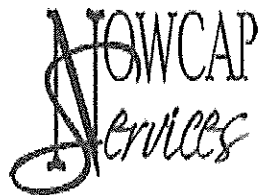


NOWCAP Services

October 1, 2024

Affirmative Action Program for Minorities & Females

This affirmative action program is effective from October 1, 2024 to September 30, 2025



Top U.S. Official: Dawn Lacko, Executive Director
AA/EEO Official: Kayleen Park, Operations Assistant Director
Approved By: Dawn Lacko, Executive Director
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Confidential Trade Secret Materials

The material set forth in this program is deemed to be confidential commercial and financial data, the public disclosure of which could cause substantial competitive harm to NOWCAP Services. In addition, all statistical components of this program, including any and all data pertaining to employee compensation, workforce structure (including the ratios between and among job groups and EEO-1 categories), the organizational profile, final availability and placement rate goals, job group analysis report, identification of problem areas and supporting information pertaining to employment activity, determinations of adverse impact and determinations of problems in workforce distribution and employment policies and practices, or the analyses of any of the foregoing, are deemed to constitute trade secrets, operations information, confidential statistical data and other confidential commercial and financial data within the meaning of the Freedom of Information Act (FOIA), 5 U.S.C. §552 *et. seq.*, Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e *et. seq.*, the Trade Secrets Act, 18 U.S.C. §1905, and 44 U.S.C. §3508, the disclosure of which is prohibited by law and would subject the individual making the disclosure to criminal and/or civil sanctions. This material has not been disclosed to the public, and should not be, since such disclosure could cause substantial competitive harm to NOWCAP Services. Therefore, in accordance with 29 C.F.R. §70.26(c) – (e), we expect that NOWCAP Services will be notified in writing by the agency prior to disclosure of any request for information pertaining to all or any part of this program, and that NOWCAP Services shall be given an opportunity to present its objection to disclosure.

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I. Introduction: Affirmative Action Program for Minorities and Females

This Affirmative Action Program (AAP) is designed to satisfy NOWCAP Services's equal employment opportunity and affirmative action responsibilities under Executive Order 11246, as amended, and the implementing rules and regulations of the Secretary of Labor. Separate AAPs for protected veterans and individuals with disabilities have been adopted by NOWCAP Services.

NOWCAP Services has prepared this AAP to cover all applicants and employees. As described in detail in the program that follows, NOWCAP Services has a continuing commitment to the practice and implemented action of this AAP.

II. Statement of Policy

It is the policy of NOWCAP Services to provide equal employment opportunities without regard to race, color, religion, sex, national origin, age, protected veteran, disabled status, gender identity, or sexual orientation. This policy relates to all phases of employment, including, but not limited to, recruiting, employment, placement, upgrading, demotion or transfer, reduction of workforce and termination, rates of pay or other form of compensation, selection for training, the use of all facilities, and participation in all NOWCAP Services-sponsored employee activities. Provisions in applicable laws providing for bona fide occupational qualifications, business necessity, or age limitations will be adhered to by NOWCAP Services where appropriate.

As part of NOWCAP Services's equal employment opportunity policy, NOWCAP Services will also take affirmative action as called for by applicable laws and Executive Orders to ensure that minority group individuals, females, protected veterans, and qualified disabled persons are introduced into our workforce and considered as promotional opportunities arise. Dawn Lacko, Executive Director, fully supports NOWCAP Services's equal opportunity and affirmative action policies.

Employees and applicants shall not be subjected to harassment or intimidation because they have: (1) filed a complaint; (2) assisted or participated in an investigation, compliance review, hearing or any other activity related to the administration of any federal, state, or local law requiring equal employment opportunity; (3) opposed any act or practice made unlawful by any federal, state, or local law requiring equal opportunity; or (4) exercised any other legal right protected by federal, state, or local law requiring equal opportunity.

NOWCAP Services will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with NOWCAP Services's legal duty to furnish information. 41 CFR 60-1.35(c).

The above-mentioned policies shall be periodically brought to the attention of supervisors. It is the responsibility of each supervisor of NOWCAP Services to ensure affirmative implementation of these policies to avoid any discrimination in employment. All employees are expected to recognize these policies and cooperate with their implementation. Violation of these policies is a disciplinary offense.

Kayleen Park, Operations Assistant Director, is assigned to direct the establishment of and to monitor the implementation of personnel procedures to guide the affirmative action program throughout NOWCAP Services. Kayleen Park, Operations Assistant Director will have responsibility to review and update NOWCAP Services's affirmative action plan annually, including responsibility for the audit and reporting system. A notice explaining NOWCAP Services's policy and availability for viewing the affirmative action plan will remain posted.

