



*Program for*  
**Equal Employment  
Opportunity  
In  
The University of Tennessee  
Extension**

Revised

**2020**

*Programs in agriculture and natural resources, 4-H youth development, family and consumer sciences, and community economic development. University of Tennessee Institute of Agriculture, U.S. Department of Agriculture and county governments cooperating.*

*UT Extension provides equal opportunities in programs and employment.*

SIGNATORY

Submitted by: W. W. Darter Date: Nov. 10, 1971  
Dean, Agricultural Extension Service

Approved by: Webster Pendragon Date: Nov 10, 1971  
Vice President for Agriculture

Approved by: Edward Bohling Date: Nov 11, 1971  
President, The University of Tennessee

Concurrence: Earl H. Butz Date: 2-2-72  
Secretary of Agriculture

Effective Date: March 3, 1972

Authority: Title 7 - Agriculture, Subtitle A - Office of the Secretary, Part 18 -  
Equal Employment Opportunity in the State Cooperative Extension  
Services (Appendix 1).

Tennessee Code Annotated Sections 4-2101 through 4-2105 relating  
to Human Development Commission which sets forth the policy of  
the State of Tennessee with reference to human rights (Appendix 2).

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## Section I-1 -- Definitions

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For purpose of this program:

- A. "University" means The University of Tennessee.
- B. "UT Extension" means the University of Tennessee Extension organization, including programs of the cooperating counties in Tennessee.
- C. "Secretary" means the Secretary of Agriculture of the United States or her designee.
- D. "President" means the President of The University of Tennessee or his designee.
- E. "Vice President" means the Vice President for Agriculture, The University of Tennessee.
- F. "Dean" means the Dean of UT Extension.
- G. "Associate Dean, Assistant Dean, or Director, Extension Evaluation and Staff Development" are individuals in the UT Extension organization who assist in coordinating policies and programs between the various units of UT Extension and the Dean.
- H. "Administrator, 1890 Programs" means the individual who assists in coordinating policies and programs between the 1890 Land Grant University (Tennessee State University) and the various units of UT Extension and the Dean.
- I. "Department Head" means the leader of a group of Extension Personnel in one departmental unit in UT Extension.
- J. "Regional Director" means the individual in UT Extension organization who supervises county personnel.
- K. "County Director" means the individual in the UT Extension organization who performs certain administrative and supervisory functions for Extension personnel located in a county.
- L. "Extension Personnel" means all persons under the supervision of UT Extension regardless of location or sources of supporting funds who are performing official duties for the organization.
- M. "Coordinator" means the Equal Employment Opportunity Coordinator for UT Extension.
- N. "Discrimination" includes discrimination on the basis of, race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.
- O. "Employment" includes hiring, assignment, transfer, promotion, compensation, discipline, discharge and all other conditions, terms, and privileges of employment.
- P. "Complaint" means (1) dissatisfaction with, and request for redress from, an action or failure to act on the part of management which, in the opinion of the complainant (employees, former employee, or applicant for employment), has affected him or her personally; (2) allegations of general discriminatory practices filed by an organization filed on behalf of an individual, individuals, or a governmental body.
- Q. "Program" means the Equal Employment Opportunity Program submitted to the Secretary of Agriculture as required by Title 7 - Agriculture, Subtitle A - Office of the Secretary, Part 18.

- R. "7 CFR 18" refers to Title 7 - Agriculture, Subtitle A - Office of the Secretary, Part 18 - Equal Employment Opportunity in the State Cooperative Extension Services.
- S. "Action Plan for Progress" means Section II of UT Extension's affirmative commitment to assure employment opportunity in all aspects of its operations affecting employees and applicants for employment which satisfies paragraph 18.4(c) of 7 CFR 18, submitted and updated on a fiscal year basis (Appendix 1).

## **Section I-2 -- Purpose, Applicability and Coverage**

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- A. Purpose - The Equal Employment Opportunity Program in UT Extension establishes policies and procedures in employment and personnel management to assure that equal opportunity is assured each individual without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status. Those policies and procedures providing equal opportunity in employment and prohibiting discrimination in employment are set out in this document.  
This program relates to all phases of employment, as defined above, for all persons (professional and non-professional) of UT Extension and establishes an overall policy that is consistent regarding all positions regardless of the sources of supporting funds.
- B. Applicability - This program applies to UT Extension of The University of Tennessee and its many units throughout the state.
- C. Coverage - This program applies to all positions in all units of UT Extension.

## **Section I-3 -- Development and Adoption of Equal Employment Opportunity Program and Action Plan for Progress**

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- A. Development - Policies and procedures of this program were developed by appropriate personnel, including the Dean, and were approved by the Vice President and President of The University of Tennessee and concurred in by the Secretary of Agriculture.
- B. Amendment - Amendments or revisions to the Equal Employment Opportunity Program of UT Extension may be proposed by either the President of The University of Tennessee or the Secretary of Agriculture. Either the Secretary or the President may confer with the other concerning the proposed amendments or revisions which are felt to be needed to improve the effectiveness of the program. The President will furnish such mutually agreed upon amendments and revisions to the Secretary within 30 days for concurrence.
- C. Revision of Action Plan for Progress - Any revision of the Action Plan for Progress (Section II) for UT Extension shall be updated and filed with the President and the Secretary on a fiscal year basis. Modification to the Action Plan for Progress will be made as a result of periodic evaluation of the effectiveness of such plans.
- D. Effective Date - This EEO Program for UT Extension becomes policy effective 30 days after the signature of the Secretary of Agriculture.

## **Section I-4 -- Elements of the Program**

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- A. Statement of Policy Prohibiting Discrimination in Employment - It is the policy of UT Extension to provide equal opportunity in employment and personnel management for all persons and, thereby, prohibit discrimination because of race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status. This policy will assure equal employment opportunity for all personnel. The policy is based on and complies with the provisions of 7 CFR 18, and with the provisions of Chapter 21, Human Development Commission, of the General Laws of Tennessee Code Annotated, Sections 4-2101 through 4-2105, and is an integral part of every aspect of personnel policy and practice in the employment, development, advancement, and treatment of employees (Appendix 2).

- B. Administrative Procedures Enforcing This Policy - The Vice President for Agriculture is designated by the President (Appendix 3); the Dean is designated by the Vice President for Agriculture to initiate and carry out the program throughout the organization (Appendix 4).

The Dean shall exercise personal leadership in (1) maintaining a continuing Action Plan for Progress to assure equal employment opportunity, (2) making his administrative, supervisory, and management staff responsible for effectiveness of this program, (3) reviewing and evaluating managerial and supervisory performance in a manner which will insure enforcement of this policy, and (4) providing sufficient resources to administer this program in a positive and effective manner.

The implementation and compliance of the EEO Program by UT Extension at The University of Tennessee is the responsibility of the Dean. Those staff members, including department heads, regional directors, the coordinator, county directors, other responsible staff or governmental groups to whom the duties and responsibilities for implementation and compliance of the EEO Program have been delegated, are accountable to the Dean.

The Dean of the Agricultural Extension Service is responsible for the following duties:

- (1) Discussing and publishing periodically the policy, procedure, Action Plan for Progress, and all other aspects of the EEO Program of UT Extension with all employees and solicit their full cooperation.
- (2) Informing in writing the Assistant Dean (Coordinator), Assistant Dean and Associate Dean, and Regional Directors of his or her responsibilities for implementing and enforcing the policies and procedures of the EEO Program; for complying with provisions of 7 CFR 18, and with the provisions of Chapter 21, Human Development Commission, Tennessee Code Annotated, Sections 4-2101 through 4-2105 (Appendix 2) as appropriate.
- (3) Keeping appropriate administrative officials of the University apprised of the Equal Employment Opportunity Program.
- (4) Informing in writing the appropriate personnel within the organization who have been assigned a counseling role, either with Extension personnel or County Agricultural Extension Committees, of their responsibilities in the execution of the Equal Employment Opportunity Program.
- (5) Directing appropriate Regional Directors to discuss the EEO Program with County Agricultural Extension Committees pertaining to county Extension employees.
- (6) Requesting county government officials to meet annually with appropriate members of UT Extension staff to review the EEO Program.
- (7) Communicating, through appropriate recruitment brochures, literature, and other means, the fact



that it is the policy of The University of Tennessee, as well as UT Extension, to be an Equal Opportunity Employer.

- (8) Informing applicants of the name and address of the Coordinator and the Counselors in the locality in which employment is sought and their availability to applicants who believe they have been discriminated against because of race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.
- (9) Providing a copy of the UT Extension EEO Program and Action Plan for Progress to each employee and to other appropriate officials.
- (10) Establishing an internal EEO advisory committee and meeting periodically with it to provide systematic feedback and consultation concerning all aspects of the program.
- (11) Assuring adequate coverage of all areas of equal employment opportunity in induction and in-service training programs for all employees.

