

# MANAGEMENT DIRECTIVE (MD) - 715

## STATE OF THE AGENCY

### FISCAL YEAR 2017



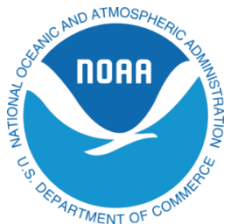
Presented by:  
**Mr. Kenneth M. Bailey**  
Director, Civil Rights Office

As of: March 28, 2018

# Discussion Points

## Civil Rights Office

- Affirmative Employment Program
- MD-715 Overview
- Model Workplace Scorecard
- Workforce Snapshot
- EEO Complaints Activity
- State of Agency Snapshot
- Next Steps



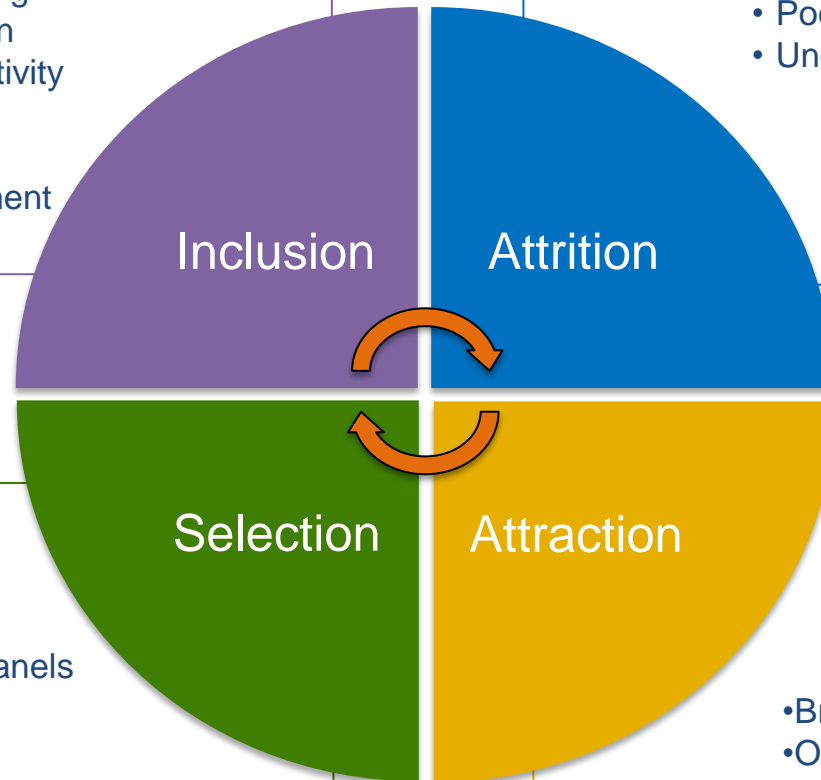
# Affirmative Employment Program

# Affirmative Employment Program Evaluation

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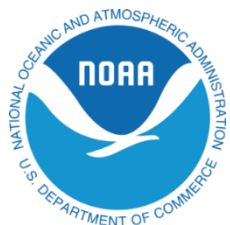
- Promotions
- Leadership Development
- Succession Planning
- Awards/Recognition
- EEO Complaint Activity
- Engagement
- FEVS Scores
- Diversity Management

- Lack of Inclusion
- Disengagement
- Poor Work Life Integration
- Under Value



- Applicant Flow
- Resume Review Panels
- Interview Panels
- New Hires
- Promotions

- Branding
- Outreach
- Recruitment
- Co-Op/Internships



# Management Directive 715 Overview

# Management Directive 715 (MD-715) Model Workplace Plan

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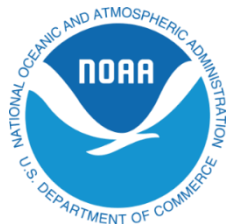
## Purpose:

To provide a framework for the Agency to:

- Assess the current state of equal opportunity and diversity management
- Define and publish a plan for the Agency to achieve “Model Workplace” status

## Governing Statues and Authorities:

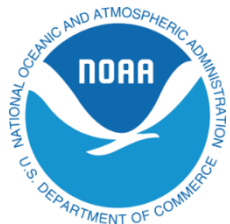
- Title VII of the Civil Rights Act of 1964
- Rehabilitation Act of 1973
- 29 Code of Federal Regulations (C.F.R) Part 1614
- Various Executive Orders
- EEOC’s MD-715
- EEOC’s MD-110



# Six Essential Elements of a Model Workplace

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- Demonstrated commitment from agency leadership
- Integration of EEO into the agency's strategic mission
- Management and program accountability
- Proactive prevention of unlawful discrimination
- Efficiency
- Responsiveness and legal compliance



# Model Workplace Scorecard



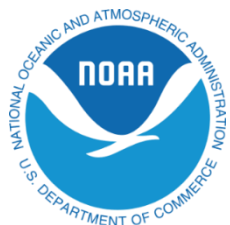
# FY17 Model Workplace Scorecard

**FY17 MD-715 Overall Compliance: 94%**

Element	Checklist Category	2016 (70%)	2017 (94%)
A 19 of 19	Demonstrated Commitment from Agency Leadership	42	100
B 31 of 31	Integration of EEO into Agency's Strategic Mission	81	100
C 8 of 10	Management and Program Accountability	40	80
D 9 of 10	Proactive Prevention	10	90
E 28 of 32	Efficiency	88	88
F 19 of 19	Responsiveness and Legal Compliance	100	100

<b>KEY</b>	<b>0-74</b>	<b>75-89</b>	<b>90-100</b>
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# Management Directive - 715

## Deficiencies

The following measures were not met in FY 2017:

### 1. Management and Program Accountability

Not all employees, supervisors, and managers have been informed of the penalties for formally being found to have engaged in discriminatory behavior or for taking personnel actions based upon a prohibited basis.

- a) The agency, when appropriate, has not disciplined or sanctioned managers/supervisors or employees found to have discriminated over the past two years.

### 2. Proactive Prevention of Unlawful Discrimination

The participation of supervisors and managers in the ADR process is not required.

### 3. Efficiency

The agency does not track/analyze recruitment efforts to identify potential barriers.

- a) CRO does not provide 100% timely EEO counseling within 30 days of the initial request or within an agreed upon extension to all participants.
- b) The agency does not require all managers and supervisors to receive ADR training.
- c) There are no measures to ensure that responsible management officials involved in a complaint do not make the final decision when declining participation in ADR and do not serve as the person with settlement authority during ADR, per EEOC Management Directive 110, Chapter 3.III.A.

