Toolkit for establishing affinity groups

2020
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Introduction

Diversity and inclusion principles are essential elements in achieving the U.S. Patent and Trademark Office’s (USPTO) mission to further effective intellectual property (IP) protection for U.S. innovators and entrepreneurs worldwide and encourage the development of strong IP enforcement regimes. Increasing workforce diversity can improve the quality of decisions made by USPTO employees in addressing current and emerging issues. Fostering an inclusive culture that values diversity reduces institutional silos and improves information sharing within the agency and the federal government. A culture that recognizes and appreciates diversity and inclusion can facilitate effective collaboration, create viable alternatives that lead to greater efficiencies, allow for the emergence of effective solutions, and prevent groupthink through encouraging different viewpoints.

Constant collaboration with interagency and external partners requires the development of cultural understanding and fluency, formed through an individual’s exposure to different experiences and perspectives. Such experiences and perspectives are inherent in a diverse workforce in which each member provides a different perspective that can be leveraged for improved outcomes. Moreover, diversity fosters innovation and creativity by providing access to a greater variety of approaches, ideas, and perspectives that can be applied in solving problems, both routine and novel. Leveraging the benefits of diversity and inclusion will assist the USPTO in realizing the vision of being the global leader in promoting strong IP partnerships that foster a safe, secure, and prosperous American and global community.

Diversity and inclusion at the USPTO

The USPTO’s workforce interacts with diverse customers each day; therefore, it is imperative that the agency develop and implement strategies to attract, recruit, hire, train, and retain a flexible and diverse workforce that is capable of accomplishing the mission. To maintain its status as a best place to work in the federal government and a high-performing organization, the USPTO must fully utilize the benefits of diversity and inclusion management to ensure that all employees receive the tools and training necessary to develop the requisite skills, knowledge, and cultural competencies to accomplish present and future mission objectives.

The USPTO’s Diversity and Inclusion (D&I) Office, a part of the Office of Equal Employment Opportunity and Diversity (OEEOD), manages a variety of initiatives, events, and programs to showcase the diversity inherent in the USPTO workforce and contribute to the mission of the agency. It focuses on:

- **Identifying barriers** to equality of opportunity;
- **Reducing and eliminating such barriers**;
- **Providing guidance and education programs for hiring officials, supervisors, and employees** to address soft skill gaps, implicit bias, and other issues pertaining to effective and fair personnel management, successful career management, and outstanding employee engagement; and
• Establishing and promoting the agency as: 1) a leader in diversity recruitment and (D&I) practices and 2) an employer of choice in the federal government.

The D&I Office utilizes an enterprise-wide, three-pronged approach that is both internally and externally focused:

This cohesive approach helps the agency to: create and empower a diverse, high-performing workforce; utilize data-driven methods of recruitment and outreach, including analyzing applicant flow and workforce demographic data; provide managers and supervisors with the tools they need to lead a diverse workforce; train employees; partner with diverse organizations and institutions to draw from all segments of society and generate cognitive diversity; and conduct a review of potential implicit biases within the organization.

**Compliance with federal legislation and presidential executive orders**

At a minimum, adherence to D&I and equal employment opportunity (EEO) principles and practices will enable the USPTO to comply with the following Executive Orders and federal statutes:

- **E.O. 13171** “Hispanic Employment in the Federal Government;”
- **E.O. 13562** “Recruiting and Hiring Students and Recent Graduates;”
- **E.O. 13583** “Establishing a Coordinated Government-wide Initiative to Promote Diversity and Inclusion in the Federal Workforce;”
- **E.O. 13473** “To Authorize Certain Noncompetitive Appointments in the Civil Service for Spouses of Certain Members of the Armed Forces;”
- **E.O. 13518** “Employment of Veterans in the Federal Government;”
- **E.O. 13548** “Increasing Federal Employment of Individuals with Disabilities;”
- **E.O. 11103** “Providing for the Appointment of Former Peace Corps Volunteers to the Civilian Career Services”
- **E.O. 12721** “Eligibility of Overseas Employees for Noncompetitive Appointments”
- **Title VII of the Civil Rights Act of 1964:**
- **The Age Discrimination in Employment Act of 1967:**
- **The Americans With Disabilities Act of 1990:**
- **The Equal Pay Act of 1963:**
- **The Immigration Reform and Control Act of 1986:** and
- **The Genetic Information Nondiscrimination Act of 2008.**