The Director, Extension Evaluation and Staff Development is designated by the Dean as the Coordinator with staff responsibilities for coordinating all activities relating to this program (Appendix 5). He shall:

- (1) Advise the Dean on the preparation of plans, procedures, regulations, reports, and other matters pertaining to the program.
- (2) Evaluate periodically the sufficiency of the program and report such evaluations to the Dean with recommendations for improvement or correction.
- (3) Make changes in programs and procedures, when authorized by the Dean, to eliminate discriminatory or unfair practices and to improve the EEO Program.
- (4) Provide a system for counseling any aggrieved employee or applicant for employment, who believes he or she has been discriminated against, and for attempting to resolve informally the matter raised by the aggrieved person. This system must be extended to organizations that bring class action cases regarding general discriminatory practices.
- (5) Arrange for the receipt and investigation of individual complaints of discrimination and partner with the Office of Title IX and the Office of Equity and Diversity as appropriate.
- (6) Arrange for the receipt and investigation of general allegations of organizations or other third parties of discrimination which are unrelated to an individual complaint of discrimination.
- (7) When authorized by the Dean, take corrective measures that are necessary on individual complaints, including recommendation for any disciplinary action that is warranted when an employee has been found to have engaged in a discriminatory practice.
- (8) Review the file on any individual complaint, before a decision is made under the complaint procedure, and make any recommendation to the Dean that he considers desirable, including any disciplinary action that is warranted by the circumstances.

Three specialists (Dr. Janie Burney, Rob Holland, and Rita Jackson) are designated by the Dean as Counselors to informally consider and resolve EEO related complaints for Extension Employees other than those employees located in county offices (state staff).

The Extension Agent in Madison County (Tennille Short), the Extension Agent in Stewart

County (Joe Griffy), and the Extension Agent in Shelby County (Chris Cooper) are designated by the Dean as Counselors to informally consider and resolve EEO related complaints for all Extension employees in the Western Region.

The Extension Agent in Smith County (Chris Hicks), the Extension Agent in Franklin County (Mary Beth Henley), and the Extension Agent in Davidson County (Elizabeth Sanders) are designated by the Dean as Counselors to informally consider and resolve EEO related complaints for all Extension employees in the Central Region.

The Extension Agent in Roane County (Anna Johnson), the Extension Agent in Blount County (James McMillion Jr.) and the Extension Agent and County Director in Cumberland County (Kelli Roberson) are designated by the Dean as Counselors to informally consider and resolve EEO related complaints for all Extension employees in the Eastern Region (Appendix 6).

The County Director is designated by the Dean to be responsible for the implementation and compliance of the program at the county level under the supervision and guidance of the Regional Director.

All responsible personnel will furnish to the Dean, through the Coordinator, a written report documenting discussion of EEO Programs with personnel, Agricultural Extension Advisory Committees, or other appropriate individuals or groups.

- C. A Positive Affirmative Action Plan for Progress to Assure Equal Opportunity in Employment - Due to the decentralized nature of UT Extension, certain specific administrative and supervisory responsibilities for personnel actions relating to various groups of staff are delegated to the designated persons in the organization (Appendix 7). The Action Plan for Progress in Equal Employment Opportunity for UT Extension, Section II of this document identifies those persons responsible for carrying out each activity, including target dates, as they seek to find, recruit, employ, and retain a competent staff. Those activities so identified are applicable to all administrative or supervisory units within the organization. Each of the administrative and supervisory units will submit on a fiscal year basis its Action Plan for all activities, as appropriate, to the Dean. The Action Plan for Progress for the state will be developed by summarizing Action Plans from all units and filed according to Section I-3C, page 3.

1. Initial Implementation Action

- a. The Director, EESD (Coordinator) is responsible for ensuring that the program is presented and discussed with the Regional Directors, department heads, heads of the divisions of 4-H youth development and family and consumer sciences, and the Human Development Commission. The Coordinator is also responsible for ensuring that the Action Plan for Progress is presented and discussed with all staff of UT Extension.
  - b. The Regional Directors are responsible for presenting the Action Plan for Progress to County Directors and to Extension personnel within the county as well as County Agricultural Extension Committees, county government officials and other groups, county Extension employees, administrative, supervisory and specialist staff.
  - c. A summary report of these presentations and discussions will be furnished to the Director, EESD (Coordinator).
2. In addition to those responsibilities prescribed elsewhere in this document, the Dean will assure continued compliance with the provisions of this program, and 7 CFR 18, in dealing with other organizations, agencies, governmental bodies, or groups. He will call for an annual report summarizing program implementation and operation from each County Extension Office.

The Dean will file a report with the President of the University and the Secretary six months after the effective date of this program and annually thereafter, summarizing the implementation and operation of this program.

D. Procedure for Identifying and Eliminating Employment Practices which Create Discrimination in Employment

1. Human Resources - All functions relating to Human Resources shall reflect the full intent of the policy stated in the purpose, Section I-2, page 2. All records, including action taken and decisions made related to Human Resources, are to be forwarded to the Office of the Dean and retained for a minimum of two years.
  - a. Recruitment and Selection - Develop and implement a comprehensive recruitment program designed to attract underrepresented group members for employment consideration for all positions. This includes:
    - (1) Identifying and assigning employees charged with recruitment of personnel that will assure employment without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.
    - (2) Identifying those schools, colleges and universities or other sources where candidates for employment can be contacted without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.
    - (3) Establishing and maintaining, on a regular basis, recruitment contacts with those sources for prospective candidates for employment of underrepresented group members.
    - (4) Preparing recruitment literature and position announcements which:
      - Clearly state the University is an equal opportunity employer.
      - Describe qualification standards appropriate to positions.
      - Provide applicants information that identifies the Equal Employment Opportunity Coordinator and Counselors.
    - (5) Disseminating information through recruitment literature, position announcements, personal contact, visits, and other appropriate means to officials at all sources of qualified applicants applicable to the state regarding:
      - Those conditions which should increase employment opportunities of students.
      - The qualifications essential for competent Extension employees (professional and non-professional) as a basis for strengthening and improving curriculum.
    - (6) Selecting candidates for employment from among applicants based upon a comparison of each applicant's qualifications in relation to identified relevant factors and standards for the position. Such factors and standards for professional positions are indicated in the attached "Criteria for Employment in Beginning County or Area Positions" (Appendix 8).  
 Factors for other professional positions include: educational attainments, academic average, scholarly achievement, professional experience, leadership ability, understanding of problems with which the position is to deal and knowledge of subject matter to deal with related problems, appropriate technological ability,

demonstrated ability to work effectively with people, demonstrated drive and initiative, and demonstrated ability to communicate orally and in writing.

Factors considered for non-professional employees include academic attainment, work experience, demonstrated abilities as related by reference(s), and relevant skills assessments as may be administered by The University of Tennessee Office of Human Resources.

- (7) Utilize established applicant tracking system to capture and maintain adequate records including but not limited to:
- Receipt and dispositions of applications
  - Application information evaluation
  - Confirmation of reference checks and related evaluations
  - Interviews
  - Reasons for selection or non-selection (e.g., Strengths & Weaknesses)

b. Assignment, Transfer, and Promotion

Insofar as possible, position vacancies may be filled at the level they occur by promotion from within the organization encouraging promising employees to seek advancement, utilize their unique skills and abilities, and/or assume greater responsibility. For position vacancies not filled through this process, suitable candidates are to be acquired through the recruitment and selection procedure stated above.

The following conditions are to be met:

- (1) Position vacancy announcements distributed to all Extension staff within the state.
- (2) Announcements carry duties and responsibilities, authorities of the position, leadership structure, location of assigned duty station, qualifications needed by the applicant, date and method for applying, and application method.
- (3) Applications accepted, recorded, and evaluated from all interested employees.
- (4) Employee competencies evaluated against position requirements.
- (5) Consideration of past performance evaluations and reviews, ability or potential performance on other jobs, recommendations of colleagues and others in a position to evaluate candidate, and length of service where this is a factor for promotion, transfer, or assignment.

Position requirements and incumbent qualifications are to be analyzed periodically to determine adjustments needed to either or both, maximize the skills, abilities, and experience of employees, and to enhance their potential to advance accordingly. Such analyses will encompass:

- (1) Skills inventory of incumbents in all positions to assess appropriate utilization of human resources, to identify training and career counseling needs, and to project human resource needs in shortage category positions.
- (2) Modifying or redesigning positions to more nearly fit the underutilized and non-utilized position skills consistent with the basic mandate of UT Extension.
- (3) Identifying persons whose position requires both high and low skills and redesign those positions to better utilize the high level skills of those employees.
- (4) Evaluating position qualifications and examining standards to assure equal opportunity to underrepresented group members.

c. Position Administration and Compensation

Formal performance evaluations are to be made at least annually of each Extension staff member's performance. The performance evaluation program will reflect those criteria judged to be pertinent to successful performance in the various positions and measured or evaluated against accepted standards of performance for those positions.

