

# CIVIL RIGHTS

FEDERAL AVIATION ADMINISTRATION

Fiscal Year 2004 Business Plan



800 Independence Avenue, SW  
Washington, DC 20591

[www.faa.gov](http://www.faa.gov)



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## INTRODUCTION

Federal Aviation Administration (FAA) employees maintain, operate, and oversee the largest and most complex aviation system in the world, with a safety record that is second to none. To maintain this achievement, the FAA must be a world-class organization. This requires strong leadership, cooperation, and the right tools and training for our employees.

The Office of Civil Rights (ACR) advises and assists the FAA on civil rights and equal opportunity matters that ensure:

- The elimination of unlawful discrimination on the basis of race, color, national origin, sex, age, religion, creed, disability, sexual orientation, and parental status in federal employment and in federally-operated and federally-assisted transportation programs;
- That all beneficiaries and potential beneficiaries of these programs, including employees and potential employees, are offered equal opportunities to participate in them; and
- A positive working environment in the Federal Aviation Administration by valuing, using, and managing the differences that individuals bring to the workplace, as part of FAA's diversity management effort.

ACR's performance goals for FY 2004 focus on the strategic goal area of Organizational Excellence.

- Within the goal of Organizational Excellence, ACR has direct support for the objective to make the organization more effective with stronger, more knowledgeable, more accountable leadership and a better prepared, better trained, diverse workforce, in the areas of conflict management and inclusion. The Equal Employment Opportunity (EEO) complaint process is a conflict management mechanism. The Special Emphasis Programs carry out affirmative employment initiatives in connection with recruitment, training, and development.
- Corporate performance measures include the number of EEO formal complaints per number of employees and agency demographics.

### ACR Overview

ACR provides leadership to the Administrator, her Executive Team and employees so that FAA may internally "maintain a continuing affirmative program to promote equal opportunity and to identify and eliminate discriminatory practices and policies" as required by

EEOC regulation (29 CFR § 1614.102). Externally, ACR also ensures airport civil rights compliance with regard to federally assisted programs and requirements under the Departmental Disadvantaged Business Enterprise Program, the American with Disabilities Act, Environmental Justice, and Limited English Proficiency to name a few.

Recently, there have been several developments instituting new requirements affecting civil rights as follows:

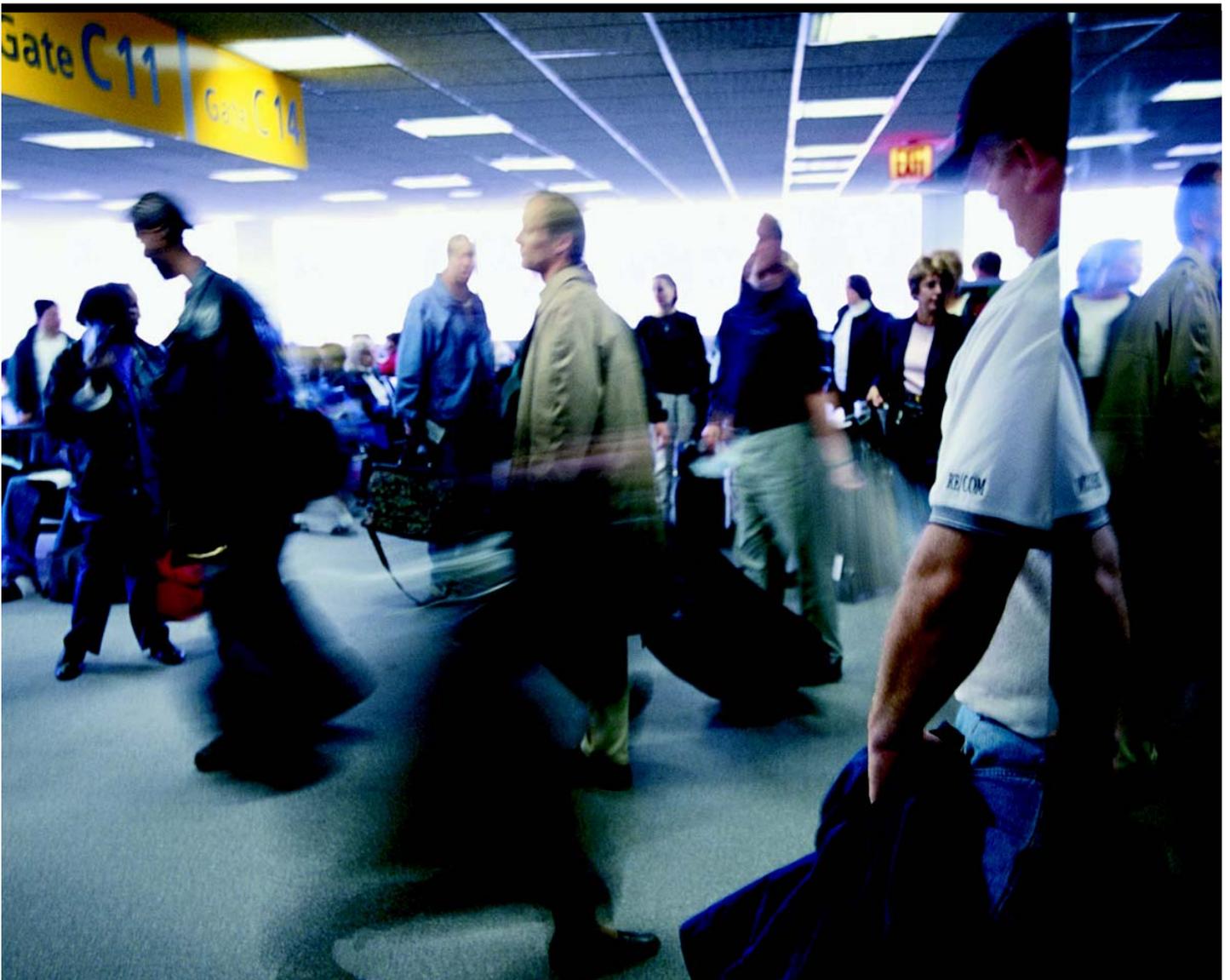
- **No FEAR Act:** The Notification and Federal Employee Anti-discrimination and Retaliation Act, also known as the No FEAR Act, was signed into law. The No FEAR Act requires written notification and training to employees about their rights, post EEO complaint data on its public website, analyze the data and identify trends, corrective actions, and future planned actions, and a report on corrective actions taken to address any issues that are uncovered by the process. ACR is a member of the Departmental task force chartered in July 2002 to study the impact of the No FEAR Act and develop the department implementation plan, requiring actions in FY04. EEOC issued draft implementing regulations August 5, 2003 for comment and the Office of Personnel Management will soon issue its implementing regulations with regard to training.
- **Affirmative Employment:** EEOC issued on August 26, 2003 its interim Management Directive (MD) 715 that describes Federal responsibilities regarding affirmative employment. MD-715 requires that federal agencies:
  - Establish agency-wide affirmative employment objectives.
  - Provide current guidance for the development of affirmative employment program plans to all component and field installations.
  - Ensure that the agency has adequate data systems for effective analyses of applicant flow, on-board workforce and personnel transactions data.
  - Demonstrate commitment to equality of opportunity for all employees and applicants for employment that is communicated through the ranks from the top down.
  - Develop systems for the evaluation of program effectiveness and barrier identification and elimination.
  - Prepare accomplishment reports and plan updates.

- Ensure compliance with MD-715 in accordance with existing law and regulation.

The Departmental Office of Civil Rights will provide leadership and direction for Department of Transportation implementation. ACR will work with Departmental Office of Civil Rights, legal, human resources and other stakeholders to implement required FY04 actions.

- **Departmental Disadvantaged Business Enterprise Task Force Recommendations:** On the external civil rights front, Secretary Mineta chartered a Task Force on August 8, 2003 to conduct an assessment of the Departmental Disadvantaged Business Enterprise Program and make necessary recommendations. Focus areas of the task force are program fraud and administration. The Task Force is assessing certification criteria in the pending airport concession Disadvantaged Business Enterprise rule and the monitoring by the modes and grant recipients. Publishing the concessions rule and implementing other recommendations will be ACR's priorities for FY04.

