



U.S. DEPARTMENT OF COMMERCE

FEDERAL EQUAL OPPORTUNITY RECRUITMENT PROGRAM REPORT | FISCAL YEAR (FY) 2021

Within This Report

This report is being submitted in accordance with the 5 U.S.C. 7201 and 5 C.F.R. Part 720 Subpart B and Executive Order 13171, to support the U.S. Office of Personnel Management's annual Federal Equal Opportunity Recruitment Program (FEORP) Report to Congress and annual report to the President on Hispanic Employment in the Government.

This report contains the following:

- I. Accomplishments and Promising Practices
- II. Hispanic Employment Strategies
- III. Applicant Flow Data Analysis
- IV. People with Disabilities Employment Strategies

Note: The Progress Tracker is submitted separately in the required Excel format.



FY21 Plan Accomplishments

In FY21, the Department of Commerce pivoted through the evolving environment of virtual recruitment and engagement during the pandemic. The Department enhanced their telework capabilities and leveraged its virtual platforms to host and/or attend multiple events internally and externally. The Department continued its efforts to strengthen an inclusive environment that cultivates a supportive and welcoming diverse workforce. Promote a culture of diversity and inclusion by connecting employees to agency mission areas, enhance structures and strategies that optimize policy, process, and programs.

In FY21, the U.S. Patent and Trade Office (USPTO) Diversity Program used the Agency's telework capabilities to implement its *Engagement in the Time of Telework Initiative*, collaborating with the leaders of the Agency's 30 officially recognized employee organizations and additional volunteers from across the Agency to stand up a host of regularly scheduled virtual events and activities including: weekly book club meetings, film discussions, after-hours online gaming, kids' story time, mid-afternoon coffee chats, photography contest, parent support group, online art gallery, and more. The USPTO's patent examiner recruiters attended all 2021 engineering, science and STEM-related career fairs virtually, including 15 Minority Serving Institutions: nine HBCUs; six Hispanic Serving Institutions (HSIs). OEEOD attended the Federal Asian Pacific American Council (FAPAC) annual virtual career fair, and the USPTO Diversity Program Manager conducted more than 35 profession and leadership workshops for 25 federal (ex: FAPAC) and national minority organizations (ex: League of United Latin American Citizens, Congressional Hispanic Caucus Institute) and Minority Serving Institutions.

The International Trade Administration (ITA) launched its pilot for the "ITA Ambassadors Program," a new recruitment and outreach initiative. The primary objective of the Program is to build a more diverse pipeline of employment candidates, across all of our agency's operating units. The Program is also intended to recruit ITA's future leaders, by filling mission critical jobs, promoting diversity in the workplace, and engaging the most talented and skilled applicants at the early stages of the competitive hiring process; all in an effort to ensure ITA's workforce, programs, and culture provide an equitable, positive, and productive space for people from all backgrounds to work.

Additionally, in FY21, the Herbert C. Hoover Building (HCHB) Employee Resource Groups (ERG) were instrumental of the following accomplishments. The Commerce PRIDE ERG researched and drafted the Departmental Administrative Order the Gender Identity Protections Policy. The policy will immeasurably improve the work environment of the Department's gender diverse employees by providing clear guidance around gender identity questions and protecting against gender identity discrimination. In response to the heightened number of hate crimes targeting Asian Americans and concerns about the potential impact of the Departmental investigations. The Asian American Pacific Islander (AAPI) ERG provided a safe space for member dialogue, know your rights education, and avenues to elevate the AAPI voices to Commerce leadership. The AAPI ERG membership organized and participated in the Department's Data Briefing for AAPI ERG's and Listening Session with Commerce Leadership.



