

Fiscal Year 2020

Annual Report on the Federal Workforce

Part II: Workforce Statistics & EEO Commitment



U.S. Equal Employment Opportunity Commission

Research, Evaluation, & Applied Data Division | Office of Federal Operations

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Executive Summary

Despite the significant progress the Federal sector has made in promoting equal employment opportunity (EEO), workforce data suggests that some inequities persist. This report offers an overview of fiscal year (FY) 2020 Federal sector trends related to workforce demographics and indicators of EEO commitment. Increasing awareness of challenges may better equip Federal agencies to successfully prevent EEO violations from occurring.

Main Findings

This report is split into three sections. Highlights from the first section on race, ethnicity, and gender include:

- In FY 2020, most (but not all) race/ethnicity by gender groups participated in the Federal workforce at rates higher than they did in the civilian labor force (CLF).
- Of groups with participation rates below the CLF, White women and men and women of Two or More Races saw decreases in their participation rates between FY 2016 and FY 2020. However, Hispanic/Latina women's participation rate increased from 3.7% in FY 2016 to 4.4% in FY 2020.
- Most gender by race/ethnicity groups had their highest participation rates in the lower, General Schedule (GS) 1-10 grade band. The exceptions were White men, Asian men, Asian women, and Hispanic/Latino men.

Highlights from the section on persons with disabilities include:

- The participation rates of persons with disabilities (PWD; 9.45%) and persons with targeted disabilities¹ (PWTD; 1.84%) continued to increase in FY 2020.
- PWD and PWTD's participation rates were higher in the GS 1-10 grade band than in the GS 11 through Senior Executive Service and Senior Pay band.

Lastly, highlights from the section on EEO commitment indicators include:

- Almost all agencies (91.9%) reported prominently posting reasonable accommodation procedures for individuals with disabilities.
- Compliance with a direct reporting structure was mixed. About 37.0% of Federal agencies did not have the agency head as the immediate supervisor of the EEO Director.

To achieve EEO within their ranks, Federal agencies must identify and remedy the root causes of racial, ethnic, and gender groups' participation at rates below the CLF,

¹ Targeted disabilities are severe disabilities associated with high rates of unemployment and underemployment. Specifically, targeted disabilities are developmental disability, traumatic brain injury (TBI), deaf or serious difficulty hearing, blind or serious difficulty seeing, missing extremities, significant mobility impairment, partial or complete paralysis, epilepsy or other seizure disorders, intellectual disability, significant psychiatric disability, dwarfism, and significant disfigurement.

particularly when these groups have decreasing participation rates. The increases in the participation rates of Hispanic/Latina women, PWD and PWTD are encouraging. Promising practices for recruitment and retention should be identified based on the increasing participation rates in these groups. Improved career development and mentoring programs may equalize grade band participation inequities. Although most Federal agencies report demonstrated commitment to EEO, increasing compliance with EEOC Management Directive 715 (MD-715) may improve Federal sector EEO.

Introduction

The Federal Government is the largest employer in the United States, with over 2.1 million² employees. Despite the significant progress made in promoting all areas of equal employment opportunity (EEO), workforce data suggests that some inequities persist in the Federal sector. For example, although the Federal Government has grown more diverse in recent years, diverse representation at senior leadership levels remains low.

The data presented in this report was drawn from 211 Federal agencies and subcomponents filing certified fiscal year (FY) 2020 Federal Agency Annual Equal Employment Opportunity Program Status Reports (MD-715 Reports).³ The U.S. Equal Employment Opportunity Commission (EEOC) intends this report to serve as a resource for agencies to proactively prevent employment discrimination. This report provides vital information to agencies as they strive to become model employers that promote an inclusive work culture. Increasing awareness of challenges in the Federal Government may better equip the EEOC and Federal agencies to successfully prevent EEO violations from occurring.

Scope

This report, which is submitted to the U.S. President and Congress, aims to promote awareness of the accomplishments and challenges in Federal sector EEO. The report also provides benchmarks against which individual Federal agencies can gauge their performance. As such, this report presents data in the following manner:

- Governmentwide aggregate data are reported.⁴ Detailed data for individual agencies can be found in the online appendices at www.eeoc.gov/federal-sector/reports.
- Federal workforce data is compared to the general population using the 2014-2018 EEO Tabulation civilian labor force (CLF).
- Five-year trends are shown, where possible.
- Participation rates in grade bands are examined.

² Based on certified FY 2020 Federal Agency Annual Equal Employment Opportunity Program Status Reports (MD-715). Data include U.S. Postal Service. This value fluctuates annually due to changes to which agencies submit and certify the report.

³ For FY 2020, all executive agencies and military departments (except uniformed members) were required to file an MD-715 Report with the EEOC. Subcomponents with 1,000 or more employees were also required to file.

⁴ Federal sector participation rates were calculated by aggregating data from Federal departments and independent agencies that filed and certified FY 2020 MD-715 Reports. To aggregate data from cabinet-level agencies, department-wide aggregate reports were used, when available. Subcomponent data were used when department-wide reports were unavailable.

This report is split into three sections. The first section looks at racial, ethnic, and gender workforce characteristics, describing the governmentwide participation rates of EEO groups. Similarly, the second section describes the participation rates of persons with disabilities and targeted disabilities (severe disabilities associated with high rates of unemployment and underemployment).⁵ The last section examines agencies' demonstrated commitment to EEO, including governmentwide compliance with MD-715 guidance. The report concludes by highlighting key findings and their implications.

The FY 2020 Annual Report on the Federal Workforce differs from recent years' reports. The EEOC has returned to having workforce data and complaint processing data in two separate reports. This makes the individual reports more precise and may improve report release timeliness. Further, the addition of five-years of workforce trend data helps readers to understand the dynamic aspects of Federal sector EEO. In addition, the report examines different grade bands, now using General Schedule (GS) 1-10, GS 11 through Senior Executive Service (SES) and Senior Pay, and SES and Senior Pay alone. This change is important for Federal agencies that must have participation rate goals for persons with disabilities and targeted disabilities in the GS 1-10 and GS 11 through SES and Senior Pay grade bands.

Limitations

This report only includes data from agencies that submitted and certified MD-715 reports. A complete list of agencies that were required to but did not submit and certify FY 2020 MD-715 reports is provided with the Annual Report Workforce Tables found on EEOC's Federal Sector Reports webpage at <https://www.eeoc.gov/federal-sector/reports>. These missing data cause inaccuracy and annual fluctuations in the governmentwide numbers and percentages in the Annual Report on the Federal Workforce. This is most problematic when large agencies, such as cabinet departments, do not certify their reports. For FY 2020, the following cabinet departments did not certify department-wide reports:

- Department of Transportation
- Department of Veterans Affairs
- Department of Defense - Department of the Army⁶

Readers should exercise caution when comparing current data to data from prior years. In FY 2018, the types of disabilities categorized as targeted disabilities changed in

⁵ Specifically, targeted disabilities are developmental disability, traumatic brain injury (TBI), deaf or serious difficulty hearing, blind or serious difficulty seeing, missing extremities, significant mobility impairment, partial or complete paralysis, epilepsy or other seizure disorders, intellectual disability, significant psychiatric disability, dwarfism, and significant disfigurement.

⁶ The Department of Defense is not required to submit a department-wide report, but all its subcomponents, including the Department of the Army, must submit a report.

the EEOC's Federal sector data collection. Similarly, OPM revised the Self-Identification of Disability form in October 2016, adding more categories of targeted disabilities.

Furthermore, in earlier versions of the OPM form, respondents had the choice to select "I do not wish to identify my disability status." That category was replaced with "I do not wish to identify my disability or serious health condition." The change affects any longitudinal analysis and interpretation of data drawn from that form. This report refers to both categories as "Not Identified."

Federal agencies have some liberty in deciding what they report as a Senior Pay position. In this report, workforce participation in SES and Senior Pay positions reflects what's reported by Federal agencies on the Total Senior Pay row on MD-715 Reports, Workforce Tables A/B4P: Senior Pay & General Schedule Grades.

