

The Federal Emergency Management Agency's (FEMA) training program is delivered through the Emergency Management Institute (EMI) and the National Fire Academy (NFA). These schools are located on the National Emergency Training Center (NETC) campus at Emmitsburg, Maryland. NFA is the national focal point for Federal efforts to advance the professional development of fire service personnel engaged in fire prevention and control activities. EMI provides emergency management training to enhance emergency management practices throughout the United States for the full range of potential emergencies.

Both NFA and EMI offer courses, workshops, and seminars on the Emmitsburg campus as well as nationwide through the emergency management training program and State fire service training programs. Although most training activities are directed at State and local government officials with emergency management or fire protection responsibilities, some are provided to private sector and volunteer agency audiences, as well as to the general public. A complete listing of EMI and NFA courses is also available on FEMA's World Wide Web site. The address is <http://www.fema.gov/>

FEMA's Independent Study Program

FEMA's Independent Study Program is one of the delivery methods EMI uses to provide emergency management training to the general public and to emergency management audiences. The Independent Study Program includes courses in radiological emergency management, the role of the emergency manager, the role of voluntary agencies in emergency management, and hazardous materials. Many of these independent study courses are available at FEMA's World Wide Web site.

This course is part of FEMA's Independent Study Program. FEMA's independent study courses are available at no charge and include a final examination. Persons who score 75 percent or better on the final examination are issued a certificate of completion by EMI. You may apply individually or through group enrollment. When enrolling for a course, you must include your name, mailing address, Social Security number, and the title of the course you want to enroll in.

If you need assistance with enrollment, or if you have questions about how to enroll, contact the Independent Study Program at:

FEMA Independent Study Program
Administrative Office
Emergency Management Institute
16825 South Seton Avenue
Emmitsburg, MD 21727

Introduction

While fulfilling their day-to-day duties and responsibilities in the Disaster Field Office (DFO), FEMA managers and supervisors take actions and make decisions that may impact the equal rights and opportunities of employees. The *FEMA Supervisors' Guide to Equal Employment Opportunity* has been developed to help FEMA managers and supervisors understand their responsibilities in Equal Employment Opportunity (EEO) and to help them confidently handle equal rights issues and potential issues as they arise. This self-paced course will provide you with a foundation of knowledge that will enable you to:

- Describe the Equal Employment Opportunity (EEO) laws that protect Federal employees from discrimination.
- Identify managers' and supervisors' responsibilities in preventing and dealing with discrimination and harassment.
- Describe the role of the Equal Rights Office (ERO) in the DFO and the responsibilities of Equal Rights Officers.
- Describe the appropriate action managers and supervisors should take to handle the EEO situation presented given a series of field-specific case studies.

This guide is not intended to make you a subject-matter expert in the area of EEO. Employees in FEMA's Office of Equal Rights and Equal Rights Officers in the DFO are experts in this area and they are available to help you with questions and problems that may arise.

Course Overview

This course will involve you actively as a learner by including exercises that highlight basic concepts. It will also provide you with guidance on actions required in specific situations through the use of field-specific case studies.

The course contains a pretest, seven units, and four appendices, one of which includes the final examination.

- The **Course Pretest** is designed to test your current knowledge in the area of EEO.
- **Unit One, EEO—What It’s All About**, contains a brief overview of the Federal laws prohibiting job discrimination. It also reviews FEMA’s Affirmative Employment Program (AEP).
- **Unit Two, How To Do It Right**, provides proactive strategies for managers and supervisors on preventing and dealing with discrimination and harassment.
- **Unit Three, Getting Assistance When You Need It**, provides information on the roles and responsibilities of the Equal Rights Officer in the DFO, the EEO complaint process, and the role of Alternative Dispute Resolution.
- **Unit Four, Case Studies in Title VII Issues**, contains field-specific Title VII case studies supervisors are likely to encounter on the job.
- **Unit Five, Case Studies in Sexual Harassment**, contains field-specific sexual harassment case studies that supervisors are likely to encounter on the job.
- **Unit Six, Case Studies in Age Discrimination**, contains field-specific age discrimination case studies that supervisors are likely to encounter on the job.
- **Unit Seven, Case Studies in Discrimination Based on Disability**, contains field-specific disability case studies that supervisors are likely to encounter on the job.

