

PS 3713.21 AFFIRMATIVE ACTION AND DIVERSITY MANAGEMENT PROGRAM



Program Statement

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NUMBER: 3713.21
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SUBJECT: Affirmative Action and
Diversity Management
Program

1. **PURPOSE AND SCOPE.** To implement requirements governing Equal Employment Opportunity in the Department of Justice and Federal Government for all employees as authorized by statute and regulations mandating equal employment opportunity, and to establish the Bureau's Affirmative Action and Diversity Management Programs. No person shall be subject to retaliation for opposing any practice prohibited by the above policy.

- # 28 CFR Part 42, Subpart A (DOJ)
- # 29 CFR Parts 1601, 1604, 1608, 1613 and 1614.

The Bureau's Affirmative Action and Diversity Management Program objective is to identify and recommend corrective measures related to, and in an effort to eliminate, barriers for achieving equal employment opportunity for member of minority groups, women, disabled veterans, and qualified individuals with disabilities. The Bureau commits to the goal of achieving a diverse workforce that works together in harmony at all organizational levels to effectively manage an inmate population.

The Bureau employs qualified and qualifiable personnel to carry out its duty to confine inmates in correctional institutions and community-based facilities that are safe, humane, secure, and that provide work and other opportunities for self-improvement to assist offenders in becoming law-abiding citizens.

The Attorney General, in accordance with 5 U.S.C. § 3307 et seq., has established the date immediately preceding one's 37th birthday as the maximum entry age for initial entry into a law enforcement position within the DOJ. All positions located in federal correctional facilities are subject to this law.

Within these limitations, the Bureau gives full consideration to the recruitment, hiring, placement, retention, training, and advancement, of women, members of minority groups, disabled veterans, and qualified individuals with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Union at the appropriate level shall be notified of all affirmative action plans, affirmative action policies, affirmative action strategic plans and changes, and offered the opportunity to bargain, to the extent these items are negotiable, prior to the implementation. This will be accomplished in accordance with the law and the Master Agreement.

2. SUMMARY OF CHANGES. The following are highlights of this revised Program Statement:

a. The Diversity Management Program has been incorporated into this Program Statement and outlines program responsibilities at each organizational level. The Program Statement also promotes the Diversity Management Program as a core part of sound management practices in effectively managing an inmate population. The training guidelines include instructions for Diversity Management Specialty Training.

b. The Program Statement has been revised to identify management's program responsibilities and accountability, to include the Director, Regional and Assistant Directors, Chief Executive Officers (CEOs), Human Resource Managers, managers, and supervisors.

c. The Special Emphasis Program Manager's (SEPM) duties, responsibilities and reporting requirements have been streamlined:

(1) The statistical data section has been removed from the quarterly SEPM report format.

(2) When absent from Committee meetings, the SEPM may have a representative verbally report on program activities in lieu of a written report.

(3) Include an option for informal quarterly constituency group contact, to inform them of program activities and address group concerns. The decision to have informal quarterly contacts, instead of formal meetings, should be based on local issues. (i.e., SEPMs with low representation in their constituency group may elect informal contact). Low representation should be determined by staff demographics.

The requirement for meeting minutes has been eliminated.

(4) The requirement for SEPMs to instruct the Affirmative Action portion of Institution Familiarization (IF) Training/New Employee Orientation on a rotational basis has been eliminated. The CEO may appoint any qualified staff member to present the Affirmative Action lesson plan.

d. CEOs have the option of combining the Asian/Pacific Islander and Native American Indian Programs.

e. The previous Program Statement requires SEPM and Recruiter vacancies to be filled within 60 days. This was changed to reflect that vacancies should be advertised within 30 calendar days and filled in a timely manner. In the event of a vacancy, the Committee will assume the position's responsibilities temporarily until the position is filled.

f. The time allowed to complete the Memorandum of Understanding (MOU) and collateral duty position description has been increased to 30 calendar days. The MOU is to contain the signatures of the CEO, the Committee member, and the Committee member's supervisor at the time of selection.

g. AAP Committee meeting minutes will no longer be routed to the Affirmative Action Programs Branch, Human Resource Management Division (HRMD), Central Office.

h. Additional instructions for developing and submitting Affirmative Action Plans have been added.

i. The requirements for establishing Affirmative Action Committees at Federal Correctional Complexes (FCC) have been revised to include the following:

(1) A request to consolidate Committees should indicate how the consolidation plan will be implemented.

(2) Each institution at an FCC is required to select a SEPM for each program area instead of one SEPM for the complex and advisors at each facility.

j. The CEO's formal statement of his or her commitment to Affirmative Action has been revised to include the Diversity Management Program.

k. Guidance and direction for new activation sites has been added.

l. Some National SEPM's duties have been devolved to the regional offices. Each Regional Affirmative Action Administrator will assume responsibility and accountability for each program area (e.g., Federal Women's Program, Black Affairs Program, Hispanic Employment Program, Selective Placement Program, Asian/Pacific Islander, and Native American Indian Program) in his or her region.

m. A representative from the Human Resource Management Division will provide statistical data on local employment trends (e.g., new hires, separation rates, projected vacancies, incentive awards, disciplinary actions, designations as acting, etc.) to the AAP Committee quarterly, during a Committee meeting.

3. **PROGRAM OBJECTIVES.** The expected results of this program are:

a. Equal employment, promotion, and training opportunities will be afforded to all Bureau employees.

b. Affirmative Action Committees in all Bureau facilities and implement initiatives to enhance employment opportunities for members of minority groups and women will be established, maintained, and used.

c. Bureau-wide Diversity Management Programs Bureau-wide as a core principle for sound personnel management of a diverse workforce to effectively manage the inmate population will be established.

