

Department of Homeland Security

Delegation Number: 19000

Issue Date: 08/01/2006

# **DELEGATION TO THE DEPUTY OFFICER FOR EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS**

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## **I. Purpose**

The authorities contained in this delegation are held by the Officer for Civil Rights and Civil Liberties and are subject to the Officer for Civil Rights and Civil Liberties' direction. This delegation vests authority in the Deputy Officer for Equal Employment Opportunity (EEO) Programs to perform the functions of the Officer for Civil Rights and Civil Liberties as specified below.

## **II. Delegation**

Pursuant to the authority vested in me by the Secretary of Homeland Security to fulfill the responsibilities under Title VII of the Homeland Security Act of 2002, I hereby delegate to the Deputy Officer for EEO Programs the responsibility for:

- A. Directing the administrative processing of complaints of discrimination to ensure handling in a timely and cost-effective manner including;
1. Providing counseling for informal complaints of discrimination when requested;
  2. Accepting or dismissing formal complaints of discrimination;
  3. Conducting complete and fair investigations of accepted complaints of discrimination;
  4. Coordinating an effective Alternative Dispute Resolution Program for resolution of complaints of discrimination under 29 C.F.R. Part 1614; and
  5. Organizing and coordinating DHS personnel and budgetary resources to accomplish this purpose to extent required by existing DHS management directives.

- B. Directing the EEO program including;
  - 1. Establishing and maintaining EEO programs and initiatives with the goal of ensuring that all employment decisions are free from discrimination and the removal of barriers to free and open workplace competition;
  - 2. Fulfilling reporting requirements on behalf of DHS with the White House, Congress, and independent executive agencies when required by law, regulation or Executive Order;
  - 3. Evaluate the effectiveness of EEO programs throughout DHS and recommending appropriate improvements to the head of a component and to the Officer for Civil Rights and Civil Liberties.
- C. Directing the diversity initiative including:
  - 1. Compliance with applicable statutes, regulations, orders and other directives relating to establishing and maintaining diversity in the workforce;
  - 2. Identification and elimination of policies, practices and procedures that hinder hiring, retention and promotion solely on the basis of qualifications, including diversity training;
  - 3. Evaluation of the effectiveness of DHS' efforts to establish and maintain a diverse workforce.
- D. Taking final action on behalf of DHS:
  - 1. In all individual and class complaints of discrimination where a Final Agency Decision is elected;
  - 2. In all individual and class complaints of discrimination where a hearing before the EEOC is elected;
  - 3. In authorizing all remedial actions (including hiring or reinstatement, back pay, compensatory damages, attorney's fees and disciplinary actions for discriminatory conduct) and coordinating compliance with such actions properly ordered by the EEOC; and
  - 4. On allegations of breach of settlement agreements entered into by DHS to resolve complaints of discrimination;
- E. Performing such other duties as the Officer for Civil Rights and Civil Liberties may direct.

### III. Re-delegation

The authorities in this delegation may be re-delegated to the appropriate Component EEO Officers where such re-delegation fulfills the responsibilities of the Officer for Civil Rights and Civil Liberties and is not inconsistent with law (including rules and regulations.)

### IV. Authorities

- A. P. L. 107-296, The Homeland Security Act of 2002
- B. DHS Delegation 3095, "Delegation to the Officer for Civil Rights and Civil Liberties for Matters Involving Civil Rights, Civil Liberties and Equal Employment Opportunity"

### V. Office of Primary Interest

The offices of primary interest in this delegation are the offices and subordinate offices of: (1) the Director, Equal Employment Opportunity; (2) the Deputy Officer for EEO Programs; and (3) the Component EEO Officers.

### VI. Cancellation

This delegation supersedes Delegation 3096, "Delegation Signature Authority for the EEO Complaint Process."

  
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Daniel W. Sutherland  
Officer for Civil Rights and Civil Liberties

8-1-06  
Date