

URGE

Unlearning Racism in Geoscience

Unlearning Racism in Geoscience (URGE; www.urgeoscience.org) is a community-wide journal-reading and policy-design curriculum to help Geoscientists unlearn racism and improve accessibility, justice, equity, and inclusion (AJEDI) in our discipline. URGE's primary objectives are to (1) deepen the community's knowledge of the effects of racism on the participation and retention of black, brown, and indigenous people in Geoscience¹, (2) use the existing literature, expert opinion, and personal experiences to develop anti-racist policies and strategies^{2,3}, and (3) share, discuss, and modify anti-racist policies and strategies within a dynamic community network and on a national stage. By meeting these objectives, we hope that Geoscience departments and societies will be able to implement a well-researched crowdsourced group of anti-racist policies.

What follows is what was found by the United States Geological Survey (USGS) within the Rocky Mountain, Pacific, and Alaska Regions (and the Natural Hazards Mission Area) on policies for handling complaints, the reporting process, resources, and possible outcomes. Some information was public; answers that were only found through follow up with contacts are noted.

USGS employees have two separate processes for filing complaints – one that is internal to the USGS, outlined in the USGS Anti-Harassment Policy [here](#), and a second Equal Employment Opportunity (EEO) complaint process that is managed by the Department of the Interior (DOI) Office of Civil Rights and the USGS Office of Diversity and Equal Opportunity (DEO). There is some commonality between the two processes in that both only address harassment based on a protected status, and neither process allows for anonymous complaints. However, the process for filing a complaint and the potential outcomes are different between the two systems.

The internal process “... is separate and distinct from the Equal Employment Opportunity (EEO) process and do[es] not satisfy the requirements for filing an EEO complaint, nor [does it] delay the strict time limits associated with the EEO process.” Any USGS supervisor is a mandatory reporter in the internal process, and within 24 hours must document and bring a complaint to the servicing ER Specialist and notify their own supervisor and the supervisors of the victim and alleged harasser. The supervisors themselves, in consultation with the ER Specialist then determine if the reported conduct is harassment, if it is criminal in nature, and if further investigation is needed. If further investigation is needed, it is performed by the Office of the Inspector General (OIG) or a third-party investigator. If decided appropriate, corrective actions from this process “may include counseling or any disciplinary action applicable to instances of misconduct, such as reprimand, suspension, demotion, or termination, in accordance with 370 DM 752, Discipline and Adverse Actions,” but does “does not provide for the remedies that may be available in the EEO process, administrative or negotiated grievance procedures, or any other processes” such as compensatory damages.

The EEO process is initiated by contacting an EEO counsellor within 45 days of an incident, who will attempt to handle complaints informally through 30 days of counselling or Alternative Dispute Resolution (ADR), but 30 days after contacting the EEO counsellor a formal written complaint can be filed. Further details about this process are provided in this document below.

Before filing any complaint or taking action, a confidential consultation can be made with the DOI Ombudsman for the USGS, J. Fernando Caetano (202-494-2907), or the DOI Ombuds Team Lead Brian Bloch (301-814-7262).

Also see this site: <https://www.usgs.gov/about/organization/science-support/human-capital/anti-harassment-program>

- There is a phone # that people can call to ask questions: (703) 648-7000.
- Note that every USGS employee has to take mandatory training on this policy so that we know what to do and who to contact.

URGEO

Unlearning Racism in Geoscience

- The link(s) to the reporting policy at our organization are here:
 - [370.734.1 - Anti-Harassment Policy and Implementing Procedures \(usgs.gov\)](#) – This is part of the USGS Survey Manual and was most recently updated in August 2020.

Welcome to the Office of Diversity and Equal Opportunity

The Office of Diversity and Equal Opportunity (DEO) manages the Equal Opportunity (EO) Program for the U.S. Geological Survey (USGS) in compliance with the Civil Rights Act of 1964 and amended in 1991, primarily Titles VI and VII; the Equal Employment Opportunity Act of 1972; the Age Discrimination in Employment Act of 1967; the Equal Pay Act of 1963; the Rehabilitation Act of 1973 as amended, specifically Sections 501, 504 and 508; numerous Executive Orders; Department the Interior (DOI), Department of Justice, and Equal Employment Opportunity Commission (EEOC) directives; minority higher education requirements; and other related statutes, regulations, orders, and court decisions.

