

2017 President's Budget
Office of Civil Rights

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OFFICE OF THE CIVIL RIGHTS

Purpose Statement

The Office of Civil Rights' (OCR) mission is to facilitate the fair and equitable treatment of USDA customers and employees while ensuring the delivery and enforcement of Departmental civil rights programs and activities. OCR seeks innovative methods to make progress towards meeting the regulatory standards for processing the Department's Equal Employment Opportunity (EEO) and program complaints, as well as to become a more efficient and effective operation. OCR utilizes assigned staff and contract attorneys to assist with the final agency decision (FAD) workload. In addition, OCR utilizes contract services and detailed staff to assist with the elimination of the program and EEO complaint inventory.

OCR reviews agency standard operating procedures and employee performance standards to ensure that systems and workload analyses are in place to prevent future backlogs and to maintain the complaint inventory at a manageable level while working to meet all processing regulatory timeframes. OCR focuses Alternative Dispute Resolution (ADR) efforts solely on EEO and program conflicts that could evolve into discrimination complaints. This new focus allows more conflicts and/or disputes to be resolved prior to becoming discrimination complaints. Non-EEO conflicts will be addressed outside of OCR. OCR has incorporated a conciliation function that will provide follow up to ensure that all parties are managing their conflicts in a healthy and productive manner. OCR provides periodic ADR orientations, updates, and targeted conflict management training to USDA Subcabinet officials, recognized employee organizations, agency civil rights directors, and headquarters and agency employees.

As of September 30, 2015, there were 126 full-time permanent employees, all located in Washington, D.C.

OIG Reports – In Progress

#50099-0001-12 September 2015 Review of Expenditures Made by the Office of the Assistant Secretary for Civil Rights

GAO Reports – In Progress

GAO-09-62 August 2008 U.S. Department of Agriculture: Recommendations and Options to Address Management Deficiencies in the Office of the Assistant Secretary for Civil Rights

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Available Funds and Staff Years (SYs)
(Dollars in thousands)

Item	2014 Actual		2015 Actual		2016 Enacted		2017 Estimate	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Salaries and Expenses:								
Discretionary Appropriations.....	\$21,400	136	\$24,070	119	\$24,070	124	\$24,750	124
Lapsing Balances.....	-107	-	-177	-	-	-	-	-
Subtotal Obligations, OCR.....	21,293	136	23,893	119	24,070	124	24,750	124
Obligations under other USDA appropriations:								
EEO Investigation.....	657	-	920	-	800	-	800	-
Administrative Solutions Project 1/.....	3,300	-	3,163	10	3,000	10	3,000	10
Misc. Reimbursements.....	292	-	155	-	600	-	600	-
Total, Other USDA.....	4,249	-	4,238	10	4,400	10	4,400	10
Total, OCR.....	25,542	136	28,131	129	28,470	134	29,150	134

1/ Beginning in FY 2015, reimbursable staff years are included.

The Administrative Services Project is one the Secretary’s initiative. This initiative can also be labeled “consolidated EEO Investigations” as OCR assumed responsibility for some EEO agency staff and all vendors doing EEO investigations.

Permanent Positions by Grade and Staff Year Summary

Item	2014 Actual	2015 Actual	2016 Enacted	2017 Estimate
	Wash. D.C.	Wash. D.C.	Wash. D.C.	Wash. D.C.
SES.....	2	2	2	2
GS-15.....	13	17	17	17
GS-14.....	16	16	18	18
GS-13.....	55	55	57	57
GS-12.....	8	8	8	8
GS-11.....	7	7	7	7
GS-10.....	2	2	2	2
GS-9.....	4	4	4	4
GS-8.....	8	7	8	8
GS-7.....	7	6	7	7
GS-6.....	2	1	2	2
GS-4.....	2	1	2	2
Total Perm. Pos.....	126	126	134	134
Unfilled, EOY.....	-	-	-	-
Employment EOY.....	126	126	134	134
Staff Year Est.....	136	129	134	134

1/ Beginning in FY 2015, reimbursable staff years are included.

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The estimates include appropriation language for this item as follows (new language underscored; deleted matter enclosed in brackets):

Salaries and Expenses:

For necessary expenses of the Office of Civil Rights, [\$24,070,000] \$24,750,000.

