



**NNSA Service Center  
EEO and Diversity Office  
FY 2009 Year-End Report**



*EEO and Diversity – Collaborating for Mission Success*

# FY 2009 Year-End Report

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## Introduction

### 1.1 Message from the EEO and Diversity Manager

The EEO and Diversity Office is committed to providing customers with the highest quality, assistance and education, on time and in a professional manner, on all matters relating to equal employment opportunity and diversity. Office standards include returning phone calls within 24 hours, availability of staff for walk-in service, quick turnaround of deliverables, and ensuring accurate advisory services. This report summarizes EEO's contributions to the DOE/NNSA mission and its customers.

In FY 2009, the EEO and Diversity Office processed nine (9) formal complaints (21 in FY 2008) for a total open inventory of 32 complaints. The resolution rate for the NNSA Mediation Program was 100% in calendar year 2009 and EEO continues to actively market the Mediation Program to all supervisors, managers, and NNSA employees as a resource for resolving EEO **and non-EEO** related disputes. EEO received excellent ratings, from our customers, for developing and publicizing annual mid-year and year-end workforce statistics for NNSA, each of the Site Offices, the Office of Secure Transportation, and the Service Center. Moreover, EEO is receiving additional requests for organizational workforce statistics for use as a management tool for workforce and succession planning.

We welcome your suggestions and look forward to future collaborations that promote the NNSA Service Center's Vision of being the organization of choice for professional, responsive services and innovative solutions.



Yolanda Girón  
EEO and Diversity Program Manager  
EEO and Diversity Office

## **1.2 Summary and Analysis of Fiscal Year 2009 Data by Function**

The EEO and Diversity Office uses a four color-coded system to measure EEO complaint activity: Green (successful); Bright Yellow (successful with a written extension); Pale Yellow (successful with verbal extension in place, beyond the 30-60 day timeframe); and Red (failure).

### ***Informal/Pre-Complaints***

In FY09, nine informal/pre-complaints were processed within 29 CFR 1614 and EEO Commission (EEOC) Management Directive-110 (MD-110). Of these, EEO Counselors received seven written extensions, and the limited inquiry was completed within the required 30-60 day time frame. One verbal extension was granted, and the limited inquiry was completed within the required 30-60 day time frame. One complaint failed the 30-60 day time frame, and no extension was requested.

### ***Formal Complaints***

The EEO and Diversity Office processed nine new formal complaints in FY09. Of the carry-over case-load from FY08, two were Green indicating the case was managed within the required 180-day investigation period. Three were Bright Yellow and the case went beyond the 180-day investigation period, however, did not exceed the 270 days allowed with a written extension in place. Seven were Red and the case was not managed within the required 180-270 days because the contractor was unable to perform the investigation within the required timeframes.

### ***Mediation***

EEO and *non*-EEO related disputes are tracked for the success rate as defined by parties reaching settlement. The success rate for CY 2009 is 100%.

### ***Workforce Statistics***

Comprehensive semi-annual and year-end reports of statistics were completed for the following customers: NNSA, NNSA SC, eight Site Offices, and the Office of Secure Transportation. These reports include detailed workforce statistics, including pay plan breakdown, retirement dates, gender, age, years of Federal service, education, supervisor ratio, diversity, disability and number of veterans. The year-end report also includes minority and female composition for NNSA's Future Leaders Program and Student Career Experience Program for the past five years, workforce diversity comparisons, four-year gender trends, and an annual analysis of workforce accessions, separations and promotions. In addition, the EEO and Diversity Office has developed over ten special workforce reports for our NNSA-HQ and NNSA SC complex customers during FY 2009.

Our customers were surveyed on the semi-annual workforce statistics data we provided them mid-year, and we received a 66.7% response rate. The EEO and Diversity Program Office received five Excellent ratings, ten Very Good Ratings, and four Good Ratings. See Figure 1.7 for explanations of each rating.

### ***Annual Affirmative Employment Program Reports***

The EEO and Diversity Office has prepared and completed annual workforce data analysis for four Affirmative Employment Reports: Management Directive-715, the Federal Equal Opportunity Recruitment Program Plan, the Disabled Veterans Affirmative Action Program Plan, and the Hispanic Employment 9-Point Plan. These NNSA-wide reports are posted annually to the EEO and Diversity web page.

### ***EEO Training***

Per DOE O 311B, employees are required to complete a minimum of three hours of EEO training annually. Supervisors are required to complete four hours of EEO training annually. Additionally, every other year employees are required to have training on the prevention of harassment, including sexual harassment, in accordance with DOE O 311.1B.

