



UNLIMITED SERVICES SYSTEMS MANAGEMENT AND CONSULTANTS, INC

EEO AND EEO INVESTIGATIONS CAPABILITIES

USSMC's EXECUTIVE SUMMARY:

The Civil Service Reform Act opens with a policy statement which calls for a "Federal work force, which is reflective of the nation/s diversity." To serve the public effectively, we need in sight into the concerns of all segments of our society .One way to help ensure that the needs of all Americans are considered is through a representative Federal work force. When used creatively and effectively, Unlimited Services Systems Management and Consultants, Inc., believes that the Federal personnel system can be a useful tool for improving employment and advancement opportunities for minorities, women handicapped individuals and veterans. When the authorities and procedures of the personnel system are used to eliminate under representation, this is "affirmative employment. USSMC has found that part of affirmative employment is simply being sensitive to your employees' needs and concerns. For this can translate into a dollar and cents impact on the Federal government or with any organization. Managers must be trained to reduce conflicts as much as possible. While it's hoped that management would be motivated by positive incentives to take responsibility for your organization's EEO program, the discrimination complaint system exists to help enforce the EEO Act of 1972, and to assist employees who believe that they are victims of discrimination. USSMC believes that it's better for everybody when good EEO practices prevail. When employees are treated fairly, the organization saves thousands of dollars and staff hours which complaint procedures can consume. USSMC finds that most agencies have developed their policies on informal settlement for four basic reasons:

(1) The Cost Factor: Discrimination complaints are very costly and needless to say, these are multi-millions of dollars that could be put to other more effective use. USSMC prepares its customers with alternatives strategies that will alleviate costly investigation procedures.

(2) The Time Factor: Formal complaint processing is time consuming. Not only will an average complaint take as much as a year (or more) to process, it will consume approximately 400 combined staff hours of all employees involved (complainants, managers, employee witnesses, ad-hoc complaint processing officials, etc.). USSMC



works hard to reduce the time needed to interview the complainant or witness involvement as much as possible.

(3) The Operational Factor: Any organizational component involved in the complaint process inevitably will be subjected to organizational trauma. No organization operates at full efficiency during the course of complaint processing. USSMC takes a proactive approach that reduces the amount of stress and tension suffered by the complainant(s) and the witnesses.

(4) The Fairness Factor: Absent informal resolution, a complaint will proceed to final agency decision, which, of necessity, will be confined to the narrow legal question of whether the law has been violated.

II. STATEMENT OF UNDERSTANDING:

The Office of Equal Opportunity (OEO) of the is responsible for ensuring employees of Federal Government receive fair and equal treatment in the workplace. Any actions real or perceived of discrimination, disparate management practices or biased treatment of employees in hiring, promotion, termination or other disciplinary acts will be addressed by this office. As a result of the many recent initiatives concerning downsizing and other facets regarding reorganizing public and private sectors have created workplace environments that appear to be weighing in conflicting situations because of a variety of breakdowns in communications. The stress and uncertainty surrounding the layoff, terminations, and buyouts of employees, has raised concerns about the fairness of the process. The Federal Government continues to seek a firm that has the professional expertise and experience to handle a large case load, meet statutory deadlines, agency turn around times, and capability and resources to respond to EEO cases through the country in a timely manner that is both effective and efficient. Our overall purpose is to provide extended EEO Investigator Services by conducting on-site inquires into allegation of discrimination raised by Federal Government employees, former employees, or applicants for employment. To provide investigative service by a thorough review of facts and circumstances surrounding alleged discrimination. Produce a report of investigation and summary that will decide the merits of the accepted issues in the complaint. Finally, if required to prepare recommended final agency decisions on the merits of discrimination complaints filed against the Federal Government. Each decision will be based upon applicable EEO laws, rules and regulations and EEOC and /or court decisions. All reports and analysis will be provided to the appropriate designated EEO official as an original and the required additional copies. More copies will be made available if required and requested. All related information will be treated confidentially and not disseminated beyond that EEO official. USSMC is well equipped for this work in



EEO investigations because of the talented team of specialist and professionals who are thoroughly knowledgeable and experienced in EEO. Any if training is found to be needed to address the rousing number of complaints we are also available to provide the Federal Government with a proactive training program for all of its EEO counseling staff, managers and supervisors. The approach and methodologies deployed in response to the Federal Government's mandated organizational change and the concomitant impact and affects of employees must be customized to meet the needs at two levels; the obvious, manifested level, as well as, the more subtle internal dynamics level that lies below the surface of daily organizational functioning. We are sure our efforts will be sensitive to the overall needs of both disputing parties. Such an approach must be concern toward balancing the issues and concerns of employees and management in conjunction with the overall mission of the organization, its current business strategies, and the need for both the employees and the organization to function effectively in the future. USSMC's professional team has the expertise to meet the specific requirements set forth by the Federal Government. Our expertise encompasses six major areas, counseling, investigation, affirmative employment, harassment, mediation and dispute alternative resolution.

III. USSMC's TECHNICAL EXPERTISE IN EEO

There are several key factors that separate USSMC from other consulting firms that make us the strongest possible candidate for implementing the EEO Investigations Program. These factors include:

- An outstanding, reputation for excellent performance.
- Extensive experience in all aspects of EEO investigation, counseling, and assisting rendering final agency decisions.
- The ability to identify critical organizational and management issues in an effort to eliminate unnecessary cost associated with complaint resolution.
- In depth experience managing complex public sector and private sector concerns centered around proactive approaches to performance based disputes that end up in either EEO grievance situations.
- Demonstrated knowledge and applicable expertise in EEO laws, statues and regulations.
- National recognition and reputation for human resource management.



- EEO investigation and counseling, legal analysis and opinion, mediation and arbitration, and alternative dispute resolution.

Services are offered at a reasonable and competitive cost.

IV. TECHNICAL APPROACH

USSMC, Inc., and members of our team are very familiar with the procedures for a formal complaint when it has been accepted for investigation. If USSMC's capability statement of expertise is accepted by the Federal Government as it relates to EEO investigations, initially upon the assignment of a case and investigative plan would be provided to the agency designee. This would be conducted by a trained investigator(s). This investigative plan would outline the details of how the investigation would be conducted. It would be forwarded to the agency for approval by the appropriate staff. This investigator upon receipt of the agency's assignment letter will then assume authority over the case to review complainants/aggrieved person's rights, gather documentary evidence relevant to the allegations made, take sworn statements (affidavits) from those principal agency witnesses/responsible management officials and all who have information on the matter, and make a preliminary finding of whether discrimination occurred. As mentioned earlier in this document a report of investigations will be provided to the appropriate individuals. Depending on the requirements of the customer, USSMC can provide a report with recommendations or without recommendations. If recommendations are made the report will state whether the complainant has established a prima facie case for each alleged issue to determine if enough evidence has been provided to the Investigator to determine whether or not there discrimination has been found. These findings would then be provided to the appropriate EEO official with the authority to resolve the matter or take the case to the next appropriate level for further intervention. USSMC is also able to address Final Agency Decisions if requested.

V. USSMC's KNOWLEDGE OF VARIOUS EEO LAWS AND FEDERAL REGULATIONS

USSMC's team of EEO representatives, mediators, investigators and legal advisors are familiar on a daily basis with the following EEO laws and federal regulations:

Title VII of the Civil Rights Act of 1991

The Age Discrimination in Employment Act of 1967

- The Age of persons over forty

- The Equal Pay Act of 1963 (equity in pay based on Gender)



- The Civil Rights Act of 1964 (race, color sex, religion, national origin).
- The Rehabilitation Act of 1973 (physical or mental disabilities).
- The Civil Service Reform Act of 1973 (merit disabilities).