Lead-Off Tabular Statement

Budget Estimate, 2017.....	\$24,750,000
2016 Enacted.....	<u>\$24,070,000</u>
Change in Appropriation.....	<u>+680,000</u>

Summary of Increases and Decreases

(Dollars in thousands)

	<u>2014</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
	<u>Actual</u>	<u>Change</u>	<u>Change</u>	<u>Change</u>	<u>Estimate</u>
Discretionary Appropriations:					
Office of Civil Rights.....	\$21,400	+\$2,670	-	+\$680	\$24,750

Project Statement

Adjusted Appropriations Detail and Staff Years (SYs)

(Dollars in thousands)

	<u>2014 Actual</u>		<u>2015 Actual</u>		<u>2016 Enacted</u>		<u>Inc. or Dec.</u>		<u>2017 Estimate</u>	
Program	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Discretionary Appropriations:										
Office of Civil Rights 1/.....	\$21,400	136	\$24,070	119	\$24,070	124	+\$680 (1)	-	\$24,750	124
Total Adjusted Appropriation.....	<u>21,400</u>	<u>136</u>	<u>24,070</u>	<u>119</u>	<u>24,070</u>	<u>124</u>	<u>+680</u>	<u>-</u>	<u>24,750</u>	<u>124</u>
Total Available.....	21,400	136	24,070	119	24,070	124	+680	-	24,750	124
Lapsing Balances.....	-107	-	-177	-	-	-	-	-	-	-
Total Obligations.....	<u>21,293</u>	<u>136</u>	<u>23,893</u>	<u>119</u>	<u>24,070</u>	<u>124</u>	<u>+680</u>	<u>-</u>	<u>24,750</u>	<u>124</u>

1/ Staff years for FY 2015 adjusted to reflect a decrease of 10 which are now reimbursable.

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Project Statement
 Obligations Detail and Staff Years (SYs)
 (Dollars in thousands)

Program	<u>2014 Actual</u>		<u>2015 Actual</u>		<u>2016 Enacted</u>		<u>Inc. or Dec.</u>		<u>2017 Estimate</u>	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Discretionary Obligations:										
Office of Civil Rights 1/.....	\$21,293	136	\$23,893	119	\$24,070	124	+\$680 (1)	-	\$24,750	124
Total Obligations.....	21,293	136	23,893	119	24,070	124	+680	-	24,750	124
Lapsing Balances.....	107	-	177	-	-	-	-	-	-	-
Total Available.....	21,400	136	24,070	119	24,070	124	+680	-	24,750	124
Total Appropriation.....	21,400	136	24,070	119	24,070	124	+680	-	24,750	124

1/ Staff years for FY 2015 adjusted to reflect a decrease of 10 which are now reimbursable.

Justification of Increases and Decreases

The base funds for OCR will continue to support OCR’s mission to facilitate the fair and equitable treatment of USDA customers and employees while ensuring the delivery and enforcement of the Departmental civil rights programs and activities. OCR seeks innovative methods to make progress towards meeting the regulatory standards for processing the Department’s EEO and program complaints, as well as to become a more efficient and effective operation. In addition to Departmental Administration funding used for human resources operational services, current year and budget year base funds will also be used to support expedited and enhanced classification, staffing and processing efforts. Staff years for FY 2015 adjusted to reflect a decrease of 10 which are now reimbursable.

- (1) An increase of \$680,000 for the Office of Civil Rights (\$24,070,000 and 124 staff years available in 2016).

The funding change is requested for the following items:

- a. An increase of \$272,000 for pay costs (\$56,000 for annualization of the fiscal year 2016 pay raise and \$216,000 for the anticipated fiscal year 2017 pay raise.)

This increase is needed to maintain the current level of staffing to ensure OCR staffs will continue its mission to facilitate the fair and equitable treatment of USDA customers and employees while ensuring the delivery and enforcement of civil rights programs and activities.

- b. An increase of \$75,000 for enhanced training to educate USDA’s workforce through increased webinars on limited English Proficiency (LEP) and Lesbian, Gay, Bisexual, and Transgender (LGBT) issues.

This funding is needed to educate USDA’s workforce in on Limited English Proficiency requirements and to conduct limited outreach and educational efforts for civil rights activities. In addition, funding will enable the OCR to conduct training to the Lesbian, Gay, Bisexual and Transgender community via webinars and videos on USDA programs and benefits.

- c. An increase of \$175,000 for the existing Civil Rights Enterprise System to enhance monitoring Personal Identifiable Information.

