
INTELLIGENCE COMMUNITY DIRECTIVE NUMBER 110



INTELLIGENCE COMMUNITY EQUAL EMPLOYMENT OPPORTUNITY AND DIVERSITY (EFFECTIVE: 01 JULY 2009)

A. AUTHORITY: The National Security Act of 1947, as amended; Executive Order 12333, as amended; Executive Order 11478, as amended; and other applicable provisions of law.

B. PURPOSE

1. This Intelligence Community Directive (ICD) establishes policy to promote equal employment opportunity and to identify and eliminate discriminatory practices in the Intelligence Community (IC). It further promulgates policy to promote diversity in the IC as a means of enhancing the intelligence mission. Finally, this Directive establishes the roles and responsibilities of the Chief of IC Equal Employment Opportunity and Diversity (EEOD) and establishes the IC EEOD Council.

2. Director of Central Intelligence Directive 3/30P, *The Intelligence Community Diversity Management Council and the Community Diversity Issues Board*, is hereby rescinded.

C. APPLICABILITY: This Directive applies to the IC, as defined by the National Security Act of 1947, as amended; and such other elements of any other department or agency as may be designated by the President, or designated jointly by the Director of National Intelligence (DNI) and the head of the department or agency concerned, as an element of the IC. This Directive applies to civilian employees of the IC.

D. POLICY

1. The IC shall provide equal opportunity in employment for all persons, ensure non-discrimination and protection from reprisal in employment matters, and promote the full realization of equal employment opportunity and diversity through a continuing proactive program across the IC. In order to facilitate a workplace free of discrimination and inclusive of all persons, IC element heads shall ensure:

a. *Equal Employment Opportunity (EEO)*. Unlawful discrimination in any form will not be tolerated in the IC. Unlawful discrimination is defined as a personnel decision or denial of equal employment opportunity because of an individual's race, color, religion, sex, national origin, age, disability, sexual orientation, parental status, or protected genetic information; or retaliation against an individual who opposes any unlawful discriminatory practice or participates in an IC EEO process. Harassment, including sexual harassment, that creates an intimidating, hostile, or offensive work environment is a form of unlawful discrimination. Managers are required, and employees are encouraged, to contact their element's EEO office for advice and assistance immediately upon learning of a possible issue related to unlawful discrimination. Managers will also consult with their element's EEO office before initiating any corrective action in response to an allegation or other concern of unlawful discrimination.

b. *Diversity*. Diversity is a mission-critical imperative for the IC. The IC will foster diversity in its workforce through the recruitment, development, and retention of minorities, women, persons with disabilities, and individuals of various backgrounds, cultures, generations, perspectives, and ideas, among other aspects. To combat new and increasingly complex national security threats, the IC shall have a dynamic and agile workforce that reflects diversity in its broadest context.

2. In order for the IC to thrive as a model employer, IC element heads must demonstrate their commitment to EEOD, integrate EEOD into their elements' strategic missions, be accountable for the management of their EEOD programs, and develop and implement performance measures to ensure proactive prevention of unlawful discrimination and to promote diversity.

E. ROLES AND RESPONSIBILITIES

1. IC element heads shall establish organization-specific EEOD programs. They shall ensure that these programs are well-aligned with the guiding principles established in this Directive and are conducted in close coordination with the Office of IC EEOD. Heads of IC elements shall ensure that members of their workforce receive initial and ongoing training in EEOD principles and best practices. For efficiency, IC elements located within a department may satisfy these requirements by implementing their department's EEOD programs.

2. The Chief IC EEOD shall:

a. Report to the DNI consistent with Annex A, References 1 and 7. Accordingly, the Chief IC EEOD is the Senior Principal Advisor to the DNI and IC senior leadership on all matters related to IC-wide EEOD;

b. On behalf of the DNI, lead the IC EEOD program, to include conducting strategic analysis on EEOD issues or trends, and providing assistance on EEOD issues, such as EEO complaint processing, reasonable accommodations, dispute resolution process, diversity training, or other diversity matters;

c. Foster the sharing of best practices among EEOD programs in the IC;

d. Coordinate on IC human capital programs and initiatives to promote compliance with EEO authorities and consistency with IC diversity guidance;

e. Promote a collaborative relationship between IC EEOD and EEOD principals of federal agencies and departments which include IC elements;

f. Chair the IC EEOD Council;

g. Serve as the DNI's representative to:

(1) The Equal Employment Opportunity Commission. The Chief IC EEOD shall attend all relevant meetings, address EEOD inquiries related to the IC workforce in coordination with the respective IC element, as required, and submit required reports regarding compliance;

(2) The Office of the Under Secretary of Defense for Intelligence concerning EEOD initiatives that may affect elements of the Department of Defense IC workforce; and

(3) Other EEOD programs and related committees, as needed, or in similar senior management planning functions of those programs.

h. Coordinate IC responses, as appropriate, to internal and external EEOD inquiries, including Congressionally directed actions;

i. Lead the collection, analysis, and use of IC workforce demographic information on minorities, women, persons with disabilities, heritage community employees, and other groups;

j. Maintain classified and unclassified websites to provide current and comprehensive information and provide a collaborative environment to share information on IC EEOD programs; and

k. Provide semiannual reports on EEOD aspects to IC element heads based on data from relevant reports, documents, or other means of collecting and analyzing data that the Office of IC EEOD may identify.

3. The IC EEOD Council is established as a forum for coordinating, evaluating, and improving EEOD in the IC. The Chief IC EEOD shall chair the IC EEOD Council. The IC EEOD Council shall consist of representatives from the IC elements. The activities and scope of the IC EEOD Council shall be further defined in an IC Charter, to be finalized no later than 60 days from the effective date of this Directive.

F. EFFECTIVE DATE: This Directive becomes effective on the date of signature.

James R. Klein
Director of National Intelligence

7/1/09
Date

APPENDIX A - ACRONYM LIST
ICD 110, IC EQUAL EMPLOYMENT OPPORTUNITY AND DIVERSITY

DNI	Director of National Intelligence
EEO	Equal Employment Opportunity
EEOD	Equal Employment Opportunity and Diversity
IC	Intelligence Community
ICD	Intelligence Community Directive

ANNEX A - REFERENCES
ICD 110, IC EQUAL EMPLOYMENT OPPORTUNITY AND DIVERSITY

1. Federal Sector Equal Employment Opportunity, 29 C.F.R. Part 1614
2. The Civil Rights Act, 42 U.S.C. 1981 et seq.
3. The Age Discrimination in Employment Act, 29 U.S.C. 621 et seq.
4. The Equal Pay Act, 29 U.S.C. 206(d)
5. The Rehabilitation Act, 29 U.S.C. 791 et seq.
6. The Genetic Information Nondiscrimination Act, 42 U.S.C. 2000ff note
7. Equal Employment Opportunity Commission Management Directive 110
8. Model Agency Title VII and Rehabilitation Act Programs, U.S. Equal Employment Opportunity Commission (2003)
9. Americans with Disabilities Act, as amended