4. **DIRECTIVES AFFECTED**

a. **Directive Rescinded**

PS 3713.19 Affirmative Action Program (11/4/96)

b. **Directives Referenced**

PS 2000.02 Accounting Management Manual (10/15/86)
PS 3000.02 Human Resource Management Manual (11/1/93)
PS 3451.03 Awards Program, Incentive Awards, Bureau of
Prisons (5/10/94)
PS 3906.16 Employee Development Manual (3/21/97)
PS 4200.09 Facilities Operations Manual (4/3/96)

Title VII of the Civil Rights Act of 1964, as amended
(42 U.S.C. § 2000 et seq.)

The Age Discrimination in Employment Act of 1976, as amended
(29 U.S.C. § 621 et seq.)

The Rehabilitation Act of 1973, as amended

(29 U.S.C. § 791 et seq.)
Civil Service Reform Act of 1978

Executive Order 11478, as amended
5 CFR Part 720
28 CFR Part 39
28 CFR Part 42, Subpart A
29 CFR Part 33
29 CFR Parts, 1601, 1604, 1613, and 1614

Master Agreement between Federal Bureau of Prisons and
Council of Prison Locals

5. STANDARDS REFERENCED

a. American Correctional Association 3rd Edition Standards for Adult Correctional Institution: 3-4053 and 3-4053-1

b. American Correctional Association 3rd Edition Standards for Adult Local Detention Facilities: 3-ALDF-1C-07 and 3-ALDF-1C-07-02

c. American Correctional Association 2nd Edition Standards for Administration of Correctional Agencies: 2-CO-1C-09, 2-CO-1C-09-1, and 2-CO-1C-12

d. American Correctional Association Standards for Adult Correctional Boot Camp Programs: 1-ABC-1C-04 and 1-ABC-1C-04-01

6. DIRECTOR'S RESPONSIBILITIES

a. The Director establishes policy in the areas of Affirmative Action and Diversity Management ensuring that the Bureau is an equal opportunity employer and communicating Bureau staff's responsibility to contribute to a work environment that:

- # is inclusive and fair,
- # embraces the uniqueness of others, and
- # values each employee.

b. The Director delegates to each Regional Director, Assistant Director, and CEO responsibility for implementing Affirmative Action and Diversity Management Programs throughout regional offices, training centers, institutions, federal correctional complexes (FCCs), and the Central Office.

7. REGIONAL DIRECTOR'S AND ASSISTANT DIRECTOR'S RESPONSIBILITIES.

Regional Directors and Assistant Directors are to delegate to their respective CEOs and Branch Chiefs, the responsibility to ensure that resources are provided to implement effective

Affirmative Action and Diversity Management Program initiatives to enhance the recruitment, hiring, retention, career development, and advancement opportunities of all staff.

Regional and divisional recruitment programs, both formal and informal, will include outreach initiatives that enhance employment opportunities for members of minority groups, women, disabled veterans, and individuals with disabilities.

a. Each Regional Director must select a Regional Affirmative Action Administrator to oversee the AAP for the region.

b. Each Assistant Director is to ensure the incorporation of Diversity Management principles in their policies, procedures, and training initiatives as a core principle of sound personnel management in the effective management of an inmate population (the same as sound sanitation and security principles).

8. CEO RESPONSIBILITIES

a. The CEO at each regional office, training center, institution, and the Central Office must ensure that sufficient resources are allocated to administer the Affirmative Action and Diversity Management Programs effectively. To support the Bureau's Affirmative Action and Diversity Management Program initiatives the CEO is to:

(1) Discuss with managers and supervisors the value of providing leadership and fostering a work environment that values a diverse work force. This includes the relationship of a diverse workforce that works together in the effective management of an inmate population.

(2) Discuss with managers and supervisors the need to establish an effective avenue to identify and address staff concerns (e.g., be accessible to staff), including issues specific to women, members of minority groups, disabled veterans, and people with disabilities.

(3) Ensure the principles of diversity are implemented by including women and members of minority groups on advisory boards and committees essential to the facility's operation (e.g., policy review committees, Training Committee, local workgroups, etc.). It is understood that if the topics discussed concern negotiable conditions of employment, the Union is the exclusive representative and is entitled to be present and represent the views of the bargaining unit.

b. Each CEO is to maintain an active AAP, including an AAP

Committee. At the Regional Director's discretion, and with the approval of the Assistant Director, HRM, an FCC may establish consolidated Affirmative Action and Diversity Management Programs (see Section 17).

c. Each CEO must select a local collateral duty Diversity Management Instructor. An FCC will have an instructor at each facility (instructors are optional at FCC federal camps).

d. Each CEO must appoint a collateral duty Chairperson of the AAP Committee. These duties will be assigned to a full-time employee, at a level no lower than Executive Assistant or Camp Administrator, except as otherwise approved by the Regional Director and the Assistant Director, HRM.

In addition to the Chairperson, the CEO selects the following AAP Committee members:

- # Affirmative Action Recruiter;
- # Asian/Pacific Islander Program Manager;
- # Native American Indian Program Manager*;
- # Black Affairs Program Manager;
- # Federal Women's Program Manager;
- # Hispanic Employment Program Manager;
- # Selective Placement Program Manager; and
- # other members appointed at the CEO's discretion.

* The CEO has the option of combining the Native American Indian and Asian/Pacific Islander Programs.

As Article 10 of the current Master Agreement states, the Union has the right to serve as a member of the Affirmative Action Committee. This includes the right to have their concerns voiced at the meeting, without charge, and forwarded to the Warden or Chief Executive Officer. This could include an in-person meeting, if requested by either party.

The Union President or his or her designee may, at his or her discretion, appoint a Union representative to serve as a member of the AAP Committee. At FCC's, the Union President or his or her designee, at his or her discretion, may appoint a Union representative from each facility to the AAP Committee. The duties of the Union representatives on the committee will be in accordance with Articles 10 and 22 of the Master Agreement.