This increase is needed ensure OCR’s IT system is aligned with the President’s and Secretary’s mandate to protect the personal information of employees and the public we serve. It is imperative that Federal IT systems have sufficient mechanisms in place to remain fully certified and cybersecurity risk-free. The funds will be used for the modernization of OCR’s Civil Rights Enterprise System to protect the personally identifiable information of USDA employees and customers and hinder potential insider threats to this information. It will ensure all

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complaint files are digitized and secured properly. In addition, OCR will coordinate with OCIO to accomplish this task.

d. An increase of \$158,000 for Civil Rights Outreach Activities and operational costs.

This increase will ensure outreach activities controlled by USDA agencies are implemented in accordance with civil rights laws and regulations. The OCR will provide funds to collaboratively support the construction of community gardens in economically underserved communities throughout the United States. The OCR will conduct proactive Civil Rights activities in an effort to decrease the filing of complaints of discrimination. These outreach related activities may include technical assistance to USDA employees and program recipients as well as establishing community gardens in economically distressed communities.

Geographic Breakdown of Obligations and Staff Years
(Dollars in thousands and Staff Years (SYs))

State/Territory	2014 Actual		2015 Actual		2016 Enacted		2017 Estimate	
	Amount	Staff SYs	Amount	Staff SYs	Amount	Staff SYs	Amount	Staff SYs
District of Columbia.....	\$21,293	136	\$23,893	119	\$24,070	124	\$24,750	124
Lapsing Balances.....	107	-	177	-	-	-	-	-
Total Available.....	<u>21,400</u>	<u>136</u>	<u>24,070</u>	<u>119</u>	<u>24,070</u>	<u>124</u>	<u>24,750</u>	<u>124</u>

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Classification by Objects

(Dollars in thousands)

	2014	2015	2016	2017
	<u>Actual</u>	<u>Actual</u>	<u>Enacted</u>	<u>Estimate</u>
Personnel Compensation:				
Washington D.C.....	\$12,608	\$12,286	\$12,485	\$12,750
11 Total personnel compensation.....	12,608	12,286	12,485	12,750
12 Personal benefits.....	3,673	3,752	3,812	3,894
13.0 Benefits for former personnel.....	8	3	3	3
Total, personnel comp. and benefits.....	16,289	16,041	16,300	16,647
Other Objects:				
21.0 Travel and transportation of persons.....	289	224	224	224
22.0 Transportation of things.....	9	6	6	6
23.1 Rental Payment to GSA.....	176	2,281	1,372	1,387
23.3 Communications, utilities, and misc. charges..	470	458	458	458
24.0 Printing and reproduction.....	367	221	221	221
25.2 Other services from non-Federal sources.....	2,087	2,037	2,032	2,190
25.3 Other purchases of goods and services				
from Federal sources.....	1,504	2,410	3,242	3,402
26.0 Supplies and materials.....	90	94	94	94
31.0 Equipment.....	7	-	121	121
42.0 Insurance Claims.....	5	121	-	-
Total, Other Objects.....	5,004	7,852	7,770	8,103
99.9 Total, new obligations.....	21,293	23,893	24,070	24,750
DHS Building Security Payments (included in 25.3).....	-	\$351	\$199	\$201
Position Data:				
Average Salary (dollars), SES Position.....	\$162,200	\$162,700	\$163,400	\$164,103
Average Salary (dollars), GS Position.....	\$97,200	\$97,769	\$99,368	\$101,096
Average Grade, GS Position.....	13.4	13.4	13.5	13.5

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Shared Funding Projects
(Dollars in thousands)