Composition of the Federal Workforce by Race, Ethnicity, and Gender

To work towards the Federal Government's goal of becoming a model employer, agencies must offer equal opportunity for individuals to participate and advance in the Federal workforce. This section summarizes the governmentwide participation rates by race, ethnicity, gender, and grade band in FY 2020.

Compared to the Civilian Labor Force (CLF)

Comparing overall participation rates to CLF participation rates measures how well the Federal workforce represents the diversity of the nation as a whole. Trend analysis from FY 2016 through FY 2020 helped evaluate the government's progress toward EEO. Finally, the report estimated opportunities to participate in higher ranks, comparing participation rates in General Schedule (GS) grades 1-10, GS 11 through Senior Executive Service (SES) and Senior Pay, and SES and Senior Pay Alone. In FY 2020, Federal participation rates for 8 out of 14 demographic groups were substantially higher⁷ than their rates in the 2014-2018 CLF (see Table 1). This included both men and women of the following races: Black/African American, Asian, Native Hawaiian/Other Pacific Islander (NHOPI), and American Indian/Alaska Native (AIAN). Black/African American women had the biggest difference between rates (11.7% of the Federal workforce vs. 6.6% of the CLF), followed by Black/African American men (8.6% vs 5.7%) and Asian men (4.2% vs. 2.2%).

However, some groups participated at rates below their CLF rates. White women had the biggest difference between rates (22.4% of Federal workforce vs. 31.8% of the CLF), followed by Hispanic/Latina women (4.5% vs. 6.2%). Hispanic/Latino men (6.4% vs. 6.8%)

⁷ We considered a group's participation rate to be substantially higher than the CLF when its Federal workforce participation was more than 5% higher than the CLF. Similarly, a group's participation rate was considered substantially lower than the CLF when it was more than 5% lower than the CLF.

and White men (35.5% vs. 35.7%) participated in the Federal workforce at rates similar to their CLF rates.⁸

Overall, men participated in the Federal sector at a rate higher than their CLF rate (56.6% of the Federal workforce vs. 51.8% of the CLF). In contrast, women participated in the Federal sector at a lower rate than in the CLF (43.4% vs. 48.2%).

⁸ According to [OMB Bulletin No. 00-02 - Guidance on Aggregation and Allocation of Data on Race for Use in Civil Rights Monitoring and Enforcement Persons](#), when a respondent reports being of one minority race and White, on MD-715 (the source for this report's participation rate data) their data is allocated to the minority race. However, in the 2014-2018 EEO Tabulation (the source of the CLF), such multiple race responses are allocated to the "Balance of not Hispanic or Latino" category. On the 2014-2018 EEO Tabulation, specific racial categories are only specified for not Hispanic or Latino individuals who reported only one race.

Table 1. Participation Rates in the Federal Sector and Civilian Labor Force (CLF) by Race, Ethnicity, and Gender, FY 2020

Demographic Group	FY 2020 Federal Sector		2014–18 CLF
All Men	56.6%	>	51.8%
All Women	43.4%	<	48.2%
Hispanic/Latino Men	6.4%	≈	6.8%
Hispanic/Latina Women	4.5%	<	6.2%
White Men	35.5%	≈	35.7%
White Women	22.4%	<	31.8%
Black/African American Men	8.6%	>	5.7%
Black/African American Women	11.7%	>	6.6%
Asian Men	4.2%	>	2.2%
Asian Women	3.0%	>	2.2%
Native Hawaiian/Other Pacific Islander Men	0.3%	>	0.1%
Native Hawaiian/Other Pacific Islander Women	0.3%	>	0.1%
American Indian/Alaska Native Men	0.8%	>	0.3%
American Indian/Alaska Native Women	0.9%	>	0.3%
Two or More Races Men	0.7%	<	1.0%
Two or More Races Women	0.6%	<	1.1%

Notes: FY = Fiscal Year. The participation rate is the number of people from a demographic group in the workforce divided by the total workforce. Data include permanent and temporary employees. Totals may not add up to 100% due to rounding. Orange icons (>) mean that the Federal sector participation rate is greater than the CLF by at least 5%. Blue icons (<) mean that the Federal sector participation rate is less than the CLF by at least 5%. Black icons (≈) mean that the Federal sector participation rate is within +/-5% of the CLF.

Source: U.S. Equal Employment Opportunity Commission, Fiscal Year (FY) 2020 Management Directive 715 (MD-715), Workforce Table A1 and EEO Tabulation 2014-2018 (5-year American Community Survey data), Table EEO-CIT02R—Occupation by Sex and Race/Ethnicity for Residence Geography, Citizen.

Participation Rate Trends, FY 2016–20

Since FY 2016, some groups have significantly increased their participation in the Federal sector (see Table 2). Participation rates increased most for Hispanic/Latino men (5.2% in FY 2016 to 6.4% in FY 2020), Hispanic/Latina women (3.7% to 6.4%), and Asian men (3.6% to 4.2%).

In contrast, a few groups had lower participation rates in FY 2020 than in FY 2016. In particular, the participation of women of two or more races decreased from 0.9% in FY 2016 to 0.6% in FY 2020. White women (24.7% in FY 2016 to 22.4% in FY 2020) and men of two or more races (0.8% to 0.7%) had modest decreases in their participation rates.

Table 2. Participation Rates in the Federal Sector by Race, Ethnicity, and Gender, FY 2016–20

Demographic Group	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Percent Change Since 2016
All Men	55.2%	54.3%	54.8%	*57.1%	56.6%	➡ 2.4%
All Women	44.8%	*45.7%	45.2%	42.9%	43.4%	➡ -3.0%
Hispanic/Latino Men	5.2%	5.4%	5.5%	6.2%	*6.4%	⬆ 24.0%
Hispanic/Latina Women	3.7%	3.9%	4.1%	4.4%	*4.5%	⬆ 20.5%
White Men	36.3%	34.7%	35.1%	*36.5%	35.5%	➡ -2.1%
White Women	*24.7%	24.6%	24.1%	22.5%	22.4%	⬇ -9.3%
Black/African American Men	8.3%	8.5%	8.5%	8.5%	*8.6%	➡ 3.1%
Black/African American Women	11.2%	*11.8%	11.7%	11.4%	11.7%	➡ 4.5%
Asian Men	3.6%	3.8%	3.7%	4.1%	*4.2%	⬆ 14.4%
Asian Women	3.0%	*3.1%	3.1%	2.9%	3.0%	➡ -1.5%
Native Hawaiian/Other Pacific Islander Men	0.3%	0.3%	0.3%	0.3%	*0.3%	⬆ 14.6%
Native Hawaiian/Other Pacific Islander Women	0.3%	0.3%	0.3%	0.3%	*0.3%	⬆ 8.0%
American Indian/Alaska Native Men	0.8%	0.7%	0.8%	0.8%	*0.8%	⬆ 9.0%
American Indian/Alaska Native Women	0.9%	0.9%	0.9%	0.8%	*0.9%	⬆ 6.7%
Two or More Races Men	0.8%	*0.8%	0.8%	0.6%	0.7%	⬇ -7.4%
Two or More Races Women	0.9%	*1.1%	1.0%	0.5%	0.6%	⬇ -37.5%

Notes: FY = Fiscal Year. The participation rate is the number of people from a demographic group in the workforce divided by the total workforce. Includes permanent and temporary employees. Totals may not add up to 100% due to rounding. The highest value in each row is marked with a star (*) and shaded green. Green up arrows indicate an increase by more than 5% since 2016, yellow horizontal arrows indicate

a change (increase or decrease) of less than 5%, and red down arrows indicate a decrease greater than 5%.

Source: U.S. Equal Employment Opportunity Commission, FY 2016 – FY 2020 Management Directive 715, Workforce Table A1.

Composition by Grade Band

Federal sector participation rates within grade bands allow one to better understand the distribution of opportunities for advancement, access to authority positions, and pay. Table 3 shows FY 2020 participation rates in General Schedule (GS) grades 1-10, GS grade 11 through Senior Executive Service (SES) and Senior Pay levels, and SES and Senior Pay levels separately. Shaded cells represent the highest participation rate for the demographic group on that row.

