



United States
Department of
Agriculture

National Institute
of Food
and Agriculture

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A decorative graphic at the top right of the page, consisting of overlapping, semi-transparent shapes in shades of yellow, orange, and red, resembling a sunset or a field of grain. The letters "NIFA" are overlaid on this graphic in a white, sans-serif font.

NIFA

Section G

EEOC FORM 715-01 PART G		U.S. Equal Employment Opportunity Commission FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT				
Essential Element A: DEMONSTRATED COMMITMENT FROM AGENCY LEADERSHIP Requires the agency head to issue written policy statements ensuring a workplace free of discriminatory harassment and a commitment to equal employment opportunity.						
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Compliance Indicator		EEO policy statements are up-to-date.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures			Yes	No	N/A	
The Agency Head was installed on <u>May 23, 2011</u> . The EEO policy statement was issued on <u>9-22-17</u> . Was the EEO policy statement issued within 6-9 of the installation of the Agency Head?			X			The EEO Policy is issued annually by the Agency Director
During the current Agency Head's tenure, has the EEO policy Statement been re-issued annually? If no, provide an explanation.			X			
Are new employees provided a copy of the EEO policy statement during orientation?			X			
When an employee is promoted into the supervisory ranks, is s/he provided a copy of the EEO policy statement?			X			
Compliance Indicator		EEO policy statements have been communicated to all employees.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures			Yes	No	N/A	
Have the heads of subordinate reporting components communicated support of all agency EEO policies through the ranks?					X	
Has the agency made written materials available to all employees and applicants, informing them of the variety of EEO programs and administrative and judicial remedial procedures available to them?			X			
Has the agency prominently posted such written materials in all personnel offices, EEO offices, and on the agency's internal website? [see 29 CFR §1614.102(b)(5)]			X			

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Compliance Indicator	Agency EEO policy is vigorously enforced by agency management.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Are managers and supervisors evaluated on their commitment to agency EEO policies and principles, including their efforts to:		X			
resolve problems/disagreements and other conflicts in their respective work environments as they arise?		X			
address concerns, whether perceived or real, raised by employees and following-up with appropriate action to correct or eliminate tension in the workplace?		X			
support the agency's EEO program through allocation of mission personnel to participate in community out-reach and recruitment programs with private employers, public schools and universities?		X			
ensure full cooperation of employees under his/her supervision with EEO office officials such as EEO Counselors, EEO Investigators, etc.?		X			
ensure a workplace that is free from all forms of discrimination, harassment and retaliation?		X			
ensure that subordinate supervisors have effective managerial, communication and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications ?		X			
ensure the provision of requested religious accommodations when such accommodations do not cause an undue hardship?		X			
ensure the provision of requested disability accommodations to qualified individuals with disabilities when such accommodations do not cause an undue hardship?		X			
Have all employees been informed about what behaviors are inappropriate in the workplace and that this behavior may result in disciplinary actions? Describe what means were utilized by the agency to so inform its workforce about the penalties for unacceptable behavior.		X			This information was communicated to the Agency's workforce through written policies and procedures.
Have the procedures for reasonable accommodation for individuals with disabilities been made readily available/accessible to all employees by disseminating such procedures during orientation of new employees and by making such procedures available on the World Wide Web or Internet?		X			
Have managers and supervisor been trained on their responsibilities under the procedures for reasonable accommodation?		X			

