

# FEDERAL COMMUNICATIONS COMMISSION



The Equal Employment Opportunity Program Status Report  
(EEOC MD-715 Report)

For

FISCAL YEAR 2017

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## **I. Introduction**

This Equal Employment Opportunity (EEO) Program Status Report for Fiscal Year (FY) 2017 outlines the Federal Communications Commission's (FCC or Commission) Equal Employment Opportunity (EEO) program activities, as required by the Equal Employment Opportunity Commission's (EEOC) Management Directive 715 (MD-715). This report highlights the FCC's accomplishments in establishing and maintaining a model EEO Program by promoting equal opportunity for all of our employees and applicants, as well as identifying areas for improvement. It also provides the objectives for FY 2018 and beyond.

## **II. The Mission of the Federal Communications Commission**

The FCC is an independent U.S. Government Agency with primary authority for communications law, regulation and technological innovation. The FCC regulates interstate and international communications by radio, television, wire, satellite and cable in all 50 states, the District of Columbia and the U.S. territories. As the FCC faces economic opportunities and challenges associated with rapidly evolving advances in global communications, the FCC seeks to:

- Closing the Digital Divide;
- Promoting Innovation;
- Protecting Consumers & Public Safety; and
- Reforming the FCC's Processes.

## **III. The Mission of the Office of Workplace Diversity**

The Office of Workplace Diversity (OWD or Office) is responsible for developing and administering the Commission's policies, programs, and practices to foster a diverse workplace and promote and ensure EEO for all employees and applicants for employment. Additionally, the Office is responsible for conducting independent analyses of the Commission's policies and practices to ensure that those policies and practices foster diversity in the workplace and ensure equal opportunity and equal treatment for employees and applicants. Moreover, the Office advises the Commission, Bureaus, and Offices of their responsibilities under Title VII of the Civil Rights Act of 1964, as amended; Section 501 of the Rehabilitation Act of 1973, as amended; the Age Discrimination in Employment Act of 1967, as amended; Executive Order 11478; and all other statutes, Executive Orders, and regulatory provisions relating to workplace diversity, equal employment opportunity, nondiscrimination, and civil rights.

## **IV. Model Agency Elements**

The MD-715 has six essential elements that agencies use to assess the health of their EEO programs and assist in developing and maintaining a model EEO program. The FCC's accomplishments under each element are listed below:

### *A. Essential Element A: Demonstrated Commitment from Agency Leadership*

- The FCC has continued to increase the number of employees who have disabilities through its “Plan to Increase Employment of People with Disabilities,” which encompasses and includes the increased employment of disabled veterans.
- As part of this effort, the FCC engages in education to managers and supervisors on such issues as: working with local vocational rehabilitation offices, working with the Council of State Administrators of Vocational Rehabilitation, partnering with non-governmental organizations who represent individuals with disabilities, and using databases and resources such as the OPM Shared List of People with Disabilities and the Workforce Recruitment Program.
- The Disabled Veterans Affirmative Action Program (DVAAP) Coordinator partnered with OWD to develop and implement a periodic reporting format to advise on hiring, promotion and separation trends throughout the year, identifying numbers and percentages of veterans, disabled veterans and 30% or more disabled veterans for agency awareness and action
- FCC OCIO Section 508 IT Program Manager participated in the OMB Dashboard Metric Survey in 2016 and 2017 for Agency 508 Program Maturity Measurements. FCC also completed a DOJ 508 Program Survey for all Federal Agencies (2016). FCC 508 IT PM also participates in the Federal CIOC/CAOC Accessibility Community of Practice Group. And FCC IT PM also participates in the Federal wide Baseline working group which is assisting Federal Agencies with the update of the Trusted Tester harmonization process spearheaded by DHS.
- The FCC also promoted increased awareness for staff, to include managers and supervisors, to raise awareness to the benefits of employing and retaining individuals with disabilities. A number of programs, seminars and internal efforts helped to educate and remind selecting officials of the availability and benefits of accommodation to open advancement doors to individuals with disabilities. Additionally, the FCC developed and implemented a mandatory video "Disabilities Sensitivity Training" for all staff, involving several FCC employees with disabilities in the production effort.
- New Hire Orientation includes a session conducted by OWD leadership which provides information regarding diversity, EEO, Alternative Dispute Resolution (ADR), and affirmative employment matters to new employees.
- The OWD staff continued to have a positive presence within the offices and bureaus by meeting with managers and supervisors regarding their responsibilities within the EEO arena.
- Chairman Pai issued a new EEO Policy Statement and a new Anti-Harassment Policy Statement on March 1, 2017.
- The OWD published the EEO and Anti-Harassment policy statements on the intranet, internet and in high-traffic areas of the headquarters and field offices.

***B. Essential Element B: Integration of EEO into the Agency's Strategic Mission***

- OWD Director is under direct supervision of the Chairman's Office.
- During FY 2017, the FCC expanded its activities to promote diversity and inclusion through its FCC Diversity Series by including book discussions and video presentations in the observances of the Martin Luther King, Jr. Holiday, Black History Month, Women's History Month, Asian American and Pacific Islander Heritage Month, Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride Month, Hispanic Heritage Month, National Disability Employment Awareness Month, and Native American History Month.

***C. Essential Element C: Management and Program Accountability***

- OWD Director provides regular EEO updates to the Chairman's Office.
- The FCC promptly complies with EEOC, Merit Systems Protection Board, Federal Labor Relations Authority, Labor Arbitrators and District Court orders.

***D. Essential Element D: Proactive Prevention***

- New FCC employees completed online training modules concerning the No FEAR Act, Prohibited Personnel Practices and the Whistleblowers Act. Participation was mandatory, and participants received comprehensive training to identify, address and prevent workplace harassment, understand prohibited personnel practices and their whistleblower rights.
- Promoted the benefits of the ADR program by releasing an ADR Policy Statement, posting an ADR video by the Chairman on the intranet, publishing an ADR marketing pamphlet, distributing an ADR Handbook, and posting documents on the intranet regarding the responsibilities of management officials, employees and mediators
- Developed and scheduled required training on the ADR process for all managers and supervisors.
- OWD Director met with Senior Managers to identify barriers to equal opportunity.
- The OWD prepared trend analysis of workforce profiles by race, national origin, gender and disability.
- The FCC prepared trend analysis of the workforce's major occupations, and grade level distribution by race, ethnicity, gender and disability.

***E. Essential Element E: Efficiency***

- OWD staff continues to work with the IT staff for the development and deployment of an online complaint filing and tracking system.
- OWD's collateral-duty counselors received 12 hours of refresher counselor training. In addition to meeting for one hour every two months to discuss and review EEO claims

processing, the OWD brought in an outside trainer to provide a consolidated 8-hour block of EEO Counselor training.

***F. Essential Element F: Responsiveness and Legal Compliance***

- OWD timely complies with orders and directives of the EEOC.
- The Office of the General Counsel timely complies with orders and directives of the EEOC.

**V. Workforce Profile**

***A. Results of the FCC's Annual Self-Assessment***

The Commission's FY 2017 total workforce was comprised of 1493 employees, a 6.98% decrease from the prior year total of 1605 (112 fewer employees).<sup>1</sup> The participation rate of 50.30% for males and 49.70% for females shows the number of females employed by the FCC decreased by 8.28% (*See* Figure 2).<sup>2</sup> The distribution of the FY 2017 FCC workforce by Race/National Origin (RNO), Gender, and Reported Disability was as follows (*See* Figures 1 and 4):<sup>3</sup>

- Hispanic or Latino males 1.67% (25)
- Hispanic or Latino females 1.61% (24)
- White males 34.23% (511)
- White females 24.78% (370)
- Black or African American males 8.51% (127)
- Black or African American females 19.16% (286)
- Asian males 5.43% (81)
- Asian females 3.42% (51)
- Native Hawaiian or Other Pacific Islander males 0% (0)
- Native Hawaiian or Other Pacific Islander females 0.13% (2)
- American Indian/Alaska Native males 0.20% (3)
- American Indian/Alaska Native females 0.20% (3)
- Two or More Races males 0.27% (4)
- Two or More Races females 0.40% (6)

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<sup>1</sup> The data from the FY 2016 MD-715 Reports shows that the total number of employees was 1,608. The difference in the number of employees stems from retroactive personnel actions.

<sup>2</sup> For FY 2016, the participation rate for males was 49.32% and 50.68% for females.

<sup>3</sup> Categories comprising less than 1% of the FCC workforce and less than 1% of the Civilian Labor Force are not included in the charts in this report.

- Reported Disability 7.50% (112)<sup>4</sup>
- Targeted Disability<sup>5</sup> 2.61% (39)

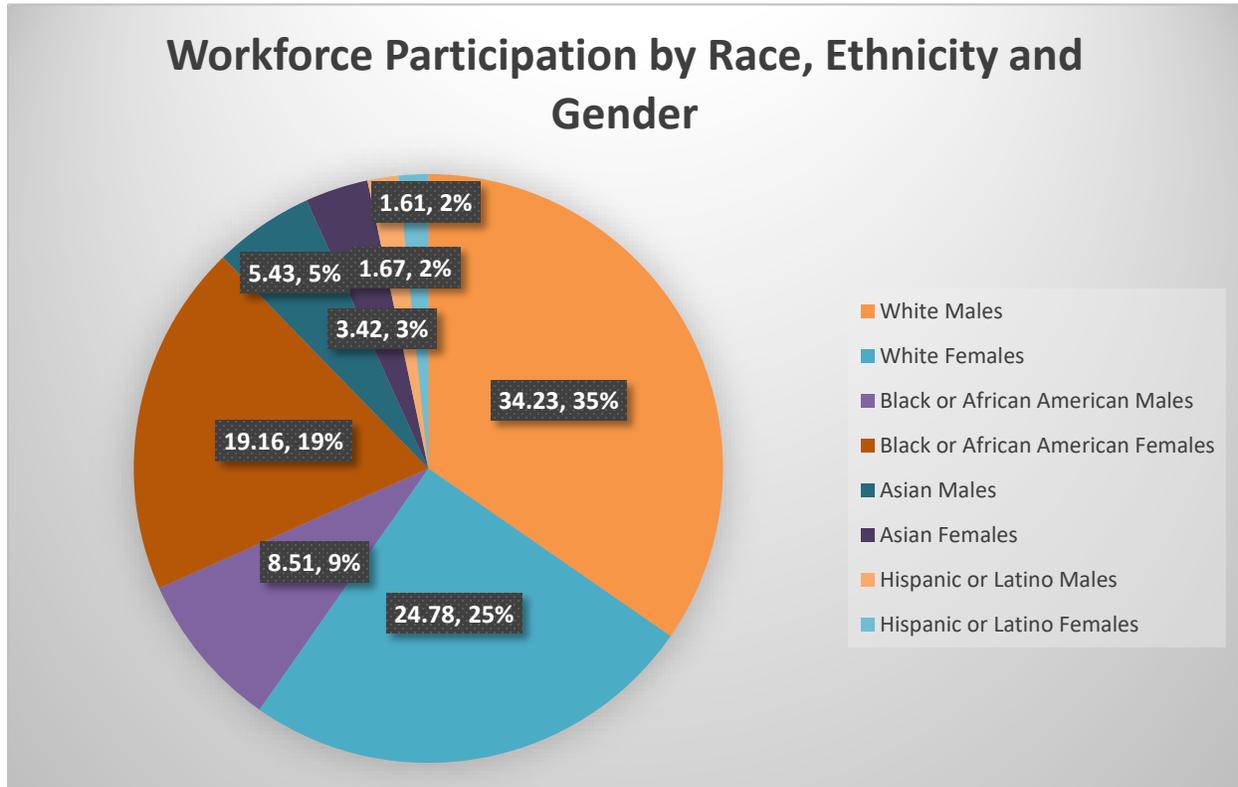


Figure 1

As noted previously, the FCC workforce decreased by 6.98% in FY 2017 (See Figure 2). Additionally, since FY 2015, the participation rate of females at the FCC has decreased from a majority 50.41% to a minority 49.70% (See Figure 3). Although the staffing level at the FCC has declined for several years, the rate of decline for female employees between FY 2015 and FY 2017 is 12.81%, while the rate of decline for male employees during the same period is 10.27%. The number of females who left the FCC almost doubled the number from the previous fiscal year, 67 versus 36 whereas the number of males who left the FCC remained relatively constant, 45 vs 44. There was a significant decrease in the percentage of Hispanic or Latino employees and Black or African American females. Specifically, the percentage of Hispanic or Latino males decreased by 24.24%, the percentage of Hispanic or Latino females decreased by 25%, and the percentage of Black or African American females decreased by 10.63%.

