



**FEDERAL AGENCY ANNUAL CIVILIAN
EQUAL EMPLOYMENT OPPORTUNITY
PROGRAM STATUS REPORT
(MD-715 REPORT)
STATE OF THE AGENCY BRIEFING (U)**

BRIEFER NAME: DR. LYLE HOGUE
ORGANIZATION: ASA (M&RA) DASA-EI



Purpose, Context, and Recommendation/Desired Outcome

- **(U) Purpose: To provide the SECARMY the FY22 Management Directive 715 (MD 715) State of the Agency briefing for certification, validation, and signature of the Agency's FY22 MD 715 Report.**
- **(U) Context**
 - **(U) IAW Equal Employment Opportunity Commission (EEOC) Policy MD 715, the Agency Head (SECARMY) is required to sign the annual MD 715 Report.**
 - **(U) The signed FY22 MD 715 report is due to the EEOC on 31 May 2023.**
 - **(U) Army experienced the biggest decline in proportion of female employees. Our analysis of workforce data found that the proportion of women declined from 35.6% in FY12 to 34% in FY21 - GAO.**
 - **(U) In FY22 the Army transferred 19,148 females from MEDCOM to DHA.**
 - **(U) Funding and EEO Staffing issues across the force continue to be problematic.**
 - **(U) MD 715, Part G, B.1.a - Is the agency head the immediate supervisor of the person ("EEO Director") who has day-to-day control over the EEO office?**
 - **(U) MD 715, Part G, B.1.a.2 - Does the agency's organizational chart clearly define the reporting structure for the EEO office?**
- **(U) Recommendation or Desired Outcome: Approve the FY22 State of the Agency brief and certify, validate, and sign the Agency's FY22 MD 715 Report.**



Agenda

- **(U) Model EEO Program Evaluation**
- **(U) Total Workforce Analysis – Gender, Ethnicity and Race Identification (ERI)**
- **(U) Total GS and SES Workforce Analysis – Grade and Gender**
- **(U) GS Grades Analysis - ERI**
 - **(U) Trigger Identification**
 - **(U) Army Workforce Analysis**
 - **(U) Recommendations**
- **(U) Individuals with Disabilities and Individuals with Targeted Disabilities Analysis**
- **(U) Complaints and Compliance**
- **(U) Accomplishments, Deficiencies, Outreach and Engagement, and Planned Activities**



Model EEO Program - Agency Assessment

Part G-Dashboard Percentages

	Essential Element	2020	2021	2022	Status	Remarks
A	(U) Demonstrated Commitment from Agency Leadership	100%	100%	86%	↓	(U) A.1.b. - EEO policy statement (U) A.2.a.1. - No signed anti-harassment policy or guidance in place
B	(U) Integration of EEO Into Agency's Strategic Mission	79%	97%	77%	↓	(U) B.1.a. - Agency head is the immediate supervisor of the EEO Director (U) B.1.c - "State of the agency" briefing to the Agency Head (U) B.4.a.8 - Effectively administer Special emphasis programs (U) B.4.a.9 - Effectively manage its anti-harassment program (U) B.5.a.3 - Anti-Harassment Policy (U) B.6.b - Senior managers participate in Barrier analysis process
C	(U) Management and Program Accountability	75%	89%	93%	↑	(U) C.2.a. - Comprehensive anti-harassment policy and procedures (U) C.2.b.5. - Reasonable accommodation procedures (U) C.2.b.5. - Agency does not process all accommodation requests timely
D	(U) Proactive Prevention	93%	93%	100%	↑	
E	(U) Efficiency	85%	85%	100%	↑	
F	(U) Responsiveness and Legal Compliance	85%	100%	100%	↔	
	(U) Overall Percentage	75%	94%	93%	↓	

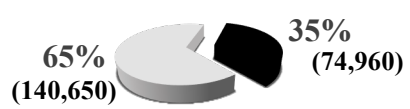
↑ Increased
↓ Decreased
↔ No Change



Total Workforce Analysis - Gender and Ethnicity and Race Identification (ERI)

