

Bylaws of the West Virginia Civil Rights Advisory Committee

USDA Natural Resources Conservation Service (NRCS)

Adopted February 2016

PREAMBLE

The West Virginia Civil Rights Advisory Committee (CRAC) is responsible to the NRCS State Conservationist who serves as the Deputy Equal Opportunity Officer (DEOO) for West Virginia. The Committee serves the following functions:

1. Serves as an advisory body to the DEOO to promote and assist in meaningful and effective affirmative employment and program delivery consistent with the goals and objectives set forth by management.
2. Provide feedback on the performance of equal opportunity and civil rights compliance; identify areas of weakness and make recommendations for improvements.
3. Identifies emerging areas needing special attention by the DEOO.
4. Make recommendations to the DEOO regarding policies, practices and procedures as they affect equal opportunity in West Virginia.
5. Promotes the career employment and advancement of NRCS employees to maintain a high quality, diverse workforce consistent with the goals of the Affirmative Employment Plan and Title VII of the Civil Rights Act.

“**Title VII** of the Civil Rights Act of 1964 is a federal law that prohibits employers from discriminating against employees on the basis of sex, race, color, national origin, and religion.”

6. Provides technical assistance related to Title VI program delivery needs to the extent practicable. The STC, DC or ASTCS should request technical assistance related to Title VI needs from the Committee for items that relate to their specialized knowledge. All NRCS employees should use the SEPM to provide insight and knowledge or connections on their specific special group.

“**Title VI** of the Civil Rights Act of 1964 is a Federal law that protects persons from discrimination based on their race, color or national origin in programs and activities that receive Federal financial assistance.”

BYLAWS

ARTICLE I - Name

Section 1: The name of this Committee shall be the USDA NRCS West Virginia Civil Rights Advisory Committee (hereinafter referred to as the “Committee”).

ARTICLE II – Purpose

Section 1: The purpose of the Committee shall be to serve as an advisor on employment and program delivery issues to the State Conservationist in West Virginia. The State Conservationist is the Deputy Equal Opportunity (DEOO) in West Virginia.

Section 2: Specific responsibilities of the Committee are listed under the Preamble.

ARTICLE III – Members

Section 1: The Committee shall be composed of 12 voting members and one or more non-voting advisory member(s) appointed by the DEOO. Voting members shall consist of nine Special Emphasis Program Managers (SEPMs), and three At-Large members. Refer to Article VI for details concerning voting.

Section 2: The members of the Committee shall, to the extent practicable, be representative of the workforce, including minority and non-minority groups; men and women; as well as employees who are geographically distributed throughout the state and representative of a broad range of occupational categories and grade levels.

Section 3: The SEPMs shall consist of the following nine positions: 1) American Indian / Alaska Native (AIAN) Emphasis Program Manager, 2) Black Emphasis Program Manager (BEPM), 3) Federal Women’s Program Manager (FWPM), 4) Hispanic Emphasis Program Manager (HEPM), 5) State Limited English Proficiency Coordinator, 6) Asian American / Pacific Islander (AAPI) Emphasis Program Manager, 7) Disability Emphasis Program Manager (DEPM), 8) Lesbian, Gay, Bisexual, Transgender (LGBT) Emphasis Program Manager, and 9) Veterans Emphasis Program Manager (VEPM).

Section 4: There will be one representative from each of the three At-Large areas that will serve on the Committee. The three At-Large areas are the North Area, South Area and the State Office.

Section 5: Members of the Committee shall be permanent full time NRCS employees and shall be willing to serve on the Committee.

Section 6: Except as noted in Section 7 below, vacancies on the Committee shall be advertised. The DEOO will issue a written notice announcing the vacancy. Names of candidates responding to the vacancy announcement will be forwarded to the Committee chairperson for consideration. The Committee shall review all applications before making a recommendation to the DEOO. The DEOO shall appoint the Committee members.

Section 7: In the event a committee member leaves the Committee before serving a full term, the position will be filled either by advertisement or appointment by the DEOO.

Section 8: Each Committee member, except for advisory members, shall be appointed to serve a three year term. The term shall begin with the start of the fiscal year. The term will be staggered so that no more than one third of the members' terms expire in any given year. The term for advisory members will be at the discretion of the DEOO.

