Employment Opportunity, require agencies to communicate their EEO policies, program, and employment needs to all sources of job candidates without regard to age, color, disability, national origin, race, religion, sex, political beliefs, sexual orientation, and/or marital and familial status. Executive Orders: 11246, 13163, and 13171 require agencies to solicit assistance in the recruitment of minorities, women, and persons with disabilities.

#### Questions:

- Is the Equal Employment Opportunity nondiscrimination statement in all vacancy announcements (including partner vacancies)? Yes\_\_\_ No\_\_\_
- Are you aware of the state's strategies for recruitment? Yes\_\_\_ No\_\_\_
- Are recruitment efforts coordinated between staff and Special Emphasis Program Managers to obtain optimum effectiveness? Yes\_\_\_ No\_\_\_

- What efforts has local office staff made to inform organizations with minorities, women, and persons with disabilities about vacancy announcements for NRCS and/or partner positions? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### 3. EMPLOYEE AWARENESS AND TRAINING

#### Requirements

**29 CFR 1614.102, Agency Program, holds Agencies responsible for communicating Equal Employment Opportunity policies, programs, and employment needs to all employees; and Departmental Regulation 4120-001, Annual Civil Rights Training.**

**29 CFR 1614.102(b)(7), Agency Program, requires federal agencies to publicize and communicate to all employees and post at all times the names, business telephone numbers and business addresses of the EEO Counselors, a notice of the time limits and necessity of contacting an EEO Counselor.**

#### Questions:

- Have new employees (NRCS, DSC, SWCD, Earth Team Volunteers) hired in the past 12 months received training in:
  - a) Equal Employment Opportunity Yes\_\_\_ No\_\_\_
  - b) Prevention of Sexual Harassment Yes\_\_\_ No\_\_\_
  - c) EEO Counseling, Mediation, and Complaints Yes\_\_\_ No\_\_\_
  - d) Special Emphasis Programs Yes\_\_\_ No\_\_\_

Examples: \_\_\_\_\_  
\_\_\_\_\_

- For those courses not recorded in AgLearn, how do you document staff and district employee training?  
\_\_\_\_\_  
\_\_\_\_\_

- Have partner employees received civil rights training in the last three years? Yes\_\_\_ No\_\_\_

- Has Iowa's formal mentoring program been effective for you/your employees?  
Yes\_\_\_ No\_\_\_ (If no, please explain) \_\_\_\_\_  
\_\_\_\_\_

- Do employees know how to file an EEO discrimination complaint? Yes\_\_\_ No\_\_\_  
Where is this information located?  
\_\_\_\_\_  
\_\_\_\_\_

- How often do you discuss the following with your staff members?
  - a) EEO policy \_\_\_\_\_
  - b) Prevention of Sexual Harassment \_\_\_\_\_
  - c) Civil Rights policy relative to employment \_\_\_\_\_
  
- How confident are you that NRCS would make reasonable accommodations for you if you developed a disability? \_\_\_\_\_
  
- Are your employees aware of the Employee Assistance Program (EAP)? Yes \_\_\_ No \_\_\_
  
- Determine if the following posters, notices, or statements are prominently displayed in locations where applicants, employees, and customers can easily see them: (see checklist)
  - Secretary of Agriculture’s Civil Rights Policy Statement;
  - NRCS Civil Rights Policy Statement;
  - NRCS Anti-Harassment Policy Statement
  - “And Justice For All” poster
  - USDA Sexual Harassment is Illegal poster
  - NRCS EEO is the Law poster

#### 4. AWARDS AND RECOGNITION

##### Requirements

**29 CFR 1614.102(a) (5)(10)(13), Agency Program requires agencies to:**

- ✓ ***Review, evaluate, and control managerial and supervisory performance in such a manners to ensure a continuing affirmative application and vigorous enforcement of the policy of equal opportunity,***
- ✓ ***Provide recognition to employees, supervisors, managers, and units demonstrating superior accomplishment in EEO, and***
- ✓ ***Inform its employees, recognized employee organizations of the Affirmative EEO policy and program, and enlist their cooperation.***

##### Questions:

- Have you received an award or recognition for achievements in EEO or CR activities?  
Yes\_\_\_ No\_\_\_
- Have you recognized an employee or nominated anyone for achievements in EEO or CR activities? Yes\_\_\_ No\_\_\_