Sites with fewer than 100 employees (e.g., regional offices, excluding regional staff employed at community correction centers), may combine SEPM responsibilities. Staff selected or appointed as SEPMs and Recruiters must have completed at least one year of service as Bureau employees.

e. At each site where an AAP Committee exists, the CEO must issue a formal statement of his or her commitment to both the Affirmative Action and Diversity Management Programs. The statement is to be posted where it is accessible to staff. This statement will:

(1) Confirm the responsibility of managerial and supervisory staff to recruit, hire, and promote qualified individuals in all job categories without regard to race, color, religion, sex, age, national origin, sexual orientation, or disability status.

(2) Confirm the commitment of managerial and supervisory staff to create a work environment where:

- # equitable training and career development opportunities are available for staff,
- # each employee is valued, and
- # each employee is expected to make a contribution to the achieving the Bureau's mission,
- # no employee is subject to retaliation as a result of their support for the affirmative action programs.

(3) Confirm the Bureau's commitment to the vision of achieving a diverse work force at all organizational levels, that works together in harmony to effectively manage an inmate population.

(4) Identify the Committee's role in managing the AAP and identify the day of the month in which AAP Committee meetings are to be held.

f. Each CEO is to establish an AAP bulletin board in a prominent place accessible to all staff (i.e., the front entrance, the employee lounge, etc).

9. HUMAN RESOURCE MANAGER'S RESPONSIBILITIES. The HRM Department is to keep the CEO and the AAP Committee abreast of local employment trends which may have an adverse impact on staff recruitment, hiring, advancement, and retention. An HRM representative is to discuss with the Committee, at least quarterly during scheduled Committee meetings, local employment statistics (e.g., new hires, separation rates, projected vacancies, incentive awards, promotions, disciplinary actions, designations as acting, etc.).

10. MANAGERIAL AND SUPERVISORY STAFF'S RESPONSIBILITIES. To foster the success of the Affirmative Action and Diversity Management Programs, managers and supervisors must:

- a. Ensure Committee members assigned to their department are allocated sufficient time to perform their collateral duty AAP responsibilities. Generally, this will constitute up to 20% of their duty time. However, prior to and during operational and Program Reviews, and special AAP events, this time may be adjusted to complete program responsibilities.
- b. Foster a work environment that provides equitable training and career development opportunities for all employees, at all grade levels, and in all occupations.
- c. Create a work environment that is inclusive, embraces the uniqueness of others, and where each employee is valued.
- d. Ensure an avenue is available to identify and address staff concerns (e.g., be accessible to staff) within their departments, including issues specific to women, members of minority groups, disabled veterans and people with disabilities.
- e. Inform staff of the expectation that employees under their supervision will promote fair and equitable treatment of all staff.
- f. Support Committee sponsored activities (i.e., making presentations, participating on planning committees, assisting with the coordination of programs and recruitment outreach initiatives, and regularly attending Committee meetings).
- g. Support Affirmative Action initiatives identified in the AAP Plan for Minorities and Women, Federal Equal Opportunity Recruitment Program (FEORP) Plan, Disabled Veterans Affirmative Action Program (DVAAP) Plan, and strategic plan initiatives pertaining to their departments (e.g., identify employment barriers (if applicable), recommend strategies to overcome barriers, identify recruitment outreach initiatives, participate in recruitment activities, etc.).

11. **AAP COMMITTEE CHAIRPERSON'S RESPONSIBILITIES.** The AAP Committee Chairperson is to report regularly to the CEO on all program activities, program accomplishments, staff concerns, and employment barriers and recommended strategies to overcome barriers.

a. **AAP Committee Leadership.** As head of the Committee, the Chairperson provides leadership and oversees the collateral-duties of each SEPM, Affirmative Action Recruiter, and other members assigned to the Committee. All Committee members are to support the facility's program by taking an active role in AAP activities including attending meetings and sponsoring educational programs. The Affirmative Action Chairperson must:

(1) Ensure that in the event of a SEPM or an Affirmative Action Recruiter vacancy, the Committee assumes the position's responsibilities temporarily. The vacant position is to be advertised within 30 calendar days of the occurrence, and timely efforts made to fill the position. A sample Memorandum of Understanding will be attached to the vacancy announcement to ensure that applicants are aware of the responsibilities that are attendant to the collateral duties. The vacancy announcement will clearly indicate that the collateral duties will be attached to the current position description of the selected employee and the employee will be evaluated on the performance of the collateral duties.

(2) Ensure that within 30 calendar days of selecting or appointing a SEPM or an Affirmative Action Recruiter, the CEO issues a Memorandum of Understanding (MOU). The MOU should contain the signatures of the CEO, the collateral duty employee, and his or her supervisor at the time of selection. The MOU should be filed in the collateral duty employee's Official Personnel File.

(3) Ensure that within 30 calendar days of the selection of a SEPM or an Affirmative Action Recruiter, an addendum description of collateral duty responsibilities is attached to his or her position description.

(4) Ensure that in addition to commemorative month activities, the Committee conducts continuing educational programs throughout the year. These programs should focus on building unified teams, as well as issues specific to women, members of minority groups, disabled veterans, and people with disabilities.

(5) Ensure each SEPM and Affirmative Action Recruiter has completed required training (see Section 22). Completed training should be documented and submitted to the Employee Development Manager for inclusion in the employee's official training record. Any written assessments on the collateral duty performance done prior to the required training, will take into consideration that training on collateral duties has not yet been conducted.

(6) Ensure local recruitment outreach programs implemented by the facility target areas to increase the availability of minorities and women in the applicant pool.