ARTICLE IV – Officers

Section 1: The officers of the Committee shall be a Chairperson (Chair) and a Vice-Chairperson (Vice-Chair) each having at least three years of experience on a Civil Rights Committee with NRCS. In lieu of a Chair and Vice Chair, the duties and responsibilities can be shared between two Co-Chairpersons (Co-Chairs). *The term Chair and Co-Chair are used synonymously in this document when the duties and responsibilities are shared between two members.* A secretary will be appointed by the DEOO on the recommendation of the committee. The term of the secretary will be one year not to exceed three consecutive terms.

Section 2: During the fourth quarter of the fiscal year, the Committee will, as needed, submit names of potential candidates for the Chair, Vice Chair or Co-Chair and Secretary positions to the DEOO for consideration. The DEOO shall appoint the Chair, Vice Chair or Co-Chair and Secretary.

Section 3: The Chair or Co-Chairs shall serve a three-year term and shall be eligible for reappointment. The Vice-Chair and Secretary shall serve one-year terms and shall be eligible for re-appointment. Recommendations for these offices shall be finalized during the fourth quarter meeting and new members shall assume office at the first quarter meeting.

Section 4: In the event the Chair position is vacated prior to the end of the term, the DEOO will appoint a replacement to serve through the end of the vacated term.

Section 5: In the absence of the Secretary, the Presiding Chair, Co-Chair or Vice-Chair shall request another Committee member volunteer to act as Secretary. If no member volunteers, the Presiding Chair, Co-Chair or Vice-Chair shall appoint a

Committee member to act as interim Secretary until either the return of the designated Secretary or until a new selection can be made.

ARTICLE V – Meetings

Section 1: Meetings shall be held at least quarterly. The Committee Chair in consultation with the DEOO and committee members shall set the exact dates. The meetings may be teleconference, video teleconference or face-to-face meetings, as determined by the Committee.

Section 2: The Chair in consultation with the DEOO and the Committee members may call special meetings as needed to conduct specific business of importance.

Section 3: A quorum shall be constituted by 50% of the voting members of the Committee as appointed in the current fiscal year.

Section 4: Meetings shall be conducted by the Chair according to the rules contained in the current edition of Robert's Rules of Order Newly Revised. That authority shall govern the Committee meeting procedure in all cases to which it applies and is consistent with these bylaws.

Section 5: Each voting member will realize the importance of attending all meetings and it is expected that each Committee member will attend every meeting in its entirety in order to carry out his or her duties. Requests to be absent must be discussed with the Chair or DEOO as soon as the conflict becomes known. The Chair or DEOO will determine if the request can be approved and notify the member of the decision.

Section 6: The Chair will notify all Committee members of the meeting location and provide an agenda at least one month in advance to the maximum extent practicable.

Article VI – Duties

Section 1: The members of the committee shall advise on their specific area of focus as it relates to matters affecting equal employment opportunities and advancement of federal employees of NRCS West Virginia. The members of the Committee shall also maintain a relationship with employees, organizations and interest groups in order to obtain information on employment trends and equal opportunity issues.

Section 2: The members of the Committee shall spend no more than 20 percent of their official time in the performance of assigned Committee and SEPM functions over the course of the fiscal year. The actual amount of time dedicated to these collateral duties during any work week or pay period will increase or decrease in accordance with workload and emerging program needs with the total time used to be limited to no more than 20 percent of the employee's annual official time.

Section 3: The Chair or Co-Chairs shall:

1. Provide leadership for the Committee
2. Convene quarterly meetings to be held either in person or using video or teleconferencing technology, and obtain the necessary agency approvals to hold meetings.
3. Serve as the primary communication link between the committee and the STC ensuring the SFAC priorities are addressed and provide reports to the STC on a regular basis.
4. Serve as the primary communication link between the committee, advisor, and STC.
5. Develop and coordinate the development and implementation of an annual business plan for the Committee, which will be reviewed and approved by the Committee.

Section 4: The Vice Chair or Co-Chair shall:

1. Assist the chair in developing a meeting agenda and provide oversight for the committee meetings, leading meetings in the absence of the chair.
2. In the absence of the chair, serve as the primary communication link between the committee, advisor, and STC.
3. In the absence of the chair, develop and coordinate the development and implementation of an annual business plan for the Committee, which will be reviewed and approved by the Committee.
4. Work with the SEPMs to ensure that their agency specific reporting requirements relate to equal opportunity and SEPMs functions are being completed.

Section 5: The SEPMs shall:

1. Serve as participants on the Committee and actively participate in the quarterly meetings, either in person or using video or teleconferencing technology.
2. Develop and coordinate the implementation of an annual business plan for their emphasis group, which will be included in the Committee's annual business plan and reviewed by the Chair, Advisor and STC.

