

For: State Offices and Service Centers

FSA-831 (RPT-I-00-OCR-08-1) and FSA-112 (EO)

Approved by: Acting Administrator



1 Overview

A Background

According to 18-AO, DD's shall conduct reviews for civil rights, EEO, and accessibility. Civil rights and EEO reviews are recorded on FSA-831, and deficiencies, if any, are recorded on FSA-112 (EO) for FY 2008.

B Purpose

This notice:

- advises that accessibility reviews will be conducted according to Notices AO-1397 and AO-1419
- issues revised FSA-831, which is reported as RPT-I-00-OCR-08-1, effective FY 2009 (October 1, 2008)

Note: Report submission is mandatory.

- discontinues using FSA-112 (EO) effective FY 2009 (October 1, 2008)
- requests that FSA-831 be prepared electronically online, typewritten, or handwritten

Note: If handwritten, print legibly.

- clarifies the reporting process effective FY 2009 (October 1, 2008).

These changes will be incorporated into the 18-AO revision. A copy of the revised FSA-831 is in Exhibit 1 and will be available electronically at

<http://165.221.16.90/DAM/ffasforms/forms.html>.

Disposal Date	Distribution
October 1, 2008	State Offices; State Offices relay to Service Centers

Notice AO-1420

2 Action

A Actions Required Effective FY 2009 (October 1, 2008)

Follow this table for the actions required effective FY 2009 (October 1, 2008).

Step	Action	Follow-Up Required
1	State Offices shall select one-third of Service Centers in each district each FY so that each office is reviewed every 3 years.	Yes, to ensure that Service Centers selected are reviewed.
2	DD's shall review Service Centers selected to evaluate compliance, performance, and effectiveness in the areas of civil rights and EEO.	Yes, to ensure that deficiencies have been corrected and the office is in compliance.
3	DD's shall complete RPT-I-00-OCR-08-1, which is FSA-831 (Exhibit 1).	No.
4	DD's shall: <ul style="list-style-type: none"> • transmit FSA-831 to SED's office no later than May 15 annually • provide a copy to the Service Center to maintain on file. 	Yes, State Offices shall ensure that FSA-831 is received for each office assigned for review and that each FSA-831 is complete, including signatures.
5	SED shall review and approve/disapprove FSA-831.	If "No" is annotated on FSA-831, SED shall follow-up to ensure that correction of deficiencies identified is complete.
6	After review and signature of FSA-831, SED shall submit copies of FSA-831's for all offices reviewed to OCR, by June 1 of each FY. The address is: FSA/OCR/PCIB 4121 Carmichael Road, Ste. 304 Montgomery, AL 36106.	
7	By June 1, SED shall send a memorandum only to DAFO listing the names of the offices reviewed. A copy of that memorandum will accompany FSA-831's sent to OCR, Program Complaints Inquiry Branch (PCIB).	
8	PCIB shall: <ul style="list-style-type: none"> • maintain operational files and a tracking system for these forms • analyze all data and contact SED if additional information or follow-up is required. 	
9	During the Civil Rights and EEO State Management Review process, offices will be spot-checked for compliance by OCR.	

Notice AO-1420

2 Action (Continued)

B Contact

Direct questions about this notice to either of the following:

- Carlton O'neal, Chief, OCR, PCIB at either of the following:
 - e-mail at **carlton.oneal@al.usda.gov**
 - telephone at 334-279-3601

- Sharon S. Ervin, OCR, PCIB at either of the following:
 - e-mail at **sharon.ervin@al.usda.gov**
 - telephone at 334-279-3464.

