

**TREASURY DIRECTIVE 12-41**

**DATE:** December 14, 2015

**SUBJECT:** Delegation of Authority Concerning Equal Employment Opportunity (EEO) Programs

1. **SCOPE.** This directive applies to all bureaus, offices, and organizations in the Department of the Treasury, including the offices of inspectors general within the Department. The provisions of this directive shall not be construed to interfere with or impede the authorities or independence of the Department's inspectors general.
2. **DELEGATION.** This directive delegates authority to the Office of Civil Rights and Diversity (OCRD).
  - a. The (OCRD) shall:
    - 1) ensure that EEO complaints are handled in a timely and cost-effective manner. This delegation provides for:
      - a) accepting complaints of discrimination;
      - b) preparing and issuing dismissal decisions;
      - c) conducting complete and fair investigations;
      - d) conducting resolution attempts, including alternative dispute resolution;
      - e) rendering all final decisions and final orders on individual and class complaints of discrimination and harassment based on race, color, national origin, sex (including sexual orientation, pregnancy and gender identification claims), protected genetic information, religion, age, disability, and retaliation, and final decisions on complaints of discrimination and harassment based on sexual orientation, protected genetic information, and parental status;
      - f) rendering decisions on allegations of breach of settlement agreements; and
      - g) requiring any authorized form of appropriate remedial action, whenever necessary.
    - 2) direct the Department's equal employment opportunity and diversity programs;
    - 3) evaluate the sufficiency of the programs and of bureau EEO and diversity activities, and make recommendations to the Assistant Secretary for Management;

- 4) enforce and oversee compliance with Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Sections 504 and 508 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, and related Executive Orders, as they apply to federal financial assistance and federally conducted programs;
  - 5) enforce and oversee compliance with the Notification and Federal Employees Antidiscrimination and Retaliation (No FEAR) Act of 2002;
  - 6) enforce and oversee compliance with the Equal Employment Opportunity Commission's Management Directive 715, subject: Federal responsibilities under section 717 of Title VII and section 501 of the Rehabilitation Act, dated October 1, 2003;
  - 7) promulgate policies, rules and regulations, and enter into contracts, as necessary to carry out the responsibilities delegated by this directive;
  - 8) approve procedures for the use of alternative dispute resolution methods in EEO complaints;
  - 9) develop and administer an effective dispute prevention program; and
  - 10) administer such projects, as the Assistant Secretary for Management shall direct.
3. **REDELEGATION**. The authority delegated above, or any parts thereof, may be redelegated.
  4. **SUPERVISION**. The Director, OCRD, exercises the authority delegated by this Directive under the supervision of the Assistant Secretary for Management.
  5. **AUTHORITY**. Treasury Order 102-02, "Delegation of Authority Concerning Equal Opportunity Programs."
  6. **CANCELLATION**. Treasury Directive 12-41, "Delegation of Authority Concerning Equal Employment Opportunity Programs and Treasury Complaint Centers," dated June 8, 2010, is superseded.
  7. **OFFICE OF PRIMARY INTEREST**. Office of the Assistant Secretary for Management and Office of Civil Rights and Diversity.



Brodi Fontenot  
Assistant Secretary for Management