Appendices

- **Appendix A** contains the Director's Policies on EEO: Equal Opportunity and Affirmative Employment (no. 3-93), Sexual Harassment (no. 3-97), and Access to Agency Programs by Persons with Disabilities (no. 2-93).
- **Appendix B** contains answers to the Pretest and "Knowledge Check" quizzes that follow Units 1 through 3.
- **Appendix C** contains a glossary of EEO terms.
- **Appendix D** contains the Final Examination.

How To Complete the Course

This course is designed so that you can complete it on your own at your own pace. Before beginning this course, complete the Course Pretest. This test will help you identify how much you know about equal rights.

Once you begin the course, take a break after each unit and give yourself time to think about the material, particularly how it applies to your work as a manager or supervisor and the situations you have encountered or anticipate encountering on the job.

Remember to complete the activities and take the short "Knowledge Check" quizzes at the end of Units 1 through 3. Check your answers using the answer key in Appendix B. If you missed any questions, go back and review the material again.

Complete the case studies in Units 4 through 7. Each case study emphasizes different learning points so be sure to complete all of them. Answers will follow each case study. If your answer to the case study is correct, continue to the next case. If your answer is wrong, go back and review the material that is indicated.

When you have completed all units, move to the Final Examination in Appendix D and send it to EMI at the address shown on page iv of this Guide. EMI will score your test and notify you of the results. An answer sheet is supplied with the course materials. To obtain credit for taking this course, you must successfully complete this examination (75 percent correct). You may take the Final Examination as many times as necessary.

Pretest

The Pretest is designed to evaluate your knowledge of equal employment opportunity laws and your role as a supervisor or manager in ensuring that employees are not discriminated against. Find a quiet spot where you will not be interrupted during this time.

Read each question carefully and select the one answer that best answers the question. There is only one correct answer for each test item. There are 25 questions on the Pretest. Circle the letter corresponding to the answer you have chosen. Complete all the questions without looking at the course materials.

When you have answered all the questions in the Pretest, check your answers against the answer key that is provided on page B-1 at the back of the course materials. Your score will be meaningful only if you have answered all the questions before you begin the course.

The Pretest should take you approximately 15 minutes to complete. When you have finished and all of your answers have been checked, begin taking the course.

Pretest (Continued)

1. The courts will be lenient on employers if they can prove that an alleged discriminatory incident was unintentional.
 - a. True
 - b. False
2. There are two types of discrimination recognized by the courts: disparate treatment and:
 - a. Disparate rights.
 - b. Disparate opportunities.
 - c. Disparate standards.
 - d. Disparate impact.
3. Which of the following is not an example of affirmative employment?
 - a. Hiring under-represented groups to meet quotas regardless of qualifications.
 - b. Recruiting under-represented groups.
 - c. Promoting under-represented groups.
 - d. Removing discriminatory obstacles.
4. Which statement is false regarding job interviews?
 - a. Ask interview questions that are based on the requirements of the job.
 - b. Ask the same questions of all applicants who are applying for the same job.
 - c. Take notes during the interview and document your reason for selecting a candidate.
 - d. Give special consideration to women and minorities, even if they are less qualified for the job.
5. Which of the following is an illegal job interview question?
 - a. What duties did you perform in your last job?
 - b. Can you travel?
 - c. Do you have an arrest record?
 - d. What qualifies you for this job?
6. Which of the following is a legal job interview question?
 - a. Do you speak Spanish?
 - b. Are you Hispanic?
 - c. Do you have transportation to work?
 - d. Which do you think is more important to you, a family or a career?
7. If an employee in the DFO wishes to file a discrimination complaint he or she should contact the Equal Rights Officer.
 - a. True
 - b. False

Pretest (Continued)

8. Alternative Dispute Resolution is a form of conflict resolution that:
 - a. Is required of all employees who file a discrimination complaint.
 - b. Provides an informal mechanism for parties to work out their differences and arrive at mutually agreeable solutions.
 - c. Is conducted by an EEOC employee.
 - d. Is not available at FEMA.

