

THE OFFICE OF CIVIL RIGHTS

ISSUE SUMMARY:

EPA's Office of Civil Rights (OCR) must ensure compliance with federal nondiscrimination laws, regulations, and executive orders. OCR processes and adjudicates complaints of discriminations filed under Title VII of the Civil Rights Act of 1964, as amended; Age Discrimination in Employment Act of 1967, as amended; Rehabilitation Act of 1973, as amended; Genetic Information Nondiscrimination Act of 2008; Equal Pay Act of 1963, as amended, and the Pregnant Workers Fairness Act of 2023. EPA's Civil Rights Program mitigates the Agency's liability by enhancing efforts to meet regulatory responsibilities.

UPCOMING MILESTONES:

- In February 2025, OCR will conduct the State of Civil Rights briefing for the agency's senior leadership and submit the Management Directive 715 (MD-715) FY 24 report to the Equal Employment Opportunity Commission (EEOC).
- In March 2025, OCR will disseminate the FY 2024 Annual Report of Congress Pursuant to the Notification and Federal Employee Antidiscrimination and Retaliation Act (No FEAR Act) of 2002.

BACKGROUND:

OCR is a vital component of the EPA, ensuring that employees have a workplace that is free from harassment and discrimination. OCR consists of three programs, including the Employment Complaints Resolution Staff (ECRS), the Affirmative Employment Analysis and Accountability Staff (AEAA) and the National Reasonable Accommodation Program.

ECRS is responsible for providing prompt, fair, and impartial investigations into allegations of discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, gender identity or gender expression), national origin, disability, age, genetic information, status as a parent, marital status, political affiliation, or reprisal/retaliation for engaging in EEO activity. Discrimination includes harassment – sexual or nonsexual – of any employee or applicant for employment. The program promotes alternative dispute resolution mechanisms to resolve discrimination complaints.

AEAA staff collaborate with agency partners to collect and analyze data; review existing policies, practices, and procedures; and recommend actions to address any identified potential barriers to ensure equal employment opportunity in hiring, outreach, promotion, retention, and every employment decision. The program is also responsible for developing and reporting to the EEOC the MD-715 report, which is an annual self-assessment of the Agency's EEO program.

The National Reasonable Accommodation program processes requests for reasonable accommodations from qualified persons with disabilities per the responsibilities under the Rehabilitation Act of 1973, as amended and from persons covered by the Pregnant Workers Fairness Act. The program provides guidance, training, and procedures to employees and supervisors.

KEY EXTERNAL STAKEHOLDERS:

☒ Congress ☐ Industry ☐ States ☐ Tribes ☐ Media ☒ Other Federal Agency
☐ NGO ☐ Local Government ☐ Other _____

MOVING FORWARD:

Moving forward OCR anticipates the following actions:

- Develop proposal to link EEO with the agency's next strategic plan.
- Continue to implement strategies for transparently communicating and addressing trends in formal complaints at program and region offices.
- Further implement Alternative Dispute Resolution training (for management and staff) to strengthen participants' knowledge and to increase offers and participation in the ADR process.
- Evaluate the Agency's 10 Special Emphasis Programs to ensure they are meeting the objectives of the national EEO program.
- Continue to monitor the effectiveness of measures implemented from the Barrier Analysis Report: "Increasing the Use of the Schedule A (Disability) Hiring Authority."
- Analyze, complete, and/or monitor, as appropriate, two other Barrier Analysis efforts: "Upward Mobility of Hispanic Employees into the Senior Executive Service (SES)" and "Upward Mobility of Employees into the Senior Executive Service (SES) based on the EEO Categories of Race and Sex."
- Support the Agency's efforts to improve accessibility for persons with disabilities.
- Assess organizational EEO efforts through listening sessions and during Technical Assistant Visits (TAVs) with program and regional offices.

LEAD OFFICE/REGION: REGION 2

OTHER KEY OFFICES/REGIONS: OGC, OHR, LER