Overall, men disproportionately held GS 11 through SES and Senior Pay positions (59.5%), as well as SES and Senior Pay Alone positions (57.5%). By comparison, women accounted for only 40.5% of GS 11 through SES and Senior Pay positions, and 42.5% of SES and Senior Pay Alone positions. Women accounted for over half (53.9%) of GS 1-10 positions.

Almost all demographic groups had their highest participation rates in GS grades 1-10. There were four exceptions. Hispanic/Latino men, Asian men, and Asian women had their highest participation rates in the GS 11 through SES and Senior Pay grade band—5.8%, 4.2%, and 3.2%, respectively. White men were highly represented in that same grade band (41.4%), but their participation rate in SES and Senior Pay Alone positions was even higher (43.2%).

Table 3. Federal Sector Participation Rates within Grade Bands by Race, Ethnicity, and Gender, FY 2020

Demographic Group	GS 1-10	GS 11-SES & Senior Pay	SES & Senior Pay Alone
All Men	46.1%	*59.5%	57.5%
All Women	*53.9%	40.5%	42.5%
Hispanic/Latino Men	5.4%	*5.8%	4.2%
Hispanic/Latina Women	*6.1%	3.6%	3.8%
White Men	28.1%	41.4%	*43.2%
White Women	*26.4%	22.7%	24.4%
Black/African American Men	*7.8%	6.6%	6.1%
Black/African American Women	*14.7%	9.8%	10.8%
Asian Men	2.7%	*4.2%	3.2%
Asian Women	2.8%	*3.2%	3.0%
Native Hawaiian/Other Pacific Islander Men	*0.4%	0.2%	0.1%
Native Hawaiian/Other Pacific Islander Women	*0.3%	0.1%	0.1%
American Indian/Alaska Native Men	*1.2%	0.8%	0.6%
American Indian/Alaska Native Women	*2.9%	0.7%	0.4%
Two or More Races Men	*0.5%	0.4%	0.1%
Two or More Races Women	*0.6%	0.3%	0.2%

Notes: GS = General Schedule. SES = Senior Executive Service. FY = Fiscal Year. Participation rates are calculated by dividing the number of employees within demographic group and grade band by the total number of employees in that grade band. Data include only permanent employees. Totals may not add up to 100% due to rounding. The highest value in each row is marked with a star (*) and shaded green.

Source: U.S. Equal Employment Opportunity Commission, FY 2020 Management Directive 715 (MD-715), Workforce Table A4P: Senior Pay & General Schedule Grades.

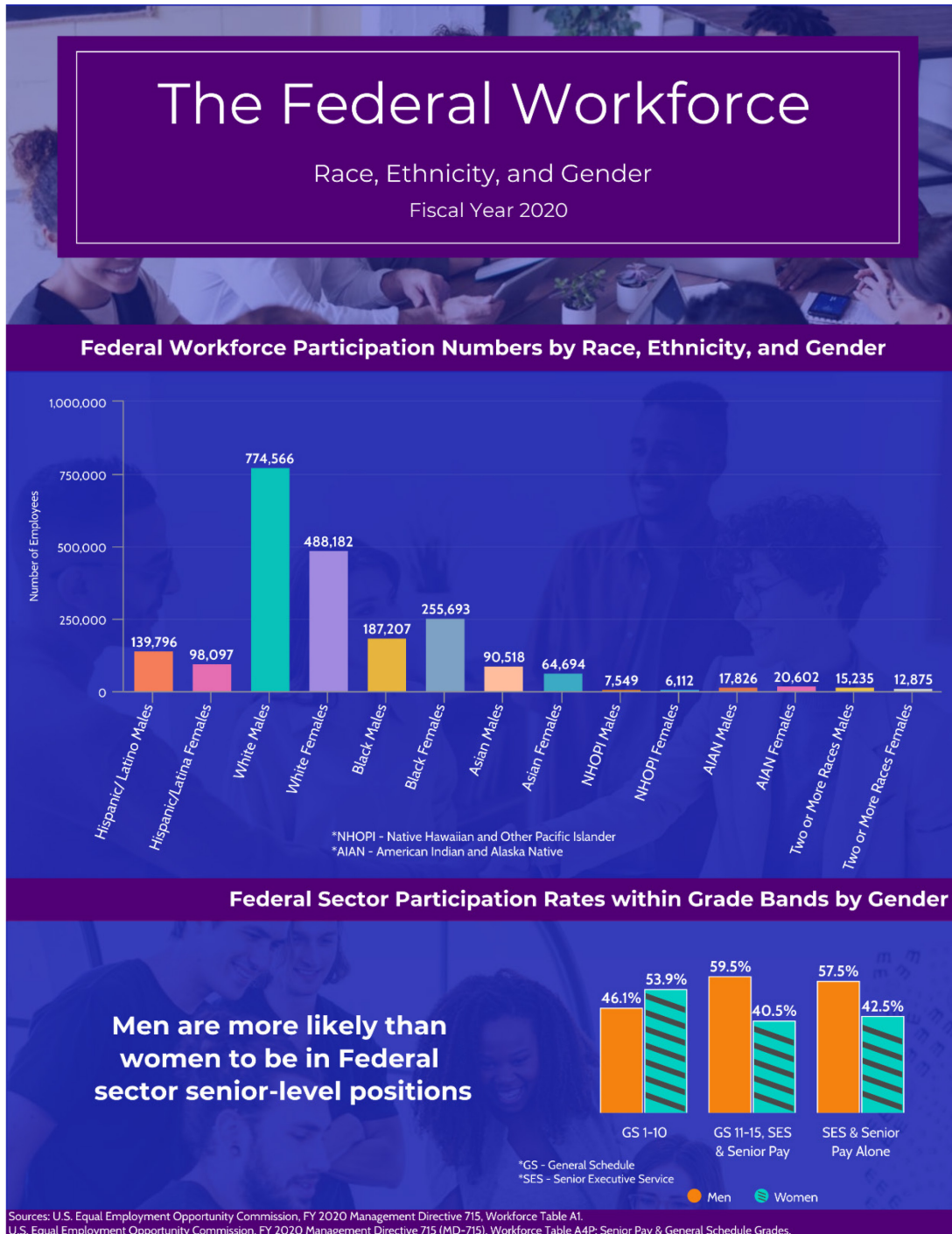
Summary

In FY 2020, most demographic groups participated in the Federal workforce at rates higher than their CLF participation rates. Notably, Hispanic/Latina women (a group with a participation rate below the CLF) have increased their participation in the Federal sector since FY 2016. However, other groups with participation rates below the CLF—White women and men and women of Two or More Races—saw a decrease in their participation rates since FY 2016. In addition, participation rates differed across grade bands. Better recruitment, retention, and opportunities for advancement present

opportunities to improve equity in the demographic composition overall and in higher-level positions.

Infographic 1 summarizes Federal workforce participation rates by race, ethnicity, gender, and grade band.

Infographic 1. The Federal Workforce, FY 2020



Composition of the Federal Workforce by Disability Status and Targeted Disability

Section 501 of the Rehabilitation Act of 1973, as amended, prohibits discrimination against persons with disabilities (PWD) in the Federal sector. In addition, it mandates that Federal agencies integrate affirmative action program plans as part of ongoing agency personnel management programs to provide adequate hiring, placement, and advancement for PWD.

The EEOC issued a final rule on January 17, 2017, titled *Affirmative Action for Individuals with Disabilities in the Federal Government*, “to clarify the obligation that the Rehabilitation Act of 1973 imposes on Federal agencies, as employers, that are over and above the obligation not to discriminate on the basis of disability” (82 FR 654). This final rule amended 29 CFR 1614.203 and obligates Federal agencies to take steps to gradually increase the number of employees with disabilities and targeted disabilities. People with targeted disabilities (PWTD) have severe disabilities associated with high rates of unemployment and underemployment.⁹ In addition, the final rule requires agencies to set specific goals for the participation of PWD and PWTD in two grade bands: GS 1 through GS 10 and GS 11 through SES and Senior Pay. In each grade band, agencies must aim to have a 12% participation rate for PWD and a 2% participation rate for PWTD.

