

CIVIL RIGHTS ON DECK



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INCREASING ACCESS AND OPPORTUNITY

Celebrating 30 years of the
Americans with Disabilities Act



By Juan Torres, CRD, USCG HQ
This year marks the 75th observance of National Disability Employment Awareness Month (NDEAM) and the 30th anniversary of the Americans with Disabilities Act. Both milestones are being commemorated with a range of events and activities centered on the theme "Increasing Access and Opportunity." All Commands are encouraged to honor NDEAM with appropriate celebrations, observances, and activities that adhere to guidelines for in-person gatherings, and/or use remote collaboration platforms, social media, or other virtual tools. Special Emphasis Program (SEP) Coordinators and Leadership Diversity Advisory Council Chairpersons are invited to spotlight activities held during NDEAM on the CG Portal SEP Site at: <https://cg.portal.uscg.mil/units/CG00.HQ/00H/2/CGSEP2017/default.aspx>.

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Compelling Expert Highlights 100 Years of Women's Suffrage

By CDR Charlene Forgue, CRD, USCG HQ
Our nation celebrates the 100th anniversary of the 19th Amendment this year. This historic centennial offers an exceptional opportunity to commemorate a landmark achievement of our republic



Guest speaker Elaine Weiss is an award-winning journalist and writer.

and to examine the significance of equal rights in the United States today. The National Capital Region Women's Leadership Initiative, with Ms. Michelle Godfrey (CG-12B) as Executive Champion, hosted Baltimore-based jour-

nalist and author, Ms. Elaine Weiss, whose virtual presentation reminded us of the hurdles overcome by the heroic people who faced violence and discrimination while propelling the Women's Suffrage

Movement forward. Ms. Weiss shared a poignant history covering the 72 years when women lobbied, marched, picketed, and protested for the right to vote. The movement is recognized to have started in 1848 at the first women's rights convention in Seneca Falls, New York and ended on August 18, 1920 when Tennessee became the last state to ratify the 19th Amendment. The story of ratification in the Tennessee legislature is the topic of her most recent book, *The Woman's Hour: The Great Fight to Win the Vote*.

Ms. Weiss also spoke to this year's theme, "More to the Movement—Remembering

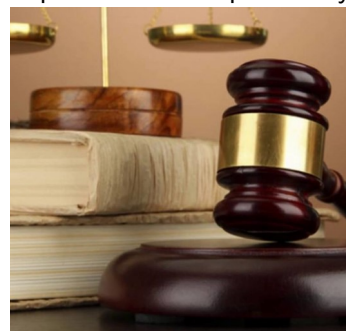
100 Years to Women's Suffrage," raising awareness of all women's suffrage journeys. She said women of all races pushed for the right to vote and the passing of the 19th Amendment provided that right. However, the states still held the power to set voting requirements, including race-based restrictions that hindered non-white women's ability to vote. Native American women were finally granted the right to vote in 1948, Asian American women in 1952, and African American women in 1965. A recording of the event is available to view on MS Teams at: <https://teams.microsoft.com/l/meetup-join/19%3a%20YTRjMGItdNDNjZi00MzQyLWlOMjMtN2QwYTlhNjQ5MDc4%40thread.v2/0?context=%7b%22Tid%22%3a%2221acfb3-32be-4715-9025-1e2f015cbbe9%22%2c%220id%22%3a%22e8b95e86-8fe2-409f-aa11-b8c712c30d2f%22%2c%22IsBroadcastMeeting%22%3atrue%7d>.

Complaints Corner: Use Relevant Factors to Evaluate Candidates

By Michael Brenyo, CRD, USCG HQ

The Equal Employment Opportunity Commission (EEOC) ruled that an agency subjected a Complainant to discrimination, on the basis of national origin and age, when they terminated his candidacy to be a Diplomatic Security Foreign Service Special Agent. The agency asserted that the Complainant's oral and written assessments were below the cut-off level. However, when the EEO Investigator asked the agency to provide information about the applicants who were found suitable, the agency only stated that 272 of 726 candidates passed the assessments, and those who did not pass were from all demographics. The EEOC found the agency's reasoning to be vague and conclusory because it failed to explain why it specifically terminated the Complainant's candidacy. Furthermore, the EEOC

found the agency failed to provide relevant factors used to evaluate the candidates, to include the questions posed to the candidates, how the Complainant was specifically evaluated, and other comparator data. The EEOC found in favor of the Complainant. The agency was ordered to change the Complainant's assessments to passing scores and to process his candidacy in the same manner as others who passed. *Leon B. v. Department of State, EEOC Appeal No. 0120182144 (Nov. 5, 2019).*



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CRD HQ Extends 'Welcome Aboard' to New Social Scientist and Budget Analyst Joining the Team!

