

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

9-30-95

1. OBJECTIVES.

- a. To provide equal opportunity in employment for all DOE employees and applicants, and to alleviate conspicuous absences and/or manifest imbalances.
- b. To promote the full realization of equal employment opportunity for minorities, women, and people with disabilities through appropriate employment programs.
- c. To identify and eliminate barriers to employment, both physical and non-physical.
- d. To prohibit discrimination in employment due to race, color, religion, sex, sexual orientation, national origin, age, and physical or mental handicapping condition.
- e. To develop, monitor, and implement an equal employment opportunity (EEO) counseling, complaints, and investigations program in accordance with laws and regulations that prohibit discrimination and to provide for the prompt, equitable adjudication of complaints filed by individuals or classes.
- f. To ensure that DOE personnel responsible for processing EEO complaints do so consistently and in accordance with the laws, rules, and regulations pertaining thereto.
- g. To ensure that applicants for -- and recipients of -- Federal financial assistance are in compliance with civil rights laws that prohibit discrimination in programs, projects, and activities.

2. CANCELLATION. The Orders listed below are canceled.

Cancellation of an Order does not, by itself, modify or otherwise affect any contractual obligation to comply with such an Order. Canceled Orders that are incorporated by reference in a contract shall remain in effect until the contract is modified to delete the reference to the requirements in the canceled Orders.

- a. DOE 1130.4, FEDERAL WOMEN'S PROGRAM ADVISORY COUNCIL, of 12-23-81.
- b. DOE 1130.5, HISPANIC EMPLOYMENT PROGRAM ADVISORY COUNCIL. of 5-4-82.
- c. DOE 1600.1A, FEDERAL WOMEN'S PROGRAM, of 5-14-92.

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All Departmental Elements

**INITIATED BY:**

The Office of Human Resources  
and Administration

- d. DOE 1600.2B, SECRETARY'S COMMITMENT TO EQUAL OPPORTUNITY, 6-14-85.
  - e. DOE 1600.3, POLICY ON SEXUAL HARASSMENT, 6-15-81.
  - f. DOE 1600.4, HISPANIC EMPLOYMENT PROGRAM, of 2-2-82.
  - f. DOE 1600.5, SYSTEM FOR PROCESSING COMPLAINTS OF DISCRIMINATION, 5-26-82.
  - g. DOE 1600.6A, CIVIL RIGHTS COMPLIANCE IN FEDERALLY ASSISTED PROGRAMS, of 5-14-92.
  - h. DOE 3220.2A, EQUAL OPPORTUNITY IN OPERATING AND ONSITE SERVICE CONTRACTOR FACILITIES, of 5-14-92.
  - i. DOE 3300.2A, AFFIRMATIVE ACTION PROGRAM FOR HANDICAPPED PERSONS, of 5-18-92.
  - j. DOE 3330.1A, FEDERAL EQUAL OPPORTUNITY RECRUITMENT PROGRAM, of 5-18-92.
3. APPLICABILITY. This Order applies to all DOE employees and applicants for employment with DOE.
4. REQUIREMENTS.
- a. Heads of DOE Programmatic and Field Elements are required to submit reports containing specific information as and when requested by the Director, Office of Economic Impact and Diversity and the Director for Civil Rights and Diversity, or designees.
  - b. All managers and supervisors within the Department shall participate in periodic training in EEO, diversity, affirmative action, and the prevention of sexual harassment prior to (or within an appropriate time period following) appointment to a supervisory position.
  - c. All employees within the Department shall participate in continuing education on the prevention of sexual harassment.
  - d. All DOE elements shall designate a representative to each of the Special Emphasis Advisory Councils, as established by the Director for Civil Rights and Diversity, or designee, to assist in the recruitment, development, and retention of minorities, women, and people with disabilities.
  - e. Civil rights compliance and enforcement reviews of recipients of Federal financial assistance shall be conducted on a periodic basis to ensure that:
    - (1) Each application for Federal financial assistance contains a DOE F 1600.5, "Assurance of Compliance - Nondiscrimination in Federally Assisted Programs," which incorporates the requirements of all applicable civil rights laws;

- (2) Preaward reviews of all applicants and postaward compliance reviews of selected recipients of Federal financial assistance are conducted;
  - (3) Recipients of Federal financial assistance maintaining an ongoing and continuing relationship with the Department submit written compliance certifications on an annual basis;
  - (4) Compliance negotiations are undertaken immediately when a recipient is not in compliance with applicable civil rights laws; and
  - (5) Allegations of discrimination in Federally assisted programs are investigated promptly and thoroughly.
- f. In accordance with Title 29, Code of Federal Regulations (CFR), Part 1614.105(d), the following DOE officials are designated as appropriate officials with whom to file an individual complaint of discrimination.
- (1) Secretary of Energy (or his/her designee).
  - (2) Director, Office of Economic Impact and Diversity (or his/her designee).
  - (3) Director for Civil Rights and Diversity (or his/her designee).
  - (4) Heads of Field Organizations and Field Diversity Program Managers.
  - (5) Equal Employment Opportunity Officers.
  - (6) Federal Women's Program Manager.
  - (7) Hispanic Employment Program Manager.
- g. The following DOE officials are designated as appropriate officials with whom to file a class complaint of discrimination.
- (1) Secretary of Energy (or his/her designee).
  - (2) Director, Office of Economic Impact and Diversity (or his/her designee).
  - (3) Director for Civil Rights and Diversity (or his/her designee).

5. RESPONSIBILITIES.

- a. Director, Office of Economic Impact and Diversity and the Director for Civil Rights and Diversity, or designees, shall carry out the responsibilities contained in the Mission and Function Statements for the Office of Economic Impact and Diversity and the Office of Civil Rights and Diversity, and shall be responsible for the designation and support of the Federal Women's Program Manager, the Hispanic Employment Program Manager, and Equal Employment Opportunity Officials.

b. Field Organization EEO and Diversity Managers.

- (1) Manage the daily functions of the field organizations' EEO and Diversity programs, and report on such functions directly to the Head of the Field Element.
- (2) Perform EEO and Diversity duties in accordance with policy guidance and direction from the Director, Office of Economic Impact and Diversity and the Director for Civil Rights and Diversity.

6. CONTACT. Questions regarding this Order should be referred to the Office of Civil Rights and Diversity at (202) 586-2218.

BY ORDER OF THE SECRETARY OF ENERGY:



ARCHER L. DURHAM  
Assistant Secretary for  
Human Resources and Administration