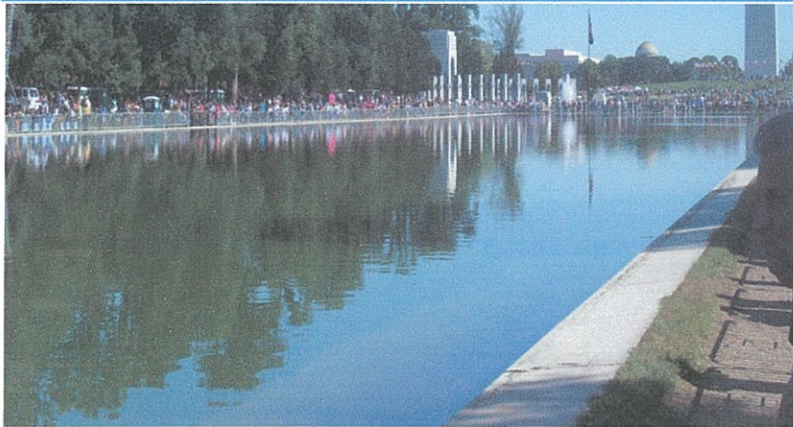


2010 Annual Report

The Coalition For Change, Inc (C4C)



*2010 Annual Report
of Accomplishments*

February 2011

www.coalition4change.org

*Life's most persistent and urgent question is,
"What are you doing for others?"*

Rev. Dr. Martin Luther King, Jr.

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PREAMBLE

The Coalition for Change, Inc. (C4C) is a proactive non-profit civil rights organization and support network incorporated in Washington, D.C. on January 22, 2009. Comprised of former and present Federal employees who have been injured or mistreated due to employment discrimination and/or reprisal, the C4C seeks to advance racial equality in the Federal workplace.

Over the last decade, employment discrimination and favoritism within the Federal workplace has become most overt. Racial bias has uprooted merit in the hiring and promotion processes in government. Moreover, managerial “preferences for non-minorities” continue to undermine minorities’ equal access to jobs, awards, promotions and favorable work assignments. In fact, the U.S. Merit Systems Protection Board (MSPB) found¹, “*Members of ethnic/racial minorities remain at a substantial disadvantage when it comes to career-enhancing opportunities.*” (MSPB, 2009, p.61). MSPB’s 2007 Career Advancement Survey disclosed, 72 percent of Federal employees said promotions were based on who they knew. Only 40 percent cited competence as a reason for advancement and 36 percent credited hard work. (MSPB Report, p. 57).

To the peril of many minority employees, “reprisal” for engaging in supposedly “protected” EEO activity is a reality. Federal managers often retaliate against minorities who courageously file employment discrimination complaints. Despite years of successful and dedicated public service, soon after filing formal complaints, many of these civil servants are targeted, labeled as “*poor performers,*” and placed on “Performance Improvement Plans (PIP)” for 30, 45, or 90 days. After being placed on the PIP, many are informed that they failed to improve their performance. As a result, they are denied promotions, suspended, or terminated from Federal employment. Other employees, who file civil rights complaints either retire from Federal service or find other jobs to escape retaliation from agency officials.

As a result of very ideological administrative judges appointed to the Equal Employment Opportunity Commission (EEOC) and the MSPB, terminated Federal employees have not received fair hearings before these bodies. In fact, many of the top employment law firms in Washington, D.C., warn clients that no matter the merits of their case, their chances of prevailing before the EEOC or the MSPB were remote. Often law firms attempt a legal strategy to avoid the EEOC and the MSPB—at all cost, and thereby taking a case directly into District Court. However, this strategy is not always successful, takes years and is extremely costly.

Unquestionably, 2010 was a banner year for our young organization. The C4C advocacy support group outreached to Federal workers facing discriminatory / retaliatory treatment by sending cards and e-mails of encouragement as they continued to challenge workplace injustice. C4C had significant visibility and presence with officials in the Obama administration, on Capitol Hill, with the local news media and with other public sector interest groups including but not limited to the Black Females for Justice II, Inc., Project on Government Oversight, Department of Interior’s Blacks In Government Chapter, the Government Accountability Project and the No FEAR Coalition.

¹ MSPB Report: *Fair and Equitable Treatment Progress Made and Challenges Remaining*, December 1, 2009.

During 2010, C4C briefed congressional staff and administration officials and supported other groups (e.g., African-American employees in the U.S. Marshals Service² and Black Farmers³) battling employment discrimination or discriminatory practices in government programs. Throughout the year, to highlight the problem of employment discrimination and reprisal in the Federal government, C4C provided comments on a number of news media blogs.



[On October 2, 2010, C4C members were present at the *One Nation Rally*, held on the National Mall, bringing attention to workplace discrimination and retaliation in the Federal government.]