Each member will be made aware of his or her evaluation and counseled by the immediate supervisor or other appropriate and qualified staff member regarding positive accomplishments and future professional improvement and training needs.

A salary schedule is administered for professional and nonprofessional employees without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status (Appendix 9). For further details refer to The University of Tennessee Policies and Procedures.

Salary and wage adjustments are considered annually based upon the result of the individual's performance evaluation and the availability of funds.

d. Training and Leave Policies

Training programs and opportunities are to be uniformly administered throughout the organization and made available to each category of staff in order to:

- (1) Correct those deficient areas in an employee's background and training which are essential to successful job performance.
- (2) Contribute to continued career advancement of each individual.
- (3) Help the individual contribute to the achievement of the program goals of the organization.
- (4) Improve the educational services to clientele.

Each employee is encouraged to assume a positive posture regarding his or her personal professional development which will supplement and complement the more formal training offered by the organization.

The Coordinator will work closely with administrative, supervisory, and program staffs to incorporate training requirements needed to implement and sustain this EEO Program into the induction, in-service, and graduate training programs.

Criteria such as the individual's program or job responsibilities, level of professional or skill preparation, previous in-service participation record, present and possible future assignments, applicable leave policy, and availability of funds will be considered in developing in-service training programs or approving participation in outside training programs.

Leave policy to pursue training opportunities for professional and nonprofessional employees, when approved by the Dean, will follow the established policies of The University of Tennessee and UT Extension and shall be administered equitably. For further details refer to The UT Policies and Procedures Manual.

Leave policy covering annual, sick, military, leave of absence, FMLA, and other types of leave are to be administered equitably according to policies established by The University of Tennessee and UT Extension. For further details refer to The University of Tennessee Policies and Procedures.

Insofar as resources permit, financial aid in terms of scholarships, fellowships, work-study programs, field experience programs, and similar intern practicum training arrangements are to be made available to employees which will prepare them for promotion or other advancement opportunities in the organization.

e. Community Related Activity

Employees may be requested by UT Extension to participate in certain activities at the community level with such groups as technical, vocational, high schools, colleges, junior colleges, and with other public and private groups to improve employment opportunities and community conditions that affect employability.

f. Awards and Recognition

The Dean will consider ways and means for providing motivational incentives to those staff members charged with the responsibility of carrying out the provisions of the EEO Program.

Specific responsibilities of administrative and supervisory staff related to the EEO Program will be included in relevant position description.

g. Discipline

Those Extension employees who have been found to have engaged in discriminatory practices against another employee, or applicant for employment, are subject to appropriate

disciplinary action. Such action will be uniformly administered in keeping with applicable UT System-wide policies. Appropriate records will be kept showing the cause for and disciplinary action taken, and a copy placed in the permanent personnel file of the employee involved.

- E. Procedure for Evaluating the Success of the Program - The Coordinator will evaluate, six months after the effective date of this program (Signatory, page 1) and annually thereafter, the adequacy of employment and human resources procedures of UT Extension at The University of Tennessee and throughout the state. The Dean shall submit a report to the President and Secretary annually.

The results contained in these annual reports will be discussed with administrative, supervisory, and other staff as appropriate.

Each Extension employee is responsible for helping to maintain continuous review on the effectiveness of this program in order to provide current and adequate feedback for evaluative purposes.

Criteria for a comprehensive evaluation program must be sufficient to reflect progress, adequacy, and shortcomings of the total program. In many instances application of the criteria must be tailored to those offices with limited employment authority in order to result in more valid evaluation of activities carried out in these offices.

Criteria are to be developed for each of the major areas set out in the "Action Plan for Progress".

The inquiry and evaluation procedures will make use of one or a combination of analysis methods which best meet specific needs and circumstances. Some of these methods may include:

- On-site visits.
- Special task forces.
- Program committees.
- Written reports.
- Periodic review and analysis of statistical data.
- Continuing review of human resource programs and related actions.
- Periodic review of complaints and related actions.
- Periodic review of policies, procedures, delegation, and coordination.
- Interviews with employees, supervisors, and management.
- Review of input from underrepresented groups, local government offices, and other special interest groups.

- F. Adequate Provision for Publicizing the Program to Include Dissemination of Information to All Those Covered by These Regulations - The Dean will remind, in writing, all appropriate employees at all levels in the organization once a year or more often, as appropriate, of the need for maintaining an equal employment policy for staff members. This communication document shall be made a part of the permanent record. The EEO Program material will be shared with all Extension employees after each revision.

Appropriate reference to this program and its policies will be incorporated into the information provided on all revised recruitment brochures and other related literature and promotional materials. A poster, and other appropriate informational literature, will be displayed on bulletin boards or in other conspicuous places in Extension offices. Information indicating where grievances and complaints can be filed shall be displayed in locations and in such a manner which make them accessible to public view.

Each new employee will be informed about the EEO Program during his/her on-boarding experience.

Training programs shall include an explanation of the EEO policy and program for all employees.

At reasonable intervals the policy shall be included in staff conferences and seminars.

Each applicant being considered for a UT Extension appointment, as well as new and existing employees, will be provided with a copy of the EEO Program.

Copies of the EEO Program will be distributed to appropriate officials of the University, county governments, and members of the public who are affected by this policy. As appropriate, discussions regarding the EEO Program will be held with the above-named persons.

- G. A Procedure for Prompt Processing of Complaints Assuring No Less Than Minimum Rights Prescribed in 7 CFR 18 (18.5) - All grievances and complaints will be channeled to the Coordinator by the responsible staff member for appropriate handling. The Counselor will provide counsel and guide the complainant in the prompt filing and processing of his case. Counselors will act to mediate or conciliate informal complaints at the lowest possible supervisory level, thereby removing the necessity for their movement through channels to the Coordinator.
- H. Adequate Provisions for the Protection of Complainants, Employees, Witnesses, and Representatives from Interference, Harassment, Intimidation, and Reprisal - All employees shall be free from any or all restraint, interference, coercion, or reprisal on the part of their associates or supervisors in making any good faith complaint or appeal, in serving as representatives of an appellant, in appearing as witnesses, or in seeking information in accordance with these procedures. The above principles apply with equal force after a complaint has been resolved. Should these principles be violated, the facts shall be brought to the attention of the Equal Employment Opportunity Coordinator, 212-D Morgan Hall, 2621 Morgan Circle Drive, Knoxville, Tennessee 37996, by the appellant, his or her representative, or the person affected so that appropriate action may be taken.
- I. A Procedure for Informal Resolution of Complaints - The Equal Employment Opportunity Coordinator is designated to act in an effort to mediate or conciliate informal complaints. However, informal complaints should be resolved through the immediate supervisor or one of the EEO Counselors. The following individuals will serve as Counselor for Extension Personnel other than those located in counties.

<u>Name</u>	<u>Address</u>
Mr. Rob Holland Ext Specialist & Director	850 Lion Parkway Columbia TN 38401
Dr. Janie L. Burney Professor	2621 Morgan Circle, 119 Morgan Hall Knoxville, TN 37996
Ms. Rita Jackson Extension Specialist	605 Airways Blvd. Jackson, TN 38301



The following individuals will serve as Counselors for all Extension employees located in counties:

<u>Name</u>	<u>Address</u>
<u>Western Region</u>	
Ms. Tennille Short Extension Agent	309 N. Parkway Jackson, TN 38305
Mr. Joe Griffy Extension Agent	225 Donelson Parkway Dover, TN 37058
Mr. Chris Cooper Extension Agent	7777 Walnut Grove Rd. Ste. B Memphis, TN 38120
<u>Central Region</u>	
Mr. Chris Hicks Extension Agent	125 Gordonsville Hwy. Ste 300 Carthage, TN 37030
Ms. Mary Beth Henley Extension Agent	406 Joyce Lane Winchester, TN 37398
Ms. Elizabeth Sanders Extension Agent	1417 Murfreesboro Pike Nashville, TN 37219
<u>Eastern Region</u>	
Mr. James McMillion Extension Agent	1219 McArthur Road Maryville, TN 37804
Ms. Anna Johnson Extension Agent	3074 Roane State Hwy Harriman, TN 37748
Ms. Kelli Roberson Extension Agent	1398 Livingston Rd Crossville, TN 38571

If satisfaction to the complainant is not received at the Counselor level, he/she may proceed through the supervisory channels to the next higher level. Any informal complaint not resolved to the complainant's satisfaction by the Coordinator must thereafter be handled through the formal complaint procedures. When an informal complaint is received by a Counselor, a memorandum shall be prepared by the Counselor to the Coordinator advising him/her of the complaint, the circumstances of such complaint, and a discussion of attempts to resolve such complaint. If the case was satisfactorily handled, he/she should so state; if further action appears necessary, he/she should so advise.

