

CIVIL RIGHTS ON DECK



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Upcoming EEO Training!

FOR MANAGERS:

* EEO & HR for Managers, Everyday Accountability: Aug 14-16 (Dallas)

FOR PRACTITIONERS:

* New Counselor Course: Aug 20-24 (DC), Sept 24-28 (Denver)

* New Investigator Course: Aug 20-24 (DC), Sept 24-28 (DC)

* Investigator Refresher Course: Aug 7 (DC)

* Letters of Acceptance and Dismissal Course: Aug 7-8 (DC)

* Final Agency Actions: Aug 1-3 (DC)

Details: www.eetraining.eeoc.gov

Take a class and learn to recognize, prevent, and correct discrimination in the workplace, and find your role in creating a discrimination-free Coast Guard!

CIVIL RIGHTS DIRECTORATE

Ms. Terri Dickerson, Director

CAPT Paul Boinay, Office of Civil Rights, Policy, Planning and Resources

Ms. Francine Blyther, Office of Civil Rights Operations

Ms. Barbara Stewart, Chief, Solutions and Complaints Division

CDR Kirby Sniffen, Chief, Planning and Resource Management Division

CDR Eric Hoernemann, Executive Assistant

Ms. Emily Harcum, Communications Specialist

Attention Leaders: New DEOCS Commander's Guide

The Defense Equal Opportunity Management Institute's Organizational Climate Survey, better known as DEOCS, is a commander's tool to assess critical organizational climate dimensions that can impact unit effectiveness.

The Civil Rights Directorate's DEOCS Council has developed an informational guide to assist unit commanders with applying the survey and interpreting the results. For a copy of this guide or to find out about additional services available from the Civil Rights Directorate, please contact your Civil Rights Service Provider (CRSP) (see <http://1.usa.gov/crps>) or call 1-888-99-CRD-USCG (1-888-992-7387). Submitted by Mr. James Ellison



2012 League of United Latin American Citizens (LULAC) Award Winners

Congratulations to the recipients of the League of United Latin American Citizens (LULAC) Award, PO Ximena Johnson of Sector Hampton Roads and Mr. Richard Lopez of Sector San Francisco. Read more about their outstanding efforts and accomplishments in [ALCOAST 270/12](#). Submitted by Ms. Gwendolyn White



Above (from left to right): CAPT Brendan Frost, PO Johnson, RDML John Welch, and LT Ruben Orosco.

To the right (from left to right): Ms. Margaret Moran/LULAC President, Mr. Lopez, and RDML John Welch.



Complaints Corner: Fear is Not a Viable Reason for Employment Decision



After conducting a pre-employment physical of an applicant with hearing loss, the Department of Defense rescinded its offer of employment to him for an Electrician position at a Navy shipyard. The Agency told the applicant that he did not meet the hearing requirements and was restricted from working in an industrialized environment. However, the Equal Employment Opportunity Commission (EEOC) found the Agency's decision as motivated by fear of a "future risk of injury" and stereotypes of individuals with hearing impairments, and ruled the action discriminatory based on disability.

In its decision, the EEOC highlighted that there was no evidence showing the duration of the risk to the job applicant, the nature, severity, or imminence of the potential harm, or the likelihood that harm would occur. In addition, the EEOC noted that the work environment required hearing protection and that the position parameters allowed for hearing aids. The ordered relief included offering the applicant the position and awarding back pay, attorney's fees, costs, and \$85,166 in damages. The case is *Ward v. Department of the Navy*, EEOC Appeal No. 0720070029 (April 26, 2012). Submitted by Ms. Erika Selmon

2012 NAACP Roy Wilkins Renown Service Award

Congrats to LT Elroy Allen of Air Station Miami, Coast Guard's recipient of the 2012 National Association for the Advancement of Colored People (NAACP) Roy Wilkins Renown Service Award. He is pictured below flanked by his Commanding Officer, CAPT Joseph Kimball, and Mr. Jim Ellison, CRD's Region 4 Director. CRD applauds LT Allen for his contributions and commends CAPT Kimball for providing the command support and leadership which fostered such efforts. Read more about LT Allen's achievements in [ALCOAST 272/12](#). Submitted by Ms. Gwen White



 **August 26th is Women's Equality Day!** 
Need ideas or help planning an event?
Contact your local [Civil Rights Service Provider!](#)

Welcome Aboard!

