

MEMORANDUM

TO: Personnel, Legislative and Public Affairs Subcommittee

SUBJECT: P-MRNRD Affirmative Action Policy for 2019

DATE: January 2, 2019

FROM: Tracy Thompson, District Secretary/HR Assistant

In December of 2018, Baird Holm reviewed the District's Affirmative Action program. The District currently employs 50 full-time, 1 part-time and 2 seasonal employees and receives more than 50,000 in Federal dollars, which requires the District to have an Affirmative Action Policy in place. A copy of the Policy, which includes the Affirmative Action Program for the Disabled and Veterans, and the Affirmative Action Program for Women and Minorities is attached for your review.

Actions that have taken place during the 2018 calendar year regarding the implementation of the P-MRNRD Affirmative Action Policy and to meet the requirements set forth by the Office of Federal Contract Compliance Programs (OFCCP) include:

1. The Subcontractors and Suppliers Memorandums were mailed in May of 2018. Memo emphasizes that, if applicable, the contractor or subcontractor will abide by the requirements of 41 CFR § 60-1.4(a), § 60-300.5(a) and § 60-741.5(a). The regulations prohibit discrimination against qualified individuals based on race, color, religion, sex, national origin, sexual orientation, gender identity, protected veteran status or disability.
2. The Equal Employment Opportunity and Employee Rights posters are displayed in all District Offices.
3. The Semi-Annual Letter to Management Regarding Affirmative Action Obligations was sent to all NRD Managers in January 2018 and June 2018.
4. The District continues to advertise all position openings at Nebraska Workforce, Nebraska Vocational Rehabilitation Office, and in the local newspaper of the servicing community where the position is being filled, to ensure our AAP obligations are being met.
5. The Vets-4212 Federal Contractor Veterans' Employment Report was filed for 2018.

The following personnel actions occurred during Calendar Year 2018:

- P-MRNRD Education Programs Supervisor resigned and the Natural Resources Educator was promoted to Education Programs Supervisor on February 16, 2018. The Omaha Program Assistant was hired to fulfill the Natural Resources Educator position on May 14, 2018.
- P-MRNRD One P-MRNRD Summer Groundskeeper hired on April 3, 2018 for part-time work April 1 – November 1, 2018.
- P-MRNRD District Accountant hired on May 14, 2018 for full time work and the Part Time District Accountant resigned on May 25, 2018.

Staff recommends that the Subcommittee recommends to the Board of Directors that the amendments to the Papio-Missouri River NRD's Affirmative Action Policy for 2019, be adopted and incorporated into the District Policy Manual.



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Papio-Missouri River NRD

AFFIRMATIVE ACTION PROGRAM FOR THE DISABLED & VETERANS (Narrative Only)

Contractor: Papio-Missouri River NRD
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Omaha, NE 68138

EEO Contact: Ms. Jean Tait
Administrative Coordinator
Papio-Missouri River NRD
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402-444-6222

January 1, 2019 to December 31, 2019

EQUAL EMPLOYMENT OPPORTUNITY POLICY
41 C.F.R. Section 60-741.44(a); 41 C.F.R. Section 60-300.44(a)

It is the policy at Papio-Missouri River NRD to provide equal employment and advancement opportunities to all qualified individuals. To achieve this goal, Papio-Missouri River NRD is dedicated to taking affirmative action to employ and advance in employment, qualified disabled persons, disabled veterans, special disabled veterans, veterans of the Vietnam era, newly separated veterans, Armed Forces service medal veterans, other protected veterans, in compliance with Section 503 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 793, and Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212 ("Section 4212" or "VEVRAA"). All personnel actions, including compensation, benefits, recruitment, hiring, training, and promoting persons in all job titles, will be administered without regard to disability, or other protected veteran status, and all employment decisions are based solely on valid job requirements. In addition, employees and applicants are protected from harassment, threats, coercion, intimidation, interference or discrimination for:

1. Filing a complaint;
2. Assisting or participating in an investigation, compliance review, hearing, or any other activity under Section 503 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 793, Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212 or any other law requiring equal opportunity for disabled persons and other protected veterans;
3. Opposing any practice made unlawful by the Act or any other law requiring equal opportunity for disabled persons and other protected veterans; or
4. Exercising any other right protected by these Acts or the implementing regulations.

This EEO policy has the full support of Mr. John G. Winkler, General Manager, who has assigned responsibility for its implementation to Ms. Jean Tait, Administrative Coordinator. Papio-Missouri River NRD has designed and implemented an audit and reporting system to monitor and maintain its compliance with the Acts.

A copy of the Equal Employment Opportunity statement that reaffirms Papio-Missouri River NRD's commitment to protected veterans and individuals with disabilities is posted in a form that is accessible and understandable to an individual with a disability.

REVIEW OF PERSONNEL PROCESSES
41 C.F.R. Section 60-741.44(b); 41 C.F.R. Section 60-300.44(b)

Papio-Missouri River NRD will periodically review its employment procedures to ensure careful, thorough and systematic consideration of the job qualifications of known disabled individuals and protected veteran applicants for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available. This review shall also ensure that personnel procedures do not stereotype disabled persons, and other protected veterans in a manner, which limits their access to all jobs for which they are qualified. When protected veterans are considered for employment, only that portion of the individual's military record, including discharge papers, that is relevant to the requirements of the position will be considered.

