



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Fire and Aviation
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To: All Fire and Aviation Directorate Employees
From: Assistant Director, Fire and Aviation
Subject: Equal Employment Opportunity (EEO) Policy Statement

Program Area: Civil Rights and Equal Employment Opportunity.

Purpose: To reissue Bureau of Land Management (BLM) Fire and Aviation (FA) annual EEO policy.

Administrative or Mission Related: Administrative

Policy/Action: The BLM FA Directorate is committed to ensuring a work environment free of and from discrimination (including harassment) in all its activities, programs, and operations. To that end, the Department of the Interior (DOI) issued Personnel Bulletin 18-01 (PB 18-01) (<https://www.doi.gov/sites/doi.gov/files/pb-18-01-prevention-and-elimination-of-harassing-conduct.pdf>), which seeks to prevent and prohibit all forms of workplace discrimination, retaliation, and harassing conduct based upon an individual's protected status, regardless of whether the conduct violates the law. PB 18-01 requires that managers and supervisors take prompt and effective remedial action, in response to unlawful discrimination/retaliation and harassing conduct, including the use of appropriate non-disciplinary or disciplinary action, up to and including removal from Federal service. All BLM FA employees are required to read and adhere to PB 18-01.

This BLM FA EEO policy statement aligns with the intent of PB 18-01 but places particular emphasis on *prohibited discrimination* based upon race, color, sex (including pregnancy, sexual orientation, and gender identity), national origin, religion, age (40 and over), disability, genetic information, and reprisal. Our policy is intentionally firm, and it requires all BLM employees (including students, interns, volunteers, as well as contractors who perform services for BLM) to avoid all discriminatory acts, conduct, and behaviors that could be deemed discriminatory. All

leaders, managers, supervisors, employees, and interns are directed to review the following link to the U.S. Equal Employment Opportunity Commission's site (https://www.eeoc.gov/federal/fed_employees/complaint_overview.cfm) and to review and understand all the protections afforded by Title VII of the Civil Rights Act of 1964, as amended, and all other applicable statutes.

There are distinct differences between the Prevention of Harassment Program (POHP) and the EEO process. The POHP seeks to eliminate harassing conduct, regardless of whether such conduct violates the law. The EEO process is designed to perform inquiry and conduct investigation into allegations of discrimination for the purpose of determining whether unlawful discrimination occurred. Where findings of unlawful discrimination result, the EEO process is designed to make individuals whole through an award of damages, equitable relief, or both.

BLM FA considers its people our greatest resource and all employees are expected to conduct themselves with integrity and respect, and to work together out of a commitment to each other, to the American public, and to the BLM and Fire Program mission. All employees are entitled to and will be provided with a work environment free from discrimination or harassment, and employees are expected to treat one another with respect. The FA work environment will not only adhere to the law but also welcomes and embraces the uniqueness of diverse groups from all corners of the world. Managers and supervisors have a responsibility to monitor the work environment, and to encourage respectful workplace behavior.

As Assistant Director for BLM FA, I expect that our work environment will be free from discrimination and harassment. All FA employees (including students, interns, and volunteers), as well as contractors who perform services for BLM, are expected to treat one another with respect, and to ensure that the work environment is safe and inclusive. 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 immediately follow procedures outlined in the PB 18-01 to ensure that the behavior is addressed. Managers and supervisors may direct disciplinary actions that include reprimand, suspension, and/or removal from Federal Service for any person(s) found guilty of discrimination. I expect all allegations of discrimination to be brought to the immediate attention of the EEO Office. The EEO manager will assist and address your questions and concerns or guide you through the EEO process.

If any employee believes that she/he has been subjected to discrimination, she/he must contact the EEO Office or an EEO Counselor and present the claim(s) 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 of an aggrieved person presenting a cognizable claim of discrimination.

All informal complaints will be addressed promptly, thoroughly, and impartially via EEO counseling or Alternative Dispute Resolution (ADR); generally, the complaint must be counseled and completed within 30-calendar days unless the aggrieved elects to participate in ADR and, if

so, the process may be extended up to 90-calendar days. If the complaint is not settled during the informal phase, a notice of right to file will be issued, and the aggrieved, upon receipt of the notice, will have *15-calendar days* to file formally. All formal complaints that are accepted for investigation will be handled by neutral EEO Investigators external to the BLM. Investigations are extensive and are expected to be completed within 180-days from the date the complaint was filed unless the complainant agrees to an extension. Any employee who files and/or is named in an EEO complaint must be responsive to EEO Officials and Investigators and must comply with requests for cooperation put forth by the BLM Office of Civil Rights. Furthermore, management officials who are named and accused of discriminating against an employee must ensure they respond to official inquiries without delay and demonstrate full cooperation throughout the entirety of the EEO counseling, investigation, hearing, and litigation process.

Reprisal for participating in the EEO process or for otherwise opposing discrimination is strictly prohibited and will not be tolerated. If retaliation is found, BLM FA will take the appropriate corrective and disciplinary action.

It is also important to highlight that the EEO process allows for limited confidentiality. During the informal phase, an employee may elect to remain anonymous. For complaints that proceed to the formal phase, however, confidentiality cannot be maintained. EEO Officials will take the necessary steps to keep complaints of discrimination confidential to the greatest extent possible but there are times when information will be shared with key agency officials.

As part of BLM's annual training, all supervisors and managers are required to complete EEO Overview Training for Supervisors; all non-supervisory employees, including seasonal and temporary employees and students, are required to complete EEO Overview Training for Employees. All employees are required to complete Prevention of Sexual Harassment (POSH) training each year.

Temporary seasonal employees who do not have computer access will complete their EEO and POSH training requirements through the completion of BLM FA *Do What's Right* and *Prevention of Sexual Harassment (POSH)* Training for FA employees. Supervisors will ensure completion of the required modules for all temporary seasonal employees.

This policy extends to those times when BLM personnel are away from their home unit on incident assignment.

Timeframe: This policy is effective upon signature.

Budget Impact: The application of this policy to other program areas should have a positive impact on the budget by decreasing the cost of processing complaints of discrimination.

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, at (208)387-5454.

Signed by:
Grant Beebe
Assistant Director, Fire and Aviation

Authenticated by:
Miranda Schindel
Records Assistant

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Eileen Wallace (FA-120)