

# Office for Civil Rights and Civil Liberties

## Equal Employment Opportunity and Diversity Division



# Homeland Security

The Equal Employment Opportunity (EEO) and Diversity Division leads the Department's efforts to foster a diverse workforce and inclusive working environment—free from unlawful discrimination and harassment—which affords employees the opportunity to reach their full potential. Across its five sections, the Division leads and oversees facets of the Department's EEO complaint, diversity management, and anti-harassment programs, and provides direct support to DHS Headquarters and its Components.

### Complaints Management and Adjudication Section

- CMAS prepares final actions for the Department's formal EEO complaints, which address allegations of discrimination prohibited by civil rights statutes and executive orders, including:
  - Title VII of the Civil Rights Act of 1964;
  - the Age Discrimination in Employment Act of 1967;
  - the Equal Pay Act of 1963;
  - the Rehabilitation Act of 1973;
  - the Genetic Information Nondiscrimination Act of 2008; and
  - Executive Orders prohibiting discrimination on the bases of parental status and sexual orientation.
- Provides leadership, oversight, and guidance to the Department's Component-level EEO complaint programs.
- Issues Department-level reports related to EEO complaint processing:
  - Annual No FEAR Act Report and Quarterly No FEAR Act data postings.
  - Annual Federal EEO Statistical Report of Discrimination Complaints (462 Report).

### Diversity Management Section

- DMS provides leadership, guidance, and technical assistance on EEO and Diversity policy and initiatives, including regarding reasonable accommodation, special emphasis programs (SEPs), and anti-discrimination.
- Leads the following Department-level SEPs, which conduct commemorative programs, outreach, and barrier analysis: the Disability Employment Program; the Hispanic Employment

Program; the Federal Women's Program; the Black Employment Program; the Asian American/Pacific Islander Employment Program; the Lesbian, Gay, Bisexual, Transgender Employment Program; and the Native American/Alaska Native Employment Program.

- Prepares reports on the Department's EEO programs and diversity initiatives:
  - the annual EEOC Management Directive 715 Report, which includes workforce data;
  - barrier analysis, action plans to address barriers, and program accomplishments;
  - the Annual Plan on Executive Agency Actions to Strengthen the Capacity of Historically Black Colleges and Universities to Compete for Federal and Private Sector Opportunities; and
  - the Affirmative Action Program Plan for the Recruitment, Hiring, Advancement, and Retention of Individuals with Disabilities.
- Develops and organizes training for DHS EEO and diversity practitioners, including the DHS EEO and Diversity Training Conference.
- Conducts special studies, such as the barrier analysis of women in law enforcement at DHS, aimed at addressing and eliminating barriers to EEO in the workplace.

### Headquarters EEO Office

HQ EEO supports nearly 8,000 DHS Headquarters employees by promoting compliance with EEO laws; providing guidance to Headquarters managers and employees on all aspects of EEO, diversity, and inclusion; and preventing and addressing unlawful employment discrimination through training and awareness.

- Administers the EEO complaint process for matters filed by Headquarters employees, through investigation.
- Leads the Headquarters reasonable accommodation program.
- Implements the Headquarters Affirmative Employment Program to identify barriers to EEO, collaborating with the Office of the Chief Human Capital Officer and program offices to identify solutions that will eliminate those barriers.

## **Anti-Harassment Unit**

The AHU conducts inquiries into reports of workplace harassment brought by Headquarters employees and oversees Component-level anti-harassment programs.

- According to DHS policy, harassment includes unwelcome conduct – involving race, color, religion, sex (including pregnancy, sexual orientation, gender expression, and gender identity), national origin, age, disability (including an individual's need for reasonable accommodations), protected genetic information, marital status, parental status, political affiliation, or prior EEO activity – which interferes with an individual's work performance or creates an intimidating, offensive, or hostile work environment.
- The AHU conducts fact-finding inquiries into reports of harassment and prepares investigative summaries so that decision-makers can determine whether harassment occurred and, in cases where harassment has occurred, implement appropriate, corrective action.
- An AHU inquiry does not result in the filing of an EEO complaint, which is a separate process. Employees may choose to pursue the EEO complaint process irrespective of whether an AHU inquiry has commenced.

## **Alternative Dispute Resolution**

DHS is committed to effectively and efficiently resolving EEO complaints by offering alternative dispute resolution (ADR). As a model employer, DHS recognizes that early resolution of EEO complaints through ADR provides faster, less expensive, and longer-lasting results than through litigation. The ADR Program provides the following services:

- Mediation in HQ EEO complaints when the aggrieved employee chooses ADR
- A shared neutrals cadre comprising employees from across the Department who serve as mediators working to resolve other Components' complaints