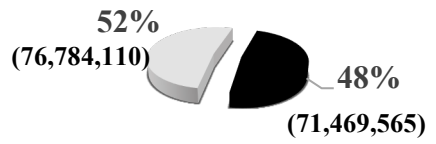
Total Workforce Gender

■ Male ■ Female



Gender *CLF

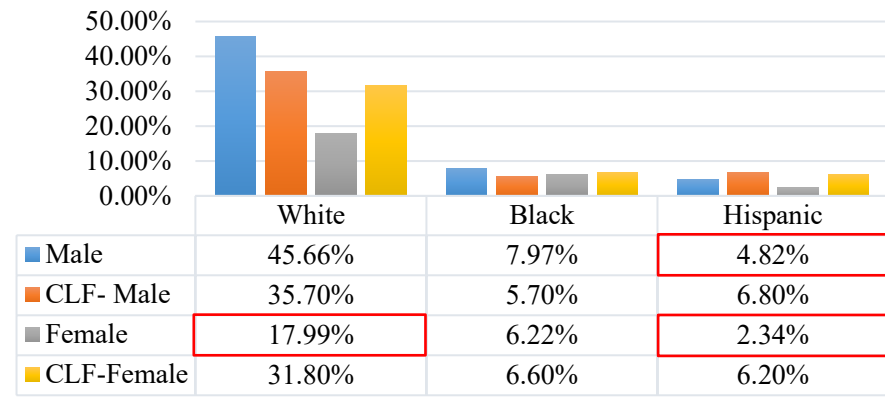
■ Male ■ Female



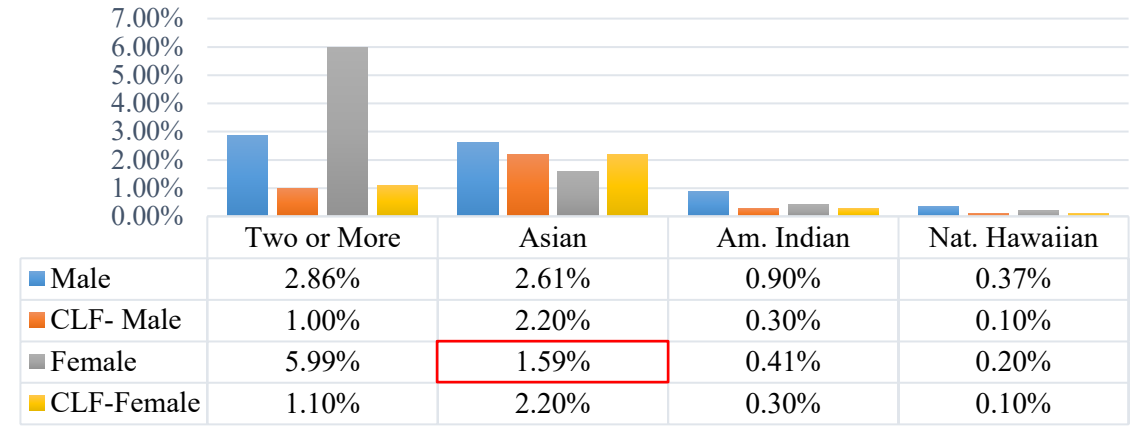
Gender Analysis:

1. (U) Female total workforce participation rate (35% = 74,960) is 13% less than expected when compared to the gender CLF benchmark (48% = 71,469,565)
2. (U) Male total workforce participation rate (65% = 140,650) is 13% greater than expected when compared to the gender CLF benchmark (52% = 76,784,110)

ERI & Gender Distribution by White-Black-Hispanic



ERI & Gender Distribution by Two or More/Asian/Am. In/Nat. Hawaii.