All informal complaints will be heard and a response made by the Counselor within five working days after being received by the Counselor. If no action is taken within this time limit, the complainant may proceed to the next higher supervisory level.

In any case where the complainant feels that he/she cannot present the complaint or would not receive proper consideration of the complaint at the immediate supervisory level, he/she may, without prejudice, move up the supervisory channel to any level or directly to the Coordinator.

- J. A Procedure for Recording Receipt and Disposition of All Complaints - The Coordinator will keep a record of all complaints filed through Counselors and other sources.

A report on the filing and disposition of formal complaints shall be forwarded through channels to the Secretary within 30 days of the receipt of the complaint. The record shall include any statement from the complainant indicating the reason for withdrawal.

## **Section I-5 -- Formal Complaint Procedure**

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The procedure for processing of formal complaints of Extension employees and other qualified complainants is as follows:

If the informal procedures do not attain a result satisfactory to the complainant or if the complainant does not desire to follow the informal procedure, he/she may file a formal complaint. A formal complaint shall be submitted in writing and signed, and it shall state the basis for the complaint and indicate whether the alleged discrimination was based on race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status. However, a statement from the complainant describing the conduct complained of with greater particularity may be required.

- A. Who May File - A complaint may be filed by an employee, former employee, or applicant for employment in UT Extension who believes that discrimination in employment has been practiced against him/her or that an employment practice in Extension has or will result in discrimination in employment against him/her. A complaint of general discriminatory employment practices may also be filed by an employee, former employee, or applicant for employment or by an organization provided, however, that upon request of the Dean, the complainant shall furnish to him names of individuals who are adversely affected by those practices.
- B. Right of Representation - A complainant may designate, in writing, an individual or an organization to represent him/her in the processing of his/her complaint and is entitled to the advice of counsel at his/her cost at all stages in the proceeding. If the representative designated by the complainant is an employee of UT Extension, such employee, as well as an employee-complainant shall have a reasonable amount of official time with pay, if he/she is in pay status, for the purpose of appearing at any hearing on the complaint or conciliation effort. The rights and privileges set forth in this paragraph shall also be available to any person whose alleged conduct is the cause of the complaint.
- C. Where Filed
1. Academic Staff - Formal complaints by or on behalf of UT Extension employees who are members of the academic staff will be filed in writing with the Dean or directly with the Secretary of Agriculture. Those complaints filed with the Secretary will be sent to the Dean for adjudication under this program.
  2. Other Extension Staff and Other Qualified Complainants - Formal complaints by or on behalf of non-academic staff and UT Extension employees, both professional and nonprofessional and other qualified complainants, will be filed in writing with the Equal Employment Opportunity Coordinator or with the Secretary of Agriculture. Those complaints filed with the Secretary or the Equal Employment Opportunity

Coordinator will be sent to the Dean for adjudication under this program.

Based upon the facts furnished by the complainant or any other information gathered by the Dean, he will adjudicate the case within 30 days and advise the complainant of his decision. In the event that the claim is not adjudicated within 30 days, the complainant may request a review by the Vice President for Agriculture or President of the University. However, if at the time of filing the formal complaint, the complainant requests a hearing or the Dean requests a hearing, the procedure in Section I-5E will be followed.

- D. When Filed - A complaint shall be submitted within 180 days of the conduct giving rise to the complaint. The Dean or the Secretary may extend the time limit for good cause.
- E. Hearing - A complainant filing a formal complaint or the Dean may request a hearing which shall be transcribed or recorded. The hearing shall be conducted within 60 days from the date the hearing is requested, during regular working hours in the county where the alleged discrimination occurred, or at a time and place agreed to by the Dean and the complainant. The Dean, the complainant, and any person whose alleged conduct is the cause of the complaint shall have the right to call and cross-examine witness under oath. The hearing shall be provided by the Dean and shall be conducted by a non-Extension faculty or staff member designated by the Vice President for Agriculture, The University of Tennessee, who shall submit a proposed decision including findings of fact, conclusions, and recommendations within 30 days of the conclusion of the hearing to the Dean for action.
- F. Action by the Dean - The Dean will review the entire file on the complaint, including the transcript of the hearing, if a hearing was held. He shall approve the proposed decision, remand to the hearing body for further action, or otherwise dispose of it within 10 working days of its submission to him and notify the complainant, in writing, of the decision or disposition of the complaint and of the complainant's right to request, in writing, a review by the Secretary within 30 days of receipt of the Dean's decision.

## **Section I-6 -- Review and Decision**

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Within 30 days of notification of the disposition of complaint by the Dean, or within 30 days of any refusal of the Dean to accept a complaint or to act on a complaint in accordance with the program, the complainant may request a review by the Secretary. Any request shall be in writing. The Dean, upon request by the Secretary, shall furnish to the Secretary the complete file, including the transcript of any hearing together with whatever other information the Secretary requests. The Secretary may review the file on the record, request supplemental information from the Dean, order further investigation by the Office of the Inspector General, USDA, or hold a hearing under such procedure and on such issues as he determines appropriate to obtain information which would assist him in making a decision as to whether the Dean's decision or disposition of the complaint was proper. The decision of the Secretary shall be in writing and shall be sent to the Dean for appropriate action. A copy of the Secretary's decision shall also be furnished the complainant.

## **Section I-7 -- Reports**

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Within six months of the effective date of this program and annually thereafter, the Dean will submit to the Vice President for Agriculture, the President of the University, and to the Secretary reports summarizing implementation and operation of the program.

**Section I-8 -- Maintenance of Records**

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All documentation, records, and reports will be maintained for a minimum of two years.

These records will be subject to review at any time by the Office of the Dean, the Vice President, the President, and representatives of the U. S. Department of Agriculture authorized by the Secretary or his designee.

**Section I-9 -- Non-Compliance**

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It is understood that UT Extension will be in violation of 7 CFR 18 and Tennessee Code Annotated Sections 4-2101 through 4-2105 of the General Laws of Tennessee if its responsible personnel fail to carry out the provisions of this program.

**Section I-10 -- Sanctions**

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If the Dean finds that any units of UT Extension or any Department or unit of the University, county, or other institutions who are in support of UT Extension programs have violated the provisions of this program, he may initiate action to refuse to authorize payment of funds for UT Extension or take other appropriate action as provided by law.



*Section II*

**Action Plan for Progress in  
Equal Employment  
Opportunity for  
UT Extension**

Revised

**2020**

*Programs in agriculture and natural resources, 4-H youth development, family and consumer sciences, and community economic development. University of Tennessee Institute of Agriculture, U.S. Department of Agriculture and county governments cooperating.*

*UT Extension provides equal opportunities in programs and employment.*

SIGNATORY

Submitted by: W. W. Darter Date: Nov. 10, 1971  
Dean, Agricultural Extension Service

Approved by: Webster Pendragon Date: Nov 10, 1971  
Vice President for Agriculture

Approved by: Edward Bohling Date: Nov 11, 1971  
President, The University of Tennessee

Concurrence: Earl H. Butz Date: 2-2-72  
Secretary of Agriculture

Effective Date: March 3, 1972

Authority: Title 7 - Agriculture, Subtitle A - Office of the Secretary, Part 18 -  
Equal Employment Opportunity in the State Cooperative Extension  
Services (Appendix 1).

Tennessee Code Annotated Sections 4-2101 through 4-2105 relating  
to Human Development Commission which sets forth the policy of  
the State of Tennessee with reference to human rights (Appendix 2).

The "Action Plan for Progress" is a written commitment of UT Extension and its personnel to be responsive to policy requirements, affirmative action concepts, EEO Program objectives, and to local conditions, situations, and needs. It identifies those rather specific activities to be undertaken in each major area of the Plan. It calls for the identification of those officials (positions) who are responsible for implementing each activity for each level or operating unit in the organization. In addition, a target date for implementing each activity is to be identified for each level or operating unit.

Specific activities listed under each major area are not necessarily applicable to all levels or operating units due to the variation among offices regarding their limited human resources and employment authority. However, each unit is encouraged to utilize each staff member's imaginative and creative talents to seek ways in which they can contribute to program objectives. In addition, there are certain activities listed for implementation that are the prerogative of the Dean.

Those specific activities listed under each major area may be further divided into smaller task units to avoid gaps and omissions and to insure full implementation and effectiveness.

A copy of the State's "Action Plan for Progress" developed with inputs from all levels or operating units shall be provided to each office annually.

