

An AFGE Handbook for Women's and Fair Practices Coordinators

The American Federation of Government Employees (AFGE) is a labor organization affiliated with the AFL-CIO which represents approximately 600,000 employees of the United States federal government and the government of the District of Columbia.

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Introduction: Coordinator Manual



If you have been elected or appointed as the Women's Coordinator or Fair Practices Coordinator of your Local or Council then you are one of the most significant components of the AFGE Human Rights Network. AFGE's Human Rights Network is composed of the Women's and Fair Practices Departments, the 24 elected District Coordinators and the Local Coordinators that are elected or appointed to strengthen the protection of human rights in the Federation. AFGE seeks to ensure that all people are treated fair and equal.

Your job as a Local Coordinator is exciting, diverse and challenging. It is your job to assure that your Local's civil, human, women's and workers' rights needs are being investigated and served. In this position your members will look to you for guidance on working family and discrimination issues and complaints.

This manual will serve as a guide and continued reference for new and seasoned Coordinators to understand the roles and responsibilities of their positions.

Terms You Should Know As A Coordinator



In this section, we have provided you with terms that are important to know as the advocate for civil, human, women's and workers' rights in your Local.

Affirmative Action or Affirmative Employment: Positive steps taken by an employer which contribute toward greater employment opportunities for minorities, females, the elderly, and the disabled. In federal employment, extra effort must be made to include qualified women, minorities, and employees over 40 and the disabled at grade levels and in job categories where they are under represented. As defined by: The U.S. National Archives and Records Administration

Affirmative Action Plans/Affirmative Employment Plan: Written plans for programs required by Executive Order 11478 and other laws and regulations. AAP's may contain studies which show how the work force at the activity has been used, and may include goals and timetables for increasing the representation of protected class members in those areas where they have been under represented. As defined by: The U.S. National Archives and Records Administration

Age Discrimination: A claim of discrimination based on age by an individual who is at least 40 years of age at the time of the alleged discriminatory act. As defined by: The U.S. National Archives and Records Administration

Age Discrimination in Employment Act (ADEA): Age discrimination involves treating someone (an applicant or employee) less favorably because of his age. The ADEA only forbids age discrimination against people who are age 40 or older. It does not protect workers under the age of 40, although some states do have laws that protect younger workers from age discrimination. As defined by: Equal Employment Opportunity Commission

Aggrieved Person: A person who believes that he/she has been discriminated against in some way and makes his/her concerns known. As defined by: The U.S. National Archives and Records Administration

Americans with Disabilities Act (ADA): This law makes it illegal to discriminate against a qualified person with a disability in the private sector and in state and local governments. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless doing so would impose an undue hardship on the operation of the employer's business. As defined by: Equal Employment Opportunity Commission

Constituency Groups: The AFL-CIO's constituency groups are unions' bridge to diverse communities, creating and strengthening partnerships to enhance the standard of living for all workers and their families. The groups also promote the full participation of women and

minorities in the union movement and ensure unions hear and respond to the concerns of the communities they represent. As defined by: AFL-CIO

Civil Rights: Rights of individuals to receive equal treatment (and to be free from "discrimination") in a number of settings -- including education, employment, housing, and more -- based on certain legally-protected characteristics. Historically, the "Civil Rights Movement" referred to efforts toward achieving true equality for African-Americans in all facets of society, but today the term "civil rights" is also used to describe the advancement of equality for all people regardless of race, sex, age, disability, national origin, religion, and other characteristics. These immutable traits are referred to as "protected classes". Everyone fits into one or more protected classes. As defined by: Findlaw.com

Civil Rights Act: This law makes it illegal to discriminate against someone on the basis of race, color, religion, national origin, or sex. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate applicants' and employees' sincerely held religious practices, unless doing so would impose an undue hardship on the operation of the employer's business. As defined by: Equal Employment Opportunity Commission

D.C. Human Rights Act of 1977, as amended.

It is the intent of the Council of the District of Columbia, in enacting this chapter, to secure an end in the District of Columbia to discrimination for any reason other than that of individual merit, including, but not limited to, discrimination by reason of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, and place of residence or business. As defined by: The D.C. Office of Human Rights

D.C. Office of Human Rights: The District of Columbia Office of Human Rights (OHR) was established to eradicate discrimination, increase equal opportunity and protect human rights for persons who live, work, or visit in the District of Columbia. The primary function of the agency is to enforce the District of Columbia Human Rights Act, the District of Columbia Family and Medical Leave Act, the District of Columbia Parental Leave Act and the District of Columbia Language Access Act. In addition to those local laws, the OHR, being a Fair Employment Practice Agency and a Fair Housing Assistance Program agency, can investigate and adjudicate complaints of discrimination filed under Title VII of the Civil Rights Act of 1964 (Equal Employment Opportunity Act), Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), the Americans with Disabilities Act and the Age Discrimination in Employment Act. As defined by: The D.C. Office of Human Rights

Disability: An individual is considered to have a "disability" triggering the ADA's protections if he or she has 1) a physical or mental impairment that substantially limits one or more of his or her major life activities (such as walking, hearing, working); 2) a record of having such an impairment; or 3) is regarded as having such an impairment. As defined by: The Leadership Council on Civil and Human Rights

Discrimination: Any act or failure to act, impermissibly based in whole or in part on a person's race, color, religion, sex, national origin, age, physical or mental handicap, and/or reprisal, that adversely affects privileges, benefits, working conditions, results in disparate treatment, or had a disparate impact on employees or applicants. As defined by: The U.S. National Archives and Records Administration

Disparate Impact: Under EEO law, a less favorable effect for one "protected" group than for another. Disparate impact results when rules applied to all employees have a different and more inhibiting effect on specific groups than on the majority. It is often considered unintentional discrimination, for example, nonessential educational requirements for certain jobs can have a disparate impact on minority groups looking for work, as they may often have limited access to educational opportunities. As defined by: The U.S. National Archives and Records Administration

Disparate Treatment: Intentional discrimination based on inconsistent application of rules and policies to one group of people over another. Discrimination may result when rules and policies are applied differently to members of different protected classes. Disciplining Hispanic and Afro-American employees for tardiness, while ignoring tardiness among other employees, is an example of disparate treatment. As defined by: The U.S. National Archives and Records Administration



Diversity: One of the results of Affirmative Action (AA) and Equal Employment Opportunity (EEO). Diversity, however, is broader than AA and EEO for it encompasses everybody and not only protected classes. Diversity is the representation of all races, nationalities, cultures, religions, gender, abilities, ages, sexual orientations, gender identities and expressions, social backgrounds, and educational backgrounds in the work place. Diversity allows for the presentation of different ideas, perspectives and beliefs in order to improve the work place environment and work product. Time and studies have proven that a diversified workplace is valuable and highly desirable. As defined by: Previous Edition

Equal Employment Opportunity: A requirement not to base a job-related decision on a factor that is unrelated to the job. Federal laws have made it illegal for employers to discriminate on the basis of race, color, national origin, religion, sex, age, veteran status and disability. Federal laws have also required equal pay for women and no discrimination on the basis of pregnancy. Other bases not currently protected under the Federal law include personal appearance, sexual orientation, marital status, and family responsibility; Presidential Executive Orders have prohibited discrimination against individuals with these attributes. As defined by: Previous Edition amended.

Equal Employment Opportunity Commission (EEOC): Enforces Federal laws prohibiting employment discrimination. These laws protect employees and job applicants against employment discrimination when it involves:

- Unfair treatment because of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information.

- Harassment by managers, co-workers, or others in the workplace, because of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information.
- Denial of a reasonable workplace accommodation that the employee needs because of religious beliefs or disability.
- Retaliation because the employee complained about job discrimination, or assisted with a job discrimination investigation or lawsuit.

As defined by: Equal Employment Opportunity Commission

Equal Employment Opportunity Laws: Five laws which prohibit discrimination on the basis of race, color, religion, sex, national origin, physical handicap and mental handicap in any terms, conditions, or privileges of employment. The five EEO laws are:

- The Equal Pay Act of 1966, as amended.
- Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 and the Pregnancy Disability Act of 1978.
- The Rehabilitation Act of 1973, as amended, by the Americans with Disabilities Act (ADA) of 1990, as amended by the ADA Amendments Act of 2008.
- The Age Discrimination in Employment Act of 1963, as amended.
- The Civil Rights Act of 1991, as amended
- The Genetic Information Non-discrimination Act (GINA) of 2008.

As defined by: The U.S. National Archives and Records Administration amended.

Ethnic Group: A group of people who share a common religion, color, or national origin. Irish-Americans, Mexican-Americans, German-Americans, Italian-Americans, Hindus, Muslims, and Jews are examples of ethnic groups. Some members of ethnic groups participate in the customs and practices of their groups, while others do not. Discrimination based on these customs and practices may be illegal under EEO law. As defined by: The U.S. National Archives and Records Administration

Family Medical Leave Act (FMLA)/D.C. FMLA: The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. As defined by: The U.S. Department of Labor

Note: workers in the federal and District of Columbia governments and private sector are governed by different FMLA eligibility and administrative requirements. You should ensure that you review and understand the requirements that apply to you.

Federal Women's Program (FWP): Established in 1967 when President Lyndon B. Johnson signed Executive Order 11375 and added sex as a prohibited form of discrimination. The FWP has a primary responsibility to identify barriers to the hiring and advancement of women and to enhance employment opportunities for women in every area of federal service. Guidance for the FWP was originally provided by the Civil Service Commission (now OPM). In 1978 the program responsibility was transferred to the Equal Employment Opportunity Commission (EEOC). The FWP is an integral part of the overall Civil Rights/Equal Opportunity Program. Each federal agency has at least one Federal Women's Program Manager (FWPM), and many agencies have established a network of managers, representatives, and committees throughout their headquarters and field locations. The FWPM acts as the agency's contact point, source of information, and advisor to the head of the agency in matters involving the employment and career advancement of women. As defined by: Federally Employed Women (FEW)

Gender Identity: The gender with which a person identifies; whether one perceives oneself to be a man, a woman, or describes oneself in some less conventional way. The term can also be used to refer to the gender that other people attribute to the individual on the basis of what they know from gender role indications, like social behavior or clothing. Gender identity may be affected by a variety of social structures, including the person's ethnic group, employment status, religion or irreligion, and family. As defined by: The Leadership Council on Civil and Human Rights

Genetic Information Nondiscrimination Act (GINA): This law makes it illegal to discriminate against employees or applicants because of genetic information. Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about any disease, disorder or condition of an individual's family members (i.e. an individual's family medical history). The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. As defined by: Equal Employment Opportunity Commission

Harassment: A form of discrimination. Harassment is unwelcome conduct of a sexual and/or non sexual nature that references one's protected status in an intimidating, offensive, or hostile manner. Harassment is often repetitive or persistent. As defined by: Previous edition, amended.

Human Rights: Basic rights and freedoms that all people are entitled to regardless of nationality, sex, national or ethnic origin, race, religion, language, sexual orientation, gender identity or other status. Human rights include civil and political rights, such as the right to life, liberty and freedom of expression; and social, cultural and economic rights including the right to participate in culture, the right to food, and the right to work and receive an education. Human rights are protected and upheld by international and national laws and treaties. As defined by: United Nations

Management Directive 715 (MD-715): On October 1, 2003, EEOC issued *Management Directive 715 (EEO MD-715)*, which provides policy guidance and standards to agencies for establishing and maintaining model EEO programs. EEO MD 715 reminds agencies of the requirement to issue a written policy statement by the agency head which expresses commitment to EEO and a workplace free of discriminatory harassment, and the development of a comprehensive anti-harassment policy to prevent harassment on all protected bases, including race, color, religion, sex (sexual or non-sexual), national origin, age, disability, and reprisal. As defined by: WFP EEOC MD-715 manual

Minority: A group within a country or state that differs in race, religion or national origin from the dominant group. According to EEOC guidelines, minority is used to mean four particular groups who share a race, color or national origin. These groups are:

- American Indian or Alaskan Native. A person having origins in any of the original peoples of North America, and who maintain their culture through a tribe or community.
- Asian or Pacific Islander. A person having origins in any of the original people of the Far East, Southeast Asia, India or the Pacific Islands. These areas include, for example, China, India, Korea, the Philippine Islands and Samoa.
- Black (except Hispanic). A person having origins in any of the black racial groups of Africa.
- Hispanic. A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

As defined by: The U.S. National Archives and Records Administration

Pay Equity: A remedy for addressing pay discrimination that depresses wages paid to jobs traditionally held by women and/or people of color. Pay equity requires employers to provide equal pay for work of equal value, as measured by the skill, effort, responsibility, and working conditions needed to perform the jobs. As defined by: The Leadership Council on Civil and Human Rights

Pregnancy Discrimination Act: This law amended Title VII to make it illegal to discriminate against a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. As defined by: Equal Employment Opportunity Commission

Protected Class: The groups protected from employment discrimination by Affirmative Action (AA) or Equal Employment Opportunity (EEO) laws and regulations. These groups include men and women on the basis of sex; any group which shares a common race, religion, color or national origin; people over 40; and people with physical or mental handicaps. Every U.S. citizen is a member of some protected class, and is entitled to the benefits of EEO law. However, civil rights laws were passed to correct a history of unfavorable treatment towards women and minority group members. As defined by: The U.S. National Archives and Records Administration

Reasonable Accommodation: Changes in the work environment that enables a person with a disability to enjoy equal employment opportunities. The three general categories of reasonable accommodation are changes to: (1) job application process to permit people with disabilities to be considered for jobs; (2) enable people with disabilities to perform the essential functions of a job; and (3) give people with disabilities equal access to the benefits and privileges of employment. As defined by: The U.S. National Archives and Records Administration

Reprisal: Unlawful restraint, coercion or discrimination against complainants, their representatives, witnesses, EEO Counselors, or other employees for opposing discrimination or participating in EEO protected activity. As defined by: The U.S. National Archives and Records Administration

Reverse Discrimination: A misnomer. Equal Employment Opportunity (EEO) laws were originally created to protect individuals of color, women, and religious groups that have been historically discriminated against. However, the law was broadly written and states that an employer is not to discriminate on the basis of "race" or "religion" or "sex." As a result, individuals who have a race, sex or religion that were not originally intended to be included but, under the broad language, are included have successfully sought protection under the EEO laws. For example, individuals who are White (Caucasian is their race) and have been discriminated against based on their race have successfully sought protection under the laws' prohibition against discrimination against race. This has been called "reverse discrimination" even though under the plain language of the law, it is simply discrimination. As defined by: Previous edition

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature based on one or more of the following conditions (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an

intimidating, hostile or offensive work environment. As defined by: The U.S. National Archives and Records Administration

Under Represented: Groups that are inadequately represented in the work force. This term is used to describe the extent to which women and minorities are represented in particular grade levels and job categories. The percentage of women and minorities in the labor market is used as a standard to determine under representation. As defined by: The U.S. National Archives and Records Administration

Under Utilized: This term is often applied to categories of employees who are working at jobs that do not make use of their skills and abilities, although they may have been hired for those skills and abilities. When an employee is consistently assigned to "dead end" jobs, he or she may be underutilized because they are often seen as able to perform only limited tasks. As defined by: The U.S. National Archives and Records Administration

Women's Rights: Entitlements and freedoms claimed for women and girls of all ages in many societies. The idea is that women should have equal rights with men. They differ from broader notions of human rights through claims of an inherent historical and traditional bias against the exercise of rights by women and girls in favor of men and boys.

