

NRCS is required to deliver USDA Civil Rights and Equal Opportunity requirements and information with institutions that participate in or administer USDA federally conducted and/or federally assisted programs. In an effort to fully comply with Federal, Departmental, and Agency governing Civil Rights laws and regulations, this check-list serves as an internal guide to assist with the Civil Rights responsibilities and expectation discussion between NRCS and Partners.

### **Board Membership Responsibilities**

- Annual review of the Memorandum of Understanding (MOU) between NRCS and Board.
- SWCD Board Demographic Information - NRCS Plan of Action for Representation on Boards, Councils, and Committees, requires States to annually review current Board membership data with state conservation agencies and discuss the opportunities and benefits of having minority and female representatives on local boards/councils who are impacted by the board's/council's decisions regarding conservation programs.
- Prohibition disclosure of certain information by the USDA and its Cooperators - Applicants, participants, location, and any and all privacy information is not to be disclosed without a FOIA request. Upon Board membership ending, former Board members have the responsibility to protect any information.
- New and existing partners are invited and should attend NRCS sponsored Civil Rights Training.

### **Federally Assisted and Federally Conducted Program Delivery Responsibilities**

- 1964 Civil Rights Act - Title VI is a federal law that prohibits discrimination on the basis of race, color or national origin in programs and activities that receive federal financial assistance. Unlawful/prohibited discrimination is unfair or unequal treatment based on a prohibited bases.
- NRCS employees and partners who work with USDA programs are required to guarantee fairness and equal treatment to all customers eligible to receive USDA/NRCS programs and services regardless of any of the cited prohibited bases enforced by USDA:  
 race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, familial/parental status, income derived from a public assistance program, political beliefs, reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.)

### **Program Outreach**

- NRCS State and Field offices are required to establish and maintain outreach programs at the local level to ensure that all persons know about the availability of USDA/NRCS program services effectively and are encouraged to participate:  
 Board membership includes willingness to reach out to others, to reach out farther than others, to exceed normal communication expectation, or to go beyond existing limits to communicate with the under-served or under-resourced (women, minorities, persons with disabilities, historically underserved, limited resource, etc.)

### **Public Notification Responsibilities**

- Governing documents relative to required equal opportunity public notification requirements that conservation partners must review:



## Civil Rights Responsibilities for Partners Checklist

• Secretary of Agriculture Civil Rights Policy Statement	• USDA Equal Employment Opportunity is the Law poster
• USDA Alternative Dispute Resolution Policy Statement	• NRCS Chief's Civil Rights Policy Statement
• USDA Anti-Harassment Policy Statement	• NRCS EEO Counseling poster
• USDA Nondiscrimination Statement	• NRCS LEP Policy Statement
• *"And Justice for All" poster	• NRCS LEP Services poster
• USDA "Sexual Harassment is Illegal" poster	• [RESERVED]

- The public notification requirements must be prominently and visibly displayed in all offices where there is a USDA presence and where viewing is accessible for employees and customers.
- Compliance with Section 504<sup>1</sup> and Section 508<sup>2</sup> of the Rehabilitation Act of 1973.
- Access public notification required documents at the following link:  
[http://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/about/civilrights/?cid=nrcs143\\_022466](http://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/about/civilrights/?cid=nrcs143_022466)
- Public notification documents attached: (Review description for partners)