CRD welcomes Chief Sean Knight who joined Region 2, Zone 5 as an Equal Opportunity Advisor. After serving as an Administrative Specialist in the Legal Service Command, Norfolk, VA, Chief Knight is eager to apply his legal and administrative background within the EO/EEO arena. At the moment, Chief Knight is attending the Defense Equal Opportunity Management Institute (DEOMI) on Patrick AFB (pictured), where he will gain valuable knowledge and hands-on training in civil rights. Chief Knight enjoys spending quality time with his wife and two daughters and riding his motorcycle. Submitted by Ms. Patricia Hill



Civil Rights Expertise: From Advisor to Specialist

Mr. Paul Ziegengeist joins Region 2, Zone 6 as an Equal Employment Opportunity (EEO) Specialist after previous service as a CRD Equal Opportunity Advisor. He and his wife Debra reside in Chesapeake, VA with their 4 children. Mr. "Z" has a passion for motorcycles and riding ATVs with his youngest son. Both Mr. Z and his oldest son serve in the Coast Guard Reserves. Submitted by Mr. Linwood Outlaw



DHS Will Include Military in Complaint Processing Policy

The complaint process, Equal Employment Opportunity (EEO) for civilian, and Equal Opportunity (EO) for military members at the United States Coast Guard (CG) are a study of both similarities and contrasts. Here, civilians work side-by-side with uniformed colleagues in support of the mission under a single policy that prohibits unlawful discrimination. DHS is currently drafting departmental complaint procedures and has included the process for CG's uniformed members.

Many of the processing requirements and timelines are the same for civilians and uniformed members, however differences exist in how their complaints are adjudicated. While civilian employees may opt either for a hearing and decision from the Equal Employment Opportunity Commission (EEOC) or a final agency decision from DHS, uniformed members are entitled to a final agency decision from the CG. Civilian employees may appeal their final decisions to the EEOC and even to federal district court. Uniformed members may request reconsideration of their decision from DHS; however the DHS determination is final with no further appeal rights. If discrimination is found, uniformed members are entitled to a remedy that "corrects" the discriminatory conduct. Remedies such as backpay, compensatory damages, and attorney's fees are only available to civilian employees. If alteration of military records is necessary to correct any harm, the member must pursue this through the Board for Corrections of Military Records; the EO record may be used to assist with this action. If you have any further questions, you may call the CG Civil Rights Directorate (888) 992-7387, or the DHS Office for Civil Rights and Civil Liberties (202) 254-8238. Submitted by Mr. Ken Walton, Attorney and Advisor for the Office of the General Counsel, U.S. Department of Homeland Security.



Department Of Labor Seeks Designers for New Disability Employment Software Applications



The Department of Labor's Office of Disability Employment Policy (ODEP) is looking to leverage public interest in employment-related technology in the "first disability employment app challenge." ODEP is accepting submissions for a new app that would "promote recruitment resources for employers, develop job training and skill-building tools for job seekers, facilitate employment-related transportation options, and expand information communication technology accessibility." Submissions should 1) provide access to important data and resources, 2) attract users with different skill sets and language preferences, and 3) be accessible and consider partnerships that will ensure sustainability of the app. Additionally, the apps should target students, teachers, employers, career counselors, and workforce professionals as well as individuals with disabilities who work or are seeking work. Submissions are due by 23 August 2012, and ODEP will award a total of \$10,000 for the top three submissions. Contestants may post their entries at <http://disability.challenge.gov>. Submitted by Mr. Johnny R. McAfee