3. In collaboration with the Committee, evaluate and report on the impact of recruitment, selection, placement, promotion, awards, training, counseling, career development, mentoring, and telework policies and practices within WV.

Analyze and evaluate statistical workforce reports in areas such as workforce distribution, attrition, under representation and underutilization to identify barriers to the recruitment, employment, and advancement of their emphasis group, and recommend actions, if needed.

4. Assist field office employees in WV in developing and incorporating strategies and considerations for diversity and inclusion in recruitment efforts and program delivery.
5. Conduct awareness programs and employee training on equal employment opportunity, diversity and civil rights issues in the workplace using video, email, or teleconferencing technology as available to reach all employees.
6. Participate as directed on taskforces and in study groups that examine issues related to their emphasis groups employment concerns.
7. Serve as a communication link between Field Offices employees and national emphasis program managers maintaining employee awareness of emphasis program activities through memoranda, newsletters, workshops, and other appropriate means.
8. Performs other duties related to their emphasis group as identified by the committee and the STC as appropriate.

Section 6: At Large Members shall:

1. Serve as participants on the committee and actively participate in the quarterly meetings.
2. Serve as the primary communication link between the committee, and their respective area.
3. Assist with the development and implementation of annual business plans for the committee which will be reviewed by the committee and be approved by the STC.
4. Assist the Committee with evaluating and reporting on the impact of recruitment, selection, placement, promotion, awards, training, counseling, career development, mentoring, telework policies and practices as well as compliance with **Title VII** of the Civil Rights Act within WV NRCS.

5. Assist WV field office employees with developing and incorporating strategies and considerations for diversity and inclusion in recruitment efforts.
6. Assist with awareness programs and employee training on equal employment opportunity, diversity and civil rights issues in the workplace using video, email, or teleconferencing technology as available to reach all employees.
7. Perform other duties related to title VI as identified by the Committee.

ARTICLE VII – Voting

Section 1: Except as otherwise specifically provided by these bylaws, decisions shall be reached by a simple majority vote of the voting members at meetings in which a quorum is present. Each voting member has one vote, with the exception of the Presiding Chair who will only vote in the event of a tie. Advisors are non-voting members of the Committee.

Section 2: No voting by proxy shall be permitted.

ARTICLE VIII – Subcommittees

Section 1: Subcommittees shall be formed by the Chair in consultation with the Vice-Chair or Co-Chair when necessary to carry out the Civil Rights Committee Business Plan.

Section 2: The Subcommittee Chair shall be a Committee member and be appointed by the Presiding Chair.

Section 3: Subcommittee members shall be selected through a voluntary process where possible and otherwise appointed by the Chair in consultation with the Vice-Chair or Co-Chair. Subcommittees can be composed of Committee members and/or other NRCS employees appointed by the Chair.

ARTICLE IX – Removal of Members

Section 1: Committee members are expected to be actively engaged in the work of the Committee. Members who miss a meeting without contacting the Chair, who are not actively engaged in Committee interaction, or who do not complete assigned Committee work without cause may be removed from the Committee.

Section 2: Removal of a member for cause shall be recommended by the Committee officers and submitted to the DEOO for review and approval.

ARTICLE X – Parliamentary Authority

Section 1: The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall be used as a default in cases where a consensus cannot be achieved.

ARTICLE XI – Amendment of Bylaws

Section 1: Motions to amend these bylaws must be submitted by a voting member of the Committee to the Chair at least 30 days before the next regularly scheduled meeting.

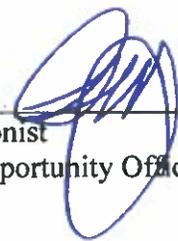
Section 2: Decisions to amend these bylaws shall require a two thirds majority of the voting members present at the meeting at which the changes are proposed.

Section 3: All amendments to these bylaws are subject to the approval of the DEOO.

These bylaws are hereby submitted to the Deputy Equal Opportunity Officer (DEOO) for approval in February 1, 2016.

DEBORAH DORSEY Digitally signed by DEBORAH DORSEY
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c=DEBORAH DORSEY,
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Date: 2016.02.01 13:53:23 -0700

Recommended:  2-1-2016
Co-Chairs Date

Approved:   2.4.2016
State Conservationist Date
Deputy Equal Opportunity Officer