1. Secretary of Agriculture Civil Rights Policy Statement – affirms USDA's commitment to equality and civil rights for program delivery and employment with emphasize on USDA's zero tolerance for any form of discrimination or reprisal.
2. USDA Alternative Dispute Resolution (ADR) Policy Statement – affirms USDA's commitment to conflict prevention to increase customer satisfaction and employee morale.
3. USDA Anti-Harassment Policy Statement – affirms USDA's commitment to maintaining an environment free from unlawful harassment (sexual and non-sexual).
4. USDA Nondiscrimination Statement – must be posted in all USDA offices and included on all materials produced by USDA for public information, public education, or public distribution. In addition to Section 504 and Section 508 requirements, the statement shall be made available in other languages appropriate to the local population served or directly affected by USDA program or activity.
5. "And Justice for All" poster – primary method utilized to inform customers or their civil rights. Institutions participating or administering USDA programs are required to display the appropriate poster in respective facilities where poster can be viewed by customers. (NRCS applicable versions: Form AD-475-A, relevant to assisted programs; and Form AD-475-C, relevant to conducted programs.)
6. USDA "Sexual Harassment is Illegal" poster – general preventive tips and guidance on filing sexual harassment claims.
7. USDA "EEO Is The Law" poster – employee information and guidance on filing an EEO complaint.
8. NRCS Chief's Civil Rights Policy Statement – reaffirms Secretary of Agriculture's Civil Rights policy and emphasizes that reprisal of any kind against customers or employees will not be tolerated.
9. NRCS "EEO Counseling" poster – contact information for employees filing an EEO complaint. (does not apply to customers)

<sup>1</sup> Federal facilities and locations must be accessible for the public to guarantee access to persons with a disability.

<sup>2</sup> Public and employee notices regarding events and activities sponsored, co-sponsored, hosted, and or co-hosted by USDA, NRCS contain NRCS POC information including name, telephone number, email address, and a respond by date for persons to request accommodations (for example – an interpreter, translator, seating arrangements, etc.) materials in an alternative format (for example – braille, large prints, audiotape – captioning, etc.)

10. NRCS Limited English Proficiency (LEP) Policy Statement – reaffirms USDA’s commitment and provides support to the provisions of federally conducted and federally assisted prohibited discrimination based on national origin. LEP applies to individuals who do not speak English as their primary language, and who have a limited ability to read, speak, write, or understand English.

11. NRCS LEP Services poster – provides notice to customers that LEP oral interpreting and written translation services are available at no cost to customer relative to NRCS federally assisted and federally conducted programs.

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### Affirmation of Review:

Field Office/State \_\_\_\_\_

SWCD Board \_\_\_\_\_

Board Member(s)- Printed Name:

Signature and Date:

1. \_\_\_\_\_

\_\_\_\_\_

2. \_\_\_\_\_

\_\_\_\_\_

3. \_\_\_\_\_

\_\_\_\_\_

4. \_\_\_\_\_

\_\_\_\_\_

5. \_\_\_\_\_

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6. \_\_\_\_\_

\_\_\_\_\_

NRCS Rep - Printed Name and Title:

Signature and Date:

1. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



United States Department of Agriculture

Office of the Secretary  
Washington, D.C. 20250

## Civil Rights Policy Statement

As Secretary of Agriculture, I fully support the U.S. Department of Agriculture's (USDA) civil rights, equal employment opportunity, and diversity policies and programs. Improving civil rights throughout USDA is one of my top priorities, and by pursuing this goal together in a transparent and ethical manner we can lead the way in making USDA a model organization. We can turn our challenges into opportunities to strengthen our service.

The success of today's "People's Department" requires the steadfast support and commitment of every USDA employee. We will have zero tolerance for any form of discrimination or reprisal. There exists *no reason to discriminate* based on race, color, religion, national origin, age, sex (including gender identity and expression), sexual orientation, disability, marital or familial status, political beliefs, parental status, receipt of public assistance, or protected genetic information. Our policy at USDA is not only to understand that there will be zero tolerance for any form of discrimination, but to ensure that this standard is maintained throughout the Department. This standard is *applicable to every employee and manager* at USDA and to every action taken at USDA.

