
EEOC FORM
715-01 PART E

U.S. Equal Employment Opportunity Commission

ANNUAL EEO PROGRAM STATUS REPORT

U.S. Department of Agriculture – Agricultural Research Service

For Period Covering **October 1, 2010 to September 30, 2011**

EXECUTIVE SUMMARY

USDA – Agricultural Research Service

EEOC Management Directive 715 Employment Opportunity Program Plan
FY 2011

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-four percent** of the ARS workforce is **age 50 or over** (increase of four percent from 2010). **Fifty-eight percent** (3,864) of the total permanent workforce (6,652) are **eligible for retirement between 2011 and 2021** (1 percent increase since 2010 report). Of the 58 percent, **25 percent** (981) are **grades 13-SES** (same as reported in 2010) in the identified major occupations. Many questions need to be asked: Can we afford losing our workforce expertise at any time? Have we made efforts to recruit and retain a younger generation of future leaders? 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 is underrepresented in Hispanic males and females, White females, African American males and females, and persons with targeted disabilities (PWTD). 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. ARS has noted where Part H has been prepared or explained within Part G.

The six elements are: A - Demonstrated Commitment from Agency Leadership; B – Integration of EEO into the Agency’s Strategic Mission; C – Management and Program Accountability; D – Proactive Prevention; E – Efficiency; and F – Responsiveness and Legal Compliance.

Part E – Summary of Self-Assessment (continued)

The deficiencies ARS determined within the six elements are:

Element	Compliance Indicator	Page location within Part G
C	Have time-tables or schedules been established for the agency to review its Merit Promotion Program Policy and Procedures for systemic barriers that may be impeding full participation in promotion opportunities by all groups?	10
D	Is the participation of supervisors and managers in the ADR process required?	14
E	Has the agency implemented an adequate data collection and analysis systems that permit tracking of the information required by MD-715 and these instructions?	17

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 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, 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.

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. 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 A (continued)

ARS provided mandatory training for managers and supervisors whom spend at least 25 percent of their time supervising. The training was conducted by the Brookings Institute in 25 two-day sessions from November 2010 through August 2011. The objective of the training was to educate the supervisors and managers on their roles and responsibilities in the performance and accountability of employees. The training was well received in some instances managers took immediate action to being addressing employee performance.

Cultural Transformation at ARS

ARS’s Cultural Transformation 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. This initiative was designed by the Research, Education, and Economics Mission Area leaders to solicit ideas and input about work and organization from ARS employees across the organization. During FY 2011, of 122 action items received, 93 were completed (29 still outstanding); 803 total ideas submitted (585 comments received on the ideas), 785 resolved and 18 pending. The most frequent topics are authorship; telework; technician/support scientist recognition; travel; and purchasing processes.

Results/Impact: Complaints have decreased 56 percent since 2010. The following displays the number of offers and acceptances regarding the ADR process for informal and formal EEO complaints:

Informal:	26 offered and 3 accepted (12 percent – increase of 4.7 percent from 2010), 1 settlement
Formal:	5 offered and 4 accepted (80 percent – increase of 37.2 percent from 2010), 3 settlements

Essential Element B: Integration of EEO into the Agency’s Strategic Mission

No deficiencies were identified in this area.

Strategic Goals: (1) On a regular basis, review and issue 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; (2) Develop and annually review an EEO Plan aimed at eliminating barriers to hire women, underrepresented groups based on the CLF; (3) Submit annual EEO program status reports to the Equal Employment Opportunity Commission and the Department; (4) Provide EEO/civil rights information and counseling and advice to all employees through a variety of sources; (5) Provide on-going technical assistance to managers, supervisors, and Area Outreach, Diversity, and Equal Opportunity (ODEO) Program Managers; (6) Expand outreach activities in K-12 schools, universities/colleges, and minority serving institutions and organizations that cater to persons with disabilities

Part E – Element B (continued)

providing education about scientific research and to diversify the workforce to reflect the diversity of today's society; (7) Increase percentage of underrepresented groups on the CLF; (8) Increase one percentage in new hires with targeted disabilities; (9) Increase percentage of veteran hires; (10) Ensure that all employees complete mandatory and recommended EEO training; (11) Conduct civil right impact analysis as required; (12) Encourage employees to participate in career development mentoring, and other special emphasis programs, and to serve on EEO/Diversity Advisory Committees; and (13) Promote consistency in new employee, Research Leader, and scientist orientation programs throughout ARS regarding all components of the EEO Program.

ARS achieved 85 percent of the goals above.

