



United States  
Department of  
Agriculture

Forest  
Service

Pacific  
Southwest  
Region

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File Code: 6100

Date: March 22, 2006

Route To:

Subject: Unit Review Team (URT) Monitoring Report

To: Forest Supervisors and Directors

The Settlement Agreement staff is continuing to review and monitor the Unit Review process and selection packages from the Forests. This monitoring ensures the Unit Review teams are functioning in compliance with regional policies, program direction, and legal mandates.

In accordance with FSH 6109.12, "Employment and Benefits Handbook," Chapter 20, Internal Placement, units are to submit outreach, recruitment and selection information on "Outreach and Recruitment Documentation" Form 6100-158 (01/2005). The Exhibit C Form "Employment Outreach and Recruitment Documentation" dated December 15, 2002 is obsolete and should no longer be used.

The selection packages for all recruitment and promotion actions must be provided to the Regional Recruitment Coordinator, Settlement Agreements staff two weeks after selection has been made.

As a reminder, certificate folders should include the following:

- Documentation Required for Monitoring and Oversight Form
  - Position Description
  - Organization Chart
  - Copy of Announcement
  - Copy of Outreach Notice and supportive documentation
  - Fully completed Outreach and Recruitment Documentation Form (R5-6100-158)
  - Panel or Selection Process Recommendations and Documentation
  - Completed Certificate of Candidates for Merit or Candidate Referral List for Demo clearly identifying selection(s)
  - Copy of applications for all qualified candidates on referral certificate
- RSNO applicant data printout from AVUE or AFS

Listed below are some items that may assist units in providing the necessary information to ensure consistency and compliance throughout the Region:

1. Provide information for both government and demonstration project announcements.



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**EXHIBIT 13-A**

2. Fully complete the R5-6100-158 form.
  - a. Assure all checkpoints are signed and dated in order to accomplish proper certification.
  - b. Comprehensive outreach documentation must be provided.
  - c. Post selection review should be completed to verify the Affirmative Employment Plan (AEP) goals and objectives have been accomplished.
3. Panel members should stay within the guidelines of consideration specifically stated in the Merit System Principles in the Merit Promotion Plan.

A number of units are going above and beyond the normal outreach and recruitment process in order to ensure a diverse applicant pool, which is commendable and noteworthy. Over 50% of packages reviewed had documentation of extensive Outreach and Recruitment for the targeted under-represented groups identified on Form R5-6100-158. Many provided excellent documentation of their selection process and rationale for the selection(s). Of the most recent packages reviewed, 100% included written justification from the Recommending Official and also included the Selection Certificate or Referral List.

Please share the information contained in this correspondence with your Unit Review Team. If you or members of your Unit Review Team have any questions pertaining to this report, please contact Julena Pope, Settlement Agreements Staff Director at (707) 562-9180 or Joy Gipson-Taylor, Regional Recruitment Coordinator at (707) 562-9174.

*/s/ Vicki A. Jackson*

VICKI A. JACKSON  
Associate Regional Forester

cc: Julena D Pope  
Joy Gipson-Taylor  
Marcia K Staten  
Sandra Wallace  
pdl r5 hrr5



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File Code: 6100  
Route To:

Date: July 27, 2005

Subject: Unit Review Team (URT) Monitoring Monthly Report

To: Forest Supervisors and Directors

The Regional Recruitment Coordinator recently conducted her first review of Outreach and Recruitment documentation forms completed during the period January through June 2005. Such reviews will occur on a monthly basis and serves to ensure the Unit Review Teams are functioning in compliance with regional policies, program direction, and legal mandates.

The purpose of this correspondence is to notify you of the outcome of that review and to provide you guidance regarding corrective and preventative measures that need to be taken.

In accordance with FSH 6109.12, "Employment and Benefits Handbook," Chapter 20, Internal Placement, units are to submit outreach, recruitment and selection information on Documentation Form 6100-158. The forms must be certified by the Unit Review Team and submitted to the Regional Recruitment Coordinator for review.

It is recognized that the applicant data (e.g. number of applicants, RSNO, etc.) provided by AVUE to the selecting official has been incomplete and the Regional Human Resources (HR) staff is working with AVUE in an effort to correct this problem.