ACTION PLAN FOR PROGRESS IN EQUAL EMPLOYMENT OPPORTUNITY  
FOR STATE COOPERATIVE EXTENSION SERVICE  
(This applies to 7 CFR, Part 18, 18.4 (c))

State Tennessee

Fiscal Year Ending September 30, 1993

Activity	Action By	Target Date(s) to Implement (Beginning Date of Activity)
1. <u>Organization and Resources to Administer the EEO Program in a Positive and Effective Manner</u>		
A. Develop and implement an Action Plan for Progress in Equal Employment Opportunity. The Plan should reflect the operations of and be tailored to the State Extension Service or office situation and its problems. It must be applicable to the State Office, State Extension Professors' Offices, Regional Offices, and County Offices. Also, the Plan must contain short and long range goals, and identify the person responsible for timely action on each activity.	Dean and Appropriate Staff	Fully implemented and continuing as needed.
B. Prepare or revise EEO Program in accord with the regulations concerning EEO in the State Cooperative Extension Service, 7 CFR, Part 18, issued under authority of the Smith-Lever Act, which will involve:	Dean Director, EESD (Coordinator)	October

1/ May be modified for use at the Region, County, or other smaller operational unit levels.



Activity		Action By	Target Date(s) to Implement (Beginning Date of Activity)
(1)	Preparation and adequate distribution of instructions on implementing this EEO Program for minority groups and women.	Dean Director, EESD (Coordinator)	August
(2)	Detailed provisions for EEO complaint and appeals procedures.	Dean	Fully implemented and continuing as needed.
(3)	Detailed provisions for reports and evaluation	Director, EESD (Coordinator)	Continuing as needed.
(4)	Detailed provisions for coordinating employment activities to insure effective decision making in regard to EEO Program activities.	Dean Director, EESD (Coordinator)	Continuing as needed.
C.	Distribute copies of the Program to all organizational units for implementation.	Dean	October-November
D.	Meet with appropriate University officials and Extension personnel to emphasize the need for awareness of and continuing positive actions toward the goals outlined in the Action Plan for Progress in EEO.	Dean Director, EESD (Coordinator)	Continuing as needed.
E.	Develop minimum requirements for EEO training of all persons in supervisor positions in the organization and conduct such training to assure managerial and supervisory understanding of and knowledge of EEO Programs.	Director, EESD (Coordinator)	November
F.	Establish and periodically meet with an internal EEO Advisory Committee whose membership reflects both a percentage of the clientele served and a cross section of staff units, especially including minority group members, women, and others concerned with EEO.	Dean	December

Activity	Action By	Target Date(s) to Implement (Beginning Date of Activity)
G. Discuss EEO policy with all employees and communicate its content using various media, such as training programs, staff meetings, newsletters, bulletins, and regulations. A bulletin board appropriately placed should be utilized for public communication.	State, Dean and other appropriate staff members Regional and County Staff	Continuing as needed.
H. Assign staff member(s) at each program level to carry out the specific responsibility and authority for the EEO Program and to achieve goals within stated deadlines. The staff so assigned must be responsible for the EEO activities under their jurisdiction.	Dean for the State Staff. Regional Directors for County Directors. County Director for County Extension Staff.	Fully implemented and continuing as needed.
2. <u>Ensure that Recruitment Activities are Designed to Reach, Attract, and Employ Candidates for All Positions from Minority as well as Majority Group Member Sources.</u>		
A. Establish and maintain regular recruitment contact with many groups, i.e., predominantly minority groups, women's groups, schools, colleges, and universities. Arrange regular contacts with the above-mentioned groups. Include colleges with significant minority student population.	Regional Directors and Regional Program Leaders for Professional Personnel at county level.  Deans, Associate and Assistant Deans, Director, EESD, Administrator 1890 Programs, and Department Heads for Administrative, Specialist and supervisor personnel.  Human Resource Officer, University of Tennessee for Non-academic Personnel other than county. Regional Director and County Director through Employment Security for County Non-academic Personnel.	Continuing on a regular basis.

Activity	Action By	Target Date(s) to Implement (Beginning Date of Activity)
B. Call the attention of administrative heads, deans, and faculty of the colleges within each respective state to those conditions which would increase the employment opportunity of students. Convey to administrative heads or predominantly minority group colleges and schools the qualifications essential for competent Extension employees in order to improve and strengthen curriculum.	Dean Director, EESD (Coordinator) Administrator 1890 Programs	Continuing as needed.
C. Provide recruitment assignments for women and minority group employees.	Dean	Continuing as needed.
D. Review of all placement and promotion decisions by someone other than the immediate supervisor to ensure that race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status. are receiving full consideration.	Dean	April, and continuing through the Fiscal Year.
E. Utilize recruitment leaflets, brochures, and other appropriate materials designed to attract qualified candidates regardless of race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status; distribute to schools and organizations. Utilize such publications in carrying out 2A and B above.	Assistant/Associate Dean Director, EESD	Continuing on a regular basis.
F. Examine needs of applicants and employees, particularly women, for position adjustments, such as part-time work or irregular duty hours.	Dean Regional Directors	Continuing as needed.
3. <u>Assure the Fullest Possible Utilization of the Present Skills of Employees</u>		
A. Conduct employee skills utilization surveys to determine those with underutilized or non-utilized	Agricultural Extension Education Staff	Continuing as needed and especially in March-May,

Activity	Action By	Target Date(s) to Implement (Beginning Date of Activity)
job skills, experience, and potential. Review job descriptions, performance reviews, personal interviews, etc. in relation to the results of such surveys.	UT Extension Evaluation and Staff Development Staff	annually.
B. Provide employee education and training, when feasible, in employee's current position or to facilitate his/her assignment to another position with greater responsibility or to more fully utilize his/her capability.	Associate and Assistant Dean, Director, EESD Regional Directors	Continuing as needed.
C. Provide equal access for all employees to information on promotional opportunities and position qualification requirements.	Director, EESD (Coordinator)	Continuing as needed.
D. Consider employees at all pay levels when identifying persons for educational, training, or special assignments that will further utilize their past experience, education, and training and prepare them to be more effective in their present position or qualify them for other opportunities.	Dean and Other Appropriate Staff	Continuing as needed.
E. Designate and train persons in supervisory positions for career counseling at state and district levels. If appropriate, give career guidance to employees with underutilized or non-utilized skills and otherwise help them prepare for more effective placement or promotion.	Dean Regional Directors Department Heads	Continuing as needed.
F. Identify shortage-category positions. As feasible, provide financial aid and other incentives for participation in special undergraduate and graduate programs using work-study, part-time, assistant aides, or other training arrangements to prepare persons to fill vacancies.	Director, EESD (Coordinator) Assistant/Associate Dean	Continuing as needed.

	Activity	Action By	Target Date(s) to Implement (Beginning Date of Activity)
4.	<u>Ensure that Equal Opportunity is Available to All Employees to Enhance Skills to Perform at Highest Potential and to Advance in Accordance with Abilities.</u>		
	A. Conduct, at least annually, a review at the state level of all actions taken on training, special assignments, promotion, and reassignments to determine that all Staff members are considered without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.	Dean, Administrative Staff Regional Directors and Department Heads	Continuing as needed.
	B. Analyze, modify, and use a formal performance evaluation system to assure objective and equitable consideration for all in selecting employees to fill vacancies, including giving each affected employee a copy of their evaluation.	Dean, Administrative Staff Regional Directors and Department Heads	December - March, continuing as needed.
	C. Analyze all positions and, where feasible, redesign those positions involving use of both higher and lower skills to better utilize the higher skills of the incumbents.	Administrative Staff	Continuing as needed.
	D. Evaluate job qualifications and examining standards and eliminate those which unfairly discriminate against minority groups and women.	Administrative Staff	Continuing as needed.
	E. Identify, train, and develop for promotion or more effective assignments, interested and qualified employees through:		

Activity	Action By	Target Date(s) to Implement (Beginning Date of Activity)
(1) Training to upgrade clerical, technical, and professional skills.	Dean and Other Appropriate Staff Members	Continuing as needed.
(2) Special training, coaching, and work experience when needed.	Dean and Other Appropriate Staff Members	Continuing as needed.
(3) Basic or special education when needed.	Dean and Other Appropriate Staff Members	Continuing as needed.
(4) Projects to improve skills and employability.	Dean and Other Appropriate Staff Members	Continuing as needed.
(5) Training directors and potential directors to assure that employees are given assignments which will afford them opportunity to use their skills and training to maximum advantage.	Dean and Other Appropriate Staff Members	Continuing as needed.
(6) Provisions for moving low-graded employees out of "dead-end" jobs into positions with promotion potential.	Dean and Other Appropriate Staff Members	Continuing as needed.
5. <u>Utilize Incentive Awards, Recognition, and Performance Evaluation Programs to Support the Equal Employment Opportunity Concept.</u>		
A. Consider ways and means of providing motivation incentives for the staff members charged with the responsibility of carrying out the EEO Program.	Dean	Continuing as needed.