	2014	2015	2016	2017
	<u>Actual</u>	<u>Actual</u>	<u>Enacted</u>	<u>Estimate</u>
Working Capital Fund:				
Administration:				
Beltsville Service Center.....	\$14	\$14	\$19	\$21
HR Enterprise System Management.....	-	-	1	1
Mail and Reproduction Management.....	397	236	270	251
Procurement Operations.....	15	108	106	100
Integrated Procurement System.....	8	40	92	92
Subtotal.....	434	398	488	465
Communications:				
Creative Media & Broadcast Center.....	21	43	32	50
Finance and Management:				
NFC/USDA.....	35	39	42	37
Financial Systems.....	13	27	27	28
Internal Control Support Services.....	15	-	-	25
Subtotal.....	63	66	69	90
Information Technology:				
NITC/USDA.....	26	72	123	131
Telecommunications Services.....	702	727	771	773
Subtotal.....	728	799	894	904
Correspondence Management.....	9	15	17	23
Total, Working Capital Fund.....	1,255	1,321	1,500	1,532
Departmental Shared Cost Programs:				
1890's USDA Initiatives.....	4	4	4	4
Classified National Security Information.....	-	1	1	1
Continuity of Operations Planning.....	3	3	3	3
Identity & Access Management (HSPD-12).....	9	9	9	9
Emergency Operations Center.....	3	3	3	3
Facility and Infrastructure Review and Assessment.....	1	1	1	1
Faith-Based & Neighborhood Partnerships.....	-	-	1	1
Hispanic-Serving Institutions National Program.....	3	2	2	2
Human Resources Transformation (inc. Diversity Council)..	2	2	2	2
Medical Services.....	5	10	12	12
People' Garden	1	1	1	1
Personnel Security Branch (PDSD).....	2	1	1	1
Pre-authorizing Funding.....	5	5	5	5
Retirement Processor/Web Application.....	1	1	1	1
Sign Language Interpreter Services.....	7	-	-	-
TARGET Center.....	1	2	2	2
USDA 1994 Program.....	1	1	1	1
Virtual University.....	2	3	3	3
Total, Departmental Shared Cost Programs.....	50	49	52	52
E-Gov:				
Enterprise Human Resources Intigration.....	3	3	3	3
E-Rulemaking.....	1	1	1	2
E-Training.....	4	4	3	-
Integrated Acquisition Environment - Loans and Grants.....	2	2	-	-
Integrated Acquisition Environment.....	1	1	2	-
Total, E-Gov.....	11	11	9	5
Agency Total.....	1,316	1,381	1,561	1,589

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Shared Funding Projects

(Dollars in thousands)

	2014	2015	2016	2017
	<u>Actual</u>	<u>Actual</u>	<u>Enacted</u>	<u>Estimate</u>
E-Gov:				
Enterprise Human Resources Intigration.....	3	3	3	3
E-Rulemaking.....	1	1	1	2
E-Training.....	4	4	3	-
Integrated Acquisition Environment - Loans and Grants.....	2	2	-	-
Integrated Acquisition Environment.....	1	1	2	-
Total, E-Gov.....	11	11	9	5
Agency Total.....	1,316	1,381	1,561	1,589

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Status of Programs

The Office of Civil Rights' (OCR) activities include: 1) timely and cost-effective complaint processing of equal employment opportunity (EEO) and program complaints; and 2) the implementation of initiatives to prevent EEO and program complaints through the use of alternative dispute resolution (ADR) and civil rights related activities including training and compliance.

Current Activities:

A key priority for OCR is to ensure timely and cost effective complaint processing. To do so, OCR continues to implement innovative strategies to process the Department's EEO and program complaints to meet regulatory standards, strengthen operational efficiencies, and increase cost effectiveness and avoidance.

OCR has accomplished and continues to improve on reducing the EEO and program complaint inventory. As such, OCR reviewed standard operating procedures and employee performance standards to ensure systems and workload analyses are in place to prevent future backlogs and to maintain the complaint inventory at a manageable level while working to meet all regulatory timeframes for processing.

For the first time, in FY2015, civil rights activities are incorporated into the USDA Strategic Plan under Goal 5: Create a USDA for the 21st Century that is High-Performing, Efficient, and Adaptable. OCR's performance measurement is increasing civil rights compliance reviews through collaboration with agencies. The compliance reviews are designed to proactively evaluate the civil rights and equal opportunity policies, procedures, and practices of agencies within USDA.

Selected Examples of Recent Progress:

Timely and Cost Effective Complaint Processing

This office continues to seek innovative methods to make progress towards meeting the regulatory standards for processing the Department's EEO and program complaints, as well as to become a more efficient and effective operation. The office utilizes assigned staff and contract attorneys to assist with the final agency decision (FAD) workload. In FY 2015, OCR reduced its aged inventory while processing the current inventory of cases timely and efficiently.

