

THE WOMEN IN LAW ENFORCEMENT TASK FORCE REPORT

OVERVIEW

The Women in Law Enforcement Task Force (WLET) was appointed by Director Stanton in November 1999 for the purpose of looking into issues concerning women with law enforcement commissions in the *025 park ranger series*, the *1811 criminal investigator series*, and the *083 park police officer series*. This report relates to our findings, specifically the problem issues identified and the action items developed to mitigate or correct them. These action items are recommended for implementation via a *five-year action plan* designed to counter current and past effects of gender bias, sexual harassment, and hostile work environment within the NPS law enforcement program. The target completion date for the action plan is October 1, 2005.

The WLET has met twice. The first meeting was in Phoenix, AZ for three days during the week of March 13, 2000, and the second meeting was in Washington, DC for an additional three days during the week of June 3, 2000. During the time we have been a task force, we have reviewed a great deal of pertinent information. Some of this information originated from within the NPS. Through surveys of commissioned National Park Service (NPS) and U.S. Park Police (USPP) women, Superintendents, and Chief Rangers, the WLET was able to assess how these employees viewed the role of women in our law enforcement programs. Other information was provided by outside sources such as the National Center for Women and Policing and the Massachusetts Institute of Technology (refer to the attached bibliography). A presentation on the class action lawsuit and resulting consent decree against the U. S. Department of Agriculture, Forest Service (USDA FS), Southwest Region was an additional, key component of this latter aspect of our review.

SUMMARY OF FINDINGS

Federal Law Enforcement Training Center (FLETC) records indicate 469 women completed the NPS basic law enforcement for land management program between 1977 and 1999. This is 20% of the total NPS trainees (does not include USPP trainee data but does include NPS women now in special agent positions). The current percentage for NPS women in law enforcement park ranger and special agent positions combined is 16.3%. Not only does this show little change in twenty years, it indicates an inability to retain women in these positions. The International Association of Chiefs of Police (IACP) identifies organizational culture as a significant obstacle in the retention of women and minorities that is not readily overcome in organizations where they have been traditionally absent. Their related course presentations state

organizational culture is difficult to change until underrepresented groups achieve representation in the 20-25% range. Similarly, the NPS Strategic Plan (goal IV.a.4) calls for a 25% increase in nine targeted series by 2005 so as to increase the servicewide representation of underrepresented groups. The 025 park ranger and 083 police officer series are among these targeted occupations.

The consulting firm Lighthouse Associates conducted the surveys and focus groups studies for the NPS and USPP. Per industry standards regarding such research, negative responses from 25% or more of the respondents indicate an organization in crisis. Notable on its face was the dramatic difference in responses from employees v. Superintendents and Chief Rangers, an indicator that NPS managers lack understanding of the concerns of women working in the law enforcement programs under their supervision. The five most negative categories of response by NPS women (and all well in excess of the 25% standard) were: recruitment, retaliation, timely resolution of complaints, promotions, and training in EEO type matters such as sexual harassment and diversity. Survey results by USPP women were also generally unfavorable and indicate the USPP work environment needs significant improvement as well. Together, these responses are alarming indicators that systemic disparate treatment of women, including sexual harassment, does exist in both the NPS and USPP law enforcement programs.

While there is no comparable study on the numbers of women working as Federal law enforcement officers, the WLET did review the 1999 study of state, county, and local agencies by the National Center For Women In Policing which showed women represented 14% of sworn officers. The NPS is slightly above this average (16.4%) in the number of women in law enforcement park ranger positions. However, we were well below average in the representation of women in park police officer (8.8%) and special agent (9.3%) positions. Additionally, when we reviewed law enforcement program data available at the park level, we found that women were often found only in the lower grades or absent altogether. Improvement is needed. Given our reputation for excellence and innovation in visitor and resource protection, we believe strongly that the NPS should lead in career opportunities for women and not settle for the unimpressive record of more traditional (law enforcement) organizations.

THE ISSUES

1. Accountability.
2. Hostile Work Environment.
3. Recruitment/Retention/Promotions.

4. EEO Complaint Processing/Program.
5. Data Collection/Monitoring.

FIVE-YEAR ACTION PLAN

1. ACCOUNTABILITY:

Issue a memorandum from the Director to retain the delegation for processing informal complaints with the NPS EEO Program Manager in WASO for a period of two years. Implement immediately, effective dates 10-01-00 through 09-30-02. The NPS EEO Program Manager is the responsible official for preparing the memorandum for the Director's signature and for developing SOPs governing this timeframe.