To measure the progress that the Federal Government has made, this chapter examines trends from FY 2016 through FY 2020 in the participation rates of PWD and PWTD, and within grade brands.

Participation Rate Trends, FY 2016–20

Table 4 shows that the participation rate of PWD in the Federal sector increased from 8.70% in FY 2016 to 9.45% in FY 2020. PWTD saw a more substantial increase during the same period, from 1.01% to 1.84%. However, these higher participation rates are still below Federal sector goals of 12% for PWD and 2% for PWTD.

The substantial increase in the overall participation rate of PWTD was mostly driven by increases in the participation rates of persons with deafness or serious difficulty hearing (0.13% in FY 2016 to 0.58% in FY 2020) and blindness or seriously difficulty seeing (0.09% to 0.27%). However, the participation rates of four targeted disabilities decreased over the same period: partial or complete paralysis, intellectual disability, significant psychiatric disorder, and dwarfism.

⁹ Specifically, targeted disabilities are developmental disability, traumatic brain injury (TBI), deaf or serious difficulty hearing, blind or serious difficulty seeing, missing extremities, significant mobility impairment, partial or complete paralysis, epilepsy or other seizure disorders, intellectual disability, significant psychiatric disability, dwarfism, and significant disfigurement. The Federal Government, as a matter of policy, has identified these disabilities for special emphasis.

Table 4. Federal Sector Participation Rates by Disability Status and Targeted Disability, FY 2016–20

Disability Status or Targeted Disability	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Percent Change Since 2016
No Disability	*87.23%	86.50%	85.10%	84.83%	83.95%	→ -3.8%
Not Identified	4.07%	4.45%	5.25%	6.03%	*6.60%	↑ 62.3%
Disability	8.70%	8.97%	*9.49%	9.13%	9.45%	↑ 8.5%
Targeted Disability	1.01%	1.35%	1.61%	1.80%	*1.84%	↑ 81.2%
Developmental Disability	-	-	0.01%	0.03%	*0.03%	N/A
Traumatic Brain Injury	-	-	0.05%	0.06%	*0.08%	N/A
Deaf or Serious Difficulty Hearing	0.13%	0.30%	0.37%	0.58%	*0.58%	↑ 334.5%
Blind or Serious Difficulty Seeing	0.09%	0.16%	0.17%	*0.28%	0.27%	↑ 217.3%
Missing Extremities	0.04%	0.04%	0.04%	*0.05%	0.05%	↑ 29.8%
Significant Mobility Impairment	-	-	*0.12%	0.11%	0.11%	N/A
Partial or Complete Paralysis	0.14%	*0.15%	0.14%	0.13%	0.12%	↓ -14.5%
Epilepsy or Other Seizure Disorders	0.12%	0.12%	*0.13%	0.12%	0.12%	→ -1.0%
Intellectual Disability	0.04%	*0.04%	0.04%	0.04%	0.04%	↓ -5.4%
Significant Psychiatric Disorder	0.43%	0.46%	*0.49%	0.36%	0.39%	↓ -9.5%
Dwarfism	*0.01%	0.01%	0.01%	0.01%	0.01%	↓ -37.9%
Significant Disfigurement	-	-	*0.04%	0.04%	0.04%	N/A

Notes: FY = Fiscal Year. The participation rate is the number of people from a demographic group in the workforce divided by the total workforce. Data include only permanent employees. Totals may not add up to 100% due to rounding. The highest value in each row is marked with a star (*) and shaded green. Green up arrows indicate an increase by more than 5% since 2016, yellow horizontal arrows indicate a change (increase or decrease) of less than 5%, and red down arrows indicate a decrease greater than 5%. Targeted disabilities are severe disabilities associated with high rates of unemployment and

underemployment. The Federal Government, as a matter of policy, has identified these disabilities for special emphasis.

Source: U.S. Equal Employment Opportunity Commission, FY 2016-20 Management Directive 715, Workforce Table B1.

Changes in EEOC's data collection in 2018 added four new types of targeted disabilities: Developmental disability (0.03% of the Federal sector in FY 2020), traumatic brain injury (0.08%), significant mobility impairment (0.11%), and significant disfigurement (0.04%).

Overall, the participation rate of persons reporting no disability decreased from 87.23% in FY 2016 to 83.95% in FY 2020. The percentage of employees who did not identify a disability status increased from 4.07% in FY 2016 to 6.60% in FY 2020. The October 2016 change to the SF-256 Self-Identification of Disability form may have affected this. Data collected on this form in FY 2016 used the wording, "I do not wish to identify my disability status." After October 2016, it read, "I do not wish to identify my disability or serious health condition."

Composition by Grade Band

Federal agencies must not only aim to increase the participation of PWD and PWTD, but they must set and assess goals for the participation of PWD and PWTD in lower and higher pay grades. Table 5 reports the FY 2020 participation rates by grade band of PWD and PWTD, with data for specific targeted disabilities broken out (Also see Figure 5).

In the GS 1-10 grade band, Federal agencies met their goals for the participation rates of PWD (13.36% vs. 12% goal) and PWTD (2.94% vs. 2% goal). However, they fell short of meeting their goals for GS 11 through SES and Senior Pay. In these higher grades, 11.14% of employees were PWD and 1.94% were PWTD.

Although there are no regulatory goals for the participation of PWD and PWTD in the SES and Senior Pay Alone grade band, equitable participation is also important in authority positions. Table 5 shows that participation rates for PWD, PWTD, persons not identifying their disability status, and most specific types of targeted disabilities were lowest in the SES & Senior Pay Alone grade band and highest in the GS 1-10 grade band. This included persons with traumatic brain injury, blindness or serious difficulty seeing, significant mobility impairment, partial or complete paralysis, epilepsy or other seizure disorders, intellectual disabilities, significant psychiatric disabilities, and dwarfism.

The only exception was persons with missing extremities, who made up 0.10% of the SES and Senior Pay Alone grade band, compared to 0.07% of GS 1-10 and 0.06% of GS 11 through SES and Senior Pay grade bands.

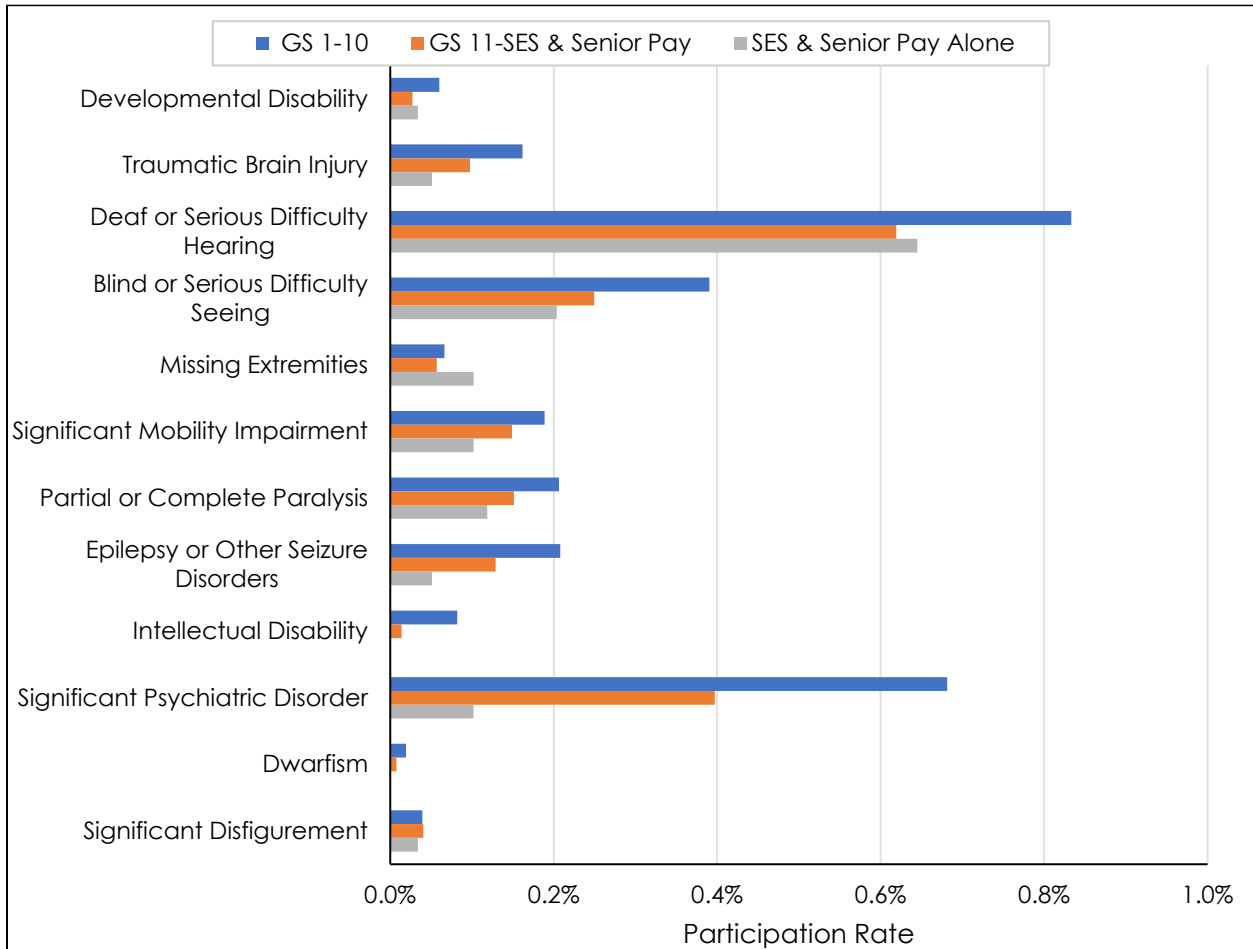
Table 5. Federal Sector Participation Rates within Grade Bands by Disability Status and Targeted Disability, FY 2020

