

MANAGEMENT DIRECTIVE (MD) 715 STATE OF THE AGENCY FISCAL YEAR 2020



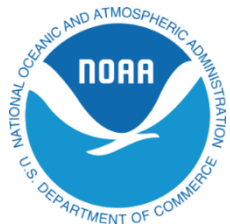
Presented by:
Mr. Kenneth M. Bailey
Director, Office of Inclusion and Civil Rights

As of: May 6, 2021

Discussion Points

- Management Directive 715 Overview
- Model Workplace Assessment & Scorecard
- Workforce Analysis
- EEO and ADR Activity
- State of the Agency Major Highlights
- Diversity and Inclusion Maturity Model
- Diversity and Inclusion Implementation Plan Dashboard
- D&I Improvements/Accomplishments
- Next Steps

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Management Directive 715 Overview

Management Directive 715 (MD-715) Model Workplace Plan

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 a “Model Workplace” status

Governing Statues and Authorities:

- Title VII of the Civil Rights Act of 1964
- Section 501 of the 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

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Six Essential Elements of a Model Workplace



1 Demonstrated commitment from Agency leadership



2 Integration of EEO into the Agency's strategic mission



3 Management and program accountability



4 Proactive prevention of unlawful discrimination



5 Efficiency



6 Responsiveness and legal compliance

Model Workplace Assessment & Scorecard

FY20 Model Workplace Scorecard



FY20 MD-715 Overall Compliance: 91%

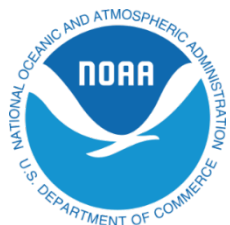
Element	Checklist Category	FY 2019 (97%)	FY 2020 (91%)
A 11 of 14	Demonstrated Commitment from Agency Leadership	100%	79%
B 35 of 37	Integration of EEO into Agency's Strategic Mission	100%	95%
C 39 of 42	Management and Program Accountability	86%	93%
D 12 of 14	Proactive Prevention	100%	86%
E 20 of 23	Efficiency	96%	87%
F 8 of 8	Responsiveness and Legal Compliance	100%	100%

KEY	0-74	75-89	90-100
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There are a total of 13 deficiencies and 11 Part H Plans to address the deficiencies contained within the Agency's FY20 MD-715.

Note: There are 19 questions not applicable to NOAA; managed by DOC.

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Management Directive - 715

Deficiencies

The following measures were not met in FY 2020:

1. Demonstrated Commitment from Agency Leadership

- The agency's EEO Policy Statement was not updated and distributed to all employees, and was not in compliance with EEOC guidelines.
- Reasonable accommodation procedures are not posted on the public website.

2. Integration of EEO into the Agency's Strategic Mission

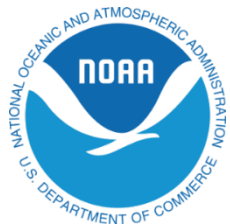
- The OICR Director is not supervised by the agency head.
- The agency's organizational chart does not clearly define the reporting structure for the OICR.

3. Management and Program Accountability

- All Anti-harassment training materials do not include examples of disability-based harassment.
- All reasonable accommodation requests are not processed within the timeframe set forth in the reasonable accommodation procedures.
- *The EEO Office does not have timely access to accurate and complete external and internal applicant flow data to prepare all MD-715 workforce data tables and complete the barrier analysis process.

*The slide captures all of the deficiencies. Note: Measurement # 3--I combined 3 into 1 sentence. This also shows in the report (Part H).

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Management Directive - 715

Deficiencies

The following measures were not met in FY 2020:

4. Proactive Prevention

- The affirmative action plan for people with disabilities, including those with targeted disabilities, was not posted on our public website.
- The agency's Affirmative Action Plan for PWD/PWTD does not include specific actions to ensure sufficient opportunities for advancement.

5. Efficiency

- The ADR participation rate of 30.56%, during the pre-complaint stage was below EEOC's goal of 50%.
- The Agency does not incorporate the results of recruitment efforts in EEO Program updates to senior leaders.

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Workforce Analysis

Key Terms and Definitions

Acronym	Term
CLF	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.
OCLF	Occupational Civilian Labor Force: Reflects civilian labor force by specific occupation/career series.
↑	Above NOAA total Workforce or CLF
↓	Below NOAA total Workforce or CLF

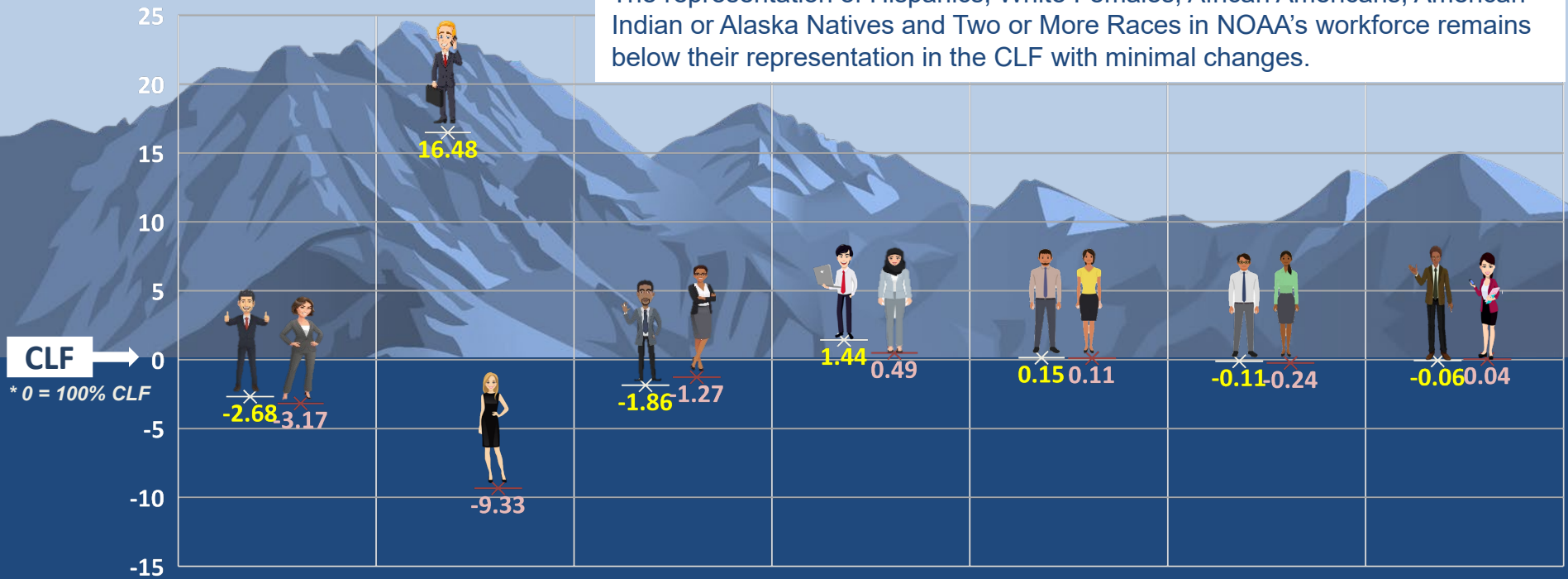
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NOAA Total Workforce Distribution vs CLF

Total FY20 Workforce: 11,584

The representation of Hispanics, White Females, African Americans, American Indian or Alaska Natives and Two or More Races in NOAA's workforce remains below their representation in the CLF with minimal changes.