Identify NPS law enforcement park rangers, special agents and USPP officers and investigators trained in EEO investigations and determine their current availability for conducting such investigations in a structured internal affairs program in cooperation with the NPS EEO Program Office. The NPS EEO Program Manager is the responsible official for making certain that investigative assignments avoid any appearance of conflicts of interest. The Superintendent, NPS-FLETC, the Captain, USPP-FLETC, and the NPS EEO Program Manager are the responsible officials for determining training status and conducting EEO Investigations courses so that a minimum of 24 EEO Investigators are available for case assignment by the NPS EEO Program and/or Regional EEO Managers. These investigators should be available by January 31, 2002 with new investigators recruited and trained as needed so the number available remains constant at a minimum of 24 (the size of the program when originally established). The Director is the responsible official for funding training and expenses associated with conducting investigations.

Issue a memorandum from the Director announcing an independent review of all NPS and USPP gender discrimination and sexual harassment cases (including Internal Affairs cases) from 1993 – 1999. The review will document: (1) the number and time frame of cases pending investigation, (2) the number and time frame of investigated cases pending disciplinary action, (3) a summary, including time frame, of any actions taken to "make a person whole", and (4) the basis for any/all final decisions not to investigate or take action in a timely manner. The review will begin with cases that were on record as of 1993 so that recent history is addressed. Since the enhanced annuity retirement (6c) coverage was implemented in 1994, this time period simplifies the identification of cases involving law enforcement park rangers. Initiate pending disciplinary action no later than 11-30-00. The NPS EEO Program Manager is the

responsible official for contracting with an independent investigator to be the team leader for the review. The Director is the responsible official and signature authority for all discipline. The NPS Human Resources Program Manager is the responsible official for oversight for all disciplinary actions as to appropriateness and to insure actions are comparable servicewide. A (sanitized) summary of the results of this review is to be available to all employees via posting on the EEO web site no later than 06-30-01.

Implement all pending strategies to "Ensure Accountability at the Secretarial and Bureau Levels for Improving Diversity" as described in the 1998 NPS Diversity Action Plan. The responsible officials are the Director, Deputy Directors, and the NPS EEO Program Manager. A status report on the achievement of each of these strategies will be displayed on the EEO web site described herein.

Post the WLET final report and related NPS and USPP gender studies on the cc:mail Learning Place Bulletin Board. Announce the web site posting through electronic mail to all employees. Post other supporting documents (or their internet addresses if already posted elsewhere) listed in the bibliography or attached as appendices such as the Haskell Diversity Document, NPS Diversity Action Plan, etc. To be accomplished no later than 08-31-00. The WLET co-chairs are the responsible officials for preparing the "all employees" memorandum for the Director's signature and coordinating the posting with the NPS-WASO Learning Place Bulletin Board manager.

Assign one of the WLET co-chairs as a monitor to track implementation of the *five-year action plan* and make written progress reports to the Director at six month intervals. To be effective upon the Director's approval of the five-year action plan through its completion date (targeted for 10-01-05). The Director will be the responsible official for funding expenses associated with program monitoring.

JUSTIFICATION:

A lack of accountability has been identified repeatedly by departmental and agency officials, in regard to a variety of agency projects and programs, as the most significant problem facing the NPS today. The WLET also identified the accountability problem as the most significant obstacle in the way of accomplishing recommendations made. Director's Order #54 defines management accountability as **"the expectation that managers are responsible for the quality and timeliness of program performance, increasing productivity, controlling costs and mitigating adverse aspects, and assuring that programs are managed with integrity and in compliance with applicable law."** We think accountability needs to be greater than an

“expectation”; it needs to be a requirement.

Accountability has proven particularly elusive as it relates to a stated policy of zero tolerance of sexual harassment. This remains so in spite of the statement made by the Director and the NLC in the April 1999 NPS Haskell Diversity Document (in their response to question 54) that **“we do not tolerate sexual harassment when we are made aware of its existence.”** The NPS EEO Program Manager told the WLET that **“disciplinary action was taken in less than 10% of the cases”** (cases where there was a finding of harassment and/or discrimination subsequent to an investigation). In the NPS Women in Law Enforcement Study, 68% of the NPS female officer respondents said the NPS was either poor (37%) or so-so (31%) at enforcing its zero tolerance policy. In the USPP Gender Equity Study, 86% of the female officers responding said the USPP was either poor (63%) or so-so (23%) at enforcing its zero tolerance policy.

