

IN-TOUCH WITH EEO

Equal Employment Opportunity
Newsletter vol. 2 issue 3

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FROM THE DIRECTOR:

The EEO Office has launched the **Diversity, Equity, Inclusion and Accessibility** workshop series. Thus far the trainings that have been conducted are Reasonable Accommodation, Civility in the Workplace, Perceptions and Conflict Management. There are four additional trainings in the series left for this FY. The training series are geared toward the garrison workforce supervisors as well as employees at all levels. Relevant DEIA training is important because it can have a profound impact on workforce and the environment of the organization. By attending at least two of the training sessions you meet the EEO requirement in your annual appraisal.

If you missed a series and would like for the EEO team, to conduct one for your department, you can contact me for additional information.

Monique N. Moore



End of the COVID-19 Public Health Emergency

Based on current COVID-19 trends, the Department of Health, and Human Services (HHS) is planning for the federal Public Health Emergency (PHE) for COVID-19, declared under Section 319 of the Public Health Service (PHS) Act, to expire at the end of the day on May 11, 2023. Over the last two years, the Biden Administration has effectively implemented the largest adult vaccination program in U.S. history, with nearly 270 million Americans receiving at least one shot of a COVID-19 vaccine.

As a result of this and other efforts, since the peak of the Omicron surge at the end of January 2022:

Daily COVID-19 reported cases are down **92%**
COVID-19 deaths have declined by over **80%**,
New COVID-19 hospitalizations are down nearly **80%**

Still, so many people continue to be affected by COVID-19, particularly seniors, people who are immunocompromised, and people with disabilities. That is why our response to the spread of SARS-CoV-2, the virus that causes COVID-19, remains a public health priority.

17 March 2023: “As we look at our reentry to the workplace, we can’t expect to return to ‘business as usual,’” said Deputy Secretary of Defense Dr. Kathleen H. Hicks. “Throughout the pandemic we learned a lot about how we can embrace telework and flexible schedules to achieve new efficiencies in the workplace. We will continue to embrace successful practices to promote a more resilient and productive workforce that can attract new talent and retain our top performers.”

Since the beginning of the pandemic, some DoD civilian employees have been on full-time telework. Other employees have had schedules that differ from their organization’s regular schedules, such as shift work, in order to maintain physical distancing. This updated guidance does not direct a “one size fits all” plan to return to the workplace, rather it directs supervisors to begin discussions with civilian employees in these categories to plan for a return to the workplace or arrange for working on an adjusted schedule. Specific reentry plans will be dependent on organizational needs, the Health Protection Condition framework, and force health protection guidance.

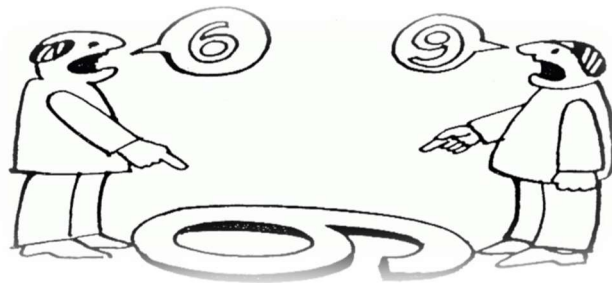
Considering that many still face uncertainty pertaining to the pandemic and Covid we should keep in mind that in nearly every aspect with changes in the workplace or working environment, open, clear, and concise communication is paramount. In addressing employee concerns remain open minded and listen for understanding not agreement. Provide all parties understand each other parties point of view we can then work together to move forward in a clear and transparent manner. We have each been impacted in some way by the pandemic as it relates to our social connectedness and periods of isolation so let’s be the best versions of our social being selves and work together.

“Everything we hear is an **opinion**, not a **fact**. Everything we see is a **perspective**, not the **truth**.”

— **Marcus Aurelius**, [Meditations](#)

Some of you may be thinking to yourself that well that’s his opinion isn’t it, not a fact. Then others would blindly agree without any introspection or thought regarding the matter. You may be asking yourself what is the point and why is this in an EEO newsletter? Well, it gets at a very important aspect of human behavior and how we treat each other.

Imagine a time when you see something take place and thought very matter of fact about what you saw. Now consider, did you have all the circumstances contributing to the action perceived? Probably not, what you saw was in your best effort at generating the truth based off the information you had at hand, but this does not conclude a complete picture or even the truth. For example, if on a summer day in June at around midday, I say the sky is blue; is this a fact? Well from where I am standing yes, it is however in another location it may be raining and grey. This is information I did not have or could have reasonably been able to know but it does change the truth.