Disability Status or Targeted Disability	GS 1-10	GS 11-SES & Senior Pay	SES & Senior Pay Alone
No Disability	78.56%	83.63%	*87.78%
Not Identified	*8.07%	5.22%	3.89%
Disability	*13.36%	11.14%	8.23%
Targeted Disability	*2.94%	1.94%	1.44%
Developmental Disability	*0.06%	0.03%	0.03%
Traumatic Brain Injury	*0.16%	0.10%	0.05%
Deaf or Serious Difficulty Hearing	*0.83%	0.62%	0.65%
Blind or Serious Difficulty Seeing	*0.39%	0.25%	0.20%
Missing Extremities	0.07%	0.06%	*0.10%
Significant Mobility Impairment	*0.19%	0.15%	0.10%
Partial or Complete Paralysis	*0.21%	0.15%	0.12%
Epilepsy or Other Seizure Disorders	*0.21%	0.13%	0.05%
Intellectual Disability	*0.08%	0.01%	0.00%
Significant Psychiatric Disorder	*0.68%	0.40%	0.10%
Dwarfism	*0.02%	0.01%	0.00%
Significant Disfigurement	0.04%	*0.04%	0.03%

Notes: GS = General Schedule. SES = Senior Executive Service. FY = Fiscal Year. Participation rates are calculated by dividing the number of employees within demographic group and grade band by the total number of employees in that grade band. Data include only permanent employees. Totals may not add up to 100% due to rounding. The highest value in each row is marked with a star (*) and shaded green. Targeted disabilities are severe disabilities associated with high rates of unemployment and underemployment. The Federal Government, as a matter of policy, has identified these disabilities for special emphasis.

Source: U.S. Equal Employment Opportunity Commission, FY 2020 Management Directive 715 (MD-715), Workforce Table B4P: Senior Pay & General Schedule Grades.

Figure 1. Federal Sector Participation Rates within Grade Bands by Targeted Disability, Fiscal Year (FY) 2020



Notes: GS = General Schedule. SES = Senior Executive Service. Participation rates are calculated by dividing the number of employees within demographic group and grade band by the total number of employees in that grade band. Data include only permanent employees.

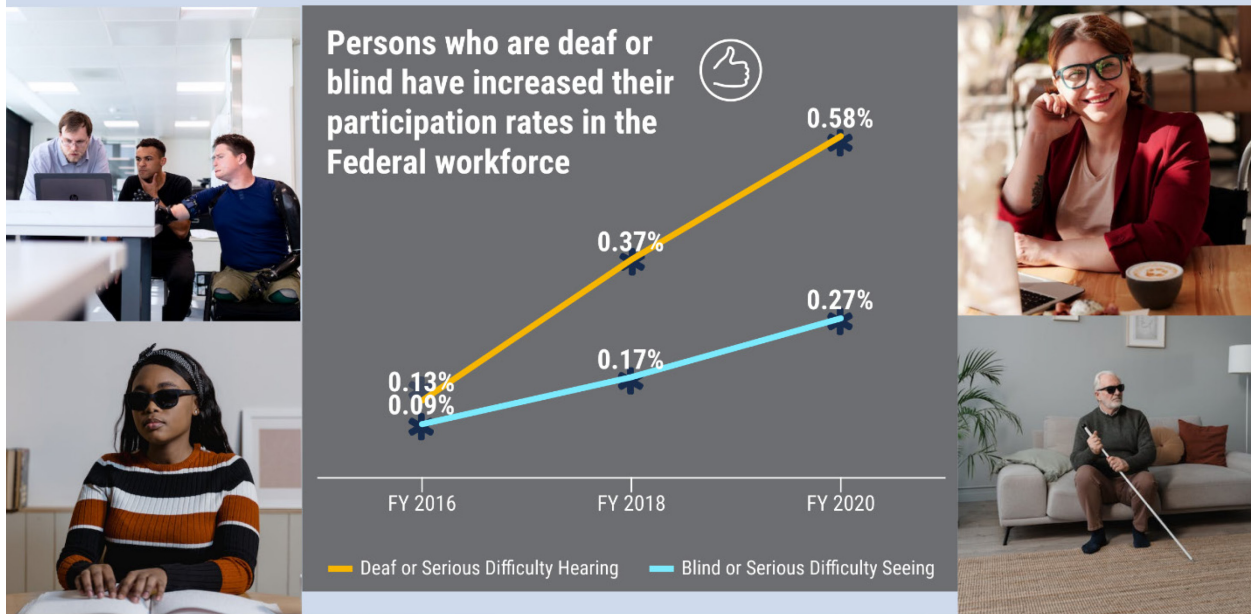
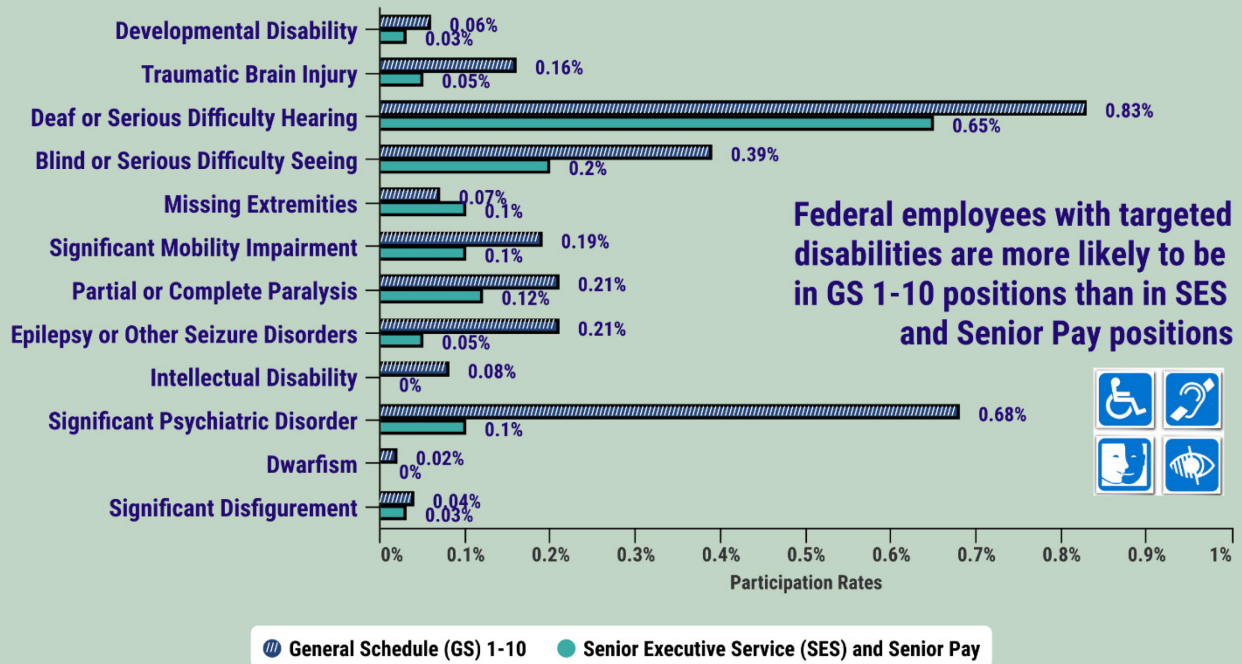
Source: U.S. Equal Employment Opportunity Commission, FY 2020 Management Directive 715 (MD-715), Workforce Table B4P: Senior Pay & General Schedule Grades.