In narrative remarks, these NPS and USPP study respondents also stated they feared reporting incidents of harassment and/or discrimination because when the offending employee is in a higher graded position, the official is, at best, moved and more often promoted. In contrast, they believed the complainant would be labeled a “trouble-maker” and their career ruined. 78% of the NPS officers responding rated the NPS as poor (44%) or so-so (34%) in its effectiveness on no retaliation because of complaints; 91% of the USPP officers responding rated the USPP as poor (69%) or so-so (22%) in its effectiveness on no retaliation because of complaints.

It is necessary to take the responsibility and authority for disciplinary actions pursuant to EEO and related Internal Affairs investigations away from NPS and USPP Regional and command officials to send a strong message to all employees that there will be discipline of consequence for employees who commit discriminatory and/or harassing acts. Doing so will also assure fairness and consistency in the administration of discipline. We believe by acting now on cases already investigated, and where there are no statutory or regulatory constraints that prohibit doing so, NPS and USPP managers demonstrate that their zero tolerance policies apply equally to all employees.

The WLET supports the strategies described in the 1998 NPS Diversity Action Plan to “Ensure Accountability at the Secretarial and Bureau Levels for Improving Diversity” (Goal 3). SES Managers’ success in achieving this goal will be measured based on their actual record v. their opportunities to hire, promote, retain, train, and develop diverse applicants or employees. For a positive contribution to the recruitment, retention, and promotion of women in law enforcement to actually result, the NPS needs to make certain such opportunities exist. Implementation of recruitment and mentoring programs to create better opportunities for women and other underrepresented groups in our

agency's law enforcement programs are critical if this measurement of success is to have any impact in actually addressing the lack of diversity in our law enforcement occupations.

With regard to displaying EEO information on a web site, posted statistics and sanitized case studies will help restore our employees "good faith" in the EEO process. This restoration of faith is needed both from the perspective of those who fear being unfairly disciplined as well as from the perspective of those who believe there are no consequences for bad behavior (particularly at the higher grade levels). EEO web site data will provide all employees with factual information on the outcomes of complaints in terms of the process (requirements and time frames), actions taken or not taken based on completed investigations, and the grade/organizational status of disciplined or exonerated employees. The WLET believes that a data based approach can protect confidentiality and still lift the veil covering the agency's problems and progress in addressing this most critical issue.

2. HOSTILE WORK ENVIRONMENT:

Install an EEO hotline for reporting unlawful harassment for NPS/USPP employees. The purpose of the hotline is to provide a means of immediately reporting incidents when the complainant has concerns about initiating the EEO process at the local level. Sexual harassment and creating a hostile work environment due to gender/sex are employee misconduct. Consideration should be given to responding to hotline reports as matters of misconduct, so such reports can be investigated immediately whether or not a complaint is filed. USDA FS EEO hotline personnel should be used as a resource in designing the NPS/USPP system. The NPS EEO Program Manager is the responsible official, to be operational no later than 10-01-00. Investigations must commence within 10 days from the date of the hotline contact with all expenses borne by the benefiting account. Upon receipt of the Report of Investigation, the NPS EEO Program Manager will chair, within 30 days, a Review Panel to examine the report and make recommendations for action to the Director within two weeks of their review. The Review Panel will consist of the EEO Program Manager, a management official at the regional level, and, from another bureau or office within the Department, a subject matter expert in the career field of the complainant. All allegations of misconduct involving NPS or USPP law enforcement officers must be reported immediately as required by the Director's Orders/General Orders governing their law enforcement programs.

Issue a memorandum from the Director requiring agency (park, Regional, WASO) EEO Managers to strictly adhere to EEOC guidelines regarding complaint processing. The NPS EEO Program Manager is the responsible official for preparing the memorandum for the Director's signature, to be

distributed to all employees no later than 10-31-00.

Issue a memorandum from the Director requiring the NPS EEO Program Manager to notify the Director within 30 days when corrective action is not implemented within two weeks after issuance of finding and when discipline does not occur within 45 days after corrective action is ordered. The NPS EEO Program Manager is the responsible official for preparing the memorandum for the Director's signature, to be distributed to all employees no later than 10-31-00.