9. Which of the following is not a violation of Title VII of the Civil Rights Act?
 - a. Creating an offensive or hostile work environment.
 - b. Sexually harassing someone.
 - c. Retaliating against someone who has filed a discrimination complaint.
 - d. Denying a person employment because he/she has a physical disability.

10. If an employee has a religious practice that requires him or her to have specific days off during the year, you should reasonably accommodate that employee.
 - a. True
 - b. False

11. If an employee under your supervision approaches you with a discrimination complaint about another one of your staff members, you should:
 - a. Interrupt the employee and tell the employee to talk to the Equal Rights Officer.
 - b. Defend the person whom the employee is complaining about because you know this person would never discriminate against anyone.
 - c. Ask the employee what he or she would like you to do as his or her supervisor.
 - d. Call the person whom the employee is complaining about into your office and help them resolve the conflict.

12. A supervisor in the DFO prevents a black male from going out in the field because there is known white supremacist activity in the area. Is this legal?
 - a. Yes
 - b. No

13. The seriousness of sexual harassment has been exaggerated; most so-called harassment is really trivial and harmless flirtation.
 - a. True
 - b. False

Pretest (Continued)

14. When a co-worker obtains a raise or promotion because the co-worker is sexually cooperative with the supervisor, other qualified workers may file a discrimination complaint for being denied an equal opportunity to obtain the benefits.
 - a. True
 - b. False

15. A person can complain about sexual harassment even if he or she is not the intended target.
 - a. True
 - b. False

16. Which of the following is an example of “quid pro quo” sexual harassment?
 - a. A woman persistently pressures a man for dates even though he is not interested.
 - b. A work team frequently tells sexual jokes and stories.
 - c. A supervisor often calls women “honey.”
 - d. A supervisor denies an employee a promotion because the employee would not date the supervisor.

17. The Age Discrimination in Employment Act protects individuals from employment discrimination who are _____ years of age or older.
 - a. 40
 - b. 50
 - c. 63
 - d. 72

18. Making employees over the age of 40 years the butt of jokes or barbs about their age is disrespectful, but legal.
 - a. True
 - b. False

19. Which of the following is not prohibited by the Age Discrimination in Employment Act?
 - a. Statements of age preferences and limitations in job notices.
 - b. Harassment because of age.
 - c. Providing performance feedback to older employees.
 - d. Denial of benefits to older employees.

20. During the downsizing of a disaster operation, a man 73 years of age was the first to be released even though he was as equally qualified as the younger workers who were still working. Could the 73-year-old man have legitimate grounds for a discrimination case?
 - a. Yes
 - b. No

Pretest (Continued)

21. A supervisor prevents a 68-year-old female from going out in the field because weather conditions are harsh. The supervisor allows younger employees to go in the field in similar weather conditions. Is this legal?
- a. Yes
 - b. No
22. Agencies like FEMA are required to provide reasonable accommodation to qualified individuals with disabilities. Which of the following is not an example of reasonable accommodation?
- a. Making facilities accessible to the person with a disability.
 - b. Modifying the work schedule of the person with a disability.
 - c. Eliminating a primary job responsibility for a person with a disability.
 - d. Acquiring or modifying equipment for the person with a disability.
23. A person who is an alcoholic is protected under the Vocational Rehabilitation Act.
- a. True
 - b. False
24. An agency like FEMA does not have to provide reasonable accommodation to a person with a disability if:
- a. It would pose an undue hardship on the agency.
 - b. The employee does not request an accommodation.
 - c. The accommodation requested is unreasonable.
 - d. The employee is a poor performer.
25. A person with HIV is not protected under the Rehabilitation Act.
- a. True
 - b. False