Our Purpose

- Ensure a discrimination-free workplace;
- Ensure that all employees and applicants are provided a full and fair opportunity to contribute to the fullest extent of their abilities in pursuing a career at USGS; and
- Establish, develop, implement, oversee, and evaluate USGS policies, principles, and practices aimed at promoting equal opportunity in all bureau activities and programs.

- [Diversity, Equity, and Inclusion—We Are in this Together | @theCore \(usgs.gov\)](#)

- Information on how to file a complaint can be found here: [USGS Office of Diversity and Equal Opportunity](#)
- The DEO Office has the following stated responsibilities:

Office of Diversity and Equal Opportunity

For Internal USGS Access Only

[DEO Home](#)
[Policy Statements](#)
[EEO Poster](#)
[Calendar of Events](#)
[Diversity and EEO Training Policy](#)

[Meet the Chief](#)
[DEO Responsibilities](#)
[DEO Staff](#)
[EEO Counselors](#)

[EEO Complaints Programs Division](#)
[Complaints Process](#)
[Pre-Complaints of Discrimination](#)
[Formal Complaints of Discrimination](#)
[Alternative Dispute Resolution \(ADR\)](#)

[EEO Affirmative Employment Programs Division](#)
[EEOC Management Directive 715](#)
[Disability Employment Program](#)
[Reasonable Accommodations](#)

DEO Responsibilities

- Developing USGS policies, programs, and guidelines to assure proper implementation of EO laws and regulations;
- Providing guidance and assistance on EO related matters to managers, supervisors and employees;
- Developing and delivering EO-related training for managers, supervisors and employees;
- Managing the discrimination complaints programs, including providing equal employment opportunity counseling and mediation, investigating complaints of discrimination, ensuring implementation of settlement agreements, tracking complaints activities, reviewing reports of investigation for completeness, and coordinating hearings and appeals with DOI, EEOC and the Office of the Solicitor;
- Developing and monitoring implementation of the Affirmative Employment Plans (AEP) for Women, Minorities and People with Disabilities;
- Developing and managing USGS' Special Emphasis Programs including Federal Women's Program, Hispanic Employment Program, and African American Employment Program.
- Developing and managing the Disability Program, including advising, guiding, monitoring, implementing, and evaluating requirements for and the effectiveness of reasonable accommodations, and conducting accessibility reviews of USGS facilities as well as facilities that receive USGS financial assistance;
- Managing minority and disability outreach efforts and coordinating partnerships with Historically Black Colleges and Universities, Hispanic Serving Institutions, Hispanic Association of Colleges and Universities, Tribal Colleges and Universities, and other higher educational institutions with high concentrations of minorities, women, and people with disabilities;
- Collecting, analyzing and disseminating workforce data, conducting analysis of workforce trends, issuing reports on workforce-related data, including AEP, diversity and complaints trends, and other types of EO-related information; and
- Developing and managing the bureau's Civil Rights program to ensure that all USGS funds are used internally or externally in a discrimination-free manner.

Are reporting policies regularly reviewed? What is the process for changing policy?

- Anti-discrimination and anti-harassment policies are dictated by Federal Law and are reinforced by the Director of the USGS on an *annual* basis:
 - [DEO-Policy-Statements-EEO-NonDiscrim-FY2019.pdf \(usgs.gov\)](#)
 - [DEO-Policy-Statements-Diversity-Inclusion-FY2019.pdf \(usgs.gov\)](#)
 - Process for changing policy isn't clear, but would likely require change in Federal Law.

URGEO

Unlearning Racism in Geoscience

Are the rates of reporting made publicly available (e.g. # of reports each year)?

- Rates of complaints are not made publicly available (at least we don't think they are), however, they can be viewed internally on the [EEO Internal site](#). This data has not been updated since the 2nd quarter of 2017.
- The DOI provides data in the form of a *USGS No Fear Act Report* that can be viewed on a public website [here](#), that indicates the number of complaints per fiscal year back to 2016, including the number of repeat offenders, complaints by basis and issue, disciplinary actions taken, processing time, and complaints dismissed or withdrawn.