Additionally, implementation of D&I principles will help to ensure a more substantive and robust response to the Office of Personnel Management (OPM), the Equal Employment Opportunity Commission (EEOC), and employee and public inquiries into USPTO recruitment and outreach and engagement/retention strategies, D&I practices, and EEO compliance.

**About the affinity group program**

The D&I Office’s most recognized program is the affinity group program, composed of 18 volunteer employee-led groups headquartered in Alexandria, Virginia, with the exception of one located in the Denver Regional Office.

The D&I Office works collaboratively with the agency’s affinity groups to co-sponsor programs, initiatives and events that:

- encourage professional development opportunities;
- enhance leadership skills;
- foster innovation and creativity;
- promote cultural understanding;
recruit and retain mission-critical talent; and

establish long-term partnerships with IP and science, technology, engineering and mathematics (STEM) community stakeholders.

From Senior Executive Service (SES) brown bag lunches for those ready to go to the next level in their careers, to affinity group-sponsored seminars and scholarships for active members, USPTO employees are provided with myriad ways to support one another and their respective communities and business units. Special projects such as the annual wall calendar, which features affinity groups and highlights special emphasis months, remain in high demand by all employees. Flagship events with speakers, dance performances, food and wine tastings, and more, such as Community Day, the International Food Sample Festival, and the Festival of Shining Lights, draw participation not only from employees, but from the City of Alexandria and neighboring federal agencies.

**Flagship events and additional initiatives**

The D&I Office also supports annual affinity group events that are unique to the agency, such as: the Asian Pacific American Network’s (APANET) Lunar New Year and Diwali celebrations, the American Muslim and Arabic Cultural Association (AMACA) and Bangladeshi American Intellectual Property Organization’s (BAIPO) joint Eid al-Fitr luncheon to celebrate the end of Ramadan, the Intellectual Property Society of Iranian American’s (IPSIA) Nowruz lunch, and the USPTO Military Association’s (UMA) “Walk of Thankful Recognition” to commemorate Memorial Day.

The USPTO’s D&I Office and affinity groups support innovation by planning and implementing Camp Invention and other science, technology, engineering and mathematics (STEM) programs. These include Noche de Ciencias (Night of Science), which draws hundreds of students, teachers, and parents to the
USPTO for a night of learning, engagement, and experimentation; conducting outreach to schools of engineering at various Minority-Serving Institutions and national organizations to recruit talent and inform the public of the services the USPTO provides to inventors, entrepreneurs, STEM students and academics, and others in the intellectual property sectors; and mentoring and shadowing opportunities for minority and STEM students and recent graduates.

Additional D&I Office/affinity group contributions to the mission of the agency include the launch of the Diversity Download podcast as a means to showcase the work of affinity groups and individual contributions of members, and promote D&I principles into employees’ daily routines. The first season featured five different affinity group members and/or leaders, and plans to showcase additional groups are in the works for Season 2 in 2020.

### Administrative activities and compliance

#### Microsoft® Outlook Diversity Calendar

To track D&I events agency-wide throughout the year, affinity group leaders are highly encouraged to place all of their events—including monthly/quarterly business meetings, socials, flagship events, etc.—on the D&I Office’s shared Microsoft® Outlook Diversity Calendar. The D&I Office utilizes this information in its weekly Diversity Events e-blast.

#### Diversity@USPTO.gov

To promote brand recognition and facilitate daily workloads, affinity groups are encouraged to utilize Diversity@USPTO.gov to submit questions and/or documents to the D&I Office.
**OEEOD affinity group file room**

All affinity groups are provided with a locker, managed by OEEOD, to store office and event supplies. The lockers are identifiable by the specific affinity group logos on each unit and are located in the OEEOD File Room. Leaders must make arrangements in advance to have their locker opened. Affinity group inboxes, identifiable by their specific logos, may also be found in the OEEOD file room, located to the immediate right and left of the door.