In our first year of existence, the C4C established a Responsible Management Officials' page at <http://www.coalition4change.org/RMO.htm> that lists persons named in employment discrimination court proceedings, published articles, or administrative case proceedings. A Responsible Management Official or "RMO" is defined on our webpage, as a person(s) named by the complainant/plaintiff or indicated by the record (such as court, MSPB decisions and EEOC decisions) as the individual responsible, in whole or in part, for participating in; taking or recommending the action or decision that is the issue of the employee's complaint. Often the employee names the RMO as the one that has committed the discriminating act based on such factors as race, color, or reprisal for previous EEO activity; and as the one responsible for the action(s) or who made decision(s) that harmed the Complainant. During 2010, an additional 70 Federal managers were added to the C4C's Responsible Management Official section of our website. By the end of 2010, nearly 140 Federal managers were listed on the C4C's RMO section of our website. The RMO section remains the most viewed and most popular section on our website.

² African-American Marshals filed a \$300 million race based class action (*Grogan et. al vs. Mukasey Case 1:08-cv-01747-HHK*). C4C attended two court proceedings held on October 27 and November 19, 2010, supporting the Marshals' attempts to amend the current complaint filed in 2008. The Marshals are seeking to broaden the time period of their complaint to 1994.

³ C4C attended a September 23, 2010 rally in support of Black farmers who were due compensation for years of being discriminated against by U.S. Department of Agriculture officials. USDA to pay minority farmers as a result of class action lawsuit (*Pigford v. Glickman*). The suit, settled out of court in 1999. Yet, Black farmers still seek justice for decades of discrimination in loan programs between 1981 and 1996.

During 2010, the C4C website at www.coalition4change.org was expanded. In addition to the RMO section, the C4C website proved to be a valuable resource providing Federal employees with information in their struggle to combat employment discrimination and reprisal. A link with notable case law and frequently asked questions pertaining to civil rights and self-help has been uploaded to the website. C4C monitors the website monthly. During the course of 2010, C4C received 44,525 hits from persons visiting our .org website. Also during the past year, in addition to our popular website, a BLOG was established at www.coalition4change.net. At the end of 2010, the C4C established its presence on FACEBOOK to reach more present and former Federal employees, and to bring greater attention to our organization and its issues.

<http://www.facebook.com/pages/Coalition-For-Change/102515013137428>

Month	Hits
Jan 2010	2073
Feb 2010	3080
Mar 2010	4472
Apr 2010	5083
May 2010	3604
Jun 2010	2864
Jul 2010	4373
Aug 2010	3637
Sep 2010	4802
Oct 2010	4010
Nov 2010	3539
Dec 2010	2988
Total	44525

C4C serves as a valuable resource group for Federal employees in need of emotional, spiritual and informational support. The C4C receives hundreds of emails or telephone messages from current or former Federal employees seeking our assistance. The emails that follow illustrate the problem of discrimination and reprisal taking place in the Federal workplace. They also illustrate the failure of Federal offices of Equal Employment Opportunity to act as fair arbiters between the complainant and management during the lengthy EEO process; why the C4C is needed; and why an ever increasing number of individuals have contacted the C4C for assistance and information.

----- Original Message -----

Subject: I wish I could get someone to help me

Date: Wed, 21 Jul 2010 13:43:19 -0400

To: <c4c@coalition4change.org>

Dear Sir or Madam: I have an active EEOC Case of sex discrimination, hostile work environment, reprisal, and it is about to be decided upon by the judge to go to a hearing. I tried desperately to get a lawyer to help me with my case; however, I could not get a lawyer from around here because of the judge that I have the EEOC claim against, and I couldn't get a lawyer anywhere else because my case is so late in the process. I desperately need help and I cannot get anyone to help me. I have been offered four options by an EEOC judge who was trying to get a settlement between myself and the agency: 1) withdraw 2) ask for a FAD and appeal to the EEOC (who has had my case for over two years now, with no decision, no hearing, no nothing); 3) take my case to federal court 4) Accept \$300 or \$400 as a nuisance settlement.

Oh, please, can you help me? I am begging you to help me. If you only knew how this office treats the lower level females in this office and its autocratic form of business operations and illegal activities, you would be appalled. May God guide you in your response to my plea for help.

----- Original Message -----

Subject: I need help

To: <c4c@coalition4change.org>

Good Morning Ms. Jordan,

I do not know how can I ever thank you for just answering my email. I am desperate for help because I am facing a giant in my work place. I asked God for help because of my daily affliction. I filed an EEO complaint last Dec and my Boss keeps harassing me everyday. I would like to give up already, that is why I needed your help.

After I went to EEO and complained, my first and second line supervisors continue to torment me everyday of my life at work and it has been going on almost a year now.