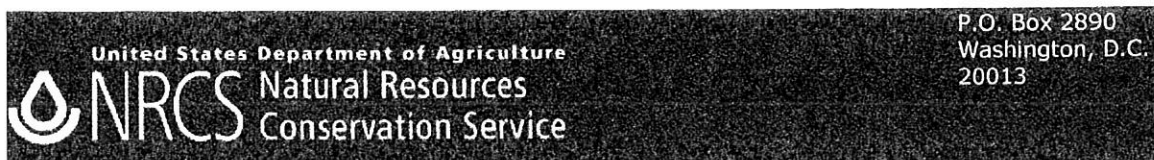
USDA must become a model department of tolerance and inclusion. Only then will we live up to President Lincoln's description of USDA as "The People's Department." Strengthening "The People's Department" is my commitment to you. I expect every employee and manager to demonstrate respect for and adherence to USDA civil rights, equal employment opportunity, and diversity policies and our program civil rights responsibilities.

To this end, accountability is key. I will hold all employees and managers accountable for doing their part to ensure that all USDA applicants, customers, constituents, and stakeholders are provided equal access to the opportunities, programs, and services available through "The People's Department." Accordingly, I am counting on all senior leaders, managers, and supervisors to model appropriate behavior and to lead by example.

We must all strive to create an inclusive environment in which every employee is respected, trusted, and valued. As we approach the 50<sup>th</sup> Anniversary of the Civil Rights Act of 1964, USDA must continue to ensure that the civil rights of USDA constituents and employees are respected and protected. We have corrected past errors, learned from past mistakes, and moved into a new era of equitable service and access for all. Let us continue to cultivate and reap the benefits of a diverse USDA workforce that is rich in talent, ideas, background, and experience. The USDA mission depends on it.

A handwritten signature in black ink, appearing to read "Tom Wilsack", is written over a horizontal line.

Thomas J. Wilsack  
Secretary  
July 24, 2013



National Bulletin: 230-13-                      Date: March XX, 2013  
Subject:                      EOP - NRCS Civil Rights Policy Statement

**Purpose.** To announce the NRCS Civil Rights Policy Statement.

**Expiration Date.** January 31, 2014.

**Background.** Each year, the Chief of the Natural Resources Conservation Service (NRCS) officially renews the commitment to Civil Rights and transmits the NRCS Civil Rights Policy Statement. In light of the Cultural Transformation Initiatives and the Secretary's Blueprint for Stronger Service, now is the perfect time to remind all employees of NRCS leadership's commitment to civil rights.

**Explanation.** Attached to this bulletin, you will find a copy of Acting Chief Weller's Civil Rights Policy Statement. Please ensure that the policy is posted in all agency offices where it can be viewed by employees and customers.

**Contact.** If you have any questions, please contact the Program Compliance Branch, Civil Rights Division, at (301) 504-2182.



Jason Weller  
Acting Chief

Attachment

DIST: E



United States Department of Agriculture



Natural Resources Conservation Service  
P.O. Box 2890  
Washington, D.C. 20013

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MAR 13 2013

SUBJECT: EOP – NRCS Civil Rights Policy Statement

TO: All NRCS Employees

File Code: 230-15

The Natural Resources Conservation Service (NRCS) employees represent an array of cultures, ethnicities, and backgrounds, and that diversity helps us meet our mission. I am committed to enforcing the Secretary's zero tolerance policy on discrimination. Prohibited discrimination is a violation of Title VI and Title VII of the 1964 Civil Rights Act.

It is NRCS' policy to treat all customers and employees equitably regardless of race, color, national origin, sex (including gender identity and expression), religion, age, disability, political beliefs, sexual orientation, marital or familial status, parental status, and protected genetic information. It is also our policy that customers and employees be free from reprisal or harassment in the pursuit of fairness and equal employment opportunities.

Complainants, representatives, and witnesses involved in complaints of discrimination must be unimpeded and free from restraint, coercion, or retaliation in the exercise of eliminating discrimination in the workplace. Reprisal of any kind against customers or employees will not be tolerated. Agency officials, managers, supervisors, and other employees will be held accountable for discrimination, reprisal or harassment, civil rights violations, and related misconduct.

Managers and supervisors are responsible for the environment in which their employees work and have a duty to take both affirmative and corrective action to ensure equal opportunity and civil rights for customers and employees. To deter violations, managers and supervisors are required to take appropriate corrective or disciplinary action on findings of discrimination, reprisal, civil rights violations, and related misconduct in employment and program matters. They must demonstrate an elevated regard by supporting civil rights, equal employment opportunity, and diversity in the workplace.