Essential Element B: INTEGRATION OF EEO INTO THE AGENCY'S STRATEGIC MISSION Requires that the agency's EEO programs be organized and structured to maintain a workplace that is free from discrimination in any of the agency's policies, procedures or practices and supports the agency's strategic mission.						
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Compliance Indicator	The reporting structure for the EEO Program provides the Principal EEO Official with appropriate authority and resources to effectively carry out a successful EEO Program.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report	
Measures		Yes	No	N/A		
Is the EEO Director under the direct supervision of the agency head? [see 29 CFR §1614.102(b)(4)] For subordinate level reporting components, is the EEO Director/Officer under the immediate supervision of the lower level component's head official? (For example, does the Regional EEO Officer report to the Regional Administrator?)		X			The EEO Director Reports directly to the Agency Head. NIFA does not operate subordinate level reporting components, as it does not operate field/district. or regional offices around the United States.	
Are the duties and responsibilities of EEO officials clearly defined?		X				
Do the EEO officials have the knowledge, skills, and abilities to carry out the duties and responsibilities of their positions?		X				
If the agency has 2nd level reporting components, are there organizational charts that clearly define the reporting structure for EEO programs?				X	NIFA does not operated subordinate level reporting components, as it does not operate field/district. or regional offices around the United States.	
If the agency has 2nd level reporting components, does the agency-wide EEO Director have authority for the EEO programs within the subordinate reporting				X		
If not, please describe how EEO program authority is delegated to subordinate reporting components.				X		
Compliance Indicator	The EEO Director and other EEO professional staff responsible for EEO programs have regular and effective means of informing the agency head and senior management officials of the status of EEO programs and are involved in, and consulted on, management/personnel actions.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report	
Measures		Yes	No	N/A		
Does the EEO Director/Officer have a regular and effective means of informing the agency head and other top management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program?		X				

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Following the submission of the immediately preceding FORM 715-01, did the EEO Director/Officer present to the head of the agency and other senior officials the "State of the Agency" briefing covering all components of the EEO report, including an assessment of the performance of the agency in each of the six elements of the Model EEO Program and a report on the progress of the agency in completing its barrier analysis including any barriers it identified and/or eliminated or reduced the impact of?		X		
Are EEO program officials present during agency deliberations prior to decisions regarding recruitment strategies, vacancy projections, succession planning, selections		X		

Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions such as reorganizations and re-alignments?		X			
Are management/personnel policies, procedures and practices examined at regular intervals to assess whether there are hidden impediments to the realization of equality of opportunity for any group(s) of employees or applicants? [see 29 C.F.R. § 1614.102(b)(3)]		X			
Is the EEO Director included in the agency's strategic planning, especially the agency's human capital plan, regarding succession planning, training, etc., to ensure		X			
Compliance Indicator	The agency has committed sufficient human resources and budget allocations to its EEO programs to ensure successful operation.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Does the EEO Director have the authority and funding to ensure implementation of agency EEO action plans to improve EEO program efficiency and/or eliminate identified barriers to the realization of equality of opportunity?		X			
Are sufficient personnel resources allocated to the EEO Program to ensure that agency self-assessments and self-analyses prescribed by EEO MD-715 are conducted annually and to maintain an effective complaint processing system?		X			
Are statutory/regulatory EEO related Special Emphasis Programs sufficiently		X			
Federal Women's Program - 5 U.S.C. 7201; 38 U.S.C. 4214; Title 5 CFR, Subpart B, 720.204		X			
Hispanic Employment Program - Title 5 CFR, Subpart B, 720.204		X			
People With Disabilities Program Manager; Selective Placement Program for Individuals With Disabilities - Section 501 of the Rehabilitation Act; Title 5 U.S.C. Subpart B, Chapter 31, Subchapter I-3102; 5 CFR 213.3102(t) and (u); 5 CFR 315.709		X			
Are other agency special emphasis programs monitored by the EEO Office for coordination and compliance with EEO guidelines and principles, such as FEORP - 5 CFR 720; Veterans Employment Programs; and Black/African American; American Indian/Alaska Native, Asian American/Pacific Islander programs?		X			
Compliance Indicator		Measure has been met			

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Measures	The agency has committed sufficient budget to support the success of its EEO Programs.	Yes	No	N/A	For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report

Are there sufficient resources to enable the agency to conduct a thorough barrier analysis of its workforce, including the provision of adequate data collection and tracking systems	X			
Is there sufficient budget allocated to all employees to utilize, when desired, all EEO programs, including the complaint processing program and ADR, and to make a request for reasonable accommodation? (Including subordinate level reporting components?)	X			
Has funding been secured for publication and distribution of EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures, etc.)?	X			
Is there a central fund or other mechanism for funding supplies, equipment and services necessary to provide disability accommodations?	X			
Does the agency fund major renovation projects to ensure timely compliance with Uniform Federal Accessibility Standards?			X	
Is the EEO Program allocated sufficient resources to train all employees on EEO Programs, including administrative and judicial remedial procedures available to employees?	X			
Is there sufficient funding to ensure the prominent posting of written materials in all personnel and EEO offices? [see 29 C.F.R. § 1614.102(b)(5)]	X			
Is there sufficient funding to ensure that all employees have access to this training and information?	X			
Is there sufficient funding to provide all managers and supervisors with training and periodic up-dates on their EEO responsibilities:				
for ensuring a workplace that is free from all forms of discrimination, including harassment and retaliation?	X			
to provide religious accommodations?	X			
to provide disability accommodations in accordance with the agency's written procedures?	X			
in the EEO discrimination complaint process?	X			
to participate in ADR?	X			