USDA received 507 EEO complaints in FY 2015—a 7 percent increase from FY 2014 (476 received EEO complaints), of which 439 were accepted for processing—a 5 percent increase from FY 2014 (418 accepted complaints). OCR closed 489 EEO complaints, including issuing 10 findings of discrimination. The Employment Investigation Division improved the timeliness of investigations from 45 percent to 75 percent. The Employment Adjudication Division reduced its case load down to 98 cases—the lowest in 20 years. The Conflict Complaints Division (CCD), formerly the Corporate Services Division, is responsible for processing conflict of interest and highly sensitive complaints for the Department. In FY2015, CCD streamlined its processes and developed new procedures to track and monitor conflict of interest EEO complaints. As a result, 100% of CCD's investigations were timely issued during the fiscal year.

USDA received 1,333 program discrimination complaints in FY 2015—a 14 percent increase above FY 2014 (1170 received program discrimination complaints)—of which 321 were accepted for processing—a 50 percent increase above FY 2014. OCR closed 250 program complaints, including 9 findings of discrimination. The Program Investigation Division reduced the processing time by 19 percent from 664 days to 541 days and the investigation inventory increased 80 percent from 115 to 207. In FY 2015, the Program Adjudication Division reduced the total inventory by 8 percent from 102 to 94.

EEO and Program Complaint Inventory Reduction

This office reviewed standard operating procedures and employee performance standards to ensure systems and workload analyses were in place to prevent future backlogs and to maintain the complaint inventory at a manageable level while working to meet all regulatory timeframes for processing.

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OCR is focusing efforts on EEO and program conflicts that could evolve into discrimination complaints. This new focus allows more conflicts and/or disputes to be resolved prior to becoming discrimination complaints. Non-EEO and program discrimination conflicts will be addressed outside of OCR. A conciliation function has been developed to ensure all parties are managing their conflicts in a productive manner.

This office provides periodic ADR orientations, updates, and targeted conflict management training to USDA Subcabinet officials, recognized employee organizations, agency civil rights directors, and headquarters and agency employees. In addition, working in collaboration with the ADR Leadership Group, OCR will revise the current ADR Regulations and conduct monthly ADR training sessions.

EEO Complaint Prevention Activities.

ADR efforts have been increased in the area of EEO disputes to aid in the prevention of future EEO complaints.

Alternative Dispute Resolution (ADR).

The Early Resolution and Conciliation Division's (ERCD) goal is to create an environment that encourages the early intervention and resolution of workplace disputes and Program and EEO complaints. ERCD has taken numerous steps to increase the availability and usage of ADR within USDA.

In FY 2015, ERCD processed 288 cases (161 employment, and 127 programmatic [Title VI] cases)—a 57 percent increase from FY 2014 (183 cases). OCR completed 632 consultations—a 37 percent increase from FY 2014 (462 consultations). ERCD provided early intervention consultations to 372 USDA employees and customers who experienced workplace conflict with a peer and/or supervisor/manager and also provided 259 consultations to members of the public who had questions or concerns regarding services they received from USDA. ERCD received 127 programmatic (Title VI) cases—a 76 percent increase from FY 2014 (70 programmatic cases received). ERCD closed 120 programmatic (Title VI) cases accordingly: 13 Settlements and 107 via withdrawal or determinations of Program-ADR unsuitability.

Training is an essential aspect of the ERCD mission. During FY 2015, ERCD focused on training USDA employees and providing outreach to make them aware of ADR and the different techniques available to address workplace as well as customer complaints. ERCD coordinated 4 conflict management workshops and approximately 1,638 employees attended and/or participated in the workshops. Additionally, ERCD hosted 28 sessions on "A Brief Introduction to ADR," reaching a total of 210 attendees. Although ERCD calculates the total number of attendees to its trainings to equal 1,848, the actual number may be greater due to group registrations, employees not completing surveys to receive credit, and some employees did not register but did attend the training.

OCR conducts bi-monthly ADR training workshops and other activities for USDA employees and officially sanctioned employee organizations. The workshops focus on communication, conflict management, and generational influences on workplace conflicts. The workshops are presented to a live audience, via webinar and teleconference to include employees located outside of the Washington, DC metropolitan area.

2015 Civil Rights Training:

OCR places a high priority on and is actively engaged in educating and training all USDA employees (including supervisors, managers, and political appointees) at all USDA locations. Training addresses topics including civil rights laws, problematic and systemic trends, appropriate behavior, and customer service requirements. Actual summary complaint data and case studies illustrate: 1) impacts of unintentional actions and 2) expected EEO and customer service practice when interacting with the public. According to overall survey results, the training is meaningful, well received and delivered in a non-confrontational manner. OCR's civil rights education program is resulting in more wide spread recognition that all USDA employees are protected by civil rights laws, and the words "civil rights" should not instill fear. Employees have a heightened awareness about civil rights laws, personal responsibilities and liabilities, complaints avoidance actions, and good customer service practices.

