



MEMORANDUM OF UNDERSTANDING
BETWEEN THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
AND
THE NATIONAL ORGANIZATION FOR MEXICAN AMERICAN RIGHTS, INC.

PREAMBLE

This document establishes an agreement between the parties specified below for mutual benefit and support. Both parties enter into this agreement freely and without reservation.

I. PARTIES

The U.S. Equal Employment Opportunity Commission (hereinafter referred to as "EEOC" or "Agency"), enters into this Memorandum of Understanding (MOU) with The National Organization for Mexican American Rights, Inc. (hereinafter referred to as "NOMAR").

II. BACKGROUND

The EEOC is a Federal agency charged with responsibility for enforcing civil rights employment laws which prohibit discrimination on the bases of race, national origin, color, religion, sex, age, disability and reprisal. It is the policy and intent of the EEOC to prohibit discrimination in all aspects of employment. This includes prohibiting discrimination based on the protected bases identified above, as well as discrimination based on sexual orientation.

The EEOC is committed to the principles of equal employment opportunity (EEO), diversity, and inclusion. EEOC strives to attain and maintain a diverse, highly competitive workforce and inclusive workplace environment, free of discrimination.

The National Organization for Mexican American Rights, Inc. (NOMAR, Inc.) is a national non-profit organization established for the purpose of promoting and defending the civil rights of Americans of Hispanic Origin and their right to equal employment and educational opportunities. The mission of this organization is to find solutions to the problems and barriers faced by this group in the United States of America in obtaining employment and education that realizes their full

potential and allows them to share equitably in this country's wealth. NOMAR's Objectives include:

- Achieving representation of Hispanic Americans in the EEOC Federal workforce that aligns proportionately with availability of Hispanic Americans in the US Civilian Labor Force;
- Achieving representation of Hispanic Americans in supervisory, managerial, and executive ranks of the EEOC that is proportionate to the percentage of Hispanics in the EEOC's aggregate workforce; and
- Ensuring that Hispanic employees at the EEOC are treated fairly and equitably with respect to training and development, recognition, and disciplinary action.

III. PURPOSE

The purpose of this Memorandum of Understanding (MOU) is to document a commitment to engage in and sustain a partnership between EEOC and NOMAR in the recruitment, training, retention, advancement and involvement of Hispanic Americans in EEOC's workforce and programs, as well as other areas of mutual interest.

IV. OBJECTIVES AND RESPONSIBILITIES

The objectives of this MOU shall be to coordinate and facilitate activities that are responsive to the needs of EEOC and NOMAR. In this regard, NOMAR shall offer recommendations to EEOC on program initiatives that address concerns affecting the recruitment, training, career development, promotion and retention of qualified Hispanic Americans in EEOC's workforce, including Hispanic American employees in the Senior Executive Service. In fulfilling the objectives of this MOU, EEOC and NOMAR agree to participate in and be responsible for the following:

A. EEOC will:

1. Assign to the Agency's Office of Equal Opportunity (OEO), the responsibility of coordinating activities, programs and events with NOMAR under this MOU;
2. Collaborate with NOMAR in the development of innovative approaches to recruit, retain and promote Hispanic American employees at EEOC, particularly those at the GS 12-15 grade levels (or equivalent pay structure) and the SES;
3. Continue diversity recruitment and retention efforts directed toward outreach, recruitment, employment and professional development of Hispanic Americans;

4. Continue to ensure that Hispanic Americans receive full and fair consideration for employment in all grade levels, occupations, and programs, with special emphasis on mid-level and higher grades and executive-level jobs, including the SES and SES candidate pools;
5. Invite NOMAR to ceremonies, conferences, and meetings that EEOC holds to strengthen relationships with affinity/advocacy groups;
6. Participate in affinity/advocacy group national and regional training conferences and programs to the extent feasible, to include providing training and workshops covering employment opportunities, career advancement, leadership, and coaching and mentoring. Encourage and support the attendance of EEOC employees at these conferences/programs. When agreed to by both parties, purchase exhibit booth space at NOMAR's annual training conference to further EEOC's policies and program objectives for an inclusive and diverse workforce;
7. Participate in quarterly discussions with NOMAR to assess progress in building and maintaining a meaningful partnership;
8. Promote EEOC's commitment to the principles of equal employment opportunity, diversity and inclusion to NOMAR's members and constituents.

B. NOMAR will:

1. Advise its internal and external affiliates about this MOU, and enlist their participation in the implementation of this MOU;
2. Assist EEOC in disseminating information to NOMAR members to provide feedback when the Agency is considering initiatives affecting Hispanic Americans to achieve EEO and affirmative employment objectives;
3. Provide EEOC the opportunity to hold an agency forum in conjunction with NOMAR's National Conference/Program. NOMAR will provide space and logistical support for career fairs, recruitment activities and outreach efforts on a mutually agreed upon basis;
4. Assist EEOC in fostering partnerships with other organizations serving Hispanic Americans that have a mission and goal similar to NOMAR for purposes of networking, outreach, and recruitment;
5. Assist EEOC in its recruitment effort by posting EEOC vacancy announcements on the NOMAR Home Page for an agreed upon length of time;

6. Initiate and foster efforts to address Hispanic American participation rates that are below expectations when compared to the relevant Civilian Labor Force availability data for Hispanic Americans within EEOC;
7. Participate in quarterly discussions with EEOC staff to assess progress in building and maintaining a meaningful partnership;
8. Support EEOC's strategies to better prepare EEOC's employees, particularly Hispanic American employees, to be highly competitive during the recruitment and hiring process.

V. COST AND IMPLEMENTATION PROCEDURES

Nothing herein shall be construed as obligating EEOC and NOMAR to expend funds on behalf of the purpose, objectives, and responsibilities set forth in the MOU except as stated herein or agreed to in writing by the signatories or the organizations they represent. All obligations of funds for expenditures by EEOC and NOMAR are subject to the availability of funds. Before undertaking any collaborative activity that will require the obligation of funds or resources, EEOC and NOMAR will negotiate and execute an appropriate instrument such as a contract, grant, cooperative agreement, Intergovernmental Personnel Act agreement, or other agreement to document the transaction and identify the legal authority underlying the particular transaction. Each collaborative activity shall be agreed upon and conducted in accordance with all applicable statutes and regulations.

VI. AMENDMENTS AND TERMINATION

This MOU may be amended or terminated by either party with a sixty (60) day written "notice of intent" to the other party.

VII. DISCLOSURE INFORMATION

Subject to the Freedom of Information Act (5 U.S.C. 552), decisions or disclosures of information to the public regarding projects and programs initiated by this MOU will be made following consultations by the parties to the MOU.

VIII. EFFECTIVE DATE

This MOU may be amended or terminated by either party within this MOU and shall be effective on the date when both parties have signed the document.

The following signatures are in witness thereof, and serve to execute the foregoing MOU between EEOC and NOMAR.

THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Veronica E. Villalobos
Veronica E. Villalobos, Director, Office of Equal Opportunity

11/9/09
Date

THE NATIONAL ORGANIZATION FOR MEXICAN AMERICAN RIGHTS, INC.

Dan J. Solis
Dan J. Solis, National President

November 9, 2009
Date