

**Memorandum of Understanding  
between  
NOAA Office of General Counsel and  
NOAA's Attorney's Guild  
regarding  
Diversity, Inclusion, and Social Equity**

This Memorandum of Understanding (MoU) records an agreement between the Office of General Counsel (Management) and the NOAA Attorney's Guild (Union) on the implementation of the collective agreement to commit to creating and fostering a diverse and inclusive workforce within the NOAA Office of General Counsel, and to increase awareness, target solutions, and provide a continuing focus on the broader issue of social equity and how it relates to our organization and its practices. Management and the Union agree that creating and fostering a diverse and inclusive workforce within the NOAA Office of General Counsel is a priority goal that will contribute to the broader NOAA vision of "an inclusive environment in which the Agency leverages diversity to achieve mission goals and business objectives and maximizes the potential of individuals and the organization."<sup>1</sup>

To implement this goal, Management is creating a task force which will meet regularly, at least quarterly, to discuss and specifically define policy, practice, or procedure action items necessary to create and foster a diverse and inclusive workforce and culture, and, in a broader sense, to provide a forum for raising, discussing, and addressing issues of social equity within NOAA General Counsel.

Membership.

The task force will be comprised of volunteer representatives of the Union, Management and other non-attorney staff. For non-management participants, participation in the task force will be considered duties assigned by Management.

Purpose.

The purpose of the task force will be to:

1. propose action items for implementation, with a specific focus on recruitment, retention, representation, and education;
2. review applicable proposals developed by the NOAA Diversity and Inclusion Action Plan Workgroup and where appropriate recommend items for implementation for NOAA GC;
3. examine ways to increase awareness, target solutions, and continue focus on social equity and how it relates to our organization and practices;
4. track, measure outputs, evaluate progress of implemented action items, and create subgroups, as necessary, to facilitate the goals of the task force; and

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<sup>1</sup> NOAA Diversity and Inclusion Strategic Plan - FY 2017-2019, at 1. *Available at:* <https://www.eeo.noaa.gov/d&i/NOAA%20Diversity%20and%20Inclusion%20Strategic%20Plan.pdf>

5. prepare reports to NOAA GC, which will also be shared with the union, on the progress of implemented action items.

Modification.

Either party may request to revise this agreement at any time, which changes may be incorporated by mutual agreement and after opportunity to bargain.

Glossary of terms contained in this MOU.

- “Diversity” or “diverse workforce” are defined as a collection of individual attributes that together help agencies pursue organizational objectives efficiently and effectively. These include, but are not limited to, characteristics such as national origin, language, race, color, disability, ethnicity, gender, age, religion, sexual orientation, gender identity, socioeconomic status, veteran status, and family structures. The concept also encompasses differences among people concerning where they are from, where they have lived, and their different thoughts and life experiences.<sup>2</sup>
- “Education” means a commitment to continuously educate about diversity and inclusion, through training, workshops, all-hands meetings, informal communications, or any other means.
- “Inclusion,” or “inclusive workforce” or “inclusive culture” are defined as a practice, culture, or mores that connect each employee to the organization and encourage collaboration, flexibility and fairness to leverage diversity throughout the organization so that all individuals are able to participate and contribute to their full potential.<sup>3</sup>
- “Recruitment” means actively seeking, attracting, and employing diverse, qualified candidates for vacant NOAA attorney, management, and support staff positions within NOAA’s Office of the General Counsel to secure a high-performing workforce drawn from all segments of American society.
- “Representation” means a commitment to strive for diverse representatives at every position in NOAA’s Office of General Counsel, including all attorneys, management, and support staff.
- “Retention” means retaining a diverse workforce by actively fostering a safe, welcoming, supportive, and professionally challenging work environment with equal access to opportunities for advancement and professional development for every member of the team in order to maintain diversity once achieved.

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<sup>2</sup> *Id.*, at 2.

<sup>3</sup> *Id.*

- “Social equity” is broadly defined as fairness and justice on a societal level. In the government context, it has been recognized as one of the four pillars of public administration (along with economy, efficiency, and effectiveness). To achieve socially equitable outcomes all government programs and missions - including NOAA General Counsel's mission -- must be free from racism and other forms of discrimination.

Signed By: \_\_\_\_\_  
Mitch MacDonald  
On Behalf of NWSEO, NOAA Attorneys Guild

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John S. Luce  
On Behalf of NOAA General Counsel, Management