Successful/Promising Practices

In FY21, Congress appropriated the Economic Development Administration (EDA) an additional \$300 million in American Rescue disaster supplemental funding. EDA continues to maintain a well-coordinated oversight and administration of this supplemental funding through four established Disaster Supplemental Implementation (DSI) Teams. The Workforce and Employment Development Team (WED) formally known as the Hiring and Training (H&T) Team's, mission is to assess the regional and HQ workforce (hiring) and employee (training) needs in response to the priority given to specific disasters and types of events, and design project teams/integrated service delivery teams/models. There is also an ongoing effort to establish clear hiring and training guidelines to appoint, onboard, and train a professional, diverse, and collegial workforce group to execute disaster recovery and relief responsibilities.

The National Institute of Standard and Technology (NIST) offers three leadership programs targeting employees at various stages in their careers and are announced to all NIST employees. The Foundations of Leadership Program (FLP) arms future leaders with the competencies and skills needed to navigate the leadership path at NIST. The New Leader Program (NLP) is designed to provide new leaders with the necessary knowledge and skills to be successful in leadership positions at NIST. The program is primarily intended for individuals who have served in a leadership position for two years or less and who have had little leadership training. The Project Management and Leadership Program (PMLP) develops project management skills tailored to meet the specific needs of NIST Project Managers. Mentoring and coaching sessions are available to participants of the programs.

In FY21, the Census Bureau (Census) hosted an extremely successful, interagency Executive Women in Motion (EWIM) program. It was hosted by Census Women Count Chapter of Federally Employed Women (FEW) with support from Equal Employment Opportunity diversity & inclusion (EEOI). The event was a virtual collaboration between the Census, Bureau of Economic Analysis (BEA), U.S. Department of Agriculture, U.S. Department of Navy, and Federal Protective Service. A total of 158 Participants participated, 83% of registrants, and 37 SES Mentors participated.

In addition, the Department continued its long-standing partnerships with colleges, universities, committees, councils, and professional societies which targets individuals in underrepresented communities including Hispanic Association of Colleges and Universities (HACU), MSIs, Capital Region Women in Computing, the National Organization for the Professional Advancement of Black Chemist and Chemical Engineers, Society for Advancement of Chicanos and Native Americans in Science (SACNAS), Society of Mexican American Engineers and Scientists (MAES), Operation Warfighter (OWF) Program, Military Officers Association of America (MOAA), American Indian Science and Engineering Society and the Society of Women Engineers.



II. DIVERSITY AND INCLUSION STRATEGY PLAN

Pursuant to Executive Order 14035, *Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce*, the Department of Commerce will develop and submit an Agency Diversity, Equity, Inclusion, and Accessibility Strategic Plan as described by Section 3(b) of Executive Order 13583 and modified by EO 14035. The Department of Commerce will submit its plan within 120 days from the issuance of the Governmentwide DEIA Strategic Plan to the Assistant to the President for Domestic Policy (APDP), the Director of the Office of Personnel Management (OPM), and the Deputy Director for Management of the Office of Management and Budget (OMB). The Department of Commerce's Plan will identify actions to advance DEIA in the workforce and remove any potential barriers identified in agency self-assessments.

The Department of Commerce's Plan will include quarterly goals and actions to advance DEIA in the agency workforce and in the agency's workplace culture. The Plan will be developed in a manner that is consistent with the law and preserves merit principles and will be developed in consultation with cross-agency DEIA Teams and relevant stakeholders.



III. HISPANIC EMPLOYMENT STRATEGIES

Outreach, Recruitment, and Hiring

The Department and bureaus continue to maintain their long-standing partnerships and coalitions with external organizations and groups representing the Hispanic community to include professional associations, organizations, national councils and networks such as: Hispanic - Serving Institutions (HSI's), HSI Alumni Groups, National Council of Hispanic Employment Program Managers (NCHEPM), League of United Latin American Citizens (LULAC), Society for Advancement of Chicanos and Native Americans in Science (SACNAS) and the Hispanic Association of Colleges and Universities (HACU), amongst others.

