

Gay, Lesbian or Bisexual Employees

Charter

DOT GLOBE

US Department of Transportation

I. General.

A. Name and Objectives.

1. Name.

The name of this association is "The U.S. Department of Transportation Gay, Lesbian or Bisexual Employees," hereafter referred to as "DOT GLOBE."

2. Objectives.

The objectives of DOT GLOBE are:

- a. To further education and awareness of gay, lesbian and bisexual issues at all levels within the Department and to eliminate discrimination and harassment directed at any DOT employee, regardless of sexual orientation.
- b. To support the Department in pursuing quality management practices and diversity in the federal work force.

B. Definitions.

1. Sexual Orientation.

The term "sexual orientation" means lesbian, gay, bisexual, or heterosexual orientation, real or perceived, as manifested by identity, acts, statements, or associations.

2. Member-in-Good-Standing.

A member-in-good-standing is any DOT employee or retiree who has submitted a membership application along with established dues and who subscribes to the objectives of DOT GLOBE.

3. Region.

A Region consists of the geographic area consistent with the boundaries of the ten standard Federal regions.

C. Policy.

1. The scope of DOT GLOBE interest shall include, but not be limited to, existing and future key Department elements (Office of the Secretary, Office of the Inspector General, and those subordinate organizations reporting directly to the Secretary). The term "Department" includes the above stated key elements;

2. DOT GLOBE shall be a secular nonprofit, nonpartisan, and noncommercial organization supported by dues and contributions;
3. DOT GLOBE shall be organized to conduct activities of interest common to its general membership and shall expend funds for that purpose;
4. The activities, programs, products or services of DOT GLOBE shall not be represented, directly or indirectly, as being official functions or activities of the Department or any official thereof.
5. DOT GLOBE officers, members of the Board of Directors, members and employees shall not accept any gratuity or any other benefit, directly or indirectly, from any seller of goods or services doing or attempting to do business with the organization, and further shall not receive any special discount other than those available to all members.
6. DOT GLOBE is organized exclusively for charitable and educational purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distribution in furtherance of its exempt purpose. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provisions of this Charter, the organization shall not carry on any other activities not permitted to be carried on by an organization exempt from federal income tax under section 501(c) (3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or the corresponding section of any federal tax code.
7. DOT GLOBE supports relationships only between consenting adults. DOT GLOBE does not support or condone pedophilia or bestiality, which are sometimes mistaken with homosexuality.

D. Chapters.

1. Local sections of DOT employees, designated as Chapters, may be formed in each of the ten standard Federal regions.
2. All DOT employees working in the geographical area of a DOT GLOBE Chapter shall be eligible for membership under the same terms and conditions as members of DOT GLOBE.

3. Chapter charters shall be consistent with the vision, goals, and objectives of DOT GLOBE. Chapters shall adhere to all Departmental regulations concerning establishment and operation of employee groups.
4. All requests for chapter approvals shall be submitted in writing and include proposed chapter charters. A majority of DOT GLOBE board members must approve the request for chapter approval and submitted by-laws. Any subsequent amendments proposed to chapter by-laws shall be submitted to the Board of DOT GLOBE for approval.
5. DOT GLOBE Chapters shall elect officers and be organized and operated in accordance with the democratic principles reflected in this Charter.
6. Chapters may collect chapter dues supplemental to DOT GLOBE dues.

E. Dissolution.

DOT GLOBE may be dissolved by a two-thirds vote of all dues paying members. The Board of Directors shall settle any outstanding debts of DOT GLOBE. Remaining assets shall be donated to a 501 (C) (3) organization dedicated to public education on issues of particular interest to gays, lesbians, and bisexuals. The Board of Directors shall select the organization to receive any remaining assets by a two-thirds vote.