Issue a memorandum from the Director requiring the NPS EEO Program Manager to inform the Director within 30 days of the ending of the 180 day period following the filing of a formal complaint when an investigation has not been initiated or completed. This notice should be in writing and explain why the investigation has not been conducted according to EEOC guidelines. The NPS EEO Program Manager is the responsible official for preparing the memorandum for the Director's signature, to be distributed to all employees no later than 10-31-00.

JUSTIFICATION:

A hostile work environment is the worst presentation of an organizational culture. The April 1999 NPS Haskell Diversity Document in response to the question (156) about why the NPS is having a harder time with diversity than other federal agencies and private corporations, states **"Diversity requires a change in our culture and many of our employees appear reluctant to change."** The response to the question (161) asking NPS leaders what they believe are the root causes for the NPS's lack of diversity states **"Reluctance to changing the way we do our recruitment, hiring, and development of employees. A reluctance to change our culture and become a catalyst for change."** The correlation of organizational culture and diversity is undeniable and described in presentations by the IACP in their courses on "Mentoring for the Retention of Women and Minority Public Safety Personnel" and "Harassment, Discrimination, and Liability" developed for their law enforcement agency membership.

In the responses to the NPS Women in Law Enforcement Study and the USPP Gender Equity Study, it is evident that many of our women are working in such an environment. 52% of the NPS women and 76% of the USPP women stated they had personally experienced sexual harassment while an employee of the NPS. 63% of the NPS women and 71% of the USPP women stated they had personally experienced gender discrimination while an NPS employee. 77% of the NPS women and 83% of the USPP women said they knew of other people who had experienced sexual harassment or gender discrimination while an NPS

employee. Comparatively, the study conducted by the MSPB in 1994 reported that 44% of women in the federal government believe they had experienced some form of unwanted sexual attention. We are greatly concerned that the findings in the NPS and USPP studies are far above this national average.

Narrative comments related to the issue of hostile work environment varied most among the NPS respondents (v. USPP respondents). The mixed positive and negative experiences of NPS women seem directly related to the particular park and supervisory settings of their assignments as well as the greater number of possible locations for these assignments. As a smaller work force with fewer geographic locations, the negative aspects of the USPP organizational culture were generally unavoidable for their female officers.

The WLET believes it is critical for the NPS to show a sense of urgency in ensuring that all employees are working in an environment free from unlawful harassment. Currently, there is a class action complaint, filed in Federal District Court, which is on behalf of women in NPS and USPP law enforcement positions. As a result, the practices and procedures of the NPS are being closely examined. The law is clear in cases of sexual harassment in stating that an organization must promptly investigate allegations and take immediate action to stop such harassment when it is found. As stated in the 1998 NPS Diversity Action Plan (Goal 5, Objective A.3 & .4), the NPS needs to follow the legal requirements for implementing corrective actions swiftly when findings of discrimination occur and for disciplining perpetrators of discrimination in accordance with applicable regulations.

Policy statements (i.e., zero tolerance, etc.) are required to demonstrate that employees have been notified that unlawful harassment will not be tolerated within the organization. However, policy statements by themselves do not show urgency in addressing problems identified. The establishment of a hotline combined with an independent review of all NPS and USPP gender discrimination and sexual harassment cases is necessary to restore confidence in the agency's ability to respond expediently and consistently to reports of harassment and hostile work environment within the NPS.

3. RECRUITMENT/RETENTION/PROMOTIONS:

Implement all pending USPP Women's Task Force recommendations as stated in the February 2000 Gender Study Matrix. Particularly important are the recommendations that support achieving gender balance (within the ranks and specialized assignments) and establish (fund) the Office of Professional Integrity (OPI). *The OPI shall be funded and operational no later than 10-30-00. The responsible official for funding is the Director. The responsible official for implementation is the Chief of Police, USPP. The OPI will coordinate with the*

WLET co-chair monitor to prepare reports for the Director at six month intervals on the progress of the USPP in achieving pending recommendations. The mentoring program proposal should be submitted to the Director no later than 12-31-01 and be operational no later than 12-31-02. The USPP Police Recruiting Supervisor, as described in the USPP Gender Study Matrix, will coordinate with the OPI to develop recruitment strategies. Underrepresentation of women in all ranks and specialized assignments is to be eliminated by 10-01-05. Underrepresentation will be measured per the criteria used in the NPS Strategic and Diversity Action Plans and as established by EEOC Management Directives.