Issues commonly associated with notions of women's rights include, though are not limited to, the right: to bodily integrity and autonomy; to vote (suffrage); to hold public office; to work; to fair wages or equal pay; to own property; to education; to serve in the military or be conscripted; to enter into legal contracts; and to have marital, parental and religious rights. As defined by: Wikipedia

Worker's Rights: A group of legal rights and claimed human rights having to do with labor relations between workers and their employers, usually obtained under labor and employment law. In general, these rights' debates have to do with negotiating workers' pay, benefits, and safe working conditions. One of the most central of these "rights" is the right to unionize. Unions take advantage of collective bargaining and industrial action to change their working situation. As defined by: Wikipedia

Chapter 1:

The Women's and Fair Practices Departments

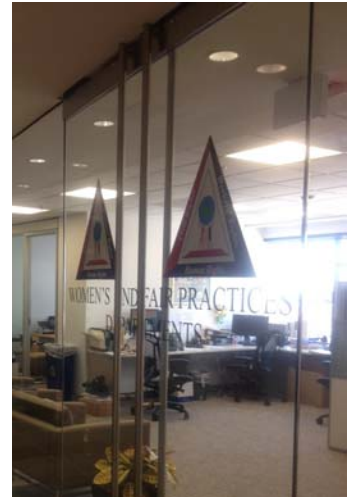
In this chapter, you will learn about the history, staff and resources of the Women's and Fair Practices Departments (WFP).

- ✓ History and mission of both departments
- ✓ WFP staff and resources

THE WOMEN'S AND FAIR PRACTICES DEPARTMENTS

AFGE established the Fair Practices Department in 1968 to function as the union's civil rights arm and to strengthen and enforce equal employment opportunity laws. The objectives of this department are to eliminate discrimination in the federal and D.C. government workforce, promote a level playing field, develop and promote action policies designed to eliminate discriminatory barriers to employment opportunities, and to assure the protection of every member against unlawful discriminatory actions based on race, color, religion, sex, gender, national origin, age, and physical or mental disability.

AFGE then established the Women's Department in 1974, becoming the first government employee union to establish a department for the betterment of women. The goal of this department is to improve the status of women and their families and to eliminate artificial barriers to the progress of women in government service. Its priority is to help AFGE members and officers, government officials, and Congress identify situations that cause gender discrimination and eliminate the problems once they are identified.



Under the leadership of the National Vice President for Women and Fair Practices, the Women's and Fair Practices Departments are devoted to promoting the civil, human, women's and workers' rights of federal and D.C. government workers. The Departments support and implement the priorities of AFGE in four program areas that include: education and training, member mobilization/organizing, representation through litigation and legislative/political action.

The NVP for Women and Fair Practices is an elected official of AFGE and serves as a member of the National Executive Council. Delegates vote on this position at the AFGE National Convention held every three years. AFGE is one of a few unions which recognized the importance of fair practices and women's issues by having an officer at the national level.

The Women's Department

Mission statement - The Women's Department shall have initial responsibility for the development and implementation, in conjunction with the Fair Practices Department, of: Affirmative Action programs for women in federal and D.C. government agencies; the elimination of employment discrimination based upon sex; providing the necessary consultation, services, and representation to Locals, Councils and Districts in support of women's programs and organizations; and drafting education, media material correspondence, and department reports.



The Women's Department supports a broad spectrum of issues of priority to today's women and working families.

- Δ Family/medical leave
- Δ Equal pay
- Δ Child care
- Δ Sexual harassment
- Δ Domestic violence (and its impact on the workplace)
- Δ Health care reform
- Δ Nursing mothers
- Δ Paid parental leave
- Δ Advocacy and training

At the current time, the Women's Department consists of the elected National Vice President for Women and Fair Practices (who sits on the National Executive Council), Secretary, Special Assistant to NVP, and a Program Specialist.

The Fair Practices Department



Mission statement - The Fair Practices Department is charged with the responsibility of eliminating employment discrimination in the Federal Government, D.C. Government, or the Federation on any basis to include, but not limited to, race, color, age, sex, religion, national origin, handicap, political affiliation, or sexual orientation.

The Department is further charged with the responsibility of implementing the policy, enforcement, training, research, and administration necessary to fulfill the Federation's commitment toward equal opportunity and affirmative action. The Fair Practices Department seeks to address civil rights violations through representation, advocacy, consultation and training of our constituency.

At the current time, the Fair Practices Department has a Supervisory Attorney, four EEO Specialists/Attorneys, and two legal secretaries.

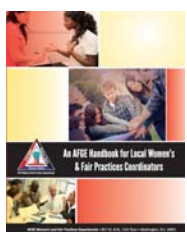
The Women's and Fair Practices Department Manuals

The Women's and Fair Practices Departments are responsible for publishing 7 manuals



1. Fighting Discrimination in the Federal Government

Discrimination is the act of treating or considering an individual based on their protected class other than his or her merit. This manual helps members understand the EEO process and how they can fight discrimination in the workplace.



2. An AFGE Handbook for Local Women's and Fair Practices Coordinators

Once you have been appointed or elected a Local Women's Coordinator and/or Fair Practices Coordinator, this is the manual you should read first. This manual details the work of the Women's and Fair Practices Departments and how Coordinators fit into the AFGE's Human Rights Network to promote civil, human, women and workers' rights issues.



3. Rights of Individuals with Disabilities

This guide focuses on employees' equal employment opportunity rights under the Rehabilitation Act of 1973, and anti-discrimination laws. The Rehabilitation Act of 1973 is a federal civil rights law that prohibits the federal government from discriminating against applicants and employees with disabilities.



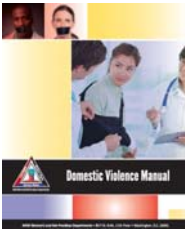
4. Stop Sexual Harassment

Sexual harassment occurs when someone bothers you in a sexual way because of your gender and that behavior affects your job or your job environment. This manual provides valuable information regarding sexual harassment and what you can do to stop it.



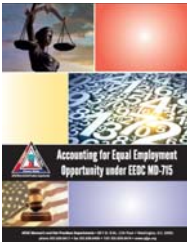
5. Family Friendly/Medical Leave and FMLA

Every person will at one point face birth, death, or serious illness, whether it is through their own experience or those of a loved one. FMLA and DCFMLA were intended to benefit workers but they can be confusing. This manual provides an overall view of the different laws and regulations governing AFGE members working throughout large and small agencies.



6. Domestic Violence

Domestic Violence is a worker health and safety issue that impacts the well-being of not just our membership, but the workplace as a whole. This manual will help Locals provide a safe and workable environment for members who may be experiencing domestic violence.



7. Accounting for Equal Employment Opportunity under EEOC MD-715

Management Directive 715 (MD 715) is an annual report that requires agencies to take affirmative actions to identify and remove any barriers to equal employment opportunities of all federal workers. MD 715 has the stated intent to ensure that all employees and applicants for employment enjoy equality of opportunity in the federal workplace regardless of race, sex, or disability. Agency heads should be held responsible for the state of equal opportunity in her or her agency. This manual will give you a better understanding of this directive.

The Women's and Fair Practices Department Newsletters

1. The Equalizer Newsletter

This quarterly newsletter keeps Coordinators informed of important civil, human, women and workers' rights issues. The newsletter will often highlight specific monthly celebrations, has a calendar with upcoming events and gives coordinators specific actions to take on important and timely issues.

If you are a Women's or Fair Practices Coordinator and want to suggest topics for future issues, please do not hesitate to let us know at eeo@afge.org.

2. The EEO Advocate

The EEO Advocate is a periodic newsletter directed to the union activist who represents members raising discrimination complaints. This newsletter not only examines the latest trends in EEO law, but also connects these developments to the responsibilities of AFGE representatives. Many of the articles in the EEO Advocate will require more elaboration than is possible to include in a short newsletter, in those instances we ask you to contact us for full examination of those subjects or a copy of the decisions mentioned.

If you are an EEO practitioner and want to suggest topics for future issues, please do not hesitate to let us know at eeo@afge.org.

Chapter 2:

AFGE's Human Rights Network



In this chapter, you will learn about AFGE's Human Rights Network consisting of the Human Rights Committee, District and Local Coordinators.

- ✓ National Human Rights Committee and District Coordinators
- ✓ Local Women's and Fair Practices Coordinators

THE HUMAN RIGHTS COMMITTEE

The National Human Rights Committee (HRC) is comprised of the National Vice President for Women and Fair Practices and the 24 elected District officers called the National Fair Practices Affirmative Action Coordinators (NFPAAC) and the National Women's Advisory Coordinators (NWAC). The purpose of the HRC is to implement programs around civil, human, women and workers' rights and study and propose legal, legislative and/or administrative proposals relating to improving working conditions with a focus on eliminating employment discrimination in the federal and D.C. government.



2011-2014 Human Rights Committee

These proposals may be presented to the National Executive Council (NEC) through the National Vice President for Women and Fair Practices. The topics of these proposals include but are not limited to eliminating discrimination based on race, color, age, sex, religion, national origin, disability, political affiliation, personal appearance, family responsibility, sexual orientation, gender identity/expression and/or pregnancy as they relate to the quality of life for AFGE members, their families and their communities. These proposals once adopted by the NEC may be implemented or lobbied for internally and externally to accomplish the goals of AFGE.



2011-2014 NFPAAC

National Fair Practices Affirmative Action Coordinators (NFPAAC)

The National Fair Practices Affirmative Action Coordinators (NFPAAC) were established by Convention action in 1980. The NFPAAC is charged with mobilizing AFGE members around civil, human and workers' rights issues in their District, and to work closely with the National

Women's Advisory Coordinator and the National Vice President for Women and Fair Practices to help raise the profile of civil and human rights and strengthen the workers' rights agenda in

their District. These Coordinators represent members on EEO issues, they monitor trends in EEO laws and regulations, and they may recommend a national action plan for AFGE. They also provide training on EEO issues throughout the District that they represent.

The National Fair Practices Affirmative Action Coordinator will:

- Δ Submit quarterly status reports on District activities to be reported to the AFGE National Executive Council.
- Δ Work with Locals in their District's to ensure Local Fair Practices Coordinators are appointed or elected.
- Δ Serve as the catalyst to disseminate and receive information affecting civil, human, and workers' rights issues throughout the District.
- Δ Inform the NVP for WFP of local civil, human and worker's rights issues with the potential of having a national impact.
- Δ Participate in at least 3 leadership-training seminars or other skill building opportunities in the District annually.
- Δ Coordinate member participation in civil, human and workers' rights activities within the Locals, Districts, and Councils of AFGE.
- Δ Work with AFL-CIO constituency groups and allied organizations to improve coalition base.
- Δ Serve as a member of the Human Rights Committee.

These Coordinators are elected at their District Caucus meeting every three years. They are also referred to as District Coordinators.

National Women's Advisory Coordinators (NWAC)

The National Women's Advisory Coordinators (NWAC) were established by Convention action in 1974. The NWAC is charged with mobilizing AFGE members around women's issues in their District, and to work closely with the National Fair Practices Affirmative Action Coordinator (NFPAAC) and the National Vice President for Women and Fair Practices to help raise the concerns of women and working families and strengthen the women's rights agenda in their District. These representatives monitor trends in women's and working family issues, they may recommend a national action plan for AFGE, and they represent members on women's and working family issues. They also assist Locals in training sessions throughout the District where they were elected.



The National Women's Advisory Coordinator will:

- Δ Submit quarterly status report on District activities to be reported to the AFGE National Executive Council.
- Δ Work with the Locals in their Districts to ensure Local Women's Coordinators are appointed or elected.

- Δ Serve as the catalyst to disseminate and receive information affecting women's and working family issues throughout the District.
- Δ Inform the NVP for WFP of local women's and working family issues with the potential of having a national impact.
- Δ Participate in at least 3 leadership-training seminars or other skill building opportunities in the District annually.
- Δ Lobby and engage local legislators on issues that impact women and their families (i.e., invite local leaders to AFGE events, attend town hall meetings, etc.)
- Δ Working with state and Local AFL-CIO labor bodies
- Δ Work with local community, women's, religious, and AFL-CIO constituency groups on women's issues that affect AFGE members.
- Δ Serve as a member of the Human Rights Committee.

These Coordinators are elected at their District Caucus meeting every three years. They are also referred to as District Coordinators.

LOCAL COORDINATORS



Local Women's Coordinators and Local Fair Practices Coordinators are the most significant component of the AFGE Human Rights Network. The Local Coordinators understand the pulse of their Local membership and can make sure those concerns are taken through the District and up to the National office.

Local Women's Coordinators (LWC)

The Local Women's Coordinator is primarily concerned with any issue that has an adverse impact on women or working families in the workforce. The LWC should strive to ensure that the agency maintain policies and practices which are free from artificial barriers to the progress of women. Among the areas of concern are childcare, gender-based wage discrimination, sexual harassment, alternative work schedules, upward mobility, career development, domestic violence, family friendly leave policies, health and safety matters, and leadership skills development. These issues are but a few addressed by the coordinators. Actions to resolve issues may require you to pursue solutions within the agency, through contract negotiations and/or seek legislative solutions. Finally, don't forget the importance of organizing new members and mobilizing the work force around these issues.