ARS has several methods to ensure that employees feel they are being treated equally:

- ARS utilizes the Consolidated Assistance, Review, and Evaluation (CARE) Program for compliance reviews, which covers all functional areas, including civil rights. Included in this program is an e-survey, which is an anonymous reporting tool to evaluate the efficiency and delivery of administrative services being conducted at the Location, Area, and Headquarters. The e-survey did not reveal that employees were treated unfairly. The results for the 2011 reviews have not been published; however, the 2010 results show that there were no findings of knowledgeable disregard of agency policies or procedures or findings where the agency did not adhere to the policies and procedures.
- Due to budgetary restrictions ARS has not been able to implement a full-scale independent survey of its customers and employees. However, we have begun investigating ways to increase the amount of surveys that we conduct, including the potential use of our "Your Two Cents" cultural transformation initiative. In addition, we have reviewed and continue to monitor the Agency's performance in the Federal Employee Viewpoint Surveys (FEVSs). Nearly two thirds of all employees responded positively about ARS' support for diversity.
- ARS actively utilizes the performance management system to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations. Equal Employment Opportunity and Civil Rights performance expectations must be included in critical elements of employee plans and serve as a stand-alone element on supervisory plans. Based on summary performance rating data we know that at around 36.2 percent of rated ARS employee received an "exceeds" rating on their element with civil rights performance expectations; 63.7 percent received either a "meets" or an "exceeds" rating; and well under one percent failed (4 employees; or 0.06 percent).

Of the four employees who failed their civil rights related performance elements all were referred to Employee Relations for corrective action (e.g., Performance Improvement Plan). Since the rating, one has successfully completed the Performance Improvement Plan and the rating of record has been updated and another has separated from the agency.

Part E – Element B (continued)

Reporting to the Agency Head

Beginning October 1, 2011, the Director of the ARS, Outreach, Diversity, and Equal Opportunity (ODEO) will report directly to the Administrator. During FY 2011, the Director reported to the Deputy Administrator for the Administrative and Financial Management (AFM). 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. The Director serves as the second-line reviewing official for the Area ODEO Program Managers, whom provides ODEO assistance to the 100 plus locations throughout the United States. However, beginning FY 2012, the Program Managers will report directly to the Director. 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.

Provided EEO Staff with Required Training

ARS continues to devote resources to conduct barrier analysis of its workforce, including adequate data collection and tracking systems.

All ODEO Area Program Managers received 32 hours of EEO counselor training in FY 2011.

All EEO staff received training necessary to accomplish ARS's EEO mission.

Essential Element C: Management and Program Accountability

Compliance Indicator of Deficiency: Time-tables or schedules have not been established to review the Merit Promotion Program Policy and Procedures.

Accomplishment/Update:

- **Merit Promotion:**

The REE Merit Promotion Plan will be reviewed by REE Employment Officer and put out for comments to all Mission Area contact. Specifically, we will target any barriers that may be impeding full participation in promotion opportunities by all groups. The Merit Promotion Plan will be reviewed by April 1, 2012.

ARS and HRD plan to meet before the end of FY 2012 to discuss the REE mission area's utilization of the approved Department of Labor's Applicant Background Questionnaire, which will allow ARS to track applicant flow data.

The USDA Virtual University Senior Academic Leader approved the curriculum for the Employee and Leadership Development/Training Programs. The purpose of the curriculum is to ensure that ARS is aligned with the Department,

Part E – Element C (continued)

specifically, the pre-requisite on-line training. This program will ensure that supervisors are well versed in performance management and knowledgeable about their ethical and legal responsibilities relating to EEO law and diversity issues. The Human Resources (HR) Director provided information for implementation at the Administrative Council (senior management) meeting in June. Implementation is tentatively scheduled for FY 2012.

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

The Administrator holds managers and supervisors accountable for employment decisions regarding hiring, promoting, training, and rewarding, as well as providing leadership, educating and updating employees on diversity and EEO issues in the workplace, and ensuring that lines of communication are open at all levels. Managers and supervisors are also held accountable to ensure that employees are aware of the regulations and laws governing discrimination, anti-harassment, sexual harassment, and affirmative employment.

ARS conducts an in-depth audit of performance standards and appraisals annually. The results of these audits have led to new policies and procedures to ensure that all employees have clearly defined performance expectations, receive at least one mid-year review and a final performance appraisal each year. Expectations about customer service and/or stakeholder interactions are incorporated into the performance expectations of all employees and are denoted as “critical” to successful performance. For the FY 2011 performance cycle, new standardized hiring performance accountability measures were incorporated into all SES and supervisory performance plans. Agency managers and supervisors must assume a more proactive leadership role in recruiting and selecting a highly-qualified candidate. Additionally, for all SES, cultural transformation initiatives are incorporated into their performance plans and this will be extended to all GS-15 and below supervisory plans in FY 2012.