FSA-831, Checklist for Civil Rights and Equal Employment Opportunity

This form is available electronically.				
FSA-831 (06-06-08)	U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency	1. Service Center (Town and County)		
CHECKLIST FOR CIVIL RIGHTS AND EQUAL EMPLOYMENT OPPORTUNITY (RPT-I-00-OCR-08-1)		2. State		
		3. Fiscal Year Reviewed		
This form must be completed electronically on-line, typewritten, or hand-written. If hand-written, please print legibly.				
District Directors shall forward a completed FSA-831 (RPT-I-00-OCR-08-1) by May 15 to the applicable State Executive Director <ul style="list-style-type: none"> • review one-third of the offices in their district during the period October 1-May 15 (covering prior FY activities) • file a completed RPT-I-00-OCR-08-1 report using FSA-831 in the Service Center Office • if a question is not applicable (N/A), explain in Item 14, "Comments" • follow-up to ensure deficiencies are corrected. 				
State Executive Directors shall forward a completed copy by June 1 of each fiscal year <ul style="list-style-type: none"> • mail to FSA/Office of Civil Rights/PCIB, 4121 Carmichael Road, Ste. 304, Montgomery, AL 36106 • review and approve FSA-831 (RPT-I-00-OCR-08-1) forms for completion and appropriate corrective actions • forward a list of Service Centers reviewed to DAFO no later than June 1 of each fiscal year • follow up to ensure deficiencies are corrected. 				
Refer to Handbook 18-AO, paragraph 180, for further information.				
Civil Rights and Equal Employment Opportunity Requirements	Handbook Reference	Accomplished		
		YES <small>(No Action Required)</small>	NO <small>(Enter Date (MM-DD-YYYY) Deficiency to be corrected)</small>	N/A <small>(Explain in Item 14)</small>
4. CIVIL RIGHTS AND EQUAL EMPLOYMENT OPPORTUNITY RESPONSIBILITIES:				
A. Are Civil Rights and Equal Employment Opportunity responsibilities included in the CED and FLM's position descriptions?	22-PM			
B. Do all performance plans have an element that includes civil rights responsibilities?	19-PM			
C. Are employees complying with the Agency policy of not participating in organizations that negatively promote discrimination of minorities, females, and persons with disabilities?	18-AO			
D. Are the same eligibility criteria used for all program applicants including minorities, females, and persons with disabilities?	18-AO			
5. CIVIL RIGHTS AND EQUAL EMPLOYMENT OPPORTUNITY TRAINING:				
A. Have employees hired/elected within the last 12 months (including COC members, advisors, and temporaries) received all the required training on:				
(1) Civil Rights?	18-AO			
(2) Equal Employment Opportunity?	19-PM			
(3) The prevention of Sexual Harassment?	19-PM			
B. Have all other employees (including COC members, advisors, and temporaries) received all the required training within the last five years on:				
(1) Civil Rights?	18-AO			
(2) Equal Employment Opportunity?	19-PM			
(3) The prevention of Sexual Harassment?	19-PM			
C. Do all employees, except COC, have a current Individual Development Plan?	6-PM			
6. EMPLOYEE AWARENESS AND PUBLIC NOTIFICATION:				
A. Is the nondiscrimination statement included in:				
(1) Service Center newsletters?	18-AO			
(2) Program fact sheets or other program information provided to the public?	18-AO			
The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Adjudication and Compliance, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.				

FSA-831, Checklist for Civil Rights and Equal Employment Opportunity (Continued)