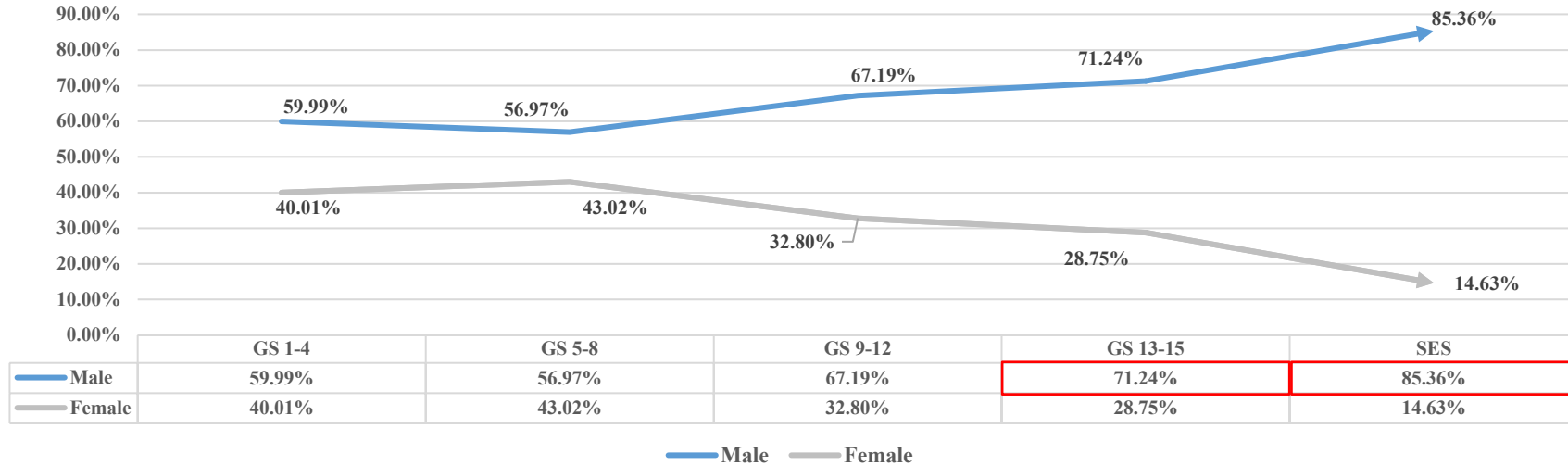
*CLF – Civilian Labor Force - all people 16 years old and older who are classified as either employed or unemployed, not including prisoners and military members.

Analysis and Assessment of Total Workforce Narrative:

1	<ul style="list-style-type: none"> (U) Participation rate is less than expected for White females, Hispanic males and females, and Asian females
2	<ul style="list-style-type: none"> (U) Female participation rate for White females is the Army's largest deviation (17.99% = 38,792) is 13.81% less than the expected participation (31.80% = 47,172,685) (U) Hispanic female participation (2.34% = 5,046) is less than expected (6.20% = 9,135,230) (U) Asian female participation (1.59% = 3,434) is less than expected (2.20% = 3,233,470)
3	<ul style="list-style-type: none"> (U) Hispanic male participation rate (4.82% = 10,482) is less than expected for Hispanic males (6.8% = 10,112,015)



Total GS and SES Workforce Analysis - Grade and Gender



(U) Gender Representation Across Civilian Supervisory and Manager Positions

- (U) The female participation in supervisory positions (GS13 through SES) is much less than male participation

(U) Career progression:

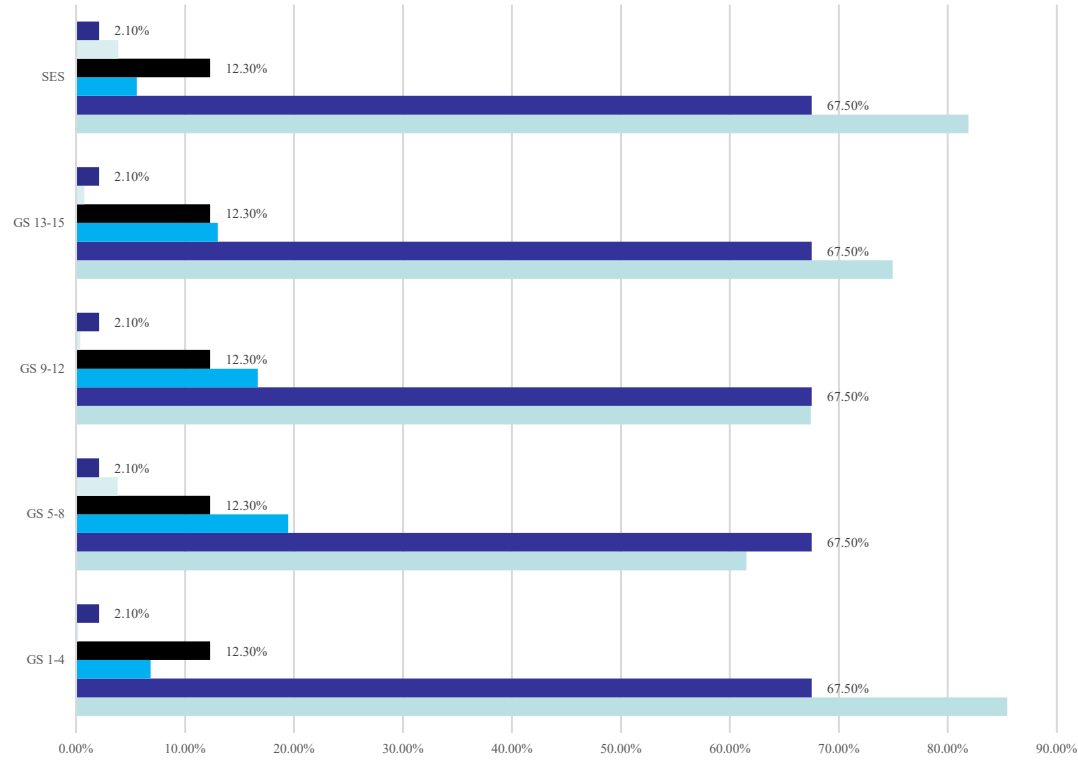
- (U) Female participation rates decrease in the higher GS grades through SES
- (U) Barrier analysis will better aid in determining factors that impact female participation across their careers.

(U) Leadership development:

- (U) Start early, and identify candidates to coach, teach, and mentor

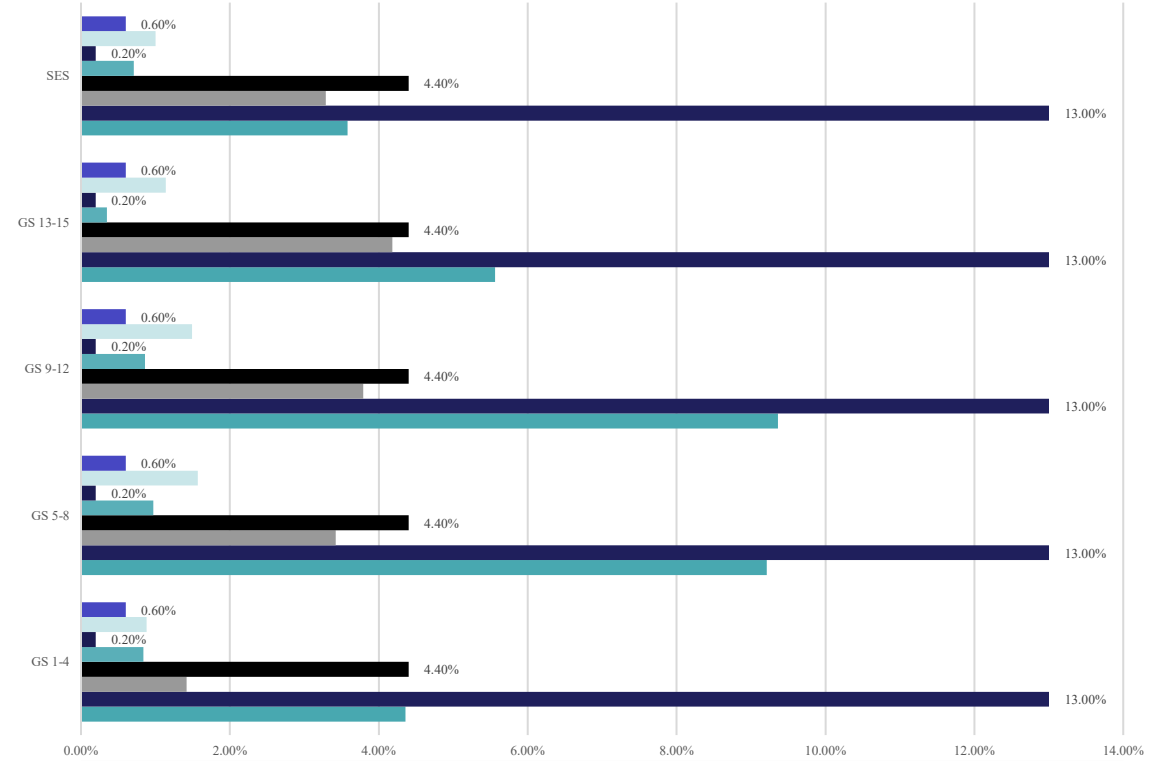


Total GS and SES Grades Analysis - ERI



	GS 1-4	GS 5-8	GS 9-12	GS 13-15	SES
T-CLF	2.10%	2.10%	2.10%	2.10%	2.10%
Two or More Races	0.21%	3.80%	0.37%	0.75%	3.87%
B-CLF	12.30%	12.30%	12.30%	12.30%	12.30%
Black	6.83%	19.45%	16.66%	13.01%	5.58%
W-CLF	67.50%	67.50%	67.50%	67.50%	67.50%
White	85.45%	61.53%	67.43%	74.94%	81.91%

■ T-CLF ■ Two or More Races ■ B-CLF ■ Black ■ W-CLF ■ White

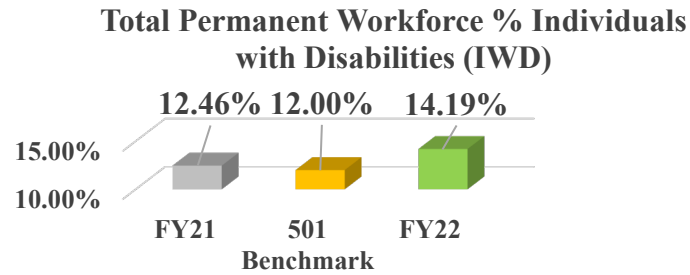


	GS 1-4	GS 5-8	GS 9-12	GS 13-15	SES
AIAN-CLF	0.60%	0.60%	0.60%	0.60%	0.60%
Amer. Indian/Alaska Native	0.88%	1.57%	1.49%	1.14%	1.00%
NH-CLF	0.20%	0.20%	0.20%	0.20%	0.20%
Nat. Haw./Pacific Islander	0.84%	0.97%	0.86%	0.35%	0.71%
A-CLF	4.40%	4.40%	4.40%	4.40%	4.40%
Asian	1.42%	3.42%	3.79%	4.18%	3.29%
H-CLF	13.00%	13.00%	13.00%	13.00%	13.00%
Hispanic	4.36%	9.21%	9.36%	5.56%	3.58%

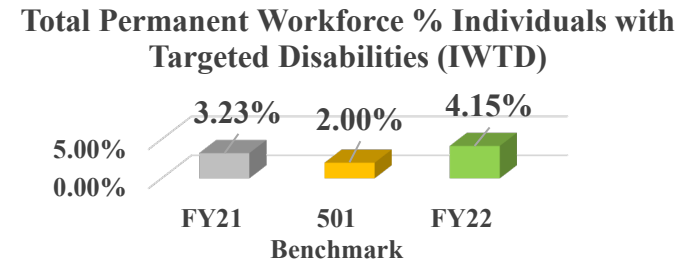
■ AIAN-CLF ■ Amer. Indian/Alaska Native ■ NH-CLF ■ Nat. Haw./Pacific Islander ■ A-CLF ■ Asian ■ H-CLF ■ Hispanic



