

Agenda Item: 6.

MEMORANDUM

TO: PERSONNEL, LEGISLATIVE AND PUBLIC AFFAIRS SUBCOMMITTEE

SUBJECT: Affirmative Action Report

DATE: January 3, 2012

FROM: Jean Tait, Administrative Coordinator

The District's Affirmative Action Plan has not been updated for some time and many changes to the program have evolved since that time. The updated P-MRNRD Affirmative Action Plan, which we are recommending to become appendix U to the District's Policy Manual, is attached for your review. Additional administrative changes include:

- A. Placing the Affirmative Action Clause in all Subcontracting documents, purchase orders, request for bids and include in formal and informal contracts.
- B. Annual certification that notifies Subcontractors and Suppliers of the Districts' responsibility to notify them annual of our affirmative action program relating to our employment practices. It asks for them to have a written affirmative action plan, that an EEO-1 Form is updated annually for all companies with 50 or more employees, all subcontractors file a VETS-100 Form by September 30th of each year, and that it complies with Section 503 of the Rehabilitation Act of 1973, as amended, and 41 C.F.R. § 60-741 regarding affirmative action for workers with disabilities.
- C. That the District prepare and file an EEO-1 Form annually and a VETS-100 Form by September 30th of each year.
- D. That all job openings, with the exception of in-house openings, "Executive and top management" or those positions lasting three or fewer days, will be posted with Nebraska Workforce Development and Nebraska Vocational Rehabilitation Office.
- E. The Disabled and Veterans portions of the affirmative action plan must be available for inspection to any employee or job applicant.
- F. That the District informs all Managers and Supervisors of its affirmative action obligations at least annually.

- G. Effective September 8, 2009, the federal government will only award federal contracts to employers who use E-verify to check employee work authorization.

The following actions have been taken regarding the implementation of the P-MRNRD Affirmative Action Plan during Calendar Year 2012:

1. The Affirmative Action Plan has been updated and will be incorporated into the District Policy Manual as Appendix U.
2. The Equal Employment Opportunity and Employee Rights posters are displayed in all District Offices.
3. The following personnel actions occurred during Calendar Year 2011:
 - **Land and Water Programs Coordinator** – Ralph Puls retired from the District in September of 2011. Position notice was sent to District employees on March 18, 2011. **Terry Schumacher** was hired and started on May 9, 2011.
 - **Field Representative** – Terry Schumacher was promoted to Land and Water Programs Coordinator on May 9, 2011. Position notice was sent to District employees on July 8, 2011. **Justin Novak** was hired and started on August 15, 2011.
 - **Surveyor/Instrument Person** – Justin Novak was promoted to Field Representative Blair on August 15, 2011. **Randy Lee**, who was currently working in this Department as part-time Surveyor/Instrument Person, was hired to fill the position as Surveyor/Instrument Person on August 15, 2011.
 - **Program Assistant Tekamah** – Evelyn Maslonka retired from her position as Program Assistant Tekamah office on August 2, 2011. Position notice was sent to District employees on August 8, 2011. There were no in-house applicants for this position. The position was advertised in the Blair Pilot Tribune and the Burt County Enterprise during the week of August 10 and 17, 2011, and posted to the District's website. After review of the applications received, **Deborah Ward** was hired as the District's Program Assistant Tekamah Office. Her first day of employment was September 19, 2011.
 - **Administrative Coordinator** – Pat Teer resigned her position as Administrative Coordinator due to health issues in August of 2011. **Jean Tait** was selected to fill the position on August 22, 2011.
 - **Purchasing Agent/Files Coordinator** – Jean Tait was promoted to Administrative Coordinator on August 22, 2011. Position notice was sent to District employees on August 22, 2011. **Heather Guthridge** was hired and started on September 12, 2011.
 - **Environmental Education Coordinator** – Heather Guthridge was promoted to Purchasing Agent/Files Coordinator on September 12, 2011. Position notice was sent to District employees on September 7, 2011. There was one in-house candidate

that later removed themselves from consideration. The position was advertised in the Omaha World Herald during the weeks of September 18 and 25, 2011. **Austen Hill** was hired as Environmental Coordinator. His first day of employment was November 7, 2011.

- **Operations and Maintenance Superintendent** – Ron Lehman retired from the District on November 8, 2011. **Bill Warren** was selected to fill the position on November 21, 2011.

It is recommended that the PLPA Subcommittee recommend to the Board the proposed revisions to the Papio-Missouri River NRD Affirmative Action Plan be adopted and incorporated into the District's Policy Manual as Appendix U.

Appendix U

Papio-Missouri River NRD

AFFIRMATIVE ACTION PLAN

DECEMBER 1, 2011-NOVEMBER 30, 2012

**AFFIRMATIVE ACTION PROGRAM
FOR
WOMEN & MINORITIES**

**Papio-Missouri River
Natural Resources District**
8901 South 154th Street
Omaha, NE 68138

December 1, 2011 to November 30, 2012

AFFIRMATIVE ACTION PROGRAM FOR WOMEN & MINORITIES

Contractor: Papio-Missouri River NRD
8901 South 154th Street
Omaha, NE 68138

EEO Contact: Ms. Jean Tait
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December 1, 2011 to November 30, 2012

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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 EEO 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 EEO 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 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. Papio-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, 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. Papio-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. In this case, the NRD only had applicant data available from August 1, 2011. Consequently, the applicant/hire analysis does not accurately reflect employment activity for the entire year. The NRD will track such data moving forward.