Essential Element C: MANAGEMENT AND PROGRAM ACCOUNTABILITY
This element requires the Agency Head to hold all managers, supervisors, and EEO Officials responsible for the effective implementation of the agency's EEO Program and Plan.

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Compliance Indicator	EEO program officials advise and provide appropriate assistance to managers/supervisors about the status of EEO programs within each manager's or supervisor's area or responsibility.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
Measures					
Are regular (monthly/quarterly/semi-annually) EEO updates provided to management/supervisory officials by EEO program officials?		X			
Do EEO program officials coordinate the development and implementation of EEO Plans with all appropriate agency managers to include Agency Counsel, Human Resource Officials, Finance, and the Chief information Officer?		X			
Compliance Indicator	The Human Resources Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures are in conformity with instructions contained in EEOC management directives. [see 29 CFR § 1614.102(b)(3)]	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
Measures					
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?		X			
Have time-tables or schedules been established for the agency to review its Employee Recognition Awards Program and Procedures for systemic barriers that may be impeding full participation in the program by all groups?		X			
Have time-tables or schedules been established for the agency to review its Employee Development/Training Programs for systemic barriers that may be impeding full participation in training opportunities by all groups?		X			
Compliance Indicator	When findings of discrimination are made, the agency explores whether or not disciplinary actions should be taken.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
Measures					
Does the agency have a disciplinary policy and/or a table of penalties that covers employees found to have committed discrimination?		X			

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Have all employees, supervisors, and managers been informed as to the penalties for being found to perpetrate discriminatory behavior or for taking personnel actions based upon a prohibited basis?	X			
Has the agency, when appropriate, disciplined or sanctioned managers/supervisors or employees found to have discriminated over the past two years?			X	No findings of discrimination in the past two years.
If so, cite number found to have discriminated and list penalty /disciplinary action				
Does the agency promptly (within the established time frame) comply with EEOC, Merit Systems Protection Board, Federal Labor Relations Authority, labor arbitrators, and District Court orders?	X			
Does the agency review disability accommodation decisions/actions to ensure compliance with its written procedures and analyze the information tracked for trends, problems, etc.??	X			

Essential Element D: PROACTIVE PREVENTION

Requires that the agency head makes early efforts to prevent discriminatory actions and eliminate barriers to equal employment opportunity in the workplace.

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Compliance Indicator	Measures	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
	Analyses to identify and remove unnecessary barriers to employment are conducted throughout the year.				
	Do senior managers meet with and assist the EEO Director and/or other EEO Program Officials in the identification of barriers that may be impeding the realization of equal employment opportunity?	X			
	When barriers are identified, do senior managers develop and implement, with the assistance of the agency EEO office, agency EEO Action Plans to eliminate said barriers?	X			
	Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans?	X			
	Are trend analyses of workforce profiles conducted by race, national origin, sex and disability?	X			
	Are trend analyses of the workforce's major occupations conducted by race, national origin, sex and disability?	X			
	Are trends analyses of the workforce's grade level distribution conducted by race, national origin, sex and disability?	X			
	Are trend analyses of the workforce's compensation and reward system conducted by race, national origin, sex and disability?	X			
	Are trend analyses of the effects of management/personnel policies, procedures and practices conducted by race, national origin, sex and disability?	X			
Compliance Indicator	Measures	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
		Yes	No	N/A	
	The use of Alternative Dispute Resolution (ADR) is encouraged by senior management.				
	Are all employees encouraged to use ADR?	X			
	Is the participation of supervisors and managers in the ADR process required?	X			