To facilitate compliance with this requirement, some or all of the following procedures have been implemented:

1. The application or personnel form of each known applicant with a disability or each known protected veteran should be annotated to identify each vacancy for which the applicant was considered and will be retrievable for review for use in investigations and internal compliance activities.
2. The application or personnel form of each known applicant with a disability or each known protected veteran should include the identification of each promotion and training program for which that employee was considered.
3. When a protected veteran employee or applicant is rejected for employment, promotion, or training, a statement of the reason should be appended to the personnel file.
4. When an employee or applicant with a known disability or a protected veteran status, is rejected for employment, promotion, or training, a statement of the reason should be appended to the personnel file along with a description of any reasonable accommodation considered.
5. When an employee or applicant is selected for hire, promotion, or training, and reasonable accommodation has been undertaken to enable the selection of an employee or applicant with a disability or disabled veteran, the applicant form or personnel record should contain a description of the reasonable accommodation.

PHYSICAL AND MENTAL QUALIFICATIONS

41 C.F.R. Section 60-741.44(c); 41 C.F.R. Section 60-300.44(c)

At least annually, Papio-Missouri River NRD will review all physical and mental job qualification requirements as openings occur, to ensure to the extent qualification requirements tend to screen out qualified disabled individuals, they are job-related and consistent with business necessity and the safe performance of the job.

To the extent that physical or mental job qualification requirements tend to screen out qualified disabled individuals in the selection of employees or applicants for employment or other changes in employment status such as promotion or training, Papio-Missouri River NRD assures that the requirements are related to the specific job(s) for which the individual is being considered and are consistent with business necessity and the safe performance of the job.

REASONABLE ACCOMMODATION

41 C.F.R. Section 60-741.44(d), 41 C.F.R. Section 60-300.44(d)

Papio-Missouri River NRD makes reasonable accommodations to the physical and mental limitations of employees or applicants to the extent that such accommodations do not impose an undue hardship on the conduct of its business. When an employee with a known disability is having significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, the employee will be notified of the performance problem and asked if the problem is related to the disability. If the employee indicates the performance problems are related to his or her disability, the employee will be asked if reasonable accommodation is needed.

Papio-Missouri River NRD makes reasonable accommodation to the special needs of disabled individuals and disabled veterans including access to the building, utilization of rest room facilities, and mobility requirements within the building and parking locations.

HARASSMENT

41 C.F.R. Section 60-741.44(e); 41 C.F.R. Section 60-300.44(e)

Papio-Missouri River NRD will develop and maintain procedures to ensure that its employees are not harassed because of a disability or status as a protected veteran.

EXTERNAL DISSEMINATION OF POLICY
41 C.F.R. Section 60-741.44(f), 41 C.F.R. Section 60-300.44(f)

Papio-Missouri River NRD undertakes the following appropriate outreach and positive recruitment activities that are reasonably designed to effectively recruit qualified disabled individuals and protected veterans:

1. Papio-Missouri River NRD incorporates the Equal Opportunity Clause regarding protected veterans and individuals with disabilities in its purchase orders, leases and contracts as required by law, executive order and regulation. Written notification of the Equal Opportunity Policy is sent to all subcontractors, vendors, and suppliers requesting appropriate action on their part.
2. Papio-Missouri River NRD notifies all applicants of the EEO policy and invites them to self-identify. Application forms state Papio-Missouri River NRD's commitment to equal employment opportunity. All employment advertisements and notices to recruitment sources state this EEO policy.
3. Outreach and recruitment activities that may be undertaken as needed by Papio-Missouri River NRD include enlisting the assistance and support of the following persons and organizations in recruiting, and developing on-the-job training opportunities for protected veterans and individuals with disabilities, in order to fulfill its commitment to provide equal employment opportunity for such individuals:
 - The Local Veterans' Employment Representative in the local employment service office (One-Stop) nearest the contractor's establishment;
 - The Department of Veterans Affairs Regional Office nearest the contractor's establishment;
 - The veterans' counselors and coordinators ("Vet-Reps") on college campuses;
 - The service officers of the national veterans' groups active in the area of the contractor's establishment;
 - Local veterans' groups and veterans' service centers near the contractor's establishment;
 - Listing job openings with the National Resource Directory's Veterans Job Bank, or any future service that replaces or complements it;
 - The Department of Defense Transition Assistance Program (TAP), or any subsequent program that, in whole or in part, might replace TAP;
 - Any organization listed in the Employer Resources section of the National Resource Directory (<http://www.nationalresourcedirectory.gov/>), or any future service that replaces or complements it;

