

# **The Role of Civil Rights in the Federal Workplace of the Future: MD 715 - Ten Years Later**

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# Intent of EEOC Management Directive 715

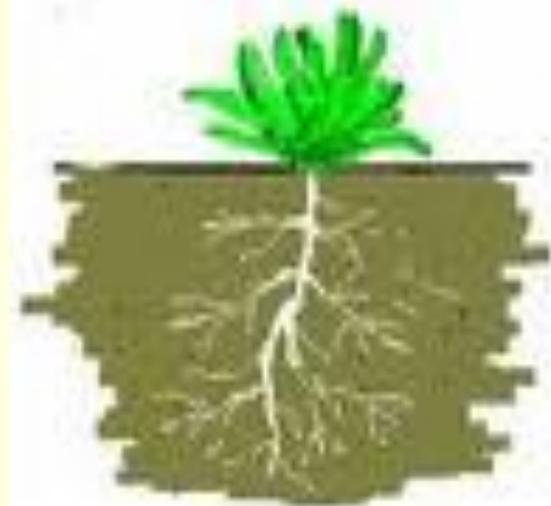
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- MD 715 sets forth guidance for agencies regarding their affirmative employment programs under both Title VII of the Civil Rights Act and the Rehabilitation Act.
- The primary goal is to improve the policies, practices and procedures that may artificially limit employment opportunities.

# Intent of MD 715

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- The directive focuses on barrier removal and elimination (root cause analysis).
- While workforce and complaint statistics assist in identifying areas for improvement, they do not automatically constitute barriers.
- Similarly, a weed is visual manifestation of a problem, but the solution lies beneath the surface.



# What Does the Federal Sector Look Like after Ten Years of MD-715

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- Upon issuance, EEOC stated that if this guidance was followed, the federal government would see:
  - Decreases in complaints and cost associated with complaint processing.
  - Increases in morale and productivity.
  - Improved work place demographics at all levels
- Some feared that the directive was a retreat from civil rights enforcement and that the movement away from parity as a goal would hurt the progress of the prior twenty years.

# Federal Sector Workforce Data – 2003 to 2011

<b>2003</b>	<b>Total</b>	<b>Men</b>	<b>Women</b>	<b>Hispanic</b>	<b>White</b>	<b>Black</b>	<b>Asian</b>	<b>NHOPI</b>	<b>AI/AN</b>	<b>IWTD</b>
<b>Permanent</b>	2,428,330	57.4%	42.6%	7.2%	67.2%	18.6%	5.5%		1.5%	1.05%
<b>Senior Pay</b>	15,308	74.5%	25.5%	3.4%	86.2%	7.1%	2.5%		0.8%	0.4%

<b>2011</b>	<b>Total</b>	<b>Men</b>	<b>Women</b>	<b>Hispanic</b>	<b>White</b>	<b>Black</b>	<b>Asian</b>	<b>NHOPI</b>	<b>AI/AN</b>	<b>IWTD</b>
<b>Permanent</b>	2,553,190	56.8%	43.2%	8.2%	64.4%	18.5%	6.0%	0.4%	1.5%	0.9%
<b>1<sup>st</sup> Level Mgmt</b>	70,361	59.6%	40.4%	7.7%	68.9%	15.8%	3.2%	0.45%	2.8%	0.6%
<b>Mid-Level Mgmt</b>	104,286	65.8%	34.2%	8.0%	73.7%	12.3%	3.6%	0.2%	1.3%	0.5%
<b>Senior Pay</b>	14,426	70.4%	29.6%	3.8%	83.0%	8.3%	3.3%	0.2%	0.9%	0.5%

# Federal Sector Complaint Data – 2003 - 2012

<b>Government-wide Categories</b>	<b>2003</b>	<b>2012</b>	<b>Percentage Change</b>
EEO Counselings Completed	45,030	34,521	-23%
Formal Complaints Filed	20,226	15,837	-22%
Requests for Hearing	9,994	7,090	-29%
Findings of Discrimination - Hearings	341	147	-57%
Requests for Appeals	7,035	4,350	-38%
Findings of Discrimination - Appeals	218	109	-50%

# Federal Sector Complaint Data – 2003 - 2012

Resolutions	2003	2012	Percentage Change
Settlements	8,199	5,353	-35%
Settlements w/ benefits	603	740	+38%
Total Monetary Benefits	\$3,160,565	\$3,442,719	+9%
Average Monetary Settlement	\$5,241	\$4,652	-11%

# FY 2004 to 2008

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- MD-715 effort were focused on completing the report.
- EEOC's initial training centered around completing the report.
- Barrier Analysis not a function/skill set within most EEO programs.

# FY 2009 - 2014

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- Agencies pushing for better HR data to support affirmative employment efforts.
- EEOC revamps training courses to focus on barrier analysis.
- EEO community makes concerted effort to obtain applicant data.
- Technology becomes an integral part of affirmative employment and analysis of workforce.

# Today & Tomorrow

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- EEO and D&I programs must facilitate cultural change within our organizations.
  - Serve as consultants to assist employees and leaders in embracing inclusion.
  - Ensure our programs have the skill sets to provide effective consultation (not merely data dumping).
- In future, federal agencies will better understand that diverse workforce demographics are an essential component to providing service to our citizens.

# Today & Tomorrow

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- In the future (for some today), organizational leaders will look to their EEO and D&I programs to assist in managing the workforce.
- In the future (for some today), employees will understand how EEO and D&I programs work proactively to address workplace issues (not exclusively for complaints).

Thank You!!

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