<sup>4</sup> This number includes Persons with Targeted Disabilities.

<sup>5</sup> A Targeted disability means a disability that is designated as a “targeted disability or health condition” on the Office of Personnel Management’s Standard Form 256 or that falls under one of the first 12 categories of disability listed in Part A of question 5 of the EEOC’s Demographic Information on Applicants form. 29 C.F.R. § 1614.203(a)(9).

### 1. Females

There was a decrease in the number of female employees in each racial/ethnic and gender category. In addition to the decrease in number of female employees since FY 2016, the percentage of decrease for each female category exceeded the overall rate of 6.98% with the exception of Asian females. Specifically, the decrease for Asian Females was only 1.92%, while the decrease for White females was 7.27%, Black or African American females was 10.63%, and Hispanic or Latino females was 25.00%.

### 2. Males

In addition to the decreases for female employees, there were smaller decreases in the percentages for male employees, with the exception of Asian males. For Asian males, the percentage of employees increased by 2.53%. Only the percentage of decrease for Black or African American males at 7.97% and Hispanic or Latino males at 24.24% exceeded the decrease for the total workforce of 6.98%. The remaining decrease for White males was 5.37%.

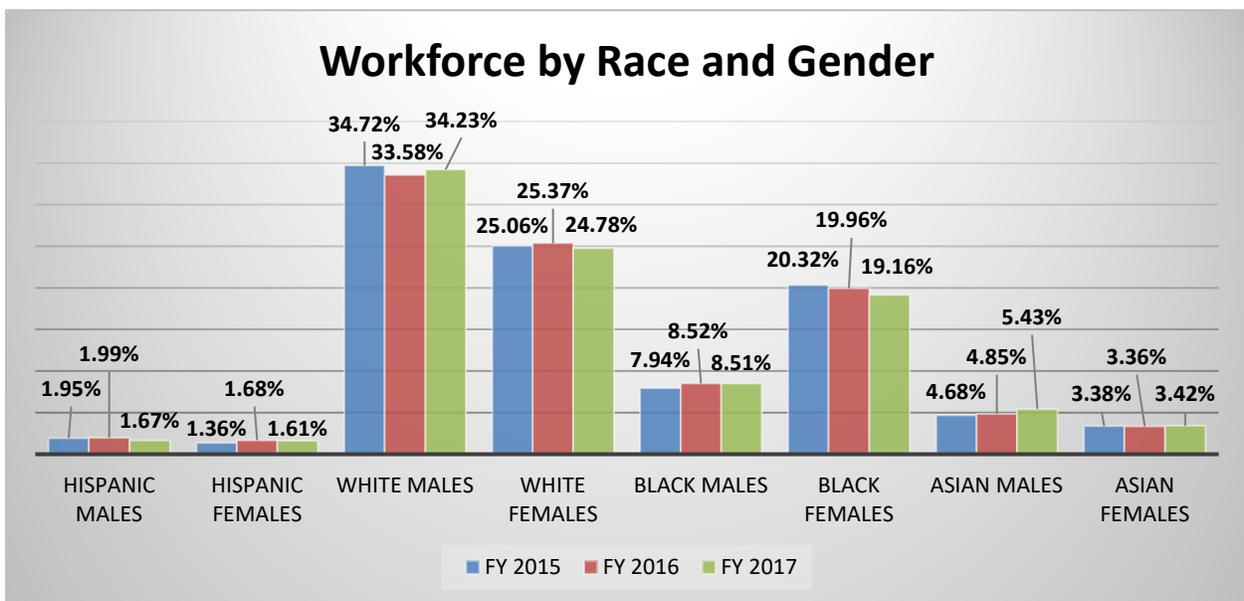


Figure 2

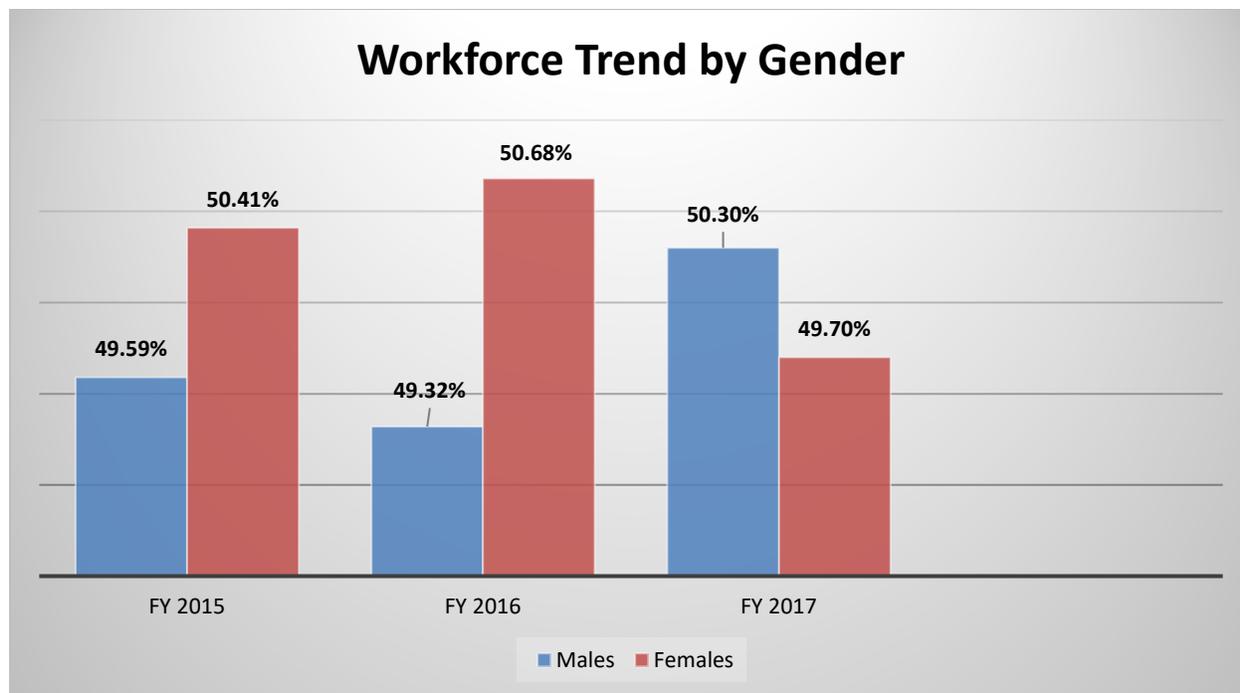


Figure 3

### ***B. Employment of Persons with Disabilities***

The FCC is committed to being a “model employer” of persons with disabilities.<sup>6</sup> Accordingly, the FCC is taking “affirmative action to promote the recruitment, hiring, and advancement of qualified individuals with disabilities, with the goal of eliminating under-representation of individuals with disabilities in the federal workforce.”<sup>7</sup> Moreover, the FCC gives “full consideration to the retention of qualified individuals with disabilities. . . .”<sup>8</sup> As such, the FCC continues its efforts with its "Plan to Increase Employment of People with Disabilities," which encompasses and includes the increased employment of veterans with disabilities. The FCC continued to educate managers and supervisors on such issues as: working with local vocational rehabilitation offices, working with the Council of State Administrators of Vocational Rehabilitation, partnering with non-governmental organizations who represent individuals with disabilities, and using databases and resources such as the OPM Shared List of People with Disabilities and the Workforce Recruitment Program.

For the total workforce, the percentage of persons with targeted disabilities increased to 2.61% and the percentage of persons with disabilities increased to 7.50% (*See* Figure 4). In accordance with Section 1614.203(d)(7) of the EEOC’s Rules, the FCC is taking steps to gradually increase the

<sup>6</sup> 29 C.F.R. § 1614.203(c).

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

number of persons with disabilities or targeted disabilities employed at the FCC until it meets the goals of:

- No less than 12% of FCC employees at the GS-11 level and above are individuals with disabilities;
- No less than 2% of FCC employees at the GS-11 level and above are individuals with targeted disabilities;
- No less than 12% of FCC employees at the GS-10 level and below are individuals with disabilities; and
- No less than 2% of FCC employees at the GS-10 level and below are individuals with targeted disabilities.<sup>9</sup>

The FCC has used training programs to promote the advancement of employees with disabilities, by taking into account the specific needs of these individuals. In addition to educating managers and supervisors, the FCC also re-surveyed its workforce to improve the data regarding individuals with disabilities. These efforts led to the FCC establishing the following baselines:

Grade	Persons with Disabilities			Persons with Targeted Disabilities	
	GS-11 & Above	GS-10 and Below		GS-11 & Above	GS-10 and Below
<b>Goal</b>	12%	12%		2%	2%
<b>Actual</b>	7.38%	10.11%		2.51%	4.49%

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<sup>9</sup> 29 C.F.R. § 1614.203(d)(7). Employees at the GS-11 level and above include employees who are not paid under the General Schedule but who have salaries equal to or greater than employees at the GS-11, step 1 level in the Washington, DC locality. Employees at the GS-10 level and below include employees who are not paid under the General Schedule but who have salaries less than employees at the GS-11, step 1 level in the Washington, DC locality.