- The State Vocational Rehabilitation Service Agency (SVRA), State mental health agency, or State developmental disability agency in the area of the contractor's establishment;
 - The Employment One-Stop Career Center (One-Stop) or American Job Center nearest the contractor's establishment;
 - The Department of Veterans Affairs Regional Office nearest the contractor's establishment (www.va.gov);
 - Entities funded by the Department of Labor that provide recruitment or training services for individuals with disabilities, such as the services currently provided through the Employer Assistance and Resource Network (EARN) (www.earnworks.com);
 - Local Employment Network (EN) organizations (other than the contractor, if the contractor is an EN) listed in the Social Security Administration's Ticket to Work Employment Network Directory (www.yourtickettowork.com/endir);
 - Local disability groups, organizations, or Centers for Independent Living (CIL) near the contractor's establishment;
 - Placement or career offices of educational institutions that specialize in the placement of individuals with disabilities; and
 - Private recruitment sources, such as professional organizations or employment placement services that specialize in the placement of individuals with disabilities.
4. All employment openings (except executive and top management, positions that are filled from within, and positions lasting three days or less) are listed at the appropriate state employment services office. Formal briefing sessions and facility tours may be conducted with representatives from recruiting sources to explain current and future job openings, position descriptions, worker specifications, and the selection process. Follow-up with these resources and feedback on disposition of applicants are conducted when appropriate.
 5. Papio-Missouri River NRD develops internal communication of these outreach efforts in a manner that fosters understanding, acceptance, and support among executive management, supervisors, and all other employees.
 6. Meaningful contacts are established with veteran's service organizations and organizations for individuals with disabilities for such purposes as advice, technical assistance and referral of potential employees. Such assistance may consist of advice concerning proper placement, recruitment, training and reasonable accommodation.

7. Good faith efforts are made to consider protected veterans and applicants with known disabilities for all available positions for which they may be qualified, to the extent practicable.
8. Recruitment at educational institutions will include efforts to reach students who are protected veterans.
9. Recruitment programs established with schools incorporate efforts to reach students with disabilities. Efforts may be made to participate in work-study programs with rehabilitation facilities and schools specializing in training or educating individuals with disabilities.
10. When appropriate, efforts may be made to participate in work-study programs with Department of Veterans Affairs rehabilitation facilities which specialize in training or educating disabled veterans.
11. Efforts are made to include individuals with disabilities when employees are pictured in consumer, promotional or help wanted advertisements.

ASSESSMENT OF EXTERNAL OUTREACH AND RECRUITMENT EFFORTS
41 C.F.R. Section 60-300.44(f)(3); 41 C.F.R. Section 60-741.44(f)(3)

Papio-Missouri River NRD each year reviews the outreach and recruitment efforts it has taken over the previous twelve months to evaluate their effectiveness in identifying and recruiting qualified protected veterans and qualified individuals with disabilities. Each evaluation is documented, including at a minimum the criteria used to evaluate the effectiveness of each effort and the conclusion as to whether each effort and the totality of the efforts are effective. Among these criteria are the Data Collection Analysis for the current year and the two most recent previous years. If Papio-Missouri River NRD concludes the totality of its efforts are not effective in identifying and recruiting qualified protected veterans and qualified individuals with disabilities, alternative outreach and recruitment efforts are identified and implemented.

Papio-Missouri River NRD concludes that each, and the totality of, its efforts are effective in identifying and recruiting qualified protected veterans and qualified individuals with disabilities.

INTERNAL DISSEMINATION OF POLICY
41 C.F.R. Section 60-741.44(g); 41 C.F.R. Section 60-300.44(g)

Papio-Missouri River NRD has developed the following internal procedures to communicate its obligation to engage in affirmative action efforts to employ and advance in employment qualified individuals with disabilities, disabled veterans, and other protected veterans. These procedures are designed to foster understanding, acceptance, and support among executive, management, supervisory and other employees and to encourage such persons to take the necessary actions to meet this obligation.

1. Papio-Missouri River NRD Notices. The EEO policy statement will be posted on the employee bulletin board in a manner and place that ensures individuals with disabilities are informed of its contents. This notice will state the name of the EEO Coordinator, the support of top-level management toward this policy, and to whom questions, comments, or complaints should be directed. A statement will be included that employees are protected from coercion, intimidation, interference or discrimination for filing a complaint or assisting in an investigation under the Acts. All required state and federal EEO notices are also posted on bulletin boards.
2. Meetings. Our overall commitment, top-level management support, and specific implementation of the plan are discussed periodically with all management personnel. Periodic meetings may also be held with all employees to discuss our commitment to this policy and the responsibilities of individual employees. Our policy will also be discussed in employee orientation and any management training programs.
3. Notice of Affirmative Action Plan. Papio-Missouri River NRD affirmative action plan is available in the office of the EEO Coordinator for employee review.
4. Company publications. This policy and articles on accomplishments of disabled workers will be publicized in any company newspapers, magazines, annual reports, or other publications when appropriate. When employees are featured in publications, disabled individuals and veterans will be included. This policy will also be included in any employee handbook or policy manual.
5. Union Contracts. A non-discrimination clause will be included in any union contracts and any such contract will be reviewed to ensure that they are non-discriminatory.

AUDIT & REPORTING SYSTEM
41 C.F.R. Section 60-741.44(h); 41 C.F.R. Section 60-300.44(h)

Papio-Missouri River NRD has designed and implemented an audit and reporting system that:

1. Measures the effectiveness of the affirmative action program.
2. Indicates any need for remedial action.
3. Determines the degree to which the objectives have been attained.
4. Determines whether individuals with known disabilities have had the opportunity to participate in all company sponsored educational, training, recreational and social activities.
5. Measures compliance with the affirmative action program's specific obligations.

The above-cited items will be discussed during periodic meetings with all management personnel. The results of this review and corrective actions will be reported to top management. Where the affirmative action program is found to be deficient, corrective action will be taken to bring the program into compliance.