**Printing of communication materials**

Affinity groups may reproduce informational or marketing materials as needed by requesting services directly from the USPTO Copy Center, located in Room 00D55 in the Jefferson Building. Instructions for submitting a copy or print request can be found in the resources section of this handbook.

**D&I office repository**

OEEOD keeps copies of affinity group charters/constitutions, bylaws and additional informational materials (e.g., brochures, sign-up forms, etc.) on its shared drive. Affinity groups must submit updated copies to OEEOD if changes are made to the materials.

**Logos and tablecloths**

All affinity groups must have a logo and tablecloth. The D&I Office will work with the leadership of newly established groups to develop a USPTO-approved logo. Once a logo has been finalized, a tablecloth will be ordered for use at all affinity group events.

**Becoming an affinity group**

An affinity group is a voluntary employee organization (VEO) that is based on a shared identity, common background and/or special interest. Affinity groups offer opportunities for employees to connect on a meaningful level beyond the traditional and/or organizational structure. These organizations differ from other types of VEOs, such as clubs or resource groups, that do not require formal documents or approvals.

To be recognized as an affinity group by the USPTO, the group must have the following documents to provide structure to operate efficiently and effectively to strengthen its ability to sponsor quality programs for USPTO employees:

- A dated copy of the organization’s mission, current bylaws, and charter/constitution indicating how the organization will benefit the agency and its employees. These documents must meet the criteria for non-discrimination and fiscal standards prescribed by OEEOD VEO Policy No. 000-00-1; and
- A dated listing of the organization’s current officers, including name, work location, work phone number, office held, and term of office (date on which term expires).

The charter/constitution and bylaws must include the following information:

- Purpose and goals of the group;
- Leadership roles, responsibilities and terms of office;
- Election guidelines;
- Programs and activities;
- Membership information;
- Dues and process for transparent financial reporting (if dues will be collected); and
- How the VEO will collaborate with OEEOD and the agency in general.

Packets must be submitted electronically to OEEOD. Submission may occur throughout the year. The Diversity Program Manager will review the application and provide a recommendation to the EEO Director, who will then issue a formal decision granting or denying agency recognition. Once a group has been officially recognized, OEEOD will work with the affinity group’s new leaders to develop a logo design, order supplies (e.g., tablecloth), provide a locker in the OEEOD file room, assign/solicit an executive sponsor,
and ensure incoming leaders receive the affinity group New Leaders Orientation.

**Setting up an affinity group bank account**

Affinity groups wishing to collect dues from members must open a bank account. Dues are set by the organizations. Dues may be paid in cash or via automatic payroll deduction.

To create a bank account:


2. **Select a financial institution.** Affinity groups may open their financial accounts at any bank or credit union.

3. **Bring all required documents** to the financial institution to set up the account.
   - EIN documents;
   - Address of the organization (should match EIN);
   - Copy of charter and bylaws;
   - Approval letter from OEEOD granting affinity group status to the organization; and
   - A signed document from the president/chair designating a signatory on the account.

Affinity groups must follow OHR guidelines regarding dues payroll deductions, accounting, and reconciliation.

**Executive advisors**

Executive advisors are USPTO leaders at the Senior Executive Service (SES) level who are paired with an affinity group. They serve to provide guidance to affinity group leaders in the planning and implementation of activities and events.

How groups leverage their executive advisors will depend on their needs. Typically, executive advisors:

- Act as a liaison between affinity groups and senior leadership;
- Provide guidance from a leadership perspective;
- Assist with group initiatives;
- Point group toward relevant resources and information;
- Provide informal mentoring to the affinity group’s executive board.

When working with Executive Advisors, affinity group leaders may want to:

- Find out their priorities with respect to their affinity group;
- Have them headline/keynote and/or emcee an annual event;
- Communicate key goals and ask for their guidance/assistance in attaining them;
- Ask them to join a luncheon or other informal event with your leadership team;
- Keep them apprised of issues in the workplace that affect your group and how they can help address those issues;
- Meet with them regularly;
- Prepare an agenda;
- Keep meetings on schedule;
- Come with proposed solutions to challenges;
- Resign when they are no longer able to carry out these responsibilities.