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:

- The Deputy Administrator for the Office of Administrative and Financial Management (AFM) was the ARS Diversity Officer. However, upon his retirement during the third quarter of FY 2011 and AFM going through a restructure, the position has not been filled. The responsibilities of this position were transferred to the Outreach, Diversity, and Equal Opportunity Director.
- ARS has 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; and Women. Additionally, each of the nine Areas have SEPMs in place (the Pacific West

Part E – Element C (continued)

Area has SEPMs in each location). ARS will designate a National SEPM for Veterans in the first quarter of FY 2012.

- All ARS SES members had goals related to the Secretary’s Cultural Transformation (CT) and USDA Diversity Roadmap added to their performance requirements under their mission results performance element. The SES performance measure related to the Secretary’s CT states: “Supports the Secretary’s initiative for CT through continuous examination and survey of the workforce, customer service, training and leadership, creates an environment for inclusion, exceptional performance and effective leadership and work to eliminate any barriers to operational and service excellence (as appropriate, add results focused measures based on your organization’s CT plan).

Actively engages in the transformation of USDA by supporting process improvements in the organization. For Agency Heads Support the Agency’s Process Improvement Champion by meeting with the Champion at least quarterly for the Champion to brief senior staff on process improvements in USDA and current initiatives (as appropriate, add results-focused measures based on your organization’s CT plan).”

The SES performance measure related to the USDA Diversity Recruitment Roadmap states: “Supports the Secretary’s initiative for USDA Diversity Recruitment Roadmap by expanding upon mission-specific activities and timelines to ensure diversity recruitment program success and leadership accountability (as appropriate, add results-focused measures based on your organization’s diversity and recruitment plan).”

- All supervisors within ARS have the following performance element and standard for supervision and human capital management:

Performance Element:

Supervision and Human Capital Management

Performance Standards:

Recruitment and Hiring

Leads by example; promotes an atmosphere of open communication, cooperation and teamwork.

Organizational goals, objectives, priorities, work assignments, and deadlines are clearly communicated to employees. Resources and priorities are adjusted to meet workload demands. Human Capital initiatives and strategies (e.g. performance management system changes, Workforce and Succession Planning) are implemented in accordance with mission area and agency policy. Employees are encouraged to participate in employee surveys to assist ARS in measuring organizational health, morale and satisfaction.

Part E - Element C (continued)

Recruits and selects new employees based on organizational goals, budget considerations, and staffing needs. When filling a position, the supervisor engages and collaborates with HR to ensure skills required for the job are identified, posting of the job vacancy is accurate, and assists in identifying contacts for diverse locations or organizations for recruiting purposes. Participates with HR as needed in the proper screening of applications, and appropriate categorization of applicants based on qualifications.

Utilizes flexible hiring authorities when filling a vacancy (e.g., targeted disabilities, student employment, direct hire, appointing veterans, etc.) to ensure diversity in recruitment and hiring.

Recruitment plans reflect assessment of potential candidate pools and diversity goals.

Retention and Succession Planning

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.

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.

Assesses current workforce plans to ensure they are up-to-date in order to meet Program/Agency goals and objectives. Works with senior management officials and HR to comply with the workforce planning process as described in the Department's position management policy.

Performance Management

The supervisor develops and discusses with employees their individual performance plans within established timeframes. Communicates to employees how their work supports the Agency mission and strategic plan/initiatives. Employee performance plans contain clear, results-focused measures and the supervisor provides accurate and timely feedback to determine progress and success in meeting expectations:

- The supervisor completes performance plans, progress reviews, and appraisals of subordinate employees by the due dates established by the Department or Agency. Performance plans for each employee must include at least one critical element that is traceable to the agency's goals and objectives (e.g., Mission Results critical performance element).

Part E - Element C (continued)

- Provides ongoing feedback and coaching as demonstrated through performance feedback sessions as evidenced by 100 of employees receiving at least one feedback session at the midpoint of the rating period.
- Ensures appropriate action is taken to address performance problems in a manner that supports organizational goals and objectives.
- Ensures subordinate managers and supervisors adhere to the Agency performance management policy with regard to performance.

Performance and employee feedback data is used as an indicator of compliance and general satisfaction or needed improvement with regard to the planning, developing, monitoring, rating and rewarding of performance.

Performance and accomplishments are recognized in a timely manner, utilizing various methods (monetary, non-monetary, and time-off awards).

Individual Development Plans (IDPs) are established and reviewed/updated annually. Within available funding, provides developmental opportunities to ensure that employees possess appropriate competencies for work assignments; utilizes no cost options in employee development including AgLearn and mentoring. IDPs reflect assessment of current employee skills and future skill needs of the unit.