Activity	Action By	Target Date(s) to Implement (Beginning Date of Activity)
B. Establish criteria to be used in the evaluation of each director's performance in working toward EEO Objectives.	Dean	Continuing as needed.
C. Analyze employee awards system and take necessary action to assure that women and minority group employees receive appropriate consideration for awards and recognition.	Dean	March-May
6. <u>Participate in Improving Community Conditions Which Affect Employability.</u>		
A. Where appropriate, assist employees or prospective employees, in dealing with undesirable housing, transportation, or other barriers which would prevent their accepting employment in certain locations.	Dean Regional Directors	Provided on an as-needed basis.
B. Issue letter to all employees encouraging their voluntary, personal participation in community efforts toward improvement of EEO. (Give example of worthwhile community activities.)	Dean	Continuing as needed.
C. As appropriate, work with predominantly minority and women's colleges, technical schools, vocational schools, and high schools to review and suggest or recommend changes in curriculum which will better qualify students for Extension Service employment.	Director, EESD (Coordinator)	Continuing as needed.

	Activity	Action By	Target Date(s) to Implement (Beginning Date of Activity)
7.	<u>Provide for the Establishment and Maintenance of an Internal Program Evaluation System.</u>		
	A. Utilize MIS reporting procedures and other statistical information gathering capability to assist in managing the EEO Program.	Director, EESD (Coordinator)	October and continuing as needed.
	B. Integrate EEO Program and evaluation effort into overall reporting system.	Assistant/Associate Dean Director, EESD (Coordinator)	Continuing as needed.
	C. Review current Action Plan for Progress in EEO and make any necessary recommendations for change for the forthcoming year.	Director, EESD (Coordinator)	September
	D. Review all internal and external reports to determine achievement and status of the EEO Program. Follow up as appropriate.	Director, EESD (Coordinator)	Continuing as needed.
	E. Prepare statistical reports which detail progress in EEO Program on each item in Action Plan for Progress according to paragraph 18.7 of 7 CFR 18.	Director, EESD (Coordinator)	November
	F. Meet with immediate program, supervisory and administrative staff to discuss EEO goals, achievements, and programs.	Dean	Continuing on a regular basis.
8.	<u>Assure the Prompt, Fair, and Impartial Processing of Complaints of Discrimination and Equal Employment Opportunity Counseling.</u>		
	A. Establish an EEO complaint and appeals procedure in accordance with the regulations concerning Equal Employment Opportunity in UT Extension, 7CFR, Part 18.	Dean	Fully implemented.



Activity	Action By	Target Date(s) to Implement (Beginning Date of Activity)
B. Designate and train a sufficient number of accessible EEO Counselors to informally resolve EEO related complaints. Counselors should include appropriate minority groups and women members.	Dean Director, EESD (Coordinator)	December and continuing as needed.
C. Designate and train sufficient personnel to perform timely, competent, and objective investigation of formal complaints without regard to race, color, national origin, sex, age, disability, religion, or veteran status.	Dean Director, EESD (Coordinator)	Continuing as needed.
D. Provide complainant with copy of investigation decision. In connection with any hearing, make complaint file available to the complainant. This applies to formal complaints.	Dean through the Director, EESD (Coordinator)	As Appropriate.
E. Review all factors associated with action taken on each formal complaint. Take action to correct any improper or delayed handling.	Dean	As Appropriate.
F. Periodically, discuss with EEO Counselors and others, experiences in handling EEO complaint activities and investigations as a means for improving the EEO Program.	Director, EESD (Coordinator)	Continuing as needed.
G. Arrange for appropriate corrective or disciplinary action to be taken where improper or discriminatory action has been taken against an employee based on race, color, national origin, sex, age, disability, religion, or veteran status.	Dean	As Appropriate.



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*Section III*

## **Appendices**

Revised

**2020**

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*Programs in agriculture and natural resources, 4-H youth development, family and consumer sciences, and community economic development. University of Tennessee Institute of Agriculture, U.S. Department of Agriculture and county governments cooperating.*

*UT Extension provides equal opportunities in programs and employment.*

SIGNATORY

Submitted by: W. W. Darter Date: Nov. 10, 1971  
Dean, Agricultural Extension Service

Approved by: Webster Pendragon Date: Nov 10, 1971  
Vice President for Agriculture

Approved by: Edward G. Bohling Date: Nov 11, 1971  
President, The University of Tennessee

Concurrence: Earl H. Butz Date: 2-2-72  
Secretary of Agriculture

Effective Date: March 3, 1972

Authority: Title 7 - Agriculture, Subtitle A - Office of the Secretary, Part 18 -  
Equal Employment Opportunity in the State Cooperative Extension  
Services (Appendix 1).

Tennessee Code Annotated Sections 4-2101 through 4-2105 relating  
to Human Development Commission which sets forth the policy of  
the State of Tennessee with reference to human rights (Appendix 2).

Office of the Secretary, USDA

7 CFR Subtitle A (1–1–11 Edition)

**RULES & REGULATIONS**

**PART 18—EQUAL EMPLOYMENT  
OPPORTUNITY IN THE STATE CO-  
OPERATIVE EXTENSION SERV-  
ICES**

Sec.

- 18.1 Definitions.
- 18.2 Purpose, applicability and coverage.
- 18.3 Development and adoption of equal employment opportunity programs.
- 18.4 Elements of program.
- 18.5 Formal complaint procedure.
- 18.6 [Reserved]
- 18.7 Reports.
- 18.8 Noncompliance.
- 18.9 Sanctions.

AUTHORITY: 5 U.S.C. 301, and secs. 1–10, 38 Stat. 372, as amended; 7 U.S.C. 341–349.

SOURCE: 33 FR 12173, Aug. 29, 1968, unless otherwise noted.

**§ 18.1 Definitions.**

For the purpose of this part:

(a) *Secretary* means the Secretary of Agriculture of the United States or his designee.

(b) *Cooperative Extension Service* means the Cooperative Extension Service of each Land-Grant University.

(c) *President* means the President or chief executive of each Land-Grant University or his designee.

(d) *Discrimination* includes discrimination on the basis of race, color, national origin, sex, or religion.

(e) *Employment* includes hiring, assignment, transfer, promotion, compensation, discipline, and discharge and all other conditions, terms and privileges of employment.

(f) *Program* means a comprehensive Equal Employment Opportunity plan submitted by a President in satisfaction of the requirements of § 18.3.

**§ 18.2 Purpose, applicability and coverage.**

(a) *Purpose.* This part provides a cooperative procedure involving the President and Secretary to assure that the Cooperative Extension Service provides equal opportunity in employment to each individual without regard to race, color, national origin, sex, or religion.

(b) *Applicability.* The regulations in this part apply to every Land-Grant University operating a Cooperative Extension Service.

## Office of the Secretary, USDA

## § 18.5

(c) *Coverage.* This part applies to all positions in all units of the Cooperative Extension Service but does not apply to employees provided by county and other political subdivisions in support of Cooperative Extension Service programs.

[33 FR 12173, Aug. 29, 1968, as amended at 38 FR 14154, May 8, 1973]

### § 18.3 Development and adoption of equal employment opportunity programs.

(a) *Submission.* Within 90 days after the effective date of this part, the President shall furnish to the Secretary a positive continuing program to assure that employment is provided without discrimination.

(b) *Development.* The President and the Secretary may consult with each other at any time regarding the development and evaluation of the program in order to better effectuate the purpose of this part. The program may be a part of a general program establishing employment procedures for employees of the university and may cover other rights and privileges of employees.

(c) *Concurrence.* The Secretary may concur with the program proposed by the President. If the Secretary does not concur with the proposed program, he shall inform the President and make suggestions for improvement. The President will have 30 days thereafter to furnish a satisfactory proposal.

(d) *Amendment.* After concurrence has been obtained on the program, the President may make recommendations to amend the program to improve its effectiveness and furnish them to the Secretary for concurrence. If the Secretary, at any time finds that a program, as implemented, does not achieve the purposes described in § 18.2, he shall confer with the President concerning needed improvements and changes. The President will furnish a satisfactory amendment to the Secretary within 30 days for concurrence.

(e) *Effective date.* The program or amendments to it shall be made effective by the President not later than 30 days from the date of concurrence.

### § 18.4 Elements of program.

A satisfactory program shall include:

(a) A statement of policy prohibiting discrimination in employment;

(b) An administrative procedure enforcing that policy;

(c) A positive affirmative action plan designed to assure equal opportunity in employment;

(d) A procedure for identifying and eliminating employment practices tending to create or continue discrimination in employment;

(e) A procedure for evaluating the success of the program;

(f) Adequate provision for publicizing the program including dissemination of information to all those covered by these regulations;

(g) A procedure for prompt processing of complaints assuring no less than minimum rights prescribed in § 18.5;

(h) Adequate provisions for the protection of complainants, employees, witnesses, and representatives from interference, harassment, intimidation and reprisal;

(i) A procedure for the informal resolution of complaints; and,

(j) A procedure for recording receipt and disposition of all complaints. A report of the receipt and a report of the disposition of all formal complaints will be sent promptly to the Secretary.