III. Responsibility for Implementation

Pursuant to the requirements under 41 C.F.R. §60-2.17 (a), NOWCAP Services has assigned the overall responsibility and accountability for its equal employment opportunity and AAP to Kayleen Park, Operations Assistant Director, who has the authority, resources, support of and access to top management to ensure effective implementation of the AAP. It is NOWCAP Services's objective to ensure full adherence to its equal employment opportunity policy and to the AAP.

IV. Identification of Problem Areas

Pursuant to the requirements under 41 C.F.R. 60-2.17 (b), NOWCAP Services periodically performs in-depth analyses of its total employment process to determine whether and where impediments to equal employment opportunity exist. These analyses include the following evaluations, as applicable:

- (1) Workforce by organizational unit and job group to determine whether there are problems of minority or female utilization or of minority or female distribution;
- (2) Personnel activity, including applicant flow, hires, terminations, promotions and other personnel actions, to determine whether there are selection disparities;
- (3) Compensation system to determine whether there are gender-, race- or ethnicity- based disparities;
- (4) Selection, recruitment, referral, and other personnel procedures to determine whether they result in disparities in the employment or advancement of minorities or females; and
- (5) Any other areas that might impact the success of the AAP.

V. Composition of the Workforce

A. *Organizational Profile*

Pursuant to the requirements under 41 C.F.R. §60-2.11, NOWCAP Services completed an organizational profile to depict the staffing pattern within an establishment. The organizational profile is one method NOWCAP Services uses to determine whether barriers to equal employment opportunity exist in their organizations. The profile provides an overview of the workforce at the establishment that may assist in identifying organization units where females or minorities are underrepresented or concentrated. NOWCAP Services created a workforce analysis as its organizational profile. The workforce analysis is a listing of each job title ranked from the lowest paid to the highest paid within each department or other similar organizational unit.

The Workforce Analysis report is included in the statistical portion of the AAP.

B. *Job Group Analysis*

Pursuant to the requirements under 41 C.F.R. §60-2.12, NOWCAP Services combined job titles at the establishment with similar content, wage rates, and opportunities to form job groups. Pursuant to the requirements under 41 C.F.R. §60-2.13, NOWCAP Services separately stated the percentage of minorities and females it employs in each job group.

The Job Group Analysis report is included in the statistical portion of the AAP.

C. *Determining Availability*

Pursuant to the requirements of C.F.R. §60-2.14 (b), NOWCAP Services has separately calculated a final availability rate for minorities and females in each job group. Availability is an estimate of the number of qualified minorities or females available for employment in a given job group, expressed as a percentage of all qualified persons available for employment in the job group. The purpose of the availability determination is to establish a benchmark against which the demographic composition of NOWCAP Services's incumbent workforce can be compared in order to determine whether barriers to equal employment opportunity may exist within particular job groups.

Pursuant to the requirements under 41 C.F.R. §60-2.14 (c) (1) and 41 C.F.R. §60-2.14 (c) (2), NOWCAP Services considered two factors in determining availability. These two factors are described in the following chart, later referred to as external and internal availability.

Regulation	Factor	Consideration
41 C.F.R. §60-2.14 (c) (1)	Requisite skills in the reasonable recruitment area	NOWCAP Services has identified the reasonable recruitment area for each job group.
41 C.F.R. §60-2.14 (c) (2)	Promotable, transferable and trainable	For each job group, NOWCAP Services has identified the job groups and/or titles from which employees historically have been promoted or transferred. In addition NOWCAP Services has considered those employees within the organization who could, with appropriate training provided by NOWCAP Services, be promoted or transferred during the AAP year.

NOWCAP Services has not drawn its reasonable recruitment areas in such a way as to have the effect of unreasonably excluding minorities or females.

The 2014-2018 American Community Survey (ACS) EEO Tabulation, released by the United States Census Bureau, was used to determine the percent of qualified minorities and females in a reasonable recruitment area in this AAP. External availability was calculated by matching job titles in job groups to a census occupation code.

NOWCAP Services determined the pool of promotable, transferable and trainable employees for each job group based on the requirements set forth under 41 C.F.R. §60-2.14 (c) (2) and 41 C.F.R. §60-2.14 (f). NOWCAP Services has not defined these pools in such a way as to have the effect of unreasonably excluding minorities or females.

Internal availability was calculated by reviewing actual historical hiring and internal placement activities and reviewing demographic data for those employees who could, with appropriate training provided by NOWCAP Services, become promotable or transferable during the AAP year.

NOWCAP Services further determined a composite availability figure for each job group. Pursuant to the requirements under 41 C.F.R. §60-2.14 (g), NOWCAP Services has calculated an availability figure for minorities and females where job groups were comprised of job titles with rates of availability different enough to warrant a composite availability figure. NOWCAP Services calculated such a composite availability by:

- (1) Determining the availability for each job title;

- (2) Determining the proportion of job group incumbents employed in each job title;
- (3) Weighting the availability for each job title by the proportion of job group incumbents employed in each job title within that job group; and
- (4) Adding the weighted availability estimates for all job titles within the job group.