Consistent with the Secretary of Energy's EEO and Diversity Policy statement and DOE Order for training, the EEO and Diversity staff trained all Site Office, Service Center, and NNSA HQ Office of Secure Transportation (including Eastern, Western, Central and Training Command) Managers and supervisors with an annual FY 2009 EEO update on the Amended American with Disabilities Act of 2008, which went in effect January 1, 2009. An overview of the NNSA Diversity workforce statistics was also provided to all Site Office, Service Center, and Office of Secure Transportation managers and supervisors.

In response to FY 2008 customer feedback, employees requested computer-based EEO training in FY 2009. The EEO and Diversity Office, therefore, developed two computer-based training modules. Refer to Table 1.5 for Site Offices, the Office of Secure Transportation and the Service Center completion rates.

The bi-annual requirement is for Harassment Prevention and the Federal Notification and Federal Employee Antidiscrimination and Retaliation Act ("the No FEAR Act"). Updates occur, therefore, every other year. In addition, new employees are required to take the No FEAR Act training within 90 days of their start date. In FY 2009, 98.9% of Service Center Employees completed the No FEAR Act Training Course; the completion rate for NNSA-wide was 53.8%.

### ***Other***

Staff members also assist external customers by providing the following support:

- Provided quarterly EEO Counselor training to meet annual requirements set forth by the EEO Commission.
- Provided Leadership School Training to NNSA's Office of Secure Transportation.
- Provided Federal Agent Training to all new Agents within the Office of Secure Transportation.
- Participated in the development of the *DOE-wide* Diversity Framework and Strategic Plan for employee development and retention.
- Provided diversity training for the DOE Office of Inspector General.
- Provided diversity training for the USDA Forest Service.
- Provided feedback on the DOE Health and Human Services Diversity Framework.

- Supported NA-60 with Summer Intern Program.
- Participated in NNSA Service Center's Operation Planning Teams.
- Supported Six Sigma Corporate Efforts and Training.
- Participated in the implementation of ePegasus at the Service Center.

### ***Federal Financial Assistance***

Federal agencies are required to maintain an effective program of compliance reviews to ensure that institutions receiving federal funding are complying with federal civil rights laws, including Title IX. During FY 2009, the EEO and Diversity Office certified 52 Assurance of Compliance certification (pre-award) forms. During the week of April 20, 2009, support was also provided to the DOE Office of Civil Rights to conduct a Title IX compliance review at Arizona State University.

### ***Special Emphasis Programs (SEP)***

The SEPs sponsored the following EEO training and education programs which directly support the "Essential Elements of a Model EEO Program" as required by Management Directive-715.

- October 6, 2009, over 100 employees participated in the NNSA's Service Center SEP Diversity Advisory Committee (SEP DAC) annual "Diversity Day." The mission of the SEP DAC is to promote parity within a diverse workforce in recruitment, training, development and career advancement. The SEP DAC is chaired by NNSA's Service Center Deputy Director and is comprised of Managers from each of the eight SEPs, Senior Diversity Champions, designees from the Office of Human Capital Management Services, the Sandia Site Office, and the Office of Secure Transportation.
- September 9, 2009, 87 participants attended the Hispanic Employment Program Heritage Monthly event featuring Federal Mediator David Martinez, "Embracing the Urgency of Now."
- August 5, 2009, 25 participants attended the Gay, Lesbian, Bi-sexual, Transgender, Straight Allies Program event featuring Michael Guest, "Transition, Equality and Change in the Government."
- July 23, 2009, 23 participants attended the self-defense Lunch-and-Learn sponsored by the Federal Women's Program titled Situational Awareness.
- July 16, 2009, 58 participants attended the Older Worker's Program Heritage Month event on fitness training guidelines presented by Dr. Bali.
- June 13, 2009, Gay, Lesbian, Bi-sexual, Transgender, Straight Allies Program Manager provided NNSA recruitment information at the Albuquerque PRIDE event.
- May 27, 2009, approximately 10 participants attended the Lunch-and-Learn sponsored by EEO and Diversity Office on Communication and Conflict Management.
- May 21, 2009, approximately 75 participants attended "One Nation, One Moment," sponsored by the Hispanic and Black Employment Programs to remember American soldiers who have died while serving their country.