### § 18.5 Formal complaint procedure.

A procedure shall be provided for the filing of a formal written complaint if a complainant is not satisfied with the result of informal procedure or if the complainant does not desire to follow the informal procedure. A complaint procedure shall contain the following minimum provisions for the processing of formal complaints.

(a) *Elements of the formal complaint.* The formal complaint shall be in writing and state the name and address of the complainant; the basis of the claim; and indicate whether the alleged discrimination was based on race, color, national origin, sex, or religion.

(b) *Time limits for processing.* The procedure will include time limits for the orderly processing of complaints.

(c) *Who may file.* A complaint may be filed by an employee, a former employee, or an applicant for employment who believes that discrimination in employment has been practiced against him or that an employment practice in

## § 18.6

the Cooperative Extension Service has or will result in discrimination in employment against him. An employee, a former employee, or an applicant for employment, or an organization may file a complaint of general discriminatory practices: *Provided, however,* That upon request of the President, the complainant shall furnish to him names of individuals who are adversely affected by those practices.

(d) *Right of representation.* A complainant may designate in writing, an individual or an organization to represent him in the processing of his complaint, and is entitled to the advice of counsel at his expense at all stages of the proceeding. If the representative designated by the complainant is an employee of the U.S. Department of Agriculture, or of a Cooperative Extension Service, such employee, as well as an employee-complainant, shall have a reasonable amount of official time with pay, if he is in a pay status, for the purpose of appearing at any hearing on the complaint or conciliation effort. The rights and privileges set forth in this paragraph shall also be available to any person whose alleged conduct is the cause of the complaint.

(e) *Where filed.* The procedure shall clearly state the persons, and their locations, with whom complaints may be filed. It shall also state that complaints may be filed with the Secretary. Complaints filed with the Secretary shall be promptly forwarded to the President or his designee for processing.

(f) *When filed.* A complaint shall be submitted within 90 days of the conduct giving rise to the complaint. The President may extend the prescribed time limit for good cause shown by the complainant.

(g) *Hearing.* A complainant or the President may request a hearing which shall be transcribed or recorded. The hearing shall be conducted promptly during regular working hours in the county where the alleged discrimination occurred or at a time and place agreed to by the President and the complainant. The President, the complainant and any person whose alleged conduct is the cause of the complaint shall have the right to call and cross-examine witnesses under oath. The

## 7 CFR Subtitle A (1-1-11 Edition)

hearing shall be provided by the President, and shall be conducted by an impartial board or hearing officer who shall promptly submit a proposed decision including findings of fact, conclusions, and recommendations for action to the President.

(h) *Decision by the President.* The President shall review the entire file on the complaint, including the record of the hearing if a hearing was held, and shall promptly:

(1) Remand to the hearing board or officer for further action; or

(2) Make a decision on the complaint; or

(3) Otherwise dispose of the complaint.

The President shall notify the complainant of his decision or disposition.

[33 FR 12173, Aug. 29, 1968, as amended at 38 FR 14154, May 30, 1973]

## § 18.6 [Reserved]

## § 18.7 Reports.

Within 6 months of the program going into effect and thereafter at least annually, the President shall submit a summary report to the Secretary on implementation and operation of the program. The Secretary may request additional reports as he deems advisable.

## § 18.8 Noncompliance.

A university conducting a Cooperative Extension Service will be in violation of this part:

(a) If the President fails to file a program in which the Secretary concurs under § 18.3, or fails to file an appropriate amendment in accordance with § 18.3(d);

(b) If after concurrence in the President's program the Secretary finds that a university has failed to administer such program according to its terms;

(c) If the Secretary finds that any officer of the university has intimidated, coerced, or improperly pressured a complainant, employee, representative, or witness exercising the rights given him by this part or any program adopted pursuant thereto, and that corrective action has not been taken.

[33 FR 12173, Aug. 29, 1968, as amended at 38 FR 14154, May 30, 1973]

**Office of the Secretary, USDA**

**§ 18.9 Sanctions.**

(a) When the Secretary finds that any noncompliance with this part has occurred, he may initiate action to refuse to authorize payment of funds for the Cooperative Extension Service, or take other appropriate action provided by law.

(b) The remedies available to the Secretary under this part, and remedies made available to any person under a program adopted pursuant to this part do not exclude any others which may be available under law.

**Tenn. Code Ann. § 4-21-203**

**Current through the 2019 Regular Session**

**TN - Tennessee Code Annotated Title 4 State Government Chapter 21 Human Rights Part 2  
Human Rights Commission**

4-21-203. Duties and responsibilities of the human rights commission to verify compliance with Title VI of the Civil Rights Act of 1964.

(a) In addition to the duties and responsibilities of the human rights commission pursuant to chapter 29 of this title, it is the responsibility of the human rights commission to verify that all state governmental entities comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) and regulations promulgated pursuant to Title VI.

(b) Notwithstanding any other law to the contrary, the human rights commission shall be responsible, pursuant to subsection (c), for the development of a Title VI implementation plan with participation by protected beneficiaries as may be required by that law or regulations for state governmental entities subject to the requirements of Title VI. To the extent applicable, the plan shall include Title VI implementation plans of any subrecipient of federal funds through a state entity. Each state governmental entity shall submit annual Title VI compliance reports and implementation plan updates to the human rights commission by October 1, 2010, and each October 1 thereafter. The reporting period shall cover the most recent full fiscal year. At least once each year, the human rights commission shall publish a cumulative report of its findings and recommendations concerning compliance with the requirements of this section. The cumulative annual report shall be distributed to the governor, to each member of the general assembly, and to each library designated as a depository of state reports and documents.

(c) It shall be the duty of the human rights commission to:

(1) Review current Title VI monitoring and enforcement procedures in federal and state statutes, rules, regulations, programs, services and budgetary priorities;

(2) Define and establish the components, guidelines and objectives of a comprehensive state policy to ensure and to promote present and future compliance with Title VI requirements;

(3) Identify any Tennessee laws, rules, programs, services and budgetary priorities that conflict with the components, guidelines and objectives of the comprehensive state policy;

(4) Search for any interdepartmental gaps, inconsistencies and inefficiencies in the implementation of the comprehensive state policy;

(5) Identify any new laws, rules, programs, services and budgetary priorities that are needed to ensure and promote present and future compliance with and enforcement of Title VI;

(6) Serve as the central coordinating agency for executive branch departments and agencies for technical assistance, consultation and resources to encourage and assist compliance with the requirements of Title VI;



- (7) Periodically and systematically audit, review, evaluate and report on Title VI compliance efforts and outcomes for each executive branch department and agency;
  - (8) Conduct research, hold public hearings, publish reports and engage in other activities to inform Tennesseans of the provisions and requirements of Title VI;
  - (9) Investigate allegations of noncompliance with Title VI;
  - (10) Report annually to the governor and the general assembly concerning the commission's activities, findings and recommendations; and
  - (11) Engage in other activities to encourage, promote and assist compliance with the requirements of Title VI.
- (d) Due to the diversity of programs that constitute federal financial assistance, subject to appropriations in the general appropriations act, the human rights commission shall provide ongoing training, education and technical assistance to employees of each state department. The diversity training shall include, but not be limited to, health and social services, road maintenance and building, employment issues, housing and related issues, education and education related issues and administrative and administrative support functions. In addition, subject to appropriations in the general appropriations act, diversity training shall be extended to provide training to subrecipients of federal funds through the state general appropriations act, including local governments, nonprofit organizations and private businesses.

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THE UNIVERSITY OF TENNESSEE

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Office of the President  
800 Andy Holt Tower  
Knoxville 37996-0180  
Telephone (865) 974-2241  
FAX (865) 974-3753

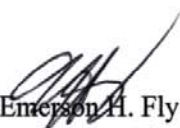
June 3, 2002

Dr. Jack H. Britt  
Vice President for Agriculture  
Institute of Agriculture  
The University of Tennessee  
101 Morgan Hall  
Knoxville, Tennessee 37996-4505

Dear Dr. Britt,

As Vice President for Agriculture, you are hereby designated the responsibility and authority to both develop and implement a program for Equal Employment Opportunity within and for the Institute of Agriculture of The University of Tennessee.

Yours very truly,

  
Emerson H. Fly  
Acting President

EHF

THE UNIVERSITY OF TENNESSEE  
INSTITUTE OF AGRICULTURE



Office of the Vice President  
P. O. Box 1071  
Knoxville, TN 37901-1071  
(865) 974-7342  
FAX: (865) 974-8781

June 7, 2002

Dr. Charles L. Norman  
Dean  
Agricultural Extension Service  
CAMPUS

Dear Charles:

As Dean of the Agricultural Extension Service, you are hereby designated the responsibility and authority to both develop and implement a program for Equal Employment Opportunity within and for the Tennessee Agricultural Extension Service.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jack H. Britt".