II. Membership.

A. Membership Requirements.

1. Membership.

- a. Although DOT GLOBE focuses on gay, lesbian, and bisexual employee issues, voting membership and participation shall be open to all DOT employees and retirees who work to eliminate discrimination and harassment directed at any DOT employees or retirees, regardless of their sexual orientation;
- b. Membership and all privileges and responsibilities of membership shall be available to all current and retired DOT employees;
- c. DOT GLOBE shall not discriminate against persons on the basis of race, color, creed, sex, sexual orientation, religion, national origin, age, marital status, political affiliation, disabling condition, or membership in a labor organization;
- d. Membership shall be denied to any applicant who publicly supports pedophilia or bestiality.
- e. Any member who advocates pedophilia and bestiality, or who makes statements on the behalf of DOT GLOBE without the written permission of the Board of Directors, shall have their membership revoked and a prorated portion of their dues returned.

2. Annual Dues.

- a. Annual dues shall be payable by members in accordance with a schedule of dues established by the Board of Directors.
- b. Annual dues shall be payable on October 1 except as otherwise noted for the year of entry into membership.
- c. Those who apply for membership between October 1 and March 31 shall pay full dues upon application.
- d. Those who apply for membership between April 1 and September 30 shall pay only one-half the yearly dues with respect to the year of entry.
- e. The Board of Directors may exempt any member from the annual dues provisions upon written application of the applicant demonstrating hardship or other reason deemed compelling by the Board.
- f. As determined by the Board of Directors, a portion of the dues paid by members of regional chapters shall be returned to the Treasurer

of said chapter. In no case will the amount be less than 50 percent of dues paid.

3. Conditions of Membership.

- a. ***Dues Arrears.*** Any member whose dues are unpaid on January 1 for the current year shall be so notified by the Treasurer. If dues become three months in arrears as of March 1, membership shall cease. Upon written request, the Board of Directors may excuse such arrears for the current dues period.
- b. ***Reinstatement.*** A member who has resigned or whose membership has ceased for nonpayment of dues may be reinstated by the Board of Directors by paying back dues from the time membership was suspended.
- c. ***Expulsion.*** Any member may be expelled from membership. Expulsion shall require a three-fourths vote of those members present at a Board of Directors meeting. Expulsion shall result from action deemed prejudicial to the interest of the organization based upon the written charge of three members. The member so charged shall have 20 days notice of such meeting and a statement of the charges. The member so charged shall be entitled to call witnesses and present a defense.

III. Government.

A. Board of Directors.

1. Board Authority.

The affairs of the organization shall be governed by the Board of Directors chosen from its membership, and the Board shall have full control of the activities of the Organization, subject to the limitations of the bylaws.

2. Composition of the Board of Directors.

- a. *Membership.* The Board of Directors shall be composed as follows:

Region Representatives
Key Element Representatives

- b. *Voting.* All of the above shall be entitled to vote upon all matters coming before the Board. When votes of the meeting are equally divided, the President (or other presiding officer) shall cast the deciding vote
- c. *Officers.* The President, Vice President/ Secretary, and Treasurer of the Organization shall be elected from among those members of the Board of Directors. The officers will be nominated and elected annually by a simple majority vote of the members of the Board of Directors. No officer may serve more than two consecutive terms in the same elected position.
- d. *Region Representatives.* Each region shall be represented on the Board of Directors by a member in good standing elected by the members in that region. Any Region not maintaining at least one chapter shall not be represented on the Board.
- e. *Key Element Representatives.* The members from each key element within the Department shall elect a member from that key element to act as its Representative. A member of a key element includes those members in the field, as well as those in headquarters, irrespective of a member's participation in a regional chapter.
- f. *Filling Vacant Positions.* When an officer resigns, transfers, or gains employment outside the Department, he/she shall provide a written notice of resignation to the President at least two weeks prior to leaving DOT. In the event the President is the resigning officer, the Vice President shall assume the President's responsibilities for the remainder of the term. A new Vice President shall be nominated and elected by members at the next general meeting of the Board of Directors.