Local Fair Practices Coordinators (LFPC)

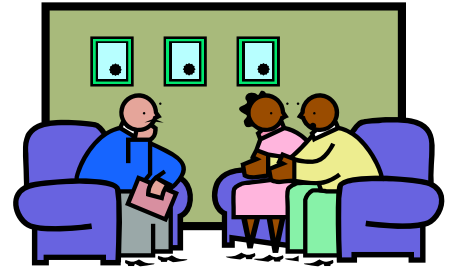
The Local Fair Practices Coordinator is principally concerned with equal employment opportunity and affirmative employment in the workplace. The primary focus is direct assistance and/or counseling to members with inquiries or complaints of discrimination. The LFPC should be familiar with EEO laws and regulations so they can take an active role in the complaint process by assisting stewards with strategies for winning complaints. Another major focus is to assure that agency officials properly identify underrepresentation of minorities, women and persons with disabilities. Once an underrepresentation has been identified, the LFPC will take actions to correct

the situation. These corrections may be addressed by working with the agency's EEO Committee and/or through the negotiation of strong contract language.

The LFPC's activities should also include grassroots mobilization on EEO or civil rights legislation. Let's not forget the importance of organizing new members around these issues.

Chapter 3:

Role of the Coordinator in the Local



In this chapter, you will learn specific duties and actions recommended for Coordinators to take in their Locals.

- ✓ Things to do after you've been appointed or elected
- ✓ Actions to take within your Local
- ✓ Getting connected with AFL-CIO Constituency groups
- ✓ Educating yourself so you can educate others

WHAT IS YOUR ROLE?

The main priority of AFGE Local Women's and/or Local Fair Practices Coordinators is the empowerment of women, minorities, working families, the disabled, the young, elderly, members of the LGBT community and other underserved communities. Coordinators should organize around existing civil, human, women and workers' rights issues, join AFL-CIO constituency groups and get training by attending the Women's and Fair Practices Departments Human Rights Training and/or other Regional and District Trainings.

After you've been Elected or Appointed, here's what you do first:

- Δ Be sure that your Local President and/or Secretary-Treasurer informs the Women's and Fair Practices Department of your election or appointment to the position of Women's Coordinator or Fair Practices Coordinator so that you can begin receiving Department information.
- Δ Fill out and return the "Coordinator Data Form" in Appendix A of this handbook.
- Δ Make sure that your District Women's or Fair Practices Coordinator is aware of your election or appointment. (District office and Coordinator information is in Appendix B)
- Δ Make sure you are on your agency's EEO mailing lists.
- Δ Check with your Human Resources office to make sure you receive training and vacancy announcements, new management directives, etc.
- Δ Begin attending Local, Council and issue relevant meetings.

- △ Attend training sessions conducted by your Local, District or the Women's and Fair Practices Departments to ensure you understand your role and responsibilities as a Local Coordinator.

As the civil, human, women and workers' rights advocate for the Local Union, the Coordinator:

- △ Advises Local Union officials on civil, human, women and workers' rights issues that impact the working men and women in your membership.
- △ Holds events to mobilize, organize and educate members and non-members around civil, human, women and workers' rights issues.
- △ Counsels and reports to the Local Union members on specific problems that adversely affect the membership and fair employment.
- △ Keeps the Local and AFGE national headquarters informed on the status of civil, human, women and workers' rights issues in the government agencies within their jurisdiction.
- △ Assists Locals in developing the union's strategic plan for civil, human, women and workers' rights issues.
- △ Examines the agency's EEOC MD-715 report or diversity plan and is active in the preparation and/or the publicizing of failures in meeting plan goals. Offer positive input for implementation after consultation with other union officials.
- △ Advises and assists local officers in contract negotiations and developing contract language concerning civil, human, women and workers' rights issues.
- △ Chairs the Local Human Rights Committee, assists the committee in developing an annual work plan and recruits other members to serve on the committee.
- △ Sometimes represents and assist members with EEO discrimination complaints before the EEOC, the MSPB, or in arbitration.
- △ Assists the Local with developing a Voter Protection Program and implementing and carrying out the National Voter Protection campaign.
- △ Works with like-minded community groups, National unions, Locals and AFL-CIO constituency groups to further the cause of civil, human, women and workers' rights issues.
- △ Keeps their membership informed of the work of the Local Women's and Fair Practices Coordinators, District Coordinators and the Women's and Fair Practices Departments by writing articles for Local newsletters, emails and websites and posting to Local social media sites.

Educating Yourself

Keep your eyes open for any kind of training opportunities that may help you do your job. Check with your District Coordinator, your Local and the EEO office to see what kind of training is available in your area.

Suggested Training for Coordinators

To do the best job possible in your position as a Coordinator, the courses below should be considered:

- Δ Coordinator Boot Camp
- Δ Basic, Intermediate, Advanced EEO
- Δ Diversity Training
- Δ EEO plans, affirmative employment plans, and diversity management plans
- Δ Conflict Resolution
- Δ Sexual Harassment
- Δ Arbitration, FLRA and MSPB hearings
- Δ Program management
- Δ Communication skills
- Δ Presentation techniques
- Δ Identifying racism and sexism
- Δ LGBT Labor Leadership Training
- Δ Effective briefing techniques
- Δ Team Building

Meeting with Management

Shortly after your election or appointment, the Coordinator should interact with the agency Federal Women's Program Manager (Chapter 6), EEO officials and/or other agency officials responsible for civil, human, women and workers' rights. The Coordinator should become a part of any agency committee (such as the agency diversity committee or Federal Women's Program Committee) which meets regularly for the purpose of improving the status of women and/or minorities in the workforce and therein provide input from the Local Union to further this goal.



Getting Time to Do Your Job

Find out what provision has been made, if any, for official time by your union contract. Some contracts may specifically have coordinator's roles defined as well as their official time. Others may simply define steward's and officer's time with either a specific amount of official time allocated or there may be a "pool" of time. Whatever the case, ask to receive official time. You can

then use a percentage of your time to serve as a coordinator. Arrange with your Local president which hours you can spend as a coordinator and guard your time jealously. **DO NOT** do other work during your coordinator's work time. Show your Local regular written progress reports on your projects.

Please note, when actively working on EEO cases, Part 1614.605 of the EEO regulations grants "reasonable" official time for an employee complainant or his or her representative to work on EEO complaints. The regulation states that a representative "shall have a reasonable amount of official time, if otherwise on duty, to prepare complaint and respond to agency and EEOC requests for information...[or] when their presence is authorized or required by the agency or the Commission during the investigation, informal adjustment, or hearing on the complaint." This time is in addition to any other time that you would negotiate for other coordinator's tasks. **Remember this time is not union contract official time; it is statutory EEO time because you are the designated personal representative for the complainant.**



Get Connected to your AFL-CIO Constituency Groups

The AFL-CIO Constituency Groups are a powerful resource for Coordinators; it is a very important way that we connect to different communities, creating and strengthening partnerships to enhance the standard of living for all workers and their families. Using this network enhances our union's strength at the bargaining table, in organizing campaigns, and in the political arena.

As a Coordinator, you should request that your Local pay for membership to the following AFL-CIO Constituency Groups. These groups promote the full participation of different groups in the union movement and ensure unions hear and respond to the concerns of the communities they represent.



A. PHILIP RANDOLPH INSTITUTE

THE SENIOR CONSTITUENCY GROUP OF THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS (AFL-CIO)

A. Philip Randolph Institute (APRI)
815 16th Street, NW
4th Floor
Washington, DC 20006
(202) 508-3710
(202) 508-3711 (fax)
www.apri.org

The A. Philip Randolph Institute is a labor-based and labor-supported organization addressing broad-based employee and community issues. They are very active in voter registration projects. The organization supports:

- Civil rights, strong anti-discrimination measures and affirmative action
- Policies to promote a decent wage, high growth, full employment economy
- Labor law reform and worker health and safety protections
- Decent minimum living standards for all, including anti-poverty programs, a fair minimum wage and a comprehensive "safety net"
- Universal, affordable health care
- Family leave and child care
- Progressive and fair tax policies
- International workers' rights and fair trade education and training programs
- Education and training programs

Asian Pacific American Labor Alliance (APALA)

**815 16th Street, NW
Washington, DC 20006
(202) 508-3733
(202) 508-3716 (fax)
www.apalanet.org**



Founded in 1992, the Asian Pacific American Labor Alliance (APALA), AFL-CIO, is the first and only national organization of Asian Pacific American (APA) union members. Since its founding, APALA has played a unique role in addressing the workplace issues of the 660,000 APA union members and acts as the bridge between the broader labor movement and the APA community. Backed with strong support of the AFL-CIO, APALA has 13 chapters and pre-chapters and a national office in Washington, D.C.

The stated goals of APALA are to create an organization, which educates APA workers; promotes political education and voter registration programs among APAs; and promotes training, empowerment, and leadership of APAs within the labor movement and APA community. APALA further sets out to defend and advocate for the civil and human rights of APAs, immigrants and people of color and to develop ties within international labor organizations, especially in the Asia-Pacific Rim.



Coalition of Labor Union Women (CLUW)

**815 16th Street, NW
2nd floor South
Washington, DC 20006
(202) 508-6969
(202) 508-6968 (fax)
www.cluw.org**

The Coalition of Labor Union Women is America's only national organization for union women. Formed in 1974, CLUW is a nonpartisan organization within the union movement. The primary mission of CLUW is to unify all union women in a viable organization to determine

common problems and concerns and to develop action programs within the framework of our unions to deal effectively with our objectives.

At its founding convention in Chicago, Illinois, CLUW adopted four basic goals of action: to promote affirmative action in the workplace; to strengthen the role of women in unions; to organize the unorganized women; and to increase the involvement of women in the political and legislative process.

Coalition of Black Trade Unionists (CBTU)

P.O. Box 66268

Washington, DC 20035

(202) 778-3318

(202) 293-5308 (fax)

www.cbtu.org



The Coalition of Black Trade Unionists (CBTU) consists of members from seventy-seven international and national unions with forty two chapters across the country. CBTU seeks to fulfill the dream of those Black trade unionists, both living and deceased, who throughout this century have courageously and unremittingly struggled to build a national movement that would bring all our strengths and varied talents to bear in the unending effort to achieve economic, political and social justice for every American.

The basic objectives of the CBTU are reflected in its activities and projects:

- Improve economic development and employment opportunities for black workers.
- Work within the framework of the trade union movement to provide a voice and vehicle for greater black and minority participation.
- Increase union involvement in voter registration, voter education and voter turnout projects.
- Organize unorganized workers.
- Actively support civil rights and civic groups working to improve living and working conditions in the black community.
- Increase effective political alliances between labor, churches and the general community.

Labor Council for Latin American Advancement (LCLAA)

815 16th Street, NW

4th Floor

Washington, DC 20006

(202) 508-6919

(202) 508-6922 (fax)

www.lclaa.org



From its inception, the Labor Council for Latin American Advancement's (LCLAA) vision has been to create an environment of social, economic and political empowerment for Latino working families. Their proud history is part of a heritage of Latino workers. LCLAA's leadership and members have always stood and will continue to stand at the forefront of the labor

movement in protecting their families, their communities, and their unions. Through their ongoing commitment to organizing around the workplace, the union contract, and the ballot box, they make their communities strong and the nation stronger. ¡Juntos Podemos!”

Pride at Work (PAW)
815 16th Street, NW
Washington, DC 20006
(202) 637-5014
(202) 508-6923 (fax)
www.prideatwork.org



Pride At Work (PAW) organizes mutual support between the organized Labor Movement and the lesbian, gay, bisexual and transgender (LGBT) Community for social and economic justice. In addition to national Pride at Work, more than 20 Chapters organize at the state and local level around the country.

PAW seeks full equality for LGBT Workers in the workplace and unions. They work towards creating a Labor Movement that cherishes diversity, encourages openness, and ensures safety & dignity. They aim to educate the LGBT Community about the benefits of a union contract for LGBT working people, and to build support and solidarity for the union movement in the LGBT community.

Chapter 4:

Mobilization through Civil, Human, Women's and Workers' Rights

In this chapter, you will learn some tools to mobilize your membership around civil, human, women's and workers' rights issues and activities

- ✓ Benefits of having a Local Human Rights Committee
- ✓ How to Establish a Local Human Rights Committee
- ✓ Learn to plan successful issues campaigns

FORMING A LOCAL HUMAN RIGHTS COMMITTEE



A committee refers to a group of people created to discuss, decide, and act collectively related to specific areas of work assigned to them. Members of a committee should generally be drawn from different people within your Local. With the nature of the committee it is important to include a diverse group of people (minorities, women, LGBT, young, disabled, etc.) A common feature of committees is the joint discussions and decisions of the committee in scheduled meetings.

Benefits of Forming a Committee

- Δ Committees bring together a variety of views, interests, and expertise for completion of a specific task.
- Δ Committees provide a mechanism for discussion and agreements based on consideration of a wider range of interests and alternatives.
- Δ Committees avoid the mistakes of hasty decisions taken without due consideration of a diverse membership.
- Δ Decisions taken by committee are more easily accepted by the membership because of the representation of their interests and viewpoints in the decision making process by way of their representative working on the committee.

Establishing a Local Human Rights Committee

There are a few simple steps to establish a Local Human Rights committee and to assure support for the committee's goals:

- Δ Review your Local constitution/bylaws and find out who appoints committee.
- Δ Talk to leadership and get their support for the committee.

- Stress that the purpose is to build the union.
- Δ Talk to co-workers/members about issues and the idea of establishing a committee.
 - Simply stated - see who is interested.
- Δ Get a chair/committee appointed or elected.
 - Ask people to get involved
- Δ Stress issues of concern to members.
- Δ Conduct a survey of the membership (see pg. 34)
- Δ Get the memberships' ideas and their commitment to participate.
 - Do not limit the volunteers to current activists or individuals with unlimited time to give. A member willing to spend fifteen minutes a week stuffing envelopes or doing a distribution should be activated rather than ignored.
- Δ Hold the first meeting:
 - Orientation - Explain the purpose and how often the committee will meet.
 - Set priorities and determine goals.
 - Begin planning program



Planning a Successful Issues Campaign

The following steps can be used to put together winning programs on many issues of concern in the civil, human, women and workers' rights community:

1. Select An Issue

- Δ You may want to conduct a survey to determine exact needs, or you may already know what issue is the current hot topic.
- Δ Talk to co-workers/members for ideas.
- Δ Talk to leadership to get their support and ideas for proposed projects.

2. Define The Program

Make sure that whatever the committee chooses to work on is going to meet the members' needs. For instance, getting an on-site child care center is not useful if members don't want to have their children commuting downtown with them.



3. Set An Objective & Tactical Plan

- Δ Identify the strategic goal of the plan & then set the objective(s) to reach the goal.
- Δ Identify the target population you wish to reach with the specific issue.
- Δ Know the theme of your message. This comes from the content of your issue and the way you wish to communicate with the members.