**Council of leaders**

Each quarter, OEEOD hosts affinity group leaders at its Council of Leaders meeting. The gathering provides an opportunity for affinity group leaders and D&I Office staff to network, exchange information and updates, and make announcements. The networking
portion of the meeting is typically sponsored by an affinity group that provides light refreshments. A guest speaker is invited to share in-depth information.

Outgoing affinity group leaders who receive an Outlook invitation to the Council of Leaders quarterly meetings must ensure that incoming leaders are added to the calendar invitations so their groups may be represented.

**Events**

The D&I Office assists affinity groups in planning and implementing flagship events and other activities. The office works with Conference Services on behalf of affinity groups to assist with making space reservations and obtaining additional needed materials (e.g., tables, chairs, microphones, etc.) for events.

**Travel to affinity group national conferences**

Each year, budget permitting, OEEOD sponsors affinity group leader participation in annual national conferences (e.g., Blacks in Government) by paying for registration fees for one representative.
Affinity group charter and bylaws template
NAME OF COMPANY/AGENCY
NAME OF VOLUNTARY EMPLOYEE ORGANIZATION

CHARTER

ARTICLE I: PURPOSE

The purpose of this document is to establish the charter and bylaws for a voluntary employee organization in the [Name of organization] under the standards and requirements of [Organization Policy/Administrative Order No. XXX-XX].

ARTICLE II: NAME

The name of this organization shall be [Insert name and acronym].

ARTICLE III: GOALS

The [Name of organization] is a voluntary employee organization (VEO) whose mission is to [Insert description]. In addition, [Insert acronym] seeks to:

- List actions and/or activities the VEO will undertake to support and advance its goals.

ARTICLE IV: POLICIES

(A) The scope of [Insert acronym] interests and activities shall include the entire [Insert name of company/agency];

(B) [Insert acronym] shall be a secular, nonpartisan, and non-profit organization. The organization shall be supported by membership dues and/or other sources in accordance with the [Insert name of company/agency] administrative, financial, ethical, and legal requirements;

(C) [Insert acronym] shall not discriminate against any person on the basis of race, color, creed, sex, sexual orientation, disability, religion, national origin, age, marital or parental status, political or other affiliation, military affiliation, veteran status, or membership in a labor organization; and

(D) The activities, programs, and services of [Insert acronym] shall not be represented, directly or indirectly, as official functions or activities of [Insert name of company/agency] or of any [Insert name of company/agency] official.

ARTICLE V: MEMBERSHIP

(A) Full membership in [Insert acronym] is open to all current [Insert name of company/agency] employees who support the goals of the organization as set forth in Article III above. A full member in good standing shall be afforded all the rights, privileges, and obligations of membership, including, but not limited to, the right to vote, the right to seek office, and participation in organization activities.

(B) Associate membership in [Insert acronym] is open to anyone not eligible for full membership who supports the mission and goals of the organization as set forth in Article III above. Associate members in good standing shall be afforded all the rights, privileges, and obligations of membership, EXCEPT the right to vote and the right to seek office.
A member in good standing is a full or associate member who meets the qualifications set forth in this charter and the bylaws, or as set by the board of directors.

ARTICLE VI: BOARD OF DIRECTORS

The board of directors shall consist of [insert number of positions]: a president/chair, a vice-president/co-chair, and a secretary.

NOTE: Most VEOs also elect a treasurer.

ARTICLE VII: NONPROFIT ORGANIZATION

The [Insert acronym] shall operate as a public nonprofit organization and will make efforts to seek recognition by the IRS under Section 501 (C)(3) or Section 501 (C)(4).
BYLAWS

ARTICLE I: MEMBERSHIP

Membership is in accordance with Article V of the [Insert acronym] Charter.

ARTICLE II: DUES

No dues are required for annual membership. [Insert acronym] reserves the right to reconsider membership dues in the future.