Below are examples of common mistakes discovered during the review:

1. Units/staffs have outreached to National Organizations that do not link with the position being advertised. As a result, the outreach is ineffective and fails to meet the appropriate target audience.
2. Units/staffs have missed some of the checkpoints required in the Unit Review. All of the check points must be completed in order to accomplish proper certification.
3. Units/staffs have failed to document their recruitment resources and number of applicants by not filling in all of the applicable information at section III. Summary of Internal/External Recruitment Resources with Focus on the Under-Representation Needs Identified and Recruitment Efforts of the Outreach and Recruitment Documentation Form (R5-6100-158).

**EXHIBIT 13-B**



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Although not specifically components of the URT process, the following examples are provided to make you aware of some problem areas found in the vacancy selection files, such as significant technical errors and inappropriate comments pertaining to applicants:

1. Panel members making written comments (e.g. "young, but shows great potential"; "references to a knee injury applicant has and may not be able to do the job," "applicant planning to retire in 10 years," "successful candidate wanting to work closer to home," etc.). All of these sample comments are improper. The age, physical condition, and personal convenience of applicants are inappropriate considerations for selection. (Refer to Merit System Principles)

2. Units did not ask interview questions that pertained to knowledge of Equal Employment Opportunity (EEO) and Civil Rights. We suggest that interview questions for supervisory positions include questions that pertain to EEO and Civil Rights.

The above information is provided to you with general comments regarding our review of the Unit Review Team selection packages. Findings that require your prompt attention will be immediately elevated to you by the Settlement Agreements Director.

Please share the information contained in this correspondence with your Unit Review Team. If you or members of your Unit Review Team have any questions pertaining to the URT Monitoring Monthly report please contact Julena Pope, Settlement Agreements Staff Director at (707) 562-9180 or Joy Gipson-Taylor, Regional Recruitment Coordinator at (707) 562-9174.

/s/ Vicki A. Jackson  
VICKI A. JACKSON  
Associate Regional Forester

cc: Julena D Pope, Joy Gipson-Taylor, Wolff Coulombe



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File Code: 1760-2

Date: August 2, 2006

Route To:

Subject: Unit Review Team (URT) Monitoring Report

To: Forest Supervisors and Directors

In accordance with FSH 6109.12, "Employment and Benefits Handbook," Chapter 20, Internal Placement, units are to submit outreach and recruitment selection information on the Outreach and Recruitment Documentation Form, R5-6100-158 (01/2005). It is imperative that all sections and check points are completed and signed by the Unit Review Team (URT) on the R5-6100-158. The Regional Employment Center will return the selection packages to the units in cases where the sections and check points are incomplete.

A total of 51 URT Selection Certificate packages were reviewed during the period April 1, 2006 through June 30, 2006. The following are the results of the review:

1. 100% of the packages reviewed included written justification from the Recommending Official.
2. 100% of the packages included the Selection Certificate or Referral List.
3. 100% of the packages included the selectee's application.
4. 98% of the packages included the Government-wide or Demo vacancy announcement. The Forest that did not provide a copy was notified.
5. Check Point 1 - **Advertisement Method, Area of Consideration and Approval to Advertise** was complete in 100% of the certificate packages reviewed.
6. Check Point 2 - **Review of Applicants Prior to the Vacancy Announcement Closing** was completed for 44 packages (86%). It was not required for 5 packages (10%) because the old C Form was used to document outreach and recruitment prior to January 2005. The check point was not completed for the remaining 2 packages (4%), and the Forest was notified.
7. Check Point 3 - **Recruitment Results** was documented for 44 packages (86%). It was not required for 5 packages (10%) because the old C Form was used to document outreach and recruitment prior to January 2005. The check point was not completed for 2 packages (4%), and the Forest was notified.
8. Check Point 4 - **Review of Selection Recommendations** was completed for 43 packages (84%). It was not required for 5 packages (10%) because the old C Form was used to document outreach and recruitment prior to January 2005. The check point was not completed for the remaining 3 packages (6%), and the Forests were notified.



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EXHIBIT 13-C

9. The RSNO data was provided in 38 packages (75%). It was not required for 5 packages (10%) because the old C Form was used to document outreach and recruitment prior to January 2005. The Reviewer obtained the RSNO information from AVUE or the Applicant Flow System for the remaining (15%). The Forests were notified the packages were incomplete.