RESPONSIBILITY FOR IMPLEMENTATION

41 C.F.R. Section 60-741.44(i); 41 C.F.R. Section 60-300.44(i)

Jean Tait has been designated to direct the activities of the Affirmative Action Program. Tait has the full support of John Winkler in carrying out Papio-Missouri River NRD's Affirmative Action Policy. Tait will be responsible for:

1. Developing policy statements, affirmative action programs, and internal and external communication to include discussions with managers, supervisors and employees to ensure the policies are followed;
2. Advising managers and supervisors that their work performance is evaluated, in part, on the basis of their affirmative action efforts;
3. Identifying and discussing any problem areas with management, and developing solutions;
4. Serving as a liaison between Papio-Missouri River NRD and community groups, governmental agencies and vocational rehabilitation organizations;
5. Maintaining an audit and reporting system to monitor the progress of the Affirmative Action Program;
6. Informing management of the latest developments in the affirmative action and equal employment opportunity area;
7. Serving as a liaison between Papio-Missouri River NRD and organizations for disabled persons and protected veterans;
8. Assisting in career counseling for disabled and protected veteran employees;
9. Ensuring that the policy statement and required posters are posted on bulletin boards; and
10. Ensuring that employees placed through these policies are not harassed.

TRAINING

41 C.F.R. Section 60-741.44(j); 41 C.F.R. Section 60-300.44(j)

All personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes will be trained to ensure knowledge of equal employment opportunity and affirmative action laws. Educational and training programs may be offered to employees to assist in their personal development as well as to increase their skills and ability to perform on the job. Papio-Missouri River NRD will continue to ensure that all employees have the opportunity to participate in such programs without regard to disabled or veteran status.

DATA COLLECTION ANALYSIS

41 C.F.R. Section 60-300.44(k), 41 C.F.R. Section 60-741.44(k)

Papio-Missouri River NRD has documented the following computations or comparisons pertaining to applicants and hires on an annual basis and maintain them for a period of three (3) years:

1. The number of applicants who self-identified as protected veterans pursuant to § 60-300.42(a), or who are otherwise known as protected veterans;
2. The number of applicants who self-identified as individuals with disabilities pursuant to § 60-741.42(a), or who are otherwise known to be individuals with disabilities;
3. The total number of job openings and total number of jobs filled;
4. The total number of applicants for all jobs;
5. The number of protected veteran applicants hired;
6. The number of applicants with disabilities hired; and
7. The total number of applicants hired.

BENCHMARKS FOR HIRING VETERANS
41 C.F.R. Section 60-300.45

The benchmark is not a rigid and inflexible quota which must be met, nor is it to be considered either a ceiling or a floor for the employment of particular groups. The purpose of establishing benchmarks is to create a quantifiable method by which Papio-Missouri River NRD can measure its progress toward achieving equal employment opportunity for protected veterans. Benchmarks will be set on an annual basis using one of the two mechanisms described below:

1. Establish a benchmark equaling the national percentage of veterans in the civilian labor force, which will be published and updated annually on the OFCCP website; or
2. Establish a benchmark by taking into account: (i) the average percentage of veterans in the civilian labor force in the State(s) where the contractor is located over the preceding three years, as calculated by the Bureau of Labor Statistics and published on the OFCCP website; (ii) the number of veterans, over the previous four quarters, who were participants in the employment service delivery system in the State where the contractor is located, as tabulated by the Veterans' Employment and Training Service and published on the OFCCP website; (iii) the applicant ratio and hiring ratio for the previous year, based on the data collected pursuant to § 60-300.44(k); (iv) the contractor's recent assessments of the effectiveness of its external outreach and recruitment efforts, as set forth in § 60-300.44(f)(3); and (v) any other factors, including but not limited to the nature of the contractor's job openings and/or its location, which would tend to affect the availability of qualified protected veterans.

Papio-Missouri River NRD has chosen to establish a benchmark equaling the national percentage of veterans in the civilian labor force.

UTILIZATION GOALS FOR INDIVIDUALS WITH DISABILITIES
41 C.F.R. Section 60-741.45

The utilization goal is not a rigid and inflexible quota which must be met, nor is it to be considered either a ceiling or a floor for the employment of particular groups. OFCCP has established a utilization goal for employment of qualified individuals with disabilities for each job group in the contractor's workforce, or for the contractor's entire workforce where the workforce consists of 100 or less employees. The purpose of the utilization goal is to establish a benchmark against which the contractor must measure the representation of individuals within each job group in its workforce, or within the contractor's entire workforce. Papio-Missouri River NRD has evaluated utilization of individuals with disabilities in each job group, or in its entire workforce.

IDENTIFICATION OF PROBLEM AREAS
41 C.F.R. Section 60-741.45(e)

When the percentage of individuals with disabilities in one or more job groups, or in our entire workforce if the workforce is 100 or less employees, is less than the utilization goal, Papio-Missouri River NRD takes steps to determine whether and where impediments to equal employment opportunity exist. When making this determination, we assess our personnel processes, the effectiveness of our outreach and recruitment efforts, the results of our affirmative action program audit, and any other areas that might affect the success of the affirmative action program.

Papio-Missouri River NRD has not found any impediments to equal employment opportunity in our personnel processes, outreach and recruitment efforts or any other area that might affect the success of our affirmative action program.