Our team is able to show that the personnel actions are free from discrimination. EEO Act of 1972

Our team of investigators are familiar with Affirmative Action practices that will assist the in eliminating employment imbalances which impact minorities and women.

Section 717 of Title VII of Civil Rights Act of 1964

Executive Order 11478

USSMC's team is able to assist the Federal Government appropriate staff and officials establish and maintain recruitment programs that will enable their agency to reflect the race, sex and ethnic diversity to the nation as a whole

Title II, Civil Service Reform Act of 1978.

USSMC is able to assist the appropriate EEO management officials prevent and resolve allegations and complaints of discrimination.

29 CFR Part 1614, Equal Employment Opportunity in the Federal Government

USSMC, Inc., is also very familiar with the Equal Employment Opportunity Commission, by the issuance of regulations:

29 CFR 1613 (EEO program and complaints)

1604(sex); 1605 religion; 1606 national origin and 1607 employee selection procedures

USSMC 's team would totally familiarize themselves with the regulations and management directives issued periodically by Court decisions, issued in connection with cases arising both in the public and private sector.

VI. USSMC'S TRAINING BACKGROUND IN EEO RELATED TOPIC AREAS:



USSMC's team is able to train in the following areas:

Conflict Resolution Alternative Dispute Resolution Communications

Objectives of EEO Program

What is Discrimination?

Effective EEO Counselors

The Manager's Role In EEO

Discrimination and the Types of Discrimination

Affirmative Action

Developing Employees

Creating a Positive Work Environment

The Selection Process and Dealing with Discrimination Complaints, etc.

VII. KINDS OF DISCRIMINATION:

USSMC is able to address issues relating to Disparate Treatment when a person claims that he or she was treated differently from other employees of a different race, color, sex, age, or who were not disabled.

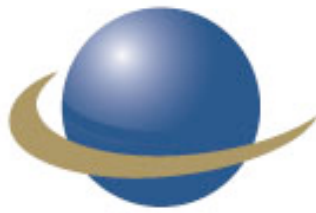
USSMC has also addressed issues relating to Disparate Impact -which focuses on a system such as promotion, training, or entrance examination, etc. that appears to treat everyone alike, but has the effect of harming a particular group. These claims are known to be made by an individual or a group.

VIII. USSMC's EEO COMPLAINTS FINDINGS:

USSMC has found when EEO complaints are raised in the working environment the following should be considered:

CAUSES

EFFECTS



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Lack of Recognition	Low Productivity	
Poor Communication	Poor Performance	
Constant Arguments	Hostility and Attacks	
Lack of Promotion	Low Morale	
Favoritism	Absenteeism	
Dishonesty	Distrust	
Lack of Cooperation	Win/ Lose Competition	
Communications	Ethnic and Sexual Insensitivities	Open
Grievances		Increases in
Resources	Disparate Treatment	Increases in

IX. Affirmative Action Plans Experience

USSMC, Inc. is also available to assist the Federal Government with the following types of Affirmative Action Plans:

1 Workforce Utilization Analysis (Parity Determination)

USSMC would look at the following categories under this subheading:

of Professional/ Administrative Workforce

of Technical Workforce

of Wage Grade Workforce

of Clerical Workforce



of Senior Executive Service

of Energy Department Targeted Disabled by Center

2. Statement of Goal for each underrepresented group

3. Analysis of Barriers or Impediments to EEO

4. Affirmative Action Self- Monitoring Plans

5. Affirmative Action Plan Summaries

6. Diversity Management Plans

X. USSMC'S KEY PERSONNEL

With a staff and management of diverse skills and expertise, USSMC is able to provide its clients with quality service and work closely with our clients on a one-on-one basis. We provide our staff with knowledge on the latest and most sophisticated resources trends and training so that they will be able to intelligently converse with clients and understand their problems and needs. With the many services, resources and qualified staff available that we can offer, it is sure that your organization can benefit and reach its fullest potential.