(7) The AAP Chairperson shall at least quarterly provide a written assessment of the employee's collateral duty performance and annually provide training recommendations to the supervisor of each SEPM and Affirmative Action Recruiter. This written assessment will be discussed with the employee prior to providing it to the supervisor. The Chairperson's written assessment

should be considered by the Committee member's supervisor for inclusion into the annual training needs assessment and performance evaluation.

b. **Meetings.** Schedule, convene, and conduct AAP meetings. Normally, these committees will meet monthly. Facilities with fewer than 100 employees (e.g., regional offices, excluding regional staff employed at community correction centers), may schedule meetings quarterly. The Chairperson must:

(1) Ensure Committee meetings are structured to allow each SEPM, Affirmative Action Recruiter, and Union representative to report on his or her program activities and to express concerns of all staff. In cases of absence from a meeting, the SEPM and/or Affirmative Action Recruiter may either provide a written report on activities in his or her program area to the Chairperson or have a representative provide an oral report at the meeting.

(2) Ensure that at least quarterly, personnel employment data (e.g., accessions, separations, etc.) and progress towards completing the initiatives identified in the AAP Plans, FEORP Plan, and strategic plan (e.g., accomplishments made to eliminate employment barriers and enhance staff retention, effectiveness of recruitment outreach efforts, etc.) are discussed.

(3) Ensure Committee meeting minutes document attendance, progress towards completing local initiatives, employment data (at least quarterly), reported program activities, etc.

(4) Ensure meeting minutes are distributed to the CEO, each Committee member, each department head, the Union, and the Regional Affirmative Action Administrator. Minutes should be routed via electronic mail and posted where they are accessible to all staff for review.

A copy of meeting minutes should be maintained in the AAP master file and available for HRM Examiners to review during program reviews and Regional Affirmative Action Administrators during staff assistance visits. Upon request, department head attendance at meetings should be made available to supervisors for evaluating the department head's involvement in Affirmative Action activities, during annual performance evaluations.

EEO Counselors are under the supervision of the EEO Officer, Office of General Counsel, Central Office. EEO Counselors may attend open meetings of the AAP Committee and participate as a non-voting member; however, they are not required to attend.

c. **AAP Budget.** Each Committee member is to have input in the development of the local AAP budget. By June 1, the Committee must submit an estimated budget for the upcoming fiscal year based on the assessment of future issues that may impact the program (mission changes, additional positions, etc.); previous year's expenditures for educational programs, recruitment activities, heritage month celebrations and general supplies; and new initiatives the Committee proposes.

If necessary, the budget is to be adjusted when the final allocations are distributed at the beginning of the fiscal year.

The Committee's budget is to be managed in Cost Center 372 (training centers and institutions), 472 (Central Office), and 572 (regional offices). The cost center manager must maintain a file of all AAP expenditures, including Financial Management Information System (FMIS) data.

The Regional Office's local Committee budget may be combined in Cost Center 272, if managed by the Regional Affirmative Action Administrator. However, FMIS data and other financial documentation pertaining to the regional AAP and the local Committee activities are to be maintained separately (i.e., local recruitment activities, region's recruitment program, region's AAP expenditures, local Committee expenditures, etc.).

d. **AAP Bulletin Board.** The Chairperson must ensure required items are posted on the bulletin board. Posted information must include: the CEO's "Statement of Commitment," and an individual photograph of each Committee member along with his or her name, collateral duty title, and office telephone number. This includes all facilities as well as community corrections offices. For contract facilities where there are a limited number of contract oversight staff, the above contact information will be provided to staff in writing.

e. **Strategic Plan Process.** The AAP Committee oversees the development of the facility's Affirmation Action Strategic Plan. The local strategic plan must support the agency's Affirmative Action and Recruitment Strategic Plan objectives as well as, initiatives identified in the local AAP and FEORP Plans.

In addition to supporting the Bureau's objectives, the local strategic plan should include action plans and steps which:

- # address retention and/or employment barriers identified in the AAP Plans (if applicable);
- # list internal and external recruitment initiatives identified in the FEORP Plan; and
- # identify commemorative month and continuing education/awareness activities for the fiscal year.

Progress reports are to be provided to the local Strategic Plan Coordinator for incorporation into the regional office strategic plan updates. Local Recruitment After-Action Reports should be used to report on the local level's progress in meeting the agency's Recruitment Strategic Plan objective.

13. **SEPM RESPONSIBILITIES.** SEPMS (Asian/Pacific Islander, Native American Indian, Black Affairs, Federal Women's, Hispanic Employment, and Selective Placement Program Managers) must be actively involved in AAP initiatives, including attending meetings. Employees who hold SEPM collateral duties are required to attend only those meetings that occur during their duty time and are not required to attend meetings on their own time. In cases of absence from a meeting, the SEPM and/or Affirmative Action Recruiter may either provide a written report on activities in his or her program area to the Chairperson or have a representative provide and oral report at the meeting. SEPMS must:

a. Maintain quarterly contact with constituency group members to share program information, and identify group concerns or issues. This quarterly contact will be on duty time. Consideration should be given to the constituency group's size when determining whether contact will be made formally or informally (i.e., SEPMS with low representation in their constituency group may elect informal contact). Low representation should be determined by staff demographics.

SEPMS are not required to maintain meeting minutes of formal contact with constituents; however, informal documentation (e.g., flyers, e-mails, etc.) of contact should be maintained on file for review during Program Reviews and staff assistance visits.

b. Coordinate program planning meetings for AAP Committee programs/activities to solicit recommendations and assistance from staff, as needed.

c. Keep management abreast of constituency group concerns and issues.

d. With the Committee's assistance, sponsor commemorative month and continuing educational programs throughout the year.

e. Participate in developing the FEORP and AAP Plans by:

- # identifying barriers to employment that have an adverse impact on their constituency group,
- # recommending strategies to overcome barriers, and
- # recommending targeted recruitment outreach initiatives.

f. Support Affirmative Action recruitment activities which may include:

- # attending job and career fairs;
- # assisting with mass mailings; and
- # providing job information and making presentations to community organizations; etc.

g. Establish and maintain contact with local community organizations and resources representing special emphasis groups to help complete Affirmative Action initiatives (i.e., guest speakers, eliminate employment barriers, recruit a diverse applicant pool, enhance staff retention, solve community-based issues, etc.). These contacts will be established and maintained on duty time.

h. Submit timely SEPM Quarterly Reports (See Section 15.a.).

i. With the approval of the immediate supervisor, duty time will be granted for all SEPM responsibilities as outlined within this section.