3. Responsibilities of the Board of Directors.

- a. *Meetings.* The Board of Directors shall meet not less than three times annually. The Board will review the work of the officers and committees, act upon their recommendations, and take other action as necessary. The President will schedule special additional sessions of the Board as may be requested by any member of the Board.
- b. *Financial Responsibilities.* The Board of Directors shall include among its duties the supervision and custody of general, special, and endowment funds of the Organization. This includes uses to which such funds shall be applied, subject to authorized purposes and the Charter of the Organization.
- c. *General Responsibilities.* The Board of Directors shall be responsible for all publications in the name of or under the auspices of the Organization. It shall take measures necessary or advisable to advance the objectives and interests of the Organization.
- d. *Notice of Meetings.* Notice of meetings of the Board of Directors shall be given by the President at least two weeks before each meeting. Information regarding scheduled matters to be voted on at the meeting shall be sent to each Board member at least one week prior to the meeting.
- e. *Quorum.* A simple majority shall constitute a quorum at all meetings of the Board of Directors.
- f. *Vote by Mail.* A written vote of the Board of Directors may be taken upon a specific matter upon request by a vote of one-half of the members present at any meeting of the Board of Directors. Such a vote will require a majority affirmative vote of all members of the Board for approval.

B. Committees.

1. Any DOT GLOBE member may recommend that a committee be formed to develop a specific issue of interest. The Board of Directors will then consider and vote on establishing the committee, provided that an adequate number of members are willing to serve on the committee.
2. Appointment of Committees. Unless otherwise provided, the chair and members of all committees shall be appointed by the President.
3. The Committee chair or Vice chair will report the status of the committees.

IV. Administration.

A. Officers.

1. General.

The officers of the Organization shall consist of the President, Vice President/Secretary, and Treasurer. In the absence of specific duties provided by these Bylaws, the respective and several duties of the officers shall be those customarily attributable to such offices.

- a. *Eligibility for office.* Only members in good standing are eligible to hold office.
- b. *Removal from office.* Any officer may be removed from office by a two-thirds mail vote of the members of the Board of Directors. Removal shall be for a cause deemed prejudicial to the interest of the Organization based upon written charge of at least five members. The officer so charged shall have 20 days notice of proposed removal and a statement of the charges. The officer so charged shall be entitled to present a written or oral defense to the Board.
- c. *Removal from the Board.* Any member of the Board of Directors may be removed from the Board by a two-thirds vote of the members of the key element or region electing such member. Removal shall be for a cause deemed prejudicial to the interest of the Organization based upon written charge of at least five members. The director so charged shall have 20 days notice of such proposed removal and a statement of the charges. The director so charged shall be entitled to present a written defense.

2. Officer's Duties.

a. *President.*

The President shall be the chief executive officer of the organization and shall preside over all meetings of the Organization and the Board of Directors. The President may make or sign contracts on behalf of the Organization or delegate such duty to the Vice President. The President shall be an ex-officio member of all regional chapters and committees. When votes of the meeting are equally divided, the President shall cast the deciding vote. Specific responsibilities of the President, with the help of the other officers and committees, when appropriate, include:

1. Develop or update a vision statement that will comprise the strategic business needs and solutions of DOT GLOBE and the Department's interests as they affect gay, lesbian, and bisexual employees;
2. Develop or update a statement of direction that will identify specific annual goals and objectives in support of DOT GLOBE vision;
3. Organize, direct, and coordinate all DOT GLOBE activities to meet defined goals and objectives;
4. Annually assess progress made, evaluate the effectiveness of the goals and objectives themselves, take necessary actions to correct any deficiency, and report findings to DOT GLOBE;
5. Develop the agenda and preside at all meetings of the general membership;
6. Serve as the official representative and spokesperson for DOT GLOBE;
7. Coordinate with the Board of Directors in establishing committees, and act as an oversight manager of all committees; and
8. Sign and execute agreements and obligations voted by a majority of the members in attendance at meetings.

b. *Vice President/Secretary.*

The duties of the Vice President/Secretary shall include those of the President in the absence or inability of the President to act. Specifically, the Vice President/Secretary shall:

1. Keep members informed of gay, lesbian, and bisexual employee concerns, issues, and activities;
2. Advise and assist the President in the execution of their responsibilities; and
3. Execute the functions of the President in the absence, or upon the resignation, of the President.
4. Keep minutes of all general meetings;
5. Notify members of general meetings and activities;
6. Circulate minutes, agendas, and other pertinent documents;
7. Maintain a list of members and other non-financial records.
8. Make available to all members and all prospective members copies of the Charter and any by-laws,

constitution or other related documents, and minutes of the meetings of DOT GLOBE and meetings of the Board of Directors; and

9. Serve as DOT GLOBE's historian.

c. *Treasurer.*

The Treasurer shall render to the Board of Directors an annual statement and report of the financial affairs of the Organization and render additional regular reports to the membership at its meetings. The Treasurer shall sign checks and drafts in accordance with procedures established by the Board of Directors.

Specific responsibilities of the Treasurer include:

1. Receive all funds payable to DOT GLOBE and issue receipt for such funds;
2. Satisfy financial obligations as duly authorized by a majority vote of members present at a general meeting;
3. Keep a clear and accurate record of all DOT GLOBE receipts and disbursements;
4. Maintain a checking account if required to store funds and issue payments and ensure that the second signature on the account is that of the Vice President/Secretary; and
5. Present a report on the financial status of DOT GLOBE quarterly or when required.

B. Finance.

1. Fiscal Year.

The Fiscal year of the Organization shall be from October 1 to September 30 of the following year.

2. Annual Reviews.

The accounts of the Treasurer and of all funds committed to the Organization's charge shall be reviewed at least once yearly by a committee of the Board of Directors. A report of such review shall be submitted to the Board of Directors no later than January 31 of the year following the end of the fiscal year.

V. Meetings, Rules, Etc.

A. Organization Meetings.

1. Annual Meetings.

The Annual Meeting of the Organization shall be held once a year at such time and place as may be designated by the Board of Directors. Proposed amendments to the Bylaws and such other business as may be required shall be acted upon.

2. Special Meetings.

Special meetings of the Organization may be called by the Board of Directors or President and must be called for a specified purpose. Only such business as specified shall be considered at the meeting.

3. Order of Business.

Meetings shall proceed as follows:

- a. Call to order.
- b. Approval of minutes of the prior meeting.
- c. Report of the Treasurer (if necessary).
- d. Report of the Vice President/Secretary (if necessary).
- e. Report from Committees (if necessary).
- f. Unfinished Business.
- g. New business.
- h. Announcements of general interest.
- i. Adjournment.

B. Amendments.

1. *Amendments.* The Bylaws may be amended by the Organization at any Annual Meeting or at a special meeting called for such purpose.
2. *Methods of Amendment.* Proposed amendments to the Bylaws shall be in writing and signed by at least three members. Proposed amendments shall be delivered to the President at least 60 days before the Annual Meeting or before a special meeting and shall be immediately forwarded to the members of the Board of Directors for action. If a majority of the members of the Board shall approve the proposed amendments, they shall be presented to the Organization at the Annual Meeting or a special meeting called for the purpose of acting upon such proposed amendments.
3. *Vote Required.* Adoption of a proposed amendment requires an affirmative two-thirds mail vote of members-in-good-standing.



DEPARTMENTAL EMPLOYEE RESOURCE GROUP GUIDE

MARCH 2016

Table of Contents

Section 1. Purpose	3
Section 2. Guidance.....	3
Section 3. Scope	4
Section 4. Definitions	4
Employee Resource Groups	4
Employee Network Groups.....	4
Management Official(s)	4
Section 5. Responsibilities and Authorities.....	5
Assistant Secretary for Administration	5
Heads of Operating Administrations	5
Delegations of Authority.....	5
Departmental Offices of Human Resource Management and Civil Rights.....	5
Departmental Director of Human Resource Management.....	5
Section 6. Authorization Procedures.....	5
Existing Employee Resource Groups and Employee Networking Groups	5
New Employee Resource Groups and Employee Networking Groups	5
Operating Administrations	6
Non-Recognized Employee Resource Groups and Employee Network Groups.....	6
Withdrawal of Authorization.....	6
Section 7. Requirements	6
Section 8. General Limitations.....	7
Section 9. Organization	7
Senior Champion	7
Membership Control	7
Association Management.....	7
Section 10. Conflict of Interest.....	8
Section 11. Minutes	8
Section 12. Privileges	8