The USPTO's Diversity Program exhibited at the SHPE Regional Conference Career Expo in March of FY21. During the event, the USPTO representatives met with potential recruits to discuss applying to work for the USPTO. Additionally, OEEOD participated in the University of Puerto Rico Mayaguez's virtual job fairs in October 2020 and February 2021. The Agency's Diversity Program Manager also taught five employment webinars for League of United Latin American Citizens (LULAC) interns, and students from the University of Puerto Rico Mayaguez School of Engineering as well as Montgomery College/Federal Asian Pacific American Council (FAPAC) participants and undergraduate and graduate students at Arkansas State University. In FY22, the USPTO will be conducting leadership/professional development workshops, exhibiting at the expo and hosting a preconference event during the LULAC National Convention in San Juan, Puerto Rico.

Career Development and Retention

The Office of Civil Rights (OCR) commissioned an online Employee Retention Survey (ERS) of the Departments employee population to be designed and administered in cooperation with Census. The survey was conducted to better understand Commerce employees' views about staying in the Department or seeking employment elsewhere, as well as the factors that may affect this decision. To ensure sufficient participation in the survey and representation in the sample among these groups for making substantive statistical comparisons, over-sampling was employed among Hispanics, military veterans, the disabled, and employees working at bureaus with small- or moderately-sized employee bases. Email invitations containing a link to the survey were sent to a representative, probability-based sample of about 10,800 Commerce employees from an administrative roster of about 40,700 total employees. Of these, about 4,500 completed responses were received, yielding an overall response rate of 41.7 percent.

The 2021 results of the retention survey indicated the following: there were no statistically significant differences in retention between Hispanic and non-Hispanic employees, based on reported planning to leave or thinking of leaving. However, Disabled Veterans were more likely to leave compared to non-disabled employees (14 percent and 9 percent, respectively). Although there was no statistically significant difference in thinking about leaving, when the response categories were combined, disabled employees were significantly more likely to either plan to leave or think about leaving than were non-disabled employees (43 percent and 37 percent, respectively).



Relevant Metrics.

When looking at the overall permanent workforce, Hispanics have a notable lower than expected participation level in DOC's workforce. Analysis reveals that Hispanic males have a 2.77% participation rate, which is below their 5.17% CLF; and Hispanic females have 2.66 % participation rate, which is lower than their 4.79% CLF.

Leadership Participation:

Hispanics at Commerce are well below their expected representation rates at all leadership levels (GS-13 to SES). The higher the grade level, the lower the representation becomes. Hispanic Male and Hispanic Female representation decreased at the highest GS levels below their respective 2.7% and 2.6% benchmarks. These benchmarks represent the total percentage of permanent Hispanic male and permanent Hispanic female employees in the DOC workforce. Hispanic females are above their 2.6% benchmark in grades GS-3-GS-8, and GS-12, but starting at leadership grades GS-13 to SES, the representation falls below this benchmark. Hispanic male representation is slightly above their benchmark at leadership grades GS-15 and SES, while Hispanic females are below their benchmark at leadership grades GS-15 and SES. As grade levels increase, racial, ethnic, and gender diversity decreases. Our analysis reveals Hispanic males and females remain underrepresented in the leadership hierarchies of the DOC (GS13-SES). Overall, Hispanic males and females have the lowest representation among all workforce demographic groups.

Awards and Recognition:

Awards and Recognition information found in the A9 data table, revealed that Hispanics perceived unfairness in pay, awards, and the work environment. Awards data suggests that Hispanic females have moderate to significant disparities in receiving cash awards – the higher the cash amount, the more disparity is reflected.