14. AFFIRMATIVE ACTION RECRUITER'S RESPONSIBILITIES. The primary role of the Affirmative Action Recruiter is to assist the HRM Department with the local recruitment program by identifying and implementing outreach efforts designed to enhance employment opportunities for members of minority groups, people with disabilities, disabled veterans, and women. The Affirmative Action Recruiter is encouraged to maintain contact with the Institution Volunteer Coordinator (IVC) and provide guidance on possible recruitment sites that may enhance the diversity of the volunteer applicant pool. The Recruiters must:

a. Take an active role in all AAP activities including assisting with AAP Committee functions and attending Committee meetings.

b. With the assistance of AAP Committee and department heads (targeted in the AAP Plans), identify recruitment outreach initiatives for inclusion in the local FEORP Plan.

c. Provide input into the development of the local Affirmative Action Strategic Plan that supports the agency's Recruitment Strategic Plan objective and the local FEORP Plan.

d. Monitor implementation of the FEORP Plan, Recruitment Strategic Plan objective, and supporting initiatives (e.g., assess recruitment efforts, recommend changes to the plans (as needed), and develop new recruitment initiatives, etc.).

e. Report on all local recruitment efforts using the Local Recruitment After Action Report (see Section 15.b.).

15. SEPM QUARTERLY REPORTS AND LOCAL RECRUITMENT AFTER ACTION REPORTS

a. **SEPM Quarterly Reports.** SEPMs must submit quarterly activity reports, which will be prepared on duty time to their respective Regional Affirmative Action Administrators by the 10th of the month following the end of each quarter (i.e., January 10, April 10, July 10, and October 10). Reports should include the following information pertaining to their respective program area:

(1) Staff issues and/or concerns, with suggested corrective actions (if applicable).

(2) An overview of educational programs that enhanced the career development and advancement opportunities for staff, and increased staff retention (if applicable).

(3) Type of informal contacts made in support of Affirmative Action recruitment efforts (i.e., follow-ups with applicants, individual contacts made at social functions, community activities, club meetings, etc.) and other employment activities the SEPM sponsored that focused on targeted groups, which were not reported on a Local Recruitment After Action Report.

(4) Community networking activities that enhanced staff retention, race relations, relations with minority/women organizations and groups, and the recruitment program.

(5) Progress made towards meeting the initiatives identified in the AAP Plans for Minorities and Women and Disabled Veterans (for specific constituent group), to include the elimination of employment barriers identified in the plans.

Quarterly reports the Selective Placement Program Manager submits should include the type of reasonable accommodation requests received and the number denied, approved, and/or pending approval. Reports should include a brief overview of issues surrounding denied and pending requests.

b. **Local Recruitment After-Action Report.** A Local Recruitment After-Action Report should be completed on duty time for all external recruitment efforts the facility initiated. Recruiters will submit to their respective Regional Affirmative Action Administrators a Local Recruitment After-Action Report on each recruitment activity within 10 working days after the event's completion.

Each report must include:

- # type of recruitment activity;
- # date of the event;
- # location;
- # target group(s);
- # target position(s); and
- # funding information;

It should include information concerning whether the activity supports a strategic plan and/or Affirmative Action initiative (AAP Plan for Minorities and Women, DVAAP Plan, and/or FEORP Plan); and if the activity supported Historically Black Colleges and Universities (HBCUs), Hispanic Serving Institutions (HSIs) or Tribally Controlled Colleges and Universities (TCCUs).

16. DEVELOPMENT AND SUBMISSION OF AFFIRMATIVE ACTION PLANS. The Chairperson is to oversee the development and timely submission of all AAP Plans and Accomplishment Reports to the CEO. CEOs are to sign the report cover sheet certifying their review and concurrence. Plans that have been signed by the CEO are forwarded to the Chief, Affirmative Action Programs Branch, HRM, Central Office, for final approval. After the Institution's CEO receives a copy of the approved AAP, FEORP, DVAAP plans from the Chief, Affirmative Action Programs Branch, a copy will be provided to the local union. In addition, if requested a copy will be provided to any Council of Prison Locals Executive Member.

a. The Chairperson must ensure that all plans support established Affirmative Action and Recruitment Strategic Plan initiatives and are completed in compliance with policy and instructions provided by the Chief, Affirmative Action Programs Branch, HRM, Central Office. The Chairperson is to ensure the plans are implemented and corrective measures are taken to address employment barriers identified in the plans.

b. Each Committee member is to contribute to the development of the plans by identifying barriers to employment that impact on their constituency group/staff, recommending strategies to overcome barriers, and recommending targeted recruitment outreach initiatives.

When departments have been targeted in the FEORP and AAP Plans, the Chairperson must ensure that department managers have an opportunity to provide input into the plans (e.g., identify employment barriers (if applicable), recommend strategies to overcome barriers, identify recruitment outreach initiatives, etc.).

c. Disabled Veteran's Affirmative Action Program (DVAAP) Plan and Accomplishment Report. The annual DVAAP Plan and the Accomplishment Report for the previous year should be submitted for approval to the Chief, Affirmative Action Programs Branch, HRM, Central Office, by October 10 of each fiscal year.

