



Utah Reclamation Mitigation & Conservation Commission  
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COMMISSIONERS  
Brad T. Barber, Chair  
Gene Shawcroft  
Robert L. Morgan

Date: July 8, 2021  
From: Mark Holden, Executive Director  
To: All Mitigation Commission employees  
Subject: Equal Employment Opportunity (EEO) Policy

1. Purpose: This memorandum sets forth the EEO Policy and procedure of the Utah Reclamation Mitigation and Conservation Commission, and for processing allegations of discrimination in the Utah Reclamation Mitigation and Conservation Commission.
2. Significant Changes: New Issuance
3. Scope: This policy applies to all employees and applicants for employment of the Utah Reclamation Mitigation and Conservation Commission.
4. Effective Date: Upon Issuance; until superseded.
5. Policy and Procedures: It is the policy of the Utah Reclamation Mitigation and Conservation Commission to maintain a model workplace free from harassment and other forms of discrimination based on race, color, religion, sex, national origin, age (over 40), physical/mental disability, sexual orientation, pregnancy status, gender identity, protected genetic information and parental status.

Further, the Utah Reclamation Mitigation and Conservation Commission extends this policy to include:

- a) Equal employment opportunity for all employees and applicants for employment, regardless of their race, religion, color, sex (including pregnancy, gender identity and sexual orientation), national origin, age, pregnancy status, gender identity, parental status, genetic information, or disability. This policy acknowledges the authority of the Commissioners to appoint the Executive Director and of the Executive Director to appoint staff without regard to Title 5 United States Code governing appointments. When exercising the authority to appoint, the Commissioners and the Executive Director will apply this policy.
- b) All employees will have the freedom to compete on a fair and level playing field with equal opportunity for competition for employment within the agency.
- c) Equal employment opportunity covers all personnel/employment programs, management practices, and decisions, including, but not limited to, recruitment/hiring,

merit promotion, transfer, reassignments, training and career development, benefits, and separation.

d) The Utah Reclamation Mitigation and Conservation Commission will not tolerate reprisal/retaliation against an employee who has participated in the EEO process by filing a charge, testifying, or any other involvement, including opposing employment practices the employee reasonably believes is discriminatory.

e) An employee who believes he or she is being discriminated against should contact the Executive Director<sup>1</sup>, or Bureau of Reclamation – Upper Colorado Region EEO Office or Human Resources Office. Employees may pursue allegations of EEO-based discrimination through the EEO complaint process; such pursuit must be performed within 45 calendar days of the alleged incident. All information provided during the discrimination investigation process will be maintained on a confidential basis to the greatest extent possible. The maintenance of records and any disclosures of information from these records will be in compliance with the Privacy Act, 5 U.S.C. §552a.

f) Allegations of any type of discrimination cannot be ignored. Once the agency is made aware of a report, it must be taken seriously and management must conduct a prompt, thorough and impartial investigation into the allegations immediately. The investigation will be started within five (5) working days barring extenuating circumstances (for example, one or more individuals involved in the investigatory process is on leave or unavailable, etc.). The investigation will be completed as quickly as possible. The Executive Director will issue a decision and implement any response or actions as soon as possible but within 60 days of receipt of the complaint. The Executive Director may seek guidance from the Bureau of Reclamation's Upper Colorado Region EEO Officer or Human Resources Officer throughout. The scope and formality of an inquiry depends on the nature of the allegations. An inquiry is required, even if the person alleging harassment asks that nothing be done or has filed an EEO complaint. The Executive Director must also take appropriate corrective action to prevent and correct unlawful harassment and ensure such behavior is not repeated.

6. Authority: Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-16; the Age Discrimination in Employment Act, 29 U.S.C. § 633a; the Rehabilitation Act, 29 U. S. C. § 791(g); the Civil Service Reform Act, 5 U.S.C. § 2302(b)(10); Executive Order 11478, as amended; Title II of the Genetic Information Nondiscrimination Act of 2008.

7. Contacts: Under an Interagency Agreement between the U.S. Bureau of Reclamation's Upper Colorado Region and the Utah Reclamation Mitigation and Conservation Commission, the Commission's assigned EEO Officer is the Bureau of Reclamation's Upper Colorado Region EEO Officer. The phone number for that office is 801-524-3624. For further information please contact the EEO Office at (801)-524-3624 or visit the Bureau of Reclamation's intranet site at <https://intra.uc.usbr.gov/EEO/index.html>.

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<sup>1</sup> The Executive Director is also the agency's designated EEO Director, EEO Officer, and Special Emphasis Program Manager