Employee Resource Groups

1. Purpose

This guidance document establishes the governance and procedures for Employee Resource Groups (ERGs) and Employee Networking Groups (ENGs) (or Affinity Groups) within the Department of Transportation (DOT), and the relationships between DOT and such groups. This guidance document states the responsibilities of DOT management officials, ERG and ENG officials and the requirements for the organization and operation of ERG and ENG, including the requirements that such groups must meet to receive the privileges authorized by this guidance document.

Employee-led groups, ERGs and ENGs, may also serve as a resource for DOT's "Equal Employment Opportunity Program in support of the Affirmative Employment Program and Management Directive 715. Employee groups can serve as sounding boards around strategic diversity and inclusion matters, and provide a support system that offers employees a sense of community, camaraderie, and connection to the organization. These groups can also help introduce new employees to the Agency's culture, and foster employee engagement and satisfaction."¹

DOT may, at its own discretion, consult and communicate with ERGs and ENGs on a variety of diversity and inclusion matters. This consultation and communication is distinct from the negotiations or consultations regarding conditions of employment of bargaining unit employees, which is reserved exclusively for labor organizations as prescribed by law.

2. Guidance

DOT recognizes that ERGs and ENGs may contribute to employee welfare and morale, and assist in fostering a climate of diversity and inclusion. In addition, ERGs support the diversity and inclusion goals within the DOT Diversity and Inclusion Strategic Plan and the DOT Strategic Human Capital Plan. DOT may support ERGs and ENGs by granting such groups the various privileges stated in section 12 of this guidance document. However, responsibility for the organization and management of ERGs and ENGs remains with the employees themselves. When it is determined by an appropriate management official that such recognition is in the best interest of the Department or an Operating Administration, such recognition shall be made. Recognition of ERGs and ENGs shall be made without regard to race, color, national origin, disability, ethnicity, gender, sexual orientation (including sexual identity) religion, marital status, political affiliation, or membership in a labor organization.

DOT recognizes a responsibility and a strategic opportunity to proactively support workforce diversity and workplace inclusion in addition to complying with legal standards. DOT commits to supporting the growth and development of diversity through fostering the development of ERGs and ENGs. Employee Resource Groups will promote diversity and inclusion within DOT while fostering and strengthening workplace effectiveness and leadership abilities, enhancing professional development and promoting career growth and success within DOT.

¹ U.S. Office of Personnel Management. *Guidelines for Establishing Employee Groups (Employee Resource and Employee Networking Groups)*.

3. Scope

This guidance applies to formally organized Employee Resource Groups (ERGs) and Employee Network Groups (ENGs).

4. Definitions

a.) **Employee Resource Groups** (ERGs) are “employee-led groups consisting of employees with a common set of interests and goals that assist the Agency with achieving specific strategic human capital business initiatives. ERGs may include groups whose purpose is to promote equal employment opportunity for individuals of particular races or nationalities. Other examples might include a veterans group, a Lesbian, Gay, Bi-Sexual and Transgender group, or a new employee group. ERGs serve as agency strategic partners in promoting a culture of equal opportunity, diversity and inclusion”² within the Department of Transportation by:

- “Providing a forum to consider employment issues affecting the ERG constituency, exchange of ideas, and recommend suggestions;
- Providing advice, guidance, and recommendations to DOT’s management team on Agency issues and concerns that affect the ERG’s constituents;
- Serving as an agency resource for achieving DOT’s talent management strategies;
- Serving as a resource to employees in providing personal and/or professional educational forums;
- Providing a support network for employees; and
- Serving as a resource for outreach events, such as recruitment efforts and special observance events.”³

b.) **Employee Networking Groups** (ENGs) can also be called Affinity Groups and are “employee-led groups consisting of employees whose interest is in implementing employee welfare and morale activities. They serve to help maintain a work environment that is inviting; provide support and/or social networks for employees; enhance opportunities for cross-organizational relationship building; and may serve as a resource to employees in providing personal and/or professional educational forums. Examples of ENGs would include a book club, Toastmasters, a bike club, a bowling team, or a photography group.”⁴