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In FY 2015, OCR conducted 40 training sessions, reaching 1,356 employees, at 12 USDA agencies and offices. Those sessions included two sessions specifically designed for political appointees. In addition, the Division conducted training sessions at two national conferences, Out and Equal and Federal Asian Pacific American Council (FAPAC). The majority of FY 2015 training sessions addressed Lesbian, Gay, Bisexual and Transgender (LGBT) Nondiscrimination in the Federal Workplace. This was due to recent decisions by the U.S. Equal Employment Opportunity Commission which expanded Title VII's definition of sex discrimination to include gender identity and sexual orientation. Other training topics addressed in FY2015 included: Unconscious Biases, Generational/Cultural Differences, Religious Expression in the Federal Workplace, and Alternative Dispute Resolution.

Civil Rights Policy.

In FY 2015, OCR established two new policies for USDA; the Anti-harassment Policy and Bullying Policy as part of a continuous commitment towards fostering an environment where employees feel free to report any incidents of harassment without reservation. With the Secretary's signing of these two policies, USDA affirms its commitment to fairly and promptly investigate and resolve reports of harassment. In addition, USDA revised Departmental Regulations, Nondiscrimination in Conducted Programs and Activities, DR 4330-003 and Equal Opportunity Public Notification Policy, DR 4300-003. On November 28, 2014, USDA published its "*Final Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Persons With Limited English Proficiency.*" Throughout the year, the OCR staff has worked diligently with the USDA LEP Taskforce to assist Agencies with Assisted programs in developing an Implementation Strategy for recipients to utilize in implementing the aforementioned Guidance.

Civil Rights Impact Analysis (CRIA).

The OCR continued to conduct individual and group conversations with Under Secretaries, agency heads and staff. The message was "one USDA", encouraging employees to work together across organizational boundaries and ensure important interests are advanced while being prudent in addressing proposed actions where potentially adverse impact was imminent.

In FY 2015, OCR conducted training to all USDA agencies (including program and civil rights staff, Departmental Management and Staff offices). The training focused on policies, procedures, and process for developing CRIAs. Attendees were provided with hands on exercises, practical examples on how to gather accurate data, and strategies on how to increase the participation of members of protected groups. By utilizing Adobe Connect live, attendance was increased and it allowed agency field staff to participate. Moving forward, OCR will continue to offer technical assistance to Agencies, as needed, when preparing CRIA's for regulations, advisory committees and/or reorganizations. To address the LEP needs of the Asian American Community, throughout the year OCR, participated in group sessions with Hmong Farmer Working & Poultry Farming and conducted an Outreach/Listening Session for the Asian American and Pacific Islander (AAPI) community in several states.

During fiscal year 2015, OCR reviewed approximately 100 major CRIA plans and worked collaboratively with Agency civil rights and program staff to ensure that planned actions did not adversely impact protected groups. During the clearance of their Farm Bill Regulations, OCR worked closely with the Agencies to ensure their implementation of statutory requirements did not adversely impact protected groups and that they included efforts to increase minority participation through implementing effective outreach strategies.

Compliance Reviews.

Compliance reviews are used – both proactively and reactively – to evaluate the civil rights and equal opportunity policies, procedures, practices of an agency within USDA. In FY 2015, OCR conducted 10 compliance reviews, five of which were technical assistance compliance reviews where OCR collaborated with USDA Agencies to administer the Agency's Civil Rights/EEO compliance reviews.

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Cultural Transformation.

In FY 2015, OCR's Cultural Transformation staff conducted 38 activities to support the Department's cultural transformation initiative, among them: three sessions of the "*In Conversation With...*" civil rights educational series, one of which observed the 50th Anniversary of the passage of the Voting Rights Act of 1965; co-sponsorship of 11 departmental heritage month and special emphasis observances; and one documentary film screening on the plight of farm workers in Immokalee, Florida.

Data and Records Management.

OCR completed the first phase of the Records Archive Initiative consisting of old and inactive records. Records Technicians inventoried and archived over 5,000 boxes of complaint files and estimated 2,500,000 sheets of paper.

