



# CIVIL RIGHTS ON DECK

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## Tool for Transformation

While every Coast Guard member is responsible for upholding our core values by honoring diversity and respecting differences, unit commanders have significant legal obligations to protect civil rights for crew members – both civilian and uniformed. To assist commanders in meeting critical responsibilities, the Civil Rights Directorate has developed a comprehensive checklist:

[http://www.uscg.mil/DIRECTIVES/CI/5000-5999/CI\\_5350\\_8.PDF](http://www.uscg.mil/DIRECTIVES/CI/5000-5999/CI_5350_8.PDF).

“I strongly urge you to engage with EEO/EO staff to ensure compliance in meeting program requirements,” said Terri Dickerson, Director of Civil Rights. On Oct. 31, 2009, Unit Commanders must certify knowledge of and compliance with specific portions via their local Civil Rights Service Providers. “That’s why the posted checklist is literally, a tool for transformation,” said Dickerson.

## FOC Unfolded

Following months of restructuring, policy formation and regional alignment, the Civil Rights Directorate will reach Full Operational Capability (FOC), on Sept. 30, 2009. FOC means the Civil Rights Directorate will have achieved standardization for delivery of civil rights services. Highlights include:

- Handling of each complaint by a full-time Civil Rights Service Provider (CRSP) armed with ongoing training and expertise.
- Direct access to professional civil rights staff with standardized training for each command.
- A chain of command change meaning CRSPs work directly for the Director of Civil Rights, Coast Guard Headquarters.

Achievement of FOC means newly minted Civil Rights Detachments have been working with collateral duty CRSPs to identify ongoing cases, centralize files and create an organized and careful transfer of active cases. While the core purpose of restructuring was to improve enforcement, professionalizing the function also created an EEO career path, allowing greater opportunity to develop skills with increased succession potential. For more information on our restructuring efforts, log on to:

<http://www.uscg.mil/hq/cg00/cg00h/>.

## We salute Coast Guard 1<sup>ST</sup> Firsts

July 13, 2009: We mourn the passing of Capt. Bobby C. Wilks, the first black Coast Guard aviator, first to attain the rank of Captain and the first black male to command a Coast Guard Air Station.

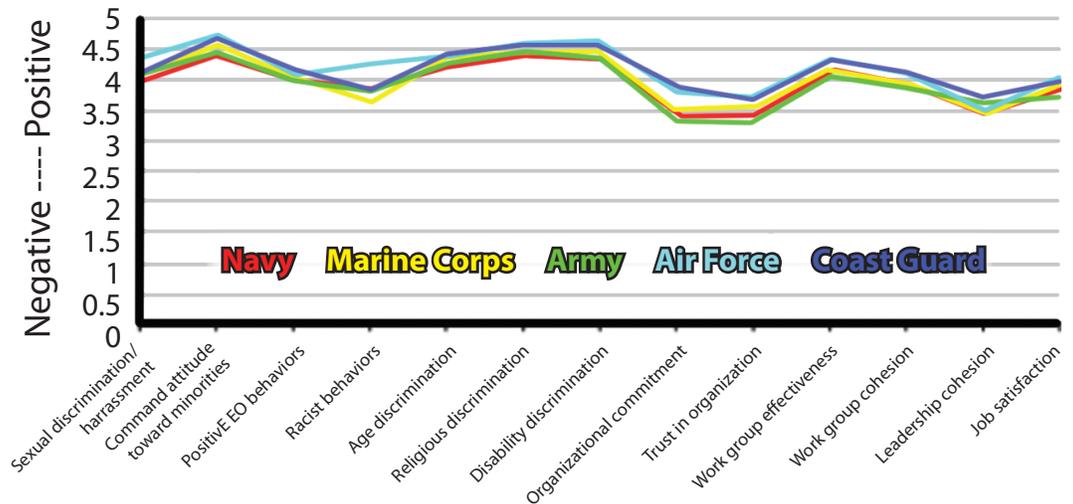
August 7, 2009: We salute the retiring Vice Admiral Vivien S. Crea, first female vice service chief, first female presidential military aide, commanding officer of an air station and first female promoted to the rank of admiral.



**WINNER** - Mr. Ken Hunter, Equal Employment Manager, Zone 2, was recognized by the National Association for the Advancement of Colored People at the Armed Services and Veterans Affairs Dinner, Jul. 14, 2009. Mr. Hunter was commended for his significant contribution to our country in the field of race relations and civil rights through his active involvement with the Genesis Club, a multi-cultural student organization at the Coast Guard Academy. We salute Mr. Hunter for his outstanding commitment and high performance.

# Defense Equal Opportunity Climate Survey Results - FY '08

Defense Equal Opportunity Climate Surveys (DEOCSs) are a leadership tool for assessing workforce perceptions on 13 unit climate factors measured on a 5-point scale (0=Lowest, 5=Highest). Composite data of all military and civilian participants for FY'08 shows similar trends/workforce perceptions among personnel working for military agencies. Coast Guard unit commanders are reminded that administering the DEOCS is an annual requirement, per ALCOAST 229/07, DEOMI Org. Climate Survey.



Best Practices: communicate the results to your workforce and compare/combine your results with other tools, such as the Organizational Assessment Survey, and the Department of Homeland Security Federal Human Capital Survey. Where gaps are perceived, plan/implement follow-up activities (focus groups,

interviews, All-Hands meetings), assigning a follow-up action team to track progress. Need help? Call, click or visit your Civil Rights Servicing Office or Detachment. Coast Guard civil rights contacts available at: <http://www.uscg.mil/hq/cg00/cg00h/ServiceProviders.asp>.

## COMPLAINT CORNER

Disclosure of information about complainant's medical condition is a violation of the Rehabilitation Act.

DOMINGUEZ v. JOHN E. POTTER,  
POSTMASTER GENERAL,  
EEOC DOC 0120070258  
Appeal No. 0120070258  
July 15, 2009

Upon review, the Equal Employment Opportunity Commission (EEOC) found that a mailing error allowed medical information about a complainant's foot condition was sent to one of his colleagues. Specifically, the record contained a letter dated Oct. 8, 2003, addressed to the Acting Manager of Injury Compensation from the Postmaster of the Berkeley Post Office. The letter noted complainant was diagnosed with left plantar fasciitis and that he had an accepted claim of a right knee injury, filed Apr. 25, 2001.

EEOC regulations state the information obtained during a medical examination and inquiry regarding the medical condition or history of any employee shall be treated as a confidential medical record, 29 C.F.R. § 1630.14(c). This requirement applies to confidential medical information obtained from "any employee," and is not limited to those with disabilities. The EEOC found the agency violated the Rehabilitation Act based upon the agency's disclosure of the complainant's medical condition.

## Excellence through Training

Each year, the Equal Employment Opportunity Commission offers vital training at a conference called, Examining Conflicts in Employment Law. This year was no exception. Coast Guard civil rights professionals joined senior managers to attend the 12th annual conference held in late July in New Orleans, La. Featuring high ranking professionals from the EEOC, DHS and other federal agencies, the conference offered eight plenary sessions and workshops addressing an array of topics. They included workplace Bullying: Challenges Raised by Workplace Harassment, Hostile Work Environment and Unskilled Managers in the Federal Sector, as well as Ethics for Attorneys.

"As our directorate enacts its restructuring plan, it seemed fitting to be armed with in-depth training that can only strengthen the services we deliver," said Jennifer Johnson, Equal Opportunity Specialist. "This training set the bar and shared best practices to help achieve."