ACTION ORIENTED PROGRAMS
41 C.F.R. Section 60-741.45(f)

As needed, Papio-Missouri River NRD has developed action-oriented programs designed to correct any identified problems areas. These action-oriented programs may include the modification of personnel processes to ensure equal employment opportunity for individuals with disabilities, alternative or additional outreach and recruitment efforts and/or other actions designed to correct the identified problem areas and attain the established goal.

Papio-Missouri River NRD has not identified any problems areas.

SIGNATURES

Papio-Missouri River NRD has prepared this Affirmative Action Program for the period of January 1, 2019 through December 31, 2019.

PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT

Administrative Coordinator

Date

General Manager

Date



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Papio-Missouri River NRD

AFFIRMATIVE ACTION PROGRAM FOR WOMEN & MINORITIES (Narrative Only)

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January 1, 2019 to December 31, 2019

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CONFIDENTIAL TRADE SECRET MATERIALS

(Not for distribution except on a need-to-know basis.)

This Affirmative Action Program contains confidential information that is subject to the provision of 18 U.S.C. § 1905, *Chrysler Corp. v. Brown*, 441 U.S. 281, 19 FEP 475 (1979). Furthermore, release of any trade secret, confidential statistical or commercial information would be arbitrary and capricious in violation of the Administrative Procedure Act. See *CNA Financial Corp. v. Donovan*, 830 F.2d 1132, 1144 and n. 73 (D.C. Cir. 1987) *certiorari denied*, 485 U.S. 977 (1988). Copies of this Affirmative Action Program and all related appendices, documents, and support data will be made available on loan to the U.S. Government upon the request of said Government on the condition that the Government hold them totally confidential and not release copies to any persons whatsoever. This Affirmative Action Program and its appendices and other supporting documents contain confidential information which may reveal, directly or indirectly, plans for business or geographical expansion or contraction. Papio-Missouri River NRD considers this Affirmative Action Program to be exempt from disclosure, reproduction and distribution under the Freedom of Information Act upon the grounds, among others, that such material constitutes (1) personnel files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, which are exempt from disclosure under 5 U.S.C. § 552(b)(6); (2) confidential, commercial or financial information, which is exempt from disclosure under 5 U.S.C. § 552(b)(4); (3) investigatory records compiled for law enforcement purposes, the production of which would constitute an unwarranted invasion of personal privacy, which are exempt from disclosure under 5 U.S.C. § 552(b)(7)(C); and as (4) matters specifically exempted from disclosure by statute, which are exempt from disclosure under 5 U.S.C. § 552(b)(3). Notice is hereby given of a request pursuant to 41 C.F.R. § 60-60.4(d) that portions of this Program be kept confidential.

Thus, Papio-Missouri River NRD wishes to make it clear that it does not consent to the release of any information whatsoever contained in this Affirmative Action Program under the Freedom of Information Act or otherwise. If the U.S. Government, or any agency or subdivision thereof, is considering breaching the conditions under which this Affirmative Action Program was loaned to such government, or is considering a request of this Program under the Freedom of Information Act, request is hereby made that the Government immediately notify Papio-Missouri River NRD and its counsel of any and all Freedom of Information Act requests by the government or any other contemplated release of this Program by the Government which relates to information obtained by the Government. Papio-Missouri River NRD further requests that everyone who has any contact with this Affirmative Action Program, or its supporting appendices, documents, and other data, treat such information as totally confidential and that such information not be released to any person whatsoever. Retention or disclosure of information relating to identifiable individuals may also violate the Privacy Act of 1974.

INTRODUCTION

Papio-Missouri River NRD has developed this Affirmative Action Plan as one of several tools to implement our affirmative action policies effectively. However, the form, language and analysis of the plan necessarily complies with the requirements of 41 CFR 60-2, *et seq.* (Affirmative Action Programs), and other regulations established pursuant to the provisions of Executive Order 11246, and all other civil rights related laws and regulations that have or may be enacted, as amended. Accordingly, terminology such as "problem areas" and "utilization analysis," appearing in this Affirmative Action Plan is that which our organization is required to use by these regulations. The criteria used in relation to these terms are those specified by the Government. These terms have no independent legal or factual significance whatsoever. Although Papio-Missouri River NRD has used this terminology and methodology in connection with this Affirmative Action Plan and our affirmative action policies; such usage does not necessarily signify that our organization agrees that these terms are properly applied to any particular factual situation.

Information regarding identifiable individuals is private and confidentially maintained. Everyone who has official access to confidential data will exercise every precaution to protect this information.

DESIGNATION OF RESPONSIBILITY
41 C.F.R. Sections 60-2.17(a), 60-2.10(b)(2)(i)

Mr. John G. Winkler, General Manager, has overall responsibility for implementation of the Equal Employment Opportunity Policy. Ms. Jean Tait, Administrative Coordinator, has assumed the responsibility for the development, implementation and monitoring of the Affirmative Action Plan, to include all those positions located in subordinate and/or lower-level establishments for which the selection decisions are made at the corporate level.