# GREATER CAPACITY



## OVERVIEW

ACR will focus its limited resources on the new civil rights requirements, in addition to the high volume of work associated with internal EEO complaints and alternative dispute techniques to facilitate resolution, Disadvantaged Business Enterprise plan approvals and other day-to-day work.

This Office contributes to the following strategic Greater Capacity Objectives outlined in the FAA 2004-2008 Flight Plan:

### FLIGHT PLAN OBJECTIVE

1. Ensure airport compliance with the Americans with Disabilities Act and all regulations governing Civil Rights with respect to Federal grant recipients participating in the Airport Improvement Program.

A more detailed description of each Objective, including its supporting Initiatives and Performance Targets follows.

# FLIGHT PLAN OBJECTIVE 1: ENSURE AIRPORT COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT AND ALL REGULATIONS GOVERNING CIVIL RIGHTS WITH RESPECT TO FEDERAL GRANT RECIPIENTS PARTICIPATING IN THE AIRPORT IMPROVEMENT PROGRAM.

## **FY04 PERFORMANCE TARGETS**

All self-assessment tools distributed by June 30, 2004.

ACR will focus on implementing the recommendations of the Disadvantaged Business Enterprise Task Force. To ensure full compliance with regulations, ACR will work with recipients on meeting Limited English Proficiency and Americans with Disabilities Act requirements.

### **Flight Plan Initiative 1.**

Implement Disadvantaged Business Enterprise Task Force recommendations to increase effectiveness of the program.

#### *ACR Activity*

ACR will support the Task Force recommendations and program resources accordingly.

A. Implement FY04 Task Force recommendations.

*Performance Target: TBD per the Departmental Disadvantaged Business Enterprise Task Force.*

### **Flight Plan Initiative 2.**

Ensure that recipients are aware of current Limited English Proficiency requirements and are equipped to assess their compliance.

#### *ACR Activity*

ACR will distribute a Limited English Proficiency self-assessment tool to primary airports. ACR will also develop information packets including copies of the Department of Transportation guidance, Limited English Proficiency brochures, and the web site for Limited English Proficiency geographic data.

A. Identify Limited English Proficiency self-assessment tools for recipients' use.

*Performance Target: Final information kit ready by December 31, 2003.*

B. Distribute to recipients for use.

*Performance Target: Distribution completed by March 31, 2004.*

### **Flight Plan Initiative 3.**

Ensure that recipients are aware of current Americans with Disabilities Act requirements and are equipped to assess their compliance.

#### *ACR Activity*

ACR will distribute an Americans with Disabilities Act self-assessment tool to primary airports. ACR will also send copies of Department of Transportation regulations and related resources.

A. Identify an Americans with Disabilities Act self-assessment tool for recipients' use.

*Performance Target: Final information kit ready by March 31, 2004.*

B. Distribute to recipients for use.

*Performance Target: Distribution completed by June 30, 2004.*



## OVERVIEW

The initiatives for organizational excellence include conflict management and diverse work force development. The Equal Employment Opportunity Commission (EEOC) has recently issued its Management Directive 715 that describes Federal responsibilities under Section 717 of Title VII and Section 501 of the Rehabilitation Act. The new Management Directive includes as a responsibility that EEO be integrated into each agency's strategic mission.

This Office contributes to the following strategic Organizational Excellence Objectives outlined in the FAA 2004-2008 Flight Plan:

### FLIGHT PLAN OBJECTIVES

1. Make the organization more effective with stronger leadership, increased commitment of individual workers to fulfill organization-wide goals, and a better prepared, better trained, diverse workforce.
2. Control costs while delivering quality customer service.

### BUSINESS PLAN OBJECTIVES

1. Eliminate barriers to EEO and inclusion through strong civil rights leadership and accountability so that our environment may be free of unlawful and costly discrimination and harassment.
2. Provide timely and accurate civil rights information so that FAA may attract, develop and retain a diverse workforce.
3. Control costs while delivering quality civil rights customer service.