The DVAAP Plan should include:

- # the facility's policy with regard to the employment and advancement of disabled veterans, especially those who are 30% or more disabled;
- # identify officials with program responsibility;
- # include an assessment of the current status of disabled veterans in the work force;
- # describe methods to recruit disabled veterans, including special steps to recruit veterans who are 30% or more disabled;
- # describe how the facility will improve internal advancement opportunities;
- # state how initiatives will be communicated to staff; and
- # describe how the plan will be monitored.

The accomplishment report should reflect the progress made in completing initiatives (methods used to recruit applicants, improve internal advancement, communicate program objectives to staff, and monitor plans) identified in the previous year's DVAAP and AAP Plans, including a work force comparison.

d. Affirmative Action Plan for Minorities and Women and Accomplishment Report. The AAP Plan for Minorities and Women and Accomplishment Report for the previous year must be submitted for approval to the Chief, Affirmative Action Programs Branch, HRM, Central Office, by November 1 of each fiscal year. The AAP Plan is to include:

(1) An analysis of the overall work force (total number of staff assigned) in comparison to relevant civilian labor force statistical data (National Civilian Labor Force statistical data should be used if higher than Metropolitan/Regional Civilian Labor Force statistical data).

(2) An analysis of staff distribution by department, grade, and series, which includes a separate assessment for each racial/national origin group and women.

(3) Identification of barriers to the employment, advancement, and retention of minorities and women.

(4) Development of initiatives to eliminate identified barriers.

(5) Monitoring procedures.

(6) Supporting statistical data (statistical data must be compiled as of September 30).

The accomplishments report should include progress made in completing both internal and external initiatives targeted in the previous year's FEORP and AAP Plans, including noteworthy achievements.

e. Federal Equal Opportunity Recruitment Program (FEORP) Plan.
The FEORP Plan should be submitted with the AAP Plan for Minorities and Women by November 1 of each fiscal year, to the Chief, Affirmative Action Programs Branch, HRM, Central Office, for approval.

Local recruitment strategies should enhance employment opportunities for underrepresented groups and positions identified in the AAP Plan for Minorities and Women. The FEORP should contain internal and external recruitment strategies which support the initiatives identified in the local AAP Plan. If recruitment sources are available in the local area that could assist the agency in filling hard-to-fill positions identified in the agency's strategic plan, the Committee should also include those sources in their local AAP Plans.

f. Consolidated AAP Plans at Federal Correctional Complexes.
At FCCs where the AAP functions have been consolidated, the Committee must develop consolidated FEORP, AAP Plans (DVAAP Plan and AAP Plan for Minorities and Women) and accomplishment reports for the complex.

(1) The AAP Plans will include separate statistical data and a separate work force analysis for each FCC facility. Other components of the plans are to be combined (i.e., AAP Plan for Minorities and Women would include a combined analysis of barriers, strategies to overcome barriers, and monitoring procedures).

(2) At FCCs where the statistical data is combined in the National Finance Center data base, all required AAP Plan components are to be combined (i.e., combined statistical data, work force analysis, barrier analysis, strategies to overcome barriers, and monitoring procedures).

(3) Each Warden at an FCC is to sign the cover sheet certifying his or her review and concurrence.

17. AFFIRMATIVE ACTION PROGRAMS AT FEDERAL CORRECTIONAL COMPLEXES. Each Warden at FCCs must ensure that Affirmative Action responsibilities contained in this Program Statement are

implemented within his or her institution. Wardens at FCCs have the option of consolidating their AAP Committees. At FCCs where Committees are not consolidated, but share services, Program Review staff are to conduct separate program reviews at each institution and individual ratings are to be assigned.

a. **Shared Services.** FCCs with separate Committees are encouraged to share services. Shared services may be conducted without prior approval of the Assistant Director, HRM, Central Office. Shared services may include:

- # recruitment activities,
- # educational programs,
- # speakers, and
- # community outreach initiatives.

b. **Consolidated Committees.** At the Regional Director's discretion, and upon approval of the Assistant Director, HRM, Central Office, institutions within an FCC may consolidate their AAP Committees. A request for consolidation should indicate how the consolidation plan will be implemented. FCCs where Affirmative Action functions are consolidated may be subject to the oversight of the Equal Employment Opportunity Commission.

In addition to performing the responsibilities outlined in Sections 11-15, the following baseline requirements also apply to consolidated Committees.

(1) The Chairperson's duties may be assigned to the Administrative Warden's Executive Staff, if applicable, or rotated annually throughout the complex's Executive Staff.

(2) A SEPM representing each special emphasis group is to be selected at each facility. SEPMs representing each program area and Recruiters are responsible for carrying out all responsibilities for their program area collectively.

Because this is a collective responsibility, care must be exercised in evaluating individual performance of collateral duties in order to ensure that individual SEPMs and Recruiters are fairly and individually evaluated. These collaborative duties include:

- # developing combined strategic objectives and action steps for their program area;
- # submitting one SEPM quarterly activity report for each program area;
- # submitting one Local Recruitment After Action Report for each combined recruitment activity;
- # identifying barriers to the employment, retention, and advancement of staff at the complex, and developing strategies to eliminate barriers; and,

developing and conducting commemorative month activities.

(3) The Chairperson must report regularly to the CEOs within the complex on AAP activities, barriers, and strategies implemented to overcome employment and advancement barriers (if applicable), staff concerns, and program accomplishments.

(4) Affirmative Action budget allocations are to be combined into one cost center. The Chairperson is to manage the consolidated budget in Cost Center 372 for the entire complex.

(5) Each Warden at the FCC must keep the "spirit" of the program alive in his or her institution. Wardens may sponsor continuing education/awareness programs covering topics specific to their institution during staff recalls, department head meetings, lunch and learns, etc.

(6) CEOs may combine efforts to develop a "Statement of Commitment" to the Affirmative Action and Diversity Management Programs covering the complex, signed by each Warden, and posted at each institution.

(7) Each institution within the complex is to establish and maintain an Affirmative Action bulletin board.