The Factor Availability report is included in the statistical portion of the AAP.

D. *Comparing Incumbency to Availability*

Pursuant to the requirements of 41 C.F.R. §60-2.15 (a), NOWCAP Services must compare the percentage of minorities and females in each job group determined pursuant to 41 C.F.R. §60-2.13 with the availability for those job groups determined pursuant to 41 C.F.R. §60-2.14.

The Utilization Analysis report is included in the statistical portion of the AAP.

E. *Placement Goals*

Pursuant to the requirements of 41 C.F.R. §60-2.16, NOWCAP Services established a percentage annual placement goal at least equal to the availability figure derived for minorities or females, as appropriate, for that job group. NOWCAP Services established these goals as objectives or targets reasonably attainable by means of applying every good faith effort to make all aspects of its AAP work. A placement goal constitutes neither a finding nor an admission of discrimination. In establishing placement goals, the following principles apply:

- (1) Placement goals are not rigid and inflexible quotas, which must be met, nor are they to be considered as either a ceiling or a floor for the employment of particular groups.
- (2) In all employment decisions, NOWCAP Services makes selections in a nondiscriminatory manner. Placement goals do not provide a justification to extend a preference to any individual, select an individual, or adversely affect an individual's employment status, on the basis of that individual's race, color, religion, sex, or national origin.
- (3) Placement goals do not create set-asides for specific groups, nor are they intended to achieve proportional representation or equal results.
- (4) Placement goals are not used to supersede merit selection principles, nor do these goals require NOWCAP Services to hire a person who lacks qualifications to

perform the job successfully or hire a less qualified person in preference to a more qualified one.

The Goals report is included in the statistical portion of the AAP. In addition, a Goal Attainment report showing progress made towards underutilized job groups, as identified in the previous year plan, can be found in the statistical portion of the AAP. NOWCAP Services will establish affirmative action goals and programs to correct any deficiencies as defined by the OFCCP, and will continue to make good faith efforts to reach these goals and implement action-oriented programs.

VI. Personnel Activity

Pursuant to the requirements of 41 C.F.R. §60-2.17 (b) (2), NOWCAP Services has performed in-depth analyses of its total employment process to determine whether and where impediments to equal employment opportunity exist. NOWCAP Services evaluated personnel activity (applicant flow, hires, promotions and terminations) to determine whether there were selection disparities.

VII. Compensation

Pursuant to the requirements of 41 C.F.R. §60-2.17 (b) (3), NOWCAP Services will evaluate its compensation system to determine whether there are gender-, race-, or ethnicity based disparities. If NOWCAP Services discovers significant salary differences, it will determine whether they are the result of legitimate and nondiscriminatory factors (e.g., tenure, time in job, performance, education, previous experience). Where appropriate, NOWCAP Services will take all reasonable steps to make any necessary adjustments.

NOWCAP Services will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with NOWCAP Services's legal duty to furnish information.

VIII. Action-Oriented Programs

Pursuant to the requirements under 41 C.F.R. §60-2.17 (c), NOWCAP Services has developed and executed action-oriented programs designed to correct any problem areas identified pursuant to 41 C.F.R. §60-2.17 (b). NOWCAP Services has demonstrated that it has made good faith efforts to remove identified barriers, expand employment opportunities, and produce measurable results.

IX. Internal Audit and Reporting Systems

Pursuant to the requirements under 41 C.F.R. §60-2.17 (d), NOWCAP Services has developed and implemented an auditing system that periodically measures the effectiveness of its total AAP. This system includes the following:

(1) NOWCAP Services will periodically monitor the progress toward affirmative action goals.

(2) Kayleen Park, Operations Assistant Director, will continue to monitor records of applicant flow, referrals, placements, rejected offers, training, transfers, promotions, terminations, and any layoffs or recalls to ensure that NOWCAP Services's non-discriminatory policy is carried out. Procedures are reviewed and revised as problems are identified.

(3) Top management is and will continue to be informed of any problems that arise in their respective areas so that immediate and appropriate steps can be taken to resolve any issues.

(4) NOWCAP Services recognizes its responsibility to affirmative action and is committed to fulfilling this responsibility by complying with all government regulations and laws pertaining to equal employment opportunity. As part of this commitment, management will be kept abreast of developments in the affirmative action area. The primary vehicle for communication with management will be periodic affirmative action briefings.

(5) NOWCAP Services will review report results with all levels of management as to the degree to which their affirmative action goals and compliance are being attained, and design and implement corrective actions, including adjustments in programs, as needed.

The establishment's AA/EEO official, Kayleen Park, Operations Assistant Director, is responsible for executing these internal audits and reporting responsibilities.