A more detailed description of each Objective, including its supporting Initiatives and Performance Targets follows.

# FLIGHT PLAN OBJECTIVE 1: MAKE THE ORGANIZATION MORE EFFECTIVE WITH STRONGER LEADERSHIP, INCREASED COMMITMENT OF INDIVIDUAL WORKERS TO FULFILL ORGANIZATION-WIDE GOALS, AND A BETTER PREPARED, BETTER TRAINED, DIVERSE WORKFORCE.

## FY04 PERFORMANCE TARGETS

- Directly relate 80% of all employee performance plans to FAA strategic goals and their organization's performance plans.
- Reduce the time it takes to hire mission critical positions by 3% over FY2003 baseline.

ACR focuses on conflict management via the EEO complaint process as an opportunity to address workplace issues concerning Civil Rights. ACR fosters inclusion through mentoring and outreach as part of the agency special emphasis and affirmative employment efforts.

Challenges	Mitigation Strategies
1. Ensure a consistent approach to processing EEO complaints.	1. Standardize procedures and resources.
2. Acceptance of new mentoring program from agency organizations with existing programs.	2. Market the nationwide accessibility benefit and emphasis program as a supplement not replacement of existing programs.
3. Ensuring employees without desktops in the field have access to system.	3. Work with LOB field facilities to ensure employee accessibility options to web-based system.

### Flight Plan Initiative 1. (ACR Supports)

Implement an executive development program.

#### ACR Activity

A. ACR executives will help guide corporate leadership development policies, processes, and programs and will hold their subordinate managers accountable for implementation. They will set an example by personally engaging in ongoing learning activities and will ensure that subordinate managers do likewise. Senior ACR managers and executives will serve as mentors, presenters, and advisors in management development activities.

*Performance Target: TBD per the Office of Human Resource Management.*

### Flight Plan Initiative 2. (ACR Supports)

Put in place a management workforce planning and development program.

#### ACR Activity

A. ACR executives will help guide corporate leadership development policies, processes, and programs and will hold their subordinate managers accountable for implementation. They will set an example by personally engaging in ongoing learning activities and will ensure that subordinate managers do likewise. Senior ACR managers and executives will serve as mentors, presenters, and advisors in management development activities.

*Performance Target: TBD per the Office of Human Resource Management.*

### Flight Plan Initiative 3. (ACR Supports)

Undertake a timely and effective approach to conflict management.

#### ACR Activity

The EEO counseling process is a conflict management approach to resolve work place disputes. As a process to address the issues for which it was designed, it is capable. However, it can be improved by standardizing procedures and resources.

A. Create a national intake process to standardize counseling and data tracking.

*Performance Target: On-line & fully operational by March 31, 2004.*

B. Conduct quarterly reviews of informal EEO complaints by matrix teams of legal, human resources, civil rights and the line of business or staff office in the regions, centers, and headquarters to ensure a consistent conflict management approach.

*Performance Target 1: First Matrix Review session by March 31, 2004.*

*Performance Target 2: Second Matrix Review session by June 30, 2004.*

*Performance Target 3: Third Matrix Review session by September 30, 2004.*

- C. Issue automated standardized notifications of EEO issues to managers nationwide.

*Performance Target: Automated procedure for routing notifications developed by December 31, 2003.*

*Performance Target: Headquarters, one Center and one Region using automated notification process by March 31, 2004.*

*Performance Target: Remaining regions and centers using automated notification process by June 30, 2004.*

#### **Flight Plan Initiative 4. (ACR Supports)**

Directly link all employee performance plans to FAA strategic goals and line of business and staff office performance plans.

##### *ACR Activity*

- A. ACR will track the percentage of employees with performance plans in place, and the percentage of performance plans that are directly linked to agency strategic goals and organizational performance plans.

