



# CIVIL RIGHTS ON DECK



## YEAR-END COMPLAINT ACTIVITY BY THE NUMBERS

THIS INFOGRAPHIC CONTAINS DATA ABOUT THE COAST GUARD'S YEAR-END COMPLAINT ACTIVITY. CIVIL RIGHTS SERVICE PROVIDERS (CRSP) RESPONDED TO COMPLAINTS AND CONDUCTED PROACTIVE ACTIVITIES INCLUDING TRAINING AND REVIEWING COAST GUARD LOCATIONS FOR COMPLIANCE WITH EQUAL EMPLOYMENT OPPORTUNITY/EQUAL OPPORTUNITY (EEO/EO) REQUIREMENTS. FOR MORE INFORMATION, [CONTACT YOUR LOCAL CRSP](#). By Elizabeth Mercado-Prioleau, EEO Specialist, CRD, USCG HQ

### COMPLAINTS



\* COMPLAINT DATA INCLUDES 185 COVID-19 VACCINE REASONABLE ACCOMMODATIONS.

### MOST FREQUENTLY ALLEGED ISSUES AND BASES OF DISCRIMINATION:

#### TOP 3 ALLEGED ISSUES- MILITARY

1. TERMS/CONDITIONS OF EMPLOYMENT
2. DISCIPLINARY ACTION
3. HARASSMENT NON-SEXUAL

#### TOP 3 ALLEGED BASES- MILITARY

1. RELIGION
2. REPRISAL
3. SEX- MALE

#### TOP 3 ALLEGED ISSUES - CIVILIAN

1. HARASSMENT, NON-SEXUAL
2. TERMS/CONDITIONS OF EMPLOYMENT
3. DISCIPLINARY ACTION

#### TOP 3 ALLEGED BASES- CIVILIAN

1. REPRISAL
2. AGE
3. RACE DISCRIMINATION, BLACK

### REVIEWS

**18** ON-SITE EQUAL OPPORTUNITY REVIEWS AT COAST GUARD LOCATIONS



### TRAINING

**19,638** MEMBERS RECEIVED CIVIL RIGHTS TRAINING

**16,976** MILITARY

**2,551** CIVILIAN

**99.8%**

POSITIVE RATINGS IN OVERALL TRAINING QUALITY OUT OF OVER 13,000 EVALUATION RESPONSES



**78,000+**

TRAINING HOURS RECEIVED, DELIVERED BY CIVIL RIGHTS SERVICE PROVIDERS

## PROMOTING CULTURAL AWARENESS THROUGHOUT THE COAST GUARD WITH SPECIAL OBSERVANCES

By Patrick Ferraris, Communications Specialist, CRD, USCG HQ

The Coast Guard recognizes and participates in ten special observances throughout the year, which are implemented by Presidential Proclamation, Executive Orders, Bills, or Public Laws. You can find all of the Service's officially recognized observances in the new [2023 Special Observances Calendar](#). All units and commands are encouraged to conduct programs and promote participation in these events to raise cultural awareness. The Defense Equal Opportunity Management Institute (DEOMI) has resources that can assist with facilitating such events at your location. Recognizing and honoring these cultural observances is a vital part of the Coast Guard's Civil Rights program and helps the Service achieve its objectives for the promotion of equality, dignity, and respect for all members of the workforce. Pictured: Left: Base Portsmouth celebrated Juneteenth by paying particular attention to Richard Etheridge and the Pea Island Life-Saving Station in North Carolina. This included historical presentations, displays, and U.S. Colored Troops reenactors. Center: Members from the Jicarilla Apache Nation visited Base Los Angeles/Long Beach during Native American Heritage Month to discuss their culture and share their experiences, from military service to demonstrating traditional dances. Right: Bay Area Coast Guard members attended and participated in a wreath-laying ceremony for Capt. Michael Healy, the first African American to receive a U.S. sea service officer's commission and the first to command a government ship, in honor of Black History Month.





## A CLOSER LOOK AT PREGNANCY DISCRIMINATION

The Pregnancy Discrimination Act (PDA) of 1978 was the first federal law to prohibit discrimination based on pregnancy, childbirth, or related medical conditions. This amendment to the Civil Rights Act of 1964 categorized pregnancy discrimination as a form of sex discrimination. This provision protects workers from discrimination for current, past, or potential pregnancy. The Equal Employment Opportunity Commission (EEOC) notes that adverse treatment of pregnant women often arises from stereotypes and assumptions about their job capabilities and commitment to the job. For example, a supervisor might refuse to hire a pregnant woman because they assume she will have attendance problems or leave her position after the child is born. Harassment may occur if comments target an employee regarding their appearance, absences, breastfeeding, or other pregnancy-related remarks. Managers and supervisors should remain vigilant to such behaviors in the workplace, promptly look into reported conduct, and take swift actions to hold those who may violate Coast Guard policy accountable. (Photo by PO1 Ali Blackburn)

## CRD WELCOMES NEW PIE/SEP PROGRAM MANAGER

By CDR Alessandra Penswater, Acting Chief, Planning & Resources, CRD, USCG HQ

Edward “Eddie” Stoker recently joined the Civil Rights Directorate as the Partnership in Education and Special Emphasis Program Manager. He previously served as a Partners & Intergovernmental Affairs Specialist with the Department of the Interior, where he oversaw national partnership initiatives and coordinated multiple national Special Emphasis Program events. Eddie enjoys working with people to help people and he is pleased to join the Coast Guard team. He looks forward to furthering the community outreach and engagement that is taking place in and across the communities where the Coast Guard serves. In addition to a Bachelor of Science from Texas A&M and a Master of Science from Baylor University, Eddie possesses executive certificates in “Strategic Diversity and Inclusion” and “Nonprofit Management” from Georgetown University. Eddie, who grew up in Chile and Panama, enjoys meeting others, hiking, and traveling, particularly visiting UNESCO Heritage Sites and National Parks in Latin America.