What mechanisms are available for reporting complaints, bias, microaggressions, harassment, and overt racism?

- The USGS has an EEO office that handles complaints and reports of incidents:
 - [USGS Office of Equal Opportunity](#)
- "In order to file a formal complaint, the employee or applicant for employment must: (1) have contacted an EEO Counselor prior to filing formal; (2) sign and date the Notice of Final interview, and return it to the Departmental or bureau EEO Office; and (3) sign and file a formal written complaint, using Form DI-1892, within 15 days of receiving the NOFI. The complainant or their authorized attorney must sign the formal complaint."
- Reports cannot be made online, however, employees may file their complaint electronically (see link above).
-

Complaints Process

Title 29 of the Code of Federal Regulations, Part 1614 (29 CFR 1614) is the implementing Federal regulation which gives Federal agencies the authority to process Equal Employment Opportunity (EEO) complaints. It also promotes impartial, fair, and early resolution of complaints of discrimination. The 1614 regulation applies to all individual and class complaints of employment discrimination within the Federal Government that are prohibited by Title VII of the Civil Rights Act (1964), the Age Discrimination in Employment Act, the Rehabilitation Act of 1973, and the Equal Pay Act.

Any employee or applicant for employment with the Federal Government who believes he/she has been discriminated against on the basis(es) of race, color, religion, sex, national origin, age (40 and above), physical or mental disability, sexual orientation¹, genetic information, or reprisal may file a complaint of discrimination. Former employees may also enter the EEO complaint process if they allege they are aggrieved by actions that took place at the time of their employment with USGS.

- [Pre-Complaints of Discrimination](#)
- [Formal Complaints of Discrimination](#)
- [Alternative Dispute Resolution](#)
- [EEO Counselors](#)

¹Executive Order 13087 issued on May 28, 1998, prohibits discrimination on the basis of sexual orientation. Complaints involving allegations of sexual orientation are not processed under the Federal Sector Equal Employment Opportunity Regulations. The Department of the Interior has established an administrative procedure, which contains different rights and responsibilities, to process a complaint containing sexual orientation allegations.

- **Anonymously? No**
 - Employees must contact an EEO counselor and go through [pre-complaint counseling](#) prior to filing a formal complaint.
 - From: <https://www.usgs.gov/about/organization/science-support/human-capital/how-file-a-report-alleged-harassment>.
 - "If you share information regarding alleged harassment to any of the offices or officials listed above, they are obligated to act upon the information. They cannot hold the information in confidence and must initiate the protocols outlined in the USGS Survey Manual 370.734.1 and DOI Personnel Bulletin No. 18-01."

URGE

Unlearning Racism in Geoscience

- **Who do in-person and online reports go to? Who has access to see reports?**

EEO Counselors

If you have EEO-related concerns or you would like to enter the administrative DEO complaint process, you may confidentially¹ contact any of the following individuals 703-648-7770 or (Toll Free) at 1-866-816-1106:

James Mays
Counseling &
Mediation Manager
jmmays@usgs.gov



Felicia Ellis
Lead EEO Counselor
fellis@usgs.gov



Lorri Jackson-Reid
EEO Counselor
ljreid@usgs.gov



Monica Hodnett
EEO Counselor
mhodnett@usgs.gov



James Mays, Counseling & Mediation Manager, jmmays@usgs.gov

Felicia Ellis, Lead EEO Counselor, fellis@usgs.gov

Lorri Jackson-Reid, EEO Counselor, ljreid@usgs.gov

Monica Hodnett, EEO Counselor, mhodnett@usgs.gov

- **Are police included in the process? When and how? Are individuals accompanied by an advocate or someone from the organization?**
 - Police are brought into the process if it is determined that legal action is likely to be required.
- **What are the outcomes or consequences for reported individuals?**
 - Use of Alternative Dispute Resolution (mediation/ombudsperson) strongly encouraged by EEO office
 - Consequences depend on the findings of an investigation. Consequences generally take the form of training (workplace sensitivity, bias training, etc.). Disciplinary action and termination are possible outcomes, but only for individuals found to have egregiously violated EEO laws.

URGE

Unlearning Racism in Geoscience

USGS Diversity and Inclusion Opportunities *We are in this together.....Listen, Learn, Act, and More*

—What can I do to personally increase awareness of the challenges faced by minoritized groups?