*Performance Target: 100% of FY 2004 employee performance plans linked by March 31, 2004 and within 30 days of reporting on board for new employees.*

#### **Flight Plan Initiative 5. (ACR Supports)**

Undertake and sustain agency human capital planning and measurement processes

##### *ACR Activity*

- A. The Assistant Administrator for Civil Rights will participate on the FAA Human Capital Board to provide oversight for the implementation of the FAA Human Capital Plan and leadership for the strategic management of the agency workforce. She will ensure a corporate and integrated focus for FAA human capital planning, make corporate human capital investment decisions to meet agency goals, and address alignment of human capital solutions with competitive sourcing, and e-government PMA requirements. ACR will establish and resource a Human Capital Planning Team to develop and implement a workforce/human capital plan aligned with its business plan, budget process, and the FAA Human Capital Plan. ACR executives and senior managers will communicate FAA/ACR Human Capital Plan goals and actions to all ACR employees. The Human Capital Planning Team will also set the strategic business direction, guide the

analysis of our LOB workforce requirements, and ensure the effective implementation of human capital solutions to achieve mission results.

*Performance Target: TBD per the Office of Human Resource Management.*

#### **Flight Plan Initiative 6. (ACR Supports)**

Put in place a corporate and employee training and development program

##### *ACR Activity*

The Federal Aviation Administration National Federal Women Program Manager led a national initiative to identify and procure services for a Corporate Mentoring Program. The Corporate Mentoring Solutions was selected as the program provider. Corporate Mentoring Solutions will supplement existing FAA mentoring programs, which have participation limited by physical and organizational constraints. Corporate Mentoring Solutions has combined fundamental mentoring practices with an innovative online delivery system. The program is accessible nationwide via an online Mentoring Management System™ that facilitates the personal and professional growth of the organization and employees while reducing administration and maintenance resources. Features of the system include:

- Accessible nationwide, online for all employees.
- Allows employee to conduct skill assessment to generate individual development plan.
- Allows an employee to be mentored in specific needs regardless of geographical locations.
- Tracks and provides agency with corporate and organization specific skills gap reports for better use of training and developmental programs.

- A. Obtain licensing agreements and customization of web-based mentoring program.

*Performance Target 1: On-line & fully operational by March 31, 2004.*

*Performance Target 2: 600 employees participating by June 30, 2004.*

*Performance Target 3: 1200 employees participating by September 30, 2004.*

- B. In addition, ACR will participate in the design and development of a corporate employee development program and leverage our existing programs and systems in support of this strategic objective.

*Performance Target: TBD per the Office of Human Resource Management.*

### **Flight Plan Initiative 7. (ACR Supports)**

Implement corporate recruitment initiatives

#### *ACR Activity*

FAA has developed a Corporate Recruitment Plan. ACR will be supporting this effort by implementing several initiatives in support of the Corporate Recruitment Plan and assist with resources to increase the diversity of applicants. These activities include:

- A. Implement an intra-web based resource database of organizations to assist the agency in recruitment efforts for recruiting women, minorities and people with disabilities candidates.

*Performance Target: Database linked by December 31, 2003.*

- B. Special Emphasis Program Managers will participate in 36 outreach activities to educate potential candidates on FAA career opportunities

*Performance Target: Outreach activities for FY04 scheduled by November 1, 2003.*

- C. Continue supporting and promoting the multicultural website Hirediversity.com which allows nationwide access to FAA vacancies.

*Performance Target: Monitor the usage of the web site by quarterly reports to senior managers by the 30<sup>th</sup> calendar day of the next quarter.*

- D. ACR will participate with AHR in drafting new recruitment materials that target underrepresented groups.

*Performance Target: TBD per the Office of Human Resource Management.*

## FLIGHT PLAN OBJECTIVE 2: CONTROL COSTS WHILE DELIVERING QUALITY CUSTOMER SERVICE.

ACR has also recently begun implementing Labor Distribution Reporting. Our interest is to control cost while delivering quality customer service. The first step in this process is to generate a reliable LDR report that outlines the resources expended by ACR on civil rights functions. Based on ACR and other LDR information for other organizations, we will eventually be able to make some reliable assumptions about the resources expended by collateral duty counselors and special emphasis program specialists with an eye to controlling costs.