Essential Element E: EFFICIENCY					
Requires that the agency head ensure that there are effective systems in place for evaluating the impact and effectiveness of the agency's EEO Programs as well as an efficient and fair dispute resolution process.					
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Compliance Indicator	The agency has sufficient staffing, funding, and authority to achieve the elimination of identified barriers.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Does the EEO Office employ personnel with adequate training and experience to conduct the analyses required by MD-715 and these instructions?		X			
Has the agency implemented an adequate data collection and analysis systems that permit tracking of the information required by MD-715 and these instructions?		X			
Have sufficient resources been provided to conduct effective audits of field facilities' efforts to achieve a model EEO program and eliminate discrimination under Title VII and the Rehabilitation Act?				X	
Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations in all major components of the agency?		X			
Are 90% of accommodation requests processed within the time frame set forth in the agency procedures for reasonable accommodation?		X			
Compliance Indicator	The agency has an effective complaint tracking and monitoring system in place to increase the effectiveness of the agency's EEO Programs.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Does the agency use a complaint tracking and monitoring system that allows identification of the location, and status of complaints and length of time elapsed at each stage of the agency's complaint resolution process?		X			
Does the agency's tracking system identify the issues and bases of the complaints, the aggrieved individuals/complainants, the involved management officials and other information to analyze complaint activity and trends?		X			
Does the agency hold contractors accountable for delay in counseling and investigation processing times?				X	
If yes, briefly describe how:					
Does the agency monitor and ensure that new investigators, counselors, including contract and collateral duty investigators, receive the 32 hours of training required in accordance with EEO Management Directive MD-110?		X			
Does the agency monitor and ensure that experienced counselors, investigators, including contract and collateral duty investigators, receive the 8 hours of refresher training required on an annual basis in accordance with EEO Management Directive MD-110?		X			

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Compliance Indicator	The agency has sufficient staffing, funding and authority to comply with the time frames in accordance with the EEOC (29 C.F.R. Part 1614) regulations for processing EEO complaints of employment discrimination.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Are benchmarks in place that compare the agency's discrimination complaint processes with 29 C.F.R. Part 1614?		X			
Does the agency provide timely EEO counseling within 30 days of the initial request or within an agreed upon extension in writing, up to 60 days?		X			
Does the agency provide an aggrieved person with written notification of his/her rights and responsibilities in the EEO process in a timely fashion?		X			
Does the agency complete the investigations within the applicable prescribed time frame?				X	This function is centralized at the Department.
When a complainant requests a final agency decision, does the agency issue the decision within 60 days of the request?				X	
When a complainant requests a hearing, does the agency immediately upon receipt of the request from the EEOC AJ forward the investigative file to the EEOC Hearing Office?				X	
When a settlement agreement is entered into, does the agency timely complete any obligations provided for in such agreements?		X			
Does the agency ensure timely compliance with EEOC AJ decisions which are not the subject of an appeal by the agency?		X			
Compliance Indicator	There is an efficient and fair dispute resolution process and effective systems for evaluating the impact and effectiveness of the agency's EEO complaint processing program.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
In accordance with 29 C.F.R. §1614.102(b), has the agency established an ADR Program during the pre-complaint and formal complaint stages of the EEO process?		X			
Does the agency require all managers and supervisors to receive ADR training in accordance with EEOC (29 C.F.R. Part 1614) regulations, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR?		X			
After the agency has offered ADR and the complainant has elected to participate in ADR, are the managers required to participate?		X			
Does the agency ensure that the responsible management official directly involved in the dispute does not have settlement authority?		X			

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Compliance Indicator	The agency has effective systems in place for maintaining and evaluating the impact and effectiveness of its EEO programs.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Does the agency have a system of management controls in place to ensure the timely, accurate, complete and consistent reporting of EEO complaint data to the		X			
Does the agency provide reasonable resources for the EEO complaint process to ensure efficient and successful operation in accordance with 29 C.F.R. § 1614.102		X			
Does the agency EEO office have management controls in place to monitor and ensure that the data received from Human Resources is accurate, timely received, and contains all the required data elements for submitting annual reports to the EEOC?		X			
Do the agency's EEO programs address all of the laws enforced by the EEOC?		X			
Does the agency identify and monitor significant trends in complaint processing to determine whether the agency is meeting its obligations under Title VII and the Rehabilitation Act?		X			
Does the agency track recruitment efforts and analyze efforts to identify potential barriers in accordance with MD-715 standards?			X		The Department has not implemented an adequate data collection and analysis system that permits tracking of recruitment and applicant flow data and information required by MD-715 for all agencies.
Does the agency consult with other agencies of similar size on the effectiveness of their EEO programs to identify best practices and share ideas?		X			
Compliance Indicator	The agency ensures that the investigation and adjudication function of its complaint resolution process are separate from its legal defense arm of agency or other offices with conflicting or competing interests.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Are legal sufficiency reviews of EEO matters handled by a functional unit that is separate and apart from the unit which handles agency representation in EEO		X			
Does the agency discrimination complaint process ensure a neutral adjudication function?		X			
If applicable, are processing time frames incorporated for the legal counsel's sufficiency review for timely processing of complaints?		X			

