



DEPARTMENT OF THE NAVY
UNITED STATES NAVAL ACADEMY
ANNAPOLIS, MARYLAND 21402

USNAINST 12713.5F
26/EEO
29 November 1988

CH-1

USNA INSTRUCTION 12713.5F

From: Superintendent

Subj: EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAM

Ref: (a) Executive Order 11478 of 8 August 1969
(b) P.L. 92-261, Equal Employment Opportunity Act of 1972
(c) Section 501, Rehabilitation Act of 1973
(d) Civil Service Reform Act of 1978
(e) Age Discrimination in Employment Act of 1967, as amended
(f) CPI 713-A
(g) OPNAVINST 12720.4A
(h) USNAINST 12750.4C

(R)
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Encl: (1) Responsibilities of EEO Program Officials
(2) EEO Responsibilities of Supervisory and Managerial Personnel
(3) Qualifications Guide for Collateral Duty EEO Assignments
(4) Equal Employment Opportunity Complaint Process

(R)
(R)
(R)
(A)

1. Purpose. To affirm the commitment of the Superintendent of the United States Naval Academy (USNA) toward the principles of EEO and to establish policies and requirements for a positive, continuing program designed to promote EEO in all phases of employment. To further the Navy's goal of a fully integrated work force and provide guidance and procedures to emphasize increased commitments in obtaining EEO for all employees and/or applicants.

2. Cancellation. USNA Instruction 12713.5E

3. Background. Reference (a) states the policy of the United States Government to provide equal opportunity in federal employment on the basis of merit and fitness and directs that steps be taken to fully implement that policy. By reference (b), the Congress of the United States evidenced its concern over inadequate EEO progress within the federal work force and required all federal departments to take immediate action to overcome obvious underrepresentation of minorities and women in all occupations and at all levels.

4. Policy

a. Consistent with references (b) through (g), the Superintendent is committed to a program to achieve full integration of the civilian work force reflective of this area's race, sex, and ethnic diversity.

b. In addition to providing equality of opportunity for the total civilian work force, affirmative employment programs will be established and directed at women, minority, and handicapped employees. Program focus for the handicapped will include both employment and improvement of facility accessibility.

c. Civilian employees or applicants will not be discriminated against on the basis of race, sex, age, color, national origin, religion, or nondisqualifying physical or mental handicap regarding any facet of civilian personnel management.

5. Responsibility

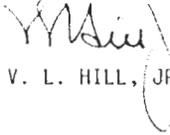
a. The Superintendent is the Equal Employment Opportunity Officer (EEOO) of USNA and, as such, is ultimately responsible for making sure USNA is in compliance with federal and Department of the Navy (DON) EEO regulatory and legal requirements. The Superintendent, through the Planning, Programming, and Budgeting System (PPBS), makes sure sufficient resources are allocated to meet EEO objectives.

(D)

b. The Deputy Equal Employment Opportunity Officer is the principal staff official on all EEO Program elements, including Affirmative Employment or Special Emphasis Programs, and discrimination complaint processing. She/he has responsibility for establishing priorities across EEO program areas in order to recommend a comprehensive approach within current or projected resources, mission, and specific EEO goals and requirements. Other EEO staff personnel are under the direct supervision of the DEEOO.

(R)

- R) c. The Civilian Personnel Director will provide technical assistance to the EEEO, DEEOO, and other authorized entities on civilian personnel matters relating to Equal Employment Opportunity. The Civilian Personnel Director and staff will assist in other assignments as deemed appropriate to ensure successful accomplishment of EEO goals. Constant vigilance will be maintained to make sure USNA has a true merit system based upon the principle of equal opportunity.
- d. Every military and civilian manager or supervisor of civilian personnel is responsible for contributing effectively to the EEO Program and will be held directly responsible for accomplishment of the same. Demonstrated support of the EEO policy and program will be considered in assessing supervisory and managerial personnel performance, evaluation of fitness reports (which-ever is appropriate), award recommendation for supervisory and managerial personnel, and potential for promotion to supervisory positions.
- e. All employees are advised that discrimination on the basis of race, color, religion, sex, national origin, handicap, or age is listed in reference (h), the Guideline Schedule of Disciplinary Offenses and Remedies for civilian employees in the DON; therefore, appropriate action for discrimination may be taken under disciplinary procedures.
- R) f. The responsibilities of the DEEOO, EEO Specialist/Federal Women's Program Manager (FWPM), Hispanic Employment Program Coordinator (HEPC), and other EEO officials are listed in enclosure (1). The responsibilities of supervisory and managerial personnel are listed in enclosure (2). A qualification guide for appointment of collateral-duty EEO officials is included as enclosure (3).
- g. Any employee or applicant who thinks he or she has been discriminated against because of race, color, religion, sex, national origin, age, or mental or physical handicap is entitled to see an EEO Counselor. EEO Counselors are listed on official civilian bulletin boards. Procedures for processing complaints of discrimination are posted on official bulletin boards and listed in enclosure (4).
6. Summary. The obligation to support the Equal Employment Opportunity Program is shared by all personnel, both military and civilian, but especially by managers and supervisors who provide organizational leadership. Collectively and individually, all USNA employees are expected to cooperate fully in achieving successful EEO and affirmative action efforts.