- ARS submits 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. The data is formatted to show the following:
 - Year to date (YTD) hiring demographics compared to previous fiscal year data. This helps leadership gauge if the Agency is doing better over time, year over year.
 - Results are presented side-by-side with other comparable components in the organization. This encourages sharing of successful strategies and best practices, and pushes innovation and performance.

Part E - Element C (continued)

- YTD hiring results are presented side-by-side with the Civilian Labor Force (CLF) diversity hiring target. This helps leadership quickly assess and understand strengths and weaknesses across the Agency in regard to recruitment and hiring of specific under-represented groups.

In FY 2011 YTD, the data indicates ARS has improved its student minority representation FY 2010 from 25.4 percent to 25.9 percent. Additionally, total hiring is showing a 1 percent improvement on overall hiring diversity from 24 percent in FY 2010 to 25 percent in FY 2011 YTD. Veteran hiring and hiring of persons with both reportable and targeted disabilities is also being tracked and reported. Hiring in these categories has also increased year over year as a percent of total hires.

While these improvements may seem modest, they have been achieved during a period of budget reductions and uncertainty, which have resulted in a significant contraction of Agency hiring. Specifically, in FY2011, ARS was impacted by budget reductions and facilities closures. Staffs at locations slated for closure were given hiring priority and many positions that normally would have been recruited openly were filled from within. This situation had a dampening effect in our efforts to improve overall hiring diversity and particularly impacted our veterans hiring numbers. That said, there have been significant measurable successes across the agency in diversity, veterans, and disability hiring in FY 2011.

- 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: Based on data from the National Finance Center Reporting Center (July 24, 2011), statistical analysis shows that African American females are under the Civilian Labor Force (CLF) since the last reporting period (African American males, Hispanic males and females, and White females continue to be below the CLF). The percentage of ARS employees with targeted disabilities remains about 1 percent below the required 2 percent. 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 were distributed in the subject grade level at less than their total workforce representation:

Part E - Element C (continued)

GS-13: White female, African American males and females, Hispanic males and females, and persons with targeted disabilities (PWTD).

GS-14: White female, Hispanic males and females, Asian females, African American males and females, and PWTD.

Note: Between June 30 and July 24, 2011, White, Asian, and American Indian males met or were above their total workforce representation.

GS-15: White female, Hispanic males and females, African American males and females, Asian females, and PWTD.

Note: Between June 30 and July 24, 2011, White and Asian males met or were above their total workforce representation.

SES: White female, African American males and females, Hispanic female, American Indian male, and PWTD.

Note: Between June 30 and July 24, 2011, White, Asian males, and Hispanic males and American Indian females met or were above their total workforce representation.

As of June 30, 2011, White males and females continue to dominate the mission critical occupations.

Essential Element D: Proactive Prevention

Area, Agency, and USDA EEO Policy statements and other ARS EEO related statements (i.e., sexual harassment, reasonable accommodations, anti-harassment) are provided to all employees, as well as mandatory EEO training as directed by the USDA Office of the Assistant Secretary for Civil Rights and deemed necessary by the ARS ODEO.

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

Compliance Indicator of Deficiency: Is the participation of supervisors and managers in the ADR process required?

Accomplishment/Update:

ARS continues to educate and emphasize to managers, supervisors and employees that the ADR process if conducted timely, is cost-effective and efficient. All complainants are offered ADR in the beginning of the informal process stage and throughout the formal process state (ARS, Office of General Counsel, EEOC, etc.) within the timeframes set by EEOC regulations. In addition to the fact sheet distributed to complainants, the Cooperative Resolution Program established a new policy and procedure (P&P) 462, "Alternative Dispute Resolution within the Research, Education and Economics (REE) Mission Area" in June. This P&P provides specific guidelines to administer the ADR Program within the four agencies of REE Mission Area (Agricultural Research Service, Economic Research Service, National Agricultural Statistics Service, and the National Institute of Food and Agriculture). This P&P operates in conjunction with the following:

Part E - Element D (continued)

- Administrative Dispute Resolution Act of 1996 (ADR Act)
- USDA Regulation 4710-0001, Alternative Dispute Resolution, dated May 5, 2006
- Administrative Grievance System Regulations 5 C.F.R., Part 771

The P&P was placed on the ARS Outreach, Diversity, and Equal Opportunity web site in the last quarter of FY 2011 or first quarter of 2012.

ODEO EEO and Compliance Branch EEO Specialists will coordinate with the ODEO Cooperative Resolution Program (CRP) staff to promote the use of ADR through training sessions by first or second quarter of 2012.

The following displays the number of offers and acceptances regarding the ADR process for informal and formal EEO complaints since 2010:

Informal: 26 offered and 3 accepted (11.5 percent – increase of 5.8 percent since 2010).
Formal: 11 offered and 8 accepted (75 percent – decrease of 2 percent since 2010).