Yes, I know that they wanted me to leave, but our EEO office is not helping me either. They are siding with Management. I hope you can further help me in my situation. I have a family of three Children and I really need your help. I am praying to God for your answer. God bless,

Mr. X

Sent: Tue, Sep 21, 2010 7:46 am

Subject: Re: I need help

Dear Mr. X,

I am sorry to hear that you are facing workplace injustices in the workplace. C4C, Inc., is a small non-profit association that seeks to provide information to aid Federal employees who may fall victim to harassment and other injustices. We do not provide any type of financial or legal assistance. We may, however, be able to answer any questions you may have about the Federal EEO process or identify whether your supervisor has been involved in prior eeo complaints.

Respectfully submitted,

Tanya Ward Jordan, Founder C4C Inc.

I. MISSION, VISION, PHILOSOPHY AND PRIMARY GOALS

MISSION

The mission of the C4C is to advance racial equality in Federal employment and to provide a support network for individuals who are discriminated against and/or are subjected to reprisal in the Federal workplace. The C4C also serves as an informational support network for present and former Federal employees injured because of workplace discrimination. Through publicizing workplace human resource issues, disseminating information on employee rights and developing government oversight reforms, C4C operates to safeguard the quality and efficiency of public goods and services. Since its establishment, the C4C has been keenly interested in promoting a workforce culture that promotes the mental, physical and spiritual well-being of individual workers—employees who uphold the public trust.

VISION

C4C aims to be a proactive volunteer organization that:

- Convenes brain trusts with leaders from various advocacy groups interested in addressing “racial discrimination” and reprisal in the Federal workplace.
- Serves as guardians of justice providing relevant information to the public about Federal departments’ workplace culture and its impact on public goods and services.
- Provides support to Federal employees, particularly Black-American employees, who bravely report civil rights violations of Title VII of the Civil Rights Act of 1964. {Title VII prohibits employment discrimination based on race, color, religion, sex and national origin

PHILOSOPHY

C4C recognizes that effective diversity management reduces taxpayer costs, strengthens our national security, and improves the quality of goods and services the Federal government provides to the public. It is our philosophy that effective diversity management improves employee satisfaction and productivity. We view workforce diversity as an important advantage that allows organizations access to a variety of people and skills to successfully meet their business needs; and to improve the quality of life for American taxpayers.

PRIMARY GOALS

- To provide a support group for our members who are charged with upholding the public trust.
- To promote managerial accountability in the form of discipline for proven discriminatory offenses.
- To resolve workforce conflicts at the earliest interval during the Federal Equal Employment Opportunity process.
- To foster the fair treatment and career advancement of employees, in particular Black-Americans who are disproportionately under-represented among the ranks of supervisors and managers; and who remain below the average government General Schedule pay grade.⁴

⁴ Source: *EEOC Annual Report on the Federal Workforce FY2009*: Summary of EEO Statistics in the Federal Government. Figure 4 and accompanying narrative.

II. C4C 2010 ACCOMPLISHMENTS

During 2010, the C4C contacted the President of the United States, Members of Congress, senior Federal officials, civil rights organizations and the press regarding such matters as the nonchalant enforcement of Federal non-discrimination laws in the Federal workplace, leading to disparities in hiring and promotions to supervisory and managerial positions, the imposition of discipline, and the refusal to treat African-American employees with fairness, dignity, and respect. The C4C challenged individuals with questionable EEO records nominated by the president to serve in his administration; and sought an inspector general investigation into an agency's decision to appeal an Equal Employment Opportunity Commission ruling against the agency in an employment discrimination lawsuit. Below is a listing and a summary of our significant 2010 accomplishments:

A. Correspondence

Letter to MSNBC's Chris Matthews, dated January 22, 2010

C4C contacted MSNBC host Chris Matthews to commend the cable network for its two hour broadcast of "Obama's America: 2010 and Beyond." The program explored the array of issues pertaining to race relations in the United States, nearly a year after the first African-American president was inaugurated. The program addressed the issues of joblessness and employment discrimination affecting the African-American community.

Letter to Representative Donna Edwards (D-Md), dated February 1, 2010

C4C wrote Representative Donna Edwards regarding its concern that African-Americans are excluded from Federal employment and contracting opportunities by Federal agencies; disproportionately underrepresented in the ranks of management; and often targeted for termination from Federal service after filing EEO complaints. A meeting with Representative Edwards was requested to discuss these issues.

Letter to the Senate Budget Committee (Majority), dated February 21, 2010

C4C wrote a letter of support for one of its members who filed an employment discrimination complaint against the budget committee after applying for several advertised positions on that committee. Despite being more than qualified, the applicant failed to get hired by this Senate committee. After contacting the Congressional Office of Compliance and the press about alleged discriminatory hiring practices by the Budget Committee, the committee attempted to malign the complainant's character and professional reputation. An attorney representing the committee admitted that the committee was seeking individuals with "ties to K Street." A complaint has been filed with the Senate Ethics Committee.