V. L. HILL, JR.

Distribution:
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DEEOO (50 copies)

RESPONSIBILITIES OF EEO PROGRAM OFFICIALS

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1. Deputy Equal Employment Opportunity Officer (DEEEO). The DEEEO is the principal staff advisor to the EEO Officer on all EEO program matters. This individual is responsible for establishing priorities in all EEO program areas that are within current or projected resources, and consistent with the activity's mission. The DEEEO will be supervised by the head of the activity and have direct access to that individual to discuss EEO program issues. Specific program responsibilities are:

a. Provide leadership in developing EEO policy, plans, and programs, including the special emphasis programs, to ensure consistency with applicable EEO laws and regulations.

b. Participate with line and staff managers in the development and review of present and proposed activity policy or decisions which affect the civilian work force. This includes serving on temporary or permanent committees such as position management, job restructure, training, publicity, or recruitment.

c. Develop the Affirmative Employment Program (AEP) and Federal Equal Opportunity Recruitment Program (FEORP) plans and recommend changes based on consultation or input from activity line and staff officials. For those activities with field offices, develop an activity-wide or command-wide plan for approval by CNO (CP-09BE).

d. Review activity policies, procedures, actions, achievements, and problems concerning affirmative action efforts for women and minorities. This includes review of Request for Personnel Action (SF-52), merit promotion panel composition, and promotion certificates and files before referral to the selecting official. Regarding members in the Performance Management Recognition System (PMRS) and supervisors in the Performance Appraisal Review System (PARS), the DEEEO will review the EEO objective when established and coordinate the evaluation of this objective.

e. Manage the discrimination complaint process, taking action to expedite complaint processing and/or resolutions, and seeking the assistance of the CNO (OP-09BE) where necessary.

f. Select or assist the EEO Officer with the selection of special emphasis program managers, EEO committee members, and EEO counselors. Provide training and guidance to these individuals in carrying out their assigned responsibilities.

g. Make sure EEO reporting requirements are met.

2. Equal Employment Opportunity (EEO) Specialist/Federal Women's Program Manager (FWPM). The EEO Specialist/FWPM is assigned as full Assistant to the Deputy Equal Employment Opportunity Officer, who has the overall responsibility for providing EEO and Human Relations service to all cost centers, all serviced activities, and all nonappropriated fund employees at the Naval Academy. Acts in the absence of the DEEEO and is responsible for managing the full scope of the Federal Women's Program.

3. Hispanic Employment Program Coordinator (HEPC). The HEPC (collateral duty) is the principal staff advisor to the DEEEO on all EEO issues related to or impacting on the status and treatment of Hispanics. Additionally, the HEPC will:

a. Conduct analysis of the inclusion of Hispanics in recruitment activities, in training, among applicants and eligibles for promotion, on boards and committees, and in other areas which influence their career progression.

b. Serve as voting member of the EEOAC committee and serve on other boards/committees whose decisions affect the morale, employment, or advancement of Hispanics.

c. Prepare publicity and other promotional material to motivate Hispanics to aspire to higher levels, positions, and occupations with advancement opportunities.