By Ms. Francine Blyther and CDR Robert Chambers, CRD, USCG HQ

Join us in welcoming Ms. Stacy Nganga, Social Scientist, to the U.S. Coast Guard. Ms. Nganga recently completed the Presidential Management Fellows Program (PMFP). Through PMFP, she was appointed to the U.S. Agency for International Development (USAID) where she developed and executed campaigns designed to increase global health. Additionally, Ms. Nganga monitored media analytics, as well as created and edited USAID's social media content. Prior to the PMFP, Ms. Nganga attained her Master's degree from Emory University and her Bachelor's degree from Lafayette College.

Mr. Bob Lanberg joined the Civil Rights Directorate as the Budget Analyst and Strategic Manager. Mr. Lanberg previously worked with the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service as a Budget Analyst responsible for the budget formulation across a number of programs, including USDA's Program Assessment and Accountability group. Mr. Lanberg currently resides in Crofton, Maryland and in his spare time enjoys traveling and attending live music and sporting events.



Have A Dispute? Conflict Resolution Day is Right Around the Corner!

By CDR Charlene Forgue, CRD, USCG HQ

Conflict Resolution Day is October 15. It's celebrated annually on the third Thursday in October. Dispute resolution practitioners dedicated this day to raise awareness of the importance of mediation, conflict resolution, and a host of tools and skills used to resolve workplace differences. Conceived in 2005 by the Association for Conflict Resolution, Conflict Resolution Day aims to:

- Promote awareness of mediation, arbitration, conciliation and other creative, peaceful means of resolving conflict;
- Promote the use of conflict resolution in schools, families, businesses, communities, governments, and the legal system;
- Recognize the significant contributions of (peaceful) conflict resolvers; and
- Obtain national synergy by having celebrations happen across the country and around the world on the same day.

Not My Employee? No Problem!

By Mr. James Ellison, CRD, USCG HQ

Equal Employment Opportunity regulations are not exclusive to employees within their own agency. In a recent decision, the Equal Employment Opportunity Commission (EEOC) determined that the Department of the Navy (Navy) erroneously dismissed a complaint filed against them by an employee of a different agency. The Complainant, an Environmental Protection Agency (EPA) employee, filed a complaint against the Navy alleging harassment based on her race and national origin. She claimed that she attended a work-related meeting where a Navy employee called her Mexican,

laughed at her, and took pictures of her as she passed through security. Navy dismissed the complaint because she was not a Navy employee. EEOC regulations provide that a complaint is filed with the agency that allegedly discriminated against a Complainant.

While employees, former employees, or applicants for employment generally file complaints against their own agency, external agencies remain responsible for the actions of their employees and may incur liability regardless of a Complainant's employment status. The EEOC found that the Complainant made a valid harassment claim and ordered the Navy to process her complaint. *Marvella B. v. Secretary of Defense*, EEOC Appeal No. 2019004741 (September 27, 2019).



! ATTENTION !

Command Checklist

Due by

October 31, 2020!

By CAPT David Dubay, CRD, USCG HQ

The Civil Rights Command Checklist is a tool designed to assist Commanding Officers/Officers in Charge (Commands) in fulfilling their responsibilities toward achieving a model EEO program and for effectively promoting and implementing Coast Guard Civil Rights policies and programs at their respective units. While all units are encouraged to complete the checklist, only units with 50 or more members are required to do so. The checklist can be found in Appendix G of the Civil Rights Manual or at the following link: https://www.uscg.mil/Portals/0/Headquarters/civilrights/PDFs/COMDTINST_5350_4D.pdf?ver=2019-06-10-103035-650. For further information and guidance pertaining to the Command Checklist, please refer to refer to ALCOAST 346/20.