Letter to the Honorable John Berry, dated February 24, 2010

C4C contacted John Berry, director of the Office of Personnel Management (OPM), to share our views on the issues of Federal pay reform (altering the General Schedule system) and the adjudication of workplace complaints. The C4C informed Mr. Berry that it opposed any alternative pay system, such as pay banding or pay for performance, in a culture that is slow to resolve workplace disputes and has little or no accountability for managers who discriminate or show favoritism in awards, promotions and hiring.

Letter to Representative Edolphus Towns, dated February 26, 2010

C4C contacted Representative Towns, then chair of the House Oversight and Government Reform Committee, praising his request to Department of Homeland Security (DHS) Secretary Janet Napolitano seeking an investigation into “widespread discrimination, retaliation and other inappropriate conduct” at the Cincinnati and Orlando Federal Air Marshal Service field offices. The C4C however was not supportive of the chair’s request that the Department’s inspector general conduct this investigation. The C4C noted that the DHS inspector general had previously failed to adequately address such longstanding issues of discrimination in the Department, and had failed to proactively recommend and/or monitor disciplinary action against management officials in violation of Title VII. Instead, the C4C urged that an independent body, not the inspector general, be selected to conduct an investigation of the Transportation Security Administration. C4C also urged that the scope of an investigation be widened to include the Department’s Office of Civil Rights and Civil Liberties for allegedly failing to process and investigate employment discrimination and retaliation complaints filed with that office.

Letter to Rosslyn Kleeman, dated March 11, 2010

C4C contacted Ms. Kleeman, chair of the Coalition for Effective Change (CEC), to share our perspective on Federal pay reform (reforming the General Schedule “GS” pay system) and the adjudication of workplace complaints. The C4C wrote to support a review of the Federal pay and performance appraisal systems by the National Association for Public Administration. C4C urged that a commission be established consisting of agency representatives, and union and affinity organizations representing non-bargaining unit employees to review these systems. In addition, the C4C recommended that further studies determine the effectiveness of the current GS pay schedule and assess whether current management practices adversely impact African-Americans and other minorities.

Outreach to the National Action Network, April 2010

C4C contacted the National Action Network to convey the need for our civil rights organizations to focus on Federal workplace discrimination as one way to improve the quality of life for African-Americans. The email responded to Rev. Al. Sharpton’s initiative on “*Measuring the Movement*” that addressed efforts federal, state, local and grassroots organizations can take to improve the health, lifestyle, employment rate and access to justice in Black communities across the country.

Letter to Senators Barbara Mikulski and Ben Cardin, dated June 23, 2010

C4C contacted both Maryland Senators concerned that the Obama administration had nominated a James Taylor of Virginia to become chief financial officer of the Department of Labor. The C4C urged both Senators to place a “hold” on the Taylor nomination, which the C4C adamantly opposed. In our letter, the C4C noted that in his senior level positions at the Department of Commerce and at the Department of Homeland Security, Taylor had allegedly retaliated against individuals who spoke out against employment discrimination and/or participated in their respective agency’s Equal Employment Opportunity process by filing complaints.

Letter to President Barack Obama, dated July 10, 2010

C4C wrote the President of the United States to express our concern regarding three individuals nominated for high-level positions in his administration. These individuals were previously named in agency employment discrimination complaints and/or named in U.S. District Court lawsuits. Named individuals were Carol Browner, then Assistant to the President, Energy and Climate Change (formerly Administrator of the Environmental Protection Agency), James L. Taylor, currently the Chief Financial Officer of the Department of Labor (formerly the Deputy Inspector General of the Department of Homeland Security) and Anne M. Wagner, currently the vice chair of the Merit System Protection Board (formerly general counsel of the Government Accountability Office’s Personnel Appeals Board).

Open Letter to President Barack Obama and Members of Congress, dated August 3, 2010

Along with 389 organizations, associations and businesses, C4C co-signed an open letter to President Obama and Members of Congress supporting a nine-year effort to complete landmark legislation to restore and modernize credible whistleblower rights for government employees.

Letter to Senators Barbara Mikulski and Ben Cardin, dated September 4, 2010⁵

C4C voiced concern that after nearly twenty (20) months in office, the Obama administration had failed to appoint a new Special Counsel to serve at the Office of Special Counsel (OSC). The C4C noted in its letter that the OSC position had been vacant since October 2008. The C4C warned that without effective and permanent leadership, the OSC would continue to be adrift and thereby fail to effectively execute its mission as reflected on its website *“to safeguard the merit system by protecting Federal employees and applicants from prohibited personnel practices, particularly reprisal for whistleblowing.”*

⁵ *On December 15, 2010, the White House nominated Carolyn Lerner a founding partner of the civil rights and employment law firm Heller, Huron, Chertkof, Lerner, Simon and Salzman, to head the OSC.