Enclosure (1)

4. Handicapped Program Manager (HPM). The HPM serves as the principal staff advisor to the DEEOO on all issues relating to or impacting on the status and treatment of handicapped individuals or applicants. Key duties focus on identifying and presenting workable solutions to the broad spectrum of employment-related needs of handicapped individuals and disabled veterans. This encompasses the attitudinal, architectural, and organizational barriers to the successful recruitment, hiring, placement, promotion, and reasonable accommodation in the workplace. (The Selective Placement Coordinator in the Civilian Personnel Office has responsibility for recruiting, hiring, or placement of handicapped individuals, disabled veterans, or rehabilitated offenders.) Additionally, the HPM will perform similar functions as those in paragraph 3 with emphasis on handicapped individuals and disabled veterans.

5. Upward Mobility Program Coordinator (UMPC). The UMPC is the principal staff advisor to the DEEOO on improving the career opportunities for lower level, underutilized employees through upward mobility positions. Additionally, the UMPC will:

- a. Assist in developing an upward mobility plan for the activity which complies with OPNAVINST 12713.4.
- b. Conduct skills surveys, gather and analyze data to determine the most effective application of training, job restructuring, and identification of target series.
- c. Provide counseling to prospective program applicants and orientation to program entrants.
- d. Provide information, advice, and technical guidance to supervisors establishing upward mobility billets.
- e. Assure full and effective publicity for the program.
- f. Assist the DEEOO with any reporting requirements related to the upward mobility program.

6. Federal Equal Opportunity Recruitment Program Coordinator (FEORPC). The FEORPC is the principal staff advisor to the DEEOO on reducing or eliminating minority and female underrepresentation through innovative internal and external recruitment.

7. Equal Employment Opportunity Advisory Committee (EEOAC). The EEOAC is a task-oriented monitoring and recommending body to the head of the activity and the DEEOO. The EEOAC will represent all organizational segments, all racial and ethnic groups, and will contain a cross-section by age, rank/grade level, and sex. Additionally, the EEOAC will:

- a. Provide a forum for the surfacing and frank discussion of concerns that cross directorate lines.
- b. Promote intercultural understanding through a free exchange of ideas between members of different ethnic and racial groups.
- c. Assist any special emphasis program managers/coordinators in promoting the goals and objectives of these specific areas.
- d. Provide information to managers that will assist in achieving full integration and maximum utilization of minorities, women, and handicapped individuals.
- e. Recommend actions or changes to the AAPP to improve status of minorities and women.

8. Equal Employment Opportunity Counselors. EEO Counselors establish and maintain an open and sympathetic channel through which employees and applicants for employment may raise questions, discuss potential complaints of discrimination, and on an informal basis, obtain resolution of problems connected with EEO. The EEO counselor serves as a bridge between the complainant and management, and performs a vital function during the initial phase of the complaint process. Additionally, the EEO counselor will:

- a. When requested, conduct an interview with complainant to obtain full understanding of problems relating to EEO.
- b. Seek information from appropriate officials who have direct knowledge relative to the problem presented.
- c. Review pertinent records relative to the problem presented.
- d. Explore with the complainant, management, and the DEEO ways in which the problem may be resolved.
- e. Keep notes on the counseling sessions, information gathered, and of advice and recommendations. Provide a counselor's report upon the request of the DEEO after a formal complaint is filed.

9. Miscellaneous. EEO program officials identified in paragraphs 1 through 8 assigned on a collateral duty basis will be allowed sufficient time to perform their duties. Minimum time devoted to EEO responsibilities will be 10 percent for special emphasis coordinators and counselors, and 5 percent for committee members.