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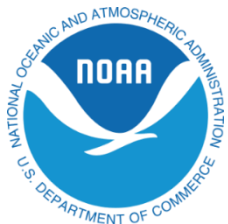
# Workforce Snapshot

# Key Terms and Definitions

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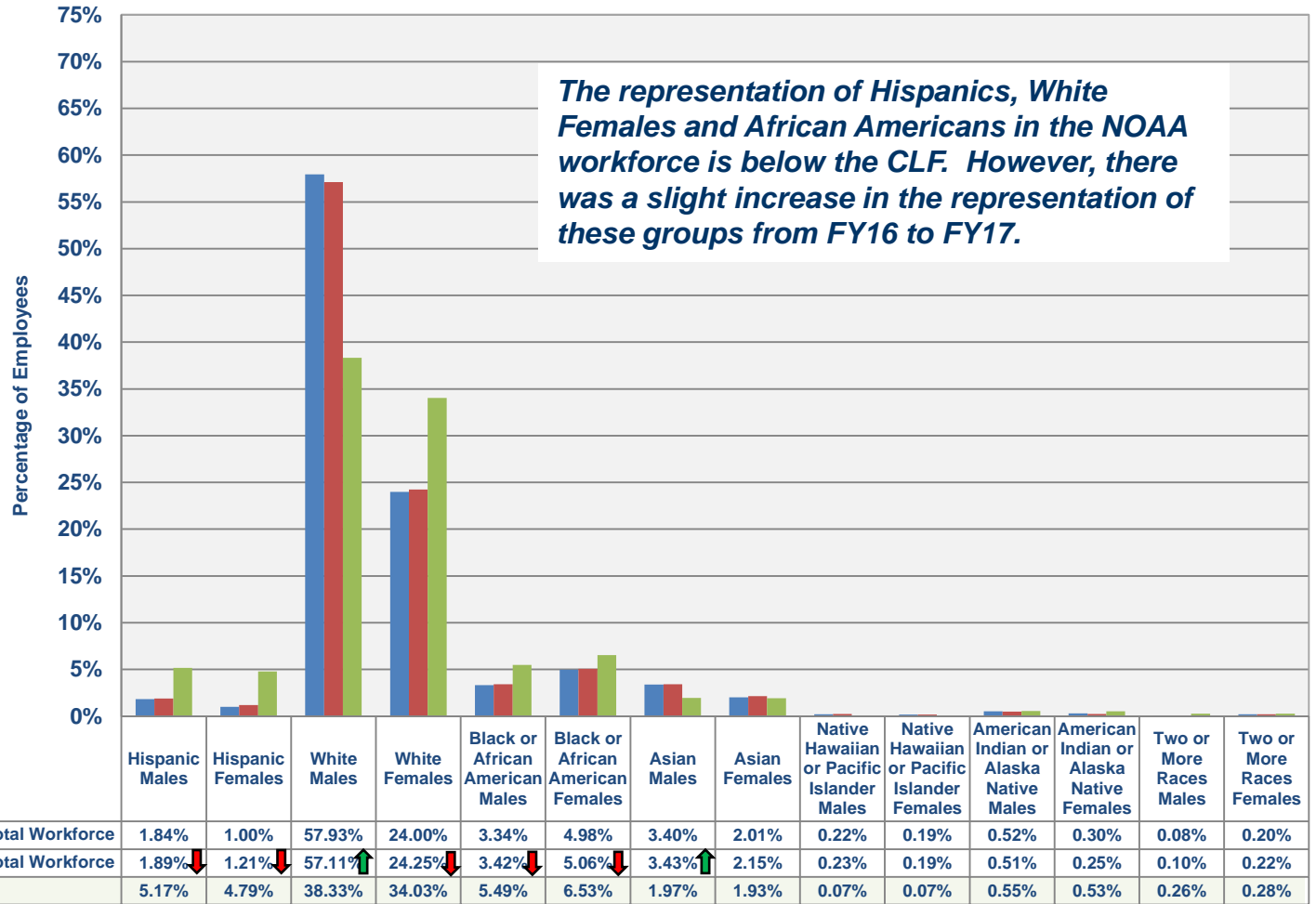
Acronym	Term
CLF	Civilian Labor Force
OCLF	Occupational Civilian Labor Force
↓	Participation is 0.5% or more below in the workforce
↑	Participation is 0.5% or more above in the workforce

- Civilian Labor Force (CLF): U.S. citizens, persons 16 years of age and over (except those in the armed forces), and non-felons who are employed or are unemployed and seeking work.
- Occupational Civilian Labor Force: Reflects civilian labor force by specific occupation/career series.



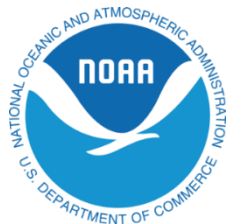
# FY17 NOAA Total Workforce Distribution

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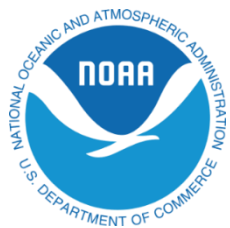
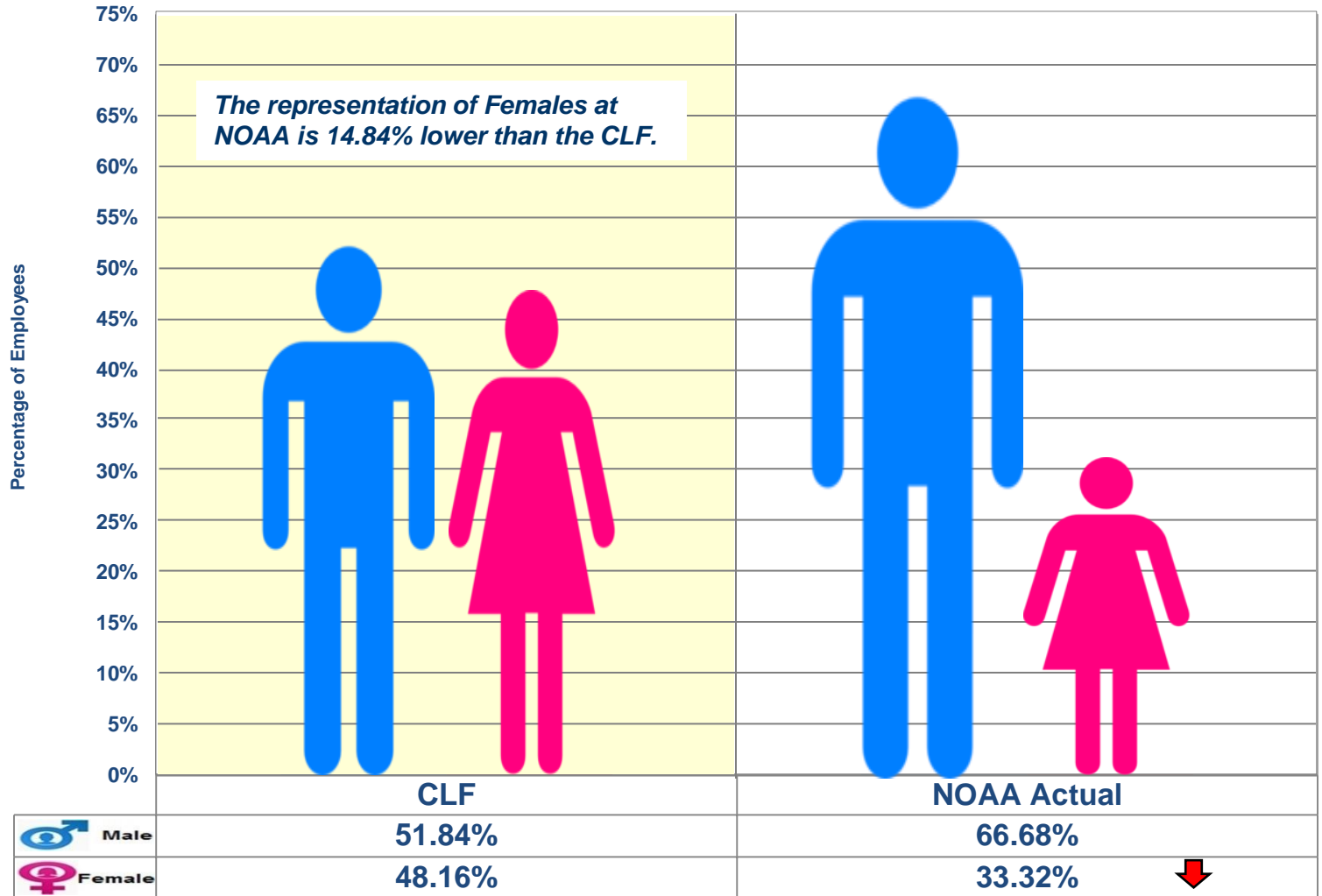
**Total Participation: 11,412**