Contract with an outside consultant to prepare an NPS Retention and Employee Satisfaction Study for law enforcement park ranger and special agent positions to complement research done on behalf of the USPP in December 1998. The NPS EEO Program Manager is the responsible official. Study is to be completed no later than 09-30-01.

Explore implementation of financial and workplace incentives to encourage recruitment and retention of NPS and USPP women and other underrepresented employees in the 025 law enforcement park ranger, 1811 criminal investigator, and 083 park police officer job series. A review of requirements and/or restrictions for implementing incentives such as quality step increases (QSI), "enlistment bonuses", job sharing, NPS subsidized daycare for remote areas, retention allowances, and alternative work schedules is necessary so that recruitment or retention plans developed offer new ideas for improving the diversity of the NPS law enforcement workforce. The NPS Human Resources Program Manager is the responsible official for preparing a "needs assessment" for NPS/USPP areas servicerwide and for completing a comprehensive report that identifies incentives legally available and regulations governing implementation. The NPS Human Resources Program Manager is the responsible official for submitting the report to the Director no later than 10-01-01. The Director is the responsible official for funding incentives implemented. The needs assessment should anticipate supplemental law enforcement staffing so parks and field offices can support non-traditional schedules for law enforcement officers having greater responsibilities in child and elder care without compromising the safety of officers or agency patrol and investigative programs.

Fund/Hire a full time NPS law enforcement recruiter, who is a current, active NPS law enforcement officer. The position will require a commission, and the recruiter selected must have significant experience as a NPS law enforcement park ranger. This should be a new/additional position, which will be responsible for the development and coordination of a national recruitment program. The Director is the responsible official for funding this position effective 10-01-00. The Superintendent, NPS-FLETC is the responsible official for recruiting/hiring

the position no later than 12-31-00.

Implement national recruitment and hiring programs ("front door") for NPS law enforcement park ranger and special agent positions. The NPS law enforcement recruiter described herein, the NPS Human Resources Manager, and the NPS EEO Program Manager are the responsible officials. Recruitment program proposal to be submitted to the Director no later than 12-31-01 (assuming incumbent EOD is no later than 12-31-00). Program should be operational no later than 12-31-01. Underrepresentation of women in the law enforcement park ranger and special agent positions in all grades and specialized assignments to be eliminated by 10-01-05. Underrepresentation will be measured per the criteria used in NPS Strategic and Diversity Action Plans and as established by EEOC Management Directives.

Issue a memorandum from the Director requiring all law enforcement series vacancies to be filled competitively for a period of two years. Require vacancies be announced in an upward mobility or career ladder format of at least a two grade intervals (i.e. GS-11/12 v. GS-12 only). Require review of promotions resulting from re-classification of positions due to an "accretion of duties" before such actions are implemented non-competitively. The review team will consist of the Regional NPS EEO Program Manager and a second classifier not directly associated with the selection. The immediate supervisor will submit a written justification for the accretion of duties to the review team that explains why competitive recruitment should not be done. This review is needed to assure consistency in promotions achieved by position re-classification and to guard against this promotion practice becoming a barrier to advancement per the 1998 NPS Diversity Action Plan (Goal 2, Objective A.4). The NPS Human Resources Program Manager is the responsible official for preparing the memorandum for the Director's signature no later than 10-01-00.

Develop and implement a national mentoring program for women and other underrepresented groups in the NPS and USPP law enforcement programs. The Superintendent, NPS-FLETC and the Chief, USPP are the responsible officials for developing and implementing mentoring programs for law enforcement park rangers, special agents, and park police officers. Mentoring program proposals should be submitted to the Director no later than 12-31-01 and be operational no later than 12-31-02. Underrepresentation will be measured per the criteria used in the NPS Strategic and Diversity Action Plans and as established by EEOC Management Directives.

Develop and implement an agency-wide "scholarship" program for NPS and USPP female officers to regularly attend national conferences of organizations that bring together women in law enforcement and support the role women play in the profession. Such organizations include the National Center for Women and Policing, the National Association of Women

Law Enforcement Executives, the International Association of Women Police, and Women in Federal Law Enforcement (WIFLE). Funding should support annual attendance at these conferences by no less than two women from each NPS Region and USPP Field Office. The Director is the responsible official for funding. The NPS Human Resources Program Manager is the responsible official for announcing the program, publishing information on upcoming conferences, and selecting attendees. Both the NPS Morning Report and the Learning Page Bulletin Board should be used to promote attendance at upcoming conferences. The program is to be on-line no later than 12-31-00.