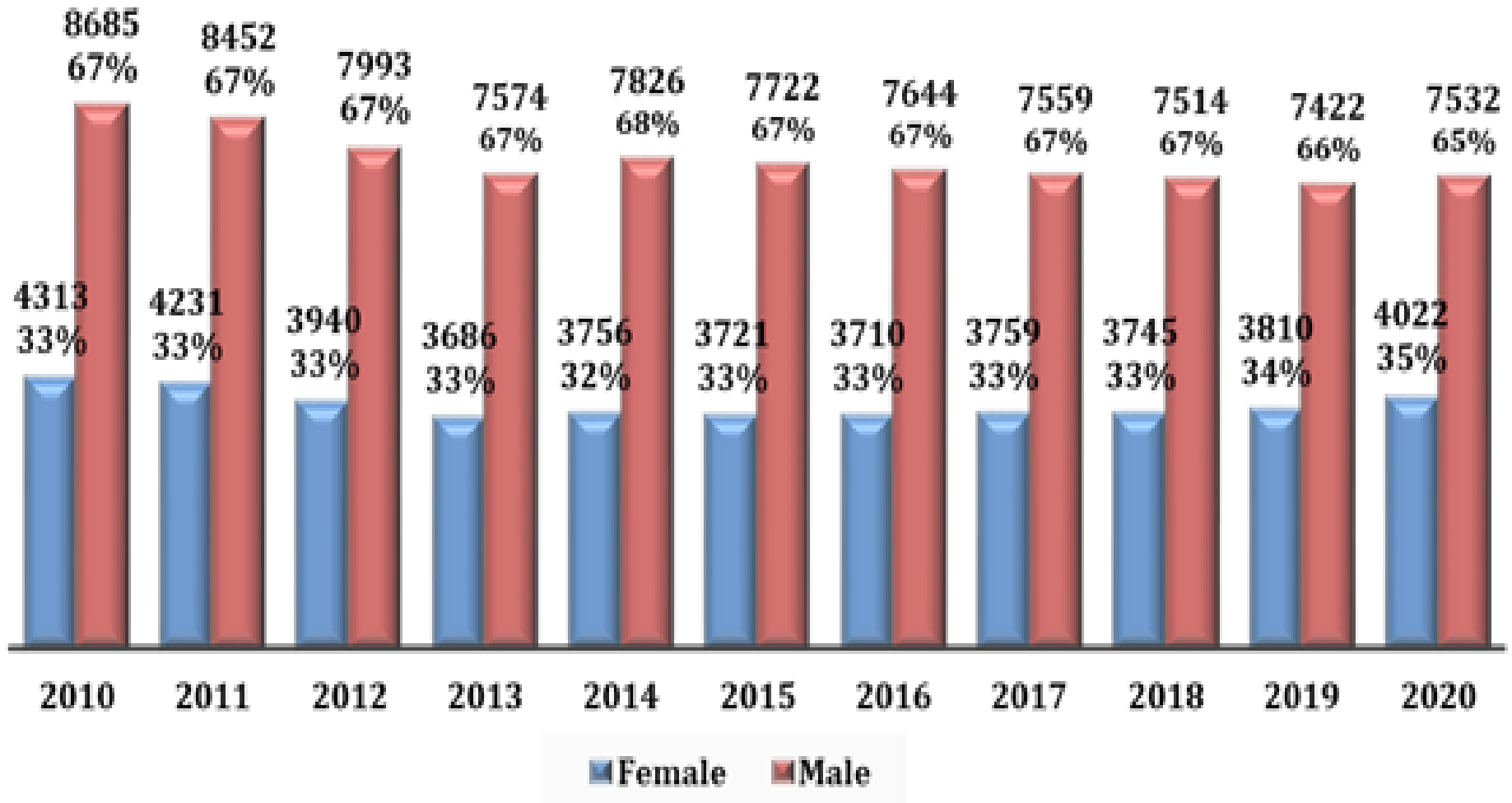


CLF →
* 0 = 100% CLF

	Hispanics		White		Black or AA		Asian		NHPI		AIAN		2 or More	
	Male ↓	Female ↓	Male ↑	Female ↓	Male ↓	Female ↓	Male ↑	Female ↑	Male ↑	Female ↑	Male ↓	Female ↓	Male ↓	Female ↑
FY 2020	2.49	1.62	54.81	24.70	3.63	5.26	3.41	2.42	0.22	0.18	0.44	0.29	0.20	0.32
CLF	5.17	4.79	38.33	34.03	5.49	6.53	1.97	1.93	0.07	0.07	0.55	0.53	0.26	0.28

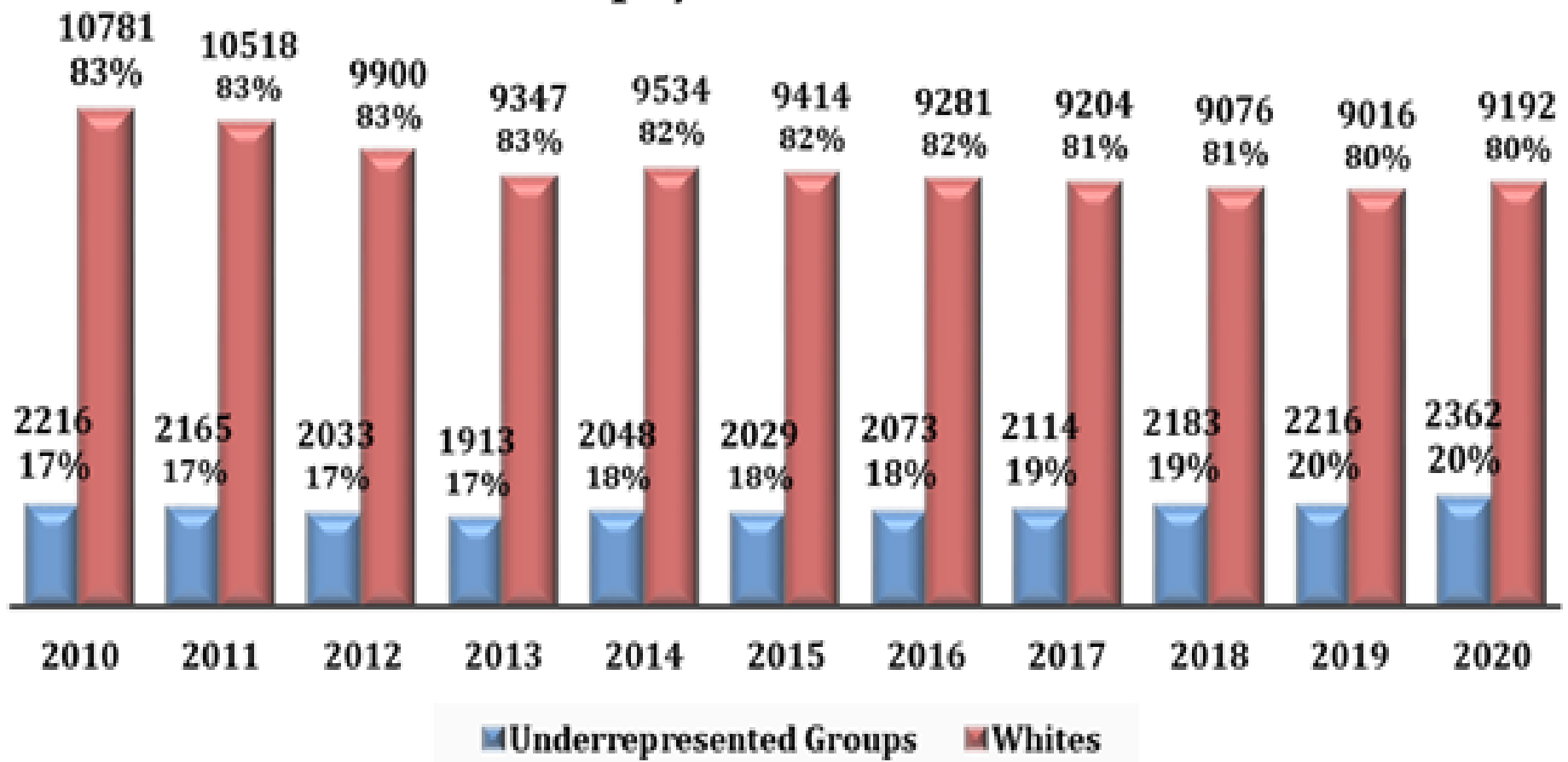
↑ = Above CLF ↓ = Below CLF

NOAA Total Workforce Gender Profile



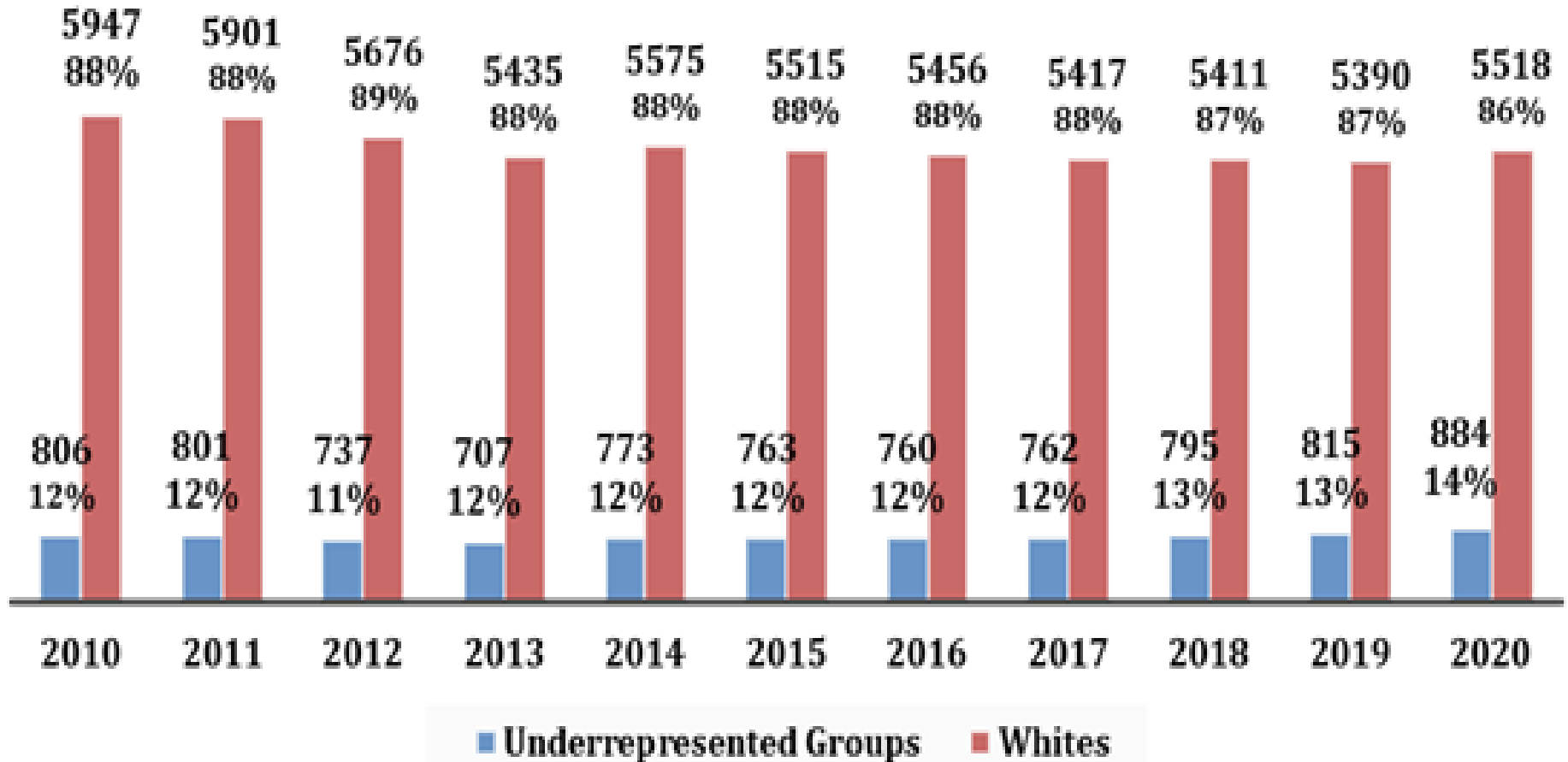
NOAA total workforce gender demographics have improved with women's representation increasing since FY2019, as males have decreased. Until FY2019, male representation was generally flat.

NOAA Total Workforce Underrepresented Groups/Whites Profile



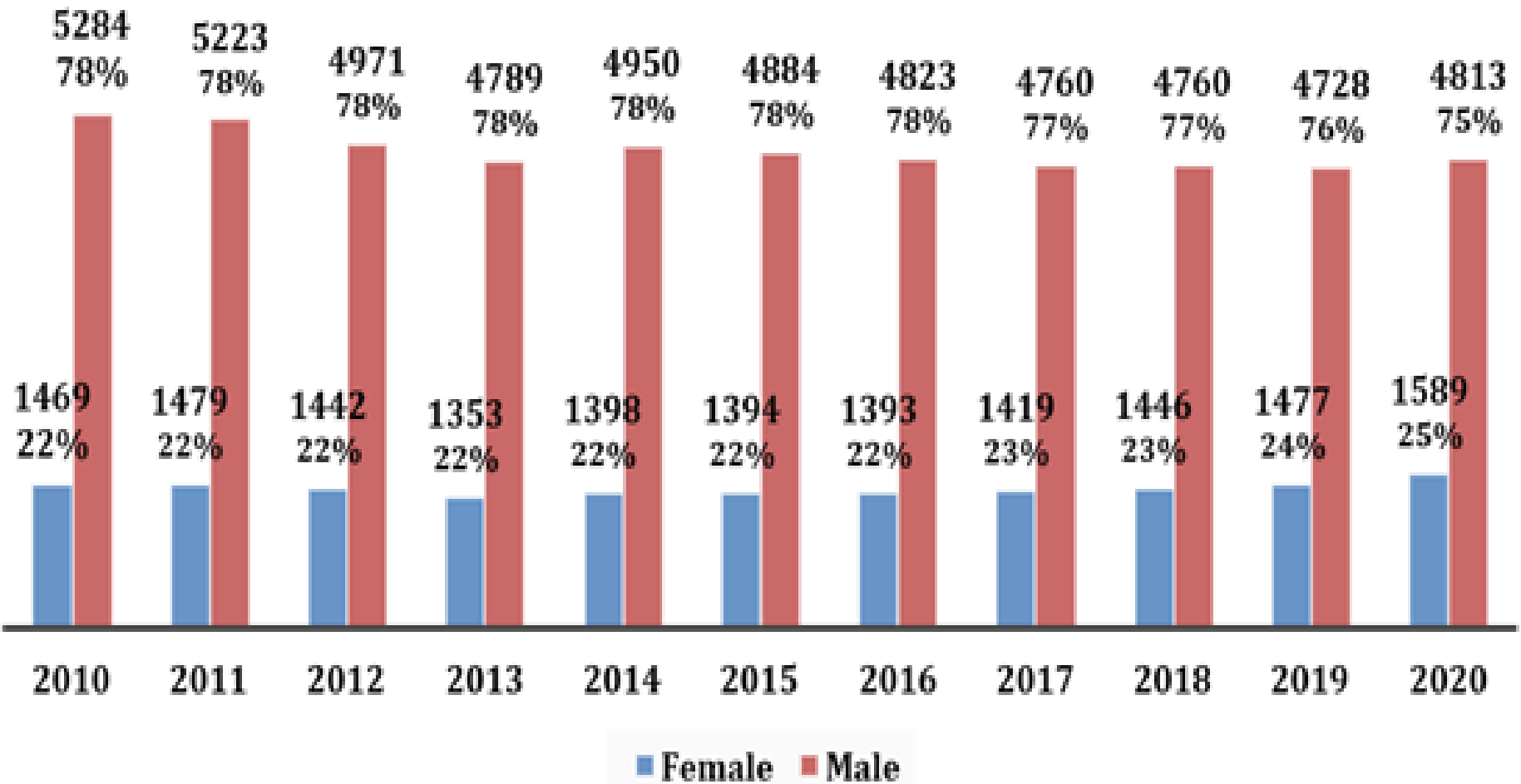
When looking at Underrepresented Groups and Whites the trend for underrepresented groups has slightly increased since FY2017. The representation of Whites had been relatively flat for several years prior.

NOAA Science, Technology, Engineer, Mathematic (STEM) Underrepresented Groups/Whites Profile



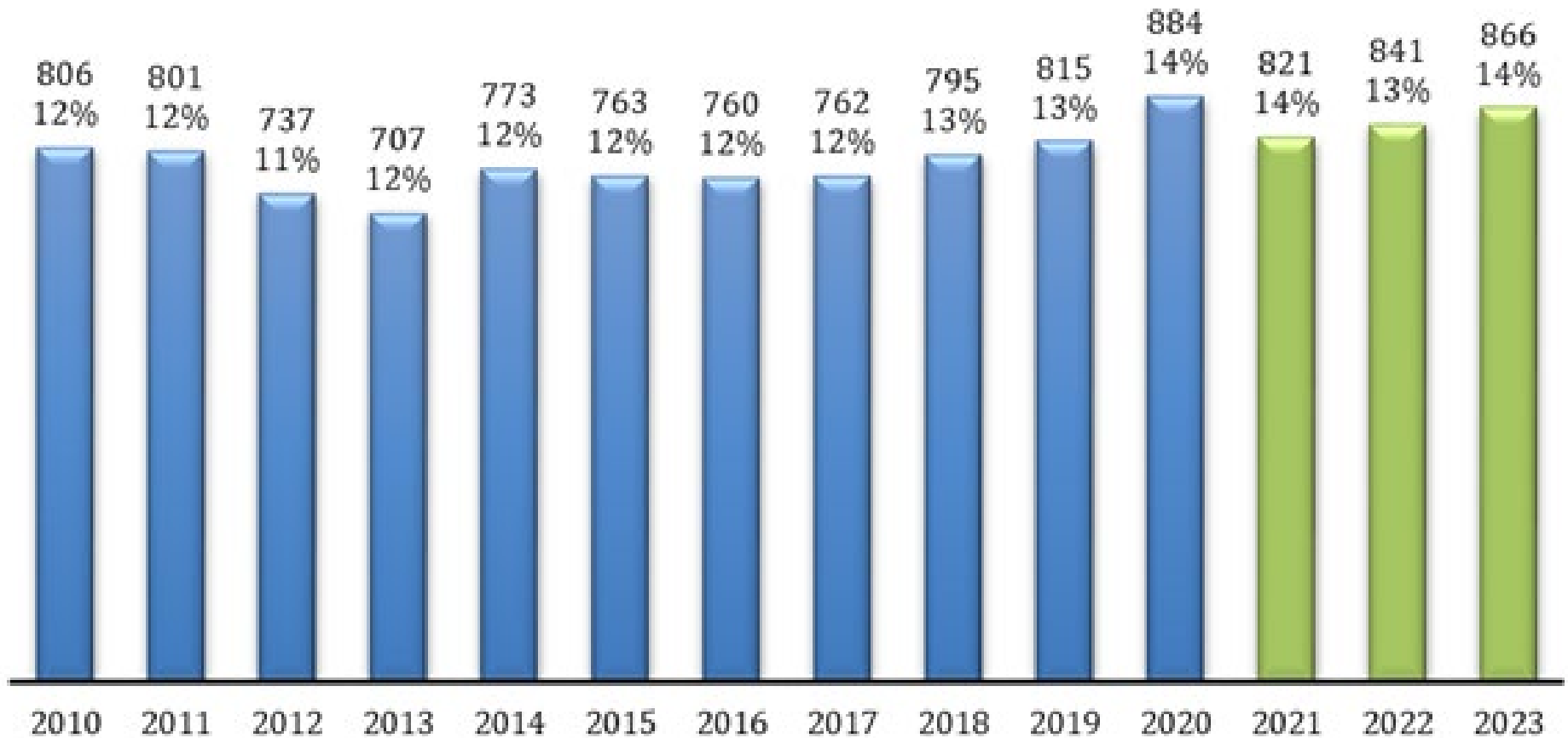
The STEM Underrepresented Group's Profile demonstrates an upward trend since FY2018 when prior years dating back to FY2010 their representation had been generally flat while the STEM White Profile demonstrates a downward trend.

NOAA STEM - Gender Profile



The STEM Gender Profile has increased by 2 percent over the course of the past four years while being flat from 2010-2016.

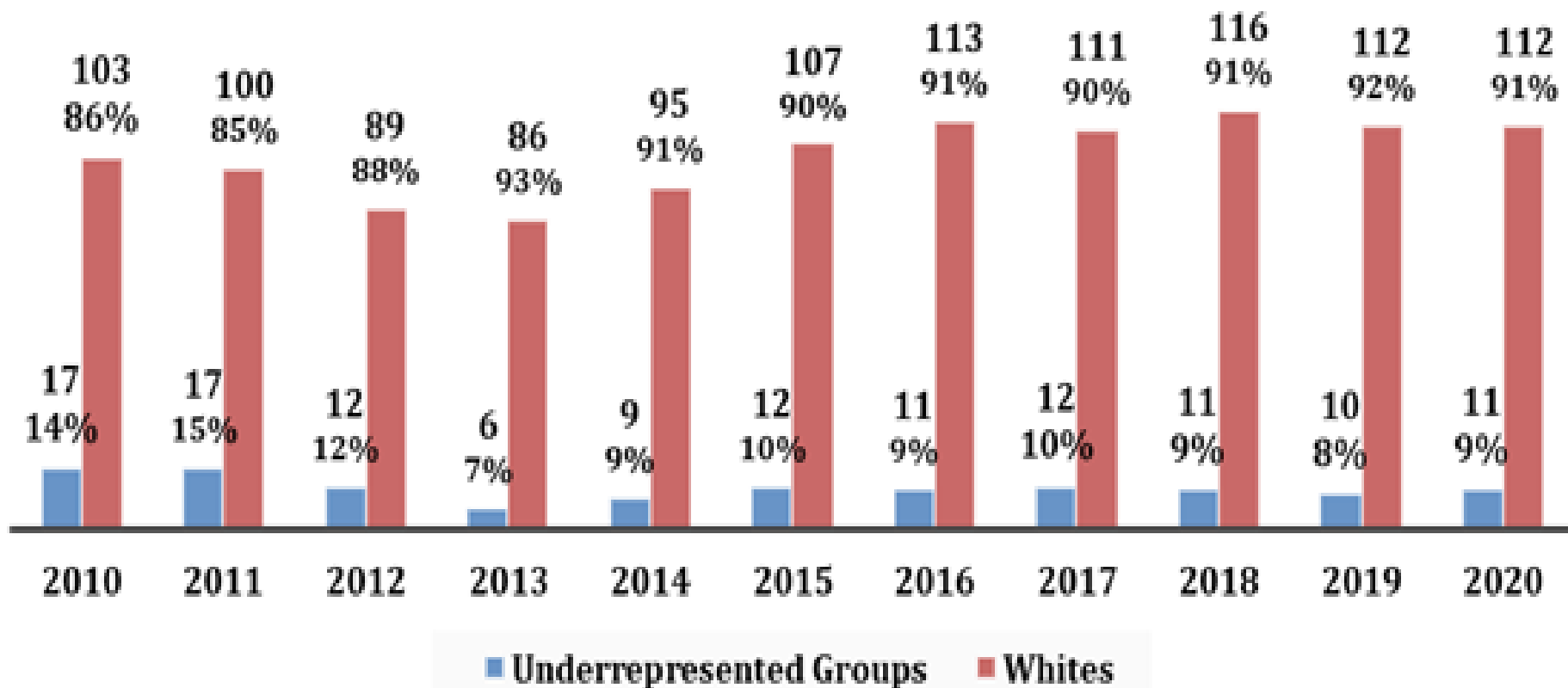
NOAA STEM Workforce Underrepresented Groups Forecast



The STEM Underrepresented Groups Forecast chart predicts a slight and incremental wavering increase over the next three years compared to the previous 10 years.

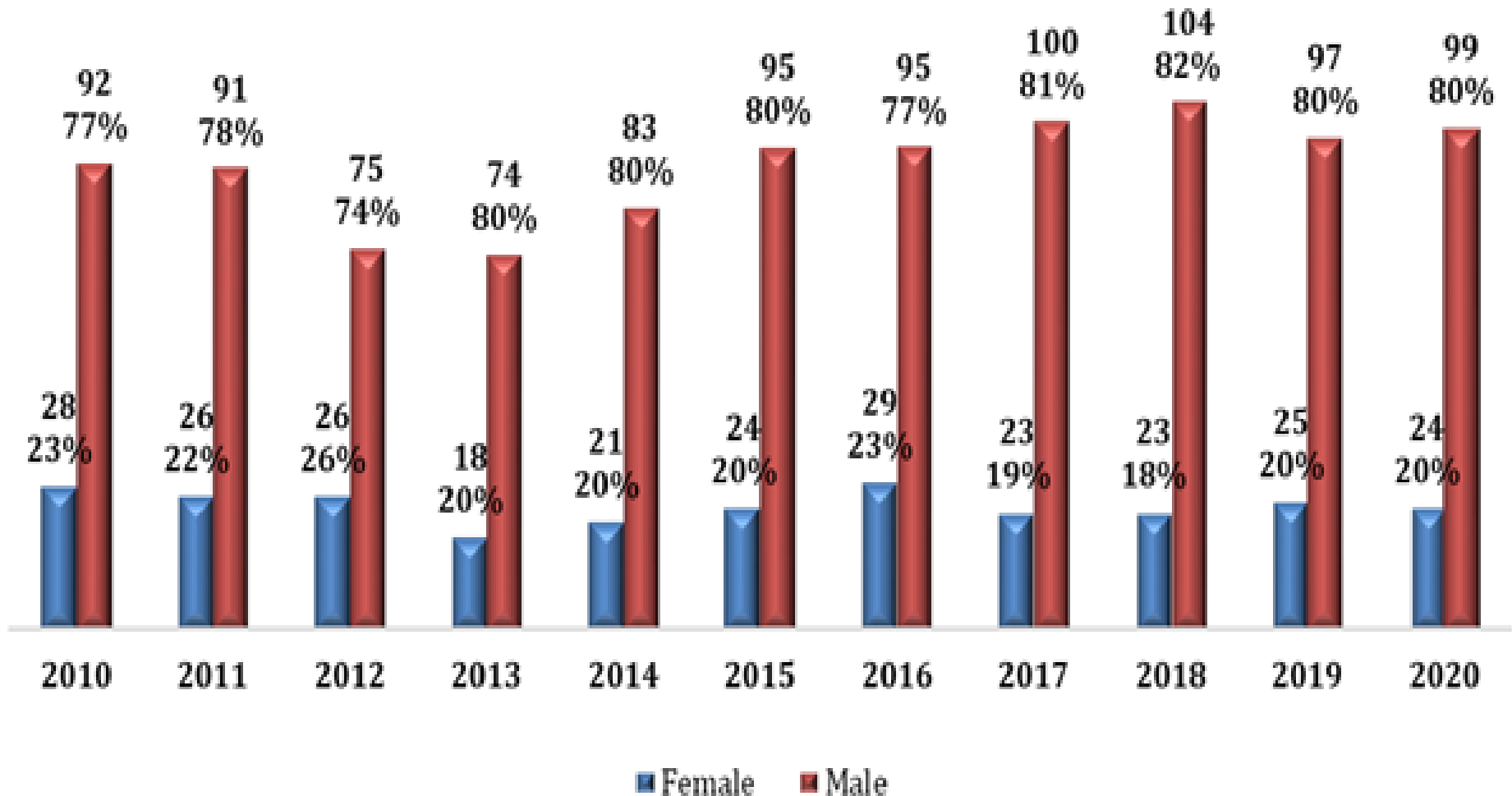
NOTE: The STEM Workforce Forecast created by predicting a value based on existing values along the linear trend. This formula calculates future value predictions using linear regression to predict the value for the number of employees in the future STEM underrepresented workforce.

NOAA Senior Executive Service Underrepresented Groups/Whites Workforce



The SES Underrepresented Groups/Whites Workforce demonstrates a slight change from FY2019 through FY2020. However, the representation of whites in the SES has for a time been well above their overall representation in the workforce as 80%, while underrepresented groups are well below their overall participation in the workforce at 20%. Whites total SES totals 1,144 averaging 104 SES or 90% over an 11 year span, while the underrepresented groups have total only 128 SES averaging 11 SES or 10% over the course of the 11 year period. NOAA understands that it needs to diversify its executive corps to look more like the workforce and have focused initiatives to facilitate professional development of underrepresented groups to enhance their promotion potential.

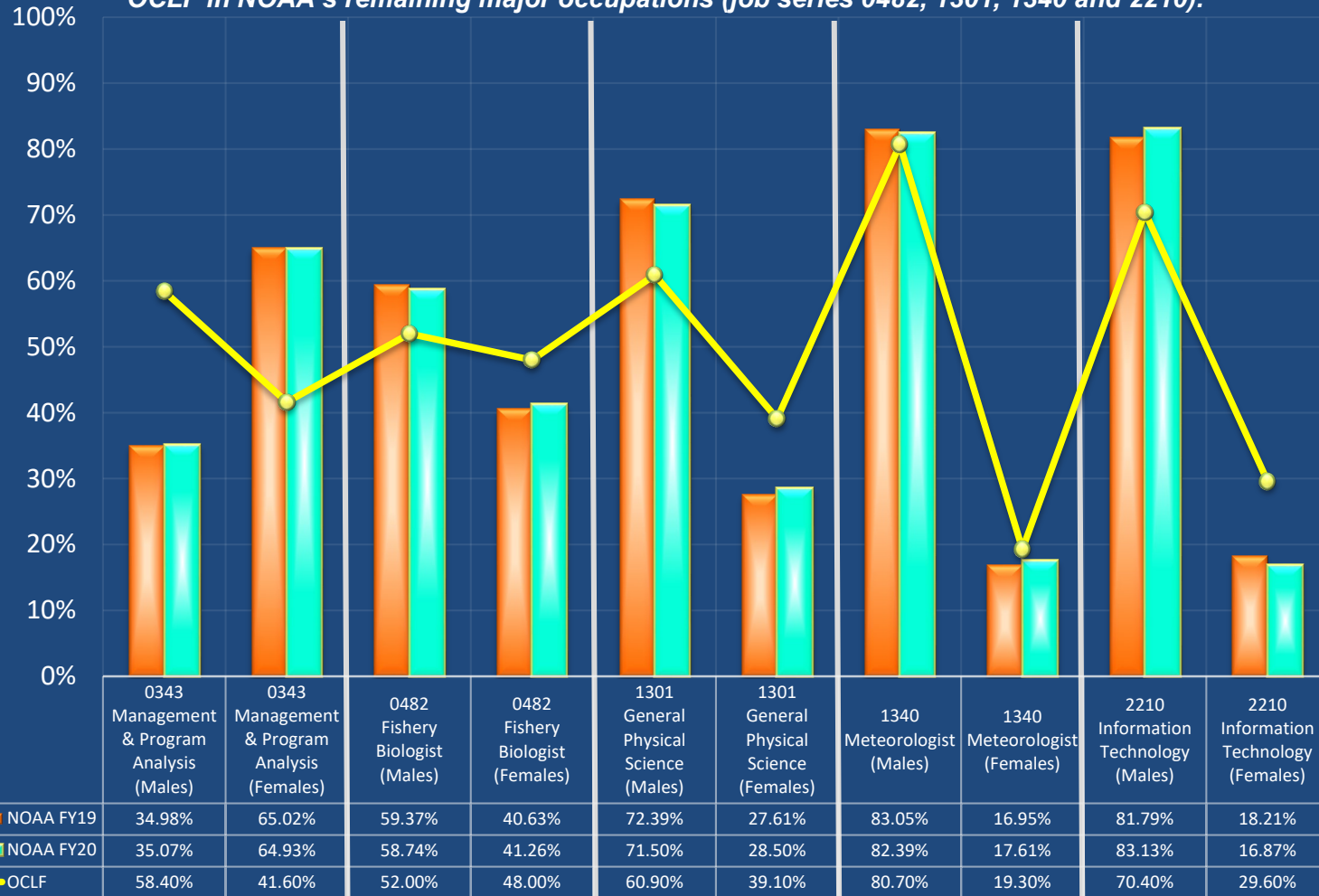
NOAA SES by Gender



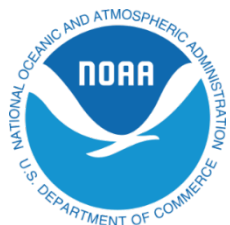
The SES by gender displays wavering inconsistency with increases and decreases of women in the executive service. Women representation is under their overall workforce participation of 35%. NOAA recognizes this is an area where there needs to be focus on succession planning which is inclusive of women in NOAA's workforce.

Major Career Occupations by Gender “FY2020”

With the exception of job series 0343, the representation of Females is below the OCLF in NOAA’s remaining major occupations (job series 0482, 1301, 1340 and 2210).



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NOAA Workforce Distribution by Disability

- 10.08% of the workforce is comprised of **Individuals with Disabilities**, 1.92% below the 12% federal goal established by the EEOC and a .04% increase in comparison with FY19.
- 2.52% of the workforce is comprised of **Individuals with Targeted Disabilities**, 0.52% above the 2% federal goal established by the EEOC.



Component		Fiscal Year 2019			Fiscal Year 2020		
		Total WF	IWD	IWTD	Total WF	IWD	IWTD
Federal Goal			12.00%	2.00%		12.00%	2.00%
Total	#	11,323	1,137	284	11,582	1,141	285
	%		10.04%	2.51%		10.08%	2.52%
UNSEC	#	237	19	4	224	22	3
	%		8.02%	1.69%		9.82%	1.34%
Staff Offices	#	751	125	28	758	139	29
	%		16.64%	3.73%		18.34%	3.83%
Office of Marine & Aviation Operations	#	606	69	15	587	71	15
	%		11.39%	2.48%		12.10%	2.56%
National Ocean Service	#	1,067	100	30	1,075	105	30
	%		9.37%	2.81%		9.77%	2.79%
National Weather Service	#	4,404	467	119	4,386	486	119
	%		10.60%	2.70%		11.08%	2.71%
National Marine Fisheries Service	#	2,874	221	57	2,907	234	53
	%		7.69%	1.98%		8.05%	1.82%
National Environmental Satellite, Data, and Information Service	#	705	67	15	729	73	17
	%		9.50%	2.13%		10.01%	2.33%
Office of Oceanic & Atmospheric Research	#	679	69	16	700	78	17
	%		10.16%	2.36%		11.14%	2.43%

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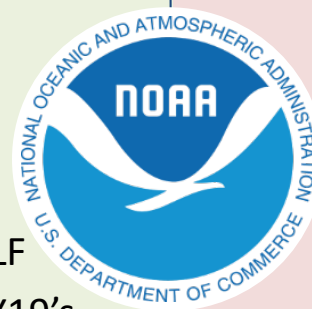


FY20 Hiring & Separations (Permanent Only)

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New Hires



The hiring rate for Females is 46.16%, 1.98% lower than the CLF (48.14%) and .21% lower than FY19's hiring rate of 46.37%.

The hiring rate for Females is 7.68% lower than the hiring rate for Males (In FY19, Female new hires 46.37% vs Male new hires 53.63%)

The separation rate for Females is 35.97%, 1.28% higher than their total representation of 34.69% and 10.19% lower than their hiring rate.

Projected FY21 Separations: 432 and 267 of those are due to retirements.

Separations

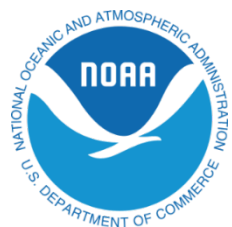


EXIT



State of the Agency Overview

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Accomplishments	Challenges
<ul style="list-style-type: none"> OICR worked with Line/Staff Office EEO and D&I practitioners to conduct an analysis of EEO deficiencies, root causes, and potential courses of action to address challenges. Progress towards Action Plan goals and objectives will be monitored during annual Model Workplace Briefings. The mandatory Sexual Assault and Sexual Harassment Prevention training includes the required examples of disability-based harassment and additional modifications in Anti-harassment training content is anticipated from higher headquarters (DOC) in 2021. The timely processing of all reasonable accommodation requests increased from 48% to 94%. Several actions attributed to this improvement, including, but not limited to, frequent broadcast messages to supervisors, various training opportunities, and development of an internal tracking system. NOAA was a premiere sponsor of the FY20 Women of Color STEM, BEYA, SACNAS, FAPAC, AISES and FEW National Training Programs. NOAA were corporate sponsor, held training, and seminars as well as hosting virtual booths staffed by NOAA OICR and OHCS's Team Members. 	<ul style="list-style-type: none"> The ADR participation rate of 30.56%, during the pre-complaint stage was below EEOC's goal of 50%. The agency has not taken specific steps that are reasonably designed to increase the number of persons with disabilities or targeted disabilities employed at the agency until it meets the goals. Triggers such as the low participation of Hispanics and People with Disabilities in leadership development program and leadership positions. The the low participation of females in the leadership pipeline are "cross-cutting triggers" which intersect with various races and ethnicities in different ways. No settlements in the initial 90 days of the ADR Process.

EEO and ADR Activity

EEO Complaint Activity

EEO Complaint Trends	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Pre-Complaint Counseling	77	88	92	86	69
Alternate Dispute Resolution (ADR) Elections	16	24	30	22	22
Withdrawals/Not Filed	28	25	26	33	29
Formal Complaints Filed	50	53	66	46	41
In-Process/Pending End of FY	12	15	14	16	14
Top Bases	Reprisal, Age, Race	Reprisal, Age, Race	Reprisal, Age, Sex	Reprisal, Disability, Age	Reprisal, Race, Disability
Top Issues	Harassment, Perf. Eval., Assignments	Harassment, Perf. Eval., Assignments	Harassment, Perf. Eval., Assignments	Harassment, Assignments, Perf. Eval.	Time and Attendance, Harassment, Terms/ Conditions of Employment
Informal Complaint Settlements	1	5	3	6	1
Formal Complaint Settlements	14	12	12	20	23
Settlements \$	164,015.00	256,990.44	105,383.99	735,750.00	377,338.00
Investigations \$	377,021.00	450,997.00	499,157.00	697,481.00	464,139.20
Findings of Discrimination #	0	3	1	2	0

(Data collected from iComplaints System as of February 2, 2021)

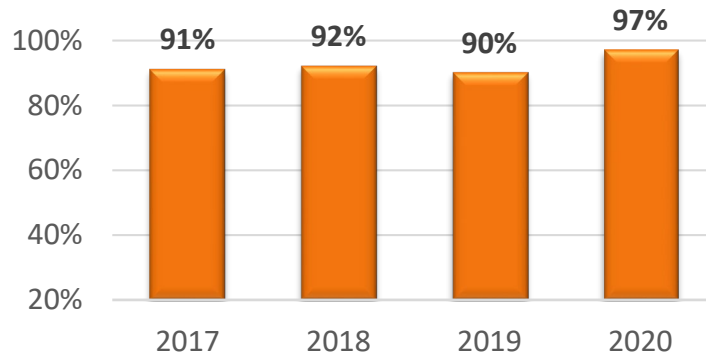
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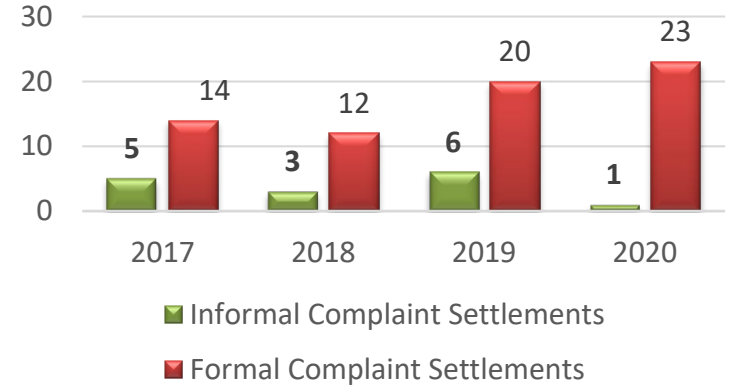
EEO Complaint Activity Trends

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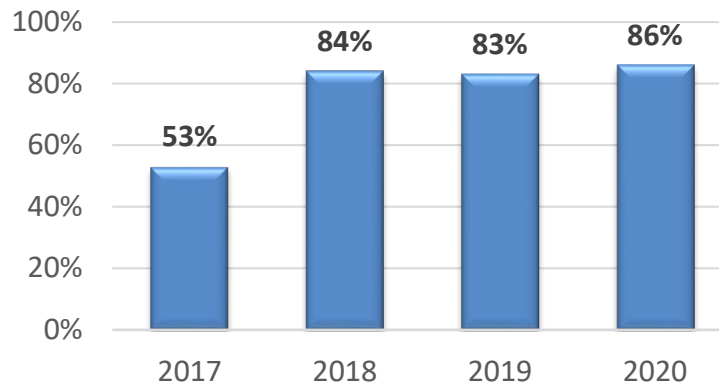
MD-110 Timely Pre-Complaints



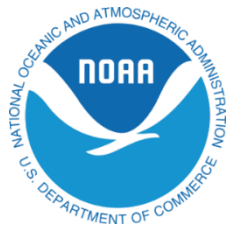
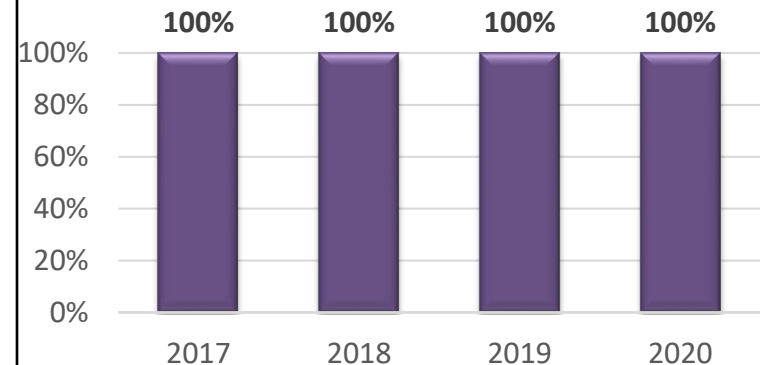
Complaint Settlements



Timely Counseling Reports

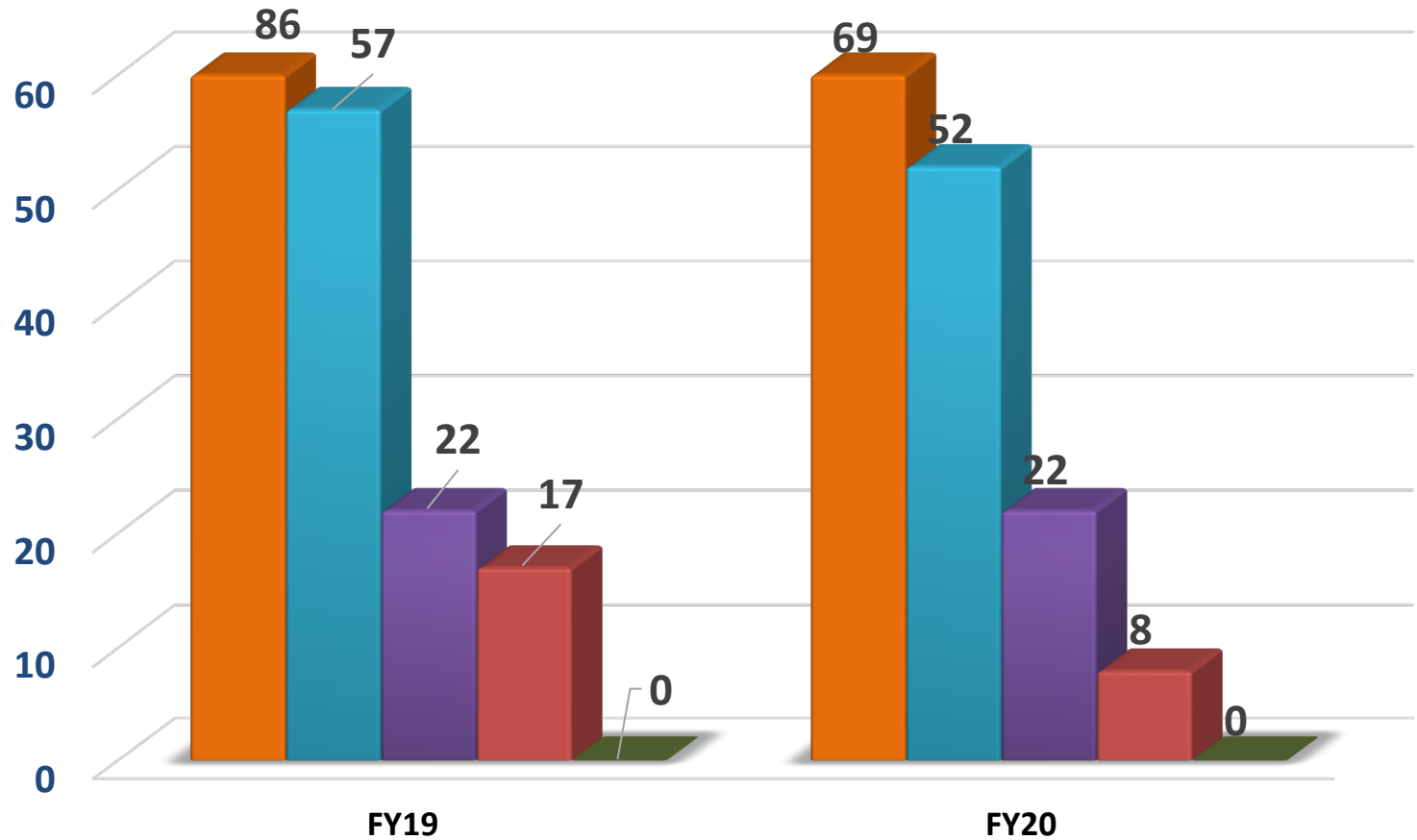


EEO Compliance to Findings & Settlements



Alternate Dispute Resolution (ADR) (90 Day)

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Informal Complaints
ADR Conducted

ADR Offered
ADR Settlements

Aggrieved Accepted



State of the Agency Major Highlights

State of the Agency Overview

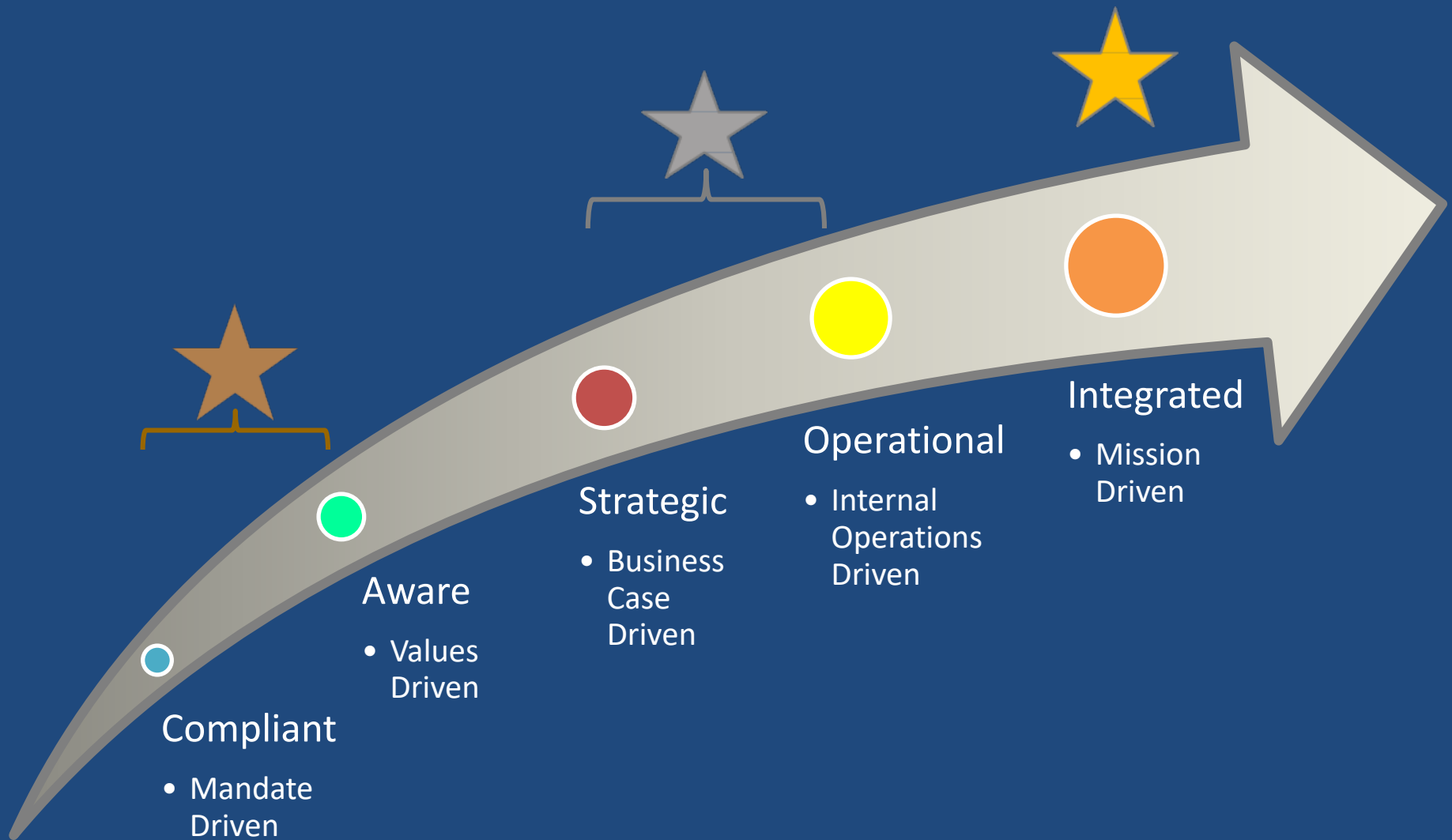
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Accomplishments	Challenges
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Diversity and Inclusion Maturity Model