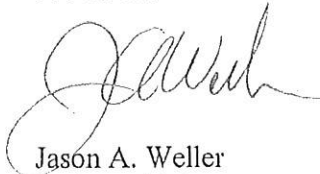
All NRCS employees are expected to adhere to this policy. NRCS will ensure appropriate corrective or disciplinary action is taken against violators who engage in discriminatory behavior.

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The Civil Rights Division will continue to provide guidance and ensure the agency's compliance with the laws and principles of equality for employment and programs. If you have questions, concerns, suggestions, or complaints of discrimination, contact the Civil Rights Division at (301) 504-2181.

A handwritten signature in dark ink, appearing to read 'J. Weller', with a large, stylized initial 'J'.

Jason A. Weller  
Acting Chief



Natural Resources Conservation Service  
P.O. Box 2880  
Washington, D.C. 20013

FEB 14 2012

SUBJECT: EOP – Anti-Harassment Policy Statement

TO: All NRCS Employees

File Code: 230-15

The Natural Resource Conservation Service (NRCS) Anti-Harassment Policy Statement reaffirms my commitment to prohibit sexual and non-sexual harassment in the agency's work environment and program delivery.

Sexual and non-sexual harassment (a form of discrimination) based on a prohibited basis of race, color, national origin, sex (including gender identity and expression) gender, religion, age (40 and over), mental or physical disability, political affiliation or belief, sexual orientation, marital or familial status, genetic information, and reprisal (retaliation) for prior Equal Employment Opportunity activity is prohibited by the agency.

For the purpose of this policy, harassment is defined as any objectionable verbal or physical conduct, comment, or display which demeans, disparages, aggravates, intimidates, or causes humiliation or embarrassment to another person. Harassment is a reasonably known unwelcome offense and serves no legitimate work purpose. Harassment occurs based on any of the above protected characteristics when:

- (a) The behavior can reasonably be considered to adversely affect the work environment (create an intimidating, hostile, or offensive work environment);
- (b) An employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct;
- (c) Unreasonable interference with an individual's work performance; and
- (d) An individual's employment opportunities are affected.

Harassing conduct includes, but not limited to:

Physical – Actual or threatened assault including hitting, tripping, kicking, punching, or unwanted touching; malicious or insulting gestures.

Verbal – Unwelcome remarks, jokes, innuendos, or taunts causing offense or embarrassment; name calling, swearing, bullying, expressing or insinuating threats, incessant teasing, wolf whistling, or spreading rumors.

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**Psychological** – Shunning or ostracizing, stalking, staring; gesturing; preventing someone from joining in an activity; hiding, damaging, or taking another's property; and displaying objectionable materials, graffiti or pictures.

**Intimidation** – Use of physical or organizational power to coerce a person to perform a particular action or to instill a feeling of humiliation or intimidation. Intimidation does not include the exercise of supervisory authority in the ordinary course of agency business.

NRCS strictly prohibits the use of abuse or official authority or position to intimidate, coerce, or harass employees or customers. Managers and supervisors are subject to receive disciplinary or adverse action for tolerating harassment and failing to take appropriate and immediate action when harassment is reported.

Personnel actions that a supervisor or manager takes for valid reasons do not constitute harassment in the workplace. Please note that this notice does not limit the supervisor's right to manage effectively. All employees must be proactive in preventing harassment and promoting a discrimination free workplace.

Any employee who is subjected to or witnesses conduct which is unwelcome and perceived to be harassment, or receives a report of alleged harassment, should immediately report the incidents to a NRCS official. If an informal attempt at resolution fails or is impractical, employees may seek relief from harassment based on one or more of the above-cited prohibited basis by contacting the NRCS Civil Rights Division, Complaints Branch at 1-866-672-7395 or TTY at (301) 504-2439 within 45 days of the alleged incident. All other allegations of harassment (non-discriminatory) may be reported directly to an official.