## WHAT IS A SIMILARLY SITUATED EMPLOYEE?

By Domingo Cruz, EEO Specialist, CRD, Region 2, Zone 5

When an employee files a complaint alleging that they are being treated differently because of their race, religion, color, sex (including sexual orientation, gender identity, and pregnancy), age, national origin, religion, or disability, they are asserting unequal treatment. One basis often needed in such a claim is evidence showing that they were treated less favorably than “similarly situated” employees. The Equal Employment Opportunity Commission (EEOC) sheds more light about what the term “similarly situated” means in their decision in *Ferrell v. U.S. Postal Service*, EEOC No. 0120064642 (EEOC OFO 2008): “...all relevant aspects of the employees’ work situations must be identical or nearly identical, i.e., that the employees report to the same supervisor, perform the same job function, and work during the same time periods.” Showing that an agency or supervisor treated the employee differently than similarly situated employees may establish a legitimate case, but it is only one facet of the law. There may be appropriate reasons that a supervisor treated an employee differently than others, without bias. For example, if an employee receives a written warning from their supervisor for repeatedly reporting late to work and no other employees in the work group have reported late, it is likely for legitimate reasons. If, however, similarly situated employees were late with nearly the same frequency and only the complainant received a written warning, there may be some gaps in the reasons for taking action. If those reasons are questionable, a complainant must present evidence to show why management’s reasons are a cover-up for discrimination. Complaints involving disparate or unequal treatment are fact-intensive cases, and the EEOC uses a rigorous framework to evaluate each case’s facts. Contact your local [Civil Rights Service Provider](#) for questions regarding disparate treatment claims.



An employee who makes the claim of disparate or unequal treatment alleges that they were treated negatively compared to other, similarly situated employees.

(Photo by Cameron Porter)





## Civil Rights Directorate

**Dr. Terri Dickerson**

*Director*

**CDR Andrew Grantham**

*Executive Assistant*

**Mr. James Ellison**

*Assistant Director*

**Ms. Tabettha McFeders**

*Division Chief*

**CDR Alessandra Penswater**

*Division Chief*

**Mr. Eduardo Zayas**

*Division Chief*

**Mr. Patrick Ferraris**

*Communications Specialist*

## Contact Information

2703 Martin Luther King Jr.  
Ave., S.E.  
Washington, DC 20593-7000  
Phone: (202) 372-4500  
Fax: (202) 372-8303

Visit us at:

[https://www.uscg.mil/  
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## LET YOUR VOICE BE HEARD: DEOCS TOOL PROVIDES FEEDBACK FOR LEADERS

In 2022, the Coast Guard generated 184 Defense Equal Opportunity Climate Survey (DEOCS) reports from the responses of over 11,000 members. DEOCS is a tool that provides a way for Coast Guard military members and civilian employees to share their candid impressions about their unit's organizational climate. The survey assesses 19 protective and risk factors that can impact an organization's command climate and can help commands establish an inclusive workplace. Protective factors are defined as attitudes, beliefs, and behaviors associated with positive outcomes for organizations or units. Protective factors include unit cohesion, morale, leadership support, and work-life balance. The highest protective factors in the 2022 survey include supportive leadership, with an 83% favorable rating, transformation leadership (80%), and high connectedness (80%).

Higher favorable ratings within protective factors are linked to a higher likelihood of positive outcomes, such as improved performance or readiness and higher retention. Risk factors are attitudes, beliefs, and behaviors associated with negative outcomes for organizations or units. Risk factors include topics like stress, toxic leadership, and workplace hostility. The most common risk factors in the 2022 survey include moderate/high stress work environments with 38% unfavorable rating, sexually harassing behavior (21%), and racially harassing behavior (16%). Higher unfavorable ratings on risk factors are linked to a higher likelihood of negative outcomes such as sexual harassment, toxic leadership, and workplace hostility. The indications of risk factors within DEOCS provide unit commanders with an assessment of harmful behaviors that may be present in the organization and, by analyzing the results, can help isolate specific behaviors that can be included in a unit action plan for command climate improvement. Participation in DEOCS is completely confidential and the Coast Guard workforce is highly encouraged to participate so they can provide valuable insight to command leadership that can help make a positive impact on the unit's climate and effectiveness. For assistance with requesting the survey, interpretation of survey results, or for more information about DEOCS, contact your local [Civil Rights Service Provider](#).



*Participating in the Defense Equal Opportunity Climate Survey (DEOCS) is a way for the Coast Guard workforce to voice their opinions on a unit's command climate. (Photo by Seaman Christian Lower)*

The [Coast Guard mobility program](#) is an assistive service that provides military members and civilian employees, applicants, and visitors with support in form of motorized scooters and wheelchairs for short-term medical conditions. To request a temporary mobility device, contact your local [Civil Rights Service Provider](#). For long-term or permanent mobility needs, you can request an aid from your command using the reasonable accommodation process.

## TOGETHER WE SERVE ON MARTIN LUTHER KING JR. DAY

Every third Monday in January, the Nation recognizes the Martin Luther King Jr. Day of Service (MLK Day). In 2023, MLK Day takes place on January 16th. This observance encourages us to celebrate Dr. King's life and legacy and better understand his dedication to equity. The observance is meant to inspire Americans to serve together and make it "a day on, not a day off" by volunteering throughout our communities. To find volunteer opportunities in your area, you can reach out to a member of your local Leadership Diversity and Advisory Council or access the [AmeriCorps list of volunteer opportunities](#). All Coast Guard Commands and units are encouraged to commemorate this observance through in-person gatherings and to use remote collaboration platforms, websites, newsletters, and social media.