FSA-831 (06-06-08)		Page 2 of 4		
Civil Rights and Equal Employment Opportunity Requirements	Handbook Reference	Accomplished		
		YES (No Action Required)	NO (Enter Date (MM-DD-YYYY) Deficiency to be corrected)	N/A (Explain in Item 14)
6. EMPLOYEE AWARENESS AND PUBLIC INFORMATION, continued:				
(3) Displays used at county fairs or public meetings?	18-AO			
(4) Notices of meetings?	18-AO			
B. Is the nondiscrimination statement used the same as the one in 18-AO?	18-AO			
C. If applicable, are FSA Civil Rights and Equal Employment Opportunity success stories submitted to news outlets?	18-AO 19-PM			
D. Is the following current information displayed in a prominent office location for both employees and the public?				
(1) Policy Statement: Secretary's Civil Rights	18-AO 19-PM			
(2) Policy Statement: Administrator's Civil Rights	18-AO			
(3) Policy Statement: Administrator's EEO and Diversity	19-PM			
(4) Policy Statement: Administrator's Harassment	18-AO			
(5) Policy Statement: Administrator's Prevention of Sexual Harassment	19-PM			
(6) Policy Statement: Administrator's Reprisal and Retaliation	18-AO 19-PM			
(7) Policy Statement: Administrator's Civil Rights Accountability Policy and Procedures Statement				
(8) EEO Counselor Map, MP-52	19-PM			
(9) Poster: And Justice for All, AD-475A	18-AO 19-PM			
(10) Poster: Sexual Harassment Is Illegal, AD-1085	19-PM			
(11) Poster: Equal Employment Opportunity is the Law, AD-1181	19-PM			
(12) Poster: USDA Hotline	9-AO 18-AO 19-PM			
(13) Poster: FSA Helpline Poster				
(14) Special Emphasis Program Manager name and telephone number	19-PM			
E. Is the reasonable accommodation statement included in notices advertising FSA-sponsored events and activities (i.e. meetings, training, etc.)	19-PM			
F. Has the Service Center developed informational materials to meet the needs of bilingual producers, if required?	18-AO			
G. Has the County Committee determined and recorded in COC minutes, whether or not there is a need for bilingual staffing or assistance?	18-AO			
H. Does documentation on the Web-based election, outreach, and public meetings reports reflect outreach efforts to groups representing minorities, females, and persons with disabilities?	15-AO 18-AO			
I. Has FSA program and employment information been disseminated to actual and potential program participants and employees, particularly to minorities, females, and persons with disabilities through:				
(1) News articles?	18-AO 19-PM			
(2) Service Center newsletters?	18-AO 19-PM			
(3) Individual letters to producers?	18-AO			
(4) Organizations representing minorities, females, and persons with disabilities (grassroots organizations)?	18-AO 19-PM			
(5) Community meetings to explain program changes to producers?	18-AO			
(6) Community leaders?	18-AO 19-PM			
(7) Use of minority and female group news media or outlets?	18-AO 19-PM			

FSA-831, Checklist for Civil Rights and Equal Employment Opportunity (Continued)

FSA-831 (06-06-08)		Page 3 of 4		
Civil Rights and Equal Employment Opportunity Requirements	Handbook Reference	Accomplished		
		YES (No Action Required)	NO (Enter Date (MM-DD-YYYY) Deficiency to be corrected)	N/A (Explain in Item 14)
J. Are employees aware of the Special Emphasis Program initiatives and activities of the State Office?	19-PM			
7. DATA COLLECTION:				
A. Have the Web-based Election, Outreach, and Public Meetings Reports been prepared according to instructions?	15-AO 18-AO			
B. Does documentation on file support the numbers?	15-AO 18-AO			
C. Does the participation data on the Web-based Election Reports reflect that minorities and females are participating in COC elections?	15-AO 18-AO			
D. Are the Web-based Election, Outreach, and Public Meetings Reports retained in the Service Center for three years after the end of the election year?	25-AS 18-AO			
E. Are race and sex codes for producers entered correctly in the master name and address file?	1-CM			
8. RECORDS:				
A. Are the Civil Rights files established as required and updated to include directives, bulletins, policy statements, memorandums, complaints, reviews, reports, etc.?	25-AS 18-AO			
B. Are the Equal Employment Opportunity files established as required and updated to include Equal Employment Opportunity materials, i.e., policy statements, counseling, and Special Emphasis Program information?	25-AS 19-PM			
C. What is the most recent revision and amendment on file for handbooks? 18-AO _____ 19-PM _____	18-AO 19-PM			
D. Is EEOC Form 715-01, Federal Agency Annual EEO Program Status Report, prepared by FSA OCR, on file in EEO-5?	19-PM			
E. Is it readily available to employees?				
9. CIVIL RIGHTS DISCRIMINATION COMPLAINTS:				
A. Do all employees know all the bases for which a civil rights discrimination complaint can be filed?	18-AO			
B. Do all employees know how to accept and process a civil rights discrimination complaint?	18-AO			
10. COUNSELING, MEDIATION, AND EQUAL EMPLOYMENT OPPORTUNITY COMPLAINTS:				
A. Do all employees understand the Equal Employment Opportunity counseling and complaint processes?	19-PM			
B. Do all employees know all the bases for which an Equal Employment Opportunity Complaint can be filed?	19-PM			
C. Do all employees know the process for filing an EEO complaint?	19-PM			
11. RECRUITMENT:				
A. Was the "Equal Employment Opportunity" nondiscrimination statement included in all vacancy announcements during the last three years?	19-PM			
B. Are announcements of vacancies advertised locally in available sources?	19-PM			
C. Are minority and female news media used, if available?	19-PM			
D. Have organizations for minorities, females, and individuals with disabilities been identified and contacted?	19-PM			
E. Was a memo sent to the SED certifying that "every effort was made in the recruitment process to locate and solicit applications from minorities, women, and persons with disabilities" for each vacancy? (NOTE: This is for CO recruitment only).	27-PM			
F. Do you recruit at:				
(1) Land Grant colleges and universities (both 1862 and 1890), if applicable?	19-PM			
(2) High schools?	19-PM			
(3) Rehabilitation centers?	19-PM			