As Chief of NRCS, I am fully committed to ensuring that every employee and customer is treated with respect and dignity. Managers, supervisors, and employees must remain cognizant of this policy and refrain from perpetuating acts of harassment. All employees, including contractors and others performing official work for the agency, must fully support this zero tolerance harassment policy.



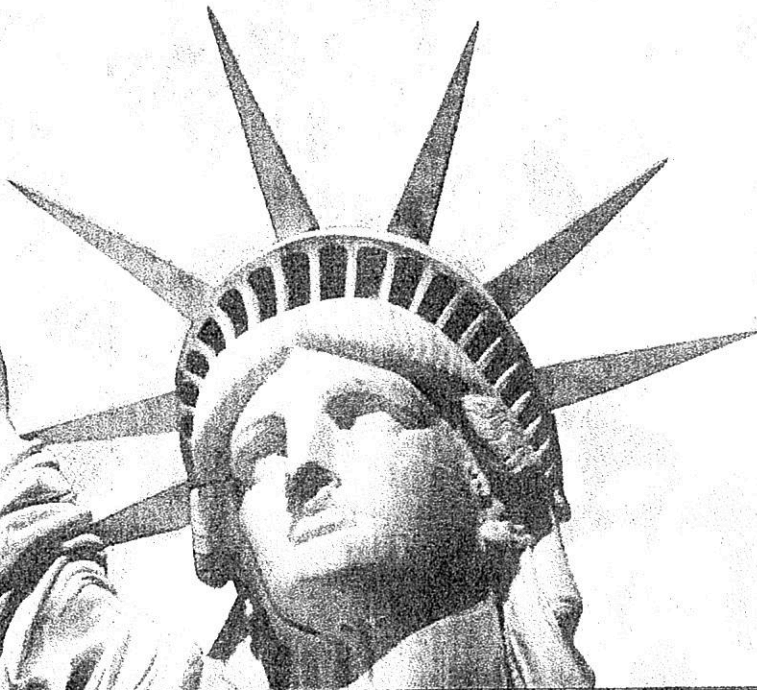
Dave White  
Chief



# “AND

# JUSTICE

# FOR ALL”



The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, sexual orientation, marital status, family status, status as a parent (in education and training programs and activities), because all or part of an individual's income is derived from any public assistance program, or retaliation. (Not all prohibited bases apply to all programs or activities.)

If you require the information on this poster in alternative format (Braille, large print, audiotope, etc.), contact the USDA's TARGET Center at (202) 720-2600 (voice or TDD).

If you require information about this program, activity, or facility in a language other than English, contact the USDA agency responsible for the program or activity, or any USDA office.

To file a complaint alleging discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call, toll free, (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice users). USDA is an equal opportunity provider and employer.

El Departamento de Agricultura de los Estados Unidos (USDA por sus siglas en inglés) prohíbe la discriminación en sus programas y actividades ya sea por la raza, color, nacionalidad, sexo, religión, edad, incapacidad, orientación sexual, estado civil, estado familiar, su estado como padre o madre (en programas de educación y adiestramiento), ya sea que todo o parte de los ingresos provengan de cualquier programa de asistencia pública de las personas, o por represalias. (No todas las prohibiciones se aplican a todos los programas o actividades).

Si usted necesita la información de este anuncio en un formato diferente (Braille, letras grandes, o por medio de sonido, etc.), llame al Centro TARGET del Departamento de Agricultura al teléfono 202-720-2600 (voz o TDD).

Si usted necesita información sobre este programa, actividad o instalaciones en un idioma diferente del inglés, llame a la agencia del Departamento que maneja este programa o actividad, o a cualquier oficina del Departamento de Agricultura.

Para someter una queja de discriminación, escriba al USDA, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410, o llame gratis al 1-866-632-9992 (voz). Para llamadas TDD, llame al USDA al número 1-800-877-8339 o al número 1-866-377-8642. El Departamento de Agricultura ofrece oportunidades de programas y de empleo libres de discriminación.



