

U.S. Department of Energy
Washington, D.C.

ORDER

DOE 1600.4

2-2-82

SUBJECT: H I S P A N I C E M P L O Y M E N T P R O G R A M

1. PURPOSE. To establish a Departmentwide Hispanic Employment Program (HEP), prescribe policy, and define responsibilities for officials assigned specific duties in the implementation of the Hispanic Employment Program.
2. REFERENCES.
 - a. The President's Sixteen Point Program memorandum of 11-5-70, which assured equal opportunities in Federal employment for Spanish-surnamed Americans and established the Hispanic Employment Program Manager as the Department's focal point for the implementation of the program.
 - b. Executive Order 11478, of 8-8-69, which made equal employment opportunity an integral part of every aspect of the Federal Personnel Policy and Practices.
 - c. Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 (Public Law 92-261), which brought Federal agencies and employees under the coverage of the Civil Rights Act of 1964 and established the National Origin Act provisions.
 - d. Federal Personnel Manual (FPM) Letter 713-18, which contains guidance on the implementation of the Hispanic Employment Program.
 - e. FPM Letter 713-23, which assures that special needs of Hispanics are to be met with respect to Federal employment.
 - f. FPM Letter 720-2, which implements the Federal Equal Opportunity Recruitment Program.
 - g. Equal Employment Opportunity Commission's regulations at 29 CFR 1613, which provide guidance to Federal departments and agencies in the enforcement of the equal employment opportunity laws.
 - h. Civil Service Reform Act of 1978 (Public Law 95-454), which requires fair and equitable treatment in all personnel management functions without regard to sex, race, color, national origin, religion, age, politics, and physical or mental handicap.
 - i. U.S. Office of Personnel Management "Handbook X-118, which contains qualification standards for the selection of Hispanic Employment Program Managers (Equal Opportunity 260 series).

DISTRIBUTION:
All Departmental Elements
Federal Energy Regulatory Commission (info)

INITIATED BY:
Office of Equal Opportunity

3. BACKGROUND. The Hispanic Employment program was established to provide equal opportunities for Hispanic Americans in Federal employment at all grade levels and thus eliminate their underrepresentation. The program calls for:
 - a. Selection of Hispanic Employment Program Managers to serve as the Department's focal point in implementing the program.
 - b. Implementation of results-oriented affirmative actions designed to provide equal opportunity for Hispanic Americans in programs involving targeted recruitment efforts, employment, training, upward mobility, career counseling, career advancement, and promotion.
 - c. Elimination of ethnic-related stereotypes by increasing the sensitivity and awareness of Departmental management to the employment assets and concerns of Hispanic Americans.
 - d. Coordination of other Department of Energy (DOE) programmatic activities as they impact on the Hispanic American community.
4. POLICY AND OBJECTIVES.
 - a. The DOE policy is to practice equal opportunity in employment for all applicants and employees; to prohibit discrimination in employment because of race, color, religion, sex, national origin, age, and physical or mental handicap; and to promote the full realization of equal employment opportunity through affirmative action and special emphasis programs.
 - b. The DOE objectives are to have a work force that is representative of the national population and to move toward the achievement of this objective by assuring that the Departmental equal employment opportunity (EEO) policy applies to and is an integral part of every aspect of personnel management and administration relating to the recruitment, selection, development, advancement, and treatment of applicants and employees; and to provide for the prompt, fair, and impartial consideration and disposition of complaints involving issues of discrimination made by employees and groups of employees, former employees, or applicants for employment.
 - c. The policy of the Hispanic Employment Program is to assure that the Departmental EEO policy and objectives are implemented for Hispanic Americans.
 - d. The objectives of the Hispanic Employment Program are to eliminate underrepresentation and underutilization of Hispanic Americans in the Departmental work force, enhance the career advancement opportunities for Hispanic employees at all grade levels, and provide needed guidance to supervisors and managers to assist them in meeting their EEO requirements as they relate to Hispanic Americans.

5. RESPONSIBILITIES AND AUTHORITIES.

a. Director of Equal Opportunity.