Excluded from coverage under this guidance are:

- (1) activities operated principally for the benefit of military personnel, such as enlisted personnel or officers' clubs;
- (2) labor organizations as defined in Title 5, United States Code, Section 7103(a)(4);
- (3) credit unions chartered by the National Credit Union Administration;
- (4) informal office groups, where money is collected from employees to cover incidental expenses such as birthday celebrations; and
- (5) Employee Recreation Associations as defined by DPM Chapter 1000, Subchapter 3.

c.) **Management Official(s)** means the Assistant Secretary for Administration, Office of the Secretary (OST), the Inspector General, and the Heads of Operating Administrations and their designees.

² U.S. Office of Personnel Management. *Guidelines for Establishing Employee Groups (Employee Resource and Employee Networking Groups)*.

³ Ibid.

⁴ Ibid.

5. Responsibilities and Authorities

a.) **The Assistant Secretary for Administration shall:**

- (1) establish, oversee and administer the Departmental guidance with respect to ERGs and ENGs;
- (2) ensure compliance with this guidance document by existing and new ERGs and ENGs with membership solely from employees of OST and from employees of more than one Operating Administration; and
- (3) recognize new ERGs and ENGs with membership solely from employees of OST, and from employees of more than one Operating Administration.

b.) **Heads of Operating Administrations:**

- (1) ensure compliance with this guidance by existing and new ERGs and ENGs representing only employees in their respective organizations;
- (2) recognize new ERGs and ENGs with membership only from employees in their respective organizations;
- (3) provide such reports as requested by the Assistant Secretary for Administration, which will include a statement that each recognized ERGs and ENGs meets the criteria set forth in this guidance; and
- (4) ensure that relationships with ERGs and ENGs do not improperly interfere with obligations owed to labor organizations under the Federal Labor Management Relations Statute (5 U.S.C. Chapter 71).

c.) **Delegations of Authority.** The Assistant Secretary for Administration and the Heads of Operating Administrations may delegate the responsibilities and authorities under this guidance. Delegations must be in writing.

d.) **The Departmental Offices of Human Resource Management and Civil Rights** have a joint responsibility to:

- (1) receive and review all applications to establish an employee group;
- (2) approve the establishment of employee groups;
- (3) notify the employee group of the final disposition of its request;
- (4) maintain copies of all appropriate documentation associated with the establishment of employee groups to include the most current employee group charter and annual work plans, when required; and
- (5) maintain a current list of the elected officers within each employee group.

e.) **The Departmental Director of Human Resource Management** shall review along with the Associate Director of Human Capital Planning and Solutions Division the operation of recognized ERGs and ENGs to determine consistency with the requirements within this guidance document. Findings shall be reported to the Assistant Secretary for Administration, as required.

6. Authorization Procedures

- a.) **Existing Employee Resource Groups and Employee Networking Groups.** To be granted the privileges authorized by this guidance, employee groups must meet the criteria set forth in this guidance. Appropriate management officials shall issue written determinations that groups are in compliance with the criteria.
- b.) **New Employee Resource Groups and Employee Network Groups.** Employees interested in establishing an employee group must make a formal request in writing to the Departmental Offices of Human Resource Management and Civil Rights. All requests must include a draft charter which will be reviewed by both offices. The employee group will be notified in writing on

the approval/disapproval of their request. The DOT Diversity and Inclusion Council will be notified of all approved employee groups.

A charter must include the group's:

- (1) purpose, leadership structure and governance process;
- (2) names and signatures of at least 5 DOT employees who will join the group; and
- (3) name and signature of the employee group's Senior Champion, where appropriate.

Requests must include a list of names, positions, and office telephone numbers of the current board of directors (officers, executive committee, and/or supervisory committee). The Departmental Offices of Human Resource Management and Civil Rights and/or a management official shall first determine if it is in the best interest of the Department or Operating Administration to recognize the group and whether the group complies with the criteria set forth in this guidance. To be granted the privileges authorized by this guidance, all new groups must be recognized in writing by The Departmental Offices of Human Resource Management and Civil Rights and/or an appropriate management official.