Now imagine applying this perspective to your day-to-day interactions with those you work with. Consider that what you see is not the entire truth and that there may be circumstances or exterior factors that are affecting the way a person behaves or responds. When interacting with each other we should do so patiently and in a courteous manner. We are all entitled to a bad day on occasion, and everyone can relate to having situations arise in life that can be stressful or complicated which cause us to be distracted or anxious. This alters our behavior and our perception of the things going on around us. I challenge you to take control of those things in life that are within your control and perform them to the best of your ability but for everything else accept it as it is. No need in worrying about the things you cannot control but instead focus on the one thing you can control which is your response to that action or event. Life is hard enough with us making it more difficult for each other.

There will be several training sessions taking place in the coming months and all are encouraged to attend if available. Some of the topics are effective communication, perceptions, conflict management and many more. Each training session will be offered virtually over teams to make it easier for you to attend. Notification of training dates and times will be coming out via email so be on the lookout.

What is Captioning?

According to the National Association of the Deaf, Captioning is the process of converting the audio content of a television broadcast, webcast, film, video, CD-ROM, DVD, live event, or other productions into text and displaying the text on a screen, monitor, or other visual display system. Captions not only display words as the textual equivalent of spoken dialogue or narration, but they also include speaker identification, sound effects, and music description. It is important that the captions are (1) synchronized and appear at approximately the same time as the audio is delivered; (2) equivalent and equal in content to that of the audio, including speaker identification and sound effects; and (3) accessible and readily available to those who need or want them. Captions must have sufficient size and contrast to ensure readability, and be timely, accurate, complete, and efficient. When displayed, captions must be in the same line of sight as any corresponding visual information, such as a video, speaker, field of play, activity, or exhibition.

Captioning makes audio and audiovisual material accessible and provides a critical link to communication, information, education, news, and entertainment for more than 36 million Americans who are deaf or hard of hearing. For individuals with limited English proficiency and for English-language learners, English-language captions improve comprehension and fluency. Captions can also help to improve the literacy skills of children and adults alike.

When captions are visible only when selected and activated, such as when they are visible on a television screen, they are called “closed captions.” When captions cannot be selected or activated, such as when they are permanently embedded in the audiovisual material, they are called “open captions.” Captions may also be presented selectively to individuals with specialized caption display equipment.

Captions are commonly produced in advance for pre-recorded material. When captions are provided for live presentations, they are called “real-time” captions. Communication Access Realtime Translation (CART) is a form of captioning that can be provided on-site or remotely, usually for live presentations such as meetings, classes, or conferences.

People who are deaf or hard of hearing often require live captions to participate in meetings. People with other disabilities may also need captions for focus and concentrations. Even people with good hearing sometimes struggle to comprehend completely, especially in loud or noisy environments. One captioning option is Communication Access Realtime Translation. In which a certified CART provider joins a meeting and transcribes speech into a live text stream using a specialized keyboard. According to PEAT, human-generated CART is “the gold standard for accuracy”. If an individual requests captioning as an event accommodation, it is what you should always provide.

It is important to set up an account with a CART provider ahead of time, so that the service is readily available when needed. The Hearing Loss Association of America maintains a list of remote captioning provider. Federal government employees can obtain free captioning through the Federal Relay Services.

Meeting hosts can secure CART to play in a window adjacent to the speaker. Some platforms include the option to seamlessly add captions below the presentation screen. PEAT advises sharing the participant list and meeting materials with the captioners ahead of time, so they are prepared to anticipate participant names and any specialized jargon.

Another captioning option is automatic captions, which are captions generated instantly by a computer that translates live speech to text without any human intermediary. According to PEAT, automated, AI-enabled captions have made impressive strides in recent years. Although, CART is still considered the best option for scheduled events, automated captions are useful in many situations. Regardless, of the options that is used, it is important to speak slowly, clearly, and one at a time to assist the captioners and interpreters.

Reasonable Accommodation

Pregnant Workers Fairness Act (PWFA) 2023

PUMP for Nursing Mothers Act (PUMP) 2010

PWFA guarantees employees the affirmative right to receive reasonable accommodations for limitations stemming from pregnancy, childbirth, and related medical conditions unless the requested accommodations would pose an “undue hardship” to the employer (similar to but not the same as, the familiar process in place for workers with disabilities).