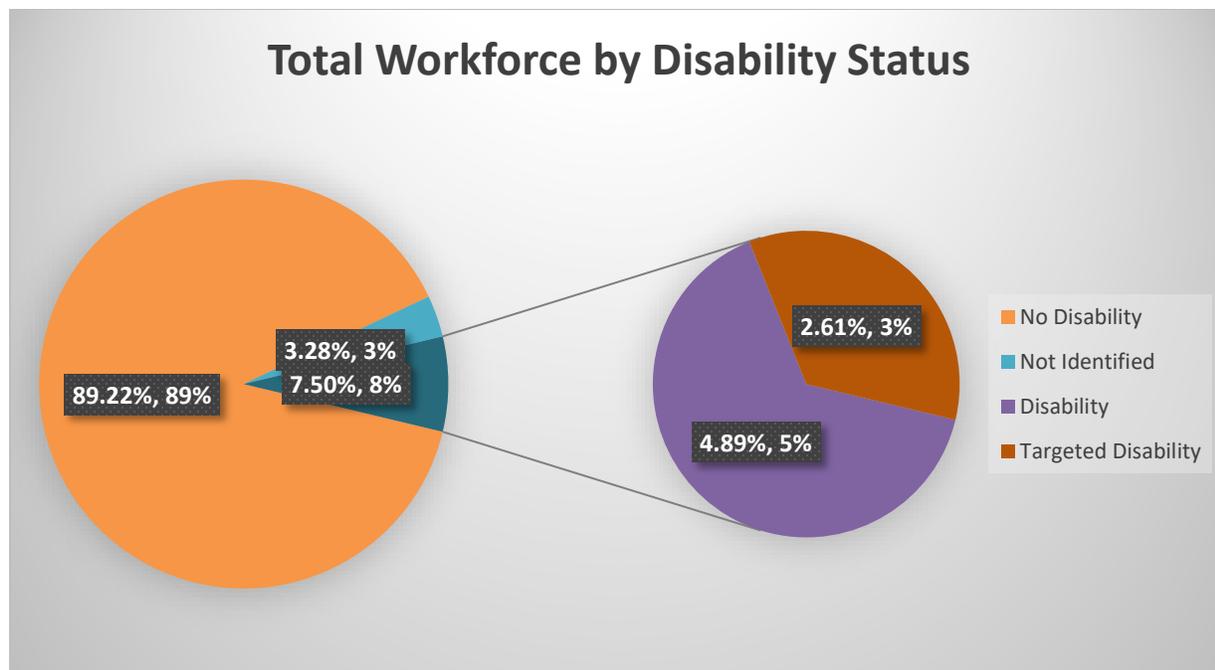


Figure 4

### C. *Hires and Separations*

#### 1. **Males and Females**

On the hiring front, the FCC does well in attracting employees from most racial and ethnic groups. Notably, the participation rates of Black or African American males and females and Asian American males and females exceeds the national civilian labor force (CLF)<sup>10</sup> percentages even though there was a decrease in the overall number of employees by 112 employees.<sup>11</sup>

The Asian male category was the only category to see an increase in the number of employees. The participation rate percentages for Hispanic or Latino males and females in the total workforce continues to remain low when compared with the CLF. Instead of rising, the participation rate for Hispanic or Latino males and females decreased as the Hispanic or Latino percentage for males dropped 24.24% and the participation rate for Hispanic or Latino females dropped 25%. In addition to the low participation rate for Hispanic and Latino individuals, when compared with the CLF, the FCC also has a low participation rate for White females. Specifically, the CLF for White females is 34.03%, but the FCC participation rate for White females is only 24.78%.

<sup>10</sup> The CLF is the sum of the employed and the unemployed. U.S. Bureau of Labor Statistics, Current Population Survey, “How the Government Measures Unemployment” [https://www.bls.gov/cps/cps\\_htgm.htm](https://www.bls.gov/cps/cps_htgm.htm).

<sup>11</sup> The identification of groups who have a low participation rate is a measurement gauge and does not constitute or promote using quotas or preferences for selection. As always, the best qualified applicants are selected.

The reversal from a majority female workplace to a majority male workplace is borne out by a separation rate of females that is over 5% higher than the hire rate for females overall and a separation rate for Black or African American females that is over 14%.<sup>12</sup> Additionally, the separation rate percentage for Hispanic or Latino males increased by over 4% in 2017, from 0.00% in 2016 to 4.09% in 2017. The data suggests that more research is needed to determine if there is a barrier regarding the employment of females at the FCC and Hispanic or Latino males and females.

## **2. Persons with Disabilities**

Because there is no CLF category for Persons with Targeted Disabilities, the FCC uses the “inclusion rate” to assess the progress it is making towards the hiring of Persons with Targeted Disabilities.<sup>13</sup> Persons with Disabilities comprise 7.50% of the FCC’s total workforce. For FY 2017, the FCC’s new hire rate for persons with disabilities was 8.45% and the new hire rate for Persons with Targeted Disabilities was 2.82%. The separation rate for Persons with Disabilities was 4.09% and the separation rate for Persons with Targeted Disabilities was 1.75%. These rates show that the FCC is hiring persons with disabilities at a higher rate than persons with disabilities are leaving the FCC.

The Persons with Targeted Disabilities Inclusion Rate at 5.13% is higher than the Persons without Targeted Disabilities<sup>14</sup> Inclusion Rate of 4.75% with regards to hiring of employees. Thus, the FCC is hiring Persons with Targeted Disabilities at a higher rate than Persons without Targeted Disabilities. Similarly, with regards to the separation of employees, the Persons with Targeted Disabilities Inclusion Rate at 7.69% is lower than the Persons without Targeted Disabilities Inclusion Rate of 11.55%.<sup>15</sup> Thus, Persons with Targeted Disabilities are leaving the FCC at a slower rate than Persons without Targeted Disabilities.

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<sup>12</sup> Although, it is not readily apparent why the FCC has low participation rates for Hispanic or Latino males and females and White females and why the separation rates of Hispanic or Latino males and females, females overall, and Black or African American females exceed the hire rate, this is the second year in a row in which females overall and Black or African American females had higher separation rates than hire rates.

<sup>13</sup> The “inclusion rate” is a comparison of the employment between persons with targeted disabilities with persons without targeted disabilities.

<sup>14</sup> Persons without Targeted Disabilities includes all persons who have not identified themselves as having a Targeted Disability.

<sup>15</sup> The FCC will perform a Barrier Analysis to understand the reasons for this disparity.

### ***D. Employment in Mission Critical Occupations***

The FCC has six mission critical occupations (MCO).<sup>16</sup> Attorneys comprise 37.64% of the FCC workforce, Miscellaneous Administration and Program employees comprise 17.28% of the FCC workforce, Electronics Engineers comprise 14.20% of the FCC workforce, Management and Program Analysis employees comprise 4.82% of the FCC workforce, Miscellaneous Clerk and Assistants comprise 4.02%, while Economists comprise 3.75% of the FCC workforce. These MCOs comprise 81.71% of the FCC workforce.

#### **1. Attorneys**

The FCC employs 562 attorneys who provide a range of legal services such as serving as subject matter experts on the Communications Act of 1934; acts as the primary legal counsel to significant operating programs, or in adversarial proceedings where legal questions posed are of an extremely complex nature; and participating in administrative or judicial proceedings and developing research strategies for legal cases. Of those 562 attorneys, 49.11% are males and 50.89% are females. Although almost 80% of the attorney positions are held by White males (40.57%) and White females (39.15%), the representation of all other groups is comparable to the Occupational CLF for attorneys. In fact, the representation of White females, Black or African American males and females, and Asian males Females exceed the Occupational CLF for attorneys. However, when comparing the workforce percentages with the attorney percentages, the participation rates of Asian males (3.20% vs 5.43%), Black or African American males (4.27% vs 8.51%) and Black or African American females (6.94% vs 19.16%) in this MCO are below the FCC work force percentages for these groups. (*See* Figure 5).

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<sup>16</sup> MCOs are those major agency occupations that are mission-related and heavily populated, relative to other occupations within the agency. Instructions to Federal Agencies for EEO MD-715, Section II Barrier Identification and Elimination, <https://www.eeoc.gov/federal/directives/715instruct/section2.html>.

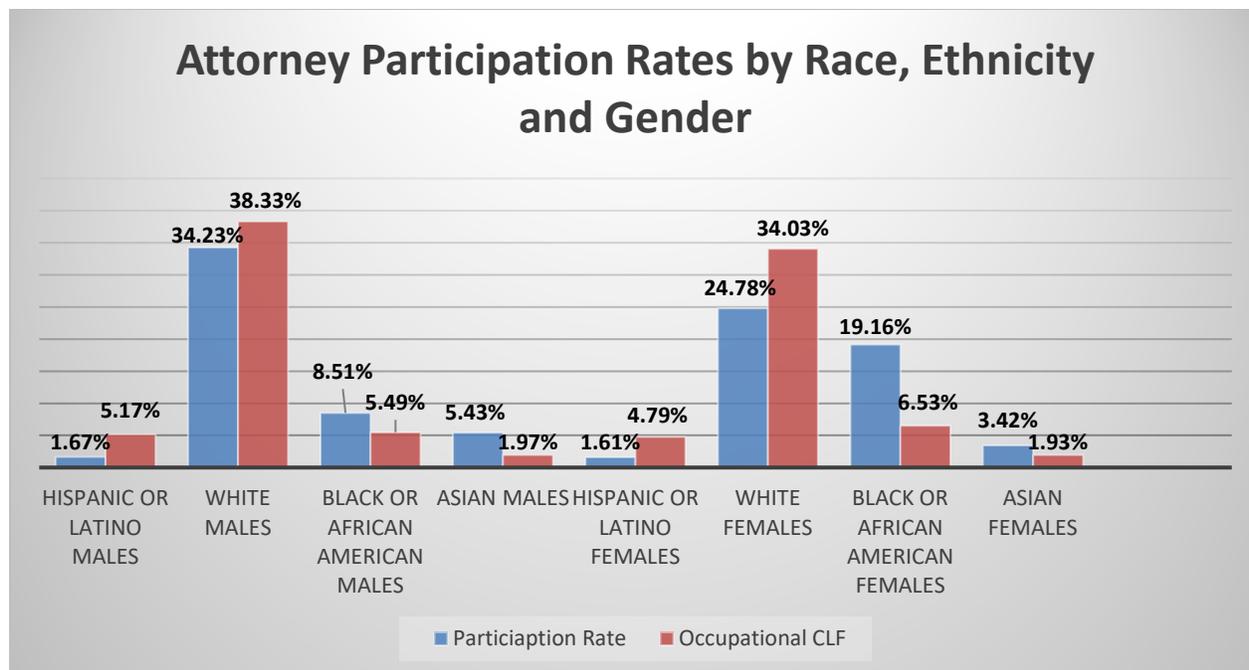


Figure 5

Additionally, the FCC is doing very well with regards to the employment of Persons with Disabilities in the MCO of attorney (*See* Figure 11). First the participation rate of Persons with Targeted Disabilities in the MCO of Attorneys is 3.20%. Second, the participation rate of Persons with Disabilities in the MCO of Attorneys is 7.83%. Finally, the inclusion rate of Persons with Targeted Disabilities (46.15%) exceeds the Inclusion Rate of Persons Without Targeted Disabilities (37.41%). This data indicates that there are no barriers to the employment of Persons with Disabilities or Targeted Disabilities in the MCO of Attorneys (*See* Figure 12).

## 2. Miscellaneous Administration and Program

The FCC employs 258 Miscellaneous Administration & Program employees who perform clerical and administrative support work. Of those 258 employees, 34.88% are males and 65.12% are females (*See* Figure 6). Black or African American females hold the highest percentage of positions in this MCO at 41.47%, even though the Occupational CLF is only 7.8% and their representation in the FCC workforce is only 19.16%. In contrast to the high participation rate of Black or African American females in this MCO, three groups have low participation rates for this MCO, Hispanic or Latino males, Hispanic or Latino females and White females, when compared to their Occupational CLF. The participation of Asian males and Asian females is comparable to their Occupational CLF.