- △ Determine the timing of your plan. It should be relatively short, precise and realistic within the scope of the committee.
 - Ninety days from issue to action is a good timeframe to select.
 - The first thirty days are used to design the campaign, allocate resources, and produce/acquire the needed materials.
 - The second thirty days can be used to prepare the union activists who will mobilize the target population and have them communicate the overall theme.
 - The last thirty days are for the target population to carry out their tasks so that on the last day, the desired action is taken or completed.



4. Establish a Communications Plan

△ Determine the purpose of each communication

- Agitate?
- Educate?
- Organize?
- Call to Action??

△ Different methods of communications you can use

- | | |
|--|-------------------------------|
| ➤ Feature Article in Local newsletter | ➤ DVD & Youtube videos |
| ➤ Established Coordinator column in Local newsletter | ➤ Bumper sticker |
| ➤ Local e-mails | ➤ Speech at Local meeting |
| ➤ Space on Local's website | ➤ Letter |
| ➤ Posting on Local's social media sites | ➤ Focus group |
| ➤ Issue Pamphlet | ➤ Issue Flyer |
| ➤ Survey Form & posting of results | ➤ Public service announcement |
| ➤ Radio commercial | ➤ Television commercial |
| ➤ Bill boards | ➤ Poster |
| | ➤ Button |
| | ➤ Phone tree |
| | ➤ Memorandum |

5. Determine Resources Needed

- △ Develop a budget.
- △ Identify what material is needed.
- △ Determine your likely friends.
 - Who is likely to be a supporter?
 - Who has a problem?
- △ Determine your coalition partners.
 - other Unions
 - AFL-CIO



- Like-minded organizations
 - Community groups
 - Religious groups
 - Elected officials
- Δ Prepare for opposition
 - List all possible objections/arguments and counter-arguments
- Δ Determine your likely opponents.
 - Management
 - Business groups (could also be an ally)
 - Opposing organizations
 - Community groups
 - Elected officials

6. Assign Tasks To Committee Members

- Δ Make sure people feel comfortable about the job they are asked to do, and that they have enough people and resources to help them get it done.
- Δ Keep in touch. Check progress to make sure that members have what they need. Make any necessary adjustments.



- Δ Set up a report system to make sure things are going smoothly at points along the way. Don't assume that because you haven't heard anything that the job is getting done

7. Evaluate Success

- Δ What did we do well?
- Δ What would we do differently next time?
- Δ Give recognition and thanks to members who worked hard. **Don't omit this step!** People need recognition for a job well done.

8. Publicize Your Victory

- Δ Newsletters
 - (Local, Council, District, National)
- Δ Posting to social media sites
- Δ Posting of videos on Youtube
- Δ City/Town media
- Δ Local meetings
- Δ Meetings of groups who provided support

Maintaining Momentum After Success

- Δ **Make sure all projects are attainable**, and keep them short-term until the committee has established a record of success.
- Δ **Make sure you publicize success** -- it will attract volunteers for the next project.

Δ **Make sure each activity has a goal.** Achieving them will give a real feeling of accomplishment to the volunteers. Where there are no challenging goals, members feel that activity is unimportant.

Δ **Make sure you have enough people to do the job.** Overworked volunteers stop volunteering, and besides, the extra lift of the group really begins when there are at least seven or eight people involved.

Δ **Make sure each member knows his/her job and position in the group.** It is not enough for the chair to know.

Δ **Make sure you do important things at meetings.** Transact business, make decisions, review past work, and plan new things. People will be more committed to things that have been agreed on in the group. They will be on record with the others. Besides, they won't keep coming to meetings unless they accomplish something.

Δ **Make sure you invite union leaders to meetings.** People want to hear directly from them, and to make sure that their own views are carried to higher levels.

Δ **Make sure the meetings are interesting.** Hold the work and "mechanics" down to an hour or so. Use audio-visual aids such as videos when possible. Leave time for informal discussion.



Δ **Make sure to recognize good work and reward it.** Commend active supporters at meetings, express appreciation in person, and write letters of thanks and mention committee members in union publications.



Chapter 5: Sponsoring Programs



In this chapter, you will learn how to build and produce successful issue programs to inform and educate your membership

- ✓ How to plan issue programs for your Local
- ✓ Learn helpful program ideas
- ✓ List of potential workshops

HOW TO SPONSOR PROGRAMS

A good way to increase the visibility of important issues and the work of the Local Coordinators is for the union to sponsor occasional programs. You or the Local Human Rights Committee may decide that periodic "brown bag" lunch programs, or one week of workshops annually, or one special event quarterly will best fit the needs of the employees in your agency.

The Women's and Fair Practices Departments and District Coordinator can help committees with information, program ideas and educational programs.

Δ **Planning and conducting programs take a lot of time.**

- As you evaluate the need for union-sponsored activities, **ALWAYS** ask yourself if a program will contribute to the enhanced employment of an underserved community and if the time to be spent arranging the program could be better spent on systemic, substantive employment initiatives.
- Union-sponsored activities are a means, **NOT** an end.

Δ **The mission of the Local Coordinator Program is equality in employment.**

- If your Local is to take the Coordinator position seriously as a substantive, integral part of the Local's operations, everything associated with the Coordinator must convey that message.
- Therefore, while topics such as fitness and fashion may be of interest, these should not be the main focus of the programs offered by the Local Coordinator.



Δ **Don't exclude any communities (i.e., white men, black women, lesbian, gay bisexual, transgender, etc.) from your program planning.**

- Although the focus of an activity might be Women's History Month, the activities can be a celebration and an educational event for everyone.
- Attendance of all groups will increase understanding throughout the agency.

- △ **To ensure success of the program, plan the logistics carefully.**
 - Estimate the number of participants and reserve a room that is the right size.
 - If the group size permits, arrange the chairs in a horseshoe or double horseshoe, rather than classroom style, to facilitate discussion.
 - If a program or session lasts more than 3 hours, schedule a coffee break.
- △ **Check with the speakers in advance to find out if they will need flip charts, access to the internet, a podium, or audiovisual equipment.**
 - Find out if they will need a laptop or handouts duplicated for participants.
- △ **Plan publicity for the program carefully to maximize the value of the program.**
 - Consider sending personal invitations to persons whom you would like to attend.
 - An announcement from you or from the head of the Local should give the time, the place, and the details of the program.

If your union has a Human Rights Committee, you will probably want to delegate responsibility for programs to the committee members. If there is no committee you may want to establish one.

Program Ideas

Successful Local Coordinators and Human Rights Committees around the country have sponsored the following programs and activities:

- △ Conferences of one or two days with speakers and workshops.
- △ Educational programs (such as sexual harassment, disability rights, etc.) set up separately or in conjunction with other union events or meetings.
- △ Lobbying and advocacy on state or federal legislation of interest to women and minorities - pay equity, dependent care, family leave, etc.
- △ Petition drives on issues.
- △ Speaking in schools about unions (career day).
 - △ Annual awards dinners recognizing contributions to women's and civil rights.
- △ Monthly or quarterly newsletters with updates on local, state and national issues and events.
- △ Columns on issues in general union publications or newsletters.
 - △ Targeted health fairs.
 - △ New member information packets containing brochures, a copy of the contract, etc.
 - △ Union office/bulletin board displays on women's and minority's rights and history.
 - △ Activities relating to Black History Month (February), Women's History Month (March), etc.



AFGE's Women's and Fair Practices Departments can provide further information or assistance with any of these ideas, or help committees develop new programs.

Workshop Ideas

The list of possible workshops for your committee to hold is endless. The AFGE Women's and Fair Practices Departments, as well as District Coordinators, can conduct many of these workshops for Locals or can provide advice on using other resources to obtain speakers and workshop leaders. The following are a few workshops which have been of interest to other Locals and Councils:

- | | |
|---|--------------------------------------|
| Δ Affirmative Employment | Δ Intro to Working Women Vote |
| Δ Alternative Work Schedules: Flex-time/Flex-hours | Δ Job Placement (RIF Rights) |
| Δ Bargaining for Work & Family Issues | Δ Leadership Skills |
| Δ Building Community Support for the Right to Organize | Δ Legal Rights/ Family Law |
| Δ Breastfeeding laws | Δ Legislative Initiatives/Issues |
| Δ Changing to Organize | Δ Living-Wage Campaigns |
| Δ Communication Skills | Δ Organizing |
| Δ Disability Rights | Δ Pay Equity |
| Δ Diversity Issues | Δ Political Action |
| Δ Domestic Violence | Δ Problems of Single Parents |
| Δ Economics for Real Life | Δ Public Speaking |
| Δ Electing Women to Public Office | Δ Reasonable Accommodations |
| Δ Equal Employment Opportunity | Δ Retirement Planning & Security |
| Δ Family Leave | Δ Rights at the Workplace |
| Δ Family Medical Leave Act (FMLA) | Δ Sexual Harassment |
| Δ Lesbian, gay, bisexual, transgender (LGBT) Workplace Issues | Δ Staging a Press Event |
| Δ Getting the Policies We Want | Δ Stress Management |
| Δ Grassroots Ballot Initiatives | Δ Superwoman/Juggling Roles |
| Δ Harassment | Δ Sweatshops across Borders |
| Δ HIV AIDS Awareness | Δ Violence/Bullying in the Workplace |
| Δ Immigrant Workers | Δ Welfare Reform |
| Δ Intro to Low-Wage Worker Org. | Δ Wills and Estates |
| | Δ Workplace Safety and Health |
| | Δ Young Workers Initiative |

Suggested Survey for use by AFGF Women's Coordinators and Fair Practices Coordinators

The following survey is a sample for use by Local Coordinators to assess the needs and interests of your Local members. The survey could be distributed by Local Presidents, stewards, Coordinators or committee members at the worksite, union meetings, conventions, or in Local newsletters.

Depending on the kind of follow-up the committee wants to do, it may be a good idea to add questions relating to your Local interests and asking for the name, address and email of the member who fills out the survey.

The only reason not to ask for names is if the committee feels that it might cause some members to decide not to fill it out.

Sample Member Survey

The _____ will be planning programs for members and would like to give you an opportunity to express your interests, needs and ideas.

1. What time would generally be best for you to attend educational programs and/or meetings?

- _____ a. Saturday
- _____ b. Sunday
- _____ c. Weekday evening (which evening _____)
- _____ d. Lunchtime

2. Please check the areas which you would like the _____ to work on:

- _____ a. Educational programs or conferences
- _____ b. Legislative issues - Which issues? _____
- _____ c. Pay discrimination/pay equity
- _____ d. Working Family issues
- _____ e. Sexual Harassment
- _____ f. Affirmative action
- _____ g. Domestic violence
- _____ h. Stress Management
- _____ i. Other:

3. Please check 5 of the 15 workshops/educational programs listed which would be of most interest to you?

- _____ a. Pay Equity -- How "women's work" is paid lower than comparable men's work -- and how to start doing something about the problem.
- _____ b. Harassment -- What the union can do to help members deal with, and prevent, unwanted sexual advances or other harassment which may occur in the workplace.
- _____ c. Leadership Skills -- How to develop the qualities that will help you become a more effective leader.
- _____ d. Public Speaking -- How to improve your ability to speak in front of groups.
- _____ e. Collective Bargaining -- Techniques for bargaining with management about issues of special concern to civil, human, women and workers' rights.
- _____ f. Political Action -- How to increase the union's political power by becoming involved with political campaigns.
- _____ g. Young Workers Initiative -- How to get young unionists more involved in AFGE.
- _____ h. Stress -- How to recognize and manage stress through union action.
- _____ i. Assertiveness Training -- Techniques for dealing more effectively with people.
- _____ j. Alcoholism and Drug Abuse -- What the union can do to help members with these problems.
- _____ k. Domestic Violence -- The union's role in fighting spouse/partner and child abuse.
- _____ l. Child Care -- Union programs to assist members in getting affordable child care.
- _____ m. New Technology -- The union's role in helping members cope with new technology in the workplace.

- ____n. Women's Committees -- How to start a local women's committee and maintain momentum.
____o. Other (please list ideas)

4. Are there any issues which the union might develop as special projects which you might be interested in working on?

5. Your job title:

6. Sex: Female_____ Male_____

7. Are you an AFGE member?

Yes_____ Why?_____

No_____ Why Not?_____

Please return to: _____

Return By _____
Date

Chapter 6: Government Women's Programs



In this chapter, you will learn about the uses and benefits of the Federal Women's Program (FWP) and the D.C. Office of Women's Policy and Initiative.

- ✓ What is the Federal Woman's Program
- ✓ What is the D.C. Office on Women's Policy and Initiative

WHAT IS THE FEDERAL WOMEN'S PROGRAM?

One of the major areas where the Local Women's Coordinator can have input is the Federal Women's Program (FWP). The FWP was established in 1967 to enhance employment opportunities for women in the federal workforce, and to address the employment needs and problems of women as they relate to Federal personnel policies and practices. Currently within the federal government all departments and independent agencies must designate Federal Women's Program Managers (FWPM). Other agencies and field organizations are not required but are encouraged to designate employees to carry out FWP responsibilities.

While most experience with the FWP has been a perception of it as an "agency management program", union activists should attempt to balance the program with their increased participation.



The FWP Should Seek To

- △ Provide management with information and strategies for enhancing the advancement of women.
- △ Assist the agency in achieving equal opportunity for women in personnel management policy and practice, for example, recruitment programs, training, selection, career development and promotion.
- △ Assure that managers and supervisors evaluate all employees fairly and equitably.
- △ Promote the equitable distribution of women throughout professional,

administrative, technical, clerical and other occupations as well as advancement into managerial and supervisory positions.

- Δ Assure employment practices are in accordance with merit principles through the elimination of any attitudes, customs, and habits which may deny women entry into certain occupations.
- Δ Assist management in developing and implementing affirmative employment program plans.

Federal Women's Program History

- Δ In October 1967, Executive Order 11375 added sex to other prohibited forms of discrimination in the Federal Government.
- Δ In August 1969, Executive Order 11478 integrated the FWP into the overall Equal Employment Opportunity (EEO) Program and placed the FWP under the Directors of Equal Employment Opportunity.
- Δ In March 1972, the Civil Rights Act of 1964 was amended to apply equal opportunity protection in employment to the Federal government. The designation of a Federal Women's Program Manager was codified in the Code of Federal Regulations (29 CFR 1614.102) as appropriate for carrying out equal employment opportunity functions in all organizational units of an agency, and at all agency installations.