- (1) Administers the Departmental EEO program, including the Hispanic Employment Program.
- (2) Appoints a full-time Departmental Manager, Hispanic Employment Program, to plan, develop, and administer the Hispanic Employment Program.
- (3) Allocates adequate resources to develop and implement the Hispanic Employment Program.

b. Departmental Manager, Hispanic Employment Program.

- (1) Formulates, develops, coordinates, and implements the equal opportunity affirmative action policies, objectives, and programs related to the Hispanic Employment Program, and assigns responsibilities for its implementation. Provides advice to management on matters concerning equal employment opportunity for Hispanic Americans, and represents the Department on matters related to the Hispanic Employment program.
- (2) Provides technical guidance to Equal Employment Opportunity Officers and Hispanic Employment Program Managers at Headquarters and field organizations concerning the Hispanic Employment Program.
- (3) Assists in the development of the Departmentwide and Headquarters Affirmative Action Program Plans in those areas related to the Hispanic Employment Program.
- (4) Reviews and evaluates the Departmentwide, Headquarters, and field Affirmative Action Program Plans and the Federal Equal Opportunity Recruitment Program Plans to assure that the objectives of the Hispanic Employment Program are met. Recommends and negotiates revisions, as needed, prior to final agency approval of these plans. Provides technical assistance to managers to accomplish the affirmative action objectives for Hispanic Americans.
- (5) Conducts statistical analyses of data on recruitment, employment, Promotions, training, and other terms and conditions of employment to assess the impact of DOE personnel policies and procedures on the employment and utilization of Hispanic Americans. Recommends and negotiates actions and programs designed to correct deficiencies and areas of underrepresentation.
- (6) Establishes reporting mechanisms and evaluates the implementation of the program at Headquarters and field organizations; monitors the Complaint processing system to determine areas that require attention

with respect to complaints and charges of discrimination filed by Hispanic Americans. Provides for Informal counseling and referral services to employees concerning employment policies and the discrimination complaint procedures.

- (7) Develops and implements a DOE-wide applicant referral system, in coordination with the Office of Personnel, for increasing the employment opportunities for Hispanic Americans.
- (8) Reviews, evaluates, and concurs in all Departmental employment policies and programs, including recruitment, career counseling, training, upward mobility, and conditions of employment, to assure equal employment opportunity for Hispanic Americans.
- (9) Recommends, initiates, and participates in the implementation of recruiting, training, and information programs designed to advance opportunities for Hispanic Americans in the Departmental work force.
- (10) Monitors development of regulatory and legislative issues affecting the employment opportunities of Hispanic Americans as a basis for recommending Departmental action.
- (11) Appoints and supervises a full time and/or collateral duty Headquarters Hispanic Employment Program Manager to implement the Program for Headquarters employees in accordance with the selection procedures set forth in this Order.

c. Heads of Field Organizations.

- (1) Appoint an Hispanic Employment Program Manager in accordance with the merit selection criteria on page 8, paragraph 7f.
- (2) Assure that adequate administrative and program support resources are allocated and utilized to implement the Hispanic Employment Program in the field organization.
- (3) Assure that the Departmental Hispanic Employment Program policies and procedures for implementing the program are followed as set forth in this Order.
- (4) Assure that performance standards are developed and appraisals conducted for Hispanic Employment Program Managers in accordance with the provisions of DOE 3430.3, DEPARTMENTAL PERFORMANCE APPRAISAL SYSTEM, of 9-29-80.

d. Headquarters and Field Managers, Hispanic Employment program.

- (1) Plan, coordinate, implement, and evaluate their respective Hispanic Employment Programs in accordance with the following subparagraphs. The Headquarters Manager advises the Departmental Manager on the

administration of the program; Field Managers advise EEO Officers on the implementation of the program.