Summary

Federal agencies have made progress by increasing the participation rates of PWD and PWTB since FY 2016. However, their participation is concentrated in lower pay grades. Federal agencies must continue their efforts to recruit, advance, and retain employees with disabilities and targeted disabilities. Infographic 2 summarizes Federal participation rates for employees with targeted disabilities.

Federal Employees with Targeted Disabilities

Employees with Targeted Disabilities by Grade Band, FY 2020



Sources: U.S. Equal Employment Opportunity Commission, FY 2020 Management Directive 715 (MD-715), Workforce Table B4P: Senior Pay & General Schedule Grades. U.S. Equal Employment Opportunity Commission, FY 2016-2020 Management Directive 715, Workforce Table B1.

Demonstrated Commitment to Equal Employment Opportunities

Previous research has found that organizational commitment to EEO may prevent employment discrimination. This report assesses compliance with MD-715 and 29 CFR § 1614, focusing on aspects that directly affect Federal employees.

To assess the Federal Government's commitment to EEO, this report examined four measures related to the prevention of discrimination found in Part G of EEOC Form 715-02, the Federal Agency Annual EEO Program Status Report. Agencies that were required to complete that form answered yes, no, or not applicable to the following questions:

- Do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program? (Question C.3.a)
- Does the agency prominently post the following information throughout the workplace and on its public website: Reasonable accommodation procedures? (Question A.2.b.3)
- Do senior managers participate in the barrier analysis process? (Question B.6.b)
- Is the agency head the immediate supervisor of the person ("EEO Director") who has day-to-day control over the EEO office? (Question B.1.a)

Agencies that answered yes to these questions were considered to be demonstrating commitment to EEO. Figure 2 shows that reporting agencies demonstrated commitment on these measures to varying degrees.

In FY 2020, 88.6% of agencies evaluated managers and supervisors on their commitment to EEO. At 91.9% of agencies, reasonable accommodations procedures were readily available and accessible. This measure is crucial to attract and retain persons with disabilities within the Federal workforce.

At 75.8% of Federal agencies, senior managers participated in the barrier analysis process in FY 2020. Leadership's involvement in promoting EEO is crucial to creating a workplace culture that does not tolerate discrimination.

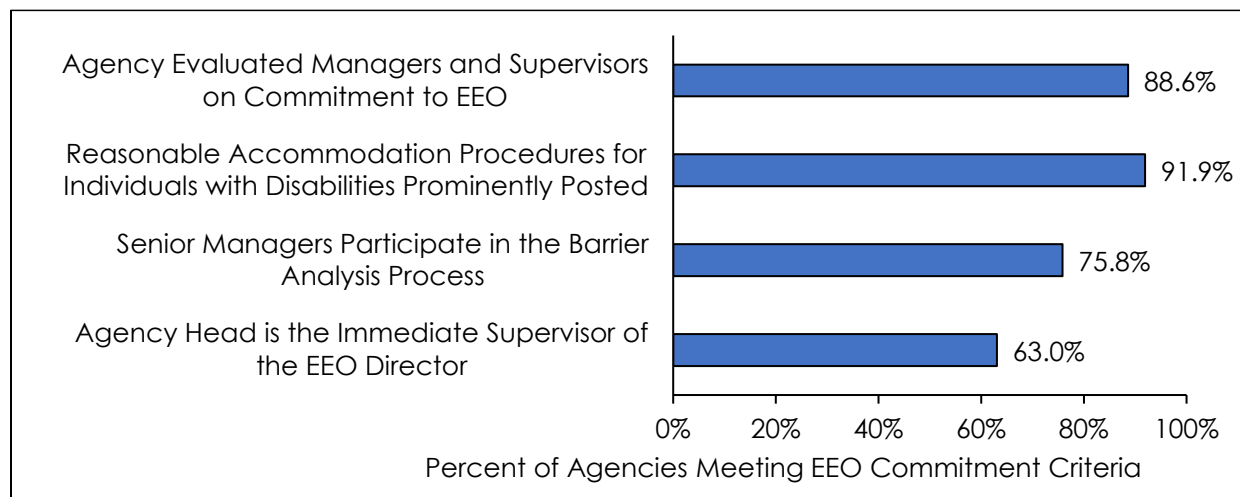
Federal agencies scored lowest on having the agency head be the immediate supervisor of the EEO Director: 63.0% of reporting agencies had this reporting structure in FY 2020. Regulations found in 29 C.F.R. § 1614.102(b)(4) and further described in MD-110 mandate that the EEO Director report directly to the agency head.¹⁰ Not including the EEO Director among senior management may imply that the agency does not consider EEO a priority.

¹⁰ See EEOC, MANAGEMENT DIRECTIVE FOR 29 C.F.R. PART 1614 (EEO MD-110), at Chap. 1 § III.B (rev. Aug. 5, 2015).

Furthermore, a 2022 EEOC report found that 92.4% of agencies with a direct reporting structure believe that a direct reporting structure has a positive effect on an agency's EEO program. The same report found that EEO Directors sometimes report to the heads of Human Resources, who often participate in the agency's defense to claims of discrimination.¹¹ The resulting conflict of interest may cause employees to doubt the neutrality of the EEO process, and they may hesitate to seek EEO counseling. This may result in unchecked discriminatory conduct.

With the enactment of the Elijah J. Cummings Federal Employee Antidiscrimination Act of 2020, the requirement that the head of each Federal agency's EEO Program report directly to the head of the agency is now law. All non-compliant agencies (37.0% in FY 2020) must remedy this issue.

Figure 2. Federal Agencies' Demonstrated Commitment to Equal Employment Opportunity (EEO), Fiscal Year 2020



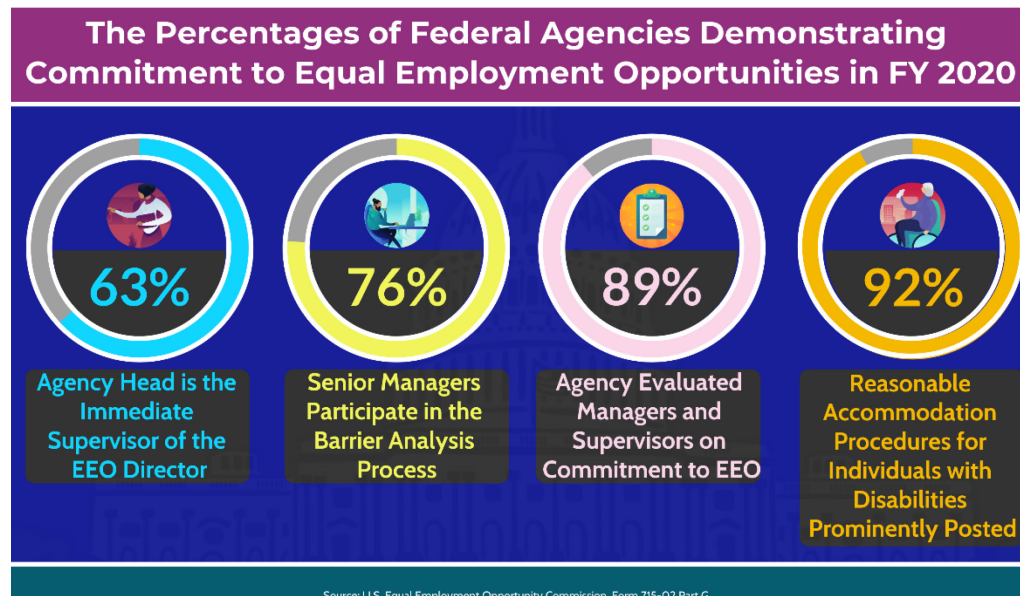
Source: U.S. Equal Employment Opportunity Commission, Form 715-02 Part G.