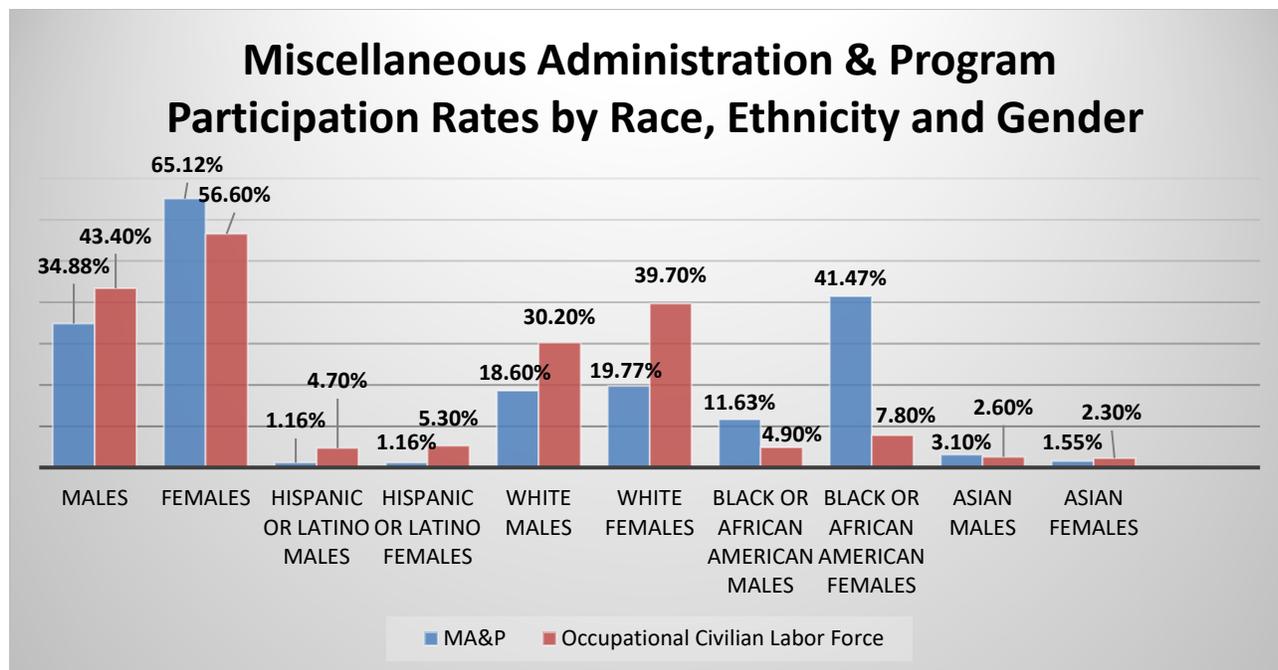


Figure 6

Similar to the MCO of Attorneys, the FCC is doing very well with regards to the employment of Persons with Disabilities in the MCO of Miscellaneous Administration & Program (See Figure 11). First the participation rate of Persons with Targeted Disabilities in the MCO of Miscellaneous Administration & Program is 2.33%. Second, the participation rate of Persons with Disabilities in the MCO of Miscellaneous Administration & Program is 8.91%. Finally, although slightly lower, the inclusion rate of Persons with Targeted Disabilities at 15.38% is comparable to the Inclusion Rate of Persons Without Targeted Disabilities at 17.33% (See Figure 12). This data indicates that there are no barriers to the employment of Persons with Disabilities or Targeted Disabilities in the MCO of Miscellaneous Administration & Program.

### 3. Electronics Engineers

With regard to the MCO of Electronics Engineering, the FCC employs 212 engineers who serve as technical engineering experts for communications networks and systems; initiate, plan, and direct engineering studies; identify information needed; researches Commission and industry sources to obtain information on equipment, practices, problems, and developments; develop authoritative position papers and reports; and brief key government and non-government officials on complex technical issues relating to communications networks and systems; prepare, review, evaluate, and coordinate engineering documents; and conduct analysis. The FCC has a diverse staff of engineers as the participation rates of females, Hispanic or Latino males, White females, Asian males and females, Black or African American males and females exceed their Occupational CLF rates. (See Figure 7).

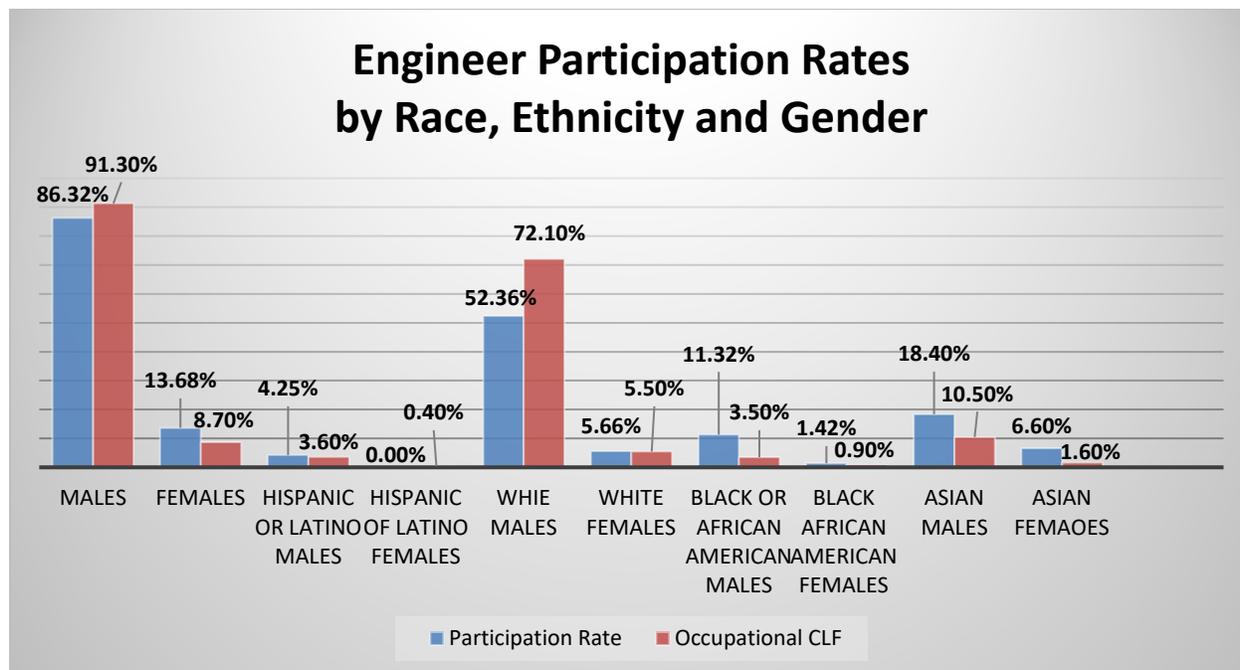


Figure 7

In contrast to the MCOs of Attorneys and Miscellaneous Administration & Program, the FCC must make an extra effort to improve the employment of Persons with Disabilities in the MCO of Electrical Engineers (*See* Figure 11). First the participation rate of Persons with Targeted Disabilities in the MCO of Electrical Engineers is 0.47%. Second, although better than the participation rate of Persons with Targeted Disabilities, the participation rate of Persons with Disabilities in the MCO of Electrical Engineers is 3.77%. Finally, the inclusion rate of Persons with Targeted Disabilities at 2.56% is significantly lower than the Inclusion Rate of Persons Without Targeted Disabilities at 14.51% (*See* Figure 12). This data indicates that there may be barriers to the employment of Persons with Disabilities or Targeted Disabilities in the MCO of Electrical Engineers.

#### 4. Management Program Analysis

For the MCO of Management Program Analysis, the FCC employs 72 Management Program Analysts who perform administrative analytical and evaluative work related to program operations, and management and organizational efficiency and productivity. In this MCO, several categories significantly exceed the Occupational CLF – females by 46%, and Black or African American females by 35%. (*See* Figure 8). Additionally, the participation rates of Hispanic or Latino males and females, and White females are comparable to their Occupational CLFs.

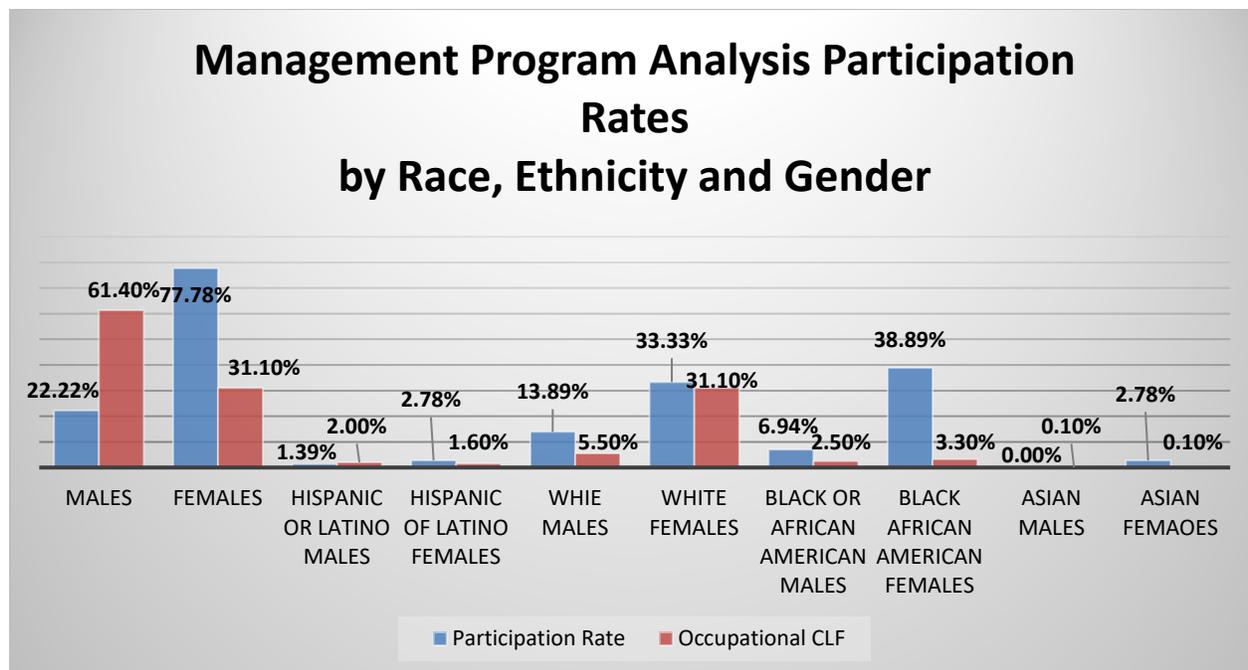


Figure 8

Similar to the MCOs of Attorneys and Miscellaneous Administration & Program, the FCC is doing very well employing Persons with Disabilities in the MCO of Management Program Analysis. First the participation rates of Persons with Targeted Disabilities in the MCO of Management Program Analysis and the total FCC workforce are comparable (*See* Figure 11). Second, the participation rates of Persons with Disabilities in the MCO of Management Program Analysis and the total FCC workforce are comparable, as well. Finally, the inclusion rate of Persons with Targeted Disabilities at 5.13% is comparable to the Inclusion Rate of Persons Without Targeted Disabilities at 4.81%. This data indicates that there are no barriers to the employment of Persons with Disabilities or Targeted Disabilities in the MCO of Management Program Analysis (*See* Figure 12).

## 5. Miscellaneous Clerk and Assistant

For the MCO of Miscellaneous Clerk and Assistant, the FCC employs 60 Miscellaneous Clerks and Assistants who perform or supervise clerical, assistant, or technician work. In this MCO, the participation rates of White males and females are significantly lower than their Occupational CLFs by 14% and 44% while the participation rates of Black or African American males and females significantly exceed their Occupational CLF by 15% and 39% respectively (*See* Figure 9). However, the participation rates for Hispanic or Latino males, and Asian males and females are comparable to their Occupational CLFs.