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Essential Element F: RESPONSIVENESS AND LEGAL COMPLIANCE

This element requires that federal agencies are in full compliance with EEO statutes and EEOC regulations, policy guidance, and other written instructions.

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Compliance Indicator	Agency personnel are accountable for timely compliance with orders issued by EEOC Administrative Judges.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Does the agency have a system of management control to ensure that agency officials timely comply with any orders or directives issued by EEOC Administrative		X			
Compliance Indicator	The agency's system of management controls ensures that the agency timely completes all ordered corrective action and submits its compliance report to EEOC within 30 days of such completion.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Does the agency have control over the payroll processing function of the agency? If Yes, answer the two questions below.		X			
Are there steps in place to guarantee responsive, timely, and predictable processing of ordered monetary relief?		X			
Are procedures in place to promptly process other forms of ordered relief?		X			
Compliance Indicator	The agency's system of management controls ensures that the agency timely completes all ordered corrective action and submits its compliance report to EEOC within 30 days of such completion.	Measure has been met			For all unmet measures, provide a brief explanation in the space below or complete and attach an EEOC FORM 715-01 PART H to the agency's status report
Measures		Yes	No	N/A	
Is compliance with EEOC orders encompassed in the performance standards of any agency employees?				X	This function is centralized at the Department
If so, please identify the employees by title in the comments section, and state how performance is measured.					
Is the unit charged with the responsibility for compliance with EEOC orders located in the EEO office?		X			
If not, please identify the unit in which it is located, the number of employees in the unit, and their grade levels in the comments section.					
Have the involved employees received any formal training in EEO compliance?		X			
Does the agency promptly provide to the EEOC the following documentation for completing compliance:					

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Attorney Fees: Copy of check issued for attorney fees and /or a narrative statement by an appropriate agency official, or agency payment order dating the dollar amount of attorney fees paid?	X			
Awards: A narrative statement by an appropriate agency official stating the dollar amount and the criteria used to calculate the award?	X			
Back Pay and Interest: Computer print-outs or payroll documents outlining gross back pay and interest, copy of any checks issued, narrative statement by an appropriate agency official of total monies paid?	X			
Compensatory Damages: The final agency decision and evidence of payment, if made?			X	This function is centralized at the Department
Training: Attendance roster at training session(s) or a narrative statement by an appropriate agency official confirming that specific persons or groups of persons attended training on a date certain?	X			
Personnel Actions (e.g., Reinstatement, Promotion, Hiring, Reassignment): Copies of SF-50s	X			
Posting of Notice of Violation: Original signed and dated notice reflecting the dates that the notice was posted. A copy of the notice will suffice if the original is not available.	X			
Supplemental Investigation: 1. Copy of letter to complainant acknowledging receipt from EEOC of remanded case. 2. Copy of letter to complainant transmitting the Report of Investigation (not the ROI itself unless specified). 3. Copy of request for a hearing (complainant's request or agency's transmittal letter).	X			
Final Agency Decision (FAD): FAD or copy of the complainant's request for a hearing.	X			
Restoration of Leave: Print-out or statement identifying the amount of leave restored, if applicable. If not, an explanation or statement.	X			
Civil Actions: A complete copy of the civil action complaint demonstrating same issues raised as in compliance matter.	X			
Settlement Agreements: Signed and dated agreement with specific dollar amounts, if applicable. Also, appropriate documentation of relief is provided.	X			

Footnotes:

1. See 29 C.F.R. § 1614.102.

2. When an agency makes modifications to its procedures, the procedures must be resubmitted to the Commission. See EEOC Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation (10/20/00), Question 28