10. The **Post Selection Reviews (Part X)**, was completed by the unit FCRO in 41 packages (80%). It was not required for 5 packages (10%) because the old C Form was used to document outreach and recruitment prior to January 2005. The FCRO review was not documented in the remaining 5 packages (10%) and those Forests have been notified.

Review of the 51 packages indicated an overall improvement in the units' documentation on the Outreach and Recruitment Documentation Form and completion of the check points.

Please share the information contained in this correspondence with your Unit Review Team. If you or members of your Unit Review Team have any questions pertaining to this report, please contact Julena Pope, Settlement Agreements Staff Director (707) 562-9180 or Renee Reed, Settlement Agreements at (707) 562-9201.

/s/ Vicki A. Jackson

VICKI A. JACKSON  
Associate Regional Forester

cc: Julena D Pope  
Renee Reed  
Akin Akindele  
Marcia K Staten  
Carmen Funston  
Sandra Wallace  
Lois Lawson



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File Code: 1760-2  
Route To: (6100)

Date: October 2, 2006

Subject: Unit Review Team (URT) Monitoring Report

To: Forest Supervisors and Directors

Effective outreach and recruitment efforts are critical in attracting a diverse applicant pool. Documenting outreach and recruitment efforts is a requirement of the Hispanic Settlement Agreement. This is accomplished by units completing the Outreach and Recruitment Documentation Form, R5-6100-158 (01/2005), in accordance with FSH 6109.12, "Employment and Benefits Handbook," Chapter 20, Internal Placement. This documentation helps determine: (1) if outreach and recruitment activities were effective; (2) if a diverse applicant pool was available; and (3) if the selection improved affirmative employment program plan goals and objectives.

It is the responsibility of the Unit Review Team (URT) to ensure all sections and check points on the R5-6100-158 form are completed and signed. The Regional Selection Team, (under the centralized process) will return selection packages to units in cases where the sections and check points are incomplete.

During the period July 1, 2006 through July 31, 2006, a total of 40 URT Selection Certificate packages were reviewed by the Regional Office Settlement Agreement Staff. The breakdown of when the 40 selections occurred is as follows: one selection occurred in February; four selections occurred in April; twelve selections occurred in May; eighteen selections occurred in June and five selections occurred in July 2006.

The following are the results of the review:

1. 100% of the packages reviewed included written justifications for selection from the Recommending Official.
2. 98% of the packages included the Selection Certificate or Referral List. The Selection Certificate or Referral List was not provided in 1 package and the Forest has been notified.
3. 100% of the packages included the selectee's application.
4. 100% of the packages included the Government-wide or Demo vacancy announcement.
5. Check Point 1 - **Advertisement Method, Area of Consideration and Approval to Advertise** was complete for 34 certificate packages (85%). The check point was not completed for the remaining 6 packages (15%) and the Forests were notified.



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**EXHIBIT 13-D**

6. Check Point 2 - **Review of Applicants Prior to the Vacancy Announcement Closing** was completed for 35 certificate packages (88%). The check point was not completed for the remaining 5 packages (12%), and the Forests were notified.

7. Check Point 3 - **Recruitment Results** was documented for 39 certificate packages (98%). The check point was not completed for 1 package (2%), and the Forest was notified.

8. Check Point 4 - **Review of Selection Recommendations** was completed for 37 certificate packages (93%). The check point was not completed for the remaining 3 packages (7%), and the Forests were notified.

9. The RSNO data was provided in 29 certificate packages (73%). The RSNO information from AVUE or the Applicant Flow System was obtained during the review for the remaining 11 packages (27%). The Forests were notified the packages were incomplete.

10. The **Post Selection Reviews (Part X)**, was completed by the unit Forest Civil Rights Officer (FCRO) in 28 packages (70%). The FCRO review was not documented in the remaining 12 packages (30%) and those Forests have been notified.

Conducting and documenting effective outreach and recruitment efforts are the most important points in the URT process. The goal is to have a diverse applicant pool.

Please share the information contained in this correspondence with your Unit Review Team. If you or members of your Unit Review Team have any questions, please contact Julena Pope, Settlement Agreements Staff Director (707) 562-9180, or Jose Briseno, Lead Regional Recruitment Coordinator (707) 562-8713.