UNITED STATES DEPARTMENT OF AGRICULTURE

FORM AD-475-A (REVISED 9/2006)

## Instructions for AD-2106

### ***Form to Assist in Assessment of USDA Compliance with Civil Rights Laws***

This form is used by USDA agencies, including FSA, NRCS, RBS, RHS, and RUS to gather race, ethnicity, and gender information from program participants. For participants that are entities, complete a separate form for each member.

***Participants should complete all items.***

Fld Name /	Instruction
1. What is Your Name	Enter your full legal name.
2. Legal Residence	Enter your current address.
3. Gender	Check your appropriate gender.
4. Ethnicity	Check your appropriate ethnicity.
5. Race	Check your appropriate race(s). Multiple races may be checked.
<b>PRIVACY ACT STATEMENT</b>	
<p>The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to compile program application and participation rate data regarding socially disadvantaged farmers or ranchers and to conduct oversight and evaluation of civil rights compliance. The information collected on the form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in customer declared data not being entered into the database.</p> <p>The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. <b>RETURN THIS COMPLETED FORM TO THE APPROPRIATE USDA SERVICING OFFICE.</b></p>	
<b>NONDISCRIMINATION STATEMENT</b>	
<p>The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).</p> <p>To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.</p>	

U.S. Department of Agriculture

**Form to Assist in Assessment  
of USDA Compliance With Civil Rights Laws**

**QUESTIONNAIRE**

The purpose of this questionnaire is to gather race, ethnicity, and gender information about persons who apply and participate in this USDA program. The information you provide will not be used when reviewing your application or when determining whether you are eligible to participate in this program. This is a voluntary questionnaire. You are not required to give this information, but we hope you will because the information you give will be used to improve the operation of this program, to help USDA design additional opportunities for program participation, and to monitor enforcement of laws that require equal access to this program for eligible persons. If you have previously provided this information to USDA please DO NOT fill out this form. Your information will be kept private to the extent permitted by law. Thank you for your response.

1. What is your name? \_\_\_\_\_
2. Legal Residence: \_\_\_\_\_
3. What is your gender?      ☐ Male      ☐ Female

**Please answer BOTH question 4 and question 5 below about ethnicity and race. For this questionnaire, Hispanic or Latino origins are not races.**

4. Ethnicity:      ☐ Hispanic or Latino  
                         ☐ Not Hispanic or Latino

5. What is your race? Mark all that apply.

☐ American Indian or Alaska Native

☐ Asian

☐ Black or African American

☐ Native Hawaiian or Other Pacific Islander

☐ White

According to the Paperwork Reduction Act of 1995, an agency may not conduct, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0503-0019. The time required to complete this information collection is estimated to average 2 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.




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## Non-Discrimination Statement

### Non-Discrimination Policy

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

### To File an Employment Complaint

If you wish to file an employment complaint, you must contact your agency's EEO Counselor (PDF) within 45 days of the date of the alleged discriminatory act, event, or in the case of a personnel action. Additional information can be found online at [http://www.ascr.usda.gov/complaint\\_filing\\_file.html](http://www.ascr.usda.gov/complaint_filing_file.html).

### To File a Program Complaint

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form (PDF), found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

### Persons with Disabilities

Individuals who are deaf, hard of hearing or have speech disabilities and you wish to file either an EEO or program complaint please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).

Persons with disabilities who wish to file a program complaint, please see information above on how to contact us by mail directly or by email. If you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

### Supplemental Nutrition Assistance Program

For any other information dealing with Supplemental Nutrition Assistance Program (SNAP) issues, persons should either contact the USDA SNAP Hotline Number at (800) 221-5689, which is also in Spanish or call the State Information/Hotline Numbers.

### All Other Inquiries

For any other information not pertaining to civil rights, please refer to the listing of the USDA Agencies and Offices for specific agency information.

Last Date Modified: 02/22/2013

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