### ACR Activity

- A. During FY04, ACR will implement periodic management reviews specifically focusing on Flight Plan Initiatives and in support of cost control.

*Performance Target: Meetings will be scheduled quarterly after ACR Business Plan is approved*

### FY04 PERFORMANCE TARGETS

Secure 10% of the unfunded portion of the strategic plan through budget requests, reprioritization, and cost savings.

Challenge	Mitigation Strategy
1. Obtaining a complete assessment of agency resources spent on Civil Rights matters.	1. Estimate the resources associated with employees not under LDR by using data for similarly situated employees under LDR.

### Flight Plan Initiative 1. (ACR Supports)

Finish implementing the FAA financial management system (DELPHI), Cost Accounting System (CAS) and Labor Distribution Reporting system (LDR).

### ACR Activity

During FY04, ACR will continue LDR implementation focusing on the integrity of the LDR data being collected.

- A. Continue implementing LDR in ACR.

*Performance Target: Generate reliable ACR LDR reports by June 30, 2004*

### Flight Plan Initiative 2. (ACR Supports)

Put in place an agency-wide cost control program using CAS and LDR, including:

- A. An executive-level review process
- B. Identification of cross-organizational initiatives focused on controlling operations costs starting with information technology (IT) expenditures. Savings identified will be used to fund unfunded aspects of the Flight Plan
- C. program to create incentives for FAA organizations to identify and implement cost savings initiatives

# ACR OBJECTIVE 1: MAINTAIN A CONTINUING AFFIRMATIVE PROGRAM TO PROMOTE EQUAL OPPORTUNITY AND TO IDENTIFY AND ELIMINATE DISCRIMINATORY PRACTICES AND POLICIES.

## **FY04 PERFORMANCE TARGETS**

Decrease the ratio of complainants per total number of employees to below the government ratio as published by the Equal Employment Opportunity Commission.

### **ACR Initiative 1.**

Implement No FEAR Act requirements.

#### *ACR Activity*

A. The Notification and Federal Employee Anti-discrimination and Retaliation Act, No FEAR Act, was enacted into law last year. FY04 marks the first year of implementing its requirements.

*Performance Target: TBD per the Departmental Office of Civil Rights*

### **ACR Initiative 2.**

Implement the EEOC MD-715.

#### *ACR Activity*

A. The Commission has recently published its MD-715 regarding Federal responsibilities with respect to EEO. This will be the first year implementing its new guidance.

*Performance Target: TBD per the Equal Employment Opportunity Commission and the Departmental Office of Civil Rights guidance.*

### **ACR Initiative 3.**

Implement FAA Reasonable Accommodation Supplement, 1400.xx.

#### *ACR Activity*

ACR has prepared and coordinated an FAA Supplement implementing the Department of Transportation Order 1011.1 on Reasonable Accommodation. Upon being signed, the provisions of FAA Supplement will be implemented.

A. Submit final version of FAA Supplement for signature.

*Performance Target: Final version submitted by November 30, 2003.*

### **ACR Initiative 4.**

Coordinates the Administrator's Award for Excellence in EEO, Affirmative Employment, and Diversity ceremony.

#### *ACR Activity*

As part of the requirement to recognize employees and supervisors who demonstrate superior accomplishments in EEO, ACR coordinates the annual Administrator's Award ceremony. The award recipients are also the FAA nominees for the Secretary's Awards.

A. Nominations requested, panel convened, and award nominees forwarded to the Administrator.

*Performance Target: Recipient selection process completed by May 31, 2004.*

B. Ceremony arrangements made and event produced.

*Performance Target: Ceremony held by June 30, 2004.*

### **ACR Initiative 5.**

Implement FAA Diversity Implementation Plan.

#### *ACR Activity*

FAA will finalize the implementation plan in support of the DOT Diversity Action Plan.

A. Execute FAA Diversity Implementation Plan.

*Performance Target: Distribute quarterly progress reports to organizations and stakeholders by the 30th calendar day of the next quarter.*

*Performance Target: Submit yearly accomplishment report to the Secretary of Transportation in the first quarter of FY05.*