(Data collected from HR Connect Workforce Analytics Reporting System - Table A1)



# FY17 NOAA Total Workforce by Gender

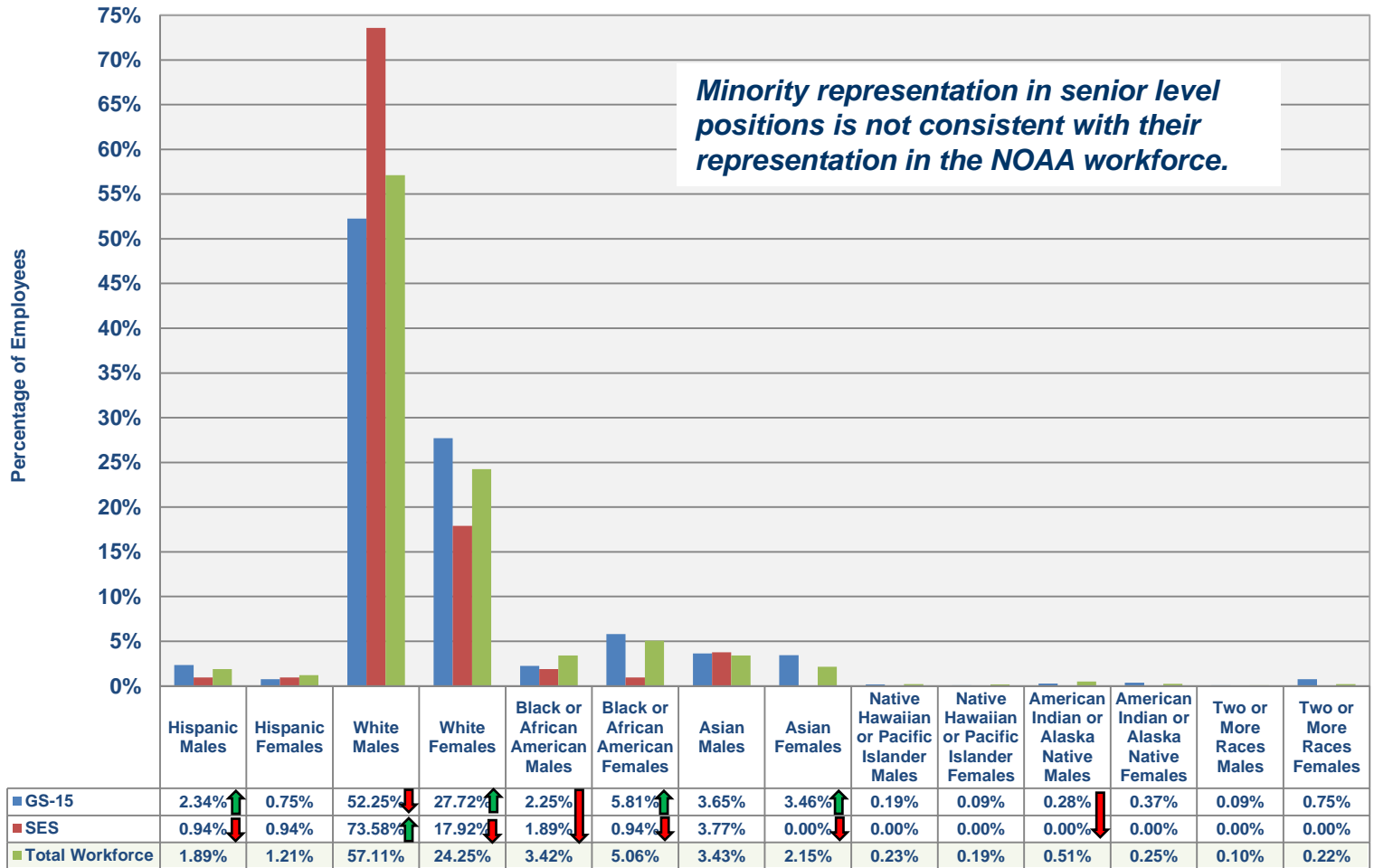
Civil  
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(Data collected from HR Connect Workforce Analytics Reporting System - Table A1)

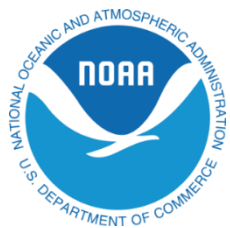
# FY17 NOAA Senior Leadership Workforce Distribution

Civil Rights Office



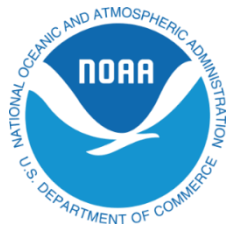
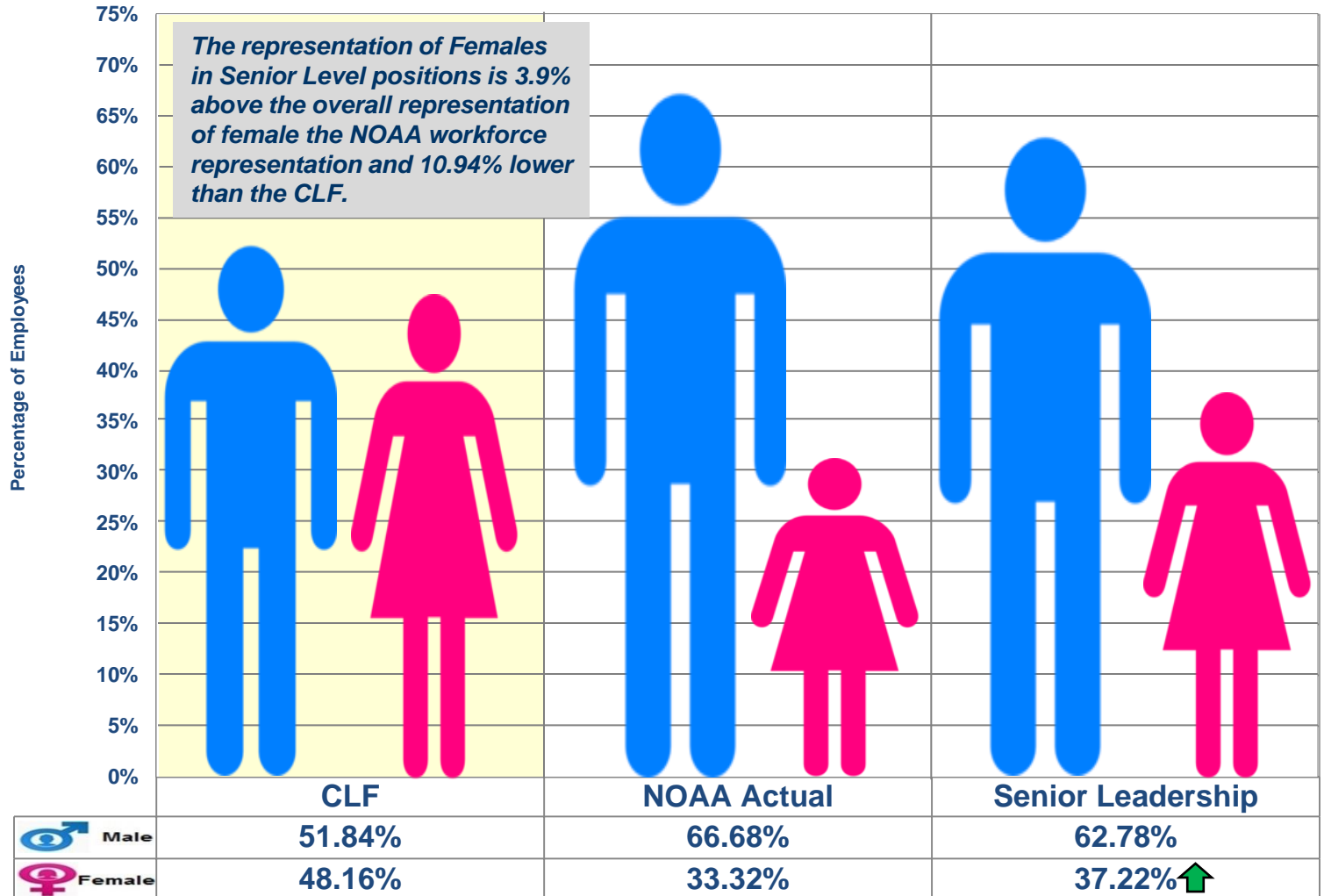
Total Participation: 1,174