The Union Should Get Involved

The FWP is run by the National Federal Women's Program Manager, Regional FWP Managers, Headquarters FWP Coordinators, and Field Office FWP Coordinators. While the FWP Coordinators are in place to carry out **management policy**, the union nevertheless can and should have input into the program.

Indeed, the selection of the Federal Women's Program Coordinator is a legitimate subject for labor-management negotiations. AFGE has the right to negotiate that at least 50 percent of the nominees for this position be offered by the union. In addition, AFGE may negotiate that the union have representatives on Federal Women's Program Committees.

WHAT IS THE DC OFFICE ON WOMEN'S POLICY AND INITIATIVE?

The Office on Women's Policy and Initiatives (OWPI) is committed to enhancing the quality of life for all women and their families within the District of Columbia. OWPI, working in conjunction with the DC Commission for Women, is in a unique position to serve as a liaison between the public and private sectors and the Executive Office of the Mayor. The office tracks local women's issues, concerns and proposals and presents these ideas to the Mayor and officials in the Gray Administration.

Goals and Objectives:

- Δ To support and advocate women's issues through research and community involvement;

- Δ To establish public and private partnerships to address women's issues in Washington, DC;
- Δ To promote, encourage, and provide advisory assistance to women's organizations and institutions focused on empowering women in the Washington, DC;
- Δ To conduct studies and hold public hearings on issues affecting women in conjunction with the DC Commission for Women;
- Δ To promote access and bring awareness to issues facing women in Washington, DC;
- Δ To provide leadership by taking action to impact legislation that will protect and support women.

These will be accomplished by:

- Δ The implementation, review, and analysis of studies impacting the lives of women;
- Δ Attention to and analysis of various communication from women, on topics such as domestic violence, pay, business and employment opportunities, personal safety, health and wellness, and many more;
- Δ Review of existing laws and regulations to ensure they benefit the welfare of women and girls;
- Δ Collection and dissemination of information regarding the status of women;
- Δ Creation of an online directory of resources and services for women and girls;
- Δ Networking and collaborating with women, women's organizations, women in business and women community leaders to assess and improve the quality of life for women and girls in Washington, DC.

For more information, contact women@dc.gov or call (202) 724-7690.

Chapter 7:

The EEO Process



In this chapter, you will learn the proper process to handle EEO procedures

- ✓ What is EEO Procedure
- ✓ How to prove discrimination
- ✓ Alternative Dispute Resolution

THE EEO PROCESS

As a Coordinator, you will receive many questions about the federal EEO Process: how to invoke it, what are the procedures, what are the time limits, and other questions. As a result, our members will benefit from your knowledge of the EEO process.

In brief, an employee alleging discrimination based on race, color, religion, sex, national origin, age, disability, and/or genetics may have several different avenues to seek redress, including a complaint to the EEOC, a grievance through the Collective Bargaining Agreement, or in some situations, an appeal to the Merit Systems Protection Board (MSPB). Discrimination complaints filed with the EEOC are governed by 29 C.F.R. Part 1614, and are discussed below. For a more detailed explanation, refer to the AFGE Women's & Fair Practices Departments publication, "Fighting Discrimination in the Federal Government: An EEO Workbook."

The Process for filing an EEO Complaint for Federal Employees

The Informal Counseling Stage

1. Within 45 calendar days of the alleged discriminatory event (or when the federal employee learned of the event), the federal employee must contact the facility's EEO Counselor. The Human Resources office will have the contact information for the EEO Counselor. The employee should document this contact in writing, and retain a copy, in the event there is any dispute as to whether the contact was timely.

There are three important things to know about the initial consultation with the EEO Counselor.

- 1st. The aggrieved person has the right to remain anonymous during the counseling stage, unless he or she consents in writing otherwise.
- 2nd. The aggrieved person needs to describe the alleged discriminatory events specifically and thoroughly during the consultation.
- 3rd. The agency-appointed EEO Counselor is **not** the employee's advocate or representative.

Many employees falsely assume the agency's EEO Counselor is the employee's advocate. The EEO Counselor is assigned by the agency to initiate the agency complaint process at the informal stage, and is merely the mandatory first step in the EEO process. The real advocate for a victim of discrimination is the union.

Basically, the aggrieved person may either pursue the EEO process, proceed under any negotiated grievance process, or request to engage in any alternative dispute resolution (ADR) process that may be available at the agency as part of the EEO process (see below for more detail on this subject).

2. Within 30 days after the initial consultation (which the aggrieved person can agree in writing to extend to 90 days, if ADR is chosen), the EEO Counselor may try to resolve the dispute. If the aggrieved person and/or the union representative agree to participate in any ADR process, this period is automatically extended to 90 days. There are no negative ramifications if the employee does not elect to engage in ADR or extend counseling. The employee can withdraw from the ADR process at any point.

If the EEO Counselor cannot resolve the dispute, or at the end of an unsuccessful ADR process, the Counselor must notify the individual in writing of the right to file a formal complaint with the agency and the person to whom it should be addressed.

The Formal Stage

3. Within 15 days of receiving the notice of the right to file a formal complaint, the aggrieved person must file the formal complaint with the Agency. The complaint must be: (1) in writing; (2) specific regarding the EEO matters alleged; and (3) signed by the aggrieved person or his or her representative. The Agency will accept or deny each of the claims for the purposes of investigation. Most claims that are timely and contain an allegation that the EEOC would have jurisdiction over are accepted for investigation.
4. The Agency then has 180 days to investigate the accepted claims, provide a copy of the Report of Investigation (ROI) to the aggrieved person, now referred to as the Complainant, and give notice to the Complainant of the right to request a hearing. If the Complainant amends the complaint during this time to include new like or related events, the Agency will receive an additional 180 days to investigate, up to a maximum of one year.
5. During the investigative process, it is very important that the Complainant respond promptly to requests for information. If s/he fails to do so, the agency may dismiss the complaint. The investigator is employed by the agency or a contractor assigned to the agency to conduct investigations. The investigator has no authority to decide the complaint; S/He is a fact-finder.
6. If the Complainant wishes to request a hearing before an EEOC administrative judge, s/he must do so within 30 days after receiving a copy of the Report of Investigation (ROI) from the Agency or within 180 days after the complainant filed a formal complaint. The complainant must send the written request for a hearing **directly** to the EEOC district office.

The Hearing Stage

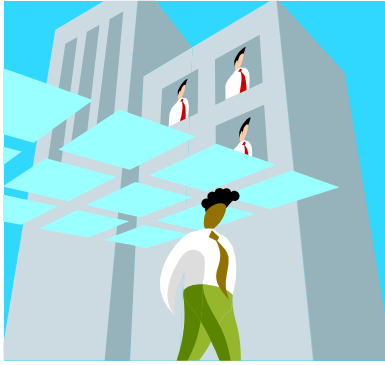
7. The Complainant will receive an Acknowledgment and Order from the judge that is assigned the case, which will provide information regarding discovery, settlement, and communications between all parties. The Complainant and the Representative should read each and every line of this Acknowledgment and Order and make certain to meet every deadline.

During the period between the request for the hearing and the actual hearing, both the Complainant and the Agency have the right to seek discovery, which is the right to obtain information, including documentation, from the other party about the complaint that was not previously included in the Report of Investigation (ROI). There are strict guidelines that govern the discovery process, which are contained in the Acknowledgment and Order. The Administrative Judge has 180 days to resolve the complaint at the hearing stage.

8. After discovery concludes, the Agency may file a Motion for Summary Judgment, arguing the case should not go to hearing. The Complainant will have a short time period to respond to this motion and argue why the case should go to hearing. If the Complainant prevails, the Judge will issue a prehearing order and schedule a prehearing conference, where both parties will discuss what witnesses and documents will be allowed at the hearing. Both parties may also discuss the status of settlement negotiations.
9. At the hearing, the Complainant and the Agency will have the opportunity to present their side of the case to an Administrative Judge. The Complainant may call any approved witnesses and ask them questions to help their case. The Complainant may be represented by another person, or may choose to represent his or herself.
10. Once the Agency receives the EEOC Administrative Judge's decision, the Agency has 15 days to reject or modify the decision. If the Agency rejects or modifies the decision, it must simultaneously file an appeal. If the Agency does nothing within that period, the decision becomes final. The Agency will issue a Final Agency Decision (FAD) consistent with the Administrative Judge's decision.
11. Within 30 days of the final agency action, the Complainant may appeal the decision or Final Agency Decision (FAD) to EEOC's Office of Federal Operations. The Agency has 30 days to respond the Complainant's appeal.
12. The Complainant may file a civil action of employment discrimination in the Local U.S. District Court within 90 days of a final agency action, or of the final decision of the EEOC. Alternatively, s/he may file the civil action at any time once the complaint is over 180 days old, if no final decision has been received.

Proving Intentional Employment Discrimination

Intentional employment discrimination cases are the most common type of EEO problem. Intentional employment discrimination may also be called "disparate treatment" cases. Typically, disparate treatment cases involve an employee asserting that s/he is a member of a protected EEO group that the employer had knowledge of the protected EEO group, and the Agency used this



protected EEO group as the reason for a negative employment action. In order to prove disparate treatment cases, the employee must show that the Agency intended to discriminate based on the protected group, *i.e.* the employer had discriminatory intent.

The easiest way to prove intentional discrimination is to introduce direct proof, such as an employer stating in an email he does not promote females, etc. Since, however, direct proof of intentional hostility to a person's race, color, religion, sex, national origin, age, disability, or genetics is rare, a method for analyzing indirect evidence of this type of case was developed by the Supreme

Court in a case called McDonnell-Douglas v. Green. There, discrimination was established through a burden shifting analysis:

- Δ The complaining party established a *prima facie* case: that the complaining party is a member of a protected class, that an adverse action occurred, and that it did not happen to others outside the protected class.
- Δ The employer then tried to rebut the complaining party's case by describing the "real" reason for the event occurring to the complaining party.
- Δ The complaining party then demonstrated that the employer's reason was a pretext (illogical, inconsistent, and/or incorrect).

If the complaining party succeeded in establishing a *prima facie* case and in showing that the employer's "real reason" was a pretext, then the Judge is permitted to infer the ultimate fact of intentional discrimination.

Employees may also file EEO complaints alleging hostile work environments, where there is discriminatory conduct based on a protected EEO group that unreasonably interferes with work performance or creates an intimidating, hostile or offensive work environment. Another type of EEO case can be a failure to accommodate a disability or religion.

What To Do If the Agency Fails to Comply with the EEO Procedure

From time to time, the Agency fails to comply with the EEO procedure. For example, the Agency may have failed to complete its investigation within 180 days, failed to provide the Report of Investigation file to the Complainant, or failed to give notice to the aggrieved person that he or she may file a request for a hearing. When this happens, the Complainant should invoke the next step of the process, as per 29 C.F.R. Part 1614. In the example given, the Complainant should go ahead and request a hearing before the EEOC administrative judge. In addition, it may be helpful for the Complainant to notify the local EEOC office and Congress members about the problems s/he is experiencing with the EEO process.

Alternative Dispute Resolution (ADR): An Alternative to EEO Litigation

Under 29 C.F.R. Part 1614, the EEOC requires agencies to provide an alternate dispute resolution (ADR) process for resolving EEO issues, although it does not **require** the Agencies to

participate in the ADR process. The EEOC has made clear that the Agency may limit the type of cases that are "appropriate" for ADR and/or join with other Agencies in providing ADR.

There are benefits to the Complainant, as well as to the Agency, in resolving disputes using ADR techniques instead of litigation. As a result, in your role as Women's or Fair Practices Coordinator, you may want to counsel those who come to you for advice on how to pursue EEO problems to consider ADR, which is less expensive, quicker, and less formal than litigation. In addition, ADR often results in the parties fashioning a remedy that provides a gain for each party, as opposed to having only one party "win" in litigation. This is because the restrictions that apply to litigation remedies do not apply in the ADR setting.

ADR should help both parties clarify the issues and to develop alternative solutions that will settle the discrimination complaint. It is not so important who is "right" or who is "wrong" in ADR, and the parties should not use mediation to argue the merits of the case, determine witnesses, or assess evidence. The parties should instead negotiate the feasibility of requested remedies and alternative suggestions.

ADR can be used at various stages in the EEO process. The employee experiencing an EEO problem may agree to ADR techniques at the initial pre-complaint counseling session with the agency's EEO Officer. If he or she does so, the pre-complaint counseling period is extended automatically from 30 days to 90 days. The employee can request ADR during the investigative stage without extending the investigation period. Further, the Complainant can request a Settlement Conference at the hearing stage, or engage in settlement negotiations independently with the Agency.

Chapter 8:

Contract Language

In this chapter, you will learn specific ways to put inclusive contract language into your collective bargaining agreements.

- ✓ Issue specific contract language Coordinators should include

CONTRACT LANGUAGE THAT PROMOTES FAIR AND EQUAL TREATMENT

***Disclaimer:** The following proposals are examples of what could be subjects of negotiations with the employer. There have not been any negotiability decisions rendered by the FLRA related to whether any of these proposals interfere with any reserved management rights under 5 USC Chapter 71.*

It is very important that you, as the Local Coordinator, ensure that your Local contract contains language that will promote civil, human, women and workers' rights. Clear, strong, and precise contract language is the most important and effective avenue to equality for all employees. The government's personnel laws, rules, and regulations do not provide sufficient protection for every employee.

Through strong collective bargaining, the union can increase and strengthen employee rights. Effective contract language on the following subjects can help ensure equal treatment for all government employees:

- Δ Non-discrimination
- Δ Pay equity
- Δ Nursing Mothers
- Δ Domestic Violence
- Δ LGBT Inclusion
- Δ Training and promotion
- Δ Leave policies
- Δ Sexual harassment
- Δ Child care



Non-discrimination Contract Language

The clause banning discrimination is a key one. It should ban discrimination in employment on the basis of race, creed, sex, color, national origin, age, physical and mental handicap, religious affiliation, pregnancy, sexual orientation, gender identity and expression or any other personal characteristic. It is important that you add language specifically banning discrimination on the basis of **sexual orientation** for, as opposed to other factors listed above, sexual orientation is not a protected basis under federal law.

New in 2012: *In April 2012, the EEOC ruled that discrimination based on gender identity is covered under Title VII (sex discrimination. (Macy vs. Holder: Appeal No. 0120120821) This is a ground breaking change, and will be important for union leaders, stewards and negotiators to be advised of this change.*

You may also be interested in including a clause that mandates joint labor-management efforts to eliminate discrimination or requires review of policies and practices that have the effect of discriminating against women or other groups. As a union representative, you should be directly involved in reviewing and implementing the agency's MD-715 affirmative employment plan and in developing ways to eliminate barriers to equal employment. You might decide to simply state that the union or association and the employer do not intend to discriminate against any member or group of members. This is known as a "boilerplate" statement.