Letter to the Honorable Ken Salazar, dated September 4, 2010

C4C wrote to Ken Salazar, Secretary of the Department of Interior, regarding its concern about the continued Federal employment of the Department's Chief Information Officer, Craig Littlejohn. It was disclosed in an EEOC hearing (*Adam Pierre v Ken Salazar* --EEOC Case number 570-2008-00625X) that Mr. Littlejohn not only referred to African-American subordinates as "monkeys," but that he also engaged in discriminatory behavior in the selection process for individuals seeking employment with the Department. The C4C was alarmed that even after the Department became aware of Mr. Littlejohn's misconduct, it had failed to take disciplinary action against Mr. Littlejohn. Contrary to the administrative judge's compelling ruling against the agency, the Department decided to appeal the decision to the EEOC's Office of Federal Operations. The C4C was highly critical of the Department's decision to continue to expend *taxpayers' money* to appeal the EEOC's decision.

In a letter dated October 21, 2010, the Department's Office of Civil Rights responded to our concerns. The Department wrote that it had "zero-tolerance" for illegal discrimination in its workplace and that because the case is currently in appeal to the EEOC's Office of Federal Operations, "the fact and legal conclusions have not been finally determined." The Department asserted once a final decision is rendered by the EEOC's Office of Federal Operations, Interior will then determine the appropriate course of action.

Letter to the Honorable Mary L. Kendall, dated November 4, 2010

C4C contacted Mary L. Kendall, the acting Inspector General of the Department of Interior, seeking an investigation into the Department's Office of Civil Rights and its Solicitor's Office's handling of the discrimination case *Adam Pierre v Ken Salazar* (EEOC Case number 570-2008-00625X). C4C stated that the agency's decision to appeal the EEOC's unambiguous decision in favor of the plaintiff constituted waste, abuse and mismanagement of taxpayer funds and agency resources.

Letter to the Honorable Phyllis K. Fong, dated December 15, 2010

C4C wrote Phyllis K. Fong, Inspector General of the U.S. Department of Agriculture (USDA), seeking an investigation of USDA employees responsible for discrimination against African-American farmers between 1981 and 1996, as evidenced by the successful lawsuits by Black farmers that resulted in a multi-million settlement. Furthermore, the C4C requested the names and titles of individuals responsible for the discriminatory actions, whether these individuals remain employees of the Department, whether they remain in positions to continue discriminatory practices and procedures, and what disciplinary action should be taken against these individuals.

B. Meetings

Meeting with Representative Donna Edwards, May 22, 2010

C4C members met with Representative Donna Edwards (D-Md) on the state of Black Federal



Rep. Edwards (seated at center) meets with C4C members.

workers and the challenges minority Federal workers continue to face regarding employment discrimination and reprisal. Subsequently, C4C members met with Representative Edwards on May 22, 2010. During the meeting, members discussed discrimination and reprisal in the Federal workplace and the fact that the very costly EEO complaint process is severely broken, fails to address these issues early or fairly, and complainants, as well as their families, are being physically, emotionally, and financially harmed as a result.

Teleconference with Christine Griffin held June 23, 2010

C4C participated in a conference call with Christine Griffin, the Office of Personnel Management's Deputy Director. OPM placed the call to C4C because of C4C's inquiry letter about the use of alternative pay systems (i.e., paybanding/ pay for performance). In addition to voicing concerns about managerial abuse of performance appraisal systems, C4C also informed the OPM Deputy Director of the absence of accessible online data regarding the termination of the employment of Federal workers by race, even though such data are captured and are presented by such other categories as age, position, and pay level. C4C formally requested the data in a follow-up email to Ms. Griffin and via a FOIA request to OPM.

Meeting with Wade Henderson and Tom Devine, August 11, 2010

C4C met with Wade Henderson, president and chief executive officer of the Leadership Conference on Civil and Human Rights, and joined Tom Devine, legal director of the Government Accountability Project, to discuss the need for stronger whistleblower protections for Federal employees. Additionally, C4C discussed the need for leading civil rights organizations to address the discriminatory and retaliatory culture of the Federal sector. During the meeting, it was noted that Ms. Shirley Sherrod, the Agriculture Department employee who was forced to resign by telephone based upon an untrue allegation that had not been investigated is just one of the many examples of how Black employees are subjected to disparate treatment and unfairly expelled from Federal service. C4C discussed the negative health impact of discriminatory treatment on Federal employees and their families and agreed to forward a paper in this regard when final.

