

systems and procedures which will promote continuing affirmative employment to insure equal opportunity in the recruitment, selection, placement, training, awards, recognition and promotion of employees, including an applicant flow tracking system;

(b) Provide positive assistance and guidance to organizational units and personnel offices to insure the effective implementation of the personnel management policies, programs, automated systems, and procedures on equal employment opportunity;

(c) Participate at the national level with other Government departments and agencies, other employers, and other public and private groups, in cooperative action to improve employment opportunities and community conditions which effect employability;

(d) Prepare and implement plans for recruitment and reports in accordance with the Federal Equal Opportunity Recruitment Program and the Disabled Veterans Affirmative Action Program;

(e) Make reasonable accommodation to the known physical or mental limitations of qualified applicants and employees with disabilities unless the accommodation would impose an undue hardship on the operation of the agency's program; and

(f) Designate a senior level Disability Program Manager to promote EEO/AE for persons with disabilities; to assure the accessibility of all HUD facilities and programs; and to manage the resources for providing reasonable accommodation.

§ 7.14 Responsibilities of Human Resources Officers.

In conformity with guidelines issued by the Assistant Secretary for Administration, Human Resources Officers shall:

(a) Appraise job structure and employment practices to insure genuine equality of opportunity for all employees to participate fully on the basis of merit in all occupations and levels of responsibility;

(b) Communicate the Department's equal employment opportunity policy and program and its employment needs to all sources of job candidates without regard to race, color, religion, sex, national origin, disability or age and so-

licit their recruitment assistance on a continuing basis;

(c) As appropriate, provide personnel information to EEO counselors and others who are involved in the decision on a discrimination complaint;

(d) Evaluate hiring methods and practices to insure impartial consideration for all job applicants;

(e) Ensure that new employee orientation programs contain appropriate references to the Department's EEO/AE policies and programs;

(f) Participate in the preparation and distribution of such educational materials as may be necessary to inform adequately all employees of their rights and responsibilities as described in this part, including the Department's directives issued to carry out the Equal Employment Opportunity Program;

(g) In coordination with the Director of the Training Academy, develop an on-going training program for various levels of administration and supervision, to ensure understanding of the Departmental EEO/AE programs, policy and requirements which fosters effective teamwork and high morale, and provide communication with employees on any matter related to equal employment opportunity;

(h) Decide all personnel actions on merit principles in a manner which will demonstrative affirmative equal employment opportunity for the organization;

(i) Ensure the greatest possible utilization and development of the skills and potential ability of all employees;

(j) Track applicant flow and promptly take or recommend appropriate action to overcome any impediment to the achievement of the objectives of the EEO/AE programs; and

(k) Provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity.

§ 7.15 Responsibilities of managers and supervisors.

All managers and supervisors of the Department are responsible for:

(a) Removing barriers to EEO and ensuring that Affirmative Employment objectives are accomplished in their areas of responsibility;

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(b) Evaluating subordinate managers and supervisors on their performance of EEO/AE responsibilities;

(c) Encouraging and taking positive steps to ensure respect for and acceptance of minorities, women and persons with disabilities, veterans and others of diverse characteristics in the work force;

(d) Providing for the non-discriminatory treatment of all employees and for providing full and fair opportunity for all employees in obtaining employment and career advancement, including support for F.A.I.R., the Upward Mobility Program, the Mentoring Program and the Individual Development Plan;

(e) Encouraging and authorizing staff participation in the various Diversity Program observances;

(f) Being proactive in addressing EEO/AE issues, and for work environments that encourage and support complaint avoidance through sound management and personnel practices;

(g) Resolving complaints of discrimination early in the EEO process either independently, or through the use of alternate dispute resolution techniques, when it is the right thing to do and when it represents a sound business decision; and

(h) Making reasonable accommodation to the religious and disability needs of applicants and employees when those accommodations can be made without undue hardship on the business of the agency.

§ 7.16 Responsibilities of employees.

All employees of the Department are responsible for:

(a) Being informed as to the Department's EEO/AE programs;

(b) Adopting an attitude of full acceptance of minority, female and disabled group associates, and support of F.A.I.R.;

(c) Providing equality of treatment of, and service to, all citizens with whom they come in contact in carrying out their job responsibilities; and

(d) Providing assistance to supervisors and managers in carrying out their responsibilities in the EEO/AE programs.

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PRECOMPLAINT PROCESSING

§ 7.25 Precomplaint processing.

The regulations in 29 CFR 1614.105, concerning precomplaint processing shall apply.

COMPLAINTS

§ 7.30 Presentation of complaint.

At any stage in the presentation of a complaint, including the counseling stage, the Complainant shall be free from restraint, interference, coercion, discrimination, or reprisal and shall have the right to be accompanied, represented, and advised by a representative of the Complainant's own choosing, except as limited by 29 CFR 1614.605. If the Complainant is an employee of the Department, the employee shall have a reasonable amount of official time to present the complaint if the employee is otherwise in an active duty status. If the Complainant is an employee of the Department and designates another employee of the Department as Complainant's representative, the representative shall be free from restraint, interference, coercion, discrimination, or reprisal, and shall have a reasonable amount of official time, if the representative is otherwise in an active duty status, to present the complaint.

§ 7.31 Who may file a complaint, with whom filed, and time limits.

Any aggrieved person (hereafter referred to as the Complainant) who has observed the provisions of § 7.25 may file a complaint if the matter of discrimination was not resolved to the complainant's satisfaction. The complaint must be filed with the Director of EEO within fifteen (15) days of receipt of the Notice of Right to File a Complaint issued by the EEO Counselor. The Department may accept a complaint only if the Complainant has met the appropriate requirements contained in 29 CFR 1614.605.

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(a) The complaint filed should include the following information:

(1) The specific action or personnel matter which is alleged to be discriminatory;