- May 14, 2009, 70 participants attended the Asian Pacific American Program Heritage month which featured Congressional Medal of Honor Recipient Hiroshi Miyamura.
- April 23, 2009, 50 participants attended the American Indian Program Heritage month event titled "Modern Movement-Ancient Wisdom" by Thomas Birdbear.
- April 9, 2009, 25 participants supported the annual American Indian Fun Run/Walk.
- March 19, 2009, over 131 participants attended the Federal Women's Program-sponsored event which featured keynote speaker Sergeant Trish Hoffman from the Albuquerque Police Department who presented on personal safety.
- February 26, 2009, 60 participants, the Black Employment Program sponsored PhD candidate Hannah Olihah from the University of New Mexico, "Reclaiming the Promise of Our Nation."
- November 18, 2008, 50 participants attended the Committee for People with Disabilities Heritage Month event that featured Keynote Speaker Scott Patterson, Developmental Disabilities Coordinator.
- November 5, 2008, 75 participants attended the Veterans Day Celebration that was led by the Asian Pacific American Program and included Service Center Veteran's Formation, Department of Defense Kirtland Air Force Base Color Guards, who performed the Flag Review, and Service Center Security Guards who raised the Flag.

### *Community Outreach*

- For more than fifteen years, the Service Center's Special Emphasis Programs have sponsored *Join a School Projects* at Lowell Elementary and Jackson Middle Schools in Albuquerque, New Mexico. Each year, 10-15 employees volunteer to provide tutoring to students in subjects such as reading, writing, math and science to improve academic achievement, self-esteem and self confidence. Service Center management supports the initiative by encouraging all employees to participate and approves administrative leave so that employees can be at the school sites during business hours.
- The Special Emphasis Programs supported the annual food and turkey drive in November 2008. On November 25, 2008, the total for NNSA "Take A Turkey to Work" day was 23,469 lbs. of turkey which was delivered to the NM Roadrunner Food Bank (about 1375 turkeys), which surpassed previous year's total of 15,455 lbs.
- The Special Emphasis programs sponsor an annual book drive to support Lowell Elementary and Jackson Middle School, NNSA's partners with the Albuquerque Public School's Join-A-School Education Program. Employees donate books, puzzles, and educational media, which are then sold at the annual book sale. Proceeds from this year's sale totaled: **\$1,605.00** (11% increase from last year)! Excess items that were not purchased were donated to the Albuquerque Indian Center. FY 2008 proceeds were used to purchase a new computer for Lowell Elementary School's library and Scholastic books and computer software for Jackson Middle School.

The SEPs also participate in numerous community activities or recruitment conferences, including the following:

- Central New Mexico Community College Career Information Program, Albuquerque, New Mexico (NM)
- University of New Mexico (UNM) Career Information Program
- UNM Hispanic Engineering and Science Organization Career Fair
- NM Black Exposition
- Albuquerque, NM Hispanic Chamber of Commerce Recruitment Fair
- NM Federal Executive Board Career Fair

### *Self Assessments*

The EEO and Diversity Office completed by the following self assessments during FY 2009:

- Discrimination Complaints Program
- EEO Counseling Program
- Mediation Program

Refer to the metrics listed below for additional information.

### *Re-engineering of Key Business Processes*

The EEO and Diversity Office developed computer-based standard operating procedures and templates for the following processes:

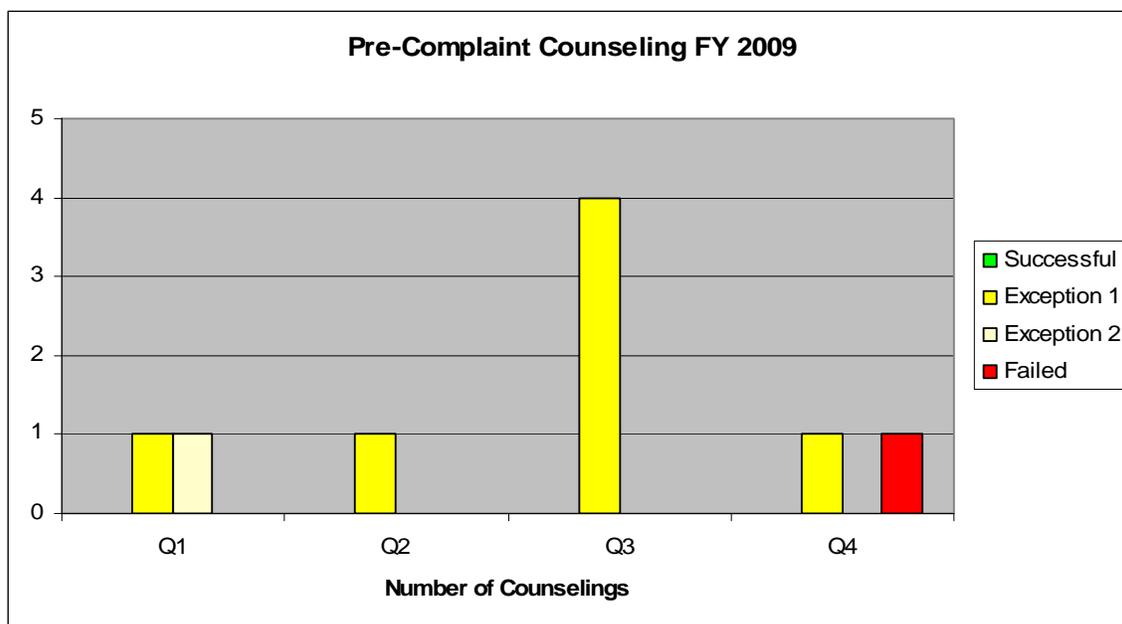
- Pre-complaint (informal) counseling services for Counselors, to include all required forms.
- Formal complaint counseling services, to include all required forms.
- Submitting procurement packages on EEO investigations.
- Annual affirmative employment reports, including detailed instructions on generating workforce queries.