Meeting with Senate Staff of Senators Mikulski and Cardin, August 19, 2010

C4C members met with staff from the Senate offices of Barbara Mikulski and Benjamin Cardin of Maryland to address our concerns regarding the vacancy of the Special Counsel position at the OSC, the high employment termination rates of minority Federal employees and the Senate confirmations of individuals for senior level positions in the Obama administration.⁶ The C4C noted that the Administration had appointed three individuals with highly dubious records on matters regarding equal employment opportunities and adherence to the Whistleblower Protection Act while serving in previous senior Federal jobs. C4C also expressed concern regarding the termination rates of African-Americans from Federal service and the need to support the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2009 (H.R. 67 No FEAR Act of 2009). The bill, introduced by Representative Sheila Jackson Lee, seeks to amend the No FEAR Act of 2002. For a detail summary of H.R. 67 No FEAR Act of 2009 visit <http://thomas.gov/>

C. Press Releases

Press Released Issued via PRWEB, dated March 3, 2010

The Coalition For Change, Inc. (C4C) issued a press release that announced the launch of its website at <http://coalition4change.org/>. As conveyed in the release, the public interest site seeks to provide Federal employees with useful information, and to hold Federal agencies and managers accountable for perpetrating illegal employment discrimination practices and for failing to resolve employee complaints in a timely manner.

Press Released Issued via PRWEB, dated September 8, 2010

C4C, Inc. issued a press release that was distributed widely calling on U.S. Department of Interior Secretary Ken Salazar to fire a senior Interior official named Craig Littlejohn, who referred to African-American subordinates as “monkeys” and who improperly interfered with the selection process of a Black male job applicant.

<http://www.prweb.com/releases/2010/09/prweb4469994.htm>

D. Freedom of Information Act (FOIA)

On January 21, 2009, President Barack Obama directed his Attorney General to issue new guidelines, governing the Freedom of Information Act (FOIA), to the heads of executive departments and agencies. In so doing, the President reaffirmed the new administration’s

⁶ See July 10, 2010 letter to President Obama on C4C website at <http://www.coalition4change.org/news.htm>

commitment to accountability, transparency, and ways to improve information dissemination to the public. According to the President, “*A democracy requires accountability, and accountability requires transparency*”. As Justice Louis Brandeis wrote, “*sunlight is said to be the best of disinfectants.*” The President has further asserted, “*In our democracy, the FOIA, which encourages accountability through transparency, is the most prominent expression of a profound national commitment to ensuring an open Government. At the heart of that commitment is the idea that accountability is in the interest of the Government and the citizenry alike.*”

During 2010, the C4C took full advantage of the FOIA process to obtain vital information from various Federal agencies regarding employment discrimination and reprisal. The following FOIA requests were filed by the C4C in 2010:

FOIA Request to the Department of Justice Civil Division, April 28, 2010

C4C requested Department of Justice (DOJ) to provide civil rights case load data (*for FY 2008 or the most recent fiscal year*) that disclosed the total number of civil actions where the government was a *defendant* in an employment complaint in U.S. District Courts. C4C requested that the total count of civil actions be segregated by bases (*i.e., age, race, gender*). C4C also requested DOJ to report caseload data segregated by cabinet level departments.

On July 9, 2010, DOJ’s Civil Division responded to C4C’s FOIA request. The Civil Division provided its report on litigation statistics by agency and case type. The report disclosed that the total number of employment complaints filed for the period covering FY 2008 thru FY 2010* totaled 1,657. C4C has summarized below the data received from the DOJ report entitled: Employment Discrimination Cases (Case Types: F1010, F1012, F1016, F1026, F1029) Received from FY 2008 to FY 2010*⁷.

Case Type	F1010 Title VII	F1012 Age Discrimination	F1016 Other Employment	F1026 Title VII-Sexual Harassment	F1029 Reverse Discrimination	Total
FY2008	532	100	6	24	33	695
FY2009	364	133	13	39	28	577
FY2010	270	85	2	14	385	385
TOTAL						1,657

On September 16, 2010, DOJ’s Civil Division further responded to C4C’s request by providing records by agency and case type in a separate report entitled: Number of Cases for Litigation Area 031 Received in Fiscal Year 2009 (by Primary Agency)⁸. The report included additional court case types such as F0447 Family Medical Leave Act and F0449 Rehabilitation Act/Section 501. It also disclosed that of the 848 cases reported in Fiscal Year 2009, court litigation was the highest in the Postal Service (278), Veterans Affairs (90), and Homeland Security (62) than any other Federal entity. Note: C4C did not request or receive any specific data on the number of class actions filed against a primary agency.

⁷ * FY 2010 included entries in the CASES database as of 07/08/2010. FOIA response JMK3145-FOI-0000.