- (a) Assist in the interpretation of guidelines and directives regarding employment policies and practices concerning the Hispanic Employment Program.
- (b) Develop the Hispanic Program input to the Headquarters and the Field Affirmative Action Plans; evaluate progress and identify problem areas. Submit to the Departmental Manager, or field EEO Officers, for concurrence, objectives and action items to be included in the Affirmation Action Plans and the required fiscal year advanced Hispanic Employment Program work plan.
- (c) Analyze work force data in organizational components to identify the underrepresentation and underutilization of Hispanics. Study personnel actions data to identify any potential adverse criteria that may deny equal opportunities to applicants and Hispanic American employees.
- (d) At Headquarters, implement the Hispanic Applicant Referral System; in the field, coordinate the implementation of the system with the Office of Personnel.
- (e) Establish and maintain contacts with Hispanic organizations and community groups. Serve as liaison between management and/or employees and the Hispanic community; assure that lines of communication are open. Represent the Departmental Manager or the field EEO Officers at Hispanic conventions and conferences.
- (f) Plan and coordinate recruitment activities with other staff members of EEO, Office of Personnel, and other Departmental Elements. Develop continuing recruitment relationships with schools, universities, and other educational institutions having significant numbers of Hispanic students to assure an adequate supply of Hispanic applicants for referral to Departmental Elements. Encourage and support programs to prepare these students for professions related to DOE administrative, technical, and professional needs.
- (9) Review training, career counseling, and upward mobility programs to make sure that Hispanic Americans are considered for participation. Assure that an effective employee complaint and employment counseling program exists, and coordinate activities with other EEO and personnel staffs.
- (h) Advise management officials, supervisors, and personnel representatives on the Hispanic Employment Program; delineate areas of concern and provide them with technical assistance to

implement the Affirmative Action Plan as it relates to Hispanic Americans.

- (i) Submit semiannual and annual reports on the accomplishments of the program to the Departmental Manager, or to the relevant field EEO Officer, for inclusion in Headquarters and field overall EEO reports. Field Managers will promptly submit a copy of the semiannual and annual reports to the Departmental Manager.

- (2) Report to the Departmental Manager, or the relevant field EEO Officer, on all matters related to the Hispanic Employment Program. All tasks, whether assigned or self-initiated, shall be coordinated with the Departmental Manager or the relevant field EEO Officer.

e. Departmental, Headquarters, and Field Organization Directors of Personnel.

- (1) Assure that the policies and programs for the Hispanic Employment Program are incorporated in all pertinent directives and that personnel management actions are carried out in accordance with the Departmental equal employment opportunity policies and programs.
- (2) Provide technical assistance and guidance to Hispanic Employment Program Managers in matters and programs under their direct responsibility, e.g., staffing procedures, Federal Equal Opportunity Recruitment Program, upward mobility program, career counseling program, career development program, cooperative education program, intern programs, and junior fellowship program.
- (3) In cooperation with their respective Hispanic Employment Managers, plan, develop, and implement recruitment strategies to attract well-qualified Hispanic applicants for vacancies in occupations where underrepresentation exists.

f. Managers and Supervisors.

- (1) Give positive direction to subordinate supervisors in establishing the organization's EEO objectives and follow up on the implementation of these objectives as they relate to the Hispanic Employment Program.
- (2) Assure fairness and objectivity in the recruitment and selection of candidates for appointments to positions under his or her management or supervision so that the objectives of the Hispanic Employment Program are met.
- (3) Assure equal opportunity for all employees under his or her supervision in selections for training, promotions, awards, recognition, and other development opportunities and support Departmental upward mobility policies and programs as they relate to Hispanics.

- (4) - Support the intent and goals of the Departmental Hispanic Employment Program and special projects such as the Hispanic Applicant Referral System and the National Hispanic Heritage Week observance.

6. ADVISORY COUNCILS.

- a. The Departmental Hispanic Employment Program Advisory Council is established to assist the Departmental Manager in developing and implementing the program nationwide. Members are nominated for a 1-year term, as a minimum, by the Heads of Departmental Elements and appointed by the Departmental Manager. Additional representatives to the Council may be appointed to work on specific program tasks.
- b. The Headquarters and field organization Hispanic Employment Program Advisory Councils are established in each respective location to assist Hispanic Employment Program Managers in developing and implementing the program. Members are selected and appointed by the Program Managers with the concurrence of the employee's supervisor for a 1-year term and may be appointed for additional term. A minimum of three to five members should be appointed in each field organization. Requests for exception to this requirement, with justification, should be sent to the Departmental Manager, Hispanic Employment Program (MA-9.50), Office of Equal Employment Opportunity, 1000 Independence Avenue, SW., Washington, DC 20585.