Additionally, the Special Emphasis Program Diversity Advisory Council is updating their operational plan and key documents; utilizing a green, red, yellow measurement of the DAC actions and aligned to the Service Center Operational Planning goals; to reflect current processes and deliverables for 2010.

### **1.3 Metrics: Informal/Pre-Complaint Counseling**

The information in Figure 1.2 depicts the length of time to process a complaint at the informal/pre-complaint counseling stage within 29 CFR 1614 regulations and EEOC MD-110. Metrics measure progress to manage the informal complaint within 30-60 day time frame, per 29 CFR 1614 regulations and Equal Employment Opportunity Commission Management Directive-110.

**Figure 1.1** Number of Days to Process Informal/Pre-Complaints in Counseling Stage



- Green– EEO Counselor limited inquiry into EEO complaint completed within 30 calendar days of initial contact.
- Bright Yellow – EEO Counselor received complainant’s agreement, in writing, to extension of an additional 30 days, and the limited inquiry is completed within 60 days.
- Pale Yellow – EEO Counselor does not complete the inquiry within 30 calendar days of initial contact, has a verbal agreement to extend from complainant, and no documentation.
- Red – EEO Counselor does not complete the inquiry within 30 calendar days of initial contact, and there is no request made of the complainant to an extension.

**Successful:** Counseling completed within 30 days

**Exception 1:** Counseling completed beyond 30 days, less than 60, with written extension in place; mediation in place; or settled in mediation

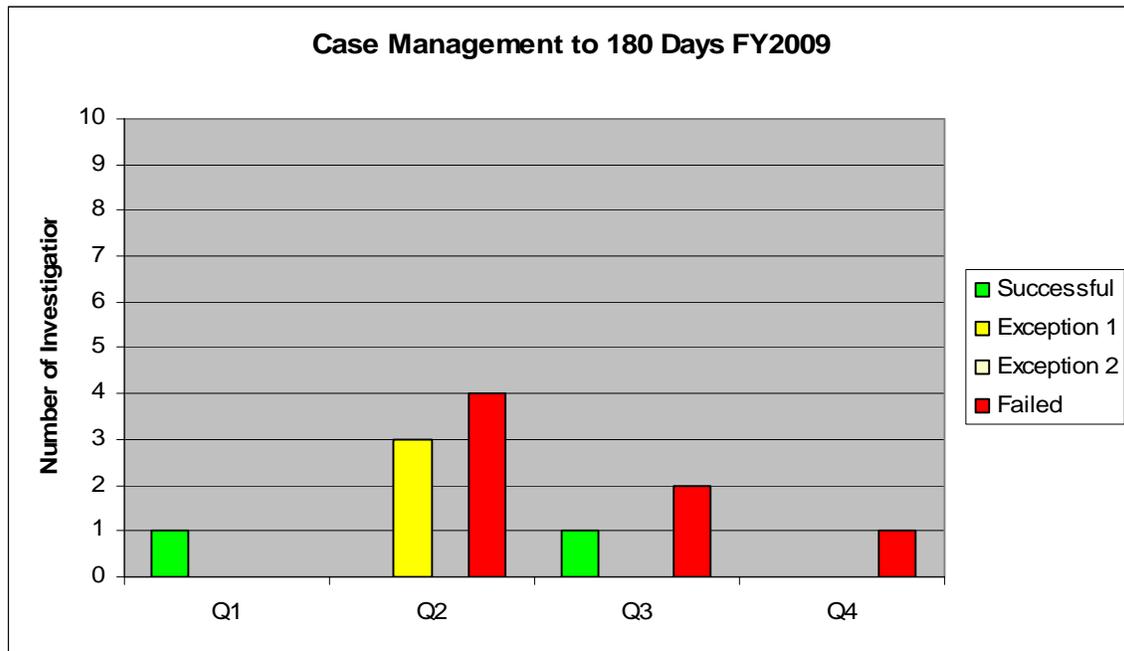
**Exception 2:** Counseling completed beyond 30/60 days, w extension or other documented reason: mediation; travel; leave