*/S/ VICKI A. JACKSON*  
VICKI A. JACKSON  
Associate Regional Forester

cc: Julena D Pope  
Akin Akindele  
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July 14, 2006

**VIA HAND DELIVERY**

Marci Seville  
Monitor, Hispanic Settlement Agreement  
Golden Gate University School of Law  
536 Mission Street  
San Francisco, CA 94105-2968

Re: Brionez v. USDA

Dear Ms. Seville:

I am writing in response to your June 29, 2006 Information Request and Recommendations Regarding the Region's Monitoring of all Recruitment and Promotion Actions. The Region has provided the following responses to your requests and recommendations.

- 1. Please provide similar documentation for all reviews conducted since March 2006.**

Copies of the monitoring checklist for the 51 reviews conducted during April, May and June are provided.

- 2. Please provide information about what inquiries the Region made and what steps, if any, it took in situations where there were qualified Hispanic applicants who were not selected, where the checkpoints and post selection review were not completed, and/or where there was no RNO data reviewed at the required stages of the selection process?**

The Region does not provide the race and national origin ("RNO") of qualified applicants to selecting officials, nor does the Region make race-based selection decisions. Therefore, the Region does not take steps in individual selections where a qualified Hispanic applicant is not selected.

The Region has issued correspondence to Forest Supervisors and Directors with results of the monitoring reviews, including common mistakes made and the correct procedures. (See two attachments dated July 27, 2005 and March 22, 2006). In addition, the Director of Settlement Agreements contacted the responsible Forest Supervisor or Director by e-mail or telephone in instances where a review required prompt attention.

**EXHIBIT 14**

3. **I recommend that the Region provide clear instruction to the personnel conducting the review to include in their review and reports all of the information addressed in item (4):**

- (a) **evaluating whether there were Hispanic applicants;**
- (b) **determining whether those applicants were on the referral lists;**
- (c) **identifying the number of Hispanic applicants on the referral lists and the RNO of the selectee(s);**
- (d) **identifying situations when Hispanics were on the referral list but were not selected and the selection failed to take advantage of an opportunity to address underrepresentation of Hispanics or otherwise help meet AEP goals and objectives. The "post selection review" was often not completed;**
- (e) **the reviews should also identify the date of selection, along with the date of the review.**

- (a) The Region accepts the recommendation to have personnel conducting the review evaluate whether there were Hispanic applicants for a particular position. This information is part of the Outreach and Documentation Form (Section V, Chart A, which lists the number Hispanic applicants by gender). A notation will be made on the monitoring checklist (under the section referring to summary of applicants), specifying the number of Hispanic applicants.
- (b) The Region accepts the recommendation. This information is part of the Outreach and Documentation Form (Section V, Chart B, which lists the number Hispanic applicants on the referral/qualified list, by gender). The Region will instruct personnel conducting the review to evaluate whether Hispanic applicants for a particular position made the referral list. A notation will be made on the monitoring checklist (under the section referring to summary of applicants), specifying the number of Hispanic applicants on the referral/qualified list.
- (c) The Region accepts the recommendation to identify the number of Hispanic applicants on the referral list, as stated about in (b) above. The Region also accepts the recommendation to instruct the personnel conducting the review to provide the RNO of the selectee because this information is part of the Outreach and Documentation Form (Section X, Post Selection Reviews). A notation will be made on the monitoring checklist under the section referring to post-selection reviews.
- (d) With respect to the statement that Section X, Post Selection Reviews, was often not completed, the Region has taken steps to ensure that this section is completed (see answer to question #2 above). With respect to the situation where Hispanics are on the referral list, the Outreach and Recruitment Form identifies this information at Section V, Chart B. The Outreach and Recruitment Form also includes information on whether a selection helped meet AEP goals and objectives for a specific job-related series, at Section X (Post Selection Reviews). The Region monitors all recruitment and promotion actions by using the processes and checkpoints set forth in the Outreach and Recruitment Documentation

Form, which was carefully negotiated by the parties. This recommendation goes beyond what is already required as part of the form and would require an additional analysis because it would single out only Hispanic applicants. Therefore, the Region declines to accept this recommendation.