(8) AAP Committee meetings are to be held at a central site which is accessible to all staff (e.g., staff training center) or hosted quarterly, on a rotating basis, at each institution.

18. AFFIRMATIVE ACTION PROGRAMS AT NEW INSTITUTIONS. The site activation committee should ensure that Affirmative Action and Diversity Management community outreach and recruitment initiatives are included in the activation planning process. The regional office and local institution's activation plan should include a diverse community outreach program to increase the diversity of the applicant pool. Community outreach initiatives should include:

- # contacting local minority and women's community organizations and publications;
- # expanding the area of contact when necessary;
- # implementing outreach efforts to increase the local community's understanding of valuing a diverse community (if applicable); and
- # making contact with trade unions, colleges and universities, and trade/vocational schools with a high minority and/or female complement.

The Warden at a new institution is to ensure that an AAP Committee is established at least three months prior to activation (the activation date is the date the official dedication ceremony is held). Upon the Committee's formation, the Chairperson is to ensure that annual plans (DVAAP Plan, AAP Plan for Minorities and Women, and FEORP Plan) are developed and submitted for approval to the Chief, Affirmative Action Programs Branch, HRM, Central Office, at the beginning of the fiscal year immediately following the institution's activation.

In the event a Union representative has not be appointed prior to establishment of the AAC, the Warden will contact the CPL Regional Vice President and ask that Union representatives be appointed to the AAP Committee, until such time as a local Union is established. All meetings of the AAP Committee will be held to ensure that the appointed Union representatives have the opportunity to attend, with as much advance notice to the Union representatives of the meeting as possible, to allow arrangements to be made for the union representatives to attend.

19. REGIONAL AFFIRMATIVE ACTION ADMINISTRATOR RESPONSIBILITIES.

The Regional Affirmative Action Administrator is to provide technical assistance to the AAP Committees at the regional office and institutions, and assists them to understand the objectives of the Bureau's Affirmative Action and Diversity Management Programs. The Regional Affirmative Action Administrator is to monitor and evaluate the Affirmative Action and Recruitment Programs for the regional office and the institutions within the region. In support of the region's AAP the Administrator must:

a. Monitor and analyze institution reports and Committee meeting minutes to evaluate the effectiveness of AAPs within his or her respective region.

b. Review quarterly reports submitted by SEPMS for content, to identify program strengths and weaknesses, employment barriers and accomplishments for each program area, and regional trends.

c. Assess quarterly (using SEPM Quarterly Reports) each special emphasis program area in the region to monitor type and purpose of activities, staff issues, recommendation and suggestions, etc; and forward pertinent information to the Chief, Affirmative Action Programs Branch, HRM, by the 30th of the month following the end of the quarter. This information should be reported using the quarterly reporting procedures outlined for the SEPMS.

d. Bi-annually, unless otherwise required by the Regional Director, analyze work force data, institution reports, and Committee meeting minutes; and advise the Regional Director, in writing, of regional AAP accomplishments.

The bi-annual report should include:

- # accomplishments that support institution, region, and/or agency's strategic plan, AAP Plans and FEORP initiatives;
- # an overview of regional employment trends (e.g., promotions, accessions, and staff separations);
- # identification of regional barriers to employment, advancement, and retention of staff, and actions taken to eliminate barriers and strengthen controls;
- # a brief overview of program accomplishments for each special emphasis area;
- # identification of staff concerns and recommendations for addressing concerns; and
- # a summary of the regional recruitment program's activities and initiatives.

A copy of the report is to be submitted to the Chief, Affirmative Action Programs Branch, HRM, Central Office, for review.

e. Establish and maintain contact with national organizations representing each special emphasis group to keep abreast of program changes, issues, and innovative initiatives.

f. Conduct staff assistance visits, as needed, to institutions within the region to provide training and technical assistance.

g. Maintain at least quarterly contact (e.g., teleconferences, electronic messages, etc.) with institution and regional AAP Committee members to provide advice and assistance. Keep AAP Committee Chairpersons within the region informed of Affirmative Action policy, program changes, and new initiatives.

h. Prior to June 1, develop and submit fiscal year budget requests to the Regional Director for review and approval. As part of the budget planning process, consideration should be given to regional AAP Plans, FEORP Plan, and strategic plan initiatives outlined for the current fiscal year, funding projections for proposed initiatives for next fiscal year to include:

- # staff assistance visits,
- # training needs of AAP Committees within the region, and
- # recruitment program initiatives (i.e., printing costs, activation site visits, etc.).

i. Manage the Regional Affirmative Action and recruitment budget in Cost Center 272, maintaining a separate file for recruitment and AAP expenditures (e.g., Financial Management Information System (FMIS) data, etc.). Regional Office

Affirmative Action budgets may be combined in Cost Center 272, if the Regional Affirmative Action Administrator manages the AAP Committee.

However, FMIS data and other financial documentation should be separated (i.e., recruitment, regional AAP, local AAP Committee expenditures, etc.).

j. Administer, monitor, and report on the regional recruitment program. Monitor recruitment efforts within the region to:

- # eliminate duplication of efforts,
- # ensure activities support the Bureau's and regional Recruitment Strategic Plan objectives,
- # focus on targeted groups and positions, and
- # respond to requests for assistance from other regions when necessary to meet hiring needs.

k. Assist in organizing national training institutes/meetings for SEPMS.

20. **AFFIRMATIVE ACTION PROGRAMS BRANCH.** Under the direction of the Assistant Director, HRM, the Affirmative Action Programs Branch administers and reports on the agency's Affirmative Action, Diversity Management, and Recruitment Programs. As such, the Branch must:

a. **Direct, monitor and evaluate the agency's programs by:**

(1) Ensuring that adequate resources are available to administer the Bureau's Affirmative Action, Diversity Management, and Recruitment Programs.