In FY21, the National Oceanic and Atmospheric Administration (NOAA) continued promoting the agency at different forums to increase the representation of Hispanics/Latinos within the agency. The NOAA Hispanic Special Emphasis Program Manager continues their participation as an Executive Board Member of the National Council Hispanic Program Manager (NCHPM). In addition to continuing their participation as a member of the NOAA Outreach Committee for Society for Advancement of Chicanos/Hispanics and Native Americans in Science (SACNAS). The NOAA's Hispanic Special Emphasis Program Manager partnered with Latinos at NOAA Employee Resource Group (ERG) to conduct monthly Professional Development and Mentoring sessions to help retain and promote Hispanics/Latinos at NOAA. Developed and presented to NOAA leadership a curriculum-based training program proposal, titled Latinos at NOAA Hiring Panel Program, to prepare Latinos at NOAA members to serve on hiring panels upon request. Supported Individual Development Plan (IDP) drafting, and Leadership Programs (LANTERN, LCDP) application consultations, and resume writing. Organized first-ever ERG/OICR-hosted Student-Career Workshop; a total of 506 registered with registrants from seven countries and the U.S. Territories; over 100 attendees during the live session. Initiated a monthly Information Bulletin to provide NOAA resources regarding mental and physical health, articles and announcement for professional development.



IV. APPLICANT FLOW DATA ANALYSIS

NIST FY21 Applicant Flow Data Analysis

Approximately two thirds of applicants provided their ERI/RNO data when submitting their applications for positions with NIST. Of those applications, 7% self-identified as Hispanic or Latino, which also roughly corresponds to the percentage of applicants who were qualified and referred to hiring managers for selection. Of those selected, just under 5% had self-identified as Hispanic or Latino. While this is a decrease of 1.7% from the referral stage but is within one standard deviation for the changes across all ERI/RNO categories between the Referred and Selected stages. The percentages were calculated by taking the number of applicants in each ERI/RNO category and dividing by the total number of applicants for each of the four stages.

That data used in this analysis came from both Monster Government Solutions (Monster) and USA Staffing (USAS). NIST began transitioning from Monster to USAS in May 2021. Around 66% of applicants provided their demographic information through the USAS tool, while 71% provided their information in Monster. With nearly 33% of applicants and nearly 40% of selectees electing to not provide their demographic information it limits the conclusions that can be drawn from any applicant flow analysis. Additionally, there are data quality issues with the selection stage in the data extracted from Monster. Therefore, the analysis was conducted at the bureau level for this fiscal year. Goals for FY22 include organizational unit and pay plan/career path level analyses and further exploration into the causes for applicants to elect not to share their information.

Point of Contact.

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V. PEOPLE WITH DISABILITIES EMPLOYMENT STRATEGIES

Self-Identification, Benchmarking, Analysis, and Accountability

In FY21 The Department identified three focus areas that will continue to guide its barrier analysis efforts: 1) Leadership Participation in grades GS-13 to SES; 2) Recruitment and Retention; and 3) Awards and Recognition. The Department will continue to analyze retention and hiring rates, separation, awards, and recognition data, and other relevant sources to identify and eliminate barriers to employment opportunities for individuals with disabilities. The Department hosted awareness activities, and trainings to increase the participation rate of employees with disabilities. From 2017 and 2021, the Department reported a steady increase in the participation rate of employees with disabilities from 8.60% (2017) to 10.38% (2021). The participation rate for employees with targeted disabilities within this same period, consistently exceeded the Federal high goal of 2.00%. In FY 2021 the rate was 2.40%.

In FY21, 44% of the Minority Business Development Administration's (MBDA) new hires identified themselves as having a disability. Overall, 30% of MBDA's workforce includes employees that identify themselves as having a disability.

Outreach and Recruitment

The Department continued to its partnership with the Department of Labor's Workforce Recruitment Program (WRP), outreach to America Job Centers, State Vocational rehabilitation Agencies, and the Veterans' Vocational Rehabilitation and Employment Program and disabled veteran programs to cast a wide net in advertising to and hiring people with disabilities.

The USPTO continued to feature hiring and employment information prominently on their public website. In FY21, web pages that target people with disabilities and their respective hiring managers acquired nearly 1,500-page views, which is an increase of 25% year-over-year. USPTO's "Hiring People with Disabilities" web page ranked within the top 15 most requested pages on USPTO's public website.