- (e) The Region accepts the recommendation to provide the date that the review was conducted. However, the Outreach and Recruitment Documentation Form does not collect the date on which a selection is made. In an effort to keep the monitoring process as streamlined and consistent as possible, the Region would like to keep the information reviewed and provided to be part of the form. Therefore, the Region agrees to provide the date that the selection is reviewed by the URT, as set forth in Section IX of the Outreach and Documentation Form.

- 4. **Finally, once the Region puts the new Regional Selection Team in place, I would like clarification of what steps will remain part of the Unit Review Team checkpoints and process and what will continue to be reviewed by those responsible for the monitoring.**

The Outreach and Documentation Form checkpoints will occur as follows. Checkpoint 1 will be reviewed and signed by the following members of the URT: the Unit Civil Rights Officer, the Human Resources Recruitment Specialist ("HRRS") on the Forest, and a Unit manager. Check Point 2 will be completed by a HRRS. Checkpoint 3 will be reviewed and signed by the URT: the Unit Civil Rights Officer, the HRRS, and a Unit manager. Checkpoint 4 will be completed by the Regional Selection Team, which consists of a representative from Civil Rights, a representative from Human Resources and a Forest Supervisor/Regional Office Staff Director. The Regional Recruitment Coordinator will continue to monitor the Outreach and Recruitment Documentation Forms of all recruitment and promotion actions.

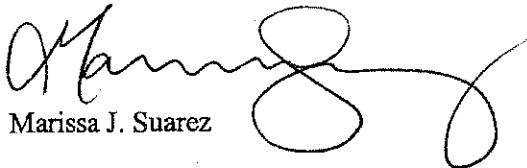
On the first page of the June 29, 2006 Information Request and Recommendations Regarding the Region's Monitoring of all Recruitment and Promotion Actions, the Monitor also asked the following question, which is answered below.

**Some forms indicate that checkpoints are not completed because of open and continuous vacancy announcements. Is it the Region's position that the URT checkpoint process does not apply to those openings, and if so, why?**

The Unit Review Team ("URT") checkpoint process, which is part of the Outreach and Recruitment Documentation Form (Exhibit C), is used for all Region 5 positions, including those advertised through open and continuous vacancy announcements. At one point, the Region had difficulty in retrieving from AVUE the RNO information for the Open and Continuous announcements, but that problem was resolved. All Human Resource Recruitment Specialist ("HRRS") have access to this data.

If there are any questions regarding this matter, I can be reached directly at (415) 744-3172.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marissa J. Suarez', with a large, stylized flourish extending to the right.

Marissa J. Suarez

CC: Susan Ullman

**Monitor's June 29, 2006 Information Request and Recommendation Regarding the Region's Monitoring Of All Recruitment and Promotion Actions**

Thank you for providing the documentation on the Region's monitoring of recruitment and promotion actions. Having reviewed the approximately 160 checklists of the monitoring of selections, I have several concerns about how the oversight the process is being implemented. It is a time consuming process for the staff involved, and I think the monitoring could be done in a way that provides information that is more useful. I have the following questions and comments about the review.

- 1) Some forms indicate that checkpoints are not completed because of open and continuous vacancy announcements. Is it the Region's position that the URT checkpoint process does not apply to those openings, and if so, why?
- 2) For many of the positions, the agreed upon checkpoints are simply not being followed. This problem is also reflected in some of the summaries previously provided to me.
- 3) Based on the documentation, there appears to be continuing failure to obtain RNO data in many situations.. (Note that many of the forms only list the date of review, not the date of the selection; therefore, I am not able to determine if the selection was prior to the time that AVUE made the RNO data available.)
- 4) Most importantly, there is a great deal of inconsistency in what is reported in the reviews. Among the items that seem critical to a productive review are:
  - Evaluating whether there were Hispanic applicants.
  - Determining whether those applicants were on the referral lists.
  - Identifying the number of Hispanic applicants on the referral lists and the RNO of the selectee(s).
  - Identifying situations when Hispanics were on the referral list, but were not selected and the selection failed to take advantage of an opportunity to address under representation of Hispanics or otherwise help meet AEP goals and objectives. The "post selection review" was often not completed.
  - The reviews should also identify the date of the selection, along with the date of the review.