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. The following trainings have been conducted:

7 sessions, 22 supervisors, 1127 employees

1st Quarter FY2011

“*Understanding Working Styles and Generational Differences*”, Kearneysville, WV
(7 supervisors; 14 employees) (11/10/10)
“*Conflict and Civility in the Workplace*”, Pullman, WA
(13 supervisors; 9 employees) (11/17/10)
““*Understanding Working Styles and Generational Differences*”, Ithaca, NY
(4 supervisors; 5 employees) (11/18/10)

3 sessions, 24 supervisors; 28 employees

2nd Quarter FY2011

“*Workplace Communication: From Collision to Collaboration*”, New Orleans, LA
(2 sessions) (55 supervisors; 101 employees) (1/25/11)
New Employee Orientation, Beltsville, MD
(16 employees) (2/15/11)
“*Communication and Civility*”, Riverside, CA
(1 supervisor; 5 employees) (3/3/11)
“*Crucial Conversations: Making It Safe*”, Beltsville, MD
(3 supervisors; 17 employees) (3/10/11)

Part E - Element D (continued)

“Making Change Work for You” (NIFA), Washington, DC
(1 supervisor; 17 employees) (3/16/11)

“Workplace Communication: From Collision to Collaboration”, Maricopa, AZ
(17 supervisors; 25 employees) (3/21/11)

7 sessions; 77 supervisors; 181 employees

3rd Quarter FY2011

“Workplace Communication: From Collision to Collaboration”, Stillwater, OK
(7 supervisors; 27 employees) (4/5/11)

“Making Change Work for You” (NIFA), Washington, DC
(5 supervisors; 13 employees) (4/26/11)

“Workplace Communication: Beyond Civility”, Stoneville, MS
(8 sessions) (74 supervisors; 194 employees) (5/25-26/11)

10 sessions; 86 supervisors; 234 employees

TOTAL: 27 sessions; 209 supervisors; 1570 employees

Mediations (90 percent resolution of those conducted)

22 OFFERS

9 Resolved

8 Withdrawn

3 (employee retired)

2 (employee resigned)

2 (employee took new position)

1 (no longer necessary to pursue)

2 Declined

2 Pending

1 Unsuccessful

Facilitated Dialogues (91 percent resolution of those conducted)

22 OFFERS

19 Resolved

1 Withdrawn

1 (employee went on detail)

2 Unsuccessful

Group Facilitations 2

(4 supervisors; 24 employees)

CRP has taken a more informal approach to addressing one-on-one issues by conducting more facilitate dialogues rather than mediation.

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 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 has hired 82 veterans in FY 2011 (increase of 58 percent since 2010) – 52 permanent and 30 temporary. Of the 82, 19 percent (15) claimed a disability (none reported targeted disabilities).

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.

Part E - Element D - Veterans (continued)

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

ARS continued to use a variety of recruitment sources such as conferences, hiring, fairs, Operation Warfighter 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 DEMO authority gives veterans greater preference than the preference given to them by standard OPM hiring procedures.

Throughout 2011, ARS monitored all recruitment initiatives and engaged in outreach activities to increase the number of veteran applicants.

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

Compliance Indicator of the Deficiency: The agency has sufficient staffing, funding, and authority to achieve the elimination of identified barriers (implementation of data collection and analysis systems that permit tracking of the information required by the MD-715).

Part E (continued)

Accomplishment/Update: ODEO is meeting with HRD to discuss the implementation of the Application Background Questionnaire before the end of the FY 2012.

Status for FY 2011 Complaints

Informal complaints:	26
Formal complaints:	5
Alternate Dispute Resolution (ADR):	7 (3 - informal process and 4 - formal)
Monetary Payouts:	\$116,640
Investigative costs:	\$153,677

Recognition and Evidence of USDA Efforts: Complaints have decreased 56 percent since 2010.

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, 2011. 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:

RNO/Gender	FY 2010 Population	FY 2011 Population	Agency representation %/ Net change*	CLF
White male	3,246	3,120	46.9 -3.88	39
White female	2,177	2,095	31.49 -3.77	33.7
African American female	380	375	5.64 -1.32	5.7
Asian male	295	301	4.52 +2.03	1.9
African American male	246	240	3.6 -2.44	4.8
Hispanic male	186	177	2.66 -4.84	6.2
Asian female	180	177	2.66 -1.67	1.7
Hispanic female	116	107	1.61 -7.76	4.5
Persons with TD	76	74	1.11 -2.63	2
American Indian female	27	26	0.39 -3.7	0.3
American Indian male	21	21	0.32 0	0.3
Native Hawaiian or Other Pacific Islander male	3	3	0.05 0	0.1
Native Hawaiian or Other Pacific Islander female	3	4	0.06 +33.33	0.1
Two or More Races male	2	4	0.06 100	0.8
Two or More Races female	3	2	0.03 -33.33	
TOTAL**	6,885	6,652	100 -3.38	

Part E – Workforce Analysis (continued)

Note: Throughout the rest of the report, Native Hawaiian or Other Pacific Islander males and females are included in the Asian representation.

