



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
Fire and Aviation  
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October 9, 2018

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EMS Transmission 10/09/2018  
Instruction Memorandum No. FA IM-2019-002  
Expires: 09/30/2020

To: All Fire and Aviation Directorate Employees  
From: Assistant Director, Fire and Aviation  
Subject: Equal Employment Opportunity (EEO) Policy Statement

**Program Area:** Equal Employment Opportunity (EEO)

**Purpose:** To clearly communicate expectations that all employees will be provided a workplace which is free of discrimination based on race, color, religion, sex, age, national origin, sexual orientation, or mental or physical disability, and that all employees will be treated with respect. This policy applies in all aspects of our personnel policies, programs, practices, and operations.

**Policy/Action:** As Assistant Director for the Bureau of Land Management (BLM) Fire and Aviation (FA), I expect that our work environment will be free from discrimination and unlawful harassment. All FA employees (including students, interns, and volunteers), as well as contractors who perform services for BLM, are expected to treat each other with respect, and to ensure that the work environment is safe and inclusive. Managers and supervisors have a responsibility to monitor the work environment, and to encourage respectful workplace behavior.

All employees should be diligent in reporting any form of inappropriate workplace behavior, including discrimination or harassing conduct, so that the behavior can be stopped immediately. Managers and supervisors who become aware of any form of inappropriate workplace behavior, are required to follow procedures outlined in the Department of the Interior (DOI) Prevention and Elimination of Harassing Conduct policy, Personnel Bulletin 18-01 (PB 18-01), to ensure that the behavior is addressed. All FA employees are required to read and adhere to PB 18-01: (<https://www.doi.gov/sites/doi.gov/files/pb-18-01-prevention-and-elimination-of-harassing-conduct.pdf>)

Harassing conduct is unacceptable in any form, every employee is expected to refrain from such behavior, and in addition, employees must understand that workplace harassment may also be in violation of federal law. There are distinct differences between the prevention of harassment program and the EEO process. The prevention of harassment program seeks to eliminate

harassing conduct regardless of whether such conduct violates the law. The EEO process is designed to make individuals whole for illegal discrimination that has occurred.

Any employee who believes they have been discriminated against in the workplace due to discrimination based on Race, Color, Sex (including pregnancy, sexual orientation, and gender identity), National Origin, Religion, Age (40 and over), Disability, Genetic Information or Reprisal, may elect to enter the EEO process. If Employees believe they have been discriminated against may initiate the EEO process by contacting the EEO office within 45-calendar days of becoming aware of the alleged discriminatory action, or if the matter concerns a personnel action, within 45-calendar days from the effective date of the action. The EEO Manager will ensure that the EEO process is initiated within three (3) business days. The FA EEO Office is located in the Jack Wilson Building on the second floor, Room 220. You may also call the EEO Manager, Eileen Wallace, at (208) 387-5454.

The EEO process begins with the informal complaint, and the aggrieved will be able to choose between EEO counseling or Alternative Dispute Resolution (ADR) to attempt resolution in the informal stage. If there is no resolution reached in the informal stage, the aggrieved will be issued a notice of right to file, and will have 15-calendar days to file a formal EEO complaint.

The EEO formal complaint process includes an investigation to be conducted by EEO Investigators, who are neutral and outside of BLM. The EEO investigations are extensive, and should be completed within 180-days from the date the complaint was filed, unless the complainant agrees to an extension in writing. Any employee who files or anyone who is named in an EEO complaint must be responsive to EEO officials and Investigators and must comply with requests for cooperation from the BLM Office of Civil Rights.

Reprisal for participating in the EEO process, including opposition to discriminatory actions, is illegal and strictly prohibited. There will be appropriate corrective and disciplinary actions when retaliation is found.

The EEO process allows for limited confidentiality, and during the informal phase, an employee may elect to remain anonymous. In the informal phase an employee may elect to remain anonymous; however, if the complaint goes forward to the formal phase, confidentiality cannot be maintained. The EEO officials will keep complaint information confidential as much as possible; however, there will be times when the information will be shared with agency officials on a need-to-know basis.

The BLM requires EEO Managers to administer required EEO and diversity training. All managers and supervisors are required to complete a minimum of six (6) hours each year, and all employees are required to complete a minimum of four (4) hours each year. The EEO Manager will determine the training which will be provided, and ensure that all EEO and diversity training is creditable.

All employees are required to complete Prevention of Sexual Harassment (POSH) each year. The POSH training is found in DOI Learn, or may be conducted by the FA EEO Manager or the

Bureau Office of Civil Rights. The POSH training is creditable toward the annual EEO training requirement.

Discrimination, in any form, has no place in our organization and will not be tolerated. This includes sexual or non-sexual harassment; any discriminatory act, policy, practice, or procedure that denies equal opportunity; or any conduct that demeans the dignity of another person. This policy of equal employment opportunity will be pursued in every aspect of Fire and Aviation practice and procedure in recruitment, employment, development, advancement, supervision and treatment of employees and applicants. Fire and Aviation recognizes that adherence to Equal Employment Opportunity laws and policies continue to be a vital contributory element to our success. The EEO program helps maintain a quality work force, representation of our nation's diversity, and an environment where all employees can do their best work and reach their full potential.

This policy extends to those times when BLM personnel are away from their home unit on incident assignment. All incident harassment will be reported in accordance with the DOI Office of Wildland Fire (OWF) Policy Memorandum 2018-011, Implementing Procedures for the DOI Personnel Bulletin 18-01: Prevention and Elimination of Harassing Conduct.

The OWF Policy Memorandum provides clarification for implementing the DOI Personnel Bulletin 18-01 Prevention and Elimination of Harassing Conduct policy while employees are deployed on incidents.

Equal opportunity is a professional conduct issue and it is based on a premise of fair and equal treatment and respect for all persons. It is everyone's responsibility to assist in promoting an environment free of discrimination. Mere compliance with minimum requirements is not enough to meet our obligations. I challenge everyone to be a role model of appropriate behavior and to confront any form of discrimination, harassment, or other improper behavior when it is observed or brought to your attention. In addition, you are encouraged to resolve issues at the lowest level possible and to use alternative dispute resolution (ADR), when possible. Contact Eileen Wallace, EEO Manager, for more information on ADR.

The discrimination complaint process is posted on official bulletin boards and on the Fire and Aviation EEO web page. All reports of alleged discrimination will be taken seriously, promptly investigated and handled with professionalism, dignity, and fairness. If you believe you have been subjected to discrimination, harassment or reprisal, you must contact the EEO Manager or an EEO Counselor within 45 days of the alleged discriminatory matter or, in the case of a personnel action, within 45 days of the effective date of the action.

All FA employees are strongly encouraged to review the attached link to the U. S. Equal Employment Opportunity Commission's website, to gain a better understanding of all the protections afforded by Title VII of the Civil Rights Act of 1964, as amended, and all other applicable statutes: ([https://www.eeoc.gov/federal/fed\\_employees/complaint\\_overview.cfm](https://www.eeoc.gov/federal/fed_employees/complaint_overview.cfm))

**Timeframe:** This policy is effective upon signature.

**Background:** Management has determined that employees need to be reminded of this policy on a yearly basis.

**Manual/Handbook Sections Affected:** None.

**Coordination:** None.

**Contact:** If you have questions or concerns regarding this policy, please address them to Eileen Wallace, EEO Manager, Fire and Aviation, at (208) 387-5454.

Signed by:  
John F. Ruhs  
Assistant Director, Fire and Aviation

Authenticated by:  
Kris King  
Records Manager

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