FSA-831, Checklist for Civil Rights and Equal Employment Opportunity (Continued)

FSA-831 (06-06-08)		Page 4 of 4		
Civil Rights and Equal Employment Opportunity Requirements	Handbook Reference	Accomplished		
		YES (No Action Required)	NO (Enter Date (MM-DD-YYYY) Deficiency to be corrected)	N/A (Explain in Item 14)
11. RECRUITMENT (Continued):				
(4) Historically Black colleges, and universities, if applicable?	19-PM			
(5) Hispanic Association of Colleges and Universities, if applicable?	19-PM			
(6) Asian American and/or Pacific Islander schools, if applicable?	19-PM			
(7) Native American schools, if applicable?	19-PM			
12. COUNTY COMMITTEE ELECTIONS:				
A. Did the COC review the LAA boundaries prior to the LAA election and document this review in the COC minutes?	15-AO			
B. Did the COC post public notice (drawing and descriptions) about LAA boundaries at the local post office, in Service Center newsletters, and in newspapers of general circulation in the county?	15-AO			
C. Did the COC review the applicable eligible voters list prior to each LAA election and document this review in the COC minutes?	15-AO			
D. Did the COC disseminate election materials to all eligible voters?	15-AO			
E. If no nominating petitions were obtained, did the COC provide notification to the Secretary through the STO through DAFO?	15-AO			
F. Was a member of under-represented producers in the jurisdiction appointed as a COC Advisor if there was no minority or female representation on the Committee?	15-AO			
13. ACCESSIBILITY:				
A. Are all interior accessible routes/areas free from obstructions (not blocked by file cabinets, plants, displays, or other items)?	ABAAS ¹			
B. Are all exterior accessible parking spaces and accessible routes level and free from obstruction (no protruding cracked cement or asphalt, no debris on parking spaces, no shrubs blocking pathways, etc.)?	ABAAS			
C. Are all International Symbols of Accessibility well maintained and easily read, both interior and exterior?	ABAAS			
14. COMMENTS (Include a brief description summarizing the total evaluation of the review of the Service Center.)				
<p>NOTE: The compliance evaluation is guided by the fact that IF IT'S NOT DOCUMENTED, IT HASN'T BEEN DONE.</p>				
14. Print DD's Name	15. DD's Signature		16. Date (MM-DD-YYYY)	
17. Print SED's Name	18. SED's Signature		19. Date (MM-DD-YYYY)	
<p>¹ Architectural Barriers Act Accessibility Standards (ABAAS). Can be found at www.access-board.gov/ada-aba/final.htm</p>				