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

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

Groups below CLF	Variance (number in parentheses was reported in 2010)
Hispanic male	236 (243)
Hispanic female	193 (194)
White female	149 (145)
African American male	80 (86)
African American female	5 (9)
Persons with TD	60 (62)

Grade Distribution – GS-13 – SES (highest to lowest representation based on the grade representation). 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 (689 – decrease of 63 since 2010)	White male	335 (48.62)
	White female*	178 (25.83)
	Asian male	68 (9.87)
	Asian female	33 (4.79)
	African American female*	31 (4.50)
	African American male*	23 (3.18)
	Hispanic male*	16 (2.32)
	Persons with TD*	6 (0.87)
	Hispanic female*	4 (0.58)
	Two or more races male	1 (0.15)
	Two or more races female	0
	American Indian male*	0
	American Indian female*	0

Part E – Workforce Analysis (continued)

14 (696 – increase of 13)	White male	414 (59.48)
	White female*	117 (16.81)
	Asian male	88 (12.64)
	Hispanic male*	17 (2.44)
	Asian female*	17 (2.44)
	African American female*	16 (2.3)
	African American male*	15 (2.16)
	Hispanic female*	9 (1.29)
	Persons with TD*	4 (0.57)
	American Indian male*	2 (0.29)
	American Indian female*	1 (0.14)
Two or More Races not represented.		
15 (665 – decrease of 7)	White male	493 (74.14)
	White female*	81 (12.18)
	Asian male	54 (8.12)
	Hispanic male*	14 (2.11)
	African American male*	13 (1.95)
	Asian female*	4 (0.6)
	Persons with TD*	3 (0.45)
	African American female*	2 (0.3)
	Hispanic female*	2 (0.3)
	American Indian female*	2 (0.3)
	American Indian male*	0
Two or More Races not represented.		
SES (35 – decrease of 2)	White male	19 (54.29)
	White female*	10 (28.57)
	Asian male	4 (11.43)
	Hispanic male	1 (2.86)
	African American male*	0
	Asian female*	0
	American Indian female*	0
	Hispanic female*	0
	African American female*	0
	American Indian male	1 (2.86)
	Persons with TD*	0

Part E – Workforce analysis (continued)

Mission Critical Occupations

White males and females continue to dominate the mission critical occupations. The following are the variances for the top five occupations to meet the relative labor force (RLF):

Job Series/Title	Groups below RLF	Variance (number in parentheses was reported in 2010)
0404 – Biological Technician (1,528 – decrease of 45 since 2010)	Hispanic female	48 (same)
	African American male	13 (15)
	African American female	12 (10)
	Asian male	55 (60)
	Asian female	58 (62)
	American Indian male	10 (same)
	Two or More Races male	6 (same)
	Two or More Races female	8 (7)
	Persons with TD	23 (26)
0401 – Biologist (365 – decrease of 11)	Hispanic male	1 (2)
	Hispanic female	2 (3)
	White female	33 (41)
	African American male	1 (same)
	American Indian male	3 (2)
	American Indian female	1 (same)
	Two or More Races male	2 (2)
	Two or More Races female	2 (same)
	Persons with TD	7 (same)
1320 – Chemist (286 – decrease of 18)	Hispanic male	1 (same)
	Hispanic female	4 (same)
	White female	1 (0)
	African American male	5 (same)
	Asian female	3 (same)
	American Indian male	1 (0)
	American Indian female	1 (same)
	Two or More Races male	2 (same)
	Two or More Races female	1 (same)
Persons with TD	4 (same)	

Note: Since second quarter White females meets the RLF.

Part E – Workforce analysis (continued)

0440 – Genetics (263 – decrease of 9)	Hispanic female	4 (3)
	White female	44 (45)
	African American male	1 (same)
	African American female	5 (same)
	Asian female	3 (4)
	American Indian male	1 (2)
	Two or More Races male	2 (same)
	Two or More Races female	1 (same)
	Persons with TD	6 (4)
0403 – Microbiology (242 – decrease of 12)	Hispanic male	1 (0)
	Hispanic female	1 (same)
	White female	13 (16)
	Asian female	4 (5)
	American Indian male	2 (same)
	Two or More Races male	1 (2)
	Two or More Races female	1 (same)
	Persons with TD	6 (3)
Note: Since 2010 Hispanic males meet the RLF.		

