

DEPARTMENT OF NAVY
CIVILIAN HUMAN RESOURCES MANUAL

SUBCHAPTER 1601

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM POLICY

- References:**
- (a) Section 717 of Title VII, Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq.,
 - (b) Section 501 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 791 et seq.
 - (c) 29 CFR 1614 and 1614.101-102
 - (d) EEOC Management Directive 715 (MD-715)
 - (e) DOD Directive 1440.1 - Equal Employment Opportunity Program

Cancelled: SECNAVINST 5420.182A, SECNAVINST 12720.1A,
SECNAVINST 12720.5A, SECNAVINST 12720.7

1. **Purpose.** This subchapter establishes policy and assigns responsibility for the establishment and maintenance of a model Equal Employment Opportunity (EEO) Program within the Department of Navy (DON), in accordance with references (a) through (e). Program components are outlined in the Chapter 1600 Table of Contents and each is fully defined with operational guidance in the subchapters.

2. **Policy**

a. Equality of opportunity is recognized as an essential element of readiness and is vital in attracting, developing and retaining a top-quality workforce in order to accomplish the DON strategic mission. It is therefore DON policy to:

(1) Ensure EEO is fully integrated into the DON mission with demonstrated commitment from leadership at all levels;

(2) Provide equal opportunity in employment for all employees and applicants through clearly defined Human Resources (HR) and EEO policies and programs;

(3) Prohibit and proactively prevent discrimination in employment because of race, color, religion, sex, national origin, age or disability; and prohibit acts of reprisal against persons presenting or processing allegations of discrimination;

(4) Ensure that managers and supervisors share responsibility with EEO and HR personnel for successful policy and program implementation; and

(5) Promote the full realization of equal employment opportunity through continuing affirmative programs that are efficient, responsive and legally compliant;

b. DON will develop, implement, and annually assess the EEO Program

3. **Program Requirements.** To create a Model EEO Program in accordance with reference (d), DON leadership will:

a. Demonstrate firm commitment to equality of opportunity for all employees and applicants and ensure that EEO is integrated element of the DON strategic mission. Activity heads at all levels will issue annually and enforce equality of opportunity; anti-discrimination; and anti-harassment policy statements;

b. Ensure all with EEO responsibility are provided training on program concepts, policies and requirements in addition to training that will enhance the effective communication, interpersonal skills and accountability of supervisors and employees;

c. Ensure sufficient resources are available to accomplish EEO Program requirements and initiatives including discrimination complaints management and the accomplishment of the annual assessment;

d. Make available a fair, impartial and efficient complaint resolution and Alternative Dispute Resolution Program that is consistent with DON policy and Federal regulatory requirements to resolve workplace disputes; and

e. Ensure internal and external EEO Program reporting and legal compliance requirements are completed and timely submitted to requesting authorities.

4. **Responsibilities**

a. The Assistant Secretary of Navy (Manpower and Reserve Affairs) (ASN(M&RA)), as the EEO Director, is responsible for establishing and maintaining a DON-wide EEO Program consistent

with legal and regulatory requirements. The ASN (M&RA) shall keep the Under Secretary and the Secretary informed of progress and significant issues.

b. The Deputy Assistant Secretary of Navy (Civilian Human Resources) is delegated responsibility for the development of DON-wide policies, programs, and directives to ensure successful accomplishment of all aspects of the EEO Program.

c. The Special Assistant for EEO (SA/EEO) is the primary advisor to the secretariat staff, with unencumbered access to the ASN (M&RA) on all EEO matters. The SA/EEO serves as the principal EEO representative and point of contact between DON and various internal and external offices to provide leadership and direction for the accomplishment of the DON's EEO Program.

d. The Director, Office of Civilian Human Resources (OCHR) must:

(1) Develop plans, tools, and programs for the implementation and assessment of the DON EEO Program;

(2) Ensure that Human Resources policies and practices are regularly reviewed and revised as necessary to identify and eliminate barriers to equality of opportunity.

(3) Establish a results-oriented performance assessment and accountability system that measures and rewards the elimination of systemic, attitudinal, and physical barriers to full utilization of talent.

e. The Chief of Naval Operations, Commandant of the Marine Corps, Assistant for Administration USN, and Heads of Echelon 2 Commands are designated as Command EEO Officers (CEEEO). As such, they must:

(1) Ensure that the SECNAV EEO Program policy is clearly communicated and implemented within their respective commands;

(2) Ensure that EEO Program officials obtain strategic competencies by meeting established training requirements and are free from interference and reprisal in the execution of their duties or in their efforts to maintain the integrity of the DON EEO Program; and

(3) Ensure that annual EEO Program reviews and assessments are conducted for compliance with EEO policies and regulations.

f. The Command Deputy EEO Officer (CDEEOO) must:

(1) Serve as the primary advisor to the CEEEO on all matters pertaining to the effective management of the command's EEO Program;

(2) Provide guidance, assistance, and command specific training to subordinate activity/command officials;

(3) Serve as a link between subordinate activities and the SA/EEO, OCHR, and the Naval Office of EEO Complaints Management and Adjudication (NAVOECMA) to monitor and enforce compliance with this chapter and facilitate program assessments and reporting requirements; and