(Data collected from HR Connect Workforce Analytics Reporting System - Table A4P+T)



# FY17 NOAA Senior Leadership by Gender

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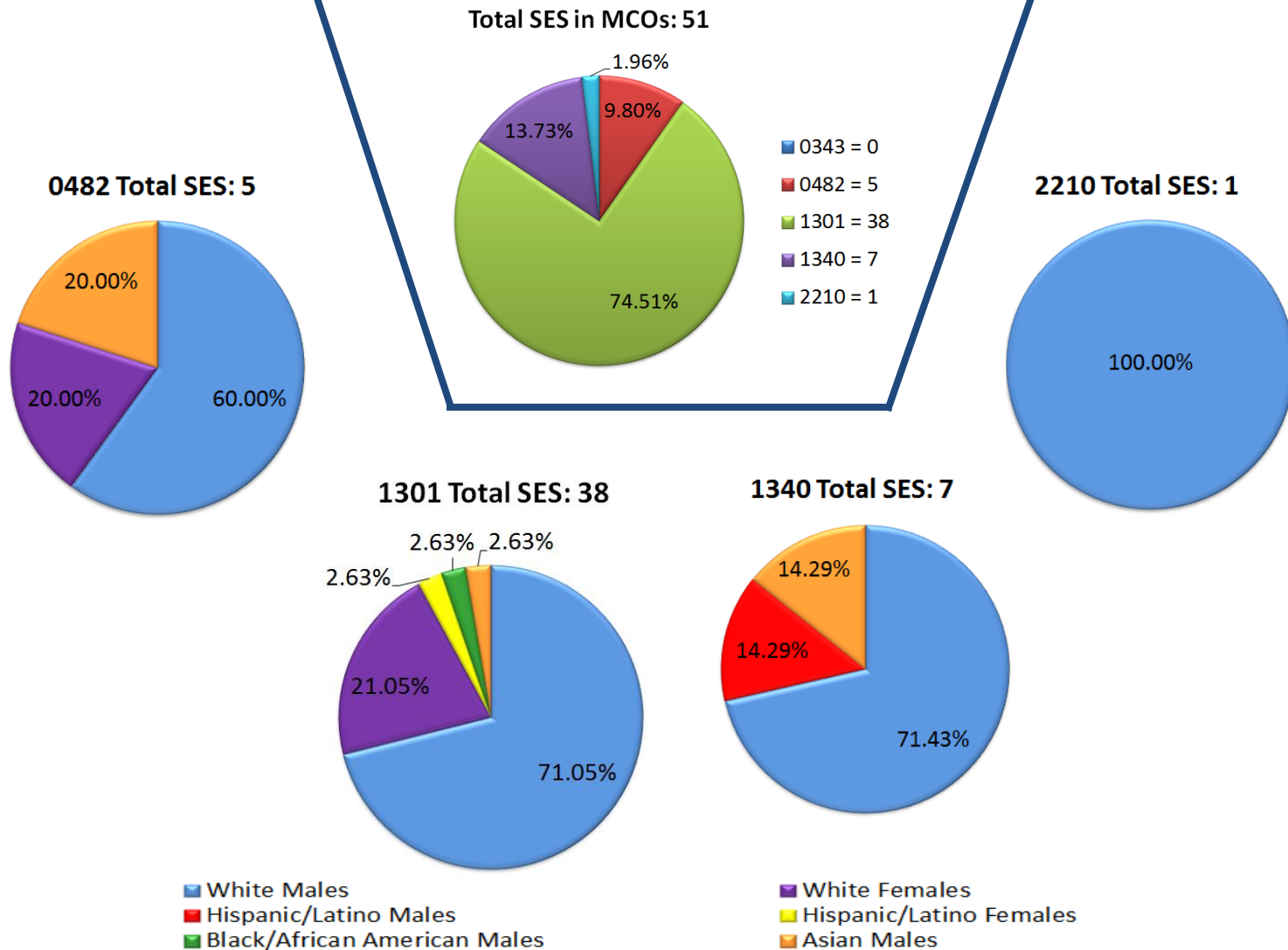


(Data collected from HR Connect Workforce Analytics Reporting System - Table A4 (All))

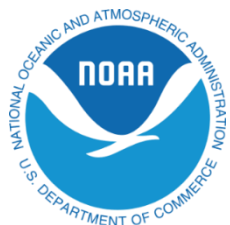


# FY17 NOAA Senior Leadership Workforce Major Critical Occupations (MCO's)

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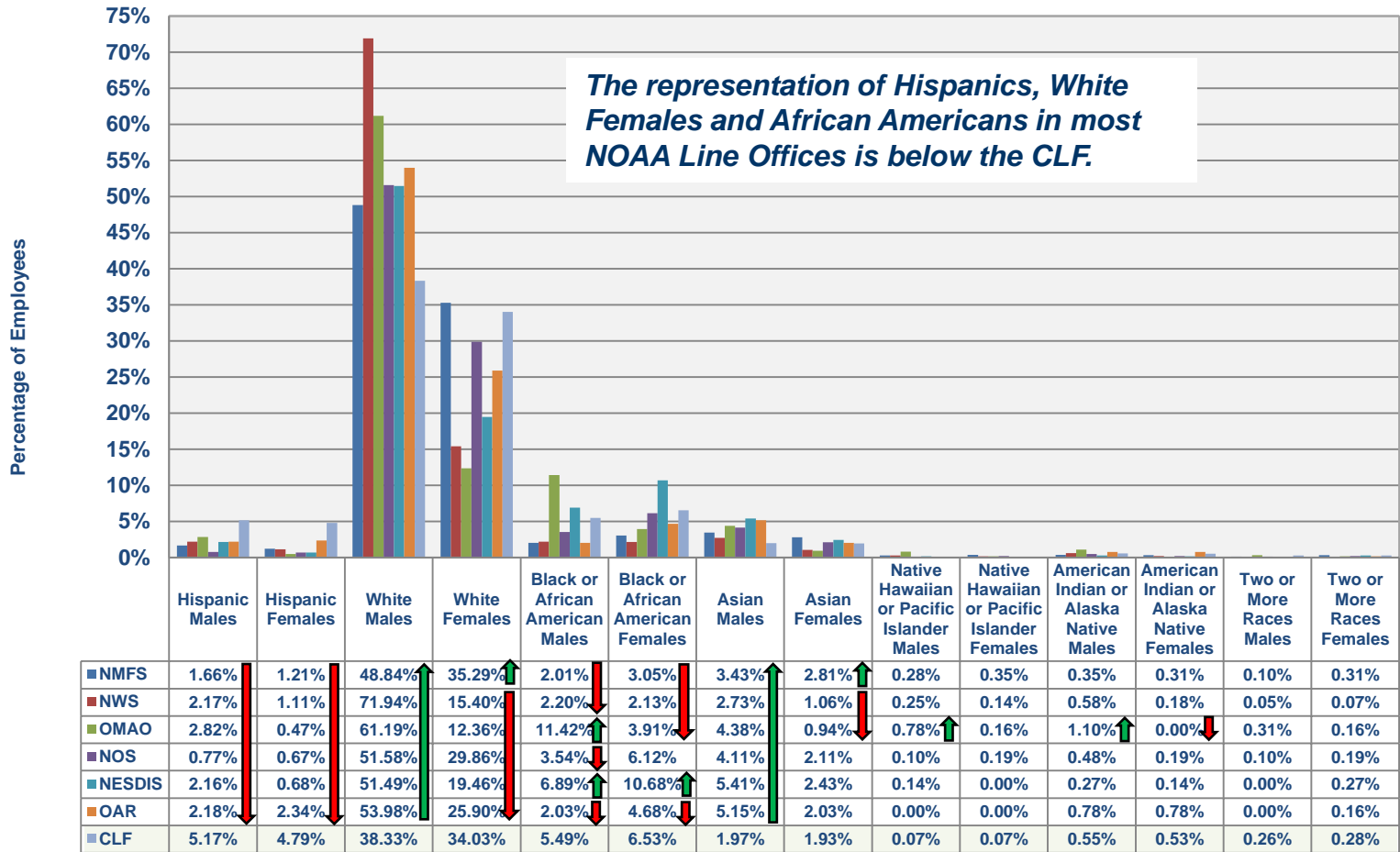


\* Zero values are not showing in the graphs above.



# FY17 NOAA Line Offices Workforce Distribution

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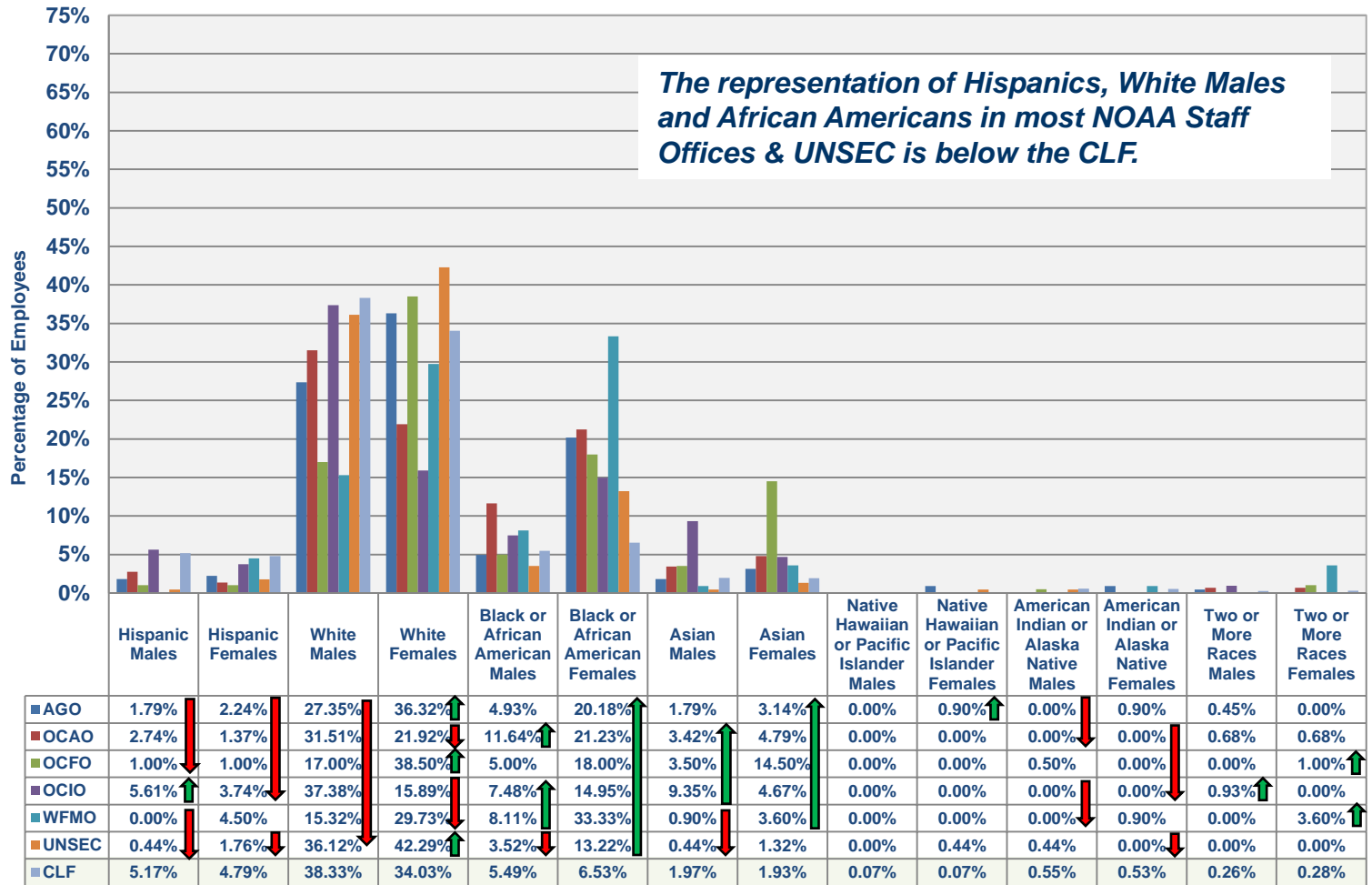
Total Participation: 10,276

(Data collected from HR Connect Workforce Analytics Reporting System - Table A2P)



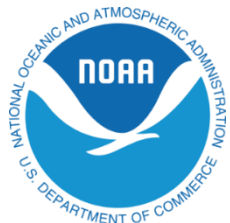
# FY17 NOAA Staff Offices & UNSEC Workforce Distribution

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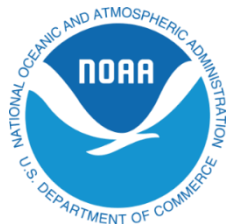
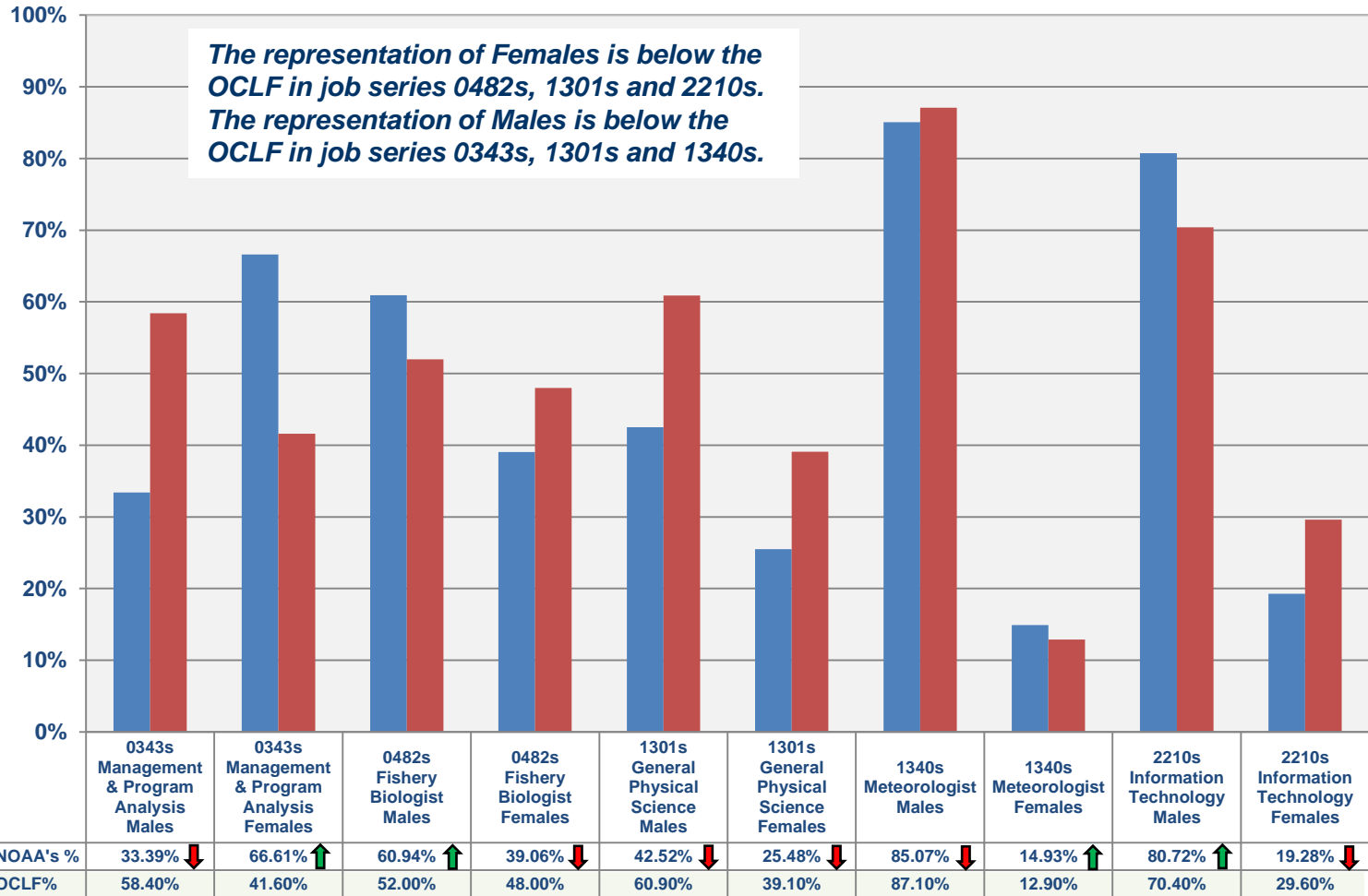
Total Participation: 1,014

(Data collected from HR Connect Workforce Analytics Reporting System - Table A2P)



# Major Career Occupations by Gender

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(Data collected from HR Connect Workforce Analytics Reporting System - Table A6)

# Barrier Analysis

# Barrier Analysis Summary

## Hispanic/Latino at the GS12-SES levels

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- The representation of Hispanics/Latinos in the workforce is 3.10%; this rate is 6.86% lower than the expected CLF participation rate of 9.96%.
- Out of the top three MCOs that tend to lead Hispanics/Latinos to leadership positions (0482, 1340 & 2210), two of them are below the OCLF; 0482 at 2.12% which is 2.38% below the OCLF of 4.5% and 2210 at 3.7% which is 3.9% below the OCLF of 7.6% .
- An analysis of new hiring of Hispanics/Latinos at 0482 and 2210 job series (A7 Table) indicates possible Glass Ceiling – they are qualifying into the feeder pool but not getting selected.
- An analysis of A11 table indicated a possible Glass Ceiling, Pipeline, or even a potential institutional barrier - no internal selections to Senior Level Positions were made during FY17.
- Hispanics/Latinos separated at 3.39% rate which is 0.29% above their overall total workforce representation of 3.10%.
- A review of NOAA's Career Development Program indicated that only 3.23% (one out of 31) of the total participants is Hispanic/Latino.
- An analysis of Hispanics/Latinos FEVS results indicated that: their rate of satisfaction, engagement and inclusion is below NOAA's rate at each category.
- Next Steps: Further analysis of Career Development Programs, Mentoring Program and Senior Leaders Recruitment and Promotion Process will be conducted in FY18.



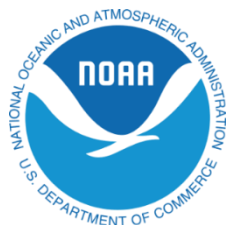
# Workforce Distribution by Disability

- 8.45% of the workforce is comprised of **Individuals with Disabilities**, 3.55% below the 12% federal goal established by the EEOC.
- 2.57% of the workforce is comprised of **Individuals with Targeted Disabilities**, 0.57% above the 2% federal goal established by the EEOC.

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Component		Fiscal Year 2016			Fiscal Year 2017		
		Workforce	Disability	Targeted Disability	Workforce	Disability	Targeted Disability
<b>Federal Goal</b>			<b>12.00%</b>	<b>2.00%</b>		<b>12.00%</b>	<b>2.00%</b>
Total	#	11449	924	274	11412	964	293
	%		<b>8.07%</b>	<b>2.39%*</b>		<b>8.45%</b>	<b>2.57%*</b>
UNSEC	#	241	13	3	233	13	2
	%		<b>5.39%</b>	<b>1.24%</b>		<b>5.58%</b>	<b>0.86%</b>
Staff Offices	#	717	81	24	788	96	28
	%		<b>11.30%</b>	<b>3.35%</b>		<b>12.18%</b>	<b>3.55%</b>
OMAO	#	634	61	15	640	65	16
	%		<b>9.62%</b>	<b>2.37%</b>		<b>10.16%</b>	<b>2.50%</b>
NOS	#	1083	67	25	1053	69	25
	%		<b>6.19%</b>	<b>2.31%</b>		<b>6.49%</b>	<b>2.35%</b>
NWS	#	4397	400	122	4334	410	127
	%		<b>9.10%</b>	<b>2.77%</b>		<b>9.46%</b>	<b>2.93%</b>
NMFS	#	2930	185	46	2930	188	54
	%		<b>6.31%</b>	<b>1.57%</b>		<b>6.42%</b>	<b>1.84%</b>
NESDIS	#	756	65	21	740	65	22
	%		<b>8.60%</b>	<b>2.78%</b>		<b>8.78%</b>	<b>3.00%</b>
OAR	#	691	52	18	684	58	19
	%		<b>7.53%</b>	<b>2.60%</b>		<b>8.48%</b>	<b>2.78%</b>

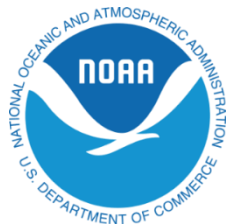
\*Targeted Disability requirements were revised by EEOC and percentage of IWTDs showing in NFC drastically increased based on EEOC new guidance. These changes affected the total representation not only for current fiscal year but also the NFC data for prior fiscal years. For example, we close out FY16 with 0.74% of IWTID, however, the new data showing NFC have a total representation of IWTID in FY16 of 2.31% which is 1.58% above the number we previously reported in our MD715.



# FY17 Hiring & Separations

## Civil Rights Office

- The hiring rate for Females is 43.36%, 4.78% lower than the CLF 48.14%, and 3.39% higher than FY16 hiring rate of 39.97%.
- The attrition rate for Females was 3% lower in FY17 than in FY16 (FY17, 33.05% vs FY16, 36.10%)
- The hiring rate for Females is 13.28% lower than the hiring rate for Males (FY17, Female new hires 43.36% vs Male new hires 56.64%)



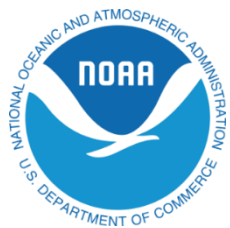


# EEO Complaint Activity

# EEO Complaint Activity

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EEO Complaint Trends	FY 2016	FY 2017
Pre-Complaint Counseling	76	85
Formal Complaints Filed	45	51
Pre-Complaint/ADR Settlements	1	5
Withdrawals/Not Filed	28	25
In-Process/Pending End of FY	2	4
Top Bases	Reprisal, Age, Race	Reprisal, Age, Sex
Top Issues	Harassment, Perf. Eval., Assignments	Harassment, Perf. Eval., Assignments
Alternate Dispute Resolution (ADR) Elections	16	23
Settlements (Formal)	14	12
Settlements \$	164,015.00	173,234.00
Investigations \$	328,281.00	440,682.00
Findings of Discrimination # (\$)	0	3 (\$83,756.44)



(Data collected from iComplaints System as of January 31, 2018)

# State of Agency Snapshot

# State of the Agency Overview

## Civil Rights Office



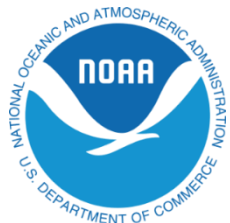
Accomplishments	Challenges
<ul style="list-style-type: none"> <li>EEO &amp; Diversity/Inclusion policies and procedures are routinely established and publicized</li> <li>The participation rate of NOAA employees with targeted disabilities is 2.57%, which is above the EEOC Federal Goal of 2.00%</li> <li>Established Executive Diversity &amp; Inclusion Management Advisory Council</li> <li>Presented training on pertinent EEO topics</li> <li>CRO developed and implemented quarterly Model Workplace Briefings for Line/Staff Offices to identify possible barriers that may be impeding the realization of EO, and offered strategies to overcome identified challenges</li> <li>NOAA's 1<sup>st</sup> Annual D&amp;I Summit Developed, D&amp;I Strategic Plan and Implementation Plan</li> </ul>	<ul style="list-style-type: none"> <li>The percent of Hispanics in the total workforce is 3.10% which is 6.86% lower than the CLF of 9.96%</li> <li>The percent of Females in the total workforce is 33.32% which is 14.84% lower than the Civilian Labor Force (CLF) of 48.16%</li> <li>The percent of Females at the GS-13 and above grades is 31.60% which is 1.56% lower than the representation of <u>permanent</u> Females in the workforce at 33.32%</li> <li>The percent of individuals with disabilities at the GS-11 and above grades is 10.46% which is 1.54% below the 12% Federal goal</li> <li>Possible glass ceiling, blocked pipeline or institutional barriers for Hispanics/Latinos in the 0482 and 2210 job series</li> <li>Possible glass ceiling, blocked pipeline or glass wall for African American Females and Asian Females in the 0482 and 1301 job series</li> </ul>

# FY17 NOAA Civil Rights Office Equal Employment Opportunity / Affirmative Employment Program/ Diversity & Inclusion Diagnostic

**Agency Overall Rating: 62%**

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Category	Progress Measurement		
	Unsatisfactory	Needs Improvement	Acceptable
<b>Agency Overall</b>			<b>62%</b>
<b>Equal Employment Opportunity Complaints</b>			<b>71%</b> 100%
<b>Alternative Dispute Resolution</b>			<b>29%</b> 100%
<b>Affirmative Employment Program</b>			<b>73%</b> 100%
<b>Diversity and Inclusion</b>			<b>70%</b> 100%
<b>FEVS Inclusion Index</b>			<b>62%</b> 100%

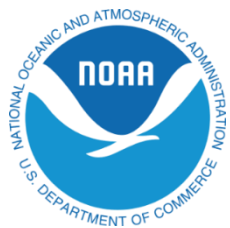
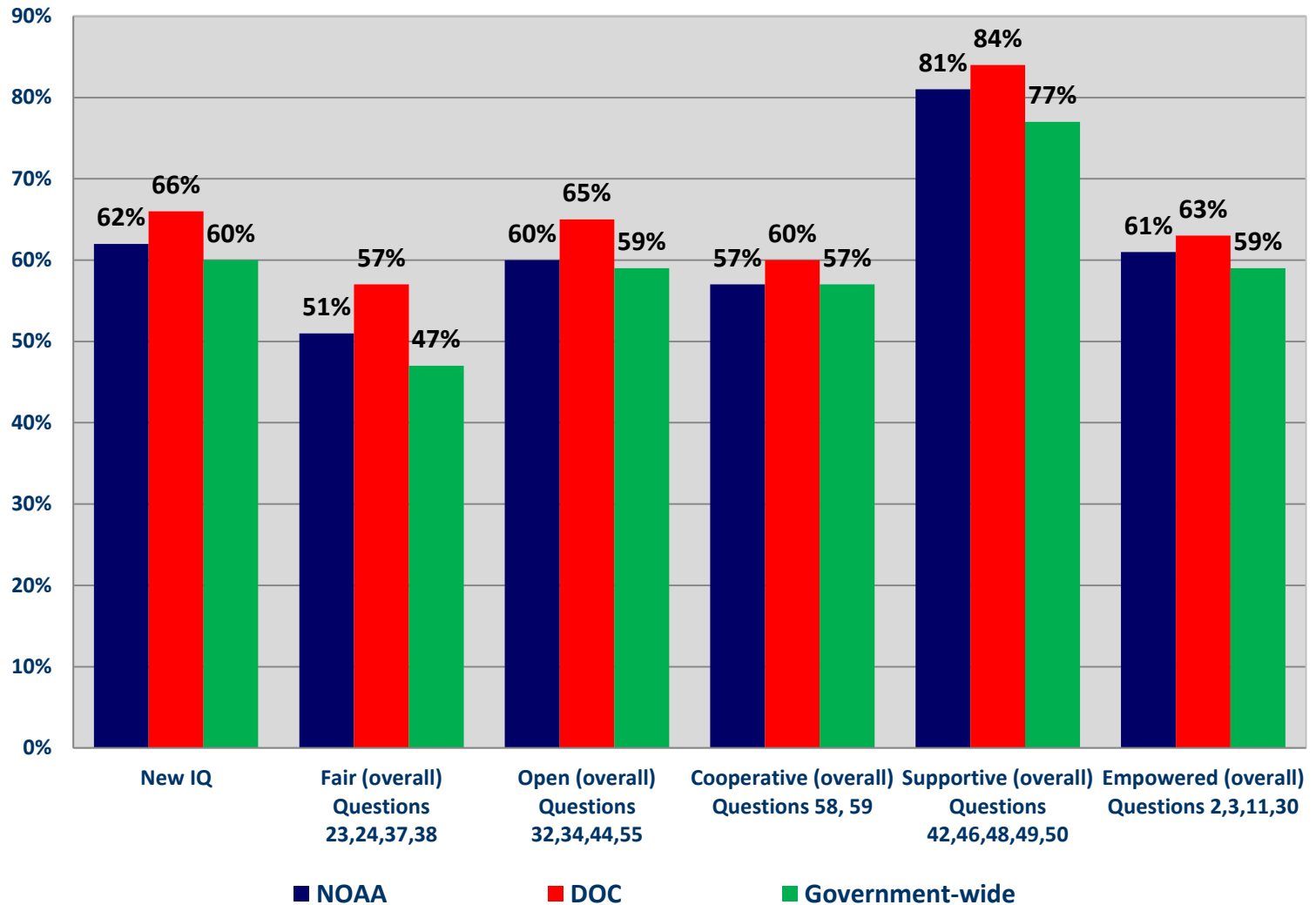