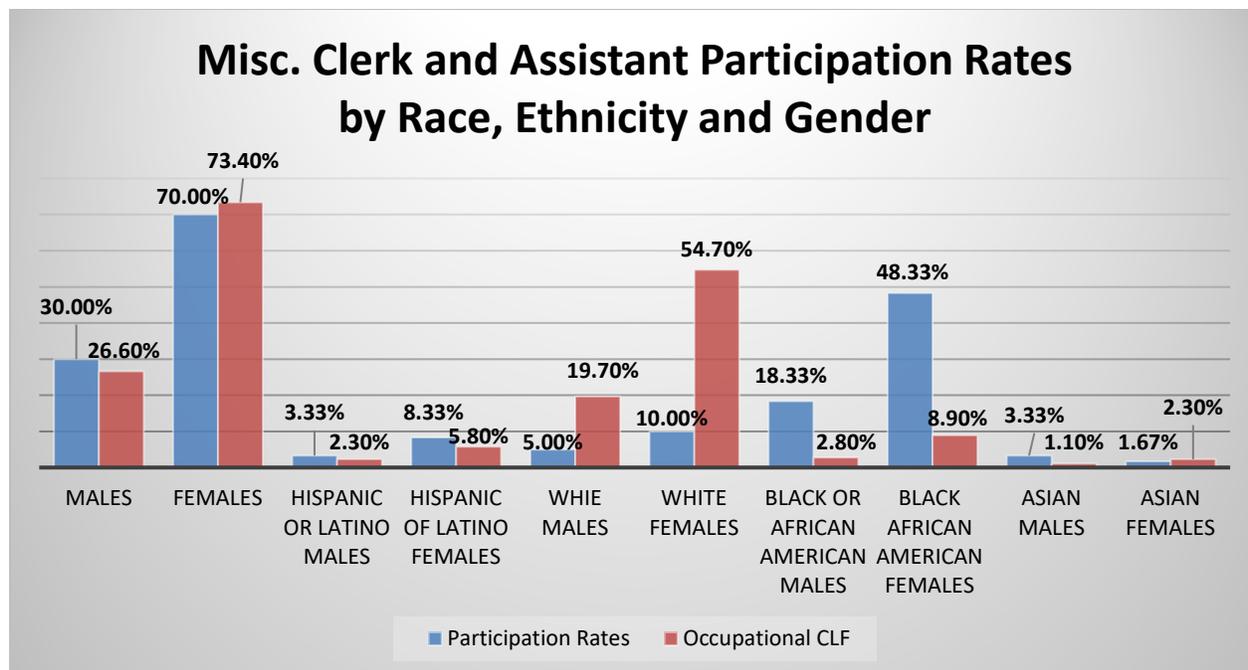


Figure 9

Similar to the MCOs of Attorneys, Miscellaneous Administration & Program, and Management Program Analysis the FCC is doing very well employing Persons with Disabilities in the MCO of Miscellaneous Clerk and Assistant. First the participation rates of Persons with Targeted Disabilities in the MCO of Miscellaneous Clerk and Assistant and the total FCC workforce are comparable (See Figure 11). Second, the participation rates of Persons with Disabilities in the MCO of Miscellaneous Clerk and Assistant and the total FCC workforce are comparable, as well. Finally, although slightly higher, the inclusion rate of Persons with Targeted Disabilities at 5.13% is comparable to the Inclusion Rate of Persons Without Targeted Disabilities at 3.99% (See Figure 12). This data indicates that there are no barriers to the employment of Persons with Disabilities or Targeted Disabilities in the MCO of Miscellaneous Clerk and Assistant.

## 6. Economist

For the MCO of Economist, the FCC employs 56 Economists who serve as expert technical advisors on complex econometric issues that arise in connection with telecommunications and regulatory policy; and conduct studies of current and potential policy issues; and perform original research and investigative analysis. Although more work is required to improve the participation rates of Hispanic or Latino males and females in the MCO of economist, the FCC has solid participation rates for the remaining racial/ethnic groups in this MCO when compared with the CLF (See Figure 10).

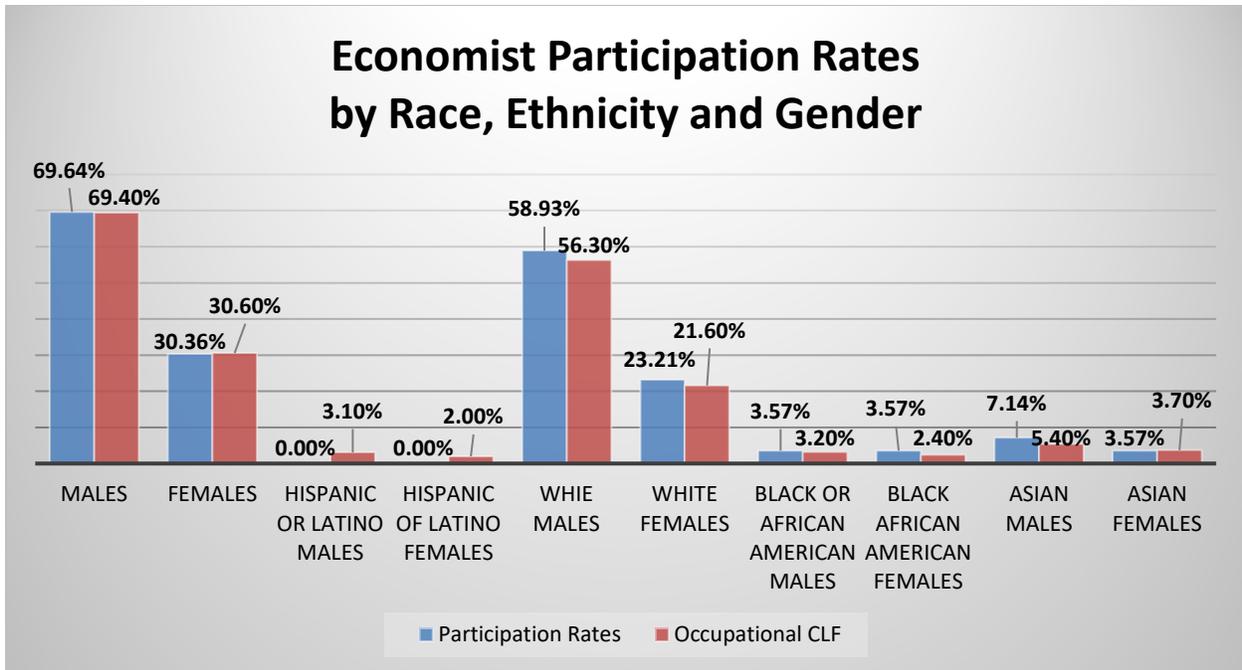


Figure 10

For the MCO of Economists, the FCC must emphasize the employment of Persons with Targeted Disabilities, but the FCC is doing very well employing Persons with Disabilities generally. First the participation rates of Persons with Targeted Disabilities in the MCO of Economists are lower than the total FCC workforce (*See* Figure 11). However, the participation rates of Persons with Disabilities in the MCO of Economists and the total FCC workforce are comparable. Finally, the inclusion rate of Persons with Targeted Disabilities at 0.00 is lower than the Inclusion Rate of Persons Without Targeted Disabilities at 3.85% (*See* Figure 12). This data indicates that there may be barriers to the employment of Persons with Targeted Disabilities in the MCO of Economists.

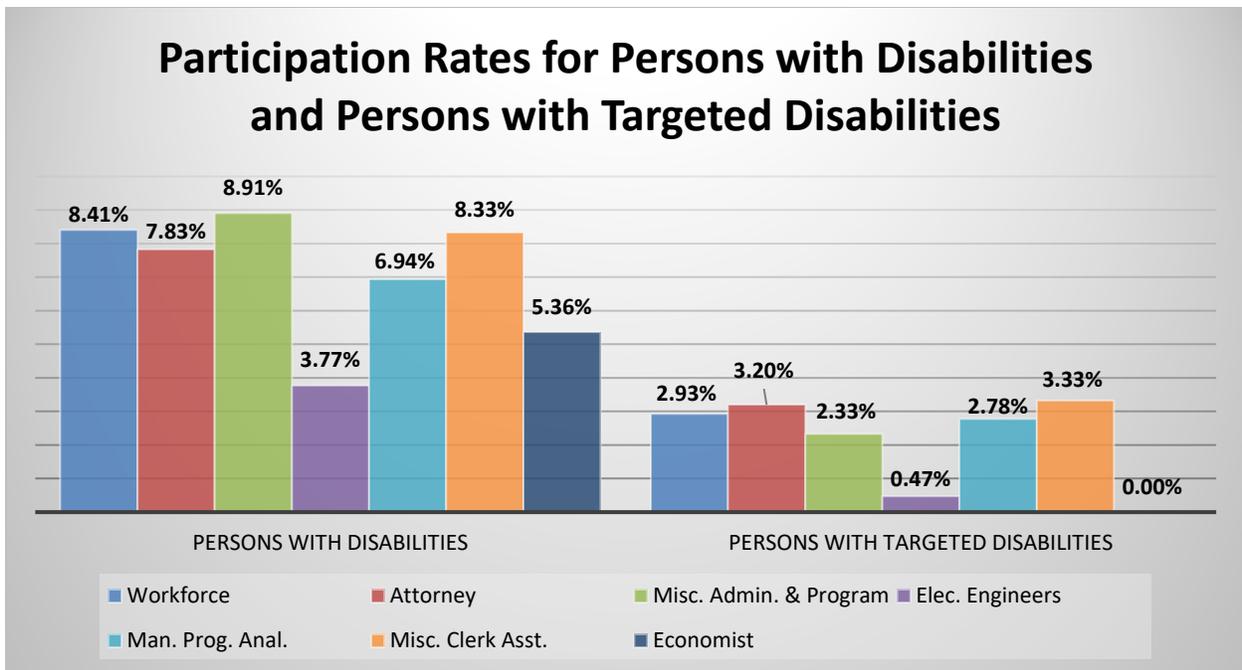


Figure 11

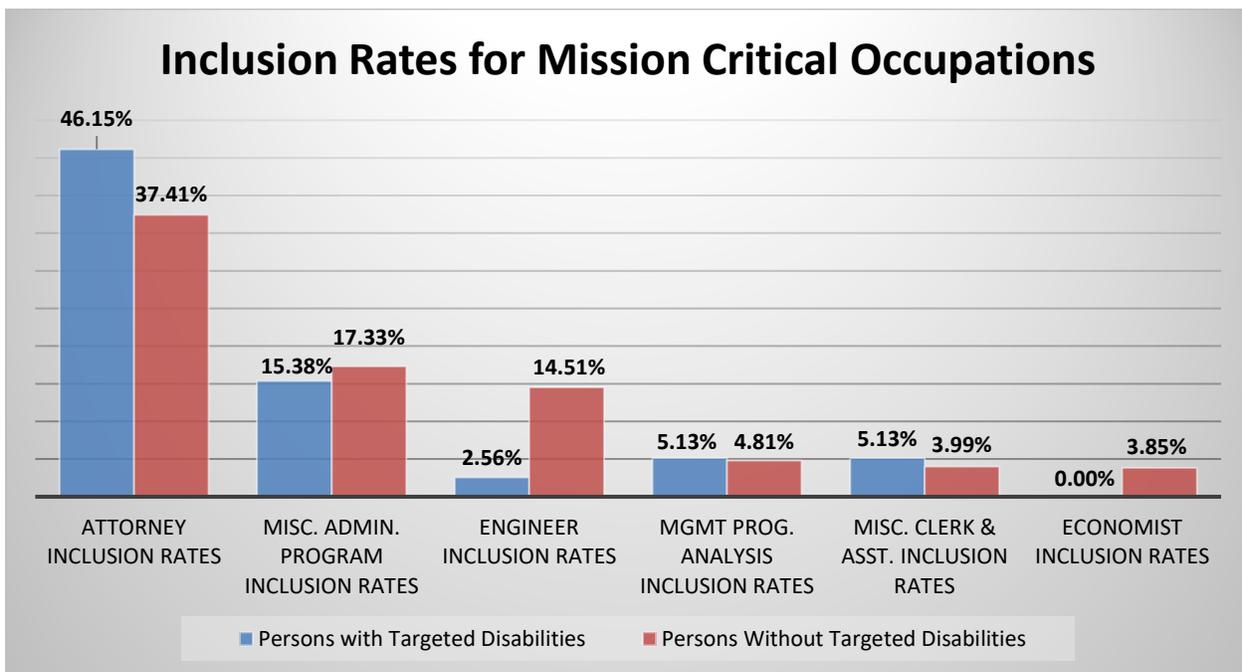


Figure 12

### *E. Employment of Executive or Senior Level Employees*

Generally, Executive or Senior Level employees at the FCC are comprised of employees who occupy Senior Executive Service (SES) and GS-15 positions. Males hold 56.39% of these positions, while females hold 43.61% of these positions (*See* Figure 13). The representation of females and

Hispanic or Latino males and females in the Executive or Senior Level is significantly below the CLF. Additionally, the representation of White females, Black or African American males and females, Asian males and females and Persons with Disabilities and Persons with Targeted Disabilities is comparable to the CLF. However, the representation of females, and Black or African American males and females in the Executive or Senior Level is significantly below their representation in the FCC’s workforce<sup>17</sup> (See Figures 14 and 17).

