

# CIVIL RIGHTS ON DECK



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## EEOC Praises Coast Guard Equal Employment Opportunity Initiatives

The U.S. Equal Employment Opportunity Commission (EEOC) recently issued its technical review on the Coast Guard's EEO program for 2014. The EEOC commended four emphasis areas while calling for additional efforts in a fifth:

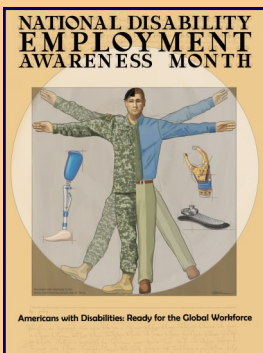
- ▶ **Schedule A Conversion:** The EEOC found the Coast Guard successfully fulfilled its schedule A conversion requirements. Schedule A is an employment mechanism that provides opportunities for people with disabilities to join the competitive federal service.
- ▶ **Reasonable Accommodation (RA):** The EEOC commended the Coast Guard on its RA procedure, training and tracking efforts, and urged the Coast Guard to continue to provide excellent customer service to its workforce. RA procedure allows commanding officers/officers in charge to provide modifications to the job or work environment for persons with disabilities.
- ▶ **Anti-Harassment & Hate Incident Procedure (AHHI):** The EEOC gave high marks on the Coast Guard's AHHI policy and procedures. Federal agencies are required to establish anti-harassment procedures that cover all protected EEO bases of discrimination in accordance with EEOC's *Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors*, 1999.
- ▶ **Compliance with EEOC Management Directives:** The EEOC was pleased to note that the Coast Guard is in compliance with its regulations and management directives.
- ▶ **Barriers to Executive Level Positions:** The EEOC found that there is an apparent "glass ceiling" for women, minorities and individuals with disabilities seeking to promote to the SES level at the Coast Guard. The findings noted this ceiling to be particularly true for Black females and Hispanic males. The EEOC directed the Coast Guard to further investigate the root cause for the low participation rates and recommended eleven exploratory activities.

## Judge Awards \$16,000 in Damages for Retaliation

An Administrative Judge at the U.S. Equal Employment Opportunity Commission ruled that the Department of the Army retaliated against an employee when it subjected her to disciplinary actions and increased her workload after she filed an Equal Employment Opportunity (EEO) complaint. The employee alleged that, among other offenses, she was issued a Letter of Reprimand for violating leave policies when she failed to request leave (the record showed the employee had informed her supervisor that she would be having a medical procedure on the date in question). After reviewing all records, the judge determined the agency had increased the employee's workload, given her short deadlines, denied her the assistance of co-workers and given her assignments while in training after she initiated her complaint. The judge found the record provided a clear correlation between these actions and when the employee initiated an EEO complaint and concluded that the employee had established that she was subjected to reprisal. The agency was ordered to expunge the Letter of Reprimand, offer the employee a transfer to a similar position outside of her current chain of command, and pay \$16,000 in compensatory damages. *Complainant v. Dep't of the Army*, EEOC Appeal No. 0720120040 (August 27, 2013).  
*Submitted by Ms. de Lesa Hanson*

## CRD and SAPR Team to Eradicate Sexual Harassment/ Sexual Assault

The Civil Rights Directorate (CRD) joined forces with the Sexual Assault Prevention and Response Military Campaign Office (SAPR MCO) in an effort to improve Sexual Assault prevention communication initiatives. *Did you know that in accordance with civil rights law, 29 C.F.R. 1614, sexual assault is defined as a form of sexual harassment?* It is; but that is not the case as it pertains to UCMJ offenses and other military policies. Therefore, to ensure that SAPR MCO communication initiatives encompass all of the Coast Guard's missions, CRD representatives, Mr. Frank Gonzalez and CDR Kim Chesteen were appointed to serve as liaisons to the SAPR MCO. The CRD team will help to align the Sexual Assault Prevention Council's communication initiatives with civil rights policy to put forth a coordinated campaign to eliminate behaviors that constitute sexual harassment/sexual assault.  
*Submitted by Mr. Frank Gonzalez*



## Honoring People with Disabilities

October is National Disability Employment Awareness Month, which recognizes the valuable role individuals with disabilities play in making their agencies successful. This year's theme, "My Disability is one Part of Who I am," implores us to look beyond the disability to find a person's strengths. To learn more about National Disability Employment Awareness Month, or how to facilitate a special observance, contact your local [Civil Rights Service Provider](#).

## CIVIL RIGHTS DIRECTORATE

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Communications Specialist

## Congratulations to the 2015 Civil Rights Service Provider of the Year!



Mr. Linwood H. Outlaw is the newest recipient of this prestigious award. Among other attributes, he was recognized for his exemplary performance of duty and dedication to the Coast Guard's civil rights mission. During the ceremony he said "It is an honor to be the Civil Rights Provider of the Year. It recognizes civil rights service providers as an active and essential component of the USCG readiness and mission." The award citation read: "Mr. Outlaw has long exemplified a high level of commitment to advancing civil rights and serves as an extraordinary role model for civil rights service providers throughout the directorate." Mr. Outlaw's work has greatly benefited the Civil Rights Directorate as well as the Coast Guard as a whole.

*Submitted by Mr. Kyle Malloy*

## Coasties Receive High Honors from Latina Style Magazine



Capt. Maria-Paz Ugarte Smith (▲above, middle) and Mrs. Marilyn Fajardo (▼below, middle) were honored for their outstanding achievements and exemplary service to the Hispanic community at the 12th National Latina Symposium. Vice Chief of Naval Operations Admiral Michelle Howard (left, both photos) and Deputy Commandant for Mission Support Vice Admiral. Sandra Stosz (right, both photos) presented the awards.

*Submitted by Mr. Juan Torres*



Did you know that the Defense Equal Opportunity Management Institute offers professionally designed promotional artwork for special observances during special emphasis program months? That's right; and they are free. Just go to their website at [www.deomi.org](http://www.deomi.org) and download them for your next special observance event.



## New London Adds One More to its CRD Team



CRD is excited to welcome LTJG Francisco Nieto to the Region 1 team located in Zone 1. LTJG Nieto, who hails from Tucson, AZ, is stationed at the Coast Guard Academy. He enlisted in the Coast Guard in 2006 as part of the Coast Guard Recruiting Initiative for the Twenty-First Century and entered the Academy in 2007. LTJG Nieto graduated with a Bachelors of Science in Business Management in 2011. He served his first tour on board the cutter DEPENDABLE (WMEC 626), home-ported in Cape May, NJ. From Cape May he went to work in the intelligence field combating narcotics and illegal immigration in the Caribbean at Sector San Juan. When he's not serving his country, he enjoys golf, automotive repair, and music.

*Submitted by Mr. Roy Ziegeneist*