(2) Developing and implementing policies governing the Affirmative Action, Diversity Management, and Recruitment Programs.

(3) Analyzing work force data (promotions, accessions, and separations) semi-annually (October 30 and April 30), to keep abreast of accomplishments and employment trends that may impact staff employment, advancement, and retention.

(4) Monitoring and evaluating the Bureau's Affirmative Action, Diversity Management, and Recruitment Programs to keep abreast of program strengths and weaknesses, and make recommendations for corrective action(s), as needed.

(5) Ensuring that Affirmative Action and Diversity Management staff (institution, regional office, and Central Office) are properly trained to perform their duties.

(6) Reviewing semi-annual reports submitted by the Regional Affirmative Action Administrators to monitor national accomplishments, employment barriers, staff concerns and issues, recruitment initiatives/barriers, and regional/institution accomplishments which exceed expectations and demonstrate initiative and exceptional efforts.

(7) Reviewing and approving plans (AAP Plan for Minorities and Women, DVAAP Plan, and FEORP Plan) submitted by the Central Office, regional offices, institutions, and training centers.

b. Provide advice and direction by:

(1) Advising management on the employment status of women, individuals with disabilities, disabled veterans, and minority group members.

(2) Providing advice and direction, at least quarterly, to Regional Affirmative Action Administrators, AAP Committee Chairpersons and SEPMS at the Central Office, regional offices, institutions, and training centers.

(3) Conducting staff assistance visits at the regional office, as needed, to provide assistance to Regional Affirmative Action Administrators.

(4) Coordinating national training meeting/institutes for SEPMS, when needed.

c. Coordinate agency's reporting functions by:

(1) Developing and submitting the agency's FEORP and the AAP Plan and Accomplishment Reports for Minorities and Women, Disabled Veterans, and Persons with Disabilities for inclusion into the Department of Justice plans and ensure strategies identified in the plans are implemented.

(2) Developing the Bureau's strategic plan objectives for Affirmative Action, Diversity Management, and Recruitment Programs; implement strategies; and report on the agency's progress (accomplishments, concerns, and program weaknesses) through quarterly strategic plan progress reports.

(3) Overseeing the development of Affirmative Action, Diversity Management, and Recruitment Program Review Guidelines.

21. **DIVERSITY MANAGEMENT PROGRAM.** Under the direction of the Chief, Affirmative Action Programs Branch, the Diversity Management Program is to be implemented by the Diversity Management Administrator. In addition, each facility (including regional offices, the Central Office, and training centers) must have a local Diversity Management Instructor.

The two primary objectives of the Diversity Management Program are to:

- # Maintain a diverse work force that works together in harmony and is able to communicate with, and effectively manage an inmate population.
- # Through training initiatives, provide staff a greater understanding of the value of a diverse work force.

a. **Diversity Management Administrator.** The Diversity Management Administrator is to oversee the Bureau-wide Diversity Management Program. The Diversity Management Administrator is to:

- (1) Direct, monitor, and evaluate the agency's Diversity Management Program.
- (2) Coordinate diversity management reporting functions.
- (3) Provide advice and direction on diversity issues to local Diversity Management Instructors.
- (4) Keep the Chief, Affirmative Action Program Branch abreast of concerns or issues affecting the program.
- (5) Provide training and guidance to the institutions.
- (6) Assist in developing a diversity curricula for Institution Familiarization Training, Annual Refresher Training, and other specific training needs.
- (7) Provide and/or conduct training for Central Office staff, and at National and regional training meetings.
- (8) Monitor the training needs of the local instructors.
- (9) Assist in the development of the Bureau's strategic plan objectives for the Diversity Management Program; and, report on the agency's progress (accomplishments, concerns, and program weaknesses) through quarterly strategic plan progress reports.
- (10) Oversee the development of the Diversity Management Program Review Guidelines.

b. **Institution Diversity Management Instructors.** Local Diversity Management Instructors are Bureau trained to instruct Diversity Management Training. Each facility (including the Central Office, training centers, and regional offices) will have a Diversity Management Instructor who is to conduct the Diversity Management sessions during Annual Refresher Training, Institution Familiarization Training and New Employee Orientation, and locally developed training initiatives. Based upon their training and background, diversity management instructors may also teach other courses at the discretion of the CEO.

22. TRAINING REQUIREMENTS

a. **Chairperson and SEPMS.** Within six months of assignment as a permanent member of the AAP Committee, the Chairperson and each SEPM must complete at least 16 hours of training in the performance of his or her duties, as outlined in this Program Statement, including recruitment training. At the Chairperson's discretion, all Committee members are to receive additional training to enhance the performance of their duties (e.g., public speaking, time management, etc.). Training received during National SEPM Training Institutes/Meetings satisfies initial training requirements (if held within six months of selection for the position).

b. **Affirmative Action Recruiters.** Within six months after selection, each Affirmative Action Recruiter must receive a combined total of 16 hours of on-the-job-training and formal training in recruitment and employment procedures (e.g. staffing procedures, application process, handling difficult recruitment situations, availability of recruitment materials, position qualifications, etc.).

c. **Institution Diversity Instructors.** Each institution Diversity Management Instructor is to receive 16 hours of classroom training and appropriate reading assignments prior to being used as a local instructor. All reading assignments are to be completed on duty time.

d. **New Employees.** During Institution Familiarization Training and New Employee Orientation, new employees must receive an overview of the Diversity Management and AAP objectives. A trained Diversity Management Instructor must conduct diversity training. As the CEO's designee, the Affirmative Action Chairperson, or his/her designee will present the AAP lesson plan.

23. **PROGRAM ACCOUNTABILITY.** Each CEO, AAP Committee member, and all managers and supervisors are to be accountable for the responsibilities identified in this Program Statement.

/s/

Kathleen Hawk Sawyer
Director