7. PROCEDURES. The Hispanic Employment Program is managed by employees who may be appointed under a full-time, part-time, or collateral duty authority.

- a. Full-time or part-time Managers, Hispanic Employment Program, will report to the Departmental Manager, or to the relevant field organization's EEO Officer.
- b. Collateral Duty Managers, Hispanic Employment Program, will report to the Departmental Manager, or to the relevant field organization's EEO Officer. The collateral duties will be included in the incumbent's official personnel folder by an amendment to the position description that shall include:
 - (1) Duties and responsibilities, and percent of the official time to be allocated to the Hispanic Employment Program. EEO duties must make up approximately 20 percent of the duty time of the employee.
 - (2) The Manager, Hispanic Employment Program, shall be appointed from among the mid-level or senior management cadre of the organization, depending on local program scope and complexity. When collateral program duties reflect lower grade work than the manager's basic position, no personnel action is required. However, when a collateral duty assignment results in higher grade work, a competitive merit selection action is required.

- c. A full-time Manager, Hispanic Employment Program, appointment should be considered when one or both of the following circumstances is present.
 - (1) The field organization is located in an area of the country with a significant Hispanic population.
 - (2) There is a disparity between the numbers and skills of Hispanics available in the local Hispanic population and those in the field organization Hispanic work force.
- d. The EEO Officer shall issue an official Notice appointing a Manager, Hispanic Employment Program. The Notice will clearly state:
 - (1) The duty of supervisors, managers, and employees to cooperate with and assist the Manager, Hispanic Employment program, in the implementation of the program.
 - (2) The procedures to be followed to assure that the Program Manager has the data and freedom of action needed to establish and conduct a viable Hispanic program.
 - (3) The specific duties of the Manager, Hispanic Employment Program.
 - (4) The timeframe of the Manager's appointment.
- e. The EEO Officer shall also assure that:
 - (1) The Manager, Hispanic Employment Program, is a member or an adviser to working committees, or boards which have a direct or indirect impact on the status of Hispanic Americans.
 - (2) Statistical data are provided to the Manager, Hispanic Employment Program, on the composition of the work force by organization, types of positions, grade, minority, sex, and that information on complaints, grievances, appeals, adverse actions, and other personnel actions pertinent to program development are also made available.
 - (3) Training is provided as soon as a Manager, Hispanic Employment Program, is appointed, or at the next available Office of Personnel Management Hispanic Employment Program Course. The Program Manager should be scheduled, also, for other types of training. This could include but is not limited to courses on basic supervision, middle management, effective briefing techniques, personnel administration, program evaluation, development of affirmative action plans, management of time, and executive leadership.
- f. Qualifications standards for the merit selection of Hispanic Employment Program Managers (Equal Opportunity 260 series) are contained in the U.S. Office of Personnel Management Handbook X-118. In addition to the set requirements, the ability to speak, read, and write Spanish may be a

selective placement factor. Knowledge, skills, and abilities that must be considered will include but are not limited to the following:

- (1) Skill in communicating effectively in conversational Spanish.
 - (2) Understanding and acceptance of the relationship between affirmative action and the principles of equal opportunity.
 - (3) Ability to influence favorably the morale and productivity of the work force through support of the Hispanic Employment Program. This should include ability in:
 - (a) Program development;
 - (b) Dealing with organized groups;
 - (c) Initiating change; and
 - (d) Advising management and employees.
- g. Detailed instructions and guidelines for implementation of the Hispanic Employment Program will be issued separately as a directive *in* the 1600 classification series.



William S. Heffelfinger
Assistant Secretary
Management and Administration