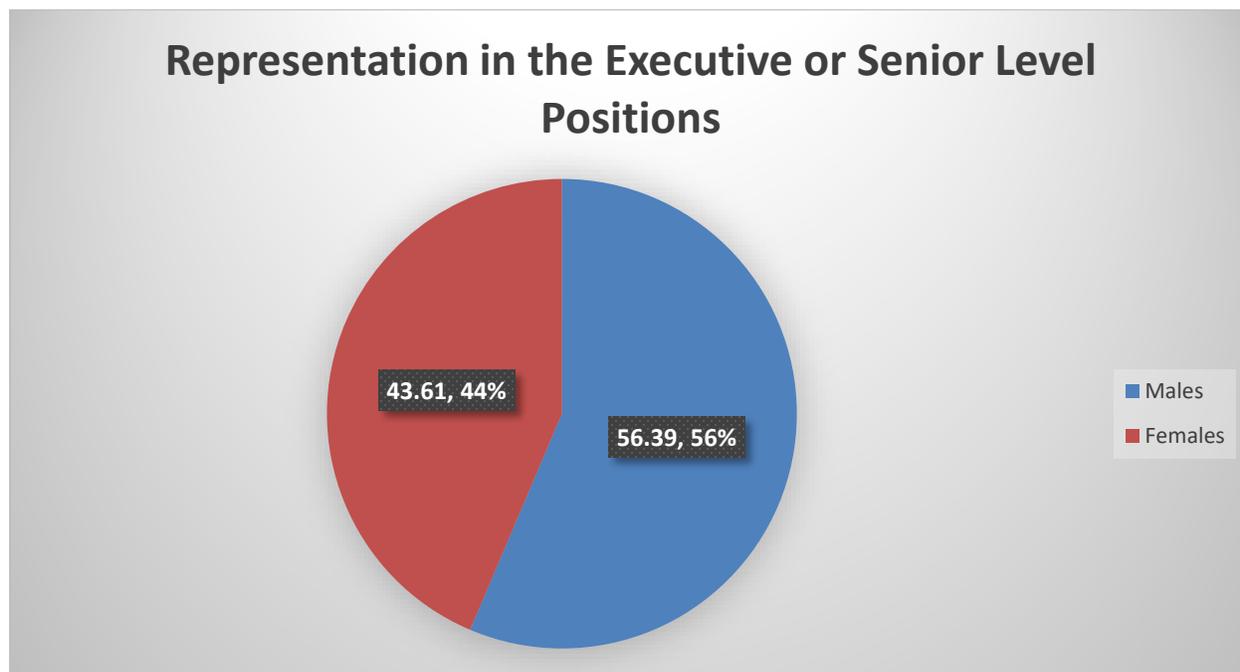


Figure 13

### 1. Females

Overall, females represent 49.70% of the workforce, but only 43.61% of the Executive or Senior Level positions (See Figure 14). Both rates exceed the CLF. Black or African American females represent 19.16% of the FCC workforce, but only 6.04% of the Executive or Senior Level positions. There is a difference of 13.12% between the participation of Black or African American females in the Executive or Senior Level positions and the participation of Black or African American females in the total FCC workforce. When comparing the FCC female workforce with the CLF in the Executive or Senior Level, the overall representation of Black or African American females in the FCC workforce exceeds the CLF, while the participation of Black or African American females is comparable, the participation of Hispanic or Latino females is low, and the participation of Asian females exceeds the CLF.

<sup>17</sup> Although the representation at the Executive or Senior Level is comparable within the FCC workforce, it must be noted that the representation of Hispanic or Latino males and females is significantly below the CLF, whereas the representation of Asian males is above the CLF.

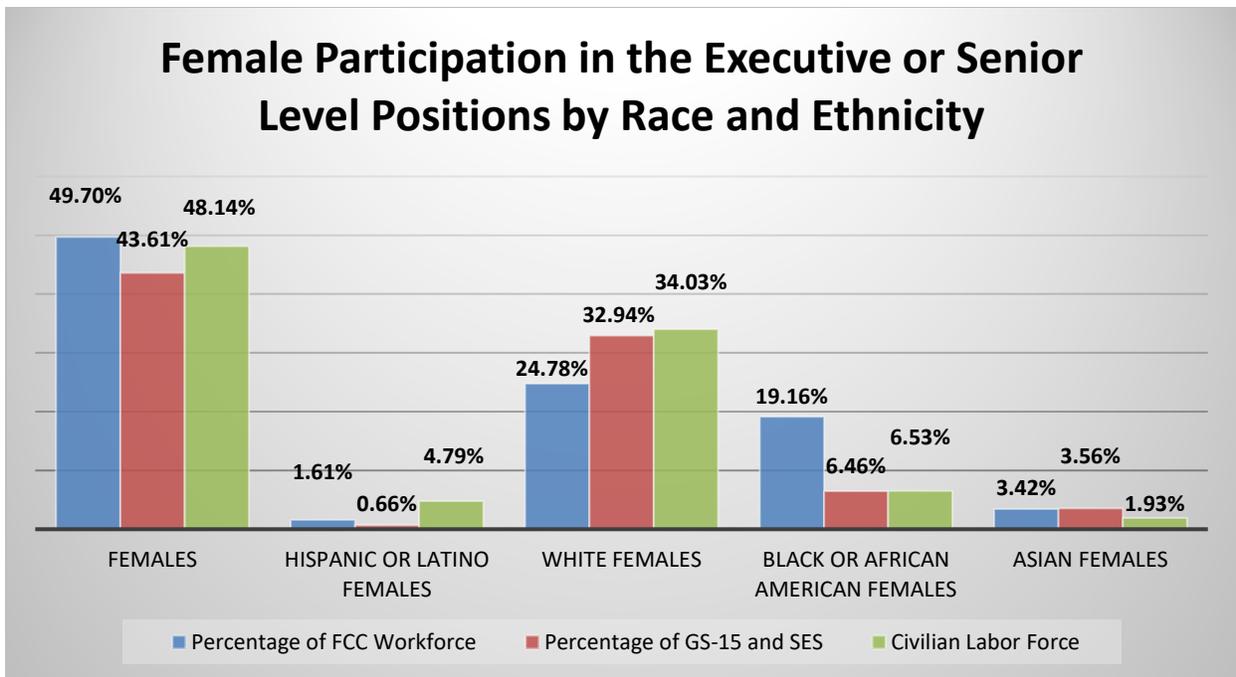


Figure 14

When separating the SES positions from the GS-15 positions, females represent 53.13% of the employees at the Executive or Senior Level (See Figure 15). Although females represent the majority of SES positions, there is a significant imbalance within this category as White females represent 46.88% of these positions, while Black or African American females represent 6.25% of these positions and Hispanic or Latino and Asian females do not have any representation in these positions. Even though an imbalance exists within the female category, the percentage of White females exceeds the CLF and the percentage of Black or African American females is comparable to the CLF. The trend regarding the significantly low representation of Hispanic or Latino females continues in these positions.

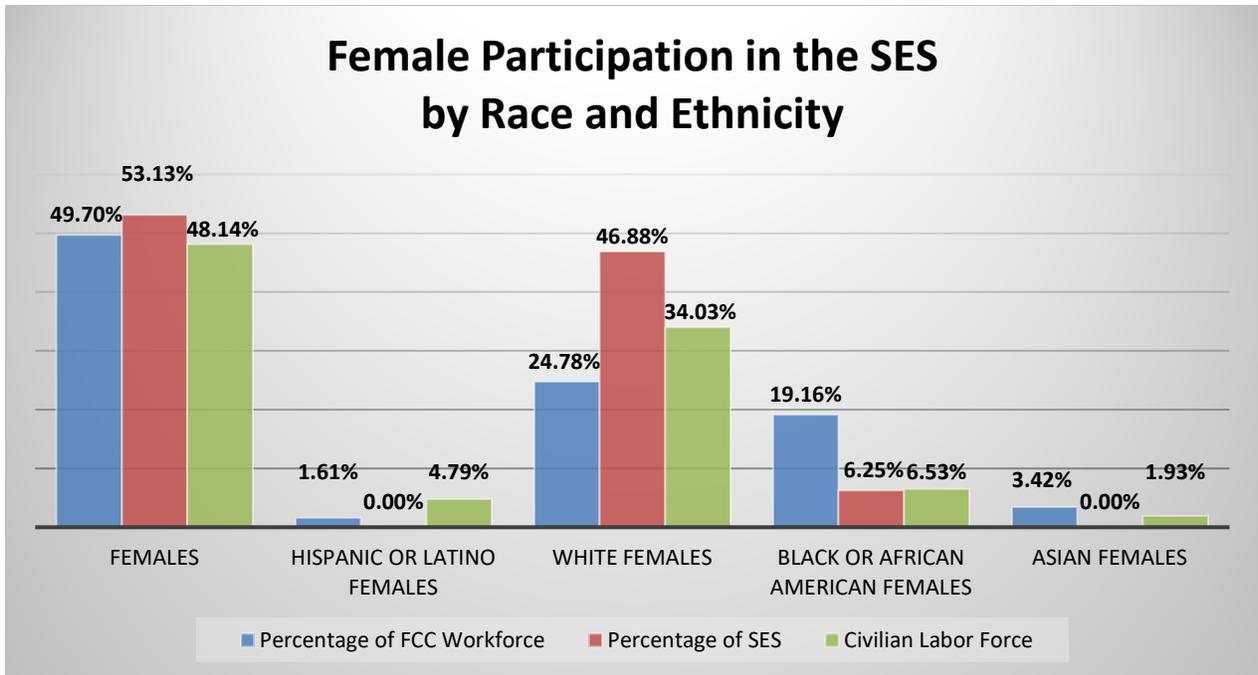


Figure 15

The data regarding the overall representation of females in GS-15 is not as favorable as representation in SES positions, but the data has a smaller imbalance when comparing individual categories within the GS-15 level (See Figure 16). At the GS-15 level, females represent 43.19% of the employees, an almost 10% reduction from the SES Level. The data is more balanced at the GS-15 Level as White females represent 32.32% of these positions, while Black or African American females represent 6.46% of these positions, Asian females represent 3.71% of these positions and Hispanic or Latino females represent 0.69% of these positions. The percentage of White females and Black or African American females is comparable to the CLF, while the percentage of Asian females exceeds the CLF. The trend regarding the significantly low representation of Hispanic or Latino females continues in these positions.