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 2011, ARS employed 1,953 SYs or 29 percent (same percentage as 2009 and 2010) of the total ARS workforce (6,652).

The ARS’s SY population is displayed in the following table from largest to smallest:

RNO/Gender	2010 Population	2011 Population	Net Change %
White males	1,288	1,248	-3.11
White females	318	323	+1.57
Asian males	212	212	0
Hispanic males	51	51	0
Asian females	55	54	-1.82
African American males	33	33	0
Hispanic females	18	17	-5.56
African American females	5	6	20
American Indian males	2	5	150
American Indian females	2	2	0
Native Hawaiian or Other Pacific Islander males	1	1	0
Two or More Races male	0	1	0.05
Persons with Targeted Disabilities	13	13	0

Part E – Workforce analysis (continued)

New Hires (permanent)

The following groups continue to be hired at less than their availability in the CLF are Asian female, Hispanic males and females, White male*, White female, African American female*, American Indian female and persons with TD.

*Since 2010.

Veteran Hires (permanent)

ARS has hired 82 veterans in FY 2011 (increase of 58 percent since 2010) – 52 permanent and 30 temporary. Of the 82, 19 percent (15) claimed a disability (none reported targeted disabilities).

Part E – Workforce analysis (continued)

Promotions (The below displays promotions by grade as required in the USDA Diversity Roadmap, rather than use Table A10, Non-competitive Promotions – Time in grade). During FY 2011 (as of September 18 NFC Reporting Center data), **584 employees** were promoted (39.2 percent White males, 37.2 percent White females, 10.4 percent African American females, 4.8 percent Asian males, 3.4 percent African American males, 2.1 percent Asian females, 1.4 percent Hispanic males, 1 percent Hispanic females, 0.51 percent persons with targeted disabilities, and 0.2 percent American Indian males and females. Of the 584 competitive and non-competitive promotions, the following groups were represented in GS 13-15 positions (from highest to lowest percentage based on representation within the specific grade group) of the 584.

GRADE	RNO/G	NUMBER	PERCENT
13	White male	39	58.2
[total 689]	White female	16	23.9
	Asian male	5	7.5
	Asian female	3	4.5
	American Indian male	1	1.5
	African American male	1	1.5
	African American female	1	1.5
	Hispanic male	1	1.5
	Hispanic female	1	1.5
TOTAL		67	
14	White male	59	48.4
[total 696]	White female	31	25.4
	Asian male	14	11.5
	African American male	6	4.9
	African American female	6	4.9
	Hispanic male	2	1.6
	Hispanic Female	2	1.6
	Asian female	2	1.6
TOTAL		114	
15	White male	34	60.7
[total 665]	White female	11	19.6
	Asian male	5	8.9
	African American male	2	3.6
	African American female	1	1.8
	Hispanic male	1	1.8
	Hispanic female	1	1.8
	American Indian female	1	1.8
TOTAL		53	

Part E – Workforce Analysis

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:

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

*Since 2010.

Note: Asian females separated more than their representation in 2010.

Involuntary – Hispanic males and females, African American males, Asian males, and persons with targeted disabilities continue to separate at more than their representation.

Note: ARS and HRD plan to meet by the end of FY 2012 to discuss the implementation of an exit interview survey.

Awards:

The following groups were distributed in the awards category at less than their representation in ARS (asterisk indicates groups under the CLF):

Time-off – 1-8 hours (291 employees)

White male (117), White female (111), African American female (37), Asian female (9), American Indian female (6), Hispanic female (3)*, African American male (3)*, Hispanic male (2)*, persons with targeted disabilities (3)*, and Asian male (3)*. **Note:** No awards for American Indian males or Two or More Race males and females.

Time-off – 9+ hours (272 employees)

White female (125), White male (79)*, African American female (38), Asian female (10), Hispanic male (6)*, Asian male (5), African American male (8)*, persons with targeted disabilities (5)*, and Hispanic females (1)*.

Note: No awards for American Indian or Two or More Race males and females.

Cash Awards - \$100-\$500 (1,097 employees)

White male (449), White female (356)*, African American female (108), African American male (69), Hispanic male (34)*, Asian male (26), Asian female (26), persons with targeted disabilities (23), Hispanic female (22)*, American Indian female (4), American Indian male (2)*, and Two or more races male (1)*. **Note:** No awards for Two or More Race females.

Part E – Workforce Analysis (continued)

Cash Awards - \$501+ (5,692 employees)

White male (2,550), White female (1,921), African American female (374), Asian male (219), African American male (186)*, Hispanic male (146)*, Asian female (150), Hispanic female (101)*, persons with targeted disabilities (53)*, American Indian female (26), American Indian male (16), Two or more races male (2)*, and Two or more races female (1)*.