OCR completed the redesign of the OCR website and the program complaint management system redesign is 85% complete.

Program Reviews Conducted.

OCR responded to Office of Inspector General (OIG) requests for documents under OASCR Audit 50099-0001-12 (involving a review of all procurement activities within OCR). OIG issued its final recommendations in September 2015.

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Summary of Budget and Performance
Statement of Agency Goals and Objectives

The Office of Civil Rights’ (OCR) mission is to provide overall leadership, coordination, and direction for USDA’s civil rights programs including matters related to program delivery, compliance and equal employment opportunity. OCR provides leadership and direction for the fair and equitable treatment of all USDA customers and employees while ensuring the delivery of quality program and enforcement of civil rights. OCR ensures compliance with applicable laws, regulations, and policies for USDA customers and employees.

OCR has one strategic goal and one strategic objective that contribute to one Strategic Objective within one of the Department’s Strategic Goals.

USDA Strategic Goal 5: *Create a USDA for the 21st Century that is high-performing, efficient, and adaptable.*

USDA Strategic Objective 5.2: *Build a safe, secure, and efficient workplace by leveraging technology and shared solutions across organizational boundaries.*

Agency Strategic Goal	Agency Objective	Program that Contribute	Key Outcome
Ensure that all USDA programs and activities are accessible and accountable.	Enable and ensure equitable access to all USDA programs.	Civil Rights	Program and EEO complaint reduction and prevention.

Key Performance Measures

Annual Performance Goals, Indicators, and Trends	Actual				Target	Actual	Result	Estimate/Target	Target
	2011	2012	2013	2014		2015		2016	2017
5.2 Data Records and Management Division (DRMD)									
Disposition Century past & closed paper-based files for transfer to the Federal Records Center (number of EEO and Program files transferred to the Federal Records Center)	n/a	n/a	n/a	n/a	30,000	30,000	Met	15,000	15,000
Convert open case files to electronic format	n/a	n/a	n/a	n/a	30,000	30,000	Met	15,000	15,000
5.2 EEO Formal Complaint Processing (EEO)									
EEO informal cases received- Corporate Services Division (Conflict Cases)	n/a	n/a	43	24	30	30	Met	30	30
EEO formal cases received- Employment Complaints Division	n/a	n/a	27	30	45	45	Met	50	50
Number of days to complete an employment investigation process	n/a	n/a	n/a	180	180	180	Met	180	180
EEO inventory of complaints pending Final adjudication	n/a	180	170	165	160	160	Met	160	160

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Annual Performance Goals, Indicators, and Trends	Actual				Target	Actual	Result	Estimate/Target	Target
	2011	2012	2013	2014	2015		2016	2017	
5.2 Early Resolution and Conciliation Division (ERCD)									
Number of complaints handled through ADR	n/a	93	120	140	130	130	Met	130	130
Hours saved by using early intervention & training	n/a	2,863	5,000+	2,000+	3,000+	3,000+	Met	3,000+	3,000+
Program ADR cases received	n/a	n/a	22	35	47	47	Met	64	64
PADR settlement agreements	n/a	n/a	14	17	25	25	Met	30	30
PADR settlement rates	n/a	n/a	65%	82%	75%	75%	Met	75%	75%
5.2 Office of Compliance, Policy, Training & Cultural Transformation (OCPTCT)									
Number of compliance reviews	n/a	n/a	120	140	130	130	Met	130	130
Number of CRIA's reviewed	n/a	50	60	90	75	75	Met	75	75
Number of civil rights departmental regulations reviewed	n/a	n/a	2	8	7	7	Met	7	7
Number of trainings conducted	n/a	n/a	n/a	50	63	63	Met	79	79
Number of employees trained across the Department	n/a	n/a	n/a	3,000	3,780	3,780	Met	5,520	5,520
Mandatory certifications and accreditations completed	n/a	100%	100%	100%	100%	100%	Met	100%	100%
5.2 Program Complaint Processing									
Intake average case processing days	n/a	25	20	15	15	15	Met	15	15
Investigations conducted per investigator	n/a	5	6	7	7	7	Met	7	7
Processing time in days for reports of investigations	n/a	n/a	180	180	180	180	Met	180	180
Overall Agency position statements received	n/a	n/a	336	408	600	600	Met	720	720
Overall number of program investigations	n/a	n/a	3,780	4,590	6,480	6,480	Met	8,100	8,100
Overall number of program adjudications	n/a	n/a	1,890	2,295	3,375	3,375	Met	4,050	4,050