**Failure:** Counseling completed beyond 30-60 days time frame with no valid explanation

## 1.4 Metrics: Formal Complaints

The information in Figure 1.2 depicts the number of days to process formal complaints. Metrics measure progress to manage the formal complaint within 180-270 day time frame.

**Figure 1.2.** Number of Days to Process Formal Complaint within 29 CFR 1614



- Green – EEO Specialist managed case to 180 day investigation period.
- Bright Yellow- EEO Specialist received complainant’s agreement in writing (or silence), to extend beyond the 180 day investigation period, up to 270 days.
- Pale Yellow – EEO Specialist does not manage the case within the 180 days, has complainant agreement to extend, but not documented.
- Red – EEO Specialist does not manage the case within the 180 days and there is no request made of the complainant for extension. Or, goes beyond 270 days.

**Analysis:** NNSA EEO Specialists case management will be graphed quarterly to ensure Specialists manage the formal processing and investigation within 180 days of formal filing. Per the MD-110, the 180 days starts from date of formal filing, and closes when the Report of Investigation is sent to the complainant.

**Successful:** investigation completed within 180 days.

**Exception 1:** investigation completed beyond 180 days, with written extension in place for up to 270 days.

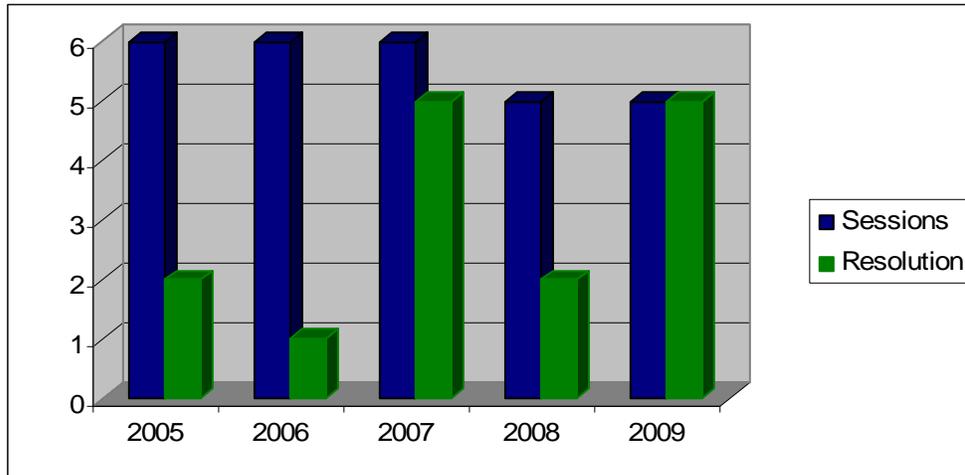
**Exception 2:** investigation completed beyond 180 days, with other documented reason: mediation; travel; leave of complainant and or witnesses; and agreement to extend in place up to 270 days.

**Failure:** investigation beyond the 180 days time frame with no valid explanation; or beyond the 270 days extension in place. Seven were Red and the case was not managed within the required 180-270 days because the contractor was unable to perform the investigation within the required timeframes.

**1.5 Metrics: Mediation Program: EEO-Related and Non-EEO-Related Disputes**

The information in Figure 1.3 depicts the number of mediation sessions and the resolution rate (as defined by parties reaching settlement), and days to close (settled, withdraw, or not resolve).

**Figure 1.3.** Number of Mediation Sessions and Resolution Rate



CalendarYear	Conflict Resolution Rate
CY 2005	33%
CY 2006	17%
CY 2007	83%
CY 2008	40%
CY 2009	100%

## 1.6 Metrics: Workforce Statistics – 2009 Semi-Annual Report

In June 2009, we completed a survey on our semi-annual workforce statistics. The information in Figure 1.4 depicts the customer service feedback. The overall response rate was 66.7%.