Develop and implement a placement program for women in NPS and USPP law enforcement positions. The program should be modeled after Operation Opportunity which was used to assist employees relocate when central office staffs were "down-sized." It should not exclude new external hires (areas of consideration could be "all sources, government-wide, and/or demonstration project"). Women with Federal employee status could apply specifically to the program, and the program would provide lists to hiring officials, allowing the hiring official to bypass the usual certification process or use both processes. The purpose is to organize a defined pool of women candidates expressing a particular interest or background in a law enforcement career. The NPS Chief of Human Resources is the responsible official developing the program and evaluating it over time. The program is to be on-line no later than 10-01-01.

Fund a mandatory training program so that all NPS and USPP law enforcement officers, supervisors, superintendents, and regional directors attend the IACP courses "Harassment, Discrimination, and Liability" and "Mentoring for the Retention of Women and Minority Public Safety Personnel." Other courses on these topics identified by the Superintendent, NPS-FLETC as similarly targeting the law enforcement workforce may be substituted. The Director is the responsible official for funding the training annually so that all current supervisors and managers of law enforcement programs complete the training by 09-30-04 and so that all first-time supervisors and managers attend it within two years of their EOD date. The Superintendent, NPS-FLETC is the responsible official for coordinating the training and preparing a memorandum for the Director's signature as to the mandatory attendance requirement.

Implement an Exit Interview Program for separating USPP and NPS law enforcement officers. The program should include employees who remain in the NPS in non-commissioned positions. Regardless of gender, employees leaving law enforcement positions should be asked to complete a survey form (from the USPP Gender Equity Study or the NPS Women in Law Enforcement Study as appropriate) as part of this program. The tone of the interview should be constructive with a stated purpose of improving law enforcement recruitment and retention, improving the effectiveness of the EEO Program, and supporting

the 1998 NPS Diversity Action Plan strategy to conduct retention analyses (Goal 2, Objective B.1). The NPS Human Resources Program Manager is the responsible official for giving notice to the NPS EEO Program Manager of pending separations (or reassignments) from law enforcement positions. The NPS EEO Program Manager is the responsible official for developing and coordinating the program, to be implemented no later than 12-31-01. The agency recruiters described herein are the responsible officials for conducting the interviews within their respective organizations.

JUSTIFICATION:

The WLET believes the issues of **recruitment, retention, and promotions** are inseparable. The April 1999 NPS Haskell Diversity Document states in response to the question (32) concerning the agency's commitment to recruitment v. retention that **"we are doing a fair job of hiring women and minorities but we are not doing a good job in retaining our employees."** It also refers to a 1983 survey which is to be the foundation for the development of **"a new survey instrument to ascertain why employees, especially minorities and women are leaving at such a high rate."** The law enforcement recruiters described herein should be part of the team working with Dr. Gary Machlis and the Equal Opportunity Program Manager to develop, implement, and respond to the survey.

In the response to NPS Haskell Diversity Document questions (151 and 186) about which occupations lack diversity, the 025 park ranger and 083 park police series are identified as two of the nine occupations within the NPS needing greatest improvement in diversity. The response to a related question (206) states **"when we look at the occupations that lead to GS-12 and above, we find that women of all colors are the most underrepresented in the NPS workforce."** And, most significantly, the response to question 218 states **"The 025-Park Ranger occupational series has the highest underrepresentation rate of any occupational series in the Department of the Interior."**

The 1998 NPS Diversity Action Plan directs EEO and Human Resource Managers to design action items to decrease voluntary separations of diverse groups (Goal 2, Objective B.2). Recruitment and retention incentives should be used by NPS and USPP managers and supervisors as a means to accomplish this goal. The NPS Retention and Employee Satisfaction Study recommended herein will help determine which incentives are most likely to have positive results in the recruitment and retention of women and other underrepresented groups by assisting them in overcoming barriers to having a law enforcement career in the NPS. Incentives need to be creative and visionary if we are to achieve a diverse workforce. Specifically, the agency needs to demonstrate a willingness to recognize the value of women and other underrepresented groups

with pay incentives as traditional methods are not succeeding. Future training programs for managers and supervisors should include information on incentives available, the implementation process, and their value in improving recruitment and retention in the NPS law enforcement occupations.