Jack H. Britt  
Vice President for Agriculture

Attachment

c: Herb Byrd


UT INSTITUTE OF AGRICULTURE

*Education, Research and Service through the Agricultural Experiment Station ♦ Agricultural Extension Service  
♦ College of Agricultural Sciences and Natural Resources ♦ College of Veterinary Medicine*



**Office of the Dean**

121 Morgan Hall  
2621 Morgan Circle Drive  
Knoxville, TN 37996-4530  
865-974-7114  
<https://extension.tennessee.edu>

Date: January 16, 2020  
To: UT Extension Personnel  
From: Robert T. Burns   
Subject: Extension EEO Coordinator

Dear Co-workers,

Effective January 1, 2020, Doug Bohner assumed the duties as Extension's Equal Employment Opportunity (EEO) Coordinator. Please direct EEO related questions and concerns to him. The "Program for Equal Employment Opportunity in the University of Tennessee Extension" document is being updated to reflect this and other changes and will be distributed to you at a later date.

C: Doug Bohner  
Tim Cross

**Office of the Dean**

121 Morgan Hall  
2621 Morgan Circle Drive  
Knoxville, TN 37996-4530  
865-974-7114  
<https://extension.tennessee.edu>

Date: January 16, 2020

To: Personnel Listed Below

From: Robert T. Burns



Subject: Designation as UT Extension Equal Employment Opportunity Program Counselors

The following personnel are hereby designated to serve as Equal Employment Opportunity Program Counselors and Title IX Counselors for clientele and staff:

State Personnel

Dr. Janie L. Burney, Professor, Family & Consumer Sciences  
Rita Jackson, Extension Specialist, Family & Consumer Sciences  
Rob Holland, Extension Specialist, Agriculture & Natural Resources

Western Region

Chris Cooper, Extension Agent, Shelby County  
Joe Griffy, Extension Agent & County Director, Stewart County  
Tennille Short, Extension Agent, Madison County

Central Region

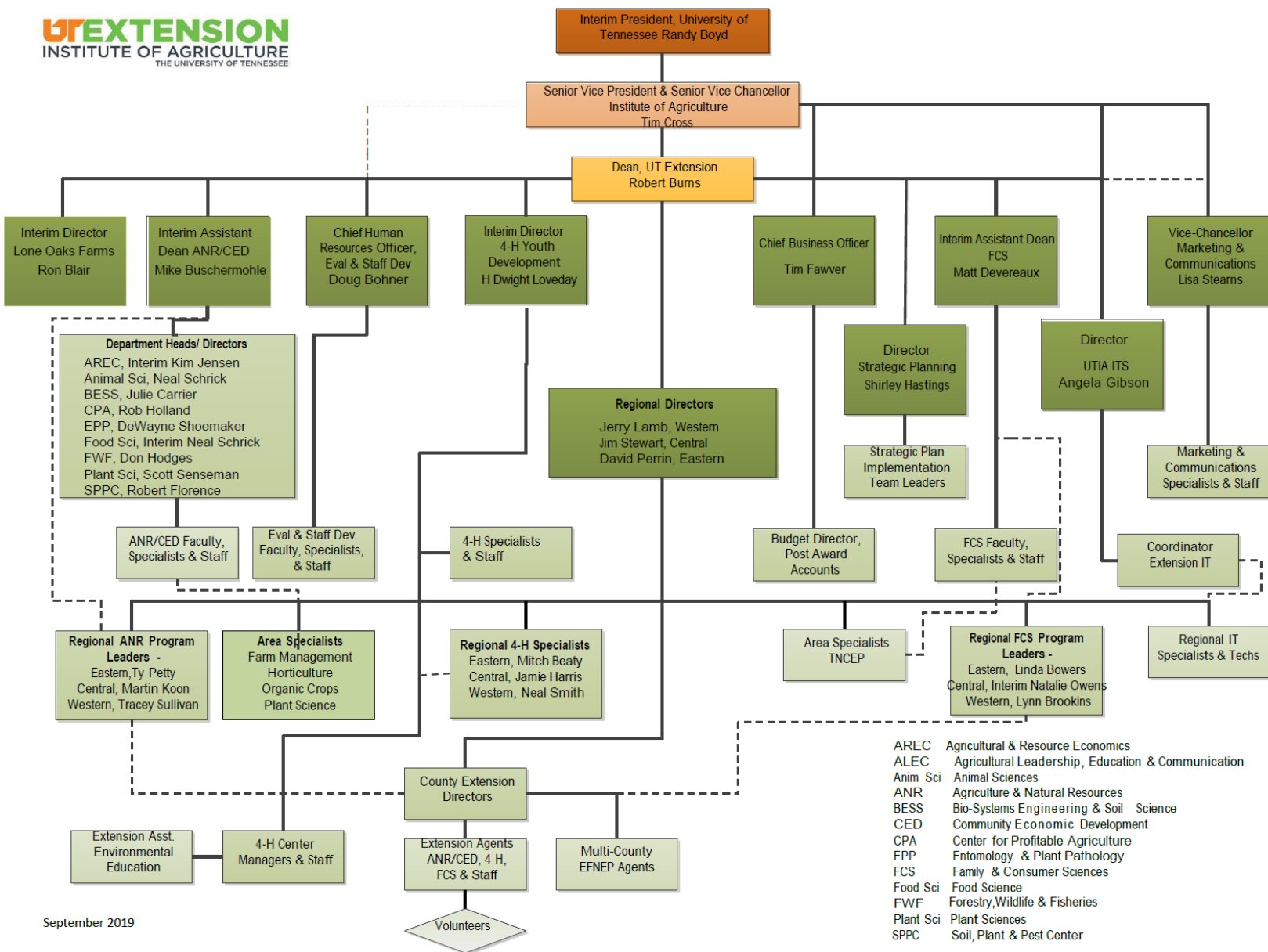
Chris Hicks, Extension Agent & County Director, Smith County  
Mary Beth Henley, Extension Agent & County Director, Franklin County  
Elizabeth Sanders, Extension Agent, Davidson County

Eastern Region

Anna Johnson, Extension Agent, Roane County  
James McMillion Jr., Extension Agent, Blount County  
Kelli Roberson, Extension Agent & County Director, Cumberland County

The above named personnel also will serve as members of the EEO Internal Advisory Committee. Mr. Doug Bohner will serve as Chairman of the Committee.

A copy of the "Program for Equal Opportunity Employment Opportunity in the University of Tennessee Extension" document is attached for your information. You will be contacted by Extension EESD staff in January to schedule training regarding your service as an Equal Employment Opportunity Program Counselor. Please feel free to contact me if you have any questions or concerns.



**UNIVERSITY OF TENNESSEE  
INSTITUTE OF AGRICULTURE  
UT EXTENSION**

**Criteria for Employment in Beginning  
County or Area Positions**

1. Persons applying for Extension Agent positions must meet the degree requirements listed in the job opportunity announcement. Normally for positions working in Agriculture & Natural Resources or Human/Environmental Sciences must hold a Bachelor's degree in Agriculture or Family and Consumer Sciences. Applicants with Education or closely-related degrees will be considered for positions with 100% 4-H youth responsibility.
2. Applicants must have a minimum cumulative grade point average of 2.7 on a 4 point scale or must have earned a Masters degree.
3. Formal training beyond the baccalaureate degree or work experience is preferred when applicable to the position being sought.
4. Recent employment in a profession directly related to Extension education , or recent college coursework directly related to Agriculture, Family and Consumer Sciences or a closely related program is preferred.
5. Applicants are expected to pursue programs of professional improvement including subject-matter inservice training and graduate level programs.
6. Applicants must be a U.S. citizen, or be lawfully eligible for employment in the United States.
7. Applicants must exhibit professional characteristics, such as cooperation, reliability, technical and academic competency, leadership skills, and effective communications skills.
8. Applicants must be willing and will be required to work with all clientele, regardless of race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.
9. Applicants must be acceptable to the respective county's Agricultural Extension Advisory Committee.

***Acceptance of a position with UT Extension is considered acceptance of the provisions listed above.***

**STATEMENT CONCERNING  
UT EXTENSION  
SALARY SCHEDULE FOR PROFESSIONAL EMPLOYEES**

UT Extension, as part of The University of Tennessee is subject to all rules and regulations of the University. The administration of salaries throughout the organization is performed without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status. Starting salaries for new employees in Extension professional categories are the same for women and minority groups as compared to other employee demographics. Personnel salaries may vary due to experience, performance, job assignment, and other appropriate nondiscriminatory factors.

400 - 9/05 (Rep) E12-2015-00-002-06

Programs in agriculture and natural resources, 4-H youth development, family and consumer sciences, and resource development.  
University of Tennessee Institute of Agriculture, U.S. Department of Agriculture and county governments cooperating.  
UT Extension provides equal opportunities in programs and employment.

UT Extension Charles L. Norman, Dean