**Figure 1.4. Survey Results on Workforce Statistics**

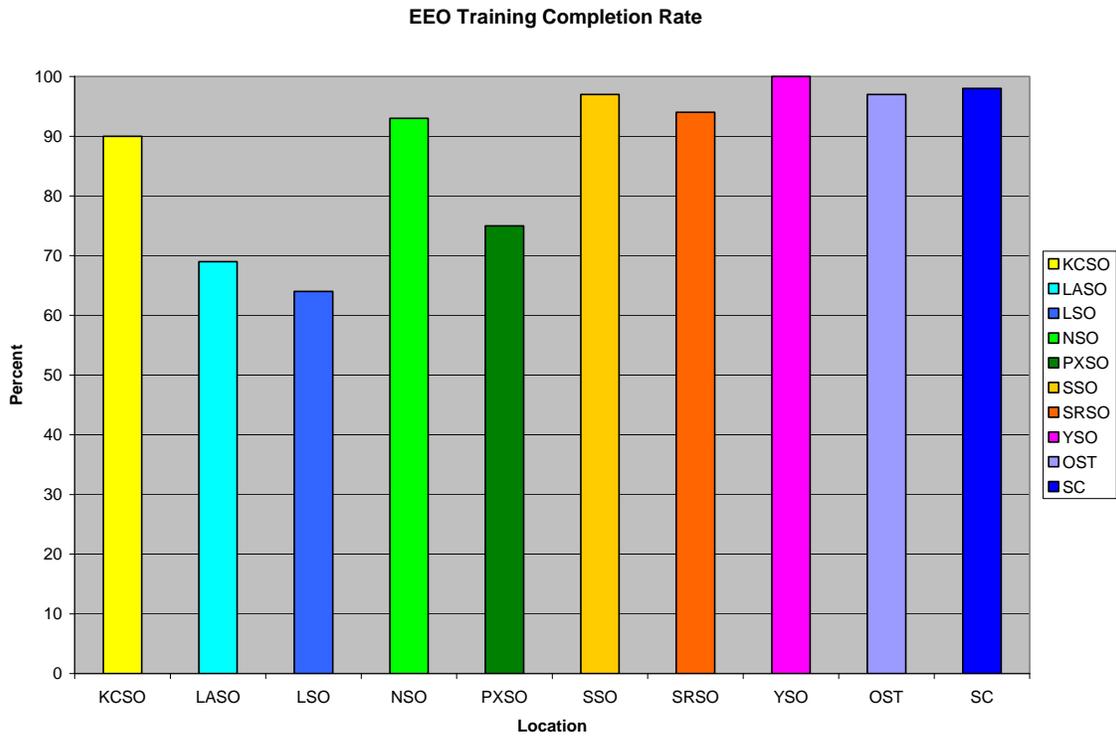
	Excellent Well Organized*	Excellent Significantly Helps	Very Good	Good	Good Helps Somewhat	Poor	Poor Does not Help	Poor	Did Not Make a Request
<i>*Customer Comments</i>									
1. Workforce statistical data format: Is the data easy to read, interpret, and understand?	111		111						
2. Workforce statistical data information applicability to recruitment, training and development strategies	1		1111	1					
3. Workforce statistical data applicability to aid in managing and planning hires, promotions, and separations.	1		111		1				
4. If you have contacted the EEO and Diversity Office for any special report requests, please rate responsiveness.				111					111
<b>Total</b>	<b>5</b>	<b>0</b>	<b>10</b>	<b>4</b>	<b>1</b>				<b>3</b>

*\*Valuable report. With very little hiring due to budget constraints and new manning ceilings, this information is less of a recruiting tool and more a management resource. Provides unique insight into present workforce.*

*\*Thanks - this is really an interesting and valuable report.*

## 1.7 Metrics: EEO Training Requirements

The information in Figure 1.5 depicts employee completion rate on required Annual EEO Training.



## 1.8 Metrics: Federal Financial Assistance

The information in Figure 1.6 depicts the number of Assurance of Compliance certification (pre-award) forms the EEO and Diversity Office certified for FY 2009.

<b>Assurance of Compliance Certifications FY 2009</b>		
<b>Total Certifications</b>	<b>Certified within 5 days</b>	<b># Certified within 5 days</b>
<b>52</b>	<b>52</b>	<b>52</b>

***EEO and Diversity: Collaborating for Mission Success***

1-505-845-5517

Or

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