DOC D&I Program Opportunities

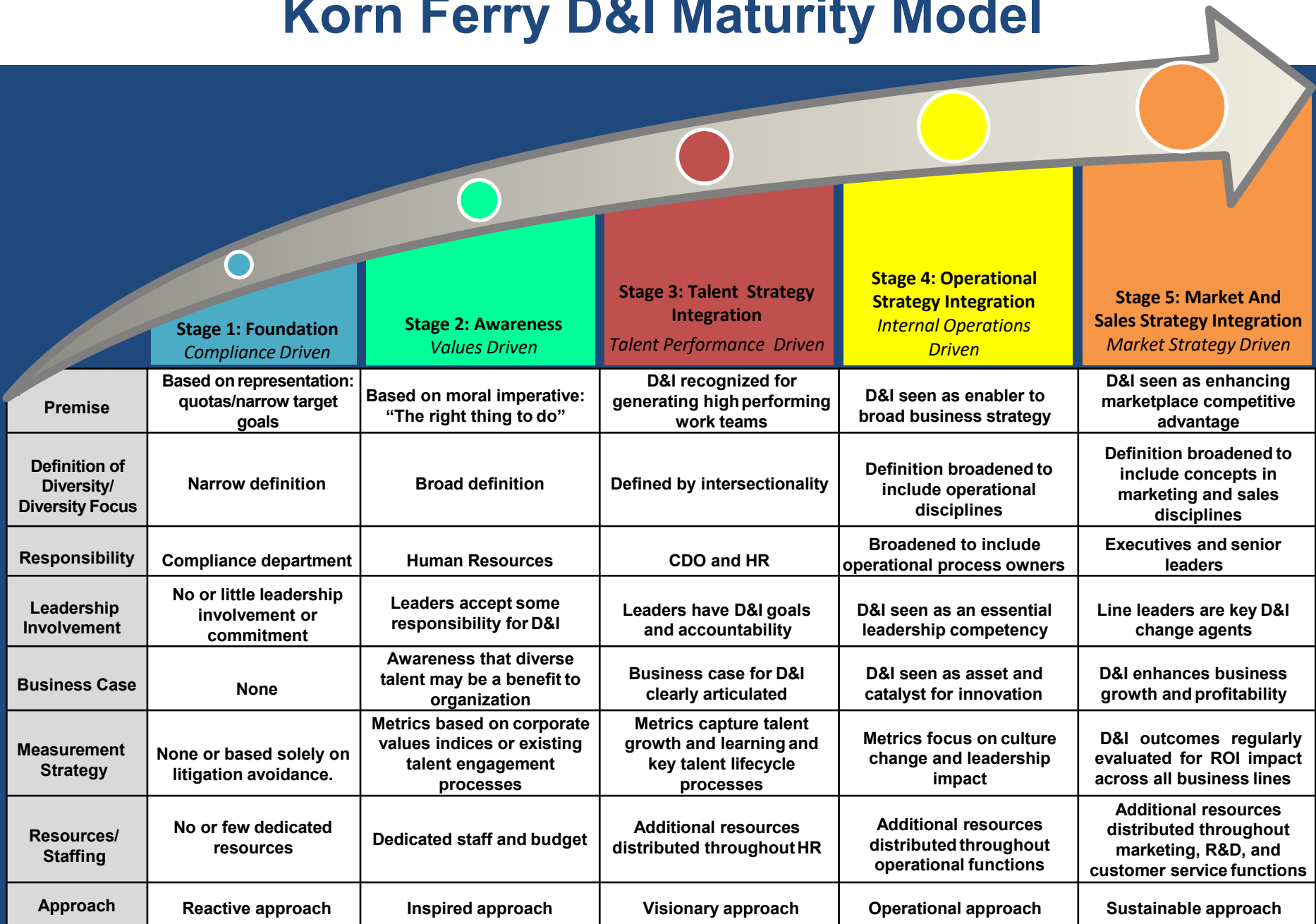


Diversity and Inclusion Framework Matrix

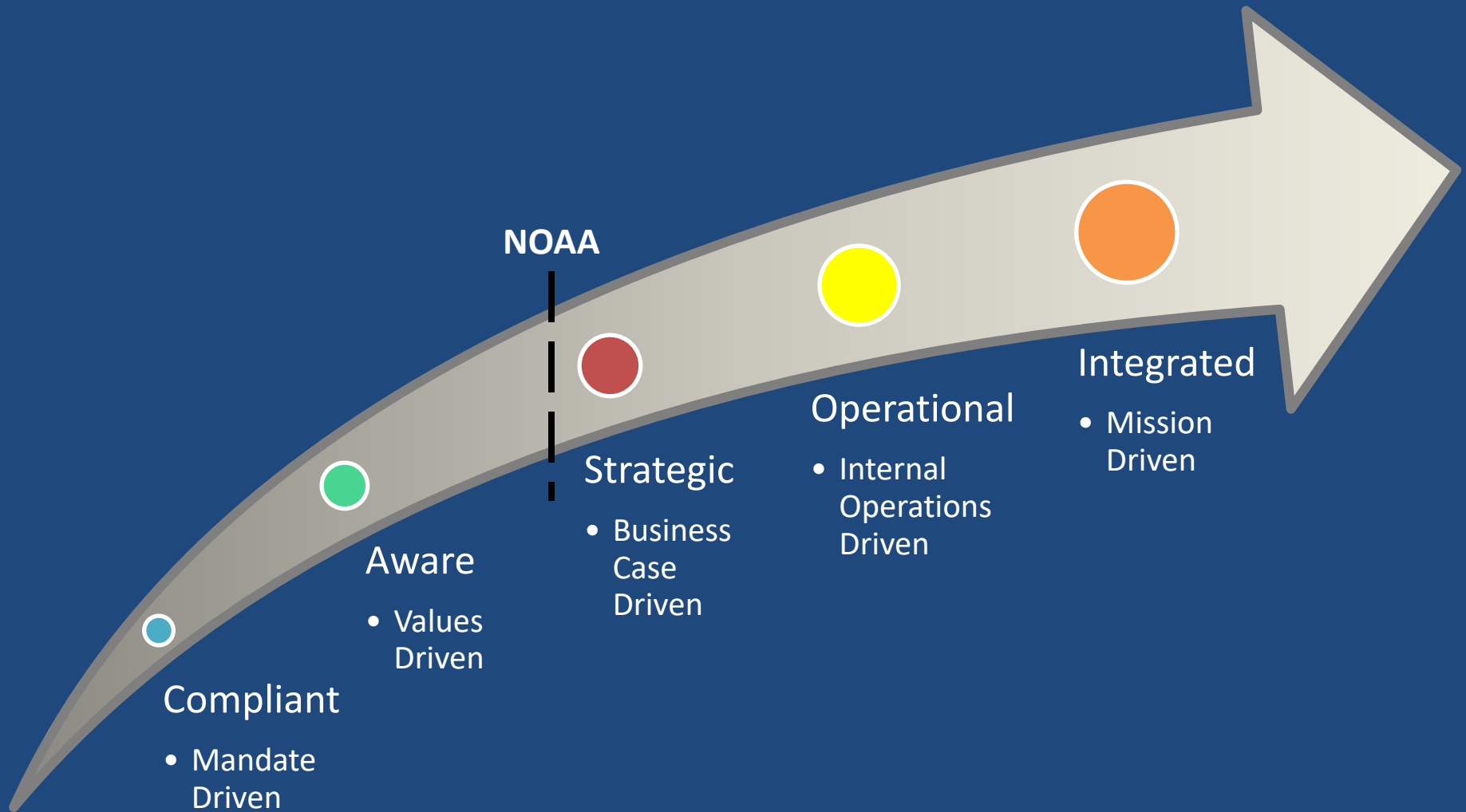
Options for a Holistic D&I Program

Diversity & Inclusion Framework Components	Focus	Compliant/ Aware (Bronze) 	Strategic/ Operational (Silver) 	Integrated (Gold) 
Workforce Diversity	People	<ul style="list-style-type: none"> - Focused on demographics - Complying with mandatory reporting 	<ul style="list-style-type: none"> - Ensure data driven D&I decisions - Collaborate with HR on workforce planning and conduct targeted outreach 	<ul style="list-style-type: none"> - Workforce diversity outcomes regularly evaluated for ROI impact agency-wide - Diversity is broadened to include cognitive, organizational and functional aspects (even global)
Workplace Inclusion	Culture	<ul style="list-style-type: none"> - Hosting Special Emphasis Events - A few leaders are involved in D&I activities - Email communications to increase awareness of D&I programs and events 	<ul style="list-style-type: none"> - Capitalize on events to communicate D&I goals and objectives - Leaders communicate D&I goals and establish accountability in performance plans - Comprehensive D&I education program - Coordinated events with ERGs and affinity groups 	<ul style="list-style-type: none"> - Leaders are maximizing organizational performance through inclusive practices - D&I drives innovation and process improvement - ERGs and Affinity Groups integrated into agency mission
Agency Mission	Business	<ul style="list-style-type: none"> - No clearly established D&I business case - Resources as needed - Minimum staff and budget 	<ul style="list-style-type: none"> - Established business case for D&I - Operationalizing D&I strategic plan goals and strategies - Additional resources allocated and distributed throughout the organization 	<ul style="list-style-type: none"> - Agency Head is leading the charge for D&I - Agency Directors, Secretaries, and Deputy Directors are key D&I change agents in integrating D&I into all aspects of the organization - D&I is a mission critical imperative and leveraged to meet current and future HR needs - Agency recognized as a leader in D&I in the public sector - Dedicated resources are an agency priority

Korn Ferry D&I Maturity Model



Diversity and Inclusion Maturity Model

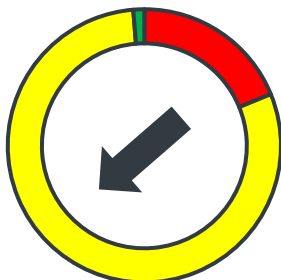


Diversity & Inclusion Implementation Plan Dashboard

D&I Implementation Dashboard

Goal 1

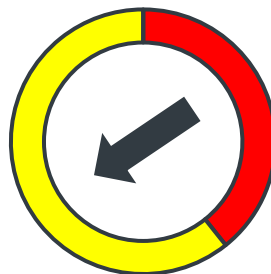
Recruit and Attract a Diverse, Highly-Capable Workforce



■ Not Started ■ In Work ■ Complete

Goal 2

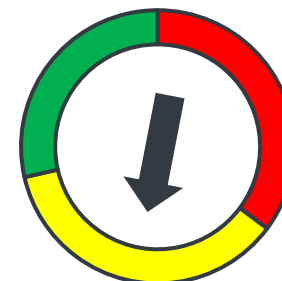
Build a Work Environment that Promotes Inclusion



■ Not Started ■ In Work ■ Complete

Goal 3

Build Sustained and Adaptive Leadership



■ Not Started ■ In Work ■ Complete

Goal 1

Accomplishments:

- Concerted effort to be more inclusive in recruitment and outreach.
- OED working to create a survey to collect baseline data on NOAA DEI outreach programs, audiences reached and program delivery.
- HR Business Advisors conduct pre-recruitment consultations with managers to provide information on the various hiring strategies available
- OED has met to discuss an inventory of current NOAA internships, ways for better connecting NOAA internships with potential applicants, and a pilot for a NOAA-wide internship based on OCS' internships in Marine Geography and the creation of a pilot program with Sea Grant.

Challenges:

- Achieving universal buy-in to the use of diverse interview panels
- Eliminating biases in the selection process

Goal 2

Accomplishments:

- There is robust participation from leadership on D&I.
- NOAA Transgender Policy is in final clearance
- NOAA and LO/SOs have begun examining potential changes in workplace flexibility and work/life balance programs
- LO/SOs are providing continuing learning opportunities that promote DEI, cultural awareness, gender equality and anti-racist behaviors and mandating Equal Employment Opportunity (EEO)/Sexual Assault/Sexual Harassment (SASH) training for managers

Challenges:

- Getting supervisors to allow active participation in D&I events and groups.

Goal 3

Accomplishments:

- D&I is currently listed as a high priority risk
- NOAA Culture Survey has been launched
- All offices have begun to develop Office specific D&I Plans.
- Leaders have expanded reporting mechanisms, victim advocacy, and prevention measures as it relates to SASH

Challenges:

- Developing measurable outcomes and effective data gathering techniques to ensure accountability for each action.
- Ensuring leaders remain transparent on their D&I Efforts.



Next Steps

Action From D&I Implementation Plan That Demonstrate a Commitment to “The Year of the Workforce”

- Ensure the NOAA Transgender policy is approved, published and distributed (Goal 2)
- Leaders regularly seek out feedback by conducting stay (retention) interviews (Goal 3)
- Conduct a periodic review of qualifications in job announcements to ensure there is no disparate impact/unintended consequence (Goal 1)
- Scrub NOAA's intranet and internet content for language that promotes negative stereotypes and discrimination (Goal 2)

Next Steps



Increase genuine participation in the ADR (90 day) Process.

Increase timely processing of reasonable accommodation request.

Increase underrepresented groups in the total workforce and in STEM positions.

Increase representation of women in the total workforce and senior leadership positions.

Continue to conduct regular assessments of LO/SOs for possible deficiencies and develop strategies to remove identified barriers.

Reasonable Accommodation Coordinators will develop and conduct webinars for employees to inform them of the interactive process.

Expand on barrier analyses 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/Targeted Disabilities in mission critical occupations, career development programs, and incentive awards.
- African American Females in job series 0482 and 1340.
- Asian Females in job series 0432 and 1301.