Relatively few of the reviews provide this information. Renee Reed is the reviewer who seems to have most often done this analysis. See, for example, her reviews of:

Lassen Forestry Tech (Timber Sales Admin) GS 462-9. The report indicates the RNO data was not available to the staffing specialist. However, Ms. Reed states that she printed the RNO review, and there were 2 Hispanics referred on the government wide list and 1 referred on the demo list. A white applicant was selected from the government wide list .

Lassen Information Assistant GS 1001-5. The review indicates 2 Hispanics referred on the government wide list and a white employee was selected.. The RNO report was not available and was printed by the reviewer.

Lassen Forestry Tech (Fire Eng. Op) GS 462-6/7. Numerous Hispanic employees were identified on the referral lists. (61-GW and 64-DP). A white employee was selected.

Similar information is provided for the Lassen Lead Forestry Tech, GS-462, showing three white applicants recommended and one selected, and 21 Hispanics on the GW referral and 34 on the DP referral. (As we discussed at the quarterly meeting, the large numbers likely reflect open and continuous announcements.)

Modoc Supervisory Forestry Tech, GS 462 had 58 Hispanics on the GW referral and 39 on the DP referral and a white selectee.

Modoc Lead Forestry Tech, GS 462, had 49 Hispanics on the GW and 85 on the DP referral and a white selectee. (This review has a note indicating "also on the Lassen" which may refer to an overlapping applicant pool for the two units, but I would like clarification of that.)

Plumas District Wildlife Biologist GS 486-9 had 1 Hispanic on the GW list and 4 on the DP list and a white male was selected. The reviewer's form indicates that all groups were identified on the under representation data. I do not have information on the date of this Modoc selection. In the Sixth Report (the most recent series specific report), the Region indicated that there were 4 Hispanic Wildlife biologists out of 90, which put the Region at 4.4%, slightly above the CLF comparator. However, given that that percentage can change significantly with attrition of one biologist, the Region would hopefully view this as an area for improved Hispanic hiring, especially on forests that have the opportunity to do so and have low Hispanic representation.

Reinvention Lab, Public Affairs Specialist, GS 1035 had 2 Hispanics referred on the demo cert and a white selectee. Although the Region's Sixth report shows the 1035 series at CLF parity, the Reinvention Lab has generally had very limited Hispanic representation

The Region's Seventh Report shows the following Hispanic representation in the units addressed above:

Lassen: 7% Hispanic (19 total Hispanic employees.)  
Modoc: 7% Hispanic (10 total Hispanic employees.)  
Plumas : 6% Hispanic (16 total Hispanic employees.)  
Reinvention Lab: 2% Hispanic (4 total Hispanic employees.)

**Based on my review of the documentation, I have the following request for information and recommendation (in addition to questions included above):**

- 1) Please provide similar documentation for all reviews conducted since March 2006.
- 2) Please provide information about what inquiries the Region made and what steps, if any, it took in situations where there were qualified Hispanic applicants who were not selected, where the checkpoints and post selection review were not completed, and/or where there was no RNO data reviewed at the required stages of the selection process? I believe SA Director Julena Pope is the person responsible for follow up on the monitoring outcomes.
- 3) I recommend that the Region provide clear instruction to the personnel conducting the review to include in their review and reports all of the information addressed in item (4) above.
- 4) Finally, once the Region puts the new Regional Selection Team in place, I would like clarification of what steps will remain part of the Unit Review Team checkpoints and process and what will continue to be reviewed by those responsible for the monitoring.

Please contact me if you have any questions about the above. I would like a response to my request and recommendation by July 14, 2006.

To: Julena Pope  
From: Marci Seville, Court Monitor  
Re: Information Request  
Date: March 10, 2006

I am writing to follow up on items in the Region's response to my 12/27/05 information request and to request information on some additional matters. These requests are made pursuant to Section VI.A.5 of the HSA.

Please provide responses to these requests by March 24, 2006. If the Region cannot supply responses by that date, please contact me to discuss alternative deadlines.

A. Coaching training.

The Region's last response to me stated that it did not include a cultural diversity component in the supervisor coaching training because that was covered in the annual mandatory EEO training.

Please provide information on when the annual training takes place, who attends, and what specific information is included in that training regarding cultural diversity.