Additionally, the comparison workforce from December 1, 2010, was not available and therefore was recreated based on the employment activity data. This data may not accurately reflect the workforce as it existed a year ago.

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, 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 or 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. No such report was prepared for this plan, as there were no prior goals to use for comparison.

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, age, disabled, or veteran status in implementing the policy concerning nondiscrimination based on religion or national origin.

SUPPORT DATA

**AFFIRMATIVE ACTION PROGRAM
FOR
THE DISABLED & VETERANS**

**Papio-Missouri River
Natural Resources District
8901 South 154th Street
Omaha, NE 68138**

December 1, 2011 to November 30, 2012

AFFIRMATIVE ACTION PROGRAM FOR THE DISABLED AND VETERANS

Contractor: Papio-Missouri River NRD
8901 South 154th Street
Omaha, NE 68138

December 1, 2011 to November 30, 2012

EQUAL EMPLOYMENT OPPORTUNITY POLICY
41 C.F.R. Sections 60-741.44(a); 60-250.44(a); 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.

Our goal is the utilization of qualified disabled persons and covered veterans in as many levels of position classifications as practicable. As provided in United States Code 38 U.S.C. § 4212, 29 U.S.C. § 793, and Code of Federal Regulations 60-250, 60-300 and 60-741, the required policies, practices, and procedures are integrated into this Affirmative Action Program. A copy of our Equal Employment Opportunity statement is posted which reaffirms our commitment to qualified disabled individuals and covered veterans. This program is available for review upon request by any applicant or employee by contacting the EEO Coordinator during regular business hours. Notice of this availability for review is posted for applicants and employees.

REVIEW OF PERSONNEL PROCESSES
41 C.F.R. Sections 60-741.44(b); 60-250.44(b); 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 covered 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 covered 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 covered 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 covered veteran should include the identification of each promotion and training program for which that employee was considered;
3. When an employee or applicant with a known disability or a covered 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.
4. 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 special disabled veteran, the applicant form or personnel record should contain a description of the reasonable accommodation.

PHYSICAL AND MENTAL QUALIFICATIONS
41 C.F.R. Sections 60-741.44(c); 60-250.44(c); 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 or disabled Veterans, 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 or disabled veterans 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. Sections 60-741.44(d), 60-250.44(d); 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. Sections 60-741.44(e); 60-250.44(e); 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 special disabled veteran, or other covered veteran.

EXTERNAL DISSEMINATION OF POLICY
41 C.F.R. Sections 60-741.44(f), 60-250.44(f); 60-300.44(f)

Papio-Missouri River NRD shall undertake the following appropriate outreach and positive recruitment activities that are reasonably designed to effectively recruit qualified disabled and special disabled veterans, and other covered veterans:

1. Papio-Missouri River NRD will notify all applicants of the EEO policy and invite them to self-identify after an offer of employment but before the person begins work. Application forms state our commitment to equal employment opportunity. Notices to recruitment sources and all employment advertisements state this EEO policy.
2. Recruitment programs will be established with the State Job Services and other recruiting sources for disabled individuals and covered veterans such as: The Department of Veterans Affairs, veteran's counselors and coordinators on college campuses, service officers of national veterans' groups active in the area, and local veterans' groups and veterans' service centers to provide assistance in locating qualified applicants, including those not currently in the workforce, where applicable and feasible. All employment openings (except executive and top management, positions that will be filled from within, and positions lasting three days or less) will be 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 should be conducted when appropriate.
3. All advertisements seeking applicants for employment will identify Papio-Missouri River NRD as an "equal opportunity employer."
4. Papio-Missouri River NRD will incorporate the Equal Opportunity Clause regarding disabled individuals, disabled veterans, and other protected veterans in its purchase orders, leases and contracts as required by law, executive order and regulation.
5. Papio-Missouri River NRD will develop 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 will be established with disabled individuals and veteran's service organizations 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. Recruitment programs established with schools will 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.
8. Efforts will be made to include individuals with disabilities when employees are pictured in consumer, promotional or help wanted advertisements.
9. When the position they apply for is unavailable, good faith efforts will be made to consider covered veterans and applicants with known disabilities for all available positions for which they may be qualified, to the extent practicable.

10. Special disabled veterans and other protected veterans are encouraged to participate in career days, youth motivation programs, and related activities in their communities.

INTERNAL DISSEMINATION OF POLICY
41 C.F.R. Sections 60-741.44(g), 60-250.44(g); 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, special disabled 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. Sections 60-741.44(h); 60-250.44(h); 60-300.44(h)

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

1. Measure the effectiveness of the affirmative action program.
2. Indicate any need for remedial action.
3. Determine the degree to which the objectives have been attained.
4. Determine whether individuals with known disabilities have had the opportunity to participate in all company sponsored educational, training, recreational and social activities.
5. Measure 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. Sections 60-741.44(i); 60-250.44(i); 60-300.44(i)

Ms. Jean Tait has been designated to direct the activities of the Affirmative Action Program. Ms. Tait has the full support of Mr. John Winkler in carrying out Papio-Missouri River NRD Affirmative Action Policy. Ms. 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 covered veterans;
8. Assisting in career counseling for disabled and covered 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. Sections 60-741.44(j), 60-250.44(j); 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.

SIGNATURES

Papio-Missouri River NRD has prepared this Affirmative Action Program for the period of December 1, 2011 through November 30, 2012.

PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT

Administrative Coordinator

Date

Executive Officer

Date