

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

**DELEGATION OF AUTHORITY  
EEO Coordinator**

Pursuant to the directive of the Judicial Conference of the United States, the United States District Court for the District of Maine hereby designates the current Clerk of the District Court as the Equal Employment Opportunity Coordinator under the Court's Equal Employment Opportunity Plan.



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John A. Woodcock, Jr., Chief Judge

Dated: October 1, 2010

**DISTRICT OF MAINE  
EQUAL EMPLOYMENT OPPORTUNITY PLAN**

**§ 1 Scope of Coverage**

This Plan applies to all Article III judges, bankruptcy judges and magistrate judges in the District of Maine, as well as to all employees of the district courts and bankruptcy courts, including judges' chambers staffs, court unit heads and their staffs.

**§ 2 Organization**

**A. Implementation**

The court shall implement the Equal Employment Opportunity Program. On behalf of the court, the Chief Judge shall submit modifications in the plan for judicial council approval.

**B. Heads of Court Units**

The heads of each court unit shall ensure that all vacancies are publicly announced to attract candidates who represent the make-up of persons available in the qualified labor market and all hiring decisions are based solely on job-related factors. They shall make reasonable efforts to see that the skills, abilities, and potential of each employee are identified and developed, and that all employees are given equal opportunities for promotions by being offered, when the work of the court permits and within the limits of available resources, cross-training, reassignments, job restructuring, special assignments, and outside job-related training.

**C. Judges, Court Managers, and Supervisors**

Judges, court managers and supervisors shall apply equal employment opportunity practices and policies in their work units. This includes giving each employee a fair and equal opportunity to demonstrate his or her skills and, where those abilities exceed general performance standards, to be recommended for personnel actions and awards recognizing such achievements. As resources permit, it also requires that employees be provided training programs which enable them to develop their job skills fully.

**D. Equal Employment Opportunity Coordinator**

The Chief Judge of the District Court shall designate one person to be the Equal Employment Opportunity Coordinator (EEO Coordinator). This person will be

responsible for collecting, analyzing, and consolidating the statistical data and statements prepared by each court unit. The Coordinator will then prepare an annual report for the Chief Judge and the Administrative Office describing the court's achievements in providing equal employment opportunities, identifying those areas in which improvements are needed, and explaining those factors inhibiting achievement of equal employment opportunity objectives. Based upon this evaluation and report, the EEO Coordinator will recommend modifications in the plan to the court.

**§ 3 Personnel Practices**

**A. General**

Discrimination against employees based on race, color, religion, sex (including sexual harassment), national origin, age (at least 40 years of age at the time of the alleged discrimination), and disability is prohibited.

**B. Recruitment**

Each court unit will seek qualified applicants who reflect the make-up of all such persons in the relevant labor market. Each unit will publicize all vacancies.

**C. Hiring**

Each court unit will make its hiring decisions strictly upon an evaluation of a person's qualifications and ability to perform the duties of the position satisfactorily. However, the age discrimination provision of paragraph A of this section shall not apply to the initial hiring or retirement of probation and pretrial services officers.

**D. Promotion**

Each court unit will promote employees according to their experience, training, and demonstrated ability to perform duties of a higher level.

**E. Advancement**

Each court unit will seek insofar as reasonably practicable to improve the skills and abilities of its employees through cross-training, job restructuring, assignments, details, and outside training.

**F. Discrimination Complaints**

Discrimination complaints shall be resolved in accordance with the District of Maine Employment Dispute Resolution Plan.

**§ 4 Definition**

The term "disability" means a physical or mental impairment that substantially limits one or more of the major life activities of an employee, or a record of such an impairment, or being regarded as having such an impairment.

**§ 5 Evaluation**

Each court unit will prepare a brief report for the EEO Coordinator describing its efforts to provide equal employment opportunities in —

**A. Recruitment**

Each court unit will describe briefly efforts made to bring a fair cross-section of the pool available for the position into its applicant pool, including listing all employment sources used (e.g., state employment offices, schools, organizations, etc.). Each unit will also explain the methods it uses to publicize vacancies.

**A. Hiring**

Each court unit will identify where its recruitment efforts resulted in the hiring of a cross-section of the pool available and will, if known, explain those instances where members of the cross-section did not accept employment with the court when it was offered.

**C. Promotions**

Each court unit will briefly describe promotional opportunities which occurred and will provide an analysis of the distribution of promotions, including a description of those persons who were promoted to supervisory positions.

**D. Advancement**

Each court unit will describe what efforts were made to improve the skills and abilities of employees through cross-training, job restructuring, assignments, details and outside training.

In addition, this evaluation should include information on factors inhibiting achievement of EEO objectives such as no vacancies, minimal numbers of qualified applicants in the relevant labor market, and on all persons in the unit who have received all relevant training. This report will also include a breakdown according to the race, sex, national origin, and disability of the court's personnel involved on forms to be provided by the Administrative Office of the United States Courts. The report will cover personnel actions occurring in the year ending September 30 and will be submitted to the EEO Coordinator by November 1 of each year.

## **§ 6 Objectives**

Each court unit will develop annually its own objectives which reflect those improvements needed in recruitment, hiring, promotions, and advancement, and will prepare a specific plan for the EEO Coordinator explaining how those objectives will be achieved.

## **§ 7 Annual Reports**

The annual reports of each court unit will be for the year ending September 30 and will include tables to be provided by the Administrative Office of the United States Courts. Each report will describe instances where significant achievements were made in providing equal employment opportunities, will identify areas where improvements are needed, and will explain factors inhibiting achievement of equal employment opportunity objectives. Upon approval of the Chief Judge of the District Court, the reports will be submitted to the Administrative Office of the United States Courts by November 30 of each year.