To promote Federal agencies' commitment to EEO, the EEOC will soon accept nominations for the EEOC Annual Report Equity Award (AREA). The goal of the AREA is to recognize multiple agencies that actively seek solutions to eliminate barriers to EEO and that foster healthy, discrimination-free EEO climates. Nomination and selection criteria will be found on www.eeoc.gov when it becomes available. AREA recipients will be featured in future Annual Reports on the Federal Workforce.

Infographic 3 summarizes data on Federal agencies' commitment to EEO.

¹¹ U.S. Equal Employment Opportunity Commission. (2022). Status and impact of direct reporting structures for Federal agencies. <https://www.eeoc.gov/federal-sector/reports/status-and-impact-direct-reporting-structures-federal-agencies>.

Infographic 3. Share of Federal Agencies Demonstrating Commitment to EEO, FY 2020



Recommendations

This FY 2020 report reviewed Federal workforce demographic trends and commitment to EEO. Recommendations based on the main findings are below.

Participation of Hispanic Men and Women Increased

Between FY 2016 and FY 2020, the Federal sector participation rates of Hispanic/Latino men and women increased over 20%. However, in FY 2020, Hispanic/Latina women participated in the Federal sector at a rate lower than their CLF participation rate: 4.5% of the Federal sector vs. 6.2% of the CLF. Hispanic/Latino men accounted for 6.4% of the Federal sector, close to their participation rate of 6.8% in the CLF. The EEOC recommends the following:

- Federal agencies should identify promising practices to increase the recruitment, hiring, and retention of Hispanic/Latino men and women.
- Federal agencies should share their promising practices to help increase Hispanic/Latino participation rates with other employers.

Participation of White Women and Men and Women of Two or More Races Declined

Three demographic groups had declining participation rates between FY 2016 and FY 2020: White women, men of two or more races, and women of two or more races. These groups generally participated at rates below their participation rates in the CLF. The EEOC recommends the following:

- Federal agencies with low and/or declining participation rates of White women and men and women of two or more races should find and address the root

causes of low and declining participation rates. Recruitment, hiring, and retention should be made central in these barrier analyses.

- Federal agencies should examine whether promising practices related to increasing Hispanic/Latino participation rates are applicable to other demographic groups.

Most Race/Ethnicity by Gender Groups, PWD, and PWTB Had Lower Participation Rates in Higher Grade Bands

In FY 2020, only 4 out of 14 race/ethnicity by gender groups participated in the GS 11 through SES and Senior Pay grade band at a rate above their participation in the GS 1-10 grade band: White men, Asian men, Asian women, and Hispanic men. Most other demographic groups occupied lower level positions at higher rates. Overall, men accounted for 59.5% of the GS 11 through SES and Senior Pay grade band, but only 46.1% of the GS 1-10 grade band.

PWD and PWTB participated in the GS 1-10 grade band at higher rates (13.36% and 2.94%, respectively) than in the GS 11 through SES and Senior Pay grade band (11.17% and 1.94%). Participation rates for PWD and PWTB were even lower when examining the SES and Senior Pay Alone grade band (8.23% and 1.44%). The EEOC recommends the following:

- Federal agencies should counteract existing grade band disparities through targeted recruitment for leadership vacancies and expanded career development and mentoring programs.
- Federal agencies should identify and eliminate barriers that may prevent equitable participation in higher pay grades, such as in-group preferences in promotion decisions and work-life balance challenges in leadership positions.

Participation Rates of PWD and PWTB Have Increased Since FY 2016, but Regulatory Goals Were Not Met

As of FY 2020, PWD composed 9.45% of the Federal workforce, an increase of 8.5% since FY 2016. However, this did not meet the 12% goal. Similarly, PWTB composed 1.84% of the Federal workforce in FY 2020—an increase of 81.2% since FY 2016—but this still did not meet the 2% goal. The EEOC recommends that:

- Federal agencies that have succeeded in recruiting and retaining PWD and PWTB should share their leading practices with other Federal agencies.

Federal Agencies Inconsistently Demonstrated Commitment to EEO

In FY 2020, 88.6% of Federal agencies evaluated managers and supervisors on their commitment to EEO and 91.9% of agencies ensured that reasonable accommodation procedures were readily available and accessible. However, agencies scored lower at other measures of EEO commitment. Senior managers participated in the barrier

analysis process at 75.8% of agencies, and the EEO Director reported directly to the agency head at only 63.0% agencies. The EEOC recommends the following:

- Federal EEO programs should engage senior leadership, including their agency heads, to resolve deficiencies related to senior management participation in the barrier analysis process.
- Federal agencies should place the EEO Director under the immediate supervision of the agency head, as required by law.

Conclusion and Next Steps

This report has provided a summary of Federal sector workforce demographics and compliance with indicators of EEO commitment as of FY 2020. Unlike recent Annual Reports on the Federal Workforce, it included five-year trend data on the composition of the Federal workforce. These data help to explain differences in participation rates across race, ethnic, gender, and disability groups.

In addition, this report examined participation rate differences in grade bands, specifically GS 1-10 compared to GS 11 through SES and Senior Pay. Federal agencies must have participation rate goals for PWD and PWTD in these grade bands.

Although progress is evident, Federal agencies should continue to strive to achieve full EEO and become model employers. The EEOC will continue to assist agencies through technical assistance, training, and outreach to work towards those goals.

Appendix A: Laws and the EEOC's Role in the Federal Sector

Laws

The EEOC enforces Federal laws that make it illegal to discriminate against or harass a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, transgender status, and sexual orientation), national origin, age (40 or older), disability, or genetic information. It is also illegal to retaliate against job applicants or employees for asserting their rights to be free from employment discrimination, including harassment. The EEOC's responsibilities extend not only to private employers, but also to agencies in the Federal Government.

The Federal anti-discrimination laws applicable to Federal employment are as follows:

- **The Equal Pay Act of 1963 (EPA)**, as amended, which prohibits paying different wages to men and women if they perform equal work in the same workplace.
- **Title VII of the Civil Rights Act of 1964 (Title VII)**, as amended, which prohibits employment discrimination based on race, color, religion, sex, and national origin.
- **The Age Discrimination in Employment Act of 1967 (ADEA)**, as amended, which prohibits employment discrimination on the basis of age (40 years and older).
- **The Rehabilitation Act of 1973 (Rehabilitation Act)**, as amended, which, within the Federal Government prohibits employment discrimination against a qualified person with a disability and requires that reasonable accommodations be provided. The Rehabilitation Act applies the same standards as the Americans with Disabilities Act, which prohibits discrimination based on disability by private and state or local government employers.
- **The Pregnancy Discrimination Act (1978 Amendment to Title VII of Civil Rights Act)**, which prohibits discriminating against a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth.
- **The Genetic Information Nondiscrimination Act of 2008 (GINA)**, which prohibits employment discrimination based on genetic information, including family medical history.

