

Article 56: Diversity, Equity, Inclusion and Accessibility

Section 1. Introduction

- A. The principles set forth in this Article will be integrated across and deep throughout the Agency. The Agency and Union affirm the importance of advancing equity, civil rights, racial justice, and equal opportunity for all employees, while maximizing the diverse talents, skills, and experiences of the EPA community to achieve EPA's mission to protect human health and the environment through a sustained, equitable, and inclusive culture.
- B. The parties will treat each other and employees with dignity and respect. Accordingly, the Agency will endeavor to strengthen its ability to recruit, hire, develop, and retain our Agency's talent, and to remove barriers to equal opportunity. The Agency will work toward a workforce that reflects the diversity of the American people, while adhering to Merit System Principles. A growing body of evidence demonstrates that diverse, equitable, inclusive, and accessible workplaces yield higher-performing organizations.
- C. The Agency's recruitment efforts will include a focus on creating diverse applicant pools. The Agency will conduct outreach efforts which may include but are not limited to:
- i. Reaching out to underrepresented and underserved communities; including minority-serving institutions (HBCUs, HSIs, etc.);
 - ii. Conducting outreach and recruitment efforts to members of underrepresented and diverse communities; The Agency will support applicants' accessibility needs through the Reasonable Accommodation process.
 - iii. Leveraging special hiring authorities, such as Federal internship programs, including Pathways Internship Program, to provide entry-level career development opportunities to students and recent graduates and Schedule A Hiring Authority for persons with disabilities.
 - iv. Special Emphasis Program Managers and Union representatives are encouraged to set up automatic USAJobs notifications of recruitment and hiring activities.
- D. The Agency will follow Merit System Principles and practice equitable hiring, meaning:
- i. Recruitment should be from qualified individuals from appropriate sources in an endeavor to achieve a work force from all segments of society, and selection and advancement should be determined solely on the basis of relative ability, knowledge, and skills, after fair and open competition which assures that all receive equal opportunity.
 - ii. All employees and applicants for employment should receive fair and equitable treatment in all aspects of personnel management without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or handicapping condition, and with proper regard for their privacy and constitutional rights.
 - iii. If interviews occur, hiring managers are encouraged to use structured interviews and consider unconscious bias in the development of interview questions.

Section 2.

The Agency will publish its DEIA Strategic Plan on the intranet.

- A. Annually, the Agency agrees to provide a briefing on applicant flow data to the Union.
- B. The Agency will provide an equitable, accessible, and inclusive environment for employees with disabilities. The Agency will implement the Federal Government's initiatives to provide people with disabilities equal employment opportunities and take affirmative actions within the Agency to ensure full compliance with applicable laws including Sections 501, 504, and 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 791, 794, 794d).
- C. The Agency will not tolerate discrimination based on protected class.
- D. Employees will not be subject to discrimination based on their sexual orientation, gender identity or gender expression. The Agency will foster a workplace that is an inclusive and respectful environment that invites participation from all people. There will be no tolerance of discrimination, including harassment, based on sex (including pregnancy, sex stereotyping, gender identity, gender expression or transgender status) or sexual orientation. The Agency will foster an environment that recognizes the inherent worth and dignity of every person and group, and embraces diversity, understanding, and mutual respect.
- E. Where current space allows for designation of a restroom as gender-neutral (i.e., adding a sign) and where such designation would not adversely impact employees' access to restrooms if they have disabilities, the Agency will designate a gender neutral restroom. As there are changes in office buildings, the Agency will continue to explore options for providing and designating additional gender-neutral restrooms.

Section 3. DEIA Reporting and Accountability.

A. Reporting. The Agency will continue to collect all information to support the operation of the EPA Diversity Dashboard (and any successor) and applicant flow data. The Agency will update the Diversity Dashboard monthly. Access to the Diversity Dashboard will be available to all employees.

B. The Agency agrees to provide ESC the following:

- 1. Annually, the Agency will provide the Union a copy of the MD-715 report and a briefing explaining the report. To the extent the OCR state of EEO presentation includes Region 9 data/information, OCR will share this as part of this briefing to the Union.

C. The Agency is planning to create a Chief Diversity Office (CDO), per the government- wide DEIA strategic plan and the Agency's DEIA Strategic Plan. The CDO will be responsible for implementing the Agency Plan's strategic actions.

D. Once the CDO is in place, the Agency will notify the Union and initiate discussions regarding union membership on an applicable DEIA Executive Committee.

Section 4. Training.

A. The Agency will maintain DEIA self-paced trainings and webinars in its learning management system that are available to all staff (e.g., workplace harassment, conflict resolution, understanding of implicit and unconscious bias).

B. The Agency will survey the AAships and Regions and review Fed Talent offerings to compile existing interactive DEIA learning activities. The Agency will then produce a list of interactive training addressing DEIA topics to be shared with Agency employees.

Section 5. Pay Equity.

The Agency will follow OPM pay administration. The implementation of Government- wide regulations and guidance to address pay inequities and advance equal pay among agency employees may be subject to negotiations in accordance with the Midterm Article.

FOR ESC:

FOR EPA: