

Mr. Chairman and Members of the Committee

We are pleased to be here today to share with you results from our work concerning the hiring, promotion, and retention of women and minorities in the federal government. I will (1) summarize findings from our work during the past 5 years on specific agency equal employment opportunity issues, and (2) discuss the results of the first phase of our governmentwide review of the federal affirmative employment program. My comments regarding that review are based on our May 10, 1991, report¹ done at your request.

BACKGROUND

The Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, requires federal agencies to develop and implement affirmative employment programs to eliminate the historic underrepresentation of minorities and women in the work force. EEOC is responsible for providing agencies with guidance on their affirmative employment programs. EEOC's Management Directive 714, issued in October 1987, assigns agency heads responsibility for ensuring compliance with affirmative employment program instructions issued by EEOC, establishing agencywide objectives, submitting multiyear affirmative

¹Federal Affirmative Action: Better EEOC Guidance and Agency Analysis of Underrepresentation Needed (GAO/GGD-91-86, May 10, 1991).

employment program plans, and ensuring that all senior executive service managers are held accountable for achieving affirmative action objectives and requirements.

In Management Directive 714, EEOC requires agencies to prepare multiyear plans and to update them and report accomplishments annually. As part of the multiyear plan development, each agency is to analyze its work force, comparing the representation of EEO groups for various occupational and grade/pay categories in the agency's work force with the representation of the same occupational groups in the appropriate civilian labor force (CLF). The CLF represents persons, 16 years of age or over, excluding those in the armed forces, who are employed or who are seeking employment. On the basis of their analyses, agencies are to take steps to address barriers and problems that restrict equal employment opportunities.

PRIOR GAO WORK

Over the past 5 years, we have done a variety of reviews concerning equal employment opportunity at several federal agencies, including the Departments of Agriculture, Army, Commerce, Health and Human Services, Justice, State, Treasury, the Peace Corps, the Postal Service, and the Voice of America. This work has included examinations of hiring and promotion practices, employer/employee relations, discrimination complaint

processing, women and minority representation levels, and evaluations of individual agencies' affirmative employment programs.

Overall, we found that women and minorities were often underrepresented, especially at higher grade levels. We also found that although there has been some progress, agencies varied greatly in the degree of progress they have made overall, at higher grade levels, and among the various protected classes (women, blacks, Hispanics, etc.). They also varied in the aggressiveness of their affirmative employment efforts and their degree of compliance with EEOC requirements.

Problems we identified included late and incomplete submission of affirmative employment plans to EEOC; lack of adequate data or analyses; lack of goals or objectives, either in response to a now expired EEOC requirement or as a management tool; and blurred accountability among managers or supervisors for EEO results.

IMPROVED EEOC GUIDANCE
AND OVERSIGHT NEEDED

By looking at EEO issues from a governmentwide perspective, we hope to shed more light on why agency affirmative employment programs have failed to correct the imbalances in the federal work force, particularly at higher grade levels. In response to

your request, we have embarked on a phased approach to looking at affirmative employment in the federal government.

During the first phase of this work, we focused on determining what data and analyses EEOC required from agencies and the extent to which agencies complied with EEOC requirements in preparing multiyear affirmative employment plans. In addition, we used major occupation data contained in agency plans to demonstrate examples of the types of additional analyses that could be done to help target specific areas for improvement and to develop and implement corrective actions.

To determine agency compliance with EEOC reporting requirements, we reviewed the most recent multiyear affirmative employment plans, covering fiscal years 1988 through 1992, for 35 federal agencies which collectively employed about 98 percent of the federal work force in fiscal year 1988.

Plans Approved Without Required Major Occupation Identification and Analysis

Twenty-seven of the 35 agencies complied with EEOC's requirement that they identify major occupations in their affirmative employment plans, and 8 did not. However, the agencies' bases for selecting these occupations varied. Four agencies cited career paths and/or advancement potential as their basis for identifying major occupations. Most selected as major

occupations either (1) all jobs with over 100 employees or (2) jobs with the highest numbers of employees. According to EEOC, its intent was to focus agency affirmative employment efforts on those occupations with advancement potential to senior level positions. However, Management Directive 714's definition of major occupations is not in accordance with this intent. As a result agencies are often not reporting on what EEOC thinks they should.

Seventeen agencies did not include a work force analysis by major occupation in their affirmative employment plans as required by EEOC. EEOC had approved each of the 17 plans without the required work force analyses. Officials at six of these agencies told us they did not comply with the requirement because they believed providing work force analyses of the broader Professional, Administrative, Technical, Clerical, and Other (PATCO) occupational categories and/or combined analyses of specific jobs such as scientists and engineers was sufficient. These officials also stated that they had discussed this with EEOC and obtained its concurrence.

According to EEOC officials, EEOC had concluded, during the review process, that for each of these 17 agency plans, adherence to the work force analysis requirement would result in undue delays in the approval and implementation of otherwise appropriate affirmative employment plans. The officials said

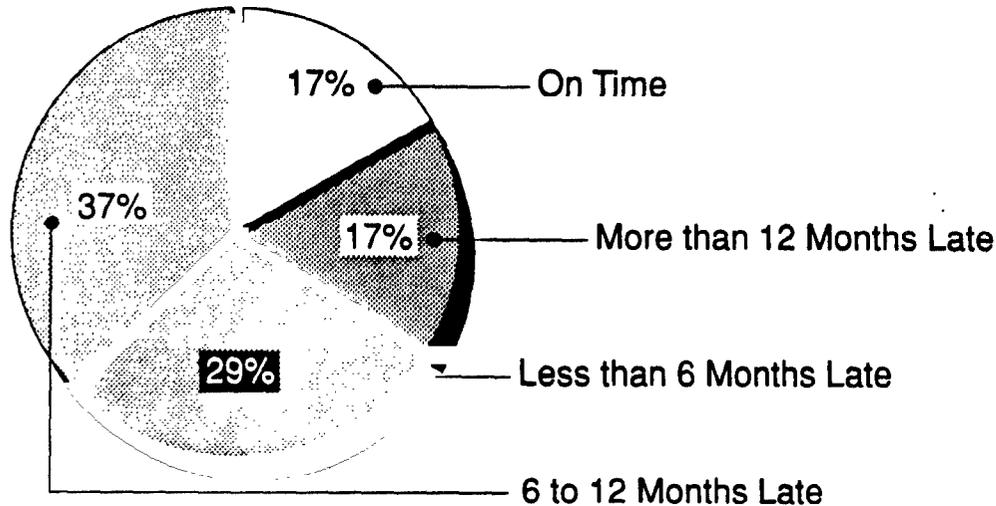
EEOC approved these plans in an attempt to prevent more delays. In this regard, we noted that several agencies had submitted their plans after the date they were due, and in many cases additional months passed between EEOC's receipt and final approval of agency plans. The amount of time between receipt and approval for the 17 plans submitted without the required work force data ranged from approximately 1 month (Interior) to about 31 months (U.S. Postal Service).

Late Submission of Affirmative Employment Plans

Twenty-nine of the 35 agencies we reviewed that were required to submit affirmative employment plans were late in submitting their plans to EEOC for approval. As shown in Figure 1, 10 agencies submitted plans within 6 months after the due date, 13 submitted plans between 6 and 12 months late, and 6 agencies were over 1 year late in submitting their plans to EEOC. The agencies and the number of months their affirmative employment plans were late are identified in attachment I.

Figure 1

Timeliness of AEP Plans Submitted to EEOC



Options for Improving Data Analysis

The 18 agencies that complied with EEOC's major occupation work force analysis requirements included in their plans numbers and/or percentages of women and minorities within certain positions in an agency. However, additional analysis by agencies of these numerical data could be used to develop representation indexes and estimates of the number of additional individuals needed to attain full representation in major occupations.

Representation indexes indicate the extent to which a particular EEO group is represented in a work force as compared to the

group's representation in the CLF. The index can range from 0 to 100 plus; 100 indicates full representation, and lower numbers indicate underrepresentation. According to EEOC standards, underrepresentation exists if the percentage rate at which an EEO group is represented in an agency's work force is less than the rate at which the group is represented in the CLF (as identified in the most recent census). Severe underrepresentation has been defined by EEOC as representation indexes below 50 (less than 50 percent of the CLF rate).

Because work force data contained in agency multiyear plans generally were from fiscal year 1987, we did not use these data to assess women and minority representation levels within agencies. Where work force data were reported, we used the information to demonstrate how representation indexes could be used to show whether underrepresentation existed.

Representation Index Analysis
Allows More Meaningful Comparisons

Transforming agency EEO work force numbers and percentages into representation indexes allows for a more meaningful comparison to the CLF. For example, instead of having to compare numbers and percentages of each EEO group in an agency's work force with corresponding information from the CLF, the use of representation indexes would enable agencies to readily determine whether a particular EEO group is fully represented or

underrepresented. This type of analysis can be used to more precisely identify those EEO groups in major occupations that may need to be targeted for special initiatives.

While this type of analysis identifies potential problem areas, it serves only as a starting point for directing emphasis to specific occupations and EEO groups. Additional information on initiatives already proven successful in agencies with common occupations could assist other agencies in designing and implementing corrective actions.

Analysis of Common Occupations
Could Promote Information Sharing

Table 1 compares representation indexes of common major occupations among agencies. EEOC could identify relatively high and low representation indexes for the same jobs across the federal government. Additional analysis could possibly enable agencies doing well to help those not doing as well. For example, we found that the Department of Energy had a representation index of 114 for Hispanic males in its computer specialist occupation, while the Department of Health and Human Services had a Hispanic male index of 22 for the same position. The agency with the relatively lower representation index might be able to adopt initiatives or strategies that the other agency had already found to be successful for attaining full representation in that particular occupation. EEOC could

facilitate this information sharing by compiling such representation information by common occupations and identifying agencies with full EEO representations and successful affirmative employment strategies.

Table 1

EEO Group Representation Indexes in Common Occupations

Job Series	Agency	Female		Black		Hispanic	
		White	Male	Female	Male	Female	Female
Computer Specialist	VA	87	189	177	95	83	
	DOE	87	101	76	114	61	
	HHS	110	148	230	22	38	
	DMA	75	246	199	28	120	
Attorney	EEOC	112	635	558	201	294	
	VA	70	95	80	79	60	
	DOE	89	188	90	101	55	
	DOJ	95	107	50	60	35	

Note: Figures based on 1987 data.

Number of Minorities and Women
Needed to Attain Full
Representation in Major Occupations

Although representation indexes are a valuable tool for assessing an agency's work force, agencies may benefit further from knowing

how many additional members of an EEO group would be needed to reach full representation. As shown in table 2, we used EEOC and OPM guidance to estimate the additional numbers of minorities and women agencies would need to attain across-the-board representation in major occupations.

Table 2

Individuals Needed to Reach Full Representation

		Number Needed to Reach Full Representation				
		Female		Black		Hispanic
Job Series	Agency	White	Male	Female	Male	Female
Computer Specialist	VA	55	0	0	2	3
	DOE	13	0	3	0	2
	HHS	0	0	0	64	25
	DMA	18	0	0	5	0
Attorney	EEOC	0	0	0	0	0
	VA	47	1	3	3	3
	DOE	10	0	1	0	2
	DOJ	59	0	63	38	32

Note: Figures based on 1987 data.

Major Occupation Data by Grade Level Needed

According to EEOC, the major thrust for Management Directive 714 is the elimination of practices, procedures, and policies that

operate to hamper internal upward movement of women and minorities. We believe that to accurately assess whether agencies are meeting this objective, EEOC should expand its requirement for reported major occupation data to include analysis by grade level.

EEOC's Management Directive 714 does not require agencies to identify women and minority representation at upper versus lower grades within major occupations. Only four of the 35 plans we reviewed provided major occupation data segregated by grade level. By not identifying major occupation representation levels by grade level, agencies are not able to determine whether women and minorities are concentrated and, if so, at what grade levels. Agency awareness of these situations, brought about by analysis of grade data within these jobs, could lead to the identification and subsequent elimination of barriers preventing the adequate representation at all grade levels within major occupations.

Recommendations and EEOC Views

We made several recommendations to EEOC to strengthen emphasis of the federal affirmative employment program on improving minority and female representation in upper grade levels. EEOC officials generally agreed with our findings, conclusions, and recommendations. EEOC acknowledged that its guidance on

preparing multiyear affirmative employment plans is not as clear as it could be and that the lack of clarity may have contributed to the time it took to review and approve the plans. In addition, the agency believes that grade-level data by major occupations and the additional analyses we describe could benefit the federal affirmative employment program.

ONGOING AND FUTURE GAO EFFORTS

We currently have several EEO reviews underway at the request of various members or committee chairs. These include reviews at the Agency for International Development, the Peace Corps, and the Resolution Trust Corporation. As the second phase of your request for a governmentwide EEO review, we are analyzing current OPM data on women and minority representation levels and plan to issue a separate report on that work shortly. Additional efforts planned to respond to your request include a review of the management and effectiveness of EEO programs at selected agencies and EEOC's management and oversight of the federal sector program. We would be happy to discuss other possible areas to examine with the Committee.

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Mr. Chairman, that concludes my prepared remarks. My colleagues and I will be happy to answer any questions you or the other Committee members may have.

Timeliness of Affirmative Employment Program Plans Submitted to
EEOC for Approval

ON TIME

Department of Agriculture
Environmental Protection Agency
Department of the Air Force
Department of Labor
National Aeronautics and Space Administration
U.S. Postal Service

LESS THAN 6 MONTHS LATE

Months Late

National Archives and Records Administration	.8
Department of Commerce	1.9
Department of the Army	2.0
Army/Air Force Exchange Service	2.4
Department of Veterans Affairs	2.9
Small Business Administration	3.0
Department of the Navy	4.2
Department of the Interior	4.5
Office of Personnel Management	4.6
Department of Energy	4.8

6 MONTHS TO LESS THAN 12 MONTHS LATE

Defense Mapping Agency	6.0
General Services Administration	6.1
Federal Deposit Insurance Corporation	7.0
Smithsonian Institution	7.1
Department of the Treasury	8.5
Department of Transportation	8.6
Defense Logistics Agency	8.6
Health and Human Services	8.8
Defense Investigative Service	9.0
Nuclear Regulatory Commission	9.0
Department of Education	9.5
Department of State	9.9
Tennessee Valley Authority	11.9

OVER 12 MONTHS LATE

Department of Justice	15.3
Defense Contract Audit Agency	16.3
Equal Employment Opportunity Commission	17.2
U.S. Information Agency	17.3
Housing and Urban Development	20.2
Agency for International Development	21.7

RELATED GAO WORK

Equal Employment: Minority Representation at USDA's National Agricultural Statistics Service (GAO/GGD-91-31BR, March 18, 1991).

Health and Human Services: Hispanic Representation and Equal Employment Practices in Region VIII (GAO/HRD-91-6, Nov. 20, 1990).

EEO at Justice: Progress Made But Underrepresentation Remains Widespread (GAO/GGD-91-8, Oct. 2, 1990).

EDA: Treatment of Blacks at the Economic Development Administration in the 1980s (GAO/HRD-90-148, Sept. 26, 1990).

Performance Management: Appraisal and Promotion Results at the U.S. Customs Service (GAO/GGD-90-40, May 18, 1990).

Peace Corps: Meeting the Challenges of the 1990s (GAO/NSIAD-90-122, May 18, 1990).

Postal Service: Employee-Management Relations at the Indianapolis Post Office Are Strained (GAO/GGD-90-63, April 16, 1990).

Equal Employment Opportunity: Representation of Minorities and White Women at Fort Lee Army Post, Virginia (GAO/GGD-90-27, Jan. 17, 1990).

Postal Service: Improved Labor/Management Relations at the Oklahoma City Post Office (GAO/GGD-90-02, Oct. 27, 1989).

Voice of America: Selected Personnel Practices Warrant Management Attention (GAO/NSIAD-89-160, July 12, 1989).

State Department: Minorities and Women Are Underrepresented in the Foreign Service (GAO/NSIAD-89-146, June 26, 1989).

Disabled Veterans' Employment: Performance Standards Needed to Assess Program Results (GAO/GGD-89-45, Feb. 28, 1989).

Social Security Administration: Employment of and Service to Hispanics (GAO/HRD-89-35, Jan. 30, 1989).

ATTACHMENT II

ATTACHMENT II

Administrative Law Judges: Appointment of Women and Social Security Administration Staff Attorneys (GAO/GGD-89-5, Oct. 19, 1988).

Minority Representation: Efforts of the Alcohol, Drug Abuse, and Mental Health Administration (GAO/HRD-88-49, May 13, 1988).

Equal Employment Opportunity: Some Racial Imbalance in SSA Region X, Better Data and Remedies Needed (GAO/HRD-88-6, Oct. 13, 1987).

Equal Employment Opportunity: Hispanics' Advancement Opportunities in SSA Region IX (GAO/HRD-87-82, July 30, 1987).

Affirmative Action: Social Security Can Do More to Improve Blacks' Representation in Its Work Force (GAO/HRD-87-2, Jan. 2, 1987).

Affirmative Action: National Institutes of Health Does Not Meet Federal Requirements (GAO/HRD-86-37, Mar. 5, 1986).

Equal Opportunity: Information on the Atlanta and Seattle EEOC District Offices (GAO/HRD-86-63FS, Feb. 21, 1986).

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