**5. CIVIL RIGHTS ADVISORY COMMITTEE/SPECIAL EMPHASIS PROGRAMS**

**Requirements**

**NRCS GM 230 Parts: 403, Special Emphasis Programs, and 404, Civil Rights Advisory Committee, require the establishment of Special Emphasis Program Managers and Civil Rights Advisory Committees to assist and enhance opportunities for designated groups that may be under represented in employment, recruitment, and/or personal advancement and development.**

**Questions:**

- Do you know what special emphasis programs are administered in your state? Please name them \_\_\_\_\_  
\_\_\_\_\_
- Who is your CRAC Area representative? \_\_\_\_\_
- Have you seen the CRAC business plan? Yes \_\_\_ No \_\_\_
- Do you know about CRAC/SEPM activities? List examples \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Checklist

**Posters/Statements are to be displayed where they can be viewed by employees and customers.**

Title of Document
Secretary of Agriculture's Civil Rights Policy Statement;
NRCS Civil Rights Policy Statement;
NRCS Anti-Harassment Policy Statement
"And Justice For All" poster;
USDA EEO is the Law
Sexual Harassment is Illegal

**For a full list see the posters list at:** <http://tinyurl.com/avbr8d3> (located under Human Resources on Iowa's website)

Print poster list and attach to this guide.

- Is the 230 file folder complete and updated? Yes\_\_\_ No\_\_\_ (Provide)
- Is there documentation of at least quarterly staff meetings where civil rights-related topics are discussed? Yes\_\_\_ No\_\_\_ (Provide)
- Do you have on file a copy of the county's most recent demographics? Yes\_\_\_ No\_\_\_

### Building/Site Accessibility:

- Is the most recent Building/Site Accessibility Compliance checklist in the 230 file?  
Yes\_\_\_\_\_ No\_\_\_\_\_
- Does the checklist identify deficiencies? Yes\_\_\_\_\_ No\_\_\_\_\_
- If deficiencies were identified, are the needed corrective actions documented?  
Yes\_\_\_\_\_ No\_\_\_\_\_
- Have the deficiencies been corrected? Yes\_\_\_\_\_ No\_\_\_\_\_

**QUESTIONS FOR DISTRICT CONSERVATIONIST**  
(Optional form for pre-review in the field office)

1. What are the demographics of the area you serve?
2. Where did you obtain the demographics statistics/data? (AG Census or Decennial Census – Census Bureau every 10 years).
3. Describe your program outreach efforts (include actions taken to improve program outreach).
4. Are your program outreach contacts identified by Race, Sex, National Origin and Disability status?
5. Have you received an award or recognition for outstanding achievements in EEO or civil rights activities?
6. Have you recognized an employee or nominated anyone for outstanding achievements in civil rights activities?
7. Is supervisory or managerial performance in EEO considered when an award is given for achievement other than an EEO accomplishment?
8. How often is civil rights discussed with district board members?
9. How often do you discuss civil rights with your staff?
10. Is there documentation of meetings where civil rights-related topics are discussed?
11. Is the 230 file folder complete and updated?

**QUESTIONS FOR ALL EMPLOYEES INTERVIEW  
(Optional form for pre-review at the field office)**

1. What civil rights responsibilities are in your job description?
2. Are you familiar with the Chief's civil rights policy statement?
3. Are you familiar with the Agency's Special Emphasis Programs? What do you think of these special emphasis programs? Can you name any of them?
4. Have you observed efforts being done to improve the diversity in the state?
5. Accommodation of Persons with Disabilities:
  - a. Do you believe your workspace accommodates persons with disabilities such as wheel chair bound, hearing impaired, visually impaired?
6. Do you feel that you have been treated fairly when it comes to selections for promotions, training, detail assignments, career enhancing assignments, and awards?
7. If you believed you were discriminated against, would you know how to file an EEO complaint?
8. Do you have an Individual Development Plan (IDP)? If so, has it been implemented? Is the plan beneficial to your career?
9. How would you define sexual harassment in the workplace?
10. How would you define employment discrimination in your workplace? Do you believe employment discrimination occurs in your workplace?
11. In general, do you believe employees receive equal (fair) treatment at NRCS without regard to race, color, age, national origin, gender, religion, marital/family status, sexual orientation, or disability status?
12. Have you received civil rights training in the last three years?
13. Can you explain the difference between Title VI and Title VII?
14. If a customer would like to file a program complaint, would you know what to do?
15. When was the last time the complaint process was discussed with the staff?
16. Are there any general comments about Equal Employment Opportunity that you would like to make?