- c.) **Operating Administrations.** The Heads of Operating Administrations and the Departmental Director of Human Resource Management with support from the Associate Director of Human Capital Planning and Solutions Division shall report in writing to the Assistant Secretary for Administration or his/her designee the recognition of any new groups within their respective organization no later than 30 days after such approval is given.
- d.) **Non-recognized Employee Resource Groups and Employee Network Groups.** Employee groups which do not seek Departmental recognition, or are not granted recognition by an appropriate management official, shall not be granted the privileges authorized by this guidance document and shall not use the Department's name or initials, nor those of an Operating Administration in connection with their activities.
- e.) **Withdrawal of Authorization.**
 - (1) The responsible management official, as a condition of the continued granting of the privileges authorized by this guidance, may, at any time, require appropriate evidence from the ERGs and ENG's of compliance with the requirements and guidance stated in this guidance document.
 - (2) Authorization to use the name or initials of the Department or an Operating Administration in the ERG's and ENG's name and the granting of the other privileges authorized by this guidance shall be withdrawn whenever the responsible management official determines that the group is not complying with the requirements of this guidance document. Before the withdrawal of privileges, the responsible management official will give written notice to the group of the noncompliance, and the corrective actions needed by a specific date.

7. Requirements

Employee Resource Groups (ERGs) and Employee Network Groups (ENGs) seeking Department or Operating Administration recognition must meet and continually comply with the following conditions:

- a.) Membership and participation in an employee group must be open to all DOT employees who support and uphold the goals, objectives of the employee group, without regard to race, color, national origin, religion, sex (including pregnancy and gender identity), age, disability, political affiliation, marital or parental status, genetic information and sexual orientation.
- b.) Membership of the employee group is limited to DOT employees only, including DOT contractors (with concurrence from their management) and retired employees; however, contractors and retirees may not hold officer positions or represent the group before management.
- c.) The Employee Resource Groups (ERGs) and Employee Network Groups (ENGs) must be formally organized for one or more specific purposes primarily related to the benefit of or service to employees of DOT such as:

- (1) social, entertainment, and recreational affairs;
 - (2) cultural and educational pursuits; and
 - (3) professional development that will foster the employment issues of specific groups, such as women's groups, minority professional groups and occupation specific groups.
- d.) The Employee Resource Group (ERG) and Employee Network Group (ENG) must have a written charter that defines the bylaws and functions of the group, the authorities of the governing body, and the duties and responsibilities for the management of the group. Copies of the group's charter must be readily available to its members and prospective members for review. The charter must be recognized by an appropriate management official.
 - e.) The employee group must be democratically organized and operated. All DOT employees working in the geographical area which the group is intended to serve must be eligible for membership at their option and assessed dues (if required) on an equal basis with other members.
 - f.) All activities sponsored by the employee group must be free of discrimination based on race, color, national origin, religion, sex (including pregnancy and gender identity), age, disability, political affiliation, marital or parental status, genetic information and sexual orientation.
 - g.) The employee group must notify the Departmental Offices of Human Resource Management and Civil Rights of any changes in leadership and ensure that the most current copy of the group's charter is on file with these offices.
 - h.) The ERG must create an annual work plan/strategy that supports the goals of the agency and is consistent with the purpose and mission of the group.
 - i.) If an employee group fails to meet any of the aforementioned conditions, the Departmental Offices of Human Resource Management and Civil Rights may revoke recognition as a DOT-approved employee group.

8. General Limitations

- a.) The activities, programs, products or services of any DOT or Operating Administration recognized employee group shall not be represented, directly or indirectly, as being official functions or activities of the Department or any official thereof.
- b.) Employee groups may not engage in any activities which reflect adversely on DOT or an Operating Administration.
- c.) Except as provided below, DOT or Operating Administration appropriated funds may not be used for services or activities of an employee group.