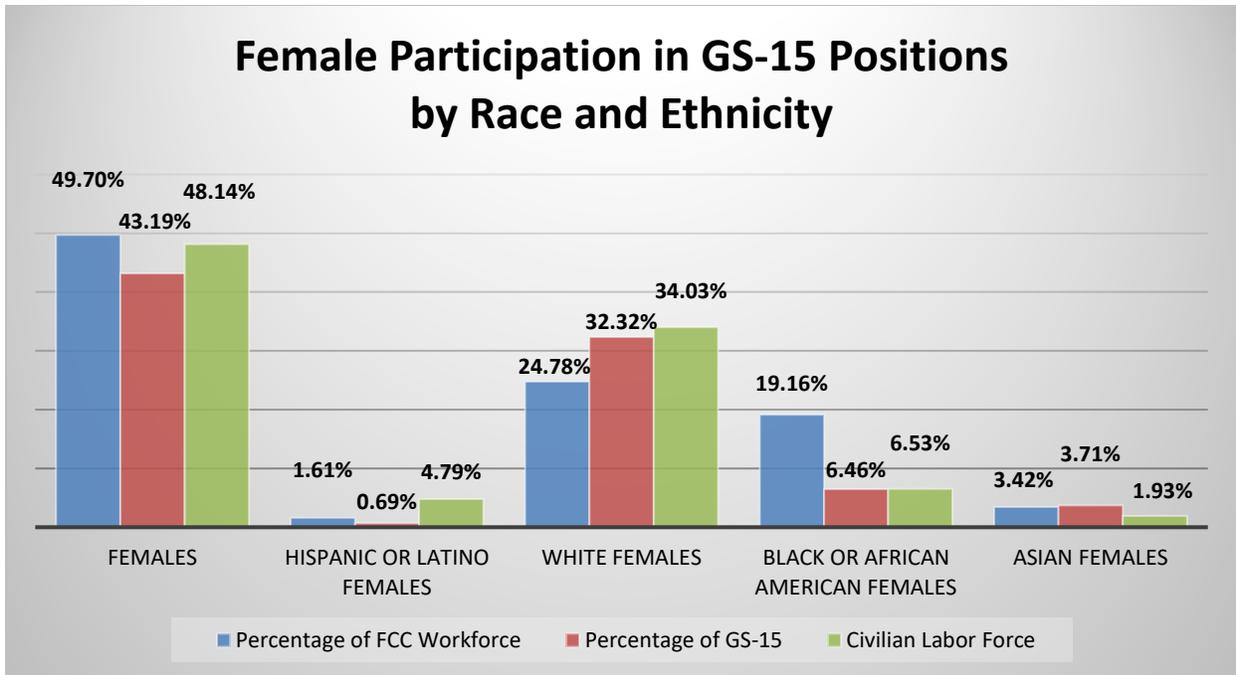


Figure 16

## 2. Males

Overall, males represent 50.30% of the workforce, and 56.39% of the Executive or Senior Level positions (*See* Figure 17). Most of these positions are held by White males at 44.40%. The representation of other groups in the Executive or Senior Level positions decreases dramatically with Asian males at 5.40%, Black or African American males at 5.01%, and Hispanic or Latino males at 1.32%. Although the representation of Black or African American males and Hispanic or Latino males in the Executive or Senior Level positions is below their representation in the overall FCC workforce, Asian males have a higher participation rate than in the overall FCC workforce. When comparing the Executive or Senior Level positions with the CLF, the participation rate of Hispanic or Latino males at 1.38% is significantly below the CLF percentage of 5.17%, the Black or African American participation rate is comparable to the CLF and the participation rate of Asian males significantly exceeds the CLF percentage of 1.97%.

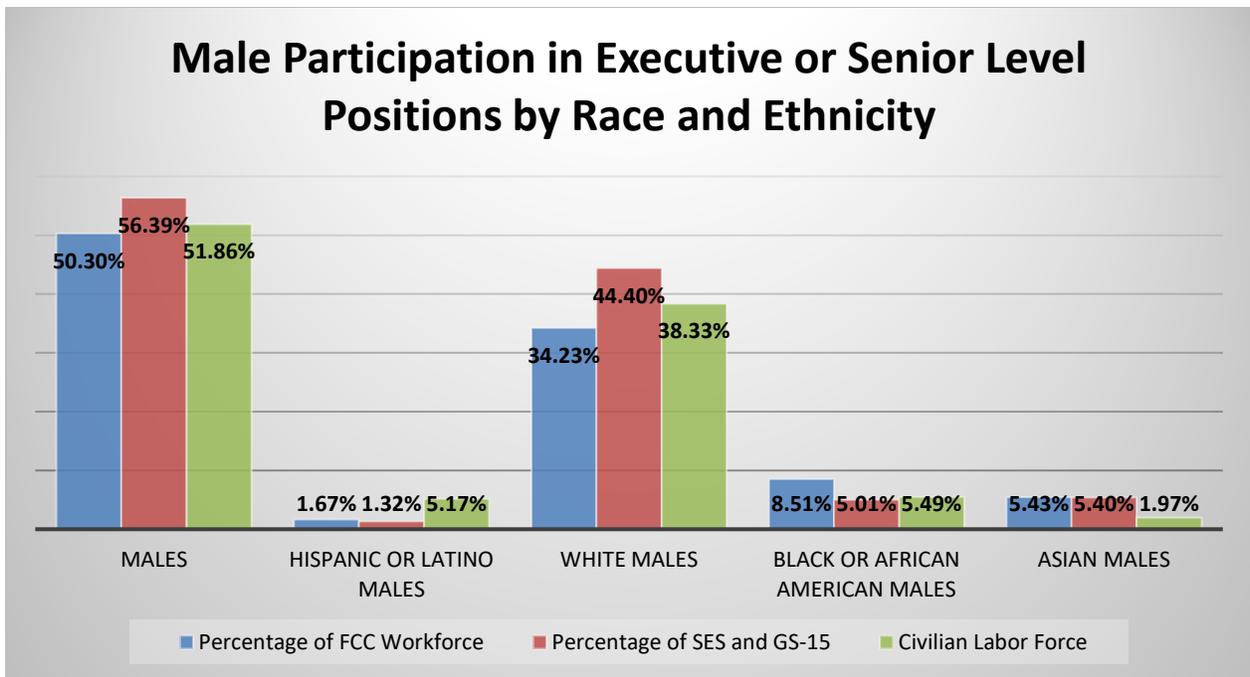


Figure 17

When separating the SES positions from the GS-15 positions, males represent 46.88% of the employees in the SES positions (*See* Figure 18). As with female representation in these positions, there is a significant imbalance within this category as White males represent 43.75% of these positions, while Asian males represent 3.13% of these positions, but Hispanic or Latino males and Black or African American males do not have any representation in these positions. This imbalance shows that the percentage of White males exceeds the CLF, while the percentage of Asian males is comparable to the CLF. The trend regarding the significantly low representation of Black or African American males and Hispanic or Latino males continues in these positions.

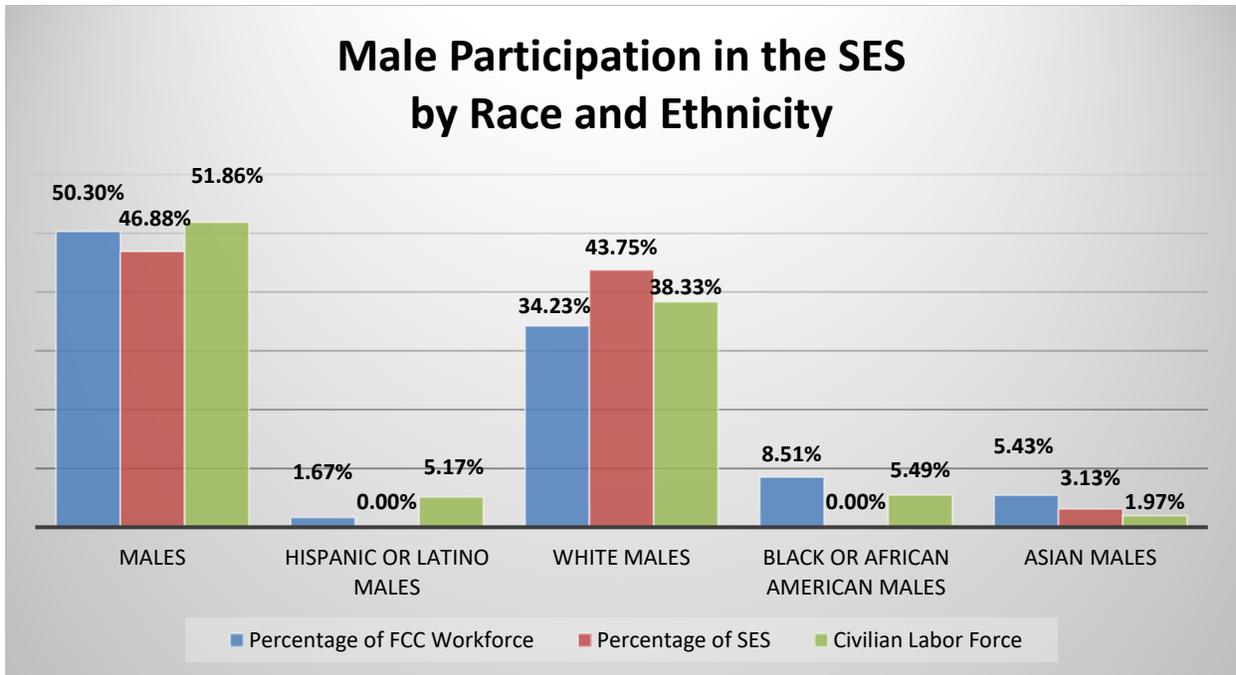


Figure 18

The data regarding the overall representation of males in GS-15 positions is more favorable than in SES positions, when comparing individual categories within the GS-15 level (See Figure 19). At the GS-15 level, males represent 56.81% of these positions, with White males in 44.43% of these positions, Black or African American males in 5.23% of these positions, Asian males in 5.50% of these positions and Hispanic or Latino males in 1.38% of these positions. The percentages of Black or African American males and Asian males are comparable to the CLF, while the percentage of White males exceeds the CLF, and the percentage of Hispanic or Latino males is below the CLF. The trend regarding the significantly low representation of Hispanic or Latino males continues in these positions.