⁸ FOIA response JMK:rb# 145 FOI-10276

FOIA Request to the Executive Office for United States Attorneys, July 7, 2010

C4C also requested civil rights caseload data from DOJ's Executive Office for United States Attorneys (EOUSA). On September 24, 2010, EOUSA responded to C4C's request for civil rights data.⁹ The EOUSA two-page report entitled: *Fiscal Year 09 Reported as of September 30, 2009 Civil Cases and Matters by Referring Agency Cause of Action Employment Discrimination* disclosed that 964 employment complaints were filed in U.S. District Courts against Federal agencies as *defendants*. In its transmitting letter, EOUSA disclosed that it does not track age, race or gender data in its system.

FOIA Request to the Office of Personnel Management, March 8, 2010 / October 5, 2010

C4C filed a formal request with Office of Personnel Management (OPM) on two separate occasions for termination and Reduction-In-Force data by RACE. No response has been forthcoming. C4C noted in its March 8, 2010 FOIA letter to OPM that separation from Federal service by RACE is noticeably absent on the data.gov site and OPM's Fedscope site found at <http://www.fedscope.opm.gov/separations.asp>. The OPM tracks terminations by categories such as age, date, location, gender, length of service, salary level, occupation, pay plan and grade, work schedule and type of appointment. OPM, however, fails to capture termination data by RACE which is a common basis for employment discrimination complaints filed against the Federal government.¹⁰ (FOIA Status-Awaiting agency response.)

FOIA Request to the U.S. Department of Agriculture, December 15, 2010

C4C filed a FOIA request on December 15, 2010 with the USDA seeking information pertaining to the class action suit known as "Pigford I." Specifically, the C4C sought information on USDA employees responsible for discrimination against African-American farmers between 1981 and 1996. Furthermore, the C4C requested the names and titles of individuals responsible for the discriminatory actions, whether these individuals remain employees of the Department, whether they remain in positions to continue discriminatory practices and procedures, and what disciplinary action should be taken against these individuals. (FOIA Status-Awaiting agency response.)

FOIA "Class Action" Data - Received from the Equal Employment Opportunity Commission

Early 2010, C4C uploaded to its website a PDF file listing class actions filed by Black Federal employees. C4C obtained the listing from the Equal Employment Opportunity Commission (EEOC) and posted it to the C4C website at <http://www.coalition4change.org/pubinterest.htm>

⁹ DOJ assigned request number 10-2561.

¹⁰ See *EEOC Annual Report on the Federal Workforce FY2009*

C4C's FOIA letter to the EEOC dated, July 29, 2009, requested: "any report, log, study or document that identifies the case number, defendant, and plaintiff(s) filed by African-American Federal government employees during the period beginning 2000 through July 2009."

EEOC responded to C4C's FOIA request on September 15, 2009. It provided a report entitled: *EEOC Federal Hearings with Class Complaints Filed by Blacks or African Americans During the Period 01/01/2000 thru 08/31/2009.* **According to the report, Blacks filed 150 class actions based on race discrimination** over approximately a ten-year period. Of the 150 class actions, 15 settled and only 3 of the filed class actions received an EEOC hearing. When transmitting its response EEOC withheld the complainant names and case numbers citing it would "constitute an unwarranted invasion of personal privacy." [Note: C4C identified that EEOC discloses case names and numbers on the agency's website at <http://eoc.gov/federal/decisions.cfm>]

E. Other Notable Accomplishments

- During 2010, the chairs of the C4C held seven meetings including teleconferences to plan its 2010 efforts.
- C4C established a telephone listing at 866-737-9783.
- C4C established its presence on Facebook.
- C4C members attended a non-profit seminar hosted by Representative Donna Edwards. The event focused on "How to establish, grow, sustain and obtain grants for non-profits."
- C4C members attended a training seminar for non-profits by the Foundation Center on *Proposal Writing Basics* and *Before You Seek a Grant*.
- C4C attended a Washington Post briefing for non-profits on how to market their organizations.
- C4C joined the Human Services Coalition of Prince George's County and the African-American Environmentalist Association.
- Throughout 2010, C4C continued its close association with the National Freedom of Information Coalition and the NO FEAR Coalition
- C4C joined a solidarity letter with the Government Accountability Project and other organizations in support of Pentagon whistleblower Franz Gay. Mr. Gay had his security clearance rescinded in retaliation for blowing the whistle about marine procurement politics that potentially endangered the lives of U.S. troops and civilians.
- C4C joined other organizations in a November 18, 2010 letter to President Obama in support of strengthening whistleblower protections for Federal employees.
- C4C provided written and oral comments and recommendations to the Department of Health and Human Services' Office of Minority Health asserting the connection between stress, illness and Federal workplace discrimination and reprisal.
- C4C members attended the National Institute of Health's Minority Disparity Conference and provided formal input regarding the adverse effects of racial discrimination, harassment, and negative stressors in the Federal workplace on the health of the Black community.
- C4C secured organizational presence on wikipedia, c4c acronym finder, ask.com and other websites.
- C4C attended a TIYM event on Capitol Hill announcing the release of its 2010/2011 edition of the *AFRICAN-AMERICAN YEARBOOK*. TIYM, a company dedicated to serving minority

communities, invited C4C to the event and notified the organization that it will be listed in the 2011/2012 edition of the *YEARBOOK* along with other organizations that provide useful information to the public.