SAMPLE CONTRACT CLAUSE

"The employer is committed to maintaining a work environment free of harassment, discrimination, intimidation or retaliation."

"The employer will comply with all applicable federal, state, and local government laws concerning discrimination. The employer further agrees not to discriminate against any employee in policies and practices including, but not limited to: hiring, placement, upgrading, transfer, promotion, demotion, compensation, benefits, job assignment, or discipline, based on categories including, but not limited to: race, religion, sex, age, sexual orientation, gender identity, gender expression, pregnancy, marital status, disability, citizenship status, veteran status and union activity."

PUBLICIZING AND ENFORCING THE NON-DISCRIMINATION CLAUSE

Union members and supervisors need to know about the non-discrimination clause and EEO laws.

- Δ Union orientation for new members, new employee orientation and recurring non-discrimination trainings should include information on this contract provision.
- Δ Make sure the non-discrimination clause prohibits harassment, or the harassment clause should include sexual orientation, gender identity and gender expression.
- Δ Make sure the non-discrimination clause prevents reprisal for engaging in EEO-related and union activities.
- Δ Build a reputation that the union takes discrimination grievances seriously.

Pay Equity Contract Language



Men and women sometimes do not hold the same kinds of jobs. However, many jobs performed by women are comparable, in terms of skills, efforts, education, and responsibility, to those held by men. Unfortunately, their pay rates are not. The segregation of women into "female" jobs, and the undervaluation of the skills required for those jobs contributes to a form of wage discrimination based on sex. The term used to describe efforts to correct this undervaluation is "pay equity."

To correct the undervaluation of "female" jobs, the union must demand and receive for its women workers equal pay for work of comparable value. This requires re-evaluation, reclassifying and upgrading "female" jobs, and paying them what they are worth relative to comparable jobs that men perform.

SAMPLE CONTRACT CLAUSE

"The employer agrees that there shall be no wage or job discrimination and that in cases where occupational segregation remains a factor, there shall be equal pay for work of comparable worth."

"Appropriate wage studies shall be undertaken jointly by labor and management to determine adequate compensation. A non-discriminatory job evaluation system shall be developed."



Nursing Mothers Contract Language

More and more women are returning to work within the first one or two years of their babies' lives. Women who continue to breastfeed at this time provide important health benefits to the baby and themselves, and health and cost savings to employers and the community in general. Many women want to continue breastfeeding when they return to work but find it difficult.

The Patient Protection and Affordable Care Act ("Affordable Care Act") amended section 7 of the Fair Labor Standards Act ("FLSA") to **require employers to provide reasonable break time** for an employee to express breast milk for her nursing child for one year after the child's birth each time such employee has need to express the milk. Employers are also **required to provide a place, other than a bathroom, that is shielded from view and free from intrusion** from coworkers and the public, which may be used by an employee to express

breast milk. The break time requirement became effective when the Affordable Care Act was signed into law on March 23, 2010.

The FLSA requirement of break time for nursing mothers to express breast milk does not preempt union contracts that provide greater protections to employees (for example, providing compensated break time, providing break time for employees exempt from FLSA, or providing break time beyond 1 year after the child's birth).

THINGS THE UNION SHOULD BARGAIN

The law only states "...employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion..."

- Δ **Space:** The union should bargain for a room that provides privacy and is large enough to contain an end table, two chairs and a small refrigerator. In addition the room should have at least 2 electrical outlets: one for the pump and one for the refrigerator.
- Δ **Furniture:** Small table, 2 chairs, sink (or proximity to), and a trash can. A small refrigerator would be preferred.
- Δ **Breast Pump:** Hospital grade pumps should be purchased for multi-user units in order to assure durability and sanitation.
- Δ **Supplies:** Anti-bacterial soap (to clean equipment), paper towels, and a bulletin board (for sharing information related to concerns of nursing mothers).
- Δ **Security:** The door should be locked. Access needs to be limited to nursing mothers and cleaning personnel. This can be accomplished through distribution of keys or a combination lock.

The law only requires “...employers to provide reasonable break time for an employee to express breast milk for her nursing child for one year after the child’s birth...”

- Δ **Break times:** union should bargain for up to two paid 15 minute breaks per day and up to two paid 30 minute breaks per day. You should negotiate these break times for exempt employees as this law only covers non-exempt employees.
- Δ **Length of coverage:** The union should bargain for breastfeeding coverage beyond 1 year after the child’s birth...it should be as long as the mother is willing and able.

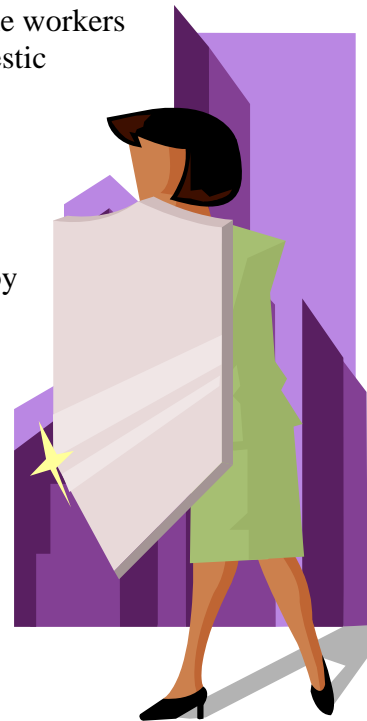
For further information, refer to the AFGE Women's/Fair Practices Department brochure, "Nursing Mothers: Breastfeeding At Work".

Domestic Violence Contract Language

Unions work to protect the health, safety and well-being of the workers they represent. With more than 5 million women victimized by domestic violence every year, abuse affects many union members — victims, batterers, family members, friends and co-workers.

Health, safety and job security are union issues. Victims of domestic violence are at higher risk of on-the-job violence. They are also likely to miss work or come in late, so they may be disciplined by management for job performance problems and can be denied opportunities for promotion and advancement. The workplace is where members facing domestic violence spend at least eight hours a day and it can be a haven for help and support.

Unions are uniquely positioned to be a key force in helping our members stay safe, both on the job and at home. Unions can help reduce the risk of violence for workers while maintaining jobs — a key to economic self-sufficiency. By addressing domestic violence, unions can make a significant — and, in some cases, a life-saving — difference in the lives of their members.



All employees have the right to a work environment free of and safe from domestic violence. Domestic violence, which may involve physical, psychological, economic violence or stalking, against a current or former intimate partner, is a widespread societal problem which must be prevented. The employer should use early prevention strategies to avoid or minimize the occurrence and effects of domestic violence in the workplace and to offer assistance and a supportive environment to its employees experiencing domestic violence. In all responses to domestic violence, the employer shall respect employees' confidentiality. In 2012, the Department of Justice required all agencies to send copies of the agencies Domestic Violence policies pursuant to the Office of Personnel Management. As a Union Representative you should be involved in developing, modifying and implementing any approved agency policy.

SAMPLE CONTRACT CLAUSE

"Employees shall have the right to use sick leave, personal leave, annual leave, compensatory time, and any other paid leave for medical appointments, legal proceedings, or other activities related to domestic violence. Such absences shall not be counted against the employee under any attendance policy for disciplinary purposes, and may be taken without prior approval."

"If all paid leave has been exhausted and additional periods of leave are needed to attend to medical, legal, or other matters related to domestic violence, the employees shall have the option of taking family and medical leave of up to twelve (12) weeks. The leave shall be unpaid, but the employer shall administer the leave in accordance with the federal Family and Medical Leave Act (FMLA), including but not limited to the FMLA's provisions pertaining to health benefits and job reinstatement."

"In order to provide assistance to an employee experiencing domestic violence and to provide a safe work environment to all employees, the employer shall make every effort to approve requests from employees experiencing domestic violence for transfers to other worksites, telework, and/or changes in work schedules."

For further information, refer to the AFGE Women's and Fair Practices Department manual, "Domestic Violence Manual".



Lesbian, Gay, Bisexual and Transgender (LGBT) Inclusive Contract Language

In April 2012, the EEOC ruled that discrimination based on gender identity is covered under Title VII (sex discrimination. (Macy vs. Holder: Appeal No. 0120120821) This is a ground breaking change, and will be important for union leaders, stewards and negotiators to be advised of this change.

There are limited legal protections for lesbian, gay, and

bisexual workers. In a majority of states, workers can be legally discriminated against based on their sexual orientation.

Also, because same-sex couples are not recognized under federal law and in most states, protections and benefits for same-sex couples and their families do not automatically apply unless union contract language is specifically inclusive. Take the following steps to ensure all union members under the same contract receive equal benefits and compensation.

CONTRACT SECTIONS TO LOOK AT

Non-discrimination protections

- Δ Make sure that your contract non-discrimination language includes sexual orientation, gender identity and expression.
 - Use of “sexual orientation” alone does not include transgender workers.
 - “Sexual preference” and “sexual persuasion” are outdated terms that are no longer accurate.

Definition of Family

- Δ Make sure that your contract’s definition of family is broad and includes “non-traditional” ideas of family. This will ensure that your LGBT members are not left out of leave and benefit contract provisions.
 - A definition of family should include **spouse**, wife, husband, son, daughter, step-son, step-daughter, mother, father, sister, brother, grandmother, grandfather, step-father, step-mother, step-brother, step-sister, father-in-law, mother-in-law, **guardian and domestic partners**;

Workplace Safety

- Δ LGBT workers, and in particular transgender workers, often face high levels of harassment at work. This ranges from verbal harassment to employment discrimination to threats to a worker’s physical safety. All workers deserve a safe and respectful work environment.
 - Make sure the non-discrimination clause prohibits harassment, or the harassment clause should include sexual orientation, gender identity and gender expression.

Training and Promotion Contract Language



Some workers found in low-paying jobs are offered little in the way of promotional opportunities, career development or higher salaries. A collective bargaining agreement can help these workers increase their skills and move into better paying jobs through upgrading programs. These programs include career ladder programs and recognition of training and education activities by which members upgrade their skills and move into other occupations.

THINGS THE UNION SHOULD BARGAIN

- Δ Negotiate language that provides for alternative criteria for positions where appropriate, and/or eliminating any artificial barriers to advancement or promotion that cannot be linked to satisfactory job performance.
- Δ Negotiate an educational incentive program whereby the employer agrees to pay permanent, full-time employees who have completed accredited courses in job-related curriculum specific amounts of money, in addition to their wages.



Leave Contract Language

Working families, women, single fathers, grandparents and guardians in the labor force have had an effect on roles in the home and in society, as well as on the job. One effect has been the acknowledgement of people's multiples roles as mother, father, guardian, wife/husband, worker, and unionist. Women are often penalized in the job market because of these conflicting roles, but changes are occurring that make the roles somewhat easier to hold simultaneously.

Act of 1993 (FMLA) became effective. This Act provides up to 12 weeks of unpaid job-protected leave each year for specified family or medical reasons, such as birth or adoption of a child. The law requires the maintenance of existing health benefits during leave and job restoration when the leave period ends.

While the Family and Medical Leave Act provide some assistance to parents, you should see that more and better benefits are provided in your union contract.

THINGS THE UNION SHOULD BARGAIN

- Δ A longer maternity/paternity leave period (many new parents would prefer to spend up to six months with a new child);
- Δ A broader definition of "serious health condition," applying FMLA rights to any family member's health condition;
- Δ A definition of family should include spouse, wife, husband, son, daughter, step-son, step-daughter, mother, father, sister, brother, grandmother, grandfather, step-father, step-mother, step-brother, step-sister, father-in-law, mother-in-law, and domestic partners;
- Δ A definition of family should include wife, husband, son, daughter, step-son, step-daughter, mother, father, sister, brother, grandmother, grandfather, step-father, step-mother, step-brother, step-sister, father-in-law, mother-in-law, guardian and domestic partners;
- Δ Eligibility of the leave for employees who are not presently entitled to it under the law (those who have not completed 12 months of service, for example).

For further information, refer to the AFGE Women's and Fair Practices Department manual, "Family Friendly/Family Medical Leave Act".

Sexual Harassment Contract Language

All forms of sexual harassment--remarks, gestures, hazing, physical touching, actual assault--have the effect of interfering with the victim's job performance, and often cause other physical or emotional problems. While saying "no" is sometimes all that is needed, the situation may require other remedies.

Sexual harassment and remedies can be a contract issue. At a minimum, you should insist that the contract explicitly prohibit sexual harassment in the workplace. Additional subjects of negotiation could include:

- Δ Establishing special committees to handle complaints of sexual harassment;
- Δ A joint investigating committee to deal with complaints of sexual harassment, which could by-pass the more formal grievance procedure and make it easier for victims to report incidents of sexual harassment.
- Δ Mandatory training for employees accused of sexual harassment.

SAMPLE CONTRACT CLAUSE

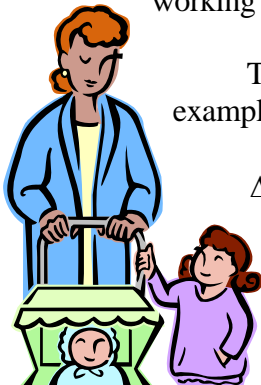
"No Employee shall suffer any form of discrimination because of a refusal to perform sexual favors for an employer, supervisor, client, contractor, customer, fellow-worker or other representative of the Agency or the Union.

"No Employee shall be subject to harassment because of their protected class which interferes with his or her work."

For further information, refer to the AFGE Women's and Fair Practices Department manual, "Stop Sexual Harassment".

Child Care Contract Language

The United States is the only industrialized nation in the world without a national system of child care. This country, instead, continues to leave this crucial issue to the resources of individual working parents.



There are a variety of ways to negotiate assistance in the child care area. For example, negotiate for:

- Δ The establishment of agency-supported child care centers, to be union-operated and staffed, and paid for through employer payroll taxes;
- Δ The establishment of a pre-school program for children of bargaining unit and underprivileged children in the community;
- Δ A joint labor-management committee to investigate the availability of community child care resources;
- Δ A joint labor-management committee to evaluate the feasibility of a job site child care program; and
- Δ Additional money to cover the cost of child care required when a worker has to work overtime.

SAMPLE CONTRACT CLAUSE

"The Agency agrees to assess with the union the need for child care facilities for its employees. There will be established a joint labor-management committee to develop a schedule for funding the program, selecting a site for the center, and providing staff for the center."