(4) Coordinate command assessment efforts and report accomplishments in achieving a Model EEO Program to the CEEEO and OCHR for incorporation in the DON report.

g. Activity Commanders or Heads. The head of each Naval activity and Marine Corps command employing civilians serves as the EEEO, and must demonstrate his/her commitment to DON EEO Program initiatives by:

(1) Ensuring the allocation of sufficient resources to provide support for a results-oriented EEO Program;

(2) Ensuring that appropriate training is made available to managers, supervisors, employees and EEO/HR practitioners regarding roles and responsibilities within the DON EEO Program;

(3) Promoting accountability via effective performance, recognition, and discipline management systems; and

(4) Publicizing and communicating DON EEO Program policies and procedures.

h. The Deputy EEO Officer (DEEOO) serves as the key EEO manager typically located within the HRO to support multiple EEEOs. The DEEOO will have direct access to the EEEO on all EEO Program matters. The DEEOO will be classified as an EEO Manager in the GS-260 series. To ensure the integrity of the Discrimination Complaints process and to avoid appearances of

conflict of interest, the HR Director will not serve as the DEEOO. The DEEOO must:

(1) Provide EEO Program support to serviced EEOOs that includes advice and guidance on the elimination of barriers to equality of opportunity, quarterly workforce profile data, briefings, training, and Special Emphasis Program administration.

(2) Conduct an annual assessment of the activity's EEO Program that involves the EEOO and managers/supervisors and provide the results of that assessment and plans for corrective action to the activity's EEOO for implementation and to the major command for inclusion in the command assessment.

(3) Manage the discrimination complaints process for serviced activities in accordance with CHRM Subchapter 1614, other pertinent regulations and current case law. Conduct trend analyses and local program assessments to ensure full compliance with EEOC and DON orders/corrective actions.

i. Human Resources Directors (HRD) shall provide civilian EEO/HR functions for serviced activities. This includes training HR specialists in the principles and requirements of EEO and identifying qualified individuals to perform specific EEO Program initiatives. HRDs shall:

(1) Designate a DEEOO who will advise EEOOs in the effective management and implementation of the EEO Program at the activity level;

(2) Ensure HR/EEO staff provides advice and guidance to managers and supervisors regarding EEO initiatives and the implementation of the DON Model EEO Program; and

(3) Provide HR program advice and guidance to managers, employees, and EEO officials.

j. Human Resources Service Centers shall provide assistance and support to HROs, EEOOs, and managers and supervisors regarding EEO program requirements and initiatives.

k. Managers and supervisors must:

(1) Actively participate in and support the accomplishment of DON EEO initiatives;

(2) Ensure a work environment free of hostile, discriminatory, or offensive behavior and provide reasonable accommodations for religious and physical needs of employees;

(3) Act promptly to prevent and/or correct situations that may give rise to discrimination complaints;

(4) Ensure that all members of the workforce refrain from actions or comments that could be viewed as discriminatory and recuse themselves from participation in processes/decisions that would create a conflict of interest; and

(5) Ensure their actions are free from discrimination.

5. **Annual EEO Program Assessment**. To ensure program success and compliance with reference (d), DON personnel programs and policies will be evaluated annually to identify and eliminate barriers that tend to limit or restrict equitable opportunities for open competition in the workplace. As part of this annual evaluation, as well as periodically throughout the year, the DON workforce will be analyzed to assess progress toward the model workplace goal of full participation and identify areas where barriers may exclude certain groups. Specific mandatory reporting requirements and directions are outlined in reference (d). In compliance, DON assessment and reporting procedures are as follows with more specific details in the CHRM Subchapter 1603:

a. Each CEEEO/EEEO is required to discuss and complete the MD 715 Self Assessment Checklist with the assistance of the CDEEEO/DEEEO.

b. Each activity of 500 or more employees will conduct a full assessment of the activity's EEO Program to include:

(1) Completion of the Self Assessment Checklist;

(2) Analysis of the workforce and development of corrective plan of action to eliminate identified barriers;

(3) A briefing to the EEEO and senior activity leaders on program status; and

(4) Forwarding a signed copy of the completed status report to the Major Command and the servicing HRSC.

c. Major Commands will conduct a full assessment of the Command's EEO Program to include:

(1) A full review of the status reports of subordinate activities, providing feedback on the submissions of the subordinate activities;

(2) Completion of the Self Assessment Checklist;

(3) Analysis of the workforce and development of corrective plan of action to eliminate identified barriers;

(4) A briefing to the CEEEO and senior command leaders on program status; and

(5) Forwarding a signed copy of the completed status report to OCHR.

d. The Director, OCHR and staff will assess the DON's EEO Program including:

(1) A full review of the status reports from the Major Commands, providing feedback to the Major Commands on submissions;

(2) Completion of the Self Assessment Checklist;

(3) Analysis of the workforce and development of corrective plan of action to eliminate identified barriers;

(4) A briefing to the EEO Director and senior leaders on program status; and

(5) Forwarding a signed copy of the completed status report to the Equal Employment Opportunity Commission.

6. **Action.** The ASN (M&RA) and the DASN (CHR) will issue policy and procedures as appropriate in support of CHRM Chapter 1600 and the implementation of the DON Model EEO Program. Addressees shall execute the policies and procedures of this chapter and all associated directives.