Responsibility for the implementation and monitoring of the affirmative action plan shall rest with the Administrative Coordinator, whose responsibilities include but are not limited to the following:

1. Developing the policy statements and affirmative action programs.
2. Developing internal and external communication procedures, as appropriate.
3. Designing and maintaining an internal audit and reporting system that will:
 - a. Identify any areas requiring remedial action and develop programs to correct those problem areas.
 - b. Determine the degree to which the goals and objectives have been reached.
4. Monitoring the following internal practices:
 - a. Proper display of EEO posters and policies.
 - b. Full participation of minority, female, and disabled employees in all Company sponsored educational, training, recreational, and social activities.
5. Assisting management in solving any identified problems. It shall be the responsibility of department heads, managers, and supervisors to provide the Administrative Coordinator with such information and/or statistical data as may be necessary to measure progress toward the attainment of goals and to assure good faith efforts to implement the Affirmative Action Plan. Such information and/or statistical data shall be used to set reasonable placement goals.
6. Keeping management informed of the latest developments in the equal employment opportunity area.
7. Assisting employees in solving problems and resolving EEO complaints.
8. Serving as a liaison between Papio-Missouri River NRD and appropriate women and minority groups.

9. Serving as a liaison between Papio-Missouri River NRD and appropriate EEO enforcement agencies.

IDENTIFICATION OF PROBLEM AREAS

41 C.F.R. Section 60-2.17(b)

As part of our monitoring practice, an analysis of personnel matters will be conducted for the current plan year. The following items will be considered:

1. Composition of the workforce by minority group and sex. Good faith placement goals are established where necessary.
2. Composition of applicant flow by minority group and sex. Corrective action will be taken as appropriate, whenever the referral ratio of women and minorities to the hiring supervisor or manager indicates a significantly higher percentage are being rejected as compared to non-minority and male applicants.
3. Pappo-Missouri River NRD evaluates its compensation system to determine whether there are gender, race or ethnicity-based disparities. The purpose of the analysis is to identify potential areas where impediments to equal employment opportunity may exist. Disparities alone do not necessarily indicate a problem area; there may be many non-discriminatory reasons for a disparity.
4. The selection process including: position descriptions, titles, application forms, pre-employment forms, interview procedures, test validity and administration, referral procedures, final selection process and similar factors. The application and related pre-employment forms are in compliance with federal guidelines, and position descriptions accurately reflect actual duties and responsibilities.
5. Any other areas that might impact the success of our affirmative action program, which may include but are not limited to:
 - a. Transfer and promotion practices. Promotions and transfers are made on the basis of qualifications of the individual without regard to race, color, sex, sexual orientation, gender identity, religion, national origin, disabled, or veteran status.
 - b. Facilities and Company sponsored recreational social, and educational events have not excluded women and minorities from participation.
 - c. The general attitude of the work force and management is positive toward our Equal Employment/Affirmative Action programs.
 - d. EEO posters and policy statements are displayed. The EEO clause will be included on purchase orders, leases and contracts.
 - e. There is no indication of a lack of suitable housing that inhibits recruitment efforts and employment of minorities.
 - f. There is no indication of a lack of suitable transportation inhibiting minority employment.

- g. Pappo-Missouri River NRD reviews its training programs, both formal and informal, and has not found them to be discriminatory. These programs will be analyzed annually or when appropriate.

ORGANIZATIONAL PROFILE
41 C.F.R. Sections 60-2.11(c), 60-2.17(b)(1)

Papio-Missouri River NRD has chosen to produce a Workforce Analysis report in lieu of an Organizational Display. The Workforce Analysis is a more meaningful report for Papio-Missouri River NRD.

1. The Workforce Analysis is a listing of each job title as appears in applicable collective bargaining agreements or payroll records ranked from lowest paid to the highest paid within each department or other similar organizational unit including departmental or unit supervision.
2. Where there are separate work units or lines of progression within a department, a separate Line of Progression report is provided for each such work unit, or line, including unit supervisors. The order of the jobs in the line through which an employee could move to the top of the line is indicated on the report.
3. Where there are no formal progression lines or usual promotional sequences, job titles are listed by department, job families, or disciplines, in order of wage rates or salary ranges.
4. For each job title, the total number of male and female incumbents in each minority classification is given. All job titles, including all managerial job titles, are listed.

WORKFORCE BY JOB GROUP
41 C.F.R. Sections 60-2.12, 60-2.17(b)(1)

The Job Group Analysis groups jobs with similar content, wage rates, and opportunities into job groups. This analysis includes a list of the job titles that comprise each job group.

PLACEMENT OF INCUMBENTS IN JOB GROUPS
41 C.F.R. Section 60-2.13

Papio-Missouri River NRD has separately stated the percentage of minorities and the percentage of women it employs in each job group established pursuant to Sec. 60-2.12.

EVALUATION OF PERSONNEL ACTIVITY
41 C.F.R. Section 60-2.17(b)(2)

Papio-Missouri River NRD prepares an Adverse Impact Analysis of personnel activity when required to determine whether there are selection disparities.

DETERMINING AVAILABILITY

41 C.F.R. Section 60-2.14

Availability is an estimate of the number of qualified minorities or women available for employment in a given job group, expressed as a percentage of all qualified persons available for employment in the job group. The purpose of the availability determination is to establish a benchmark against which the demographic composition of our incumbent workforce can be compared in order to determine whether barriers to equal employment opportunity may exist within particular job groups.