Analysis of Results

Selected Past Accomplishments Toward the Achievement of the Key Outcome FY 2015:

- USDA received 507 EEO complaints in FY 2015 – a 7 percent decrease from FY 2014 (476 received EEO complaints), of which 439 were accepted for processing -- a 5 percent increase from FY 2014 (418 accepted complaints). OCR closed 489 EEO complaints, including issuing 10 findings of discrimination. The Employment Investigation Division improved the timeliness of investigations from 45 to 75 percent. The Employment Adjudication Division reduced its case load down to 98 cases – the lowest in 20 years. The Conflict Complaints Division (CCD), formally the Corporate Services Division, is responsible for processing conflict of interest and highly sensitive complaints for the Department. In FY 2015, CCD streamlined its processes and developed new procedures to track and monitor conflict of interest EEO complaints. As a result, CCD's investigations were timely issued during FY 2015.

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Selected Accomplishments Expected at the FY 2017 Proposed Resource Level/Challenges for the Future:

- OCR will focus efforts on EEO and program conflict cases that could evolve into discrimination complaints. This new focus allows more conflicts and /or disputes to be resolved prior to becoming discrimination complaints. Non-EEO and program discrimination conflicts will be addressed outside of OCR. A conciliation function has been developed to ensure that all parties are managing their conflict cases in a productive manner.
- OCR will provide periodic ADR orientations, updates and targeted conflict management training to USDA agency employees. In addition, working in collaboration with the ADR Leadership Group, OCR will revise the current ADR Regulations and conduct monthly ADR training sessions.

Strategic Goal Funding Matrix
(Dollars in thousands)

Program/ Program Items	2014 Actual	2015 Actual	2016 Enacted	Change	2017 Estimate
Department Strategic Goal 5: Create a USDA for the 21st century that is high-performing, efficient, and adaptable.					
Strategic Objective 5.2: Build a safe, secure, and efficient workplace by leveraging technology and shared solutions across organizational boundaries.					
Office of Civil Rights	\$21,400	\$24,070	\$24,070	+\$680	\$24,750
Staff Years.....	136	119	124	-	124

Full Cost by Department Strategic Goal
(Dollars in thousands)

Department Strategic Goal 5: Create a USDA for the 21st century that is high-performing, efficient, and adaptable.

Program/ Program Items	2014 Actual	2015 Actual	2016 Enacted	2017 Estimate
<u>Office of Civil Rights</u>				
Administrative costs (direct).....	\$16,289	\$16,041	\$16,300	\$16,647
Indirect costs.....	5,004	7,852	7,770	8,103
Total Costs.....	21,293	23,893	24,070	24,750
FTEs.....	136	119	124	124
Performance Measure:				
Intake process completed (per day).....	15	15	15	15
Each investigator conducts a minimum number of investigations.....	7	7	7	7
Number of days to complete an employment investigation process.....	180	180	180	180
Number of EEO inventory pending adjudication complaints processed....	165	160	160	160
Processing time for reports of investigation.....	180	180	180	180
Mandatory certifications and accreditations completed.....	100%	100%	100%	100%
Number of compliance reviews.....	140	130	130	130
Number of Complaints handled through ADR.....	140	130	130	130
Number of CRIA's reviewed.....	90	75	75	75
Number of civil rights departmental regulations.....	8	7	7	7
EEO informal cases received.....	24	30	30	30
EEO formal cases received.....	30	45	50	50
Early intervention & training.....	2,000+	3,000+	3,000+	3,000+
Program ADR cases received.....	35	47	64	64
PADR settlement agreements.....	17	25	30	30
PADR settlement rates.....	82%	75%	75%	75%
Agency position statements.....	408	600	720	720
Number of program investigations.....	4,590	6,480	8,100	8,100
Number of program adjudications.....	2,295	3,375	4,050	4,050
Disposition past century & closed paper-based				
Files for transfer to the Federal Record Center.....	N/A	30,000	15,000	15,000
Convert open case files to electronic format.....	N/A	30,000	15,000	15,000
Number of trainings conducted.....	50	63	79	79
Number of employees trained.....	3,000	3,780	5,520	5,520

1/ Staff years for FY 2015 adjusted to reflect a decrease of 10 which are now reimbursable.