A pregnant or postpartum employee do not need to have a pregnancy-related disability to receive an accommodation.

Under the ***Pregnant Workers Fairness Act***, an employer must have a good-faith conversation with a worker seeking reasonable accommodations about the worker’s needs and reasonable accommodations that could meet those needs. This is called the “interactive process.”

- The interactive process can occur in person, by phone, over email, or in other ways. For example, a supervisor might have a meeting with a pregnant employee requesting accommodations to discuss what job duties the employee can safely do or talk about available positions that the employee could temporarily transfer to.
- An employee does not need to use any “magic words,” or mention the “Pregnant Workers Fairness Act” or the phrase “reasonable accommodation,” in order to start this process. The request for an accommodation can come from someone other than the employee.
- The employer must respond to the request and engage in the interactive process promptly.
- Even if the employee is not able to perform some of (or all of) the main job duties, referred to as “essential functions,” an accommodation will be provided so long as the employee will be able to perform those duties in the near future and the accommodation is needed for a temporary amount of time.

An employer cannot force an employee to accept an accommodation that the employee does not want or need, or force an employee to take leave, whether paid or unpaid. For example, an employer cannot force a pregnant employee to accept a reduced work schedule or stop traveling for work, if the employee does not want or need those changes. The **PWFA** goes into effect on **June 27, 2023**.

PUMP Act requires employers to provide reasonable break time for an employee to express breast milk for their nursing child for one year after the child's birth each time such employee has need to express milk. Employees are entitled to a quiet place to pump at work, other than a bathroom, that is shielded from view and free from intrusion (ability to lock the door) from coworkers and the public and cleaning supplies.

For additional Information you can contact the EEO office:

[What You Should Know About the Pregnant Workers Fairness Act | U.S. Equal Employment Opportunity Commission \(eeoc.gov\)](https://www.eeoc.gov/what-you-should-know-about-the-pregnant-workers-fairness-act)

<https://www.opm.gov/policy-data-oversight/worklife/reference-materials/nursing-mother-guide.pdf>

Hiring Practice Considerations

When making an employment decision, some hiring practices may have an especially negative effect on applicants of a particular race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, disability status or age (40 or older). Examples of some of these hiring practices that may have negative effects include:

- Requiring applicants to be within a certain height or weight range may have an especially negative effect on female applicants. This requirement may discriminate against women, Asian or Hispanic applicants who generally are of smaller stature than Caucasians or African Americans.
- Requiring that applicants pass a physical agility test may have an especially negative effect on older applicants. Physical ability tests typically ask individuals to perform job-related tasks requiring manual labor or physical skill. These tasks measure physical abilities such as strength, muscular flexibility, and stamina.
- Broadly barring applicants with criminal records may have an especially negative effect on applicants based on race or national origin. Provide applicants an opportunity to explain their criminal history. Inform applicants if they may be excluded from consideration because of prior criminal conduct. Afford them an opportunity to respond and consider reevaluating them based on their explanation.

Hiring practices that have an especially negative effect on a particular set of applicants are not automatically illegal. However, you can take additional steps to avoid potential problems. Ensure that hiring practices that have an especially negative effect on applicants of a particular race, color, religion, sex, national origin, or disability status are necessary for safe and effective job performance. For example, would people who are shorter or lighter than the height or weight restrictions be unable to perform the job safely or efficiently? Ensure that hiring practices that have an especially negative effect on applicants who are 40 years of age or older are based on a reasonable factor other than age. An example of this would be if older applicants tend to pass a physical fitness test at a lower rate than younger applicants; ensure that the test is reasonably designed and administered to achieve a valid occupational purpose. An example of this would be the speed, strength, or agility required to perform a job.

It is recommended to avoid asking applicants questions about personal characteristics that are protected by law under Title VII of the 1964 Civil Rights Act, such as race, color, religion, sex, national origin, or age. These types of questions may deter some individuals from applying. Some applicants may view these questions as suspicious and may be considered by the EEOC as demonstrating intent to discriminate. If this information is unknown when the decision is made who to hire, it may be easier for you to defend your agency against a hiring discrimination complaint. Some examples of questions to avoid are about race, religion, or ethnicity, such as:

- Are you biracial?
- Which church do you attend?
- What language(s) do you speak at home?
- Are you pregnant?
- Do you plan to have children within the next year?

Questions regarding appropriateness of questions and assistance with ensuring decisions are being based neutral information can be directed to the EEO Office or the Legal Office.