B. Mentoring

1. What steps has the Region taken to ensure that employees, including employees not previously covered by the program, are informed about the program and know how to participate? When and how was that information communicated to employees not previously covered?
2. How many employees are currently participating in the mentoring program?
3. How many of those are persons hired in the past year?
4. How many are SCEPs?
5. How many are Hispanic?
6. Please provide the names, positions, hire date, and RNO on all mentees.

C. Contract with Batiz.com

When we met in January 2006, I asked the Region's plans with regard to renewal of the Batiz.com contract. The Region entered into that one-year contract in March 2005 and the contract either has expired or will expire shortly. At the January meeting, it was uncertain whether the HSA would still be in effect after February 2006, and the Region therefore deferred responding to my question about the Batiz contract renewal.

The judge has now extended the HSA for one year, and a response on this issue is appropriate. Because the Region has declined to meet with me until after the Judge



issues her further order regarding relief, through this information request, I am asking for the following:

1. Whether or not the Region has renewed or intends to renew the Batiz contract. If so, whether the contract will be the same or will include different contract terms.
2. Whether Batiz completed all its contract obligations during the term of the one-year contract, including completion of all the radio vignettes specified in the contract.

#### D. Monitoring of Recruitment and Promotions

In response to my inquiry regarding monitoring of promotions, the Region said that Joyce Branch had reviewed 36 files. Once the results of her review were compiled, the SA director was to notify each Forest Supervisor of the findings for his/her forest. The files reviewed cover the timeframe January through September 2005. The Region was also advertising for a Not to Exceed 1 Year detail to assist with the review of the URT files, and Rene Reed was on a 120 detail for that purpose.

Please provide the following information regarding monitoring of promotions:

1. What is the status of the NTE 1 year detail?
2. How many promotions has Rene Reed reviewed and what have been the results of that review? Have those results been communicated to the Forest Supervisors?
3. How much of her time does the RRC devote to the monitoring of promotions?
4. What were the results of the monitoring of the 36 files done by Joyce Branch? What was communicated to the Forest supervisors about the outcome of the monitoring? When was it communicated and by whom? Please provide copies of anything that the Region communicated to the Forest Supervisors in writing and other memoranda prepared about the outcome of the review (even if not distributed to the Forest Supervisors).
5. I received a spreadsheet from the Region showing selections from 4/1/05 through 9/30/05 (prepared 12/9/05 from FOCUS reports HRASLCT2, HRASLCT3, HRASLCT4.). After sorting by promotions only, that report shows almost 300 promotion actions during that limited time period. As noted above, the information the Region gave me was that, as of early 2006, it had reviewed only 36 promotions for the longer period of 1/05 through 9/05. What, if any, steps has the Region taken to monitor all promotions as required by HSA section V.A.2? (Region 5 will monitor all recruitment and promotion actions of Forest

Supervisors and Regional Office Directors and all recruitment and promotion actions taken under their supervision.)

E. Status of Human Resources Staffing in Region 5

In a recent memorandum, the Forest Service stated that:

Based on the Region's involvement in the Hispanic Settlement Agreement (HSA), it has been decided that the staffing and recruitment functions will remain in the Region and not be moved to the Albuquerque Service Center (ASC) in Albuquerque, New Mexico at this time. These functions will only be moved to the ASC when the HSA ends or when the Human Resources staff at the Center has demonstrated the capacity to successfully perform the work required in meeting the duties and obligations of the Agreement.

Please provide the following information regarding Human Resources staffing.

For each forest, indicate:

1. Whether there is a Human Resource Officers (HRO) position filled on the forest.
2. Who fills that position.
3. Whether the positions is currently filled as a permanent position, a detail, a term or other status.
4. Whether the HRO position will be filled on the forest for the one year extension of the HSA and, if so, in what status (permanent, detail, term, etc).
5. If there is no HRO at the forest, who on the forest is responsible for recruitment?
6. Specify what the recruitment responsibilities of the HRO or other forest staff are.

For the Regional Office, indicate:

1. Name and positions of any Regional Office HR or Settlement Agreement personnel involved in recruitment and what their recruitment responsibilities are.
2. Whether each of those positions is currently filled as a permanent position, a detail, a term or other status.
3. Whether each those positions will be filled on the forest for the one year extension of the HSA, and if so, in what status (permanent, detail, term, etc).