

Subpart H - Gay, Lesbian, Bisexual, and Transgender Emphasis Program

403.130 Purpose

This subpart provides guidance and direction to NRCS organizational units on the development and implementation of the Gay, Lesbian, Bisexual, and Transgender (GLBT) Emphasis Program. The purpose of the program is to provide GLBT awareness and education to NRCS employees and partners while focusing on such issues as employment, retention, promotion, training, career development, and advancement opportunities affecting GLBT applicants and employees at NRCS.

403.131 Policy

It is NRCS policy to conduct a positive and continuing GLBT Emphasis Program that provides equal employment opportunity for GLBT persons in all personnel management policies, practices, and in NRCS-sponsored programs and activities.

403.132 Authorities

- A. In April 1993, USDA Secretary Mike Espy issued the Department's EEO and Civil Rights Policy Statement, which specifically prohibited discrimination and harassment based on sexual orientation.
- B. Executive Order 13087, amending Executive Order 11478, provides that, as a matter of Federal policy, an individual's sexual orientation may not be the basis for the denial of an employment or promotional opportunity.
- C. In Fall 2000, USDA established a Secretary's Advisory Council on sexual orientation: Gay & Lesbian Employee Advisory Council (GLEAC).
- D. In June 2009, Secretary Tom Vilsack signed Departmental Regulation 4230-002 creating a special emphasis program for GLBT employees.

403.133 Program Objectives

The GLBT Emphasis Program is an integral part of the overall equal employment opportunity (EEO) program and is designed to—

- (1) Ensure that gays, lesbians, bisexuals, and transgender people receive equal treatment in all aspects of employment.
- (2) Increase the number of GLBT people employed in all professional, administrative, technical, clerical, and other categories, series, and grade levels.
- (3) Provide opportunities to participate in training, career development, and leadership programs.
- (4) Encourage the participation of GLBT populations in all NRCS-sponsored programs and activities.
- (5) Provide a network of professional support for GLBT.
- (6) Provide mentoring support to GLBT in the workforce.
- (7) Educate all NRCS employees by raising the level of awareness of GLBT workplace issues and concerns.

403.134 Organizational Structure

The national GLBT Emphasis Program is an integral part of the overall equal opportunity program in NRCS. It is coordinated through the national GLBT Emphasis Program manager, who is assigned to the Outreach and Advocacy (O&A) Division and serves as the principal staff advisor to the director of the O&A Division on legislation, policies, employment, and program issues impacting GLBT people.

403.135 Appointment of the Collateral Duty National GLBT Emphasis Program Manager

- A. The collateral duty national GLBT Emphasis Program manager vacancy is announced every 3 years, or on an as-needed basis, through a national bulletin and filled through a competitive process. The position is a collateral assignment and appointed by the director of the O&A Division.
- B. The national GLBT Emphasis Program Manager serves on a collateral duty basis for a three-year term. At the end of the three-year term, the incumbent may reapply, and if selected, may be renewed for an additional three-year term.
- C. The collateral duty national GLBT Emphasis Program manager is required to dedicate 20 percent of his or her official time performing national GLBT Emphasis Program manager-related assignments.

403.136 Duties and Responsibilities of the Collateral Duty National GLBT Emphasis Program Manager

The collateral duty national GLBT Emphasis Program manager is responsible for providing program leadership and direction for agencywide activities related to the GLBT Emphasis Program. Specifically, the collateral duty national GLBT Emphasis Program manager—

- (1) Formulates and implements the general direction of the overall NRCS GLBT Emphasis Program and evaluates the effectiveness of activities and programs toward achieving GLBT Emphasis Program objectives.
- (2) Provides training, guidance, information, and assistance to National Headquarters, regions, State managers, supervisors, and collateral duty State and center GLBT Emphasis Program managers concerning their responsibilities. In addition, the national GLBT Emphasis Program manager serves as the principal resource person and staff advisor on legislation, affirmative employment programs, and unique concerns and problems related to equal opportunities for gay, lesbian, bisexual, and transgender employees.
- (3) Analyzes and evaluates employment policies, practices, procedures, and workforce profile data to determine if barriers or potential barriers to full participation exist and reports findings to the appropriate officials with recommendations for corrective action.
- (4) Establishes and strengthens relationships with organizations and groups representing the GLBT community.
- (5) Maintains close liaison with GLBT Emphasis Program managers from other agencies and organizations for the mutual exchange of ideas, advice, best practices, and information.
- (6) Serves as the NRCS representative on the Department's GLBT committee.
- (7) Participates in studies and reviews to identify possible forms of discrimination and barriers to equal opportunity in employment activities (e.g., recruitment, hiring, development, promotion, recognition and awards, and retention).