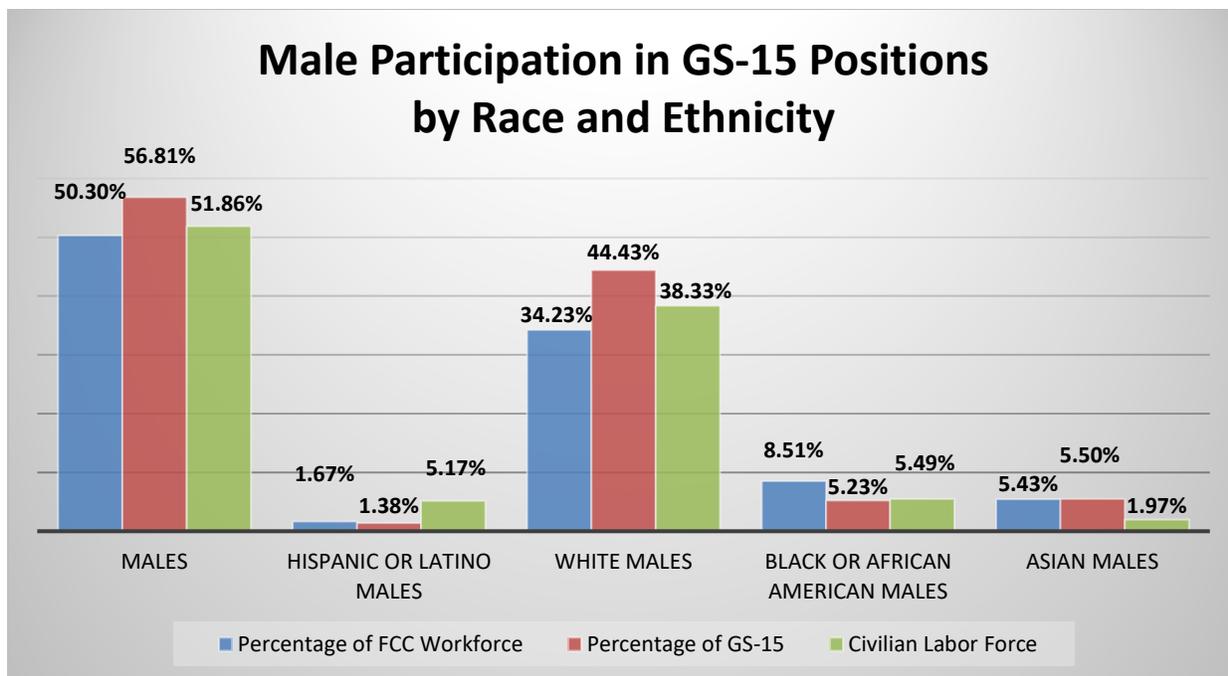


Figure 19

### 3. Persons with Disabilities

Persons with Disabilities are represented throughout the grade levels at the FCC. Specifically, while Persons with Targeted Disabilities represent 2.61% of the FCC workforce, Persons with Targeted Disabilities represent 2.24% of the employees at the Executive or Senior Levels. The FCC is doing very well regarding the representation of Persons with Disabilities in the Executive or Senior Level positions with 7.38% of employees in these positions identifying as having a disability. However, additional effort to include Persons with Targeted Disabilities in these positions is needed as the inclusion rate for Persons with Targeted Disabilities in the FCC workforce at 43.59% is lower than the inclusion rate for Persons without Targeted Disabilities at 51.03%.

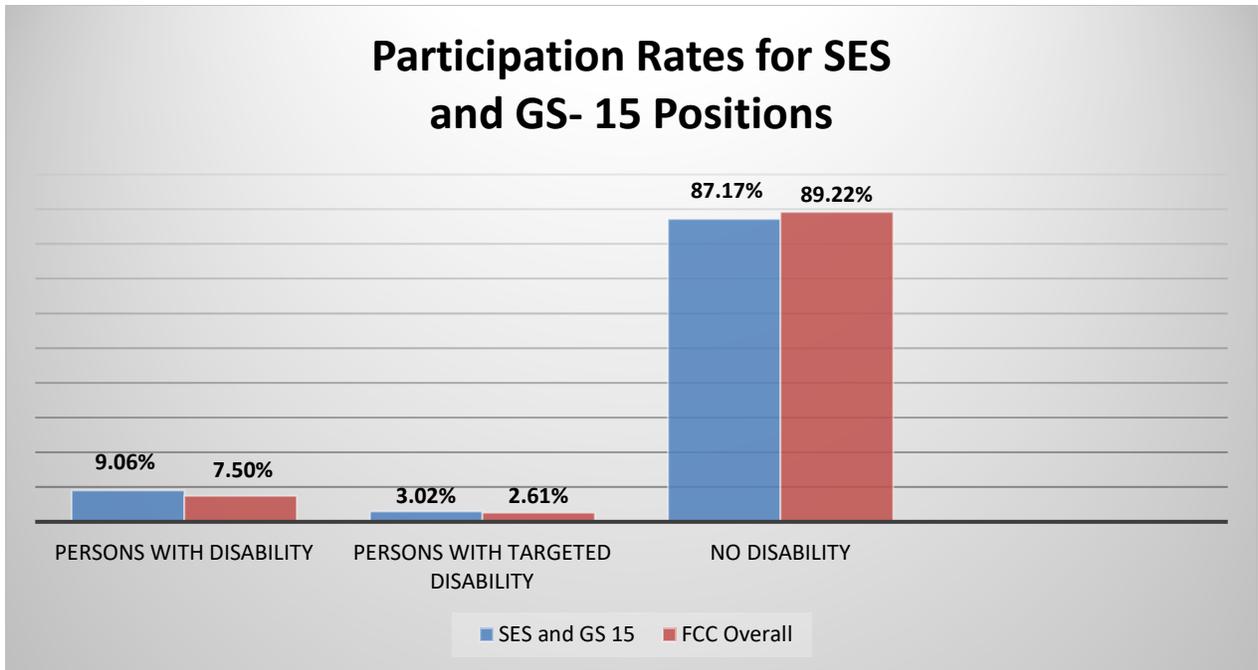


Figure 20

At the SES Level, Persons with Disabilities hold 3.13% of these positions, but Persons with Targeted Disabilities do not hold any of these positions. At the GS-15 Level, Persons with Disabilities hold 7.57% of these positions, while Persons with Targeted Disabilities hold 2.34% of these positions. This data shows that although the FCC is doing well regarding the representation of Persons with Disabilities in the Executive and Senior Level positions, additional effort is required to employ Persons with Targeted Disabilities in the Executive and Senior Level positions. with 9.06% of employees in these positions identifying as having a disability. The inclusion rate for Persons with Targeted Disabilities is lower than the inclusion rate for Persons without Targeted Disabilities for both the Executive Level and the GS-15 Level.

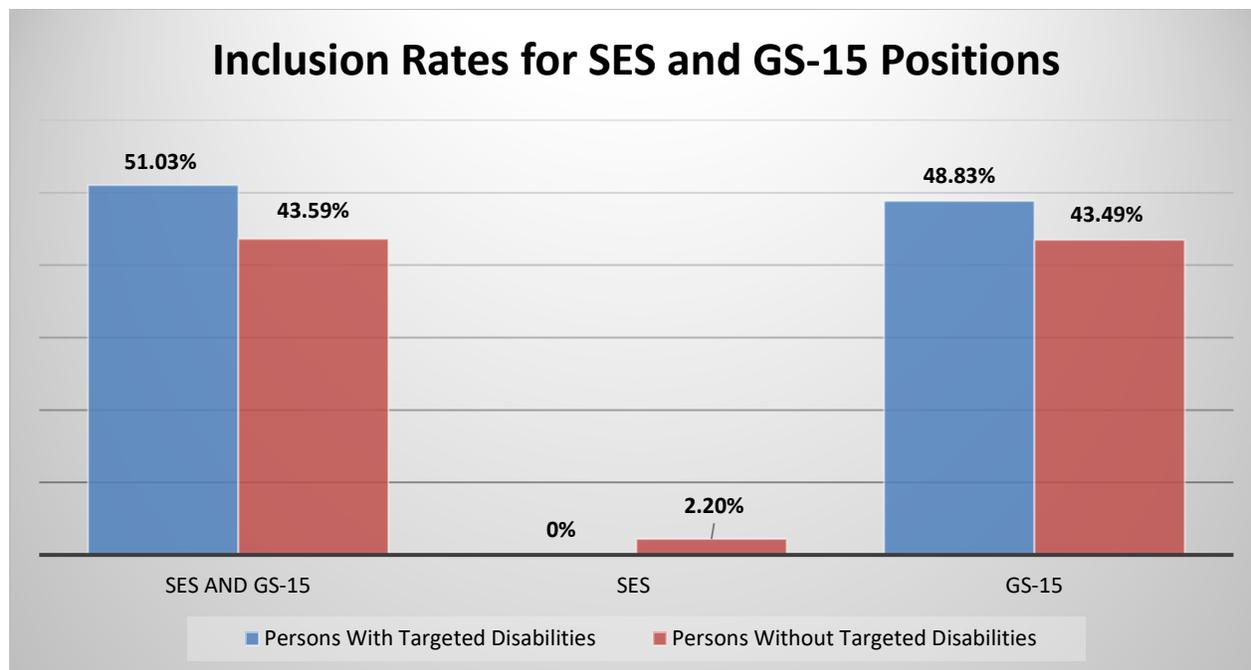


Figure 21

## VI. Career Development Opportunities

The Learning and Development Service Center (LDSC) continued to assist staff with their training and professional development opportunities. These actions included:

- LDSC coaches coaching 11 clients;
- Procurement, and system conversion of a new Learning Management System (LMS) that has already enabled individual users, and supervisors to better guide and evaluate individual and organizational learning needs;
- Codified micro-learning and performance support events into the psyche and mindset of the agency. Weekly and monthly leadership brownbag discussions, book reviews, TEDTalks, and professional development webinars are being conducted and attended with exuberance and fanfare;
- Extending organizational development outreach efforts, e.g., group facilitation and team building events to support business-unit operations;
- Established with the Office of Strategic Planning, an Economics Speaker Series, which is designed to bring onsite, subject matter experts whose research, books, theories, and concepts are relevant to the agency's mission. In FY2017, 15 economists from industry and academe, visited and presented to the FCC staff; Continuing LDSC's partnership with George Washington University to bring graduate-level, semester-long, Electrical and Telecom Engineering courses onsite for FCC Electronics Engineers; and
- Continuing to contract with the Practising Law Institute to provide access to an unlimited, legal curriculum that provides FCC attorneys with Continuing Legal Education and developmental opportunities;

- Purchased enhanced, online curriculum from Skillsoft and Franklin-Covey to support leadership and employee development needs; and
- Purchased Lynda.com licenses to provide specialized skill training in software, web and database usage, development and design.

## **VII. Complaint Processing**

In FY 2017, informal traditional EEO counseling and Alternative Dispute Resolution (ADR) efforts addressed most employee concerns before they resulted in formal EEO complaints. During this period, 17 contacts participated in 21 pre-complaint activities. Of those pre-complaint activities, only ten formal complaints were filed. In light of the FCC's encouragement to supervisors, managers, and employees to resolve EEO issues at the lowest level and utilize the FCC's ADR, Employee Assistance Program, and other workplace conflict resolution mechanisms, over half of the pre-complaint activities were resolved due to either settlement by the parties or withdrawal from the EEO process.

In addition to the pre-complaint activities, there were 34 formal complaints pending during the year. Also, during this period, fourteen formal complaints were closed. Full participation of agency supervisors and managers is required in the EEO complaint resolution process.

## **VIII. FY 2018 Objectives**

The Commission's principal EEO objectives for FY 2018 and beyond include:

- Releasing its Diversity and Inclusion Plan;
- Identifying measures to increase the participation rates of Hispanic or Latino males and females and individuals with disabilities;
- Identifying and examining reasons for the high separation rates among Black or African American females;
- Identifying and examining reasons for the low participation rates of Hispanic or Latino males and females in the economist field and the low inclusion rates of persons with disabilities in the economist and engineer fields;
- Continuing, whenever possible, to make frequent use of appropriate appointing authorities, i.e., Schedule A Appointment of Persons with Disabilities, Veterans Recruitment Appointment, Veterans Employment Opportunity Act of 1998, the 30 percent Disabled Veterans Department of Defense Workforce Recruitment Program and the Department of Defense War-fighter Internship Program;
- Reviewing FCC personnel policies to ensure that they do not disproportionately impact members of any particular group;
- Publish Disciplinary Policy that covers employees found to have committed discrimination;
- Identifying strategies to increase the proportional representation of minorities in the FCC's Executive or Senior Level positions; and
- Expanding education and training of managers, supervisors and employees on reasonable accommodation resources, procedures and requirements.

## **IX. Conclusion**

This report demonstrates that, with the exceptions noted within, the Commission's workforce is proportionally represented when compared with the CLF. The FCC seeks to maintain a highly skilled, diverse workforce in order to accomplish its mission and goals. Through the initiatives outlined in this report, the Commission will continue working to increase the participation rates for all groups in the agency's workforce and promote equal access and opportunity for all employees and applicants for employment.