"The Agency shall pay the full cost of day/night care for the employee's dependent children when working mandatory overtime. The employee shall choose the type of care and/or facility to be used."

Chapter 9:

Other AFGE Headquarters Resources

In this chapter, you will get a listing of useful resources to carry out the work of a Women's Coordinator or Fair Practices Coordinator.

- ✓ AFGE publications
- ✓ Like-minded organization's contact information

OTHER USEFUL AFGE DEPARTMENTS

As you shape your role as a Local Coordinator, it will be very useful for you to turn to the many resources that exist that can guide you and give you ideas. We have provided you with a list of possibilities.

You should use the resources of the National Office whenever possible. Call or write to:

AFGE Women's/Fair Practices Departments

80 F Street, NW
Washington, DC 20001
(202) 639-6417
(202) 639-4107 (fax)
<http://wfp.afge.org>

AFGE Communications Department

(202) 639-6419
(202) 639-6441 (fax)
communications@afge.org

Office of the General Counsel

(202) 639-6415
(202) 639-6441 (fax)

AFGE Field Services and Education Department

(202) 639-4013
(202) 777-3070 (fax)

AFGE Legislative and Political Department

(202) 639-6413
(202) 639-6492 (fax)

Political Action Committee (PAC) & Issues Mobilization

(202) 639-6457
(202) 639-6492 (fax)

Membership & Organizing Department

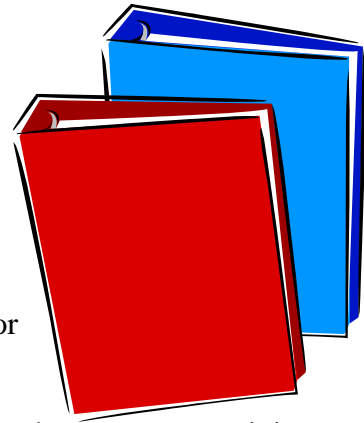
(202) 639-6410
(202) 639-6492 (fax)

Other AFGE Publications

The following publications are available from AFGE:

“Accounting for Equal Employment Opportunity under EEOC MD-715”

Management Directive 715 (MD 715) is an annual report that requires agencies to take affirmative actions to identify and remove any barriers to equal employment opportunities of all federal workers. MD 715 has the stated intent to ensure that all employees and applicants for employment enjoy equality of opportunity in the federal workplace regardless of race, sex, national origin, color, religion, disability, or reprisal for engaging in prior protected activity. Agency heads should be held responsible for the state of equal opportunity in her or her agency. This manual will give a better understanding of this directive.



“AFGE’s Equal Employment Opportunity and Diversity Policy”

The policy for AFGE states “The American Federation of Government Employees (AFGE) strives to create and maintain a community in which people are treated fairly and equitably with dignity, decency and respect. AFGE's environment must be characterized by diversity, mutual trust, freedom of inquiry and expression appropriate for the workplace, and absent of intimidation, oppression, exploitation, harassment or retaliation. Members and employees of AFGE and local/council affiliates must be able to work together in a safe and discrimination free environment.”

“Americans Deserve to Work: Disabled or Not”

This manual shows how people with disabilities continue to be underemployed and undervalued as government workers. Although persons with disabilities have much to offer the workplace, federal and D.C. government employers have yet to treat them as qualified job seekers. It is imperative that those who can and want to work are supported in their efforts to do so.

“Collective Bargaining Manual”

This manual shows how to bargain effectively in the face of management’s unfair advantages. The premise of this manual is that contract negotiations in the federal sector can be conducted far more effectively and efficiently than they typically have been for the last several decades. The tactics we suggest for this should also help the union concentrate on its members’ own priorities, and thus result in far better substantive contract terms.

“Communications Guide”

This manual helps AFGE Locals address or discuss an issue, called a message. Different audiences may require different methods of receiving messages. Face-to-face meetings and newsletters are great ways to communicate with members of a Local, but communicating with the public and decision makers require other methods. This manual helps you tailor your message for the audience you want to influence.

“Domestic Violence”

Domestic violence fits into the agenda of unions as a health and safety issue, a workplace issue, a discrimination issue, a family issue — and as a human rights issue. Like other struggles for health, safety and human dignity, domestic violence affects the lives of untold numbers of working people in the United States. Domestic violence is emotionally disruptive, dangerous and, at worst, it can claim the lives of workers.

Union interest in this issue grows out of a strong tradition of fighting for social and economic justice. In addition to a higher standard of living, unions have fought for respect, civil and human rights, personal self-determination, and freedom from violence.

This manual explains what to do if experiencing domestic violence and how union officials can protect their members from it at work.

“Family Friendly/Medical Leave & FMLA”

Every person will at one point face birth, death, or serious illness, whether it is through their own experiences or those of a loved one. While they may not want or choose to take time off work, life may force them to request some form of leave. For this reason, many private employers provide for leave time and the federal and District of Columbia (D.C.) governments mandate it for their employees.

The Family and Medical Leave Act of 1993 (FMLA) is the Act that the manual expands on the most because it affects all federal and D.C. employees. It includes other laws to show that there are other choices available if you do not qualify for FMLA.

“Fighting Discrimination in the Federal Government”

Discrimination is the act of treating or considering an individual based on his or her membership in a certain protected group, rather than based on individual merit.

Unlawful discrimination occurs when an individual or a group of people is treated less favorably than another person or group because of their membership in a certain protected group (e.g., because of race, color, national or ethnic origin, gender, pregnancy, marital status, age, disability, religion, or other characteristic protected under anti-discrimination or human rights legislation).

This manual is for AFGE Representatives and Local Coordinators to assist them in representing AFGE members who file Equal Employment Opportunity complaints.

“Rights of Individuals with Disabilities”

Disabled employees are not being treated fairly in the federal and D.C. governments. The decreasing number of disabled government workers and the increasing number of discrimination cases being filed is a testament to that fact. Increasingly, many of AFGE's disabled members working in the federal and D.C. governments have been denied reasonable accommodations; they have been ignored and discriminated



against due to their disabilities while their objections have been openly disregarded by management and the agency hierarchies. It is an outrage that government employers would deny Americans with disabilities the basic right to support themselves.

This is a manual explaining the rights of employees with disabilities and what AFGE can do to assist these employees.

“Stop Sexual Harassment”

This manual explains to AFGE members what sexual harassment is, the effects of sexual harassment on the victim, what to do if it is happening to you, what the steward's role is, and what the union can do about it.

Sexual harassment on the job is a serious situation. It occurs when someone bothers you **in a sexual way** because of your gender and that behavior affects your job or your job environment.

Federal law (Title VII of the Civil Rights Act of 1964) and your Local AFGE union contract make sexual harassment **ILLEGAL**. Therefore, you can take action and do something about it.

“Worker's Compensation Booklet”

If you are injured or become sick as a result of your work, you are entitled to compensation. This booklet is a concise explanation of what to do when you are injured at work or become ill as a result of your work. It is meant to help you understand the system and how it works, as well as your rights and responsibilities. In it, we explain how to file a claim, the benefits you may be entitled to receive, the difference between traumatic injuries and occupational illnesses or diseases, claims for recurrences, returning to work, and appeal rights for denied claims.

Other Like-minded Organizations

There are many other organizations you can turn to for advice, assistance, literature, and ideas. In addition to the constituency groups listed on pgs. 21-24, the following organizations may also be of assistance:

AFL-CIO

Civil & Workplace Rights
815 16th Street, NW
Washington, DC 20006
<http://www.aflcio.org/Issues/Civil-and-Workplace-Rights>

American Association for Affirmative Action

888 16th Street, NW
Suite 800
Washington, DC 20006
(202) 349-9855

Ex. 1857

www.affirmativeaction.org

Amnesty International USA

5 Penn Plaza
New York, NY 10001
(212) 807-8400
www.amnestyusa.org

Americans for a Fair Chance

1629 K Street, NW
10th Floor
Washington, DC 20006

(202) 466-3311
<http://fairchance.civilrights.org>

American Civil Liberties Union
125 Broad Street
18th Floor
New York, NY 10004
www.aclu.org

Asian American Justice Center
1140 Connecticut Avenue, NW
Suite 1200
Washington, DC 20036
(202) 296-2300
<http://advancingequality.org>

Center for Women in Gov't & Civil Society
University at Albany, SUNY
135 Western Avenue
Draper Hall 302
Albany, NY 12210
(518) 442-3900
www.cwig.albany.edu

Center for Women Policy Studies
1776 Massachusetts Avenue, NW
Suite 450
Washington, DC 20036
(202) 872-1770
www.centerwomenpolicy.org

Congressional Caucus for Women's Issues
409 12th Street, SW
Suite 310
Washington, DC 20024
(202) 554-2323
www.womenspolicy.org

Cuban American National Council (CANC)
1223 SW 4th Street
Miami, FL 33135
(305) 642-3484
www.cnc.org

Democratic National Committee
430 South Capitol Street
Washington, DC 20003

(202) 863-8000
www.democrats.org

Disability Rights Education & Defense Fund
3075 Adeline Street
Suite 210
Berkeley, CA 94703
(510) 644-2555
www.dredf.org

U.S. Equal Employment Opportunity Commission
131 M Street, NE
Washington, DC 20507
(202) 663-4900
www.eeoc.gov

Federally Employed Women
700 N. Fairfax Street
Suite 510
Alexandria, VA 22314
(202) 898-0994
www.few.org

Feminist Majority
1600 Wilson Boulevard
Suite 801
Arlington, VA 22209
(703) 522-2214
<http://feminist.org>

Jewish Labor Committee
25 East 21st Street
2nd Floor
New York, NY 10010
(212) 477-0707
www.jewishlabor.org

The Leadership Conference on Civil and Human Rights/Education Fund
1629 K Street, NW
10th Floor
Washington, DC 20006
(202) 466-3311
www.civilrights.org

League of Women Voters

1730 M Street, NW
Suite 100
Washington, DC 20036
www.lwv.org

**National Association for the Advancement
of Colored People (NAACP)**

4805 Mt. Hope Drive
Baltimore, MD 21215
(410) 580-5777
www.naacp.org

National Child Care Association

1325 G Street, NW
Suite 500
Washington, DC 20005
(800) 543-7161
www.nccanet.org

**National Association of Commissions for
Women**

8630 Fenton Street
Suite 934
Silver Spring, MD 20910
(303) 585-8101
www.nacw.org

National Committee on Pay Equity

555 New Jersey Avenue, NW
Washington, D.C. 20001
www.pay-equity.org

National Council of La Raza (NCLR)

1126 16th Street, NW
Suite 600
Washington, DC 20036
(202) 785-1670
www.nclr.org

National Council of Negro Women, Inc.

633 Pennsylvania Avenue, NW
Washington, DC 20004
(202) 737-0120
www.ncnw.org

National Gay and Lesbian Task Force

1325 Massachusetts Avenue, NW
Suite 600
Washington, DC 20005
(202) 393-5177
www.thetaskforce.org

**National Partnership for Women &
Families**

1875 Connecticut Avenue, NW
Suite 650
Washington, DC 20009
(202) 986-2600
www.nationalpartnership.org

National Urban League (NUL)

120 Wall Street
8th Floor
New York, NY 10005
(212) 558-5300
www.nul.org

National Women's Law Center

11 Dupont Circle, NW
Suite 800
Washington, DC 20036
(202) 588-5180

National Women's Political Caucus

1630 Connecticut Avenue, NW
Suite 201
Washington, DC 20009
(202) 785-1100
www.nwpc.org

**Nine to Five, National Association of
Working Women**

207 E. Buffalo Street
Suite 211
Milwaukee, WI 53202
(414) 274-0925
www.9to5.org

Organization of Chinese Americans (OCA)

1322 18th Street, NW
Washington, DC 20036
(202) 223-5500
www.ocanational.org

Pension Rights Center

1350 Connecticut Avenue, NW
Suite 206
Washington, DC 20036
(202) 296-3776
www.pensionrights.org

Southern Poverty Law Center

400 Washington Avenue
Montgomery, AL 36104
(334) 956-8200
www.splcenter.org

Wider Opportunities for Women

1001 Connecticut Avenue, NW
Suite 930
Washington, D.C. 20036
(202) 464-1596
www.wowonline.org

Women's Bureau, U.S. Department of Labor

200 Constitution Avenue, NW
Room S-3002
Washington, DC 20210
(800) 397-6251
www.dol.gov

Women Employed

65 E. Wacker Place
Suite 1500
Chicago, IL 60603
(312) 782-3902
www.womenemployed.org

Women's Legal Defense and Education Fund

395 Hudson Street
New York, NY 10014
(212) 925-6635
www.nowldef.org

Women's Health Network

514 10th Street, NW
Suite 400
Washington, DC 20004
(202) 347-1140
www.nwhn.org

APPENDIX A

Please send this Coordinator Data form to the Women's and Fair Practices Departments after appointment or election of a new Coordinator or to report a change of address.