ARTICLE III: NOTIFICATION AND TIMELINESS

All communication between and among members, including the board of directors, may occur in person, in writing, via a telecommunications device, or electronically.

Electronic communications containing any official notice of meetings, including special meetings, or for a vote of any kind must be sent by noon Eastern Time to be counted as having been sent on that date for purposes of determining timeliness.

ARTICLE IV: MEETINGS

(A) Meetings of the board of directors shall be held regularly and shall occur no less than once every two months. Board of directors meetings shall be open to the general membership.

(B) Quorum for board of directors meetings shall be not less than 51% of the voting board of directors members. A board of directors member shall be considered present for the purposes of establishing a quorum and voting if he or she is participating by conference call or other telecommunication mode.

(C) The annual meeting of [insert acronym] shall occur in the final quarter of every calendar year. The primary items for consideration at this meeting will be a year-end report by the current president and board of directors and an introduction of the board of directors for the next calendar year.

(D) Special Meetings may be called by the Board of Directors or by a petition of two-thirds of the full Board of Directors or two-thirds of the full membership.

i. Except under extenuating circumstances that must be documented in writing, notice of special meetings, including date, time, and location, will be provided to the full membership no less than five business days prior to the date of the meeting.

ii. Notice may be provided electronically.

iii. Special meetings shall be open to the general membership.

iv. If notice is not provided in a timely manner and a vote of two-thirds of the full membership finds the extenuating circumstances did not exist and/or were not documented, the full membership may vote, by a simple majority, to overturn any vote taken by the board of directors at such special meetings. Subsequent action to overturn such special meeting vote by the board of directors must be taken by
the full membership within 60 calendar days of the date of the special meeting. The board of directors must act in accordance with any vote so rescinded.

(E) As necessary and appropriate, the board of directors will follow Robert’s Rules of Order for all meetings.

ARTICLE V: DUTIES AND POWERS OF THE BOARD OF DIRECTORS

(A) The board of directors shall: organize, direct, and coordinate all activities of the [insert acronym]; develop the agenda and preside at all meetings of [insert acronym]; call any special meetings; establish procedures for elections; serve as the official representatives and spokespersons for [insert acronym]; and inform the [insert name of company/agency] community of relevant concerns, issues, and activities of [insert acronym].

i. Any motions proposed by the board of directors must be seconded and voted on affirmatively by a majority of the board of directors present at the meeting.

(B) A director may be removed at any time by a two-thirds majority vote of the board of directors. Removal may be for any cause, including but not limited to repeated failures to attend scheduled board meetings, obstructionism, irreconcilable personality conflicts, or failure to honor commitments with respect to the work of the board of directors.

i. The board of directors may, at its discretion, designate and approve by a simple majority vote a qualified member to fill a position left vacant by a director who has resigned or cannot otherwise fulfill his or her duties.

ii. The board of directors must approve the position of vice president/president-elect by a two-thirds majority of the remaining board of directors.

(C) No members of the board of directors shall be personally liable for any debts, liabilities, and obligations of [Insert acronym].

(D) At the president’s discretion, voting on motions may take place between meetings via email. In such case, not less than less than 51% of the voting board of directors members must vote affirmatively, otherwise the proposed motion will be tabled until the next meeting.

(E) The president shall be the presiding officer at all board of directors and general meetings and at the annual meeting; and, represent [insert acronym] at meetings with [insert name of company/agency] officials and other organizations. The president may also delegate his/her duties to another member of the board of directors.

i. The president shall serve ex officio on all committees; coordinate all committee activities; present an annual report of the organization at the annual meeting; and determine the agenda, with the input of other directors, for all meetings.

(F) The vice president shall assume the duties and responsibilities of the president, in the absence of the president. The vice president may be assigned, and accept, other special duties.

(G) The secretary shall maintain the organization’s records, coordinate correspondence with members, coordinate the annual elections, and oversee production of organizational materials, in addition to performing the duties of a director.

(H) Add treasurer description if warranted.
ARTICLE VI: COMMITTEES

The board of directors shall have the authority to create committees. Committee members and chairs shall be approved by the board of directors.