References: U.S. Equal Employment Opportunity Commission, www.eeoc.gov
Office of Personnel Management, www.opm.gov

Automatic Speech Recognition Apps

About 15 percent of American adult's report that they have some trouble with their hearing. Individuals that are deaf, hard of hearing or have hearing conditions are still able to perform their jobs successfully and are protected from being discriminated against or denied opportunities because of the assumptions that surround these conditions.

There have been many advances in automatic speech recognition (ASR) over the last few years that have opened new communication options for people who are deaf or hard of hearing. These communication options have the potential to help individuals with hearing conditions. Below is a description of some of the apps and technologies that are available to assist individuals with hearing loss:

Rogervoice is an app that produces live transcription during phone calls. Available in more than 80 languages, it allows people who are deaf or hard of hearing to use a phone to have a conversation with someone. When the other person is speaking, their speech is instantly displayed as text on the screen. The user can reply either by speaking or by text. If the user writes during the call, a voice synthesizer reads their message to the listener.

Google Live Transcribe is a smartphone application that uses ASR to provide real-time transcription of speech into text. This app utilizes an Android phone's microphone to pick up spoken text, which is then delivered to the phone screen. The app uses machine learning to generate live captions in 80 languages. It can also display information on sounds, such as clapping, laughter, music, and applause and will save a transcript of a conversation for up to three days.

Ava is similar to Google Live Transcribe, but available for both iPhone and Android devices, Ava also uses artificial intelligence technology to transcribe voice to text in real time. Ava has the additional benefit of being able to be used for group conversations. The Ava app connects to other devices in the room and uses their microphones to listen to and interpret the conversation, displaying a live transcription of the group conversation on the phones' screens. The name of each person talking is displayed in front of what they say.

VoxSci is a speech-to-text app that converts voicemail messages into text and delivers them either to a cellphone as a text message or as an email with an MP3 attachment. Voicemails can also be read on the app itself.

Braci Sound Alert is an app lets a user record sounds in their environment then provides visual and vibrational alerts when it recognizes that sound again. For example, the app can alert a user to when an alarm goes off or a doorbell rings. The alerts can be received on a smartphone, smart watch, or other portable smart device.

References: EEO Advisor Col. 25 Issue 5, dated Jun 2023
U.S. Equal Employment Opportunity Commission, www.eeoc.gov



EEO Spotlight:

Tammy Carcirieri (EEO Collateral Duty Counselor)

The Power of Wholeness

Hello, everyone.

My name is Tammy Carcirieri, and I am a Personnel Security Specialist for the Centralized Suitability Service Center (CSSC), which is located here on Aberdeen Proving Ground. The CSSC falls under the Army G1 Suitability Division whose mission it is to provide policy and oversight in the screening and adjudication of suitability (T1, T2, T4), fitness, and HSPD-12 credentialing for the Total Army Workforce to sustain Army readiness.



In the execution of our mission, my colleagues and I utilize the Whole-Person Concept. Under the Whole-Person Concept, an individual's eligibility for a security clearance is determined by considering the totality of his or her character and conduct. In other words, no single issue will automatically result in security clearance denial or revocation. Derogatory information from a person's past may be mitigated when the applicant shows that despite the past, in the present, the prospective federal employee is trustworthy, reliable, and suitable.

In addition to my role as a Personnel Security Specialist, I serve as an EEO Collateral Duty Counselor. When an EEO complaint is filed, one of the most important questions the Collateral Duty Counselor asks the Aggrieved is, "What are you looking for in this process that will make you **WHOLE** again?" In this context, **WHOLE** is synonymous with restore, redress, repair, reconcile, rebuild. These soothing, healing words have positive and powerful connotations. Sometimes Aggrieved individuals desire nothing more than a simple apology or feasible accommodation. Other Aggrieved persons strive for the strict legal definition of "to make one **WHOLE**" that ties the concept to monetary compensation. In these types of cases, the Aggrieved asks to be paid or awarded damages sufficient to put him/her back into the position he/she would have been in without the fault of another.

There is great value to be found in this concept of **WHOLENESS**. Diversity, equity, inclusion, and accessibility become achievable and sustainable when we practice the Whole-Person Concept in our professional and personal lives. When conflict arises at work and at home, as it surely will, we all would be wise to look for ways to make each other **WHOLE** again.

Intouch with EEO will be published quarterly by the EEO Office. The purpose is to share information and increase your knowledge and awareness of EEO and EEO related topics.