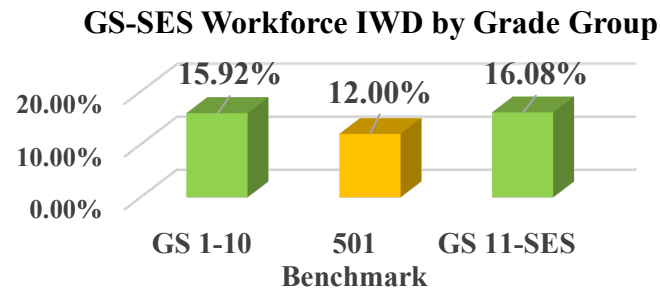
Individuals with Disabilities (IWD) and Individuals with Targeted Disabilities (IWTD)



(U) The total permanent workforce participation rate of Individuals with a Disabilities exceeds the federal benchmark of 12%.

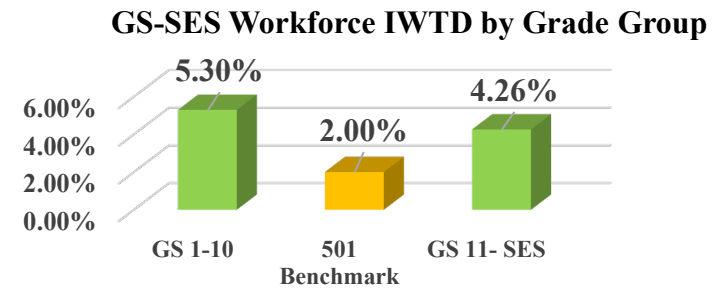


(U) The total permanent workforce participation rate of Individuals with a Targeted Disabilities exceeds the federal benchmark of 2%.



(U) Note: Individuals who self-identifies as having a physical or mental impairment that substantially limits one or more major life activities *GS Grades sample set = 70% +-of the permanent workforce sample

(U) Overall, the participation rate exceeds the federal benchmark of 12% for the workforce GS 1-10 and GS 11-SES



(U) Note: Targeted disabilities are severe mental or physical impairments as defined on OPM SF256. *GS Grades sample set = 70% +-of the permanent workforce sample

(U) Overall, the participation rate exceeds the federal benchmark of 2% for the workforce GS 1-10 and GS 11-SES

Reasonable Accommodations:

- (U) C.2.b.5. The agency processes 65% of all accommodation requests within the time frame set forth in its reasonable accommodation procedures (AR 690-12) Reference (*Reasonable Accommodation Tracker Report for FY22)
- (U) Action plan: Enhance training for EEO specialists, management officials, and military and civilian supervisors of civilian employees.



Complaints and Compliance

FY22 Informal Complaints

- (U) **1,990 Informal Complaints Filed**
 - This represents 0.8% of the Total Army Workforce
- (U) **1,974 Informal Complaints Closed**
 - 53.5% resulted in a Formal Complaint filed
 - 36.9% resulted in a Withdrawal
 - 9.6% resulted in a Settlement Agreement
- (U) **276 Informal Complaints pending at the end of FY22**

FY22 Formal Complaints

- (U) **1,109 Formal Complaints Filed**
 - (U) This represents 0.4% of the Total Army Workforce
- (U) **1,118 Formal Complaints Closed**
 - (U) 48.8% resulted in a Finding of No Discrimination
 - (U) 27.1% resulted in a Settlement Agreement
 - (U) 15% resulted in a Dismissal
 - (U) 6.8% resulted in a Withdrawal
 - (U) 1.3% resulted in a Finding of Discrimination