403.137 Appointment of Collateral Duty State and Center GLBT Emphasis Program Managers

- A. Deputy equal opportunity officers (DEOO's) appoint collateral duty GLBT Emphasis Program managers within their jurisdictional areas. The collateral duty GLBT Emphasis Program managers report directly to the DEOOs on issues impacting GLBT people.
- B. A collateral duty GLBT Emphasis Program manager should devote 20 percent of his or her time to the program. It is recommended that the GLBT Emphasis Program manager serve on a collateral duty basis for a 3-year term. At the end of the 3-year term, the incumbent may reapply and if selected may be renewed for an additional 3-year term.
- C. Criteria for selection should include knowledge and familiarity with the GLBT community along with its employment issues and concerns; sensitivity to the GLBT community; ability to function effectively under pressure; and commitment to EEO and the GLBT Special Emphasis Program.

403.138 Duties and Responsibilities of Collateral Duty State and Center GLBT Emphasis Program Managers

Collateral Duty State and center GLBT Emphasis Program managers provide program leadership and support the national GLBT Emphasis Program manager in implementing a viable program agencywide. The national GLBT Emphasis Program manager provides technical guidance and the collateral duty State and center GLBT Emphasis Program managers ensure that program activities are integrated into the overall equal opportunity program in the organizational unit. In their organizational units, the collateral duty GLBT Emphasis Program managers—

- (1) Advise the directors and State Conservationists on matters affecting the employment and advancement of GLBT persons.
- (2) Serve as members to the civil rights committee in their organizational units to ensure that all NRCS activities are free from discrimination and that barriers to the recruitment, employment, and advancement of GLBT persons are addressed. GLBT Emphasis Program managers assist in evaluating the effectiveness of the overall equal opportunity program in their organizational units and assist in identifying new and changing program needs.
- (3) Coordinate or conduct educational programs (e.g., workshops, seminars, or other types of programs, such as pride observances).
- (4) Maintain close contact with community organizations for possible job referrals of GLBT applicants and stay attuned to concerns of the GLBT population.
- (5) Attend job fairs or other functions at community centers, colleges, and universities to obtain names of potential applicants and provide information on job opportunities; send recruitment literature to schools and GLBT community groups; sponsor workshops and speakers, information booths at conferences, career days, and other training programs.
- (6) Keep the national GLBT Emphasis Program manager informed of field activities affecting gays, lesbians, bisexuals and transgender people.
- (7) Serve as local representative at national, regional, and State meetings concerning GLBT issues.
- (8) Serve as a communication link between employees and the national GLBT Emphasis Program manager, keeping employees aware of GLBT Emphasis Program activities and developmental opportunities through electronic messages, memos, bulletins, newsletters, and other appropriate means.
- (9) Perform other duties related to the GLBT Emphasis Program as identified by the DEOO, national GLBT Emphasis Program manager, and GLBT Emphasis Program committees, as appropriate.

403.139 Documenting State and Center GLBT SEPM Collateral Assignments

A. The GLBT Emphasis Program manager's collateral duty will be described in writing as part of his or her position description and show—

- (1) Scope of responsibility.
- (2) Supervisory roles of DEOO, equal opportunity liaison officer, and the immediate supervisor.
- (3) Percentage of official time to be spent on the SEP.
- (4) Specific duties and responsibilities of the collateral assignment.

B. In addition, the DEOO, equal opportunity liaison officer, and the immediate supervisor will prepare a memorandum of understanding (see subpart J) that responds to the following questions regarding working conditions:

- (1) How and when the appointee will receive GLBT Emphasis Program assignments?
- (2) What percentage of official time will be spent on the GLBT Emphasis Program, and how will adjustments be made to meet GLBT Emphasis Program objectives?
- (3) Who will appraise the appointee's performance, and how will the appraisals be completed?
- (4) Who will provide clerical support and office facilities, if needed?

403.140 Definition

GLBT (or LGBT) refers collectively to gay, lesbian, bisexual, and transgender people. The term "GLBT" is intended to emphasize a diversity of sexuality and gender identity-based cultures and is sometimes used to refer to anyone who is not heterosexual instead of exclusively to people who are homosexual, bisexual, or transgender.

403.141 Annual Business Plan of Operation

A. Annual business plans of operation are important management tools that are effective in gauging progress in meeting short- and long-term goals and in scheduling annual program activities. They also provide the basis for determining the performance of managers in specific areas of responsibility.

B. Collateral duty GLBT Emphasis Program managers will develop results-oriented annual business plan of operations. The annual plan should contain realistic and achievable action items in accordance with this subpart.

403.142 Reports

A. Collateral duty State and center GLBT Special Emphasis Program managers will submit quarterly activity reports to the collateral duty national GLBT Emphasis Program manager.

B. Collateral duty State and center GLBT Emphasis Program managers will submit an annual report to the collateral duty national GLBT Emphasis Program manager highlighting major accomplishments during the fiscal year.