EEO RESPONSIBILITIES OF SUPERVISORY AND MANAGERIAL PERSONNEL

1. To insure participation in the EEO Program leadership and administration, the supervisor/manager will:
 - a. Provide input to the USNA annual Affirmative Employment Program Plan and the Federal Equal Opportunity Recruitment Program.
 - b. Keep superior informed of his/her needs to achieve EEO goals.
 - c. Keep subordinates informed on all matters that have EEO implications (e.g., upward mobility training opportunities, vacancy announcements, Affirmative Employment Program Plan, etc.)
 - d. Coordinate actions that have EEO implications with the department head, DEEEO, CPD, or other USNA officials whose actions are necessary for program accomplishment.
 - e. Insure that subordinates with collateral duty EEO assignments (e.g., counselors, committee members, Federal Women's Program assistants, etc.) have sufficient work time to fulfill their EEO responsibilities.
2. In selection and promotion actions, the supervisor/manager will:
 - a. Give full consideration to all employees, without regard to their race, color, religion, national origin, sex, age, or physical or mental handicap, in responding to the EEO Program.
 - b. Insure that selection and promotion patterns in his/her organization reflect on-going affirmative action in regard to the EEO Program.
 - c. Participate in efforts to locate and/or attract qualified minorities and women whenever feasible.
 - d. Encourage all employees, including minorities and women, to achieve their full potential by making them aware of all USNA promotional opportunities and encouraging them to apply for promotions for which they are qualified.
 - e. Assist and/or arrange assistance for subordinates who need help in completing the SF-171 for promotion or reassignment.
3. Concerning the treatment of all employees, the supervisor/manager will:
 - a. Make sure that subordinates work in an environment free of intimidation, hostility, or harassment. (A)
 - b. Consider all subordinates as individuals, rather than stereotypes, and be impartial in dealing with all employees.
 - c. Take positive steps to assure acceptance of all employees, including minority group and female employees in the organization. Set a personal example for this.
 - d. Monitor the work environment, holding each individual accountable for his/her actions, and take corrective action whenever inappropriate/unprofessional behavior occurs. (R)

Enclosure (2)

QUALIFICATIONS GUIDE FOR COLLATERAL DUTY EEO ASSIGNMENTS*

I. Qualifications for collateral duty assignments are:

- a. An awareness of social and economic problems that are created by discrimination against minorities and women.
- b. A personal commitment to promote equality of opportunity for all persons, regardless of race, color, religion, sex, national origin, age, or handicap.
- c. An understanding of the basic goals of civil rights and equal opportunity movements.
- d. An understanding of the particular employment problems of minority groups and women.
- e. Ability to meet and deal effectively with persons of either sex, and of differing racial, ethnic, cultural, economic backgrounds, ages, and handicaps.
- f. Ability to establish effective working relationships with management officials, personnel, staff, employees, and appropriate community groups.
- g. Ability to acquire the kinds of knowledge related to collateral Equal Employment Opportunity work; for example, willingness to:
 - (1) Learn the general structure of the federal personnel system, including classification, staffing, merit promotion, performance evaluation, career development, employee rights, and responsibilities.
 - (2) Become knowledgeable of agency procedures and regulations pertaining to personnel.
 - (3) Understand the mission of the agency and general occupational knowledge and skills required to perform the work associated with the mission.
 - (4) Understand the current local labor market; i.e., types of jobs available, recruiting methods used, sources of recruitment, and projected employment needs of the activity.
 - (5) To take any required training necessary to the proper performance of the assignment. (A
 - (6) Coordinate with, and receive technical guidance and advance approval from the DEEOO on (A all aspects of the collateral-duty responsibility.

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Counselor Program
Federal Women's Program
Hispanic Employment Program
Upward Mobility Program
Handicapped/Disabled Veterans Program
Federal Equal Opportunity Recruitment Program

EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCESS

EMPLOYEE	COUNSELOR	EMPLOYEE	DEEO OFFICER	EEO OFFICER	DCIC/NOPC	INVESTIGATOR	EEO OFFICER
30 Days	21 Days	15 Days	5 Days	10 Days	10 Days	30 Days	8 Days
TO CONTACT A COUNSELOR ON ALLEGED DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, AGE, NATIONAL ORIGIN, PHYSICAL OR MENTAL HANDICAPPED.	TO ATTEMPT INFORMAL RESOLUTION AND CONDUCT FINAL INTERVIEW (2)	TO FILE A WRITTEN FORMAL COMPLAINT	TO ACKNOWLEDGE RECEIPT AND REQUEST COUNSELOR REPORT	TO ACCEPT COMPLAINT/ REQUEST INVESTIGATOR OR REJECT	TO ASSIGN INVESTIGATOR	TO COMPLETE INVESTIGATION AND SUBMIT REPORT TO EEO WHO PROVIDES COPY TO EMPLOYEE	TO REVIEW REPORT AND ATTEMPT ADJUSTMENT WITH EMPLOYEE

EEO OFFICER	EMPLOYEE	EEO OFFICER
5 Days	15 Days	5 Days
(A) IF ADJUSTED: TO ISSUE A DISPOSITION REPORT (OR)	(B) IF NOT ADJUSTED: TO ISSUE EMPLOYEE A PROPOSED DISPOSITION LETTER AND ADVISE OF RIGHT TO DECISION BY SECNAV (EARB) (3) WITH OR WITHOUT A HEARING	(A) IF NO REPLY: TO ISSUE A DECISION (B) IF DECISION REQUESTED WITHOUT A HEARING: TO SEND CASE FILE TO SECNAV (EARB) (C) IF DECISION REQUESTED WITH HEARING: TO REQUEST DISTRICT DIRECTOR, EEOC (4) TO ASSIGN COMPLAINT EXAMINER -- FINAL NAVY DECISION