Trainings and Workshops (some examples below)



DOI Talent Training (Note: Need to be on DOI network to take these):

- > ["Understanding Unconscious Bias"](#)
- > ["Overcoming Your Own Unconscious Biases"](#)
- > ["Overcoming Unconscious Bias in the Workplace"](#)
- > ["Outwitting Your Cognitive Bias"](#)
- > Upcoming: DOI "Stir Fry Seminars" on DOI Talent
- > Upcoming: USGS "The Race Ahead" on DOI Talent

> Upcoming: USGS "Conducting Racial and Systemic Bias Conversations"

For additional information on upcoming training please contact rneal-mujahid@usgs.gov

- Consequences are generally determined by a supervisor at least two levels above the individual who has been reported. Investigations are conducted by external (non-biased) personnel, then actions and/or consequences are recommended to the deciding official.
- Reports are tracked by the EEO office.
- If the "Aggrieved Party" (AP) is not satisfied with the outcome of the "Final Agency Decision" through the formal complaint process, there is an [appeals process](#)
- **Are repeated complaints escalated to a disciplinary board? What is the process?**
 - Can't find information indicating that repeated complaints are escalated to a disciplinary board.
 - Are EEO complaints treated like other misconduct issues for disciplinary purposes?
 - Formal disciplinary action has a paper trail, so presumably USGS management would become aware of repeat offenses, which would be incorporated into disciplinary action decisions.
- **What resources are available for individuals reporting?**
 - Counselors are pictured/named above.
 - Protection against retaliation is spelled out in the anti-harassment memo linked here: [370.734.1 - Anti-Harassment Policy and Implementing Procedures \(usgs.gov\)](#)

URGEO

Unlearning Racism in Geoscience

8. Prohibited Retaliatory Conduct.

It is a violation of the policy to retaliate against employees who engage in protected activities under the policy. Protected activities include reporting harassing, discriminatory or retaliatory conduct; filing a claim of harassment; providing evidence in any investigation; or intervening to protect others who may have suffered harassing conduct, discrimination or retaliation. A manager may not fire, demote, harass, or otherwise take any personnel action against an individual for reporting an allegation of misconduct under the policy.

It is important that supervisors and managers protect employees who report alleged misconduct and do not take any retaliatory personnel action against these individuals in order to deter reporting harassing conduct or filing a complaint. A supervisor/manager found to have engaged in retaliation is subject to disciplinary action.

The following examples are a non-exhaustive list of actions that would be prohibited retaliation if they were taken because of, or were motivated by, an employee's protected activity: transferring the complainant or witness against his or her will, ignoring or not communicating with the complainant or witness, engaging in verbal or physical abuse, or non-selection for an employment opportunity.

Engaging in protected activities under the policy does not shield an employee from all personnel actions. Supervisors/managers can take personnel actions, including discipline and removal, if they are motivated by non-retaliatory and non-discriminatory reasons that would otherwise result in such consequences (e.g., transferring an employee for legitimate business reasons or closely monitoring the performance of an employee on a Performance Improvement Plan).

- What resources are available to groups raising issues or proposing changes?

Employee Resource Groups (ERGs)

Employee Resource Groups (or ERGs) are employee affinity or experience-based group: volunteer membership and provide support to personal and professional development in work environment. ERGs serve as vital connection between employees and managers, and

The USGS supports employee participation in Employee Resource (ERGs). If you are interested in employee resource groups or to update any of the information below, please contact the DEO. [Departmental Support for Employee Organizations \(Non-Labor\)](#).



URGEO

Unlearning Racism in Geoscience



EEO Notice

You are protected under the law from discrimination on these bases:

If you believe you have been discriminated against because of your **race, color, sex, religion, national origin, age (over 40), disability (mental or physical), genetic information, sexual orientation, status as a parent, or reprisal**, you must contact an EEO Counselor prior to filing a formal complaint in order to try to informally resolve the matter.

You must contact an EEO Counselor to initiate pre-complaint counseling within 45 days of the date of the matter alleged to be discriminatory or, in case of personnel actions, within 45 days of the effective date of the action.