Hiring

The Department continued to promote the hiring of disabled veterans and People with Disabilities (PWD) as a diversity recruitment initiative.

The International Trade Administration (ITA) aggressively promotes non-competitive hiring authorities, such as Schedule A, with quarterly trainings with Supervisors on how to recruit and hire using special authorities. EDA utilizes a schedule A recruitment coordinator to identify resumes of qualified applicants who are eligible for employment under a non-competitive hiring authority. EDA also explores statutory hiring flexibilities such as 30 Percent or More Disabled Veterans. EDA is currently holding consultative sessions to discuss various staffing and recruitment initiatives which includes People with Disabilities



Reasonable Accommodations (RA)

In FY 2021, the Department saw a decrease in Reasonable Accommodation (RA) requests from 2,305 in FY2020 to 1,329 in FY2021. This may be attributed to the fact that the majority of the Department workforce were in fulltime telework status due to COVID-19 restrictions. However, the Department continued to provide training on reasonable accommodations for employees, managers, and supervisors. RA training is also incorporated in the Department's mandatory No FEAR Act training. Department supervisors and managers had the opportunity to participate in a special training session entitled, "RA Pitfalls for Managers and Supervisors", presented by two DOC attorneys from the EEO and Civil Rights offices. Additionally, the RA/Disability Program Manager continued bi-monthly meetings with the Department's RACs to share knowledge, provide updates and feedback on RA requests, discuss challenges, and best practices, and hold mini-training sessions.

In April 2022, DOC will launch a new automated RA tracking system, Tyler Technologies Entellitrak Reasonable Accommodation (ETK RA). Bureau RA Coordinators (RACs) will utilize ETK RA to process and manage employees' RA requests, monitor timeliness, ensure accurate recording keeping and reporting. Implementation of ETK RA is designed to promote transparency within the RA process. The system will generate timely notifications for RACs, employees, and supervisors, throughout the various stages of the RA process, from initiation to final disposition of the request. The results will ensure all parties are kept informed and notified of any actions needed for timely processing, decision making, and implementation of approved reasonable accommodations.

Internal and External Communications

In FY21, the USPTO saw a 12% increase in their Twitter following. The agencies LinkedIn and Twitter diversity awareness posts continue to outperform industry averages in terms of overall engagement. Cyclical paid advertising campaigns continue to promote mission-critical jobs via diversity-targeted online career websites (i.e. National Society of Black Engineers, Society of Hispanic Professional Engineers, Society of Women Engineers, Latin American Association, etc.), as well as cyclical recruitment strategies targeting Veterans for mission-critical occupations at the USPTO in support of the agency's Veteran Hiring Program (i.e. RecruitMilitary and Orion Talent). In addition, the USPTO launched its first-ever Twitter chat group targeted towards engineers and scientists attending Historically Black Colleges and Universities (HBCUs). The hour-long event attracted patent examiner job seekers from across the nation and featured current examiners, supervisory patent examiners and technology center directors. The agency will continue to prioritize targeting African-American STEM talent nationally, and plans to make events such as this available on an annual basis.

Training and Education

The Census's Equal Employment Opportunity Diversity & Inclusion (EEODI) hosted "Crucial Conversations on Advancing Racial Equity" series, which addressed issues that employees face that may potentially inhibit to racial equity, well-being, work performance, and development more commonplace. The goals of the series were as follows: 1. Provide a safe and brave space for employees to share, listen, and support one another; 2. Understand employees' experiences, perceptions, and feelings around racial trauma and how that impacts the workplace; 3. Begin to identify areas of opportunity to increase and improve individual and institutional efforts in advancing racial equity; and, 4. Engage employees and normalize discussions that will help shift



Census' culture around equity, diversity, and inclusion.

In addition, ITA also launched its Succession Planning Cohort. ITA's Succession Planning Program is designed to provide future ITA leaders with the skills necessary to step into mission critical roles, should those roles become open. ITA's Succession Planning Program is already being looked to as a best practice within the Department of Commerce.