FY22 Process Status

Key Complaints Processing Measures	
(U) Informal Complaint Use of Alternate Dispute Resolution (ADR):	- (U) EEOC's standard for the ADR participation rate is 50%. - (U) Army's ADR Offer rate for informal complaints in FY22 was 30.2%, and while the acceptance rate was 70.2% this resulted in a participation rate of 21.2%. - (U) 55% of informal complaints that entered ADR were resolved.
(U) Formal Complaint Use of Alternate Dispute Resolution (ADR):	- (U) EEOC's standard for the ADR participation rate is 50%. - (U) Army's ADR offer rate for formal complaints in FY22 was 14.5%, and while the acceptance rate was 72% this resulted in a participation rate of 10.5%. - (U) 68.1% of formal complaints that entered ADR were resolved.
(U) Timeliness of Investigations:	- (U) EEOC's standard for the completion of investigation is 180 days. - In FY22 Army averaged 137 days to complete investigations.
(U) Findings of Discrimination:	- (U) The most common reason in FY22 for a finding of discrimination remained reprisal. - (U) \$1,228,525.57 was paid as a result of findings of discrimination, not including pending backpay determinations.
(U) Timeliness of Final Agency Decisions (FADs):	- (U) EEOC's standard for the issuance of FADs is 60 days. - (U) In FY22 Army issued 250 FADs in an average of 485 days. - (U) Current inventory of cases pending a FAD is 401.

Allegations in EEO Complaints

TOP 5 BASIS	%	TOP 5 ISSUES	%
(U) REPRISAL	40.8%	HARRASMENT (NON-SEXUAL)	50.1%
(U) DISABILITY (PHYSICAL)	25.9%	PROMOTION/NON-SELECTION	19.6%
(U) AGE	24.2%	OTHER TERMS AND CONDITIONS OF EMPLOYMENT	18.1%
(U) SEX (FEMALE)	20.7%	DISCIPLINARY ACTIONS	14.5%
(U) RACE (BLACK)	20.3%	PERFORMANCE APPRAISALS/EVALUATIONS	7.2%



FY22 Accomplishments, Deficiencies, Outreach and Engagement, Planned Activities

Top five Accomplishments

1. (U) Acquired funding for the DASA-EI and validated 15 additional Diversity billets.
2. (U) Investigations of formal EEO complaints averaged 137 days in FY22, well below EEOC's 180-day standard.
3. (U) Conducted a barriers to entry, advancement, and retention of Women, Persons of Color, and Individuals with Disabilities. (G1 directed RAND study)
4. (U) Utilized the Army Public website to post critical information.
5. (U) Increased Outreach and Engagement to underserved communities.

Top five Deficiencies

1. (U) FY21 MD715 report was not signed by the Agency head (SECARMY).
2. (U) The Army was non-compliant for its EEO Reporting Structure.
3. (U) Issuance of a Final Agency Decision greatly exceeded the standard in FY22; EEOC's standard of 60 days.
4. (U) Army Alternative Dispute Resolution are well below the 50% goal.
5. (U) The Army was non-compliant for its EEO Policy Letter.

Outreach and Engagement Efforts to Increase Areas of Low Participation Rates

1. (U) Continued to participate in the Black Engineer of the Year Award Ceremony (BEYA).
2. (U) Continued to participate in the League of United Latin America Citizens National (LULAC).
3. (U) Continued to participate in the Women of Color STEM Conference (WOC).
4. (U) Continued to participate in the Joint Women Leadership Symposium (JWLS).
5. (U) Participated in the National Latin Styles Distinguished Service Award Ceremony.

Planned Activities

Suspense

- | | |
|---|----------------------------|
| 1. (U) Address FY21 Non-compliance issues, MD-715 report Part F, the EEO Director cannot sign for the Agency Head or as Agency Head Designee. | NLT FY22 MD-715 submission |
| 2. (U) Continue to work to address - Non-compliant EEO Reporting Structure. | NLT FY22 MD-715 submission |
| 3. (U) Assign Special Emphasis Programs (SEP) manager in HQDA to provide policy guidance and monitor Army SEP programs. | Feb 2023 |
| 4. (U) Conduct Barrier Analysis on populations where triggers exist. | Beginning Mar 2023 |
| 5. (U) Work with ACOMS, ASCC, and DRUs to right-size EEO office force structure and funding across the Army. | NLT 30 Sept 2024 |