

CHAPTER 15 OFFICE OF CIVIL RIGHTS (OCR)

PART 1 DELEGATION OF AUTHORITY FROM THE ADMINISTRATOR TO THE APPEALS ASSOCIATE ADMINISTRATOR FOR CIVIL RIGHTS

The authority of the Civilian Board of Contract Appeals to hear, consider and decide contract disputes for contracts not under the Contract Disputes Act of 1978 is derived directly from the Contracts Disputes Act, 41 U.S.C. 7105(e)(1)(B). As such, the CBCA has independent authority to handle these disputes. Therefore, the delegations do not limit the independent authority of the Civilian Board of Contract Appeals with regard to these contract appeals.

Delegated Authority		Limitations
<p>1. Equal Employment Opportunity (EEO) Program. Maintain a continuing affirmative program to promote equal employment opportunity (EEO) and to identify and eliminate discriminatory practices. (29 CFR Part 1614).</p>		
a.	<p>Develop plans, procedures, and regulations necessary to carry out GSA's EEO program, including issuance of individual Civil Rights Handbook, and EEO and Harassment policy statements. Coordinate implementation of EEO-related programs, such as No FEAR Act and DisabilityInfo.gov, at GSA. Develop and issue policies, procedures and guidance for the administrative processing of discrimination complaints. (29 CFR Part 1614)</p>	
b.	<p>Process individual and class discrimination complaints, conflict of interest discrimination complaints, dissatisfaction with the EEO process complaints, notice of intent to file a civil action claims under the Age Discrimination in Employment Act (ADEA), and allegations of noncompliance with settlement agreement claims that arise within GSA. (29 CFR Part 1614)</p>	
c.	<p>Render final agency decisions on formal complaints of discrimination based on race, color, national origin, religion, sex, pay, age, disability, or retaliation, except for those in which the official delegated this authority is a witness, which involves SES positions, or which involve the Office of Inspector General. (29 CFR Part 1614)</p>	<p>The Administrator will issue final decisions on discrimination complaints involving SES positions. The Deputy Administrator will issue final decisions on discrimination complaints for the Office of Inspector General.</p>
d.	<p>Ensure that an EEO alternative dispute resolution (ADR) program is available for the EEO process, including both the pre-complaint and formal discrimination complaint stages of the EEO process. (29 CFR Part 1614)</p>	
<p>2. Federal Financial Assistance Program. Ensure that no individuals or organizations shall, on the grounds of race, color, national origin, sex, mental or physical disability, or age be subjected to discrimination in programs or activities receiving Federal Financial Assistance. (42 U.S.C. §§ 2000d,</p>		

Delegated Authority		Limitations
6101, and 12131; 40 U.S.C. § 122; and 29 U.S.C. § 701; 20 U.S.C. § 1681; E.O. 13166)		
a.	Ensure compliance with Executive Order 13166 which requires Federal agencies to ensure meaningful access to federally assisted programs for those who, because of national origin, are limited in their English proficiency.	
b.	Develop policies, procedures, guidance and regulations to ensure compliance and for the processing of complaints of discrimination. (41 CFR §§ 101-4; 101-6.2; 101-8.3; 101-8.7)	
c.	Process discrimination complaints.	
3. Federally Conducted Programs and Activities Ensure that no otherwise qualified individual with a disability shall solely by reason of his or her disability be excluded from the participation in, or be denied the benefits of, or be subjected to discrimination in any federally conducted program or activity. (29 U.S.C. § 794 and E.O. 13160, 41 C.F.R. § 105-8.)		
a.	Ensure compliance with E.O. 13160. E.O. 13160 prohibits discrimination on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation and status as a parent in Federally conducted education and training programs and activities.	
b.	Ensure compliance with E.O. 13166. E.O. 13166 requires Federal agencies to ensure meaningful access to federally conducted programs and activities for those who, because of national origin, are limited in their English proficiency	
c.	Develop policies, procedures, guidance and regulations to ensure compliance and for the processing of complaints of discrimination.	
d.	Process discrimination complaints.	
4. Grievance Decision Review		
	Issue review decisions pursuant to GSA administrative grievance procedures. (OAD P 9771.1A)	
5. Memoranda of Understanding (MOU)		
	Enters into MOUs, interagency agreements, cooperative agreements, and other similar agreements for those activities for which the Associate Administrator for Civil Rights has responsibility. (40 U.S.C. §§ 501, 502; 31 U.S.C. § 1535)	
6. Human Capital Authorities		
	(See Part 1, Chapter 2, of this Manual)	
7. Common Authorities		

Delegated Authority	Limitations
(See Part 2, Chapter 2, of this Manual)	
8. Financial Management Authorities	
(See CFO P 5450.1)	