9. Organization

- a.) **Each Employee Resource Group is required to have a Senior Champion.** A Senior Champion is a senior-level and/or executive-level DOT employee who agrees to serve as a leadership resource to an employee group. The Senior Champion is invited by the ERG to serve as an ex-officio member of the ERG. Senior Champions serve in this capacity for 1 to 2 years with renewable terms. ENG's are not required to have senior champions.

Representatives from Departmental Offices of Civil Rights and Human Resource Management can serve as ex-officio members of the ERG's.

- b.) **Membership Control.** Employee groups shall provide in their statement of purpose, charter, or bylaws that the group is democratically organized and operated. The employee group shall have a governing body (such as a board of directors or council) elected from the group membership.
- c.) **Association Management.** The bylaws of the employee group shall carefully and explicitly define the functions and authorities of the governing body and officers. Such functions and authorities shall, in total, provide a comprehensive set of duties and responsibilities for the management of the employee group's affairs.

10. Conflict of Interest

In order to ensure that the business and activities conducted by the employee group does not result in the personal gain of any individual, each employee group shall include in its bylaws (or equivalent), a prohibition that group officers, members of governing bodies, and the group employees:

- 1) shall not accept gratuities or any other benefits, directly or indirectly, from sellers of goods or services doing or soliciting business with the group; and
- 2) shall not receive special discounts over and above those available to members.

11. Minutes

Employee groups shall make available for inspection by all members of the group copies of minutes of meetings of the employee group and copies of the minutes of meetings of the governing body.

12. Privileges

Any employee group which meets the requirements and general limitations of this guidance may be granted privileges as set forth below. Any or all privileges that are granted may be withdrawn at any time whenever such action is deemed to be in the best interest of the Department or an Operating Administration. Employee groups recognized under this guidance document may be granted the following:

- a.) Use of the name or initials of the Department or an Operating Administration, but not use of the DOT or an Operating Administration's seal, in the employee group's name, provided it is made clear that it is an employee group for DOT employees, and not an official organization of the Department or its Operating Administrations.
- b.) Use of available space at DOT facilities subject to General Service Administration building use, safety and security regulations, 41 CFR Part 101-20 and applicable DOT requirements for use of such facilities, and provided such use of space will not interfere with the normal operations or functions of the DOT mission. Employee groups will be permitted to use, on a space-available basis, agency facilities for meetings. Space that may be available consists of conference rooms, unoccupied offices; cafeterias and similar Government owned or leased space.
- c.) Use of designated bulletin boards provided that the literature posted thereon receives prior authorization by an appropriate management official.
- d.) Space on the DOT Intranet (DOT.Net) for employee groups to post general information about employee groups, and use of the internal email system for distribution of announcements, newsletters, memos, and other correspondence. DOT resources (e.g., computer and phone equipment) may be used for employee group activities, in accordance with other applicable DOT policies and rules.
- e.) Use of DOT's internal mail distribution facilities provided it does not interfere with the conduct of official business. Use will occur only when prior authorization has been obtained from an appropriate management official who has determined that the materials or literature being distributed will contribute to the efficiency of the service or meet the reasonable needs of employees.
- f.) Use of official DOT employee group newsletters, on a space-available basis, for conveying information to meet reasonable needs of employees such as:
 - (1) educational announcements or developmental activities sponsored by employee groups;
 - (2) announcements of artistic or cultural activities; and
 - (3) special interest group announcements promoting diversity and inclusion, equal opportunity or announcing meetings, entertainments, and social affairs.
- g.) Activities (e.g., business meetings) of employee groups will be conducted on non-duty time or with concurrence from management. DOT management may request the support of employee groups for DOT-sponsored activities which support our mission, (e.g., job fairs; hiring events). In such cases, DOT management will approve ERG activity during duty time and

approve overtime/compensatory time, as appropriate. Acceptance of Agency ERG support requests is voluntary.

- h.) Authorization to distribute promotional materials and literature on Federal premises during non-working time in non-working areas are subject to safety and security regulations.
- i.) Use of any other privileges may be reasonably allowed by appropriate management officials.