The Women's and Fair Practices Department Coordinator Data Form

Date: _____

Name: _____

Address: _____

Home Phone Number : _____

Work Phone Number: _____

E-mail Address : _____

(personal)

Fax Number : _____

Member Number: _____

Title: _____



Local Women's Coordinator



Local Fair Practices Coordinator



Regional Fair Practices Coordinator



Activist _____

District: _____ Agency: _____

Local Number: _____

Union Office Number: _____

Council: _____

APPENDIX B

District Office Information (2011-2014)

2nd District Office

(Representing Locals in the states of New York, New Jersey, Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont)

NVP, Derrick Thomas

7 Elm Row
New Brunswick, NJ 08901
(732) 828-9449
www.afge2nddistrict.org

NFPAAC, Geddes Scott

Geddes.scott@aol.com

NWAC, Sharon Savage

sdw276@aol.com

3rd District Office

(Representing Locals in the states of Pennsylvania and Delaware)

NVP, Keith Hill

2007 Highway 315
Suite 202
Pittston, PA 18640
(570) 883-9572
www.afgedistrict3.org

NFPAAC, Karen Ford-Styer

Fordsis2@yahoo.com

NWAC, Beverly Wilmer

beverlywilmer@ymail.com

4th District Office

(Representing Locals in the states of Virginia, West Virginia, North Carolina and Maryland)

NVP, Joseph Flynn

3505 Ellicott Mills Drive, Suite A1
Ellicott City, Maryland 21043
(410) 480-1820
<http://district4.afge.org>

NFPAAC, Essie Hogue

elhogue@bellsouth.net

NWAC, Evelyn Holt

5th District Office

(Representing Locals in the states of Alabama, Florida, Georgia, Puerto Rico, South Carolina, Tennessee, Virgin Islands)

NVP, Everett Kelley

6724 Church Street
Suite 2
Riverdale, GA 30274-4711
(770) 907-2055
www.afgedist5.org

NFPAAC, Celestine Hood

c61081@bellsouth.net

NWAC, Cynthia Marshall

creneem@yahoo.com

6th District Office

(Representing Locals in the states of Indiana, Kentucky, Ohio)

NVP, Arnold Scott

5674 Caito Drive
Suite 100
Indianapolis, IN 46226
(317) 755-2093
www.afgedistrict6.org

NFPAAC, Vic-tor Davis

presidentd@vzw.blackberry.net

NWAC, Jimmie Wattley

jimmiewattley@yahoo.com

7th District Office

(Representing Locals in the states of Illinois, Michigan, Wisconsin)

NVP, Dorothy James

320 S. Ashland
1st Floor
Chicago, IL 60607
(312) 421-6283

NFPAAC, Pathenia Hoy

Phoy_fairpracticecoord7@yahoo.com

NWAC, Rhonda Hines

rhonda.hines@att.net

8th District Office

(Representing Locals in the states of Iowa, Minnesota, Nebraska, North Dakota and South Dakota)

NVP, Jane Nygaard

2950 Metro Drive
Suite 315
Bloomington, MN 55425
(952) 854-3216
www.afgedist8.org
NFPAAC, Stanley Walton

swalton11@comcast.net

NWAC, Sherry Weis

oliver7432@aol.com

9th District Office

(Representing Locals in the states of Arkansas, Kansas, Missouri, Oklahoma)

NVP, Michael Kelly

3000 Tower Drive
Suite 708
Del City, OK 73115
(405) 670-2656
www.afge9.org

NFPAAC, Shawn Petty

pettys@afge916.org

NWAC, Diana Snedegar

diananwac9@gmail.com

10th District Office

(Representing Locals in the states of Louisiana, Mississippi, Texas, New Mexico and Panama)

NVP, Roy Flores

6800 Park Ten Boulevard
Suite 296-W
San Antonio, TX 78213
(210) 735-8900
www.afgedistrict10.org

NFPAAC, Terrence Johns

tjohnsinc@aol.com

NWAC, Fredna S. White

WhiteTexas@aol.com

11th District Office

(Representing Locals in the states of Alaska, Idaho, Montana, Oregon, Washington, Colorado, Guam, Utah, Wyoming)

NVP, Gerald Swanke
16420 SE McGillivray Boulevard
103 PMB 1065
Vancouver, WA 98683
(360) 253-2616
www.afged11.org

NFPAAC, Ivan Weich
IEWeich@yahoo.com

NWAC, Amanda Schroeder
district11_womenscoordinator@yahoo.com

12th District Office
(Representing Locals in the states of
Arizona, California, Hawaii, & Nevada)

NVP, Eugene Hudson, Jr.
205 W. Mission Ave., Ste. X
Escondido, CA 92025
(760) 233-7600
www.afgedistrict12.org

NFPAAC, Jenny Salvez
jenny.almada@sbcglobal.net

NWAC, Bennie Bridges
Bridgesbr@aol.com

14th District Office
(Representing Locals in the states of
Arizona, California, Hawaii, & Nevada)

NVP, Dwight Bowman
444 North Capitol Street, NW
Suite 841
Washington, DC 20001
(202) 639-6487
www.afgedistrict14.org

NFPAAC, Marilyn Wiley
afgewomen@aol.com

NWAC, Yvette Martin-Gross
vetmg14nwac@yahoo.com

APPENDIX C



WOMEN'S AND FAIR PRACTICES CELEBRATION/AWARENESS CALENDAR

JANUARY

CERVICAL CANCER AWARENESS MONTH

- AFL-CIO MLK Holiday Observance
- * MLK Birthday *

FEBRUARY

BLACK HISTORY MONTH

- 3 - *National Wear Red Day*
- 7 - * National Black HIV/AIDS Awareness Day *
- AFGE Legislative Grassroots and Mobilization Conference
- Y.O.U.N.G. Political Meeting
- WFP Civil Rights Luncheon

MARCH

NATIONAL WOMEN'S HISTORY MONTH

- * International Women's Day*
- 10 - * National Women and Girls HIV/AIDS Awareness Day *
- 20 - * National Native American HIV/AIDS Awareness Day *

APRIL

SEXUAL ASSAULT AWARENESS MONTH

- 16 - * DC Emancipation Day *
- * Equal Pay Day *
- * Workers Memorial Day *

MAY

ASIAN PACIFIC AMERICAN HERITAGE MONTH

JEWISH AMERICAN HERITAGE MONTH

- 1 - * International Workers' Day *
- 19 - * National Asian and Pacific Islander HIV/AIDS Awareness Day *
- * Memorial Day *
- * National Senior Health & Fitness Day *

JUNE

LGBT PRIDE MONTH

SKIN CANCER AWARENESS MONTH

- 27 - * National HIV Testing Day *

JULY

- 4 - * Independence Day *

AUGUST

- Y.O.U.N.G. AFGE Training Summit
- Human Rights Training Conference
- * Senior Citizens Day *
- * Women's Equality Day *

SEPTEMBER

HISPANIC HERITAGE MONTH

OVARIAN CANCER AWARENESS MONTH

SICKLE CELL AWARENESS MONTH

- 3 - * Labor Day *
- 16 - * Hurricane Katrina National Day of Remembrance and Prayer *
- 29 - * Families' Health and Fitness Day *
- 26 - * National Women's Health and Fitness Day *

OCTOBER

DOMESTIC VIOLENCE AWARENESS MONTH

BREAST CANCER AWARENESS MONTH

DIVERSITY AWARENESS MONTH

GAY AND LESBIAN HISTORY MONTH

NATIONAL DISABILITIES AWARENESS MONTH

NOVEMBER

LUNG CANCER AWARENESS MONTH

AIDS AWARENESS MONTH

NATIVE AMERICAN HERITAGE MONTH

- 11 - * Veterans Day *

DECEMBER

- 1 - * World AIDS Day *
- 10 - * International Human Rights Day *

APPENDIX D

WFP's Criteria for Representation

If you think the federal government is a model employer who protects equal rights in the workplace, think again. More than 10,000 federal workers who feel they have been discriminated against go to hearings before Equal Employment Opportunity Commission (EEOC) judges every year. These men and women press charges against their agencies or supervisors for discriminating against them based on their disability, race, color, religion, age, sex, and/or nation of origin. AFGE's Women's and Fair Practices (WFP) Departments are here to help our members fight against these injustices. WFP offers free representation in discrimination cases brought by AFGE Councils, Districts and Locals on behalf of AFGE members. We provide three main legal services: consultation, direct representation, and co-representation along with the member's Local representative.

In order to empower our Locals, Councils and Districts on the representation front, WFP also offers EEO training. WFP and members of AFGE's Human Rights Committee, which is comprised of 24 National Women's and Fair Practices Coordinators, provide EEO training at AFGE's annual Human Rights Training Conference, council sponsored trainings, district trainings, and multi-district conferences upon request. The Department staff will also provide training to the stewards and officers within a Local upon request.

WFP'S CASE EVALUATION CRITERIA

We take cases that involve unlawful discrimination issues such as age, race, sex, religion, disability, and national origin. These cases may be brought before an arbitrator, the Equal Employment Opportunity Commission (EEOC), the Merit System Protection Board (MSPB), and D.C.'s Office of Human Rights. To receive representation, the case must be meritorious, precedential and/or substantially significant to AFGE as a whole. We ask that the Local investigate the case and provide the National

Officers (i.e., National Vice President, National Women's Coordinator, National Fair Practices Coordinator, or Council President) with a completed request for Women's/ Fair Practices Department to Represent an Employee in a Discrimination Case form and documentation related to the investigation of the complainant. National Officers must recommend the Local's request for representation from WFP.

HOW TO SEEK THE ASSISTANCE

Step 1: Complete the WFP request for representation form. The form can be obtained from WFP's Web site at <http://.wfp.afge.org>.

1. Send the form and documentation to the National Vice President, Council President, National Women's Coordinator, or National Fair Practices Coordinator for approval to refer to WFP.
2. A copy of the completed Report of Investigation should be forwarded as soon as it is received.
3. Send a copy of all relevant documents, such as orders and motions filed, agency and administrative judge decisions issued, and documents included in the evidence and/or grievance file.
4. State the name and contact information for any representative assisting the member in this matter.

Step 2: Once WFP has received the request form and the relevant documents, including the ROI, WFP will send a letter of acknowledgment to the Local and member and may ask for more documents, if necessary. Evaluating the case could take up to six weeks, depending on existing case commitments. Please do not forward cases for review with less than 60 days before the EEOC hearing will commence.

Step 3: WFP will contact you to let you know whether or not we can provide representation.

If you have questions, please call (202) 639-4006.



APPENDIX E

REQUEST FOR WOMEN'S/FAIR PRACTICES DEPARTMENTS TO REPRESENT AN EMPLOYEE IN A DISCRIMINATION CASE

Thank you for coming to Women's and Fair Practices Departments for assistance. Please complete this form to expedite our ability to help you. For further information you may refer to our "Criteria for Representation" flyer, which is attached. The criteria for representation considers factors such as the type of case you have, whether the time limits have been met, and whether there is a meritorious claim or appeal. *If additional space is needed to answer any of the questions, please feel free to attach additional sheets of paper to this form.*

REQUEST MADE BY:

Name: _____

Local and District Nos.: _____

Position/Title in Union: _____

Address: _____

Local Phone No.: _____

Email Address: _____

Fax No.: _____

REQUEST MUST BE ENDORSED BY EITHER:

District: _____
NVP: _____
Name (Print): _____

Signature: _____

AND

Local President
**Please attach a letter or an email referring this case to the NVP. Thank you.*

Name (Print): _____

OR

Council President
Name (Print): _____

Signature: _____

OR

NWAC or NFPAAC
Name (Print): _____

Signature: _____

Will this case set a precedent for your Council, District or Local, or are you aware of any previous similar cases of discrimination filed against the same management of your agency? Please explain. _____

A. CONTACT INFORMATION:

Complainant's Name: _____

Agency: _____

Case Nos.: _____

Is Complainant a dues-paying member? Y N

Is Complainant Represented by a Union Member or Other Individual? Y N

If Yes, Representative's Name: _____

Title in Union (if applicable): _____

Phone No.: _____

Email Address: _____

Complainant's Home Address: _____

Home Phone No.: _____

Cell Phone No.: _____ Work No.: _____

Home/Work Email Address: _____

Agency Representative's Name: _____

Phone No.: _____ Fax No.: _____

Email Address: _____

Administrative Judge's Name (if applicable): _____

Phone No.: _____ Fax No.: _____

Email Address (if applicable): _____

B. CASE STATUS:

Please identify the case forum and answer the questions that correspond to that forum.

Forum of EEO Case (please circle)		
EEOC	MSPB	Grievance/Arbitration
Refer to Nos.: 1-12	Refer to Nos.: 1-5, 13-14	Refer to Nos.: 1-5, 11-12

1. Has a hearing been scheduled? If so, when?
2. When did the discriminatory action occur?
3. Has there been any type of formal or informal mediation regarding this complaint?

4. Has the employee made a request for Discovery? If so, please state the date the request was made and your current status regarding said request. Please send a Hard Copy of the discovery request and a Hard Copy of the Agency's response to the request with this form.
5. Has the Agency made a request for Discovery? If so, please state the date the request was made and the current status of that request. Please send a Hard Copy of the discovery request and a Hard Copy of the response that the employee or his/her representative submitted with this form.
6. Has the employee contacted an EEO counselor about this discrimination? If so, when? If not, why?
7. Did the employee file a formal EEO complaint of discrimination? If so, when? Please send a Hard Copy of the formal complaint with this form.
8. Has the Agency issued a Report of Investigation (ROI)? If so, please send a Hard Copy of the ROI with this form.
9. Has the employee requested a formal hearing or Final Agency Decision on this matter? If so, please send a Hard Copy of the request that was submitted.
10. Has there been an Acknowledgment and Order in this case? If so, please send in a Hard Copy of this Order with this form.
11. If there is an alleged violation of contract, please send in a Hard Copy of the contract with this form. Please note/highlight all pertinent articles in the contract that you believe have been violated.
12. Has a grievance been filed regarding the employee's issue? If so, has an arbitration been invoked? Please send a Hard Copy of all such relevant information with this form.
13. Did the employee file a formal MSPB appeal? If so, when? For MSPB appeals, please send a Hard Copy of the formal appeal with this form.
14. For MSPB appeals, please specifically identify all allegations other than EEO discrimination that form the basis of the appeal.

C. CASE SUMMARY:

Protected Classes Identified or type of Complaint (Circle All That Apply):

Race

Color

Religion

Sex

Age (40+)

National Origin Disability EEO Reprisal Sexual Harassment
Failure to Accommodate Harassment/Hostile Work Environment

Employment/Personnel Actions Challenged:

(Please attach a detailed explanation as needed to respond to the following questions.)

1. Has Complainant been treated differently than another employee who is not in the same protected class? If so, who and how?
2. What were the Agency's stated reasons for its employment/personnel actions?
3. Does Complainant have evidence that the Agency's reasons (stated above) were not true? If so, what is the evidence?
4. For cases involving **PROMOTION and AGE**, please specify whether Complainant is older than the person selected for the position, Complainant's age and the selected person's age.
5. For cases involving **HARASSMENT/HOSTILE WORK ENVIRONMENT**, please describe the harassment/hostility that Complainant was subjected to. Please include the specific dates that these actions took place.
6. For cases involving **REPRISAL or RETALIATION**, please state the following:
 - (a) what was Complainant's prior EEO activity, e.g., witness in an EEO case, an EEO representative, potential discrimination, or made a complaint of discrimination;
 - (b) the date(s) when the prior EEO activity occurred; and
 - (c) the name(s) of managers who were aware of Complainant's prior EEO activity before the employment/personnel action was taken.
7. For cases involving **FAILURE TO ACCOMMODATE**, please state the following:
 - (a) the nature of Complainant's disability;
 - (b) what accommodation was requested and when was it requested;
 - (c) whether the agency and Complainant discussed the suggested recommendations requested and received;
 - (d) briefly the Agency's response to the accommodation request;
 - (e) whether an accommodation was provided and what the received accommodation was;
 - (f) how long it took to get the accommodation; and
 - (g) whether the accommodation provided meets your needs.