### QUESTIONS FOR CONSERVATION DISTRICT BOARD MEMBERS

NAME \_\_\_\_\_

CONSERVATION DISTRICT \_\_\_\_\_

COUNTY \_\_\_\_\_

FIELD OFFICE \_\_\_\_\_

Optional Gender: Male  Female  Race/National Origin: \_\_\_\_\_

1. How long have you been a Conservation District Board member?

How did you become a member? (elected or appointed)?

2. How did you learn about the Conservation District Board?

3. What is the make-up of the Conservation District Board?

4. In what manner does the makeup of the Board reflect the community's makeup (race, sex, occupations, landowners, etc)?

5. What are the qualifications for membership?

6. How does the board develop outreach activities to encourage females, minorities, and persons with disabilities to serve as Board members?

7. Have you encouraged the Board members to recruit and/or appoint minorities, females, or persons with disabilities to serve on the Board?

8. Does the Board participate in locally-led conservation initiatives?

9. What do you think of the Board's partnership and working relationship with NRCS?
10. Are you satisfied with the helpfulness and work ethics of the staff?
11. Are you kept aware of NRCS program changes and availability by NRCS staff? How?
12. Are you invited to NRCS civil rights training or any other NRCS-sponsored training?
13. Does the Conservation District publish a newsletter? Does it contain the nondiscrimination statement?
14. Does the District have a MOU with NRCS? Is the MOU reviewed annually at a Board meeting? How do you inform the public about the vacancies in your Board?
15. Are you familiar with the "And Justice for All" poster?

**CIVIL RIGHTS COMPLIANCE REVIEW  
CLOSE OUT PROCESS**

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**1. After the Review:**

- ✓ Prepare a letter for the District Conservationist with commendable, recommended and agreed to items. The letter will be signed by the ASTC-FO. It should be a goal for this letter to be sent within 2 weeks of the review..
- ✓ Follow up actions on agreed to items will be monitored by the Area Office. Deadlines for corrective action will depend on the specific deficiency.
- ✓ The DC will respond with documentation sent to the Area Office showing agreed to items have been completed. The DC will attach this documentation to the letter sent from the ASTC-FO and place in the 230-15-12 file.

**2. When all reviews in an Area are completed:**

The goal is to complete all Area reviews by August 1 of each year. An Area summary report of findings will be sent to Tricia Mootz along with copies of the DC letters from the ASTC-FO showing the review findings.

**3. When all Area Summary Reports are submitted:**

A statewide summary report will be developed and submitted to the State Conservationist. The goal is to have this report completed prior to September 30 each year. The statewide report will be utilized to identify trends and needs for training or further guidance at a statewide level.

**4. The Civil Rights Corrective Action Plan, developed by the field office after the Civil Rights Review, should include the following: (A template is attached)**

Recommendations and/or Non-Compliance Action Items

- 1) List the Recommendations and/or Non-Compliance action item(s) that have been identified in the Civil Rights Compliance Review Report.
- 2) A response to recommended items is highly encouraged, but not required. The Recommendations and/or Non-Compliance action item(s) should be listed succinctly according to the Civil Rights Compliance Review Report.

**CIVIL RIGHTS COMPLIANCE REVIEW  
CLOSE OUT PROCESS continued...**

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Proposed Implemented Corrective Actions

- 1) The implemented action plan must provide detailed information on the dates, locations, programs and activities covered in the Civil Rights Compliance Review.
- 2) The proposed implemented actions should cover and correct the identified non-compliance action item(s).
- 3) The Corrective Action Plan should negotiate a solution to the non-compliance action item(s).

Responsible Person

- 1) Identify the individual that will have direct responsibility for this action item.
- 2) The identified individual should be able to implement the Corrective Action Plan within a reasonable timeframe.

Targeted Completion Dates

- 1) Identify the timeframe in which it will take to complete the proposed corrective action.
- 2) The monitoring and evaluation on the progress of the Corrective Action Plan will be conducted periodically by the Area Office.
- 3) The Civil Rights Compliance Review will not be officially closed until the entire plan has been formally addressed and implemented.
- 4) The Corrective Action Plan should be completed within one year of date of conclusion of the Civil Rights Compliance Review.

Status and Comments

- 1) Provide an update on the progress made in implementing the recommendations (encouraged but not required) and/or corrective actions quarterly.

## CIVIL RIGHTS COMPLIANCE REVIEW CORRECTIVE ACTION PLAN TEMPLATE

<b>Report Section</b>	<b>Recommendations or Non-Compliance Action Item</b>	<b>Proposed Corrective Actions</b>	<b>Responsible Official</b>	<b>Targeted Completion Date</b>	<b>Status and Comments</b>