F. Editorial Comments

In addition to the activities cited, C4C responded to a number of media articles in an effort to keep Federal workplace issues in the forefront. Such blog responses included, but were not limited to, the following:

Editorial Source (Blog- URL)	Subject	Comment Date
Whistleblower.org	Obama Still has no special counsel	April 9, 2010
Blackenterprise.com	Black Unemployment Spikes to 16%	Jan. 28, 2010
	Walking Wounded	April 15, 2010
Huffingtonpost.com	Race Matters In Judicial Decision-Making	Feb. 13, 2010
Techdailydose.nationaljournal.com	Group Gives Obama Mixed Grade on Government Openness	September 7, 2010
CBSnews.com	Shirley Sherrod: White House Forced My Resignation	August 24, 2010
Ebonyjet.com	Discrimination Lawsuit Filed Against Census Bureau	July 12, 2010
Voices.washingtonpost.com	Former special counsel Bloch plans guilty plea to federal charge	April 27, 2010
Politico.com	Farmers at WH: Black Group Granted a Meeting	April 14, 2010
Blackstarnews.com/news/135/ARTICLE/6674/2010-07-12.html	Interview: Tavis Smiley	July 12, 2010
Blackagenda.com	Vetting Federal Officials and Employment Discrimination Record	August 18, 2010
Voices.washingtonpost.com/federal-eye/	Obama Taps New Chief for Office of Special Counsel	Dec. 18, 2010

III. BEYOND 2010

In July of 2010, the Equal Employment Opportunity Commission issued its Annual Report on the Federal Work Force for Fiscal Year 2009, covering the period October 1, 2008 through September 30, 2009. The report revealed startling data about the lack of diversity in the Federal workplace, specifically at the top civil service levels. See report at www.eeoc.gov/federal/reports/fsp2009/index.cfm. According to the EEOC report, the percentage of senior pay level positions in 2009, by race is as follows:

African-American or Blacks	6.74%
Asians	5.81%
Hispanics or Latinos	4.08%
Whites	82.04%

According to the EEOC report, 16,047 complaints were filed against the Government. Complaints containing allegations of race discrimination were the highest among Blacks or African-Americans (4023) than any other group.¹¹ This revealing data came as no surprise to the C4C and its members who have either experienced artificial barriers that prevented them from career advancement in the Federal government, or know someone (a family member or colleague) who faced such discrimination. After the EEOC report was made public, the Obama administration announced plans to issue a presidential directive, in the form of an executive order or presidential memorandum, to address this problem and to increase Federal workplace diversity. We are encouraged that two years after gaining the reins of government, the Obama administration finally appears ready to provide leadership by addressing the issue of discrimination in Federal employment. We are also encouraged that John Berry, Director of the Office of Personnel Management, listed increasing workplace diversity as one of his three “long-term” goals.

The C4C looks forward to the day when the makeup of the Federal workplace truly mirrors the diversity of our nation. In 2011, we plan to closely follow Director Berry’s efforts of improving diversity in the Federal government. We also plan to expand our base of leaders so that we can provide additional advocacy and informational support to foster the well-being of our members. Furthermore, we intend to intensify our efforts of exposing and combating employment discrimination and reprisal in the Federal workplace. As author Toni Morrison once wrote, “*If change is to occur, one must be willing to think and do the unthinkable.*” This collaboration of present and former Federal employees who have experienced and been victims of illegal workplace discrimination and reprisal have pooled their talents, knowledge, energy and skills to do the unthinkable by vigorously exposing, confronting, and seeking to combat employment discrimination, harassment and reprisal in the Federal workplace.

¹¹ EEO Complaint Processing Section II. Bases of Complaints Filed as cited in EEOC’s Annual Report on the Federal Work Force for Fiscal Year 2009. The bases of disability discrimination also ranked high in FY2009 totaling 5,222.

IV. **C4C OFFICERS**

The Coalition For Change, Inc. (C4C)



Founder..... Tanya Ward Jordan
Acting President..... Philip D. Taylor
Vice-President..... Philip D. Taylor
Treasurer..... Willie Berry
Diversity Chair..... Michael A. Castelle, Sr.
Outreach Chair..... Milton Hill
EEO Chair.....Arthuretta Holmes-Martin
Management and Organization Chair.... Cecil Paris
Communications Chair..... Anthony Perry
Civil Rights Chair..... Paulette Taylor
Legislative Research Chair..... Diane Williams

V. **Contact Information**

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