4. EEO COMPLAINT PROCESSING/PROGRAM:

Implement an automated tracking system to monitor the timeliness of complaints processing. Expedite complaints processing to meet the 180 day regulatory time frame. Per the 1998 NPS Diversity Action Plan, the responsible officials are the Director, Deputy Directors, and the EEO Program Manager. Tracking system is to be on-line by 10-31-00.

Establish an NPS-EEO web site that is linked with the www.nps.gov site. The site will display EEO accountability series report information, complaint statistics, and sanitized EEO case summaries. The purpose of the site is to allow NPS employees to see factual information on the workings of the EEO process as well as the status of diversity within the law enforcement workforce. The NPS EEO Program Manager is the responsible official. The web site is to be on-line no later than 03-30-01.

Fund/Hire one full time Computer Specialist/statistician for the NPS EEO Program Office. The position is critical to develop and maintain the above described web site and implement the data collection and monitoring system described below. The Director is the responsible official for funding the position; the NPS EEO Program Manager is the responsible official for hiring with input from the WASO computer support office. To be funded no later than 10-01-00 and EOD no later than 12-31-00.

Fund/Hire one full time EEO Counselor in each Region. Issue updated technical guidance to Regional EEO Managers. The Director is the responsible official for funding the positions. The NPS EEO Program Manager is the responsible official for hiring and supervising these positions and for preparing updates. To be funded no later than 10-01-01 and EOD no later than 12-31-01

Prepare position papers on the merits of each case progressing to the EEOC or Federal District Court. Position papers will include a determination on "entitlement of relief" (as discussed in USPP Women's Task Force recommendations) for the complainant and a recommendation for NPS action. The NPS EEO Program Manager is the responsible official for completing the paper and submitting it to the Director within 45 days of the date the complainant informs the NPS that he/she has requested an EEOC hearing or filed in court.

JUSTIFICATION:

NPS employees have lost faith in the ability of the EEO Complaint Process/Program to resolve complaints. In the NPS Women in Law Enforcement Study, 81% of the NPS respondents rated the effectiveness of the NPS on timely resolution of sexual harassment/discrimination complaints as either poor (43%) or so-so (38%). In the USPP Gender Equity Study, 97% of the USPP female officers responding rated the effectiveness of the USPP as either poor (76%) or so-so (21%). With regard to EEO investigations, 55% of the NPS respondents rated the effectiveness of the NPS on prompt investigation of sexual harassment and/or discrimination complaints as poor (27%) or so-so (28%). 91% of the USPP officers responding rated the effectiveness of the USPP on prompt investigations of sexual harassment and/or discrimination complaints as poor (62%) or so-so (29%).

The record of the NPS EEO Program Office for conducting timely Reports of Investigations for formal complaints has not been good during the past ten years. Even though as of May 2000 the number of overdue cases is down to 30 (the best record the NPS has enjoyed in over ten years), as recently as 1997 the NPS failed to issue more than 100 Reports of Investigations within the 180 day guideline. This failure to act in a timely manner gives the appearance of a lack of commitment on the part of the agency with regard to equal opportunity and zero tolerance (for acts of harassment and discrimination). It does little to refute the opinions of 97% of USPP survey respondents who rated the USPP poor (76%) or so-so (21%) on timely resolution of sexual harassment and/or discrimination complaints. Similarly, 81% of NPS Law Enforcement survey respondents rated the NPS poor (43%) or so-so (38%) on timely resolution of sexual harassment and/or discrimination complaints.

Hiring full time, professional EEO Counselors in each Region allows the positions to be filled at grade levels that inspire confidence and respect from employees and managers. It also allows filling the positions with individuals having significant expertise, not only in discrimination law and regulations but also in mediation and dispute resolution. These positions will be part of the sufficient resources necessary for the NPS EEO Program Manager to accomplish the assignments described in the 1998 NPS Diversity Action Plan (Goal 5, Objective C.3) and herein.

The counselor positions should be announced with a mobility agreement as a requirement so the incumbents may be initially assigned to the NPS (WASO) EEO Program Office but readily reassigned to the Regions upon completion of the five-year action plan. Additionally, these full time Regional EEO Counselors can directly support the use of Alternate Dispute Resolution (ADR) and implementation of the Conflict Resolution (CORE) program (as stated in the Director's April 1999 directive to NLC members that requires use of ADR on