Papio-Missouri River NRD has separately determined the availability of women and minorities for each job group. To determine availability, Papio-Missouri River NRD has considered the following factors:

1. The percentage of minorities or women with requisite skills in the reasonable recruitment area. The reasonable recruitment area is defined as the geographical area from which the contractor usually seeks or reasonably could seek workers to fill the positions in question. 41 C.F.R. 60-2.14(c)(1).

We have chosen to break this factor down into three subcategories to more clearly identify the rationale behind this recruitment factor. 41 C.F.R. Section 60-2.14(e) states that, "For each job group, the reasonable recruitment area must be identified, with a brief explanation of the rationale for selection of that recruitment area."

Factor 1a considers the percent of women and minorities with requisite skills in a local recruitment area. The decennial census data is used in compliance with OFCCP guidelines to satisfy the most current information "available." If this factor is used, it is because Papio-Missouri River NRD recruits, and many of its applicants live within the local recruitment area; or because we plan on recruiting in this region in the future. Any recruitment practices unique to a job group will be noted on the Availability Analysis.

Factor 1b considers the percent of women and minorities with requisite skills outside the local recruitment area. The decennial census data is used in compliance with OFCCP guidelines satisfy the most current information "available." If this factor is used, it is because we recruit, and some of our applicants live beyond the local recruitment area; or because we plan on recruiting in this region in the future. Any recruitment practices unique to a job group will be noted on the Availability Analysis.

Factor 1c considers the percentage of women and minorities in schools and training institutions where the contractor might reasonably recruit. If this factor is used, it is because we post or plan to post available positions at local training institutions; or because many of the applicants who respond to open positions are graduates of these training institutions. Any recruitment practices unique to a job group will be noted on the Availability Analysis.

2. The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization. Trainable refers to those employees within the contractor's organization who could, with appropriate training which the contractor is reasonably able to provide, become promotable or transferable during the AAP year. 41 C.F.R. § 60-2.14(c)(2).

We have chosen to break down this second factor into two subcategories to more clearly identify the rationale behind this recruitment factor.

Factor 2a considers the percentage of women and minorities promotable and transferable within the contractor's organization. If this factor is chosen, it is because we fill positions by recruiting from within the workforce either through promotions or transfers. Internal applicants normally apply for these positions. Any recruitment practices unique to a job group will be noted on the Availability Analysis.

Factor 2b considers the percentage of women and minorities trainable within the contractor's organization that could, with appropriate training, which the contractor is reasonably able to provide, become promotable or transferable during the AAP year. If this factor is chosen, it is because we fill positions internally through promotions following training methods such as: apprenticeship programs, enrollment in a college or trade institution, on-the-job training. Any recruitment practices unique to a job group will be noted on the Availability Analysis.

3. An additional third factor may be utilized in those job groups where the first two factors do not adequately describe availability for a job group. Oftentimes this will be applicant flow data, but a description of any third factor used is noted on the Availability Analysis report.

PLACEMENT GOALS
COMPARING INCUMBENCY TO AVAILABILITY
41 C.F.R. Section 60-2.15

Papio-Missouri River NRD has compared the percentage of women and minorities in each job group determined pursuant to Section 60-2.13 with the availability for those job groups determined pursuant to Section 60-2.14. When the percentage of minorities or women employed in a particular job group is less than would reasonably be expected given their availability percentage in that particular job group, a placement goal must be established in accordance with Section 60-2.16.

PLACEMENT GOALS
41 C.F.R. Section 60-2.16

Placement goals serve as objectives or targets reasonably attainable by means of applying every good faith effort to make all aspects of the entire affirmative action program work. Placement goals also are used to measure progress toward achieving equal employment opportunity. A determination under Section 60-2.15 that a placement goal is required constitutes neither a finding nor an admission of discrimination. Where, pursuant to Section 60-2.15, a placement goal for a particular job group is established, a percentage goal is equal to the availability figure derived for women or minorities, as appropriate, for that job group.

In establishing placement goals, the following principles from § 60-2.16(e) also apply:

1. Placement goals may not be rigid and inflexible quotas, which must be met, nor are they to be considered as either a ceiling or a floor for the employment of particular groups. Quotas are expressly forbidden.
2. In all employment decisions, the contractor must make selections in a nondiscriminatory manner. Placement goals do not provide the contractor with a justification to extend a preference to any individual, select an individual, or adversely affect an individual's employment status, on the basis of that person's race, color, religion, sex, sexual orientation, gender identity, or national origin.
3. Placement goals do not create set-asides for specific groups, nor are they intended to achieve proportional representation or equal results.
4. Placement goals may not be used to supersede merit selection principles. Affirmative action programs prescribed by the regulations in this part do not require a contractor to hire a person who lacks qualifications to perform the job successfully, or hire a less qualified person in preference to a more qualified one.

ACTION ORIENTED PROGRAMS

41 C.F.R. Section 60-2.17(c)

Papio-Missouri River NRD has developed these action-oriented programs to correct any problem areas identified in the Identification of Problem Areas 41 C.F.R. § 60-2.17(b) and to attain established goals and objectives.

THE SELECTION PROCESS

1. At least annually, a detailed analysis of position descriptions will be conducted to ensure that they accurately reflect position functions.
2. Job requirements will be validated by division, department, location or other appropriate organizational units. Special attention will be given to academic, experience, physical, and skill requirements to ensure that the requirements themselves do not constitute inadvertent discrimination. Job specifications will be free from bias in regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, disabled or veteran status, except where sex is a bona fide occupational qualification. Where requirements screen out a disproportionate number of minorities or women as determined by Impact Ratio studies or other appropriate methods, professional validation of such job requirements may be sought.
3. Position descriptions and specifications, when used, will be distributed to all recruiting sources and members of management involved in the recruiting, screening, selection, and promotion processes.
4. All company selection processes will be evaluated at least annually to ensure that they are nondiscriminatory.
5. All personnel who have roles in the selection process will be chosen with special care given to their qualifications for such roles, and will be provided any necessary ongoing training to ensure that the selection processes remain nondiscriminatory.

RECRUITMENT

Any one or all of the following techniques may be used to improve recruitment and increase the flow of minority or female applicants:

1. Recruitment organizations and community leaders as individuals may be contacted;
2. Linkage with recruiting sources, which may include briefing sessions, plant tours, presentations by minority and female employees, and full descriptions of appropriate job openings and the selection process;

3. Encouragement of minority and female employees to refer qualified applicants;
4. Inclusion of women and minorities on the personnel staff;
5. Minority and female participation in career days, youth motivation programs and other similar programs in the community;
6. Minority and female participation in "job fairs;"
7. Active recruiting at various training institutions, especially those having high minority and female enrollments; and
8. Expansion of help-wanted advertising to include the minority news media and women's interest media.

PROMOTIONS

Any one or all of the following techniques may be used to improve promotional opportunities for minority and female employees:

1. Posting or general announcement of all appropriate job openings;
2. Assessment of current female and minority employees' academic, skill and experience levels;
3. Remedial job training and work-study programs;
4. Formal performance appraisals;
5. Validation of job specifications;
6. Written justification by supervisors when apparently qualified minority or female employees are passed over;
7. Establishment of formal career counseling programs which may include attitude development, education aid, job rotations, buddy systems and similar programs;
8. Ongoing review of seniority practices in clauses and contracts to ensure that they are nondiscriminatory;
9. Review all company-sponsored recreational and social activities to ensure that they are desegregated; and
10. Encouragement of childcare, housing and transportation programs.

INTERNAL AUDIT AND REPORTING SYSTEMS
41 C.F.R. Section 60-2.17(d)

Specific monitoring and reporting procedures have been developed to evaluate the extent to which the goals of the Affirmative Action Plan are being met. Papio-Missouri River NRD maintains the following data:

1. Applicant flow data. Information on race and sex is obtained when an application for a position is submitted.
2. An Adverse Impact (Impact Ratio) Analysis will be performed when sufficient data exists on placements, promotions, transfers, and terminations using the Two Standard Deviation and the Fisher's Exact tests to ensure compliance with the Uniform Employment Selection Guidelines.
3. Any training programs will be analyzed periodically to eliminate potential discrimination in participation rates.
4. Any tests administered will be routinely analyzed to uncover potential discrimination in grading scores or test results.
5. The wage and salary plan will be reviewed at least annually for wage discrepancies.
6. The Availability Analysis for women and minorities will be studied and good faith placement goals will be established when necessary.
7. Progress toward established goals will be analyzed at least annually and necessary adjustments made to correct potential deficiencies.
8. Internal reporting is prepared on a scheduled basis indicating the degree to which goals in their respective departments were met.
9. Results of the affirmative action plan are reviewed with all levels of management.
10. Top management is informed on a regular basis of the effectiveness of these policies and any recommendations for improvement.

GOALS PROGRESS REPORT

Papio-Missouri River NRD prepares a Goals Progress Report when required to monitor progress towards established goals.

RELIGION AND NATIONAL ORIGIN DISCRIMINATION GUIDELINES
41 C.F.R. Section 60-50

Papio-Missouri River NRD reaffirms its policy to afford equal employment opportunity to all individuals. Neither national origin nor religion is a factor in recruitment, selection, promotion, transfer, termination, or participation in training. The following activities are undertaken to ensure religion and national origin are not used as a basis for employment decisions:

1. Employment practices are reviewed to ensure that members of particular religious and/or ethnic groups are given equal employment opportunities.
2. All employees, including supervisors, managers, and executives are informed of our commitment to provide equal employment opportunity without regard to religion or national origin.
3. Recruitment sources are informed of our commitment to provide equal employment opportunity without regard to religion or national origin.
4. Internal procedures exist to implement equal employment opportunity without regard to national origin or religion.

ACCOMMODATION FOR RELIGIOUS OBSERVANCE AND PRACTICE
41 C.F.R. Section 60-50.3

The religious observances and practices of employees are accommodated by Papio-Missouri River NRD, except where such accommodation would cause undue hardship on the conduct of Papio-Missouri River NRD business. The accommodation offered is determined by considering business necessity, financial expense, and any personnel coverage problems which may result.

NONDISCRIMINATION
41 C.F.R. Section 60-50.5

Papio-Missouri River NRD does not discriminate against any qualified employee or applicant because of race, color, sex, sexual orientation, gender identity, age, disabled, or veteran status in implementing the policy concerning nondiscrimination based on religion or national origin.

SIGNATURES

Papio-Missouri River NRD has prepared this Affirmative Action Program for the period of January 1, 2019 through December 31, 2019.

PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT

Administrative Coordinator

Date

General Manager

Date