EEO Spotlight:

Counselor Reflections



William Schwartz (EEO Collateral Duty Counselor)

My experience as an EEO Collateral Duty Counselor has been very positive. The EEO Office has been very supportive with ongoing training and support. Relative to EEO cases, my experiences have been challenging, yet rewarding. As a neutral individual I approach each case with an open mind and ensure that I articulate that I am a non-biased when working to resolve the case at the lowest level possible. Listening to the aggrieved in addition the management official(s) and witness(es) allows me to further express facts for my counselor's report. During my tenure as an EEO Counselor, I have refined my listening and writing skills. As an EEO Counselor, working to resolve the case at the lowest level possible, I work to resolve the issue at hand. It allows me to ensure my communication skills are consistently improved while simultaneously meeting the mission of Aberdeen Proving Ground and the United States Army.

Helen Mearns (EEO Collateral Duty Counselor)

A year ago, I took the training to be a Collateral Duty EEO Counselor, but it took me a long time to dive into the deep end and accept my first case. I didn't want to mess up! Thankfully, serving under the guidance of the specialists and experts at EEO, I was able to perform my duties as an EEO Counselor. One of the hardest things I learned about being an EEO Counselor was reconciling myself to the reality that there may not be a solution especially when we are taught the goal is to resolve a dispute at the lowest level possible. Additionally, as an engineer at DEVCOM CBC where I am a problem solver, you might think resolving a dispute comes naturally. Not exactly. When I serve APG and the Army as a Collateral Duty EEO Counselor, I must set aside my default empathetic behaviors and take a step back to make sure I am simply impartially gathering information. I must be 100% neutral. As one of the EEO Specialists mentioned to me, think about when you are watching a drama on television and someone is being interviewed and you are shouting at the television, "Why didn't you ask...?" Then ask those questions as you gather information and find the facts.

The EEO Team

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DISCRIMINATION IS PROHIBITED ON THE BASIS OF RACE, COLOR, RELIGION, SEX, (Gender and Pregnancy), NATIONAL ORIGIN, AGE (40+), PHYSICAL/MENTAL DISABILITY, REPRISAL (for Opposition and Participation) AND GENETIC (GINA) INFORMATION

Employees, former employees or applicants for employment and possible contractors at Aberdeen Proving Ground, Maryland who believe they have been discriminated against, may initiate an informal complaint with the Equal Employment Opportunity Office.

Complaints must be initiated within **45 calendar days** of:

- The date of the incident giving rise to the complaint.
- The effective date of the personnel action giving rise to the complaint.
- The date the aggrieved became aware of or should reasonably become aware of the alleged discriminatory action or practice.

There are two stages to an EEO discrimination complaint: pre-complaint and formal. All complaints must begin at the pre-complaint stage before progressing to the formal stage of the EEO process.

The aggrieved individual may be offered an opportunity to participate in Alternative Dispute Resolution (ADR). The Army's preferred method of ADR is mediation. A mediator (neutral, objective third party) brings the aggrieved and management together in an attempt to reach a mutually satisfactory solution to the employment matter.

EEO Email: apgeeo@army.mil or apgeeo299@army.mil
EEO Website: <https://home.army.mil/apg/index.php/about/Garrison/EEO>

GARRISON EEO NEW EMPLOYEE ORIENTATION

TO ATTEND: (410) 306-2432 OR APGEE0@ARMY.MIL OR APGEE0299@ARMY.MIL

Inclusion Diversity Equity Accessibility !



LOCATION:
6488
RODMAN RD
STE 111,
CONF ROOM
@ 9AM

Please request any accommodation at least 5 days prior

Diversity, Equity, Inclusion & Accessibility Engagement Training

During FY23 there will be several training opportunities for you to attend via Teams. EEO promotes a healthy working environment through various processing to include prevention. We foster prevention by educating the workforce on the elements of a healthy working environment. In support of that mission below are a list of upcoming training/development opportunities.



Training/Development Opportunities:

Effective Communications – Jun 21, 2023 @ 1300, [Join Training](#)

Unconscious Bias – July 27, 2023 @ 1300, [Join Training](#)

Diversity Management – August 17, 2023 @ 10:00, [Join Training](#)

Communicating Across Differences – September 18, 2023 @ 10:00, [Join Training](#)



All training will be conducted via Teams. For in-person training or additional training dates please contact the EEO office at 4306-2432