EMPLOYEE	EMPLOYEE
(A) <u>20 DAYS</u> TO APPEAL FINAL NAVY DECISION TO EEOC DAB (5) AND THEN <u>30 DAYS</u> TO APPEAL THE ARB DECISION TO FEDERAL DISTRICT COURT (AGE EXCEPTED)	(B) LAWSUITS BASED ON PHYSICAL OR MENTAL HANDICAP (6) WOULD HAVE TO PROCEED UNDER GENERAL JURISDICTIONAL STATUTES WITHOUT REGARD TO THE TIME LIMITS SET FORTH IN SECTION 717 (C) OF THE CIVIL RIGHTS ACT

- NOTES**
- (1) THIS COMPLAINT PROCESS IS ABBREVIATED FOR CLARITY. IT IS NOT INTENDED TO COVER ALL DETAILS WHICH ARE TO BE FOUND IN APPROPRIATE DIRECTIVES. ANYONE DESIRING FURTHER INFORMATION SHOULD CONTACT THE DEFOO.
 - (2) IF FINAL INTERVIEW IS NOT CONDUCTED WITHIN 21 DAYS AND THE MATTER HAS NOT BEEN RESOLVED, THE COUNSELOR MUST ADVISE THE EMPLOYEE IN WRITING ON THE 21st DAY OF THE RIGHT TO FILE A FORMAL COMPLAINT.
 - (3) SECRETARY OF THE NAVY (EMPLOYEE APPEALS REVIEW BOARD).
 - (4) OFFICE OF APPEALS & REVIEW, EEOC.
 - (5) OFFICE OF APPEALS & REVIEW, EEOC.
 - (6) HANDICAPPED PERSON IS DEFINED AS ONE WHO HAS A PHYSICAL OR MENTAL IMPAIRMENT WHICH SUBSTANTIALLY LIMITS ONE OR MORE OF SUCH PERSON'S MAJOR LIFE ACTIVITIES, HAS A RECORD OF SUCH IMPAIRMENT, OR IS REGARDED AS HAVING SUCH AN IMPAIRMENT. THIS DEFINITION INCLUDES ALCOHOL AND DRUG ABUSERS.

Enclosure (4)



DEPARTMENT OF THE NAVY
UNITED STATES NAVAL ACADEMY
ANNAPOLIS, MARYLAND 21402-5000

USNAINST 12713.5F CH-1
26/EEO
24 JUN 1983

USNA INSTRUCTION 12713.5F CHANGE TRANSMITTAL 1

From: Superintendent

Subj: EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAM

1. Purpose. To publish change 1 to subject instruction.

2. Action

a. Make the following pen and ink changes:

(1) Change reference (f) to CPI 713.

(2) Change reference (g) to OPNAVINST 12720.4B.

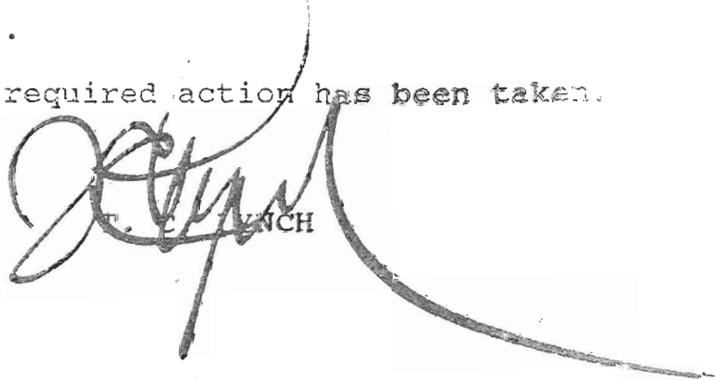
(3) Change reference (h) to USNAINST 12750.4D.

(4) Delete enclosure (4).

(5) At end of paragraph 5(g), delete "and listed in enclosure (4)."

b. Remove enclosure (4).

3. Cancellation. When the required action has been taken.



J. E. LUNCH

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