Quality Step Increases (797 employees - same)

White male (324), White female (288)*, Asian male (51), African American female (45), Asian female (34), Hispanic female (23)*, African American male (16)*, Hispanic male (13)*, persons with targeted disabilities (8)*, American Indian male (2), and Two or more races male (1)*.

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.

Counseling Process

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

I. **Counseling**

- a. ARS timely processed 90 percent of the 26 pre-complaint counseling completed in FY 2011 (decrease of 26 percent in informal complaints since 2010).
- 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: 26 offered and 3 accepted (11.5 percent – increase of 5.8 percent since 2010).
Formal: 11 offered and 8 accepted (75 percent – decrease of 2 percent since 2010).

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 (90 percent resolution of those conducted)

22 OFFERS

- 9 Resolved
- 8 Withdrawn
 - 3 (employee retired)
 - 2 (employee resigned)
 - 2 (employee took new position)
 - 1 (no longer necessary to pursue)
- 2 Declined
- 2 Pending
- 1 Unsuccessful

Facilitated Dialogues (91 percent resolution of those conducted)

22 OFFERS

- 19 Resolved
- 1 Withdrawn
 - 1 (employee went on detail)
- 2 Unsuccessful

Group Facilitations 2

(4 supervisors; 24 employees)

CRP has taken a more informal approach to addressing one-on-one issues by conducting more facilitate dialogues rather than mediation.

II. **Bases of Complaints Filed**

- a. The bases of alleged discrimination most raised were (listed from most raised to least): reprisal, race, age, and sex.
- b. Of the 18 formal complaints filed at ARS (some complaints contain more than one allegation), 10 contained allegations of reprisal, 7 contained allegations of race (5 African American, 1 Hispanic, and 1 White), 6 contained allegations of age, and 5 contained allegations of sex (4 female and 1 male).

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.

Part E – Counseling process (continued)

- b. ARS’s average processing time for all complaint closures decreased from 715 days in FY 2010 to 388 days in FY 2011.
 Note: Closures include FAD, settlements, and withdrawals.

IV. **Cost**

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

ARS Use of ADR for EEO Dispute Resolution in FY 2011	Complaints
Completed/Ended Counseling/Complaint Closures	26
Total Number Offered ADR	26
ADR Offer rate	100%
ADR Participation Rate	27% (7) - increase of 9.5%)
Total ADR Settlements	1 (100% increase)
Total ADR Settlements Amount	\$16,817

	Total #	#Timely	%
All Pre-complaint Counseling	26	23	88.5 (-2.9%)
All Investigations	23	10	43.5 (+35.8%)
All Complaint Closures	27	Increase of 17.4%	
Merit Decisions (no AJ)	12 (+50%)	0	0
Dismissal Decisions (no AJ)	2 (same)	0	0

*APD = Average Processing Days

Part E – Counseling Process (continued)

Outcome of Complaints in FY 2011						
	Complaint Closures		FAD* (no AJ Decision)		Final Order (AJ Decision Fully Implemented)	
	#	%	#	%	#	%
Total Complaints Filed	18		14	78 (+40%)	0	0
Total Closures	27 (+4)					
Settlements	9	33 (-24%)				
Withdrawals	3	11 (+6.7%)				
Total FADS	9	33 (-6.1%)				

Dismissals	2	7.4 (+3.1%)				
Merit Decisions	10	27 (+0.9%)				
Finding Discrimination	2	7.4 (+3.1%)				
Finding No Discrimination	11	41 (+19.3%)				

*FAD = Final Agency Decision

- 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/index.html>.
Note: Complaint processing data is based on the 462 report.

Part E – Counseling Process (continued)

ARS complies with the MD-715 (EEO Program) and MD-110 [EEO Complaints, No FEAR (Notification and Federal Employee Anti-discrimination and Retaliation) Act, and Form 462 Report requirements].

ARS has the sufficient staffing, funding, and authority to comply with the time frames in accordance with the regulations for processing EEO complaints of employment discrimination.

As part of the settlement agreement, the Office of General Counsel will provide training to the Northern Plain Area employees from April 26, 2011 to April 26, 2013.

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

- 1. Increase representation and improve retention of underrepresented groups**
ODEO and HRD will work together to determine the best method on how to recruit and retain employees in the underrepresented groups.
- 2. Determine why employees of underrepresented groups are separating at a higher rate than being hired**
ODEO and HRD are coordinating the implementation of an exit interview process to determine why employees are leaving the Agency.
- 3. 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.
- 4. 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. Establish a 1 percent hiring goal for employees with TDs.
2. ODEO and HRD will discuss more effective methods for outreach, hiring, promotion and retention.