= Positive Difference vs. FY16  
 = Negative Difference vs. FY16

# Federal Employee Viewpoint Survey

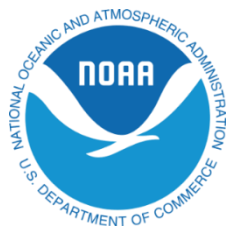
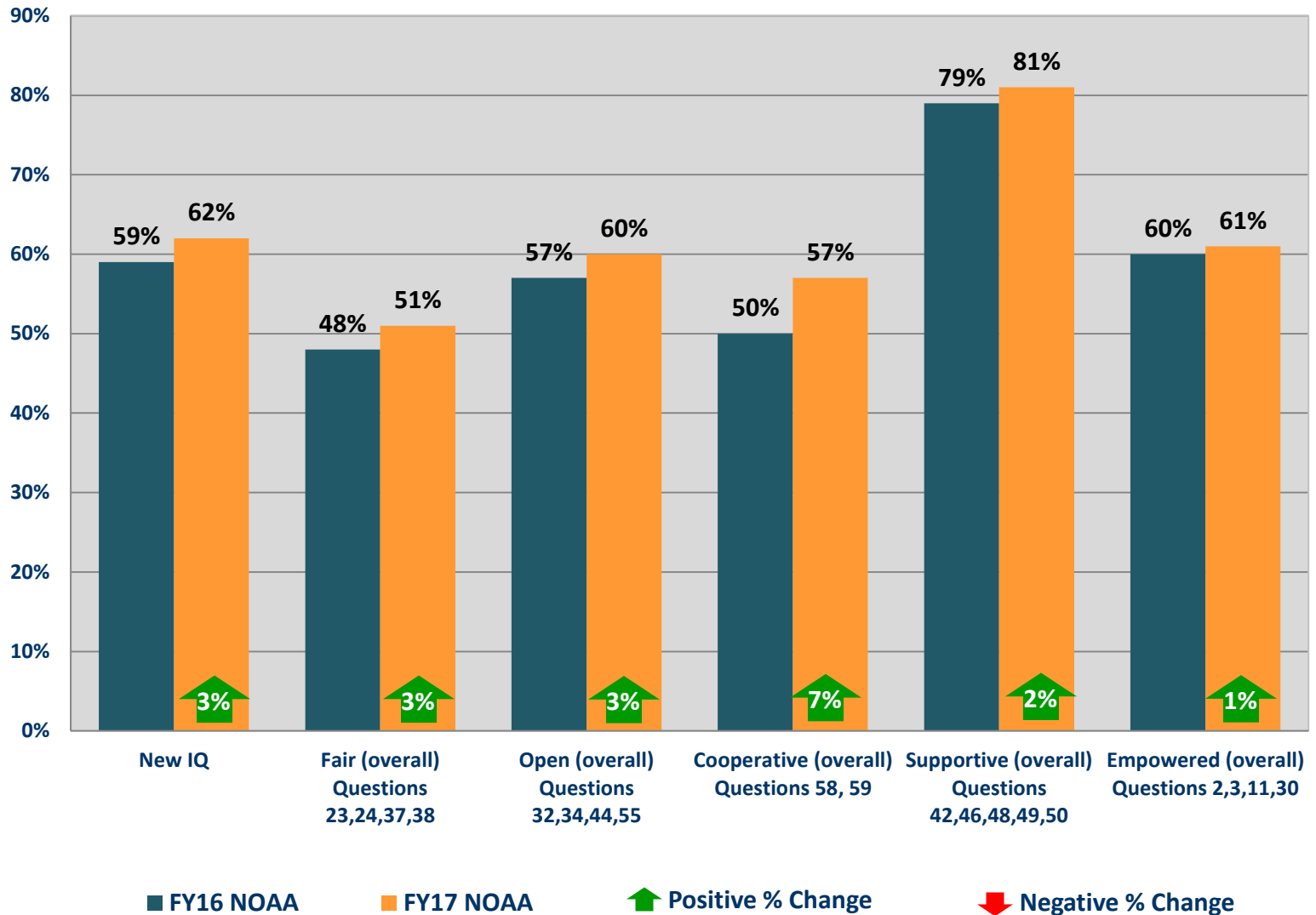
# FY17 FEVS Inclusion Index - Positive Responses

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# NOAA FY16 and FY17 FEVS Inclusion Index - Positive Responses

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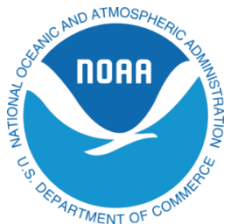


# Major D&I Improvements

# D&I Improvements

## Civil Rights Office

- Raised FEVS Diversity Score
- Raised FEVS Inclusion Index Scores
- Conducted a Successful Diversity and Inclusion Summit
- Established the Executive Diversity Advisory Council
- Made Progress on D&I Implementation Plan



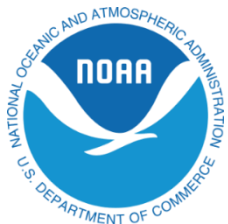
# Next Steps

# Next Steps

## Plan to Eliminate Barriers and Deficiencies

- Conduct barrier analysis relating to identified triggers for:
  - Hispanics/Latinos, particularly in job series 0482 and 2210
  - Women in the workforce and in leadership positions
  - Individuals with Disabilities at the GS-11 and above grades
- EEO Complaints and Counseling
  - Develop strategies to reduce Formal Complaints
    - Establish new ADR Policy for mandatory participation of Managers and Supervisors to increase settlements at the lowest level
  - Identify tracking mechanisms and strategies to improve processing timeframes for EEO counseling
    - Add performance measurements for timely EEO counseling to all EEO Specialist performance plans
- Conduct barrier analyses within the LO/Sos
- Assist LO/SOs with developing strategies to overcome any identified barriers

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# Questions?