For Further Information on EEO or the specific areas listed below, you may contact the following person(s) at the numbers and addresses below:

Bureau EEO Officer
Regina Neal-Mujahid
rneal-mujahid@usgs.gov

EEO Counseling & Mediation Program
James M. Mays
Manager
jmmays@usgs.gov

Disability/Reasonable Accommodation
Felicia Ellis
Disability Program Manager
fellis@usgs.gov

12201 Sunrise Valley Drive
National Center - MS 602
Reston, VA 20192

U.S. Department of the Interior
U.S. Geological Survey

National EEO Counselors

Felicia Ellis
Lead EEO Counselor
fellis@usgs.gov

Lorri Jackson-Reid
EEO Counselor
ljreid@usgs.gov

Monica Hodnett
EEO Counselor
mhodnett@usgs.gov

Phone: 703-648-7770
TTY: 703-648-4425
Fax: 703-648-4445

Toll Free: 1-866-816-1106
internal.usgs.gov/ops/eo/index.html

URGE



Unlearning Racism in Geoscience

[USGS Diversity Council](#) - **Mission:** To promote diversity within the USGS reflective of our Nation's citizens and address issues affecting quality of work life. The Diversity Council works in conjunction with the Human Capital organization, the Office of Diversity and Equal Opportunity (DEO) and Bureau management to achieve the goals and objectives of the Department of the Interior's "Policy on Equal Opportunity and Zero Tolerance of Discrimination and Harassment", USGS "Diversity and Inclusion Plan FY 2010 – 2015" and the USGS "Equal Employment Opportunity Commission's Management Directive 715 Report and Objectives". The Diversity Council assists management and employees with identifying and removing barriers to equal employment in the workplace and creating an environment that supports and advances the goal of science excellence.

- **Petitions of # signatures trigger a town hall, meeting with organizational leadership, or policy change. What is the follow-up process for town halls and meetings?**

Not aware of a formal mechanism to trigger town hall or meeting with leadership. Best path may be to pose request for meeting.
- **Working groups or committees with power to change or propose changes to policy.**

At GHSC (and ESC), Diversity, Equity, and Inclusion (DEI) committees have been formed, though they lack power to formally change policy. However they can certainly make proposals. Power to change policy lies at a much higher level (e.g., OPM?).
- **Cultural surveys, regular or only after wide-spread reports or high-profile incidents.**

FEVS conducted yearly – new focuses can be added (like last year – more questions focused on harassment) but not a lot of questions dealing specifically with racism.
The ESC EID working group is planning a full survey on diversity, inclusion, and belonging using an established research tool.
- **Leadership proactively asks students and/or staff for input on how to improve.**

Leadership (Center level) requested formation of DEI committee(s) to proactively explore this topic. Though still waiting for guidance on specific actions from DEI committee. This is an area that could be improved.

URGE

Unlearning Racism in Geoscience

Additional Recommendations:

In addition to existing policies, we recommend that Centers and offices consider some informal ways to encourage dialogue that would lead to an improved working environment for BIPOC and underrepresented employees.

Suggestions include:

- Local ombudsperson(s) at each office:
 - Employees may be encouraged to start a dialogue if they can talk to someone informally who is local, rather than an unknown person listed on the HR website.
 - Problems that don't rise to the level of a complaint can be identified and addressed.
 - Ombudsperson could serve as a local expert on how to navigate the formal complaint process.
- Provide a way for BIPOC and underrepresented employees to anonymously report (via a website?) barriers or disparate treatment:
 - Employees can safely raise concerns.
 - Improve awareness of problematic behavior so they can be corrected.
- Build out resources and support systems:
 - Develop a standard introductory/orientation document that describes resources – and recourses – available to employees, and relevant contacts for each.
 - Develop a document and/or website that lists the various groups and committees that are working on DEI issues.
 - Regularly highlight the value of equity and diversity in accomplishing the USGS mission during Center activities.
 - Support the formation of Center-wide or office-wide Employee Resource Groups (ERGs)- that are formed from members who are “drawn together by a common interest and work towards advancing relevancy, diversity, and inclusion to meet the USGS mission.” (<https://www.usgs.gov/media/files/employee-resource-groups-usgs-guidance-november-2018>).
 - Encourage the use of communication tools (MS Teams, Slack) that minoritized employees can use to connect with each other, even if they are not located at the same office.