ARTICLE VII: ELECTION OF BOARD OF DIRECTORS

(A) The board of directors shall consist of the president, vice president, and secretary and up to five representative(s)-at-large who shall be elected annually by full members in good standing for a term of one year to begin on January 1 and to end on December 31. Any full member in good standing is eligible to seek these offices. Each regional office is entitled to select one member to serve as a representative-at-large.

i. Associate members are not eligible to serve on the board of directors.

(B) In the event of a vacancy occurring in the office of the president, the unexpired term shall be filled by the vice president. The board of directors can approve a president to fill the unexpired term with a two-thirds majority vote. In the event of a vacancy occurring in any other elective office, the board of directors shall elect a member to fill the unexpired term.

(C) Any full member in good standing may nominate one or more qualified candidates for president, vice president, secretary, and the representative-at-large. The secretary will accept nominations beginning October 1. Self-nominations are acceptable and encouraged.

i. Nominations must be given in writing to the secretary. Furthermore, each person accepting a nomination to hold office must respond with written consent to the secretary regarding the designated position.

ii. Notification of nomination will be sent to each candidate from the secretary, and if a nominee does desire to hold office, the written consent for the candidacy must be sent to the secretary by the third Tuesday of October. Writing may occur electronically.

iii. The secretary shall then compile the list of candidates that have accepted nomination for each position and distribute it to the entire membership. Not later than the second Tuesday of November, the secretary shall send to all members in good standing a listing of the candidates nominated for the board of directors.

(D) Votes shall be returned to the secretary or the nominating/election committee not later than the third Tuesday of November, and shall be tallied by and recorded by the secretary. The candidates receiving the highest number of votes for each office shall be declared elected. In case of a tie vote, the outgoing board of directors shall elect one of the candidates.

(E) Regional office representative-at-large positions will be elected in accordance with the above procedures. In the case in which a regional office representative-at-large position does not receive a nomination, the board of directors will have the discretion to fill the vacant slot with a two-thirds majority vote during the first meeting of the board in January.

ARTICLE VIII: VOTING AND VOTING ELIGIBILITY

(A) A member shall be eligible to vote if he/she is a full member in good standing at least 30 calendar days prior to the date of elections or the due date for ballots.

(B) Voting for the officers and each representative-at-large shall be by secret ballot.
i. When such a secret ballot is required, those qualified to vote shall indicate their selections on the ballot.

ii. If a paper ballot is used, the voter shall seal the ballot, sign the back of the ballot, and write his or her department office or technology center on the back of the ballot.

iii. If an electronic ballot is used, the voter shall follow the instructions to cast his/her vote electronically.

iv. Before the ballots are canvassed, the names of the voters shall be checked against a list of eligible voters, and the ballots cast by eligible voters will be separated from all others.

(C) A member may vote absentee either by designating a proxy or by voting early.

i. A proxy vote from a member in good standing shall be accepted if the proxy authorization is delivered in writing to the secretary prior to any scheduled vote of the organization.

ii. The proxy must be another full member in good standing of the organization.

iii. The proxy is then authorized to tender his/her vote as well as the proxy vote.

iv. An early vote may occur any time after a vote is properly before the member.

v. An early vote shall not be counted until the time for tallying all votes.

ARTICLE IX: AMENDMENTS TO THE CHARTER AND BYLAWS

(A) An affirmative vote of two-thirds of the full board of directors is required to amend this charter and bylaws with at least 30 days’ notice.

i. Proposals to amend the charter and bylaws may be made by resolution of the board of directors or by written petition signed by at least 10 eligible voting members.

ii. Proposed amendments to the charter and bylaws shall be submitted in writing to any member of the board of directors and shall be on the order of business of the next regular meeting of the board of directors.

iii. Board members must receive the text of any proposed amendment at least 30 days prior to a scheduled vote.

(B) The executive board shall have the responsibility of notifying the [insert name of company/agency] diversity program manager of any changes to the charter and bylaws.
### Approval history

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### Revision history

This document will be reviewed and updated at least annually.

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