The EEOC's Federal Sector Role

The EEOC provides leadership and guidance to Federal agencies on all aspects of the Federal Government's EEO program. The EEOC assures Federal agency and department compliance with EEOC regulations, provides technical assistance to Federal agencies concerning EEO complaint adjudication, monitors and evaluates Federal agencies' affirmative employment programs, develops and distributes Federal sector educational materials and conducts training for stakeholders, provides guidance and assistance to our Administrative Judges who conduct hearings on EEO complaints, and adjudicates appeals from administrative decisions made by Federal agencies on EEO complaints.

Appendix B: Glossary

Agency –

Military departments as defined in Section 102 of Title 5, U.S. Code and executive agencies as defined in Section 105 of Title 5, U.S. Code, the United States Postal Service, the Postal Regulatory Commission, the Tennessee Valley Authority, those units of the legislative and judicial branches of the Federal Government having positions in the competitive service, the National Oceanic and Atmospheric Administration Commissioned Corps, the Government Printing Office and the Smithsonian Institution (including those with employees and applicants for employment who are paid from non-appropriated funds).

Civilian Labor Force (CLF) –

Data from the Equal Employment Opportunity (EEO) Tabulation reflecting persons, 16 years of age or older who were employed or seeking employment, excluding those in the Armed Services. CLF data used in this report is based on 2014-2018 5-year American Community Survey (ACS) data.

Disability –

A physical or mental impairment that substantially limits one or more major life activities.

EEO Commitment Indicators –

Measures that indicate whether a Federal agency is committed to equal employment opportunities (EEO) and the prevention of employment discrimination. For this report, they come from Part G of EEOC Form 715-02, the Federal Agency Annual EEO Program Status Report.

General Schedule (GS) Positions –

Positions OPM classifies as those whose primary duty requires knowledge or experience of an administrative, clerical, scientific, artistic, or technical nature.

Hispanic or Latino –

A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

MD-110 –

EEO Management Directive 110 provides policies, procedures, and guidance relating to the processing of employment discrimination complaints governed by the Commission's regulations in 29 CFR Part 1614.

MD-715 –

EEO Management Directive 715 describes program responsibilities and reporting requirements relating to agencies' EEO programs.

MD-715 Report –

The document which agencies use to annually report the status of their activities undertaken pursuant to their EEO program under Title VII of the Civil Rights Act of 1964

and their activities undertaken pursuant to affirmative action obligations under the Rehabilitation Act of 1973. This is formally known as The Federal Agency Annual EEO Program Status Report or EEOC Form 715-02.

Not Identified Disability Status –

Refers to the disability status of a Federal employee or applicant who selected “I do not wish to identify my disability or serious health condition” on OPM’s SF-256 (Revised October 2016), who selected “I do not wish to identify my disability status” on OPM’s SF-256 (Revised July 2010), or who was otherwise coded as such by a Federal personnel officer or OPM.

Participation Rate –

The extent to which members of a specific demographic group are represented in an agency’s workforce or a subset of an agency’s workforce, such as a grade band.

Permanent Workforce –

Number of employees whose type of appointment is permanent status under competitive service, excepted service, or senior executive service. Includes full-time, part-time, seasonal, and intermittent employees. For purposes of this Report, persons employed as of September 30, 2020.

Race/Ethnicity –

See www.opm.gov/forms/pdf_fill/sf181.pdf (U.S. Office of Personnel Management Standard Form 181):

- **American Indian or Alaska Native** – A person having origins in any of the original peoples of North and South America (including Central America), and who maintain cultural identification through tribal affiliation or community recognition.
- **Asian** – A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- **Black or African American** – A person having origins in any of the Black racial groups of Africa.
- **Native Hawaiian or Other Pacific Islander** – A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- **White** – A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
- **Persons of Two or More Races** - All persons who identify with two or more of the above race categories.

In this report, people of Hispanic or Latino ethnicity are not counted in the racial categories listed above.

Senior Executive Service (SES) –

A premier category of senior leaders in the Federal Government which was created to “...ensure that the executive management of the Government of the United States is responsive to the needs, policies, and goals of the Nation and otherwise is of the highest quality.”¹²

Senior Pay Level Positions –

Senior pay level positions include those with authority, responsibility, and pay levels comparable to positions in the Senior Executive Service (SES) and above within the agency. This may include career employees in the Executive Service, Senior Executive Service, Senior-Level and Scientific or Professional Positions, Administrative Appeals Judges, and Administrative Law Judges. Some MD-715 Report instructions list positions in GS-13 to SES as Senior Pay Grades.¹³ In this report, workforce participation in SES and Senior Pay positions reflects what's reported by Federal agencies on the Total Senior Pay row on certified MD-715 Reports, Workforce Tables A/B4P: Senior Pay & General Schedule Grades.

Subcomponent –

A subordinate component of a larger Federal agency or department.

Targeted Disabilities –

Disabilities that the Federal Government, as a matter of policy, has identified for special emphasis. Targeted disabilities are developmental disability, traumatic brain injury (TBI), deaf or serious difficulty hearing, blind or serious difficulty seeing, missing extremities, significant mobility impairment, partial or complete paralysis, epilepsy or other seizure disorders, intellectual disability, significant psychiatric disability, dwarfism, and significant disfigurement.

Temporary Workforce –

Number of employees whose type of appointment is nonpermanent status under competitive service, excepted service, or senior executive service. Includes full-time, part-time, seasonal, and intermittent employees.

Total Workforce –

All employees of an agency subject to 29 C.F.R. Part 1614 regulations, including temporary and permanent employees.

¹² <https://www.opm.gov/policy-data-oversight/senior-executive-service/>.

¹³ <https://www.eeoc.gov/federal-sector/management-directive/instructions-federal-agencies-eeo-md-715-0>.

Appendix C: Workforce (A) Tables

The data tables used in this report are available online at www.eeoc.gov/Federal-sector/reports:

- Table A-1a: FY 2020 Federal Workforce Participation Rates by Race, Ethnicity, Gender, and Agency (Cabinet-Level Departments and Subcomponents)
- Table A-1b: FY 2020 Federal Workforce Participation Numbers by Race, Ethnicity, Gender, and Agency (Cabinet-Level Departments and Subcomponents)
- Table A-1c: FY 2020 Federal Workforce Participation Rates by Race, Ethnicity, Gender, and Agency (Independent Agencies)
- Table A-1d: FY 2020 Federal Workforce Participation Numbers by Race, Ethnicity, Gender, and Agency (Independent Agencies)
- Table A-2a: FY 2020 Federal Workforce Participation Rates by Race, Ethnicity, Gender, Grade Band, and Agency (Cabinet-Level Departments and Subcomponents)
- Table A-2b: FY 2020 Federal Workforce Participation Numbers by Race, Ethnicity, Gender, Grade Band, and Agency (Cabinet-Level Departments and Subcomponents)
- Table A-2c: FY 2020 Federal Workforce Participation Rates by Race, Ethnicity, Gender, Grade Band, and Agency (Independent Agencies)
- Table A-2d: FY 2020 Federal Workforce Participation Numbers by Race, Ethnicity, Gender, Grade Band, and Agency (Independent Agencies)
- Table A-3a: FY 2020 Federal Workforce Participation Rates by Disability Type and Agency (Cabinet-Level Departments and Subcomponents)
- Table A-3b: FY 2020 Federal Workforce Participation Numbers by Disability Type and Agency (Cabinet-Level Departments and Subcomponents)
- Table A-3c: FY 2020 Federal Workforce Participation Rates by Disability Type and Agency (Independent Agencies)
- Table A-3d: FY 2020 Federal Workforce Participation Numbers by Disability Type and Agency (Independent Agencies)
- Table A-4a: FY 2020 Federal Workforce Participation Rates by Disability Type, Grade Band, and Agency (Cabinet-Level Departments and Subcomponents)
- Table A-4b: FY 2020 Federal Workforce Participation Numbers by Disability Type, Grade Band, and Agency (Cabinet-Level Departments and Subcomponents)
- Table A-4c: FY 2020 Federal Workforce Participation Rates by Disability Type, Grade Band, and Agency (Independent Agencies)
- Table A-4d: FY 2020 Federal Workforce Participation Numbers by Disability Type, Grade and, and Agency (Independent Agencies)